DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Daniel R. Garodnick, *Director*
Department of City Planning

March 7, 2025

NOTICE OF COMPLETION AND NOTICE OF AVAILABILITY OF A FINAL ENVIRONMENTAL IMPACT STATEMENT

Atlantic Avenue Mixed-Use Plan

Project Identification
CEQR No. 24DCP019K
ULURP Nos. C250016HAK, C250017HAK, C250021PPK, C250022PPK, C250023PPK, C250020PQK, C250019PQK, C250018PQK, C250014ZMK, N250015ZRK

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SEQRA Classification: Type I

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Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Final Environmental Impact Statement (FEIS) has been prepared for the action described below. Copies of the FEIS are available for public inspection at the office of the undersigned as well as online via the Atlantic Avenue Mixed Use Plan (AAMUP) project page on ZAP: https://zap.planning.nyc.gov/projects/2022K0436. To view the AAMUP FEIS and Appendix, navigate to the project page in ZAP and select Public Documents, then "FEIS_24DCP019K". The proposal involves actions by the City Planning Commission (CPC) and the New York City Council pursuant to Uniform Land Use Review Procedure (ULURP). A public hearing on the DEIS was held on February 5, 2025, in conjunction with the City Planning Commission's citywide public hearing pursuant to ULURP. Advance notice was given of the time and place of the hearing. Written comments on the DEIS were requested and considered by the Lead Agency through 5:00 PM, February 18, 2025.

A. INTRODUCTION

The New York City Department of City Planning (DCP), together with the New York City Department of Housing Preservation and Development (HPD) and Department of Citywide Administrative Services (DCAS), is proposing a series of land use actions including zoning map amendments, acquisition, disposition of City-owned property and Urban Development Action Area Project (UDAAP), and zoning

text amendments (including establishing a new Special District and Mandatory Inclusionary Housing [MIH]) (collectively, the "Proposed Actions") that would facilitate the implementation of a neighborhood land-use plan along Atlantic Avenue in Prospect Heights, northwestern Crown Heights, and southern Bedford Stuyvesant in partnership with elected officials, City agencies, community boards, and local stakeholders.

The Proposed Actions would affect an approximately 21-block area, primarily along Atlantic Avenue in Brooklyn Community Districts (CDs) 3, and 8, and generally bounded by Vanderbilt Avenue to the west, Nostrand Avenue to the east, Herkimer Street to the north, and Bergen Street to the south. In addition, the Proposed Actions would affect two, separate, non-contiguous areas on a portion of two blocks bounded by:

- 6th Avenue to the west, Carlton Avenue to the east, Dean Street to the north, and St. Marks and Flatbush Avenues to the south.
- Halsey Street to the north, Macon Street to the south, Nostrand Avenue to the west and Marcy Avenue to the east.

In response to the comments received on the Draft Scope of Work, two additional development sites (Projected Development Sites 53 and 55) have been included in environmental analysis to account for development that could be facilitated by future discretionary actions not subject to the current ULURP land use application associated with the Proposed Actions. These two separate, non-contiguous sites in CD 2 and 8 are on a portion of two blocks bounded by:

- Fulton Street to the north, Atlantic Avenue to the south, Carlton Avenue to the west and Clermont Avenue to the east.
- Prospect Place to the north, Park Place to the south, New York Avenue to the west and Brooklyn Avenue to the east.

The Proposed Actions are intended to reinvigorate portions of the 120-foot-wide Atlantic Avenue thoroughfare and surrounding blocks and help mitigate the regional housing crisis by allowing the development of new housing, including affordable housing, and facilitating economic opportunity and the growth of local services and jobs in an area that has excellent public transit access and is near the major employment hubs of Downtown Brooklyn and Lower Manhattan. These actions will also be reinforced by investments into local community resources and the public realm to improve sustainability, safety, mobility, and neighborhood connectivity. The Proposed Actions seek to accomplish the following land use objectives:

- Implement community-identified priorities for housing, services, and job growth, and reinforce proposed investments into community amenities and the streetscape.
- Allow for new housing where appropriate and require permanently affordable housing in new residential developments.
- Reinforce the area as a local job hub that serves surrounding neighborhoods and new residents and promotes a walk-to-work environment.
- Ensure the area evolves into a mixed-use neighborhood that supports new housing and space for local retail, community facilities and services, and commercial and light industrial uses.
- Encourage the investment in, and expansion of, loft-style buildings to help the growth of job-dense uses in appropriate locations.
- Strengthen the quality of the Atlantic Avenue streetscape, improve safety along the corridor and at key intersections, enhance the pedestrian experience along the sidewalk, and find opportunities for publicly accessible open space for existing and future residents.
- Support active ground floor uses along key corridors, including Atlantic Avenue, Grand Avenue, Classon Avenue, and Bedford Avenue.
- Create special zoning rules to improve urban design and accommodate unique development conditions.

Related to the objectives above, the proposed actions also seek to facilitate the following redevelopments of public- and nonprofit-owned lots:

- Dean Park Edge: One 11-story new construction mixed-use building containing approximately 151 affordable senior rental units, one additional unit for a superintendent, approximately 2,780 square feet (sf) of community facility space on the ground floor. The proposed development will be developed on five underutilized City-owned lots within the Prospects Heights neighborhood of Brooklyn's CD 8, located at 542 Dean Street (Block 1136, Lots 29, 32, 33, 34, 35) ("Projected Development Site 46").
- Bergen Green: One 11-story new construction mixed-use building containing approximately 111 affordable rental units, one additional unit for a superintendent, approximately 5,323 sf of community facility space on the ground floor, and approximately 23 parking spaces for HPD operations on one underutilized City-owned site within the Prospects Heights neighborhood of Brooklyn's CD 8, located at 516 Bergen Street (Block 1143, Lot 25) ("Projected Development Site 47").
- 457 Nostrand Avenue (Department of Education): One 13-story new construction mixed-use building containing approximately 200 affordable rental units[1], one additional unit for a superintendent, approximately 18,034 sf of community facility space on the ground floor on one underutilized City-owned site within the Bedford-Stuyvesant neighborhood of Brooklyn's CD 3, located at 457 Nostrand Avenue (Block 1844, Lot 1) ("Projected Development Site 54").
- 1134 Pacific Street (Acacia Network): One 11-story new construction mixed-use building containing approximately 119 affordable rental units, one additional unit for a superintendent, approximately 2,479 sf of community facility space on the ground floor on three underutilized formerly City-owned sites within the Prospects Heights neighborhood of Brooklyn's CD 8, located at 1134-1142 Pacific Street (Block 1205, Lots 11, 14, 111) ("Projected Development Site 48").
- 1110 Atlantic Avenue (New York City Transit): One new construction mixed-use building ranging in height from 10 to 19 stories and containing approximately 200 affordable rental units and approximately 21,000 sf of commercial space on the ground floor of an underutilized City-owned site within the Prospect Heights neighborhood of Brooklyn's CD 8, located at 1110 Atlantic Avenue (Block 1126, Lot 32) ("Projected Development Site 45").

Atlantic Avenue serves as one of the City's major thoroughfares, spanning across several neighborhoods from Brooklyn's East River waterfront to Jamaica, Queens. During the 19th century, a freight and passenger rail line ran at-grade along Atlantic Avenue bringing raw materials into the city from Long Island, leading to many industrial, distribution-based businesses flourishing along the corridor and surrounding blocks, intermingling with the existing rowhouses and apartment buildings. In the early 1900s, as Brooklyn densified and Long Island suburbanized, the rail line was buried below Atlantic Avenue and began operating as passenger-only service for the Long Island Rail Road (LIRR). Concurrently with the rapid growth of the automobile and suburbanization of Long Island, portions of Atlantic Avenue in Central Brooklyn evolved into an auto-centric corridor with gas stations, vehicle repair shops, warehouses, and distribution centers. In 1961, the area was mapped with an M1-1 zoning district, codifying the area as a low-rise, auto-oriented corridor. Due to the M1-1's low allowable densities and heights, high off-street parking and loading requirements, and use limitations, this zoning contributed to disinvestment in the area by encouraging the devaluation and demolition of non-conforming homes and apartment buildings, banning development of any new housing, and significantly constraining the growth of commercial and industrial businesses. Today, the area consists of vacant and underutilized lots, as well as single-story warehouses and auto-related uses.

In contrast, the areas immediately surrounding the M1-1 zoning district are mainly built up and thriving with residential and other types of uses. Housing demand has soared in Crown Heights, Prospect Heights, Clinton Hill, Bedford Stuyvesant, and other neighborhoods surrounding Atlantic Avenue, which benefit

[1] For a conservative analysis the RWCDS assumes 279 affordable DUs at 457 Nostrand Avenue, based on total available floor area and unit size assumptions. As noted, current DOE/HPD plans assume 200 affordable DUs would be built on Projected Development Site 54.

from strong access to public transit and major employment hubs, such as Downtown Brooklyn and Lower Manhattan. To prevent new, potentially out-of-context development, large swaths of these neighborhoods have been mapped with contextual zoning districts and designated as historic districts by the New York City Landmarks Preservation Commission (LPC), limiting capacity for new housing and placing increasing pressure on industrial-zoned parts of Atlantic Avenue to accommodate growth.

Following the 2013 area-wide rezoning of Crown Heights West, Brooklyn Community Board (CB) 8 formed a land use sub-committee called M-CROWN with the aim of establishing a shared vision for housing and job growth along a section of Atlantic Avenue. In 2015, CB 8 adopted their first Resolution requesting the City rezone the M-CROWN geography to support new mixed-income housing and living-wage jobs, envisioning expanded industrial uses and restrictions on retail, nightlife, and eating and drinking establishments.

Since 2016, DCP has been engaged with CB 8 and began a study in collaboration with board members, residents and property owners, and other stakeholders. In 2018, DCP released a land use framework, which built upon CB 8's goals and set forth a vision with individual sub-areas that has subsequently been used as a tool to guide private rezoning applications. In spring 2022, DCP began work to advance an area-wide plan for Atlantic Avenue in response to a request from elected officials, local organization and community board leaders, and various stakeholders. In October 2022, an outreach and engagement process was launched by elected officials, DCP, and partnering agencies, known as the Atlantic Avenue Mixed-Use Plan (AAMUP), culminating in a community priorities report in July 2023 which included recommendations for land use changes, public realm improvements, and other community-based priorities.

An overview of the area subject to the Proposed Actions (also referred to as the Project Area or Rezoning Area), the purpose and need for the Proposed Actions, and their specific components are discussed below. Appendix 1 of the Environmental Assessment Statement (EAS) includes a full list of the blocks and lots that would be affected by the Proposed Actions.

B. REQUIRED APPROVALS

The Proposed Actions include discretionary actions that are subject to review under ULURP, Section 200 of the City Charter, and City Environmental Quality Review (CEQR) process, as follows:

- **Zoning Map Amendment to:**
    - Rezone portions of existing M1-1, C6-2A, C6-3A, C6-3X, M1-4/R7A, R7A/C2-4, R7D/C2-4, R6B, and R6A districts to R7A, R7D, C6-3A, M1-1A/R6B, M1-2A/R6A, M1-3A/R7D, M1-4A/R9A, C4-3A, C4-5D, R7-2, and M1-3A districts and C2-4 commercial overlays.
- **Zoning Text Amendments to:**
    - Establish the Special Atlantic Avenue Mixed-Use District largely coterminous with the Rezoning Area. The proposed special purpose district will include modifications to underlying use, bulk, parking and loading, and streetscape regulations. The proposed special district will include requirements and incentives related to active ground floor uses and job-generating uses and establish controls for building articulation and streetscape improvements along key corridors.
    - Modify Appendix F for the purpose of establishing proposed R7A, R7-2, R7D, C6-3A, M1-1A/R6B, M1-2A/R6A, M1-3A/R7D, M1-4A/R9A, C4-3A, C4-5D, and R7-2 as MIH areas, applying the MIH program to require a share of new housing to be permanently affordable where significant new housing capacity would be created.
- **Designation of Urban Development Action Areas (UDAA), Approval of an Urban Development Action Area Project (UDAAP), Acquisition, and Disposition of City-Owned Properties**
    - Designation of UDAAs, project approval of an UDAAP, and disposition of the City-owned property for two parcels owned and managed by HPD on Block 1136 (Lots 29, 32, 33, 34, and 35) and Block 1143 (Lot 25). HPD seeks to designate a UDAAP for the purpose of disposition and development of affordable housing for older adults and families, as well as to provide on-

site services and amenities for residents and other community facility uses.

- Acquisition and disposition actions related to the property for Block 1205, Lots 11, 14, and 111; Acquisition and disposition of City-owned property at Block 1126, Lot 32; acquisition of City-owned property at Block 1143, Lot 25, and disposition of City-owned property at Block 1844, Lot 1.
- In addition to these land use actions, potential Article XI disposition, tax exemption, and HPD financing for one or more sites to facilitate the development of affordable housing.

C. BACKGROUND TO THE PROPOSED ACTIONS

COMMUNITY ENGAGEMENT AND INTERAGENCY PARTICIPATION

Following the 2013 area-wide rezoning of Crown Heights West, Brooklyn CB 8 formed a land use sub-committee called M-CROWN with the aim of establishing a shared vision for housing and job growth along a section of Atlantic Avenue. In 2015, CB 8 adopted its first Resolution requesting the City rezone the M-CROWN geography to support new mixed-income housing and living-wage jobs, envisioning expanded industrial uses and restrictions on retail, nightlife, and eating and drinking establishments.

In 2016, DCP began engaging with CB 8 on a land use study, encompassing the M1-1 zoning district that extends from Vanderbilt Avenue on the west to Nostrand Avenue on the east. Because conditions were similar across both sides of the corridor, DCP added an M1-1 area on the north side of Atlantic Avenue in 2017 and initiated discussions with CB 3. In 2018, DCP released a land use framework as part of its study with the goal of reaching consensus on a shared vision for growth and to help guide private rezoning applications. As part of the framework, the following three sub-areas were identified:

- Atlantic Avenue Mixed-Use Sub-Area: Support growth of a major corridor with a high-density mix of commercial and residential uses.
- Western Mid-Block Mixed-Use Sub-Area: Encourage moderate density, mixed-use development with greater density along the north/south avenues.
- Eastern Mid-Block Commercial and Industrial Sub-Areas: Maintain and support clusters of industrial and commercial uses.

Following additional outreach between DCP and CB 8, in 2019 CB 8 adopted a second Resolution, building on the 2018 DCP framework with recommendations to incentivize a mix of light-industrial and community facility uses, and formally presented the framework to CB 3 in 2019. In 2020 and 2021, DCP continued to engage with CB 8 and CB 3, holding discussions on a variety of urban design issues along with demographic and population trends.

In April 2022, in response to a letter requesting a City-sponsored neighborhood plan from elected officials, CBs 3 and 8, and local organizations, the City began efforts to advance a neighborhood plan. During the summer and fall of 2022, DCP worked with key stakeholders to formulate an outreach plan to better understand priorities for land use, affordable housing, and capital investments among residents and businesses, many of whom had not been engaged with past M-CROWN planning efforts. To facilitate the expanded engagement initiative, a consultant was selected and on-boarded through a request for proposals (RFP) process and several city agencies formally joined the planning efforts, including HPD, the Department of Transportation (DOT), the Department of Parks and Recreation (DPR), the Department of Small Business Services (SBS), and the Economic Development Corporation (EDC). To distinguish this expanded engagement process from past M-CROWN work, the new outreach and planning process was renamed AAMUP.

In December 2022, a steering committee, consisting of local council members, community boards, and representatives from community-based organizations and advocacy groups, was formed to provide oversight and guidance of the outreach process. In January 2023, the new outreach process kicked off with a virtual workshop to introduce AAMUP and hear initial feedback from community members. During winter and spring 2023, a series of public engagement meetings were convened to develop a detailed set of goals and priorities for the plan, including two open-house-style community planning workshops, nine

topic-based working groups meetings, and monthly steering committee meetings.

In an effort to allow community members to engage with City agencies on specific planning topics and generate community-driven priorities for the plan, three working groups were formed on the topics of (1) Streetscape, Physical Infrastructure, and Open Space; (2) Economic Development, Human Capital, and Services; and (3) Land Use, Density, and Housing—each of which met three times for a total of nine working group meetings. Every working group meeting consisted of a mix of presentations, interactive activities, and break-out group discussions led by the engagement consultant and in close coordination with the steering committee, DCP, Council Member Crystal Hudson, and the City Council's Planning and Land Use Division. Several City agencies also participated in and supported the engagement process, including HPD, DOT, DPR, SBS, and EDC.

Following the public community planning workshops and working group meetings, opportunity statements, goals, and priorities that emerged from the outreach process were compiled into a final engagement report, the AAMUP Community Vision and Priorities report, which was released in August 2023. As part of the AAMUP Community Vision and Priorities report, six community-based priorities were identified, which will inform future land use actions and actions taken by the City to provide services and undertake capital investment projects that support the plan's goals.

Concurrently with DCP's work to develop the land-use framework and neighborhood plan that would eventually become the AAMUP proposal, HPD issued the Minority/Women-Owned Business Enterprises (M/WBE) RFP Round 2 on April 22, 2021, to develop high-quality, sustainable mixed-use affordable housing developments on two underutilized City-owned sites in Prospect Heights, Brooklyn: Site A 542 Dean Street (Projected Development Site 46) and Site B 516 Bergen Street (Projected Development Site 47). The RFP is part of HPD's initiative to build opportunity among minority- and women-owned developers, and address demonstrated disparities in M/WBE participation in affordable housing development. The RFP followed community outreach held between 2020 and 2021 that included a series of public workshops, community surveys and stakeholder meetings to identify priorities and goals for the site that were compiled into a Community Visioning Report. Three main priorities included in the Community Visioning Report were open public space, neighborhood amenities and contextual building design. The Proposed Developments were designated in August 2023 (Site A) and January 2024 (Site B) and reflect the City's affordable housing goals, as well as input and feedback received during community engagement.

ATLANTIC AVENUE MIXED-USE PLAN PROJECT AREA HISTORY

PROJECT AREA HISTORY

Early inhabitants of the Project Area included the Lenape indigenous people. The area was mostly forested, hilly, and unpopulated until the establishment of the Village of New Bedford in the 17th century as part of a grant from New Amsterdam Governor Pieter Stuyvesant. The area would later become part of the Village of Brooklyn and, in 1674, was transferred from Dutch to British rule. During European colonization, many areas were de-forested and became farmland. In the 19th century, the area experienced rapid urbanization due to the layout of a new street grid, technological advances in rail transportation and construction, and the development of Prospect Park.

During the late 19th century, Atlantic Avenue had an at-grade freight and passenger rail connecting Brooklyn's industrial waterfront with the farms of Long Island, fueling Brooklyn's rapid development, and leading to industrial, distribution-based businesses concentrating along the corridor and surrounding blocks. In the early 1900s, the rail line was moved below grade and began operating as passenger-only service for the LIRR. As Long Island suburbanized amidst the rapid growth of the automobile, Atlantic Avenue evolved into an auto-centric corridor with gas stations, vehicle repair shops, warehouses, and distribution centers. In 1961, M1-1 zoning was mapped along the corridor to limit new housing and promote suburban-style industrial and commercial uses, reinforcing the character of low-rise, auto-oriented uses; devaluing the existing rowhouses and apartment buildings by designating their use as non-conforming with zoning; and precluding any new residential development, conversions, or expansions.

Due to the M1-1 zoning's stringent restrictions on use, limitations on density and height, and high parking requirements, coupled with periods of disinvestment, portions of Atlantic Avenue have experienced minimal new development. The area is presently characterized by a mix of vacant lots, open storage, self-storage, auto-oriented uses, and high lot coverage, loft-style industrial buildings, some of which have been adaptively reused for offices, art studios, and retail uses. Meanwhile, much of the residential neighborhoods surrounding Atlantic Avenue—Crown Heights, Prospect Heights, Clinton Hill, and Bedford Stuyvesant—have undergone rapid socioeconomic changes. Though rich in public transit and located near major job centers like Downtown Brooklyn and Lower Manhattan, these neighborhoods were "contextually" rezoned and mapped with historic districts, preserving their existing built character and limiting new housing development. As housing demand in these inner-ring neighborhoods grew and attracted higher income residents, many low- and moderate-income residents have faced rising rents and displacement pressure. Simultaneously, the population of Black residents within the surrounding neighborhoods has declined, while the population of White and Asian residents has grown substantially.

NEIGHBORHOOD CONTEXT

The Project Area is located primarily in northwestern Crown Heights and situated at the nexus of Crown Heights, Bedford Stuyvesant, Clinton Hill, and Prospect Heights. Surrounding neighborhoods consist mainly of low-rise residential areas with retail and services concentrated on Fulton Street to the north and several north-south corridors that overlap with the Project Area. Following the establishment of Prospect Park and the expansion of the subway station during the late 19th century and early 20th century, these neighborhoods experienced a rapid population boom with the construction of row-house style homes and small- and medium-sized apartment buildings.

The area surrounding the Project Area is well-served by public transit. The A and C subway lines run along Fulton Street, two blocks north of the Project Area, with access at the Clinton-Washington, Franklin Avenue, and Nostrand Avenue stations. The Franklin Avenue shuttle, a two-car subway connecting the neighborhoods of Bedford Stuyvesant with Prospect Lefferts Gardens in Central Brooklyn, runs north-south directly through the Project Area with stations two blocks from the Project Area at Franklin Avenue and Park Place. Within the Project Area, the elevated train runs over Atlantic Avenue, Pacific Street, Dean Street, and Bergen Street. Additionally, three blocks to the west of the Project Area is Atlantic Terminal, a multi-modal transit hub with access to 10 subway lines and the LIRR, and less than a half mile to the south of the Project Area is the Franklin Avenue station at Eastern Parkway, which provides access to the 2, 3, 4, and 5 subway lines. Less than one block outside the Project Area, at the intersection of Atlantic Avenue and Nostrand Avenue, is a newly renovated LIRR station, which provides regional access to Atlantic Terminal, East New York, and various stations in Queens and Long Island. Several bus lines run within a quarter mile of the Project Area, including the B25, B26, B45, B44, B48, B49, B65, and B69, as well as the B44 Select Bus Service.

Three blocks west of the Project Area is Atlantic Terminal, a multi-modal transit hub and gateway to Downtown Brooklyn, a high-density neighborhood that serves as a Central Business District serving the entire City and was subject to an area-wide rezoning in 2004 (C 040171 ZMK) to promote commercial and residential growth. Three LPC-designated historic districts are located within a few blocks from the Project Area (Prospect Heights District, Crown Heights North District, and Bedford District), and several other Historic Districts are located within a one-mile radius of the Project Area, including Fort Greene, Clinton Hill, Stuyvesant Heights and Crown Heights North II and III.

Immediately surrounding the Project Area are three Historic Districts designated by LPC. In 1977, LPC designated the 23rd Regiment Armory as a New York City Landmark. Referred to as the Bedford Atlantic Armory, the building was constructed in 1895 to store arms and military equipment, train soldiers, and provide services to veterans of the Civil War. Resembling a brick fortress, a prominent feature is the round crenellated tower, which rises to a height of 136 feet. Currently, the building is occupied by a homeless shelter for men operated by the Department of Homeless Services (DHS) and used for temporary storage. In 1974, LPC designated St. Bartholomew's Church as a New York City Landmark, located partially within the Project Area at 1227 Pacific Street. Built in 1890, St. Bartholomew's Church is a Queen Anne-style

structure featuring a square tower and belfry, as well as a stained-glass window by Tiffany Studios, dating from 1932. In 1986, the Imperial Apartments as a New York City Landmark, located approximately one block to the south of the Project Area at 1198 Pacific Street. Built in 1892 and inspired by French Renaissance chateaux, the Imperial Apartments are clad with Roman brick and terra-cotta. In 1983, LPC designated Girls High School at 457 Nostrand Avenue as a New York City Landmark, which is currently occupied by the Adult Learning Center. Erected in 1885 with a combination of Victorian Gothic and French Second Empire styles, Girl's High School was one of the first public secondary schools in New York City.

Directly to the west of the Project Area is Pacific Park, a multi-phased development project led by Empire State Development (ESD) that spans five blocks and 22 acres. As originally envisioned, Pacific Park would include 6430 residential units, 35 percent of which would be income-restricted, approximately 750,000 sf of office, retail, and hotel space, 8 acres of new publicly accessible open space, community facilities, and the 18,000 seat Barclays Center Arena. Pacific Park, formerly known as Atlantic Yards, is subject to a General Project Plan (GPP) that was approved in 2006 and has since been amended to accommodate updates to the proposal. As of summer 2024, 3212 out of the expected 6,430 units have been completed, including 1,374 income-restricted units, leaving approximately 3,218 units including 876 income-restricted units to be completed during the second phase of construction. In addition, approximately 91,000 sf of retail space has been completed on the ground floor of new residential buildings, with the remaining commercial and hotel space yet to be constructed, and a new school opened on the Pacific Park site in September 2024.

Over the past few decades, the surrounding neighborhoods have experienced major demographic and population changes. Within Census Tracts overlapping within a quarter mile of the Project Area, from 2010 to 2020 the Black population declined from 53,592 to 39,342, while the White Non-Hispanic increased from 29,690 to 49,349. During this period, the population increased by 15 percent from 102,377 to 119,021, which also coincided with a rise in median household incomes, educational attainment, and households with non-family members or roommates. Underscoring these demographic shifts are broader local and Citywide trends and issues. Demand to live in the surrounding neighborhoods remains consistently strong, while existing zoning, historic districts, and a limited number of development sites have constrained the ability to accommodate growth and placed increasing pressure on the existing housing stock. Due to the rise in demand, many owners decided to sell their homes and move, while many renters, particularly low-income populations living in unregulated housing, struggle to afford to live in the neighborhood and relocate when faced with the rising cost of living, tenant harassment, and a lack of nearby affordable housing opportunities.

PROJECT AREA

The Proposed Actions would affect an approximately 21-block, 72.5-acre area primarily along Atlantic Avenue in the neighborhoods of northwest Crown Heights and southern Bedford-Stuyvesant, Brooklyn CDs 8 and 3, respectively. The Project Area is generally bounded by Vanderbilt Avenue to the west, Nostrand Avenue to the east, Herkimer Street to the north, and Bergen Street to the south. In addition, the Proposed Actions would affect two non-contiguous areas located on a portion of two blocks in Prospect Heights and one block in Bedford-Stuyvesant:

- 6th Avenue to the west, Carlton Avenue to the east, Dean Street to the north, and St. Marks and Flatbush Avenues to the south.
- Halsey Street to the north, Macon Street to the south, Nostrand Avenue to the west and Marcy Avenue to the east.

In response to the comments received on the Draft Scope of Work, two additional development sites (Projected Development Sites 53 and 55) have been included in environmental analysis to account for development that could be facilitated by future discretionary actions not subject to the current ULURP application associated with the Proposed Actions. These two separate, non-contiguous sites in CD 2 and 8 are on a portion of two blocks bounded by:

- Fulton Street to the north, Atlantic Avenue to the south, Carlton Avenue to the west and Clermont Avenue to the east.

- Prospect Place to the north, Park Place to the south, New York Avenue to the west and Brooklyn Avenue to the east.

Atlantic Avenue is a prominent east-west corridor that extends the entire length of the Project Area. Other secondary corridors running north-south within the Project Area are Vanderbilt Avenue, Grand Avenue, Classon Avenue, Franklin Avenue, Bedford Avenue, and Nostrand Avenue. The Project Area consists of commercial, mixed-use, and non-residential sub-areas with varying building typologies. The Bedford Atlantic Armory (23rd Regiment Armory), Girl's High School, and St. Bartholemew's Church, three LPC-designated Landmarks, along with the Bedford Historic District, directly overlap with the Project Area, while a portion of the Project Area is adjacent to the Prospect Heights Historic District and Crown Heights North District.

Atlantic Avenue

Atlantic Avenue is a 120-foot-wide corridor that runs east-west and traverses several neighborhoods, connecting Brooklyn's East River waterfront with Jamaica, Queens. Within central Brooklyn, Atlantic Avenue is a DOT-designated through truck route with four to six lanes of traffic and narrow sidewalks, passing through the Project Area for six blocks or approximately 5,100 feet. The LIRR Atlantic Branch is buried below the center median until it rises above grade east of Bedford Avenue to a height of 14 feet, with a vehicle clearance of 11.5 feet; below the elevated portion the street is either unused or for left-turning vehicle lanes. The design and surrounding land uses contributes to a high-speed auto-oriented character, resulting in unsafe conditions for vehicles, pedestrians, and bicyclists, especially those crossing the avenue north-south to access nearby A/C subway stations along Fulton Street, the Franklin Ave shuttle, or the LIRR Nostrand station. The Franklin Avenue Shuttle crosses Atlantic Avenue above-grade approximately 150-to 200-feet west of Franklin Avenue and at a vehicle clearance of 16 feet 9 inches.

Historically, a freight-rail line ran at-grade along Atlantic Avenue, leading to the growth and concentration of industrial uses adding value to goods moving between then-rural Long Island and the docks along the East River waterfront. In the early 1900's, freight service was discontinued, and the passenger rail line was electrified and moved below-grade between Flatbush and Bedford avenues, still operating today as the LIRR Atlantic Branch. With the freight rail closed and with more road dedicated to vehicles and trucks, auto-related businesses flourished along Atlantic Avenue including gas stations, auto repair and service stations, garages and showrooms, and warehouse and distribution uses. While the area was initially mapped as an "unrestricted" zone in 1916, allowing a mix residential, commercial, and industrial uses, it was subsequently mapped with an M1-1 district in 1961, galvanizing the trend of auto-related uses and encouraging disinvestment in the existing residential building stock. Over the next 40 years, Atlantic Avenue became an auto-service corridor and through-route for drivers and freight trucks moving between Queens and Brooklyn. Made up of warehouses, car washes, auto shops and gas stations, fast food drive-thru's, self-storage, and parking, the area became a barrier for surrounding area residents. Though some non-conforming residential uses survived the years, new investment mostly came in the conversion of former industrial-loft buildings converting into restaurant supply stores, retail, nightlife, and self-storage.

The MTA operates two lots along the south side of Atlantic Avenue near the corner of Franklin Avenue (Block 1126, lots 32 and 57). Lot 32 is 25,749 sf and is owned by the City, occupied by the MTA under a master lease, and is improved with an MTA cable storage and repair facility. Lot 57 is 30,230 sf, is owned in fee by the MTA, and is used for open vehicle storage.

DPR operates two public open spaces in the Project Area. Lowry Triangle (Block 1123), located south of Atlantic Avenue, bounded by Underhill Avenue to the west, Pacific Street to the south, and Washington Avenue to the east, is a 9455 square foot plaza with passive uses. Dean Playground (Block 1136, Lot 15), located on the block bound by Dean Street to the north, Carlton Avenue to the east, Bergen Street to the south, and Sixth Avenue to the west, is a 55,725 square foot space with active uses including playgrounds and sports fields.

Bedford Atlantic Armory

The Bedford Atlantic Armory (BAA) is located at 1164 Atlantic Avenue (Block 1199, Lot 15) in the Crown Heights neighborhood of Brooklyn. The structure is approximately 165,000 sf and located on an

approximately 82,400 sf lot with frontage on Atlantic Avenue, a 120-foot-wide street on the north, Bedford Avenue, an 80-foot-wide street on the east, and Pacific Street, a 70-foot-wide street on the south. The BAA occupies the majority of the block.

The BAA was built in 1895 and the exterior was listed as both a national landmark in 1990 and a NYC Landmarks Preservation Commission (LPC) landmark in 1997 due to the façade's Romanesque Revival style. The facility is operated by DHS and currently used as a single men's shelter, a training facility for DHS peace officers, storage, and laundry. The headhouse is primarily used for 400 shelter beds, while the drill hall space consists of training area for DHS officers, laundry facility for DHS operations, and emergency supply storage.

North-South Corridors

There are several corridors running north-south that overlap with the Project Area. Within the Project Area, these corridors contain a mix of automotive repair shops, gas stations, warehouses, eating and drinking establishments, open storage and parking, and vacant lots. On the westernmost portion of the Project Area is Vanderbilt Avenue, a 100-foot-wide street that serves as a local retail and service-based corridor for the Prospect Heights neighborhood. One block to the east is Underhill Avenue, which terminates at Atlantic Avenue, and Washington Avenue, an 80-foot-wide street with retail uses that serves as a connection to the Clinton-Washington Avenue subway station, providing access to the C subway line. Further to the east are Grand Avenue and Classon Avenue, both 70 feet in width, which are primarily residential with pockets of commercial and community facility uses. Franklin Avenue, a 70-foot-wide corridor, and Nostrand Avenue, an 80-foot-wide corridor, serve as neighborhood-based commercial thoroughfares and in proximity to subway stations two blocks to the north along Fulton Street. Bedford Avenue, an 80-foot-wide street, serves as another important connection with a bicycle lane and the B44 Select Bus Service.

Interior Blocks

The interior mid-blocks located north and south of Atlantic Avenue cover the streets running east-west—Bergen Street, Dean Street, Pacific Street, and Herkimer Place—and are categorized under three sub-areas: the western mid-blocks between Grand Avenue and Classon Avenue, the eastern mid-blocks between Classon Avenue and Franklin Avenue, and Herkimer Place further to the east between Atlantic Avenue and Nostrand Avenue. Bergen Street, Dean Street, and Pacific Street are 70 feet in width, while Herkimer Place is 50 feet wide.

The western mid-blocks are characterized by large, underutilized lots that are either vacant or used for warehousing, open storage, and vehicular or truck parking, along with clusters of pre-existing, non-conforming residential uses. The eastern mid-blocks are characterized by one- and two-story warehouses, along with multi-story, loft-style buildings, some of which have been adaptively reused and converted to office, art studios, community facilities, and light industrial uses, such as the former Studebaker automotive showroom at 1000 Dean Street or the facility operated by the Greenpoint Manufacturing Design Center (GMDC) at 1102 Atlantic Avenue. Herkimer Place is characterized by a cluster of one- to two-story warehouse buildings that are used for storage or occupied by building contractors.

Along Pacific Street between Franklin and Bedford Avenues is Projected Development Site 48, an approximately 19,200 square foot site consisting of three formerly City-owned lots (Block 1205, Lots 11, 14, 111). The site contains a vacant building. Projected Development Site 48 received disposition approval in 1987 (Board of Estimate Calendar No. 27) to facilitate a rehabilitation project for affordable housing. The property was subsequently transferred to Peter Young Shelter Services, Inc. in December 2001, Acacia Network Housing, Inc. in December 2015, and Promesa Residential Health Care Facility, Inc in June 2016. A portion of the Disposition Area includes the formerly rehabilitated affordable housing building. Which is currently vacant. To facilitate the Projected Development, the City will reacquire and reconvey the Projected Development Site 48 pursuant to ULURP with approval for a new construction multifamily affordable rental project.

HPD Parcels on Dean and Bergen Streets and Surrounding Blocks

In addition to the areas described above, the Project Area encompasses portions of two blocks located approximately three blocks to the southwest in Prospect Heights. This area consists primarily of two parcels

of land owned by the City of New York and under the jurisdiction of HPD within a block of each other that comprise two non-contiguous development sites, as well as adjacent lots that would also be subject to a proposed zoning map amendment and zoning text amendment related to the mapping of MIH.

The first HPD site is 542 Dean Street (Projected Development Site 46), an approximately 17,144-square-foot site located on the south side of Dean Street between 6th Avenue and Carlton Avenue, consisting of five vacant underutilized City-owned interior lots (Block 1136, Lots 29, 32, 33, 34, 35) currently used by HPD for parking City vehicles used for HPD's emergency outreach housing maintenance complaints and violations, and community outreach. Land uses near Projected Development Site 46 include the Dean Playground, three to five-story residential and mixed-use buildings with ground floor commercial uses, and a City-owned fire station (Engine 219, Ladder 105) operated by the Fire Department of New York City (FDNY).

The second HPD site is 516 Bergen Street (Projected Development Site 47), an approximately 17,051-square-foot interior lot (Block 1143, Lot 25) improved with a two-story building located on the south side of Bergen Street between 6th Avenue and Carlton Avenue, and a portion of the site is currently used by HPD for parking City vehicles used for HPD's emergency outreach, housing maintenance complaints and violations, and community outreach. Land uses near 516 Bergen Street consist of two-story commercial buildings, a church and parking lot, a nine-story warehouse, a three-story, multi-family walk-up building, and a two- story, two-family home across the street from the Dean Playground.

Department of Education (DOE) Parcel

The Project Area also encompasses a parcel (Projected Development Site 54) owned by the Department of Education (DOE at 457 Nostrand Avenue. Projected Development Site 54 is approximately 60,000 sf and consists of one City-owned corner lot (Block 1844, Lot 1) at the intersection of Nostrand Avenue and Halsey Street. Nostrand Avenue is a 70-foot wide street and Halsey Street is a 70-foot wide street. The western portion of the development site is home to the Girls High School, constructed from 1885 to 1886, designed by James W. Naughton, and designated as a landmark by the LPC in 1984 (N 840014HKK, LP-1246). The Girls School was designed in a combination of the Victorian Gothic and Second Empire styles, the oldest remaining high school in the city designed as such. The building is currently under the Department of Education (DOE) jurisdiction and occupied by the Brooklyn Adult Learning Center. The eastern portion of the development site consists of a 30,000 square foot parking lot managed by DOT. Projected Development Site 54 is located within the Bedford Historic District, designated by LPC on December 8, 2015 (LP-2514). The Bedford Historic District comprises of more than 800 buildings throughout the Bedford-Stuyvesant neighborhood constructed between 1870 and 1900. The neighborhood consists of distinguished row houses as well as two of the city's most significant school buildings.

PREVIOUS PLANNING EFFORTS AND PAST ACTIONS

Over the last 10 years, CBs 3 and 8 have engaged with DCP to develop a vision for housing and job growth for the AAMUP Study Area, which was a process spearheaded by CB 8 as part of M-CROWN. Furthermore, several past actions have been taken by DCP and others within the Project Area and its immediate surroundings.

Historic Districts

In 2007, LPC designated the Crown Heights North Historic District, located directly south and southwest of the Project Area running along Dean Street east of Bedford Avenue. It includes approximately 470 buildings that were constructed between the 1850s and the 1930s and designed in styles ranging from the Romanesque Revival and Queen Anne to Georgian and Renaissance Revival. In 2009, LPC designated the Prospect Heights Historic District, which is located directly south of the Project Area along Vanderbilt Avenue and east of the Project Area along Dean Street, adjacent to the HPD-owned parcel at 542 Dean Street. The Prospect Heights Historic District includes 850 buildings designed in the Italianate, neo-Grec, Queen Anne, Romanesque and Renaissance Revivals styles. In 2015, LPC designated the Bedford Historic District, located within the Project Area at the school parcel located at 457 Nostrand Avenue. It includes 824 buildings ranging from modest Italianate and Neo-Grec houses built in the 1870s to lavishly ornamented Neo-Grec, Queen Anne, Romanesque Revival, and Renaissance Revival structures from the

1880s and 1890s.

Area-Wide Rezonings

Much of the area surrounding the Project Area has been subject to area-wide rezonings sponsored by DCP at the request of local community boards, including a include a 53-block rezoning of Prospect Heights in 1993 (C 930430 ZMK), a 99-block rezoning of Fort-Greene-Clinton Hill in 2007 (C 070430 ZMK, N 070431 ZRY), 206-block rezoning of Bedford Stuyvesant South in 2007 (C 070447 ZMK, N 070448 ZRY), and a 55-block rezoning of Crown Heights West in 2013 (C 130213 ZMK, N 130212 ZRK). The primary objective of these rezonings was to protect and maintain the low-rise, row-house-style neighborhood character from out-of-context development. Specific corridors, such as Fulton Street, Atlantic Avenue, and Franklin Avenue, were mapped with R7A or R7D residential zoning districts to encourage moderate growth and incentivize affordable housing within new developments in conjunction with the mapping of voluntary Inclusionary Housing areas. Specifically, the Fort-Greene-Clinton Hill Rezoning changed the zoning on the northern frontage of Atlantic Avenue between Vanderbilt Avenue and Classon Avenue from M1-1 to R7A/C2-4, while the Crown Heights West Rezoning changed the zoning from R6 to R7A along blocks to the south of the Project Area between Classon Avenue and Franklin Avenue. Along Fulton Street, one block to the north of the Project Area, the Fort-Greene-Clinton Hill and Bedford Stuyvesant South Rezonings mapped R7A/C2-4, R7D/C2-4, and C4-5D.

470 Vanderbilt Avenue (2009)

Located across the street from the Project Area, 470 Vanderbilt Avenue was an application (C 090441 ZMK, N 090442 ZRK, C 090443 ZSK) by Atara Vanderbilt, LLC for a CPC special permit related to a Large Scale General Development (LSGD), a zoning text amendment to map an Inclusionary Housing area, and zoning map amendment from an M1-1 zoning district and an R6/C2-3 zoning district to a C6-3A zoning district located on an entire block bounded by Atlantic Avenue to the south, Fulton Street to the north, Clermont Avenue to the west, and Vanderbilt Avenue to the east. The application sought to facilitate the development of a new mixed-use building containing 376 dwelling units (DU), 32,358 sf of ground floor retail space, and the reuse and expansion of an existing 565,700-sf loft building for commercial uses. The application was approved by the New York City Council on September 30, 2009.

1350 Bedford Avenue Rezoning (2017)

Located approximately one block from the Project Area, 1350 Bedford Avenue Rezoning was an application (C 170070 ZMK, N 170071 ZRK) by Bedford Arms, LLC for a zoning map amendment from R6A to R7D zoning district and a zoning text amendment to map an MIH area. The application sought to facilitate the development of a nine-story residential development with 94 affordable DUs. The application was approved by the New York City Council on July 20, 2017. Additionally, this development was granted a special permit by the New York City Board of Standards and Appeals (BSA) in 2016 (2016-4333-BZ) to permit the reduction of 35 accessory off-street parking spaces.

809 Atlantic Avenue Rezoning (2019)

Located across the street from the Project Area, 809 Atlantic Avenue Rezoning was an application (C 190071 ZMK, C 190072 ZSK, C 190073 ZSK, N 190074 ZRK) by y 550 Clinton Partners LLC and 539 Vanderbilt Partners LLC for two CPC special permits to modify bulk regulations in relation to a nearby LPC-designated Landmark and waive off-street residential parking requirements, a zoning text amendment to map an MIH area, and a zoning map amendment to change R7A/C2-4, R7A and R6A districts to an R9/C2-5 district and to change an R7A/C2-4 district to an R6A district along the northern frontage of Atlantic Avenue between Vanderbilt Avenue and Clinton Avenue. The application sought to facilitate the development of a 29-story, 237,000-sf mixed-use development with retail, office and 286 residential DUs while preserving and financing the renovations of the Saint Luke's Episcopal Church individual landmark at 520 Clinton Avenue (LP-2014). The New York City Council approved the application on April 9, 2019.

1010 Pacific Street (2019)

1010 Pacific Street (C 180042 ZMK, N 180043 ZRK) was an application by 1010 Pacific Street LLC to rezone the southeastern frontage of Pacific Street between Grand Avenue and Classon Avenue from M1-1 district to R7D/C2-4 district, which was modified by the CPC to R7A/C2-4 district. The applicant also

sought a zoning text amendment to designate an MIH area. The application sought to facilitate the development of an 11-story mixed-use building with approximately 154 DUs and ground floor retail and art studio space; however, after approval the property was sold to a new owner and was recently developed as a residential building with 175 units. The NYC City Council approved the application on November 8, 2019.

1050 Pacific Street (2019)

1050 Pacific Street (C 160175 ZMK, N 160176 ZRK) was an application by 1050 Pacific Street LLC to rezone the eastern frontage of Classon Avenue between Pacific Street and Dean Street, along with mid-block portions further to the west, from M1-1 district to M1-4/R7A district. The applicant also sought a zoning text amendment to designate an MX and MIH area. The application sought to facilitate the development of an eight-story mixed use building with approximately 103 DUs and ground floor commercial spaces. The NYC City Council approved the application on November 8, 2019.

Grand Avenue and Pacific Street (2020)

Grand Avenue and Pacific Street (C 190256 ZMK, N 190257 ZRK) was an application by EMP Capital LLC to rezone the northeastern and southeastern corners of Grand Avenue and Pacific Street from M1-1 district to R7D/C2-4 district. The applicant also sought a zoning text amendment to designate an MIH area. The application sought to facilitate the development of a nine-story mixed-use building with approximately 68 DUs and ground floor commercial and community facility spaces. The NYC City Council approved the application on August 27, 2020, which modified the rezoning in a portion of the Project Area, located on the southeastern corner of Grand Avenue and Pacific Street, from R7D/C2-4 district to R7A/C2-4 district.

840 Atlantic Avenue (2021)

840 Atlantic Avenue (C 210249 ZMK, N 210250 ZRK) was an application by Vanderbilt Atlantic Holdings LLC to rezone the western frontage of Vanderbilt Avenue between Atlantic Avenue and Pacific Street from M1-1 and R6B district to C6-3X district. The applicant also sought a zoning text amendment to designate an MIH area and provide street wall flexibility along Atlantic Avenue. The application sought to facilitate the development of an 18-story mixed-use building with approximately 316 DUs and two floors of commercial and community facility spaces. The NYC City Council approved the application on September 23, 2021, which modified the rezoning in a portion of the Project Area from C6-3X district to C6-3A and C6-2A district.

1045 Atlantic Avenue (2021)

1045 Atlantic Avenue Rezoning (C 210276 ZMK, N 210277 ZRK) was an application by Atlantic Brooklyn LLC to rezone a mid-block frontage of Atlantic Avenue between Classon Avenue and Franklin Avenue from M1-1 district to C6-3A district. The applicant also sought a zoning text amendment to designate an MIH area and provide street wall flexibility along Atlantic Avenue. The application sought to facilitate the development of a 17-story mixed-use building with approximately 426 DUs and two floors of commercial and community facility spaces. The NYC City Council approved the application on November 23, 2021.

870-888 Atlantic Avenue Rezoning (2022)

870-888 Atlantic Avenue Rezoning (C 210335 ZMK, N 210336 ZRK C 210260 ZSK) was an application by Y & T Development LLC to rezone a mid-block frontage of Atlantic Avenue between Vanderbilt Avenue and Underhill Avenue from M1-1 district to C6-3A district. The applicant also sought a zoning text amendment to designate an MIH area and provide street wall flexibility along Atlantic Avenue, as well as a CPC special permit to reduce the number of required off-street parking spaces accessory to the residential units. The application sought to facilitate the development of a 17-story mixed-use building with approximately 228 DUs and ground floor and cellar commercial and community facility spaces. The NYC City Council approved the application on April 28, 2022.

1034-1042 Atlantic Avenue Rezoning (2022)

1034-1042 Atlantic Avenue (C 210386 ZMK, C 210379 ZSK, N 210387 ZRK) was an application by EMP Capital Group to rezone the eastern side of Classon Avenue between Atlantic Avenue and Pacific Street, consisting of rezoning the Atlantic Avenue frontage from M1-1 district to C6-3A district and the Pacific

Street frontage from M1-1 district to R7A/C2-4 district. The applicant also sought a zoning text amendment to designate an MIH area and provide street wall flexibility along Atlantic Avenue, as well as a CPC special permit to reduce the number of required off-street parking spaces accessory to the residential units. The application sought to facilitate the development of a 17-story mixed-use building with approximately 210 DUs and ground floor and cellar commercial and community facility spaces. The NYC City Council approved the application on April 28, 2022, which modified the rezoning to remove the eastern portion of the Project Area fronting Classon Avenue.

962 Pacific Street Rezoning (2023)

962 Pacific Street Rezoning was an application (C 230157 ZMK, N 230158 ZRK, C 230159 ZSK) by HSN Realty Corp. to rezone a mid-block frontage of Pacific Street from M1-1 district to M1-4/R7A district. HSN Realty Corp also sought a zoning text amendment to designate an MIH and MX area, as well as a CPC special permit to reduce the number of required off-street parking spaces accessory to the residential units. The application sought to facilitate the development of a nine-story mixed-use building with approximately 150 DUs with ground floor commercial and community facility spaces. The application was certified on July 24, 2023, and during ULURP was disapproved by the City Council on February 8, 2024.

953 Dean Street FRESH Certification (2024)

953 Dean Street FRESH Certification is an application (240346 ZCK) by Dean Owner LLC to certify a FRESH food store on the ground floor of 953 Dean Street, a project bounded by Classon Avenue on the west, Pacific Street on the north, and Dean Street on the south. The applicant seeks to build an approximately 6,500 square foot fresh food store where structured ground-floor parking is currently located and reallocate 6500 sf of floor area to build 11 DUs on the 9th floor of the building. The original rezoning obtained by this applicant was the 1050 Pacific Street Rezoning cited above. As of June 2024, this application has been filed with DCP but has not been certified.

BSA Applications

In the past 20 years, there have been several applications approved by the BSA within the Project Area, consisting primarily of variances to allow residential use within the M1-1 zoning district. These include variances to permit a four-story residential building with 31 DUs at 799-805 Bergen Street (165-05-BZ), a four-story residential building at 871 Bergen Street (278-06-BZ), a five-story residential building at 887 Bergen Street (79-06-BZ), a four-story residential building at 583 Franklin Avenue (98-08-BZ), the residential conversion of an existing factory building at 964 Dean Street (311-12-BZ), and two three-story single-family residences at 10 Underhill Avenue (221-14-BZ).

In addition, the BSA granted a special permit to allow a reduction in required parking in connection with change of use from Use Group (UG) 16 to UG 6 in an existing building at 915 Dean Street in 2010 (112-10-BZ). Further, a Common Law Vesting application was filed in 2022 requesting that the BSA determine that the property owner at 35 Herkimer Place secured a vested right to complete construction of a development of a hotel prior to the adoption of a Citywide zoning text amendment (2022-60-A).

EXISTING ZONING

The Project Area includes the northwest portion of CD 8 and a southern portion of CDs 2 and 3. Much of the area's zoning has not been modified since 1961; however, there have been private applications have changed the zoning within the area, as described in the previous section.

The Project Area comprises M1-1, C6-2A, C6-3X, C6-3A, M1-4/R7A, R7D/C2-4, R7A/C2-4, R6B, and R6A districts. Commercial districts mapped as overlays include C2-4.

Existing zoning districts are discussed below.

M1-1

M1-1 zoning districts are mapped across most of the Project Area in an area generally bounded by Vanderbilt Avenue to the west, Nostrand Avenue to the east, Atlantic Avenue to the north, and Bergen Street to the south.

The M1-1 zoning district has a floor area ratio (FAR) of 1.0 for industrial and commercial uses and 2.4 for

community facility uses. M1-1 districts also permit community facility uses at a maximum FAR of 2.4. M1-1 districts have a base height limit of 30 feet, above which a structure must fit within a sloping sky exposure plane. One parking space is generally required for every 300 sf of commercial and for every 1,000 sf of industrial. No new residential uses are permitted.

Land uses permitted to be located within the M1-1 districts include vacant land, open storage, parking garages, warehousing and distribution, building supply and various light industrial uses, gas stations and automotive repair businesses, self-storage, commercial offices, hotels, retail, non-conforming residential uses, and fitness facilities. A few community facility uses such as medical office and houses of worship are also located within the M1-1 district.

C6-3X

A C6-3X zoning district is mapped at the southwestern corner of Vanderbilt Avenue and Atlantic Avenue, which was mapped in connection with the 840 Atlantic Avenue private application approved in 2021 and described in the prior section.

C6-3X zoning district is a high density contextual commercial zoning district with an R9X residential district equivalent. When mapped in conjunction with Inclusionary Housing areas, C6-3X zoning districts allow residential uses up to 10.8 FAR for development incorporating qualifying affordable housing, community facility uses up to 9.0 FAR, and commercial uses up to 6.0 FAR. Base heights are permitted to be between 60 and 155 feet on narrow streets and between 105 and 155 feet on, or within 100 feet of, wide streets. Above the base heights, a 15-foot setback is required along narrow streets, and a 10-foot setback is required along wide streets. Building heights are allowed up to a maximum of 215 feet for developments incorporating qualifying affordable housing, which may increase by 5 feet if a Qualifying Ground Floor is provided.

The C6-3X zoning district permits a range of non-residential uses and allows multiple stories of commercial uses, including retail, offices, and service-based uses. Off-street parking is not required.

C6-3A

A C6-3A zoning district is mapped in three non-contiguous areas at the northeastern corner of Vanderbilt Avenue and Pacific Street, along Atlantic Avenue between Vanderbilt Avenue and Underhill Avenue, and along Atlantic Avenue between Classon Avenue and Grand Avenue. The C6-3A districts were mapped in connection with the 840 Atlantic Avenue (2021), 870-888 Atlantic Avenue (2022), and 1034-1042 Atlantic Avenue (2022) private applications, as described in the prior section.

C6-3A zoning district is a high density contextual commercial zoning district with an R9A residential district equivalent. When mapped in conjunction with Inclusionary Housing areas, C6-3A zoning districts allow residential uses up to 9.0 FAR for development incorporating qualifying affordable housing, community facility uses up to 7.5 FAR, and commercial uses up to 6.0 FAR. Base heights are permitted to be between 60 and 135 feet. Above the base height, a 15-foot setback is required along narrow streets and a 10-foot setback is required along wide streets. Building heights are allowed up to 195 feet, which may be increased by 5 feet if a Qualifying Ground Floor is provided.

The C6-3A zoning district permits a range of non-residential uses and allows multiple stories of commercial uses, including retail, offices, and service-based uses. Off-street parking is not required.

C6-2A

C6-2A zoning district is mapped on a 50-foot-wide sliver portion of Atlantic Avenue from a distance of 150 feet to 200 feet east of Vanderbilt Avenue. The C6-2A district was mapped in connection with the 840 Atlantic Avenue private application approved in 2021, as described in the prior section.

C6-2A zoning district is a high density contextual commercial zoning district with an R8A residential district equivalent. When mapped in conjunction with Inclusionary Housing areas, C6-2A zoning districts allow residential uses up to 7.2 FAR for development incorporating qualifying affordable housing, community facility uses up to 6.5 FAR, and commercial uses up to 6.0 FAR. Base heights are permitted to be between 60 and 105 feet. Above the base heights, a 15-foot setback is required along narrow streets and

a 10-foot setback is required along wide streets. Building heights are allowed up to a maximum of 145 feet (14 stories), which may increase by 5 feet if a Qualifying Ground Floor is provided.

The C6-2A zoning district permits a range of non-residential uses and allows multiple stories of commercial uses, including retail, offices, and service-based uses. Off-street parking is not required.

R7D/C2-4

R7D/C2-4 zoning district is mapped at the northeastern corner of Grand Avenue and Pacific Street. The R7D/C2-4 district contains a mixed-use building under construction. This district was mapped in connection with the Grand Avenue and Pacific Street private application approved in 2020, as described in the prior section.

R7D zoning district is a medium-density contextual district that, when mapped concurrently with an Inclusionary Housing area and C2-4 overlay, allows residential uses up to 5.6 FAR for development incorporating qualifying affordable housing, community facility uses up to 4.2 FAR, and commercial use up to 2.0 FAR. Base heights are permitted to be between 60 and 95 feet, above which a 15-foot setback is required along a narrow street. Building height can reach a maximum of 125 feet, which may increase five feet with a Qualifying Ground Floor. Off-street parking is not required. A C2-4 commercial overlay is paired with the R7D zoning district, allowing a range of local retail and service-based uses, such as grocery stores, beauty salons, offices, and repair shops, as well as small-scale entertainment and production uses. Parking requirements vary by use.

R7A/C2-4

R7A/C2-4 zoning district is mapped in two non-contiguous areas, including at the southeastern corner of Grand Avenue and Pacific Street and along the north and south block frontages along Pacific Street between Grand Avenue and Classon Avenue. The R7A/C2-4 districts contain a residential building under construction, a self-storage facility, a warehouse, and non-conforming residential uses. These districts were mapped in connection with the Grand Avenue and Pacific Street and 1034-1042 Atlantic Avenue private applications, which were approved in 2020 and 2021, respectively, as described in the prior section.

R7A zoning district is a medium-density contextual district that, when mapped concurrently with an Inclusionary Housing area and C2-4 overlay, allows residential uses up to 5.0 FAR for development incorporating qualifying affordable, community facility uses up to 4.0 FAR, and commercial use up to 2.0 FAR. Base heights are permitted to be between 40 and 85 feet, above which a 15-foot setback is required along a narrow street. Building height can reach a maximum of 115 feet or 120 feet with a Qualifying Ground Floor. Off-street parking is not required. A C2-4 commercial overlay is paired with the R7A zoning district, allowing a range of local retail and service-based uses, such as grocery stores, beauty salons, offices, and repair shops, as well as small-scale entertainment and production uses. Parking requirements vary by use.

M1-4/R7A

M1-4/R7A zoning district is mapped along the western portion of a block bounded by Classon Avenue to the west, Franklin Avenue to the east, Pacific Street to the north, and Dean Street to the south. M1-4/R7A was mapped in connection with the 1050 Pacific Street private application approved in 2019, as described in the prior section.

M1-4/R7A zoning district is a Mixed Use (MX) zoning district that pairs M1-4, a manufacturing district that supports a mix of low-rise commercial and industrial uses, with R7A, a medium-density contextual residential district. Mixed Use zoning districts also have special regulations that enable residential and certain industrial uses to be located either side by side or within the same building. When mapped jointly with Inclusionary Housing areas, M1-4/R7A zoning districts allow industrial uses up to a maximum of 2.0 FAR, community facility uses up to a maximum of 4.0 FAR, and residential uses up to a maximum of 5.0 FAR. Base heights are permitted to be between 40 and 85 feet, after which buildings must setback either 10 feet on a wide street or 15 feet on a narrow street. The maximum height of buildings is 115 feet, which may increase by 5 feet with a Qualifying Ground Floor. Off-street parking is not required.

R6B

R6B zoning district is mapped on mid-blocks portions of two areas, the first of which is bounded by 6th Avenue to the west, Carlton Avenue to the east, Dean Street to the north, and St. Marks and Flatbush Avenues to the south, and the second of which is bounded by Halsey Street to the north, Macon Street to the south, Nostrand Avenue to the west, and Marcy Avenue to the east. These areas are primarily characterized by two- to five-story one-and two-family homes and walk-up apartment buildings, as well as a parking lot and storage facility owned and operated by HPD.

R6B zoning district is a medium-density contextual district that allows residential and community facility uses up to 2.4 FAR for development incorporating qualifying affordable housing. Base heights are permitted to be between 30 and 40 feet, above which a 15-foot setback is required along a narrow street or 10 feet along a wide street. Building height may reach a maximum of 65 feet when providing a Qualifying Ground Floor. Off-street parking not required.

R6A

R6A zoning district is mapped along the frontages of Classon Avenue between Bergen Street and Dean Street, and Nostrand Avenue between Halsey Street and Macon Street, within areas characterized by three- to five-story walk-up apartment buildings, some of which are occupied by ground floor retail uses.

R6A zoning district is a medium-density contextual district that allows residential and community facility uses up to 3.9 FAR for development incorporating qualifying affordable housing. Base heights are permitted to be between 40 and 65 feet, above which a 15-foot setback is required along a narrow street or 10 feet along a wide street. Building height may reach a maximum of 95 feet when providing a Qualifying Ground Floor. Off-street parking is not required.

D. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

GENERAL

The Proposed Actions would support the community-based goals of re-envisioning an industrially zoned area to spur the growth of jobs and housing, driven by approximately 10 years of outreach and engagement with local community boards, elected officials, nonprofits, advocacy groups, residents, businesses, property owners, and various stakeholders.

The existing M1-1 zoning has not been changed in 1961 and reflects eras when Atlantic Avenue served as a freight rail line during the 19th century and later as a suburban-style, auto-centric corridor with repair shops, gas stations, garages, and other low density uses. M1-1 zoning permits an FAR of only 1.0, requires substantial amounts of off-street parking, and does not allow new residential, all of which inhibit growth within the area. Since 1961, few if any new development has occurred, with the exception of single-story warehouses and automotive uses. Meanwhile many non-conforming residential buildings have been demolished due to the restrictive nature of the zoning and prolonged disinvestment.

Over the past two decades, the demand for housing has skyrocketed within the surrounding neighborhoods, occurring in tandem with population and demographic shifts, such as a large reduction in the Black non-Hispanic population and simultaneous rise in the White non-Hispanic and Asian populations, as well as sharp increases in household income and educational attainment, according to Census-based data.

Within the neighborhoods of Crown Heights, Prospect Heights, Clinton Hill, and Bedford Stuyvesant, the ability to accommodate new housing, especially affordable housing for a range of incomes, has not kept pace with demand, leading to tremendous pressure on the existing housing stock with tenants particularly vulnerable to landlord harassment, rising rents, and involuntary displacement. These neighborhoods have also been subject to area-wide rezonings—Prospect Heights in 1993, Fort Greene/Clinton Hill and Bedford Stuyvesant South in 2007, and Crown Heights West in 2013—that largely preserved the neighborhood character and limiting growth to modest levels along specific corridors, such as Fulton Street, Atlantic Avenue, and Franklin Avenue. Moreover, the presence of LPC-designated historic districts in Prospect

Heights, Fort Greene/Clinton Hill, Crown Heights North, and Bedford Stuyvesant has further hampered growth.

Although certain long-term development projects, such as the nearby Pacific Park (formerly known as Atlantic Yards) development, have produced a few thousand units with forthcoming phases at varying construction timelines, the need for new housing continues unabated. The Proposed Actions would help address the severe shortage of both market-rate and affordable housing, ushering in both housing and a mix of local services and job-generating uses.

The Proposed Actions would implement the objectives set forth in the M-CROWN planning effort, spearheaded by CB 8 and culminating in multiple CB Resolutions and a 2018 DCP framework, which has been used as a tool to guide the review and approval of seven subsequent private applications.

During the winter and spring of 2023, DCP, local Council Members, and a facilitation consultant jointly led an outreach process as part of the Atlantic Avenue Mixed-Use Plan, involving nine topic-based working group meetings, three community planning workshops, and steering committee meetings. The Proposed Actions would advance the vision and priorities established in the AAMUP Community Vision and Priorities released in the summer of 2023.

The Proposed Actions would update the zoning in an approximately 23-block area primarily along Atlantic Avenue and neighboring blocks, allowing for growth and development in appropriate locations. Also, although not part of the proposed land use and zoning actions, a coordinated plan would call for strategic improvements to infrastructure and services, such as streetscape and pedestrian safety improvements along Atlantic Avenue, and investments in parks, affordable housing and various services and programs, among other elements.

The Proposed Actions would facilitate an area-wide rezoning that would increase density in a transit-rich area accessible to both the local subway system and regional rail (LIRR) within a short commuting distance from Central Business Districts, such as Downtown Brooklyn and Lower Manhattan. In light of the combined goals of encouraging the growth of housing and jobs, density would be provided to facilitate both new housing and allow multiple floors of non-residential uses.

The Proposed Actions would orient density in a manner that directs the highest density along Atlantic Avenue, a 120-foot-wide corridor providing access to light and air, while medium-density zoning districts would be mapped on portions beyond 100 feet of Atlantic Avenue based on the narrower width of streets and mid-block, side street conditions.

The Proposed Actions would implement zoning districts with height limits, requiring new developments to be developed under Quality Housing regulations resulting in better urban design while providing much needed housing and non-residential spaces. Building heights and setbacks would be higher along Atlantic Avenue, based on the wide nature of the street, while building height would step down along the north-south avenues—Grand Avenue, Bedford Avenue, and Classon Avenue—and then lower further on the mid-block, side streets.

The Proposed Actions would foster a vibrant mix of uses with active ground floors along Atlantic Avenue, Bedford Avenue, Classon Avenue, and Grand Avenue, in tandem with incentives for non-residential uses in mid-block areas and the pairing of residential with manufacturing districts that encourages the creation of new space for jobs through the adaptive reuse of existing buildings and new, loft-style buildings.

The Proposed Actions would apply the MIH program, which would require the inclusion of permanently affordable housing in new developments, expansions, or conversions.

Without an area-wide rezoning, it is likely that some property owners would continue to seek private applications that updates the zoning in a piecemeal, incremental manner, lacking the depth of a holistic plan or the ability to apply special zoning regulations. New development and conversions would occur and shaped by the 2018 framework, but without the benefit of a coordinated, overarching plan with infrastructure improvements and other investments.

Without an area-wide rezoning, limited change would occur in the industrially zoned areas, exacerbating the lack of housing within the surrounding neighborhoods, especially for lower income populations.

HOUSING

The Project Area is well-situated to accommodate housing growth, located a few blocks from multiple transit lines and the regional LIRR rail that provide access to the City's central employment hubs of Downtown Brooklyn and Lower Manhattan. Additionally, the area is close to schools, major parks, and institutions—including Prospect Park, the Brooklyn Museum, and the Brooklyn Botanic Garden—as well as local commercial corridors—such as Fulton Street, Vanderbilt Avenue, Washington Avenue, Franklin Avenue, and Nostrand Avenue—that can help meet retail and service needs of new residents.

Despite the strong access to public transit and services, both the Project Area and surrounding neighborhoods have experienced limited growth due to a combination the current M1-1 zoning prohibiting new residential, the mapping of several area-wide rezonings in the immediate neighborhoods that protected the neighborhood character with limited opportunities for growth, and the designation of Historic Districts that added further barriers for new, as-of-right development and expansions.

New development within the surrounding area has been concentrated along certain corridors, such as Franklin Avenue, Atlantic Avenue, and Fulton Street, in addition to sites that were part of recently approved private applications. The most prominent development project within the surrounding area is Pacific Park (formerly Atlantic Yards), a state-led, multi-phased development that was approved as part of a GPP in 2006 and subsequent amendments and will consist of more than 6,000 DUs when fully built out. Although Pacific Park and surrounding developments have been an integral source of housing production, these developments are not enough to meet the urgent demand for housing and increase the overall supply of both market-rate and affordable housing.

With the Proposed Actions, a substantial amount of new housing will be built, oriented along a major corridor in proximity to services and jobs, while providing permanent affordable housing through the mapping of MIH areas and the disposition of City-owned sites that can be developed with 100 percent affordable housing for families, older adults, and the formerly homeless.

The Proposed Actions will facilitate the disposition of two City-owned sites on Dean Street and Bergen Streets currently owned by HPD. These sites were subject to an RFP process and community visioning process, resulting in the selection and designation of two development proposals for fully affordable projects that serve older adults and families, in conjunction with on-site services and community facilities on the ground floor that complement the housing above.

Specifically, the Proposed Actions would create opportunities for new housing along major corridors including Atlantic Avenue, a 120-foot-wide street; north-south avenues of Grand Avenue, Bedford Avenue, and Classon Avenue; and mid-block side streets of Bergen Street, Dean Street, and Herkimer Place.

With the Proposed Actions, more new housing with permanently affordable housing would be created, which would increase the supply of housing overall and lessen the already high pressure on rents.

INDUSTRIALLY AND COMMERCIALLY ZONED AREAS

The areas zoned M1-1—a low density Manufacturing District that allows commercial and industrial uses and no new residential uses—has been in place since 1961. Prior to 1961, these areas contained a greater presence of residential uses, many of which have been demolished due to disinvestment.

The areas zoned for industrial and commercial uses cover many blocks that contain a mix of industrial and commercial buildings but also residential homes that predate the zoning. The combination of outdated zoning—with its tight restrictions on uses, floor area, and parking—coupled with broader economic conditions, has resulted in few new buildings constructed within the proposed Project Area.

Except for a few automotive related and building supply businesses, few properties have been redeveloped since 1961. Large swaths of land sit vacant or underutilized, serving as open storage, garages, or warehouses that contain few jobs. Over the past two decades, a handful of multi-story, loft-style buildings, which are currently non-complying with zoning, have been repurposed for offices, artist studios, medical offices, and light industrial uses.

The existing zoning has not kept up with economic changes. Industrial areas, including the proposed Project

Area, do not have zoning in place that matches the needs of existing businesses and has discouraged new development and the creation of residential and commercial spaces that would complement and support the growth of surrounding institutions.

Without the Proposed Actions, underutilized sites in industrially and commercially zone areas will remain underdeveloped and underutilized, resulting in a lost opportunity for creation of new housing and space for jobs in the context of a housing shortage and rising housing prices.

Absent the Proposed Actions, it is likely that a few property owners would seek discretionary actions to alleviate zoning challenges that exist today. Therefore, it is likely that limited new development may occur, albeit in a piecemeal fashion and without the benefit of a holistic plan.

JOBS AND NON-RESIDENTIAL USES

The Proposed Actions would help foster a new vision of housing and job growth. Specifically, they would support new space for jobs in various geographies of the Project Area and promote existing clusters of businesses, reinforcing the area's characteristics as a local job hub where residents in the surrounding neighborhoods can walk or bike to work.

By increasing density of all types of non-residential uses—commercial, industrial, and community facilities—the Proposed Actions would allow multiple floors of space for jobs with a range of options, such as ground floor retail or light industrial with either residential or offices above. Moreover, residential districts would be paired with manufacturing districts, allowing for flexibility to locate a diverse mix of uses either in the same building or side by side. A new contextual envelope to help match the loft-style building form that can accommodate high floor to ceiling heights and large floor plates.

Along Atlantic Avenue and the north-south corridors of Bedford Avenue, Classon Avenue, and Grand Avenue where additional activity and foot traffic is anticipated due to its higher level of density, the Proposed Actions would require active ground floors guaranteeing that the spaces provide a source of jobs, while mandating glazing and transparency of frontages, which would enhance the streetscape for residents, businesses, visitors, and shoppers.

The Proposed Actions would also include an area for only non-residential uses by mapping a manufacturing district that permits increased density, eliminates the off-street parking and modifies loading requirements, and creates flexibility in the bulk envelope to permit loft-style buildings with high floor to ceiling heights that maximize opportunities for light and air.

URBAN DESIGN

Today, Atlantic Avenue functions as an auto-centric corridor with a harsh, uninviting streetscape with few trees, narrow sidewalks, and unsafe conditions for pedestrians and bicyclists that, in combination of these characteristics, acts as a physical barrier between the neighborhoods to the north (Clinton Hill and Bedford Stuyvesant) and south (Prospect Heights and Crown Heights).

As a designated through truck route with three lanes of traffic in both directions and inadequate pedestrian islands or bulb outs, walking along and crossing Atlantic Avenue is often difficult and unsafe, detracting from the pedestrian-friendly streets nearby.

The Proposed Actions would support the redevelopment of lots along Atlantic Avenue and nearby corridors within the Project Area with new housing and space for jobs, bringing new vibrancy and activity along the corridors, coupled with special zoning regulations along Atlantic Avenue that would require active ground floors and wider sidewalks by setting back buildings.

The Proposed Actions would map zoning districts with appropriate height and setback regulations based with the tallest buildings concentrated along Atlantic Avenue due its 120-foot-wide width, which provides more opportunity for light and air. Mid-blocks and side streets would have lower buildings and base heights in response to the narrower street width of 70 feet.

The Proposed Actions would complement a broader redesign of Atlantic Avenue being explored by DOT. These public realm improvements may include, but are not limited to, sidewalk widenings, landscaped medians, bulb-outs and pedestrian islands at key intersections, lighting, rain gardens or bioswales, and other

road-based improvements.

In the absence of the Proposed Actions, the Atlantic Avenue corridor would remain an auto-oriented thoroughfare, and private applications would continue piecemeal, lacking special zoning regulations to enhance the streetscape that would take place under an area-wide rezoning and a holistic plan in coordination with agency partners.

E. DESCRIPTION OF PROPOSED ACTIONS

The Proposed Actions would facilitate development generally consistent with the goals of the AAMUP study and outreach processes by allowing for housing growth with required, permanently affordable housing near public transit, enlivening corridors with active ground floor uses and streetscape improvements and incentivizing increased job-densities to foster a walk-to-work neighborhood. To accomplish these goals, DCP is proposing zoning text amendments, zoning map amendments, disposition and acquisition of property by the City, and UDAAP designations.

The Proposed Actions would affect an approximately 21-block area in CDs 3 and 8, including several frontages along Atlantic Avenue generally bounded by Vanderbilt Avenue to the west, Nostrand Avenue to the east, Herkimer Street to the north, and Bergen Street to the south. In addition, the Proposed Actions would affect two separate, non-contiguous areas on a portion of two blocks bounded by:

- 6th Avenue to the west, Carlton Avenue to the east, Dean Street to the north, and St. Marks and Flatbush Avenues to the south.
- Halsey Street to the North, Macon Street to the south, Nostrand Avenue to the west and Marcy Avenue to the east.

In response to the comments received on the Draft Scope of Work, two additional development sites (Projected Development Sites 53 and 55) have been included in environmental analysis to account for development that could be facilitated by future discretionary actions not subject to the current ULURP application associated with the Proposed Actions. These two separate, non-contiguous sites in CD 2 and 8 are on a portion of two blocks bounded by:

- Fulton Street to the north, Atlantic Avenue to the south, Carlton Avenue to the west and Clermont Avenue to the east.
- Prospect Place to the north, Park Place to the south, New York Avenue to the west and Brooklyn Avenue to the east.

As discussed in detail below, the Proposed Actions consist of:

- **Zoning Map Amendment to:**
    - Rezone portions of existing M1-1, C6-2A, C6-3A, C6-3X, M1-4/R7A, R7A/C2-4, R7D/C2-4, R6B, and R6A districts to R7A, R7D, C6-3A, M1-1A/R6B, M1-2A/R6A, M1-3A/R7D, M1-4A/R9A, C4-3A, C4-5D, R7-2, and M1-3A districts and C2-4 commercial overlays.
- **Zoning Text Amendments to:**
    - Establish the Special Atlantic Avenue Mixed-Use District largely coterminous with the Rezoning Area. The proposed special purpose district will include modifications to underlying use, bulk, parking and loading, and streetscape regulations. The proposed special district will include requirements and incentives related to active ground floor uses and job-generating uses and establish controls for building articulation and streetscape improvements along key corridors.
    - Modify Appendix F for the purpose of establishing proposed R7A, R7-2, R7D, C6-3A, M1-1A/R6B, M1-2A/R6A, M1-3A/R7D, M1-4A/R9A, C4-3A, C4-5D, and R7-2 as MIH areas, applying the MIH program to require a share of new housing to be permanently affordable where significant new housing capacity would be created.

- **Designation of Urban Development Action Areas (UDAA), Approval of an Urban Development Action Area Project (UDAAP), Acquisition, and Disposition of City-Owned Properties**
    - Designation of UDAAs, project approval of an UDAAP, and disposition of the City-owned property for two parcels owned and managed by HPD on Block 1136 (Lots 29, 32, 33, 34, and 35) and Block 1143 (Lot 25). HPD seeks to designate a UDAAP for the purpose of disposition and development of affordable housing for older adults and families, as well as to provide on-site services and amenities for residents and other community facility uses.
    - Acquisition and disposition actions related to the property for Block 1205, Lots 11, 14, and 111; acquisition and disposition of City-owned property located at Block 1126, Lot 32; Acquisition of City-owned property at Block 1143, Lot 25, and Disposition of City-owned property for Block 1844, Lot 1.
    - In addition to these land use actions, potential Article XI disposition, tax exemption, and HPD financing for one or more sites to facilitate the development of affordable housing.

In connection with the Proposed Actions, an (E) designation (E-810) would be established on the majority of the projected and potential development sites to avoid potential for impacts related to hazardous materials, air quality, and noise. The details of the requirements of the (E) designation for specific sites are located in FEIS Chapter 9, "Hazardous Materials", Chapter 14, "Air Quality", and Chapter 16, "Noise". For publicly owned sites, environmental restrictions will be established through alternate mechanisms, such as a Land Disposition Agreement (LDA).

PROPOSED ZONING MAP CHANGES

PROPOSED M1-1A/R6B (EXISTING M1-1 DISTRICT)

M1-1A/R6B zoning districts are proposed to cover one partial block in one area:

- *An area roughly bounded by Herkimer Place to the south, Herkimer Street to the north, Bedford Avenue to the west, and Nostrand Avenue to the east, and generally with frontage on Herkimer Place.*

M1-1A/R6B is a mixed-use district that pairs M1-1A, a manufacturing district that supports a mix of low-rise commercial and industrial uses, with R6B, a medium-density contextual residential district that would allow residential uses and community facility uses and is designed to produce Quality Housing buildings. Mixed Use zoning districts also have special regulations that enable residential and certain industrial uses to be located either side by side or within the same building. R6B districts permit a maximum residential FAR of 2.4, when mapped with inclusionary housing, an FAR for commercial and industrial uses up to 2.0, and an FAR for community facility up to 2.0. For mixed-use buildings combining residential and non-residential uses, the total FAR would be 3.0. Where inclusionary housing is mapped and on narrow streets, R6B districts permit maximum street wall height of 45 feet, above which the building must be set back, may rise to a maximum height of 65 feet, and have a maximum of 6 stories. All buildings would be allowed a more flexible envelope with a maximum street wall height of 65 feet and a maximum building height of 95 feet. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Like other residential districts, the R6B district requires a 30 feet rear yard for residential portions of any building. Off-street parking would be optional for residential uses.

PROPOSED M1-2A/R6A (EXISTING M1-1, M1-4/R7A, AND R7A/C2-4 DISTRICTS)

M1-2A/R6A zoning districts are proposed to cover seven partial blocks in two areas:

- *An area roughly bounded by Bergen Street to the south, Atlantic Avenue to the north, Grand Avenue to the west, and Classon Avenue to the east, and generally within the mid-blocks beyond 100 feet of the avenues.*
- *An area roughly bounded by Bergen Street to the south, Atlantic Avenue to the north, Classon Avenue to the west, and Bedford Avenue to the east, and generally on mid-blocks beyond 100 feet of Classon Avenue and with frontage on Franklin Avenue between Atlantic Avenue and*

Pacific Street.

M1-2A/R6A is a mixed-use district that pairs M1-2A, a manufacturing district that supports a mix of commercial and industrial uses, with R6A, a medium-density contextual residential district that would allow residential uses and community facility uses and is designed to produce Quality Housing buildings. Mixed Use zoning districts also have special regulations that enable residential and certain industrial uses to be located either side by side or within the same building. R6A districts permit a maximum residential FAR of 3.9, when mapped with inclusionary housing, an FAR for commercial and industrial uses up to 3.0, and an FAR for community facility up to 3.0 with a maximum base and building height of 65 and 95 feet, respectively. For mixed-use buildings combining residential and non-residential uses, the total FAR would be 5.0. Buildings within the M1-2A/R6A areas would be allowed a bulk envelope with a maximum street wall height of 95 feet and a maximum building height of 125 feet. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Like other residential districts, the R6A district requires a 30 feet rear yard for residential portions of any building. Off-street parking would be optional for residential uses.

PROPOSED R7A (EXISTING R6A DISTRICT)

R7A districts are proposed for approximately one partial block in one area:

- *An area roughly bounded by Dean Street to the south, Pacific Street to the north, Franklin Avenue to the west, and Bedford Avenue to the east, and generally on the northeast frontage of the block.*

R7A is a medium-density contextual residential district that would allow residential uses of all types and community facility uses and is designed to produce Quality Housing buildings. R7A districts permit a maximum residential FAR of 5.0, when mapped with inclusionary housing, and an FAR for community facility up to 4.0. Where inclusionary housing is mapped and on narrow streets, R7A districts permit a maximum street wall height of 85 feet, above which the building must be set back, may rise to a maximum height of 115 feet, and have a maximum of 11 stories. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Like other residential districts, the R7A district requires a 30 feet rear yard for residential portions of any building. Off-street parking would be optional for residential uses.

PROPOSED C4-3A (EXISTING M1-1 DISTRICT)

C4-3A districts are proposed for approximately two partial blocks in one area:

- *An area roughly bounded by Brevoort Place to the north, Atlantic Avenue to the south, Franklin Avenue to the west, and Bedford Avenue to the east, and with frontage generally along Bedford Place beyond 100 feet of Atlantic Avenue.*

C4-3A is a medium-density commercial district that allows a range of commercial uses as well as residential and community facility uses. C4-3A districts permit a maximum commercial FAR of 3.40 and a community facility FAR of 3.0. C4-3A districts permit, as-of-right, retail and commercial uses in Use Groups 5, 6, 8, 9, 10, and 12. These use groups include retail, offices, business services, larger retail establishments such as department stores, and some entertainment uses. For C4-3A districts, the residential district equivalent is an R6A district. As a result, any residences within the C4-3A district must comply with the R6A bulk regulations and, where inclusionary housing is mapped, with the mandatory affordable housing requirements pursuant to the MIH program. C4-3A districts permit a maximum residential FAR of 3.9, when mapped with inclusionary housing. Where inclusionary housing is mapped and on narrow streets, C4-3A districts permit a maximum street wall height of 65 feet, above which the building must be set back, may rise to a maximum height of 95 feet, and have a maximum of nine stories. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Off-street parking would be optional for residential uses.

PROPOSED R7D (EXISTING R6B DISTRICT)

R7D districts are proposed for approximately two partial blocks in one area:

- *An area roughly bounded by 6th Avenue to the west, Carlton Avenue to the east, Dean Street*

to the north, and St. Marks and Flatbush Avenues to the south.

R7D is a medium-density contextual residential district that would allow residential uses of all types and community facility uses and is designed to produce Quality Housing buildings. R7D districts permit a maximum residential FAR of 5.6, when mapped with inclusionary housing, and an FAR for community facility up to 4.2. Where inclusionary housing is mapped and on narrow streets, R7D districts permit a maximum street wall height of 95 feet, above which the building must be set back, may rise to a maximum height of 125 feet, and have a maximum of 12 stories. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Like other residential districts, the R7D district requires a 30 feet rear yard for residential portions of any building. Off-street parking would be optional for residential uses.

PROPOSED C4-5D (EXISTING M1-1 DISTRICT)

C4-5D districts are proposed for approximately two partial blocks in one area:

- *An area roughly bounded by Brevoort Place and Herkimer Street to the north, Atlantic Avenue to the south, Bedford Place to the west, and Perry Place and Nostrand Avenue to the east, and with frontage generally along Bedford Avenue 100 feet north of Atlantic Avenue.*

C4-5D is a medium-density commercial district that allows a range of commercial uses as well as residential and community facility uses. C4-5D districts permit a maximum commercial FAR of 4.2 and a community facility FAR of 4.2. C4-5D districts permit, as-of-right, retail and commercial uses in Use Groups 5, 6, 8, 9, 10, and 12. These use groups include retail, offices, business services, larger retail establishments such as department stores, and some entertainment uses. For C4-5D districts, the residential district equivalent is an R7D district. As a result, any residences within the C4-5D district must comply with the R7D bulk regulations and, where inclusionary housing is mapped, with the mandatory affordable housing requirements pursuant to the MIH program. C4-5D districts permit a maximum residential FAR of 5.6, when mapped with inclusionary housing. Where inclusionary housing is mapped and on narrow streets, C4-5D districts permit a maximum street wall height of 95 feet, above which the building must be set back, may rise to a maximum height of 125 feet, and have a maximum of 12 stories. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Off-street parking would be optional for residential uses.

PROPOSED M1-3A/R7D (EXISTING M1-1 AND R7A/C2-4 DISTRICTS)

M1-3A/R7D districts are proposed for approximately nine partial blocks in two areas:

- *An area roughly bounded by Washington Avenue to the west, Classon Avenue to the east, Atlantic Avenue to the north, and Bergen Street to the south, generally located along the frontage of Grand Avenue between Atlantic Avenue and Bergen Street to a depth of 100 feet from Grand Avenue.*
- *An area roughly bounded by Grand Avenue to the west, Franklin Avenue to the east, Atlantic Avenue to the north, and Bergen Street to the south, generally located along the frontage of Classon Avenue between Atlantic Avenue and Bergen Street to a depth of 100 feet from Classon Avenue.*

M1-3A/R7D is a mixed-use district that pairs M1-3A, a manufacturing district that supports a mix of commercial and industrial uses, with R7D, a medium-density contextual residential district that would allow residential uses and community facility uses and is designed to produce Quality Housing buildings. Mixed Use zoning districts also have special regulations that enable residential and certain industrial uses to be located either side by side or within the same building. R7D districts permit a maximum residential FAR of 5.6, when mapped with inclusionary housing, an FAR for commercial and industrial uses up to 4.0, and an FAR for community facility up to 4.2. Where inclusionary housing is mapped and on narrow streets, R7D districts permit maximum street wall height of 95 feet, above which the building must be set back, may rise to a maximum height of 125 feet, and have a maximum of 12 stories. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Like other residential districts, the R7D district

requires a 30 feet rear yard for residential portions of any building. Off-street parking would be optional for residential uses.

PROPOSED M1-4A/R9A (EXISTING M1-1 DISTRICT)

M1-4A/R9A districts are proposed for approximately one partial block in one area:

- *An area roughly bounded by Classon Avenue to the west, Franklin Avenue to the east, Atlantic Avenue to the north, and Pacific Street to the south, generally located along the southern frontage of Atlantic Avenue to a depth of 100 feet.*

M1-4A/R9A is a mixed-use district that pairs M1-4A, a manufacturing district that supports a mix of commercial and industrial uses, with R9A, a high-density contextual residential district that would allow residential uses and community facility uses and is designed to produce Quality Housing buildings. Mixed Use zoning districts also have special regulations that enable residential and certain industrial uses to be located either side by side or within the same building. M1-4A/R9A districts permit a maximum residential FAR of 9.0, when mapped with inclusionary housing, an FAR for commercial and industrial uses up to 5.0, and an FAR for community facility up to 7.5. Where inclusionary housing is mapped, R9A districts permit maximum street wall height of 135 feet, above which the building must be set back, may rise to a maximum height of 185 feet, and have a maximum of 18 stories. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Like other residential districts, the R9A district requires a 30 feet rear yard for residential portions of any building. Off-street parking would be optional for residential uses.

PROPOSED C6-3A (EXISTING M1-1 AND C6-2A DISTRICTS)

C6-3A districts are proposed for approximately 10 partial blocks in one area:

- *An area roughly bounded by Vanderbilt Avenue to the west, Nostrand Avenue to the east, Atlantic Avenue, Brevoort Place, and Herkimer Street to the north, and Pacific Street to the south, and with frontage generally along Atlantic to a depth of 100 feet.*

C6-3A is a high-density commercial district that allows a range of commercial uses as well as residential and community facility uses. C6-3A districts permit a maximum commercial FAR of 6.0 and a community facility FAR of 7.5. C6-3A districts permit, as-of-right, retail, and commercial uses in Use Groups 5, 6, 8, 9, 10, and 12. These use groups include retail, offices, business services, larger retail establishments such as department stores, and some entertainment uses. For C6-3A districts, the residential district equivalent is an R9A district. As a result, any residences within the C6-3A district must comply with the R9A bulk regulations and, where inclusionary housing is mapped, with the mandatory affordable housing requirements pursuant to the MIH program. C6-3A districts permit a maximum residential FAR of 9.0, when mapped with inclusionary housing. Where inclusionary housing is mapped and on narrow streets, C6-3A districts permit a maximum street wall height of 135 feet, above which the building must be set back, may rise to a maximum height of 185 feet, and have a maximum of 18 stories. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Off-street parking would be optional for residential uses.

PROPOSED R7-2 (EXISTING R6A AND R6B DISTRICTS)

R7-2 districts are proposed for approximately one block in one area:

- *An area roughly bounded by Halsey Street to the north, Macon Street to the south, Nostrand Avenue to the west and Marcy Avenue to the east, and with frontage along the entire western portion of the block.*

R7-2 is a medium-density non-contextual residential district that would allow residential uses of all types and community facility uses. R7-2 districts permit a maximum residential FAR of 4.6 when mapped with inclusionary housing and a maximum FAR for community facility up to 6.5. Where inclusionary housing is mapped, R7-2 districts permit a maximum street wall height of 75 feet, above which the building must be set back, may rise to a maximum height of 135 feet, and have a maximum of 13 stories. A building setback of 10 feet on wide streets and of 15 feet on narrow streets is required. Like other residential districts, R7-2 districts require a 30 feet rear yard for residential portions of any building. Off-street parking is

required for 50 percent of the dwelling units in the building. For income-restricted housing units (IRHU), there are no parking spaces required inside the Transit Zone.

PROPOSED M1-3A (EXISTING M1-1 DISTRICT)

M1-3A districts are proposed for approximately one partial blocks in one area:

- *An area roughly bounded by Franklin Avenue to the west, Bedford Avenue to the east, Atlantic Avenue, to the north, and Pacific Street to the south.*

M1-3A is a manufacturing districts that allows a range of commercial, industrial, and community facility uses. M1-3A districts permit a maximum FAR of 4.0 for commercial and industrial uses and a maximum FAR of 4.8 for community facility uses. Buildings may rise to a maximum base height of 95 feet and a maximum building height of 125 feet.

PROPOSED C2-4 COMMERCIAL OVERLAY

C2-4 commercial overlays are proposed to be mapped over portions of an existing R6A district and proposed R7A district. The proposed rezoning would establish a new C2-4 overlay along the east and west frontages of Classon Avenue between Dean Street and Bergen Street where a C1-3 overlay was mapped prior to the approval of the 2013 Crown Heights West Rezoning. In addition, a C2-4 overlay would be established in a proposed R7A district on the eastern frontage of Franklin Avenue between Dean Street and Pacific Street. A C2-4 overlay will be paired with the R6A and R7A districts in order to bring existing ground floor commercial uses into conformance with zoning and allow additional commercial uses to occupy space and expand. The affected areas are as follows:

- *Portions of two blocks bounded by Dean Street to the north, Bergen Street to the south, Grand Avenue to the west, and Franklin Avenue to the east, along the east and west frontages of Classon Avenue between Bergen Street and Dean Street to a depth of 100 feet.*
- *Portion of one block bounded by Pacific Street to the north, Dean Street to the south, Franklin Avenue to the west, and Bedford Avenue to the east.*

C2-4 commercial overlays allow for up to 2.0 FAR of local retail uses in stand-alone commercial buildings or on the ground floor of mixed-use buildings. C2-4 allows uses listed in Use Groups 1-9 and 14, which include a wide range of neighborhood commercial uses including retail and services, as well as small-scale entertainment and production uses". For general commercial uses, as listed in PRC-B, one off-street parking space is required for every 1,000 sf of floor area.

SPECIAL ATLANTIC AVENUE MIXED USE DISTRICT

A special purpose district known as the Special Atlantic Avenue Mixed Use District would be mapped largely coterminous with the Project Area. The proposed special purpose district is described in more detail below as part of the related action to amend the zoning text and establish the proposed special purpose district.

PROPOSED ZONING TEXT AMENDMENTS

The Department of City Planning proposes a series of text amendments to facilitate the land use objectives and the Atlantic Avenue Mixed-Use Plan. The following is a list and description of the proposes text amendments:

SPECIAL ATLANTIC AVENUE MIXED USE DISTRICT

A special purpose district known as the Special Atlantic Avenue Mixed Use District would be mapped largely coterminous with the Project Area. The proposed special purpose district would establish a framework around Atlantic Avenue and neighboring blocks, to

- promote the growth of housing and employment centers around transit and foster an adequate range of services and amenities for residents, workers, and visitors;
- ensure a lively and attractive streetscape along Atlantic Avenue and other major corridors; and

- support a mix of residential, commercial, community facility, and light industrial uses.

To achieve this, a series of modifications to a range of underlying zoning provisions are proposed, as follows:

USE REGULATIONS

To create an attractive and pedestrian-friendly environment, provide space for jobs, and enhance activity along major corridors, the special purpose district would require non-residential uses along the ground floors to a depth of 30 feet. This requirement would serve to foster an active street frontage with glazing and transparency for businesses that occupy space in new developments. Absent the modification, residential uses could be located at the ground floor, which would be an undesirable location for those living on such a busy thoroughfare. In paired industrial/residential districts where light industrial and residential uses are located in the same or adjacent buildings, the provisions of ZR Section 123-22 (Additional Conditions for Certain Uses) must be met. The AAMUP Special District proposes to include provisions for alternate compliance with these provisions in ZR Section 146-11. A future CPC Chair Certification would be required to certify an alternate means of compliance pursuant to ZR Section 146-12. An (E) designation would be established in conjunction with the Certification establishing specific building design or other environmental requirements in order to protect occupants of the building and surrounding properties from any hazardous materials, noise, or air quality associated with such commercial or manufacturing uses.

Further, the modification would also prevent blank wall conditions for non-residential uses, which can result in an unattractive streetscape condition. Atlantic Avenue and Bedford Avenue would be designated as Tier C frontages pursuant to the recently adopted City of Yes for Economic Opportunity text amendment, and north/south corridors Grand Avenue and Classon Avenue would be designated as Tier B frontages, but would still be required to provide nonresidential ground floor uses.

As part of the special purpose district, manufacturing districts would be paired with residential districts in a few locations. Such a pairing of zoning districts typically necessitates a designation of a Special Mixed Use (MX) District. Rather than being a separate, individually designated MX district, these districts and their mixed-use regulations would be incorporated into the proposed special purpose district. In addition, M1-1A/R6B and M1-2A/R6A districts would include a floor area incentive of approximately 0.6 and 1.1 FAR respectively to encourage the development of mixed-use buildings with non-residential ground floors, as well as greater flexibility in the bulk envelope. The special purpose district would also update previously approved MX districts that overlap with the Project Area.

STREETSCAPE AND BULK REGULATIONS

To enhance the streetscape experience for pedestrians and ensure there is sufficient space for various users of the sidewalk, the special purpose district would require the street wall of new developments to setback such that the minimum sidewalk width on Atlantic and Bedford Avenues is 20 feet, unless the required setback is more than 5 feet. a Without the special purpose district, the underlying zoning would require a development's street wall to locate at the street line. The special purpose district would also update previously approved street wall location regulations that apply along the portion of Atlantic Avenue and surrounding streets overlapping with the Project Area.

In addition, due to block frontages along Atlantic Avenue being 800 feet in length, new developments with more than 100 feet of frontage will be required to provide recesses, projections or other features that articulate the façade. In the absence of the special purpose district, larger developments with frontage along Atlantic Avenue could have a sheer, continuous wall up to the minimum base height with minimal articulation.

Within the special purpose district, two manufacturing districts paired with residential districts would modify underlying bulk regulations to allow for taller mixed-use buildings or standalone non-residential buildings, as well as allow more flexibility for rear yard obstructions to better support two floors of non-residential uses. M1-1A/R6B would allow a maximum FAR of 3.0, maximum base height of 65 feet, and maximum building height of 95 feet for mixed-use buildings (versus an FAR of 2.4, base height of 45 feet, and maximum height of 65 feet for residential-only buildings). M1-2A/R6A would allow a maximum FAR

of 5.0, maximum base height of 95 feet, and maximum building height of 125 feet for mixed-use buildings (versus an FAR of 3.9, base height of 65 feet, and maximum height of 95 feet for residential-only buildings). Additionally, to accommodate the future development near the Franklin Avenue shuttle, including on a parcel of land (Block 1126, Lots 32 and 57) owned and operated by MTA, the special purpose district would modify bulk regulations to allow greater flexibility in the bulk envelope on these irregular and uniquely dimensioned sites.

Additionally, with the special purpose district, certain commercial districts would modify underlying bulk regulations on lots with no rear yards. To accommodate the unique conditions along Herkimer Place and Atlantic Avenue, the special purpose district would modify bulk regulations to ensure a majority of the bulk on future developments be anchored towards Atlantic Avenue, allowing a transition in height to the North. In the absence of the special purpose district, the bulk could be shifted to Herkimer Place creating a stark difference in height and density transitions to the North.

Lastly, the proposed special purpose district would create a CPC authorization to enable the traditional public plaza bonus available in high-density non-contextual districts to zoning lots greater than 25,000 sf in contextual Commercial Districts and MX pairs with a residential equivalent of an R9A or R9X District. In conjunction with the FAR increase, an applicant could modify building certain plaza regulations to better adapt the design requirements to the unique character of the area, or could modify certain bulk parameters so long as height modifications did not exceed 25% of the district's height. This authorization would enable new publicly accessible open spaces in a neighborhood that lacks adequate access to open space and has an existing walk-to-a-park gap.

OPEN SPACE INCENTIVE

In order to create opportunities for publicly-accessible open space, the special district would include a CPC authorization to allow developments in R9 equivalent districts to access the ZRs floor area bonus for on-site public plazas. The underlying public plaza program (Section 37-70) allows bonuses at these densities but not in AAMUPs specific zoning districts which have street wall and maximum building height requirements. The typical 20 percent maximum bonus would apply, and the bonus ratio would be 4:1, like in equivalent zoning districts (C6-3). The authorization would be available for zoning lots greater than 25,000 sf and would allow modification of street wall and maximum height requirements to accommodate the plaza and bonus floor area. In addition, the authorization would allow modifications to the plaza design requirements to encourage spaces that reflect the mixed-use character of the area.

PARKING AND LOADING REQUIREMENTS

With the special purpose district and in alignment with the City of Yes for Housing Opportunity text amendment, no off-street parking would be required for residential uses to support a vision of growth where residents and workers walk, bicycle, or use public transit as their primary modes of transportation. Moreover, off-street parking can pose constraints on development, expansions, and conversions, both financially and physically, as parking spaces compete for non-residential space on the ground floor and greatly add to the costs of a development, especially if parking is built below grade in cellar levels.

MANDATORY INCLUSIONARY HOUSING

Amendment to Appendix F adding the proposed R7A, R7-2, R7D, C6-3A, M1-1A/R6B, M1-2A/R6A, M1-3A/R7D, M1-4A/R9A, C4-3A, C6-3X, and C4-5D districts to the list and maps of Mandatory Inclusionary Housing Areas.

The proposed R6A, R7A, R7D, R7-2, C6-3A, M1-1A/R6B, M1-2A/R6A, M1-3A/R7D, M1-4A/R9A, C4-3A, C6-3X, and C4-5D zoning districts would be mapped as Mandatory Inclusionary Housing Areas setting mandatory affordable housing requirements pursuant to the MIH program to require a share of new housing to be permanently affordable where significant new housing capacity would be created. The proposed MIH areas would also consolidate maps from previously approved private applications within the Project Area.

The MIH program requires permanently affordable housing within new residential developments, enlargements, and conversions from non-residential to residential use within the mapped "Mandatory

Inclusionary Housing Areas" (MIH Areas). The program requires permanently affordable housing set asides for all developments over 10 units or 12,500 zoning sf within the MIH Areas or, as an additional option for developments below 25 units and 25,000 sf, a payment into an Affordable Housing Fund.

The MIH program includes two primary options that pair set-aside percentages with different affordability levels to reach a range of low and moderate incomes while accounting for the financial feasibility tradeoff inherent between income levels and size of the affordable set-aside. Option 1 requires 25 percent of residential floor area to be for affordable housing units for households with incomes averaging 60 percent of the Area Median Income (AMI). Option 1 also includes a requirement that 10 percent of residential floor area be affordable at 40 percent of AMI. Option 2 requires 30 percent of residential floor area to be affordable to households with an average of 80 percent of AMI. Additionally, an Option 3 could also be applied in conjunction with Options 1 or 2. Option 3, also known as the "Deep Affordability" option, requires that 20 percent of the residential floor area be affordable to residents at 40 percent AMI. Following the approval of the City of Yes for Housing Opportunity in December 2024, Option 3 is permissible as a standalone option. The City Council and CPC could apply an additional Option 4, known as the "Workforce" option, for markets where moderate- or middle-income development is marginally financially feasible without subsidy. This requires a 30 percent set-aside at AMIs averaging 115 percent and does not allow public funding.

DESIGNATION OF AN URBAN DEVELOPMENT ACTION AREA, URBAN RENEWAL AREA AMENDMENT, URBAN DEVELOPMENT ACTION PROJECT AND DISPOSITION OF CITY-OWNED LAND

The proposed site-specific actions, including designation of Urban Development Action Areas (UDAA), approval of Urban Development Action Area Projects (UDAAP), acquisition, and disposition of City-Owned properties, will facilitate the redevelopment of four City-owned sites and an individual site owned by the nonprofit organization Acacia Network, as summarized below. In addition to these land use actions, potential Article XI disposition, tax exemption, and HPD financing for one or more sites to facilitate the development of affordable housing.

DEAN PARK EDGE/PROJECTED DEVELOPMENT SITE 46

- UDAA/UDAAP: Projected Development Site 46 (Block 1136, Lots 29, 32, 33, 34, 35) consists of underutilized property which tends to impair or arrest the sound development of the surrounding community, with or without tangible physical blight. Incentives are needed in order to induce the correction of these substandard, insanitary, and blighting conditions. The project activities would protect and promote health and safety and would promote sound growth and development. The development site is therefore eligible to be an Urban Development Action Area and the proposed project is therefore eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.
- Disposition of City Property: Projected Development Site 46 is proposed for disposition to a sponsor to be selected by HPD.

BERGEN GREEN/PROJECTED DEVELOPMENT SITE 47

- UDAA/UDAAP: Projected Development Site 47 (Block 1143, Lot 25) consists of underutilized property which tends to impair or arrest the sound development of the surrounding community, with or without tangible physical blight. Incentives are needed in order to induce the correction of these substandard, insanitary, and blighting conditions. The project activities would protect and promote health and safety and would promote sound growth and development. The development site is therefore eligible to be an Urban Development Action Area and the proposed project is therefore eligible to be an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law.
- Disposition of City Property: Projected Development Site 47 is proposed for disposition to a sponsor to be selected by HPD.

- Acquisition of property by the City: The City proposes to reacquire a portion of Development Site 47 (Block 1143, Lot 25) for replacement parking for use by HPD.

457 NOSTRAND/PROJECTED DEVELOPMENT SITE 54

- Disposition of City Property: Projected Development Site 54 (Block 1844, Lot 1) is proposed for disposition to a sponsor to be selected by HPD.

1134 PACIFIC/PROJECTED DEVELOPMENT SITE 48

- Acquisition of property by the City: The City proposes to acquire Projected Development Site 48 (Block 1205, Lots 11, 14, 111)
- Disposition of City Property: Development Site 48 is proposed for disposition to a sponsor to be selected by HPD.

1110 ATLANTIC AVENUE/PROJECTED DEVELOPMENT 45

- Disposition of City-owned property: Projected Development Site 45 (Block 1126, Lot 32) is proposed for disposition.
- Acquisition of private property by the City: The City proposes to reacquire a portion of Lot 32 on Block 1126 (Development Site 45) for the MTA's use.

F. FRAMEWORK FOR ENVIRONMENTAL REVIEW

REASONABLE WORST-CASE DEVELOPMENT SCENARIO

To assess the possible impacts of the Proposed Actions, a reasonable worst-case development scenario (RWCDS) was developed for both the current (Future No-Action) and proposed zoning (Future With-Action) conditions for a 10-year period (build year 2034). The incremental difference between the Future No-Action and Future With-Action conditions will serve as the basis for the impact analyses of the FEIS. A 10-year period typically represents the amount of time developers would act on the proposed action for an area-wide rezoning not associated with a specific development.

To determine the Future With-Action and No-Action conditions, standard methodologies have been used following the 2021 *CEQR Technical Manual* guidelines employing reasonable assumptions. These methodologies have been used to identify the amount and location of future development.

In projecting the amount and location of new development, several factors have been considered in identifying likely development sites; including known development proposals, past and current development trends, and the development site criteria described below.

Generally, for area-wide rezonings that create a broad range of development opportunities, new development can be expected to occur on selected, rather than all, sites within the Rezoning Area. The first step in establishing the development scenario for the Proposed Actions was to identify those sites where new development could be reasonably expected to occur.

DEVELOPMENT SITE CRITERIA

Development sites were initially identified based on the following criteria:

- Lots located in areas where changes in use would be permitted.
- Lots located in areas where a substantial increase in permitted FAR is proposed; and lots with a total size of 5,000 sf or larger (may include potential assemblages totaling 5,000 sf, respectively, if assemblage seems probable); unless the site is underutilized, per the definition below; or
- Lots constructed to less than or equal to half of the maximum allowable FAR under the relevant zoning (see **Table 1** for more information), or occupied by a vacant building; and
- Lots between 2,000 to 5,000 sf if considered underutilized; and
- Underutilized lots which are defined as vacant, occupied by a vacant building, a building with only a

single occupied floor, or lots constructed to less than or equal to half of the maximum allowable FAR under the relevant zoning; Lots located in areas where changes in use would be permitted.

- Certain lots that meet these criteria have been excluded from the scenario based on the following conditions because they are very unlikely to be redeveloped as a result of the proposed rezoning.
- Lots where construction activity is occurring or has recently been completed.

Long-standing institutional uses, such as schools (public and private), municipal libraries, government offices, and large medical centers in control of their sites, with no known development plans. These facilities may meet the development site criteria, because they are built to less than half of the permitted floor area under the current zoning and are on larger lots. However, these facilities have not been redeveloped or expanded despite the ability to do so, and it is extremely unlikely that the increment of additional FAR permitted under the proposed zoning would induce redevelopment or expansion of these structures. Additionally, for government-owned properties, development and/or sale of these lots may require discretionary actions from the pertinent government agency.

Multi-unit buildings (i.e., existing individual buildings with six or more residential units) built before 1974 are unlikely to be redeveloped as they may contain rent stabilized units. Buildings with rent-stabilized units are difficult to legally demolish due to tenant re-location requirements. Unless there are known redevelopment plans (throughout the public review process or otherwise), these buildings are generally excluded from the analysis framework.

Certain large commercial or industrial structures, such as multi-story non-residential buildings, sites owned and operated by major national corporations. Although these sites may meet the criteria for being built to less than half of the proposed permitted floor area, some of them are unlikely to be redeveloped due to their current or potential profitability, the cost of demolition and redevelopment, and their location.

Certain active uses that would have difficulty relocating to other areas because of Citywide restrictions on the location of said uses, such as heavily used gas stations with critical locations.

Lots whose location, highly irregular shape, or highly irregular topography would preclude or greatly limit future as-of-right development, including lots split by disparate zoning districts. Generally, development on highly irregular lots does not produce marketable floor space.

Lots utilized for public transportation and/or public utilities.

PROJECTED AND POTENTIAL DEVELOPMENT SITES

To produce a reasonable, conservative estimate of future growth, the development sites have been divided into two categories: projected development sites and potential development sites. The projected development sites are considered more likely to be developed within the 10-year analysis period for the Proposed Actions (i.e., by the analysis year 2034) while potential sites are considered less likely to be developed over the approximately 10-year analysis period. Potential development sites were identified based on the following criteria:

- Lots whose slightly irregular shapes, topographies, or encumbrances would make development more difficult.
- Lots with four or more commercial tenants, which are less likely to redevelop in the foreseeable future.
- Active businesses that may provide unique services or are prominent, successful neighborhood businesses or organizations unlikely to move.

Based on the above criteria, 70 development sites (54 projected and 16 potential) have been identified in the Plan Area. These projected and potential development sites are depicted in the FEIS**,** and the detailed RWCDS tables provided in FEIS Appendix A "RWCDS", identify the uses expected to occur on each of these sites under No-Action and With-Action conditions.

The FEIS assesses both density-related and site-specific potential impacts from development on all projected development sites. Density-related impacts are dependent on the amount and type of development projected on a site and the resulting impacts on traffic, air quality, community facilities, and open space.

Site-specific impacts relate to individual site conditions and are not dependent on the density of projected development. Site-specific impacts include potential noise impacts from development, the effects on historic resources, and the possible presence of hazardous materials. Development is not anticipated on the potential development sites in the foreseeable future. Therefore, these sites have not been included in the density-related impact assessments. However, review of site-specific impacts for these sites will be conducted to ensure a conservative analysis.

CONCEPTUAL ANALYSIS

Under the State Environmental Quality Review Act (SEQRA), a conceptual analysis is warranted if a Proposed Action creates new discretionary actions that are broadly applicable even when projects seeking those actions will trigger a future, separate environmental review. It is the lead agency's responsibility to consider all possible environmental impact of the new discretionary actions at the time it creates them. The Proposed Actions would create a new discretionary action; an authorization for floor area bonus and height modification with the provision of publicly accessible open space, for the City Planning Commission to consider. A Conceptual analysis will be provided to understand how the new discretionary actions could be used in the future and to generically assess the potential environmental impacts that could result. However, all potential significant adverse impacts related to these future discretionary actions would be disclosed through environmental review at the time of the application.

DEVELOPMENT SCENARIO PARAMETERS

DWELLING UNIT FACTOR

The number of projected dwelling units in residential use buildings is determined by dividing the total amount of residential floor area by 850 and rounding to the nearest whole number.

FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

In the future without the Proposed Actions (No-Action condition), the identified projected development sites are assumed to either remain unchanged from existing conditions or become occupied by uses that are as-of-right under existing zoning and reflect current trends if they are vacant, occupied by vacant buildings, or occupied by low intensity uses that are deemed likely to support more active uses. **Table 1** shows the No-Action Conditions for the projected development sites.

As ***Table 1*** shows, it is anticipated that, in the future without the Proposed Actions, there would be a total of approximately 781,480 sf of built floor area on the 54 projected development sites. Under the RWCDS, the total No-Action development would comprise approximately 114,957 sf of residential floor area (approximately 136 DU, 31-37 Affordable DUs pursuant to MIH at locations where MIH is currently mapped), 57,818 sf of local retail uses, 22,648 sf of office and other commercial uses, 81,000 sf of automotive related uses, 237,371 sf of industrial uses, 267,686 sf of community facility uses, and 52,309 sf of parking (209 accessory parking spaces). The estimated population under the No-Action condition would include a total of approximately 333 residents and 740 workers on these projected development sites.

FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

The Proposed Actions would allow for the development of new uses and higher densities at the projected and potential development sites. As shown in ***Table 1***, under the RWCDS, the total development expected to occur on the 54 projected development sites under the With-Action condition which would consist of approximately 6,665,448 sf of floor area, including 5,321,642 sf of residential floor area (approximately 5,279 DU, 25-30% of units would be affordable pursuant to MIH with additional affordable housing to be provided pursuant to other City-based programs), 344,325 sf of local retail uses, 50,410 sf of destination retail uses, 472,574 sf of office and other commercial uses, 77,095 sf of industrial uses, and 389,402 sf of community facility uses, as well as no accessory parking spaces. The estimated population under the With-Action condition would include a total of approximately 12,933 residents and 3,559 workers on these projected development sites. The projected incremental (net) change between the No-Action and With-Action conditions that would result from the Proposed Actions would be an increase of 5,206,685 sf of residential floor area (5,143 DU), 286,507 sf of local retail space, 50,410 sf of destination retail space,

449,926 sf of office space and other commercial uses, 121,716 sf of community facility space, a net reduction of 160,276 sf of industrial spaces, 209 accessory parking spaces, and a net decrease of 81,000 sf of automotive related uses on the projected development sites.

Based on 2020 Census data, the average household size for residential units in Brooklyn CD 3 and Brooklyn CD 8 is 2.45.[2] Based on this ratio and standard ratios for estimating employment for commercial, community facility and industrial uses, ***Table 1*** also provides an estimate of the number of residents and workers on the 54 projected development sites in the No-Action and With-Action conditions. As indicated in the table, under the RWCDS, the Proposed Actions would result in a net increment of 12,600 residents and 2,819 workers.

A total of 16 sites were considered less likely to be developed within the foreseeable future and were thus considered potential development sites. As noted earlier, the potential sites are deemed less likely to be developed because they did not closely meet the criteria listed above. However, as discussed above, the analysis recognizes that several potential development sites could be developed under the Proposed Actions in lieu of one or more of the projected sites in accommodating the development anticipated in the RWCDS. The potential development sites are therefore also analyzed in the FEIS for site-specific effects.

As such, the FEIS analyzes the projected development sites for all technical areas of concern and also evaluate the effects of the potential developments for site-specific effects such as archaeology, shadows, hazardous materials, stationary air quality, and noise.

Table 1: 2034 RWCDS No-Action and With-Action Land Uses

Land Use	No-Action Condition	With-Action Condition	Increment
Residential			
Total Residential[3]	**114,957 sf 136 DUs**	**5,321,642 sf 5,279 DUs**	**5,206,685 sf 5,143 DUs**
Commercial			
Local Retail	57,818 sf	344,325 sf	286,507 sf
Destination Retail	0 sf	50,410 sf	50,410 sf
Office & Other Commercial	22,648 sf	472,574 sf	449,926 sf
Automotive Related	81,000 sf	0 sf	(81,000 sf)
Total Commercial	**161,466 sf**	**867,309 sf**	**705,843 sf**
Industrial			
Warehouse	92,583 sf	0 sf	(92,583 sf)
Other Industrial	144,788 sf	77,095 sf	(67,693 sf)
Total Industrial	**237,371 sf**	**77,095 sf**	**-160,276 sf**
Community Facility			
Medical Office	0 sf	48,548 sf	48,548 sf
Other	267,686 sf	340,854 sf	73,168 sf
Total Community Facility[3]	**267,686 sf**	**389,402 sf**	**121,716 sf**
Total Floor Area	**781,480 sf**	**6,665,448 sf**	**5,883,968 sf**
Parking	**52,309 sf**	**0 sf**	**(52,309 sf)**
Parking Spaces	209	0	(209)
Population			
Residents[1]	333	12,933	12,600
Workers[2]	740	3,559	2,819

Notes:

[1] Assuming an average occupancy of 2.45 persons per household based on the average household size within both CD 3 and CD 8 (2020 Decennial Census).

[2] The average household size is for CD 3 is 2.56 and for CD 8 is 2.30.

[2] Estimate of workers based as follows: 1 employee per 250 sf of office; 1 employee per 875 sf destination retail; 1 employee per 400 sf of local retail; 1 employee per 25 DU; 1 employee per 1,000 sf of industrial/auto; 1 employee per 15,000 sf of warehouse; 1 employee per 400 sf medical office space; 1 employee per 1,000 sf of other community facility space; and 1 employee per 50 parking spaces.

3 Includes Projected Development Sites 53 and 55, which are not subject to the ULURP land use application, which collectively accounts for 589 DUs and 85,089 sf of community facility uses.

ADDITIONAL DEVELOPMENT SITES

In response to the comments received on the Draft Scope of Work, two additional development sites (Projected Development Sites 53 and 55) have been included in environmental analysis to account for development that could be facilitated by future discretionary actions not subject to the currently contemplated ULURP application.

EXISTING ZONING

R6

R6 is mapped at the school parcel site located at 178 Brooklyn Avenue at the southeast corner of Brooklyn Avenue and Prospect Place and is characterized by a one-story City-owned educational facility occupied by an Alternate Learning Center.

R6 districts are medium-density non-contextual residential districts that allow residential uses of all types and community facility uses. Community facility uses are generally permitted at a maximum FAR of 4.8. R6 has two sets of bulk regulations to choose from: height factor regulations and Quality Housing regulations.

Height factor regulations promote slender, tall buildings set far back from the street and surrounded by open space, while Quality Housing regulations promote the types of high lot coverage buildings found in many neighborhoods prior to the 1961 Zoning Resolution. Under height factor regulations, residential uses are allowed a maximum FAR of 2.43 with height regulated by a relationship between the FAR and open space ratio (OSR), the percentage of total floor area that should be provided as open space. The FAR and OSR are calibrated on a sliding scale, and maximum FAR is only achievable if considerable open space is provided. Under Quality Housing regulations, the sliding scale of FAR and OSR in the height factor system is replaced by fixed maximum FARs and maximum lot coverages. On narrow streets (defined as less than 75 feet wide), residential uses are allowed a maximum of 2.2 FAR with a maximum street wall height of 45 feet, above which the building must be set back, and may rise to a maximum height of 55 feet. Under the Quality Housing option, on wide streets (defined as greater than 75 feet wide), residential uses are allowed a maximum of 3.0 FAR with a maximum street wall height of 65, above which the building must be set back, and may rise to a maximum height of 75 feet.

Off-street parking is required for 70 percent of the dwelling units (Height Factor). This requirement is lowered to 50 percent of the units if the lot area is less than 10,000 sf or if Quality Housing provisions are used. Parking requirements are lowered for income-restricted housing units and are further modified within the Transit Zone. If five spaces or fewer are required, the off-street parking requirement is waived.

R7-2

R7-2 is mapped at the school parcel site located at 510 Clermont Avenue at the northwest corner of Clermont Avenue and Atlantic Avenue and is characterized by a three-story City-owned educational facility occupied by K753, a D75 school serving students with special needs.

R7-2 districts are medium-density non-contextual residential districts that allow residential uses of all types and community facility uses. Community facility uses are generally permitted at a maximum FAR of 6.5. R7-2 has two sets of bulk regulations to choose from: height factor regulations and Quality Housing regulations.

Height factor regulations promote slender, tall buildings set far back from the street and surrounded by open space, while Quality Housing regulations promote the types of high lot coverage buildings found in many neighborhoods prior to the 1961 Zoning Resolution. Under height factor regulations, residential uses are

allowed a maximum FAR of 3.44 with height regulated by a relationship between the FAR and OSR, the percentage of total floor area that should be provided as open space. The FAR and OSR are calibrated on a sliding scale, and maximum FAR is only achievable if considerable open space is provided. Under Quality Housing regulations, the sliding scale of FAR and OSR in the height factor system is replaced by fixed maximum FARs and maximum lot coverages. On narrow streets (defined as less than 75 feet wide), residential uses are allowed a maximum of 4.0 FAR with a maximum street wall height of 65 feet, above which the building must be set back, and may rise to a maximum height of 75 feet. Under the Quality Housing option, on wide streets (defined as greater than 75 feet wide), residential uses are allowed a maximum of 3.44 FAR with a maximum street wall height of 75 feet, above which the building must be set back, and may rise to a maximum height of 85 feet.

POSSIBLE FUTURE ZONING AND DISCRETIONARY ACTIONS

Proposed C6-4 (Existing R7-2 Districts)

While not part of the Proposed Actions, in response to comments received on the DSOW, environmental analysis will assume a C6-4 district for approximately one block in one area, as described below:

- *An area roughly bounded by Fulton Street to the north, Atlantic Avenue to the south, Carlton Avenue to the west and Clermont Avenue to the east, and with frontage on the northwestern corner of Clermont Avenue and Atlantic Avenue to a depth of approximately 250 feet from Atlantic Avenue.*

C6-4 is a high density non-contextual commercial district that would allow a wide range of local and regional commercial uses, residential uses of all types and community facility uses. C6-4 districts permit a maximum commercial FAR of 10.0, a maximum residential FAR of 12.0 when mapped with inclusionary housing and a maximum FAR for community facility up to 10.0. Where inclusionary housing is mapped along wide streets, C6-4 districts permit a maximum street wall height of 155 feet, above which the building must be set back, may rise to a maximum height of 235 feet, and have a maximum of 23 stories. A building setback of 10 feet on wide streets and of 15 feet on narrow streets is required. Like other residential districts, C6-4 districts require a 30 feet rear yard for residential portions of any building. Off-street parking is required for 40 percent of the dwelling units in the building. For IRHU, there are no parking spaces required inside the Transit Zone.

G. PUBLIC REVIEW PROCESS FOR THE PROPOSED ACTIONS

The Proposed Actions described above are subject to public review under ULURP, Section 200 of the City Charter, as well as CEQR procedures. The ULURP and CEQR review processes are described below.

UNIFORM LAND USE REVIEW PROCEDURE

The City's ULURP, mandated by Sections 197-c and 197-d of the City Charter, is a process especially designed to allow public review of a proposed project at four levels: the community board, the Borough President and (if applicable) Borough Board, CPC, and the City Council. The procedure sets time limits for review at each stage to ensure a maximum total review period of approximately seven months.

The ULURP process begins with a certification by CPC that the ULURP application is complete, which includes satisfying CEQR requirements (see the discussion below). The application is then forwarded to the community board(s), which has 60 days to review and discuss the proposal, hold public hearings, and adopt recommendations regarding the application. Once this step is complete, the Borough President reviews the application for up to 30 days. CPC then has 60 days to review the application, during which time a ULURP/CEQR public hearing is held. Comments made at the DEIS public hearing (the record for commenting remains open for 10 days after the hearing to receive written comments) are incorporated into a Final EIS; the Final EIS must be completed at least 10 days before CPC makes its decision on the application. CPC may approve, approve with modifications, or deny the application.

If the ULURP application is approved, or approved with modifications, it moves to the City Council for review. The City Council does not automatically review all ULURP actions that are approved by CPC. Zoning map changes and zoning text changes (not subject to ULURP) nevertheless must be reviewed by the City Council; the Council may elect to review certain other actions. The City Council, through the Land Use Committee, has 50 days to review the application and, during this time, will hold a public hearing on the proposed project. The Council may approve, approve with modifications, or deny the application. If the Council proposes a modification to the proposed project, the ULURP review process stops for 15 days, providing time for a CPC determination on whether the modification is within the scope of the environmental review and ULURP review. If it is, then the Council may proceed with the modification; if it is not, then the Council may only vote on the project as approved by CPC. Following the Council's vote, the Mayor has five days in which to veto the Council's actions. The City Council may override a Mayoral veto within 10 days.

NEW YORK CITY ENVIRONMENTAL QUALITY REVIEW

Pursuant to the New York State Environmental Quality Review Act (SEQRA) and its implementing regulations found at 6 NYCRR Part 617, New York City established rules for its own environmental quality review in Executive Order 91 of 1977, as amended, and 62 RCNY Chapter 5, the Rules of Procedure for CEQR. The environmental review process provides a means for decision-makers to systematically consider environmental effects along with other aspects of project planning and design, to propose reasonable alternatives, to identify, and when practicable mitigate, significant adverse environmental effects. CEQR rules guide environmental review, as follows:

- *Establishing a Lead Agency*: Under CEQR, the "lead agency" is the public entity responsible for conducting the environmental review. Usually, the lead agency is the entity principally responsible for carrying out, funding, or approving a proposed action. CPC is the lead agency for the Proposed Actions.
- *Determination of Significance*: The lead agency's first charge is to determine whether a proposed action may have a significant adverse impact on the environment. To do so, it must prepare an EAS. The Proposed Actions were the subject of an EAS that was issued on September 15, 2023. Based on the information contained in the EAS, the lead agency (CPC) determined that the Proposed Actions may have a significant adverse effect on the environment and issued a Positive Declaration on September 15, 2023, requiring preparation of an EIS.
- *Scoping*: Once the lead agency has issued a Positive Declaration, it must then issue a draft scope of work for the EIS. "Scoping," or creating the scope of work, is the process of focusing the environmental impact analyses on the key issues to be studied. The Draft Scope of Work for the Proposed Actions was issued on September 15, 2023. CEQR requires a public scoping meeting as part of the process. A scoping meeting was held for the Proposed Actions and EIS Draft Scope of Work on October 17, 2023. Agencies and the public were given until October 27, 2023, to review and comment on the Draft Scope of Work. Modifications to the Draft Scope of Work were made as a result of public and interested agency input during the scoping process. The Final Scope of Work for the project was issued on October 11, 2024.
- *Draft Environmental Impact Statement*: The DEIS was prepared in accordance with the Final Scope of Work, and followed methodologies and criteria for determining significant adverse impacts in the 2021 *CEQR Technical Manual*. The lead agency reviewed all aspects of the document, calling on other City and state agencies to participate in where the agency's expertise is relevant. Once the lead agency is satisfied that the DEIS is complete, it issues a Notice of Completion (NOC) and circulates the DEIS for public review. The DEIS NOC was issued on October 11, 2024.
- *Public Review*: Publication of the DEIS and issuance of the Notice of Completion signal

the start of the public review period. During this time (a period of not less than 30 days), the public has the opportunity to review and comment on the DEIS either in writing or at the public hearing convened for the purpose of receiving such comments. Where the CEQR process is coordinated with another City process that requires a public hearing, such as the CPC ULURP process, joint hearings may be held. The lead agency must publish a notice of the hearing at least 14 days before it takes place and must accept written comments for at least 10 days following the close of the hearing. All substantive comments received at the hearing become part of the CEQR record and must be summarized and responded to in the FEIS. The joint public hearing on the DEIS and ULURP application was held on February 5, 2025, in the New York City Planning Commission Hearing room, Lower Concourse, 120 Broadway, New York, NY. The public hearing was also accessible to view and participate in remotely through NYC Engage. The period for submitting written comments remained open until February 18, 2025.

- *Final Environmental Impact Statement*: After the close of the public comment period on the DEIS, the lead agency FEIS will be prepared. The FEIS must incorporate relevant comments on the DEIS, either in a separate chapter or in changes to the body of the text, graphics, and tables. Once the lead agency determines that the FEIS is complete, it issues an NOC and circulates the FEIS.
- *Findings*: The lead agency will adopt a formal set of written findings based on the FEIS, reflecting its conclusions about the significant adverse environmental impacts of the proposed action, potential alternatives, and potential mitigation measures. The findings may not be adopted until at least 10 days after the Notice of Completion has been issued for the FEIS. Once findings are adopted, the lead agency may take its actions. This means that CPC must wait at least 10 days after the FEIS is complete to act on a given application.

H. PRINCIPAL CONCLUSIONS OF ENVIRONMENTAL ANALYSIS

LAND USE, ZONING, AND PUBLIC POLICY

A detailed analysis was conducted based on the methodology set forth in the 2021 *CEQR Technical Manual* and determined that the Proposed Actions would not have a significant adverse impact related to land use, zoning, or public policy.

The Proposed Actions would change the zoning in the primary Study Area to facilitate growth and development patterns that meet the long-term vision of a sustainable, mixed-use neighborhood. The zoning proposal would replace obsolete zoning and facilitate mixed-use development throughout the primary Study Area by allowing residential use, expanding the types of commercial uses and community facilities, and increasing the permitted density. The Proposed Actions would support new housing with the required, permanently affordable housing and incentivize increased jobs densities to foster a walk-to-work neighborhood with strong public transit access and near the Central Business Districts (CBDs) of Downtown Brooklyn and Lower Manhattan.

With the proposed zoning changes, residential use would be allowed throughout most of the primary Study Area, expanding the City's housing supply to help meet the housing needs of current and future residents and significantly increasing the supply of affordable housing through the application of MIH and development on City-owned land. The Proposed Actions would also create opportunities for new non-residential space, including commercial, community facility, and light industrial space, in new mixed-use buildings throughout the primary Study Area. In addition, the Proposed Actions would promote the integration and mixing of uses within mixed-use buildings through ground-floor use requirements at key locations, floor area incentives, and allowing multiple floors of non-residential use within buildings.

The Proposed Actions would map contextual zoning districts that establish street wall heights and maximum building heights and require that new housing be developed under Quality Housing regulations. Bulk regulations would encourage a range of heights and building forms, allowing sufficient flexibility for buildings to achieve the development goals identified by the community while addressing unique site

conditions and reflecting the existing built character of the neighborhood. The proposed zoning districts and special purpose district would orient density in a manner that directs the highest density along Atlantic Avenue, a 120-foot-wide corridor providing access to light and air, while medium-density zoning districts would be mapped on portions beyond 100 feet of Atlantic Avenue based on the narrower width of streets and mid-block side street conditions.

The Proposed Actions would also include disposition and acquisition of property by the City, and UDAAP designations to facilitate redevelopment of public-owned and nonprofit-owned lots with affordable rental housing and community services. Development under the Proposed Actions would be compatible with the scale and use of surrounding neighborhoods and would be supportive of public policies. The range of permitted heights would address the existing low-scale context of adjacent residential neighborhoods while allowing limited portions of buildings to rise higher on certain blocks and frontages. The new land uses generated as a result of the Proposed Actions would support the existing residential populations of adjacent neighborhoods and would be compatible with land uses found in those areas.

SOCIOECONOMIC CONDITIONS

The Proposed Actions would not result in significant adverse impacts with respect to socioeconomic conditions related to direct or indirect residential displacement, direct or indirect business displacement or adverse effects to specific industries.

DIRECT RESIDENTIAL DISPLACEMENT

The screening-level assessment found that the Proposed Actions would not result in significant adverse impacts due to direct residential displacement. The Proposed Actions would directly displace residents living in nine DUs. Assuming the average household size for DU in the Plan Area is 2.23, this would represent a direct displacement of approximately 20 residents. The nine DU that would be displaced are located on Projected Development Sites 1, 2, 8, and 17.[3] According to the 2021 *CEQR Technical Manual*, direct displacement of fewer than 500 residents would not typically be expected to substantially alter the socioeconomic character of a neighborhood. These displaced residents represent 0.01 percent of the estimated 172,332 residents[4] within the half-mile Study Area surrounding the Plan Area.[5] Therefore, the direct displacement of nine DU and 20 residents would not substantially alter the socioeconomic character of the neighborhood.

DIRECT BUSINESS DISPLACEMENT

A preliminary assessment found that the Proposed Actions would not result in significant adverse impacts due to direct business displacement. Under the RWCDS, projected development generated by the Proposed Actions by the 2034 Analysis Year would directly displace an estimated 63 businesses and 319 jobs associated with those businesses.[6] The 63 displaced businesses include 6 Construction sector businesses; 2 Manufacturing sector businesses; 7 Wholesale Trade sector businesses; 10 Retail Trade sector businesses; 2 Transportation and Warehousing sector businesses; 2 Arts, Entertainment, and Recreation sector businesses; 1 Accommodation and Food Services sector business; and 33 Other Services sector businesses. The 63 businesses do not represent a majority of half-mile Study Area businesses or employment for any given sector.

While all businesses contribute to neighborhood character and are valuable to the City's economy, there are alternative sources of goods, services, and employment provided within the socioeconomic Study Area and nearby areas in Brooklyn. None of the displaced businesses are subject to regulations or publicly

[3] According to the reasonable worst case development scenario (RWCDS).

[4] According to the 2020 Census via DCP Population FactFinder.

[5] The half-mile Study Area, and its relationship to the Plan Area, is further described in "Methodology."

[6] Datasets from Reference USA (2023), Mergent Intellect (2023), fieldwork research (January 2024), and desktop research were used to identify specific businesses in the Plan Area. As of February 2024, some of these businesses may have closed or relocated to new locations outside the Plan Area.

adopted plans to preserve, enhance, or otherwise protect it. Therefore, the potential displacement of these businesses does not constitute a significant adverse impact as defined by the 2021 *CEQR Technical Manual*.

INDIRECT RESIDENTIAL DISPLACEMENT

A preliminary assessment found that the Proposed Actions would not result in significant adverse socioeconomic impacts due to indirect residential displacement. Per the guidance of the 2021 *CEQR Technical Manual,* the objective of the indirect residential displacement assessment is to determine whether an action or project may introduce a trend or accelerate a trend of changing socioeconomic conditions that may potentially displace a vulnerable population. Based on the guidance of the 2021 *CEQR Technical Manual,* a vulnerable population is defined as renters living in privately held units unprotected by rent control, rent stabilization, or other government regulations restricting rents, and whose incomes or poverty status indicate that they may not be able to support substantial rent increases.

The Proposed Actions are not anticipated to result in significant adverse impacts due to indirect residential displacement. In the future without the Proposed Actions, the Project Area would add an additional 5,143 DU, of which 44 percent (2,265 DU) would be permanently affordable. The Proposed Actions are not anticipated to result in a new population with higher incomes than the existing population. Although the Proposed Actions would add new populations, the aggregate new populations would have a lower average household income ($108,486) than the current average household income in the Study Area ($141,293).[7]

However, the population increase under the With-Action Condition is large enough to potentially affect real estate market conditions in the half-mile Study Area, because it would increase the half-mile population by more than 5 percent. Absent the Proposed Actions, in the No-Action condition, the half-mile Study Area is expected to continue to experience the existing trend of increasing rents and increasing household incomes. Overall, the half-mile Study Area is already experiencing a trend of increasing rents and the Proposed Actions would not create or accelerate this trend. During the calendar year of 2023, the monthly median asking rent for market-rate units in the Study Area was $3,462. This is a 4.5 percent increase over the median asking rent for market-rate units in the Study Area in 2022 ($3,314).[8]

The Proposed Actions would result in 5,143 more DU, of which 2,909 DU would be affordable, in the Study Area than under the No-Action condition. The Proposed Actions would add new transit-accessible housing stock to the Study Area that is affordable to households with a wide range of incomes, with the majority of the housing projected to be affordable for households ranging between 40 percent to 80 percent Area Median Income (AMI). The Proposed Actions would support the socioeconomic diversity of the Study Area and ensure that households with a range of incomes could remain in the neighborhood. Therefore, the Proposed Actions would not result in significant adverse impacts due to indirect residential displacement.

INDIRECT BUSINESS DISPLACEMENT

A preliminary assessment found that the Proposed Actions would not result in significant adverse impacts due to indirect business displacement. Concerns under *CEQR* guidance are whether the Proposed Actions could lead to changes in the local market conditions that would lead to increases in commercial property values and rents within the Study Area, making it difficult for some categories of businesses to remain. Furthermore, *CEQR* seeks to assess whether the Proposed Actions could lead to displacement of a use type that directly supports businesses in the Study Area or brings people to the area that form a customer base for local business.

The Proposed Actions would facilitate approximately 453,426 sf of new office development and 336,917 sf of new retail development (including local retail and destination retail) on the projected development sites, displacing up to 63 businesses from those sites. However, the broader half-mile Study Area includes well-established retail, commercial, and industrial markets such that the Proposed Actions would not

[7] The weighted average income of the With-Action population is higher than the current Study Area median household income of $97,996 as illustrated in EIS Table 3-4.

[8] For real estate analysis, the Study Area overlaps with several residential real estate markets including Bedford-Stuyvesant, Clinton Hill, Crown Heights, Fort Greene, Park Slope, and Prospect Heights. Additional information on data sources and their application to specific analyses is provided in "Methodology."

introduce new economic activities to the Study Area or add a concentration of a particular sector of the local economy to the extent that would significantly alter or accelerate existing economic patterns. Additionally, the Proposed Actions would add an increment of 5,143 DU above the No-Action condition, providing new housing for current and future residents. This would introduce a new residential population that would increase demand for the goods and services provided by existing businesses and bolster the commercial market provided by the existing resident and worker populations in the Study Area.

There is an increasing trend of retail and commercial development in the Study Area, and the retail added under the RWCDS would not be enough to accelerate ongoing trends. In terms of office uses, within the wider Study Area, the Proposed Actions would reinforce existing trends of office space development, because commercial businesses, offices, and other uses serving the Study Area's residential communities have increased in recent years. The new office development is expected to respond to the local demand for office space and other workspaces and is not enough to substantively alter or accelerate trends.

The Proposed Actions would not directly displace uses that provide substantial direct support for businesses in the area or that bring people into the area that form a substantial portion of the customer base for local businesses. The Proposed Actions would result in increasing economic activity in an area where commercial and industrial corridors are currently dormant and underutilized. The With-Action condition populations (increment of 11,469 residents and 2,819 new employees) on the projected development sites would become new customers at many of the existing retail businesses in the Study Area. The mix of market-rate and affordable DU resulting from the Proposed Actions would also maintain a diverse customer base to shop at retail stores offering products at a range of price points.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

The Proposed Actions would not result in a significant adverse impact on business conditions in any specific industry or any category of business. In addition, the Proposed Actions would not indirectly substantially reduce employment or impair the economic viability in any specific industry or category of business. By 2034, the Proposed Actions would directly displace 63 businesses and 319 employees in several economic sectors. The businesses that could be displaced do not represent a critical mass of businesses within any City industry, category of business, or category of employment.

COMMUNITY FACILITIES AND SERVICES

The Proposed Actions would not result in significant adverse impacts with respect to community facilities and services related to public schools, libraries, early childhood programs, or police, fire and health care services.

DIRECT EFFECTS

The Plan Area includes three non-contiguous City-owned parcels occupied by educational facilities and operated by the DOE. These parcels include: Site 53 at 178 Brooklyn Avenue, an 18,885-sf lot occupied by an Alternate Learning Center for middle and high school students on Superintendent's suspension; Site 54 at 457 Nostrand Ave, a 60,000-sf lot occupied by K743 and currently used as Adult and Continuing Education Center; and Site 55 at 510 Clermont Avenue, a 40,500-sf lot occupied by PS K753, a school serving students with special needs and land that is subject to the Atlantic Terminal Urban Renewal Plan (URP).

As part of the Proposed Actions, these lots would be disposed and redeveloped with residential, community facility and commercial uses. It is anticipated that these community facility uses at the 510 Clermont Avenue Site (PS K753) and 178 Brooklyn Avenue would include in-kind replacements of the existing facilities. As noted in the Project Description, Sites 53 and 55 have been included in environmental analysis to account for development that could be facilitated by future discretionary actions not subject to the current ULURP application associated with the Proposed Actions.

The site at 457 Nostrand Avenue is an in-fill development on the parking lot, and would not directly affect (during either construction or in the with-action condition) any existing active DOE use.

INDIRECT EFFECTS

Pursuant to *CEQR Technical Manual* guidance, detailed analyses of potential indirect impacts on public elementary, intermediate, and high schools; public libraries; and publicly funded child care centers were conducted for the Proposed Actions. Based on the 2021 *CEQR Technical Manual* screening methodology, detailed analyses of outpatient health care facilities and police and fire protection services are not warranted, although they are discussed qualitatively. As described in the following analysis and summarized below, the Proposed Actions would not result in significant adverse impacts on elementary and intermediate schools, high schools, libraries, or child care centers.

Public Schools

The proposed Plan Area falls within the boundaries of two New York City Community School District (CSD) sub-districts: Sub-districts 1, 2, and 3 of CSD 13 and Sub-district 1 of CSD 17. Using the *Projected Public School Ratios* published by the New York City School Construction Authority (SCA), implementation of the Proposed Actions is projected to introduce approximately 447 elementary and middle school students and 257 high school students. Because the Proposed Actions would exceed the analysis threshold of 50 elementary/middle school students and 150 high school students noted in Table 6-1 of the 2021 *CEQR Technical Manual*, the Proposed Actions warrant an analysis of public elementary, middle, and high schools.

The utilization rate at elementary schools would increase from 51.43 percent under the No-Action condition to 54.14 percent under the With-Action condition (a 2.71 percent increase). There would be 5,894 available elementary school seats under the With Action condition. CSD 13 Sub-districts 1, 2, and 3 and CSD 17 Sub-district 1 elementary schools would continue to operate with ample capacities in the With-Action condition and therefore would not experience significant adverse impacts.

Under the With-Action condition, the enrollment of intermediate schools in Sub-districts 1, 2, and 3 of CSD 13 and Sub-district 1 of CSD 17 would not exceed capacity. The utilization rate at intermediate schools would increase from 35.74 percent under the No-Action condition to 37.47 percent under the With-Action condition (a 1.73 percent increase). There would be 3,388 available intermediate school seats under the With-Action condition. Intermediate schools in Sub-district 1, 2, and 3 of CSD 13 and Sub-district 1 of CSD 17 would not be over capacity and, therefore, would not experience significant adverse impacts.

In the With-Action condition, Brooklyn high schools are expected to continue to operate under capacity. The With-Action condition utilization rate of 68.67 percent would be a 0.29 percent increase from the No-Action condition utilization rate. There would be 27,822 available seats under the With Action condition. Increases in utilization as a result of the Proposed Actions would be less than 5 percent; therefore, no significant adverse impacts to Brooklyn high schools would occur.

Libraries

According to the guidance established in the 2021 *CEQR Technical Manual*, if a proposed action increases the number of residential units served by the local library branch by more than 5 percent, then an analysis of library services is necessary. In Brooklyn, the introduction of 834 residential units would represent a 5 percent increase in DU per branch. Implementation of the Proposed Actions would result in the addition of approximately 5,143 DU to the study area compared to No-Action conditions, which exceeds the CEQR threshold for a detailed analysis.

Five branches of the BPL are located within three quarters of a -mile of the Plan Area. The analysis focuses on the residents generated by the Proposed Actions. Residents from each projected development site are assigned to their closest library. Decreases in the holdings per resident at the Bedford Library catchment area, Pacific Library catchment area, and Brower Park Library catchment area would be 4.93% 0.97% and 0.08%, respectively. Decreases would be less than the 5 percent impact threshold identified in the 2021 *CEQR Technical Manual*. In addition, future residents of the Plan Area would have access to the Central Library and the Clinton Hill Library, which did not have any projected population increase as a result of the Proposed Actions. Future residents in the study area would have access to the entire BPL system through the interlibrary loan system and could have volumes delivered to their nearest library branch. Residents would also have access to libraries near their place of work. Furthermore, it is anticipated that the trends

toward increased electronic research, the availability of eBooks and other media online on the BPL's website, and the interlibrary loan system would make space for increased patron capacity and programs to serve population growth. Therefore, the Proposed Actions would not be expected to result in a noticeable change in the delivery of library services and there would be no significant adverse impacts public libraries as a result of the Proposed Actions.

Early Childhood Programs

The 2021 *CEQR Technical Manual* requires a detailed analysis of day care centers when a proposed action would produce substantial numbers of subsidized, low- to moderate-income family housing units that could therefore generate a sufficient number of eligible children to affect the availability of slots at public day care centers. Typically, proposed actions that generate 20 or more eligible children under age five require further analysis. According to Table 6-1 of the 2021 *CEQR Technical Manual*, the number of affordable housing units needed to yield 20 or more eligible children in Brooklyn would be 110 DU. Implementation of the Proposed Actions would result in a net increment of approximately 5,143 DU, of which up to approximately 2,234 DU would be affordable. As such, the Proposed Actions exceed the threshold for an analysis of early childhood programs.

Based on Table 6-1b of the 2021 *CEQR Technical Manual*, the additional 2,234 affordable units would generate 398 children under age five who would be eligible for publicly funded child care services. The additional 398 children would reduce the number of available seats, but the utilization rate under With-Action conditions would be approximately 64.2 percent, a 5.34 percent increase compared to No-Action conditions. The utilization rate for Early Childhood Programs would be less than 100 percent under the With-Action condition. Therefore, the Proposed Actions would not result in significant adverse impacts to Early Childhood Programs.

Police, Fire, and Health Care Services

According to the 2021 *CEQR Technical Manual*, a detailed analysis of police and fire protection and health care facilities is required if a proposed action 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. Implementation of the Proposed Actions would not result in any of the above circumstances. No significant adverse impacts would occur, and a detailed analysis of police and fire protection and health care facilities is not warranted.

OPEN SPACE

The Proposed Actions would result in a significant adverse indirect impact on total, passive, and active open space in the residential study area. According to the guidance contained in the 2021 *CEQR Technical Manual*, a proposed action may result in a significant impact on open space resources if (a) there would be direct displacement/alteration of existing open space within the study area that would have a significant adverse effect on existing users; or (b) it would reduce the open space ratio and consequently result in the overburdening of existing facilities or further exacerbating a deficiency in open space. The Proposed Actions would not have a direct impact on open space resources in the Study Area. The Proposed Actions would not result in the physical loss of existing public open space resources, and would not result in any adverse shadow, air, noise, or other environmental impacts that would affect the usefulness of any study area open space. As the Proposed Actions are expected to introduce 12,600 residents and 2,819 workers under the RWCDS, compared to the No-Action condition, a detailed open space analysis for both a non-residential (¼-mile) study area and residential (½-mile) study area was conducted, pursuant to the *2021 CEQR Technical Manual*. The detailed analysis determined that the Proposed Actions would result in a significant adverse indirect impact to both passive and active open space in the residential study area.

In the future with the Proposed Actions, while the non-residential study area's passive open space ratio would decrease by more than 5 percent from the No-Action condition (13.6 percent), it would remain well above the City's guideline ratio of 0.15 acres per 1,000 workers, at 0.809 acres per 1,000 workers. Therefore, there would be no significant adverse impact in the non-residential study area as a result of the Proposed Actions.

Within the residential study area, in the future with the Proposed Actions, the total, active and passive open space ratios would remain below the City's guideline ratios of 2.5 acres per 1,000 residents, which includes 2.0 acres of active and 0.5 acres of passive space. The total residential study area open space ratio would decline by 6.29 percent to 0.277 acres per 1,000 residents; the active residential study area open space ratio would decline by 6.29 percent to 0.085 acres per 1,000 residents; and the passive residential study area open space ratio would decrease 6.29 percent and the open space ratio would be 0.192 acres per 1,000 residents. As these decreases would exceed the CEQR impact thresholds, the Proposed Actions would result in a significant adverse indirect impact on total, passive, and active open space in the residential study area.

SHADOWS

A detailed shadows analysis was conducted and concluded that development resulting from the Proposed Actions would result in significant adverse shadow impacts on two sunlight-sensitive resources. The detailed analysis determined that the projected and potential development sites identified in the RWCDS would result in incremental shadow coverage on a total of 15 sunlight-sensitive resources, 2 of which were determined to experience significant adverse impacts – Lefferts Place Block Association Garden and St. Bartholomew's Episcopal Church. The analysis determined that a portion of Lefferts Place Block Association Garden would not receive adequate sunlight during the growing season (at least the six-to-eight-hour minimum specified in the 2021 *CEQR Technical Manual*) as a result of incremental shadow coverage, and vegetation at this resource could be significantly impacted. Additionally, the analysis determined that incremental shadow coverage would result in a reduction in direct sunlight exposure for sunlight-sensitive features at St. Bartholomew's Episcopal Church, which could affect the public's enjoyment or appreciation of those features.

HISTORIC AND CULTURAL RESOURCES

The Proposed Actions would result in significant adverse impacts on Historic and Cultural Resources. A detailed analysis was conducted and determined that the Proposed Actions could result in significant adverse impacts to archaeological resources, direct effects to architectural resources, and construction-period effects.

ARCHAEOLOGICAL RESOURCES

A Phase IA Archaeological Documentary study (Phase IA) was prepared for the projected and potential development sites where new, in-ground disturbance is proposed. The Phase IA report was reviewed by LPC in March 2024. In response, LPC requested a revised Phase IA documentary study that focused on 14 lots within the projected development sites which they determined have potential for the recovery of remains of 19th-century occupation and one location that has potential for the recovery of remains from a potential 19th-century burial ground. The latter location is not one of the projected/potential project sites. A revised report was prepared and submitted in October 2024. In response, LPC requested revisions in the form of additional documentary research. LPC also identified a 15th lot to the list of projected development sites with potential to contain intact archaeological resources related to nineteenth-century occupation.

The revised Phase IA study determined that 10 of the 70 projected/potential development sites are archaeologically sensitive for 19th century shaft features. The Project Area was determined to have no sensitivity for precontact archaeological resources. The revised Phase IA study recommended additional archaeological analysis for certain development sites such as Phase IB archaeological testing and additional ownership research as well as continued consultation with LPC and submission and concurrence of all required work plans. Since development of the privately-owned projected and potential development sites would be as-of-right, there are no mechanisms currently in place to ensure that this archaeological analysis would occur on the privately owned sites subsequent to the Proposed Actions. Further archaeological analysis on publicly-owned sites (projected development site 55) would be enforced through the LDA or other binding mechanism to address archaeological concerns. Therefore, as significant adverse archaeological impacts could occur, mitigation measures are explored in the Mitigation section below.

ARCHITECTURAL RESOURCES

Direct (Physical) Impacts

The Proposed Actions would result in a significant adverse historic resources impact to one resource, former Olivet Church (#23), that is conservatively assumed to be eligible for listing on the State and National Register of Historic Places (S/NR). For the purposes of the FEIS, it was assumed that the Former Olivet Church is S/NR-Eligible under Criteria A and C. State Historic and Preservation Office (SHPO) consultation would occur if there are State or Federal permits or funding as required as part of the action through subsequent environmental review. This S/NR-Eligible resource would be directly impacted by construction on Projected Development Site 52, because this historic resource would be demolished as a consequence of the Proposed Actions, resulting in a potential significant adverse direct impact to this S/NR-Eligible resource.

Indirect (Contextual) Impacts

There are 13 historic resources near the projected/potential development sites. Although these developments resulting from the Proposed Actions could alter the setting or visual context of several of these historic resources, two projected development sites could cause alterations to the setting and visual context of NYC-L resources. Development on Projected Development Site 54 could cause alterations to the setting and visual context of the NYC-L Bedford Historic District (D) and Girls' High School (#20). Development on Projected Development Sites 20 and 48 and Potential Development Sites H and I could cause alterations to the setting and visual context of the NYC-L 23rd Regiment Armory. However, these NYC-L properties are regulated by the New York City Landmarks Law (*NYC Administrative Code Title 25, Chapter 3 §25-305*), which requires any changes to or within the vicinity of a landmark receive a certificate of appropriateness from the LPC before work can proceed. Thus, any contextual impacts to these properties would be avoided or mitigated. The remaining development of projected/potential development sites would not alter the relationship of any identified historic resources to the streetscape; all streets in the study area would remain open, and each resource's relationship with the street would remain unchanged in the future with the Proposed Actions.

Construction Impacts

NYC-L or S/NR-Listed historic buildings located within 90 linear feet of a projected or potential site are subject to the protections of the DOB *Technical Policy and Procedure Notice (TPPN) #10/88*. Therefore, the Proposed Actions would not cause any significant adverse construction-related impacts to NYC-L or S/NR-Listed historic buildings.

Development at nine projected and potential sites under the Proposed Actions could potentially result in construction-related impacts to seven S/NR-Eligible/NYC-E historic resources, one of which is a historic district, located within 90 feet of the projected/potential development sites. These seven S/NR-Eligible/NYC-E historic resources would be afforded limited protection under DOB regulations applicable to all buildings located adjacent to construction sites; however, they are not afforded the added special protections under DOB's TPPN #10/88 because they are not S/NR-Listed or NYC-L. Additional protective measures under DOB's TPPN #10/88 would only become applicable if the eligible resources are S/NR-Listed or NYC-L in the future prior to the initiation of construction. If the eligible resources listed above are not S/NR-Listed or NYC-L, however, they would not be subject to TPPN #10/88 and may therefore be adversely impacted by the adjacent developments resulting from the Proposed Actions.

URBAN DESIGN AND VISUAL RESOURCES

A detailed analysis was conducted based on the methodology set forth in the 2021 *CEQR Technical Manual* and determined that the Proposed Actions would not have a significant adverse impact related to urban design or visual resources.

The Proposed Actions would facilitate development that is not currently permitted as-of-right in the Project Area, which would create a notable change in the urban design character of the area. Compared to the future without the Proposed Actions, the visual appearance, and thus the pedestrian experience, in the vicinity of the Project Area would change considerably. However, this change would not constitute a significant

adverse urban design impact because it would not negatively affect pedestrians' experience of the area. Rather, development facilitated by the Proposed Actions is expected to positively affect the urban design of the area, improving the pedestrian experience in and surrounding the Project Area.

The zoning changes would provide for sufficient flexibility and variety for building envelopes that account for the longer block ends of Atlantic Avenue and surrounding mid-block conditions with appropriate transitions to medium density blocks. The Proposed Actions would facilitate the construction of active ground-floor (and occasional upper-floors) uses in the Project Area, including retail and community facility spaces, residential and office lobbies, and light industrial uses, reactivating the corridors of the area. The Proposed Actions would result in a more walkable, safe, and enjoyable experience for pedestrians in the Project Area through the incorporation of special regulations along Atlantic Avenue promoting enhanced pedestrian orientated conditions, varied building setbacks and articulation, and street frontages with glazing and transparency requirements stitching together the surrounding neighborhoods.

The Proposed Actions would establish the Special Atlantic Avenue Mixed Use District, which would promote the growth of housing and employment opportunities around local and regional transit and foster an adequate range of services and amenities for residents, workers, and visitors. The Proposed Actions would support a mix of residential, commercial, community facility, and light industrial uses and ensure a lively and attractive streetscape along Atlantic Avenue and other major corridors.

The Proposed Actions would generate land uses that would be compatible with the existing zoning and land uses of the 1/4-mile secondary study area surrounding the Project Area. The Proposed Actions would result in development that would create continuous streetscapes for pedestrians along the corridors of the Project Area, replacing underutilized properties with active lower-level spaces, activating the surrounding streetscapes and improving the pedestrian experience. The new land uses generated by the Proposed Actions would support and connect the existing residential populations of adjacent neighborhoods in the secondary study area.

Development facilitated by the Proposed Actions would not eliminate primary or significant viewsheds of important visual resources in and around the Project Area. No significant facades or important features of historic resources, open spaces, or other significant visual resources in and around the Project Area would be obstructed by development facilitated by the Proposed Actions.

Although the Proposed Actions would not result in any new development in the secondary study area, many of the projected and potential development sites located at or near the edges of the Project Area would be visible from certain sections of the secondary study area. However, the Proposed Actions would orient density in a manner that directs the highest density along Atlantic Avenue, a 120-foot-wide thoroughfare, while medium density zoning districts would be mapped on portions beyond 100 feet of Atlantic Avenue based on the established narrower widths of street and mid-block, side street conditions of the surrounding area. The With-Action developments would introduce residential, commercial, and community facility uses to the Project Area, drawing pedestrians to the area and enlivening the public realm in the Project Area and its immediate vicinity. The anticipated new development would contain a mix of active ground-floor spaces, which would be visible when looking towards the Project Area from many secondary study area streets in proximity.

As such, while the Proposed Actions would result in a notable change in the urban design of the Project Area and would alter some views of the neighborhood from the secondary study area, these changes would not be significant or adverse, but rather, are expected to vastly improve the pedestrian experience within and surrounding the area.

HAZARDOUS MATERIALS

The Proposed Actions are anticipated to have no significant adverse impacts related to hazardous materials. An evaluation of potential hazardous materials impacts was conducted for the 54 projected and 16 potential development sites. The assessment revealed environmental concerns associated with each of these sites. Consequently, the proposed zoning map actions would establish an (E) designation (E-810) for all projected and potential development sites. By implementing the (E) designation across all 70 projected and potential

development sites, the potential presence of contaminated materials would be addressed and mitigated. The adoption of preventive and remedial measures outlined in the (E) designation is poised to mitigate or eliminate the potential for significant adverse impacts related to hazardous materials during construction within the rezoning area resulting from the Proposed Actions.

WATER AND SEWER INFRASTRUCTURE

WATER SUPPLY

The Proposed Actions are not anticipated to result in significant adverse impacts to the City's water supply system. Development facilitated by the Proposed Actions is anticipated to generate a water supply demand of approximately 1,698,155 gallons per day (gpd) (or approximately 1.70 million gallons per day [mgd]), representing an approximately 1,435,207 gpd (or approximately 1.44 mgd) increase compared to the future without the Proposed Actions. Water supply demand would be dispersed throughout an approximately 21-block area and would represent approximately 0.17 percent of the City's average daily water supply of approximately one billion gallons per day.

WASTEWATER TREATMENT

The development facilitated by the Proposed Actions is anticipated to generate approximately 1,471,408 gpd (or approximately 1.47 mgd) of sanitary sewage, representing an increase of approximately 1,330,661 gpd (or approximately 1.33 mgd) compared to the future without the Proposed Actions. The majority of sanitary wastewater generated by this development would be conveyed to the Red Hook Wastewater Resource Recovery Facility (WRRF). One projected development site would convey sanitary wastewater to the Newtown Creek WRRF; however, the wastewater generated by one development would be considered negligible compared to the 310 mgd design capacity of the Newtown Creek WRRF. With an existing average dry weather flow of approximately 27 mgd (below the maximum dry weather flow permitted capacity of 60 mgd [DCP 2021]), and the addition of approximately 1.33 mgd of sanitary sewage generated by the development facilitated by the Proposed Actions, the Red Hook WRRF would continue to have approximately 31.67 mgd of reserve capacity. Therefore, the Proposed Actions would not result in a significant adverse impact to the City's wastewater treatment facilities.

STORMWATER AND DRAINAGE MANAGEMENT

The Plan Area is located within a combined sewer area and primarily spans two sub catchment areas of the Red Hook WRRF. Depending on rainfall volume and duration, the total volumes to the combined sewer systems would range from 0.02 to 2.30 mgd. Portions of the Plan Area also fall within the Gowanus Canal special drainage area.

The Red Hook WRRF has an available capacity of approximately 33 mgd; therefore, the increase in stormwater runoff generated within the Plan Area would not overburden the Red Hook WRRF, and no significant impacts to water quality are anticipated. In addition, best management practices (BMPs) would be implemented in conjunction with development facilitated by the Proposed Actions, consistent with the City's site connection requirements, and the Unified Stormwater Rule (NYC Environmental Protection 2022). Based on this information, the Proposed Actions would not result in a significant adverse impact related to wastewater or stormwater conveyance and treatment infrastructure.

SOLID WASTE AND SANITATION SERVICES

The Proposed Actions would not result in significant adverse impacts related to solid waste and sanitation services. Compared with the No-Action condition, the Proposed Actions would result in an approximately 106.53 ton per week increase in solid waste handled by the New York City Department of Sanitation (DSNY) and an approximately 37.11 ton per week increase in solid waste handled by private carters. The increase in DSNY-handled waste would represent about 0.09 percent of the anticipated future waste generation handled by DSNY, as projected in the 2006 SWMP, while the increase in private carter-handled waste would represent approximately 0.05 percent of the City's anticipated future commercial waste (DSNY 2006a).

Based on the typical DSNY collection truck capacity of approximately 12.5 tons, the new residential and

community facility uses introduced by the Proposed Actions are expected to generate solid waste equivalent to approximately 9 truckloads per week. This increase is not expected to overburden DSNY's solid waste handling services.

Based on the typical commercial carter capacity of between 12 and 15 tons of waste material per truck, implementation of the Proposed Actions would require roughly 7 additional collection trucks per week compared with the No-Action condition. Commercial collection fleets are expected to be sufficiently flexible to accommodate this increased demand for solid waste collection.

Overall, the Proposed Actions would not conflict with the SWMP or have a direct effect on a solid waste management facility. The incremental solid waste generated by the Proposed Actions would not overburden the City's solid waste handling systems; therefore, the Proposed Actions would not have a significant adverse impact on the City's solid waste and sanitation services.

ENERGY

The Proposed Actions would not result in a significant adverse impact on energy systems. Development facilitated by the Proposed Actions would create an increased demand on energy systems, including electricity and gas. Under the with With-Action condition development on the 54 projected development sites would result in an increase of approximately 754 million British Thermal Units (BTUs) over No-Action condition. This increase in annual demand would represent less than 0.01 percent of the City's forecasted future annual energy requirement of 179 trillion BTUs, therefore, is not expected to result in a significant adverse impact on energy systems. Moreover, any new developments resulting from the Proposed Actions would be required to comply with the New York City Energy Conservation Code (NYCECC), which governs performance requirements of heating, ventilation, and air conditioning systems, as well as the exterior building envelope of new buildings. In compliance with this code, new developments must meet standards for energy conservation, which include requirements relating to energy efficiency and combined thermal transmittance. In addition, if voluntary higher performance standard designs are used on the projected development sites, the forecasted energy load would be reduced, as detailed below. Therefore, no significant adverse impacts related to energy are expected.

TRANSPORTATION

A detailed transportation analysis was conducted and concludes that the Proposed Actions would result, as detailed below, in significant adverse impacts to, a) vehicular traffic at 27 intersections, b) subway line haul conditions on one subway route, and c) pedestrians at ten sidewalks, four corners, and four crosswalks.

TRAFFIC

Traffic conditions were evaluated for the weekday 7:45–8:45 a.m., 1:00–2:00 p.m. (midday), 4:30–5:30 p.m., and Saturday 1:00–2:00 p.m. peak hours at 31 intersections in the traffic study area where additional traffic resulting from the Proposed Actions would be most heavily concentrated. As summarized in **Tables 2 and 3**, the traffic impact analysis indicates the potential for significant adverse impacts at 27 intersections (24 signalized and three unsignalized) during one or more analyzed peak hours. Significant adverse impacts were identified to 40 lane groups at 21 intersections during the weekday AM peak hour, 26 lane groups at 21 intersections in the midday peak hour, 44 lane groups at 25 intersections in the PM peak hour, and 46 lane groups at 25 intersections during the Saturday peak hour. The Mitigation section below , discusses potential measures to mitigate these significant adverse traffic impacts.

Table 2: Number of Impacted Intersections and Lane Groups by Peak Hour

	Peak Hour			
	Weekday AM	**Weekday Midday**	**Weekday PM**	**Saturday Midday**
Impacted Lane Groups	40	26	44	46
Impacted Intersections	21	21	25	25

Table 3: Summary of Significantly Impacted Intersections

Intersection	With-Action Signalized Impact Locations (lane groups)[1] AM	MD	PM	SAT	No. of Impacted Peak Hours
1: Atlantic Av & 4th Av	3	1	3	3	4
2: Atlantic Av & Flatbush Av	1	1	1	1	4
3: Atlantic Av &Fort Greene Pl.	0	0	0	0	0
4: Atlantic Av & S Portland Av	0	0	0	1	1
5: Atlantic Av & Carlton Av	2	1	2	2	4
6: Atlantic Av &Clermont Av.	1	1	1	1	4
7: Atlantic Av & Vanderbilt Av	3	1	1	1	4
8: Atlantic Av & Washington Av	2	2	2	2	4
9: Atlantic Av & Grand Av	2	1	3	3	4
10: Atlantic Av & Classon av	4	3	4	4	4
11: Atlantic Av & Franklin Av	2	1	4	4	4
12: Atlantic Av & Bedford Av	3	1	3	3	4
13: Atlantic Av & Nostrand Av	2	1	2	1	4
14: Atlantic Av & New York Av	2	2	2	2	4
15: Grand Av & Fulton St	1	1	2	2	4
18: Classon av & Fulton St	0	0	1	1	2
19: Classon Av & Pacific Street	1	1	1	1	4
20: Classon Av & Dean St	2	1	1	2	4
21: Franklin Av & Fulton St	1	0	1	0	2
23: Franklin Av & Pacific St	1	1	1	1	4
24: Franklin St/Franklin Av & Dean St	2	1	2	2	4
25: Bedford Av & Fulton St	3	2	2	4	4
27: Bedford Av & Pacific St	0	0	1	1	2
28. Bedford Av/Roger Av & Dean St	1	1	1	1	4
29: Bedford Av & Bergen St	0	0	0	0	0
30: Bergen St & Roger Av	0	1	0	1	2
Intersection	**With-Action Unsignalized Impact Locations AM**	**MD**	**PM**	**SAT**	**No. of Impact Peak Hours**
8A: Atlantic Av & Washington Av	0	0	0	0	0
16: Grand Av & Pacific St	0	0	1	0	1
17: Grand Av & Dean St	0	0	1	1	2
22: Franklin Av &Leffert Pl.	1	1	1	1	4
26: Bedford Av &Herkimer St	0	0	0	0	0
Total Number of Impacted Lane Groups	40	26	44	46	
Total Number of Impacted Intersections	21	21	25	25	

[1] Number of lane groups that are impacted during the AM, MD, PM, and SAT peak hours.

This table has been updated for the FEIS.

TRANSIT

Subway

Subway Stations

The Proposed Actions would generate a net increment of approximately 3,245 and 3,099 new subway trips during the weekday AM and PM commuter peak hours, respectively. The analysis of subway station conditions focuses on three Metropolitan Transportation Authority (MTA) New York City Transit (NYCT) subway stations in proximity to the Project Area where incremental demand from the Proposed Actions would exceed the 200-trip CEQR Technical Manual analysis threshold in one or both peak hours. These include the following stations, all of which are served by A and C trains operating on the IND Fulton Street line, and one of which is served by the Franklin Avenue Shuttle (S): Franklin Avenue (A/C/S), Nostrand Avenue (A/C), and Clinton-Washington-Avenues (A/C). The Proposed Actions are not expected to result in significant adverse impacts in either the AM or PM peak hour at any of the three analyzed subway stations.

Subway Line Haul

The Project Area is served by seven NYCT subway routes within a quarter mile, including the A, C,

Franklin Avenue Shuttle, B, Q, 2, and 3 lines. It should be noted that the D, N, R, 4, 5, and LIRR serves the Atlantic- Barclays station on the western periphery of the Project Area.

In the With-Action condition, northbound C trains are expected to be operating over capacity in the AM peak hour and would experience an average incremental increase of 20.81 persons/car during this period, greater than the five persons/car *CEQR Technical Manual* impact threshold. Similarly, southbound C trains are expected to be operating over capacity in the PM peak hour and would experience an average incremental increase of 18.6 persons/car during this period, greater than the five persons/car CEQR Technical Manual impact threshold. As summarized in **Table 4**, the northbound C service in the AM peak hour as well as the southbound C service in the PM peak hour would therefore be considered significantly adversely impacted by the Proposed Actions. All other analyzed subway routes are projected to operate below capacity in the peak direction in both the AM and PM peak hours and would therefore not be significant adversely impacted by the Proposed Actions in either period.

Table 4: Summary of Significant Subway Line Haul Impacts

Route	Direction	Impacted Time Period
C	NB	AM
C	SB	PM

PEDESTRIANS

The Proposed Actions would generate a net increment of approximately 3,208 walk-only trips in the weekday AM peak hour, 5,303 in the weekday midday, 6,272 in the weekday PM, and 7,254 in the Saturday peak hours. Persons en route to and from subway station entrances and bus stops would add 3,722, 2,511, 3,662, and 3,835 additional pedestrian trips to Project Area sidewalks and crosswalks during these same periods, respectively. Peak hour pedestrian conditions were evaluated at a total of 169 pedestrian elements where new trips generated by projected developments are expected to be the most concentrated. These elements—62 sidewalks, 39 crosswalks, and 68 corners—are primarily located in the vicinity of major projected development sites and corridors connecting these sites to area subway station entrances and bus routes. As shown in **Table 5**, based on *CEQR Technical Manual* criteria, ten sidewalks, four crosswalks, and four corners would be significantly adversely impacted by the Proposed Actions in one or more of the analyzed peak hours. The Mitigation section below discusses potential measures to mitigate these significant adverse pedestrian impacts.

Table 5: Summary of Significant Pedestrian Impacts

Corridor/Intersection	Impacted Element	Peak Hour			
		AM	Midday	PM	SAT
Classon Ave between Pacific St & Dean St	East Sidewalk		X	X	X
Franklin Ave Between Fulton St & Brevoort Place	East Sidewalk	X	X	X	X
Franklin Ave Between Brevoort Place & Atlantic Ave	East Sidewalk	X	X	X	X
Atlantic Ave between Franklin Ave & Bedford Ave	South Sidewalk	X		X	X
Franklin Ave Between Atlantic Ave & Pacific St	West Sidewalk			X	X
Franklin Ave Between Lefferts Place & Atlantic Ave	West Sidewalk	X	X	X	X
Bedford Ave between Fulton St & Herkimer St	East Sidewalk	X		X	X
Bedford Ave between Fulton St & Brevoort Place	West Sidewalk		X		X
Atlantic Ave between Bedford Ave & Nostrand Ave	South Sidewalk	X	X	X	X
Atlantic Ave between Bedford Place & Bedford Ave	North Sidewalk		X		X
Atlantic Ave at Classon Ave	East Crosswalk			X	X
Atlantic Ave at Franklin Ave	East Crosswalk			X	X
Atlantic Ave at Franklin Ave	West Crosswalk			X	
Atlantic Ave at Bedford Ave	North Crosswalk		X	X	X
Franklin Ave at Atlantic Ave	Northeast Corner			X	X
Franklin Ave at Atlantic Ave	Southwest Corner			X	X
Franklin Ave at Atlantic Ave	Northwest Corner			X	X
Bedford Ave at Atlantic Ave	Northeast Corner			X	X

VEHICULAR AND PEDESTRIAN SAFETY

Under the *Vision Zero Brooklyn Pedestrian Safety Action Plan*, much of the northeast zone of the Project Area is located within a "Priority Area," where safety issues were found to occur systematically at an area-wide level. Atlantic Avenue, Fulton Street, Nostrand Avenue, Franklin Avenue, Rogers Avenue, Clinton Avenue, and Fifth Avenue are identified as Priority Corridors. The intersections of Franklin Avenue at Fulton Street, Fulton Street at Nostrand Avenue, Nostrand Avenue at Atlantic Avenue, and Atlantic Avenue at Bedford Avenue were identified as Priority Intersections.

Crash data for intersections in the traffic and pedestrian study areas were obtained from the New York City Department of Transportation (DOT) for the three-year period between January 1, 2017, and December 31, 2019 (the most recent three-year period for which data are available). During this period, a total of 1,666 reportable and non-reportable crashes, 390 pedestrian/bicyclist-related injury crashes, and no fatalities occurred at intersections within quarter mile of the Project Area.

Under *CEQR Technical Manual* guidance, high crash locations are defined as those along a Vision Zero priority intersection or locations 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. In addition, any location along a Vision Zero priority corridor with three or more pedestrian/bicyclist injury crashes in any consecutive 12 months of the most recent three-year period for which data is available should be identified as a high crash location. A review of the crash data identified 11 study area intersections as high crash locations. As shown in **Table 6**, Atlantic Avenue at Nostrand Avenue experienced 26 total crashes in 2019 (nine of which involved pedestrians or bicyclists), Atlantic Avenue at Vanderbilt Avenue experienced 28 total crashes (six of which involved pedestrians or bicyclists) in 2019, and Fulton Street at Nostrand Avenue experienced 20 total crashes (six of which involved pedestrians or bicyclist crashes) also in 2019. All three intersections were part of New York City's 25mph signal retiming initiative, where signal progression was changed to match the 25-mph speed limit. A Lead Pedestrian Interval (LPI) phase has also been implemented, recently, at Atlantic Avenue and Nostrand Avenue. Additionally, the southbound approach of Atlantic Avenue and Vanderbilt Avenue has been part of NYC Vision Zero and DOT's "Vanderbilt Ave/Clermont Ave" safety improvement plan.

Table 6: High Crash Locations

Intersection	Total Pedestrian/Bicycle Injury Crashes			Total Crashes (Reportable +Non-Reportable)		
	2017	2018	2019	2017	2018	2019
Atlantic Avenue & Ft Greene Place	4	1	0	11	19	16
Atlantic Avenue & Vanderbilt Avenue	3	3	6	12	28	28
Atlantic Avenue & Franklin Avenue	3	2	1	13	14	16
Atlantic Avenue & Bedford Avenue	6	7	2	17	19	26
Atlantic Avenue & Nostrand Avenue	9	4	9	21	24	26
Atlantic Avenue & New York Avenue	3	1	1	13	17	17
Atlantic Avenue & Washington Avenue / Underhill Ave	5	3	3	19	18	27
Fulton Street & Washington Avenue	3	4	2	4	8	7
Fulton Street & Franklin Avenue	3	4	5	6	15	11
Fulton Street & Bedford Avenue	3	0	0	8	7	10
Fulton Street & Nostrand Avenue	3	4	6	10	12	20

PARKING

The parking analysis documents the effects to parking within the study area as a result of the projected development sites. Parking demand generated by the various commercial, retail, light industrial, and community facility uses that would be developed under the Proposed Actions would peak during the midday

hour, whereas residential parking demand would peak during the overnight period. While there would be net decreases in auto-related, light industrial, and warehouse parking demand (as result of net reductions in these land uses), the prominent generator of parking demand would be the residential land use as result of the significant increase of proposed dwelling units under the Proposed Actions. Overall, development associated with the Proposed Actions would generate a peak net parking demand of approximately 2,133 spaces in the weekday evening period and 2,104 spaces in the overnight period. As the Proposed Actions' RWCDS does not include any on-site parking on projected development sites, nor any new off-street public parking, the total increase in parking demand under the Proposed Actions' RWCDS would not be accommodated on-site and excess demand would seek parking availability within a quarter-mile radius of the Project Area. These projected demand as well as any demand displaced from existing parking facilities on projected development sites would have seek available on-street and off-street parking within quarter mile of the Project Area. Further, some drivers destined for the Project Area would potentially have to travel a greater distance (e.g., between ¼ and ½-mile) to find available parking. Any potential deficit in parking would not be considered a significant adverse impact based on *CEQR Technical Manual* criteria due to the magnitude of available alternative modes of transportation. Therefore, the Proposed Actions are not expected to result in significant adverse parking impacts.

AIR QUALITY

The Proposed Actions, as analyzed through – analysis sites, are not anticipated to result in significant adverse impacts related to air quality related to stationary sources, mobile sources and industrial sources. An E-Designation (E-810) would be placed on several privately-owned projected and potential sites to ensure that stationary source impacts do not occur. See FEIS Appendix F, "Air Quality", for the proposed (E) designation. For publicly owned sites, environmental restrictions will be established through alternate mechanisms, such as a Land Disposition Agreement (LDA) or equivalent mechanism. The air quality analysis for the Proposed Actions considered the potential for both mobile and stationary source impacts.

In MX districts per ZR Section 123-22, all applicable commercial and manufacturing uses may only locate in the same building as, or share a common wall with, a building containing a residence or a community facility use with sleeping accommodations if the provisions of ZR Section 123-22 (Additional Conditions for Certain Uses) are met. The AAMUP Special District proposes to include provisions for alternate compliance with these provisions in ZR Section 146-11. This provision would allow an alternative means of compliance pursuant to ZR Section 146-12 through a CPC Chairperson Certification. An (E) designation would be established in conjunction with the certification establishing specific building design or other environmental requirements in order to protect occupants of the building and surrounding properties from any hazardous materials, noise or air quality associated with such commercial or manufacturing uses.

Several sites within the Affected Area are assumed to develop with mixed-use industrial and residential uses including Projected Development Sites 12, 28, 45 and 49. If future development proposes to include uses with sleeping accommodations in the same building with manufacturing uses beyond what is permitted under provisions of ZR Section 123, a future CPC Chairperson Certification would need to be sought to certify an alternative means of compliance; an (E) designation would be established to require specific building design or other environmental requirements to protect occupants of the building and surrounding properties from air contaminants, odors, vibrations or noise. No building permits for any future development including uses with sleeping accommodations with manufacturing uses beyond what is permitted under provisions of the ZR Section 123 would be issued without the above-referenced Chairperson Certification and subsequent satisfaction of the requirements of the (E) Designation in accordance with ZR Section 11-15 (Environmental Requirements).

With the future certification and (E) designation, as necessary, there would not be significant adverse air quality impact related to manufacturing uses in the same building.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

The Proposed Actions would not result in any significant adverse impacts to GHG emissions or climate change. An assessment that evaluates the GHG emissions that would be generated as a result of the Proposed Actions and their consistency with the citywide GHG reduction goals is included in the FEIS. It

is estimated that the RWCDS associated with the Proposed Actions would result in approximately 49,482 metric tons of carbon dioxide equivalent (CO_2e) of annual emissions from building operations and approximately 19,381.73 metric tons of CO_2e emissions. As summarized below, the Proposed Actions would support the goals identified in the 2021 *CEQR Technical Manual* for building efficient buildings.

The Proposed Actions would be consistent with the City's emission reduction goals, as defined in the 2021 *CEQR Technical Manual*. The Proposed Actions would add new residents and increase the number of jobs in an area well-served by public transportation, including the subway, several bus lines, and the Long Island Railroad. This change between No-Action and With-Action conditions could potentially result in less GHG emissions associated with automobile use and less efficient older buildings.

Therefore, the Proposed Actions would not result in any significant adverse impacts to GHG emissions or climate change.

NOISE

The noise analysis concludes that the Proposed Actions would not generate sufficient traffic to have the potential to cause a significant noise impact. At all noise receptor locations, the maximum noise level increase would be below 3 dBA between No-Action and With-Action conditions. Therefore, the noise analysis concludes that the traffic generated by the Proposed Actions would not have the potential to produce significant increases to noise levels at any sensitive receptors within the Project Area.

The Proposed Actions would introduce new sensitive receptors at projected and potential development sites within the Project Area. Ambient noise levels adjacent to the projected and potential development sites were examined to determine if building noise attenuation requirements for maintaining interior noise levels would be necessary due to increase in traffic and proximity to train activity from the MTA's Franklin Avenue Shuttle and the LIRR. That assessment finds that noise levels would range between the "marginally unacceptable" and "clearly unacceptable" exterior CEQR noise exposure categories, resulting in a noise attenuation requirement range of 28 to 38 dBA to ensure noise levels within the projected and potential development sites would comply with all applicable requirements. As a result, the Proposed Actions includes (E) designations for all privately owned projected and potential development sites. For publicly owned sites, environmental restrictions will be established through alternate mechanisms, such as a LDA or equivalent mechanism. The window/wall attenuation levels required under the (E) designation (E-810) would avoid the potential for significant adverse noise impacts due to the Proposed Actions. **See** FEIS Appendix G, "Noise", for the proposed (E) designation.

Also, in MX districts per ZR Section 123-22, all applicable commercial and manufacturing uses may only locate in the same building as, or share a common wall with, a building containing a residence or a community facility use with sleeping accommodations if the provisions of ZR Section 123 are met. The AAMUP Special District proposes to include provisions for alternate compliance with these provisions in ZR Section 146-11. This provision would allow an alternative means of compliance pursuant to ZR Section 146-12 through a CPC Chairperson Certification. An (E) designation would be established in conjunction with the certification establishing specific building design or other environmental requirements in order to protect occupants of the building and surrounding properties from any hazardous materials, noise or air quality associated with such commercial or manufacturing uses.

Several sites within the Affected Area are assumed to develop with mixed-use industrial and residential uses including Projected Development Sites 12, 28, 45 and 49. If future development proposes to include uses with sleeping accommodations in the same building with manufacturing uses beyond what is permitted under provisions of ZR Section 123, a future CPC Chairperson Certification would need to be sought to certify an alternative means of compliance; an (E) designation would be established to require specific building design or other environmental requirements to protect occupants of the building and surrounding properties from air contaminants, odors, vibrations or noise. No building permits for any future development including uses with sleeping accommodations with manufacturing uses beyond what is permitted under provisions of the ZR Section 123 would be issued without the above-referenced Chairperson Certification and subsequent satisfaction of the requirements of the (E) Designation in accordance with ZR Section 11-15 (Environmental Requirements).

With the future certification and (E) designation, as necessary, there would not be significant adverse noise impact related to manufacturing uses in the same building.

PUBLIC HEALTH

The Proposed Actions would not result in significant adverse public health impacts. As described in the EIS analyses, the Proposed Actions would not result in unmitigated significant adverse impacts related to water quality, hazardous materials, operational noise, or operational air quality. However, the Proposed Actions could result in significant adverse unmitigated impacts on the surrounding air quality and ambient noise, as a result of construction activities within the Project Area as facilitated by the Proposed Actions. However, the potential for these impacts to occur is expected to be limited and would not significantly affect public health.

CONSTRUCTION AIR QUALITY

Measures required to reduce pollutant emissions during construction would include all applicable laws, regulations, and the City's building codes. These include dust suppression measures, idling restriction, and the use of ultra-low sulfur diesel (ULSD) fuel. With the implementation of these emission reduction measures, the dispersion modeling analysis of construction-related air emissions for both on-site and on-road sources determined that particulate matter PM10, annual-average nitrogen dioxide (NO2), and carbon monoxide (CO) concentrations would be below their corresponding de minimis thresholds or National Air Quality Ambient Standards (NAAQS), respectively. PM2.5 would be below its NAAQS for all analyzed Sites and would exceed annual de minimis threshold at Sites 10 and 14. The exceedance of the de minimis threshold would be considered a significant adverse air quality impact. Since construction activities are temporary and the total annual PM2.5 concentrations resulted by the construction activities would be lower than NAAQS, the temporary exceedance of the de minimis criterion does not indicate public health impact.

CONSTRUCTION NOISE

Noise level increases exceeding the construction noise impact criteria would occur at several locations throughout the Project Area and the Proposed Actions would result in significant adverse construction noise impacts. Two representative projected development sites (Projected Development Site 14 and Projected Development Site 22) were analyzed for construction noise for each phase of construction: Demolition/Excavation/Foundation; Building Superstructure/Exterior; and Interior Fit-Out. No significant adverse construction noise impacts are expected from construction of development sites whose construction duration would be considered short-term (less than 24 months). Based on the construction stage predicted to occur at each development site according to the conceptual construction schedule during each of the selected analysis periods, each receptor expected to experience an exceedance of the construction noise impact threshold was determined. However, it is expected that all construction activities would follow the requirements of the NYC Noise Control Code for construction noise control measures would be in place at each site. Specific noise control measures would be utilized in noise mitigation plans required under the NYC Noise Control Code. Further, the analysis in the EIS is based on RWCDS conceptual site plans and construction schedules, with the possibility that the actual construction may be of less magnitude in which case construction noise would be less than the analysis predicts. Therefore, it is not anticipated that the Proposed Action would have the potential for public health impacts from noise emissions during construction. Therefore, it is not anticipated that the Proposed Actions would have the potential for public health impacts from noise emissions during construction.

NEIGHBORHOOD CHARACTER

The Proposed Actions would alter neighborhood character in the primary study area but would not result in a significant adverse impact on neighborhood character. The Proposed Actions would not result in significant adverse impacts to land use, zoning, and public policy; socioeconomic conditions; urban design and visual resources; or noise. Although the Proposed Actions would result in significant adverse impacts with respect to open space, historic resources, shadows, and transportation (traffic, transit and pedestrians),

these impacts would not result in significant adverse impact to determining elements of neighborhood character.

The Proposed Actions would facilitate an area-wide rezoning that would expand the allowable uses and increase density to spur the growth of jobs and housing in a transit-rich area accessible to both the local subway system and regional rail (LIRR) within a short commuting distance from Central Business Districts, such as Downtown Brooklyn and Lower Manhattan. The zoning changes would replace outdated low density manufacturing with new zoning that promotes a greater mix of uses, including residential uses, and supports growth and development in appropriate locations. Without the zoning changes, the primary Study Area would remain unchanged, underdeveloped and underutilized, and any future development that will occur would do so in a piecemeal manner without the benefit of a comprehensive plan to coordinate appropriate densities and urban design controls across the area. In addition, limited change would occur in the industrially zoned areas, exacerbating the lack of housing within the surrounding neighborhoods, especially for lower income populations. Absent a change in the neighborhood character, the Proposed Actions would not achieve their stated purposes and need.

The Proposed Actions would result in several adverse impacts related to open space, shadows, historic and cultural resources, and transportation. However, none of these impacts, on their own or in tandem with one another, would result in a significant adverse impact to neighborhood character. Rather the Proposed Actions would serve to enhance neighborhood character, the Proposed Actions would support the redevelopment of lots along Atlantic Avenue and nearby corridors within the Project Area with new housing, a wider range of uses, and additional space for jobs, bringing new vibrancy and activity along the corridors, coupled with special zoning regulations along Atlantic Avenue that would require active ground floors and wider sidewalks by setting back buildings. The proposed zoning changes would provide for sufficient flexibility and variety of building envelopes that account for and are considerate of surrounding context with the tallest and highest density buildings concentrated along Atlantic Avenue due its 120-foot-wide width, while building height would step down along the north-south avenues—Grand Avenue, Bedford Avenue, and Classon Avenue—and then lower further on the mid-block, side streets permitting greater connectivity with the surrounding neighborhoods. Therefore, the Proposed Actions would not result in any significant adverse neighborhood character impacts.

CONSTRUCTION

The Proposed Actions would result in significant adverse construction impacts related to transportation, air quality and noise.

TRANSPORTATION

The first quarter of 2032 was selected as the reasonable worst-case analysis period for assessing potential cumulative traffic impacts from operational trips from completed portions of the projected developments and construction trips associated with construction activities. An assessment of traffic generated during this peak period is presented below.

Traffic

During construction, traffic would be generated by construction workers commuting via autos and by trucks making deliveries to projected development sites. Each worker vehicle was assumed to arrive in the morning and then depart in the afternoon or early evening, while truck deliveries would occur throughout the construction day. To avoid congestion and ensure that materials are on-site for the start of each shift, construction truck deliveries would often peak during the hour before the regular day shift, overlapping with construction worker arrival traffic. Each truck delivery was assumed to result in two truck trips during the same hour (one inbound and one outbound). For analysis, truck trips were converted into Passenger Car Equivalents (PCEs) based on one truck being equivalent to an average of two PCEs.

In the first quarter of 2032, construction-related traffic is expected to peak during the 6:00 a.m. to 7:00 a.m. and 3:00 p.m. to 4:00 p.m. periods. During the 6:00 a.m. to 7:00 a.m. peak hour, there would be 344 PCE vehicle trips, including 289 inbound trips and 55 outbound trips. During the 3:00 p.m. to 4:00 p.m. peak hour, there would be 252 PCE trips, including 9 inbound trips and 243 outbound trips. Consequently, there

would be less likelihood of significant adverse traffic impacts during the peak-construction hour in the Proposed Actions peak construction period than with the full build-out during operational peak hours analyzed in the Final EIS for this project. It is expected that the mitigation measures identified for 2034 operational traffic impacts would also be similarly effective at mitigating any potential impacts from construction traffic during the peak construction activity expected with the Proposed Actions.

Transit

The construction sites are located in an area that is well served by public transportation with seven subway routes, 10 bus routes, commuter rail, and several other subway routes located on the periphery of the Project Area.

Construction worker travel demand is expected to generate approximately 237 transit trips in each of the 6:00 a.m. to 7:00 a.m. and 3:00 p.m. to 4:00 p.m. peak construction periods. Given that construction worker trips via transit would be distributed among numerous subway routes, bus routes, and the Long Island Rail Road in proximity to projected development sites that are located throughout the rezoning area, the number of incremental construction trips by transit are not expected to exceed the 200-trip *CEQR Technical Manual* analysis threshold for any individual subway station or the 50-trip threshold for a bus analysis (per route, per direction) in either peak construction hour in 2032.

Pedestrians

During the 2032 (first quarter) peak construction period, net incremental travel demand on area sidewalks, corners, and crosswalks is expected to total approximately 295 trips in the 6:00 a.m. to 7:00 a.m. and 3:00 p.m. to 4:00 p.m. peak construction hours. These trips would be widely distributed among the projected development sites that would be under construction in the first quarter of 2032 and would primarily occur outside the weekday AM and PM peak commuter periods and weekday midday and Saturday peak periods when area pedestrian facilities typically experience their greatest demand.

Incremental pedestrian trips with full build-out of the Proposed Actions in 2034 would be substantially greater in number, totaling 6,930, 7,814, 9,934, and 11,088 during the analyzed weekday AM, midday, PM, and Saturday midday operational peak hours, respectively. Year 2032 pedestrian conditions during the weekday 6:00 a.m. to 7:00 a.m. and 3:00 p.m. to 4:00 p.m. peak construction hours are therefore expected to be generally better than during the analyzed operational peak hours with full build-out of the Proposed Actions in 2034. Consequently, there would be less likelihood of significant adverse pedestrian impacts during the peak construction hours in the cumulative analysis year than with full build-out of the Proposed Actions in 2034. It is expected that the mitigation measures identified for 2034 operational pedestrian impacts would be similarly effective at mitigating any potential impacts from construction pedestrian trips during the 2032 analysis period for cumulative construction and operational travel demand.

Parking

With full build-out of the Proposed Actions in 2034, there would be a parking demand for more than 2,000 vehicles between 11:00 a.m. and 6:00 p.m. Year 2032 parking conditions during the weekday midday are therefore expected to be generally better than during the analyzed operational peak hours with full build-out of the Proposed Actions in 2034. Consequently, there would be less likelihood of a parking shortfall during the peak construction hours in the cumulative analysis year (2032) than with full build-out of the Proposed Actions in 2034. While the 2032 (first quarter) construction worker parking demand could contribute to any such shortfall in the midday, the project site is located in Parking Zone 2, per *CEQR Technical Manual* guidance, and any potential shortfall would not be considered significant because the site is served by nearby alternative modes of transportation.

AIR QUALITY

Measures required to reduce pollutant emissions during construction include all applicable laws, regulations, and the City's building codes. These include dust suppression measures, idling restriction, and the use of ultra-low sulfur diesel (ULSD) fuel. With the implementation of these emission reduction measures, the dispersion modeling analysis of construction-related air emissions for both on-site and on-road sources determined that particulate matter (PM_{10}), annual-average nitrogen dioxide (NO_2), and carbon

monoxide (CO) concentrations would be below their corresponding *de minimis* thresholds or National Air Quality Ambient Standards (NAAQS), respectively. $PM_{2.5}$ would be below its NAAQS for all analyzed Sites and would exceed annual *de minimus* threshold at Sites 10 and 14. The exceedance of the *de minimis* threshold would be considered a significant adverse air quality impact.

NOISE

Detailed construction noise modeling was performed for two representative development sites with anticipated construction durations of more than 24 months, for all construction phases. The selected representative development sites include Site 14, one of the largest projected development sites, and Site 22, a relatively large projected development site. These sites were selected to represent remaining sites of similar size with construction durations close to 24 months. Sites with anticipated construction durations of less than 24 months do not require detailed quantitative construction noise analysis. Characteristics considered in the selection of sites to be represented by Site 14 and Site 22 included building size, building height, and sensitive receptor proximity and line of sight to the construction site. Specifically, construction noise analysis results evaluated from Site 14 were used to evaluate potential noise impacts from Projected Development Sites 15, 54, and 55. Construction noise analysis results from Site 22 were used to evaluate potential noise impacts from Projected Development Sites 6, 9, 10, 20, and 45.

Based on the detailed analysis of Projected Development Site 14, construction noise levels are predicted to result in significant noise level increases of at least 20 dBA at noise-sensitive receptors within approximately 150 feet of the site. These very objectionable noise level increases will be considered significant adverse impacts if they are sustained for at least three continuous months. Construction noise levels are predicted to result in an increase of at least 15 dBA at noise-sensitive receptors within approximately 250 feet of the site, which will be considered a significant adverse impact if sustained for 12 continuous months.

Upon completion of Phase 1, noise level increases during Phase 2 and Phase 3 will decrease, with maximum predicted construction noise levels ranging between 65 to 87 dBA. Very objectionable noise levels may be experienced at noise-sensitive receptors within 50 feet of Phase 2 and Phase 3, which will be considered a significant adverse impact if they are sustained for at least three continuous months. Objectionable noise levels may be experienced at noise-sensitive receptors within approximately 150 feet of Phase 2 and 100 feet of Phase 3, which will be considered a significant adverse impact if sustained for 12 continuous months.

Based on the detailed analysis of Projected Development Site 22, construction noise levels are predicted to result in significant noise level increases of at least 20 dBA at noise-sensitive receptors within approximately 150 feet of the site. These very objectionable noise level increases will be considered significant adverse impacts if they are sustained for at least three months. The conceptual construction schedule indicates Phase 1 would last for approximately four months; however, this duration represents the entirety of Phase 1. Foundation work that includes pile driving would likely take less than three months, although elevated noise levels may continue from the intermittent use of excavators and dozers on-site as well as concrete pump and mixer trucks in use outside the perimeter construction barrier. Construction noise levels are predicted to result in an increase of at least 15 dBA at noise-sensitive receptors within approximately 250 feet of the site, which will be considered a significant adverse impact if sustained for 12 continuous months.

Upon completion of Phase 1, noise level increases during Phase 2 and Phase 3 will decrease, with maximum predicted construction noise levels ranging between 64 to 86 dBA. Very objectionable noise levels may be experienced at noise-sensitive receptors within 50 feet of Phase 2 and Phase 3. These very objectionable noise level increases will be considered a significant adverse impact if they are sustained for at least three months. Objectionable noise levels may be experienced at noise-sensitive receptors within approximately 150 feet of Phase 2 and within approximately 100 feet of Phase 3, which will be considered a significant adverse impact if sustained for 12 continuous months.

Vibration

Vibration-inducing activities occurring during construction of the projected development sites include the use of pile drivers, large bulldozers, and haul trucks loaded with debris and materials. The highest vibration

levels would result from impact pile drivers during building foundation work. Vibration-induced structural damage has the potential to occur if pile driving is conducted within approximately 72 feet of non-engineered timber and masonry buildings, which equates to a vibration level of 0.2012 peak particle velocity (PPV). When impact pile driving occurs further than approximately 72 feet from non-engineered timber and masonry buildings, there would be no potential for structural damage. If it is determined through field surveys that existing structures adjacent to construction sites are comprised of more solid materials, such as engineered concrete and masonry, structural damage from impact pile driving could potentially occur within 50 feet of this activity. In addition, vibration-induced annoyance is predicted to occur at residential and institutional land uses within approximately 30 feet from impact pile driving. Vibrations from large bulldozers and loaded trucks are not anticipated to result in structural damage to adjacent buildings, as the highest vibration levels would generally occur within 8 feet of equipment.

OTHER ANALYSES

Construction of the 54 projected development sites would not result in significant adverse impacts with regards to land use and neighborhood character, socioeconomic conditions, open space, or hazardous materials. Based on the RWCDS construction schedule, construction activities would be spread out over approximately 10 years, throughout an approximately 23 block rezoning area, and construction of most of the projected development sites would be short-term (less than 24 months) with the exceptions of Sites 9, 14, 15, 20, 54, and 55, which are assumed to include multiple buildings or any single building larger than 200,000 sf.

Additionally, while construction of the projected development sites would result in temporary increases in traffic during the construction period, access to residences, businesses, and institutions in the area surrounding the development sites would be maintained throughout the construction period (as required by City regulations). No open space resources would be located on any of the projected development construction sites, nor would any access to publicly accessible open space be impeded during construction within the proposed rezoning area. In addition, measures would be implemented to control noise, vibration, emissions, and dust on construction sites, including construction fencing that incorporates sound reducing measures.

Further, while the construction of new buildings due to the Proposed Actions would cause temporary impacts, particularly related to noise, these impacts (in any given area) are anticipated to be relatively short term—even under worst-case construction sequencing—and therefore would not impact open space or neighborhood character.

Archaeological Resources: A Phase IA Archaeological Documentary (Phase IA) study of the projected/potential development sites where a new, in-ground disturbance is proposed determined that ten of the 70 sites are archaeologically sensitive for 19th century shaft features. The Project Area was determined to have no sensitivity for precontact archaeological resources.

The Phase IA study recommended additional archaeological analysis for certain development sites, including Phase IB archaeological testing and ownership research in addition to continued consultation with the New York City Landmarks Preservation Commission (LPC) and submission and concurrence of all required work plans.

Development at nine projected and potential sites under the Proposed Actions could potentially result in construction-related impacts to five non-designated historic resources, two of which are historic districts, located within 90 feet of the projected/potential development sites. These five non-designated resources would be afforded limited protection under the New York City Department of Buildings (DOB) regulations that are applicable to all buildings located adjacent to construction sites; however, they are not afforded the added special protections under the DOB's TPPN #10/88 because they are not S/NR-listed or NYCL-designated.

Any potential construction-related hazardous materials would be avoided by the inclusion of (E) designations, or other measures comparable to such a designation, for all RWCDS development sites. In addition, the demolition of interiors, portions of buildings, or entire buildings is regulated by the DOB and

requires abatement of asbestos prior to any intrusive construction activities, including demolition. The Occupational Safety and Health Administration (OSHA) regulates construction activities to prevent excessive exposure of workers to contaminants in the building materials, including lead paint. New York State Solid Waste regulations control where demolition debris and contaminated materials associated with construction are handled and disposed of. Adherence to these existing regulations would prevent impacts from construction activities at any of the projected development sites in the rezoning area.

MITIGATION

The Proposed Actions would result in significant adverse impacts in the following technical areas: Open Space (indirect), Shadows, Historic and Cultural Resources, Transportation, and Construction. Mitigation measures being proposed to address those impacts, where feasible and/or practical, are discussed below. If no feasible mitigation can be identified, an unavoidable significant adverse impact would result.

OPEN SPACE

The Proposed Actions would result in indirect significant adverse impacts to total, active, and passive open space in the residential ½-mile study area.

Possible measures that could mitigate the Proposed Actions' indirect significant adverse impact to open space in the residential Study Area may include: expanding existing parks, creating new open space on publicly owned land, encouraging owners of privately owned sites to create new open space as part of their redevelopment, making playgrounds accessible to the community after school hours through the Schoolyards to Playgrounds program, establishing new pedestrian plazas in streets through the City's Plaza program, and/or improving existing parks to allow for more diverse programming. Mitigation measures were explored by the lead agency, DCP, in consultation with the New York City Department of Parks and Recreation.

Based on the conceptual analysis, as part of the Proposed Actions, a zoning text amendment is proposed that would create a zoning authorization allowing for the bonus of floor area and height modification with the provision of publicly accessible open space on zoning lots zoned R9 larger than 25,000 sf.

If property owners elect to seek this authorization in the future, it is anticipated that new publicly accessible open space would be introduced on Projected Development Sites in the future, serving to offset the new demand introduced by the Proposed Actions.

Additionally, there are several in progress or planned renovations to existing open spaces in the study area including St. Andrew's Playground, Lowry Triangle and Underhill Plaza. Improving these existing open space resources will help meet the open space demands of new populations.

Though these potential mitigation measures may increase and improve publicly accessible open space in the residential ½-mile Study Area, opportunities to create new open space in sufficient amounts to fully mitigate an indirect impact (approximately three acres) are limited. Therefore, the indirect significant adverse impact would not be fully mitigated, and an unavoidable significant adverse indirect open space impact would occur.

SHADOWS

The incremental shadow generated by the Proposed Actions would result in significant adverse impacts to two sunlight-sensitive resources (St. Bartholomew's Episcopal Church and Lefferts Place Block Association Garden). The analysis determined that a portion of Lefferts Place Block Association Garden would not receive adequate sunlight during the growing season (at least the six-to-eight-hour minimum specified in the 2021 *CEQR Technical Manual*) as a result of incremental shadow coverage, and vegetation at this resource could be significantly impacted. Additionally, the analysis determined that incremental shadow coverage would result in a reduction in direct sunlight exposure for sunlight-sensitive features at St. Bartholomew's Episcopal Church, which could affect the public's enjoyment or appreciation of those features.

According to the 2021 *CEQR Technical Manual*, possible measures that could mitigate significant adverse shadow impacts on open spaces may include relocating sunlight-sensitive features within an open space to

avoid sunlight loss; relocating, replacing, or monitoring vegetation for a set period of time; undertaking additional maintenance to reduce the likelihood of species loss; or providing for replacement facilities on another nearby site. Other potential mitigation strategies include the redesign or reorientation of the open space to provide for replacement facilities, vegetation, or other features. The 2021 *CEQR Technical Manual* guidance also discusses strategies to reduce or eliminate shadow impacts, including modifications to the height, shape, size, or orientation of a proposed development that creates the significant adverse shadow impact. DCP, as lead agency, explored measures to reduce or eliminate the significant adverse shadow impacts. No feasible measures were identified to mitigate the shadows impacts described above, and therefore, the Proposed Actions would result in unmitigated significant adverse impacts on St. Bartholomew's Episcopal Church and the Lefferts Place Block Association Garden.

HISTORIC AND CULTURAL RESOURCES

The Proposed Actions would result in significant adverse impacts to architectural and archaeological resources.

Architectural Resources

The Proposed Actions would result in a significant adverse impact to architectural resources as a result of demolition, shadows, and adjacent construction. The Proposed Actions would result in significant adverse direct impacts to the former Olivet Church, that is conservatively assumed to be eligible for S/NR-Listing. For the purposes of the FEIS, it is assumed that the Former Oliver Church is eligible for listing in the NRHP under Criteria A and C. SHPO consultation will occur if there are State or Federal permits or funding required as part of the action. This impact as a result of demolition would be unavoidable, as the building is privately owned and could be demolished to allow for development as-of-right under the Proposed Actions. Therefore, no practicable or feasible mitigation measures have been identified, and the impact would remain unmitigated.

Development at nine projected and potential development sites under the Proposed Actions could potentially result in construction-related impacts to seven S/NR- and Landmarks Preservation Commission (LPC)-Eligible historic resources, one of which is an eligible historic district (Bedford Hill Historic District). These resources include the S/NR-eligible Bedford Hill Historic District, the S/NR-eligible Peter F. Reilly's Sons Furniture Storage, the S/NR-eligible Commercial and Apartment Building, the S/NR-eligible Row Houses at 1319-1325 Bedford Avenue, the S/NR-eligible former Olivet Church, the S/NR-eligible Dean Street Rowhouses, and the S/NR-eligible Former Medical Association Building. These resources are located within 90 feet of Projected and Potential Development Sites. These resources could experience construction-related damage, which could result in significant adverse impacts. Implementation of a Construction Protection Plan (CPP) pursuant to the NYC Department of Buildings (DOB) Technical Policy and Procedure Notice (TPPN) #10/88 would avoid or mitigate the potential for significant adverse impacts. As neither the district nor the individual landmark is S/NR-Listed or designated New York City Landmark (NYCL), the resources are not afforded the protections under NYC DOB's TPPN #10/88. Since there would be no mechanism to require commitment to the CPP on privately-owned sites within 90 feet of the eligible resources noted above, there would not be feasible strategies to fully mitigate the potential for significant adverse impacts, which may result in an unavoidable impact to architectural resources. As no practicable or feasible mitigation measures have been identified, the impact would remain unmitigated.

Archaeological Resources

The Proposed Actions would result in construction activity on sites that the Phase IA Archaeological Study concluded was potentially sensitive for 19th century and early 20th century historic archaeological resources. In order to mitigate significant adverse impacts on archaeological resources, additional archaeological analysis would be required on the site before it is redeveloped. However, there are no mechanisms currently in place to ensure that this archaeological analysis would occur on the privately owned sites subsequent to the Proposed Actions. If redevelopment of the privately owned sites involves either federal or state funding or permitting, then further environmental review could be required, and historic resource issues could be addressed. Further archaeological analysis on publicly-owned sites (projected development site 55) would be enforced through the Land Disposition Agreement (LDA) or

other binding mechanism to address archaeological concerns. Further archaeological review could necessitate Phase IB archaeological testing and possibly mitigation for identified significant resources through avoidance or data recovery. If future development does not require archaeological testing, the Proposed Actions would result in significant adverse impacts on archaeological resources No feasible mitigation measures were identified on privately-owned sites; therefore, these impacts would be unmitigated.

TRANSPORTATION

As described below, the Proposed Actions would result in significant adverse impacts to: a) vehicular traffic at 27 intersections b) subway line haul conditions on northbound C trains in the AM peak hour and southbound C trains in the PM peak hour, and c) pedestrian elements at ten sidewalks, four corners, and four crosswalks. Mitigation measures that could address the significant adverse impacts are discussed below.

Traffic

The Proposed Actions would result in significant adverse traffic impacts at 27 study area intersections (24 signalized and 3 unsignalized) during one or more analyzed peak hours; specifically, 40 lane groups at 21 intersections during the weekday AM peak hour, 26 lane groups at 21 intersections in the midday peak hour, 44 lane groups at 25 intersections in the PM peak hour, and 46 lane groups at 25 intersections during the Saturday peak hour. Implementation of traffic engineering improvements such as signal timing changes, the installation of new traffic signals, and modifications to lane striping and curbside parking regulations are being proposed and would provide mitigation for many of the anticipated traffic impacts. These proposed traffic engineering improvements are subject to final review and approval by the New York City Department of Transportation (DOT). If DOT determines that an identified traffic engineering improvement is infeasible, and no alternative and equivalent measure is identified, then that impact would remain unmitigated and would constitute an unavoidable adverse impact.

Assuming all the proposed mitigation measures are implemented, Table 7 shows that significant adverse impacts would be fully mitigated at 10 lane groups in the weekday AM peak hour, 11 lane groups in the midday peak hour, 11 lane groups in the weekday PM peak hour, and 10 lane groups in the Saturday peak hour. Intersections where these impacts would be fully mitigated would total 5, 9, 9, and 6 during these same periods, respectively. Table 8 provides a more detailed summary of the intersections and lane groups that would have unmitigated significant adverse traffic impacts. In total, impacts to one or more lane groups would remain unmitigated in one or more peak hours at 21 intersections.

Table 7: Summary of Lane Groups/Intersections with Significant Adverse Traffic Impacts

Peak Hour	Lane Groups/ Intersections Analyzed	Lane Groups/ Intersections With No Significant Impacts	Lane Groups/ Intersections With Significant Impacts	Mitigated Lane Groups/ Intersections	Unmitigated Lane Groups/ Intersections
Weekday AM	121/31	81/10	40/21	10/5	30/16
Weekday Midday	120/31	94/10	26/21	11/9	15/12
Weekday PM	120/31	76/6	44/25	11/9	33/16
Saturday	119/31	73/6	46/25	10/7	36/19

Table 8: Lane Groups With Unmitigated Significant Adverse Traffic Impacts

	Peak Hour			
	Weekday AM	**Weekday Midday**	**Weekday PM**	**Saturday**
Atlantic Av & 4th Av			EB-T, NB-LTR, SB-LT	EB-T, NB-LTR, SB-LT
Atlantic Av & S Portland Av				WB-L
Atlantic Av & Carlton Av	WB-TR, NB-LTR		WB-L, NB-LTR	WB-L, NB-LTR
Atlantic Av &Clermont Av.	EB-L	EB-L	EB-L	EB-L
Atlantic Av & Vanderbilt Av	WB-L, WB-TR, NB-L	EB-T		
Atlantic Av & Washington Av	EB-TR, NB-L	EB-TR, NB-L	EB-TR, NB-L	EB-TR, NB-L
Atlantic Av & Grand Av	WB-L, SB-TR	WB-L	WB-L, SB-L, SB-TR	WB-L, SB-L, SB-TR
Atlantic Av & Classon av	EB-L, WB-TR, NB-L, NB-TR	EB-L, WB-TR, NB-TR	EB-L, WB-TR, NB-L, NB-TR	EB-L, WB-TR, NB-L, NB-TR
Atlantic Av & Franklin Av	WB-L, SB-LT	EB-TR	EB-TR, WB-L, SB-LT, SB-R	EB-TR, WB-L, SB-LT, SB-R
Atlantic Av & Bedford Av	WB-TR, NB-L, NB-T	WB-TR	WB-TR, NB-L, NB-T	WB-TR, NB-L, NB-T
Atlantic Av & Nostrand Av	SB-LT, SB-R	SB-LT	EB-TR, WB-T	SB-LTR
Atlantic Av & New York Av	WB-T			
Classon Av & Dean St	EB-LT, NB-TR	EB-LT	EB-LT	EB-LT, NB-TR
Franklin Av & Pacific St	SB-TR	SB-TR	SB-TR	SB-TR
Franklin St/Franklin Av & Dean St	EB-TR, SB-LT		EB-TR, SB-LT	EB-TR, SB-LT
Bedford Av & Fulton St	NB-LT		EB-L	NB-R
Bedford Av & Pacific St				WB-TR
Bedford Av/Roger Av & Dean St			EB-LTR	EB-LTR
Bergen St & Roger Av				WB-TR
Atlantic Av & 4th Av			EB-T, NB-LTR, SB-LT	EB-T, NB-LTR, SB-LT

Notes: NB—northbound, SB—southbound, EB—eastbound, WB—westbound L—left-turn, T—through, R—right-turn

Transit

Subway Line Haul

In the 2034 future with the Proposed Actions, northbound C trains are expected to be operating over capacity in the AM peak hour, and the Proposed Actions would increase this demand by an average of approximately 20.81 passengers per car. Southbound C trains are also expected to be operating over capacity in the PM peak hour, and the Proposed Actions would increase this demand by an average of approximately 18.60 passengers per car. These significant adverse impacts could be fully mitigated by the addition of two northbound and southbound C trains during the AM and PM peak hours, respectively. As standard practice, NYCT routinely conducts periodic ridership counts and adjusts subway frequency to meet its service criteria, within fiscal and operating constraints which would mitigate this impact. In the absence of these measures, this impact would remain unmitigated.

Pedestrians

Incremental demand from the Proposed Actions would significantly adversely impact ten sidewalks, four crosswalks, and four corners in one or more analyzed peak hours. Recommended mitigation measures consisting of the relocation/removal of impediments to sidewalk flow, providing curb extensions, and the widening of crosswalks would fully mitigate the impacts to three sidewalks, two crosswalks. Table 9 shows a summary of fully mitigated and unmitigated significant adverse impacts. Implementation of the proposed mitigation measures would be subject to final review and approval by DOT. If DOT determines that an identified pedestrian improvement is infeasible, and no alternative and equivalent measure is identified, the Proposed Actions would result in unmitigated significant adverse pedestrian impacts.

Table 9: Summary of Significant Pedestrian Impacts

Peak Hour	Sidewalks/ Crosswalks/ Corners Analyzed	Sidewalks/ Crosswalks/ Corners with No Significant Impacts	Sidewalks/ Crosswalks/ Corners with Significant Impacts	Mitigated Sidewalks/ Crosswalks/ Corners	Unmitigated Sidewalks/ Crosswalks/ Corners
Weekday AM	62/39/68	56/39/68	6/0/0	2/0/0	4/0/0
Weekday Midday	62/39/68	55/38/68	7/1/0	2/0/0	5/1/0
Weekday PM	62/39/68	54/35/64	8/4/4	3/2/0	5/2/4
Saturday	62/39/68	52/36/64	10/3/4	3/1/4	7/2/4

CONSTRUCTION

Approval of the Proposed Actions would result in significant adverse construction transportation (traffic and pedestrian), air quality and noise impacts throughout and adjacent to the Project Area.

Transportation

It is expected that potential significant adverse traffic and pedestrian impact could occur during construction. The mitigation measures identified above for 2034 operational traffic, subway line haul, and pedestrian impacts would also be similarly effective at mitigating any potential impacts from construction traffic during the peak-construction activity expected with the Proposed Actions.

Air Quality

As described in the Construction section, $PM_{2.5}$ would be below its NAAQS for all analyzed Sites and would exceed annual *de minimis* threshold at projected development sites 10 and 14. The exceedance of the *de minimis* threshold would be considered a significant adverse construction air quality impact.

At this time, no practicable mitigation measures have been identified., Therefore, this would be an unmitigated impact.

Noise

As described in the Construction section above, the construction analysis was based on a conceptual construction schedule. Because the analysis is based on construction phases, it does not capture the natural daily and hourly variability of construction noise at each receptor. The level of noise produced by construction fluctuates throughout the days and months of the construction phases, while the construction noise analysis is based on the worst-case time periods only, which is conservative. The noise analysis results show that the predicted noise levels could exceed the construction noise impact criteria throughout the Project Area. It is possible that the actual construction may be of less magnitude, in which case construction noise would be less intense than the analysis predicts.

Mitigation measures were explored between the DEIS and FEIS, however none were determined practicable or feasible. Therefore, the significant adverse construction noise impacts would be unavoidable.

ALTERNATIVES

NO ACTION ALTERNATIVE

The No-Action Alternative examines future conditions within the Affected Area but assumes the absence of the Proposed Actions (i.e., none of the discretionary approvals proposed as part of the Proposed Actions would be adopted). In the No-Action Alternative, existing zoning would remain in the area affected by the Proposed Actions. It is anticipated that the Affected Area would experience growth under the No-Action Alternative by 2034. In the No-Action Alternative, it is anticipated that new development would occur on four of the 54 projected development sites identified under the RWCDS. In total on the 54 projected development sites, there would be 114,957 square feet (sf) of market-rate residential floor area (136 DUs),

161,466 sf of commercial uses, 237,371 sf of industrial uses, 267,686 sf of community facility uses, 64,471 sf of vacant space, and 209 accessory parking spaces in the 2034 No-Action Alternative. The significant adverse impacts related to open space, shadows, historic resources (architectural), transportation, and construction [to be confirmed when analyses complete] that would occur with the Proposed Actions would not occur with the No Action Alternative. Significant impacts are expected to occur for historic resources (archaeological) under the No Action Alternative.

In the No Action Alternative, there would be no change to zoning, MIH, or the City Map within the Affected Area. The permanent affordable housing expected under the Proposed Actions would not be provided. In addition, as compared to the Proposed Actions, the benefits associated with improved economic activity, opportunities for high quality, and enhanced pedestrian conditions and vibrant commercial corridor along Atlantic Avenue would not to be realized.

NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Actions are modified to avoid the unmitigated significant adverse impacts associated with the Proposed Actions which include impacts related to open space, shadows, historic and cultural resources (archaeological and architectural), transportation (traffic, transit, and pedestrians), and construction. This alternative considers development that would not result in any significant adverse impacts that could not be fully mitigated. However, to eliminate all unmitigated significant adverse impacts, the Proposed Actions would have to be modified to a point where the principal goals and objectives of the Proposed Actions would not be fully realized.

UNAVOIDABLE SIGNIFICANT ADVERSE IMPACTS

As described in the Mitigation section, the Proposed Actions would result in significant adverse impacts to Open Space (indirect), Shadows, Historic and Cultural Resources, Transportation, Construction. To the extent practicable, mitigation has been proposed for these identified significant adverse impacts. However, in some instances, no practicable mitigation has been identified to fully mitigate significant adverse impacts, and there are no reasonable alternatives to the Proposed Actions that would meet the Proposed Actions' purpose and need, eliminate potential impacts, and not cause other or similar significant adverse impacts. In other cases, mitigation has been proposed, but absent a commitment to implement the mitigation, the impacts may not be eliminated.

OPEN SPACE

Approval of the Proposed Actions would result in significant adverse indirect impacts to open space (total, active, and passive) in the residential ½-mile study area. Possible measures that could mitigate the Proposed Actions' indirect significant adverse impact to open space in the resident study area may include: expanding existing parks, creating new open space on publicly owned land, encourage owners of privately-owned sites to create new open space as part of their redevelopment, making playgrounds accessible to the community after school hours through the Schoolyards to Playgrounds program, establishing new pedestrian plazas in streets through the City's Plaza program, and/or improving existing parks to allow for more diverse programming.

As discussed in the Conceptual Analysis below, as part of the Proposed Actions, a zoning text amendment is proposed which would create a zoning authorization that would allow for the bonus of floor area and height modification with the provision of publicly accessible open space on zoning lots zoned R9 larger than 25,000 sf.

Though these potential mitigation measures may increase publicly accessible open space in the residential ½-mile study area, opportunities to create new open space in sufficient amounts to fully mitigate an indirect impact (approximately three acres) are limited. Therefore, the indirect significant adverse impact would not be fully mitigated, and an unavoidable significant adverse indirect open space impact would occur.

SHADOWS

Approval of the Proposed Actions would result in significant adverse shadow impacts to two sunlight-

sensitive resource: St. Bartholomew's Episcopal Church and Lefferts Place Block Association Garden. The analysis determined that a portion of Lefferts Place Block Association Garden would not receive adequate sunlight during the growing season (at least the six-to-eight-hour minimum specified in the 2021 CEQR Technical Manual) as a result of incremental shadow coverage, and vegetation at this resource could be significantly impacted. Additionally, the analysis determined that incremental shadow coverage would result in a reduction in direct sunlight exposure for sunlight-sensitive features at St. Bartholomew's Episcopal Church, which could affect the public's enjoyment or appreciation of those features.

According to the 2021 CEQR Technical Manual, possible measures that could mitigate significant adverse shadow impacts on open spaces may include relocating sunlight-sensitive features within an open space to avoid sunlight loss; relocating, replacing, or monitoring vegetation for a set period of time; undertaking additional maintenance to reduce the likelihood of species loss; or providing for replacement facilities on another nearby site. Other potential mitigation strategies include the redesign or reorientation of the open space to provide for replacement facilities, vegetation, or other features. The 2021 CEQR Technical Manual guidance also discusses strategies to reduce or eliminate shadow impacts, including modifications to the height, shape, size, or orientation of a proposed development that creates the significant adverse shadow impact. Feasible or practicable measures to reduce or eliminate the significant adverse shadow impact were not identified. Therefore, the Proposed Actions would result in unmitigated significant adverse impacts on St. Bartholomew's Episcopal Church and the Lefferts Place Block Association Garden.

HISTORIC RESOURCES

Architectural Resources

The Proposed Actions would result in a significant adverse impact to architectural resources as a result of demolition, shadows, and adjacent construction. The Proposed Actions would result in significant adverse direct impacts to the S/NR-Eligible Olivet Church. This impact as a result of demolition would be unavoidable, as the building is privately owned and could be demolished to allow for development as-of-right under the Proposed Actions.

Development at nine projected and potential development sites under the Proposed Actions could potentially result in construction-related impacts to five S/NR- and LPC-Eligible historic resources, one of which is a historic district. These resources are located within 90 feet of projected and potential development sites. These resources could experience construction-related damage, as neither the district nor the individual landmark are S/NR-listed or designated NYCL and would therefore not be afforded the protections under NYC DOB's TPPN #10/88, which may result in an unavoidable impact.

Archaeological Resources

The Proposed Actions would result in construction activity on sites that the Phase IA Archaeological Study concluded was potentially sensitive for 19th century and early 20th century historic archaeological resources. In order to mitigate significant adverse impacts on archaeological resources, additional archaeological analysis would be required on the site before it is redeveloped. However, there are no mechanisms currently in place to ensure that this archaeological analysis would occur on the privately owned sites subsequent to the Proposed Actions. If redevelopment of the privately owned sites involves either federal or state funding or permitting, then further environmental review could be required, and historic resource issues could be addressed. Further archaeological analysis on publicly-owned sites (projected development site 55) would be enforced through the LDA or other binding mechanism to address archaeological concerns. Further archaeological review could necessitate Phase IB archaeological testing and possibly mitigation for identified significant resources through avoidance or data recovery. If future development does not require archaeological testing, the Proposed Actions would result in significant adverse impacts on archaeological resources, and these impacts would be unmitigated.

TRANSPORTATION

As described in the Transportation section, the Proposed Actions would result in significant adverse impacts at 27 intersections, subway line haul conditions on northbound C trains in the AM peak hour and southbound C trains in the PM peak hour, and pedestrian elements at 11 sidewalks, four corners, and four

crosswalks.

Traffic

As described in the Transportation section , the Proposed Actions would result in significant adverse traffic impacts at 27 study area intersections (24 signalized and three unsignalized) during one or more analyzed peak hours; specifically, 40 lane groups at 21 intersections during the weekday AM peak hour, 26 lane groups at 21 intersections in the midday peak hour, 44 lane groups at 25 intersections in the PM peak hour, and 45 lane groups at 25 intersections during the Saturday peak hour.

As demonstrated below, many of these impacts could be mitigated through the implementation of traffic engineering improvements, including:

- Modification of existing traffic signal phasing and/or timing,
- Installation of new traffic signals or all-way stop control,
- Elimination of on-street parking to add a travel lane, and
- Modifications to lane striping.

The types of mitigation measures proposed herein are standard measures that are routinely identified by the City and considered feasible for implementation. Implementation of the recommended traffic engineering improvements is subject to review and approval by DOT. In the absence of the application of mitigation measures, the impacts would remain unmitigated. The Mitigation section shows that significant adverse impacts would be fully mitigated at 10 lane groups in the weekday AM peak hour, 11 lane groups in the midday, 11 lane groups in the PM, and 10 lane groups in the Saturday peak hour. Intersections where these impacts would be fully mitigated would total 6, 9, 9, and 6 during these same periods, respectively. In total, impacts to one or more lane group(s) would remain unmitigated in one or more peak hours at 21 intersections.

Transit

Subway Line Haul

Northbound and southbound C trains in the AM and PM peak hours, respectively, would be considered significantly adversely impacted by the Proposed Actions based on 2021 CEQR Technical Manual criteria. The addition of two northbound C trains during the AM peak hour (increasing average frequency from 7.1 to 9.1 trains per hour) would result in below-capacity conditions (i.e., a v/c ratio of 0.94), mitigating the potential impact. Similarly, with the addition of two southbound C trains during the PM peak hour (increasing average frequency from 6.1 to 8.1 trains per hour) would result in below-capacity conditions (i.e., a v/c ration of 0.88), mitigating the potential impact. In the absence of the additional frequencies or other mitigation measures, the impact to northbound and southbound C services during the AM and PM peak hours, respectively, would remain unmitigated.

Pedestrians

The Proposed Actions would significantly adversely impact 11 sidewalks, four corners, and four crosswalks in one or more peak hours under the With-Action condition. The potential mitigation measures presented in the Mitigation section, generally consist of the relocation/removal of impediments to sidewalk flow and crosswalk widening.

Sidewalks

Practicable mitigation measures could not be identified for significant adverse impacts in one or more peak hours at seven sidewalks, and these impacts would therefore remain unmitigated. These unmitigated sidewalks include:

- East sidewalk along Franklin Avenue between Fulton Street and Brevoort Place (AM, MD, PM, SAT MD).
- East sidewalk along Franklin Avenue between Brevoort Place and Atlantic Avenue (AM, MD, PM, SAT MD).

- West sidewalk along Franklin Avenue between Lefferts Place and Atlantic Avenue (AM, MD, PM, SAT MD).
- West sidewalk along Bedford Avenue between Fulton Street and Brevoort Place (MD and SAT MD).
- East sidewalk along Bedford Avenue between Fulton Street and Herkimer Street (AM, PM, SAT MD).
- North sidewalk along Atlantic Avenue between Bedford Place and Bedford Avenue (MD and SAT MD).
- West sidewalk along Franklin Avenue between Atlantic Avenue and Pacific Street (PM and SAT MD).

Crosswalks

Four crosswalks would be significantly impacted by incremental demand generated by the Proposed Actions. As discussed in the Mitigation section, implementation of the crosswalk widening would fully mitigate the impacts to three of the four impacted crosswalks and would be subjected to review and approval by DOT. If this mitigation measure is not implemented, the impacts to these crosswalks would be unmitigated. No potential mitigation measures have been identified for the east crosswalk at Atlantic Avenue and Classon Avenue for impacts during the PM and SAT MD peak hours. Therefore, the impact to this crosswalk would be unmitigated. If these measures are deemed infeasible and no additional feasible mitigation measures can be identified, then significant adverse pedestrian crosswalk impacts would remain unmitigated, and the Proposed Actions would result in unavoidable adverse pedestrian impacts.

Corners

Four corners would be significantly impacted by incremental demand generated by the Proposed Actions. As discussed in the Mitigation section, no practicable mitigation measures were identified. Therefore, the impacts to the following corners would remain unmitigated:

- NE corner of Franklin Avenue and Atlantic Avenue (PM, SAT MD)
- SW corner of Franklin Avenue and Atlantic Avenue (PM, SAT MD)
- NW corner of Franklin Avenue and Atlantic Avenue (PM, SAT MD)
- NE corner of Bedford Avenue and Atlantic Avenue (PM, SAT MD)

CONSTRUCTION

As presented in the Construction section above, it is expected that potential significant adverse traffic and pedestrian impact could occur during construction. The mitigation measures identified above for 2034 operational traffic and pedestrian impacts would also be similarly effective at mitigating any potential impacts from construction traffic during the peak-construction activity expected with the Proposed Actions. If these measures are deemed infeasible and no additional feasible mitigation measures can be identified, then potential significant adverse impacts would remain unmitigated, and the Proposed Actions would result in potential unavoidable adverse construction transportation (traffic and pedestrian) impact.

As presented in the Construction section above, $PM_{2.5}$ would be below its NAAQS for all analyzed Sites and would exceed annual *de minimis* threshold at projected development sites 10 and 14. The exceedance of the *de minimis* threshold would be considered a significant adverse air quality impact. At this time, no practicable mitigation measures have been identified. In the event practicable mitigation measures are not identified, the Proposed Actions would result in an unavoidable adverse construction air quality impact.

As shown in the Construction section above noise level increases exceeding the construction noise impact criteria would occur at several locations throughout the Project Area (refer to FEIS Figure 19-3) and the Proposed Actions would result in significant adverse construction noise impacts. Two representative construction sites were selected for analysis. One of the largest projected development site (Projected Development Site 14) and a typical projected development site with long-term construction duration

(Projected Development Site 22) were selected to be analyzed for each phase of construction: Demolition/Excavation/Foundation; Building Superstructure/Exterior; and Interior Fit-Out. Projected Development Site 14 was selected to represent Projected Development Sites 15, 54, and 55, and Projected Development Site 22 was selected to represent all other projected development sites with construction duration of 24 months or more (i.e., Projected Development Sites 6, 9, 10, 20, and 45). No significant adverse construction noise impacts are expected from construction of development sites whose construction duration would be considered short-term (less than 24 months). Based on the construction stage predicted to occur at each development site according to the conceptual construction schedule during each of the selected analysis periods, each receptor expected to experience an exceedance of the construction noise impact threshold was determined. The analysis is based on RWCDS conceptual site plans and construction schedules, with the possibility that the actual construction may be of less magnitude in which case construction noise would be less than the analysis predicts.

Construction activities would follow the requirements of the NYC Noise Control Code for construction noise control measures. Specific noise control measures would be utilized in noise mitigation plans required under the NYC Noise Control Code. No practicable or feasible mitigation has been identified, and therefore, these impacts would constitute unavoidable significant adverse construction noise impacts as a result of the Proposed Actions.

GROWTH INDUCING ASPECTS

The projected increase in residential population is likely to increase the demand for neighborhood services in the Project Area, ranging from community facilities to local goods and services. This would enhance the growth of local commercial corridors in the Project Area. The potential growth that would be generated by the Proposed Actions is considered as part of the RWCDS under the assumed non-residential uses. The Proposed Actions would also lead to additional growth in the City and State economies, primarily due to employment and fiscal effects during construction on the projected and/or potential development sites and operation of these developments after construction is completed. However, this secondary growth would be expected to occur incrementally throughout the region and is not expected to result in any significant impacts in any specific area or at any specific site.

The Proposed Actions would result in more intensive land uses within the Project Area. However, it is not anticipated that the Proposed Actions would generate significant secondary impacts resulting in substantial new development in nearby areas. Therefore, the Proposed Actions would not induce significant new growth in the surrounding area.

IRREVERSIBLE, IRRETRIEVABLE COMMITMENT OF RESOURCES

The projected and/or potential development under the Proposed Actions also constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future. However, the land use changes that would occur as a result of the Proposed Actions would be compatible in terms of use and scale with existing conditions and trends in the area as a whole. None of the projected or potential development sites possess any natural resource of significant value, and the sites are in large part developed or have been previously developed. It is noted that funds committed to the design, construction/ renovation, and operation of projected or potential developments under the Proposed Actions would not be available for other projects. However, this is not considered to be a significant adverse impact on City resources.

In addition, the public services provided in connection with the projected and/or potential developments under the Proposed Actions (e.g., police and fire protection, public education, open space, and other City resources) also constitute resources commitments that might otherwise be used for other programs or projects. However, the Proposed Actions would enliven the area and produce economic growth that would generate substantial tax revenues providing a new source of public funds that would offset these expenditures.

The commitments of resources and materials are weighed against the benefits of the Proposed Actions. The Proposed Actions would support the community-based goals of re envisioning an industrially zoned area to

spur the growth of jobs and housing, support the demand for new housing, create permanently affordable housing, and allow for growth and development in appropriate locations while implementing height limits to protect the character of the neighborhood. These new land uses would be compatible with the surrounding area, thereby better supporting the needs of the community.

CONCEPTUAL ANALYSIS

The Proposed Actions establish a new discretionary zoning authorization that may be pursued by applicants in the future to allow for the bonus of floor area and height modification with the provision of publicly accessible open space. A conceptual analysis was conducted to generically assess potential environmental impacts that could result from development under the future mechanism. However, site- and project-specific environmental review would be conducted at the time that an application for such action is sought in the future. Based on available information of the zoning mechanism, there would be no significant adverse impacts anticipated related to land use, zoning, and public policy; socioeconomic conditions; community facilities; open space; historic and cultural resources; hazardous materials; water and sewer infrastructure; solid waste and sanitation services; energy; and greenhouse gas emissions and climate change. The following technical areas require either detailed analysis or additional review beyond an initial assessment to determine the potential for significant adverse impacts through a subsequent environmental review at the time an application is sought: shadows; urban design and visual resources; transportation; air quality; noise; public health; neighborhood character; and construction.

EFFECTS ON DISADVANTAGED COMMUNITIES

In 2023, the Climate Justice Working Group (CJWG) used 45 indicators to identify disadvantaged communities (DAC) in New York State. Approximately 35 percent of New York State census tracts were identified as DAC. Indicators include land use and facilities associated with historical discrimination or disinvestment, potential climate change risks, potential pollution exposures, and population and health characteristics. DAC that intersects with the Project Area and ½-mile radius all have comparatively lower burdens and vulnerabilities. DAC are concentrated in the eastern portion of the Project Area's ½-mile radius.

The Proposed Actions would not result in significant adverse impacts in the following CEQR technical areas: land use, zoning, and public policy; socioeconomic conditions; community facilities and services; urban design and visual resources; natural resources; hazardous materials; water and sewer infrastructure; solid waste and sanitation services; energy; air quality; greenhouse gas emissions and climate change; noise; public health; and neighborhood character.

Significant adverse impacts have the potential to occur in the following CEQR technical areas: open space; shadows; historic and cultural resources; transportation; and construction. Potential for significant adverse impacts to open space, shadows and historic and cultural resources are not related to pollution and would therefore not result in a disproportionate pollution burden to DACs.

Though the Proposed Actions may result in significant adverse traffic impacts at certain local intersections, it should be noted that the Proposed Actions would not result in significant adverse impacts to noise or mobile source air quality. Therefore, the Proposed Actions would not cause a disproportionate pollution burden on a DAC.

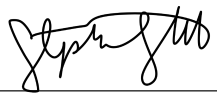
Construction noise impacts would occur in the vicinity of projected development sites 6, 9, 10, 14, 15, 20, 22, 54, and 55. Of these sites, projected development sites 14, 15, 20, and 55 are in DAC. These temporary construction noise impacts would not disproportionately affect DAC. The construction of projected development sites 10 and 14 would result in temporary construction air quality impacts. Projected development site 10 is not located in a DAC. Projected development site 14 is in a DAC. These temporary construction air quality impacts would not disproportionately affect DAC.

Therefore, the Proposed Actions would not disproportionately affect disadvantaged communities and would not cause or increase a disproportionate pollution burden to DAC. These temporary construction noise impacts would occur in a manner that is distributed throughout the Study Area, comprised of DAC and non-DACs, and are not disproportionately located in DACs. Measures required by the New York City Noise

Control Code will partially mitigate impacts at some affected receptors. Therefore, there is not a disproportionate construction noise pollution burden to DACs.

The construction of projected development sites 10 and 14 would result in temporary construction air quality impacts. Projected development site 10 is not located in a DAC. Projected development site 14 is in a DAC. These temporary construction air quality impacts are distributed throughout the Study Area, comprised of DAC and non-DACs and are not disproportionately located in DACs. Therefore, there is not a disproportionate construction air quality pollution burden to DACs.

Although the thresholds for significant adverse construction noise and air quality impacts are predicted to be exceeded during construction in DAC and Non-DAC census tracts, these temporary noise and air quality exceedances would not disproportionately affect the DACs. Given the potential for noise and air quality effects related to construction sources would be temporary and localized, it is not anticipated that the Proposed Action would have a disproportionate pollution burden on DACs as a result of noise or air quality emissions during construction.



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