2118 Avenue U Rezoning

Environmental Assessment Statement

CEQR Number: 24DCP013K

Prepared For:

2118 Avenue U LLC

Prepared By:

Environmental Studies Corporation

January 30, 2024

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Section I – EAS Form

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

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

Part I: GENERAL INFORMATION

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

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

2. *Project Name* 2118 Avenue U Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
24DCP013K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
230351ZMK, N230352ZRK	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
NYC Dept. Of City Planning			2118 Avenue U LLC		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Stephanie Shellooe, Director, Environmental Assessment and Review Division			Raya DerBedrossian, Environmental Studies Corp		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 55 Water Mill Lane		
CITY New York	STATE NY	ZIP 10271	CITY Great Neck	STATE NY	ZIP 11021
TELEPHONE 212-720-3493	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 718-343-0026	EMAIL hrothkrug@environmentalstudiescorp.com	

5. *Project Description*

The Applicant, 2118 Avenue U LLC, seeks a zoning map amendment to rezone an existing R4/C1-3 district to an R4 and R6A/C2-4 districts and a zoning text amendment pursuant to Appendix F that would establish a Mandatory Inclusionary Housing ("MIH") Area (the "Proposed Actions"). The Proposed Actions would be applicable to Brooklyn Block 7354, Lots 1 and 8 which would be rezoned from an R4/C1-3 district to a R6A/C2-4 district and Block 7354, Lots 11, 71, 72, and portions of Lots 13 and 70 to be rezoned from a R4/C1-3 district to an R4 district (the "Affected Area"). The zoning text amendment is pursuant to Appendix F and would establish a Mandatory Inclusionary Housing ("MIH") Area on Block 7354, Lots 1 and 8. With the approval of the Proposed Actions, the Applicant intends to develop a mixed-use residential and commercial building on Block 7354, Lot 8. The 4-story building would be 55 feet tall and contain 20,450 gsf with 4,800 gsf of commercial space on the ground floor and 15,946 gsf of residential space (10 dwelling units, 3 of which would be permanently affordable pursuant to MIH) (the "Proposed Development"). For a conservative CEQR analysis, a With-Action scenario has been developed that differs from the applicant's proposed project. In the future With-Action Condition, the Reasonable Worst Case Development Scenario (RWCDS) projects the development of a 21,600 gsf eight-story mixed-use building (85 ft tall) with 4,800 gsf of ground floor commercial (local retail uses) uses and 16,800 gsf of residential space (24 residential units) on Projected Development Site 1 (Block 7354, Lot 8).

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 15	STREET ADDRESS 2118 Avenue U, Brooklyn, NY
TAX BLOCK(S) AND LOT(S) Block 7354, Lots 1, 8, 11, 71, 72, and p/o 13 and 70		ZIP CODE 11229
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R4/C1-3		ZONING SECTIONAL MAP NUMBER 29a

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

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

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP

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

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

***Department of Environmental Protection*:** ☐ YES ☒ NO ☐ Cogeneration Facility ☐ Title V Permit

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

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

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

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

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

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

Physical Setting (both developed and undeveloped areas)
Total directly affected area (sq. ft.): 32,000
Waterbody area (sq. ft) and type: n/a
Roads, buildings, and other paved surfaces (sq. ft.): 32,000
Other, describe (sq. ft.): n/a

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)
SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 20,450
NUMBER OF BUILDINGS: 1
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 20,450
HEIGHT OF EACH BUILDING (ft.): 55
NUMBER OF STORIES OF EACH BUILDING: 4

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: 6,000
The total square feet not owned or controlled by the applicant: 26,000

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: 6,000 sq. ft. (width x length)
VOLUME OF DISTURBANCE: 100 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

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

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	15,946	4,800	0	0
Type (*e.g.,* retail, office, school)	10 units	retail	0	0

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO
If "yes," please specify:
NUMBER OF ADDITIONAL RESIDENTS: 65
NUMBER OF ADDITIONAL WORKERS: -3
Provide a brief explanation of how these numbers were determined: Based on 2.72 persons per household in the Madison

Neighborhood Tabulation
Area per 2020 Census data. 3 workers per 1,000 sf of local retail uses.

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

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

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

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2025

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: The Build Year assumes an 12-month pre-certification timeframe, a 7-month ULURP review and an 18-month construction period.

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

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

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. see attached		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☒	☐
○ If "yes," complete the Consistency Assessment Form. attached Appendix A		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Early Childhood Programs:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Would the project generate more than 200 additional residents or 500 additional employees?	☐	☒
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible	☐	☒

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

	YES	NO
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 868 lbs		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 1,977,150 MBTUs		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☒
○ Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☒
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☒
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop, or Citywide Ferry Service landing?	☐	☒
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) see attached	☐	☐
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☒
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒

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

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	DATE
Raya DerBedrossian, Environmental Studies Corp.	1/30/24

SIGNATURE Raya DerBedrossian

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

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

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

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

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

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

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

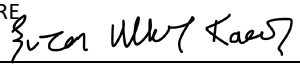
3. Check determination to be issued by the lead agency:

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

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

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

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

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	City Planning Commission
NAME Evren Ulker-Kacar, AICP	February 2, 2024
SIGNATURE 	

NEGATIVE DECLARATION

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed actions would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The applicant, 2118 Avenue U LLC, seeks a zoning map amendment to rezone Brooklyn Block 7354 Lots 1 and 8 from an R4/C1-3 district to a R6A/C2-4 district and Lots 11, 71, 72, and portions of Lots 13 and 70 (the "Affected Area") from R4/C1-3 to R4 district, and a zoning text amendment to Appendix F of the Zoning Resolution to designate Block 7354 Lots 1 and 8 a Mandatory Inclusionary Housing (MIH) area (the "Proposed Actions"). The Proposed Actions would facilitate the development of a new four-story, 55-foot-tall, 20,450 gross square foot (gsf) building consisting of 10 dwelling units, including approximately three permanently affordable dwelling units pursuant to MIH, and 4,800 gsf of ground floor commercial space (the "Proposed Project") on Block 7354 Lot 8 (the "Development Site"). For the purpose of presenting a conservative CEQR analysis, this EAS analyzes a new eight-story, 85-foot-tall, 21,600 gsf development consisting of 24 dwelling units, including approximately 7 permanently affordable dwelling units pursuant to MIH, and 4,800 of ground floor commercial retail on the Development Site.

The Proposed Actions would not result in significant adverse impacts to Land Use, Zoning, and Public Policy. The Proposed Actions would not displace an existing land use nor enable a land use that would be incompatible with the surrounding area. The Proposed Actions would facilitate the development of a mixed-use development that is consistent with the mixed residential and commercial character of Avenue U throughout Sheepshead Bay. The R6A/C2-4 district that is proposed for Block 7354 Lots 1 and 8 would be consistent with the medium-density R4, R4/C1-3, R7A, and R6A districts found within 400 feet of the Affected Area. The proposed C2-4 overlay on Lots 1 and 8 would permit a broader range of commercial uses relative to the existing C1-3, however, these uses would be similar in character to the neighborhood retail uses prevalent along Avenue U. The proposed zoning map amendment to rezone Lots 11, 71, 72, and portions of 13 and 70 from an existing R4/C1-3 to R4 district would not result in non-complying uses within these lots. The Proposed Actions would be consistent with relevant public policies including *Housing New York 2.0* and *Housing Our Neighbors: A Blueprint for Housing and Homelessness* by facilitating the development of new residential dwelling units, including permanently affordable dwelling units pursuant to MIH. The Proposed Actions would be consistent with the policies set forth in the Waterfront Revitalization Program (WRP# 20-190). Therefore, the analysis concludes that the Proposed Actions would not result in significant adverse impacts related to Land Use, Zoning, and Public Policy.

Hazardous Materials and Air Quality

An (E) designation (E-746) related to hazardous materials and air quality would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials and air quality analyses conclude that with the (E) designation in place, the Proposed Actions would not result in a significant adverse impact related to hazardous materials or air quality.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Sean O'Rourke at sorourke@planning.nyc.gov.

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3493
NAME Evren Ulker-Kacar, AICP	DATE 2/2/2024
SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 2/5/2024
SIGNATURE	

Project Name: 2118 Avenue U
CEQR # 24DCP013K
SEQRA Classification: Unlisted

Determination of Significance Appendix

The Proposed Action(s) were determined to have the potential to result in changes to development on the following site(s):

Development Site	Borough	Block and Lot
Projected Development Site 1	Brooklyn	Block 7354, Lot 8

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-746**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1** for hazardous materials would apply as follows:

Task 1-Sampling Protocol

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

Task 2-Remediation Determination and Protocol

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

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

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

Air Quality

Project Name: 2118 Avenue U
CEQR # 24DCP013K
SEQRA Classification: Unlisted

The (E) designation requirements for air quality would apply as follows:

> ***Projected Development Site 1:*** *Any new residential and/or commercial development on the above-referenced property must ensure that the heating, ventilating, and air conditioning (HVAC) system and hot water equipment stack is located at the building's highest level and at a minimum of 58 feet above grade to avoid any potential significant adverse air quality impacts.*

Section II - Project Description

Project Description

Introduction

2118 Ave U LLC (the Applicant) is applying for land use actions from the City Planning Commission in this Environmental Assesssment Statement (EAS). The Applicant seeks a zoning map amendment and a zoning text amendment. The zoning map amendment would rezone an existing R4/C1-3 district to an R4 and R6A/C2-4 districts. The Affected Area includes Block 7354, Lots 1 and 8 to be rezoned to a R6A/C2-4 district and Block 7354, Lots 11, 71, 72, and portions of Lots 13 and 70 to be rezoned to an R4 district (the "Affected Area"). The zoning text amendment is pursuant to Appendix F and would establish a Mandatory Inclusionary Housing ("MIH") Area on Block 7354, Lots 1 and 8, with both Options 1 and 2 being mapped. Together these two actions are referred to in this EAS as the "**Proposed Actions**". The Proposed Actions would affect an area that is located in the Madison neighborhood of Brooklyn Community District 15 that is bound by Avenue U to the north, East 22nd Street to the east, the remainder of Block 7354 to the south, and East 21st Street to the west. The approval of the Proposed Actions would facilitate development in the Affected Area. With the approval of the Proposed Actions, the Applicant intends to develop a mixed-use residential and commercial building. The 4-story building would be 55 feet tall and contain 20,450 gsf with 4,800 gsf of commercial space on the ground floor and 15,946 gsf of residential space resulting in 10 dwelling units. The development is referred to in this EAS as the "**Proposed Development**".

Block 7354, Lot 8 is controlled by the Applicant and is referred to in this EAS as "**Projected Development Site 1**". The Applicant does not own Block 7354, Lots 1, 11, 13, 70, 71, or 72, although these lots are within the Affected Area. Lots 70, 71, 71, 11, and 13 are being rezoned from R4/C1-3 to R4, and the removal of the commercial overlay means that no additional development is expected on these lots. Lot 1 is not controlled by the Applicant and no development is anticipated to occur on this lot. The lot is currently occupied by a mixed-use building. The Proposed Actions would not increase the total floor area that can be developed on this lot by more than 50%. Moreover, the lot contains a multi-family residential building containing 45 dwelling units.

The NYC Department of City Planning is proposing a citywide zoning text amendment, the City of Yes for Housing Opportunity "CHO" (CEQR No. 24DCP033Y) to expand opportunities for housing within all zoning districts, and across all 59 of the City's Community Districts. These changes to the City's Zoning Resolution would enable more housing and a wider variety of housing types in every neighborhood, from the lowest-density districts to the highest, to address the housing shortage and high cost of housing in New York City. It is anticipated that this proposed zoning text amendment would be

referred into public review in Spring 2024. Given that this project may be affected by the proposals included in the text amendment, a technical memorandum has been included in Appendix E that assesses whether the conclusion of the environmental review would by altered by CHO.

Purpose and Need

The current R4/C1-3 zoning does not allow for sufficient density, height allowance, or bulk to allow the site to be redeveloped with a mixed-use residential and commercial building. The Proposed Actions will support the productive use of underutilized land and address the need for affordable housing in Brooklyn's Community District 15. Further, the parking regulations of the proposed R6A/C2-4 district allows for the development of local retail uses, without providing accessory parking spaces. Redevelopment of this site would not be economically feasible without the commercial parking regulations of the C2-4 overlay.

Analysis Year

Based on an estimated duration of 12 months for the pre-certification process, a seven-month Universal Land Use Review Procedure (ULURP) and an eighteen-month construction period, the proposed development is expected to be complete in 2025. The Build Year, or Analysis Year, used in this EAS reflects the date when all development expected to occur with the approval of the Proposed Actions is completed and the building is eoccupied. The Build Year, or Analysis Year, used in this EAS is 2025.

Reasonable Worst-Case Development Scenario (RWCDS)

Discretionary actions sometimes permit a range of project characteristics, or development scenarios, to occur even though the action may be sought in order to facilitate a specific development. From the range of possible scenarios that are considered reasonable and likely, the scenario with the worst environmental consequences is chosen to present a conservative analysis. This development scenario is considered to be the Reasonable Worst-Case Development Scenario (RWCDS). By analyzing the potential for adverse impacts of the RWCDS the EAS ensures that, regardless of which scenario occurs, its impacts would be no worse than those considered in the environmental review. The EAS analyzes the incremental differences between the future with approval of the Proposed Actions (where the RWCDS occurs), the "With-Action condition" and the future without the approval of the Proposed Actions (where the RWCDS does not occur), the "No-Action condition"

The With-Action scenario used for analysis in this EAS, and described in detail below, differs from the Applicant's Proposed Development. For the purposes of presenting a conservative analysis, the With-Action scenario in the RWCDS projects development that includes different uses (retail commercial, and residential), contains more floor area, and is taller than the Applicant's Proposed Development.

Development Sites

As discussed above, the Proposed Actions would affect all the lots within the Affected Area. The Affected Area includes Brooklyn Block 7354 Lots 1, 8, 11, 71, 72, and portions of Lots 13 and 70. Lots 1, 11, 71, 72, and portions of Lots 13 and 70 are not controlled by the applicant but will be affected by the Proposed Actions. However, development is not projected to occur on these lots because they do not meet the soft site criteria.

Existing Conditions

Lot 1 is currently occupied by a four-story 46,000 gsf mixed residential and commercial building with 45 residential units and 9 local retail shops (jeweler, salon, shoe repair, etc.) on the ground floor.

Lot 8 is controlled by the applicant and the Proposed Development (described above) is expected to be built on this site. This lot is currently occupied by a single-story 5,500 gsf commercial retail building. However, for the purposes of presenting a conservative analysis the RWCDS projects development on the site that differs from the Applicant's Proposed Project. Brooklyn Block 7354, Lot 8 is referred to in this EAS as "Projected Development Site 1".

Lot 11 is currently occupied by a two-story 2,572 gsf residential building with two dwelling units.

Lot 71 is currently occupied by a two-story 1,568 gsf residential building with one dwelling unit.

Lot 72 is currently occupied by a two-story 1,568 gsf residential building with one dwelling unit.

Lot 13 is currently occupied by a two-story 2,320 gsf residential building with two dwelling units.

Lot 70 is currently occupied by a two-story 1,568 gsf residential building with one dwelling unit.

This information is summarized in **Table 1-Applicant Owned Properties** and **Table 2 - Non-Applicant Owned Properties** below.

Table 1 - Applicant Owned Properties

Block	Lot	Projected Development Site	Lot Area (sf)	Land Use	# of Floors	Gross FA (sf)	Res. Floor Area	Com. Floor Area	Manu-Indust. Floor Area	Res. Unit	FAR
7354	8	1	5,999	Commercial	1	5,500	0	5,500	0	0	0.92

Table 2 – Non-Applicant Owned Properties

Block	Lot	Projected Development Site	Lot Area (sf)	Land Use	# of Floors	Gross FA (sf)	Res. Floor Area	Com. Floor Area	Manu-Indust. Floor Area	Res. Unit	FAR
7354	1	N/A	14,000	Residential and Commercial	4	46,000	32,000	14,000	0	45	3.30
7354	11	N/A	3,000	Residential	2	2,572	2,752	0	0	2	0.86
7354	13	N/A	3,000	Residential	2	2,320	2,320	0	0	2	0.77
7354	70	N/A	2,000	Residential	2	1,568	1,568	0	0	1	0.78
7354	71	N/A	2,000	Residential	2	1,568	1,568	0	0	1	0.78
7354	72	N/A	2,000	Residential	2	1,568	1,568	0	0	1	0.78

Future No Action

In the future, if the Proposed Actions are not approved (the No-Action condition), no development would occur anywhere in the Affected Area. To clarify:

Block 7354, Lot 1: No changes would occur on this lot

Block 7354, Lot 8 (Applicant-owned): No changes would occur on this lot

Block 7354, Lot 11: No changes would occur on this lot

Block 7354, Lot 13: No changes would occur on this lot

Block 7354, Lot 70: No changes would occur on this lot

Block 7354, Lot 71: No changes would occur on this lot

Block 7354, Lot 72: No changes would occur on this lot

As discussed above in the purpose and need section, the current R4/C1-3 zoning allows for residential and commercial uses. The existing zoning does not allow for enough additional FAR to warrant replacing the existing structures and uses on the non-applicant owned sites. Additionally, there has been no demonstrable interest in developing the applicant owned site with for the past eight years.

Future With-Action

As discussed above, the Applicant intends to develop mixed-use residential and commercial building. The 4-story building would be 55 feet tall and contain 20,450 gsf with 4,800 gsf of commercial space on the ground floor and 15,946 gsf of residential space resulting in 10 dwelling units (the **Proposed Development)**. This yields a residential FAR of 2.61 and a commercial FAR of 0.8. for a total of 3.41 FAR (calculated using zsf) There would be 10 residential accessory parking spaces provided in a 4,560 sq ft cellar floor beneath the lot. These spaces would be accessed via a new curb cut on E. 22nd Street.

As discussed above, for the purposes of presenting a conservative analysis, the With-Action scenario discussed below is used in the technical analysis sections presented in this EAS.

With the approval of the Proposed Actions, the RWCDS projects the development of a mixed-use building on **Projected Development Site 1** on the applicant-owned lot (Block 7354, Lot 8). The "Projected Development" is a 21,600 gsf eight-story building (85 ft tall) with 4,800 gsf of ground floor commercial (local retail uses) uses and 16,800 gsf of residential space (24 residential units). The building would have a total FAR of 3.6 (0.8 Commercial and 2.8 Residential). There would be 10 parking spaces (accessory residential) in the cellar level. Of the 24 Dwelling Units, up to 7 would be affordable pursuant to MIH. Both MIH Options 1 and 2 would be mapped on the Affected Area as part of the Proposed Actions. The final compliance with MIH would be determined through the ULURP process.

Development is not expected to occur on the lots not controlled by the applicant.

Table 4 -Analysis Framework below details the increment between the No-Action and the With-Action condition below. This increment is the subject of the analysis presented in Part III (Technical Analysis).

Building Heights

For assessments that consider building heights, the most conservative heights are assumed for their relevant sections with the maximum building envelope considered for assessments of Shadows and Urban Design. Air Quality (Stationary Source) analysis was

conducted with a stack height of 50ft. The building heights used for the relevant technical analyses are summarized in Table 3 below.

Table 3 – Building Heights and Height Analysis Framework

Building Height			
	Air Quality	**Shadows**	**Urban Design**
Projected Development Site 1	55 ft	85 ft	85 ft

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Land Use				
Residential	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify the following:				
Describe type of residential structures	1 and 2-unit dwellings, mixed residential and commerical	1 and 2-unit dwellings, mixed residential and commerical	1 and 2-unit dwellings, mixed residential and commerical	
No. of dwelling units	52	52	76	24
No. of low- to moderate-income units	0	0	7	7
Gross floor area (sq. ft.)	41,596	41,596	58,396	16,800
Commercial	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify the following:				
Describe type (retail, office, other)	retail	retail	retail	
Gross floor area (sq. ft.)	19,500	19,500	18,800	-700
Manufacturing/Industrial	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify the following:				
Type of Use	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Open storage area (sq. ft.)	N/A	N/A	N/A	
If any enclosed activities, specify:	N/A	N/A	N/A	
Community Facility	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify the following:				
Type of Use	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Vacant Land	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes", describe:	N/A	N/A	N/A	
Publicly Accessible Open Space	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify type (mapped City, State, or Federal Parkland, wetland-mapped or otherwise known, other):	N/A	N/A	N/A	
Other Land Uses	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," describe:	N/A	N/A	N/A	
Parking				
Garages	☐ Yes ☑ No	☐ Yes ☑ No	☑ Yes ☐ No	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	0	
No. of accessory spaces	N/A	N/A	10	10
Operating hours	N/A	N/A	24/7	
Attended or non-attended	N/A	N/A	no	
Lots	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	N/A	
No. of accessory spaces	N/A	N/A	N/A	

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Operating hours	n/a	n/a	N/A	
Other (includes street parking)	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," describe:	N/A	N/A	N/A	
Population				
Residents	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify number:	141	141	206	65
Briefly explain how the number of residents was calculated:	Based on 2.72 persons per household in the Madison Neighborhood Tabulation Area per 2020 Census data.			
Businesses	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify the following:				
No. and type	11	11	10	-1
No. and type of workers by business	59	59	56	-3
No. and type of non-residents who are not workers	0	0	0	
Briefly explain how the number of businesses was calculated:	3 workers per 1,000 sf of local retail uses.			
Other (students, visitors, concert-goers, e	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If any, specify type and number:	N/A	N/A	N/A	
Briefly explain how the number was calculated:				
Zoning				
Zoning classification	R4/C1-3	R4/C1-3	R4 & R6A/C2-4	
Maximum amount of floor area that can be developed	2.0 FAR	2.0 FAR	3.6 FAR	1.6
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	residential and commercial	residential and commercial	residential and commercial	

Attach any additional information that may be needed to describe the project.

If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.

2118 Avenue U, Brooklyn

NYC Finance

NYC Digital Tax Map

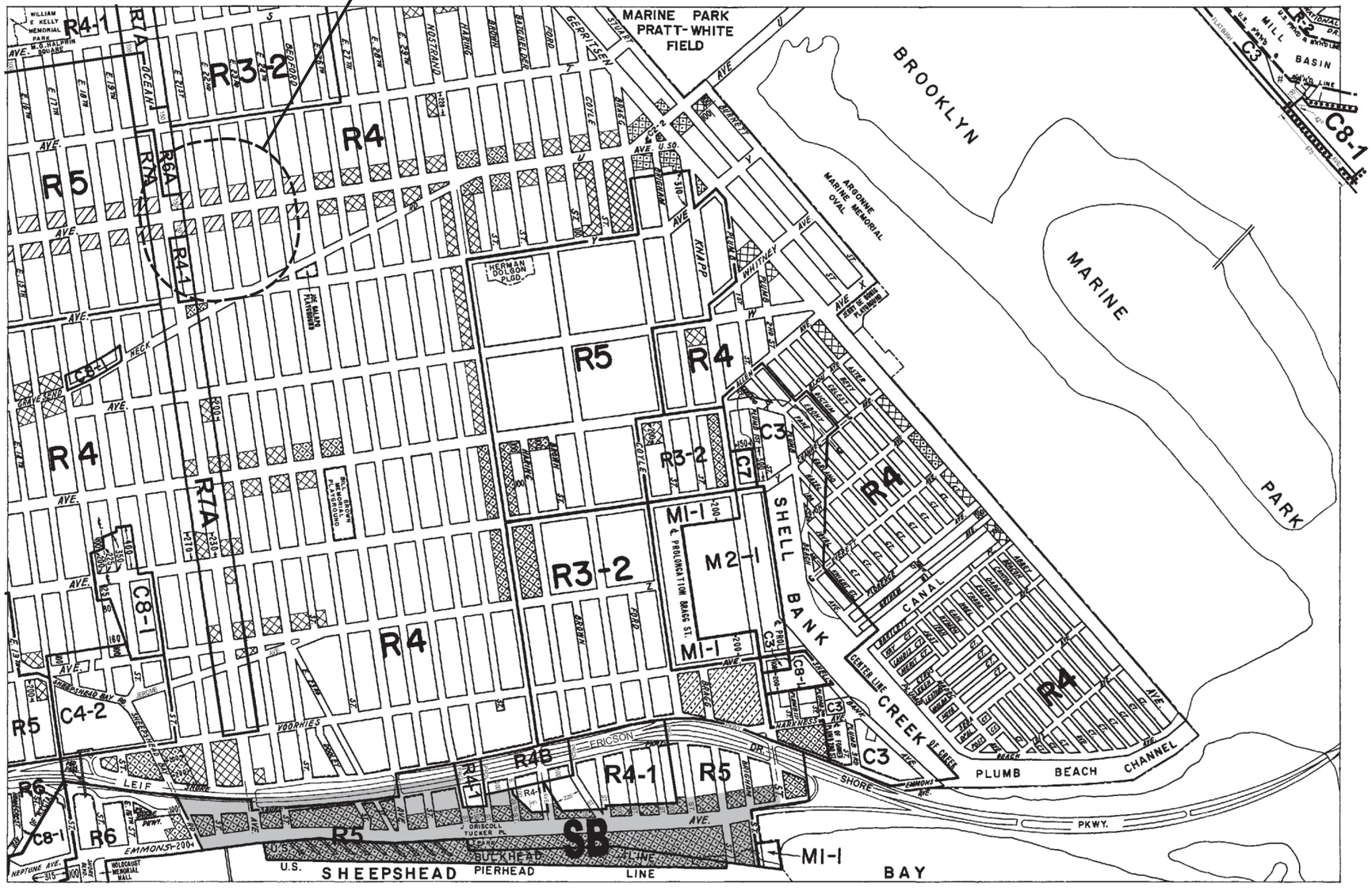
Effective Date : 01-27-2020 10:50:33
End Date : Current

Brooklyn Block: 7354



2118 Avenue U, Brooklyn

Proposed Project Area



600 0 600 1200 1800 FEET

NOTE: STREETS FOR THE STREET MAP CHANGE C 070512 MMK ARE SHOWN ON THIS MAP PRIOR TO BECOMING EFFECTIVE IN ORDER TO LOCATE ZONING DISTRICT BOUNDARIES.

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

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

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

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

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

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

AREA(S) REZONED

Effective Date(s) of Rezoning:

05-15-2012 C 120108 ZMK

Special Requirements:

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

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

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

N

MAP KEY

22d	23b	23d
28c	**29a**	29c
28d	29b	29d

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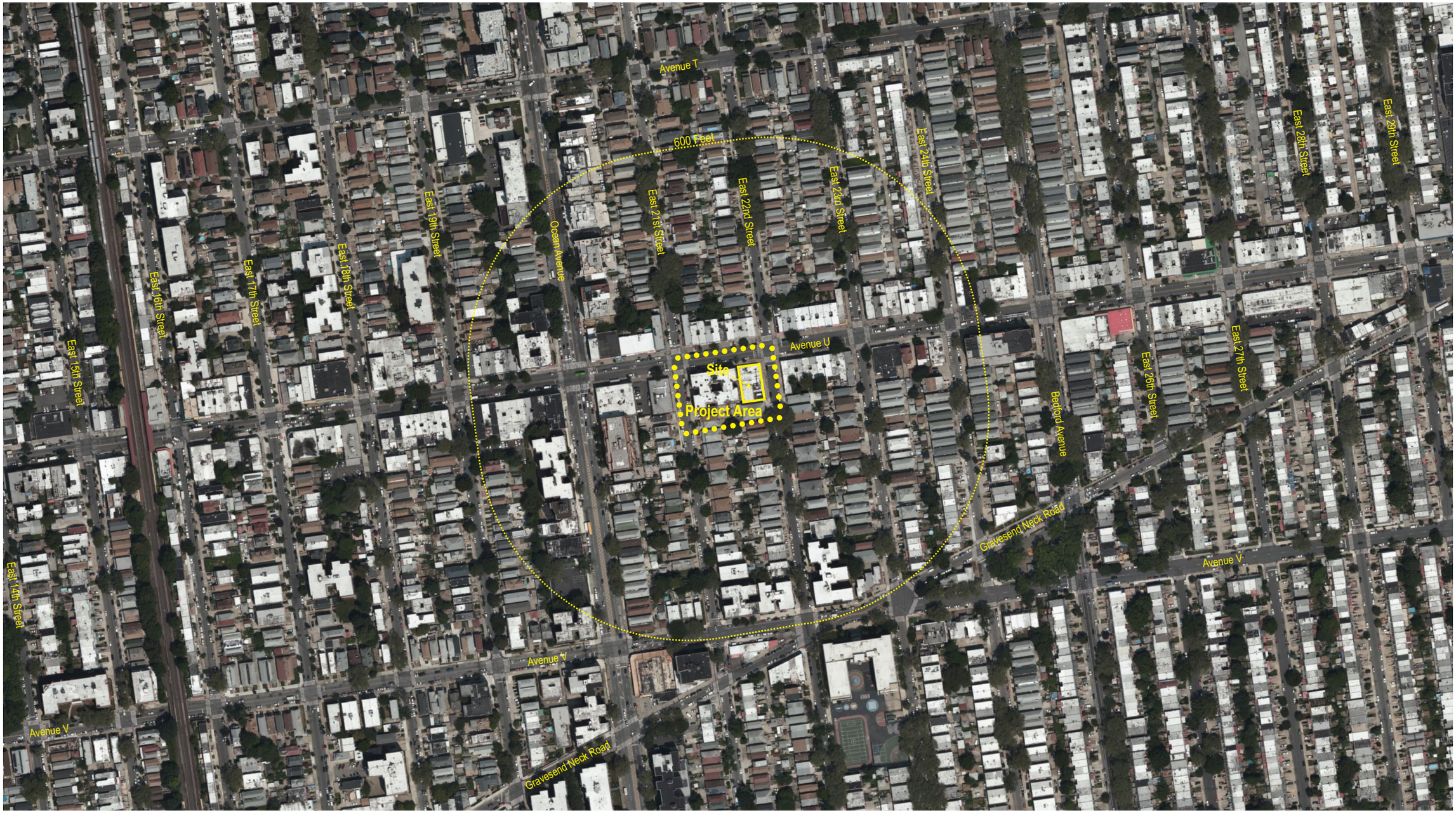
ZONING MAP **29a**

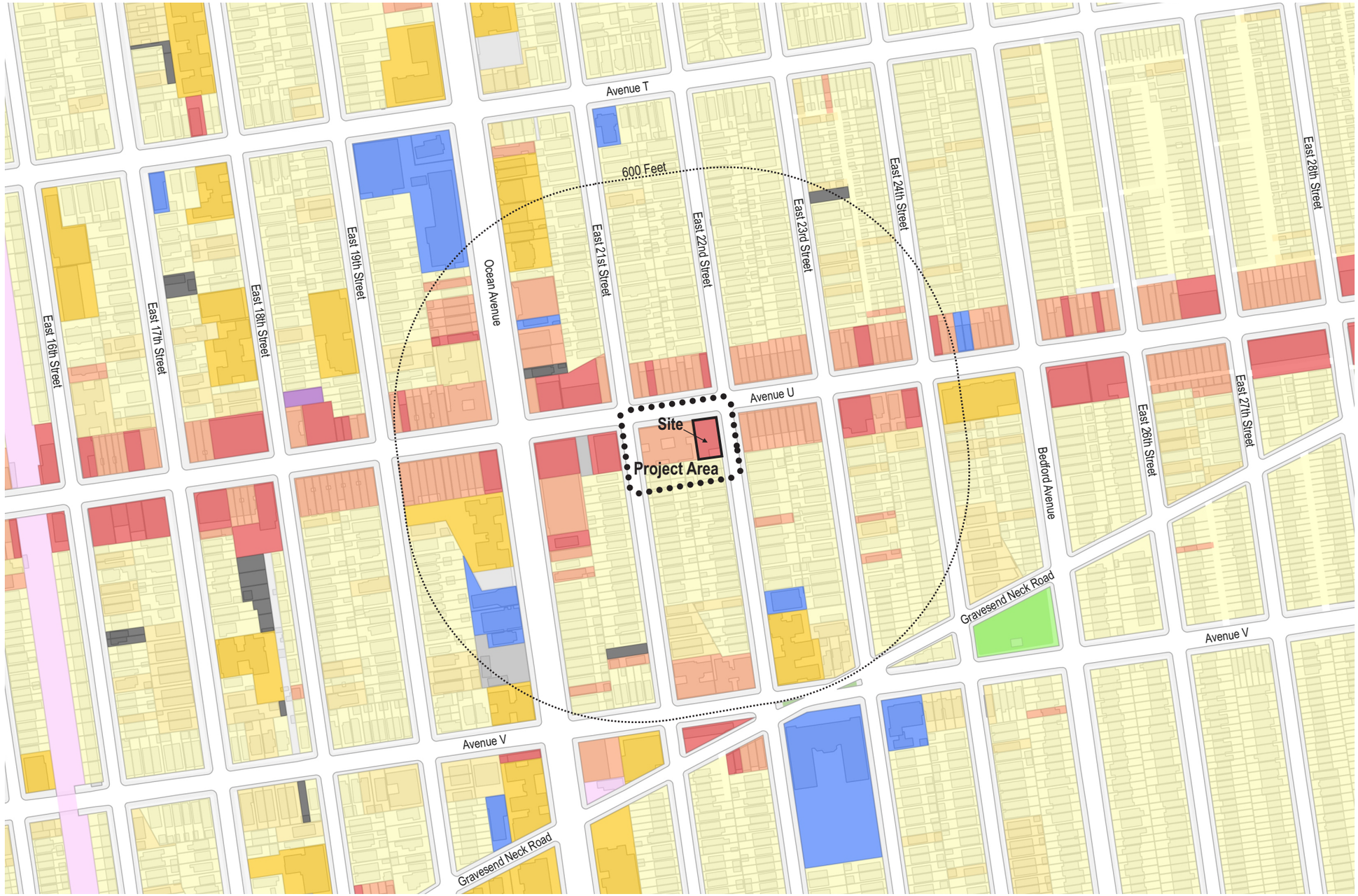
NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: **www.nyc.gov/planning** or contact the Zoning Information Desk at (212) 720-3291.

2118 Avenue U, Brooklyn



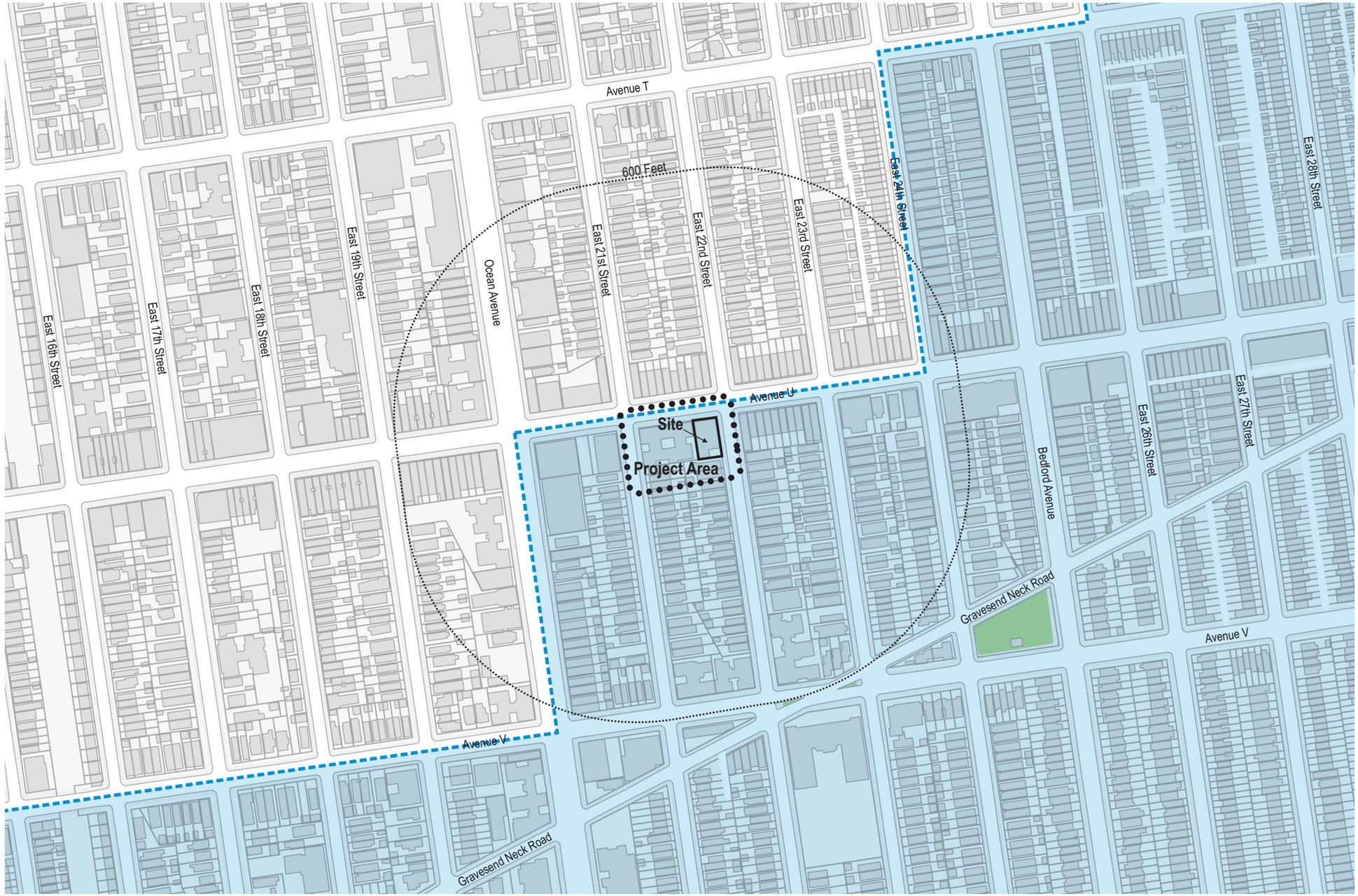
2118 Avenue U, Brooklyn

- One & Two Family Residence
- Multi-Family Residence (Walk-up)
- Multi-Family Residence (Elevator)
- Mixed Residential & Commercial
- Commercial Use
- Industrial / Manufacturing
- Transportation / Utility
- Public Facilities & Institutions
- Open Space & Recreation
- Parking
- Vacant Land



2118 Avenue U, Brooklyn

Coastal Zone Boundary



2118 Avenue U, Brooklyn

Bird's Eye Aerial Photo (Area)



Urban Cartographics

2118 Avenue U, Brooklyn

Bird's Eye Aerial Photo (Surrounding Uses)



Urban Cartographics

2118 Avenue U, Brooklyn

Site Photos



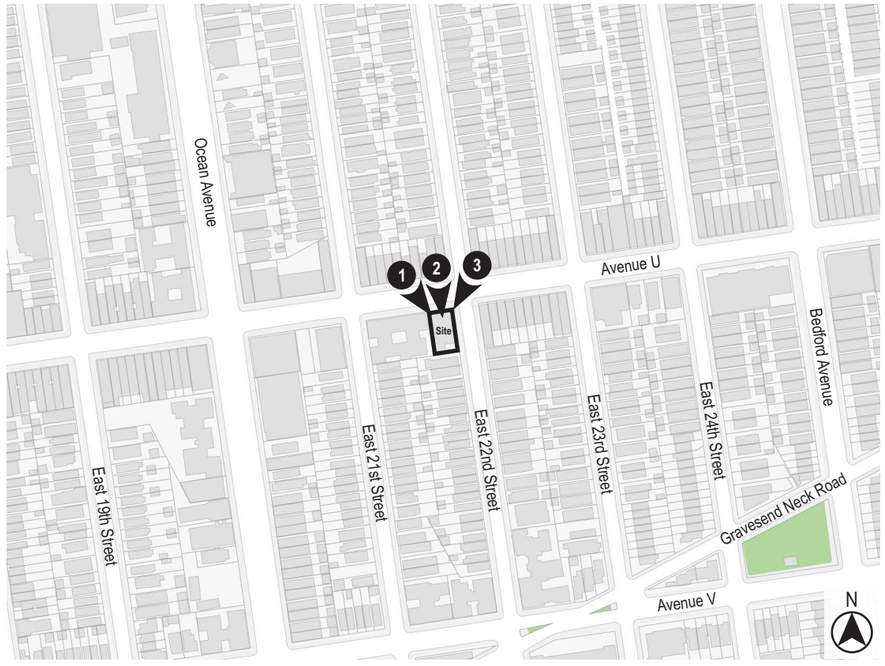
1. View of the Site facing southeast from Avenue U.



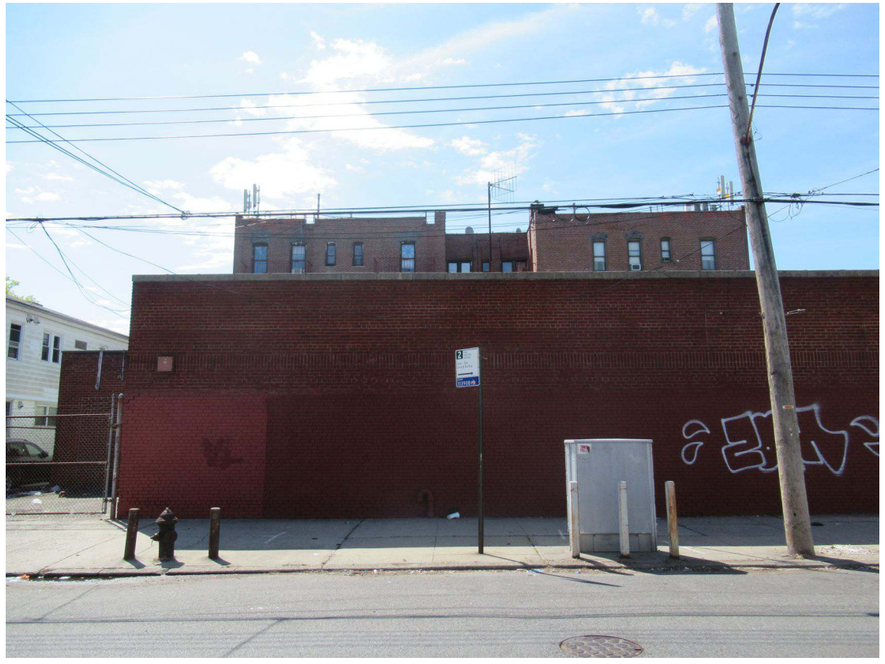
2. View of the Site facing south from Avenue U.



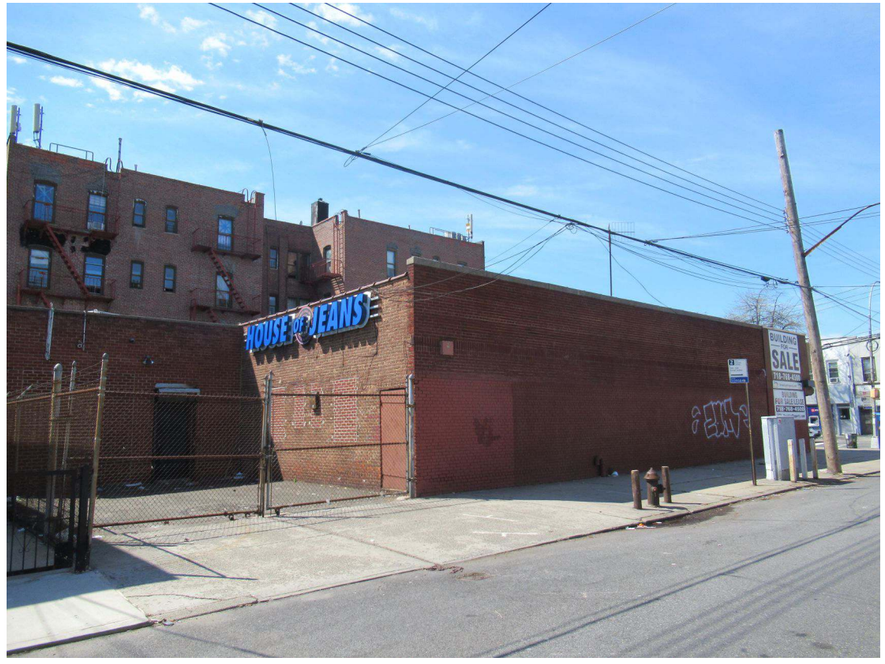
3. View of the Site facing southwest from the intersection of Avenue U and East 22nd Street.



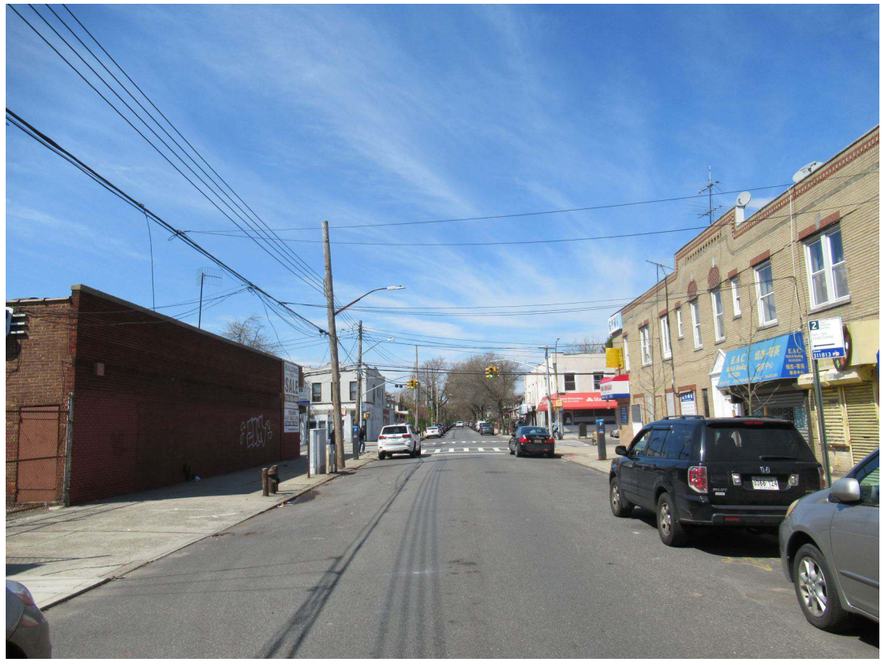
2118 Avenue U, Brooklyn
Site Photos



4. View of the Site facing west from East 22nd Street.



5. View of the Site facing northwest from East 22nd Street.



6. View of East 22nd Street facing north (Site at left).



2118 Avenue U, Brooklyn

Site Photos



7. View of the east side of East 22nd Street facing southeast from the Site.



8. View of the sidewalk along the west side of East 22nd Street facing north (Site at left).



9. View of the east side of East 22nd Street facing east from the Site.



2118 Avenue U, Brooklyn

Site Photos



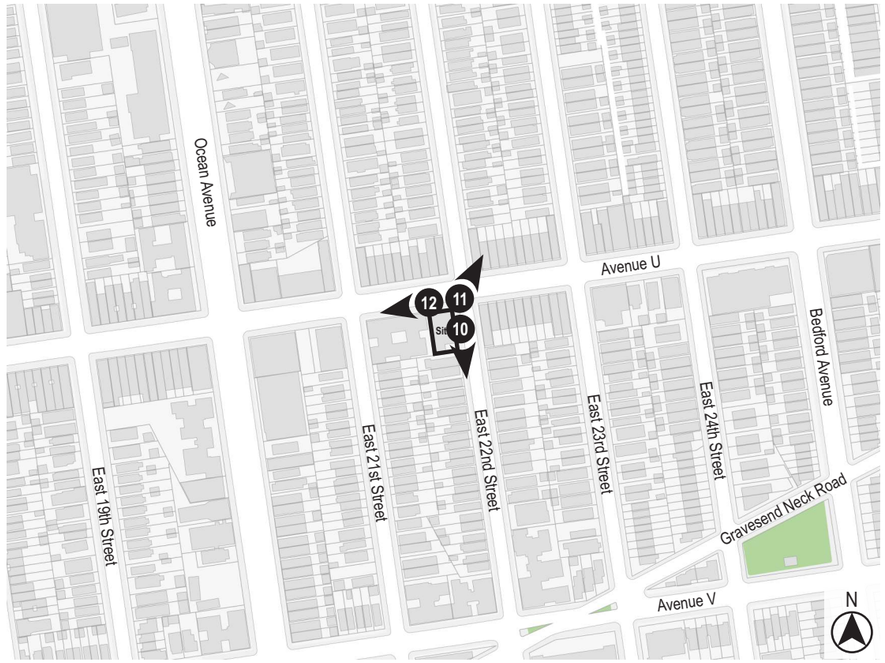
10. View of the sidewalk along the west side of East 22nd Street facing south from Avenue U (Site at right).



11. View of the intersection of Avenue U and East 22nd Street facing northeast from the Site.

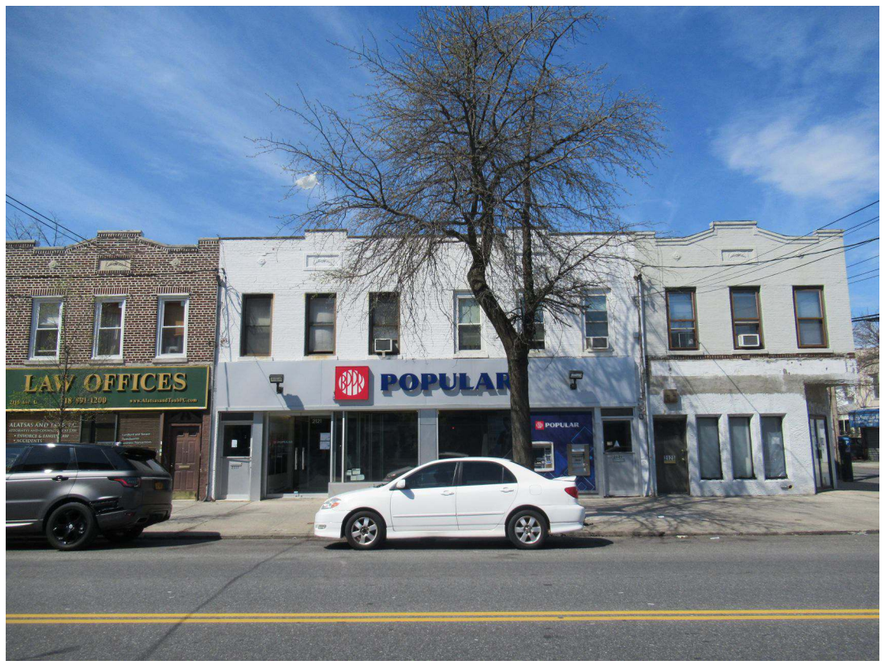


12. View of the sidewalk along the south side of Avenue U facing west from East 22nd Street (Site at left).



2118 Avenue U, Brooklyn

Site Photos



13. View of the north side of Avenue U facing north from the Site.



14. View of the sidewalk along the south side of Avenue U facing east (Site at right).



15. View of the north side of Avenue U facing northwest from the Site.



2118 Avenue U, Brooklyn

Site Photos



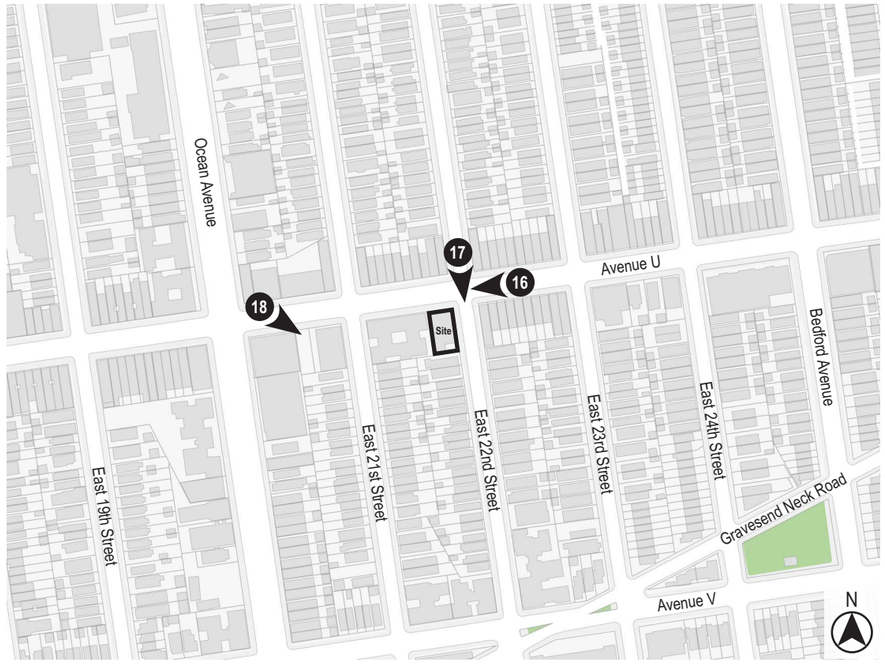
16. View of Avenue U facing west from East 22nd Street (Site at left).



17. View of East 22nd Street facing south from Avenue U (Site at right).



18. View of the south side of Avenue U facing southeast from Ocean Avenue.



2118 Avenue U, Brooklyn

Site Photos



19. View of Avenue U facing east from Ocean Avenue.



20. View of the north side of Avenue U facing northeast from Ocean Avenue.



21. View of the north side of Avenue U facing northwest from East 21st Street.



2118 Avenue U, Brooklyn

Site Photos



22. View of Avenue U facing west from East 21st Street.



23. View of Avenue U facing east from East 21st Street (Site ahead at right).



24. View of the south side of Avenue U facing southwest from East 21st Street.



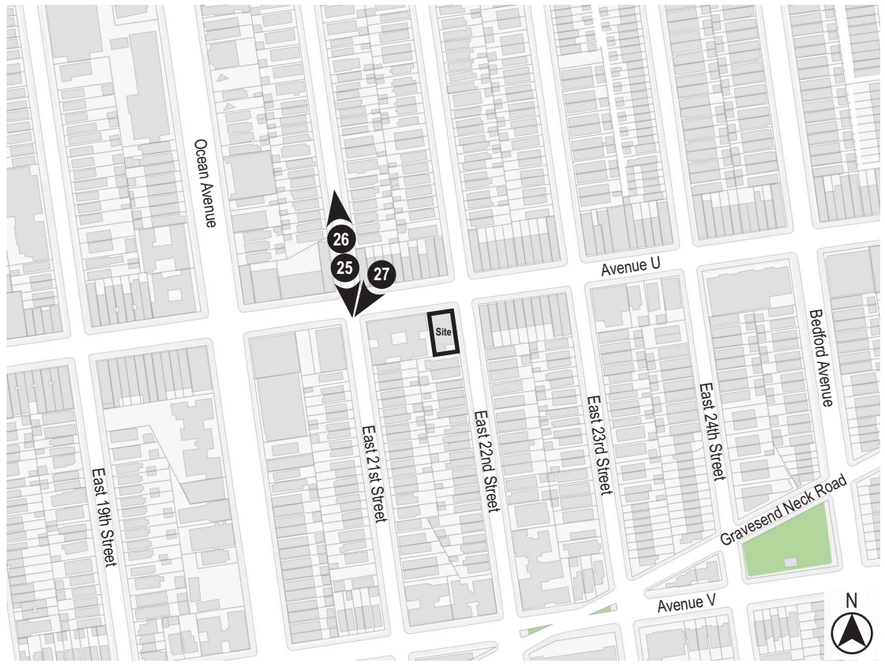
2118 Avenue U, Brooklyn
Site Photos



25. View of East 21st Street facing south from Avenue U.


26. View of East 21st Street facing north from Avenue U.


27. View of the intersection of Avenue U and East 21st Street facing southwest.



2118 Avenue U, Brooklyn

Site Photos



28. View of the south side of Avenue U facing southeast from East 21st Street (Site at far left).



29. View of the intersection of Avenue U and East 21st Street facing northwest.



30. View of the intersection of Avenue U and East 21st Street facing northeast.



2118 Avenue U, Brooklyn

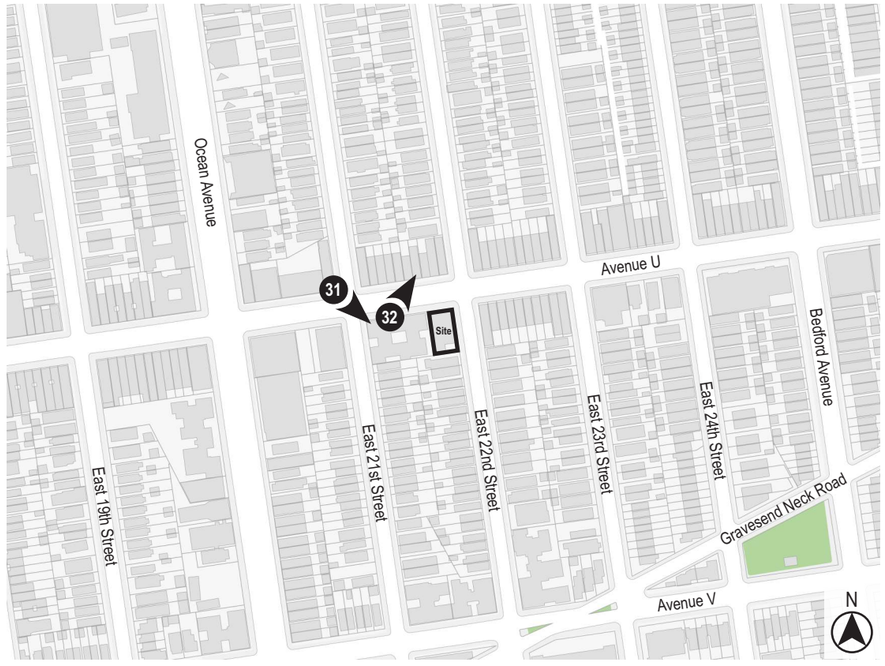
Site Photos



31. View of the intersection of Avenue U and East 21st Street facing southeast.



32. View of the north side of Avenue U facing northeast from East 21st Street.



2118 Avenue U, Brooklyn

Zoning Use & Transit Map

Zoning

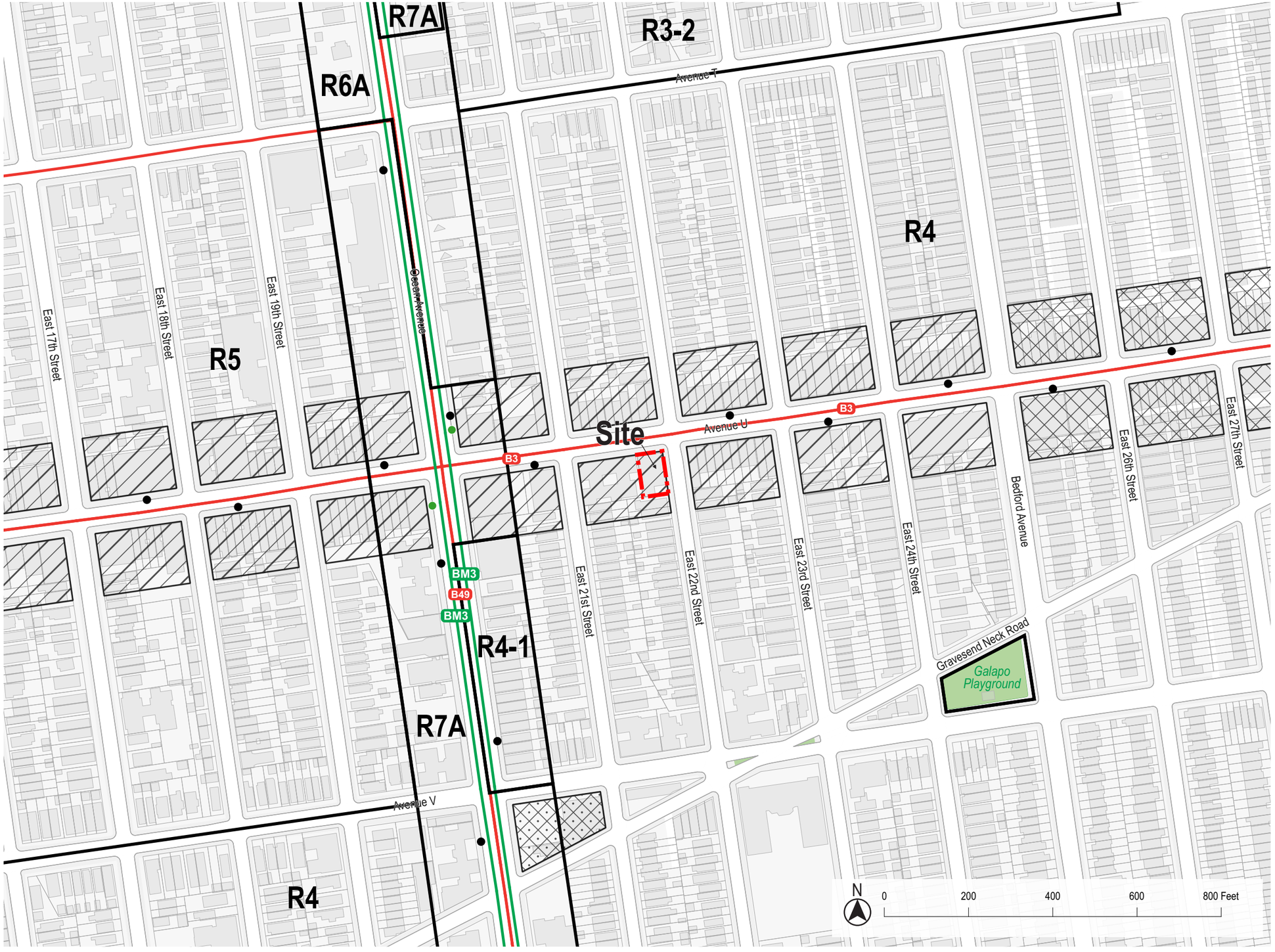
- Zoning Districts
- Special Purpose Districts

Commercial Overlays

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

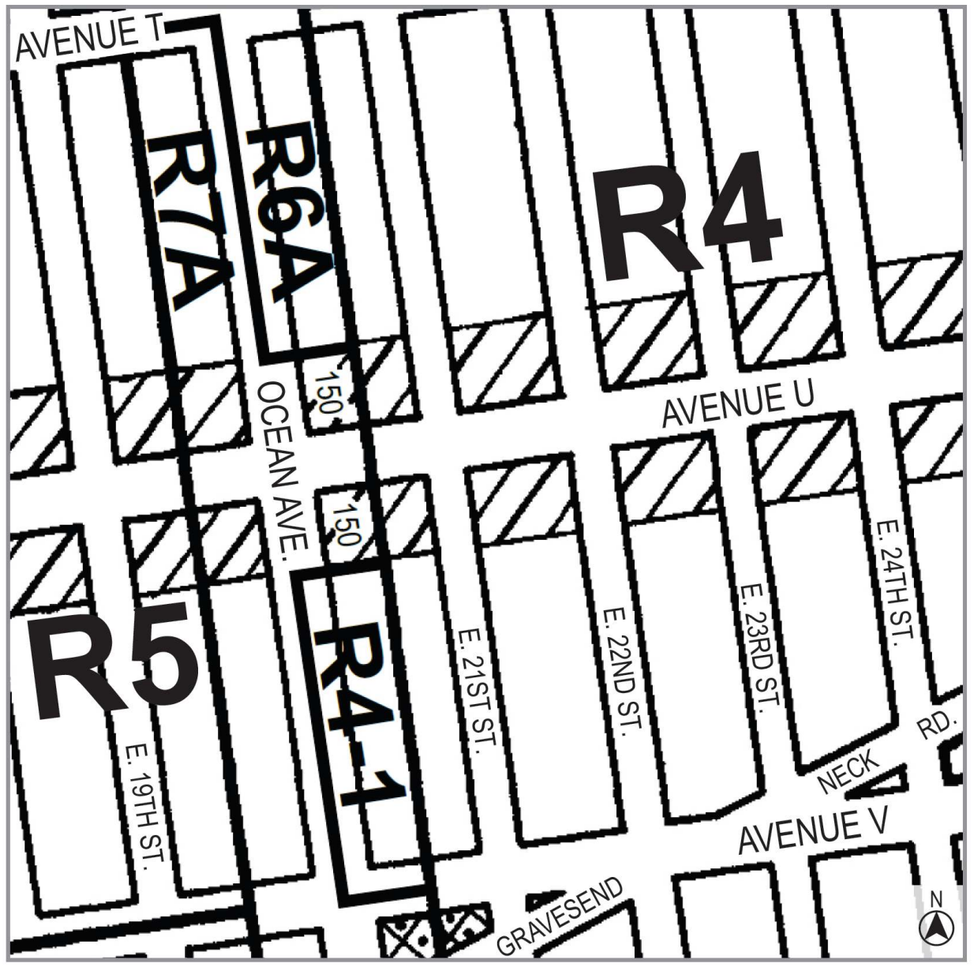
Transit

- D — Subway Route
- Subway Entrances
- B76 — Bus Route
- Bus Stop Location
- Express Bus Stop

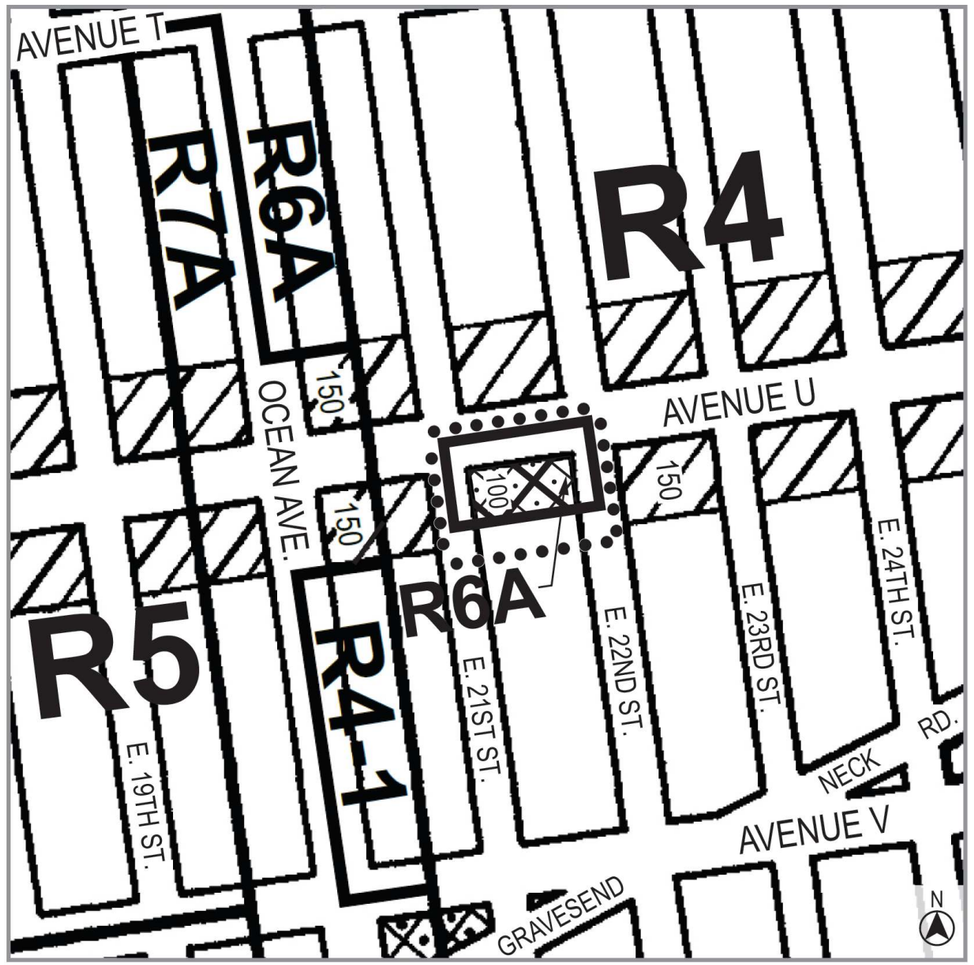


Urban Cartographics

2118 Avenue U, Brooklyn
Proposed Rezoning



Current Zoning Map (29a)



Proposed Zoning Map (29a) - Area being rezoned is outlined with dotted lines

Rezoning from R4/C1-3 to R6A/C2-4
Rezoning from R4/C1-3 to R4

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

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

2118 Avenue U, Brooklyn
Area Map

2118 Avenue U, Brooklyn
Area Map

Block: 7354, Lots: 1, 8, 11, 13 (p/o), 70 (p/o), 71 & 72

Project Information
- 600' Radius
- Development Site
- Area Proposed to be Rezoned

Existing Commercial Overlays & Zoning Districts

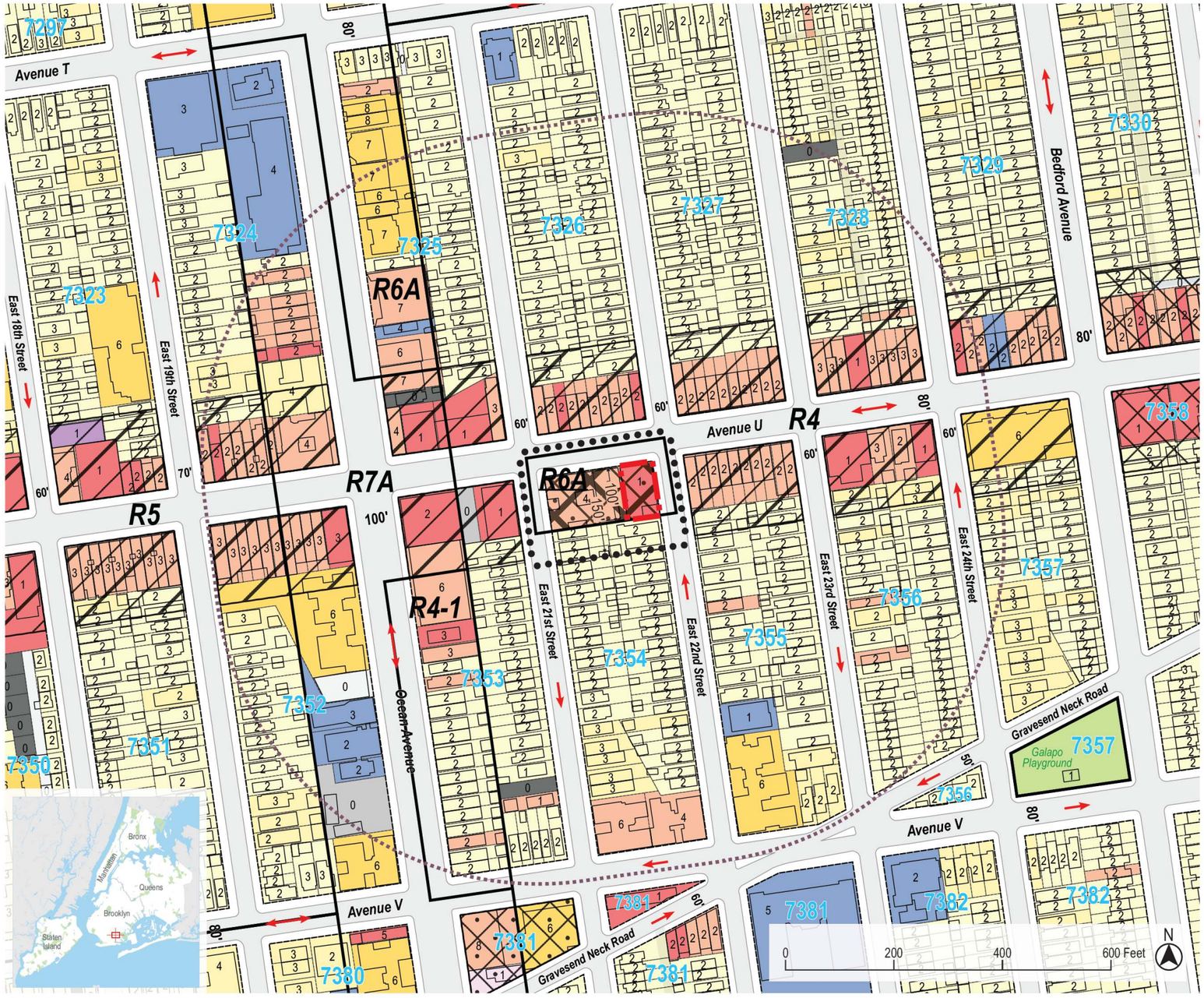
C1-1	C2-1	Zoning Districts	
C1-2	C2-2	Special Districts	
C1-3	C2-3		
C1-4	C2-4		
C1-5	C2-5		

- Subway Entries
- 5037 Block Numbers
- Property Lines
- 5 Number of Floors

Land Uses
- One & Two Family Residential Buildings
- Multi-Family Residential Buildings (Walk-up)
- Multi-Family Residential Buildings (Elevator)
- Mixed Residential & Commercial Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- No Data/Other

September 2020

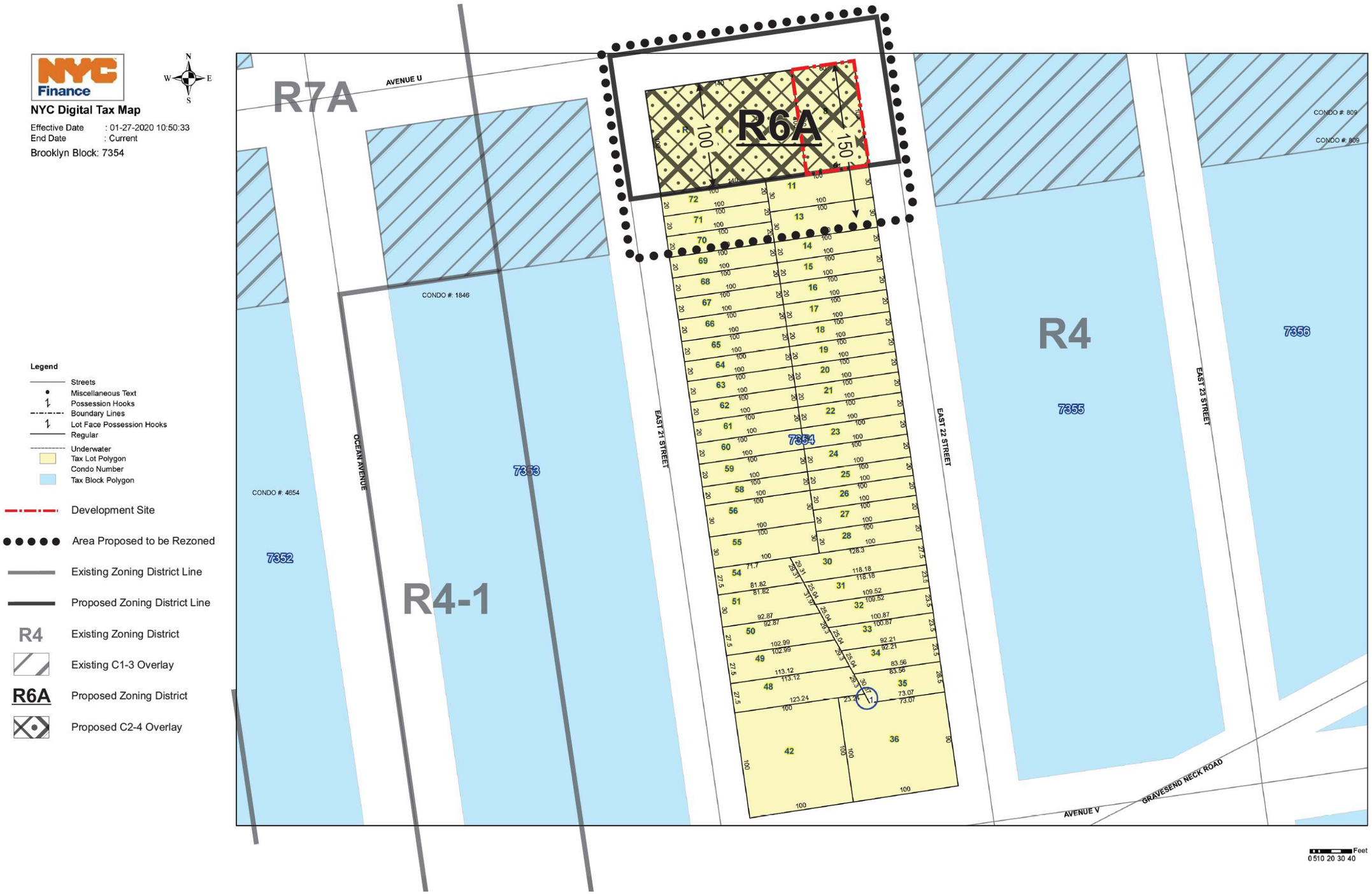
Urban Cartographics



Urban Cartographics

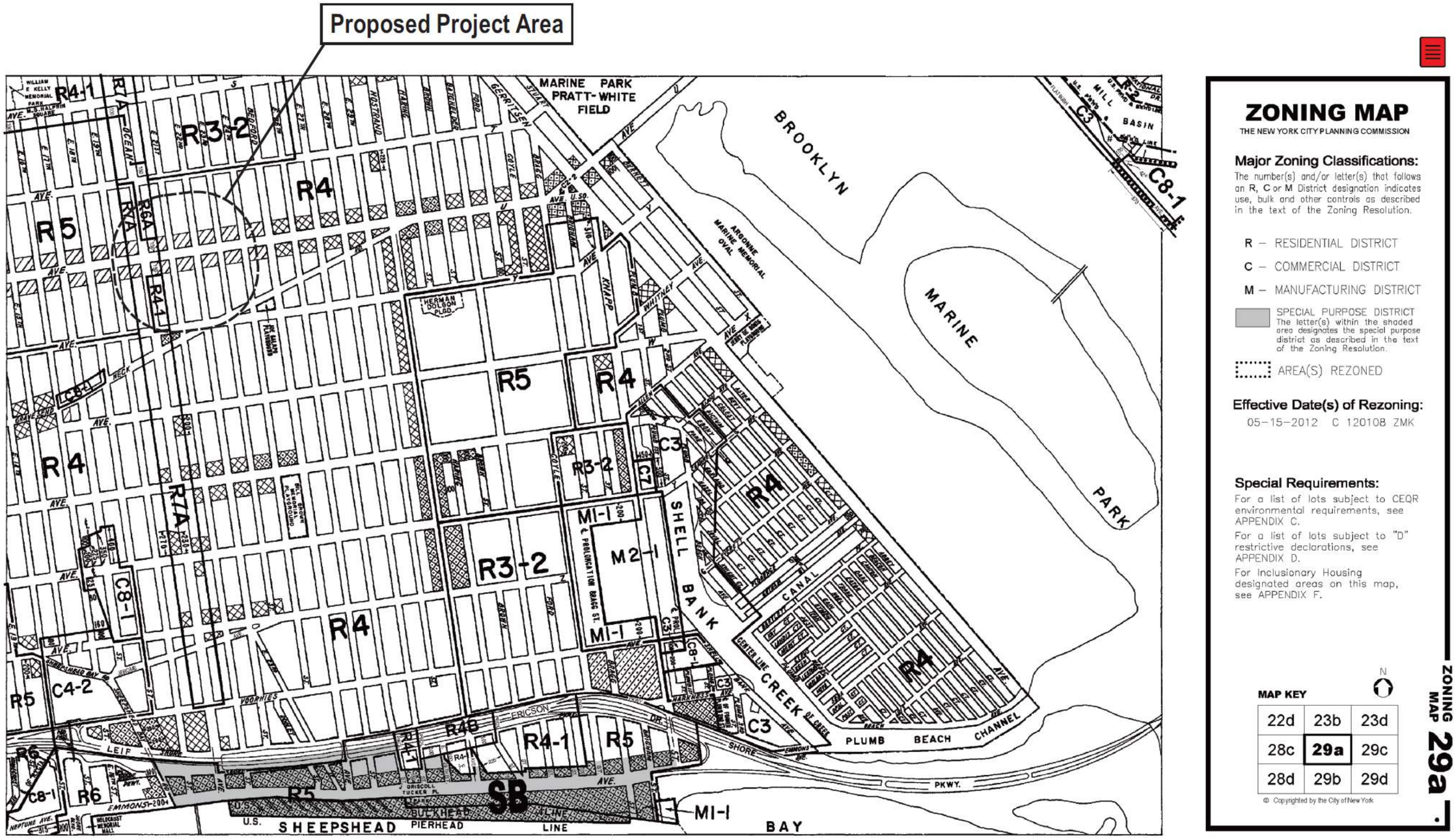
2118 Avenue U, Brooklyn

Tax Map (Block 7354)



Urban Cartographics

2118 Avenue U, Brooklyn
Zoning Map



Urban Cartographics

2118 Avenue U, Brooklyn
MIH Map



Mandatory Inclusionary Housing Area *see Section 23-154(d)(3)*

Area **2** — [date of adoption] — MIH Program Option 1 and Option 2

Section III – Technical Analysis

1. **Land Use, Zoning and Public Policy (*Chapter 1*)**
2. **Shadows (*Chapter 8*)**
3. **Historic and Cultural Resources (*Chapter 9*)**
4. **Urban Design and Visual Resources (*Chapter 10*)**
5. **Hazardous Materials (*Chapter 12*)**
6. **Air Quality *(Chapter 17)***
7. **Noise (*Chapter 19*)**

The analysis areas noted above correspond to the chapter number of the *CEQR Technical Manual.*

1. Land Use, Zoning and Public Policy

The analysis of land use, zoning and public policy characterizes the existing conditions of the Affected Area and the surrounding study area; anticipates and evaluates those changes in land use, zoning and public policy that are expected to occur independently of the proposed project; and identifies and addresses any potential impacts related to land use, zoning and public policy resulting from the project. Various sources have been used to prepare a comprehensive analysis of land use, zoning and public policy characteristics of the area, including field surveys, studies of the neighborhood, census data, and land use and zoning maps.

Land Use

Study Area

In order to assess the potential for project related impacts, the land use study area has been defined as the area located within a 400-foot radius of the site. Per the CEQR Technical Manual this is the area where land use and land use trends could be affected by the Proposed Development. This 400-foot radius is referred to as the "Study Area" and is generally bounded by Avenue U to the north, East 22nd Street to the east, the remainder of Block 7354 to the south, and East 21st Street to the west.

Existing Conditions

As discussed above the Affected Area includes Block 7354, Lots 1, 8, 11, 70, 72, and portions of 13 and 70. These lots contain commercial and residential uses (See RWCDS - Existing Uses).

There are residential and commercial lots within the Study Area. The Study Area includes both R4 and R7A residential zoning. The lots within the Study Area that have frontage on Avenue U contain a C1-3 commercial overlay atop the R4 district.

The Study Area contains a range of building types. Outside of the Avenue U corridor, there are a mix of single, two, and multiple family residences. Residential buildings generally do not exceed three floors in height and are located on lots with a mixture of side and front yards. The buildings on Avenue U are generally low-rise with most being two-story commercial buildings, mostly containing retail stores such as grocery stores, convenience stores, and bakeries. The majority of lots within the Study Area are occupied, though a few vacant lots can be seen in the Study Area.

No-Action Condition

As discussed above, if the Proposed Actions are not approved no development is anticipated to occur within the Affected Area. The lots within the Affected Area are

anticipated to remain in their present condition (including those lots not controlled by the Applicant). As such there would be no change to the land use pattern within the Study Area.

With-Action Condition

As discussed above, with the approval of the Proposed Actions, the RWCDS projects the development of a mixed-use building on **Projected Development Site 1**. The "Projected Development" is a 21,600 gsf eight-story building (85 ft tall) with 4,800 gsf of ground floor commercial (local retail uses) uses and 16,800 gsf of residential space (24 residential units). The building would have a total FAR of 3.6 (0.8 Commercial and 2.8 Residential). There would be 10 parking spaces (accessory residential) in the cellar level. Of the 24 Dwelling Units, up to 7 would be affordable pursuant to MIH.

The Proposed Actions do not introduce any land uses to the Study Area that are not already present in the existing condition. Although there are four other mixed-use buildings in the Study Area, the Proposed Action would result in the development of a building that is slightly larger than other existing mixed-use buildings.

Currently there are no multifamily apartment buildings that exceed four floors within the 400ft Study Area.

Conclusion

The Proposed Actions are would not introduce land uses that are different from surrounding uses present in the Study Area. Avenue U has ample mixed-use development with ground floor commercial uses underneath residential dwelling units. The Proposed Actions would, however, result in a greater density of residential use than is currently observed in the Study Area. The Proposed Actions would also generate new commercial retail space on the applicant-owned site. The introduction of additional local retail space and residential uses would not lead to additional land use changes in the Study Area. The Proposed Actions would not result in significant adverse impacts to land use within the Study Area.

Zoning

Study Area

In order to assess the potential for project related impacts, the zoning study area has been defined as the area located within a 400-foot radius of the site. Per the CEQR Technical Manual this area is coterminous with the land use study area.

Existing Conditions

The Proposed Actions include a zoning map amendment and a zoning text amendment to rezone the Affected Area from an R4/C1-3 district to an R6A/C2-4 and R4 districts and to map a Mandatory Inclusionary Housing (MIH) Area on Block 7354, Lots 1 and 8. Block 7354, Lots 1 and 8 will be rezoned to a R6A/C2-4 district and Block 7354, Lots 11, 71, 72, and portions of Lots 13 and 70 will be rezoned to an R4 district. All of the lots within the Affected Area are located in this R4 district. The study area includes R7A, R4-1, R4, and R4/C1-3 zones. The C1-3 overlay is present on portions of all blocks within the study area along Avenue U extending east and west of the Affected Area. The R4/C1-3 corridor along Avenue U extends 350 feet to the east and 3,200 feet to the west beyond the Study Area.

There has been one rezoning within the Study Area since the passage of the 1961 Zoning Resolution. To the west of the Affected Area is the Homecrest Rezoning, which took effect in 2006 (ULURP C060129ZMK, CEQR 06DCP026K). This rezoning mapped R6A and R7A districts along both sides of Ocean Avenue south of Avenue S and north of Avenue U instead of the originally proposed R4-1 zoning and approving R5B zoning along both sides of East 19th street, north of Avenue R instead of the originally proposed R4-1 zoning. 70 blocks of Brooklyn's Homecrest neighborhood were affected by this rezoning.

The Affected Area's R4 zoning extends 350 feet to the west, 830 feet to the north, 5,000 feet to the east, and about one mile to the south. The R4 district is mapped across this region with areas of C1-2 or C1-3 overlay districts. In the immediate vicinity, the R4 district is mapped from the middle of the block between Ocean Ave and East 21st Street to the west, and extends to Marine Park to the east. It reaches Avenue T to the north and Shore Parkway to the south.

About 300 feet to the west of the study area is a R7A and an R4-1 district. The R7A district follows the Ocean Avenue corridor to the west of the study area, with areas of C1-3, C2-2, or C1-2 overlay districts. The R4-1 district lies along Ocean Avenue in a portion of the lock between Avenue V and Avenue U.

This Affected Area is located adjacent to the Transit Zone which includes areas where special lower accessory parking requirements apply for various types of affordable housing including income-restricted housing units.

No-Action Condition

In the future without the Proposed Actions, no changes would occur to the zoning on the Affected Area. The Affected Area would continue to be zoned R4/C1-3. No changes are anticipated to occur within the Affected Area or the surrounding Study Area within the Analysis year of 2025.

With-Action Condition

In the future With-Action Condition, Block 7354, Lots 1 and 8 will be rezoned to a R6A/C2-4 district and Block 7354, Lots 11, 71, 72, and portions of Lots 13 and 70 will be rezoned to an R4 district. The approval of the Proposed Actions will facilitate

development on Projected Development Site 1. This development is described above (see RWCDS – With Action Scenario).

R4 zoning districts permit residential buildings with a maximum floor area ratio (FAR) of 0.75 and a maximum building height of 35 ft. Quality Housing regulations allow for a maximum of 45% lot coverage. One parking space must be provided for every dwelling unit although parking for income-restricted units is only required for 50% of total affordable units.

R6A zoning districts permit medium density mixed use buildings. The maximum floor area ratio (FAR) permitted in R6A zoning districts is 3.0 FAR for residential uses (3.6 FAR if providing Inclusionary Housing). The maximum height in R6A districts is 80ft, or 85ft if providing a qualifying ground floor. Quality Housing regulations allow for 100% lot coverage on corner lots and 65% lot coverage on other lots. There is no maximum floor height for a development, and a seven-story maximum if providing a qualifying ground floor (maximum eight stories if providing Inclusionary Housing). One parking space must be provided for every 2 dwelling units although parking for income-restricted units is only required for 25% of total affordable units.

R4-1 zoning districts permit only one- and two-family detached and semi-detached houses. The maximum FAR permitted in R4-1 zoning districts is 0.75 for residential units. The maximum height in R4-1 districts is 35 feet. One parking space must be provided for every dwelling unit although parking for income-restricted units is only required for 50% of total affordable units.

R7A zoning districts permit seven- to nine-story apartment buildings. The maximum FAR permitted in R7A zoning districts is 4.0 for residential uses (4.60 if providing Inclusionary Housing). The maximum height in R7A districts is 80ft, or 85ft if providing a qualifying ground floor (90 ft if providing Inclusionary Housing, or 95 ft if providing Inclusionary Housing and a qualifying ground floor). Quality Housing regulations allow for 100% lot coverage on corner lots and 65% lot coverage on other lots. One parking space must be provided for every 2 dwelling units although parking for income-restricted units is only required for 15% of total affordable units.

C1-3 Commercial Overlay allows for 1.0 FAR of commercial uses. C1 districts permit Use Groups 1-6 and are primarily populated by retail and service establishments.

C2-4 Commercial Overlay allows for 2.0 FAR of commercial uses. C2 districts permit Use Groups 1-9, which include a broader range of retail and service establishments.

Conclusion

Approval of the Proposed Actions would rezone Block 7354, Lots 1 and 8 to a R6A/C2-4 district and Block 7354, Lots 11, 71, 72, and portions of Lots 13 and 70 to an R4 district. There are many residential and commercial uses in the Study Area (as described above). These uses are primarily retail stores. The new zoning district introduced by Proposed

Actions would introduce commercial retail and service uses that are very similar to that which is currently present in the Study Area. Though a C2 overlay permits a broader range of retail and service establishments than the C1 overlay, a C2 district would not result in a significant adverse impact because of the similarity in character of businesses permitted. The Proposed Actions would result in the development of a building that is taller and denser than the existing buildings in the Study Area, as well as the expansion of the available commercial uses relative to the existing C1-3 district. Further, the Proposed Actions mirror the stated objectives of past city sponsored rezonings just beyond the Study Area by adding ground floor retail and residential units with Mandatory Inclusionary Housing (MIH). The R6A/C2-4 zoning district is denser than what exists in the project area today, but the proposed development site is a block in which an increase in density is appropriate due its frontage on Avenue U, an 80-foot wide street, and proximity to transit, such as the B3 bus route. The Proposed Actions would not result in significant adverse impacts related to zoning within the Study Area.

Public Policy

Study Area

Per the CEQR Technical Manual, assessment of public policy accompanies a land use assessment because such policies may help determine whether or where land uses might change as the result of a proposed project. In addition, some projects may affect other specific public planning efforts by changing land uses in the area.

In order to assess the potential for project related impacts, the public policy study area has been defined as the area located within a 400-foot radius of the site. Per the CEQR Technical Manual this area is coterminous with the land use study area.

Existing Conditions

The Affected Area is located in Madison which is within Brooklyn Community District 15. Existing public policies that could affect the Rezoning Area include:

- *Where We Live NYC*
- *Get Stuff Built*
- *Housing Our Neighbors: A Blueprint for Housing and Homelessness*
- *Housing New York 2.0*
- *NYC Waterfront Revitalization Program*

Where We Live NYC is the City's initiative to engage several community-based advocacy organizations to create a plan to address disparities within the city's housing policies.

Get Stuff Built is Mayor Eric Adams's comprehensive effort to address New York City's affordable housing crisis and underlying housing shortage by rapidly accelerating the pace of housing production.

Housing Our Neighbors: A Blueprint for Housing and Homelessness is the City's strategic plan for addressing homelessness and housing instability by creating and preserving affordable housing.

Housing New York 2.0 is former New York City Mayor Bill de Blasio's initiative to accelerate the construction and preservation of affordable housing.

NYC Waterfront Revitalization Program establishes the City's policies for waterfront planning, preservation and development projects to ensure consistency over the long term. The goal of the program is to maximize the benefits derived from economic development, environmental conservation and public use of the waterfront, while minimizing any potential conflicts among these objectives.

No other public policies relate to the Affected Area or to the surrounding 400-foot radius study area. The Affected Area is not located within a Federal Empowerment Zone or covered by any 197-a Community Development Plans, and is not located within a critical environmental area, a significant coastal fish and wildlife habitat, a wildlife refuge, or a special natural waterfront area.

No-Action Condition

As discussed above, if the Proposed Actions are not approved, no development is anticipated to occur anywhere within the Affected Area. All the lots in the Affected Area are anticipated to remain in their current condition.

With-Action Condition

As discussed above, if the Proposed Actions are approved, development is expected to occur on Projected Development Site 1 within the Affected Area.

Where We Live NYC

The Proposed Actions include a zoning text amendment to map a Mandatory Inclusionary Housing Area on the Affected Area. Of the 24 dwelling units projected in the Reasonable Worst Case Development Scenario up to 7 of these units would be affordable (subject to the MIH option selected during the ULURP process). The creation of these units is consistent with this policy as it furthers the goal of developing affordable dwelling units.

Get Stuff Built

The Proposed Development would add 24 new units to the Madison neighborhood of Brooklyn. The creation of these units contributes to the main objective of Mayor Adams's *Get Stuff Built* initiative, which is to address the city's housing shortage by facilitating new residential developments. This initiative seeks to increase the available housing stock across all five boroughs of the city, as well as to fulfill the commitments set in the *Housing Our Neighbors* plan.

Housing Our Neighbors: A Blueprint for Housing and Homelessness

The Proposed Actions include a zoning text amendment to map a Mandatory Inclusionary Housing Area within the Affected Area. Of the 24 dwelling units projected in the Reasonable Worst Case Development Scenario up to 7 of these units would be affordable (subject to the MIH option selected during the ULURP process). The creation of these affordable units supports this policy's goal to create and preserve affordable housing in New York City.

Housing New York 2.0

The Proposed Actions include a zoning text amendment to map a Mandatory Inclusionary Housing Area on Block 7354, Lots 1 and 8. Of the 24 dwelling units projected in the Reasonable Worst Case Development Scenario up to 7 of these units would be affordable (subject to the MIH option selected during the ULURP process). The creation of these affordable units supports this policy's strategy to increase the city's creation of housing, including affordable housing.

NYC Waterfront Revitalization Program

The Project Area is within the Coastal Zone and is reviewed for consistency with the program's policies. The Proposed Development was reviewed by the Department of City Planning for compliance with the Waterfront Revitalization Program. DCP concluded that the Proposed Actions would comply with the Waterfront Revitalization Program and assigned WRP# 20-190.

Conclusion

The Proposed Actions would facilitate the development of 24 dwelling units, including up to 7 permanently affordable dwelling units pursuant to MIH. The Proposed Actions would be consistent with relevant public policies, including *Where We Live NYC*, *Get Stuff Built*, *Housing Our Neighbors*, and *Housing New York 2.0* by facilitating the development of new housing, including permanently affordable housing. Since the Project Area is located within the Coastal Zone, a *NYC Waterfront Revitalization Program* Consistency Assessment (WRP #20-190) is attached in Appendix A.

2. Shadows

Introduction

Per the CEQR Technical Manual, the purpose of a shadows analysis is to assess whether new structures may cast shadows on sunlight sensitive publicly accessible resources or other resources of concern such as natural resources, and to assess the significance of their impact.

Sunlight sensitive resources of concern include Open Space Resources (see Open Space above), Architectural Resources (specifically features of landmark or historic structures that depend on direct sunlight), Natural Resources (see Natural Resources below), and "Green-streets".

Threshold Assessment

Per the CEQR Technical Manual, a shadows assessment is required if proposed actions would lead to the development of a structure at least 50 feet tall or if a Proposed Project may facilitate shorter structures that might cast substantial new shadows on an adjacent park, historic resource, or an important natural resource. The applicant plans to construct a building of 55 feet, however, for a conservative CEQR analysis, a building of 85 feet was analyzed. A preliminary shadows assessment is required.

Preliminary Screening Assessment

Per the CEQR Technical Manual, a preliminary assessment of shadows, determines whether shadows from a proposed development could reach a sunlight sensitive resource.

Per the CEQR Technical Manual, the first step in conducting the screening assessment is to develop a base map that illustrates the Project Site location in relationship to the sunlight-sensitive resources. This base map is incorporated in the **Tier I Screening Assessment** and demonstrates that the Proposed Development would not cast shadows on any sunlight sensitive resources. A Tier I shadow assessment is provided.

Tier I Assessment

Per the CEQR Technical Manual, a Tier I shadow assessment creates a longest shadow study area. The longest shadow study area encompasses the Affected Area and a perimeter around the area's boundary with a radius equal to the longest shadow that could be cast by the height of the analyzed structure. The longest shadow cast by the Proposed Development is 4.3 times the maximum height of the mechanical bulkhead

above the building's roof: 473 Feet. The **Tier I Screening Assessment** demonstrates that no sunlight sensitive resources have the potential to receive shadows from the Projected Development as a result of the Proposed Actions. No further assessment is required.

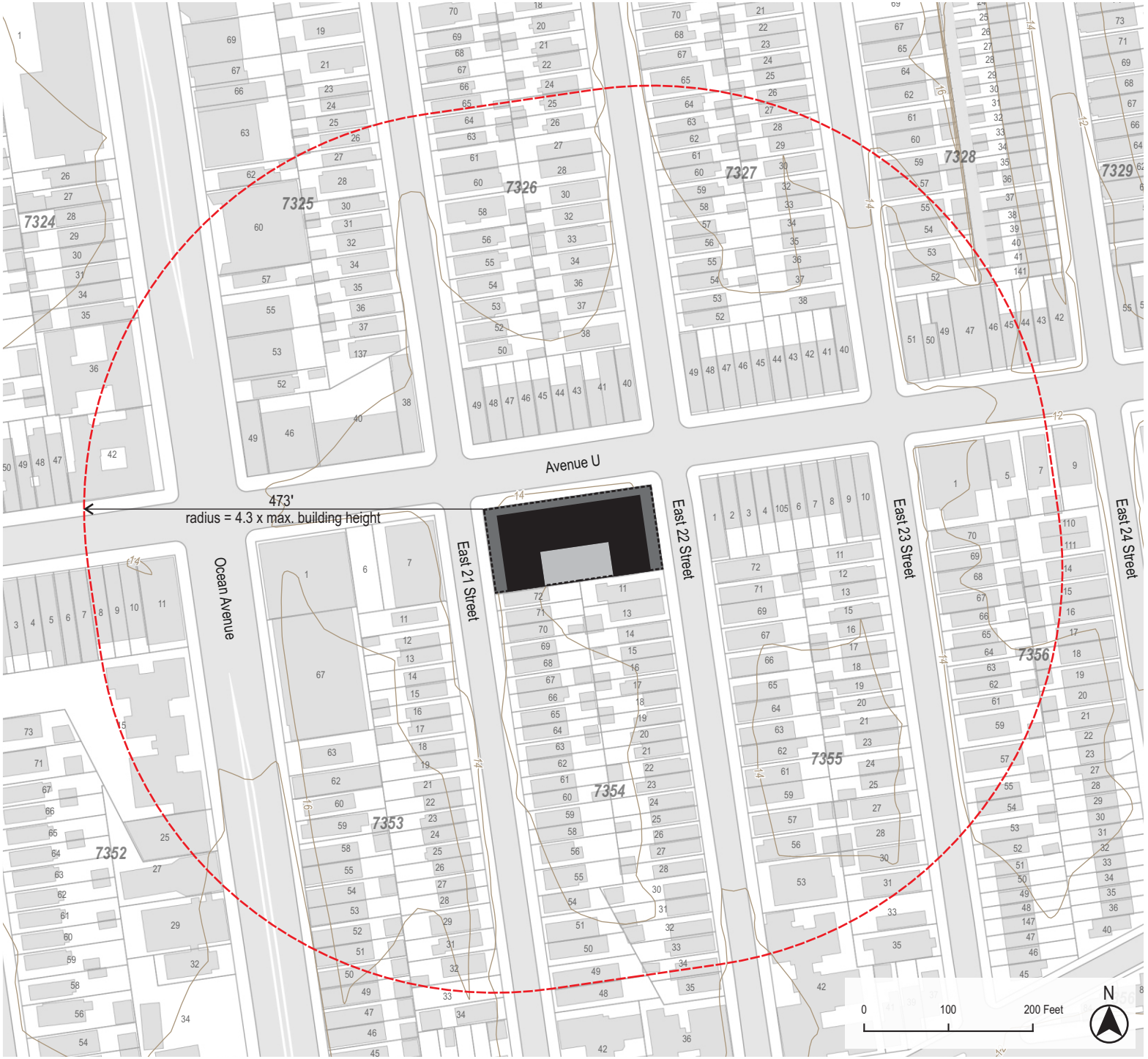
Conclusion

As demonstrated by the Tier 1 screening analysis, the proposed development would not cast new shadows on any sunlight-sensitive resource. Therefore, the Proposed Actions would not result in significant shadow impacts, and no further analysis is necessary.

2118 Avenue U, Brooklyn

Figure 1: Tier 1 Screening Assessment

- Project Site
- Projected Building Footprint
- Roof Above 6th Floor (65')
- Roof Above Bulkheads (110')
- Longest Shadow Study Area Boundary
- # Sunlight-Sensitive Open Space Resource (n/a)
- Potentially Affected Open Space Resource (n/a)



Urban Cartographics

3. Historic and Cultural Resources

Introduction

Historic and cultural resources include both architectural and archaeological resources. The 2020 City Environmental Quality Review (CEQR) Technical Manual identifies historic and cultural resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated New York City Landmarks (NYCL); properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (NYCLPC); properties listed in the State/National Registers of Historic Places (S/NR) or contained within a district listed in or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks (NHL); and properties not identified by one of the programs listed above, but that meet their eligibility requirements.

An assessment of historic/archaeological resources is usually needed for projects that are located adjacent to historic or landmark structures or within historic districts, or projects that require in-ground disturbance, unless such disturbance occurs in an area that has already been excavated. As discussed in this chapter, the Affected Area contains no individual landmarks nor eligible resources. Therefore, it is not necessary to further assess the potential impacts of the Proposed Actions on historic architectural resources.

Archaeological resources are considered only in those areas where new excavation or ground disturbance is likely and would result in new in-ground disturbance compared to No-Action conditions; these are limited to any area that may be developed in the Affected Area and include projected as well as potential development sites. Because the Proposed Actions would induce development that could result in new in-ground disturbance, they have the potential to affect archaeological resources, and therefore an assessment of the potential effects on archaeological resources is provided in this chapter.

Study Area

According to CEQR Technical Manual guidance, impacts on historic architectural resources are considered on those sites affected by the Proposed Actions and in the area surrounding identified development sites. The historic resources study area is therefore defined as the area to be rezoned plus an approximate 400-foot radius around the Affected Area, which is typically adequate for the assessment of historic architectural resources, in terms of physical, visual, and historical relationships.

Preliminary Assessment

Archeological Resources

Archaeological resources are the physical remnants, usually buried, of past activities on a site. They can include pre-contact archaeological resources associated with the Native American populations who used or occupied a site, or archaeological resources associated with the historic period, which began with the settlement of Europeans in the New York area beginning in the 17th century. In developed areas and in urban regions, archaeological resources are often disturbed or destroyed by grading, excavation, and the installation and improvement of infrastructure. However, some archaeological resources do survive in an urban environment and are often sealed beneath the surface and protected from further disturbance.

In accordance with CEQR Technical Manual guidance, archaeological resources are assessed only in areas where excavation is likely and would result in new in-ground disturbance. In-ground disturbance is any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site. For projects that would result in new in-ground disturbance, assessment of both prehistoric and historic archaeological resources is appropriate.

As discussed above, the Proposed Actions would facilitate construction on the Projected Development Site, resulting in new in-ground disturbances. As such, an assessment of archaeological resources is necessary for the Proposed Actions. As detailed in the CEQR Technical Manual, only the area of subsurface work for a project is considered the impact area for archaeological resources. Environmental review for archaeological resources is a predictive endeavor.

As discussed above (see Project Description) all lots within the Affected Area are currently occupied. However, the Proposed Actions would result in incremental excavation on the Projected Development Site. In a letter dated November 27, 2023 the New York City Landmarks Preservation Commission (NYCLPC) determined that the Projected Development site consisted of properties with no archeological significance (Appendix D).

Architectural Resources

The New York City Landmarks Preservation Commission (NYCLPC) has been contacted to determine whether the Affected Area may have architectural significance. In a letter dated November 27, 2023 the NYCLPC has concluded that none of the lots within the

Affected Area demonstrate archaeological significance. This letter is included as an appendix to this EAS (Appendix D).

Conclusion

The Study Area does not contain any lots which were identified by NYCLPC as having archeological or architectural significance. Further, no direct, indirect, or construction related impacts would occur as a result of the Proposed Actions. The Proposed Actions would not result in significant adverse impacts to historic or cultural resources within the Study Area.

4. Urban Design and Visual Resources

Introduction

Per the CEQR Technical Manual, an urban design assessment considers whether and how a project may change the experience of a pedestrian in the Affected Area. The assessment focuses on the components of a proposed project that may have the potential to alter the arrangement, appearance, and functionality of the built environment.

A preliminary assessment is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following:

1. Projects that permit the modification of yard, height, and setback requirements;

2. Projects that result in an increase in built floor area beyond what would be allowed 'as-of-right' or in the future without the Proposed Actions.

As discussed above in "Land Use, Zoning, and Public Policy", the Proposed Actions include a zoning map amendment to rezone an existing R4/C1-3 district to an R4 and R6A/C2-4 district and a zoning text amendment pursuant to Appendix F which would establish a Mandatory Inclusionary Housing ("MIH") Area. The Proposed Actions would both permit the modification of yard, height, and setback requirements and result in an increase in built floor area beyond what would be allowed 'as-of-right'.

The current R4/C1-3 district is a non-contextual residential district that permits all housing types including garden apartments, row houses, detached homes, and walk-up apartment buildings. The maximum FAR is 0.75. Minimum lot width and lot area depend upon the housing configuration. Detached structures require a 40-foot lot frontage and 3,800 square feet lot area. All other building types require lots that are at least 18 feet wide with 1,700 square feet of lot area. The maximum building height is 35 feet. Quality Housing regulations allow for a maximum of 45% lot coverage. One parking space must be provided for every dwelling unit although parking for income-restricted units is only required for 50% of total affordable units. The C1-3 overlay district permits 1.0 FAR of commercial use.

The Proposed Actions would rezone Block 7354, Lots 1 and 8 to a R6A/C2-4 district and Block 7354, Lots 11, 71, 72, and portions of Lots 13 and 70 to an R4 district. R4 districts permit all housing types including garden apartments, row houses, detached homes, and walk-up apartment buildings. The maximum FAR is 0.75. Minimum lot width and lot area depend upon the housing configuration. Detached structures require a 40-foot lot frontage and 3,800 square feet lot area. All other building types require lots that are at

least 18 feet wide with 1,700 square feet of lot area. The maximum building height is 35 feet. Quality Housing regulations allow for a maximum of 45% lot coverage. One parking space must be provided for every dwelling unit although parking for income-restricted units is only required for 50% of total affordable units.

R6A permits medium density residential buildings. The maximum floor area ratio (FAR) permitted in R6A zoning districts is 3.6 FAR for residential uses. The maximum height in R6A districts is 80ft or 85ft if providing a qualifying ground floor. Quality Housing regulations allow for 65-100% lot coverage based the mapping of inclusionary housing areas. One parking space must be provided for every 2 dwelling units although parking is only required for 25% of income-restricted units. The C2-4 overlay district permits 2.0 FAR of commercial use.

With the approval of the Proposed Actions, the RWCDS projects the development of a mixed-use building on Projected Development Site 1. The "Projected Development" is a 21,600 gsf eight-story building (85 ft tall) with 4,800 gsf of ground floor commercial (local retail uses) uses and 16,800 gsf of residential space (24 residential units). The building would have a total FAR of 3.6 (0.8 Commercial and 2.8 Residential). There would be 10 parking spaces (accessory residential) in the cellar level. Of the 24 Dwelling Units, up to 7 would be affordable pursuant to MIH.

As the Proposed Development is anticipated to result in a different built form at the street level, an assessment of urban design and visual resources is warranted.

Urban Design

The Urban design characteristics of a neighborhood are composed of various components that define the character of the area: building bulk, use, type and arrangement, block form and street pattern, streetscape elements, street hierarchy, and natural features. These components are discussed below.

Existing Building Bulk, Use, Type, and Arrangement

The Study Area contains a range of building types. Outside of the Avenue U corridor, there are a mix of semi-detached and detached single, two, and multiple family residences. Generally, these do not exceed three floors and include side yards, and or front yards. The buildings on Avenue U are also generally low-rise with most being one- and two-story commercial buildings. The majority of lots within the Study Area are occupied and contain residential buildings or commercial retail space or are mixed use.

Building bulk, use, and type differs within the Study Area between those lots with frontage on Avenue U and those lots in the residential areas to the north and south of Avenue U.

Future No-Action
In the future No-Action Condition, the built form, use, type, and arrangement of the Study Area and surrounding area would remain unchanged as no new development is expected to occur within the Affected Area or anywhere else within the Study Area.

Future With-Action
In the future With-Action Condition, the built form, use, type, and arrangement of the Project Area remain unchanged apart from the development on Projected Development Site 1. The bulk and height of this development is visualized in the context of the Study Area in **Figures 4-1 through Figures 4-3: Urban Design Diagram.**

The projected building on Projected Development Site 1 would be taller and have a higher lot coverage than the mixed-use buildings in the Study Area. The building on Projected Development Sites 1 in the With-Action scenario would create a continuous street-wall with ground floor commercial uses in both the Projected Development scenario and with the Applicant's Proposed Development.

Block Form, Street Pattern, and Street Hierarchy

As discussed above, the Study Area is divided by Avenue U (a two-lane roadway). Within the Study Area smaller streets (East 21st-23rd Streets) run in an regular grid pattern and provide access to the residential areas to the north and south of Avenue U.

Future No-Action
In the future No-Action Condition, the block form, street pattern, and street hierarchy will remain as per existing conditions.

Future With-Action
In the future With-Action Condition, the block form, street pattern, and street hierarchy will remain as per existing conditions as the Proposed Actions would not result in any alterations to the surrounding road network. No new street would be built within the Study Area.

Streetscape Elements

The Study Area includes few street trees, most are on the streets to the north and south of Avenue U (East 21st-23rd Streets). Generally, the residential streets surrounding Avenue U have moderately sized sidewalks. Avenue U itself has wide sidewalks. There

are no bus shelters within the Study Area. Local buses run along Avenue U (B3). are many curb-cuts on both the main avenue and side streets.

Future No-Action
In the future No-Action Condition, the streetscape elements will remain. Development within the Study Area is not expected to occur without the approval of the Proposed Actions.

Future With-Action
In the future With-Action Condition, the amount of street trees within the Study Area is expected to remain the same. No street infrastructure (such as benches, plazas, or bus shelters) would be modified as a result of the approval Proposed Actions. In total the Proposed Actions would not result in additional curb cuts on Avenue U. The remaining streetscape elements would otherwise remain.

Natural Features

There are no natural features in the Rezoning Area or within the surrounding 400 feet. Therefore, no natural features are visible from the Rezoning Area.

Assessment

Based on the above, the Proposed Actions would result in a building with higher bulk and height than currently exist within the Study Area. The larger mixed-use development facilitated by the Proposed Actions are contextual with the surrounding commercial corridor. An illustrative display of building resulting from the Proposed Actions, as well as the newly permitted maximum permitted building envelopes, see **Figure 4-1 (Urban Design Diagram)**.

The R6A/C2-4 district would enable commercial uses that would be consistent with commercial uses that would be present in the future No-Action Condition. This will serve to further activate segments on Avenue U within the Affected Area when compared to the No-Action condition.

While the new building would be taller than adjacent properties, similar-sized developments are occurring in the surrounding area, as noted above, and would be consistent with the increasingly dense mixed-use character of the immediate area.

The Proposed Actions would not adversely affect the residential and mixed-use character of buildings within the Study Area. Lastly, the Proposed Actions would not affect any natural features.

Visual Resources

The Proposed Actions would not block the view of any natural resources, as no natural resources are within vicinity of the study area. Furthermore, there are no notable features or buildings in the immediate vicinity of the study area. Therefore, based on the criteria in the *CEQR Technical Manual,* the Proposed Actions would not result in the obstruction of views of a natural or built visual resource. In this context, the Proposed Actions would not result in the significant alteration of views from streets. Therefore, no significant impacts related to visual resources are expected.

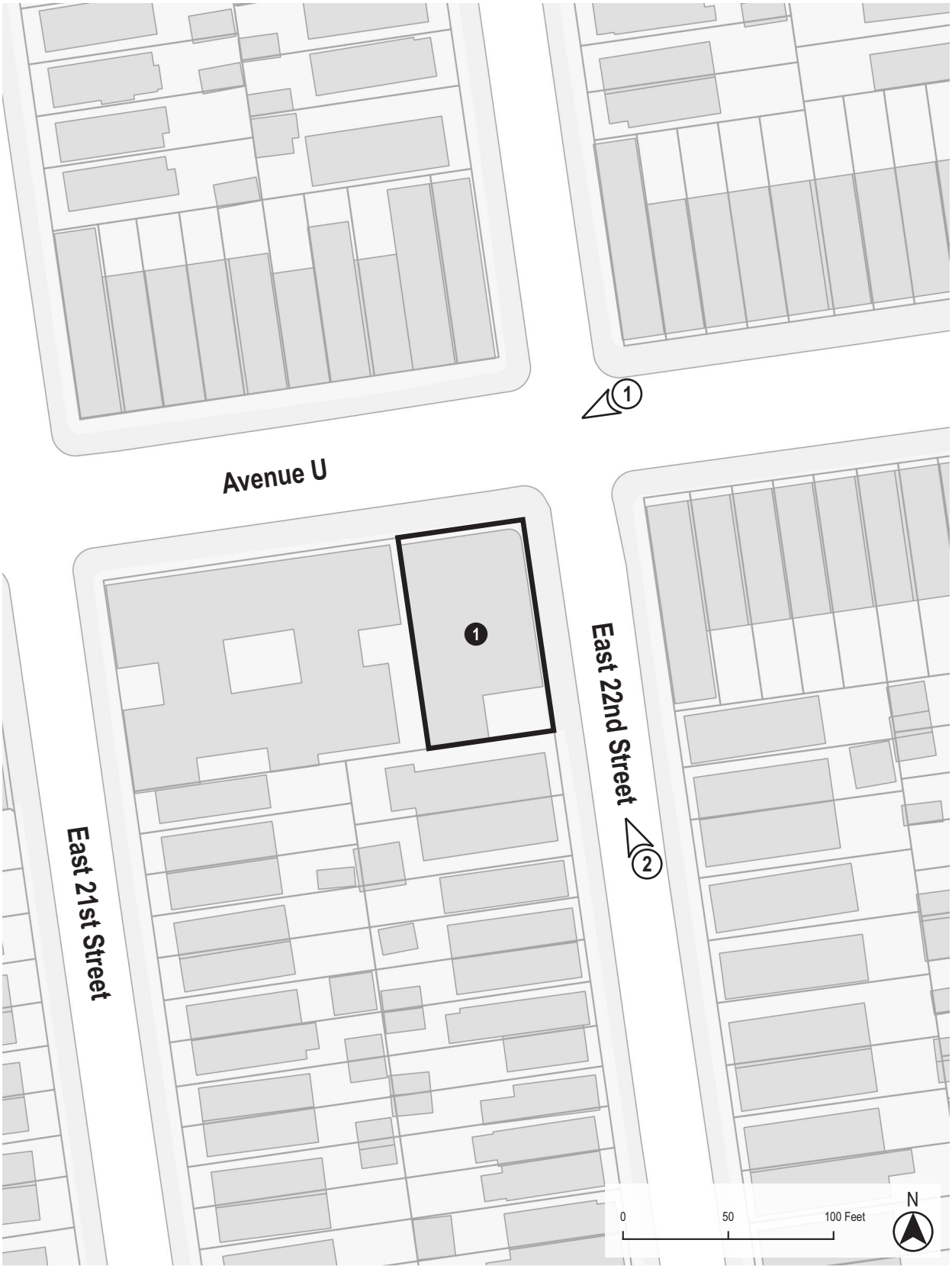
Conclusion

The Proposed Actions would create additional density and allow a greater maximum height in an area along the Avenue U mixed-use residential and commercial corridor. The Proposed Actions would not result in a change to the built environment's arrangement, appearance, or functionality and would not negatively affect a pedestrian's experience of the area. Furthermore, the Proposed Actions would not affect any natural resources or public view corridors to notable features or buildings in the immediate vicinity of the Rezoning Area. Accordingly, no impacts to the urban design and/or visual resources of the area would occur.

2118 Avenue U, Brooklyn

Figure A: Urban Design Diagram

Index Map



Urban Cartographics

2118 Avenue U, Brooklyn
Figure 1: Urban Design Diagram

View 1: No-Action Scenario
Avenue U facing west (Site at left)



View 1: With-Action Scenario
Avenue U facing west (Site at left)



Maximum Permitted Base Height (65') Maximum Permitted Building Height (85') Maximum Permitted Bulkhead Height (110')

2118 Avenue U, Brooklyn
Figure 2: Urban Design Diagram

View 2: No-Action Scenario
East 22nd Street facing north (Site at left)



View 2: With-Action Scenario
East 22nd Street facing north (Site at left)



Maximum Permitted Base Height (65') Maximum Permitted Building Height (85') Maximum Permitted Bulkhead Height (110')

5. Hazardous Materials

Introduction

A hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include but are not limited to, heavy metals, volatile and semi volatile organic compounds, methane, polychlorinated biphenyls, and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). According to the CEQR Technical Manual, the potential for significant adverse impacts from hazardous materials can occur when: a) hazardous materials exist on a site and b) an action would increase pathways to their exposure; or c) an action would introduce new activities or processes using hazardous materials.

In accordance with the CEQR Technical Manual guidelines, an assessment was conducted to determine whether the proposed action could lead to increased exposure of people or the environment to hazardous materials and whether the increased exposure would result in significant adverse public health impacts or environmental damage.

The Affected Area predominantly contains commercial and manufacturing uses, such as warehouses, automotive repair shops, and medical uses ranging in height from one-to three-stories. Since the Proposed Actions are anticipated to result in increased ground disturbance in an area with a history of manufacturing and automotive use, an assessment of Hazardous Materials is required.

Analysis

Environmental Studies Corp. has performed a Phase I Environmental Site Assessment (ESA) of the subject property located at 2118 Avenue U, in the Borough of Brooklyn, New York City, New York. This Phase I ESA was prepared in accordance with the latest ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM Designation E 1527-13).

The information provided below represents a summary of the pertinent findings of the aforementioned Phase I ESA. The Phase I ESA in its entirety (including all back up data) can be found in the **Hazardous Materials Appendix** of this EAS.

Environmental Site Assessment Findings

Site Description

The subject property at 2118 Avenue U, Brooklyn, New York consists of a 6,000+/- square foot, rectangular shaped parcel which contains a 1-story (plus cellar) retail building with two commercial/retail spaces. The first space is occupied by Buy Energy Direct for office use, and the second space was vacant at the time of the site visit. Heating and air conditioning for the building are provided by rooftop, gas-fired heating, ventilation, and air conditioning units (HVAC).
Exterior portions of the site consist of a small, asphalt-paved parking and loading area on the southeast corner of the lot.

Site History

Research into the history of the project site shows that the subject building was constructed sometime between 1930 and 1950. The identified former occupants/uses in the building include retail stores such as grocery stores, a meat market, a bargain store, a luggage store, clothing and apparel stores, a shoe store, professional office uses, and DLS Manufacturing Corp. The identified former retail uses at the project site are not types of operations that typically store or use hazardous substances or petroleum products in their operations. DLS Manufacturing Corp. is identified in the building in 1985. The type of operations of this company is not known, however, there are not any indications of the storage or use of hazardous substances or petroleum products shown in the building on Sanborn maps of the period (i.e., 1983 and 1986 maps). In addition, DLS Manufacturing Corp. does not appear in any of the regulatory agency environmental databases reviewed for this report. Given this information, and the short period of time DLS Manufacturing Corp. was located at the site, it is considered unlikely that this business would have impacted the property.

Prior to the construction of the building, the project site was vacant and undeveloped, as shown on the 1906 and 1930 Sanborn maps, and the 1924 historical aerial photograph of the property.

Site Drainage

Typical lavatory drainage structures such as sinks and toilets are located in the subject building. The drainage destination of these structures is not known; however, it is likely that they discharge to the municipal sewer system.

Petroleum Storage Tanks

No indications of the presence of petroleum storage tanks such as tank fillports, vent lines, associated mechanical equipment, etc., were observed on the portions of the property viewed during the site visit. The property is not identified in the New York State Department of Environmental Conservation (NYSDEC) Petroleum Bulk Storage database, which lists all registered facilities with a total combined petroleum storage capacity in excess of 1,100 gallons. There are not any Oil Burner Applications on file for the project site in the New York City Department of Buildings (NYCDOB) records reviewed.

Asbestos / Lead-Based Paints / PCBs

Given the age of the building (completed prior to 1970), it is possible that it contains asbestos building materials and lead-based paints. Given the uses in the building, it is unlikely that it would contain electrical transformers or other large electrical equipment containing PCBs.

Regulatory Agency Database Records

The property does not appear in the Federal or State environmental databases reviewed including the United States Environmental Protection Agency (USEPA's) Superfund, CERCLIS or ERNS databases, the RCRA Hazardous Waste Generators list or hazardous waste Treatment/Storage/Disposal Facilities list, or the NYSDEC's Spill Logs or Petroleum Bulk Storage (PBS) database, Solid Waste Facilities database, Voluntary Cleanup Program database, Brownfield Cleanup Program database, or the Registry of Inactive Hazardous Waste Disposal Sites.

Surrounding Land Uses

The property is adjoined to the north by Avenue U, beyond which are mixed-use buildings (i.e., residential with ground floor retail). Adjacent and to the south of the site are residential uses. Adjacent and to the east is East 22nd Street, beyond which is a mixed-use building (i.e., residential with ground floor retail). The property is adjoined to the west by a mixed-use building (i.e., residential with ground floor retail). Land uses in the immediate vicinity of the property (i.e., within approximately 500 feet of the site) are predominantly comprised of residential and commercial/retail uses. There are not any gasoline filling stations or heavy industrial uses located in the immediate vicinity of the project site.

A review of Sanborn historical maps shows that land uses in the immediate vicinity of the subject property have historically contained a mix of residential and

commercial/retail uses since at least the 1930s. There were not any heavy industrial uses identified in the immediate vicinity of the project site on any of the historical Sanborn maps reviewed. The 1930 through 2005 Sanborn maps show a former gasoline filling station at 2563 Ocean Avenue, which is located approximately 300 feet west/southwest of the project site. There are not any active, NYSDEC-reported spill incidents at this former filling station, and, the former filling station was re-developed with a 6-story and basement, mixed-use building (i.e., residential with ground floor professional offices) in 2007.

There were not any off-site, potential sources of contamination identified in the surrounding area which are considered likely to have impacted the property.

Based on the contamination identified, DEP recommends that an (E) Designation for hazardous materials should be placed on the zoning map pursuant to Section 11-15 of the New York City Zoning Resolution for Applicant-owned Block 7354, Lot 8. The (E) Designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance. Further hazardous materials assessments should be coordinated through the Mayor's Office of Environmental Remediation. The Environmental Assessment Statement should also be revised as appropriate to incorporate the placement of the (E) Designation.

Based on review of these reports, DEP recommends an E-746 designation for hazardous materials be placed on the zoning map in connection with this new application. The Applicant will be directed to coordinate further hazardous materials assessments through the Mayor's Office of Environmental Remediation (OER).

The E-746 designation requirements would apply as follows:

Task 1-Sampling Protocol

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

remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request**.**

Task 2-Remediation Determination and Protocol

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

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

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

Conclusion

A Phase I Environmental Site Assessment was conducted in conformance with the scope and limitations of ASTM Practice E 1527-13 of 2118 Avenue U, Brooklyn, N.Y., the property. Any exceptions to or deletions from this standard are described in section A of this report. This assessment has revealed no evidence of *Recognized Environmental Conditions, Historical Recognized Environmental Conditions* or *Controlled Recognized Environmental Conditions* in connection with the property.

With this (E-746) designation in place, no significant adverse impacts related to hazardous materials are expected, and no further analysis is warranted. Therefore, there is no potential for the Proposed Actions to result in significant adverse impacts related to hazardous materials on Projected Development Sites.

6. Air Quality

Introduction

Ambient air quality, defined as pollutant levels in the surrounding environment to which the public has access, may be affected by air pollutants produced by motor vehicles, referred to as "mobile sources"; by fixed facilities, usually referenced as "stationary sources"; or by a combination of both. The pollutants of concern include six criteria pollutants—known as "criteria" pollutants, and air toxics or toxic air pollutants known as noncriteria pollutants, which include hazardous air pollutants (HAPs) and many other pollutants. Under the City Environmental Review (CEQR), an air quality assessment determines both a proposed project's effects on ambient air quality and the quality of the ambient air at the project. This analysis was conducted in accordance with the *2021 CEQR Technical Manual* methodology.

Project Description

The Affected Area includes lock 7354, Lots 1, 8, 11, 71, 72, and portions of 13 and 70 in the Madison neighborhood of Brooklyn Community District 15. The Affected Area is located within the blocks bounded by Avenue U to the north, 22nd Street to the east, Avenue V to the south, and 21st Street to the west. The Proposed Actions would result in an increase of development potential (including height, bulk, and total FAR) on the Applicant-controlled Projected Development Site 1 (Block 7354, Lot 8).

The Projected Development Site 1 is currently improved with a one-story building containing a total of 5,500 gross square feet (gsf) of commercial local retail. Absent the Proposed Actions, it is assumed that Projected Development Site 1 within the Affected Area would remain the same as the existing condition. New development within the remainder of the Affected Area is unlikely and No-Action conditions are assumed to be the same as the existing conditions.

Under Future With-Action conditions, the Applicant-controlled Projected Development Site 1 would be developed with a mixed-use, predominantly residential building. The Proposed Development would be a four-story, 55-foot-tall building, containing 15,946 residential gsf and 4,800 commercial gsf. There would be 10 residential accessory parking spaces provided in a 4,560 square feet cellar floor beneath the lot. Projected Development Site 1 Reasonable Worst Case Development Scenario (RWCDS) is a mixed-use, eight-story, 85-foot-tall building, containing 16,800 residential gsf and 4,800 commercial (local retail) gsf. The building would contain 10 accessory parking spaces on the cellar level. The Proposed Development building height of 55 feet was considered for the air quality analysis.

Air Quality Standards, Regulations, and Benchmarks

Criteria Pollutants

The US Environmental Protection Agency (EPA) has established national ambient air quality standards (NAAQS) for six of the most common air pollutants—known as "criteria" pollutants. The presence of these pollutants in ambient air is generally due to numerous diverse and widespread sources of emissions. The NAAQS primary standards are designed to protect public health with adequate margin of safety. The NAAQS secondary standards are designed to protect the public welfare from adverse effects, including those related to effects on soils, water, vegetation, visibility, and other aspects. As required by the Clean Air Act, EPA periodically conducts comprehensive reviews of the scientific literature on health and welfare effects associated with exposure to the criteria air pollutants. The NAAQS have been adopted as the ambient air quality standards for the State of New York.

In addition to the NAAQS, the *CEQR Technical Manual* requires that projects subject to CEQR apply particulate with aerodynamic less than or equal to 2.5 microns ($PM_{2.5}$) and carbon monoxide (CO) significant impact criteria. The *CEQR Technical Manual de minimis* criteria set allowable incremental increase in CO and $PM_{2.5}$ concentrations that would result as a consequence of a proposed project.

Non-Criteria Pollutants

As mentioned, New York State has adopted the national standard, NAAQS. In addition, the NYSDEC has established guidelines for maximum allowable concentration of noncriteria air contaminants, also referred to as toxic air contaminants, which are potentially toxic or carcinogenic pollutants. These include 188 hazardous air pollutants (HAPs) which are also regulated by the EPA. The maximum allowable guidelines set a maximum 1-hour and annual averaging time concentrations that are published (February 12, 2021 publication) in the DAR-1 Annual and Short-term Guideline Concentration (AGC/SGC Table).

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

Mobile Source

According to the *CEQR Technical Manual,* projects may result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic, create any other mobile sources of pollutants (e.g., diesel trains, helicopters, boats), or add new uses near mobile sources (e.g., roadways, garages, parking lots). Certain types of projects may require further analysis, including microscale analyses.

Screening Assessment

The proposed project would not exceed the minimum development density potentially requiring a transportation analysis, as shown in Table 16-1 of the transportation chapter of the *2021 CEQR Technical Manual*. As such, the projected traffic volumes would not exceed the carbon monoxide (CO) screening threshold defined in the 2021 *CEQR Technical Manual* (170 peak hour vehicle trips at an intersection in the study area). Considering the low levels of project-generated traffic, emissions of particulate matter (PM) would not exceed the *de minimis* thresholds referenced in the *2021 CEQR Technical Manual*. Projected Development Site 1 Reasonable Worst Case Development Scenarios (RWCDSs) includes 10 parking spaces. Based on parking analyses for other projects under CEQR, for much larger parking facilities, impact is unlikely.

In addition, the Proposed Actions would not result in operable windows or air intakes within 200 feet of an atypical roadway, nor would it result in creation of a covered roadway or be affect by covered roadway, and nor would it result in a new sensitive receptor placed near an existing large parking facility or significantly increase the vehicle miles traveled in a large area. As such, the Proposed Actions mobile source screens out, and no detailed analysis is warranted.

Stationary Source

According to the *CEQR Technical Manual*, air quality analyses of stationary sources may be warranted if a project would (i) create new stationary sources of pollutants – such as emission stacks of industrial plants, hospitals, other large institutional uses, or even a building's boilers – that may affect surrounding uses; (ii) introduce certain new uses near existing or planned emissions stacks that may affect the use, or (iii) introduce structures near such stacks so that changes in the dispersion of emissions from the stacks may affect surrounding uses.

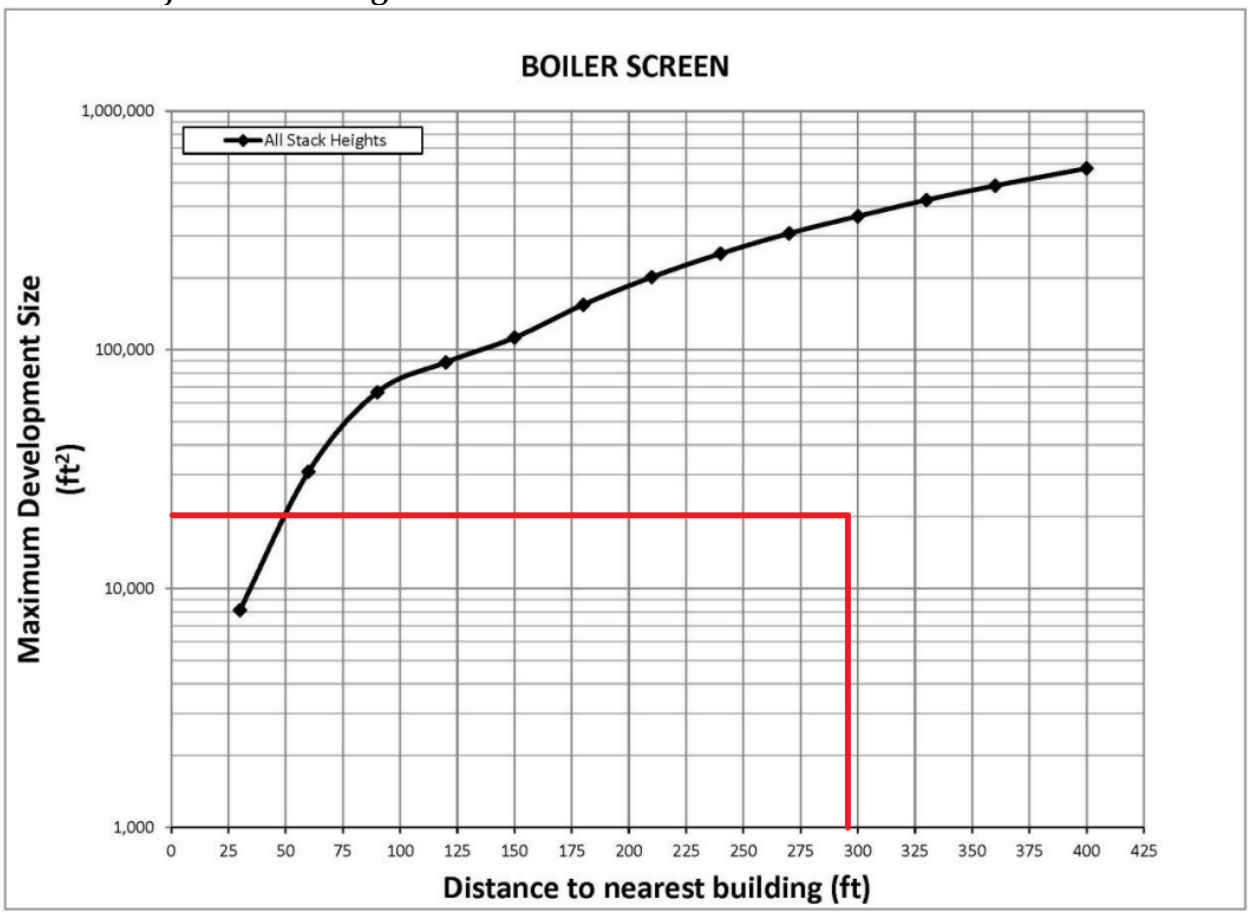
Heating and Hot Water Systems

The heating/hot water, ventilation, and air conditioning (HVAC) systems analysis considered the potential for emissions from the HVAC system(s) of the Projected Development Site 1 to significantly impact existing land uses (project-on-existing). Based on the *CEQR Technical Manual*, a preliminary screening assessment is to be conducted as a first step to predict whether the potential impacts of the heat and hot water system(s) boiler emissions can be significant. A detailed analysis is required if the screening assessment failed.

The *2021 CEQR Technical Manual* Figure 17-3 nomograph was used for the screening assessment. The nomograph depicts the size of the development versus the distance below which the potential impact can occur and provides a conservative estimate of the threshold distance. Based on the methodology above, Projected Development Sites 1 was analyzed as a 55-foot-tall building (the Proposed Development building height) containing 21,600 gsf (the RWCDS gsf).

The nearest building of similar or greater height is the six-story, 69-foot-tall,[1] mixed residential and commercial building at 2569 Ocean Avenue (Block 7353, Lot 7501), and approximately 295 feet from Projected Development Site 1. The building at 2569 Ocean Avenue, built in 2007, is also associated with the CEQR action Homecrest Rezoning (CEQR No. 06DCP0-26K). However, no other property within 400 feet of the Projected Development Site 1 is associated with the CEQR action Homecrest Rezoning or other CEQR action. **Figure 6-1** shows the project-on-existing screening analysis.

Figure 6-1: Project on Existing – HVAC Screen



As shown in the screening analysis (see **Figure 6-1**), using the nomograph provided in the *CEQR Technical Manual*, Projected Development Site 1 gsf falls below the curve for fossil fuel fired HVAC system. Therefore, the Proposed Actions passes the HVAC screening analysis on existing land uses.

Existing Stationary Sources

[1] New York City Open Data. 2023. "Building Footprint." Accessed April 11, 2023. https://data.cityofnewyork.us/Housing-Development/Building-Footprints/nqwf-w8eh.

Industrial Sources

Per the *CEQR Technical Manual*, projects that would result in new uses (particularly schools, hospitals, parks, and residences) within 400 feet of manufacturing processing facilities may result in potentially significant adverse impacts. The analysis first determines if there are any existing manufacturing uses within the 400-foot study area containing exhaust stacks, vents, or other emission sources that may have the potential to adversely affect the uses introduced by the project. If warranted, an air dispersion analysis is then conducted for any existing industrial source(s) located in the study area.

Existing manufacturing uses with exhaust stacks, vents, or other emission sources that may have the potential to adversely affect the uses introduced by the project were identified by reviewing the DEP online Clean Air Tracking System (CATS) database, the NYSDEC online database (DECinfo Locator[2]), and through a fieldwork study. The fieldwork study was conducted on March 8th, 2023.

The study area encompasses all or part of Blocks 7325, 7326, 7327, 7328, 7353, 7354, 7355, and 7356, and includes properties along Avenue U, Ocean Avenue, East 21st Street, East 22nd Street, and East 23rd Street. Land uses in the study area consist of residential and commercial/retail uses. There were not any industrial or manufacturing uses identified in the study area.

The results of the study are as follows:

There is one facility identified in the study area with a DEP processing permit. Expired processing permit PA032193 was issued to Real Art Cleaners at 2214 Avenue U (Block 7355, Lot 6) for drycleaning. This permit expired on 3/22/2003. Retail dry cleaning operations are regulated, and therefore, no analysis is required. There were not any additional facilities with DEP processing permits found within the study area in a search of the CATS database. There were not any facilities identified in the study area which appear in the NYSDEC DECinfo Locator database. There were not any potential sources of toxic air emissions observed in the study area during the field survey.

Major and Large Source

Per the *CEQR Technical Manual*, projects that would introduce new uses near "major" sources, "large" sources, or odor producing facilities may result in potentially significant adverse air quality impacts. The study area considers "major" sources, "large" sources, and odor producing facilities within 1,000 feet of the proposed project. "Major" emission sources are identified as those sources located at Title V facilities; "large" emission sources are identified as sources located at facilities which require an

[2] New York State Department of Environmental Conservation. 2023. "DECinfo Locator." Accessed April 5, 2023. https://gisservices.dec.ny.gov/gis/dil/.

Air State Facility permit. Solid waste or medical waste incinerators, asphalt and concrete plants, power generating plants, large boilers of large public facilities for example, and large industrial facilities are typical type of sources requiring these permits. Odor producing facilities are operations that have the potential to cause discomfort, such as: solid waste management facilities, water pollution control plants (i.e., sewage treatment plants), and incinerators.

"Major" and/or "large" source and other facilities of interest, such as odor producing facilities, were identified through a search of the NYSDEC DECinfo Locator map application. The nearest "major" or "large" source to the Affected Area is the Title V facility Coney Island Wastewater Treatment Plant (facility DEC ID: 2610700004), located at 2591 Knap Street and approximately 4,600 feet from the Affected Area. In addition, no odor producing facility or other emission source of interest, such as power plants, cogeneration facilities, etc. within 1,000 feet of the Projected Area was identified in the database search. As no "major" or "large" emission source or odor producing facility is located within 1,000 feet of the Affected Area, no analysis is warranted.

Conclusion

Based on the analysis, conditions associated with the Proposed Actions would not result in any violations of the ambient air quality standards. Therefore, there is no reason to believe that the Proposed Actions would result in any potentially significant adverse stationary or mobile source air quality impact(s), and further assessment is not warranted. The summary results of the analysis are as follows:

- Project-increment traffic associated with the Proposed Actions will be less than the screening threshold that requires a detailed analysis.

- No existing industrial source within 400 feet of the Affected Area, nor major/large source or odor producing facility within 1,000 feet of the Affected Area were identified. Therefore, no significant adverse air quality impact is predicted from existing emission sources.

- No significant impact was predicted in the HVAC screening analysis with the Projected Development Site 1 stack located at least 58 feet above grade. Accordingly, based on the results of the analysis described above, the following (E) Designation related to HVAC system(s) would be required:

(E-746) Designation

Block 7354, Lot 8 (Projected Development Site 1): Any new residential and/or commercial development on the above-referenced property must ensure that the heating, ventilating, and air conditioning (HVAC) system and hot water equipment stack is located at the building's highest level and at a minimum of 58 feet above grade

to avoid any potential significant adverse air quality impacts.

7. Noise

Introduction

This Noise Analysis was conducted to assess the potential for adverse noise impacts related to the proposed rezoning of the Project Site – 2110 Avenue U, Brooklyn, New York (Block 7354, Lot 8). The Project Site is located within Brooklyn Community District 15 and Community School District (CSD) 48 and is a rectangular-shaped 14,000 square-foot parcel on the corner of Avenue U and East 22st Street.

This noise analysis is limited to an assessment of ambient noise that could adversely affect building occupants of the proposed development.

Framework of Noise Analysis

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

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

Sound is often measured and described in terms of its overall energy, taking all frequencies into account. However, the human hearing process is not the same at all frequencies. Humans are less sensitive to low frequencies (less than 250 Hz) than mid-frequencies (500 Hz to 1,000 Hz) and are most sensitive to frequencies in the 1,000- to 5,000-Hz range. Therefore, noise measurements are often adjusted, or weighted, as a function of frequency to account for human perception and sensitivities. The most common frequency weightings used are the A- and C

weightings. These weight scales were developed to allow sound level meters, which use filter networks to approximate the characteristic of the human hearing mechanism, to simulate the frequency sensitivity of human hearing. The A-weighting is the most commonly used for environmental measurements, and sound levels measured using this weighting are denoted as dBA. The letter "A" indicates that the sound has been filtered to reduce the strength of very low and very high-frequency sounds, much as the human ear does. C-weighting gives nearly equal emphasis to sounds of most frequencies. Mid-range frequencies approximate the actual (unweighted) sound level, while the very low and very high-frequency bands are significantly affected by C-weighting. **Table 7-1** notes the decibel levels of common noise sources.

Table 7-1 : Noise Levels of Common Sources[3]

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

The following are typical human perceptions of dB(A) relative to changes in noise level:

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

The decrease in sound level caused by the distance from any single noise source normally follows the inverse square law. In a large open area with no obstructive or

[3] Source: *2021 CEQR Technical Manual*

reflective surfaces, it is a general rule that at distances greater than 50 feet, the SPL from a point source of noise drops off at a rate of 6 dB with each doubling of distance away from the source. For "line" sources, such as vehicles on a street, the SPL drops off at a rate of 3 dBA with each doubling of the distance from the source. Sound energy is absorbed in the air as a function of temperature, humidity, and the frequency of the sound. This attenuation can be up to 2 dB over 1,000 feet. The drop-off rate also will vary with both terrain conditions and the presence of obstructions in the sound propagation path.

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

- L_{eq} is the continuous equivalent sound level. The sound energy from the fluctuating SPLs is averaged over time to create a single number to describe the mean energy, or intensity level. High noise levels during a measurement period will have a greater effect on the L_{eq} than low noise levels. L_{eq} has an advantage over other descriptors because L_{eq} values from various noise sources can be added and subtracted to determine cumulative noise levels.
- $L_{eq(24)}$ is the continuous equivalent sound level over a 24-hour time period.
- Lmax is the highest SPL measured during a given period of time. It is useful in evaluating Leqs for time periods that have an especially wide range of noise levels.
- L_{dn} is the day-night equivalent sound level, defined as a 24-hour continuous Leq with a 10 dB adjustment added to all hourly noise levels recorded between the hours of 10 PM and 7 AM. This 10 dB addition accounts for the extra sensitivity people have to noise during typical sleeping hours.
- DNL is the annual average day-night average sound level. Aircraft noise around airports is usually mapped out in terms of DNL, which are normally depicted as noise contours on a map.

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

Noise Standards and Guidelines

In 1983, the New York City Department of Environmental Protection (NYCDEP) adopted the CEQR noise exposure guidelines for exterior noise levels. As shown in **Table 7-2** below, noise standards classify noise exposure into four categories based on

noise level limits and land use, for vehicular traffic, rail, and aircraft noise sources: Acceptable, Marginally Acceptable, Marginally Unacceptable and Clearly Unacceptable, Table 19-3 of the *2021 CEQR Technical Manual* defines attenuation requirements for buildings based on exterior noise exposure levels. Recommended noise attenuation values for buildings are designed to maintain interior L_{10} noise levels of 45 dB(A) or below or interior Ldn noise levels of 40 dB(A) or below depending on the noise source, as shown below in **Table 7-3**.

Table 7-2: Noise Exposure Guidelines for Use in City Environmental Impact Review

Receptor Type	Time Period	Acceptable General External Exposure	Airport[3] Exposure	Marginally Acceptable General External Exposure	Airport[3] Exposure	Marginally Unacceptable General External Exposure	Airport[3] Exposure	Clearly Unacceptable General External Exposure	Airport[3] Exposure
1. Outdoor area requiring serenity and quiet[2]		$L_{10} \leq 55$ dBA	----------DNL ≤ 60 dBA----------		----------60 < DNL ≤ 65 dBA----------		(I) 65 < DNL ≤ 75 dBA		---------- 75 dBA < DNL ----------
2. Hospital, nursing home		$L_{10} \leq 55$ dBA		$55 < L_{10} \leq 65$ dBA		$65 < L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
3. Residence, residential hotel, or motel	(7 AM to 10 PM)	$L_{10} \leq 65$ dBA		$65 < L_{10} \leq 70$ dBA		$70 < L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
	(10 PM to 7 AM)	$L_{10} \leq 55$ dBA		$55 < L_{10} \leq 70$ dBA		$70 < L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
4. School, museum, library, court, house of worship, transient hotel or motel, public meeting room, auditorium, out-patient public health facility		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
5. Commercial or office		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
6. Industrial, public areas only[4]	Note 4	Note 4		Note 4		Note 4		Note 4	

Notes:

(i) In addition, any new activity shall comply with Impact Thresholds detailed in Section 410.

[1] Measurements and projections of noise exposures are to be made at appropriate heights above site boundaries as given by American National Standards Institute (ANSI) Standards; all values are for the worst hour in the time period.

[2] Tracts of land where serenity and quiet are extraordinarily important and serve as important public need, and where the preservation of these qualities is essential for the area to serve its intended purpose. Such areas could include amphitheaters, particular parks or portions of parks, or open spaces dedicated or recognized by appropriate local officials for activities requiring special qualities of serenity and quiet. Examples are grounds for ambulatory hospital patients and patients and residents of sanitariums and nursing homes.

[3] One may use the FAA-approved DNL contours supplied by the Port Authority of New York and New Jersey (PANYNJ), or the noise contours may be computed from the federally approved Aviation Environmental Design Tool (AEDT) Computer Model using flight data supplied by the PANYNJ.

[4] External Noise Exposure standards for industrial areas of sounds produced by industrial operations other than operating motor vehicles or other transportation facilities are spelled out in the New York City Zoning Resolution, Sections 42-20 and 42-21. The referenced standards apply to M1, M2, and M3 manufacturing districts and to adjoining residence districts (performance standards are listed by octave bands).

Sources: New York City Department of Environmental Protection (adopted policy 1983).

Table 7-3: Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				**Clearly Unacceptable**
Vehicular Traffic	70 < L10 ≤ 73	73 < L10 ≤ 76	76 < L10 ≤ 78	78 < L10 ≤ 80	80 < L10
Aircraft[A]	65 < DNL ≤ 68	68 < DNL ≤ 71	71 < DNL ≤ 73	73 < DNL ≤ 75	75 < DNL
Train	65 < Ldn ≤ 68	68 < Ldn ≤ 71	71 < Ldn ≤ 73	73 < Ldn ≤ 75	75 < Ldn
Attenuation[B]	(i) 28 dB(A)	(ii) 31 dB(A)	(iii) 33 dB(A)	(iv) 35 dB(A)	See Note C

Note:

A. DNL descriptor based on average values of Ldn over a year period.
B. The above composite window-wall attenuation values are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would be 5 dB(A) less in each category. All of the above categories require a closed window situation and hence an alternate means of ventilation.
C. The required attenuation value is the difference between Lbuild and Linterior, using the appropriate noise descriptor Where:
   Lbuild is the projected noise level under the build condition rounded up to the whole number
   Linterior is the designed interior noise level (45 dB(A) for vehicular noise, 40 dB(A) for aircraft and train noise)

7.1 Initial Impact Screening

Stationary Sources

The *CEQR Technical Manual* states that based upon previous studies, unless existing ambient noise levels are very low and/or stationary source levels are very high (and there are no structures that provide shielding), it is unusual for stationary sources to have significant impacts at distances beyond 1,500 feet. A detailed analysis may be appropriate if the Proposed Project would: cause a substantial stationary source (i.e., unenclosed mechanical equipment for manufacturing or building ventilation purposes,

playground, etc.) to be operating within 1,500 feet of a receptor, with a direct line of sight to that receptor; or introduce a receptor in an area with high ambient noise levels resulting from stationary sources, such as unenclosed manufacturing activities or other loud uses. Machinery, mechanical equipment, heating, ventilating and air-conditioning units, loudspeakers, new loading docks, and other noise associated with building structures may also be considered in a stationary source noise analysis. Impacts may occur when a stationary noise source is near a sensitive receptor and is unenclosed.

No unenclosed stationary noise sources of concern were observed during field inspections. As the Projected Development Sites are not subject to high ambient noise levels from any nearby stationary source, no stationary source noise impacts from surrounding uses are anticipated. Additionally, it is assumed that the building mechanical systems (i.e., HVAC systems) would be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code, the New York City Department of Buildings Code) and to avoid producing levels that would result in any significant increase in ambient noise levels. Therefore, the Proposed Actions would not result in any significant adverse noise impacts related to building mechanical equipment.

Mobile Sources

Pursuant to Section 111 of the *2021 CEQR Technical Manual*, mobile sources are those noise sources that move in relation to a noise-sensitive receptor—principally automobiles, buses, trucks, aircraft, and trains. Each has its own distinctive noise character, and, consequently, an associated set of noise assessment descriptors.

For Mobile Sources, an initial noise assessment may be appropriate if a proposed action would generate additional project-generated vehicular traffic in an area where roadways currently carry no or very low traffic volumes, or where a nearby receptor would potentially be impacted by high ambient noise levels.

Vehicular traffic is the predominant source of noise in the area. Therefore, the noise analysis presented in this report focuses on the operational noise effects of the Proposed Action to determine the level of building attenuation necessary to ensure that interior noise levels satisfy CEQR requirements. The Proposed Action is not expected to increase existing noise passenger car equivalents (PCEs) by greater than 100%, and would therefore not result in significant adverse noise impacts associated with project-generated vehicles.

7.2 Noise Monitoring Results

Measurement Location and Equipment

Because the predominant noise source in the area of the proposed project is vehicular traffic, noise monitoring was conducted during peak weekday vehicular travel periods (AM, Midday, PM) on a typical midweek day for 20-minute periods. Noise Monitoring Location One (1) was located at the street level along East 22nd Street on the eastern portion of the Project Site; Noise Monitoring Location Two (2) was located at the street level along Avenue U on the northern portion of the Project Site. The noise monitoring locations are shown in **Figure 7-1** to **Figure 7-3** below.

Noise monitoring was conducted using a Type 1 Casella CEL-633 sound level meter with wind screen. The monitor was placed on a tripod at a height of approximately four feet above the ground, away from any other noise-reflective surfaces. The monitor was calibrated prior to and following each monitoring session. Periods of peak vehicular around the Affected Area constitute a worst-case condition for noise at the Project Site. Noise meter calibration certification and back up data are provided.

Figure 7-1: Noise Monitoring Locations



Figure 7-2: Location 1 – Noise Monitor Location Photo (Along East 22nd Street)



Figure 7-3: Location 2 – Noise Monitor Location Photo (Along Avenue U)



Existing Conditions

Monitoring was conducted during typical midweek conditions, on Thursday, September 7, 2023. The weather was dry and wind speeds were moderate during all monitoring periods. **Table 7-4** and **Table 7-5** below contain the results for the measurements taken at Location 1 and Location 2, respectively.

Table 7-4: Noise Levels in dBA at Location 1

Thursday, September 7, 2023			
Time	**7:33 am – 7:53 am**	**11:59 am – 12:19 pm**	**4:30 pm – 4:50 pm**
L_{max}	82.7	85.3	94.8
L_{10}	64.5	65.5	65.0
L_{eq}	62.1	62.4	67.5
L_{50}	58.5	58.5	61.0
L_{90}	53.5	53.5	59.0
L_{min}	49.5	50.0	57.4

Table 7-5: Noise Levels in dBA at Location 2

Thursday, September 7, 2023			
Time	**7:53 am – 8:13 am**	**12:20 pm – 12:40 pm**	**4:51 pm – 5:11 pm**
L_{max}	88.2	105.6	87.9
L_{10}	69.0	68.5	69.0
L_{eq}	66.6	73.7	67.0
L_{50}	63.0	61.0	61.5
L_{90}	57.5	56.5	58.5
L_{min}	53.7	53.1	54.7

The traffic volumes (vehicle counts) and vehicle classifications collected during peak vehicular travel periods [morning (AM), noon (MD), and evening (PM)] concurrent with noise monitoring at Location 1 and Location 2 are shown below in **Table 7-6** and **Table 7-7**, respectively.

Table 7-6: Traffic Volumes and Vehicle Classifications Noise Location 1

	7:33 am – 7:53 am	**11:59 am – 12:19 pm**	**4:30 pm – 4:50 pm**
Car/ Taxi	14	8	16
Van/Light Truck/SUV	15	8	14

Medium Truck	0	1	1
Heavy Truck	0	0	2
Bus	0	0	0

Table 7-7: Traffic Volumes and Vehicle Classifications Noise Location 2

	7:53 am – 8:13 am	**12:20 pm – 12:40 pm**	**4:51 pm – 5:11 pm**
Car/ Taxi	108	104	88
Van/Light Truck/SUV	38	48	50
Medium Truck	13	14	12
Heavy Truck	10	10	12
Bus	7	5	6

7.3 Conclusion

The *2021 CEQR Technical Manual* sets external noise exposure standards, which are classified into four categories: acceptable, marginally acceptable, marginally unacceptable, and clearly unacceptable. Table 19-3 of the *2021 CEQR Technical Manual* defines attenuation requirements for buildings based on exterior noise exposure levels. Recommended noise attenuation values for buildings are designed to maintain interior noise levels of 45 dB(A) or lower where vehicular traffic is the noise source. For a mixed residential/commercial use such as what would occur under the proposed action, an L_{10} of between 65 and 70 dB(A) is identified as marginally acceptable general external exposure. An L_{10} of between 70 and 80 dB(A) is identified as marginally unacceptable general external exposure.

The highest recorded L_{10} at Location 1 was 65.5 dB(A) during the midday period. The highest recorded L_{10} at Location 2 was 69 dB(A) during the evening period. The elevated L_{eq} at location 2 during the midday period was due to a police siren as described in the noise data and is not representative of typical noise conditions. Therefore, the highest L_{10} of 69.0 will be used for attenuation purposes.

Based on the noise readings, no window/wall attenuation is required. There will be no significant adverse impacts related to Noise.

APPENDIX A: WRP

FOR INTERNAL USE ONLY	WRP No. _____
Date Received: _____	DOS No. _____

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM
Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)* which has been approved as part of the State's Coastal Management Program.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

A. APPLICANT INFORMATION

Name of Applicant: 2118 Ave U LLC

Name of Applicant Representative: Environmental Studies Corp

Address: 55 Watermill Lane, Great Neck, NY 11021

Telephone: 718-343-0026 Email: hrothkrug@environmentalstudiescorp.com

Project site owner (if different than above): _____

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

The applicant proposes zoning changes as follows: Brooklyn Block 7354, Lots 1, 8, 11, 71, 72, and portions of 13 and 70 will be rezoned from R4/C1-2 to R4 & R6A/C2-4. Additionally, there is a zoning text amendment to modify Appendix F.

2. Purpose of activity

On the applicant-controlled Projected Development Site 1 (Block 7354, Lot 8) the Proposed Actions would facilitate the development of the following: Proposed Development: A 20,820 gsf mixed-use residential and commercial building on a 6,000 sq ft lot. The Proposed Project would be 4-storys and have a maximum height of 55 feet. The projected development includes 15,946 gsf of residential floor area (10 dwelling units, 3 of which would be permanently affordable pursuant to MIH) and 4,874 gsf of commercial floor area (local retail use) located on the ground floor. This yields a residential FAR of 2.61 and a commercial FAR of 0.8. for a total of 3.41 FAR (calculated using zsf) There would be 10 residential accessory parking spaces provided in a 4,560 sq ft cellar floor beneath the lot. These spaces would be accessed via a new curb cut on E. 22nd Street.

C. PROJECT LOCATION

Borough: Brooklyn Tax Block/Lot(s): Block 7354, Lots 1, 8, 11, 71, 72, and p/o 13 and 70

Street Address: 2118 Avenue U, Brooklyn, NY

Name of water body (if located on the waterfront): n/a

D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

City Actions/Approvals/Funding

City Planning Commission ☑ Yes ☐ No

- ☐ City Map Amendment
- ☑ Zoning Map Amendment
- ☑ Zoning Text Amendment
- ☐ Site Selection – Public Facility
- ☐ Housing Plan & Project
- ☐ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____
- ☐ Zoning Certification
- ☐ Zoning Authorizations
- ☐ Acquisition – Real Property
- ☐ Disposition – Real Property
- ☐ Other, explain: _____
- ☐ Concession
- ☐ UDAAP
- ☐ Revocable Consent
- ☐ Franchise

Board of Standards and Appeals ☐ Yes ☑ No

- ☐ Variance (use)
- ☐ Variance (bulk)
- ☐ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

Other City Approvals

- ☐ Legislation
- ☐ Rulemaking
- ☐ Construction of Public Facilities
- ☐ 384 (b) (4) Approval
- ☐ Other, explain: _____
- ☐ Funding for Construction, specify: _____
- ☐ Policy or Plan, specify: _____
- ☐ Funding of Program, specify: _____
- ☐ Permits, specify: _____

State Actions/Approvals/Funding

- ☐ State permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Federal Actions/Approvals/Funding

- ☐ Federal permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Is this being reviewed in conjunction with a Joint Application for Permits? ☐ Yes ☑ No

E. LOCATION QUESTIONS

1. Does the project require a waterfront site? ☐ Yes ☑ No
2. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters? ☐ Yes ☑ No
3. Is the project located on publicly owned land or receiving public assistance? ☐ Yes ☑ No
4. Is the project located within a FEMA 1% annual chance floodplain? *(6.2)* ☐ Yes ☑ No
5. Is the project located within a FEMA 0.2% annual chance floodplain? *(6.2)* ☐ Yes ☑ No
6. Is the project located adjacent to or within a special area designation? *See Maps – Part III of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).* ☐ Yes ☑ No

   ☐ Significant Maritime and Industrial Area (SMIA) (*2.1*)
   ☐ Special Natural Waterfront Area (SNWA) (*4.1*)
   ☐ Priority Maritime Activity Zone (PMAZ) (*3.5*)
   ☐ Recognized Ecological Complex (REC) (*4.4*)
   ☐ West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (*2.2, 4.2*)

F. WRP POLICY ASSESSMENT

Review the project or action for consistency with the WRP policies. For each policy, check Promote, Hinder *or* Not Applicable (N/A). *For more information about consistency review process and determination, see* ***Part I*** *of the NYC Waterfront Revitalization Program. When assessing each policy, review the full policy language, including all sub-policies, contained within* ***Part II*** *of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).*

For those policies checked Promote *or* Hinder, *provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.*

		Promote	Hinder	N/A
1	**Support and facilitate commercial and residential redevelopment in areas well-suited to such development.**	☑	☐	☐
1.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	☑	☐	☐
1.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	☐	☐	☑
1.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	☑	☐	☐
1.4	In areas adjacent to SMIAs, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	☐	☐	☑
1.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	☑	☐	☐

		Promote	Hinder	N/A
2	**Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.**	☐	☐	☑
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	☐	☐	☑
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☑
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.	☐	☐	☑
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	☐	☐	☑
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.	☐	☐	☑
3	**Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.**	☐	☐	☑
3.1.	Support and encourage in-water recreational activities in suitable locations.	☐	☐	☑
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	☐	☐	☑
3.3	Minimize conflicts between recreational boating and commercial ship operations.	☐	☐	☑
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	☐	☐	☑
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.	☐	☐	☑
4	**Protect and restore the quality and function of ecological systems within the New York City coastal area.**	☐	☐	☑
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	☐	☐	☑
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☑
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	☐	☐	☑
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	☐	☐	☑
4.5	Protect and restore tidal and freshwater wetlands.	☐	☐	☑
4.6	In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.	☐	☐	☑
4.7	Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.	☐	☐	☑
4.8	Maintain and protect living aquatic resources.	☐	☐	☑

		Promote	Hinder	N/A
5	**Protect and improve water quality in the New York City coastal area.**	☑	☐	☐
5.1	Manage direct or indirect discharges to waterbodies.	☐	☐	☑
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	☑	☐	☐
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	☐	☐	☑
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	☐	☐	☑
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	☐	☐	☑
6	**Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.**	☑	☐	☐
6.1	Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.	☑	☐	☐
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in *New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms*) into the planning and design of projects in the city's Coastal Zone.	☑	☐	☐
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.	☐	☐	☑
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	☐	☐	☑
7	**Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.**	☑	☐	☐
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	☑	☐	☐
7.2	Prevent and remediate discharge of petroleum products.	☐	☐	☑
7.3	Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.	☑	☐	☐
8	**Provide public access to, from, and along New York City's coastal waters.**	☐	☐	☑
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	☐	☐	☑
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	☐	☐	☑
8.3	Provide visual access to the waterfront where physically practical.	☐	☐	☑
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.	☐	☐	☑

		Promote	Hinder	N/A
8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.	☐	☐	☑
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	☐	☐	☑
9	**Protect scenic resources that contribute to the visual quality of the New York City coastal area.**	☐	☐	☑
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	☐	☐	☑
9.2	Protect and enhance scenic values associated with natural resources.	☐	☐	☑
10	**Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.**	☐	☐	☑
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.	☐	☐	☑
10.2	Protect and preserve archaeological resources and artifacts.	☐	☐	☑

G. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Raya DerBedrossian, Environmental Studies Corp.

Address: 55 Watermill Lane, Great Neck, NY 11021

Telephone: 718-343-0026 Email: hrothkrug@environmentalstudiescorp.com

Applicant/Agent's Signature: _____

Date: _____

Submission Requirements

For all actions requiring City Planning Commission approval, materials should be submitted to the Department of City Planning.

For local actions not requiring City Planning Commission review, the applicant or agent shall submit materials to the Lead Agency responsible for environmental review. A copy should also be sent to the Department of City Planning.

For State actions or funding, the Lead Agency responsible for environmental review should transmit its WRP consistency assessment to the Department of City Planning.

For Federal direct actions, funding, or permits applications, including Joint Applicants for Permits, the applicant or agent shall also submit a copy of this completed form along with his/her application to the NYS Department of State Office of Planning and Development and other relevant state and federal agencies. A copy of the application should be provided to the NYC Department of City Planning.

The Department of City Planning is also available for consultation and advisement regarding WRP consistency procedural matters.

New York City Department of City Planning
Waterfront and Open Space Division
120 Broadway, 31st Floor
New York, New York 10271
212-720-3696
wrp@planning.nyc.gov
www.nyc.gov/wrp

New York State Department of State
Office of Planning and Development
Suite 1010
One Commerce Place, 99 Washington Avenue
Albany, New York 12231-0001
518-474-6000
www.dos.ny.gov/opd/programs/consistency

Applicant Checklist

- ☐ Copy of original signed NYC Consistency Assessment Form
- ☐ Attachment with consistency assessment statements for all relevant policies
- ☐ For Joint Applications for Permits, one (1) copy of the complete application package
- ☐ Environmental Review documents
- ☐ Drawings (plans, sections, elevations), surveys, photographs, maps, or other information or materials which would support the certification of consistency and are not included in other documents submitted. All drawings should be clearly labeled and at a scale that is legible.
- ☐ Policy 6.2 Flood Elevation worksheet, if applicable. For guidance on applicability, refer to the WRP Policy 6.2 Guidance document available at www.nyc.gov/wrp

WRP Policy Assessment: Written Statements

Policy 1: Support and facilitate commercial and residential redevelopment in areas well-suited to such development.

A project or action would advance the policy above as it furthers sub-policies 1.1 (Encourage commercial and residential redevelopment in appropriate Coastal Zone areas), 1.3 (Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed), and 1.5 (Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2). The Proposed Project would add to the residential and commercial space in the Study Area, which is located on the edge of the Coastal Zone. This addition of housing, specifically the development of permanently affordable units, will encourage additional residential development in the Coastal Zone. Additionally, the ground-floor commercial retail space will contribute to economic development in the Study Area. The Proposed Development would only add a modest number of additional residents, and no additional transit infrastructure will be necessary to accommodate these residents. Development of parcels along the Avenue U corridor furthers sub-policies 1.1 and 1.3 stated above. Further as discussed in detail below, the Proposed Development incorporates sea level rise into the design of the building, furthering sub-policy 1.5.

Policy 5: Protect and improve water quality in the New York City coastal area.

A project or action would advance the policy above as it furthers sub-policy 5.2 (Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution). The Proposed Project will minimize nonpoint source pollution of coastal waters by avoiding pollution by limiting sources. The construction of the Proposed Project will employ sustainable stormwater management strategies, such as on-site detention, to minimize nonpoint discharge of excess pollutants into coastal waters.

Policy 6: Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.

A project or action would advance the policy above as it furthers sub-policies 6.1 (Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area) and 6.2 (Integrate consideration of the latest New York City projections of climate change and sea level rise). The site of the proposed development is not currently within the 1% annual chance flood plain nor the 0.2% annual chance flood plain. It is projected to fall within the 1% annual chance flood plain by 2050. The Proposed

Project includes both structural and non-structural components to minimize loss of infrastructure. See below for a detailed discussion of Policy 6.2.

Policy 7: Minimize environmental degradation and negative impacts on public health from solid-waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.

A project or action would advance the policy above as it furthers sub-policies 7.1 (Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems) and 7.3 (Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources). The Proposed Project will not introduce new industrial uses to the waterfront and is not anticipated to create new toxic pollutants or hazardous materials. During the development process, a Construction Health and Safety Plan (CHASP) will be employed in consultation with the Dept. of Environmental Protection. See the Hazardous Materials section of the EAS. Additionally, the Proposed Development will use routes and methods for transporting solid waste and hazardous materials that protect the coastal environment and the safety and general welfare of the public.

NYCWRP's Climate Change Adaptation: Policy 6.2 Consistency Assessment

Detailed Methodology

Step 1: Identifying Vulnerabilities and Consequences

(a): The completed Flood Elevation Worksheet is included below.

(b): The analysis below is based on the charts shown in tab 4 of the Flood Elevation Worksheet. The current 1% flood elevation at the Applicant's proposed development site is 10.0 feet. The elevation of the Applicant's proposed development site will be below the 1% flood elevation by the 2050s under all sea level rise projections and will be for its lifespan under all sea level rise projections. The property has a Design Flood Elevation (DFE) of 19.68 feet (refer to site plans in the Site Plan Appendix).

The Projected Development's critical systems would be located on the roof of the building and however, some mechanical rooms would be below the elevation of the 1% annual chance flood by the 2050s under all projections. This could result in loss of building services which could result in damage to property and temporary displacement of residents. The mechanical room, parking garage, bicycle storage and utility room will be below the elevation of the current 1% annual floodplain as of 2050 and will continue to be throughout its lifespan under any projection of sea level rise. The building's lobby and commercial retail space located on the ground floor (elevation of about 20 feet) will not

be below the elevation of the 1% annual chance floodplain at any point in the future under any projection of sea level rise. The lobby includes an egress corridor for the event of a flooding scenario. The lowest residential floor in the Projected Development would be the second floor of the building (elevation of about 35 feet). This floor would not be below the elevation of the 1% annual chance floodplain at any point in the future under any projection of sea level rise.

c): There are no building features that are expected to be below the elevation of Mean Higher High Water at some point over its lifespan under any projection of sea level rise.

(d): Coastal storms could bring high winds in addition to the flood hazards described above.

Step 2: Identify Adaptive Strategies

(a): The Proposed Development is designed to meet NYC Building Code standards for flood resistant construction standards, including dry floodproofed walls, flood barriers at building openings, and a foundation system designed to resist hydrostatic pressure. As a result, the cellar level will be protected from flooding and the rest of the building will be floodproofed up the elevation of the current 1% annual chance floodplain plus 2 feet of freeboard (13' NAVD 88). If the elevation of the floodplain increases beyond that by the 2050s or 2080s, additional protection could be provided through temporary barriers, or subsequent retrofits to extend dry floodproofed materials to higher elevations

(b): As discussed above, there are no building features that are expected to be below the elevation of Mean Higher High Water at some point over its lifespan under any projection of sea level rise.

(c): The Proposed Development would be required to meet NYC Building Code standards for wind loading.

(d): The project would not make flooding on adjacent sites worse, nor would it conflict with other plans for flood protection on adjacent sites.

Step 3: Assess Policy Consistency

A project or action would advance the policy when no new vulnerable, critical, or potentially hazardous features would be located within area flooded by current or future high tide, or current or future 1% annual chance flood, over the project's lifespan, or all new vulnerable, critical or potentially hazardous features would be protected through flood damage reduction elements or future adaptive measures within the timeframe that they would be needed.

As discussed above, the Proposed Project would introduce vulnerable features to an area that will eventually be within the 1% annual chance flood zone. However, the Proposed Project would ensure that all newly introduced vulnerable features are protected through flood damage reduction elements (specifically dry proofed perimeter wall and removable flood barriers) and does not preclude the possibility that future adaptive measures be installed within the timeframe that they would be needed.

NYC Waterfront Revitalization Program - Policy 6.2 Flood Elevation Workhsheet

COMPLETE INSTRUCTIONS ON HOW TO USE THIS WORKSHEET ARE PROVIDED IN THE "CLIMATE CHANGE ADAPTATION GUIDANCE" DOCUMENT AVAILABLE AT www.nyc.gov/wrp

Enter information about the project and site in highlighted cells in Tabs 1-3. Tab 4, "Summary Charts" contains primary results. Tab 5, "0.2%+SLR" produces charts to be used for critical infrastructure or facilities. Tab 6, "Calculations" contains background computations. Appendix A contains tide elevations for station across the city to be used for the elevation of MHHW if a site survey is not available. Non-highlighted cells have been locked.

Background Information	
Project Name	2118 Avenue U Rezoning
Location	Brooklyn Block 7354, Lots 1, 8, 11, 71, 72, and p/o 13 and 70
Type(s)	☑ Residential, Commercial, Community Facility ☐ Parkland, Open Space, and Natural Areas ☐ Tidal Wetland Restoration ☐ Critical Infrastructure or Facility ☐ Industrial Uses ☐ Over-water Structures ☐ Shoreline Structures ☐ Transportation ☐ Wastewater Treatment/Drainage ☐ Coastal Protection
Description	With the approval of the Proposed Actions, the Applicant intends to develop a mixed-use residential and commercial building. The 4-story building would be 55 feet tall and contain 20,820 gsf with 4,874 gsf of commercial space on the ground floor and 15,946 gsf of residential space (10 dwelling units).
Planned Completion Date	2025
Expected Project Lifespan	100 years

The New York City Waterfront Revitalization Program Climate Change Adaptation Guidance document was developed by the NYC Department of City Planning. It is a guidance document only and is not intended to serve as a substitute for actual regulations. The City disclaims any liability for errors that may be contained herein and shall not be responsible for any damages, consequential or actual, arising out of or in connection with the use of this information. The City reserves the right to update or correct information in this guidance document at any time and without notice.

For technical assistance on using this worksheet, email wrp@planning.nyc.gov, using the message subject "Policy 6.2 Worksheet."

Last update: Sept. 7, 2018

Establish current tidal and flood heights.

	FT (NAVD88)	Feet	Datum	Source
MHHW	2.13	**2.13**	**navd88**	*Appendix A*
1% flood height	10.00	**10.00**	**navd88**	*NYC Flood Hazard Mapper*
Design flood elevation	19.68	**19.68**	**navd88**	*Project Plans*
As relevant:				
0.2% flood height	-->			

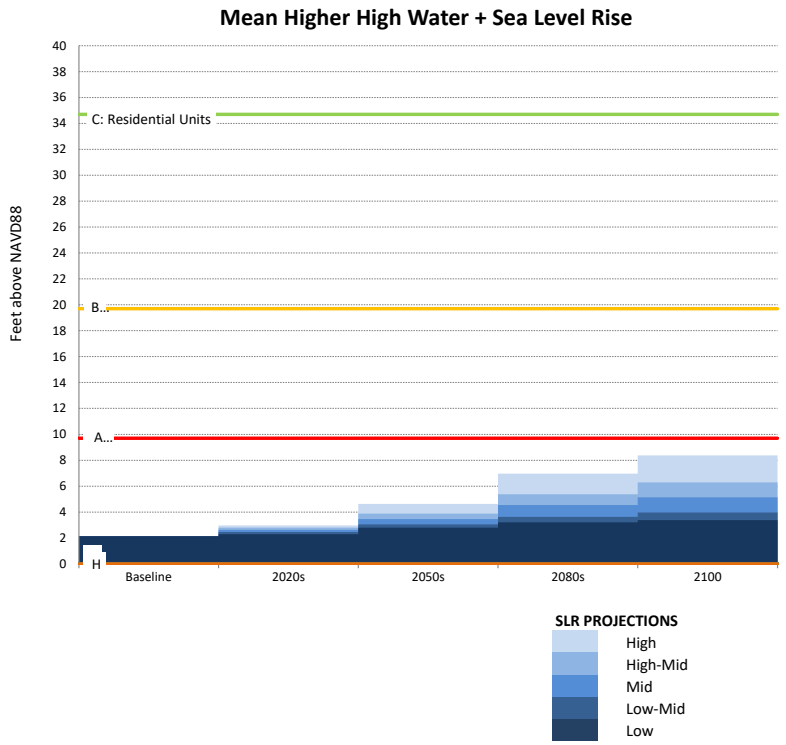
Data will be converted based on the following datums:

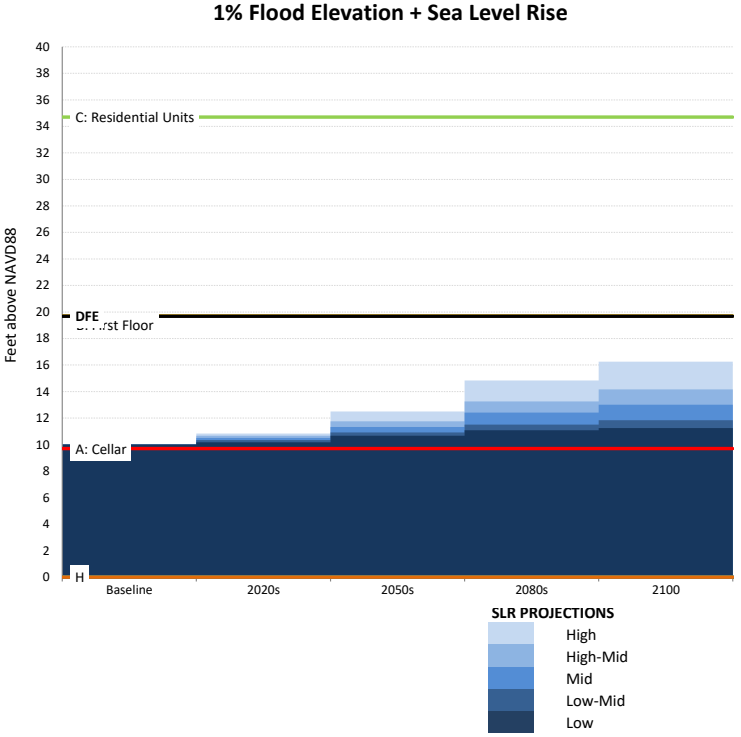
Datum	FT (NAVD88)
NAVD88	*0.00*
NGVD29	*-1.10*
Manhattan Datum	*1.65*
Bronx Datum	*1.51*
Brooklyn Datum (Sewer)	*0.61*
Brooklyn Datum (Highway)	*1.45*
Queens Datum	*1.63*
Richmond Datum	*2.09*

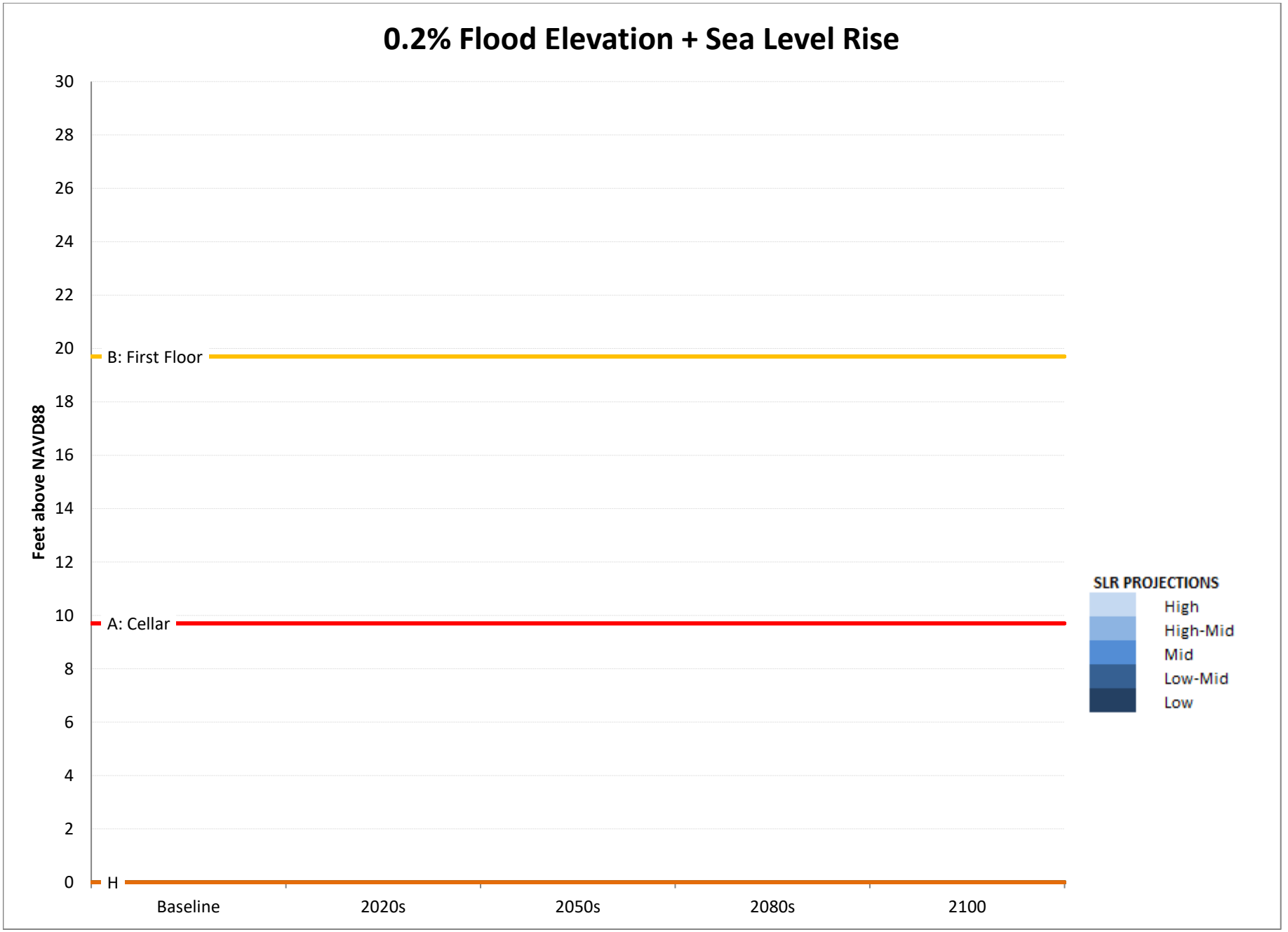
Describe key physical features of the project.

Feature *(enter name)*	Feature Category	Lifespan	Elevation	Units	Datum	Ft	Ft Above NAVD88	Ft Above MHHW	Ft Above 0.2% flood height
A: Cellar	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☑ Other	2125	9.7	Feet	NAVD88	*9.7*	*9.7*	*7.6*	*#VALUE!*
The building's cellar contains car parking, bicycle storage, and mechanical and utility space.									
B: First Floor	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☑ Other	2125	19.7	Feet	NAVD88	*19.7*	*19.7*	*17.6*	*#VALUE!*
The building's first floor contains a residential entryway and commercial space.									
C: Residential Units	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☑ Other	2125	34.7	Feet	NAVD88	*34.7*	*34.7*	*32.6*	*#VALUE!*
Floors 2-5 contain residential units									
D	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88				
Description of Planned Uses and Materials									
E	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88				
Description of Planned Uses and Materials									
F	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88				
Description of Planned Uses and Materials									
G	☐ Vulnerable ☐ Critical ☐ Potentially Hazardous ☐ Other			Feet	NAVD88				
Description of Planned Uses and Materials									
H	☐ Vulnerable ☐ Critical ☑ Potentially Hazardous ☐ Other			Feet	NAVD88				
Description of Planned Uses and Materials									

Assess project vulnerability over a range of sea level rise projections.






0.2% Flood Elevation + Sea Level Rise
Feet above NAVD88
30
28
26
24
22
20
18
16
14
12
10
8
6
4
2
0
B: First Floor
A: Cellar
H
Baseline
2020s
2050s
2080s
2100
SLR PROJECTIONS
High
High-Mid
Mid
Low-Mid
Low

	SLR (ft)					
	Low	**Low-Mid**	**Mid**	**High-Mid**	**High**	
Baseline	0.00	0.00	0.00	0.00	0.00	**2014**
2020s	0.17	0.33	0.50	0.67	0.83	**2020s**
2050s	0.67	0.92	1.33	1.75	2.50	**2050s**
2080s	1.08	1.50	2.42	3.25	4.83	**2080s**
2100	1.25	1.83	3.00	4.17	6.25	**2100**

	MHHW+SLR (ft above NAVD88)				
	Low	**Low-Mid**	**Mid**	**High-Mid**	**High**
Baseline	2.13	2.13	2.13	2.13	2.13
2020s	2.30	2.46	2.63	2.80	2.96
2050s	2.80	3.05	3.46	3.88	4.63
2080s	3.21	3.63	4.55	5.38	6.96
2100	3.38	3.96	5.13	6.30	8.38

	1%+SLR (ft above NAVD88)				
	Low	**Low-Mid**	**Mid**	**High-Mid**	**High**
Baseline	10.00	10.00	10.00	10.00	10.00
2020s	10.17	10.33	10.50	10.67	10.83
2050s	10.67	10.92	11.33	11.75	12.50
2080s	11.08	11.50	12.42	13.25	14.83
2100	11.25	11.83	13.00	14.17	16.25

	0.2%+SLR (ft above NAVD88)				
	Low	**Low-Mid**	**Mid**	**High-Mid**	**High**
Baseline	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2020s	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2050s	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2080s	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2100	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!

	0	1
A: Cellar	10	9.7
B: First Floor	20	19.7
C: Residential Units	34.7	34.7
D	0	0
E	0	0
F	0	0
G	0	0
H	0	0
DFE	19.68	19.68

SLR (in)				
Low	**Low-Mid**	**Mid**	**High-Mid**	**High**
0	0	0	0	0
2	4	6	8	10
8	11	16	21	30
13	18	29	39	58
15	22	36	50	75

NOAA Tide Station Data

(to be used only when a site survey is unavailable)

Station ID	*Station Name*	*Source MHHW (Feet, NAVD88)**	*Adjusted MHHW (Feet, NAVD88)**
8518687	Queensboro Bridge	2.27	2.60
8530095	Alpine	2.11	2.44
8516614	Glen Cove	3.72	4.05
8516990	Willets Point	3.72	4.05
8518639	Port Morris	3.33	3.66
8518699	Williamsburg Bridge	2.14	2.47
8518750	The Battery	2.28	2.61
8531680	Sandy Hook	2.41	2.74
8518490	New Rochelle	3.71	4.04
8531545	Keyport	2.66	2.99
8516891	Norton Point	2.08	2.41
8517201	North Channel	2.72	3.05
8517137	Beach Channel	2.10	2.43
8517756	Kingsborough	2.13	2.46
8519436	Great Kills	2.22	2.55
8531142	Port Reading	2.82	3.15
8519483	Bergen Point	2.56	2.89
8519050	USCG	2.28	2.61
8518902	Dyckman St	2.01	2.34
8517251	Worlds Fair Marina	3.59	3.92
8518668	Horns Hook	2.54	2.87
8518643	Randalls Island	2.60	2.93
8518526	Throggs Neck	3.68	4.01

* MHHW values include an addition 0.33 feet to account for changes in sea level since the 1983-20(

Source
NOAA Tides and Currents
NOAA Tides and Currents
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NOAA Tides and Currents
NOAA Tides and Currents
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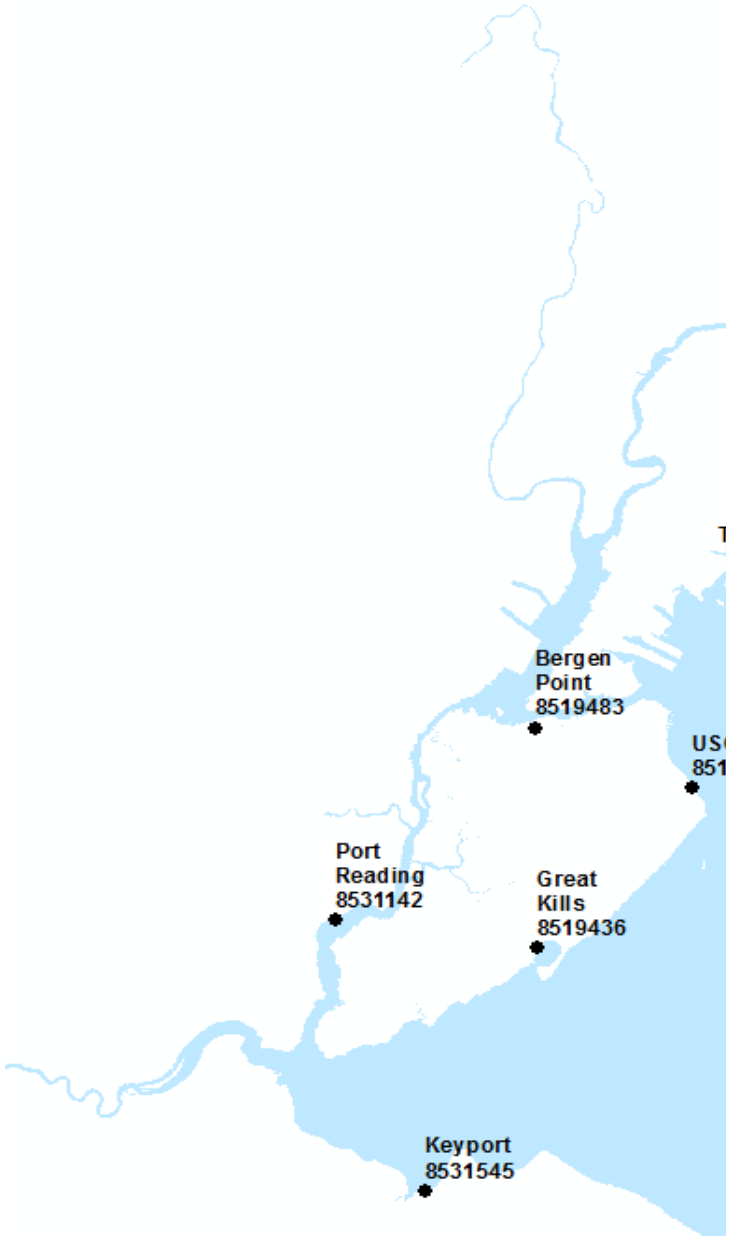



Alpine
8530095
New
Rochelle
8518490
Dyckman St
8518902
Glen Cove
8516614
Randalls
Island
8518643
Port
Morris
8518639
Throggs
Neck
8518526
Willets
Point
8516990
Worlds Fair
Marina
8517251
Queensboro
Bridge
8518687
Horns Hook
8518668
Williamsburg
Bridge
8518699
The Battery
8518750
North
Channel
8507201
Norton
Point
8516891
CG
I9050
Beach
Channel
8517137
Kingsborough
8517756
Sandy Hook
8531680

APPENDIX B: PHASE I ENVIRONMENTAL ASSESSMENT EXECUTIVE SUMMARY

B. EXECUTIVE SUMMARY

Site Description

The subject property at 2118 Avenue U, Brooklyn, New York consists of a 6,000+/- square foot, rectangular shaped parcel which contains a 1-story (plus cellar) retail building with two commercial/retail spaces. The first space is occupied by Buy Energy Direct for office use, and the second space was vacant at the time of the site visit. Heating and air conditioning for the building are provided by rooftop, gas-fired heating, ventilation, and air conditioning units (HVAC).

Exterior portions of the site consist of a small, asphalt-paved parking and loading area on the southeast corner of the lot.

Site History

Research into the history of the project site shows that the subject building was constructed sometime between 1930 and 1950. The identified former occupants/uses in the building include retail stores such as grocery stores, a meat market, a bargain store, a luggage store, clothing and apparel stores, a shoe store, professional office uses, and DLS Manufacturing Corp. The identified former retail uses at the project site are not types of operations that typically store or use hazardous substances or petroleum products in their operations. DLS Manufacturing Corp. is identified in the building in 1985. The type of operations of this company is not known, however, there are not any indications of the storage or use of hazardous substances or petroleum products shown in the building on Sanborn maps of the period (i.e., 1983 and 1986 maps). In addition, DLS Manufacturing Corp. does not appear in any of the regulatory agency environmental databases reviewed for this report. Given this information, and the short period of time DLS Manufacturing Corp. was located at the site, it is considered unlikely that this business would have impacted the property.

Prior to the construction of the building, the project site was vacant and undeveloped, as shown on the 1906 and 1930 Sanborn maps, and the 1924 historical aerial photograph of the property.

Site Drainage

Typical lavatory drainage structures such as sinks and toilets are located in the subject building. The drainage destination of these structures is not known; however, it is likely that they discharge to the municipal sewer system.

Petroleum Storage Tanks

No indications of the presence of petroleum storage tanks such as tank fillports, vent lines, associated mechanical equipment, etc., were observed on the portions of the property viewed during the site visit. The property is not identified in the New York State Department of Environmental Conservation (NYSDEC) Petroleum Bulk Storage database, which lists all registered facilities with a total combined petroleum storage capacity in excess of 1,100 gallons. There are not any Oil Burner Applications on file for the project site in the New York City Department of Buildings (NYCDOB) records reviewed.

Asbestos/Lead-Based Paints/PCBs

Given the age of the building (completed prior to 1970), it is possible that it contains asbestos building materials and lead-based paints. Given the uses in the building, it is unlikely that it would contain electrical transformers or other large electrical equipment containing PCBs.

Regulatory Agency Database Records

The property does not appear in the Federal or State environmental databases reviewed including the United States Environmental Protection Agency (USEPA's) Superfund, CERCLIS or ERNS databases, the RCRA Hazardous Waste Generators list or hazardous waste Treatment/Storage/Disposal Facilities list, or the NYSDEC's Spill Logs or Petroleum Bulk Storage (PBS) database, Solid Waste Facilities database, Voluntary Cleanup Program database, Brownfield Cleanup Program database, or the Registry of Inactive Hazardous Waste Disposal Sites.

Surrounding Land Uses

The property is adjoined to the north by Avenue U, beyond which are mixed-use buildings (i.e., residential with ground floor retail). Adjacent and to the south of the site are residential uses. Adjacent and to the east is East 22nd Street, beyond which is a mixed-use building (i.e., residential with ground floor retail). The property is adjoined to the west by a mixed-use building (i.e., residential with ground floor retail). Land uses in the immediate vicinity of the property (i.e., within approximately 500 feet of the site) are predominantly comprised of residential and commercial/retail uses. There are not any gasoline filling stations or heavy industrial uses located in the immediate vicinity of the project site.

A review of Sanborn historical maps shows that land uses in the immediate vicinity of the subject property have historically contained a mix of residential and commercial/retail uses since at least the 1930s. There were not any heavy industrial uses identified in the immediate vicinity of the project site on any of the historical Sanborn maps reviewed. The 1930 through 2005 Sanborn maps show a former gasoline filling station at 2563 Ocean Avenue, which is located approximately 300 feet west/southwest of the project site. There are not any active, NYSDEC-reported spill incidents at this former filling station, and, the former filling station was re-developed with a 6-story and basement, mixed-use building (i.e., residential with ground floor professional offices) in 2007.

There were not any off-site, potential sources of contamination identified in the surrounding area which are considered likely to have impacted the property.

Conclusions

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 of 2118 Avenue U, Brooklyn, N.Y., the property. Any exceptions to or deletions from this standard are described in section A of this report. This assessment has revealed no evidence of *Recognized Environmental Conditions, Historical Recognized Environmental Conditions* or *Controlled Recognized Environmental Conditions* in connection with the property.

Environmental Professional Statement

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in 312.1 of 40 CFR 312 and we have the specified qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquires in conformance with the standards and practices set forth in 40 CFR Part 312.

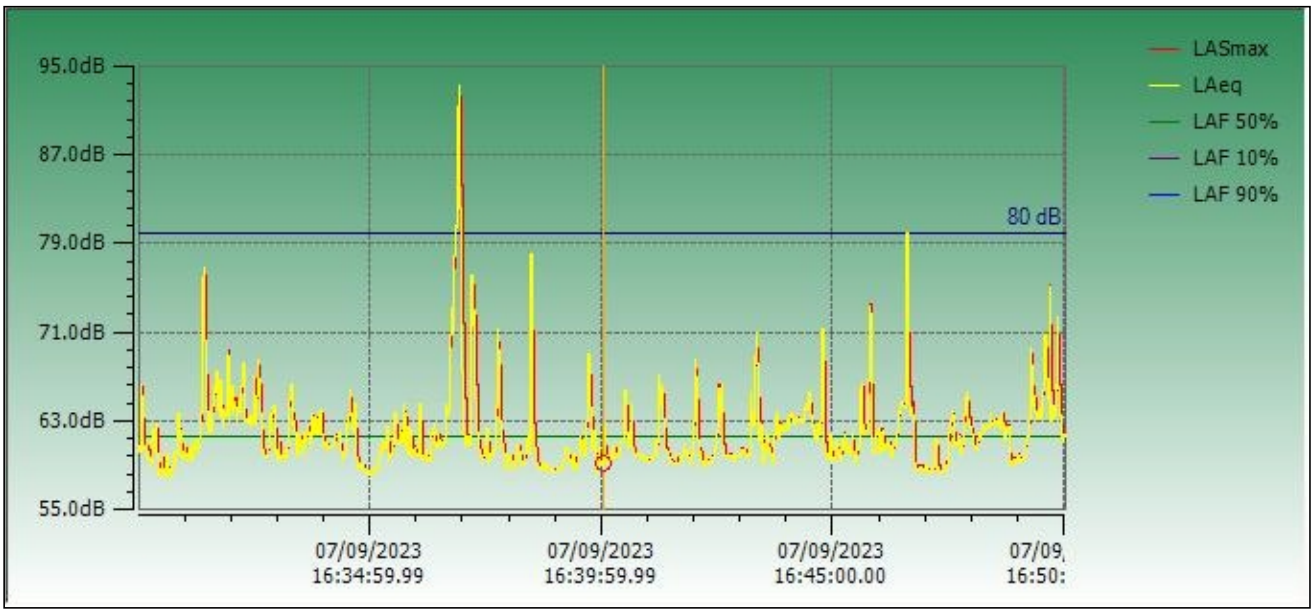
Respectfully Submitted,

_____

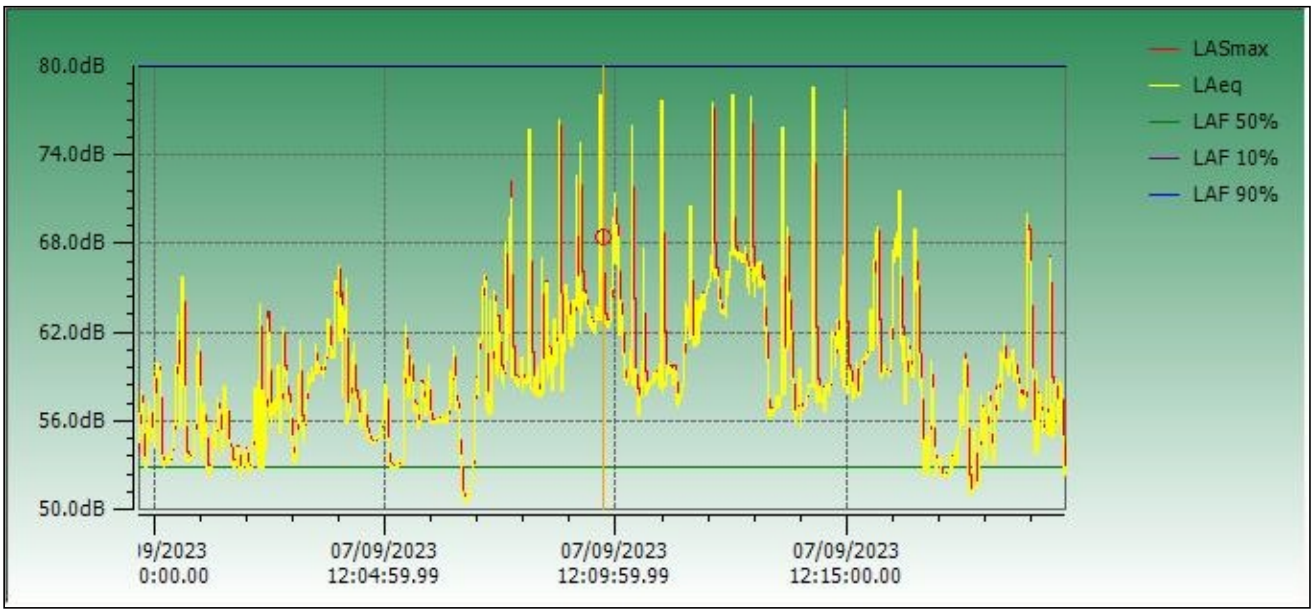
Hiram A. Rothkrug, Director
Environmental Studies Corp.

APPENDIX C: NOISE DATA

Instrument Model	**CEL-633C**
Serial Number	4278006
Start Date & Time	9/7/2023 4:30:01 PM
End Date & Time	9/7/2023 4:50:02 PM
Duration	00:20:01 HH:MM:SS
Pause Duration	00:00:00 HH:MM:SS
Calibration (Before) Date	9/7/2023 4:21:33 PM
Calibration (After) Date	9/11/2023 9:01:19 AM
LASmax	94.8 dB
LASmin	57.4 dB
LAeq	67.5 dB
LAS 10%	65 dB
LAS 50%	61 dB
LAS 90%	59 dB
LDN	0
Result	Cumulative



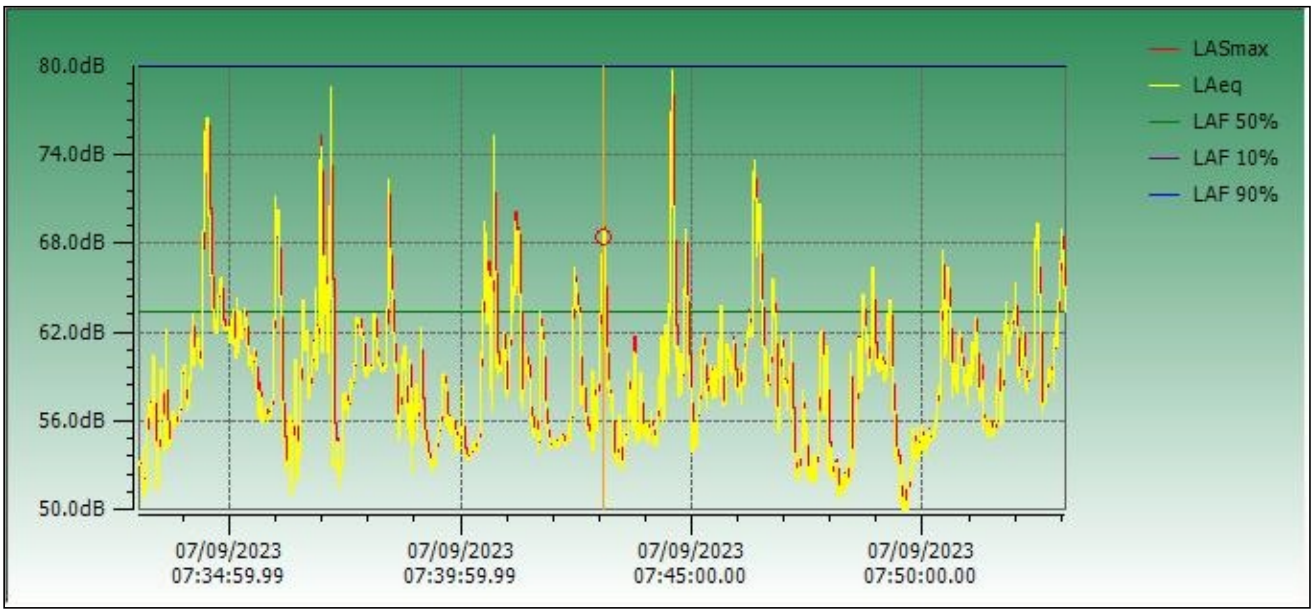
Instrument Model	**CEL-633C**
Serial Number	4278006
Start Date & Time	9/7/2023 11:59:41 AM
End Date & Time	9/7/2023 12:19:44 PM
Duration	00:20:03 HH:MM:SS
Pause Duration	00:00:00 HH:MM:SS
Calibration (Before) Date	9/7/2023 11:48:11 AM
Calibration (After) Date	9/7/2023 4:21:33 PM
LASmax	85.3 dB
LASmin	50 dB
LAeq	62.4 dB
LAS 10%	65.5 dB
LAS 50%	58.5 dB
LAS 90%	53.5 dB
LDN	0
Result	Cumulative



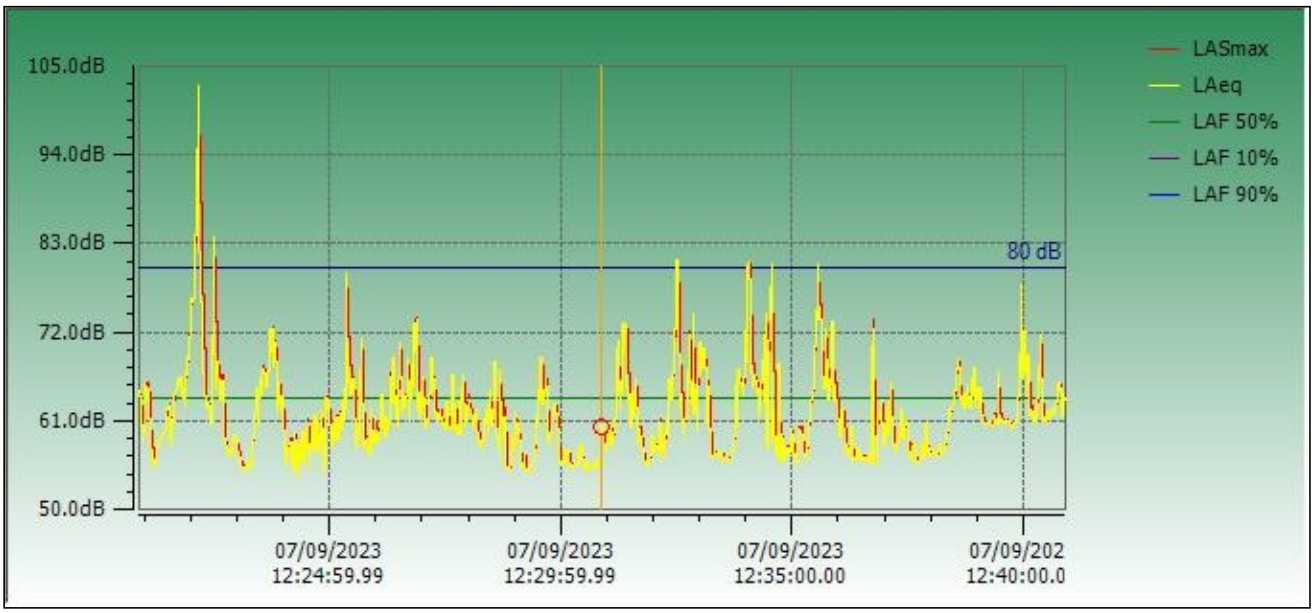
Casella CEL Ltd.

Report On CEL-63X

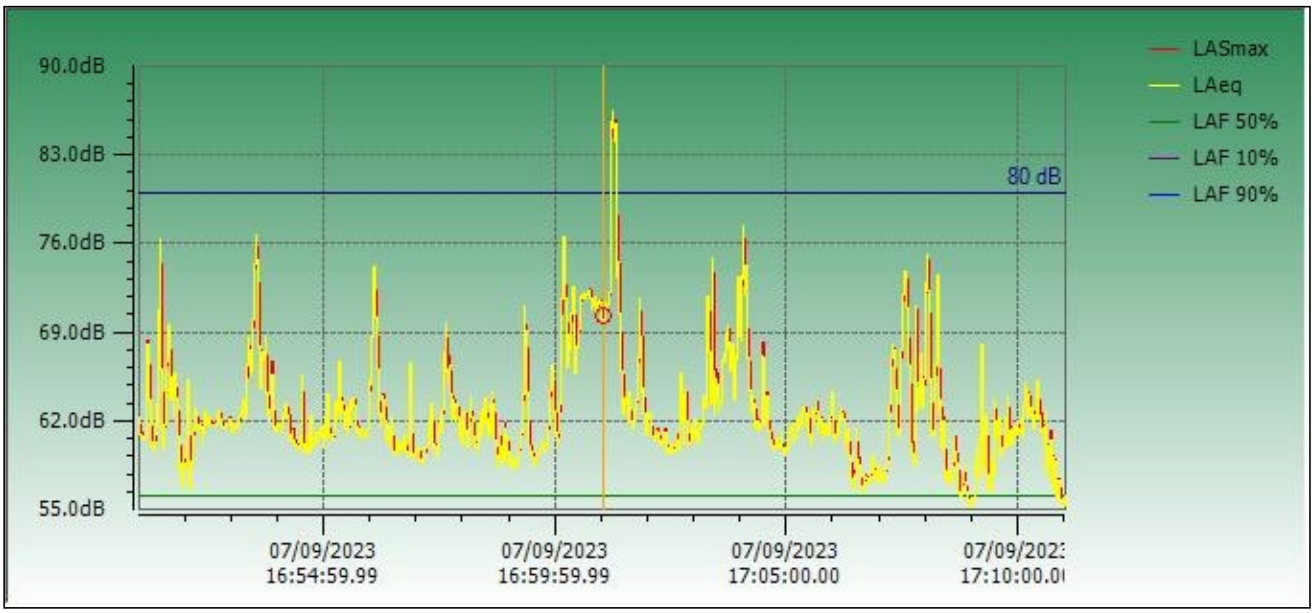
Instrument Model	**CEL-633C**		
Serial Number	4278006	LASmin	49.5 dB
Start Date & Time	9/7/2023 7:33:02 AM	LAeq	62.1 dB
End Date & Time	9/7/2023 7:53:05 AM	LAS 10%	64.5 dB
Duration	00:20:03 HH:MM:SS	LAS 50%	58.5 dB
Pause Duration	00:00:00 HH:MM:SS	LAS 90%	53.5 dB
Calibration (Before) Date	9/7/2023 7:31:39 AM	LDN	0
Calibration (After) Date	9/7/2023 11:48:11 AM	Result	Cumulative
LASmax	82.7 dB		



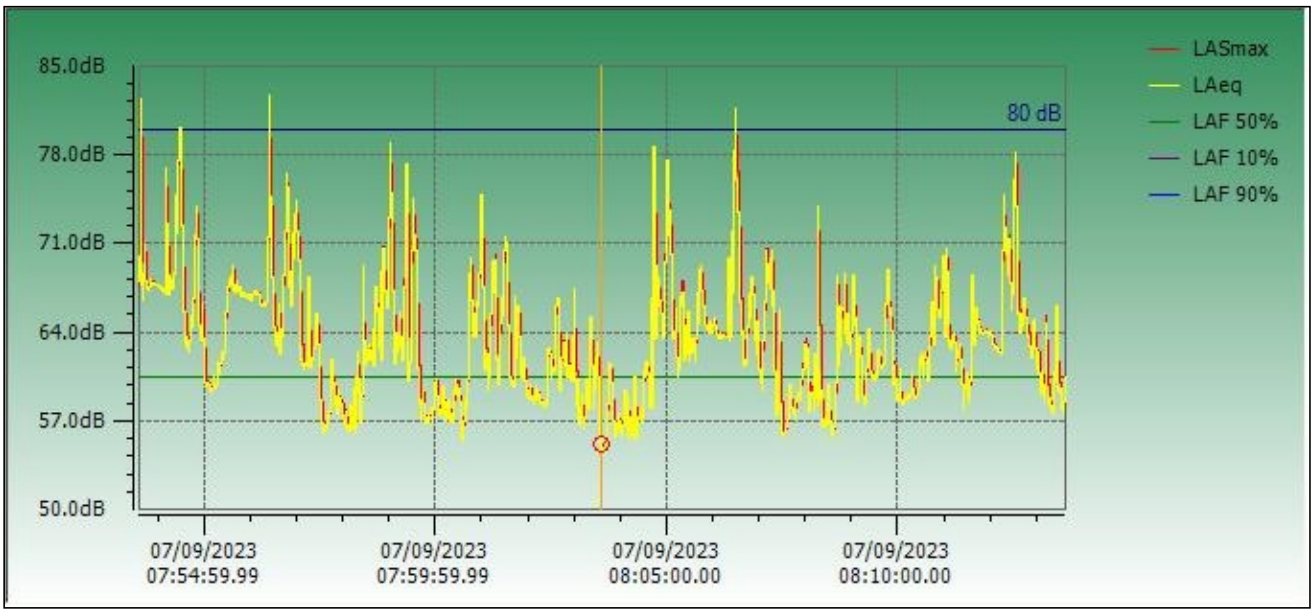
Instrument Model	**CEL-633C**		
Serial Number	4278006	LASmin	53.1 dB
Start Date & Time	9/7/2023 12:20:53 PM	LAeq	73.7 dB
End Date & Time	9/7/2023 12:40:55 PM	LAS 10%	68.5 dB
Duration	00:20:02 HH:MM:SS	LAS 50%	61 dB
Pause Duration	00:00:00 HH:MM:SS	LAS 90%	56.5 dB
Calibration (Before) Date	9/7/2023 11:48:11 AM	LDN	0
Calibration (After) Date	9/7/2023 4:21:33 PM	Result	Cumulative
LASmax	105.6 dB		



Instrument Model	**CEL-633C**		
Serial Number	4278006	LASmin	54.7 dB
Start Date & Time	9/7/2023 4:51:01 PM	LAeq	67 dB
End Date & Time	9/7/2023 5:11:02 PM	LAS 10%	69 dB
Duration	00:20:01 HH:MM:SS	LAS 50%	61.5 dB
Pause Duration	00:00:00 HH:MM:SS	LAS 90%	58.5 dB
Calibration (Before) Date	9/7/2023 4:21:33 PM	LDN	0
Calibration (After) Date	9/11/2023 9:01:19 AM	Result	Cumulative
LASmax	87.9 dB		



Instrument Model	**CEL-633C**		
Serial Number	4278006	LASmin	53.7 dB
Start Date & Time	9/7/2023 7:53:35 AM	LAeq	66.6 dB
End Date & Time	9/7/2023 8:13:37 AM	LAS 10%	69 dB
Duration	00:20:02 HH:MM:SS	LAS 50%	63 dB
Pause Duration	00:00:00 HH:MM:SS	LAS 90%	57.5 dB
Calibration (Before) Date	9/7/2023 7:31:39 AM	LDN	0
Calibration (After) Date	9/7/2023 11:48:11 AM	Result	Cumulative
LASmax	88.2 dB		



APPENDIX D: LPC DESIGNATION

Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

Project number: LA-CEQR-K (DEPARTMENT OF CITY PLANNING)
Project: 2118 AVENUE U REZONING
Address: 2118 AVENUE U BBL: 3073540008
Date Received: 11/16/2023

[X**] No architectural significance**

[X**] No archaeological significance**

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

[ ] Listed on National Register of Historic Places

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

[ ] May be archaeologically significant; requesting additional materials

Comments:

S/NR ELIGIBLE CONGREGATION PRI EITZ CHAIM, 2592 OCEAN AVENUE WITHIN RADIUS.

Gina Santucci

11/27/2023

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 37195_FSO_DNP_11272023.docx

Appendix E: Technical Memorandum for City of Yes for Housing Opportunity

City of Yes for Housing Opportunity Technical Memorandum

Introduction

The NYC Department of City Planning is proposing a citywide zoning text amendment, the City of Yes for Housing Opportunity "CHO" (CEQR No. 24DCP033Y) to expand opportunities for housing within all zoning districts, and across all 59 of the City's Community Districts. These changes to the City's Zoning Resolution would enable more housing and a wider variety of housing types in every neighborhood, from the lowest density districts to the highest, to address the housing shortage and high cost of housing in New York City. It is anticipated that this proposed zoning text amendment would be referred into public review in Spring 2024. Given that this project may be affected by the proposals included in the text amendment, this technical memorandum assesses whether the analysis conclusion of the environmental review would by altered by CHO.

The Applicant seeks a zoning map amendment and a zoning text amendment. The zoning map amendment would rezone an existing R4/C1-3 district to an R4 and R6A/C2-4 districts. The Affected Area includes Block 7354, Lots 1 and 8 to be rezoned to a R6A/C2-4 district and Block 7354, Lots 11, 71, 72, and portions of Lots 13 and 70 to be rezoned to an R4 district (the "Affected Area"). The zoning text amendment is pursuant to Appendix F and would establish a Mandatory Inclusionary Housing ("MIH") Area on Block 7354, Lots 1 and 8, with both Options 1 and 2 being mapped. Together these two actions are referred to in this EAS as the "Proposed Actions". The Proposed Actions would affect an area that is located in the Madison neighborhood of Brooklyn Community District 15 that is bound by Avenue U to the north, East 22nd Street to the east, the remainder of Block 7354 to the south, and East 21st Street to the west.

The Applicant intends to develop mixed-use residential and commercial building. The 4-story building would be 55 feet tall and contain 20,450 gsf with 4,800 gsf of commercial space on the ground floor and 15,946 gsf of residential space resulting in 10 dwelling units (the "Proposed Development"). The Proposed Development would have a residential FAR of 2.61 and a commercial FAR of 0.8. for a total of 3.41 FAR. There would be 10 residential accessory parking spaces provided in a 4,560 sq ft cellar floor beneath the lot. These spaces would be accessed via a new curb cut on E. 22nd Street.

For the purpose of presenting a conservative analysis, the With-Action scenario discussed below is used in the technical analysis sections presented in the EAS. With the approval of the Proposed Actions, the Reasonable Worst-Case Development Scenario (RWCDS) projects the development of a mixed-use building on Projected Development Site 1 on the applicant-owned lot (Block 7354, Lot 8). The "Projected Development" is a 21,600 gsf eight-story building (85 ft tall) with 4,800 gsf of ground floor commercial (local retail uses) uses and 16,800 gsf of residential space (24 residential units). The building would have a total FAR of 3.6 (0.8 Commercial and 2.8 Residential). There would be 10 parking spaces (accessory residential) in the cellar level. Of the 24 dwelling units, up to 7 would be affordable pursuant to MIH. Both MIH Options 1 and 2 would be mapped on the Affected Area as part of the Proposed Actions. The final compliance with MIH would be determined through the ULURP process.

Analysis Framework

This Technical Memorandum provides a preliminary assessment of the effects of CHO on the Proposed Actions and details how CHO would affect the analysis and conclusions presented in the EAS. The City of Yes for Housing Opportunity proposal as presented in the Draft Scope of Work would change the allowable FAR for this project's proposed zoning district from 3.6 in R6A/C2-4 (pursuant to Mandatory Inclusionary Housing) to 3.9 (pursuant to CHO's Proposed Universal Affordability Preference). CHO's proposed Universal Affordability Preference ("UAP") would increase the allowable developable floor area by 0.3 FAR, or 1,800 zsf (1,858 gsf). CHO would also change the maximum height analyzed in the EAS for the proposed R6A/C2-4 district from 85 feet to 95 feet. No parking spaces would be required because CHO proposes to eliminate parking requirements for new residential developments.

Future No-Action Condition

In the future without the Proposed Actions, no development would occur within the Affected Area. City of Yes for Housing Opportunity would not alter the No-Action Condition.

Future With-Action Condition

City of Yes for Housing Opportunity would modify the With-Action Condition analyzed in the EAS by facilitating the development of an additional 1,800 zsf (1,858 gsf) of floor area (resulting in three dwelling units pursuant to CHO's Universal Affordability Preference) and 10 feet of building height.

Supplemental Screening

The introduction of three additional dwelling units to 27 total units would not exceed the thresholds requiring analysis within the CEQR Technical Manual for Socioeconomic Conditions, Community Facilities, Open Space, Water and Sewer Infrastructure, Solid Waste and Sanitation Services, Energy, Transportation or Construction. The conclusions presented in the EAS would not change and no further analysis related to these impact categories is necessary. Changes facilitated by CHO including the introduction of 0.3 FAR additional building bulk to 3.9 total FAR and an additional 10 feet of maximum building height for a total of 95 feet similarly would not substantially alter the site-specific characteristics of the Project Area and would not exceed the threshold in the CEQR Technical Manual requiring analysis for Natural Resources, Greenhouse Gas Emissions, Public Health or Neighborhood Character. The conclusions presented in the EAS would not change and no further analysis related to these impact categories is warranted.

The proposed (E) designations for Hazardous Materials and Air Quality would remain the same as presented within the EAS to avoid significant adverse impacts to these technical areas. The potential changes to the With-Action Condition facilitated by CHO would not alter the conclusions of the EAS related to Hazardous Materials and Air Quality, and no further analysis is warranted.

Land Use, Zoning, and Public Policy

Compared to With-Action Condition analyzed within the EAS, the potential changes facilitated by CHO would allow for the development of a building with an additional 1,800 zsf (1,858 gsf), approximately three additional residential dwelling units, and 10 additional feet of maximum building height.

The changes that would be facilitated by CHO would not require new analysis nor change the conclusion of the Land Use, Zoning, and Public Policy section analyzed within the EAS. The changes facilitated by CHO would continue to result in land uses that are compatible with the mixed-use residential and

commercial character within the Study Area. The proposed R6A/C2-4 district would be compatible with medium-density R4, R4/C1-3, R7A, and R6A districts found within 400 feet of the Affected Area. The addition of three residential dwelling units facilitated by CHO's Universal Affordability Preference would be supportive of the City's housing goals as identified in *Housing New York 2.0* and *Housing Our Neighbors: A Blueprint for Housing and Homelessnes*s. The incorporation of changes facilitated by CHO would not result in a significant adverse impact to Land Use, Zoning, and Public Policy and no further analysis is warranted.

Shadows

CHO would potentially enable the maximum building height of the proposed R6A/C2-4 zoning district to increase by 10 feet from 85 feet to 95 feet. A Tier 1 screening assessment provided in the Shadows section of the EAS did not identify sunlight-sensitive resources with a 473-foot analysis area. The additional 10 feet of maximum building height potentially enabled by CHO would require the expansion of this analysis area to 516 feet. There were no sunlight-sensitive resources identified within 516 feet of the Development Site. Therefore, the additional height enabled by CHO would not result in significant adverse impacts related to Shadows and no further analysis is warranted.

Historic and Cultural Resources

Compared to the With-Action Condition analyzed within the EAS, the potential changes facilitated by CHO would allow for the development of a building with an additional 1,800 zsf (1,858 gsf), approximately three additional residential dwelling units, and 10 additional feet of maximum building height. As is analyzed within the EAS, the Affected Area would continue to contain no architectural nor archaeological significance. The potential changes enabled by CHO would not alter the conclusion of the EAS and no further analysis is warranted.

Urban Design

Compared to the With-Action Condition analyzed within the EAS, the potential changes facilitated by CHO would allow for the development of a building with an additional 1,800 zsf (1,858 gsf), approximately three additional residential dwelling units, and 10 additional feet of maximum building height. The potential addition of 10 feet of maximum building height would raise the building height from 85 feet to 95 feet. The potential additional height facilitated by CHO would result in a negligible change in building appearance that would not negatively affect the pedestrian experience. The potential additional height would not obstruct important visual resources. The potential change in building height facilitated by CHO would not result in a significant adverse impact to Urban Design and no further analysis is warranted.

Noise

Compared to the With-Action Condition analyzed within the EAS, the potential changes facilitated by CHO would allow for the development of a building with an additional 1,800 zsf (1,858 gsf), approximately three additional residential dwelling units, and 10 additional feet of maximum building height. The potential changes facilitated by CHO would not affect the With-Action Condition noise projections presented in the EAS. Noise levels would continue to be below the level requiring additional window and wall attenuation to maintain interior noise levels of 45 dB(A) or lower. Therefore, the

conclusions of the EAS are not affected by potential changes facilitated by CHO and no further analysis is required.

Summary Conclusion

This technical memorandum assesses how the City of Yes for Housing Opportunity proposal would potentially alter the analysis of the Proposed Actions and conclusions presented in the corresponding Environmental Assessment Statement for the 2118 Avenue U Rezoning. The City of Yes for Housing Opportunity proposal as presented in the Draft Scope of Work would change the allowable FAR for this project's proposed zoning district from 3.6 in R6A/C2-4 (pursuant to Mandatory Inclusionary Housing) to 3.9 (pursuant to CHO's proposed Universal Affordability Preference). CHO's proposed Universal Affordability Preference ("UAP") would increase the allowable developable floor area by 0.3 FAR, or 1,800 zsf (1,858 gsf). CHO would change the maximum height analyzed in the EAS for the proposed R6A/C2-4 district from 85 feet to 95 feet. No parking spaces would be required because CHO proposes to eliminate parking requirements for new residential developments.

This technical memorandum concludes that the potential changes facilitated by CHO would not exceed thresholds nor create conditions that require new analysis, nor would the proposed changes affect the conclusions presented within the EAS.