783 Fourth Avenue Rezoning Environmental Assessment Statement (EAS)

August 12, 2024

CEQR No. 25DCP015K
ULURP Nos. 250042ZMK
N250043ZRK

Lead Agency:
New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Prepared by:
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432 Park Avenue South
New York, NY 10016

783 Fourth Avenue Rezoning EAS

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Environmental Assessment Statement Short 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* 783 Fourth Avenue Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency) 25DCP015K	BSA REFERENCE NUMBER (if applicable)
ULURP REFERENCE NUMBER (if applicable) 250042ZMK N250043ZRK	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA) N/A

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY New York City Department of City Planning			NAME OF APPLICANT 783 4th Ave LLC		
NAME OF LEAD AGENCY CONTACT PERSON Stephanie Shellooe, AICP, Director, Environmental Assessment and Review Division			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Shulem Kessler		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 199 Lee Avenue, Suite 745		
CITY New York	STATE NY	ZIP 10271	CITY Brooklyn	STATE NY	ZIP 11211
TELEPHONE 212.720.3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 718.599.3838	EMAIL skessler@wmcap.com	

5. *Project Description*

783 4th Ave LLC (the "Applicant") is seeking one zoning map amendment, one zoning text amendment, and one zoning special permit from the New York City Planning Commission ("CPC") (the "Proposed Actions") to facilitate the development of an approximately 225,140-gross square feet ("gsf") mixed-use development (the "Proposed Project") at 783 Fourth Avenue (Block 661, Lots 5, 13, 14, and 66; "Projected Development Site 1" [Applicant-controlled]) in the Sunset Park neighborhood of Brooklyn Community District ("CD") 7. In addition, the Proposed Actions would affect six lots on Block 661 not owned or controlled by the Applicant: the entirety of Lots 1, 2, 3, 4, 68, and 69. Collectively, all lots affected by the Proposed Actions comprise the Project Area.

This Applicant seeks (i) one zoning map amendment to rezone the Project Area from an M1-1D zoning district to R7A and R8A/C2-4 zoning districts; (ii) one zoning text amendment to Appendix F of the *Zoning Resolution of the City of New York* ("ZR") to establish the Project Area as a Mandatory Inclusionary Housing ("MIH") area (either MIH Option 1 [25% of housing units] or MIH Option 2 [30% of housing units]) coterminous with the area to be rezoned to R7A and R8A/C2-4 zoning districts; and (iii) one zoning special permit pursuant to ZR Section 74-533 "Reduction of parking spaces to facilitate affordable housing" to waive the number of required accessory off-street parking spaces in a development that includes at least 20 percent of all dwelling units ("DUs") as income-restricted housing units ("IRHUs").

The Proposed Project would include three separate new buildings (known as Buildings A, B, and C) and would comprise one zoning lot. In total, the three separate new buildings would contain approximately 225,140-gsf of total building space inclusive of all building uses and cellar space (approximately 175,640-zoning square feet ("zsf") [5.40 FAR]). In sum, the Proposed Project would contain approximately 7,500-gsf of commercial retail uses and 214,140-gsf of residential uses, comprising approximately 257 total DUs, 25-30% (approximately 64-77 DUs) of which would be affordable pursuant to MIH Options 1 or 2. For CEQR analysis purposes (i.e., Early Childhood Programs), 20% of the residential floor area (approximately 51 DUs) is assumed to be affordable at or below an average of 80% AMI. No accessory parking is assumed under the With-Action condition in accordance with the proposed zoning special permit pursuant to ZR Section 74-533; however, approximately 10 parking spaces are proposed within a portion of Building B. The three separate new buildings would share access to an approximate 7,160-sf landscaped private open space located within the rear yard.

In addition to the With-Action condition for Projected Development Site 1, two additional soft sites not controlled or owned by the Applicant have been identified within the Project Area. Projected Development Site 2 (Block, 661, Lots 1, 2, and 3) could be developed in the future With-Action condition with an approximately 62,661-gsf (50,508-zsf [7.2 FAR]) mixed residential/commercial building. The building would reach a maximum height of 14-stories (approximately 155-foot-tall including a 10-foot-tall rooftop bulkhead) and include a cellar. The building would be occupied by approximately 60,645-gsf (48,754-zsf) of residential uses and approximately 2,017-gsf (1,754-zsf) of commercial retail uses. The building's residential uses would comprise approximately 61 total DUs (15 or 18 income-restricted DUs pursuant to MIH Option 1 or 2, respectively). For CEQR analysis purposes (i.e., Early Childhood Programs), 20% (12 DUs) of the residential floor area is assumed to be income-restricted at or below an average of 80% AMI. No accessory off-street parking spaces would be provided.

Potential Development Site 1 (Block 661, Lots 68 and 69) is less likely to be developed in the future With-Action condition. The With-Action condition for Potential Development Site 1 comprises an approximately 30,348-gsf (23,037-zsf [4.6 FAR]) residential building. The building would reach a maximum height of nine-stories (approximately 105-foot-tall including a 10-foot-tall rooftop bulkhead) and a cellar containing an accessory parking garage. The building would be occupied by approximately 25,340-gsf (23,037-zsf) of residential uses. The building's residential uses would comprise approximately 27 total DUs (seven or eight income-restricted DUs pursuant to MIH Option 1 or 2, respectively). Approximately seven accessory off-street parking spaces would be required for the building's dwelling units.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 7	STREET ADDRESS 783, 793, 795, 797, and 799 Fourth Avenue, 216 and 220 27th Street, 179, 181, and 183 28th Street
TAX BLOCK(S) AND LOT(S) Block 661, Lots 1, 2, 3, 4, 5, 13, 66, 68, and 69 in their entirety, and the approximately 5,425-sf western p/o Lot 14		ZIP CODE 11232

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Project Area is bound by Fourth Avenue to the west, 27th Street to the north, and 28th Street to the south.

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

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 Appendix F (Zoning Text Amendment); 74-533 (Reduction of parking spaces to facilitate affordable housing)

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

☐ OTHER, explain:

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

☒ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)

☐ LANDMARKS PRESERVATION COMMISSION APPROVAL

☐ OTHER, explain:

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

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

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

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP

☒ TAX MAP ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)

☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): Approx. 45,460-sf (Project Area)

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

Roads, buildings, and other paved surfaces (sq. ft.): Approx. 45,460-sf (Project Area)

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): Projected Development Site 1 and Projected Development Site 2: 287,801-gsf

NUMBER OF BUILDINGS: 4 (3 on Projected Development Site 1 and 1 on Projected Development Site 2)

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 225,140-gsf (Projected Development Site 1) and 62,661-gsf (Projected Development Site 2)

HEIGHT OF EACH BUILDING (ft.): Projected Development Site 1: Building A – 145-foot-tall (155-foot-tall including a 10-foot-tall rooftop bulkhead); Buildings B and C – 95-foot-tall (105-foot-tall including a 10-foot-tall rooftop bulkhead); Projected Development Site 2: 145-foot-tall (155-foot-tall including a 10-foot-tall rooftop bulkhead)

NUMBER OF STORIES OF EACH BUILDING: Projected Development Site 1: Building A – 14-stories; Buildings B and C – 9-stories; Projected Development Site 2: 14-stories

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO

If "yes," specify: The total square feet owned or controlled by the applicant: 30,437-sf

The total square feet not owned or controlled by the applicant: 15,023-sf

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO

If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known): 39,539-sf (Projected Development Site 1 and Projected Development Site 2)

AREA OF TEMPORARY DISTURBANCE: 39,539 sq. ft. (width x length)

VOLUME OF DISTURBANCE: (39,539-sf x 10 feet depth) Approx. 395,390 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 39,539 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.)	274,785-gsf	9,517-gsf	0-gsf	0-gsf
Type (*e.g.,* retail, office, school)	318 units	Commercial Retail	N/A	N/A

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

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 967 NUMBER OF ADDITIONAL WORKERS: -55

Provide a brief explanation of how these numbers were determined: Estimates of the residential population have been calculated based on the average household size of 3.07 persons per household for BK07 Sunset Park-Windsor Terrace (CD 7 Approximation) sourced from the 2017-2021 American Community Survey ("ACS") Five-Year Estimates. Estimates of workers have been calculated based on one worker per 25 DUs, one worker per 333 sf of local retail space, and one worker per 333 sf of community facility space.

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

Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☒ NO
If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2029

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18 months (Projected Development Site 1); 18 months (Projected Development Site 2)

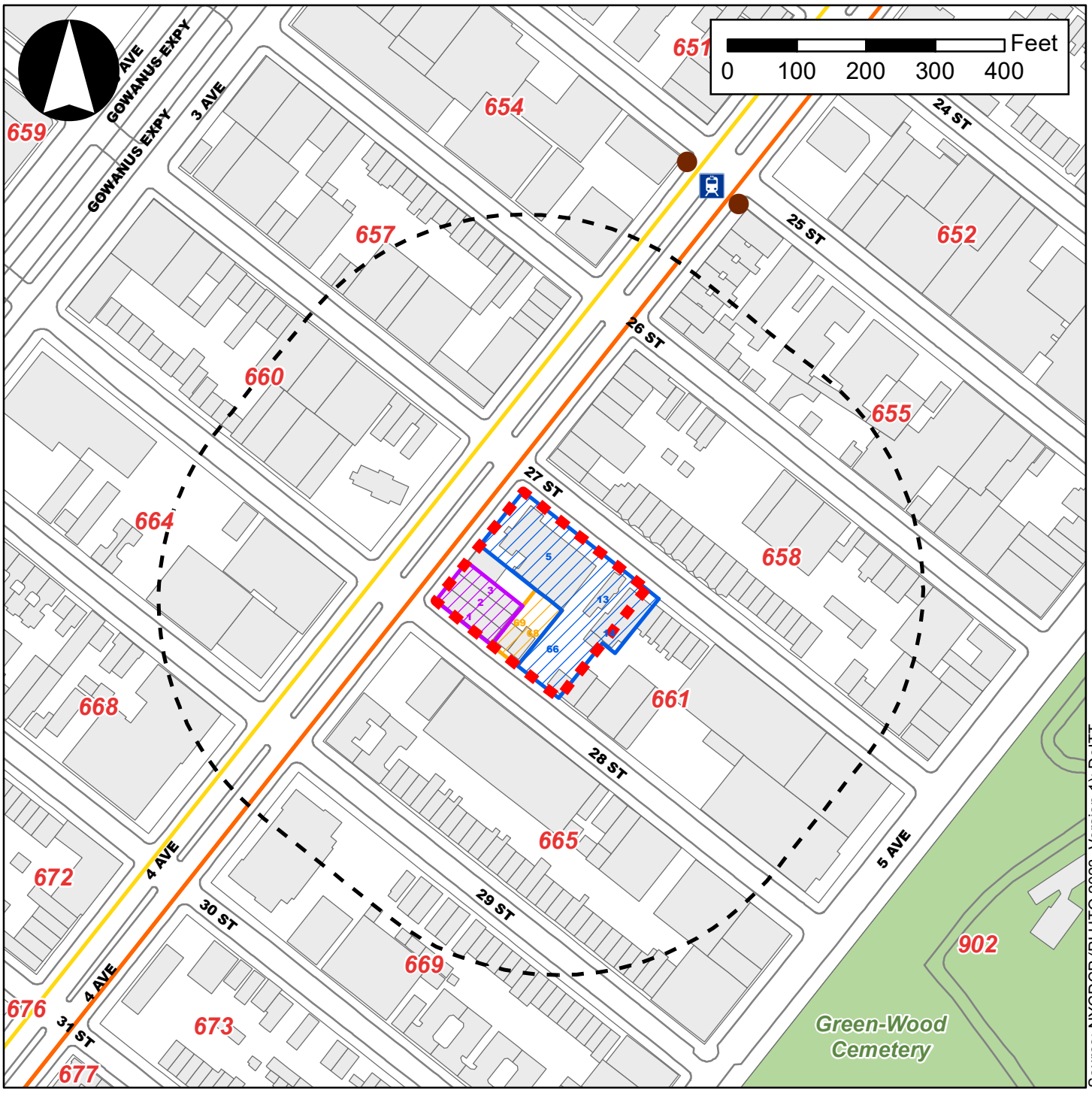
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☐ YES ☒ NO | IF MULTIPLE PHASES, HOW MANY? Two Phases

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Assuming certification of the Proposed Actions in late-2024, it is anticipated that ULURP would be completed in mid-2025. Following completion of ULURP in mid-2025, it is expected that Projected Development Site 1 would be constructed simultaneously in a single phase over an approximately 18-month period beginning in early-2026, with completion and occupancy of Projected Development Site 1 expected to occur in mid-2027. Therefore, the construction schedule for the Proposed Project is considered short-term. In addition to Projected Development Site 1, Projected Development Site 2 would be constructed in a single phase over an approximately 18-month period beginning in mid-2028, with completion and occupancy expected to occur in late-2029. Accordingly, this EAS uses a 2029 analysis year.

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

☒ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: Mixed-use Commercial/Residential, Transportation/Utility, Public Facility & Institutional, Parking Facilities

Figure 1
Project Location Map

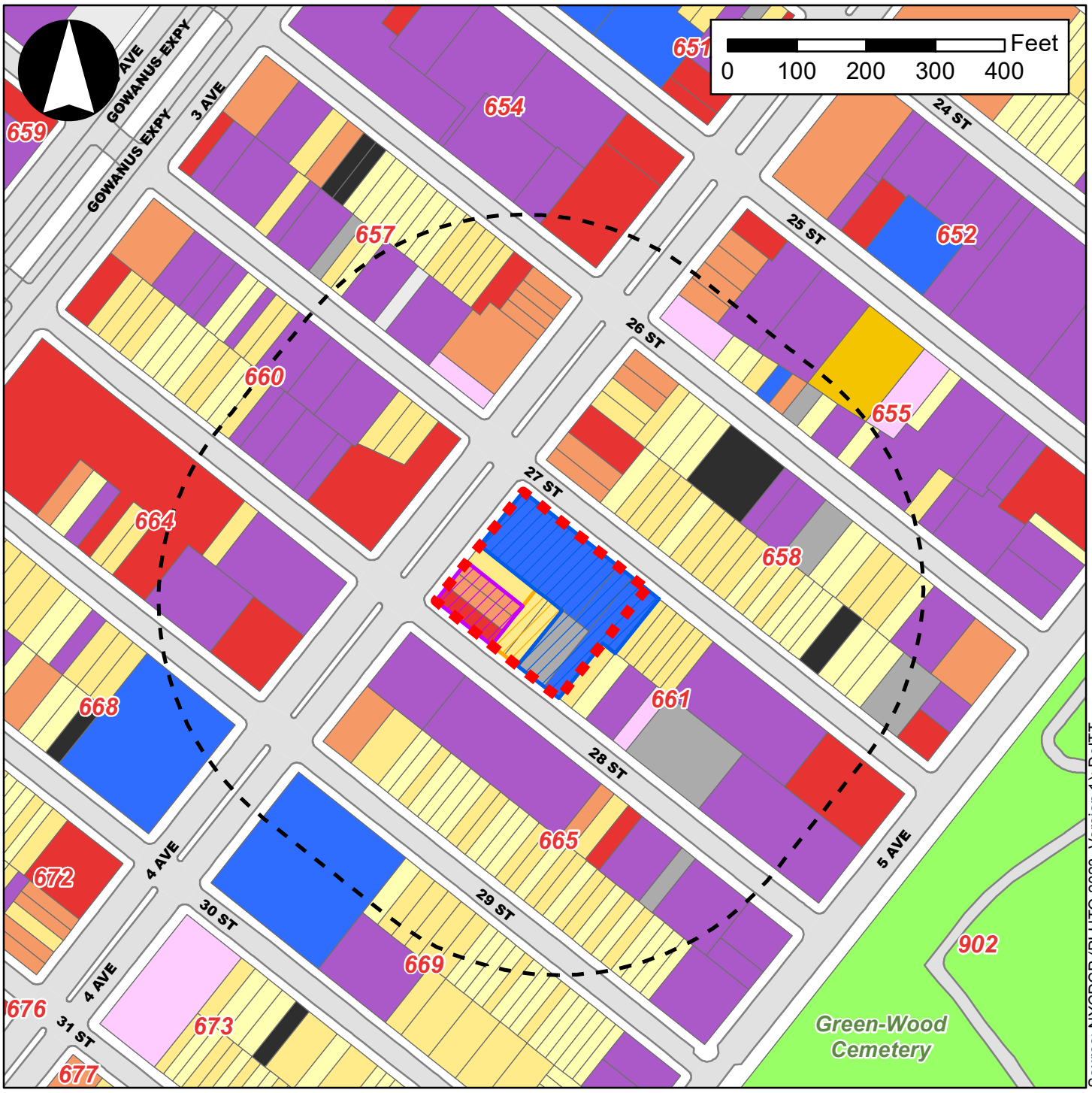


Source: NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Project Area
- 400-Foot Radius
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1
- Existing Building Footprints
- D Train
- N and R Trains
- 25 Street Subway Station (R Train)
- Subway Entrances
- Open Space
- 661 Tax Blocks

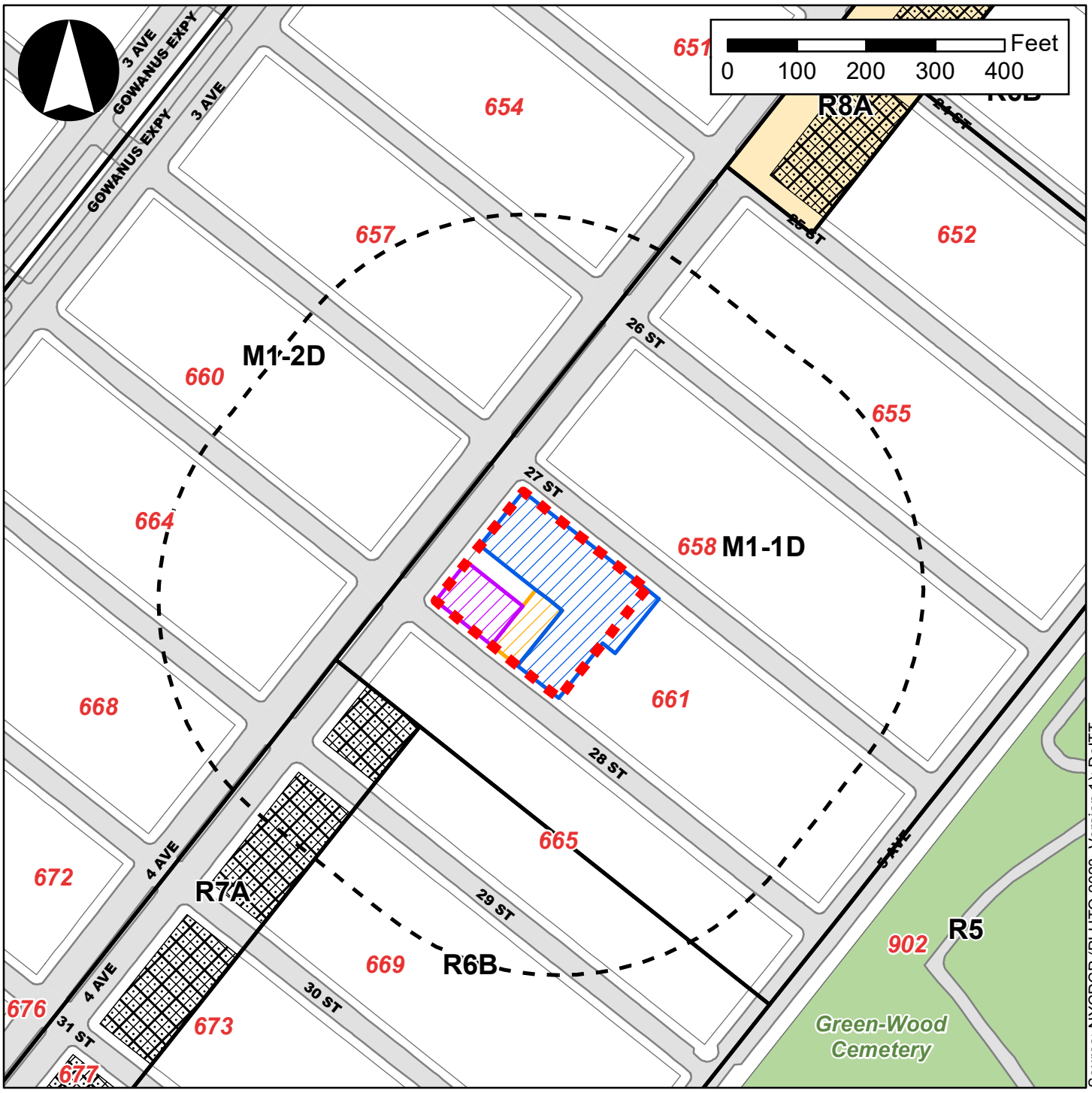




Source: NYCDCP (PLUTO 2023, Version 1); DoITT

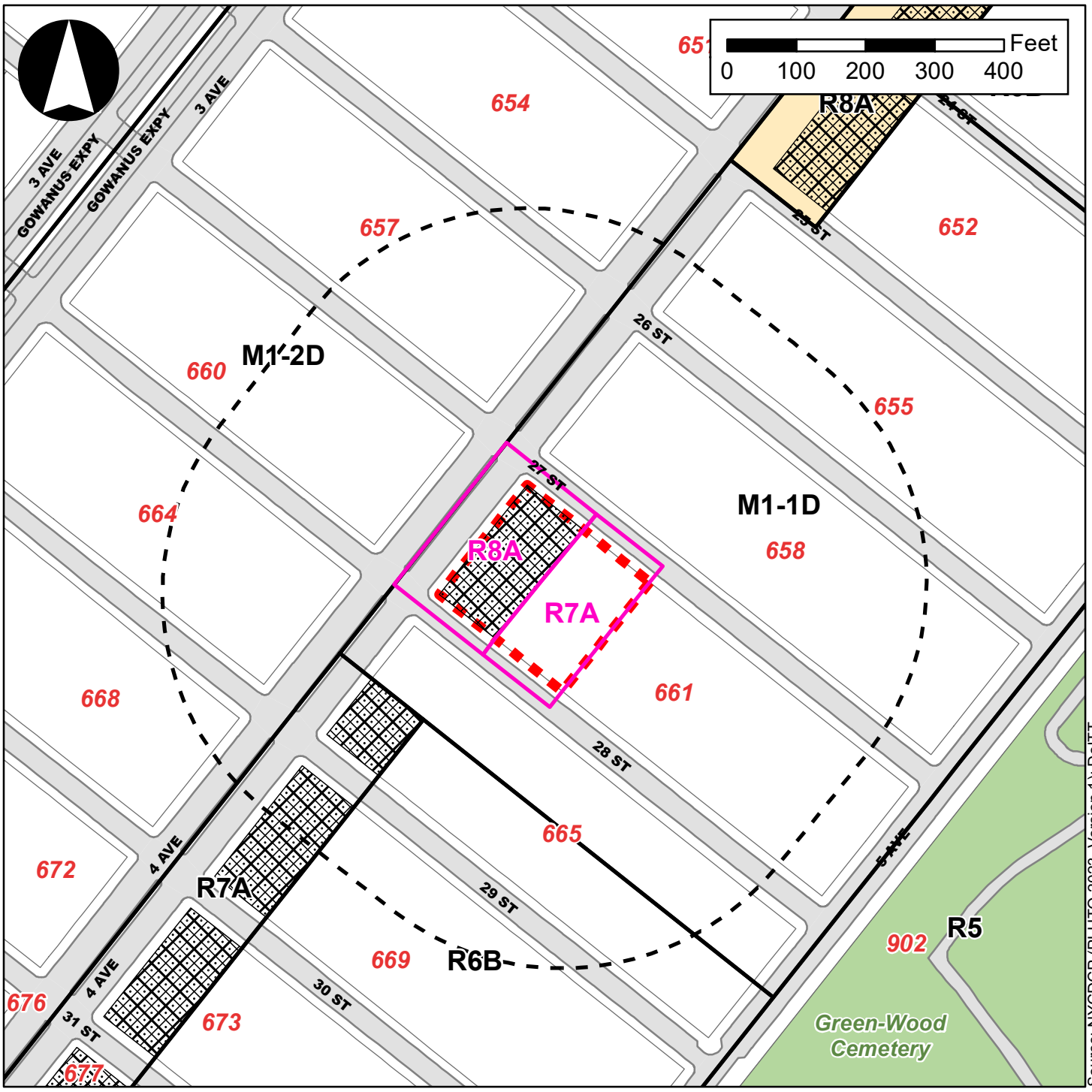
Legend

- Project Area
- 400-Foot Radius
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1
- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data



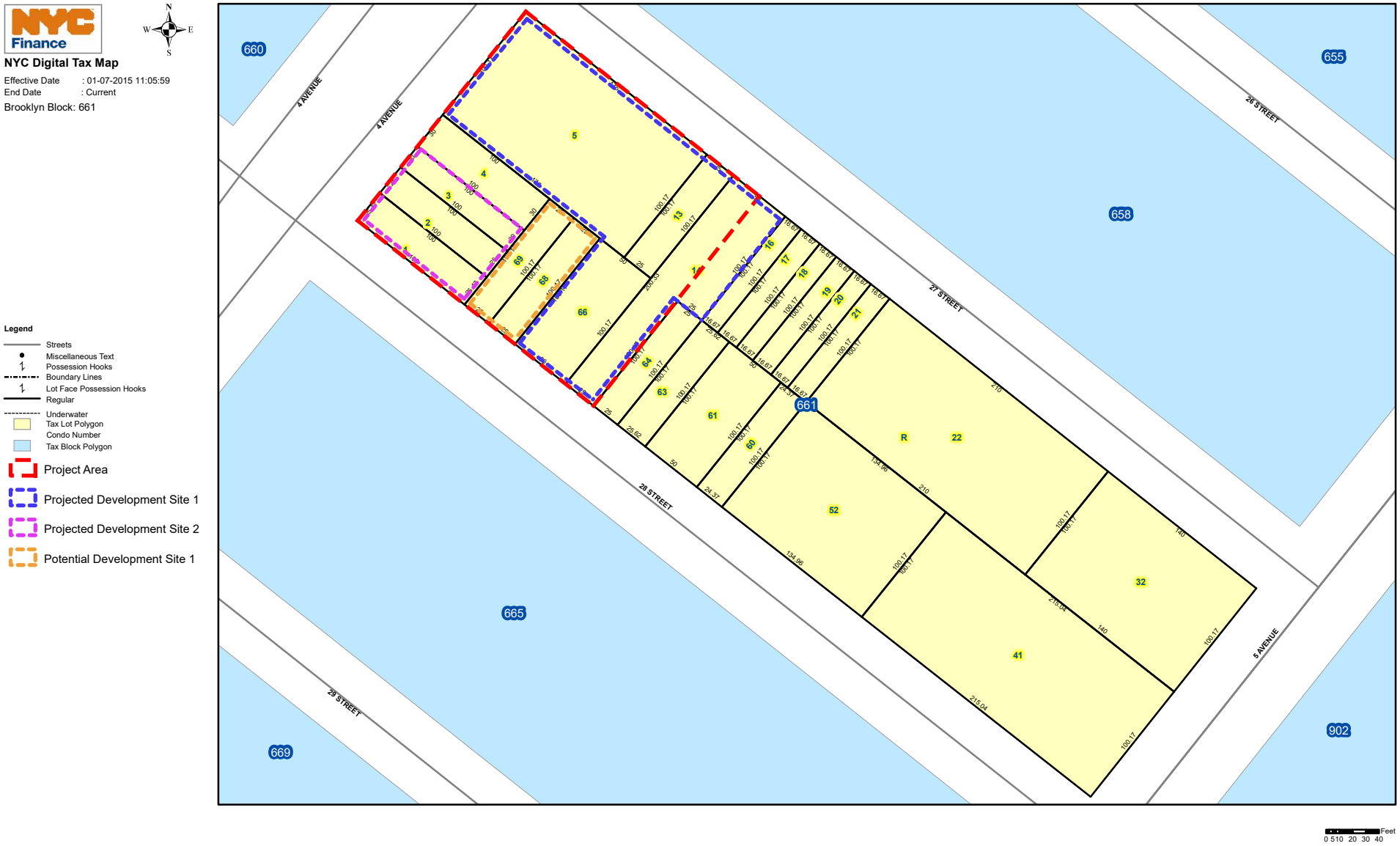
Legend

- Project Area
- 400-Foot Radius
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1
- M1-1D Existing Zoning Districts
- Special Enhanced Commercial District 1 (EC-1)
- C2-4 Overlay



Legend

- Project Area
- 400-Foot Radius
- M1-1D — Existing Zoning Districts
- C2-4 Overlay
- Special Enhanced Commercial District 1 (EC-1)
- R8A — Proposed Zoning Districts



783 Fourth Avenue Rezoning EAS

Figure 5
Tax Map



1. View of the Project Area looking northwest from the south side of 27th Street.



2. View of the Project Area looking south from the north side of 27th Street.



3. View of the Project Area looking south from the intersection of 27th Street and Fourth Avenue.





4. View of the Project Area looking southeast from the west side of Fourth Avenue.



5. View of the Project Area looking southeast from the west side of Fourth Avenue.



6. View of the Project Area looking east from the intersection of 28th Street and Fourth Avenue.





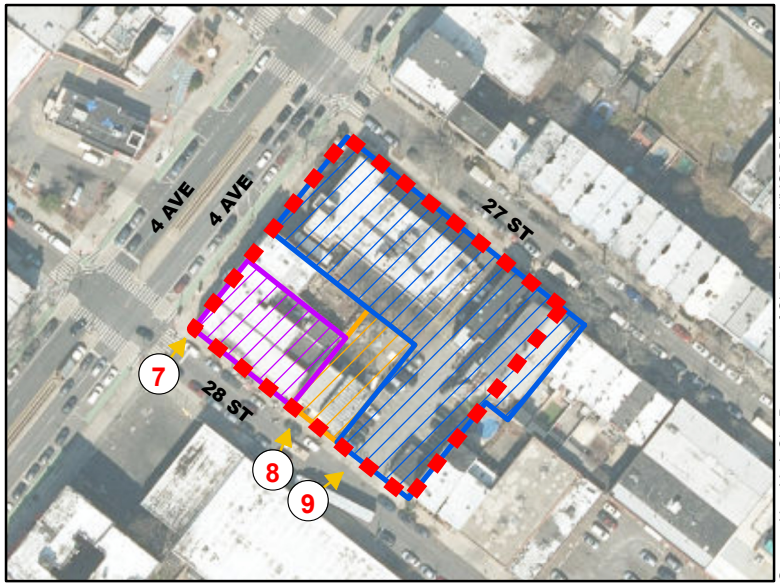
7. View of the Project Area looking northeast from the intersection of 28th Street and Fourth Avenue.



8. View of the Project Area looking north from the south side of 28th Street.



9. View of the Project Area looking northeast from the south side of 28th Street.



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 Attachment C**		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 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		

	YES	NO
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. **See Appendix 1 for LPC correspondence**		
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: **See Attachment 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? Projected Development Site 1 and Projected Development Site 2 RWCDS With-Action condition: (967 residents x 100 gallons per day per person) + ([9,517-gsf Commercial Retail x 0.24 gallons per day per sf for domestic purposes] + [9,517-gsf Commercial Retail x 0.17 gallons per day per sf for air conditioning purposes]) = 100,602 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?	☐	☒

	YES	NO
(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?	☐	☒
(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): Projected Development Site 1 and Projected Development Site 2 RWCDS With-Action condition: (318 DUs x 41 pounds per week) + (29 Commercial Retail workers x 79 pounds per week) = 4,008 pounds per week		
○ 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): Projected Development Site 1 and Projected Development Site 2 RWCDS With-Action condition: (274,785-gsf Residential x 126.7 MBtu/sf [the source energy for the large residential building type]) + (9,517-gsf Commercial Retail x 216.3 MBtu/sf [the source energy for the commercial building type]) = 36,873,787 annual BTUs		
(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 Attachment H**	☒	☐
(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?	☒	☐

	YES	NO
(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?	☒	☐
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. **The Proposed Actions would not result in any significant adverse impacts in any of the technical areas related to public health (air quality, hazardous materials, or noise). Therefore, the Proposed Actions would not result in a significant adverse impact to public health, and further analysis is not warranted.**		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. **The Proposed Actions would not result in any significant adverse impacts in any of the technical areas related to neighborhood character, including land use, zoning, and public policy, socioeconomic conditions, community facilities and services, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, or noise. Therefore, the Proposed Actions would not result in a significant adverse impact to neighborhood character, and further analysis is not warranted.**		
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. **Projected Development Site 1 would contain three separate buildings totaling approximately 225,140-gsf of total building space inclusive of all building uses (approximately 175,640-zsf). Buildings A, B, and C would be constructed simultaneously over an approximately 18-month period and implemented in a single phase, commencing in the first quarter of 2026. All three buildings would be completed during the second quarter of 2027. Therefore, the construction schedule for Projected Development Site 1 is considered short-term.** **Projected Development Site 2 would be constructed in a single phase over an approximately 18-month period beginning in mid-2028, with completion and occupancy expected to occur in late-2029. The construction durations for Projected Development Sites 1 and 2 are based on a generic schedule guidance document provided by DCP and are illustrated in Figure B-2 in Attachment B, "Supplemental Screening."**		
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
Philip Habib, P.E. | Philip Habib & Associates	8-12-2024

SIGNATURE



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

Attachment A:

Project Description

I. INTRODUCTION

The Applicant, 783 4th Ave LLC, is seeking the approval of the following actions (the "Proposed Actions") to facilitate the development of an approximately 225,140-gross square feet ("gsf") mixed-use development (the "Proposed Project") at 783 Fourth Avenue (Block 661, Lots 5, 13, 14, and 66; also known as ["aka"] Projected Development Site 1 [Applicant-controlled]) in the Sunset Park neighborhood of Brooklyn Community District ("CD") 7:

(1) a zoning map amendment to rezone Block 661, Lots 1, 2, 3, 4, 5, 13, 66, 68, and 69 in their entirety, and the approximately 5,425-square feet ("sf") western portion of ("p/o") Lot 14 (the "Project Area") from an M1-1D zoning district to R7A and R8A/C2-4 zoning districts;
(2) a zoning text amendment to Appendix F of the *Zoning Resolution of the City of New York* ("ZR") to establish the Project Area as a Mandatory Inclusionary Housing ("MIH") area (either MIH Option 1 [25% of housing units] or MIH Option 2 [30% of housing units]) coterminous with the area to be rezoned to R7A and R8A/C2-4 zoning districts; and
(3) a zoning special permit pursuant to ZR Section 74-533 "Reduction of parking spaces to facilitate affordable housing" to waive the number of required accessory off-street parking spaces in a development that includes at least 20 percent of all dwelling units ("DUs") as income-restricted housing units ("IRHUs").

This attachment provides a description of the Proposed Actions, including information about the Project Area, Projected Development Site 1, existing conditions, project purpose and need, the analysis framework and Reasonable Worst Case Development Scenario ("RWCDS"), and the governmental approvals required. The attached supplemental studies examine the potential for the Proposed Actions to result in significant adverse impacts in any City Environmental Quality Review ("CEQR") technical areas, including separate attachments with preliminary and/or detailed analyses of land use, zoning, and public policy; socioeconomic conditions; community facilities and services; open space; urban design and visual resources; air quality; and noise in Attachments C through I, respectively. All other preliminary screening analyses are summarized in **Attachment B, "Supplemental Screening."**

The New York City Department of City Planning ("DCP") 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. This proposed zoning text amendment is currently in public review. Given that this project may be affected by the proposals included in the proposed zoning text amendment, a technical memorandum has been included in **Appendix 5** that assesses whether the conclusion of the environmental review would by altered by CHO.

II. EXISTING CONDITIONS

Project Area

As shown in **Figure A-1**, the Project Area measures approximately 45,460-sf, comprising approximately 30,437-sf of the approximately 32,524-sf Projected Development Site 1 (Block 661, Lots 5, 13, 14, and 66), as well as approximately 15,023-sf of property not owned or controlled by the Applicant, which includes Lots 1, 2, 3, 4, 68, and 69 on Block 661. The Project Area is bound by Fourth Avenue to the west, 27th Street to the north, and 28th Street to the south. The Project Area contains approximately 200 feet of frontage on the east side of Fourth Avenue, a wide street with a mapped width of 120 feet, approximately 225 feet of frontage on the south side of 27th Street, a narrow street with a mapped width of 60 feet, and approximately 225 feet of frontage on the north side of 28th Street, a narrow street with a mapped width of 60 feet.

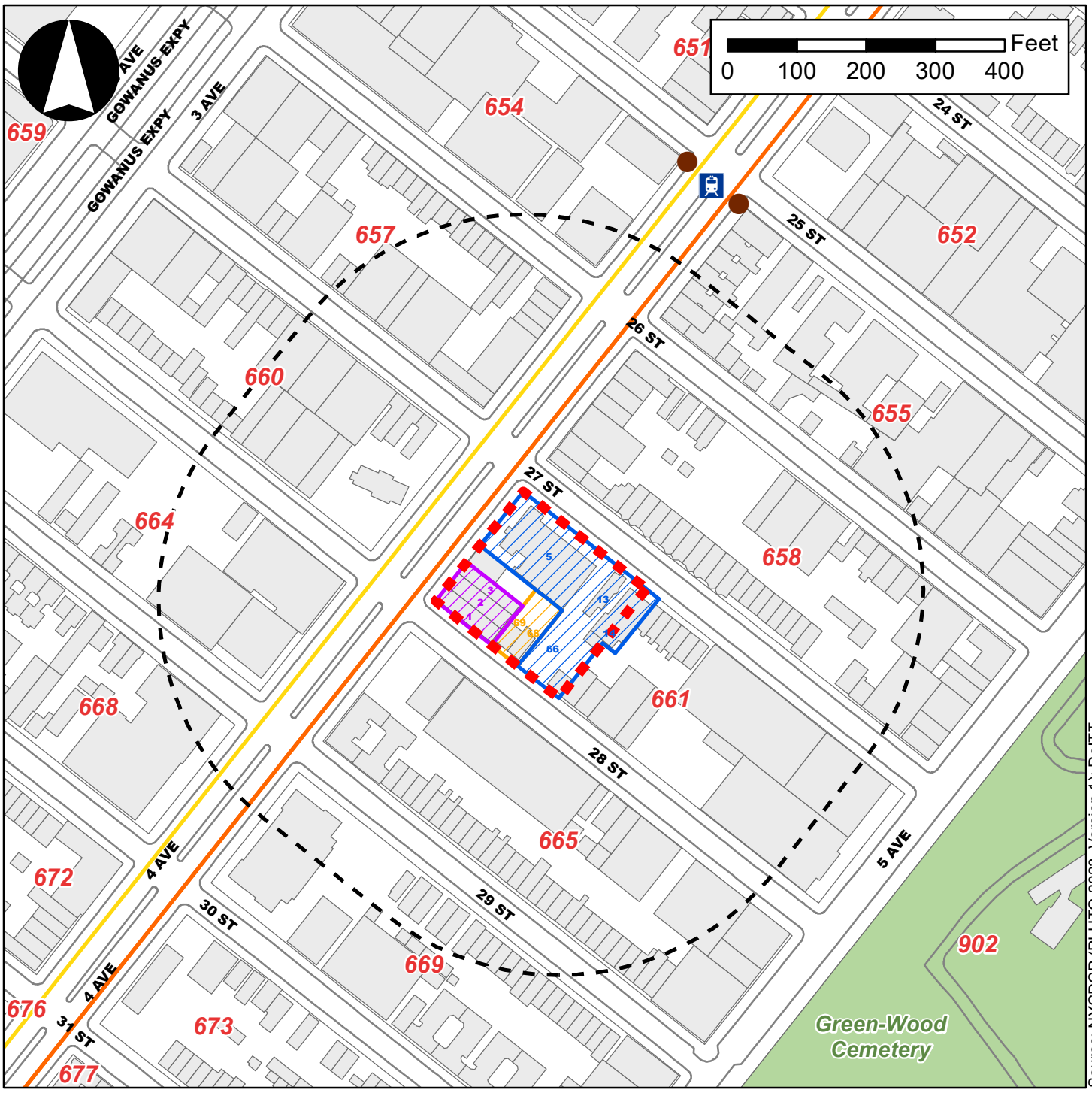
As shown in **Figure A-2**, the Project Area is zoned M1-1D. M1-1D zoning districts permit a maximum FAR of 1.0 for commercial and manufacturing/industrial uses, a maximum FAR of 1.65 for residential uses, and a maximum FAR of 2.4 for community facility uses. In M1-1D zoning districts, the maximum building height above curb level is 32 feet and an initial setback distance of 15 or 20 feet is required on narrow streets or wide streets, respectively. In M1-1D zoning districts, general accessory parking requirements are one space per 300 sf for PRC-B. Only two M1-1D zoning districts are mapped in the city; one district is mapped in the Sunset Park neighborhood of Brooklyn and one district is mapped in the Maspeth neighborhood of Queens. Residential uses in M1-1D zoning districts are only permitted by authorization from the New York City Planning Commission ("CPC") and one accessory parking space per DU is required. As part of the 1961 Zoning Resolution, the Project Area was zoned M1-1. In 1990, the Project Area was rezoned to M1-1D from M1-1 (CEQR No: 90-045K; ULURP No: C900258ZMK) as part of a larger, 26-block rezoning effort led by DCP to protect and permit the limited expansion of residential uses within M1-1 and M1-2 zoning districts mapped along the Gowanus Expressway (Interstate 278), Fourth Avenue, and Fifth Avenue in Sunset Park.

Applicant-controlled Projected Development Site 1

Projected Development Site 1 measures approximately 32,524-sf and contains a total of approximately 100 feet of frontage on the east side of Fourth Avenue, approximately 75 feet of frontage on the south side of 27th Street, and approximately 250 feet of frontage on the north side of 28th Street. As shown in **Table A-1**, and in **Figures A-3a**, **A-3b**, and **A-3c**, Projected Development Site 1 contains five low-rise public facility and institutional buildings (ranging in height from one- to two-stories) totaling approximately 26,645-gsf (0.71 FAR), as well as three existing curb cuts (one curb cut is located on Fourth Avenue and two curb cuts are located on 28th Street) that facilitate ingress and egress to Projected Development Site 1's approximately 33 surface parking spaces. Projected Development Site 1 is occupied by the Saint Rocco's Roman Catholic Church campus.

Lot 5 is an approximately 17,500-sf corner lot that contains a two-story, approximately 19,545-gsf public facility and institutional building (0.97 FAR). There are approximately 13 parking spaces located on this lot; the parking spaces are accessed via one curb cut on Fourth Avenue and one curb cut on 28th Street. Lot 13 is an approximately 2,504-sf interior lot that contains a two-story, approximately 1,600-gsf public facility and institutional building (0.56 FAR). There are no parking spaces located on this lot. Lot 14 is an approximately 7,512-sf through lot that contains three public facility and institutional buildings, which

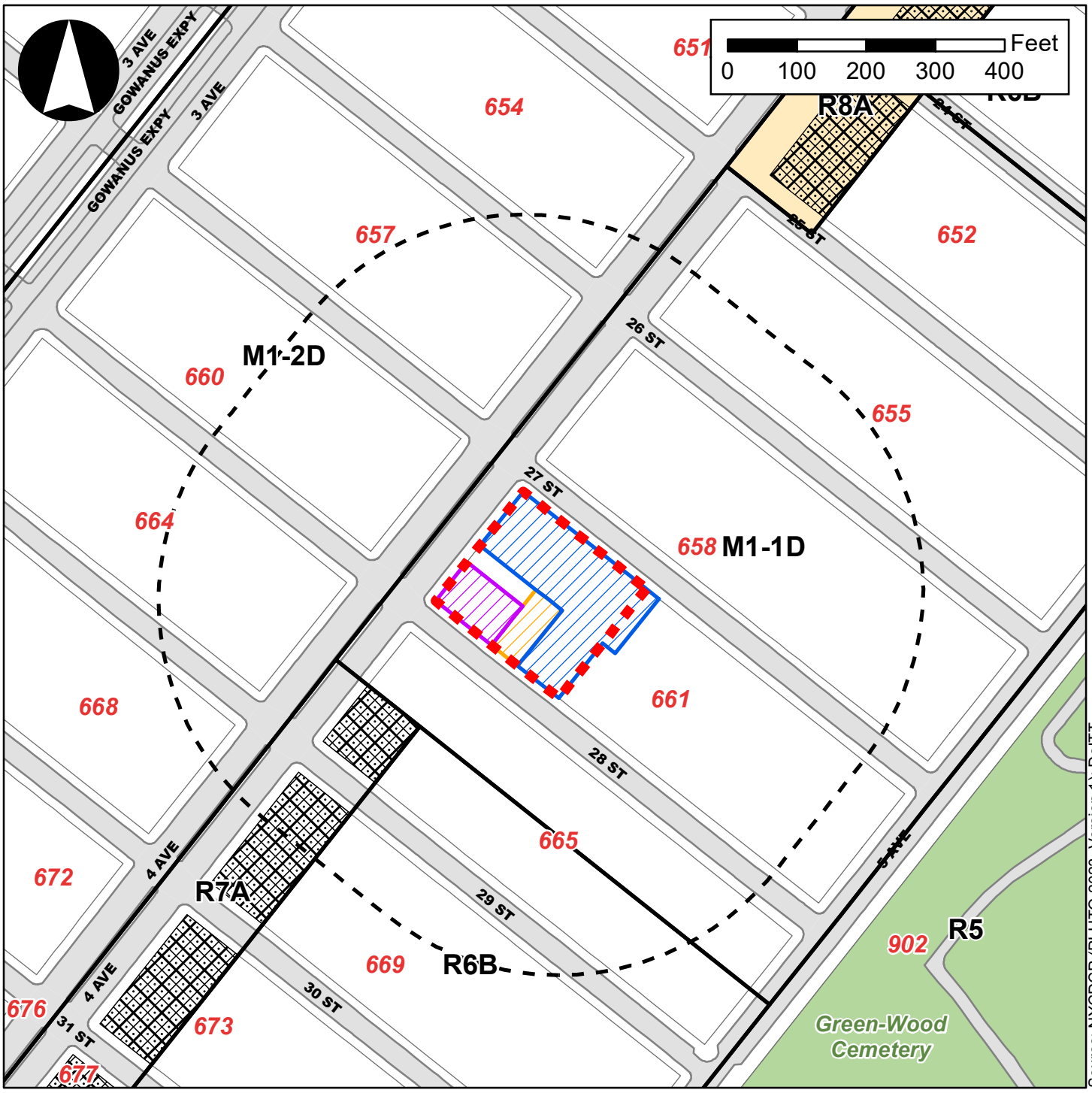
Figure A-1
Project Location Map



Legend

- Project Area
- 400-Foot Radius
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1
- Existing Building Footprints
- D Train
- N and R Trains
- 25 Street Subway Station (R Train)
- Subway Entrances
- Open Space
- 661 Tax Blocks





Legend

- Project Area
- 400-Foot Radius
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1
- M1-1D — Existing Zoning Districts
- Special Enhanced Commercial District 1 (EC-1)
- C2-4 Overlay



1. View of the Project Area looking northwest from the south side of 27th Street.



2. View of the Project Area looking south from the north side of 27th Street.



3. View of the Project Area looking south from the intersection of 27th Street and Fourth Avenue.





4. View of the Project Area looking southeast from the west side of Fourth Avenue.



5. View of the Project Area looking southeast from the west side of Fourth Avenue.



6. View of the Project Area looking east from the intersection of 28th Street and Fourth Avenue.





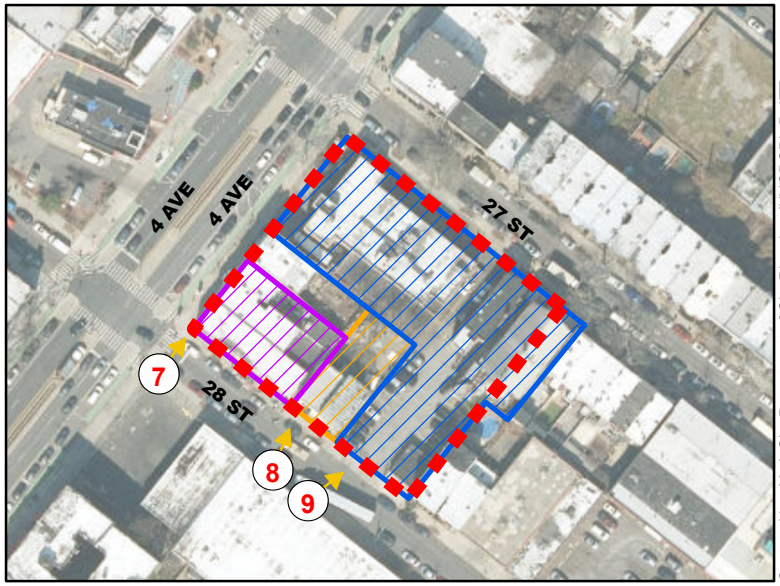
7. View of the Project Area looking northeast from the intersection of 28th Street and Fourth Avenue.



8. View of the Project Area looking north from the south side of 28th Street.



9. View of the Project Area looking northeast from the south side of 28th Street.



range in height from one- to two-stories and total 5,500-gsf (0.64 FAR). There are approximately eight parking spaces located on this lot; the parking spaces are accessed via two curb cuts on 28th Street. Lot 66 is an approximately 5,008-sf interior lot that contains a surface parking facility (0.0 FAR) containing approximately 12 parking spaces; the parking spaces are accessed via one curb cut on 28th Street.

Non-Applicant-controlled Properties

As shown in **Table A-1**, six properties not owned or controlled by the Applicant are located within the Project Area; one property is occupied by a commercial/office building, two properties are occupied by mixed residential/commercial buildings, and three properties are occupied by multi-family residential buildings.

Table A-1: Project Area – Existing Conditions

Lot[1]	Affected Lot Area SF	Address	Zoning	Land Use	Total Building GSF	Built FAR[2]	Residential GSF/DUs	Parking Spaces	Construction Year
Applicant-Controlled									
5	17,500	783 Fourth Avenue	M1-1D	Public Facilities & Institutions	19,545	0.97	0/0	13	1958
13	2,504	216 27th Street		Public Facilities & Institutions	1,600	0.56	0/0	0	1920
P/o 14	5,425	220 27th Street		Public Facilities & Institutions	5,500	0.64	0/0	8	1920
66	5,008	183 28th Street		Parking Facilities	0	0	0/0	12	N/A
Non-Applicant Controlled or Owned									
1	2,516	799 Fourth Avenue	M1-1D	Commercial/Office	2,500	0.86	0/0	0	1981
2	2,499	797 Fourth Avenue		Mixed Residential/Commercial	3,760	1.34	1,790/1	0	1930
3	2,000	795 Fourth Avenue		Mixed Residential/Commercial	2,400	1.08	1,608/2	0	1930
4	3,000	793 Fourth Avenue		Residential	4,320	1.31	4,320/6	0	1931
68	2,504	181 28th Street		Residential	1,760	0.64	1,760/3	0	1910
69	2,504	179 28th Street		Residential	2,536	0.92	2,536/3	0	1910
Total Affected Primary Study Area Lot Area SF	**45,460**								

Notes:
[1] Properties controlled by the Applicant (comprising Projected Development Site 1) are highlighted in gray.
[2] The built FAR is calculated based on the ZSF for each lot. The ZSF for each lot was calculated by dividing the GSF for each lot by 1.1 (for residential square footage) and by 1.15 (for non-residential square footage), pursuant to guidance from DCP.
Sources: DCP 2023 PLUTO Data (Version I); Field observations (2023).

Surrounding Area

Land Use

As shown in **Figure A-4**, the area surrounding the Project Area contains a mixture of land uses. Residential buildings, of which one- and two-family buildings and multi-family walkup buildings are the predominant building types, are located throughout the surrounding area, interspersed with non-residential land uses. Mixed-use commercial/residential and commercial/office buildings are primarily clustered along Fourth Avenue, which serves as a commercial corridor adjacent to the Project Area's western border. Along Fourth Avenue, commercial uses are typically local restaurant, retail, and office establishments located on the ground floors of low-rise buildings with residential uses located above the commercial uses. Notable commercial/office buildings proximate to the Project Area include a KFC restaurant with a drive through located at 798-812 Fourth Avenue and the Liberty View Brooklyn Hotel, an eight-story hotel with approximately 62 guest rooms located at 826 Fourth Avenue. Industrial/manufacturing buildings, similar to residential buildings, are located throughout the surrounding area. Industrial/manufacturing buildings are typically one- or two-stories in height and contain warehouse and/or factory uses. Public facility and institutional buildings in the surrounding area include a house of worship, a public school (P.S. 172 Beacon School of Excellence located at 825 Fourth Avenue), and the New York City Police Department ("NYPD") 72nd Precinct located at 830 Fourth Avenue. Green-Wood Cemetery is a prominent open space located approximately 600 feet to the southeast of the Project Area. The surrounding area also features several transportation/utility buildings, including auto repair businesses, as well as parking facilities and vacant parcels of land.

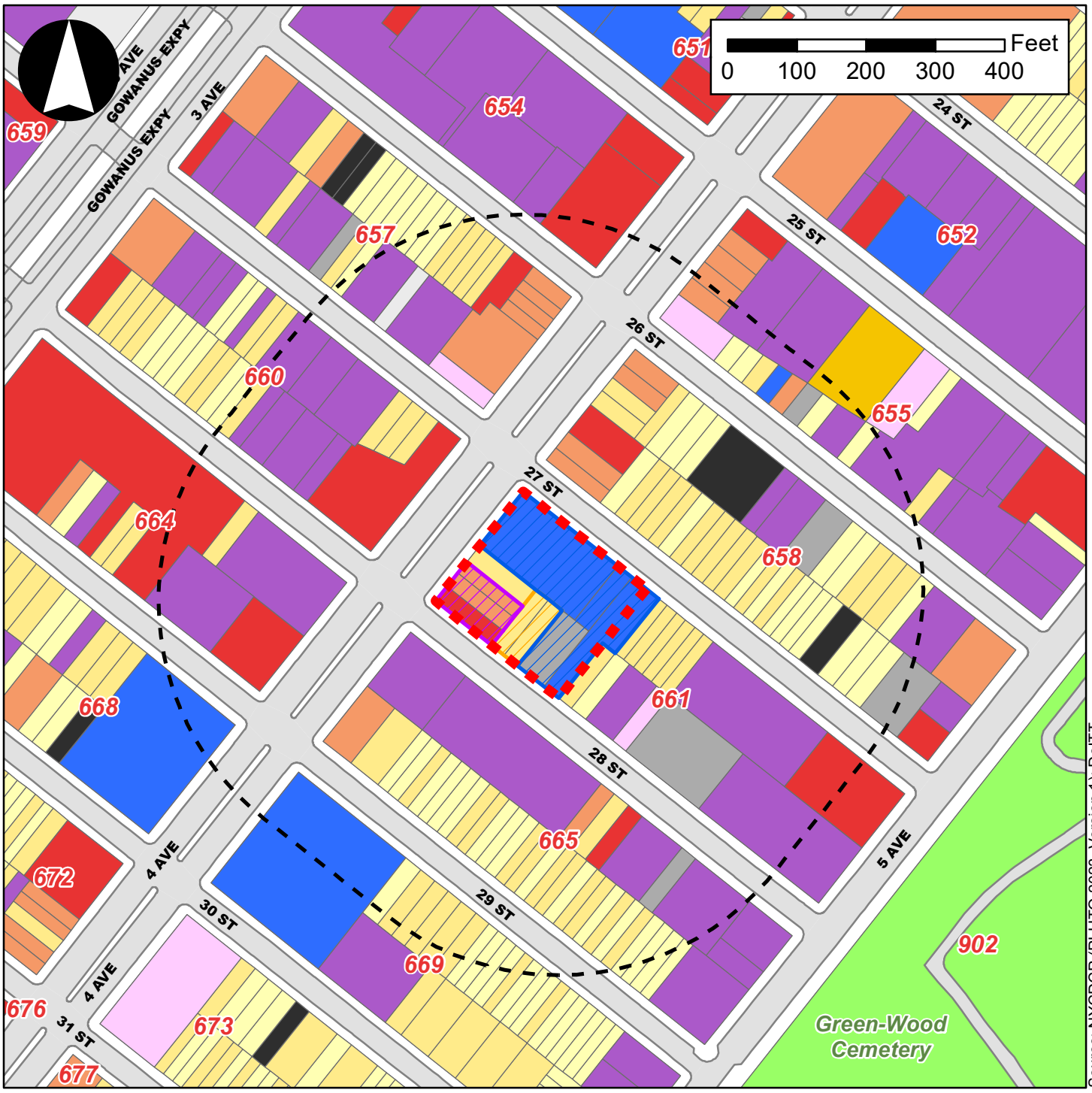
The Project Area is located in the Transit Zone and is well-served by mass transit. In terms of rail transit, the 25th Street subway station (serviced by the R train) is located approximately two blocks to the northeast of the Project Area and the 36th Street subway station (serviced by the D, N, and R trains) is located approximately eight blocks to the southwest of the Project Area. In terms of bus transit, two bus routes are located near the Project Area, including the B37 (connecting Bay Ridge and Boerum Hill) located to the west of the Project Area, which runs north and south along Third Avenue, and the B63 (connecting Bay Ridge and Cobble Hill) located to the east of the Project Area, which runs north and south along Fifth Avenue.

Zoning

As described above, the Project Area is zoned M1-1D; much of the surrounding area is also zoned M1-1D, as well as M1-2D. M1-2D zoning districts permit a maximum FAR of 2.0 for commercial and manufacturing/industrial uses, a maximum FAR of 1.65 for residential uses, and a maximum FAR of 4.8 for community facility uses. In M1-2D zoning districts, the maximum building height above curb level is 32 feet and an initial setback distance of 15 or 20 feet is required on narrow streets or wide streets, respectively. In M1-2D zoning districts, general accessory parking requirements are one space per 300 sf for PRC-B. Only two M1-2D zoning districts are mapped in the city; these districts are mapped in the Sunset Park neighborhood of Brooklyn. Residential uses in M1-2D zoning districts are only permitted by authorization from the CPC and one accessory parking space per DU is required.

Additionally, as shown in **Figure A-2**, R6B and R7A contextual zoning districts are mapped less than one block to the south of the Project Area. R6B zoning districts are traditional row house districts, which preserve the scale and harmonious streetscape of neighborhoods of four-story attached buildings

Figure A-4
Land Use Map



Source: NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Project Area
- 400-Foot Radius
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1
- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data

developed during the 19th century. Many of these houses are set back from the street with stoops and small front yards that are typical of Brooklyn's "brownstone" neighborhoods, such as Park Slope, Boerum Hill, and Bedford Stuyvesant. R6B zoning districts permit a maximum FAR of 2.0 for residential uses and Quality Housing Program regulations are mandatory; a higher FAR of 2.2 is available for buildings participating in the Inclusionary Housing Program or that provide certain senior facilities. R6B zoning districts also permit a maximum FAR of 2.0 for community facility uses. The base height of a new building before setback is required to be between 30 and 40 feet, and the maximum building height is 50 feet (or 55 feet for buildings providing a qualifying ground floor ["QGF"]). Rear yards at a minimum depth of 30 feet are required in R6B zoning districts. Curb cuts are prohibited on zoning lots with less than 40 feet of frontage. Where off-street parking is required, on-site spaces must be provided for 50 percent of DUs; off-street parking is not allowed in front of a building. Parking requirements are lower for IRHUs and are further modified in certain areas of the city, such as the Transit Zone or the Manhattan Core, or for lots 10,000 sf or less. Parking can be waived if five or fewer spaces are required.

R7 zoning districts are medium-density apartment house districts mapped in much of the Bronx as well as the Upper West Side in Manhattan and Brighton Beach in Brooklyn. R7A zoning districts permit a maximum FAR of 4.0 for residential uses and Quality Housing Program regulations are mandatory; a higher FAR of 4.6 is available for buildings participating in the Inclusionary Housing Program or that provide certain senior facilities. R7A zoning districts also permit a maximum FAR of 4.0 for community facility uses. For buildings participating in the Inclusionary Housing Program, the base height of a new building before setback is required to be between 40 and 75 feet, and the maximum building height is 90 feet (or 95 feet for buildings providing a QGF). Rear yards at a minimum depth of 30 feet are required in R7A zoning districts. Where off-street parking is required, on-site spaces must be provided for 50 percent of DUs. Parking requirements are lower for IRHUs and are further modified in certain areas of the city, such as the Transit Zone or the Manhattan Core, or for lots 10,000 sf or less. Parking can be waived if 15 or fewer spaces are required.

Properties located along the east side of Fourth Avenue are mapped with C2-4 commercial overlays. C2 commercial overlays are mapped along streets that serve local retail needs and are found extensively throughout the city's medium-density neighborhoods. Typical retail uses include neighborhood grocery stores, restaurants, and beauty parlors; C2 commercial overlays also permit funeral homes and repair services. Commercial overlays mapped within R1 to R5 districts are subject to a maximum commercial FAR of 1.0, while commercial overlays mapped within R6 to R10 districts are subject to a maximum commercial FAR of 2.0.

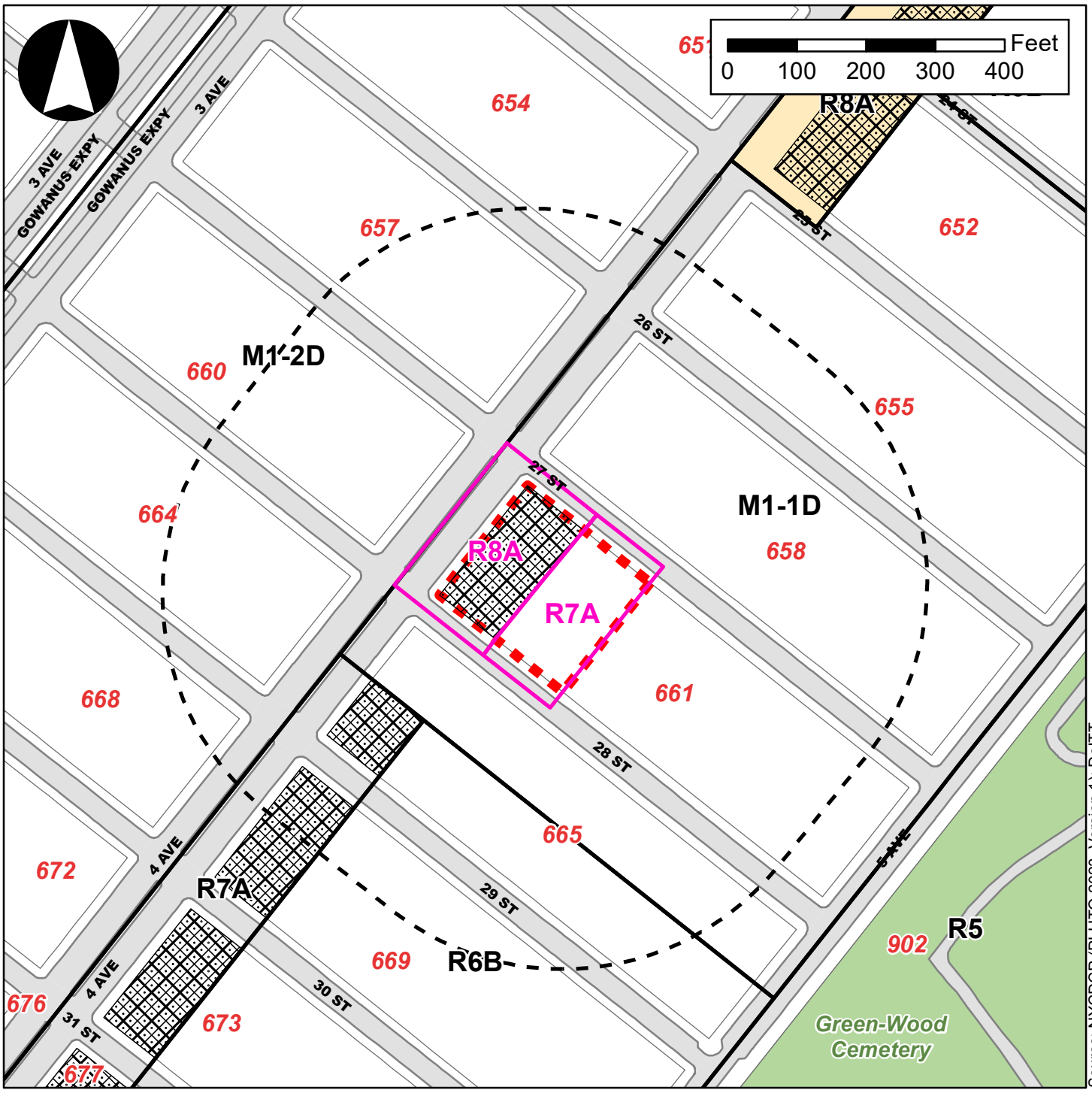
III. THE PROPOSED ACTIONS

The Applicant is seeking one zoning map amendment, one zoning text amendment, and one zoning special permit pursuant to ZR Section 74-533 from the CPC. The Proposed Actions are discretionary actions that are subject to both the Uniform Land Use Review Procedure ("ULURP") and CEQR.

Zoning Map Amendment

The Applicant proposes one zoning map amendment, which would rezone the Project Area from an M1-1D zoning district to R7A and R8A/C2-4 zoning districts (refer to **Figure A-5**). Pursuant to the proposed zoning map amendment, an R8A zoning district with a C2-4 commercial overlay is proposed to be mapped

Figure A-5
Proposed Zoning Map



Source: NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Project Area
- 400-Foot Radius
- M1-1D — Existing Zoning Districts
- C2-4 Overlay
- Special Enhanced Commercial District 1 (EC-1)
- R8A — Proposed Zoning Districts

on Fourth Avenue at a depth of 100 feet and an R7A zoning district is proposed to be mapped at a depth of 125 feet to the east of the proposed R8A/C2-4 zoning district. As shown in **Table A-2**, within the proposed R7A zoning district, the proposed zoning map amendment would increase the maximum permitted residential FAR to 4.6 (with MIH bonuses) from 1.65 and the maximum permitted community facility FAR to 4.0 from 2.4. As shown in **Table A-2**, within the proposed R8A/C2-4 zoning district, the proposed zoning map amendment would increase the maximum permitted residential FAR to 7.2 (with MIH bonuses) from 1.65, the maximum permitted community facility FAR to 6.5 from 2.4, and the maximum permitted commercial FAR to 2.0 from 1.0.

Table A-2: Comparison of Existing and Proposed Zoning

	Existing M1-1D	Proposed R7A (MIH)	Proposed R8A/C2-4 (MIH)
Maximum Permitted FAR			
Residential	1.65	4.6[1]	7.2[1]
Community Facility	2.4	4.0	6.5
Commercial	1.0	Not Permitted	2.0
Manufacturing	1.0	Not Permitted	Not Permitted

Source: *Zoning Resolution of the City of New York*.
Note:
[1] With MIH.

Zoning Text Amendment

The Applicant is proposing one zoning text amendment to Appendix F of the ZR to establish the Project Area as an MIH area. An MIH area requires compliance with one of the affordable housing options provided in ZR Section 23-154(d)(3) if the property is developed with residential uses. The final MIH option will be selected by the City Council during ULURP.

Zoning Special Permit

The Applicant is proposing one zoning special permit pursuant to ZR Section 74-533 "Reduction of parking spaces to facilitate affordable housing" to waive the number of required accessory off-street parking spaces for the Proposed Project. Pursuant to ZR Section 74-533, for zoning districts located in the Transit Zone, the CPC may permit a waiver of, or a reduction in, the number of required accessory off-street parking spaces in a development that includes at least 20 percent of all DUs as IRHUs, provided the application meets certain findings. Projected Development Site 1 is located within the Transit Zone and the Proposed Project on Projected Development Site 1 would provide at least 20 percent of all DUs as IRHUs.

IV. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

The requested zoning map amendment to rezone the Project Area from an M1-1D zoning district to R7A and R8A/C2-4 zoning districts would permit higher density residential uses within the Project Area. Although the existing M1-1D zoning district permits residential development up to 1.65 FAR, such residential development is only permitted by authorization from the CPC and there is no zoning requirement to provide income-restricted housing units. The area surrounding the Project Area has not

experienced a significant amount of new multi-family residential development in recent years. According to 2017-2021 American Community Survey ("ACS") Five-Year Estimates data, in BK07 Sunset Park-Windsor Terrace (approximate to the boundaries of Brooklyn CD 7) the housing stock is older: Approximately 92 percent of housing units in Brooklyn CD 7 were built before 2000. Similar to Brooklyn and New York City, households within Brooklyn CD 7 are disproportionately rent burdened. Approximately 50.8 percent of the households pay 30 percent or more of their household income on rent in Brooklyn CD 7; approximately 52.6 percent of households in Brooklyn are rent burdened and approximately 52.2 percent of households in New York City are rent burdened. Brooklyn CD 7 also exhibits a low rental vacancy rate (3.4 percent), similar to low vacancy rates for Brooklyn (3.2 percent) and New York City (3.6 percent).

Furthermore, it is the Applicant's opinion that the proposed zoning map amendment would be consistent with the existing zoning character of the surrounding area. In 2005, an R8A/C2-4 zoning district was mapped on Fourth Avenue between 15th Street and 24th Street as part of the South Park Slope Rezoning (CEQR No: 06DCP014K; ULURP Nos: N060053 ZRK and C060054 ZMK), approximately three blocks to the northeast of the Project Area. In 2021, the R8A/C2-4 zoning district was extended one block south, to 25th Street, as part of the 737 Fourth Avenue Rezoning (CEQR No: 19DCP127K; ULURP Nos: C200029 ZMK and N200030 ZRK).

In 2009, an R7A/C2-4 zoning district was mapped on Fourth Avenue between 28th Street and 38th Street as part of the Sunset Park Rezoning (CEQR No: 09DCP075K; ULURP Nos: N090386 ZRK and C090387 ZMK), less than one block to the southwest of the Project Area.

The requested zoning text amendment to Appendix F of the ZR to designate the Project Area as an MIH area would require compliance with one of the affordable housing options provided in ZR Section 23-154(d)(3). Projected Development Site 1 would include approximately 257 DUs, of which either 25% or 30% (either 64 DUs or 77 DUs) would be affordable pursuant to MIH at an average of 60-80% of the Area Median Income ("AMI") depending on the MIH Option selected. The final MIH option will be selected by the City Council during ULURP. For CEQR analysis purposes (i.e., Early Childhood Programs), 20% (51 DUs) of Projected Development Site 1's residential floor area is assumed to be affordable at or below an average of 80% AMI. The proposed zoning text amendment would promote the creation of permanently affordable housing units in an area of New York City where approximately half of all households are rent burdened. In addition, the Project Area is located in close proximity to public transit (the 25th Street subway station [serviced by the R train] is located approximately two blocks to the northeast of the Project Area and the 36th Street subway station [serviced by the D, N, and R trains] is located approximately eight blocks to the southwest of the Project Area).

The requested zoning special permit pursuant to ZR Section 74-533 "Reduction of parking spaces to facilitate affordable housing" is requested to waive the number of required accessory off-street parking spaces for the Proposed Project's housing units. Pursuant to ZR Section 74-533, for zoning districts located in the Transit Zone, the CPC may permit a waiver of, or a reduction in, the number of required accessory off-street parking spaces in a development that includes at least 20 percent of all dwelling units as income-restricted housing units, provided certain findings. Projected Development Site 1 is located within the Transit Zone and the three separate new buildings proposed on Projected Development Site 1 would each provide at least 20 percent of all dwelling units as income-restricted housing units.

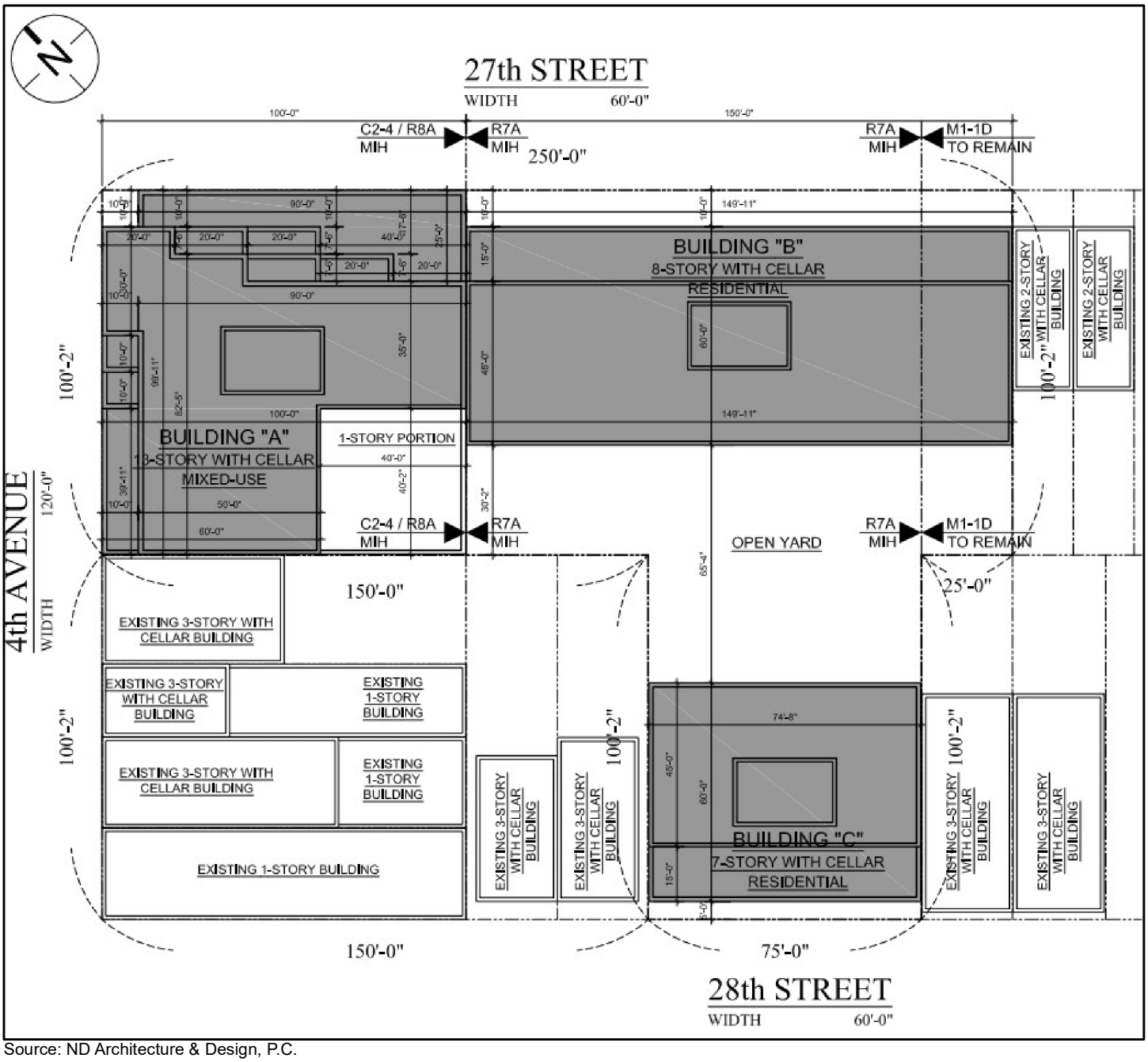
V. DESCRIPTION OF THE PROPOSED PROJECT

The Proposed Actions would facilitate the development of the Proposed Project at Projected Development Site 1. The Proposed Project would include three separate new buildings (known as Buildings A, B, and C) and Projected Development Site 1 would comprise one zoning lot. In total, the three separate new buildings would contain approximately 225,140-gsf (175,640-zsf, 5.4 FAR) of total building space inclusive of all building uses and cellar space. The Proposed Project would reasonably maximize the zoning lot's permitted blended FAR of 5.4, comprising approximately 214,140-gsf (171,440-zsf, 5.27 FAR) of residential uses and approximately 7,500-gsf (4,200-zsf, 0.13 FAR) of commercial retail uses. In addition, the Proposed Project (inclusive of Buildings A, B, and C) provides an average dwelling unit size of approximately 833-gsf (667-zsf). Buildings A, B, and C of the Proposed Project are described individually below. Refer to **Figure A-6** for an illustrative site plan of the Proposed Project.

Building A would be located within the proposed R8A/C2-4 zoning district and comprise a 13-story (approximately 144-foot-tall including a 10-foot-tall rooftop bulkhead) mixed residential/commercial building with a cellar. Building A would contain approximately 100 feet of frontage on the east side of Fourth Avenue and approximately 100 feet of frontage on the south side of 27th Street. Building A would feature a maximum base height of 104 feet (10-stories) and would be set back 10 feet from Fourth Avenue and 15 feet from 27th Street. No side, front, or rear yards would be provided. Building A would contain approximately 109,550-gsf (88,800-zsf) of total building space inclusive of all building uses, including the cellar. Building A would be occupied by approximately 102,050-gsf (84,600-zsf) of residential uses and approximately 7,500-gsf (4,200-zsf) of commercial retail uses. Building A's cellar would measure approximately 8,900-gsf (comprising approximately 5,700-gsf of space to support the residential units and approximately 3,200-gsf of commercial space). Building A's residential lobby would be located on 27th Street and the commercial retail uses, located within portions of the ground floor and cellar, would be accessed via Fourth Avenue and 27th Street. Building A's residential uses would comprise approximately 130 total DUs (33 or 39 income-restricted DUs pursuant to MIH Options 1 or 2, respectively). For CEQR analysis purposes (i.e., Early Childhood Programs), 20% (26 DUs) of the residential floor area is assumed to be income-restricted at or below an average of 80% AMI. No accessory off-street parking is proposed for Building A's dwelling units, in accordance with the proposed zoning special permit pursuant to ZR Section 74-533, and no accessory off-street parking spaces are proposed for Building A's commercial retail uses.

Building B would be located within the proposed R7A zoning district and comprise an eight-story (approximately 94-foot-tall including a 10-foot-tall rooftop bulkhead) residential building with a cellar. Building B would contain approximately 150 feet of frontage on the south side of 27th Street. Building B would feature a maximum base height of 64 feet (six-stories) and would be set back 15 feet from 27th Street. No side yards would be provided, and a 10 feet front yard would be provided. Building B would feature rear yards of 30 feet and 60 feet. Building B would contain approximately 79,400-gsf (57,800-zsf) of total building space inclusive of all building uses, including the cellar. Building B would be occupied by approximately 75,900-gsf (57,500-zsf) of residential uses, comprising 86 total DUs (22 or 26 income-restricted DUs pursuant to MIH Options 1 or 2, respectively). Building B's cellar would measure approximately 9,000-gsf (comprising approximately 9,000-gsf of space to support the residential units). For CEQR analysis purposes (i.e., Early Childhood Programs), 20% (17 DUs) of the residential floor area is assumed to be income-restricted at or below an average of 80% AMI. Building B's residential lobby would be located on 27th Street. No accessory off-street parking is proposed for Building B's dwelling units, in accordance with the proposed zoning special permit pursuant to ZR Section 74-533. Although no accessory parking is proposed for Building B, approximately 10 parking spaces are proposed within a

Illustrative Site Plan - Proposed Project



Source: ND Architecture & Design, P.C.
Note: For Illustrative Purposes Only. Drawing is Not to Scale.

portion of Building B's ground floor measuring approximately 3,500-gsf (300-zsf); the parking would be accessed via an approximately 12-foot-wide curb cut on 27th Street.

Building C would be located within the proposed R7A zoning district and comprise a seven-story (approximately 84-foot-tall including a 10-foot-tall rooftop bulkhead) residential building with a cellar. Building C would contain approximately 75 feet of frontage on the north side of 28th Street. Building C would feature a maximum base height of 64 feet (six-stories) and would be set back 15 feet from 28th Street. No side yards would be provided, and a 10 feet front yard would be provided. Building C would also feature a 60 feet rear yard. Building C would contain approximately 36,190-gsf (29,040-zsf) of total building space inclusive of all building uses, including the cellar. Building C would be occupied by approximately 36,190-gsf (29,040-zsf) of residential uses, comprising 41 total DUs (10 or 12 income-restricted DUs pursuant to MIH Options 1 or 2, respectively). Building C's cellar would measure approximately 4,500-gsf (comprising approximately 4,500-gsf of space to support the residential units). For CEQR analysis purposes (i.e., Early Childhood Programs), 20% (eight DUs) of the residential floor area is assumed to be income-restricted at or below an average of 80% AMI. Building C's residential lobby would be located on 28th Street. No accessory off-street parking is proposed for Building C's dwelling units, in accordance with the proposed zoning special permit pursuant to ZR Section 74-533.

The three separate new buildings would share access to an approximate 7,160-sf landscaped private open space located within the rear yard of Projected Development Site 1 between Buildings B and C. In addition to landscaping, the open space would contain walking paths, benches, and movable tables and chairs. Access to the open space would be restricted to residents of the three separate new buildings.

VI. ANALYSIS FRAMEWORK AND RWCDS

Build Year

Assuming certification of the Proposed Actions in late-2024, it is anticipated that ULURP would be completed in mid-2025. Following completion of ULURP in mid-2025, it is expected that the Proposed Project (inclusive of Buildings A, B, and C) would be constructed simultaneously in a single phase over an approximately 18-month period beginning in early-2026, with completion and occupancy of the Proposed Project expected to occur in mid-2027.

The Proposed Project would contain three separate buildings totaling approximately 225,140-gsf (175,640-zsf) of total building space inclusive of all building uses and cellar space. Buildings A, B, and C would be constructed simultaneously over an approximately 18-month period and implemented in a single phase. Buildings A and B would commence construction at the same time, during the first quarter of 2026, while Building C would commence construction in the second quarter of 2026, approximately three months after Buildings A and B. Therefore, the construction schedule for the Proposed Project is considered short-term. These construction durations are based on a generic schedule guidance document provided by DCP and are illustrated in **Figure B-2** in **Attachment B, "Supplemental Screening."** Individual schedules for Buildings A, B, and C are described below.

In addition to the Applicant's Proposed Project on Projected Development Site 1, it is anticipated that a non-Applicant-controlled or owned "soft site" ("Projected Development Site 2") located within the Project Area could be developed in the future With-Action condition. Projected Development Site 2 (Block 661,

Lots 1, 2, and 3) could be developed with an approximately 62,661-gsf (50,508-zsf) mixed residential/commercial building. It is anticipated the building on Projected Development Site 2 would be constructed in a single phase lasting approximately 18 months; construction would commence in the third quarter of 2028, approximately 2.5 years after the start of construction of the Proposed Project. There would be a 12-month gap separating the completion of the Proposed Project on Projected Development Site 1 and the start of construction at Projected Development Site 2. This construction duration is based on a generic schedule guidance document provided by DCP for a building of this size. Therefore, completion and occupancy of the building on Projected Development Site 2 is expected to occur in the fourth quarter of 2029, approximately 2.5 years after the completion of the Proposed Project on Projected Development Site 1. This construction duration is based on a generic schedule guidance document provided by DCP for a project of this size and is illustrated in **Figure B-2** in **Attachment B, "Supplemental Screening."**

Accordingly, the RWCDS uses a 2029 build year for analysis purposes.

Identification of Development Sites

According to 2021 *CEQR Technical Manual* guidance, the following factors, commonly referred to as "soft site criteria," are generally considered when evaluating whether some amount of development would likely be constructed by the build year as a result of a proposed action:

- The uses and bulk allowed: Lots located in areas where changes in use would be permitted and/or contain buildings built to substantially less than the maximum allowable FAR under the existing zoning are considered "soft" enough, such that there would likely be sufficient incentive to develop in the future, depending on other factors specific to the area (e.g., the amount and type of recent as-of-right development in the area, recent real estate trends, recent and expected future changes in residential population and employment in the study area, government policies or plans (such as a building on site being identified for a landmark designation) that may affect the development potential of a site or sites, site-specific conditions that make development difficult, and issues related to site control or site assemblage that may affect redevelopment potential; and

- Size of the development site: Lots must be large enough to be considered "soft." Generally, lots with a small lot size are not considered likely to be redeveloped, even if currently built to substantially less than the maximum allowable FAR. A small lot is often defined for this purpose as 5,000 sf or less, but the lot size criteria is dependent on neighborhood-specific trends, and common development sizes in the surrounding area should be examined prior to establishing these criteria.

However, the following uses and types of buildings that meet the soft site criteria are typically excluded from development scenarios because they are unlikely to be redeveloped as a result of a proposed action:

- Full block and newly constructed buildings with utility uses, as these uses are often difficult to relocate;

- Long-standing institutional uses with no known development plans; or

- Residential buildings with six or more units constructed before 1974. These buildings are likely to be rent-stabilized and difficult to legally demolish due to tenant relocation requirements.

Definition of Projected and Potential Development Sites

To produce a reasonable, conservative estimate of future growth, identified development sites are typically divided into two categories: projected development sites and potential development sites. Projected development sites are considered more likely to be developed within the analysis period for the Proposed Actions (i.e., by 2029), while potential sites are considered less likely to be developed over the same period.

The Project Area includes Projected Development Site 1 (Block 661, Lots 5, 13, 14, and 66) as well as six lots not owned or under the control of the Applicant: Lots 1, 2, 3, 4, 68, and 69 on Block 661. As detailed below, five of the six lots not owned or under the control of the Applicant classify as soft sites as defined by the 2021 *CEQR Technical Manual*, comprising Projected Development Site 2 (Block 661, Lots 1, 2, and 3) and Potential Development Site 1 (Block 661, Lots 68 and 69).

Individually, Lots 1, 2, and 3 are considered small lots (i.e., a lot measuring less than 5,000-sf in size). However, Lots 1, 2, and 3 are contiguous and under common ownership and comprise approximately 7,015-sf of total lot area. Further, the three lots are underbuilt pursuant to the Project Area's existing zoning. Therefore, Lots 1, 2, and 3 are considered a projected development site (Projected Development Site 2) for the With-Action condition.

Individually, Lots 68 and 69 are considered small lots (i.e., a lot measuring less than 5,000-sf in size). Lots 68 and 69 are contiguous and not under common ownership. When combined, Lots 68 and 69 comprise approximately 5,008-sf of total lot area. Further, the two lots are underbuilt pursuant to the Project Area's existing zoning. However, because the combined total lot area of Lots 68 and 69 is only slightly above the 5,000-sf minimum lot size threshold, it is anticipated Lots 68 and 69 are less likely to be combined and developed in the With-Action condition. Therefore, Lots 68 and 69 are considered to be a potential development site (Potential Development Site 1) for the With-Action condition.

Lot 4 is an approximately 3,000-sf interior lot that contains a three-story, approximately 4,320-gsf residential building containing six DUs (1.31 FAR). Although Lot 4 is underbuilt pursuant to the Project Area's existing zoning, this property does not meet the minimum lot size criteria for projected or potential development sites (at least 5,000-sf). Further, the existing building on Lot 4 contains six DUs constructed before 1974. According to 2021 *CEQR Technical Manual* guidance, buildings containing six or more DUs constructed before 1974 are likely to be rent-stabilized and difficult to legally demolish due to tenant relocation requirements. Therefore, Lot 4 would not be considered a projected or potential development site.

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

Project Area

In the future without the Proposed Actions, the Project Area's existing M1-1D zoning district would remain. Under the No-Action condition, Projected Development Site 1 would not be developed as-of-right, and the existing conditions are anticipated to remain.

Under the No-Action condition, Projected Development Site 2 (Block 661, Lots 1, 2, and 3) and Potential Development Site 1 (Block 661, Lots 68 and 69) would not be developed as-of-right and the existing conditions for these five lots are anticipated to remain. Therefore, in the No-Action condition Projected Development Site 2 would contain three low-rise buildings totaling approximately 8,660-gsf (1.09 FAR), comprising approximately 3,398-gsf (0.44 FAR) of residential space (three DUs) and approximately 5,262-gsf (0.65 FAR) of commercial space. Potential Development Site 1 would contain two low-rise buildings totaling approximately 4,296-gsf (0.78 FAR) of residential space (six DUs).

Under the No-Action condition, as under existing conditions, the existing residential, commercial, and community facility uses located within the Project Area would remain permitted as-of-right. Although the existing M1-1D zoning district permits residential development up to 1.65 FAR, residential development in the existing M1-1D zoning district is only permitted by authorization from the CPC and accessory parking requirements are high (one parking space per DU). Further, since the Project Area was rezoned to M1-1D from M1-1 in 1990 to permit the limited expansion of residential uses, no new residential development has occurred within the M1-1D zoning district mapped over portions of Blocks 652, 655, 658, 661, and 665. Overall, since 1990, only two new buildings have been constructed within the M1-1D zoning district mapped over portions of Blocks 652, 655, 658, 661, and 665: a commercial building on Block 665, Lot 26 (circa 1998) and an industrial/manufacturing building on Block 655, Lot 46 (circa 1995). The mean construction year is circa 1936 for all existing buildings located within the M1-1D zoning district mapped over portions of Blocks 652, 655, 658, 661, and 665. In addition, although community facility uses are permitted up to 2.4 FAR in the existing M1-1D zoning district, general accessory parking requirements are high (one space per 300 sf for PRC-B) and only one community facility use has been initiated within the M1-1D zoning district mapped over portions of Blocks 652, 655, 658, 661, and 665 since 1990: a house of worship under construction on Block 655, Lot 58. Therefore, in consideration of the land use development trends surrounding the Project Area, the development of new residential uses and community facility uses, as well as commercial and manufacturing uses (each land use permitted up to 1.0 FAR) within the Project Area in the No-Action condition is not anticipated.

Within 400-Foot of Project Area

There are no known development projects anticipated to be completed within a 400-foot radius of the Project Area in the future without the Proposed Actions.

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

In the future with the Proposed Actions, the requested one zoning map amendment, one zoning text amendment, and one zoning special permit pursuant to ZR Section 74-533 would be approved. Therefore, the Project Area would be rezoned from an M1-1D zoning district to R7A and R8A/C2-4 zoning districts (refer to **Figure A-5**). Pursuant to the proposed zoning map amendment, an R8A zoning district with a C2-4 commercial overlay is proposed to be mapped on Fourth Avenue at a depth of 100 feet and an R7A zoning district is proposed to be mapped at a depth of 125 feet to the east of the proposed R8A/C2-4 zoning district. The entirety of the Project Area would be designated as an MIH area. Within the proposed R7A zoning district, the proposed zoning map amendment would increase the maximum permitted residential FAR to 4.6 (with MIH bonuses) from 1.65 and the maximum permitted community facility FAR to 4.0 from 2.4 (refer to **Table A-2**). Within the proposed R8A/C2-4 zoning district, the proposed zoning map amendment would increase the maximum permitted residential FAR to 7.2 (with MIH bonuses) from

1.65, the maximum permitted community facility FAR to 6.5 from 2.4, and the maximum permitted commercial FAR to 2.0 from 1.0 (refer to **Table A-2**).

Applicant-controlled Projected Development Site 1

The With-Action condition is largely consistent with the Applicant's Proposed Project planned for Projected Development Site 1 outlined in Section V above. The With-Action condition for Projected Development Site 1, like the Proposed Project, would also include three separate new buildings (known as Buildings A, B, and C) and would comprise one zoning lot. In total, the three separate new buildings would contain approximately 225,140-gsf (175,640-zsf, 5.4 FAR) of total building space inclusive of all building uses and cellar space. The With-Action condition, like the Proposed Project, would reasonably maximize the zoning lot's permitted blended FAR of 5.4, comprising approximately 214,140-gsf (171,440-zsf, 5.27 FAR) of residential uses and approximately 7,500-gsf (4,200-zsf, 0.13 FAR) of commercial retail uses. Within Projected Development Site 1, the maximum permitted blended FAR would be 5.4 for the zoning lot; the maximum permitted blended residential FAR would be 5.4 and the maximum permitted blended community facility FAR would be 4.62. The maximum permitted commercial FAR would be 2.0, as commercial uses would only be permitted in the proposed R8A/C2-4 zoning district within the zoning lot.

Further, the With-Action condition, like the Proposed Project, provides an average dwelling unit size of approximately 833-gsf (667-zsf), inclusive of Buildings A, B, and C of the Proposed Project, which is smaller than the average dwelling unit size range of approximately 850 to 1,000-gsf typically recommend by DCP for use as a conservative dwelling unit size assumption. However, the Proposed Project does not maximize the permitted building height of 145 feet in the proposed R8A/C2-4 zoning district (for Building A of the Proposed Project) and the permitted building height of 95 feet in the proposed R7A zoning district (for Buildings B and C of the Proposed Project). Therefore, the Applicant's Proposed Project is not considered the RWCDS for Projected Development Site 1. For CEQR analysis purposes dependent on building height, where applicable, the With-Action condition assumes maximum building heights (with provision of a QGF pursuant to ZR Section 23-664) of 145 feet for Building A of the With-Action condition and 95 feet for Buildings B and C of the With-Action condition.

Building A would be located within the proposed R8A/C2-4 zoning district and comprise a 14-story (approximately 155-foot-tall including a 10-foot-tall rooftop bulkhead) mixed residential/commercial building with a cellar. Building A would contain approximately 100 feet of frontage on the east side of Fourth Avenue and approximately 100 feet of frontage on the south side of 27th Street. Building A would feature a maximum base height of 105 feet (10-stories) and would be set back 10 feet from Fourth Avenue and 15 feet from 27th Street. No side, front, or rear yards would be provided. Building A would contain approximately 109,550-gsf (88,800-zsf) of total building space inclusive of all building uses, including the cellar. Building A would be occupied by approximately 102,050-gsf (84,600-zsf) of residential uses and approximately 7,500-gsf (4,200-zsf) of commercial retail uses. Building A's residential lobby would be located on 27th Street and the commercial retail uses, located within portions of the ground floor and cellar, would be accessed via Fourth Avenue and 27th Street. Building A's residential uses would comprise approximately 130 total DUs (33 or 39 income-restricted DUs pursuant to MIH Options 1 or 2, respectively). Building A's cellar would measure approximately 8,900-gsf (comprising approximately 5,700-gsf of space to support the residential units and approximately 3,200-gsf of commercial space). For CEQR analysis purposes (i.e., Early Childhood Programs), 20% (26 DUs) of the residential floor area is assumed to be income-restricted at or below an average of 80% AMI. No accessory off-street parking is proposed for Building A's dwelling units, in accordance with the proposed zoning special permit pursuant

to ZR Section 74-533, and no accessory off-street parking spaces are proposed for Building A's commercial retail uses.

Building B would be located within the proposed R7A zoning district and comprise a nine-story (approximately 105-foot-tall including a 10-foot-tall rooftop bulkhead) residential building with a cellar. Building B would contain approximately 150 feet of frontage on the south side of 27th Street. Building B would feature a maximum base height of 65 feet (six stories) and would be set back 15 feet from 27th Street. No side yards would be provided, and a 10 feet front yard would be provided. Building B would feature rear yards of 30 feet and 60 feet. Building B would contain approximately 79,400-gsf (57,800-zsf)of total building space inclusive of all building uses, including the cellar. Building B would be occupied by approximately 75,900-gsf (57,500-zsf) of residential uses, comprising 86 total DUs (22 or 26 income-restricted DUs pursuant to MIH Options 1 or 2, respectively). Building B's cellar would measure approximately 9,000-gsf (comprising approximately 9,000-gsf of space to support the residential units). For CEQR analysis purposes (i.e., Early Childhood Programs), 20% (17 DUs) of the residential floor area is assumed to be income-restricted at or below an average of 80% AMI. Building B's residential lobby would be located on 27th Street. No accessory off-street parking is proposed for Building B's dwelling units, in accordance with the proposed zoning special permit pursuant to ZR Section 74-533. Although no accessory parking is proposed for Building B, approximately 10 parking spaces (non-attended) are proposed within a portion of Building B's ground floor measuring approximately 3,500-gsf (300-zsf); the parking would be accessed via an approximately 12-foot-wide curb cut on 27th Street.

Building C would be located within the proposed R7A zoning district and comprise a nine-story (approximately 105-foot-tall including a 10-foot-tall rooftop bulkhead) residential building with a cellar. Building C would contain approximately 75 feet of frontage on the north side of 28th Street. Building C would feature a maximum base height of 65 feet (six-stories) and would be set back 15 feet from 28th Street. No side yards would be provided, and a 10 feet front yard would be provided. Building C would feature a 60 feet rear yard. Building C would contain approximately 36,190-gsf (29,040-zsf) of total building space inclusive of all building uses, including the cellar. Building C would be occupied by approximately 36,190-gsf (29,040-zsf) of residential uses, comprising 41 total DUs (10 or 12 income-restricted DUs pursuant to MIH Options 1 or 2, respectively). Building C's cellar would measure approximately 4,500-gsf (comprising approximately 4,500-gsf of space to support the residential units). For CEQR analysis purposes (i.e., Early Childhood Programs), 20% (eight DUs) of the residential floor area is assumed to be income-restricted at or below an average of 80% AMI. Building C's residential lobby would be located on 28th Street. No accessory off-street parking is proposed for Building C's dwelling units, in accordance with the proposed zoning special permit pursuant to ZR Section 74-533.

The With-Action condition would also contain an approximate 7,160-sf landscaped private open space located within the rear yard of Projected Development Site 1 between Buildings B and C. In addition to landscaping, the open space would contain walking paths, benches, and movable tables and chairs. Access to the open space would be restricted to residents of the three separate new buildings.

Non-Applicant-controlled Properties

In addition to the With-Action condition for Projected Development Site 1, two additional soft sites not controlled or owned by the Applicant have been identified within the Project Area, as described below.

Within the Project Area, it is anticipated that Projected Development Site 2 could be developed in the future With-Action condition. The With-Action condition for Projected Development Site 2 (Block 661,

Lots 1, 2, and 3) comprises an approximately 62,661-gsf (50,508-zsf, 7.2 FAR) mixed residential/commercial building. The building would reach a maximum height of 14-stories (approximately 155-feet-tall including a 10-foot-tall rooftop bulkhead) and a cellar. The cellar would measure approximately 7,015-gsf. The building would feature a maximum base height of 105 feet (10-stories) and would be set back 10 feet from Fourth Avenue and 15 feet from 28th Street. No side, front, or rear yards would be provided. The building would be occupied by approximately 60,645-gsf (48,754-zsf) of residential uses and approximately 2,017-gsf (1,754-zsf) of commercial retail uses. The building's residential lobby would be located on 28th Street and the commercial retail uses, located on a portion of the ground floor, would be accessed via Fourth Avenue and 28th Street. Assuming 1,000-gsf per DU (800-zsf), the building's residential uses would comprise approximately 61 total DUs (15 or 18 income-restricted DUs pursuant to MIH Options 1 or 2, respectively). For CEQR analysis purposes (i.e., Early Childhood Programs), 20% (12 DUs) of the residential floor area is assumed to be income-restricted at or below an average of 80% AMI. No accessory off-street parking spaces would be provided.

Within the Project Area, it is anticipated that Potential Development Site 1 (Block 661, Lots 68 and 69) is less likely to be developed in the future With-Action condition. The With-Action condition for Potential Development Site 1 comprises an approximately 30,348-gsf (23,037-zsf, 4.6 FAR) residential building. The building would reach a maximum height of nine-stories (approximately 105-foot-tall including a 10-foot-tall rooftop bulkhead) and a cellar. The cellar would measure approximately 5,008-gsf and contain an accessory parking garage. The building would feature a maximum base height of 65 feet (six-stories) and would be set back 15 feet from 28th Street. No side yards would be provided, a 10 feet front yard would be provided, and a 30 feet rear yard would be provided. The building would be occupied by approximately 25,340-gsf (23,037-zsf) of residential uses. The building's residential lobby would be located on 28th Street. Assuming 935-gsf (850-zsf) per DU, the building's residential uses would comprise approximately 27 total DUs (seven or eight income-restricted DUs pursuant to MIH Options 1 or 2, respectively). Approximately seven accessory off-street parking spaces would be required for the building's dwelling units (approximately six parking spaces for the building's 20 market-rate DUs and approximately one parking space for the building's seven income-restricted DUs). The accessory, non-attended parking garage would be located in the building's cellar and accessed via an approximately 12-foot-wide curb cut on 28th Street.

RWCDS Increment – Project Area

As presented in **Table A-3**, compared to the No-Action condition, the With-Action condition for the Proposed Actions' RWCDS would result in the positive incremental development of approximately 271,387-gsf (217,105-zsf) of residential space (comprising approximately 315 total DUs and 79-95 affordable DUs (pursuant to MIH Options 1 or 2, respectively) and 4,255-gsf (1,378-zsf) of local retail space, as well as the negative incremental development of approximately 26,645-gsf (23,170-zsf) of community facility (house of worship) space and 23 accessory parking spaces. In terms of population, compared to the No-Action condition, the With-Action condition for the Proposed Actions' RWCDS is expected to generate approximately 967 incremental residents and the loss of approximately 55 incremental workers. To present a conservative CEQR analysis, this EAS presents and analyzes one increment throughout the EAS that reflects the totals of Projected Development Site 1 and Projected Development Site 2.

Table A-3: Comparison of Existing, No-Action, and With-Action Conditions – Proposed Actions' RWCDS

	Existing Condition		No-Action Condition		With-Action Condition		Increment
LAND USE							
Residential	**X** YES	□ NO	**X** YES	□ NO	**X** YES	□ NO	
If "yes," specify the following:							
Describe type of residential structure	3 Multi-Family Walk-Up Buildings; 2 Mixed Residential/Commercial Buildings		3 Multi-Family Walk-Up Buildings; 2 Mixed Residential/Commercial Buildings		4 Multi-Family Residential Buildings		+4 Multi-Family Residential Buildings; -3 Multi-Family Walk-Up Buildings; -2 Mixed Residential/Commercial Buildings
No. of dwelling units	3		3		318		+315 DUs
No. of low- to moderate-income units	0		0		79[1]		+79 DUs[1]
Gross floor area (sf)	3,398-gsf		3,398-gsf		274,785-gsf		+271,387-gsf
Commercial	**X** YES	□ NO	**X** YES	□ NO	**X** YES	□ NO	
If "yes," specify the following:							
Type of use	Auto and Truck Parts Retailer		Auto and Truck Parts Retailer		Local Retail		-Auto and Truck Parts Retailer; +Local Retail
Gross floor area (sf)	5,262-gsf		5,262-gsf		9,517-gsf		+4,255-gsf
Manufacturing/Industrial	□ YES	**X** NO	□ YES	**X** NO	□ YES	**X** NO	N/A
Community Facility	**X** YES	□ NO	**X** YES	□ NO	□ YES	**X** NO	
If "yes," specify the following:							
Type of use	House of Worship		House of Worship		N/A		-House of Worship
Gross floor area (sf)	26,645-gsf		26,645-gsf		0-gsf		-26,645-gsf
Vacant Land	□ YES	**X** NO	□ YES	**X** NO	□ YES	**X** NO	N/A
Other Land Uses	□ YES	**X** NO	□ YES	**X** NO	□ YES	**X** NO	N/A
PARKING							
Garages	□ YES	**X** NO	□ YES	**X** NO	**X** YES	□ NO	
If "yes," specify the following:							
No. of public spaces	0		0		0		No change
No. of accessory spaces	0		0		10		+10
Lots	**X** YES	□ NO	**X** YES	□ NO	□ YES	**X** NO	
No. of public spaces	0		0		0		No change
No. of accessory spaces	33		33		0		-33
ZONING							
Zoning classification	M1-1D		M1-1D		R7A (MIH) and R8A/C2-4 (MIH)		Change from M1-1D to R7A (MIH) and R8A/C2-4 (MIH)
Maximum amount of floor area that can be developed	Residential: 1.65 Community Facility: 2.4 Commercial: 1.0 Manufacturing: 1.0		Residential: 1.65 Community Facility: 2.4 Commercial: 1.0 Manufacturing: 1.0		Residential: 5.4[2] (with MIH) Community Facility: 4.62[2] Commercial: 2.0 (Overlay) Manufacturing: 0.0		Residential: +3.75 (with MIH) Community Facility: +2.22 Commercial: +1.0 Manufacturing: -1.0
Predominant land use and zoning classifications within the land use study area(s) or a 400 ft. radius of proposed project	Land uses: Residential, Mixed-use Commercial/Residential, Commercial/Office, Industrial/Manufacturing, Transportation/Utility, Public Facility & Institutional, Parking Facilities, Vacant Land; Zoning: M1-1D, M1-2D, R6B, R7A, C2-4 (overlay)		Land uses: Residential, Mixed-use Commercial/Residential, Commercial/Office, Industrial/Manufacturing, Transportation/Utility, Public Facility & Institutional, Parking Facilities, Vacant Land; Zoning: M1-1D, M1-2D, R6B, R7A, C2-4 (overlay)		Land uses: Residential, Mixed-use Commercial/Residential, Commercial/Office, Industrial/Manufacturing, Transportation/Utility, Public Facility & Institutional, Parking Facilities, Vacant Land; Zoning: M1-1D, M1-2D, R6B, R7A, C2-4 (overlay)		No change
POPULATION[3]							
Residents	9		9		976		+967
Workers	96		96		41		-55

Notes:

[1] 25% of the residential floor area (MIH Option 1).

[2] Blended FAR for the entire zoning lot comprising Projected Development Site 1 (Block 661, Lots 5, 13, 14, and 66).

[3] The number of residents has been calculated based on the average household size of 3.07 persons per household for BK07 Sunset Park-Windsor Terrace (CD 7 Approximation) sourced from the 2017-2021 ACS Five-Year Estimates. The number of existing, No-Action, and With-Action condition workers has been calculated based on the following rates: One worker per 25 DUs, one worker per 333 sf of local retail space, and one worker per 333 sf of community facility space.

VII. REQUIRED APPROVALS

The Applicant is seeking one zoning map amendment, one zoning text amendment, and one zoning special permit pursuant to ZR Section 74-533 to facilitate the Proposed Project. The Proposed Actions are discretionary actions that are subject to both ULURP and CEQR.

The city's ULURP process, mandated by Sections 197-c and 197-d of the New York City Charter, is designed to allow public review of ULURP applications at four levels: Community Board, Borough President, the CPC, and the City Council. The procedure has mandated time limits for review at each stage to ensure a maximum review period of approximately seven months. The process begins with certification by DCP that the ULURP application is complete. The application is then referred to the relevant Community Board (in this case Brooklyn CD 7). The Community Board has up to 60 days to review and discuss the proposal, hold a public hearing, and adopt an advisory resolution on the ULURP application. The Borough President then has up to 30 days to review the application. The CPC then has up to 60 days, during which time a public hearing is held on the ULURP application. Following CPC approval, the application is then forwarded to the City Council, which has 50 days to review the ULURP application. Mayoral approval is not required. A decision by the City Council to approve or disapprove a land use application is considered to be final unless the Mayor elects to veto a Council action within five days of the vote. The City Council can override a Mayor's veto of its decision within 10 days of the veto, by a supermajority vote.

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

- *Establish a Lead Agency*. Under CEQR, the "lead agency" is the public entity responsible for conducting the environmental review. The environmental review for the Proposed Actions will be reviewed by DCP, which is serving as the lead agency for this project.

- *Environmental Review and Determination of Significance*. The lead agency will determine whether the Proposed Actions may have a significant impact on the environment. To do so, an Environmental Assessment Statement ("EAS") must be prepared. This EAS will be reviewed by the lead agency, which will determine if the Proposed Actions and subsequent development will result in any significant adverse impacts on the environment.

Attachment B:

Supplemental Screening

I. INTRODUCTION

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

Table B-1: Summary of CEQR Technical Areas Screening

TECHNICAL AREA	SCREENED OUT PER EAS FORM	SCREENED OUT PER SUPPLEMENTAL SCREENING	DETAILED ANALYSIS REQUIRED
Land Use, Zoning, and Public Policy			X
Socioeconomic Conditions			X
Community Facilities and Services			X
Open Space			X
Shadows		X	
Historic and Cultural Resources	X		
Urban Design and Visual Resources			X[1]
Natural Resources	X		
Hazardous Materials		X	
Water and Sewer Infrastructure	X		
Solid Waste and Sanitation Services	X		
Energy	X		
Transportation		X	
Air Quality			X
Greenhouse Gas Emissions	X		
Noise			X
Public Health		X	
Neighborhood Character		X	
Construction		X	

[1] Pursuant to Chapter 10, Section 200 of the 2021 *CEQR Technical Manual*, a detailed analysis of Urban Design and Visual Resources is not warranted for the Proposed Actions. Therefore, a preliminary analysis of Urban Design and Visual Resources is warranted and provided in **Attachment G, "Urban Design and Visual Resources."**

As shown in **Table B-1**, the supplemental screening assessment contained herein identified that a detailed analysis is warranted for Land Use, Zoning, and Public Policy, Socioeconomic Conditions, Community Facilities and Services, Open Space, Air Quality, and Noise. A preliminary analysis of Urban Design and Visual Resources is warranted and provided in **Attachment G, "Urban Design and Visual Resources." Table B-1** identifies for each CEQR technical area whether (a) the potential for impacts can be screened out based on the EAS Short Form, Part II, Technical Analysis; (b) the potential for impacts can be screened out based on a supplemental screening per the 2021 *CEQR Technical Manual*; or (c) whether a more detailed assessment is warranted.

II. SUPPLEMENTAL SCREENING

LAND USE, ZONING, AND PUBLIC POLICY

See Attachment C, "Land Use, Zoning, and Public Policy."

SOCIOECONOMIC CONDITIONS

See Attachment D, "Socioeconomic Conditions."

COMMUNITY FACILITIES AND SERVICES

See Attachment E, "Community Facilities and Services."

OPEN SPACE

See Attachment F, "Open Space."

SHADOWS

As stated in the 2021 *CEQR Technical Manual*, a shadow assessment considers projects that result in new shadows long enough to reach a sunlight-sensitive resource. Therefore, a shadow assessment is appropriate only if a project would either: (a) result in new structures (or additions to existing structures including the addition of rooftop mechanical equipment) of 50 feet or more; or (b) be located adjacent to, or across the street from, a sunlight-sensitive resource.

As discussed in **Attachment A, "Project Description,"** the Proposed Actions would facilitate the development of five new buildings that would be greater than 50 feet in height. Therefore, a preliminary analysis assessment was conducted.

Tier 1 Screening Assessment

According to the 2021 *CEQR Technical Manual*, the longest shadow that a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. As discussed in **Attachment A, "Project Description,"** the Proposed Actions would facilitate the development of five new buildings that would be greater than 50 feet in height. On Projected Development Site 1, the With-Action condition comprises a 155-foot-tall, including a 10-foot-tall rooftop bulkhead, building (known as Building A) and two 105-foot-tall, including 10-foot-tall rooftop bulkheads, buildings (known as Buildings B and C). Further, in addition to the With-Action condition for Projected Development Site 1, two additional soft sites not controlled or owned by the Applicant have been identified within the Project Area. At Projected Development Site 2 (Block 661, Lots 1, 2, and 3), the With-Action condition comprises a 155-foot-tall including a 10-foot-tall rooftop bulkhead building. At Potential Development Site 1 (Block 661, Lots 68 and 69), the With-Action condition comprises a 105-foot-tall including a 10-foot-tall rooftop bulkhead building. Therefore, the maximum shadow radius for the R8A/C2-4 zoning district (approximately 666.5 feet) was determined using the maximum building heights of 155 feet, while the maximum shadow radius for the R7A zoning district (approximately 451.5 feet) was determined using the maximum building heights of 105 feet.

A base map was prepared (refer to **Figure B-1**) for the Project Area, which identifies all potentially sunlight-sensitive resources within the maximum shadow radius of 666.5 feet applicable for the R8A/C2-4 zoning district. As shown in **Figure B-1**, within the longest shadow study area, there is one potentially sunlight-sensitive public open space resource (P.S. 172 Community Playground) as defined by the 2021 *CEQR Technical Manual*, as well as one potentially sunlight-sensitive historic and cultural resource (State/National Registers of Historic Places ["S/NR"]-eligible P.S. 172). Therefore, further screening was warranted to determine whether these resources could be affected by project-generated shadows.

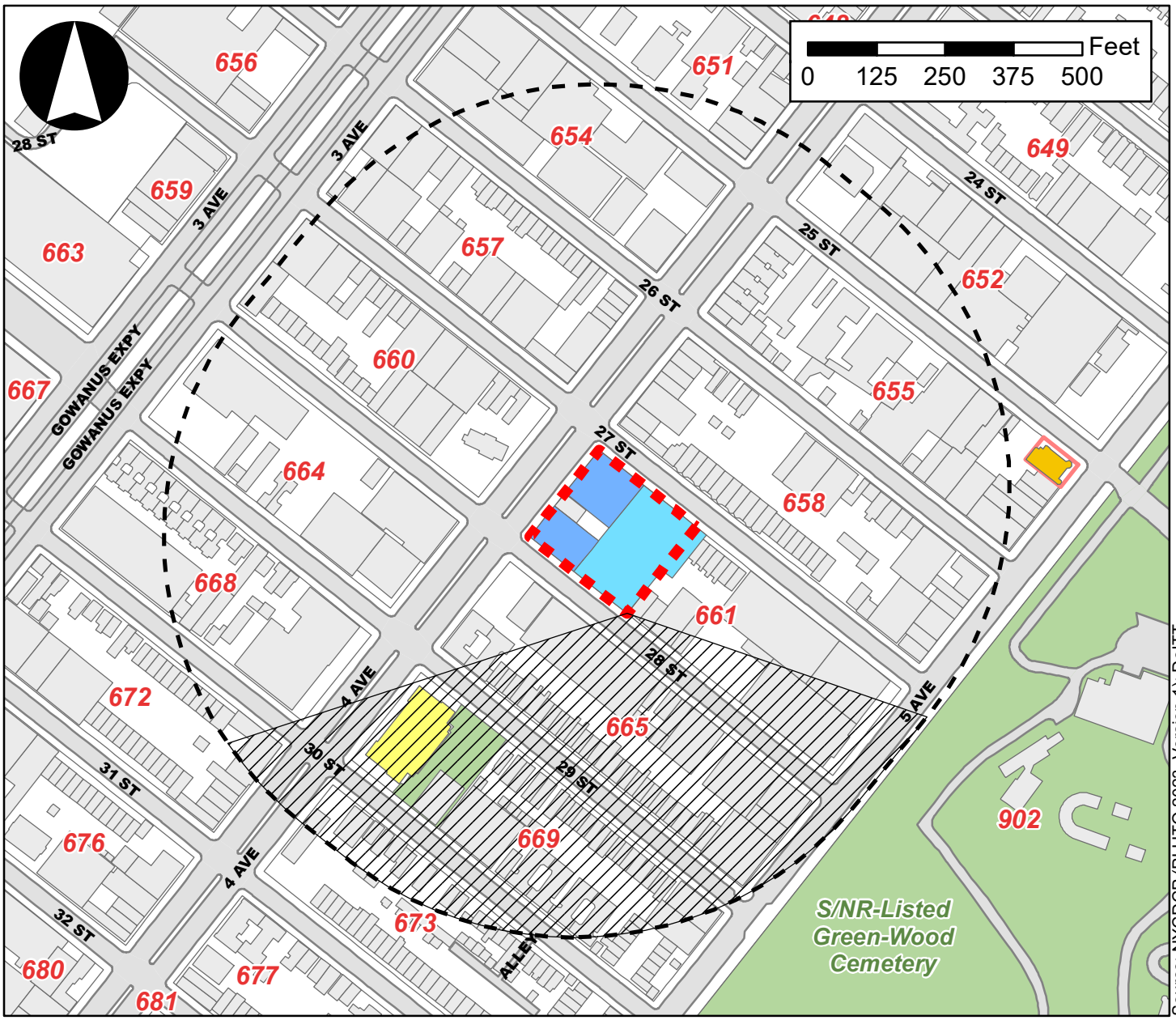
Tier 2 Screening Assessment

Due to the path of the sun across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given site. In New York City, this area lies between -108 and +108 degrees from true north. The purpose of the Tier 2 screening assessment is to determine whether the potentially sunlight-sensitive resources identified in the Tier 1 screening assessment are located within portions of the longest shadow study area that can receive shade from the With-Action condition.

Figure B-1 provides a base map illustrating the results of the Tier 2 screening assessment (i.e., the portion of the longest shadow study area lying within -108 degrees from true north and +108 degrees from true north as measured from the southernmost corner of the Project Area). As shown in **Figure B-1**, the one potentially sunlight-sensitive public open space resource (P.S. 172 Community Playground) and the one potentially sunlight-sensitive historic and cultural resource (S/NR-eligible P.S. 172) are located within portions of the longest shadow study area that cannot receive shade from the With-Action condition. Therefore, based on the Tier 2 screening assessment, a shadow assessment is not required, and the Proposed Actions would not result in significant adverse shadow impacts, in accordance with 2021 *CEQR Technical Manual* methodology.

URBAN DESIGN AND VISUAL RESOURCES

See Attachment G, "Urban Design and Visual Resources."



Source: NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Project Area
- With-Action Condition 105-Foot-Tall Buildings
- With-Action Condition 155-Foot-Tall Buildings
- Tier 1 Screening Assessment: Longest Shadow Study Areas (Inclusive of All Buildings)
- Tier 2 Screening Assessment: Area That Cannot Be Shaded
- Open Space
- S/NR-Eligible P.S. 172
- S/NR-Listed and LPC-Designated Weir Greenhouse
- Weir Greenhouse LPC Designation Boundary
- Existing Building Footprints

HAZARDOUS MATERIALS

As defined in the 2021 *CEQR Technical Manual*, 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 semivolatile organic compounds ("VOCs" and "SVOCs"), methane, polychlorinated biphenyls ("PCBs") and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). According to the 2021 *CEQR Technical Manual*, the potential for significant adverse impacts from hazardous materials can occur when: (a) hazardous materials exist on a site, and (b) a project would increase pathways to their exposure; or (c) a project would introduce new activities or processes using hazardous materials.

Phase I Environmental Site Assessment (ESA)

As the Proposed Actions would result in in-ground disturbance and site excavation at 783 Fourth Avenue (Block 661, Lots 5, 13, 14, and 66; also known as ["aka"] Projected Development Site 1), a Phase I Environmental Site Assessment ("ESA") was prepared to determine whether hazardous materials exist on Lots 5, 13, 14, and 66. The Phase I ESA Executive Summary is provided in **Appendix 2**.

Phase I ESA Executive Summary

Brussee Environmental Corporation ("BEC") prepared this Phase I ESA for the institutional property located on the southeastern corner of the intersection between Fourth Avenue, which runs generally north to south along the western site perimeter, and 27th Street, in the Sunset Park section of the Borough of Brooklyn, New York City, Kings County, New York (hereinafter the "subject property"). 28th Street also borders portions of the subject property to the south. The subject property is identified by the street address of 783 Fourth Avenue, and as Borough 3 – Block 661 – Lot Nos. 5, 13, 14, and 66 on the New York City ("NYC") tax maps.[2]

The purpose of the Phase I ESA was to identify and evaluate the presence of recognized environmental conditions. Recognized environmental conditions are defined as (1) the presence of hazardous substances or petroleum products in, on or at the property due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on or at the property due to a release to the environment; or (3) the presence of hazardous substances or petroleum products in, on or at the property under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions. The work was conducted in accordance with the American Society for Testing and Materials ("ASTM") Standard E 1527-21 (Standard Practices for Environmental Site Assessment: Phase I Environmental Site Assessment Process), 40 CFR Part 312 (Standards and Practices for All Appropriate Inquiry; Final Rule), and BEC's proposal for services.

BEC was able to establish a history for the property dating back to 1888. According to a review of NYC records, Sanborn maps, aerial photographs, historic city directories, and historic topographic maps, as well as personal interviews, the northwestern and southeastern portions of the subject property were developed with several 1- and 2-story retail stores, residences, and outbuildings by at least 1888. By 1906,

[2] The full DOB address range for the subject property is 783-791 Fourth Avenue, 198-220 27th Street, and 183-187 28th Street.

the northeastern portions of the property were developed with a 2-story residence and a 2-story church. By 1926, the blacksmith shop was converted to a garage. In addition, the northeastern residence was expanded and identified as a Rectory. A small paint shop was also present at the southeastern corner. By the early 1950s, northwestern and northcentral portions were redeveloped with 1-car and 7-car garages. In addition, the buildings on the southeasternmost parcel (residence and paint shop) were demolished and replaced with a small storage structure. Circa 1955, northwestern and north-central portions were redeveloped with the existing "school" building identified as St. Rocco's Youth Center. In addition, the existing 2-story garage building was constructed at the southside of the church building and identified as an apartment. The remaining residences (south) were also demolished. Between 1978 and 1979, the storage building (southeast) was replaced with the existing 1-story garage building, identified as a garage and warehouse. In addition, remaining areas at the southern portions of the property were identified as a parking lot. City directories revealed that the youth center was occupied by the non-profit organization Opportunities for a Better Tomorrow from the mid-1990s through at least 2020.

The property is currently developed with the five 1- and 2-story buildings, including: a 1- and partial 2-story school, with two partial basement areas; a 2-story Rectory with a partial basement, a 2-story church, with no basement, a 2-story garage, and a 1-story garage, as well as paved parking lots, paved yard areas, and small landscaped areas. The two garage buildings and the parking lot are currently leased to various individuals and commercial tenants and are utilized for vehicle parking and equipment/material storage. The church, Rectory, and school buildings were formerly occupied by St. Rocco's R.C. Church and a non-profit organization (Opportunities for a Better Tomorrow) are vacant, and in minor to moderate states of disrepair.

Based on the results of the site inspection, records review and interviews, it was determined that there were no RECs, controlled recognized environmental conditions ("CRECs") or historic recognized environmental condition ("HRECs") identified for the subject property. However, BEC identified several environmental concerns (ASTM Non-Scope issues/Business Environmental Risks ["BERs"]) for the subject property. The environmental concern/BER and BEC's recommendations are summarized as follows:

- The subject property address (783 Fourth Avenue) is listed on the PBS-UST database under the name Opportunities for a Better Tomorrow and is identified as having one 3,000-gallon steel underground storage tank ("UST") containing No. 2 fuel oil, closed-in-place in October 2000. The exact location of this tank is unknown; however, it was likely associated with either the Rectory or the school building. Although, no closure report or information regarding soil conditions in the vicinity of the UST were available for review. Given that the tank is identified as closed-in-place on the New York State Department of Environmental Conservation ("NYSDEC") database and no LTANKS or NYSPILLS listings are associated with the subject property, BEC considers the closed UST to represent a BER.
- Information obtained from multiple historic sources indicate that the northwestern, north-central and southern portions of the property were formerly developed with multiple retail and residential buildings. As such, there is a potential for fill materials to be present (utilized to backfill the foundations and/or basements of the former structures following their demolition). Since no information regarding the nature or source of the fill materials was available for review, there is a potential for contaminated and/or structurally unsuitable fill materials to be present on the subject property. The potential presence of fill materials is considered a BER. Experience with similar projects shows that typical urban fill materials (impacted or clean) that are not excavated to support construction/redevelopment activities can remain on-site, as such we do not foresee

an issue related to undisturbed urban fill. However, all urban fill material that is disturbed during any construction/redevelopment project may require sampling for proper disposal and handling.

- Fluorescent light ballasts were observed within inspected portions of the buildings, which based on the ages of the buildings, may contain polychlorinated biphenyls ("PCBs"). BEC recommends that a PCB survey be performed prior to demolition and/or renovation activities. Any PCB-containing equipment affected by the development of the site must be properly managed during demolition and/or renovation activities. In addition, while the disposal of non-leaking PCB ballasts is not currently regulated by the United States Environmental Protection Agency ("EPA"), BEC recommends that the PCB ballasts be packaged in a lined, steel drum containing an absorbent material and disposed of as PCB-waste to reduce the potential for environmental contamination and potential liability for cleanup of any environmental release of PCBs from the ballasts.
- Suspect asbestos-containing vinyl floor tile, acoustic ceiling tile, pipe insulation, and plaster/sheetrock was observed in some of the inspected portions the buildings. Most of the suspect asbestos-containing materials ("ACMs") were in good to fair condition at the time of the site inspection, with some water-stained/damaged ceiling tiles and plaster/sheetrock. BEC notes that much of the exposed piping was uninsulated or covered with fiberglass. In addition, suspect asbestos-containing transite shingles were also observed on the exterior of the church. Finally, due to the ages of the buildings, it is possible that roofing, roof flashing and other (inaccessible) building materials may contain asbestos. If activities in the buildings (i.e., renovation or demolition) will disturb any suspect asbestos material, then BEC recommends that an asbestos survey be performed to determine if ACMs are present prior to the proposed work. If ACMs are present, then a New York State ("NYS")-licensed contractor must be retained to remove the asbestos in accordance with federal and NYS regulations
- Multiple areas of water-staining and water damage, including peeling paint, damaged/missing sheetrock/plaster, warped wooden flooring/paneling, and stained/missing ceiling tile, were observed throughout each of the site buildings. Visible mold growth was also observed in the basement of the church buildings. Additionally, the building interiors were all in minor to moderate states of disrepair. As future plans for the subject property are unknown, BEC provides the following recommendations: If the buildings are to be demolished, then no structural repairs and/or mold abatement is warranted at this time. However, if future plans include the use/renovation of the existing structures, then structural repairs should be made to the satisfaction of DOB. Further, any areas affected by continual water leaks should be repaired and subsequently inspected for the presence of mold growth. Any evidence of mold should be cleaned and removed in accordance with the New York State Department of Health ("NYSDOH") Guidelines on Assessment & Remediation of Fungi in Indoor Environments prior to occupancy. Finally, sheetrock/plaster, wood, and other water damaged building materials should be removed from the building and properly disposed.

Assessment

The assessment above established that Projected Development Site 1 has potential hazardous materials contamination. The Phase I ESA has been reviewed by the New York City Department of Environmental Protection ("DEP"). DEP determined that a Phase II ESA would be necessary to adequately identify/characterize the surface and subsurface soils, groundwater, and soil vapor of Projected Development Site 1, and to inform and disclose the measures necessary to avoid impacts from hazardous materials (refer to **Appendix 2** for DEP correspondence). However, given the existing ownership of Projected Development Site 1, where the Applicant does not have existing ownership of Block 661, Lots 5, 13, 14, and 66, Phase II ESA testing is not feasible at this time and a Hazardous Materials (E) Designation

is required to undertake Phase II ESA testing once Projected Development Site 1 is vacated, demolished, and cleared, following approval of the Proposed Actions. The assignment of a Hazardous Materials (E) Designation is proposed for the nine lots wholly or partially located within the Project Area (Block 661, Lots 1, 2, 3, 5, 13, 14, 66, 68, and 69).

The Hazardous Materials (E) Designation that would be assigned to these lots would require that further investigation be performed to determine the presence and nature of potential contaminants of concern and the proper remedial and/or health and safety measures that would be employed during construction activities. The New York City Office of Environmental Remediation ("OER") will be notified at least one week prior to the start of investigative activities on these properties.

Therefore, by assigning a Hazardous Materials (E) Designation on Block 661, Lots 1, 2, 3, 5, 13, 14, 66, 68, and 69 for a Phase II ESA Investigation Protocol/Work Plan, the potential for a significant adverse impact to human health and the environment regarding hazardous materials resulting from the Proposed Actions would be avoided. The Hazardous Materials (E) Designation provides the impetus to identify and address environmental conditions so that significant adverse impacts would be avoided, with OER providing the regulatory oversight of the environmental investigation and remediation during the development process. Building permits are not issued by DOB without prior OER approval of the investigation and/or remediation pursuant to the provisions of Section 11-15 of the *Zoning Resolution of the City of New York* ("ZR").

The text of the Hazardous Materials (E) Designation [E-###] for Block 661, Lots 1, 2, 3, 5, 13, 14, 66, 68, and 69 would be as follows:

> **Task 1: Sampling Protocol**
>
> **Prior to construction, the Applicant must submit to the New York City Mayor's Office of Environmental Remediation (OER), for review and approval, a Phase II Investigation protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented.**
>
> **No sampling should begin until written approval of a protocol is received by OER. The number and location of sample sites should be selected to adequately characterize the site, the specific source 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 the 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 be 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 for the test results, a proposed remedial action plan (RAP) must be submitted by 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.

An OER-approved construction-related health and safety plan (CHASP) would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.

With the measures outlined above, and adherence to existing regulations, there would be no increase in the exposure of people or the environment to hazardous materials associated with the Proposed Actions. Therefore, no significant adverse impacts related to hazardous materials would occur as a result of the Proposed Actions.

TRANSPORTATION

The objective of the transportation analyses is to determine whether a proposed project may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, cyclists, transit users, and motorists), on- and off-street parking, and/or goods movement.

The 2021 *CEQR Technical Manual* identifies minimum development densities potentially requiring transportation analysis. Development at less than the development densities presented in Table 16-1 of the 2021 *CEQR Technical Manual* generally result in fewer than 50 peak hour vehicle trips (with "trips" referring to trip-ends), 200 peak hour subway/rail or bus transit riders, and 200 peak hour pedestrian trips, where significant adverse impacts are generally considered unlikely. According to the 2021 *CEQR Technical Manual*, if a proposed project would result in development densities greater than the minimum development densities presented in Table 16-1, a Level 1 (Project Trip Generation) Screening Assessment should be prepared. In most areas of New York City, if a proposed project is projected to result in fewer than 50 peak hour vehicle trip-ends, 200 peak hour subway/rail or bus transit riders, or 200 peak hour pedestrian trips, it is unlikely that further analysis would be necessary. If these Level 1 Screening Assessment thresholds are exceeded, a Level 2 (Project Generated Trip Assignment) Screening Assessment should be prepared to determine if a proposed project would generally result in intersections with 50 or more vehicle trips, pedestrian elements with 200 or more pedestrian trips, 50 or more bus trips in a single direction on a single route, 25 or more passenger ferry trips in a single direction on a single route, 50 or more passengers at a ferry landing, or 200 or more passengers at a subway station or on a subway line during any analysis peak hour. If these Level 2 Screening Assessment thresholds are met or exceeded, further detailed analysis may be needed for a particular travel mode.

As detailed in **Attachment A, "Project Description,"** compared to the No-Action condition, the With-Action condition for the Proposed Actions' RWCDS would result in the positive incremental development of approximately 271,387-gsf of residential space (comprising approximately 315 total DUs, including 79-95 affordable DUs pursuant to MIH Options 1 or 2, respectively) and 4,255-gsf of local retail space, as well as the negative incremental development of approximately 26,645-gsf of community facility (house of worship) space and 23 accessory parking spaces.

A Level 1 Screening Assessment was prepared for the net incremental development program to determine if the Proposed Actions' RWCDS would result in 50 or more peak hour vehicle trips, 200 or more peak hour subway/rail or bus transit riders, and 200 or more peak hour pedestrian trips. The Level 1 Screening Assessment is provided in **Appendix 3 "Transportation Planning Factors and Travel Demand Forecast Technical Memorandum." Table B-2** presents a summary of the incremental trips, by mode, generated by the Proposed Actions' RWCDS.

Table B-2: Summary of Incremental Peak Hour Travel Demand[1]

	Weekday AM	Weekday Midday	Weekday PM	Saturday Midday
Vehicle Trips	26	16	17	40
Subway Trips	121	76	85	145
Bus Trips	-9	-3	-16	5
Walk Trips[1]	187	176	206	309

Notes:
[1] Refer to **Appendix 3** for additional details.
[2] Walk Trips include walk-only, vehicle, subway, and bus trips.

Traffic and Parking

As shown in **Table B-2**, the Proposed Actions' RWCDS would generate less than 50 vehicle trips in the weekday AM, midday, and PM peak hours, and the Saturday peak hour. As the Proposed Actions' RWCDS would generate net incremental vehicle trips below the Level 1 Screening Assessment threshold, significant adverse impacts would not occur, and no further assessment of traffic and parking is warranted pursuant to 2021 *CEQR Technical Manual* guidance.

Transit

As shown in **Table B-2**, the Proposed Actions' RWCDS would generate less than 200 subway trips and less than 50 bus trips in the weekday AM, midday, and PM peak hours, and the Saturday peak hour. As the Proposed Actions' RWCDS would generate incremental subway and bus trips below the applicable Level 1 Screening Assessment thresholds, significant adverse impacts would not occur, and no further assessment of transit is warranted pursuant to 2021 *CEQR Technical Manual* guidance.

Pedestrians

For the Proposed Actions' RWCDS, pedestrian trips include not only walk trips, but also trips by public transit modes that include a walk segment of travel between the Project Area and transit facilities such as subway station entries/exits and bus stops. As shown in **Table B-2**, the Proposed Actions' RWCDS would generate more than 200 pedestrian trips in the weekday AM, midday, and PM peak hours, and the Saturday peak hour. As the numbers of trips would exceed the 200-trip threshold in all peak hours, a Level 2 Screening Assessment was warranted to determine which, if any, pedestrian elements require quantified analysis. The Level 2 Screening Assessment is provided in **Appendix 3 "Transportation Planning Factors and Travel Demand Forecast Technical Memorandum."** As described therein, based on the preliminary assignment of net incremental pedestrian trips, the incremental peak hour pedestrian trips generated by the Proposed Actions' RWCDS would not exceed the 200-trip 2021 *CEQR Technical Manual* analysis threshold at any pedestrian elements during the weekday AM, midday, and PM peak hours, and the Saturday peak hour. Therefore, a detailed pedestrian analysis is not warranted in the EAS. As such,

based on 2021 *CEQR Technical Manual* guidance, significant adverse impacts would not occur, and no further assessment of pedestrians is warranted pursuant to 2021 *CEQR Technical Manual* guidance.

AIR QUALITY

See Attachment H, "Air Quality."

NOISE

See Attachment I, "Noise."

PUBLIC HEALTH

Public health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Many public health concerns are closely related to air quality, water quality, hazardous materials, and noise.

According to the 2021 *CEQR Technical Manual*, a public health analysis may be warranted if a project results in (a) increased vehicular traffic or emissions from stationary sources resulting in significant adverse air quality impacts; (b) increased exposure to heavy metals and other contaminants in soil/dust resulting in significant adverse impacts, or the presence of contamination from historic spills or releases of substances that might have affected or might affect groundwater to be used as a source of drinking water; (c) solid waste management practices that could attract vermin and result in an increase in pest populations; (d) potential significant adverse impacts to sensitive receptors from noise and odors; (e) vapor infiltration from contaminants within a building or underlying soil that may result in significant adverse hazardous materials or air quality impacts; (f) exceedances of accepted federal, state, or local standards; or (g) other actions that might not exceed the preceding thresholds but might, nonetheless, result in significant health concerns.

As detailed in the analyses provided in this EAS, the Proposed Actions would not result in significant adverse impacts in the areas of air quality, water quality, hazardous materials, or noise. Therefore, the Proposed Actions do not have the potential to result in significant adverse public health impacts, and further analysis is not warranted.

NEIGHBORHOOD CHARACTER

According to the 2021 *CEQR Technical Manual*, an analysis of neighborhood character may be appropriate if a project has the potential to result in significant adverse impacts on land use, zoning, public policy, socioeconomic conditions, community facilities and services, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, or noise, or when an action may have moderate effects on several of the elements that define a neighborhood's character. As the EAS provides detailed analyses of land use, zoning, and public policy, socioeconomic conditions, community facilities

and services, open space, and noise, a preliminary screening analysis is necessary to determine if a detailed neighborhood character analysis is warranted.

Neighborhood character is an amalgam of various elements that give neighborhoods their distinct "personality." According to the 2021 *CEQR Technical Manual*, a preliminary analysis may be appropriate if a project has the potential to result in any significant adverse impacts on any of the following technical areas: land use, zoning, and public policy; socioeconomic conditions; community facilities and services; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; or noise. Per the analyses provided in this EAS, although the Proposed Actions required supplemental screening or analysis of some of these technical areas, there would be no project-generated significant adverse impacts.

The 2021 *CEQR Technical Manual* also states that for projects not resulting in significant adverse impacts to any technical areas related to neighborhood character, additional analyses may be required to determine if the Proposed Actions' RWCDS would result in a combination of moderate effects to several elements that cumulatively may affect neighborhood character. However, the 2021 *CEQR Technical Manual* indicates that neighborhood character impacts are rare, and it would be unusual that, in the absence of a significant adverse impact in any of the relevant technical areas, a combination of moderate effects in the neighborhood would result in any significant adverse impact to neighborhood character.

The Proposed Actions would not adversely affect any component of the surrounding area's neighborhood character. The RWCDS that would be facilitated by the Proposed Actions would not conflict with the surrounding neighborhood activities, nor would they significantly affect land use patterns. The RWCDS that would be facilitated by the Proposed Actions would introduce commercial and residential land uses to the surrounding neighborhood, which are in line with the mixed-use character of the surrounding neighborhood. As the Proposed Actions would not result in any significant adverse impacts on any of the technical areas relating to neighborhood character, nor a combination of moderate effects in more than one technical area pursuant to Chapter 21, Section 220 of the 2021 *CEQR Technical Manual*, a neighborhood character analysis can be screened out, and no significant adverse neighborhood character impacts would occur. Therefore, no additional analysis is warranted for neighborhood character.

CONSTRUCTION

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

Anticipated Construction Schedule

The Proposed Project would contain three separate buildings totaling approximately 225,140-gsf (175,640-zsf, 5.4 FAR) of total building space inclusive of all building uses and cellar space. Buildings A, B, and C would be constructed simultaneously over an approximately 18-month period and implemented in a single phase. Buildings A and B would commence construction at the same time, during the first quarter of 2026, while Building C would commence construction in the second quarter of 2026, approximately three months after Buildings A and B. Therefore, the construction schedule for the Proposed Project is

considered short-term. These construction durations are based on a generic schedule guidance document provided by DCP and are illustrated in **Figure B-2**. Individual schedules for Buildings A, B, and C are described below.

Figure B-2: Illustrative Construction Schedule

			2026												2027											
			Q1			Q2			Q3			Q4			Q1			Q2			Q3			Q4		
	SITE	GSF	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
APPLICANT - Building A		109,550	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18						
APPLICANT - Building B		79,400	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18						
APPLICANT - Building C	PDS 1	36,190				1	2	3	4	5	6	7	8	9	10	11	12	13	14							

Demolition/Excavation/Foundation
Building Superstructure/Exterior
Interior Fit-Out

As illustrated in **Figure B-2**, for Building A of the Proposed Project, the approximately 109,550-gsf mixed residential/commercial building would be constructed in approximately 18 months beginning in the first quarter of 2026 with construction completion and occupancy expected in the second quarter of 2027. As also illustrated in **Figure B-2**, for Building B of the Proposed Project, the approximately 79,400-gsf residential building would be constructed in approximately 18 months beginning in the first quarter of 2026 with construction completion and occupancy expected in the second quarter of 2027. The construction durations for Buildings A and B of the Proposed Project are based on a generic schedule guidance document provided by DCP for buildings of these sizes.

As illustrated in **Figure B-2**, demolition, excavation, and foundation activities for Buildings A and B of the Proposed Project would commence first, occurring simultaneously for the two separate buildings over a period of approximately three months. Following construction of the foundations of Buildings A and B of the Proposed Project, superstructure- and exterior envelope-related construction activities would commence, occurring simultaneously for the two separate buildings over a period of approximately seven months. Following construction of the superstructure and exterior envelopes of Buildings A and B of the Proposed Project, interior fit-out construction activities would commence, occurring simultaneously for the two separate buildings over a period of approximately eight months.

As illustrated in **Figure B-2**, for Building C of the Proposed Project, the approximately 36,190-gsf residential building would be constructed in approximately 14 months beginning in the second quarter of 2026, approximately three months after the start of construction of Buildings A and B of the Proposed Project. This construction duration is based on a generic schedule guidance document provided by DCP for a building of this size. Therefore, completion and occupancy of Building C of the Proposed Project is expected to occur in the second quarter of 2027. As illustrated in **Figure B-2**, demolition, excavation, and foundation activities for Building C of the Proposed Project would commence first, occurring over a period of approximately two months. Following construction of the foundation of Building C of the Proposed Project, superstructure- and exterior envelope-related construction activities would commence, occurring over a period of approximately five months. Following construction of the superstructure and exterior envelope of Building C of the Proposed Project, interior fit-out construction activities would commence, occurring over a period of approximately seven months.

As also illustrated in **Figure B-2**, the construction duration for Building C of the Proposed Project would fully overlap with the construction durations of Buildings A and B of the Proposed Project. For Building C of the Proposed Project, the demolition, excavation, and foundation construction phase and the superstructure- and exterior envelope-related construction phase would overlap with the superstructure-

and exterior envelope-related construction phases for Buildings A and B of the Proposed Project. The interior fit-out construction phases for Buildings A, B, and C of the Proposed Project would occur simultaneously over a period of seven to eight months.

In addition to the Applicant's Proposed Project on Projected Development Site 1, it is anticipated that a non-Applicant-controlled or owned "soft site" ("Projected Development Site 2") located within the Project Area could be developed in the future With-Action condition. Projected Development Site 2 (Block 661, Lots 1, 2, and 3) could be developed with an approximately 62,661-gsf (50,508-zsf, 4.6 FAR) mixed residential/commercial building. It is anticipated the building on Projected Development Site 2 would be constructed in a single phase lasting approximately 18 months; construction would commence in the third quarter of 2028, approximately 2.5 years after the start of construction of the Proposed Project. There would be a 12-month gap separating the completion of the Proposed Project on Projected Development Site 1 and the start of construction at Projected Development Site 2. This construction duration is based on a generic schedule guidance document provided by DCP for a project of this size and is illustrated in **Figure B-3**. Therefore, completion and occupancy of the building on Projected Development Site 2 is expected to occur in the fourth quarter of 2029, approximately 2.5 years after the completion of the Proposed Project on Projected Development Site 1. As illustrated in **Figure B-3**, demolition, excavation, and foundation activities for the building on Projected Development Site 2 would commence first, occurring over a period of approximately three months. Following construction of the foundation of the building on Projected Development Site 2, superstructure- and exterior envelope-related construction activities would commence, occurring over a period of approximately seven months. Following construction of the superstructure and exterior envelope of the building on Projected Development Site 2, interior fit-out construction activities would commence, occurring over a period of approximately eight months.

Figure B-3: Illustrative Construction Schedule

			2028												2029											
			Q1			Q2			Q3			Q4			Q1			Q2			Q3			Q4		
	SITE	GSF	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
NON-APPLICANT	PDS 2	62,661							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18

Demolition/Excavation/Foundation
Building Superstructure/Exterior
Interior Fit-Out

Most construction activities would occur Monday through Friday, although the delivery and installation of certain equipment could occur on weekend days. Hours of construction are regulated by DOB and apply in all areas of New York City. In accordance with DOB regulations, nearly all work would occur between the hours of 7:00 AM and 6:00 PM on weekdays, although some workers would arrive and begin to prepare work areas before 7:00 AM. Occasionally, Saturday or overtime hours may be required to complete time-sensitive tasks. Weekend work requires a permit from DOB and, in certain instances, approval of a noise mitigation plan from DEP pursuant to the New York City Noise Code.

Transportation Conditions

Traffic and Pedestrians

Fourth Avenue located adjacent to the Project Area is an arterial thoroughfare, while 27th and 28th Streets located adjacent to the Project Area are local streets. However, given the size of Projected Development Site 1 (measuring approximately 32,524-sf) and the size of Projected Development Site 2 (measuring approximately 7,015-sf), it is anticipated that staging would be accommodated on or primarily within each

site, and no full closure of adjacent public sidewalks or roadway lanes would be expected. The initial staging areas would be strategically located to allow for the first stages of construction—temporary site access, installation of chosen Best Management Practices ("BMPs"), clearing, demolition, and excavation. Appropriate BMPs would be placed at all locations prior to any staging activity. Upon establishing the BMPs and staging areas, temporary access routes within each site would be constructed to allow for the flow of construction materials and equipment required for construction. Construction activities may result in short-term disruption of traffic and pedestrian movements in the vicinity of the two sites. The two sites would be surrounded by construction fencing and Jersey barriers, as required by DOB. If required during construction, detailed Maintenance and Protection of Traffic ("MPT") plans for each site would need to be submitted for approval to the New York City Department of Transportation ("NYCDOT") Office of Construction Mitigation and Coordination ("OCMC"), the entity that ensures critical arteries are not interrupted, especially in peak travel periods. To ensure the safety of pedestrians immediately surrounding the sites, sidewalk sheds and Jersey barriers would be erected along street frontages. Therefore, pedestrian movement and safety adjacent to Projected Development Site 1 and Projected Development Site 2 would be ensured and maintained in the future with the Proposed Actions. Given the limited duration of these temporary obstructions, these conditions would not result in significant adverse impacts on traffic and pedestrian transportation conditions.

Public Transportation

Construction activities would not result in the disruption of public transportation services in the vicinity of Projected Development Site 1 and Projected Development Site 2. There are no bus routes or bus stop locations located adjacent to the two sites. In addition, there are no subway stations nor bicycle lanes located adjacent to the two sites. Therefore, construction activities would not result in significant adverse impacts on public transportation conditions.

In addition, as described above and in **Appendix 3 "Transportation Planning Factors and Travel Demand Forecast Technical Memorandum,"** the Proposed Actions would not result in any significant adverse impacts related to transportation; therefore, the Proposed Actions would not result in any construction related impacts to transportation conditions, including traffic, pedestrian, and public transportation conditions.

Air Quality or Noise

With regard to the air quality and noise effects of construction activities, an assessment of air quality and noise for construction activities is likely not warranted if the proposed project's construction activities:

- Are considered short-term (less than two years);
- Are not located near sensitive receptors; and
- Do not involve construction of multiple buildings where due to staged project completion, there is a potential for on-site receptors occupying buildings completed before the final buildout.

If a project meets one or more of the criteria above or if one of the above criteria is unknown at the time of review, a preliminary air quality or noise assessment is not automatically required. Although Projected Development Site 1 and Projected Development Site 2 are located near sensitive receptors (i.e., residential buildings to the north, south, and east), a preliminary construction air quality or noise assessment is not warranted for the Proposed Actions because construction activities associated with the Proposed Actions are considered short-term (i.e., would not last longer than two years), and there would

be no on-site receptors occupying buildings completed before final buildout. As described above, the Proposed Project, comprising three separate buildings, would be constructed simultaneously over an approximately 18-month period and implemented in a single phase. Therefore, the construction schedule is not staged and the three separate buildings on Projected Development Site 1 would be constructed and occupied concurrently. Further, it is anticipated the building on Projected Development Site 2 would commence construction approximately 2.5 years after the start of construction of the Proposed Project. There would be a 12-month gap separating the completion of the Proposed Project on Projected Development Site 1 and the start of construction at Projected Development Site 2. Therefore, completion and occupancy of the building on Projected Development Site 2 is expected to occur approximately 2.5 years after the completion of the Proposed Project on Projected Development Site 1.

Construction Noise

Potential impacts on community noise levels during construction could result from the operation of construction equipment and from construction and delivery vehicles traveling to and from construction sites. Noise levels at a given location are dependent on the type and quantity of construction equipment being operated, the acoustical utilization factor of the equipment (i.e., the percentage of time the equipment is operating at full power), the distance from a construction site, and any shielding effects (e.g., from structures such as walls or barriers). Because the location of the construction activities relative to noise sensitive receptor locations would vary over the course of the construction period, as would the amount and type of construction equipment, the level of noise experienced at each noise sensitive receptor would also vary during this period. The most noise intensive construction activities would not occur every day or every hour on those days that they would occur. During hours when the loudest pieces of construction equipment are not in use, noise sensitive receptors would experience lower construction noise levels. Construction noise levels would fluctuate during the construction period at each noise sensitive receptor, with the greatest levels of construction noise occurring for limited periods.

Noise Reduction Measures

Construction noise is regulated by the requirements of the New York City Noise Control Code (also known as Chapter 24 of the Administrative Code of the City of New York, or Local Law 113) and DEP's Notice of Adoption of Rules for Citywide Construction Noise Mitigation (also known as Chapter 28). These requirements mandate that specific construction equipment and motor vehicles meet specified noise emission standards; that construction activities be limited to weekdays between the hours of 7:00 AM and 6:00 PM; and that construction materials be handled and transported in such a manner as not to create unnecessary noise. For weekend and after hour work, permits would be required, as specified in the New York City Noise Control Code. As required under the New York City Noise Control Code, site-specific noise mitigation plans for construction activities induced by the Proposed Actions would be developed and implemented that may include source and path controls. These noise control plans are expected to include such measures as avoiding unnecessary evening construction and truck idling. A copy of the noise mitigation plans would also be kept at the applicable construction sites for compliance review by DOB and DEP.

Noise control measures would typically include a variety of source and path controls. In terms of source controls (i.e., reducing noise levels at the source or during the most sensitive time periods), the following measures would be implemented in accordance with NY regulations:

- Equipment that meets the sound level standards specified in Subchapter 5 of the New York City Noise Control Code would be used from the start of construction.
- As early in the construction period as logistics planning would allow, diesel- or gas-powered equipment would be replaced with electrical-powered equipment such as pumps, compressors, and hoists (i.e., early electrification) to the extent feasible and practicable.
- Where feasible and practical, construction sites would be configured to minimize back-up alarm noise. In addition, all trucks would not be allowed to idle more than three (3) minutes at the construction site based upon New York City Local Law.
- Contractors and subcontractors would be required to properly maintain their equipment and mufflers.

In terms of path controls (e.g., placement of equipment, implementation of barriers or enclosures between equipment and noise sensitive receptors), the following measures for construction would be implemented in accordance with NY regulations:

- Where logistics allow, noisy equipment, such as cranes, concrete mixing trucks, concrete pumps, and delivery trucks, would be located away from and shielded from noise sensitive receptor locations.
- Noise barriers would be utilized to provide shielding (i.e., the construction sites would have perimeter barriers of at least eight (8) feet in height).
- Path noise control measures (i.e., portable noise barriers, panels, enclosures, and acoustical tents, where feasible) would be required for certain dominant noise equipment (i.e., generators, jack hammers, pile drivers, and pumps) to the extent feasible and practical. The details to construct portable noise barriers, enclosures, tents, etc., are provided in DEP's Rules for Citywide Construction Noise Mitigation.

Historic and Cultural Resources

According to *2021 CEQR Technical Manual* guidance, construction impacts may occur on historic and cultural resources if in-ground disturbances or vibrations associated with project construction could undermine the foundation or structural integrity of nearby historic and cultural resources. The New York City Building Code provides some measures of protection for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Additional protective measures apply to buildings and structures designated or eligible for designation as New York City Landmarks ("NYCLs") and listed or eligible for listing on the S/NR located within 90 linear feet of a proposed construction site. For these buildings and structures, DOB's Technical Policy and Procedure Notice ("TPPN") #10/88 applies. TPPN #10/88 supplements the standard building protections afforded by the New York City Building Code by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent historic and cultural resources (within 90 linear feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

The nearest historic and cultural resource to Projected Development Site 1 and Projected Development Site 2 is the S/NR-eligible P.S. 172, which is located approximately 310 feet to the southwest of each site at its closest point. Therefore, this resource is beyond the 90 linear feet maximum distance at which an adverse direct physical impact may be significant, as defined by DOB. For these reasons, the Proposed Actions would not result in any potential significant adverse vibration impacts during construction

activities induced by the Proposed Actions on the S/NR-eligible P.S. 172. As such, the Proposed Actions would have no significant adverse construction-related impacts on historic and cultural resources and further analysis is not warranted.

Overall, construction activities induced by the Proposed Actions would result in temporary disruption in the surrounding area, including noise, dust, and traffic associated with the delivery of materials and arrival of workers on Projected Development Site 1 and Projected Development Site 2. However, given the magnitude and short-term duration of construction effects, no significant adverse impacts from construction would occur as a result of the Proposed Actions, and further analysis is not warranted.

Attachment C:

Land Use, Zoning, and Public Policy

I. INTRODUCTION

As outlined in the 2021 *City Environmental Quality Review* ("CEQR") *Technical Manual*, a detailed analysis of land use and zoning is appropriate if a proposed project would result in a significant change in land use or would substantially affect regulations or policies governing land use. An analysis of zoning is typically performed in conjunction with a land use analysis when the proposed project would change the zoning on a site or result in the loss of a particular land use. As the Proposed Actions include one zoning map amendment, one zoning text amendment, and one zoning special permit pursuant to ZR Section 74-533, a detailed analysis of land use, zoning, and public policy is warranted and is provided in this attachment.

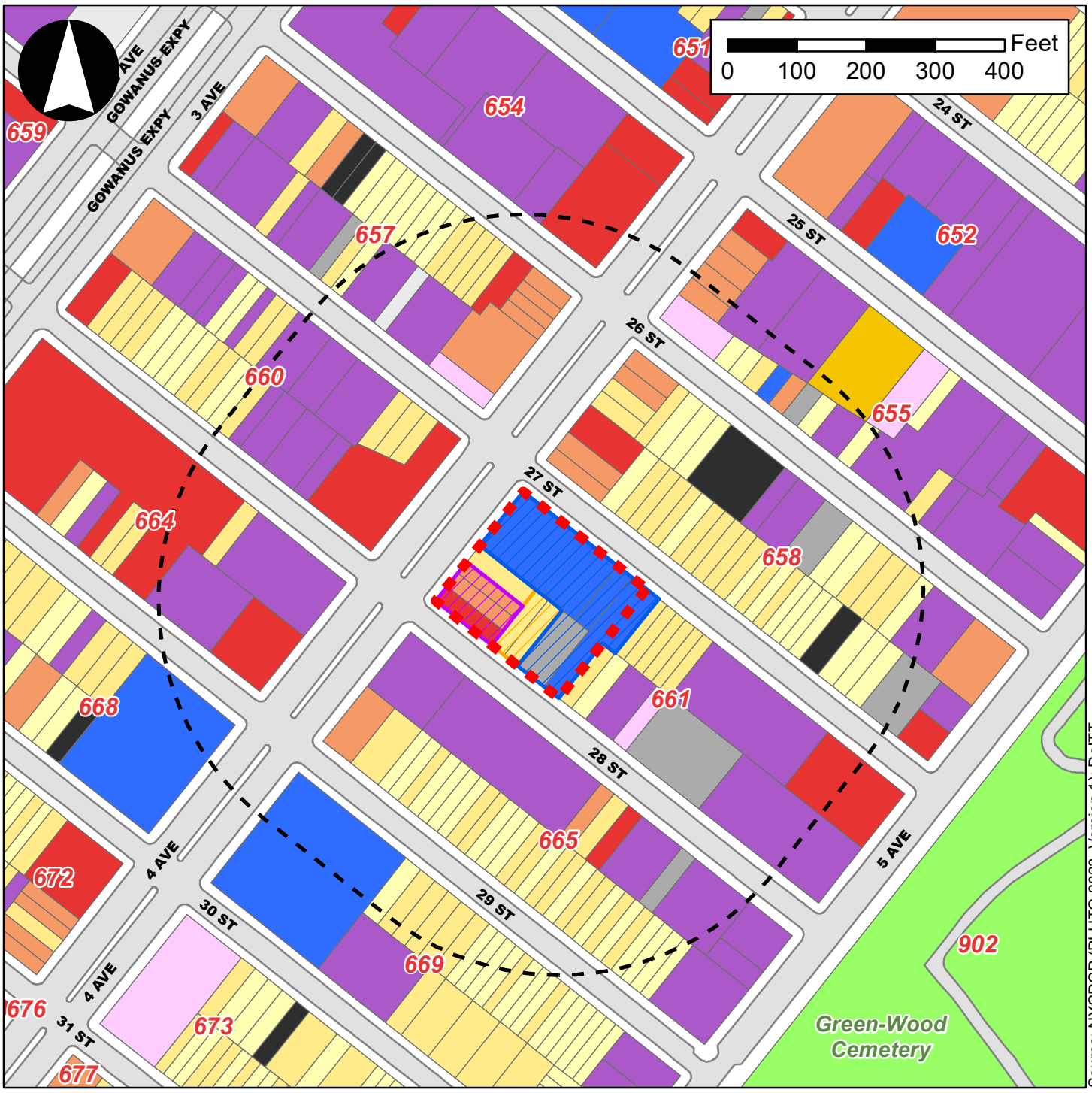
II. METHODOLOGY

As mentioned above, the Proposed Actions include one zoning map amendment, one zoning text amendment, and one zoning special permit pursuant to ZR Section 74-533, which would affect land use, zoning, and public policy. Land use, zoning, and public policy are addressed and analyzed for two geographical areas. For the purpose of this analysis, the primary study area encompasses the Project Area (Block 661, Lots 1, 2, 3, 4, 5, 13, 66, 68, and 69 in their entirety, and the approximately 5,425-square feet ("sf") western portion of ("p/o") Lot 14). The secondary study area encompasses areas that have the potential to experience indirect impacts as a result of the proposed project. The secondary study area extends an approximate 400-foot radius from the boundary of the primary study area. The secondary study area is generally bound by 26th Street to the north, Fifth Avenue to the east, 29th Street to the south, and midblock portions of Blocks 657, 660, and 664 between Third and Fourth Avenues to the west. Both the primary and secondary study areas have been established in accordance with 2021 *CEQR Technical Manual* guidance and are presented in **Figure C-1**.

The analysis of land use, zoning, and public policy first provides a description of the existing land use, zoning, and public policy conditions in each of the study areas. Existing land uses within the primary and secondary study areas were determined based on the New York City Primary Land Use Tax Lot Output ("PLUTO") data files for 2023 and September 2023 field visits; no discrepancies between PLUTO data files and existing field conditions were observed. New York City Zoning and Land Use ("ZoLa"), New York City Zoning maps, and the *Zoning Resolution of the City of New York* ("ZR") were consulted to describe existing zoning districts in each of the study areas. Relevant public policy documents, recognized by the New York City Department of City Planning ("DCP") and other city agencies were utilized to describe existing public policies pertaining to the primary and secondary study areas.

The analysis then projects land use, zoning, and public policy conditions in the 2029 build year without the Proposed Actions. This is the "No-Action" or "future without the Proposed Actions" condition, which is developed by identifying known and proposed developments and other relevant changes anticipated to occur within the primary and secondary study areas within this time frame. The No-Action condition describes the baseline conditions in each of the study areas against which the Proposed Actions' Reasonable Worst Case Development Scenario ("RWCDS") incremental changes are measured. Finally, the

Figure C-1
Land Use Map



Legend

- Primary Study Area (Project Area)
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1
- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data

analysis projects land use, zoning, and public policy conditions in 2029 with the approval of the Proposed Actions. This is the "With-Action" or "future with the Proposed Actions" condition.

III. PRELIMINARY ASSESSMENT

Study Areas

Primary Study Area (Project Area)

As shown in **Figure C-1**, the primary study area measures approximately 45,460-sf, comprising approximately 30,437-sf of the approximately 32,524-sf Projected Development Site 1 (Block 661, Lots 5, 13, 14, and 66), as well as approximately 15,023-sf of property not owned or controlled by the Applicant, which includes Lots 1, 2, 3, 4, 68, and 69 on Block 661. The primary study area is bound by Fourth Avenue to the west, 27th Street to the north, and 28th Street to the south. The primary study area contains approximately 200 feet of frontage on the east side of Fourth Avenue, a wide street with a mapped width of 120 feet, approximately 225 feet of frontage on the south side of 27th Street, a narrow street with a mapped width of 60 feet, and approximately 225 feet of frontage on the north side of 28th Street, a narrow street with a mapped width of 60 feet.

Secondary Study Area (400-Foot Radius)

As shown in **Figure C-1**, the secondary study area extends an approximate 400-foot radius from the boundary of the primary study area. The secondary study area is generally bound by 26th Street to the north, Fifth Avenue to the east, 29th Street to the south, and midblock portions of Blocks 657, 660, and 664 between Third and Fourth Avenues to the west.

Land Use and Zoning

A preliminary assessment, which includes a basic description of existing and future land uses and zoning, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the proposed project's anticipated effects. As the Proposed Actions include one zoning map amendment, one zoning text amendment, and one zoning special permit pursuant to ZR Section 74-533, a detailed analysis of land use and zoning is warranted and provided in Section IV, "Detailed Analysis."

Public Policy

According to the 2021 *CEQR Technical Manual*, a proposed project that would be located within areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy controlling land use, requires an analysis of public policy. A preliminary assessment of public policy should identify and describe any public policies, including formal plans or published reports that pertain to the study areas. If a proposed project could potentially alter or conflict with identified policies, a detailed analysis should be conducted; otherwise, no further analysis of public policy is necessary.

The primary and secondary study areas are not located within a designated Industrial Business Zone ("IBZ"), a Business Improvement District ("BID"), or a designated historic district; nor would the Proposed

Actions involve the siting of any public facilities (Fair Share). Further, as shown in **Figure C-2**, while the primary study area is not located within New York City's designated Coastal Zone Boundary ("CZB"), the western and northwestern portions of the secondary study area are located within New York City's designated CZB; therefore, an assessment of the Proposed Actions consistency with New York City's Waterfront Revitalization Program ("WRP") is not required. However, several adopted city policies are applicable to both the primary and secondary study areas: *Housing Our Neighbors: A Blueprint for Housing and Homelessness*, *OneNYC 2050: Building a Strong and Fair City*, *Where We Live NYC Plan*, and the Transit Zone. Further, an adopted 197-a plan, the "New Connections /New Opportunities – Sunset Park 197-a Plan," is applicable to both the primary and secondary study areas. These public policies are discussed in Section IV, "Detailed Analysis."

IV. DETAILED ANALYSIS

Existing Conditions

Land Use

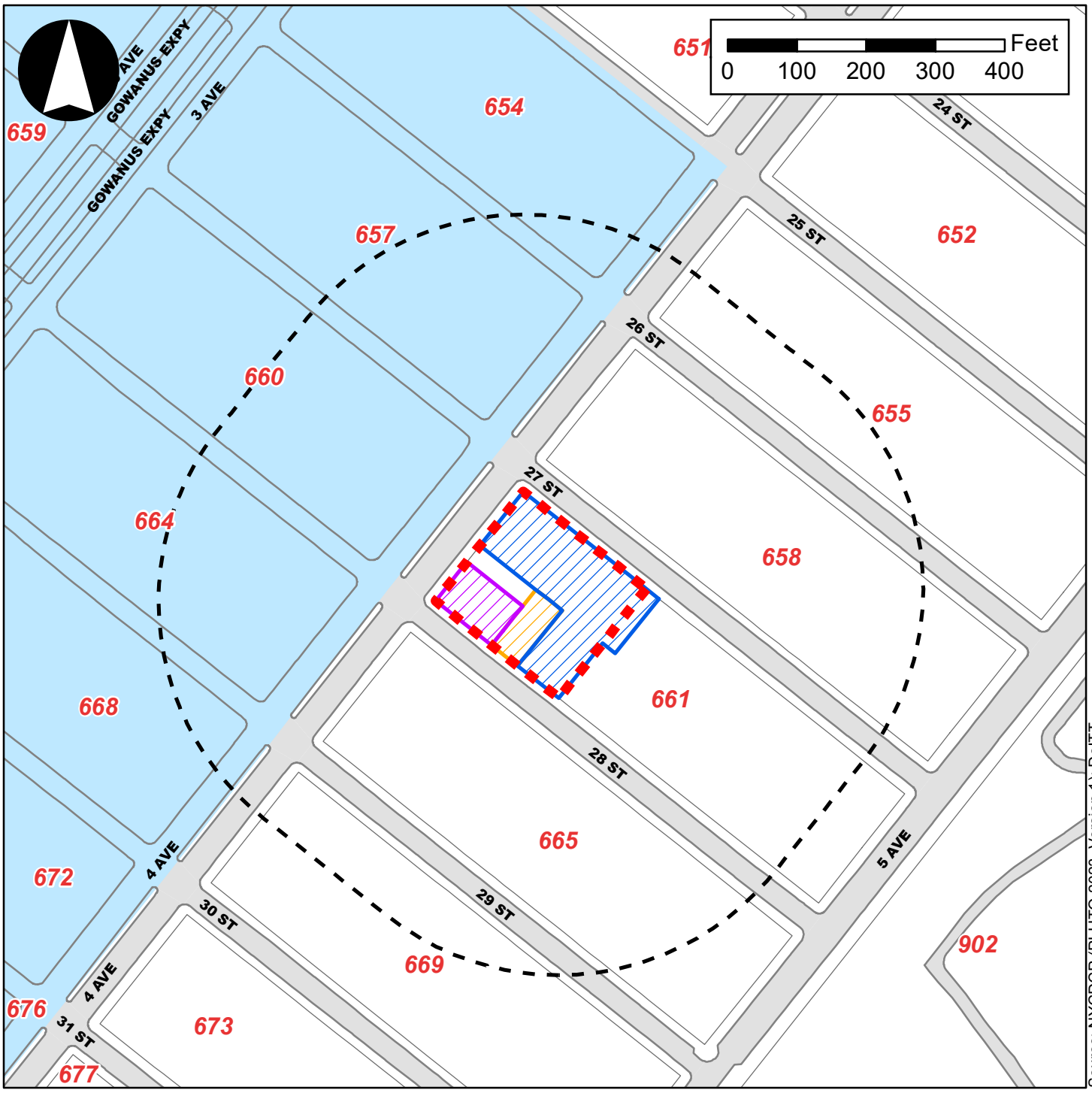
Primary Study Area (Project Area)

Applicant-Controlled Projected Development Site 1

The primary study area is zoned M1-1D. M1-1D zoning districts permit a maximum FAR of 1.0 for commercial and manufacturing/industrial uses, a maximum FAR of 1.65 for residential uses, and a maximum FAR of 2.4 for community facility uses. In M1-1D zoning districts, the maximum residential building height above curb level is 32 feet and an initial setback distance of 15 or 20 feet is required on narrow streets or wide streets, respectively. In M1-1D zoning districts, general accessory parking requirements are one space per 300 sf for PRC-B. Only two M1-1D zoning districts are mapped in the city; one district is mapped in the Sunset Park neighborhood of Brooklyn and one district is mapped in the Maspeth neighborhood of Queens. Residential uses in M1-1D zoning districts are only permitted by authorization from the New York City Planning Commission ("CPC") and one accessory parking space per DU is required. As part of the 1961 Zoning Resolution, the primary study area was zoned M1-1. In 1990, the primary study area was rezoned to M1-1D from M1-1 (CEQR No: 90-045K; ULURP No: C900258ZMK) as part of a larger, 26-block rezoning effort led by DCP to protect and permit the limited expansion of residential uses within M1-1 and M1-2 zoning districts mapped along the Gowanus Expressway (Interstate 278), Fourth Avenue, and Fifth Avenue in Sunset Park.

Projected Development Site 1 measures approximately 32,524-sf. Projected Development Site 1 contains a total of approximately 100 feet of frontage on the east side of Fourth Avenue, approximately 75 feet of frontage on the south side of 27th Street, and approximately 250 feet of frontage on the north side of 28th Street. As shown in **Table C-1**, Projected Development Site 1 contains five low-rise public facility and institutional buildings (ranging in height from one- to two-stories) totaling approximately 26,645-gsf (0.71 FAR), as well as three existing curb cuts (one curb cut is located on Fourth Avenue and two curb cuts are located on 28th Street) that facilitate ingress and egress to Projected Development Site 1's approximately 33 surface parking spaces. Projected Development Site 1 is occupied by the Saint Rocco's Roman Catholic Church campus.

Figure C-2
Coastal Zone Boundary (CZB)



Source: NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Primary Study Area (Project Area)
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1
- Coastal Zone Boundary (CZB)

Lot 5 is an approximately 17,500-sf corner lot that contains a two-story, approximately 19,545-gsf public facility and institutional building (0.97 FAR) constructed in circa 1958. There are approximately 13 parking spaces located on this lot; the parking spaces are accessed via one curb cut on Fourth Avenue and one curb cut on 28th Street. Lot 13 is an approximately 2,504-sf interior lot that contains a two-story, approximately 1,600-gsf public facility and institutional building (0.56 FAR) constructed in circa 1920. There are no parking spaces located on this lot. Lot 14 is an approximately 7,512-sf through lot that contains three public facility and institutional buildings constructed in circa 1920, which range in height from one- to two-stories and total 5,500-gsf (0.64 FAR). There are approximately eight parking spaces located on this lot; the parking spaces are accessed via two curb cuts on 28th Street. Lot 66 is an approximately 5,008-sf interior lot that contains a surface parking facility (0.0 FAR) containing approximately 12 parking spaces; the parking spaces are accessed via one curb cut on 28th Street.

Table C-1: Primary Study Area – Existing Conditions

Lot[1]	Affected Lot Area SF	Address	Zoning	Land Use	Total Building GSF	Built FAR[2]	Residential GSF/DUs	Parking Spaces	Construction Year
Applicant-Controlled									
5	17,500	783 Fourth Avenue	M1-1D	Public Facilities & Institutions	19,545	0.97	0/0	13	1958
13	2,504	216 27th Street		Public Facilities & Institutions	1,600	0.56	0/0	0	1920
P/o 14	5,425	220 27th Street		Public Facilities & Institutions	5,500	0.64	0/0	8	1920
66	5,008	183 28th Street		Parking Facilities	0	0	0/0	12	N/A
Non-Applicant Controlled or Owned									
1	2,516	799 Fourth Avenue	M1-1D	Commercial/Office	2,500	0.86	0/0	0	1981
2	2,499	797 Fourth Avenue		Mixed Residential/Commercial	3,760	1.34	1,790/1	0	1930
3	2,000	795 Fourth Avenue		Mixed Residential/Commercial	2,400	1.08	1,608/2	0	1930
4	3,000	793 Fourth Avenue		Residential	4,320	1.31	4,320/6	0	1931
68	2,504	181 28th Street		Residential	1,760	0.64	1,760/3	0	1910
69	2,504	179 28th Street		Residential	2,536	0.92	2,536/3	0	1910
Total Affected Primary Study Area Lot Area SF	**45,460**								

Notes:

[1] Properties controlled by the Applicant (comprising Projected Development Site 1) are highlighted in gray.

[2] The built FAR is calculated based on the ZSF for each lot. The ZSF for each lot was calculated by dividing the GSF for each lot by 1.1 (for residential square footage) and by 1.15 (for non-residential square footage), pursuant to guidance from DCP.

Sources: DCP 2023 PLUTO Data (Version I); Field observations (September 2023).

Non-Applicant-Controlled Properties

As shown in **Table C-1**, six properties not owned or controlled by the Applicant are located within the primary study area; one property is occupied by a commercial/office building, two properties are occupied by mixed residential/commercial buildings, and three properties are occupied by multi-family residential buildings. As detailed in **Attachment A, "Project Description,"** five of the six lots not owned or under the control of the Applicant classify as soft sites as defined by the 2021 *CEQR Technical Manual*, comprising Projected Development Site 2 (Block 661, Lots 1, 2, and 3) and Potential Development Site 1 (Block 661, Lots 68 and 69). Projected Development Site 2 contains three low-rise buildings totaling 8,660-gsf (1.09 FAR), comprising approximately 3,398-gsf (0.44 FAR) of residential space (three DUs) and approximately 5,262-gsf (0.65 FAR) of commercial space. Potential Development Site 1 contains two low-rise buildings totaling approximately 4,296-gsf (0.78 FAR) of residential space (six DUs).

Overall, the existing buildings located within the primary study area range in height from one- to three-stories tall; in feet, existing building heights within the primary study area range from a minimum of 9.87 feet to a maximum of 47.87 feet. The existing buildings located within the primary study area were constructed between 1910 and 1981.

Secondary Study Area (400-Foot Radius)

The secondary study area is primarily zoned M1-1D, as well as M1-2D. M1-2D zoning districts permit a maximum FAR of 2.0 for commercial and manufacturing/industrial uses, a maximum FAR of 1.65 for residential uses, and a maximum FAR of 4.8 for community facility uses. In M1-2D zoning districts, the maximum residential building height above curb level is 32 feet and an initial setback distance of 15 or 20 feet is required on narrow streets or wide streets, respectively. In M1-2D zoning districts, general accessory parking requirements are one space per 300 sf for PRC-B. Only two M1-2D zoning districts are mapped in the city; these districts are mapped in the Sunset Park neighborhood of Brooklyn. Residential uses in M1-2D zoning districts are only permitted by authorization from the CPC and one accessory parking space per DU is required. Additionally, R6B and R7A contextual zoning districts are mapped in the southern portion of the secondary study area, less than one block (approximately 160 feet) to the south of the primary study area. The R6B and R7A contextual zoning districts were mapped in 2009 as part of the Sunset Park Rezoning (CEQR No: 09DCP075K; ULURP Nos: N090386 ZRK and C090387 ZMK). Prior to the implementation of the Sunset Park Rezoning in 2009, the southern portion of the secondary study area was zoned R6.

As shown in **Figure C-1** and **Table C-2**, the built floor area within the secondary study area is predominantly comprised of residential and industrial/manufacturing buildings, and to a lesser extent commercial/office and mixed-use commercial/residential buildings.

Table C-2: Existing Land Uses within the Secondary Study Area

Land Use	Number of Lots	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
Residential (Total)	95	65.1	190,352	37.8	248,527	40.2
One & Two-Family Buildings	*42*	*28.8*	*82,291*	*16.4*	*84,028*	*13.6*
Multi-Family Walkup Buildings	*53*	*36.3*	*108,061*	*21.5*	*164,499*	*26.6*
Multi-Family Elevator Buildings	*0*	*0.0*	*0*	*0.0*	*0*	*0.0*
Mixed Commercial/Residential Buildings	13	8.9	35,039	7.0	73,097	11.8
Commercial/Office Buildings	5	3.4	36,277	7.2	65,613	10.6
Industrial/Manufacturing	21	14.4	186,018	37.0	206,499	33.4
Transportation/Utility	3	2.1	9,323	1.9	10,318	1.7
Public Facilities & Institutions	1	0.7	1,355	0.3	1,996	0.3
Open Space	0	0.0	0	0.0	0	0.0
Parking Facilities	5	3.4	29,394	5.8	12,136	2.0
Vacant Land	2	1.4	13,422	2.7	0	0.0
All Others or No Data	1	0.7	2,020	0.4	0	0.0
Totals	*146*	*100.0*	*503,200*	*100.0*	*618,186*	*100.0*

Sources: DCP 2023 PLUTO Data (Version I); Field observations (September 2023).
Note: Total lot areas and built areas included for all lots which have 50 percent or more of their area within a 400-foot radius of the primary study area; Block 661, Lots 1, 2, 3, 4, 5, 13, 14, 66, 68, and 69 (the primary study area) are excluded from the analysis of land uses within the secondary study area (refer to **Figure C-1**).

As shown in **Figure C-1**, residential buildings are located throughout the secondary study area and represent a majority of lots, lot area, and building area within the secondary study area. One- and two-family attached row houses rising to a height of either two- or three-stories are well represented along streets within the secondary study area, as are two-, three-, and four-story multi-family walkup apartment buildings. Residential buildings are located throughout the secondary study area, interspersed with non-residential land uses.

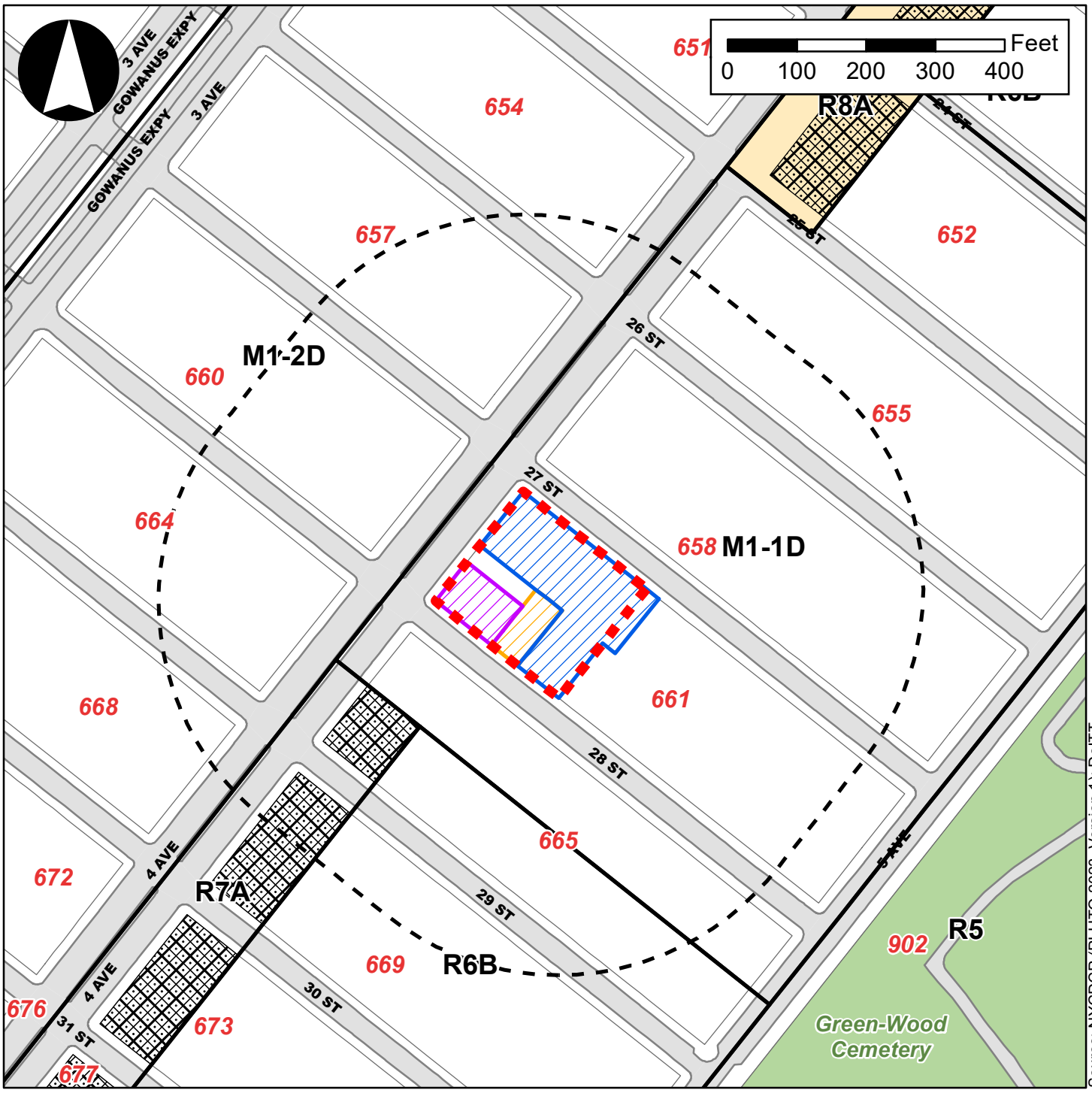
As shown in **Figure C-1**, two-, three-, and four-story mixed-use commercial/residential buildings are primarily clustered along Fourth Avenue, which serves as a commercial corridor within the secondary study area. In mixed-use commercial/residential buildings, commercial uses are typically local restaurant, retail, and office establishments located on the ground floors of low-rise buildings with residential uses located above the commercial uses. As shown in **Figure C-1**, commercial/office buildings are also concentrated along Fourth Avenue. Notable commercial/office buildings within the secondary study area include a KFC restaurant with a drive through located at 798-812 Fourth Avenue and the Liberty View Brooklyn Hotel, an eight-story hotel with approximately 62 guest rooms located at 826 Fourth Avenue.

As also shown in **Figure C-1**, industrial/manufacturing buildings, similar to residential buildings, are located throughout the secondary study area. Industrial/manufacturing buildings are typically one- or two-stories in height and contain warehouse and/or factory uses. The secondary study area also includes five parcels of land utilized for parking facilities, three parcels of land occupied by transportation/utility buildings (e.g., auto repair businesses), and two parcels of vacant land. No multi-family elevator buildings and open spaces are located within the secondary study area.

Zoning

Primary Study Area (Project Area)

As shown in **Figure C-3**, the primary study area is zoned M1-1D. M1-1D zoning districts permit a maximum FAR of 1.0 for commercial and manufacturing/industrial uses, a maximum FAR of 1.65 for residential uses,



Legend

- Primary Study Area (Project Area)
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1
- M1-1D — Existing Zoning Districts
- Special Enhanced Commercial District 1 (EC-1)
- C2-4 Overlay

and a maximum FAR of 2.4 for community facility uses. In M1-1D zoning districts, the maximum residential building height above curb level is 32 feet and an initial setback distance of 15 or 20 feet is required on narrow streets or wide streets, respectively. In M1-1D zoning districts, general accessory parking requirements are one space per 300 sf for PRC-B. Only two M1-1D zoning districts are mapped in the city; one district is mapped in the Sunset Park neighborhood of Brooklyn and one district is mapped in the Maspeth neighborhood of Queens. Residential uses in M1-1D zoning districts are only permitted by authorization from the CPC and one accessory parking space per DU is required. As part of the 1961 Zoning Resolution, the primary study area was zoned M1-1. In 1990, the primary study area was rezoned to M1-1D from M1-1 (CEQR No: 90-045K; ULURP No: C900258ZMK) as part of a larger, 26-block rezoning effort led by DCP to protect and permit the limited expansion of residential uses within M1-1 and M1-2 zoning districts mapped along the Gowanus Expressway (Interstate 278), Fourth Avenue, and Fifth Avenue in Sunset Park.

Properties located within the primary study area substantially comply with the use and bulk requirements established by the primary study area's M1-1D zoning district. All but one of the existing buildings, 799 Fourth Avenue (Block 661, Lot 1), located within the primary study area were constructed prior to the establishment of the 1961 Zoning Resolution. Therefore, properties located within the primary study area generally do not comply with the maximum building height, initial setback distance, rear yard, and accessory off-street parking requirements established by the primary study area's M1-1D zoning district. Further, all of the existing buildings located within the primary study area do not exceed the maximum FAR of 1.0 for commercial and manufacturing/industrial uses, the maximum FAR of 1.65 for residential uses, and the maximum FAR of 2.4 for community facility uses.

Secondary Study Area (400-Foot Radius)

As shown in **Figure C-3**, much of the secondary study area is zoned M1-1D, as well as M1-2D. M1-2D zoning districts permit a maximum FAR of 2.0 for commercial and manufacturing/industrial uses, a maximum FAR of 1.65 for residential uses, and a maximum FAR of 4.8 for community facility uses. In M1-2D zoning districts, the maximum residential building height above curb level is 32 feet and an initial setback distance of 15 or 20 feet is required on narrow streets or wide streets, respectively. In M1-2D zoning districts, general accessory parking requirements are one space per 300 sf for PRC-B. Only two M1-2D zoning districts are mapped in the city; these districts are mapped in the Sunset Park neighborhood of Brooklyn. Residential uses in M1-2D zoning districts are only permitted by authorization from the CPC and one accessory parking space per DU is required.

Additionally, as shown in **Figure C-3**, R6B and R7A contextual zoning districts are mapped less than one block (approximately 160 feet) to the south of the primary study area. R6B zoning districts are traditional row house districts, which preserve the scale and harmonious streetscape of neighborhoods of four-story attached buildings developed during the 19th century. Many of these houses are set back from the street with stoops and small front yards that are typical of Brooklyn's "brownstone" neighborhoods, such as Park Slope, Boerum Hill, and Bedford Stuyvesant. R6B zoning districts permit a maximum FAR of 2.0 for residential uses and Quality Housing Program regulations are mandatory; a higher FAR of 2.2 is available for buildings participating in the Inclusionary Housing Program or that provide certain senior facilities. R6B zoning districts also permit a maximum FAR of 2.0 for community facility uses. Commercial and manufacturing/industrial uses are not permitted in R6B zoning districts. The maximum allowable base height of a new building before setback is required to be between 30 and 40 feet, and the maximum building height is 50 feet (or 55 feet for buildings providing a qualifying ground floor ["QGF"]). Rear yards at a minimum depth of 30 feet are required in R6B zoning districts. Curb cuts are prohibited on zoning lots

with less than 40 feet of frontage. Where off-street parking is required, on-site spaces must be provided for 50 percent of DUs; off-street parking is not allowed in front of a building. Parking requirements are lower for IRHUs and are further modified in certain areas of the city, such as the Transit Zone or the Manhattan Core, or for lots 10,000 sf or less. Parking can be waived if five or fewer spaces are required.

R7 zoning districts are medium-density apartment house districts mapped in much of the Bronx as well as the Upper West Side in Manhattan and Brighton Beach in Brooklyn. R7A zoning districts permit a maximum FAR of 4.0 for residential uses and Quality Housing Program regulations are mandatory; a higher FAR of 4.6 is available for buildings participating in the Inclusionary Housing Program or that provide certain senior facilities. R7A zoning districts also permit a maximum FAR of 4.0 for community facility uses. Commercial and manufacturing/industrial uses are not permitted in R7A zoning districts. For buildings participating in the Inclusionary Housing Program, the maximum allowable base height of a new building before setback is required to be between 40 and 75 feet, and the maximum building height is 90 feet (or 95 feet for buildings providing a QGF). Rear yards at a minimum depth of 30 feet are required in R7A zoning districts. Where off-street parking is required, on-site spaces must be provided for 50 percent of DUs. Parking requirements are lower for IRHUs and are further modified in certain areas of the city, such as the Transit Zone or the Manhattan Core, or for lots 10,000 sf or less. Parking can be waived if 15 or fewer spaces are required.

As also shown in **Figure C-3**, properties located along the east side of Fourth Avenue are mapped with C2-4 commercial overlays. C2 commercial overlays are mapped along streets that serve local retail needs and are found extensively throughout the city's medium-density neighborhoods. Typical retail uses include neighborhood grocery stores, restaurants, and beauty parlors; C2 commercial overlays also permit funeral homes and repair services. Pursuant to ZR Section 33-121, when mapped within R7A districts, C2-4 commercial overlays are subject to a maximum FAR of 2.0 (for zoning lots containing only a commercial use), a maximum FAR of 4.0 (for zoning lots containing only a community facility use), and a maximum FAR of 4.0 (for zoning lots containing both commercial and community facility uses).

Public Policy

As noted above, the primary and secondary study areas are not located within a designated IBZ, a BID, or a designated historic district; nor would the Proposed Actions involve the siting of any public facilities (Fair Share). Further, while the primary study area is not located within New York City's designated CZB, the western and northwestern portions of the secondary study area are located within New York City's designated CZB; therefore, an assessment of the Proposed Actions consistency with New York City's WRP is not required. However, several adopted city policies are applicable to both the primary and secondary study areas: *Housing Our Neighbors: A Blueprint for Housing and Homelessness*, *OneNYC 2050: Building a Strong and Fair City*, *Where We Live NYC Plan*, and the Transit Zone. Further, an adopted 197-a plan, the "New Connections /New Opportunities – Sunset Park 197-a Plan," is applicable to both the primary and secondary study areas.

Housing Our Neighbors: A Blueprint for Housing and Homelessness

On June 14, 2022, the Adams administration released *Housing Our Neighbors: A Blueprint for Housing and Homelessness*, a comprehensive plan intended to cover the entire spectrum of New Yorkers' housing needs and options, including City-subsidized affordable housing, public housing, private market-rate housing, and greater support programs for New Yorkers' experiencing homelessness. The plan is the result of an extensive stakeholder input and community engagement process, which included direct

engagement with New Yorkers who are experiencing or having experienced homelessness and outlines major steps the Adams administration will take up:

- Significantly expand affordable homeownership opportunities and help communities build and maintain wealth;
- Accelerate the creation of supportive housing by completing the 15,000 supportive homes promised by 2030 two years ahead of schedule;
- Transform the New York City Housing Authority (NYCHA) by both delivering much-needed resources for repairs and improving and streamlining the services NYCHA provides residents and the processes by which they do so;
- Break down government siloes to bolster transparency and address the full scope of the homelessness crisis, adding to the City's homeless count while creating a more even playing field to give more New Yorkers in all the city's shelter systems access to critical services and resources; and
- Get New Yorkers into safe, high-quality, affordable homes faster and without forcing them to relive past trauma by eliminating unnecessary paperwork and obstacles to obtaining housing.

OneNYC 2050: Building a Strong and Fair City

In April 2019, the former de Blasio administration released *OneNYC 2050: Building a Strong and Fair City* ("OneNYC 2050"), a strategic plan for inclusive growth and climate action in New York City. Building upon its predecessor, *One New York: The Plan for a Strong and Just City* ("OneNYC"), OneNYC 2050 brings new attention to the fundamental link between climate action and inclusive growth with a focus on creating good-paying jobs, ensuring equitable access to natural resources, guaranteeing the right to quality healthcare and education, and promoting justice by recognizing and repairing the damage caused by historic oppression.

OneNYC 2050 includes progress realized since 2015, saluting the success of OneNYC's growth, sustainability, resiliency, and equity initiatives. However, the plan emphasizes that there is still much to be done to address critical challenges like climate change, increasing unaffordability, and failing infrastructure. The plan's eight goals lay the foundation for transformational change:

- **A Vibrant Democracy**, where every New Yorker is welcomed into the city's civic and democratic life.
- **An Inclusive Economy**, where economic growth creates opportunities for New Yorkers and safeguards the American Dream.
- **Thriving Neighborhoods**, where all communities have safe, affordable housing and are well-served by parks, cultural resources, and other shared public spaces.
- **Healthy Lives**, where health inequities based on race and ethnicity are eliminated, and all residents have equal access to health care, clean air, and healthy food.
- **Equity and Excellence in Education**, where diverse and fair schools provide a quality education for every student, and New York serves as a model for educating children of all backgrounds.
- **A Livable Climate**, where we no longer rely on fossil fuels and have mitigated the risks posed by climate change.
- **Efficient Mobility**, where affordable, reliable, safe, and sustainable transportation options mean no New Yorker need rely on a car.

- **Modern Infrastructure**, where reliable physical and digital infrastructure allows New Yorkers to flourish.

OneNYC 2050 articulates a global perspective on the long-term needs of the city and how the city must grow responsibly and sustainably while supporting the well-being of all New Yorkers. The plan is referred to as New York City's Green New Deal, and progress reports will be released yearly.

Where We Live NYC Plan

Through the *Where We Live NYC Plan*, the city has developed a plan to take bold, transformative action to break down barriers to opportunity and build more integrated, equitable, and inclusive neighborhoods throughout New York City. The plan recognizes that intentional policies and practices have created segregation and inequity across the country and in New York City, and that it will take concerted effort from all levels of government, as well as partners in the private and non-profit sectors, to undo legacies of segregation and inequity. The plan is separated into six key goals that will guide the city's work in advancing fair housing through 2025:

- Goal 1 – Combat persistent, complex discrimination with expanded resources and protections;
- Goal 2 – Facilitate equitable housing development in New York City and the region;
- Goal 3 – Preserve affordable housing and prevent displacement of long-standing residents;
- Goal 4 – Enable more effective use of rental assistance benefits, especially in amenity-rich neighborhoods;
- Goal 5 – Create more independent and integrated living options for people with disabilities;
- Goal 6 – Make equitable investments to address the neighborhood-based legacy of discrimination, segregation, and concentrated poverty.

Transit Zone

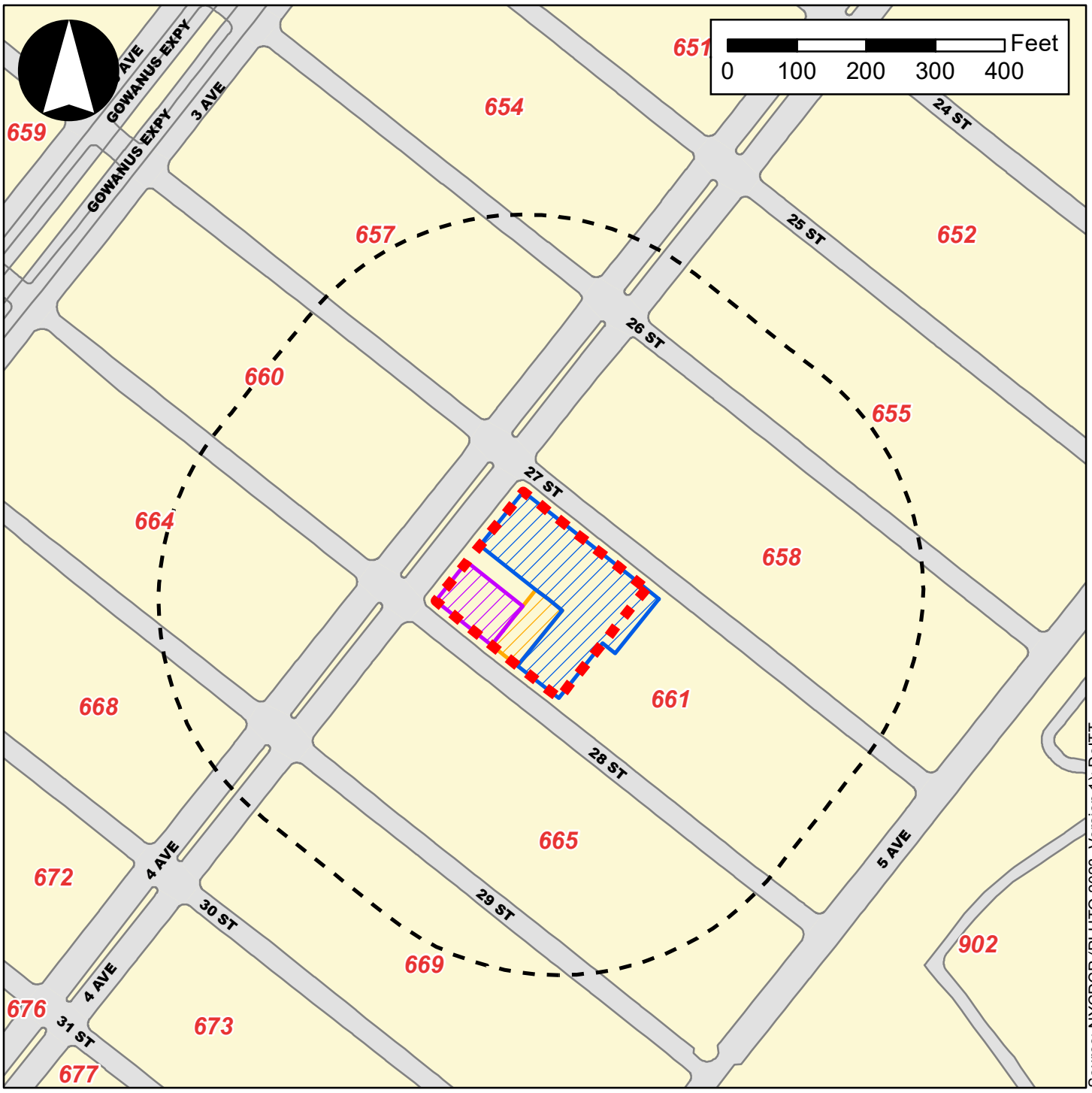
The boundaries of the Transit Zone are set forth in Appendix I of the ZR. The Transit Zone is defined by DCP as an area where special lower accessory parking requirements apply for various types of affordable housing, including IRHUs. Areas located within the Transit Zone are generally areas of the city beyond the Manhattan Core within one-half mile of a subway station where auto ownership rates are among the lowest in the city. As set forth in Appendix I of the ZR, all of Brooklyn Community District 7 is located within the boundaries of the Transit Zone. As shown in **Figure C-4**, the primary study area and the secondary study area are located within the Transit Zone.

New Connections /New Opportunities – Sunset Park 197-a Plan[1]

An adopted 197-a plan, the "New Connections /New Opportunities – Sunset Park 197-a Plan," is applicable to both the primary and secondary study areas. The focus area of the adopted 197-a plan is the Sunset Park waterfront of Brooklyn Community District 7, which is generally bounded by 15th Street to the north, Third Avenue/Gowanus Expressway to the east, 65th Street to the south, and the pierhead line/Upper New York Bay to the west. The adopted 197-a plan's primary goals are to (1) promote industrial redevelopment and job creation in Sunset Park while retaining existing industrial jobs; (2) maximize waterfront access and

[1] https://www.nyc.gov/assets/planning/download/pdf/community/197a-plans/bk7_sunset_park_197a.pdf

Figure C-4
Transit Zone



Source: NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Primary Study Area (Project Area)
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1
- Transit Zone

open space opportunities in combination with industrial and waterfront development; (3) preserve existing industrial, commercial, and residential uses and fabric in the area east of First Avenue; (4) encourage development that places a minimal environmental burden on adjacent residential communities; and (5) preserve and celebrate Sunset Park's rich maritime and industrial heritage.

This adopted 197-a plan outlines a comprehensive framework for the revitalization of the Sunset Park waterfront into an economically viable and environmentally sustainable resource that is closely related to, and serves the needs of, adjacent upland residential communities of Brooklyn Community District 7. The adopted 197-a plan outlines a vision of the Sunset Park waterfront as a sustainable mixed-use neighborhood that promotes regional and local economic development, fosters a healthy living and working environment, and reconnects upland residential communities of Brooklyn Community District 7 to the Sunset Park waterfront. The primary and secondary study areas are located within the "Context Area" of the 197-a plan.

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

Land Use and Zoning

Primary Study Area (Project Area)

As described in **Attachment A, "Project Description,"** in the future without the Proposed Actions, the primary study area's existing M1-1D zoning district would remain. Under the No-Action condition, Projected Development Site 1 would not be developed as-of-right and the existing conditions are anticipated to remain. Under the No-Action condition, Projected Development Site 2 (Block 661, Lots 1, 2, and 3) would not be developed as-of-right and the existing conditions for these three lots are anticipated to remain.

Secondary Study Area (400-Foot Radius)

In the future without the Proposed Actions, there are no known development projects anticipated to be completed within the secondary study area. In addition, there are no known or anticipated proposals to alter existing zoning designations within the secondary study area.

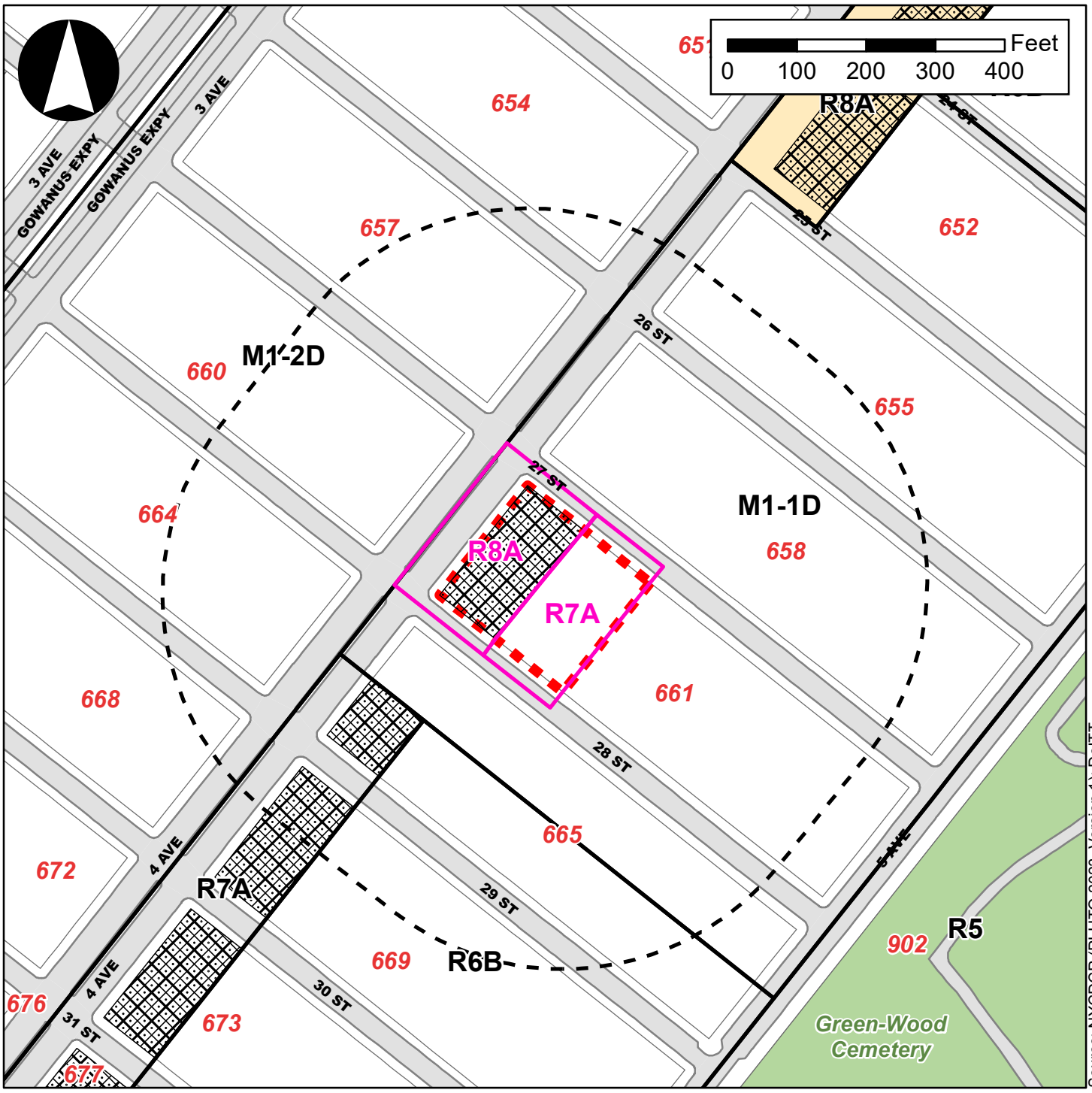
Public Policy

There are no known or planned changes to public policy applicable to either the primary or secondary study areas in the future without the Proposed Actions.

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

In the future with the Proposed Actions, the requested one zoning map amendment, one zoning text amendment, and one zoning special permit pursuant to ZR Section 74-533 would be approved. Therefore, as shown in **Figure C-5**, the primary study area would be rezoned from an M1-1D zoning district to R7A and R8A/C2-4 zoning districts. Pursuant to the proposed zoning map amendment, an R8A zoning district with a C2-4 commercial overlay is proposed to be mapped on Fourth Avenue at a depth of 100 feet and an R7A zoning district is proposed to be mapped at a depth of 125 feet to the east of the proposed R8A/C2-4 zoning district. In addition, the entirety of the primary study area would be designated as an MIH area.

Figure C-5
Proposed Zoning Map



Source: NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Primary Study Area (Project Area)
- Secondary Study Area (400-Foot Radius)
- M1-1D — Existing Zoning Districts
- C2-4 Overlay
- Special Enhanced Commercial District 1 (EC-1)
- R8A — Proposed Zoning Districts

As described in **Attachment A, "Project Description,"** the With-Action condition established for Projected Development Site 1 differs from the Proposed Project.

Land Use

Primary Study Area (Project Area)

Applicant-controlled Projected Development Site 1

The With-Action condition is largely consistent with the Applicant's Proposed Project planned for Projected Development Site 1 outlined in **Attachment A, "Project Description."** The With-Action condition for Projected Development Site 1, like the Proposed Project, would also include three separate new buildings (known as Buildings A, B, and C) and would comprise one zoning lot. In total, the three separate new buildings would contain approximately 225,140-gsf (approximately 175,640-zsf, 5.4 FAR). of total building space inclusive of all building uses and cellar space. The With-Action condition, like the Proposed Project, would reasonably maximize the zoning lot's permitted blended FAR of 5.4, comprising approximately 214,140-gsf (171,440-zsf, 5.27 FAR) of residential uses and approximately 7,500-gsf (4,200-zsf, 0.13 FAR) of commercial retail uses. Within Projected Development Site 1, the maximum permitted blended FAR would be 5.4 for the zoning lot; the maximum permitted blended residential FAR would be 5.4 and the maximum permitted blended community facility FAR would be 4.62. The maximum permitted commercial FAR would be 2.0, as commercial uses would only be permitted in the proposed R8A/C2-4 zoning district within the zoning lot.

Further, the With-Action condition, like the Proposed Project, provides an average dwelling unit size of approximately 833-gsf (667-zsf), inclusive of Buildings A, B, and C of the Proposed Project, which is smaller than the average dwelling unit size range of approximately 850 - to 1,000-gsf typically recommend by DCP for use as a conservative dwelling unit size assumption. However, the Proposed Project does not maximize the permitted building height of 145 feet in the proposed R8A/C2-4 zoning district (for Building A of the Proposed Project) and the permitted building height of 95 feet in the proposed R7A zoning district (for Buildings B and C of the Proposed Project). Therefore, the Applicant's Proposed Project is not considered the RWCDS for Projected Development Site 1. For CEQR analysis purposes dependent on building height, where applicable, the With-Action condition assumes maximum building heights (with provision of a QGF pursuant to ZR Section 23-664) of 145 feet for Building A of the With-Action condition and 95 feet for Buildings B and C of the With-Action condition. The With-Action condition is described below.

Building A would be located within the proposed R8A/C2-4 zoning district and comprise a 14-story (approximately 155-foot-tall including a 10-foot-tall rooftop bulkhead) mixed residential/commercial building with a cellar. Building A would contain approximately 100 feet of frontage on the east side of Fourth Avenue and approximately 100 feet of frontage on the south side of 27th Street. Building A would feature a maximum base height of 105 feet (10-stories) and would be set back 10 feet from Fourth Avenue and 15 feet from 27th Street. No side, front, and rear yards would be provided. Building A would contain approximately 109,550-gsf (88,800-zsf) of total building space inclusive of all building uses, including the cellar. Building A would be occupied by approximately 102,050-gsf (84,600-zsf) of residential uses and approximately 7,500-gsf (4,200-zsf) of commercial retail uses. Building A's cellar would measure approximately 8,900-gsf (comprising approximately 5,700-gsf of space to support the residential units and approximately 3,200-gsf of commercial space). Building A's residential lobby would be located on 27th Street and the commercial retail uses, located within portions of the ground floor and cellar, would be

accessed via Fourth Avenue and 27th Street. Building A's residential uses would comprise approximately 130 total DUs (33 or 39 income-restricted DUs pursuant to MIH Options 1 or 2, respectively). No accessory off-street parking is proposed for Building A's dwelling units, in accordance with the proposed zoning special permit pursuant to ZR Section 74-533, and no accessory off-street parking spaces are proposed for Building A's commercial retail uses.

Building B would be located within the proposed R7A zoning district and comprise a nine-story (approximately 105-foot-tall including a 10-foot-tall rooftop bulkhead) residential building with a cellar. Building B would contain approximately 150 feet of frontage on the south side of 27th Street. Building B would feature a maximum base height of 65 feet (six-stories) and would be set back 15 feet from 27th Street. No side yards would be provided, and a 10 feet front yard would be provided. Building B would feature rear yards of 30 feet and 60 feet. Building B would contain approximately 79,400-gsf (57,800-zsf) of total building space inclusive of all building uses, including the cellar. Building B would be occupied by approximately 75,900-gsf (57,500-zsf) of residential uses, comprising 86 total DUs (22 or 26 income-restricted DUs pursuant to MIH Options 1 or 2, respectively). Building B's cellar would measure approximately 9,000-gsf (comprising approximately 9,000-gsf of space to support the residential units). Building B's residential lobby would be located on 27th Street. No accessory off-street parking is proposed for Building B's dwelling units, in accordance with the proposed zoning special permit pursuant to ZR Section 74-533. Although no accessory parking is proposed for Building B, approximately 10 parking spaces (non-attended) are proposed within a portion of Building B's ground floor measuring approximately 3,500-gsf (300-zsf); the parking would be accessed via an approximately 12-foot-wide curb cut on 27th Street.

Building C would be located within the proposed R7A zoning district and comprise a nine-story (approximately 105-foot-tall including a 10-foot-tall rooftop bulkhead) residential building with a cellar. Building C would contain approximately 75 feet of frontage on the north side of 28th Street. Building C would feature a maximum base height of 65 feet (six-stories) and would be set back 15 feet from 28th Street. No side yards would be provided, and a 10 feet front yard would be provided. Building C would feature a 60 feet rear yard. Building C would contain approximately 36,190-gsf (29,040-zsf) of total building space inclusive of all building uses, including the cellar. Building C would be occupied by approximately 36,190-gsf (29,040-zsf) of residential uses, comprising 41 total DUs (10 or 12 income-restricted DUs pursuant to MIH Options 1 or 2, respectively). Building C's cellar would measure approximately 4,500-gsf (comprising approximately 4,500-gsf of space to support the residential units). Building C's residential lobby would be located on 28th Street. No accessory off-street parking is proposed for Building C's dwelling units, in accordance with the proposed zoning special permit pursuant to ZR Section 74-533.

The With-Action condition would also contain an approximate 7,160-sf landscaped private open space located within the rear yard of Projected Development Site 1 between Buildings B and C. In addition to landscaping, the open space would contain walking paths, benches, and movable tables and chairs. Access to the open space would be restricted to residents of the three separate new buildings.

Non-Applicant-controlled Properties

In addition to the With-Action condition for Projected Development Site 1, two additional soft sites not controlled or owned by the Applicant have been identified within the primary study area, as described below.

Within the primary study area, it is anticipated that Projected Development Site 2 could be developed in the future With-Action condition. The With-Action condition for Projected Development Site 2 (Block 661, Lots 1, 2, and 3) comprises an approximately 62,661-gsf (50,508-zsf, 7.2 FAR) mixed residential/commercial building. The building would reach a maximum height of 14-stories (approximately 155-foot-tall including a 10-foot-tall rooftop bulkhead) and a cellar. The cellar would measure approximately 7,015-gsf. The building would feature a maximum base height of 105 feet (10-stories) and would be set back 10 feet from Fourth Avenue and 15 feet from 28th Street. No side, front, or rear yards would be provided. The building would be occupied by approximately 60,645-gsf (48,754-zsf) of residential uses and approximately 2,017-gsf (1,754-zsf) of commercial retail uses. The building's residential lobby would be located on 28th Street and the commercial retail uses, located on a portion of the ground floor, would be accessed via Fourth Avenue and 28th Street. Assuming 1,000-gsf (800-zsf) per DU, the building's residential uses would comprise approximately 61 total DUs (15 or 18 income-restricted DUs pursuant to MIH Options 1 or 2, respectively). No accessory off-street parking spaces would be provided.

RWCDS Increment

As presented in **Table C-3**, compared to the No-Action condition, the With-Action condition for the Proposed Actions' RWCDS for Projected Development Site 1 and Projected Development Site 2 would result in the positive incremental development of approximately 271,387-gsf of residential space (comprising approximately 315 total DUs and 80 affordable DUs pursuant to MIH Option 1) and 4,255-gsf of local retail space, as well as the negative incremental development of approximately 26,645-gsf of community facility (house of worship) space and 23 accessory parking spaces.

Table C-3: Comparison of No-Action and With-Action Conditions (RWCDS)

Use	No-Action Condition	With-Action Condition	Increment
Residential (gsf)	3,398-gsf-gsf	274,785-gsf	+271,387-gsf
Total DUs	3 DUs	318 DUs	+315 DUs
Affordable DUs	0 DUs	80[1] DUs	+80 DUs
Commercial (gsf)	5,262-gsf	9,517-gsf	+4,255-gsf
Community Facility (gsf)	26,645-gsf	0-gsf	-26,645-gsf
Parking (spaces)	33	10	-23

Note:
[1] 25% of the residential floor area (MIH Option 1).

Assessment – Land Use

Primary Study Area (Project Area) and Secondary Study Area (400-Foot Radius)

In the future with the Proposed Actions, the requested one zoning map amendment, one zoning text amendment, and one zoning special permit pursuant to ZR Section 74-533 would result in changes to land uses within the primary study area. As described above, the primary study area is occupied by multi-family residential, mixed residential/commercial, commercial/office, and public facility and institutional land uses, which would remain in the No-Action condition. As compared to the No-Action condition, the With-Action condition for the Proposed Actions' RWCDS would introduce additional residential and commercial retail land uses to the primary study area. The primary study area is located in Sunset Park, a neighborhood with an established mixture of land uses, including residential, mixed-use commercial/residential, commercial/office, industrial/manufacturing, transportation/utility, and public facility and institutional land uses. The new, additional residential and commercial retail land uses introduced by the With-Action condition would be complementary to and compatible with the existing

land use character of the primary study area, the secondary study area, as well as the larger Sunset Park neighborhood located outside of the secondary study area, all of which are areas where residential and mixed-use commercial/residential land uses are well represented.

The requested zoning special permit pursuant to ZR Section 74-533 "Reduction of parking spaces to facilitate affordable housing" is requested to waive the number of required accessory off-street parking spaces for the Proposed Project on Projected Development Site 1. Pursuant to ZR Section 74-533, for zoning districts located in the Transit Zone, the CPC may permit a waiver of, or a reduction in, the number of required accessory off-street parking spaces in a development that includes at least 20 percent of all DUs as IRHUs, provided certain findings. The primary study area is located within the Transit Zone and the Proposed Project on Projected Development Site 1 would provide at least 20 percent of all DUs as IRHUs. Further, within both the primary and secondary study areas, existing residential and mixed-use residential/commercial buildings typically do not provide on-site off-street parking for residents. Therefore, the requested zoning special permit pursuant to ZR Section 74-533 "Reduction of parking spaces to facilitate affordable housing" would be consistent with the off-street parking characteristics of both the primary and secondary study areas, in which the provision of off-street parking for residents is rare.

In comparison to the No-Action condition, the With-Action condition would introduce taller, larger, and denser buildings to the primary study area. The existing buildings located within the primary study area range in height from one- to three-stories tall; in feet, existing building heights within the primary study area range from a minimum of 9.87 feet to a maximum of 47.87 feet. The FARs of the existing buildings within the primary study area range from 0.56 to 1.34. In comparison to the existing low-rise buildings within the primary study area, the With-Action condition would introduce four new mid-rise buildings to the primary study area, including one 14-story (approximately 155-foot-tall including a 10-foot-tall rooftop bulkhead) mixed residential/commercial building and two nine-story (approximately 105-foot-tall including a 10-foot-tall rooftop bulkhead) residential buildings on Projected Development Site 1 and one 14-story (approximately 155-foot-tall including a 10-foot-tall rooftop bulkhead) mixed residential/commercial building on Projected Development Site 2. The FAR of Projected Development Site 1 in the With-Action condition would be 5.4, and the FAR of Projected Development Site 2 in the With-Action condition would be 7.2. However, the bulk of the four new mid-rise buildings comprising the With-Action condition would be representative of two commercial buildings located within the secondary study area, including the eight-story, 111-foot-tall, 4.58 FAR, Liberty View Brooklyn Hotel located at 826 Fourth Avenue (Block 664, Lot 37) and the 10-story, 102.5-foot-tall, 3.0 FAR Brooklyn Way Hotel located at 764 Fourth Avenue (Block 654, Lot 34).

Further, the bulk of the four new mid-rise buildings comprising the With-Action condition would be representative of mixed-use residential/commercial and multi-family residential development projects located within mature outer borough neighborhoods, such as Sunset Park, which is the neighborhood both the primary and secondary study areas are located within. The following examples of multi-family residential and mixed-use residential/commercial development projects are located just outside of the secondary study area, within the larger neighborhood of Sunset Park. Within a quarter-mile radius of the primary study area, two mid-rise buildings are under construction along Fourth Avenue. At 743 Fourth Avenue (Block 652, Lot 1), also known as 737 Fourth Avenue, a 14-story, 145-foot-tall to the rooftop, 7.2 FAR mixed-use building is under construction; the building was facilitated by the 737 Fourth Avenue Rezoning (CEQR No: 19DCP127K; ULURP Nos: C200029 ZMK and N200030 ZRK), which was approved in 2021. At 875 Fourth Avenue (Block 681, Lot 1), an eight-story, 86-foot-tall, 4.07 FAR multi-family residential building is under construction.

Further, the With-Action condition would not generate land uses that would be incompatible with surrounding land uses, nor would it displace existing land uses located within the primary study area in such a way as to adversely affect surrounding land uses. Therefore, the residential and commercial retail land uses introduced by the With-Action condition would be consistent with, complementary to, and compatible with the existing land use character of the primary study area, the secondary study area, as well as the larger Sunset Park neighborhood located outside of the secondary study area, all of which are areas where residential and mixed-use residential/commercial land uses are well represented. The secondary study area would not undergo any land use changes as a result of the Proposed Actions. As noted above and shown in **Figure C-1**, the secondary study area is primarily comprised of residential and industrial/manufacturing land uses, and to a lesser extent commercial/office and mixed-use commercial/residential land uses. The Proposed Actions and With-Action condition would not create additional non-conformance or non-compliance of existing buildings or uses within the secondary study area. Therefore, the With-Action condition would not introduce any new land uses that would be incompatible with their surroundings and would not alter or accelerate existing development patterns in the secondary study area, and therefore no significant adverse land use impacts would occur within the primary or secondary study area.

Zoning

Primary Study Area (Project Area)

In the future with the Proposed Actions, the requested one zoning map amendment, one zoning text amendment, and one zoning special permit pursuant to ZR Section 74-533 would be approved. As shown in **Figure C-5**, the primary study area would be rezoned from an M1-1D zoning district to R7A and R8A/C2-4 zoning districts. Pursuant to the proposed zoning map amendment, an R8A zoning district with a C2-4 commercial overlay is proposed to be mapped on Fourth Avenue at a depth of 100 feet and an R7A zoning district is proposed to be mapped at a depth of 125 feet to the east of the proposed R8A/C2-4 zoning district. In addition, the entirety of the primary study area would be designated as an MIH area. As shown in **Table C-4**, within the proposed R7A zoning district, the proposed zoning map amendment would increase the maximum permitted residential FAR to 4.6 (with MIH bonuses) from 1.65 and the maximum permitted community facility FAR to 4.0 from 2.4. As also shown in **Table C-4**, within the proposed R8A/C2-4 zoning district, the proposed zoning map amendment would increase the maximum permitted residential FAR to 7.2 (with MIH bonuses) from 1.65, the maximum permitted community facility FAR to 6.5 from 2.4, and the maximum permitted commercial FAR to 2.0 from 1.0.

Table C-4: Comparison of Existing and Proposed Zoning

	Existing M1-1D	Proposed R7A	Proposed R8A/C2-4
Maximum Permitted FAR			
Residential	1.65	4.6[1]	7.2[1]
Affordable Independent Residences for Seniors	N/A	5.01	7.2
Community Facility	2.4	4.0	6.5
Commercial	1.0	Not Permitted	2.0
Manufacturing	1.0	Not Permitted	Not Permitted
Yards			
Minimum Front Yard	N/A	N/A	N/A
Minimum Side Yard	None or 8'	None or 8'	None or 8'
Minimum Rear Yard	20'	30'	30', 20' (Commercial)
Height and Setbacks			
Minimum Base Height	N/A	40'	60'
Maximum Base Height	30' or 2-stories	75'[1]	105'[1]
Maximum Building Height	Sky Exposure Plane	90' or 95' (w/ QGF)[1]; 9-stories	140' or 145' (w/ QGF)[1]; 14-stories
Maximum Height of Street Wall	30' or 2-stories	75'[1]	105'[1]
Maximum Height of Front Wall	30' or 2-stories	75'[1]	105'[1]
Sky Exposure Plane	1:1[2,3]	2.7:1[2]/5.6:1[3]	N/A
Setbacks from Narrow Streets	20'	15'	15'
Setbacks from Wide Streets	15'	10'	10'
Parking			
Residential	100%	50%	40%
Community Facility	By Use	By Use	By Use
Commercial	By Use	N/A	By Use
Manufacturing	By Use	N/A	N/A
Income-Restricted Housing Units	N/A	15% (Outside Transit Zone); None (Transit Zone)	12% (Outside Transit Zone); None (Transit Zone)
Affordable Independent Residences for Seniors	N/A	10% (Outside Transit Zone); None (Transit Zone)	10% (Outside Transit Zone); None (Transit Zone)
Government-Assisted Dwelling Units	N/A	25%	25% (MIH Option 1)

Source: *Zoning Resolution of the City of New York*.
Notes:
[1] With MIH.
[2] Beyond 100 feet of a wide street.
[3] Within 100 feet of a wide street.

Secondary Study Area (400-Foot Radius)

As previously stated, the secondary study area is primarily zoned M1-1D, as well as M1-2D. Additionally, as shown in **Figure C-3**, R6B and R7A contextual zoning districts are mapped in the southern portion of the secondary study area, less than one block (approximately 160 feet) to the south of the primary study area. The R6B and R7A contextual zoning districts were mapped in 2009 as part of the Sunset Park Rezoning (CEQR No: 09DCP075K; ULURP Nos: N090386 ZRK and C090387 ZMK). Prior to the implementation of the Sunset Park Rezoning in 2009, the southern portion of the secondary study area was zoned R6. In comparison to the proposed R7A and R8A zoning districts, R6B zoning districts permit a maximum FAR of 2.0 (or 2.2 with MIH bonuses) for residential uses and a maximum FAR of 2.0 for community facility uses. The maximum allowable base height of a new building before setback is required to be between 30 and 40 feet, and the maximum building height is 50 feet (or 55 feet for buildings providing a QGF). Overall, as summarized in **Table C-4**, in comparison to zoning district requirements in the existing and No-Action conditions, the Proposed Actions would increase the allowable densities and permitted height within the secondary study area.

Assessment – Zoning

Primary Study Area (Project Area) and Secondary Study Area (400-Foot Radius)

In the future with the Proposed Actions, the requested one zoning map amendment and one zoning text amendment would result in changes to zoning within the primary study area. The proposed R7A and R8A/C2-4 zoning districts would continue to permit residential and community facility uses within the primary study area. Commercial uses would continue to be permitted within the primary study area, but only within the proposed R8A/C2-4 zoning district. Manufacturing/industrial uses would no longer be permitted within the primary study area. The proposed R7A and R8A/C2-4 zoning districts would increase the allowable residential and community facility densities within the primary study area, decrease the allowable commercial density within the primary study area, and eliminate the allowable manufacturing/industrial density within the primary study area. Within the primary study area, the maximum allowable residential FAR within the proposed R7A zoning district would increase to 4.6 (for buildings participating in the city's MIH Program) from 1.65 and the maximum allowable community facility FAR within the proposed R7A zoning district would increase to 4.0 from 2.4. Within the primary study area, the maximum allowable residential FAR within the proposed R8A/C2-4 zoning district would increase to 7.2 (for buildings participating in the city's MIH Program) from 1.65, the maximum allowable community facility FAR within the proposed R8A/C2-4 zoning district would increase to 6.5 from 2.4, and the maximum allowable commercial FAR within the proposed R8A/C2-4 zoning district would increase to 2.0 from 1.0. The proposed R7A and R8A/C2-4 zoning districts would be consistent with the existing land use and zoning character of the surrounding secondary study area, including the existing R6B and R7A contextual zoning districts mapped in the southern portion of the secondary study area, less than one block (approximately 160 feet) to the south of the primary study area. In addition, just beyond the boundaries of the secondary study area, an existing R8A/C2-4 zoning district is mapped along Fourth Avenue to the north of 25th Street, approximately 160 feet to the northeast of the secondary study area's northern boundary line. The primary study area is located along Fourth Avenue, a wide street with a mapped width of 120 feet, and is located within the Transit Zone, making the primary study area well equipped to absorb the additional permitted residential and community facility densities.

In comparison to the No-Action condition, the proposed R7A and R8A/C2-4 zoning districts would continue to permit residential and community facility uses within the primary study area. Commercial uses would continue to be permitted within the primary study area, but only within the proposed R8A/C2-4 zoning district. Manufacturing/industrial uses would no longer be permitted within the primary study area. The proposed R7A and R8A/C2-4 zoning districts would increase the allowable residential and community facility densities within the primary study area, decrease the allowable commercial density within the primary study area, and eliminate the allowable manufacturing/industrial density within the primary study area. Within the primary study area, the maximum allowable residential FAR within the proposed R7A zoning district would increase to 4.6 (for buildings participating in the city's MIH Program) from 1.65 and the maximum allowable community facility FAR within the proposed R7A zoning district would increase to 4.0 from 2.4. Within the primary study area, the maximum allowable residential FAR within the proposed R8A/C2-4 zoning district would increase to 7.2 (for buildings participating in the city's MIH Program) from 1.65, the maximum allowable community facility FAR within the proposed R8A/C2-4 zoning district would increase to 6.5 from 2.4, and the maximum allowable commercial FAR within the proposed R8A/C2-4 zoning district would increase to 2.0 from 1.0. The proposed R7A and R8A/C2-4 zoning districts would alter the allowable maximum base and building heights within the primary study area. Within the primary study area, the maximum allowable base height within the proposed R7A zoning district would increase to 75 feet from 30 feet (or two-stories) and the maximum building height would be 95 feet (for buildings participating in the city's MIH Program and providing a QGF) from being governed

by the Sky Exposure Plane. Within the primary study area, the maximum allowable base height within the proposed R8A/C2-4 zoning district would increase to 105 feet from 30 feet (or two-stories) and the maximum building height would be 145 feet (for buildings participating in the city's MIH Program and providing a QGF) from being governed by the Sky Exposure Plane. Further, the proposed R7A and R8A/C2-4 zoning districts would increase the allowable dwelling unit density within the primary study area. The maximum dwelling unit density would increase within the primary study area, to 680-sf per DU from 675-sf per DU, which would permit a greater number of dwelling units within the primary study area. Compared to the No-Action condition, the With-Action condition for the Proposed Actions would result in the positive incremental development of approximately 257 total DUs and 64 affordable DUs pursuant to MIH Option 1 (25% of DUs at an average of 60% AMI) within the primary study area. Within the primary study area, the proposed R7A and R8A/C2-4 zoning districts would decrease the accessory parking requirements for residential uses, from 100 percent of DUs to 50 and 40 percent of DUs in the proposed R7A and R8A/C2-4 zoning districts, respectively.

The requested zoning text amendment to Appendix F of the ZR to designate the primary study area as an MIH area would require compliance with one of the affordable housing options provided in ZR Section 23-154(d)(3). The final MIH option will be selected by the City Council during ULURP. The requested zoning text amendment would promote the creation of IRHUs in an area of New York City where approximately half of all households are rent burdened. In addition, the primary study area is located in close proximity to mass transit, including the 25th Street subway station (serviced by the R train) and the B37 and B63 bus routes. The creation of IRHUs would ensure that any future development within the primary study area would help to address the need for housing to serve a broad change of the city's diverse incomes.

In comparison to the No-Action condition, the With-Action condition would introduce taller, larger, and denser buildings to the primary study area, as well as the surrounding secondary study area. However, the bulk of the four new mid-rise buildings comprising the With-Action condition would be representative of two commercial buildings located within the secondary study area, including the eight-story, 111-foot-tall, 4.58 FAR Liberty View Brooklyn Hotel located at 826 Fourth Avenue (Block 664, Lot 37) and the 10-story, 102.5-foot-tall, 3.0 FAR Brooklyn Way Hotel located at 764 Fourth Avenue (Block 654, Lot 34). Although the With-Action condition would introduce taller, larger, and denser buildings than the two hotels located along Fourth Avenue, the four new buildings introduced under the With-Action condition would be consistent with the secondary study area's zoning. Although the secondary study area is primarily zoned M1-1D and M1-2D, R6B and R7A contextual zoning districts are mapped in the southern portion of the secondary study area, less than one block (approximately 160 feet) to the south of the primary study area. In comparison to the proposed R7A and R8A zoning districts, R6B zoning districts permit a maximum FAR of 2.0 (or 2.2 with MIH bonuses) for residential uses and a maximum FAR of 2.0 for community facility uses. The maximum allowable base height of a new building before setback is required to be between 30 and 40 feet, and the maximum building height is 50 feet (or 55 feet for buildings providing a QGF). Therefore, the Proposed Actions would not result in a significant adverse impact on zoning within the primary or secondary study areas, in accordance with the criteria set forth in the 2021 *CEQR Technical Manual*.

The requested zoning special permit pursuant to ZR Section 74-533 "Reduction of parking spaces to facilitate affordable housing" is requested to waive the number of required accessory off-street parking spaces for the Proposed Project on Projected Development Site 1. Pursuant to ZR Section 74-533, for zoning districts located in the Transit Zone, the CPC may permit a waiver of, or a reduction in, the number of required accessory off-street parking spaces in a development that includes at least 20 percent of all

DUs as IRHUs, provided certain findings. The primary study area is located within the Transit Zone and the Proposed Project on Projected Development Site 1 would provide at least 20 percent of all DUs as IRHUs.

For these reasons, the Proposed Actions would not result in a significant adverse impact on zoning within the primary or secondary study areas, in accordance with the criteria set forth in the 2021 *CEQR Technical Manual*.

Public Policy

Assessment

Primary Study Area (Project Area) and Secondary Study Area (400-Foot Radius)

Housing Our Neighbors: A Blueprint for Housing and Homelessness

Compared to the future without the Proposed Actions, the future with the Proposed Actions would support the policies and goals of *Housing Our Neighbors: A Blueprint for Housing and Homelessness* by establishing an MIH area encompassing the primary study area, which would require future residential development to include permanent IRHUs. Compared to the No-Action condition, in which no permanent IRHUs would be required or provided, the With-Action condition would result in the creation of approximately 79 affordable DUs pursuant to MIH Option 1 (25% of DUs at an average of 60% AMI) or 95 affordable DUs pursuant to MIH Option 2 (30% of DUs at an average of 80% AMI). An MIH area requires compliance with one of the income-restricted housing options provided in ZR Section 23-154(d)(3). The final MIH option will be selected by the City Council during ULURP. Therefore, the Proposed Actions would be consistent with the policy goals and objectives of *Housing Our Neighbors: A Blueprint for Housing and Homelessness*.

OneNYC 2050: Building a Strong and Fair City

Compared to the future without the Proposed Actions, the future with the Proposed Actions would support the "Thriving Neighborhoods" and "Efficient Mobility" goals of OneNYC 2050. The Proposed Actions would support OneNYC 2050's "Thriving Neighborhoods" goal through the creation of new housing opportunities, including income-restricted housing options that would not be created in the No-Action condition, in an area of New York City that is served by existing parks, cultural resources, and other shared public spaces, thereby contributing to the community development of the secondary study area and larger, surrounding neighborhood of the Sunset Park. The Proposed Actions would support OneNYC 2050's "Efficient Mobility" goal through the creation of new housing opportunities, including income-restricted housing options that would not be created in the No-Action condition, in an area of New York City that is served by existing public transportation options, thereby dissuading new residential development that would further reliance on car travel as a primary mode of personal transportation. Therefore, the Proposed Actions would be consistent with the policy goals and objectives of OneNYC 2050.

Where We Live NYC Plan

Compared to the future without the Proposed Actions, the future with the Proposed Actions would support Goal 2 of the *Where We Live NYC Plan* by establishing an MIH area encompassing the primary study area, which would require future residential development to include permanent IRHUs. Compared

to the No-Action condition, in which no permanent IRHUs would be required or provided, the With-Action condition would result in the creation of approximately 79 affordable DUs pursuant to MIH Option 1 (25% of DUs at an average of 60% AMI) or 95 affordable DUs pursuant to MIH Option 2 (30% of DUs at an average of 80% AMI). An MIH area requires compliance with one of the income-restricted housing options provided in ZR Section 23-154(d)(3). The final MIH option will be selected by the City Council during ULURP. Therefore, the Proposed Actions would be consistent with Goal 2 of the *Where We Live NYC Plan*.

Transit Zone

Compared to the future without the Proposed Actions, the future with the Proposed Actions would facilitate additional residential land uses in a transit-accessible area of Brooklyn Community District 7. The primary study area is located within the Transit Zone and the 25th Street subway station (serviced by the R train) is located approximately two blocks to the northeast of the primary study area. Further, the requested zoning special permit pursuant to ZR Section 74-533 "Reduction of parking spaces to facilitate affordable housing" is requested to waive the number of required accessory off-street parking spaces for the Proposed Project on Projected Development Site 1. The primary study area is located within the Transit Zone and the Proposed Project would provide at least 20 percent of all DUs as IRHUs. Under the requested zoning special permit, the Proposed Project would provide 0 accessory parking spaces. The Proposed Actions would not conflict with and would be consistent with both the primary and secondary study areas' locations within the Transit Zone.

New Connections /New Opportunities – Sunset Park 197-a Plan

As described above, the "New Connections /New Opportunities – Sunset Park 197-a Plan," is applicable to both the primary and secondary study areas; the primary and secondary study areas are located within the "Context Area" of the 197-a plan. Compared to the future without the Proposed Actions, the future with the Proposed Actions would facilitate additional residential and commercial retail land uses in a transit-accessible area of Brooklyn Community District 7. The focus area of the adopted 197-a plan is the Sunset Park waterfront of Brooklyn Community District 7, for which the adopted 197-a plan outlines a comprehensive framework for the revitalization of the Sunset Park waterfront into an economically viable and environmentally sustainable resource that is closely related to, and serves the needs of, adjacent upland residential communities of Brooklyn Community District 7. The adopted 197-a plan outlines a vision of the Sunset Park waterfront as a sustainable mixed-use neighborhood that promotes regional and local economic development, fosters a healthy living and working environment, and reconnects upland residential communities of Brooklyn Community District 7 to the Sunset Park waterfront. As the primary and secondary study areas are located within the "Context Area" of the 197-a plan, rather than the "Primary Study Area" of the 197-a plan, the Proposed Actions would not conflict with both the primary and secondary study areas' locations within the "Context Area" of the "New Connections /New Opportunities – Sunset Park 197-a Plan."

For these reasons, the Proposed Actions would not result in a significant adverse impact on public policy within the primary or secondary study areas, in accordance with the criteria set forth in the 2021 *CEQR Technical Manual*.

Attachment D:

Socioeconomic Conditions

I. INTRODUCTION

This attachment assesses whether the Proposed Actions and associated Reasonable Worst Case Development Scenario ("RWCDS") would result in significant adverse impacts to the socioeconomic character of the area surrounding the Project Area in the Sunset Park neighborhood of Brooklyn Community District ("CD") 7. As described in the 2021 *City Environmental Quality Review* ("CEQR") *Technical Manual*, the socioeconomic character of an area includes its population, housing, and economic activities. Socioeconomic changes may occur when a project directly or indirectly changes these elements. Although some socioeconomic changes may not result in environmental impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area.

As described in **Attachment A, "Project Description,"** the Applicant is seeking discretionary actions (the "Proposed Actions") to facilitate a mixed-use residential and commercial development consisting of three new buildings at 783 Fourth Avenue (Brooklyn Block 661, Lots 5, 13, 14, and 66; "Projected Development Site 1"). Compared to the No-Action condition, the With-Action condition for the Proposed Actions' RWCDS would result in the positive incremental development of approximately 271,387-gross square feet ("gsf") of residential space (comprising approximately 315 total dwelling units ["DUs"] and 79 affordable DUs pursuant to Option 1 of the Mandatory Inclusionary Housing ["MIH"] program[1]), and 4,255-gsf of local retail space, as well as the negative incremental development of approximately 26,645-gsf of community facility (house of worship) space and 23 accessory parking spaces at two projected development sites.[2] The Proposed Actions do not exceed the thresholds warranting analyses of direct residential or business displacement, indirect business displacement, or adverse effects on specific industries. As the Proposed Actions would exceed the 2021 *CEQR Technical Manual* threshold warranting a preliminary indirect residential displacement analysis (i.e., an increase of 200 DUs or more), a preliminary assessment is provided herein.

II. METHODOLOGY

Under CEQR, the socioeconomic character of an area is defined by its population, housing, and economic activities. The assessment of socioeconomic conditions usually distinguishes between the socioeconomic conditions of an area's residents and businesses. However, proposed action(s) affect either or both of these segments in similar ways: they may directly displace residents or businesses; or they may alter one

[1] Under MIH Option 1, the RWCDS would introduce approximately 79 affordable DUs (25%), which would be affordable to households at an average of 60% of the area median income ("AMI"), and under MIH Option 2, the RWCDS would introduce approximately 95 affordable DUs (30%), which would be affordable to households at an average of 80% AMI.

[2] In addition to Projected Development Site 1, for RWCDS analysis purposes, it is assumed that the proposed zoning changes could allow for redevelopment of the non-Applicant controlled Lots 1, 2, and 3 on Block 661 ("Projected Development Site 2") pursuant to the proposed R8A/C2-4 zoning.

or more of the underlying forces that shape socioeconomic conditions in an area and thus may cause indirect displacement of residents or businesses. The objective of the CEQR analysis is to disclose whether any changes created by the proposed action would have a significant impact compared with what would happen in the future without the proposed action (i.e., the "No-Action condition").

Direct displacement is defined as the involuntary displacement of residents, businesses, or institutions from the actual site of (or sites directly affected by) a proposed action. Examples include the proposed redevelopment of a currently occupied site for new uses or structures, or a proposed easement or right-of-way that would take a portion of a parcel and thus render it unfit for its current use. Since the occupants of a particular site are usually known, the disclosure of direct displacement focuses on specific businesses and employment and an identifiable number of residents and workers.

Indirect or secondary displacement is defined as the involuntary displacement of residents, businesses, or employees in an area adjacent to, or close to, a project site that results from changes in socioeconomic conditions created by a proposed action. Examples include rising residential rents in an area that result from a new concentration of higher-income housing introduced by a project, which ultimately could make existing housing unaffordable to lower-income residents; a similar turnover of industrial to higher-rent commercial tenancies induced by the introduction of a successful office project in an area; or the flight from a neighborhood that can occur if a proposed project creates conditions that break down the community (such as a highway dividing the area). Unlike direct displacement, the exact occupants to be indirectly displaced are not known. Therefore, an assessment of indirect displacement usually identifies the size and type of groups of residents, businesses, or employees potentially affected.

Even if a proposed action does not directly or indirectly displace businesses, it may affect the operation and viability of a major industry or commercial operation in the city. An example would be new regulations that prohibit or restrict the use of certain processes that are critical to certain industries. In these cases, the CEQR review may involve the assessment of the economic impact of the project on the specific industry in question.

Determining Whether a Socioeconomic Assessment is Appropriate

According to the 2021 *CEQR Technical Manual*, a socioeconomic assessment should be conducted if a project may be reasonably expected to create socioeconomic changes in the area affected by the project that would not be expected to occur in the absence of the project. The following screening assessment considers threshold circumstances identified in the 2021 *CEQR Technical Manual* and enumerated below that can lead to socioeconomic changes warranting further assessment.

1. ***Direct Residential Displacement: Would the project directly displace residential population to the extent that the socioeconomic character of the neighborhood would be substantially altered? Displacement of fewer than 500 residents would not typically be expected to alter the socioeconomic character of a neighborhood.***

Pursuant to 2021 *CEQR Technical Manual* guidance, a preliminary assessment of direct residential displacement is not warranted as the Proposed Actions and RWCDS would not result in the direct displacement of 500 or more residents. Therefore, the direct residential displacement resulting from the Proposed Actions is not likely to change the socioeconomic character of the neighborhood and would not result in significant adverse socioeconomic impacts.

Residential uses have been identified at one of the projected development sites. **Table D-1** lists the projected development site where direct residential displacement could occur due to the Proposed Actions. As shown in **Table D-1**, Projected Development Site 2 contains three DUs in two low-rise mixed-use residential and commercial buildings.

Table D-1: Housing Units Subject to Potential Direct Displacement as a result of the Proposed Actions

	Block/Lot	Existing Zoning	Address	Dwelling units under Existing Conditions	Description of Housing
Projected Development Site 2	661/2	M1-1D	797 Fourth Ave.	1	Mixed Residential/Commercial Building
	661/3		795 Fourth Ave.	2	Mixed Residential/Commercial Building

For RWCDS analysis purposes, it is assumed that these three DUs would remain in place under the No-Action condition and that under the With-Action condition these units would be demolished and replaced with new development on Projected Development Site 2. Therefore, the redevelopment of Projected Development Site 2 under the Proposed Actions could directly displace an estimated nine (9) residents.[3] With a half-mile study area population of approximately 20,815 residents, based on 2020 Census data, residents subject to potential direct displacement under the Proposed Actions would account for roughly 0.1 percent of the total half-mile study area population, well below the five percent threshold for potential significant adverse impacts described in the 2021 *CEQR Technical Manual.* Pursuant to 2021 *CEQR Technical Manual* guidance, no further analysis of direct residential displacement is warranted.

2. Direct Business Displacement: Would the project directly displace more than 100 employees, or directly displace a business whose products or services are uniquely dependent on its location, are the subject of policies or plans aimed at its preservation, or serve a population uniquely dependent on its services in its present location? If so, assessments of direct business displacement and indirect business displacement are appropriate.

The potential for direct business displacement has been identified for one of the identified projected development sites. There is one existing business located at Projected Development Site 2. An automotive parts retail store, Joe's Auto and Truck Parts, occupies approximately 5,262-gsf of commercial space at Projected Development Site 2. It is assumed that this retail business would remain under the No-Action condition and that under the With Action condition the retail business could be directly displaced. Based on field visits and standard employment density ratios commonly used for CEQR analysis (i.e., one retail worker per 333 gsf of retail space), it is estimated that this retail businesses employs approximately 16 workers. The businesses that could potentially be directly displaced as a result of the Proposed Actions does not provide products or services essential to the local economy that would no longer be available in the trade area due to the difficulty of either relocating or establishing a new, comparable business, nor are there any publicly adopted plans that call for the preservation of such business in this area of Sunset Park. Additionally, the number of potentially displaced workers would be fewer than 100 workers, the 2021 *CEQR Technical Manual* guidance threshold for additional assessment of potential impacts.

[3] Assumes 100 percent occupancy and an average household size of 3.07 persons according to the 2017-2021 Five-Year American Community Survey ("ACS") Estimates for BK07 Sunset Park-Windsor Terrace (Brooklyn CD 7 Approximation).

Projected Development Site 1 is controlled by the Applicant and currently occupied by ancillary support services for the main parish office and house of worship, Saint John the Evangelist Church, located further north in the neighborhood at 248 – 250 21st Street (between Fifth and Sixth Avenues). Projected Development Site 1 is currently underutilized, and in the future with the Proposed Actions, all remaining operations occurring at Projected Development Site 1 would relocate and be consolidated at the main parish office and house of worship at 248 – 250 21st Street. Therefore, the Proposed Actions would not result in significant adverse socioeconomic impacts with respect to direct business displacement.

3. ***Indirect Displacement due to Increased Rents: Would the project result in substantial new development that is markedly different from existing uses, development, and activities within the neighborhood? Residential development of 200 units or less or commercial development of 200,000 sf or less would typically not result in significant socioeconomic impacts. For projects exceeding these thresholds, assessments of indirect residential displacement and indirect business displacement are appropriate.***

The Proposed Actions and associated RWCDS would introduce approximately 315 DUs to the Project Area as compared to the No-Action condition, and therefore would exceed the preliminary screening assessment threshold of 200 units warranting a preliminary assessment of indirect residential displacement. As such, the indirect residential displacement analysis provided below assesses the potential of the Proposed Actions to result in significant adverse impacts in regard to indirect residential displacement.

The Proposed Actions and associated RWCDS would result in a net increase of approximately 4,255-gsf of commercial space as well as a net decrease of approximately 26,645-gsf of community facility space, which would not exceed the 200,000 sf 2021 *CEQR Technical Manual* threshold. Therefore, an assessment of potential indirect business displacement is not warranted.

4. ***Indirect Business Displacement due to Retail Market Saturation: Would the project result in a total of 200,000 sf or more of retail on a single development site or 200,000 sf or more of region-serving retail across multiple sites? This type of development may have the potential to draw substantial sales from existing businesses within the study area, resulting in indirect business displacement due to market saturation.***

An assessment of indirect business displacement due to market saturation (i.e., competition) is not warranted based on 2021 *CEQR Technical Manual* guidance. As described above, the Proposed Actions and associated RWCDS are expected to result in a net increase of approximately 4,255-gsf of local retail space as compared to the No-Action condition, which is well below the 200,000 sf 2021 *CEQR Technical Manual* threshold warranting assessment of indirect business displacement due to market saturation.

The Proposed Actions and associated RWCDS are not expected to add to or create a retail concentration that may draw substantial sales from existing businesses within the half-mile study area to the extent that certain categories of business close and vacancies in the area increase, thus resulting in a potential for disinvestment on local retail streets.

5. ***Adverse Effects on Specific Industries: Is the project expected to affect conditions within a specific industry? This could affect socioeconomic conditions if a substantial number of workers or residents depend on the goods and services provided by the affected businesses, or if the***

project would result in the loss or substantial diminishment of a particularly important product or service within the City.

The Proposed Actions would not have a significant adverse impact on specific industries. The Proposed Actions would not displace any business that is critical to the viability of any specific industry within or outside of the half-mile study area. Therefore, the Proposed Actions would not directly or indirectly affect business conditions in any industry or category or business within or outside of the half-mile study area and would not substantially reduce employment or impair viability in a specific industry or category of business.

Based on the screening assessment presented above, the Proposed Actions and associated RWCDS warrant an analysis of indirect residential displacement. No further analysis is warranted for direct residential displacement, direct business displacement, indirect business displacement, nor adverse effects on specific industries.

Indirect Residential Displacement Analysis Format

Based on 2021 *CEQR Technical Manual* guidance, described in Section 330 of Chapter 5, the analysis of indirect residential displacement begins with a preliminary assessment. The objective of the preliminary assessment is to learn enough about the potential effects of the Proposed Actions and RWCDS to either rule out the possibility of significant adverse impacts or determine that a more detailed analysis is required to fully determine the extent of the project's effect. A detailed analysis, when required, is framed in the context of existing conditions and evaluates the changes to those conditions in the With-Action condition as compared with the changes that would be expected in the No-Action condition. In conjunction with the land use task, specific development projects expected to occur by the project's analysis year are identified. These projects are described in terms of the possible changes to socioeconomic conditions that they would cause, including potential population increases, changes in income characteristics of the affected area, changes to the rents or sale prices of residential units, new commercial or industrial uses, or changes to employment or retail sales. Those conditions are then compared with the future with the Proposed Actions to determine the potential for significant adverse impacts. A preliminary assessment was sufficient to conclude that the Proposed Actions and resultant RWCDS would not result in any significant adverse socioeconomic impacts due to indirect residential displacement.

Study Area Definition

To assess these socioeconomic issues, information was gathered regarding the surrounding area's demographic characteristics, housing inventory, and housing market. Typically, the socioeconomic study area boundaries are similar to those of the land use study area. The study area generally encompasses the area affected by the Proposed Actions (i.e., directly affected area or primary study area), and an adjacent area (study area) within a quarter- or half-mile, depending on project size and area characteristics. The socioeconomic assessment seeks to assess a project's potential to change socioeconomic character relative to the study area populations (i.e., a project that would result in a substantial increase in population may be expected to affect a larger study area).

The 2021 *CEQR Technical Manual* explains that for projects that would increase the residential population by more than five percent as compared to the population expected to reside in the quarter-mile study area in the No-Action condition, a half-mile study area is appropriate. The RWCDS associated with the Proposed Actions would result in an incremental (net) increase of 315 DUs, which would increase the

population of the quarter-mile study area by more than five percent as compared to the No-Action condition.[4] Therefore, in accordance with 2021 *CEQR Technical Manual* guidance, the study area for socioeconomic conditions approximates a half-mile perimeter around the directly affected area (i.e., the Project Area).

The boundary of the study area was modified to match the census tracts that most closely define a half-mile perimeter around the Project Area (i.e., encompassing census tracts that are include at least 50 percent of their area within the half-mile perimeter around the Project Area), including census tracts 18.01, 84, 101, 143, 145, and 147 (refer to **Figure D-1**). By conforming to census tract boundaries, the socioeconomic analysis more accurately applies Census data to depict the demographic characteristics of the surrounding area. In addition, in accordance with 2021 *CEQR Technical Manual* guidance, the indirect residential displacement analysis considers an area "near" the study area (i.e., within a quarter-mile radius of the study area) to examine real estate market trends and ascertain whether the surrounding area has experienced a readily observable trend toward increasing rents and the likely effect of the Proposed Actions on such trends.

III. INDIRECT RESIDENTIAL DISPLACEMENT PRELIMINARY ASSESSMENT

As described in the 2021 *CEQR Technical Manual*, indirect residential displacement usually results from substantial new development that is markedly different from existing uses and activity in an area and that causes increased property values in the area. Increased property values can lead to increased rents in non-regulated rental housing units, which can make it difficult for some existing residents to afford to stay in their homes. Pursuant to 2021 *CEQR Technical Manual* guidance, the indirect residential displacement assessment aims to determine whether the Proposed Actions would either introduce a trend or accelerate an existing trend of changing real estate market conditions that may have the potential to displace a vulnerable residential population and substantially change the socioeconomic character of the neighborhood. Residents who are homeowners, or who are renters living in rent regulated[5] or subsidized housing units would not be vulnerable to rent pressures according to 2021 *CEQR Technical Manual* guidance.

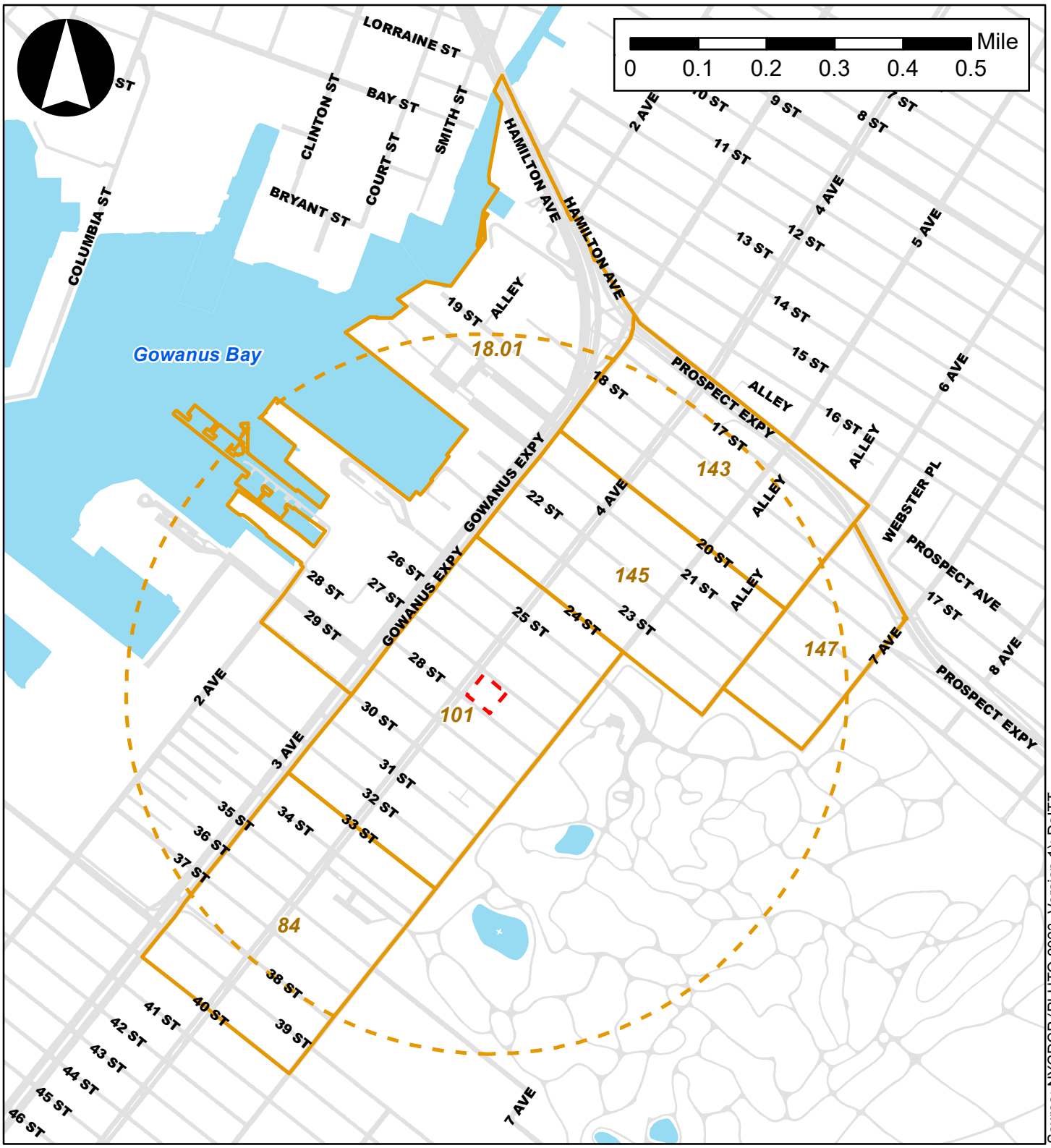
This preliminary assessment follows the step-by-step preliminary assessment guidance described in Section 332.1 of the 2021 *CEQR Technical Manual*.

Step 1: Determine if the proposed project would add new population with higher average incomes compared to the average incomes of the existing populations and any new population expected to reside within the study area in the future without the proposed project.

[4] Assumes 100 percent occupancy and an average household size of 3.07 persons, which is based on the average household size of BK07 Sunset Park-Windsor Terrace (Brooklyn CD 7 Approximation) sourced from the 2017-2021 Five-Year ACS Estimates. The With-Action RWCDS would increase the quarter mile population (8,994 as of 2020 Census) by an estimated 967 people (or an approximate 11.3 percent increase).

[5] Rent regulated housing includes both rent-controlled and rent stabilized apartments that are protected from steep rent increases and offer tenants greater legal protections than those living in market-rate housing.

Figure D-1
Socioeconomic Conditions Study Area



Source: NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Project Area
- Half-Mile Radius
- 143 Socioeconomic Conditions Study Area
- Roadways
- Water Bodies

Household Incomes

Household income characteristics for the half-mile study area population are described using the average (or mean) and median household incomes, as well as a breakdown of income distribution. The median household income represents the mid-point of all household incomes in a study area, and the mean household income is calculated by dividing aggregate income by the total number of households in a study area. The presence of higher- or lower-income households raises or lowers the area's mean income, sometimes substantially higher or lower than the median of household incomes in a study area.

According to 2017-2021 Five-Year ACS Estimates, the mean annual household income of residents living within the half-mile study area is approximately $136,668 as compared to $78,607 in 2006-2010 (refer to **Table D-2**).[6] The existing mean annual household income of study area residents is relatively high and comparable to 110 percent of the AMI of New York City for a family of three.[7] As shown in **Table D-2**, residents within the half-mile study area have a higher mean household income, as compared to Brooklyn ($100,067) and New York City ($113,315) as a whole.

Trends in the mean household incomes within the half-mile study area, Brooklyn, and greater city indicate that the mean household incomes are increasing. As shown in **Table D-2**, the mean household income in Brooklyn increased by more than 32 percent since 2006-2010, and in New York City by 16 percent. Only the directionality of change in mean household income could be reported with statistical confidence for the half-mile study area between the 2006-2010 and 2017-2021 Five-Year ACS Estimates.

Table D-2: Household Income Characteristics Within the Half-mile Study Area, Brooklyn, and New York City[1]

	Median Household Income			Mean Household Income		
	2006-2010 ACS	2017-2021 ACS	Percent Change or Directional Change	2006-2010 ACS	2017-2021 ACS	Percent Change or Directional Change
Half-mile Study Area	$78,607	$103,950	Increase[2]	$62,695	$136,668	Increase[2]
Brooklyn	$54,646	$67,753	24.0%	$78,589	$103,893	32.2%
New York City	$63,072	$70,663	12.0%	$97,706	$113,315	16.0%

Sources: Bureau of the Census, 2006-2010 and 2017-2021 Five-Year ACS Estimates, as reported on New York City Department of City Planning's ("DCP's") Population Factfinder in December 2023.

Notes:

* All dollar values have been adjusted to 2021 dollars.

[1] Statistical reliability of the data included in this table has been vetted using DCP's NYC Population FactFinder.

[2] If the MOE of the difference between 2006-2010 and 2017-2021 Five-Year ACS Estimates is greater than the difference, a change cannot be reported with confidence; if the MOE of the difference is greater than one third of the difference, a change cannot be estimated with confidence and only the direction of change can be reported (i.e., increase/decrease). For the half-mile study area, only the directionality of change could be reported for the half-mile study area's median and mean annual household incomes.

[6] Based on the MOE for the mean household income of the half-mile study area according to the 2017-2021 Five-Year ACS Estimates (MOE of $23,628), the average household income is, with 90% confidence, between $113,040 to $113,040. Only the directional change in mean household income between the 2006-2010 and 2017-2021 Five-Year ACS Estimates within the half-mile study area can be reported with statistical confidence.

[7] The 2023 AMI for the New York City region is $127,00 for a three-person family (100 percent AMI) and therefore, 110 percent of the AMI for a three-person family is $139,810. The AMI for a three-person family is used given that the average household size of BK07 Sunset Park-Windsor Terrace (Brooklyn CD 7 Approximation) is 3.07.

In all areas, the median household income is lower than the mean household income, indicating the presence of higher-income households within the half-mile study area, larger borough, and overall city (refer to **Table D-2**). As shown in **Table D-2**, like the mean household income, the median household income within the half-mile study area is higher than the larger borough and the city. According to 2017-2021 Five-Year ACS Estimates, the median household income for the half-mile study area is $103,950,[8] as compared to $67,753 for Brooklyn households and $70,663 for New York City households, respectively. The half-mile study area's existing median annual household income falls just above 80 percent of the 2023 AMI for the New York City region for a three-person family.[9] Like mean household incomes, the median household incomes within the half-mile study area, larger borough, and overall city have increased further demonstrating a trend of increasing household incomes.

Table D-3 illustrates the distribution of household incomes within the half-mile study area as compared to the larger borough and New York City. As shown in **Table D-3**, the distribution of household incomes within the half-mile study area is skewed towards a greater proportion of higher-income households and a smaller proportion of lower-income households as compared to Brooklyn and the city as a whole. More than 51 percent of households within the half-mile study area earned $100,000 or more, as compared to approximately 36 and 37 percent of households in Brooklyn and New York City, respectively. At the lower end of the spectrum, less than 25 percent of households earned less than $50,000, as compared to nearly 40 percent in Brooklyn and approximately 38 percent in New York City.

Table D-3: Household Income Distribution Within the Half-mile Study Area, Brooklyn, and New York City (2017-2021)[1]

	Total Households	Households Earning Less than $25,000		Households Earning $25,000 to $49,999		Households Earning $50,000 to $99,999		Households Earning $100,000 to $199,999		Households Earning $200,000 or more	
		#	%	#	%	#	%	#	%	#	%
Half-mile Study Area	6,799	N.A.	N.A.	N.A.	N.A.	1,706	25.1%	2,079	30.6%	1,421	20.9%
Brooklyn	985,108	217,666	22.1%	172,624	17.5%	243,571	24.7%	228,866	23.2%	122,381	12.4%
New York City	3,250,657	689,576	21.2%	549,830	16.9%	811,566	25.0%	759,843	23.4%	439,842	13.5%

Source: US Census Bureau, 2017-2021 Five-Year ACS Estimates via NYC Population FactFinder in December 2023.
Note:
[1] The statistical reliability of the data included in this table has been vetted using DCP's NYC Population FactFinder.

2029 No-Action Condition

In the absence of the Proposed Actions, no zoning changes would occur within the Project Area, and it is anticipated that the current land use trends and general development patterns would continue within the half-mile study area. The half-mile study area would continue to support a predominantly residential area

[8] Based on the MOE for the median household income of the half-mile study area according to the 2017-2021 Five-Year ACS Estimates (MOE of $13,308), the median household income is, with 90% confidence, between $90,642 to $117,258.
[9] The median income for all cities across the country is defined each year by the U.S. Department of Housing and Urban Development ("HUD"). In the New York City region, 80 percent of the AMI for a three-person family is $101,680. The AMI for a three-person family is used given that the average household size of BK07 Sunset Park-Windsor Terrace (Brooklyn CD 7 Approximation) is 3.07 according to the 2017-2021 Five-Year ACS Estimates.

with some new development. Under the No-Action condition, the existing buildings and land uses at Projected Development Sites 1 and 2 are anticipated to remain.

Table D-4 identifies 23 known and planned development projects anticipated to be completed within the half-mile study area by 2029 that would introduce residential uses. The development projects are mapped in **Figure D-2**. The largest planned development would be located at 743 Fourth Avenue, which would introduce approximately 185 DUs. As shown in **Table D-4**, a total of approximately 324 DUs are anticipated to be introduced within the half-mile study area by 2029.

Table D-4: No-Action Development Projects Within the Half-Mile Study Area

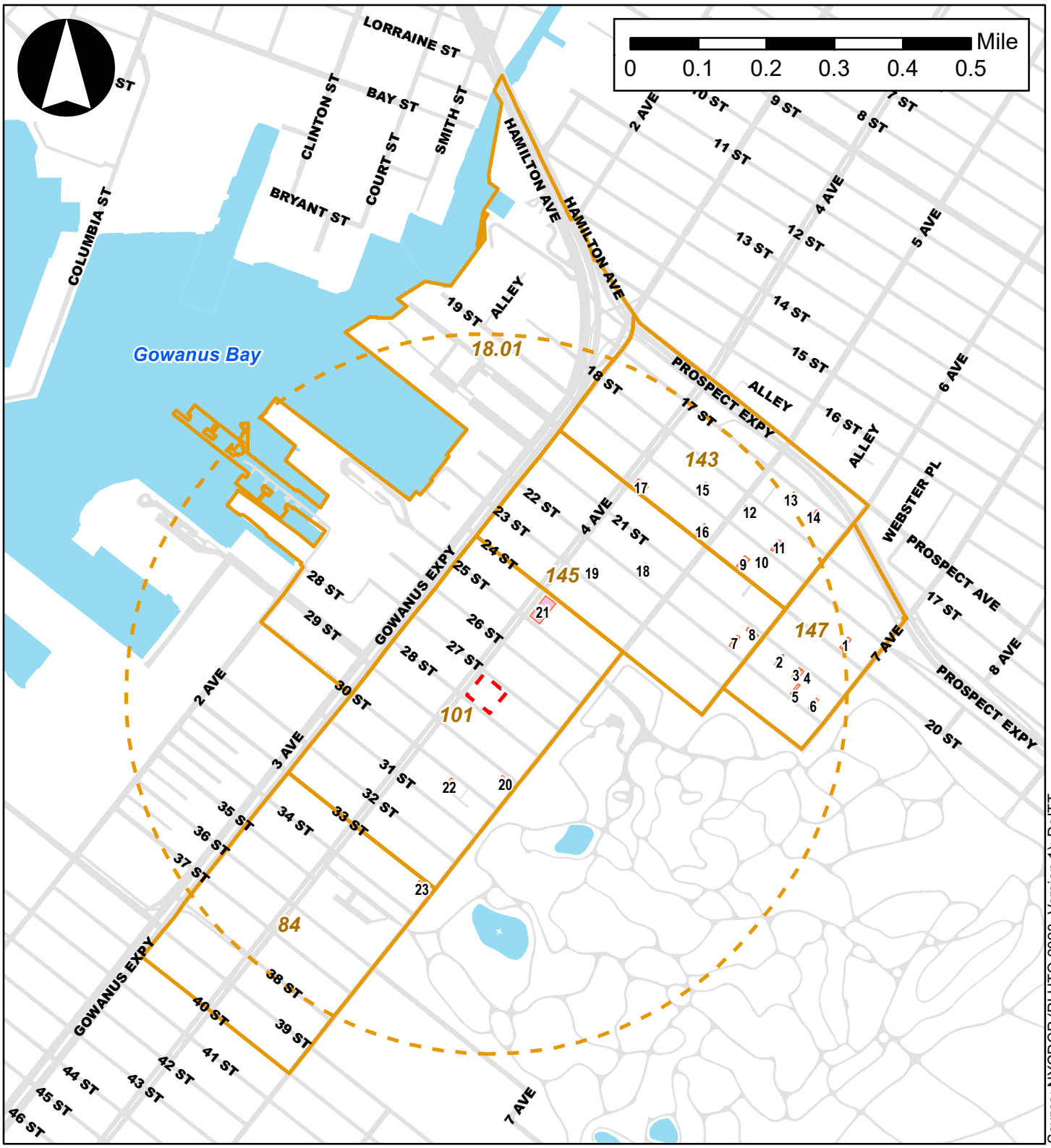
Map No.[1]	Address	DUs
1	353 20th Street	5
2	316 21st Street	2
3	332 21st Street	4
4	334 21st Street	4
5	335 22nd Street	1
6	349 22nd Street	4
7	289 22nd Street	8
8	688 6th Avenue	3
9	265 20th Street	8
10	270 19th Street	3
11	273 19th Street	2
12	643 5th Avenue	21
13	262 17th Street	4
14	282 17th Street	3
15	215 19th Street	2
16	231 20th Steet	6
17	183 20th Street	28
18	217 22nd Street	2
19	193 23rd Street	3
20	738 5th Avenue	7
21	743 4th Avenue	185
22	194 30th Street	8
23	814 5th Avenue	11
Total		***324***
Estimated Residents[2]		***961***

Source: DCP Housing Database – Project-Level Files (December 2022).
Notes:
[1] The No-Action development projects are mapped in **Figure D-2**.
[2] Estimates of the residential population have been calculated based on a vacancy rate of approximately 3.4 percent and the average household size of 3.07 persons per household for BK07 Sunset Park-Windsor Terrace (CD 7 Approximation) sourced from the 2017-2021 Five-Year ACS Estimates.

2029 With-Action Condition

In the future with the Proposed Actions, the Project Area would be rezoned from M1-1D to R7A and R8A with a C2-4 commercial overlay mapped to a depth of 100 feet from Fourth Avenue. The proposed zoning changes would permit an increase in the allowable density, including residential density, within the Project Area and facilitate the development of a considerable amount of new housing, including affordable housing, as well as local retail space. Under the RWCDS, the With-Action condition would result in the total development of approximately 318 DUs, including 79 affordable DUs pursuant to MIH Option 1 (25% of DUs at an average of 60% AMI), or up to 95 affordable DUs pursuant to MIH Option 2 (30% of DUs at an average of 80% of AMI) at two projected development sites. Compared to the No-Action

Figure D-2
Socioeconomic Conditions Study Area No-Action Developments



Source: NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Project Area
- Half-Mile Radius
- 143 Socioeconomic Conditions Study Area
- No-Action Developments (Keyed to Table D-3)
- Roadways
- Water Bodies

condition, the Proposed Actions would result in an incremental (net) increase of approximately 315 DUs including 79 affordable DUs pursuant to MIH Option 1, or up to 95 affordable DUs pursuant to MIH Option 2.

The Project Area would be designated an MIH area, which would set mandatory income-restricted housing requirements pursuant to the MIH program and require a share of new housing be set aside as permanently income-restricted. The production of permanently income-restricted housing would be a condition of any future residential development within the Project Area, which is expected to help preserve income-restricted housing in the surrounding area. There would be no expiration to the affordability requirements of housing units created through the MIH program, making them a long-term, stable reservoir of income-restricted housing in the surrounding area, a key policy to meet the goals outlined in the city's *Housing Our Neighbors: A Blueprint for Housing and Homelessness*.

Across the city, community boards have identified affordable housing as the most pressing issue citywide. According to the *Statement of Community District Needs and Community Board Budget Requests Fiscal Year 2024*, there is a need for affordable housing in Brooklyn CD 7 as long-time residents of the district are being displaced and many residents are forced to live in severely overcrowded conditions. Few units of affordable housing are being built and existing affordable housing is being lost through landlords opting-out and speculative development in CD 7. The proposed zoning changes would require new residential development in the Project Area to introduce permanently income-restricted housing as part of the development program. As such, the Proposed Actions are expected to expand housing opportunities in an area of the city where a strong demand for income-restricted and market-rate housing exists. The MIH program would provide assurance that new residential development would address the needs of residents at lower-income levels even in the event that local housing market conditions continue to change with the requirement of permanent income-restricted housing.

The amount of affordable housing units produced and resulting range of affordability presented would depend on which MIH Option is utilized and selected during ULURP. The City Council will select the final MIH Option during ULURP. The New York City Department of Housing Preservation and Development ("HPD"), as a supporting and regulatory agency, would at a later date establish levels of affordability for Projected Development Site 1 in coordination with the Applicant as well as for the non-Applicant-controlled or owned Projected Development Site 2. The affordability requirements would be defined and ensured through regulatory agreements with HPD.

The levels of affordability for the MIH units would be based on percentages of the HUD-defined AMI for the region. The 2023 income limits by family size for the New York City region are presented in **Table D-5**. These levels will change over time, however, based on these data, residents of the income-restricted housing units (averaging 60 and/or 80 percent AMI, depending on which MIH Option[s] is selected) are generally expected to have lower mean household incomes in comparison to the existing income levels of households within the half-mile study area (refer to **Table D-2**). The income-restricted housing added by the Proposed Actions' RWCDS would help maintain a more diverse demographic composition within the half-mile study area and would further expand housing opportunities in an area where a strong demand for income-restricted housing exists. As noted previously, the Applicant intends to map MIH Option 1 within the Project Area.

Table D-5: 2023 New York City Area AMI

Family Size	30% of AMI	40% of AMI	50% of AMI	60% of AMI	80% of AMI	100% of AMI	130% of AMI
1	$29,670	$39,560	$49,450	$59,340	$79,120	$98,900	$128,570
2	$33,900	$45,200	$56,500	$67,800	$90,400	$113,000	$146,900
3	$38,130	$50,840	$63,550	$76,260	$101,680	$127,100	$165,230
4	$42,360	$56,480	$70,600	$84,720	$112,960	$141,200	$183,560

Source: HPD, https://www1.nyc.gov/site/hpd/services-and-information/area-median-income.page

For conservative analysis purposes, the analysis assumes the MIH Option, either Option 1 or 2, which would introduce higher household income levels to the Project Area. Based on this assumption, MIH Option 2 would be mapped. Under MIH Option 2, approximately 30 percent of a development's residential floor area would be income-restricted and be income-restricted to households earning on average 80 percent AMI (or up to $101,680 for a family of three in 2023). Based on this assumption, the Proposed Actions' RWCDS would introduce approximately 223 market-rate DUs and approximately 95 affordable DUs occupied by families/residents earning an average of 80 percent AMI under the With-Action condition (a total of approximately 318 DUs) at the two projected development sites.

To estimate the average household income of residents introduced by the Proposed Actions' RWCDS, the incomes of future residents in both the market-rate and income-restricted units at Projected Development Sites 1 and 2 have been projected. Housing is considered income-restricted if it costs about one-third or less of total household income, as HUD defines families who pay more than 30 percent of their income for housing as rent-burdened. Assuming the 30 percent threshold is conservative for this analysis as it would result in a higher assumed household income for the RWCDS market-rate tenants.

As shown in **Table D-5**, according to HUD, three-person families in the New York City region would be eligible for the income-restricted housing units within the Project Area if they were earning $101,680 annually, which is 80 percent AMI.[10] Since the half-mile study area's average household size is 3.07 persons per household, it is assumed that the average income of a family living in an income-restricted unit would be $102,470, which is less than the half-mile study area's current average household income of $136,668 (refer to **Table D-2**).

Consistent with 2021 *CEQR Technical Manual* guidance, the third quartile of market-rate apartment rents is assumed to represent 30 percent of the introduced population's monthly income for the market-rate apartments, given that new construction tends to be at the higher end of market rents and that 30 percent is the standard threshold for what is considered a non-rent-burdened household. For the market-rate units, research into current market-rate asking rents within the half-mile study area (summarized in **Table D-6**) and the assumption that incoming market-rate renters would be spending approximately 30 percent of their household income on rent[11] have been used to estimate the expected income level of future market-rate tenants.

Assuming that the incoming market-rate renters would be spending approximately 30 percent of their income on rent, a person or household renting a market-rate unit in with With-Action RWCDS is expected

[10] https://www1.nyc.gov/site/hpd/services-and-information/area-median-income.page; As noted earlier in the attachment, the Applicant intends to establish MIH Option 1 within the Project Area, which would require that 25 percent of housing units must be income-restricted, on average, to households earning 60 percent AMI ($76,260 for a family of three in 2023).

[11] HUD defines families who pay more than 30 percent of their income for housing as rent-burdened.

to have an average income ranging between approximately $122,000 and $256,000 depending on the unit type (refer to **Table D-6**). Assuming that the mix of unit types under the With-Action RWCDS would be similar to the current distribution within the half-mile study area, a household renting a market-rate unit would have a weighted average income of approximately $184,000.

Table D-6: Estimated Third Quartile Asking Rental Rates and Calculated Estimated Household Incomes for the Proposed Market-Rate Units under the With-Action Condition RWCDS

Unit Type	Number of Apartments Listed[1]	Third Quartile Asking Rent[1]	Estimated Monthly Income[2]	Estimated Yearly Income[2]
Studios	5	$3,050	$10,170	$122,000
1-Bedrooms	26	$3,875	$12,920	$155,000
2-Bedrooms	39	$4,235	$14,120	$169,400
3+ Bedrooms	13	$6,400	$21,330	$256,000
Estimated Weighted Average[3]		**$4,600**	**$15,330**	**$184,000**

Sources: Corcoran.com, Compass.com, Street Easy, http://streeteasy.com/, accessed in December 2023.
Notes:
[1] Represents the number of apartments listed and the third quartile rents based on 83 market listings within Greenwood Heights, Sunset Park, and South Slope neighborhoods of Brooklyn in December 2023.
[2] Household incomes were inputted using HUD's 30 percent guideline and were rounded to nearest tenth for monthly and yearly household income.
[3] The weighted average for the With-Action RWCDS market-rate units were calculated based on the mix of unit types in the half-mile study area according to 2017-2021 Five-Year ACS Estimates (i.e., studios account for roughly six percent, one-bedrooms 30 percent, two-bedrooms 39 percent, and three or more bedrooms 25 percent of units).

As noted above, for analysis purposes, the Proposed Actions' RWCDS would result in approximately 318 total DUs in the With-Action condition, of which approximately 95 DUs would be income-restricted to families making an average of 80 percent AMI under MIH Option 2, and approximately 223 DUs would be market-rate. The average income of a household in an income-restricted unit would be $102,470 annually, and the average income of a household in a market-rate unit would be $184,000. As such, the overall estimated average income of the market-rate and affordable units would be approximately $159,640, which would be higher than the half-mile study area's current average household income (refer to **Table D-2**).

Although the Proposed Actions would introduce affordable income-restricted housing and expand housing options available to range of household income levels in the half-mile study area, given the potential difference between the half-mile study area's existing average household income and that of the action-generated population, the Proposed Actions are expected to introduce new residents that would have higher average household incomes than the existing average incomes of the half-mile study area population. According to 2021 *CEQR Technical Manual* guidance, Step 2 of the preliminary assessment is warranted.

Step 2: Determine if the project's increase in population is large enough relative to the size of the population expected to reside in the study area without the project affecting real estate market conditions in the study area.

Based on Step 1, Step 2 of the preliminary assessment is warranted for the Proposed Actions. According to the 2021 *CEQR Technical Manual* analysis thresholds, if the population increase would be greater than five percent in the half-mile study area, the incremental population may be large enough to affect real estate market conditions, and Step 3 of the preliminary assessment is warranted. If the population

increase is expected to be more than 10 percent in the half-mile study area, a detailed analysis is warranted.

Half-Mile Study Area Population Change 2010 to 2020

Based on Decennial Census data, the half-mile study area has an estimated population of 20,815. As shown in **Table D-7**, the half-mile study area population has increased by slightly more than eight percent since 2010. Brooklyn had a larger growth rate of slightly more than nine percent, whereas New York City also had a growth rate of almost eight percent during the same period.

Table D-7: Residential Population

	2010	2020	Numeric Change	Percent Change
Half-mile Study Area	19,247	20,815	1,568	8.1%
Brooklyn	2,504,700	2,736,074	231,374	9.2%
New York City	8,175,133	8,804,190	629,057	7.7%

Source: US Census Bureau, 2010 and 2020 Census via NYC Population FactFinder in December 2023.

Estimated Population Change 2020 to 2023

Based on certificates of occupancy issued by the New York City Department of Buildings ("DOB"), the half-mile study area has continued to experience a net increase in the housing supply with the addition of 222 DUs, which accounts for new developments and building alterations, as well as demolitions since 2020.[12] The largest of these recent residential developments included an 11-story residential condominium building (Arbor Eighteen) at 185 18th Street, which introduced 73 condominium units. Other recent residential developments have included the 26-unit, five-story residential building at 194 21st Street (The Hyland), the 24-unit, five-story residential building at 276 20th Street (276 Twentieth), the 20-unit, six-story residential building at 233 18th Street (233 Eighteenth), and the 19-unit, six-story residential building at 734 Fifth Avenue. Assuming an average household size of 3.07 and a vacancy rate of 3.4 percent, based on 2017-2021 Five-Year ACS Estimates for BK07 Sunset Park-Windsor Terrace (Brooklyn CD 7 Approximation), this recent residential development has introduced an estimated 657 additional residents (3.2 percent increase) to the half-mile study area between 2020 and 2023, resulting in an estimated population of 21,472 for the half-mile study area.

2029 No-Action Condition Projected Population Change

As described above, in the absence of the Proposed Actions, no changes are anticipated to occur at the two projected development sites. The existing residential and commercial uses, as well as low-rise buildings would remain. The larger half-mile study area would continue to experience residential growth. As noted above, 23 known and planned developments are anticipated to introduce additional residential uses (324 new DUs) in the half-mile study area under the No-Action condition by 2029 (refer to **Table D-4**), which would increase the half-mile study area's residential population. These known and planned developments are anticipated to add an estimated 961 residents to the half-mile study area in the No-Action condition based an average household size of 3.07 and a vacancy rate of 3.4 percent according to the 2017-2021 Five-Year ACS Estimates for BK07 Sunset Park-Windsor Terrace (Brooklyn CD 7

[12] DCP's Housing Database of DOB-approved housing construction and demolition jobs completed in New York City since January 1, 2010, as of Quarter 4 of 2022 for the half-mile study area, which includes 13 building demolitions, 13 building alterations, and 13 new buildings.

Approximation). In the No-Action condition, the residential population is anticipated to increase to 22,433 residents, an approximately 4.5 percent increase from 2023.

2029 With-Action Action-Generated Population Change

The Proposed Actions and associated RWCDS would result in the incremental development of up to 315 DUs at two projected development sites, including both market rate DUs and affordable DUs, as compared to the No-Action condition. These 315 incremental DUs are expected to generate approximately 967 incremental residents[13] over the No-Action condition. As shown in **Table D-8**, this represents less than a five percent increase over the No-Action condition residential population.

Table D-8: 2029 No-Action and With-Action Conditions Residential Populations Within the Half-mile Study Area

	No-Action Condition Population Residents	With-Action Condition Population Residents	Incremental Number Change[1]	Percent Change
Half-mile Study Area	22,433	23,400	+967	+4.3%

Sources: US Census Bureau, 2020 Census via NYC Population FactFinder in December 2023, and DOB.
Note:
[1] The estimated number of residents conservatively assumes 100 percent occupancy of the new residential units as well as an average household size of 3.07 persons according to the 2017-2021 Five-Year ACS Estimates for BK07 Sunset Park-Windsor Terrace (Brooklyn CD 7 Approximation).

According to 2021 *CEQR Technical Manual* methodology, if the action-generated population increase is less than five percent in the half-mile study area, it would not introduce a substantial new population that could substantially affect residential real estate market conditions in the half-mile study area. As the Proposed Actions would result in an increase in the half-mile study area residential population of approximately 4.3 percent, this would not represent a substantial new population. Therefore, the Proposed Actions would not result in any significant adverse impacts in regard to indirect residential displacement or socioeconomic conditions, and no further assessment is warranted.

[13] Assumes 100 percent occupancy and an average household size of 3.07 persons according to the 2017-2021 Five-Year ACS Estimates for BK07 Sunset Park-Windsor Terrace (Brooklyn CD 7 Approximation).

Attachment E:

Community Facilities and Services

I. INTRODUCTION

This attachment examines the potential effects of the Proposed Actions' Reasonable Worst Case Development Scenario ("RWCDS") on community facilities and services in and around the Project Area. The 2021 *City Environmental Quality Review* ("CEQR") *Technical Manual* defines community facilities and services as public or publicly funded educational facilities, libraries, health care facilities, and fire/police protection services. CEQR methodology focuses on a project's potential effect on the services provided by these facilities. A project can affect facility services when it physically displaces or alters a community facility or causes a change in population that may affect the services delivered by a community facility, as might happen if a facility is already over-utilized, or if a project is large enough to create a demand that could not be met by the existing facility.

As detailed in **Attachment A, "Project Description,"** the Proposed Actions' RWCDS would facilitate the net incremental development of approximately 315 total dwelling units ("DUs") on Projected Development Site 1 and Projected Development Site 2 within the Project Area, including approximately 79-95 DUs[1] that would be affordable pursuant to MIH Options 1 or 2 at an average of 60-80% of the Area Median Income ("AMI") depending on the MIH Option selected. It is expected that the RWCDS on Projected Development Site 1 and Projected Development Site 2 within the Project Area would be completely constructed and fully occupied in 2029.

The following analysis of community facilities and services has been conducted in accordance with 2021 *CEQR Technical Manual* guidance, utilizing data sourced from agencies such as the New York City Department of Education ("DOE"), the New York City School Construction Authority ("SCA"), and the New York City Department of City Planning ("DCP").

Pursuant to the 2021 *CEQR Technical Manual*, the study areas for detailed analyses of community facilities and services are different for each type of community facility and service. For public schools, the study area for the analysis of elementary and middle schools should be the community school district's "sub-district" in which the proposed project is located. The study area for high schools should be the borough in which the proposed project is located. For publicly funded Early Childhood Programs, the locations of publicly funded Early Childhood Programs within approximately 1.5 miles of the project site should be shown. The size of the study area in transit-rich areas may, in consultation with DCP, be somewhat larger than 1.5 miles. For libraries, the locations of library branches within 0.75 miles of the project site should be shown. If no library branch exists within 0.75 miles of the project site, the study area should be extended until the nearest library branch is identified. Finally, for health care facilities and fire and police protection services, the study area should encompasses the locations of these particular facilities and services that serve the project site.

[1] The number of incremental affordable DUs is based on the total RWCDS DU count established for the With-Action condition, which would result in the development of approximately 318 total DUs, 25-30% (approximately 79-95 DUs) of which would be affordable pursuant to MIH Options 1 or 2 at an average of 60-80% AMI depending on the MIH Option selected.

II. PRELIMINARY SCREENING

The purpose of the preliminary screening is to determine whether an assessment of community facilities and services is required for the Proposed Actions' RWCDS. As recommended by the 2021 *CEQR Technical Manual*, an assessment of community facilities and services is required if a project has the potential to result in either direct or indirect effects on community facilities and services. If a project would physically alter a community facility, whether by displacement of the facility or other physical change, this "direct" effect triggers the need to assess the service delivery of the facility and the potential effect that the physical change may have on that service delivery. Temporary direct effects should also be considered. Increased population in an area caused by a project would increase demand for existing services, which may result in potential "indirect" effects on service delivery. Depending on the size, income characteristics, and age distribution of the new population, there may be effects on public or publicly funded educational facilities and libraries.

Direct Effects

The Proposed Actions' RWCDS would not directly displace or otherwise directly affect any public or publicly funded educational facilities, libraries, health care facilities, or fire/police protection services. Therefore, the Proposed Actions would not result in any significant adverse direct effects on community facilities and services, and further analysis is not required.

Indirect Effects

The 2021 *CEQR Technical Manual* includes thresholds that provide guidance in making an initial determination of whether a detailed analysis is necessary to determine potential impacts. **Table E-1** lists those 2021 *CEQR Technical Manual* thresholds for each community facility and services analysis area. If a project exceeds the threshold for a specific analysis area, a more detailed analysis is required. A preliminary screening analysis was conducted to determine if the Proposed Actions' RWCDS would exceed established 2021 *CEQR Technical Manual* thresholds warranting further analysis.

Table E-1: Preliminary Screening Analysis Criteria

Community Facility	Threshold for Detailed Analysis
Public Schools	50 or more elementary/middle school students or 150 or more high school students based on the number of residential units using the SCA's Projected Public School Ratio
Early Childhood Programs	20 or more eligible children under age five based on the number of low or low/moderate income residential units
Libraries	More than a five percent increase in the ratio of residential units to library branches
Police/Fire Services and Health Care Facilities	Introduction of a sizeable new neighborhood

Source: 2021 *CEQR Technical Manual*, Table 6-1 "Community Facility Thresholds for Detailed Analyses."

Public Schools

Potential impacts on schools may result if there would be insufficient seats available to serve the population. Because it is rare that a project physically displaces an operating school, impacts are more likely to occur when a project introduces school-age children to an area. The 2021 *CEQR Technical Manual* recommends conducting a detailed analysis of public schools if a project would yield 50 or more elementary/middle school students and/or 150 or more high school students. The Proposed Actions'

RWCDS would result in the net incremental development of approximately 315 DUs within the Project Area. As shown in **Figure E-1**, the Project Area is located in Community School District ("CSD") 15. Based on the SCA's Projected Public School Ratio student generation rates for CSD 15, 315 DUs would generate approximately 55 elementary school students, approximately 12 middle school students, and approximately 16 high school students.[2] As the Proposed Actions' RWCDS would introduce a total of 70 elementary and middle school students to the Project Area, a detailed analysis of public elementary and middle schools is required and is provided herein. The Proposed Actions' RWCDS would not generate 150 or more high school students. Therefore, the Proposed Actions would not result in significant adverse impacts on public high schools and further analysis of high schools is not required.

Means-Tested Early Childhood Programs

Publicly funded Means-tested Early Childhood Programs are available for eligible children aged five and younger (until the child is eligible to attend Kindergarten for a fall start date). According to the 2021 *CEQR Technical Manual*, if a project would add 20 or more eligible children under age five, a detailed analysis is required. For CEQR analysis purposes, the number of residential units expected to be subsidized and targeted for households with incomes at or below 80% AMI should be used as a proxy for eligibility (equivalent to 110 residential units in Brooklyn). This provides a conservative assessment of demand, since eligibility for subsidized child care is not defined strictly by income, but also takes into account family size and other reasons for care. The Proposed Actions' RWCDS would result in the net incremental development of approximately 315 DUs within the Project Area, 25-30% (approximately 79-95 DUs) of which would be affordable pursuant to MIH Options 1 or 2 at an average of 60-80% AMI depending on the MIH Option selected. For CEQR analysis purposes (i.e., Early Childhood Programs), 20% (63 DUs) of the residential floor area is assumed to be affordable at or below 80% AMI; 63 DUs would generate approximately 11 eligible children under age five.[3] As the Proposed Actions' RWCDS would not introduce 20 or more eligible children under age five to the Project Area, a detailed analysis of Means-tested Early Childhood Programs is not required. Therefore, the Proposed Actions would not result in significant adverse impacts on Means-tested Early Childhood Programs.

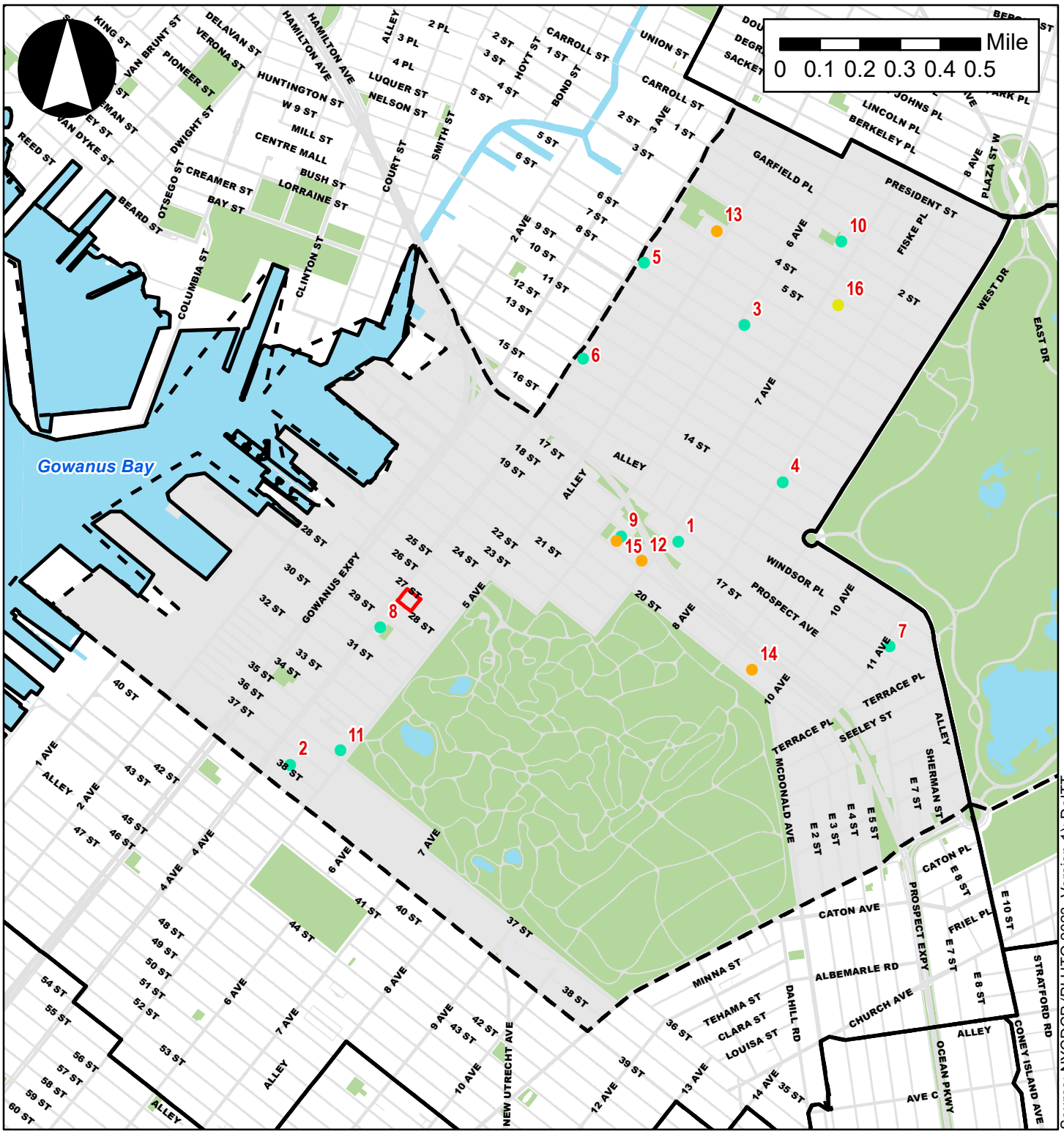
Libraries

Potential impacts on libraries may result from an increased user population. According to the 2021 *CEQR Technical Manual*, if a project would increase the average number of residential units served by library branches in the borough in which the project is located by more than five percent (equivalent to 834 residential units in Brooklyn), the project may cause significant impacts on library services and further analysis is required. The Proposed Actions' RWCDS would not generate 834 residential units in Brooklyn. Therefore, the Proposed Actions would not result in significant adverse impacts on libraries and further analysis of libraries is not required.

[2] Per the SCA's Projected Public School Ratio student generation rates, residential units in CSD 15 generate approximately 0.1744 elementary school students per DU, approximatley 0.0377 middle school students per DU, and approximately 0.05 high school students per DU.

[3] For proposed projects located in Brooklyn, to determine the number of children under age five eligible for Publicly funded Means-tested Early Childhood Programs, a multiplier of 0.178 should be applied to the total number of affordable DUs at or below 80% AMI.

Study Area Elementary and Middle Schools



Legend

- Project Area
- Community School District (CSD)
- CSD Sub-District
- CSD 15, Sub-District 2
- Open Space
- PS (refer to Table E-2)
- MS (refer to Table E-3)
- MS/HS (refer to Table E-3)

Police/Fire Services and Health Care Facilities

The 2021 *CEQR Technical Manual* recommends a detailed analysis of indirect impacts on health care facilities and fire and police protection services when a project would create a sizeable new neighborhood where none existed before. The Proposed Actions' RWCDS would facilitate the net incremental development of approximately 315 DUs within the Project Area. Therefore, the Proposed Actions would not create a sizeable new neighborhood where none existed before, and further analysis of health care facilities and fire and police protection services is not required. Therefore, the Proposed Actions would not result in significant adverse impacts on health care facilities and fire and police protection services.

III. INDIRECT EFFECTS ON PUBLIC ELEMENTARY AND MIDDLE SCHOOLS

Public schools are free for all students ages five and older and are operated and funded by DOE (charter schools are not considered public schools). Public schools include elementary (PS) schools (grades Kindergarten through 5), middle (IS/MS) schools (grades 6 through 8), and high (HS) schools (grades 9 through 12). CEQR analysis excludes charter and private schools, regardless of location (some charter schools are co-located in buildings owned by DOE or the SCA). CEQR analyzes potential impacts to public elementary and middle schools at a local level (the CSD sub-district), and potential impacts to high schools at a borough-wide or citywide level. Schools are analyzed based on the potential for the project to cause overcrowding (i.e., a shortage of seats for an age group within the district).

Indirect Effects Methodology

Based on the SCA's Projected Public Schools Ratio student generation rates for CSD 15, the Proposed Actions' RWCDS would generate approximately 55 elementary school students, approximately 12 middle school students, and approximately 16 high school students. Therefore, a detailed analysis of public elementary and middle schools is required.

The study area for the analysis of public elementary and middle schools should be the CSD sub-district in which the project is located. The locations of public elementary and middle schools within the sub-district should be mapped. As shown in **Figure E-1**, the Project Area is located within sub-district 2 of CSD 15.

The detailed analysis presents the most recent capacity, enrollment, and utilization rates for public elementary and middle schools in the study area, including Mini-Schools and Annexes that are part of these school organizations. Enrollment, but not capacity, of Transportable Classroom Units ("TCUs") should also be provided. Conditions in the future No-Action condition are then predicted based on enrollment projections and proposed residential development projects located in the study area[4], and the future utilization rate for public school facilities is calculated by adding the estimated enrollment from the proposed residential development projects in the study area to DOE's projected enrollment and then comparing that number with projected school capacity. DOE's most recent enrollment projections are provided on SCA's website.[5] In addition, new school projects identified in DOE's Five-Year Capital Plan for Fiscal Years 2020-2024 (and/or subsequent amendments) are included if construction has begun. According to the 2021 *CEQR Technical Manual*, some schools may be included in the analysis if they are

[4] SCA's *Projected New Housing Starts for PS and MS Level Analysis, FY 2020-2024 Capital Plan*.
[5] Statistical Forecasting's *Enrollment Projections for the New York City Public Schools 2022-23 to 2031-32*.

in DOE's Five-Year Capital Plan for Fiscal Years 2020-2024, but are not yet under construction, if the lead agency, in consultation with SCA, concurs that such inclusion is appropriate.

To determine the With-Action condition school utilization rates, the elementary and middle school students generated by the Proposed Actions' RWCDS are added to the study area student population. Then, the effect of the new students introduced by the Proposed Actions' RWCDS on the capacity of schools in the study area is evaluated. For public elementary and middle schools, a significant adverse impact may result if the project would result in both of the following: (1) a utilization rate of the public elementary or middle schools that is equal to or greater than 100 percent in the With-Action condition; and (2) 100 or more new students generated from the project past the 100 percent utilization rate.

Existing Conditions

Public Elementary Schools – Study Area

As presented in **Table E-2** and shown in **Figure E-1**, there are 11 public schools serving elementary school students in the study area. In the 2022-2023 school year, public elementary schools in the study area had a utilization rate of approximately 108.3 percent and a shortfall of approximately 392 seats. The zoned elementary school for the Project Area is The Windsor Terrace School located at 1625 11th Avenue (Map No. 7 in **Figure E-1**).

Table E-2: 2022-2023 School Year Public Elementary School Enrollment, Capacity, and Utilization in CSD 15, Sub-district 2

Map No.[1]	School Name	Address	Org. Level	Enrollment[2]	Target Capacity[3]	Available Seats	Utilization
1	Magnet School of Math, Science, and Design Technology	511 7th Avenue	PS	823	711	-112	115.8%
2	P.S. 024	427 38th Street	PS	541	559	18	96.8%
3	P.S. 39 Henry Bristow	417 6th Avenue	PS	345	278	-67	124.1%
4	P.S. 107 John W. Kimball	1301 8th Avenue	PS	502	349	-153	143.8%
5	The Maurice Sendak Community School	211 8th Street	PS	212	166	-46	127.7%
6	P.S. 124 Silas B. Dutcher	515 4th Avenue	PS	330	261	-69	126.4%
7	The Windsor Terrace School	1625 11th Avenue	PS	413	367	-46	112.5%
8	P.S. 172 Beacon School of Excellence	825 4th Avenue	PS	464	371	-93	125.1%
9	P.S. 295	330 18th Street	PS	242	384	142	63.0%
10	P.S. 321 William Penn (including Mini-School)	180 7th Avenue	PS	1,217	860	-357	141.5%
11	P.S. 958	836-841 5th Avenue	PS	52	443	391	11.7%
Study Area Totals				***5,141***	***4,749***	***-392***	***108.3%***

Source: DOE's *Enrollment, Capacity & Utilization, Target Calculation, 2022-2023 School Year*.
Notes:
[1] Refer to **Figure E-1** for the locations of public elementary schools.
[2] Enrollment figures sourced from DOE's *Enrollment, Capacity & Utilization, Target Calculation, 2022-2023 School Year*.

[3] Target capacity sets a goal of reduced class sizes of 20 students for grades K-3 and 28 students for grades 4-8 and is used by DOE for capital planning purposes. In addition, per 2021 *CEQR Technical Manual* guidance, Mini-Schools, Annexes, and TCUs are not included in the target capacity for analysis purposes.

Public Middle Schools – Study Area

As presented in **Table E-3** and shown in **Figure E-1**, there are five public schools serving middle school students in the study area. In the 2022-2023 school year, public middle schools in the study area had a utilization rate of approximately 93 percent and a surplus of approximately 239 seats.

Table E-3: 2022-2023 School Year Public Middle School Enrollment, Capacity, and Utilization in CSD 15, Sub-district 2

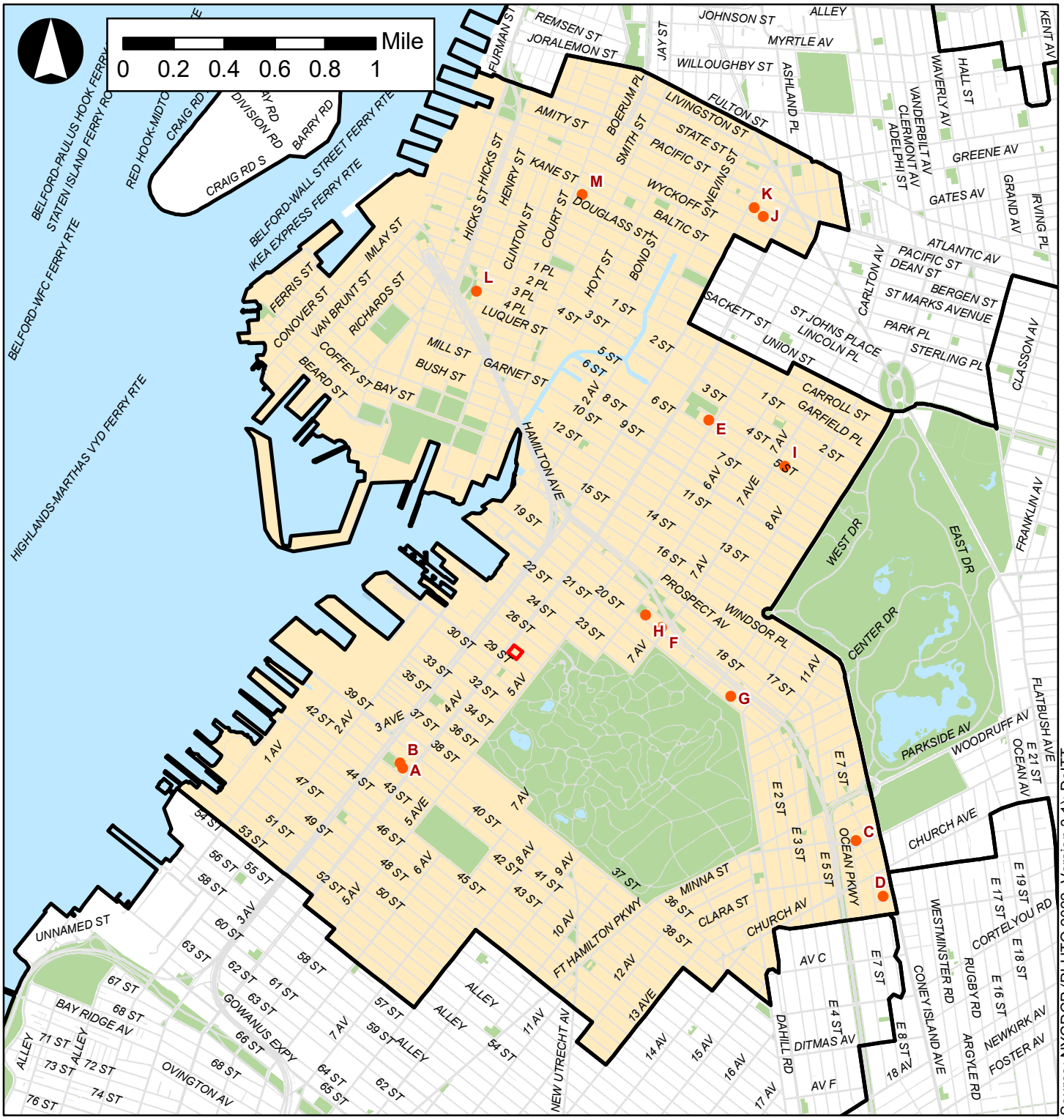
Map No.[1]	School Name	Address	Org. Level	Enrollment[2]	Target Capacity[3]	Available Seats	Utilization
12	J.H.S. 088 Peter Rouget	544 7th Avenue	MS	1,045	1,269	224	82.3%
13	M.S. 51 William Alexander	350 5th Avenue	MS	1,024	1,025	1	99.9%
14	M.S. 442 Carroll Gardens School for Innovation	500 19th Street	MS	344	316	-28	108.9%
15	New Voices School of Academic & Creative Arts	330 18th Street	MS	527	531	4	99.2%
16	Park Slope Collegiate	180 7th Avenue	MS	213	251	38	84.9%
Study Area Totals				***3,153***	***3,392***	***239***	***93.0%***

Source: DOE's *Enrollment, Capacity & Utilization, Target Calculation, 2022-2023 School Year*.
Notes:
[1] Refer to **Figure E-1** for the locations of public middle schools.
[2] Enrollment figures sourced from DOE's *Enrollment, Capacity & Utilization, Target Calculation, 2022-2023 School Year*.
[3] Target capacity sets a goal of reduced class sizes of 28 students for grades 4-8 and is used by DOE for capital planning purposes. In addition, per 2021 *CEQR Technical Manual* guidance, Mini-Schools, Annexes, and TCUs are not included in the target capacity for analysis purposes.

Public Middle Schools – CSD 15

In accordance with 2021 *CEQR Technical Manual* guidance, if a project site is located in a CSD that has a program of "middle school choice," a detailed analysis should also be performed at the CSD-level for middle schools. CSD 15 features a "middle school choice" program; therefore, a detailed analysis was performed for middle schools at the CSD level. As presented in **Table E-4** and shown in **Figure E-2**, there are 13 public schools serving middle school students in CSD 15. In the 2022-2023 school year, public middle schools in CSD 15 had a utilization rate of approximately 96.4 percent and a surplus of approximately 237 seats.

CSD 15 Middle Schools



Legend

- Project Area
- CSD 15
- Community School District (CSD)
- Public Middle Schools in CSD 15 (refer to Table E-4)
- Open Space

Table E-4: 2022-2023 School Year Public Middle School Enrollment, Capacity, and Utilization in CSD 15

Map Letter[1]	School Name	Address	CSD Sub-district	Org. Level	Enrollment[2]	Target Capacity[3]	Available Seats	Utilization
A	I.S. 136 Charles O. Dewey	4004 4th Avenue	1	MS	538	551	13	97.6%
B	Sunset Park Prep	4004 4th Avenue	1	MS	443	526	83	84.2%
C	M.S. 839	713 Caton Avenue	1	MS	334	243	-91	137.4%
D	M.S. 890	21 Hinckley Place	1	MS	301	320	19	94.1%
E	M.S. 51 William Alexander	350 5th Avenue	2	MS	1,024	1,025	1	99.9%
F	J.H.S. 088 Peter Rouget	544 7th Avenue	2	MS	1,045	1,269	224	82.3%
G	M.S. 442 Carroll Gardens School for Innovation	500 19th Street	2	MS	344	316	-28	108.9%
H	New Voices School of Academic & Creative Arts	330 18th Street	2	MS	527	531	4	99.2%
I	Park Slope Collegiate	180 7th Avenue	2	MS	213	251	38	84.9%
J	Brooklyn High School Of The Arts	345 Dean Street	3	MS	338	463	125	73.0%
K	Math & Science Exploratory School M.S. 447	500 Pacific Street	3	MS	183	183	0	100.0%
L	Brooklyn Collaborative Studies	610 Henry Street	3	MS/HS	671	740	69	90.7%
M	Boerum Hill School For International Studies	284 Baltic Street	3	MS/HS	419	199	-220	210.6%
CSD 15 Totals					***6,380***	***6,617***	***237***	***96.4%***

Source: DOE's *Enrollment, Capacity & Utilization, Target Calculation, 2022-2023 School Year*.
Notes:
[1] Refer to **Figure E-2** for the locations of public middle schools in CSD 15.
[2] Enrollment figures sourced from DOE's *Enrollment, Capacity & Utilization, Target Calculation, 2022-2023 School Year*.
[3] Target capacity sets a goal of reduced class sizes of 28 students for grades 4-8 and is used by DOE for capital planning purposes. In addition, per 2021 *CEQR Technical Manual* guidance, Mini-Schools, Annexes, and TCUs are not included in the target capacity for analysis purposes.

IV. THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

In the future without the Proposed Actions, the utilization of public elementary and middle schools serving the study area would be affected by changes in enrollment, mainly due to: (1) aging of the existing student body and new arrivals born into the study area or moving into it; and (2) changes in capacity, or number of available seats, in the public elementary and middle schools as a result of planned construction of new public schools or building additions to existing public schools.

Capacity Changes

As outlined in the 2021 *CEQR Technical Manual*, the No-Action condition school capacity changes considered in the detailed analysis should include information on proposed and adopted "Significant Changes in School Utilization" and information provided in the DOE's Five-Year Capital Plan.

There is one project currently under construction in the study area. The former Saint Francis Xavier's School at 763 President Street (Block 957, Lot 17) is being converted into a new public school. The new public school will provide approximately 451 elementary school seats. As stated in the SCA's DOE's Five-Year Capital Plan for Fiscal Years 2020-2024, the new public school under construction at 763 President Street is slated for completion and occupancy in September 2024. No capacity changes to public middle schools in study area are expected in the No-Action condition.

Enrollment Changes

The SCA provides future enrollment projections by district for up to 10 years. The latest available enrollment projections (Statistical Forecasting's *Enrollment Projections for the New York City Public Schools 2022-23 to 2031-32*) have been used in the detailed analysis to project student enrollment in 2032, in accordance with 2021 *CEQR Technical Manual* guidance. The SCA projections demonstrate that demand for both public elementary and middle schools in the study area are expected to decrease. The projected enrollment for public elementary schools is expected to decrease to approximately 4,148 and the projected enrollment for public middle schools is expected to decrease to approximately 1,789. Similarly, in CSD 15, demand for public middle schools is expected to decrease; the projected enrollment for public middle schools in CSD 15 is expected to decrease to approximately 3,411. These enrollment projections focus on natural growth of the city's student population and other population changes that do not account for demographic fluctuations or new residential development planned in the study area (i.e., No-Action condition development projects).

New residential development is also expected in the study area by 2032. As shown in **Table E-5**, utilizing numbers derived from the SCA's Projected New Housing Starts for the study area, approximately 171 new public elementary school students and approximately 79 new public middle school students are expected to be added to the study area by 2032. Therefore, in the future without the Proposed Actions, projected public elementary school enrollment in the study area would decrease to approximately 4,319 and projected public middle school enrollment in the study area would decrease to approximately 1,868.

Similarly, as shown in **Table E-5**, utilizing numbers derived from the SCA's Projected New Housing Starts for CSD 15, approximately 142 new public middle school students are expected to be added to CSD 15 by 2032. Therefore, in the future without the Proposed Actions, projected public middle school enrollment in CSD 15 would decrease to approximately 3,553.

Table E-5: Estimated No-Action Condition Elementary and Middle School Enrollment in the Study Areas

Study Areas	School Level	Projected No-Action Condition Enrollment[1]	Students Introduced by No-Action Condition Residential Development[2]	Total No-Action Condition Enrollment
CSD 15, Sub-district 2	Elementary	4,148	171	4,319
	Middle	1,789	79	1,868
CSD 15	Middle	3,411	142	3,553

Sources:

[1] Statistical Forecasting's *Enrollment Projections for the New York City Public Schools 2022-23 to 2031-32*.

[2] The SCA's *Projected New Housing Starts for PS and MS Level Analysis, FY 2020-2024 Capital Plan*.

Public Elementary Schools – Study Area

In the future without the Proposed Actions, study area public elementary schools are expected to operate with available capacity. Specifically, as shown in **Table E-6**, public elementary schools are expected to operate with a utilization rate of approximately 83.1 percent and approximately 881 available seats.

Table E-6: Estimated No-Action Condition Elementary and Middle School Enrollment, Capacity, and Utilization in the Study Areas

Study Areas	School Level	Enrollment[1]	Capacity[2]	Available Seats	Utilization
CSD 15, Sub-district 2	Elementary	4,319	5,200	881	83.1%
	Middle	1,868	3,392	1,524	55.1%
CSD 15	Middle	3,553	6,617	3,064	53.7%

Notes:
[1] Refer to **Table E-5**.
[2] The capacity figures reflect expected capacity changes for public elementary schools.

Public Middle Schools – Study Area

In the future without the Proposed Actions, study area public middle schools are expected to operate with available capacity. Specifically, as presented in **Table E-6**, public middle schools are expected to operate with a utilization rate of approximately 55.1 percent and approximately 1,524 available seats.

Public Middle Schools – CSD 15

In the future without the Proposed Actions, public middle schools in CSD 15 are expected to operate with available capacity. Specifically, as presented in **Table E-6**, public middle schools are expected to operate with a utilization rate of approximately 53.7 percent and approximately 3,064 available seats.

V. THE FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

As detailed in **Attachment A, "Project Description,"** in the future with the Proposed Actions, the Proposed Actions' RWCDS would result in the net incremental development of approximately 315 DUs within the Project Area. Based on the student generation rates for CSD 15, the Proposed Actions' RWCDS would introduce approximately 55 elementary school students and approximately 12 middle school students to the Project Area. According to the below analysis, no changes to public elementary or middle school capacities in the study area would occur as a result of the Proposed Actions' RWCDS.

Public Elementary Schools – Study Area

In the future with the Proposed Actions, study area public elementary schools are expected to operate with available capacity. As presented in **Table E-7**, the addition of approximately 55 elementary school students is expected to increase the utilization rate of study area public elementary schools by approximately 1.1 percentage points, to approximately 84.1 percent.

Table E-7: Estimated With-Action Condition Elementary and Middle School Enrollment, Capacity, and Utilization in the Study Areas

Study Areas	School Level	Projected Enrollment in No-Action Condition	New Students Generated by the Proposed Actions	Total Projected Enrollment in With-Action Condition	Projected With-Action Condition Capacity	Seats Available	Utilization	Change in Utilization from No-Action Condition
CSD 15, Sub-district 2	Elementary	4,319	55	4,374	5,200	826	84.1%	1.1%
	Middle	1,868	12	1,880	3,392	1,512	55.4%	0.4%
CSD 15	Middle	3,553	12	3,565	6,617	3,052	53.9%	0.2%

Public Middle Schools – Study Area

In the future with the Proposed Actions, study area public middle schools are expected to operate with available capacity, as under the No-Action condition. As presented in **Table E-7**, the addition of approximately 12 middle school students is expected to increase the utilization rate of study area public middle schools by approximately 0.4 percentage points, to approximately 55.4 percent.

Public Middle Schools – Study Area

In the future with the Proposed Actions, public middle schools in CSD 15 are expected to operate with available capacity, as under the No-Action condition. As presented in **Table E-7**, the addition of approximately 12 middle school students is expected to increase the utilization rate of public middle schools in CSD 15 by approximately 0.2 percentage points, to approximately 53.9 percent.

According to the 2021 *CEQR Technical Manual*, a significant adverse impact may result if the project would result in both of the following: (1) a utilization rate of the public elementary or middle schools that is equal to or greater than 100 percent in the With-Action condition; and (2) 100 or more new students generated from the project past the 100 percent utilization rate. As presented in **Table E-7**, the With-Action condition utilization rate of study area public elementary and middle schools, as well as public middle schools in CSD 15, would not be equal to or greater than 100 percent. Therefore, the Proposed Actions would not meet both of these criteria for elementary or middle schools and would not result in any significant adverse impacts on public schools.

It is expected that DOE will continue to monitor enrollment trends within CSD 15 and its sub-districts, as new residential units identified in the No-Action and With-Action conditions are developed and will plan for new capacity or administrative actions to accommodate new public school students accordingly. Measures utilized by DOE to address increased public elementary school enrollment could include: relocating administrative functions to other public school sites, thereby freeing up space for classrooms; making space within the study area available to DOE; restructuring or reprogramming existing public school space within CSD 15 and its sub-districts; or providing for new capacity by constructing a new public school or an addition to an existing public school.

In conclusion, the Proposed Actions would not result in any significant adverse impacts on community facilities and services.

Attachment F:

Open Space

I. INTRODUCTION

An open space assessment may be necessary if a proposed project could potentially have a direct or indirect effect on open space resources. A direct effect would "physically change, diminish, or eliminate an open space or reduce its utilization or aesthetic value." An indirect effect may occur when the population generated by a proposed project would be sufficient to noticeably diminish the ability of an area's open space to serve the existing or future population. According to 2021 *City Environmental Quality Review* ("CEQR") *Technical Manual* guidance, a project that would introduce fewer than 200 residents or 500 nonresidents (e.g., workers), or a similar number of other nonresidents, is typically not considered to have indirect effects on open space.

Although the Proposed Project would not have a direct effect on existing open space resources, the Reasonable Worst Case Development Scenario ("RWCDS") established for the Proposed Actions is expected to result in an incremental increase of 315 dwelling units ("DUs") over the No-Action condition. This would result in an incremental (net) increase of approximately 967 residents[1] and a loss of approximately 55 workers, which exceeds the 2021 *CEQR Technical Manual* threshold for a detailed indirect open space analysis. Therefore, a quantitative assessment was conducted to determine whether the Proposed Actions' RWCDS would significantly reduce the amount of open space available for the area's residential population.

II. METHODOLOGY

The analysis of open space resources has been conducted in accordance with 2021 *CEQR Technical Manual* guidance. Using CEQR methodology, the adequacy of open space in the study area is assessed quantitatively using a ratio of usable open space acreage to the study area population, referred to as the open space ratio. This quantitative measure is then used to assess the changes in the adequacy of open space resources by the 2029 build year, both without and with the Proposed Actions. In addition, qualitative factors are considered in making an assessment of the Proposed Actions effects on open space resources.

In accordance with 2021 *CEQR Technical Manual* guidance, the study area for open space is generally defined by a reasonable walking distance that users would travel to reach local open space and recreational resources. That distance is typically a half-mile radius for residential projects and a quarter-mile radius for commercial projects with a nonresidential (e.g., worker) population. As discussed in **Attachment A, "Project Description,"** compared to the No-Action condition, the RWCDS established for the Proposed Actions would result in an incremental (net) increase of approximately 967 residents and a loss of approximately 55 workers. Because the Proposed Actions' RWCDS have the potential to significantly increase the local residential population, an open space assessment for the residential

[1] Estimates of the residential population have been calculated based on the average household size of 3.07 persons per household for BK07 Sunset Park-Windsor Terrace (CD 7 Approximation) sourced from the 2017-2021 American Community Survey ("ACS") Five-Year Estimates.

population generated by the Proposed Actions' RWCDS is warranted. The Proposed Actions' RWCDS would not introduce more than 500 nonresidents (e.g., workers); therefore, an open space assessment for the nonresidential population generated by the Proposed Actions' RWCDS is not warranted.

Open Space Study Area

Pursuant to 2021 *CEQR Technical Manual* guidance, the study area includes all census tracts that have at least 50 percent of their area located within a half-mile radius of the Project Area, as recommended in the 2021 *CEQR Technical Manual*. In this way, the study area allows an analysis of both the publicly accessible open spaces in the study area, as well as the population data.[2]

As shown in **Figure F-1**, the study area includes the following six census tracts in their entirety: Census tracts 18.01, 84, 101, 143, 145, and 147. The Project Area is located approximately 550 feet from Green-Wood Cemetery. While Green-Wood Cemetery is located within a half-mile radius of the Project Area, the large census tract containing Green-Wood Cemetery (census tract 175) does not have at least 50 percent of its area within the half-mile radius; therefore, the population data for census tract 175 is excluded from the analysis presented herein. However, due to the proximity of the Project Area to Green-Wood Cemetery, the acreage of Green-Wood Cemetery located within the half-mile radius was included in the study area and detailed open space analysis; the acreage of Green-Wood Cemetery located beyond the half-mile radius was excluded from the study area and detailed open space analysis.

Analysis Framework

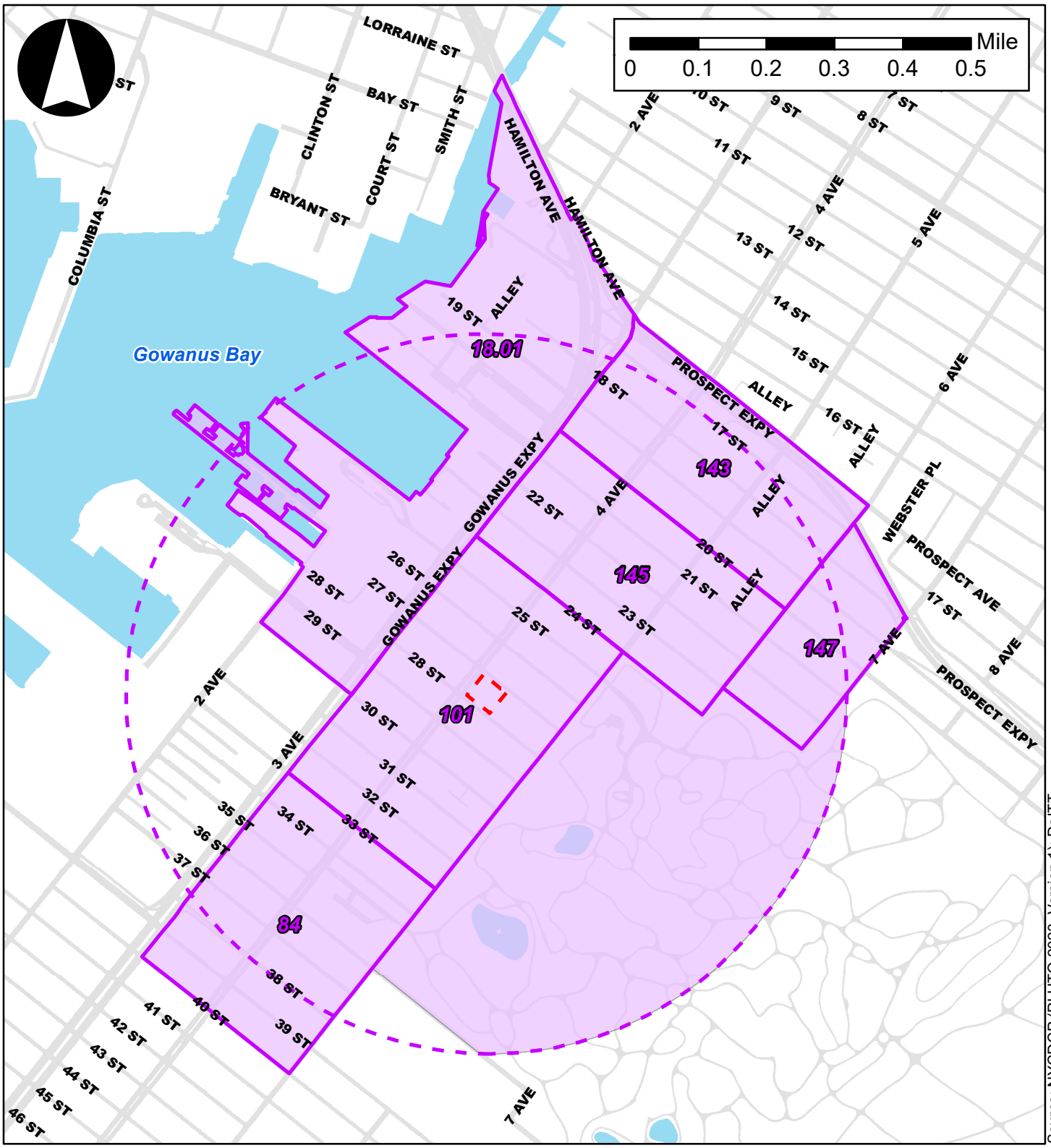
Direct Effects Analysis

According to the 2021 *CEQR Technical Manual*, a proposed project would have a direct effect on an open space if it causes the physical loss of public open space because of encroachment onto the space or displacement of the space; changes the use of an open space so that it no longer serves the same user population; limits public access to an open space; or causes increased noise or air pollutant emissions, odors, or shadows that would affect its usefulness, whether on a permanent or temporary basis. As no open space resources would be physically altered or displaced as a result of the Proposed Project, this attachment uses information from **Attachment B, "Supplemental Screening"** and **Attachment I, "Noise"** to determine whether the Proposed Actions have the potential to directly affect any open space resources in close proximity to the Project Area. As (1) there are no publicly accessible open space resources located within the Project Area, and (2) the Proposed Actions would not result in significant adverse shadow, air quality, noise, or construction impacts on area open space resources, the Proposed Actions would not have any direct effects on open space resources and no further analysis is warranted.

Pursuant to Chapter 7, Section 100 of the 2021 *CEQR Technical Manual*, open space that is accessible to the public on a constant and regular basis for active and passive recreation, including for designated daily periods, is defined as "public" and analyzed under CEQR. Public open space may be under government or private jurisdiction. Open space that is not publicly accessible or restricts public accessibility to a limited number of users (e.g., requiring membership) and/or is not publicly available on a regular and constant basis, is defined as "private." Pursuant to Chapter 7, Section 100 of the 2021 *CEQR Technical Manual*,

[2] Pursuant to the 2021 *CEQR Technical Manual*, "public" open space that is analyzed pursuant to CEQR is defined as open space that is accessible to the public on a constant and regular basis for passive and active recreation, including for designated daily periods. Public open space may be under government or private jurisdiction.

Figure F-1
Open Space Study Area



Source: NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Project Area
- Half-Mile Radius
- 143 Half-Mile Residential Study Area Census Tracts
- Open Space Study Area
- Roadways
- Water Bodies

private open space is not included in the quantitative analysis but may be considered in the qualitative assessment of potential open space impacts.

Indirect Effects Analysis

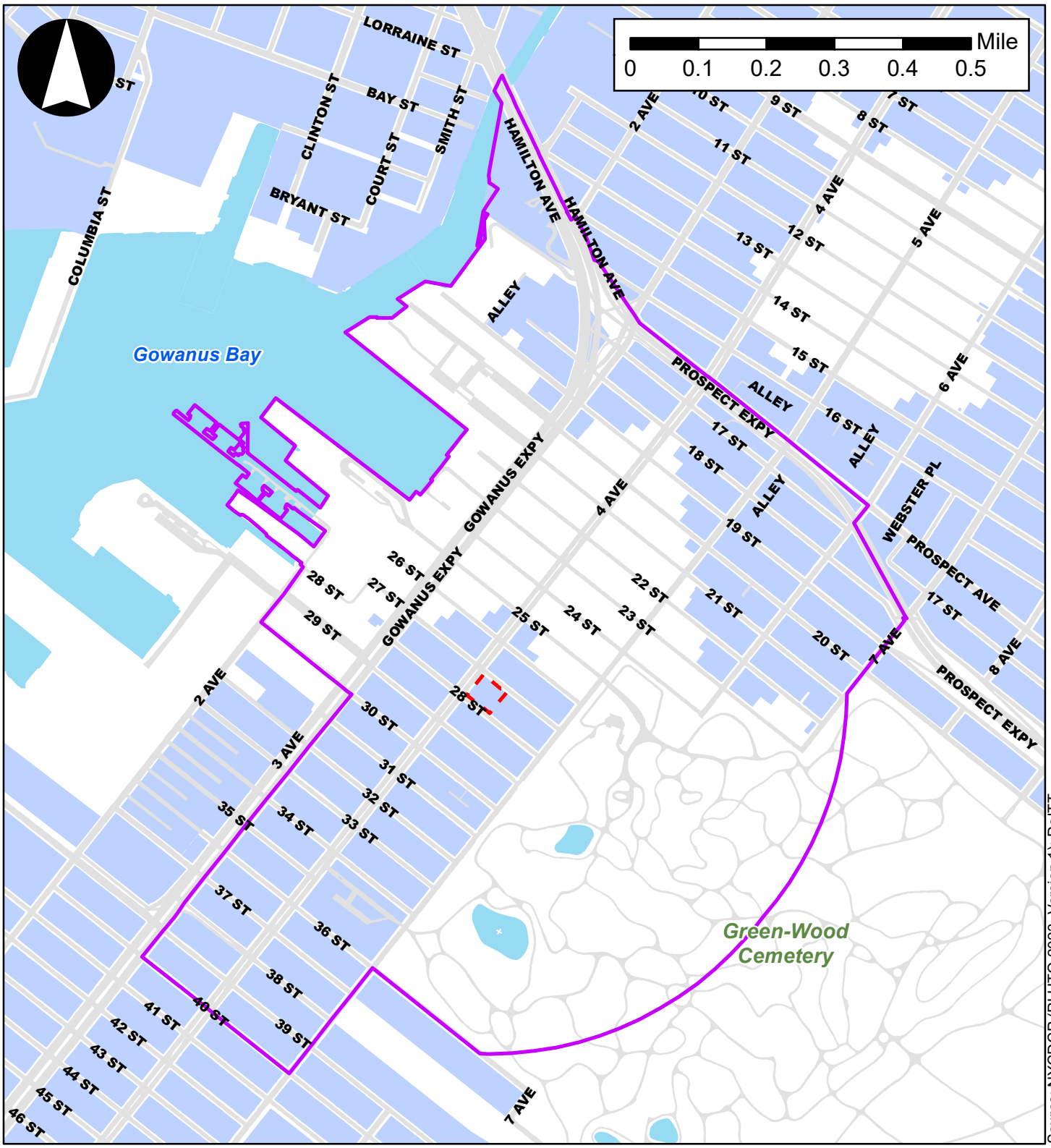
As described in the 2021 *CEQR Technical Manual*, open space can be indirectly affected by a proposed project if the project would add enough population, either residents or nonresidents (e.g., workers), to noticeably diminish the ability of an area's open space to serve the existing or future populations. Indirect effects may occur when the population generated by a proposed project overtaxes the capacity of existing public open spaces so that the service provided to existing and future populations in the area would be diminished substantially or noticeably.

As part of the preliminary assessment for open space, a project should be reviewed to determine if it is located in an area of the city identified as a "Walk to a Park Service Area." A Walk to a Park Service Area is a component of *OneNYC 2050 Building a Strong and Fair City* plan, in which New York City has laid out a goal for 85 percent of New York City residents living within a walking distance of a park by 2030. Existing areas located within a WtPSA are within a walking distance of a park (i.e., half-a-mile). Areas not located within a Walk to a Park Service Area are considered "walk gaps;" they are areas of New York City that are not within walking distance to a park. As shown in **Figure F-2**, the Project Area is located within an area that has been identified as a Walk to a Park Service Area that is within a walking distance of a park (i.e., not located within a walk gap area).

With an inventory of available open space resources and potential users, the adequacy of open space in the study area can be assessed both quantitatively and qualitatively. The quantitative approach computes the ratio of open space acreage to the population in the study area and compares this ratio with certain guidelines. The qualitative assessment examines other factors that can affect conclusions about adequacy, including proximity to additional resources beyond the study area, the availability of private recreational facilities, and the demographic characteristics of the study area's population. Specifically, the analysis in this attachment includes:

- Characteristics of the existing residential population. To determine the number of residents in the study area, 2017-2021 ACS Five-Year Estimates data have been compiled for census tracts comprising the study area.
- An inventory of all publicly accessible passive and active recreational facilities in the study area.
- An assessment of the quantitative ratio of open space in the study area by computing the ratio of open space acreage to the population in the study area and comparing this open space ratio with certain guidelines. For the residential population, the 2021 *CEQR Technical Manual* planning guidance is 2.5 acres of open space per 1,000 residents, including 2.0 acres of active open space and 0.5 acres of passive open space.
- An evaluation of qualitative factors affecting open space use.
- A final determination of the adequacy of open space in the study area.
- An assessment of expected changes in future levels of open space supply and demand in the 2029 build year, based on known or planned development projects within the study area. To estimate the residential population expected in the study area in the future without the Proposed Actions, known or planned No-Action developments are accounted for within the study area. Any new open space or recreational facilities that are anticipated to be operational by the 2029 build year are also accounted

Figure F-2
NYC Parks Walk to a Park Initiative



Source: NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Project Area
- Open Space Study Area
- Walk to a Park Service Area
- Roadways
- Water Bodies

for. The open space ratio is calculated for the future No-Action condition and compared with existing ratios to determine changes in future levels of open space adequacy.

Preliminary Assessment

According to the 2021 *CEQR Technical Manual*, a preliminary assessment may be useful to determine if a detailed open space analysis is necessary, or whether the open space assessment can be targeted to a particular user group. This initial assessment calculates an open space ratio by relating the existing residential and nonresidential populations to the total open space in the study area. It then compares that ratio with the open space ratio in the future with the Proposed Actions. If there is a decrease in the open space ratio that would approach or exceed one percent in areas exhibiting low open space ratios that are 0.50 acres or less, a detailed analysis is warranted. The detailed analysis examines passive and active open space resources available to residents within the open space study area delineated in accordance with the 2021 *CEQR Technical Manual*, as outlined above. As the Proposed Actions' RWCDS would introduce a large residential population, a detailed open space analysis is warranted and is provided herein.

Impact Assessment

As described in the 2021 *CEQR Technical Manual*, the significance of a proposed project's effects on an area's open spaces is determined using both quantitative and qualitative factors, as compared to the No-Action condition. The determination of significance is based upon the context of a proposed project, including its location, the quality and quantity of the open space in the future With-Action condition, the types of open space provided, and any new open space provided by the proposed project.

A proposed project's potential effects on an area's open space are based, in part, on how a project would change the open space ratios in the study area, as well as other qualitative considerations. According to the 2021 *CEQR Technical Manual*, a project that would reduce the open space ratio by more than the general guidelines for the open space percentage change shown in **Table F-1** may be considered significant, as these reductions may result in the overburdening existing facilities or further exacerbating an existing deficiency in open space. As shown in **Table F-1**, the guidance for a tolerated percent change in the open space ratio is determined based on the open space ratio ranges outlined in the 2021 *CEQR Technical Manual*.

Table F-1: Guidance for Percentage Change in Open Space Ratio

Open Space Ratio Range	Percent Change in Open Space Ratio
2.01 to 2.50 or Greater	5%
1.51 to 2.0	4%
1.01 to 1.5	3%
0.51 to 1.0	2%
0.50 or Less	1%
*2.5 open space ratio is the planning goal in New York City.	

Source: Table 7-1 in Chapter 7, "Open Space," of the 2021 *CEQR Technical Manual*.

In addition to the quantitative factors cited above, the 2021 *CEQR Technical Manual* also recommends consideration of qualitative factors in assessing the potential for significant adverse impacts. These include the availability of nearby destination resources, the beneficial effects of new open space resources provided by a project, and the comparison of projected open space ratios with the city's established

planning goal for open space.[3] The assessment should consider the balance of passive and active open space. A larger percent of active space is usually preferred; given the physical space requirement for active open space uses are significantly greater. It is recognized that the open space ratios of the city guidelines described above are not feasible for many areas of the city, and they are not considered impact thresholds on their own. Rather, these benchmarks indicate how well an area is served by open space. Determinations as to what constitutes a significant adverse open space impact are not based solely on the results of the quantitative assessment. Qualitative considerations such as the distribution of open space, whether a project is within a Walk to a Park Service Area, the distance to regional parks, the connectivity of existing open space, and any additional open space provided by the proposed project, should be considered in a determination of impact significance.

III. DETAILED ANALYSIS

Existing Conditions

Demographic Characteristics of the Study Area

As shown in **Table F-2**, 2017-2021 ACS Five-Year Estimates data indicate that the study area has a total residential population of approximately 20,879 residents.

Table F-2: Residential Population and Age Distribution in the Study Area

Census Tract	Total Residential Population	Age Distribution												Median Age
		Under 5		5 to 9		10 to 14		15 to 19		20 to 64		65+		
		#	%	#	%	#	%	#	%	#	%	#	%	
18.01	2,021	0	0.0	0	0.0	0	0.0	0	0.0	2,005	99.2	16	0.8	36.4
84	3,742	189	5.1	225	6.0	311	8.3	153	4.1	2,477	66.2	387	10.3	34.2
101	4,393	250	5.7	300	6.8	209	4.8	181	4.1	3,152	71.8	301	6.9	32.6
143	4,000	112	2.8	219	5.5	324	8.1	249	6.2	2,857	71.4	239	6.0	34.8
145	4,048	307	7.6	145	3.6	135	3.3	80	2.0	3,174	78.4	207	5.1	34.8
147	2,675	316	11.8	244	9.1	275	10.3	94	3.5	1,634	61.1	112	4.2	33.2
Study Area	**20,879**	**1,174**	**5.6**	**1,133**	**5.4**	**1,254**	**6.0**	**757**	**3.6**	**15,299**	**73.3**	**1,262**	**6.0**	**34.2**
Total for Brooklyn	***2,712,360***	***191,760***	**7.1**	***167,684***	**6.2**	***169,066***	**6.2**	***146,161***	**5.4**	***1,655,011***	**61.0**	***382,678***	**14.1**	***35.7***
Total for NYC	***8,736,047***	***543,437***	***6.2***	***483,578***	***5.5***	***509,866***	***5.8***	***470,639***	***5.4***	***5,410,323***	***61.9***	***1,318,204***	***15.1***	***37.3***

Source: U.S. Census Bureau, 2017-2021 ACS Five-Year Estimates.

As shown in **Table F-2**, people between the ages of 20 and 64 make up the majority (approximately 73.3 percent) of the residential population in the study area. Children and teenagers (0 to 19 years old) account for approximately 20.7 percent of the entire study area population, and persons 65 years and over account for approximately 6.0 percent of the study area population. As also presented in **Table F-2**, compared to Brooklyn and New York City as a whole, the study area includes a larger percentage of adults (20-64 years); the study area's percentage of children and teenagers (0 to 19 years old) is smaller than that of Brooklyn and New York City as a whole; the study area's elderly population is smaller than that of Brooklyn and New York City as a whole.

[3] The city planning goal for open space is 2.5 acres per 1,000 residents and is optimally distributed as 80 percent active open space (or 2.0 acres per 1,000 residents) and 20 percent passive open space (or 0.5 acres per 1,000 residents).

The study area's median age of 34.2 is approximately 1.5 years younger than the median age for Brooklyn as a whole (35.7 years) and approximately 3.1 years younger than the median age for New York City as a whole (37.3 years). It should also be noted that the median age varies by census tract, with census tract 101 exhibiting the lowest median age (32.6) and census tract 18.01 exhibiting the highest median age (36.4).

Within a given area, the age distribution of a population affects the way open space resources are used and the need for various types of recreational facilities. Typically, children four years old or younger use traditional playgrounds that have play equipment for toddlers and preschool-aged children. Children aged five through nine typically use traditional playgrounds, as well as grassy and hard-surfaced open spaces, which are important for activities such as ball playing, running, and skipping rope. Children aged 10 through 14 use playground equipment, court spaces, Little League fields, and ball fields. Teenagers' and young adults' needs tend toward court game facilities, such as basketball and field sports. Adults between the ages of 20 and 64 continue to use court game facilities and fields for sports, as well as more individualized forms of recreation such as rollerblading, biking, and jogging, requiring bike paths, promenades, and vehicle-free roadways. Adults also gather with families for picnicking, ad hoc active sports, such as Frisbee®, and recreational activities in which all ages can participate. Senior citizens engage in active recreation, such as tennis, gardening, and swimming, as well as recreational activities that require passive facilities.

Inventory of Publicly Accessible Open Space

According to the 2021 *CEQR Technical Manual*, open space may be public or private and may be used for active or passive recreational purposes. Pursuant to the 2021 *CEQR Technical Manual*, publicly accessible open space is defined as facilities open to the public at designated hours on a regular basis and is assessed for impacts using both a quantitative and a qualitative analysis, whereas private open space is not accessible to the general public on a regular basis and is considered only qualitatively. Pursuant to the 2021 *CEQR Technical Manual*, private open space is considered only after an assessment of the proposed project's effects on public open space has been completed. If the proposed project is likely to have indirect effects on public open space (such as greater utilization demands), the ability of private open space to influence or alter those effects may be considered.

An open space resource is determined to be active or passive by the uses that the design of the space allows. Active open space is the part of a facility used for active play, such as sports or exercise, and may include playground equipment, playing fields and courts, swimming pools, skating rinks, golf courses, and multi-purpose play areas (open lawns and paved areas for active recreation such as running, games, informal ball-playing, skipping rope, etc.). Passive open space is used for sitting, strolling, and relaxation, and typically contains benches, walkways, and picnicking areas. However, some passive spaces can be used for both passive and active recreation, such as a lawn or riverfront walkway, which can also be used for ball playing, jogging, or rollerblading.

Within the study area, all publicly accessible open space resources were inventoried and identified by their location, size, owner, type, utilization, equipment, hours, and condition. The information used for this analysis was gathered through field inventories conducted in September 2023; the New York City Department of Parks and Recreation's ("NYC Parks") website; and the New York City Open Accessible Space Information System ("OASIS") database and other secondary sources of information.

The condition of each open space resource was categorized as "Excellent," "Good," "Fair," or "Poor." A resource was considered in excellent condition if the space was clean and attractive, and all equipment was present and in a state of good repair. A good resource had minor problems such as litter or older but operative equipment. A fair or poor resource was one that was poorly maintained, had broken or missing equipment or lack of security, or other factors that would diminish the facility's attractiveness to potential users. Determinations were made subjectively, based on a visual assessment of the open space resources. Likewise, judgments as to the intensity of use of the resources were qualitative, based on an observed degree of activity or utilization. If a resource seemed to be at or near capacity (i.e., the majority of benches or equipment was in use), then utilization was considered high. If the facility or equipment was in use but could accommodate additional users, utilization was considered moderate. If a playground or sitting area had few people, usage was considered low. **Table F-3, "Inventory of Existing Open Space and Recreational Resources in the Study Area,"** identifies the address, ownership, features, and acreage of passive and active open space resources in the study area, as well as their condition and utilization. **Figure F-3** maps their location within the study area.

Study Area Open Space

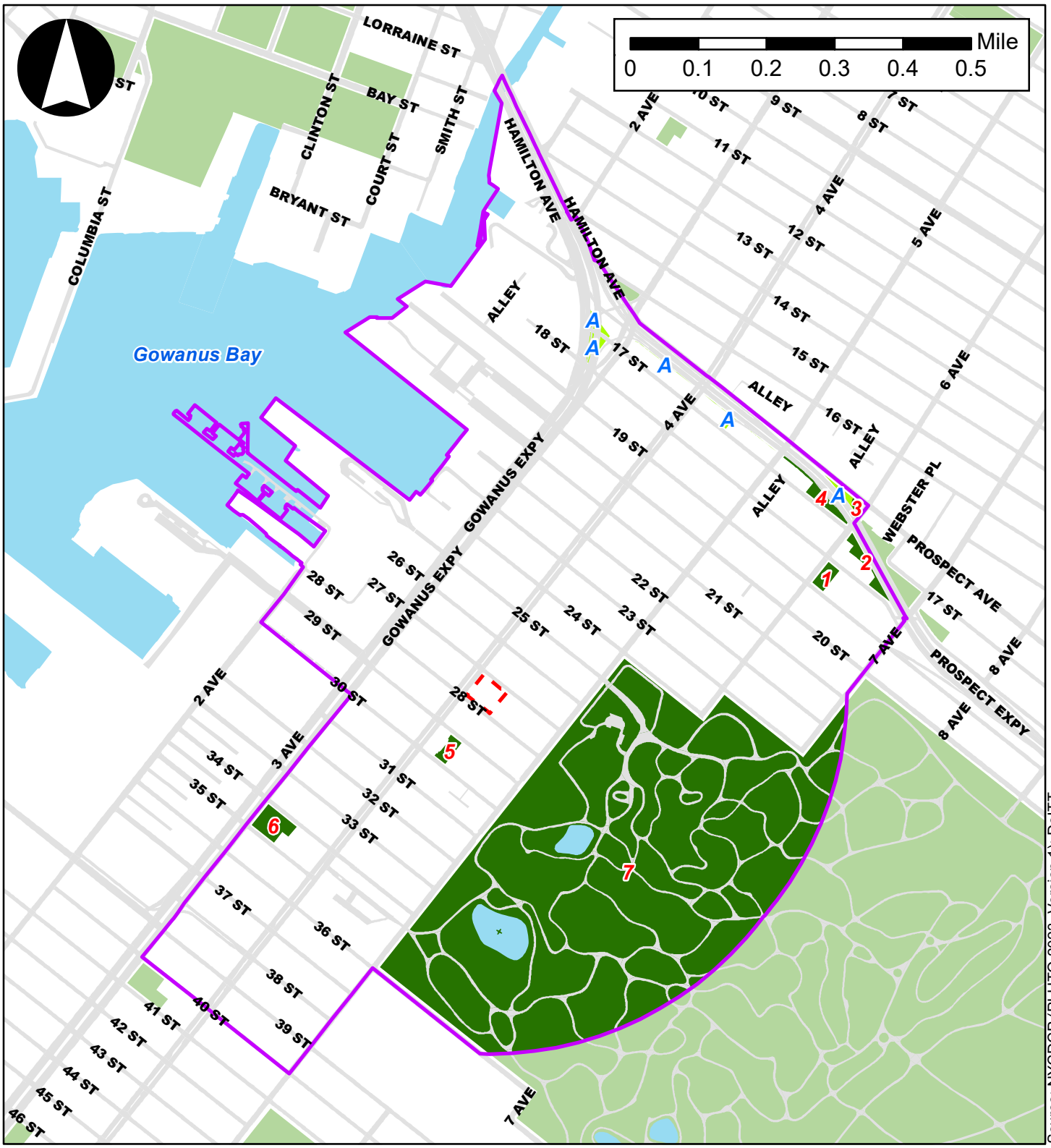
As shown in **Figure F-3** and **Table F-3**, there are seven publicly accessible open space resources located within the study area. The study area contains a total of approximately 143.28 acres of publicly accessible open space located within the study area, including approximately 17.18 acres (12.0 percent) of active open space and approximately 126.11 acres (88.0 percent) of passive open space (refer to **Table F-3**).

The study area's largest open space resource is the approximately 139.65-acre portion of ("p/o") the 478-acre private Green-Wood Cemetery (Map No. 7), which is located within the southeastern portion of the study area. Green-Wood Cemetery is privately-owned and operated but is publicly accessible. The nearest entrance to Green-Wood Cemetery from the Project Area is the Main Entrance (located at Fifth Avenue and 25th Street), which is located approximately 0.2 miles to the east of the Project Area. The Main Entrance of Green-Wood Cemetery is open to the public Monday through Sunday from 7 AM to 7 PM. In addition to burial plots and memorials, the approximately 139.65-acre p/o Green-Wood Cemetery located within the study area contains walkways and benches. Although the 139.65-acre p/o Green-Wood Cemetery located within the study area is primarily programmed with passive open space uses, the miles of walkways may also be used as hiking trails, a form of active recreation.

The study area's second largest open space resource is the approximately 1.13-acre D'Emic Playground (Map No. 6), which is located within the southwestern portion of the study area. D'Emic Playground, which is owned and operated by NYC Parks, is programmed with both passive and active open space uses. Passive open space uses include game tables and benches. Active open space uses include playgrounds, a swing set, a spray shower, basketball courts, and handball courts.

The remaining five open space resources within the study area are all under one acre in size, primarily located to the north of the Project Area, and clustered along the route of the Prospect Expressway (New York State Route 27).

Figure F-3
Open Space Resources Within Open Space Study Area



Source: NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Project Area
- Open Space Study Area
- Open Space Included in Quantitative Analysis (Keyed to Table F-3)
- Open Space Not Included in Quantitative Analysis (Keyed to Table F-3)
- Open Space Located Outside Study Area Boundaries

Table F-3: Inventory of Existing Open Space and Recreational Resources in the Study Area

Map No.[1]	Name	Location	Owner/ Agency	Amenities	User Groups	Hours of Operation	Acreage	Active		Passive		Condition/Utilization
								Acres	%	Acres	%	
Open Space Resources Included in Quantitative Analysis												
1	Slope Park Playground	6th Ave. bet. 18th St. and 19th St.	NYC Parks/DOE	Playgrounds, Spray Showers, Bathrooms, Benches, Landscaping, Trees	Children, Teens, Adults, Seniors	6 AM - 9 PM	0.50	0.45	90%	0.05	10%	Excellent/Moderate
2	Park Strip	S/B Prospect Exwy. bet. 6th Ave. and 18th St.	NYC Parks	Dog run, Benches, Walkways, Landscaping, Trees	Children, Teens, Adults, Seniors	6 AM - 9 PM	0.74	0.67	90%	0.07	10%	Good/Light
3	Park Strip	6th Ave. at Prospect Ave.	NYC Parks	Sitting Area, Landscaping, Trees	Teens, Adults, Seniors	6 AM - 9 PM	0.11	0.00	0%	0.11	100%	Good/Light
4	Purple Playground	S/B Prospect Exwy. bet. 5th Ave. and 6th Ave.	NYC Parks	Playground, Benches, Landscaping, Trees	Children, Teens, Adults, Seniors	6 AM - 9 PM	0.71	0.64	90%	0.07	10%	Good/Light
5	P.S. 172 Community Playground	P.S. 172 Campus - 825 4th Ave.	DOE	Playground, Benches	Children, Teens	Monday - Friday: School close until dusk; Saturday, Sunday, and Holidays: 8 AM until dusk	0.44	0.44	100%	0.00	0%	Good/Light
6	D'Emic Playground	3rd Ave. bet. 35th St. and 34th St.	NYC Parks	Basketball Courts, Handball Courts, Playgrounds, Swing Set, Spray Shower, Game Tables, Benches, Trees	Children, Teens, Adults, Seniors	6 AM - 9 PM	1.13	1.02	90%	0.11	10%	Good/Moderate

Table F-3 (continued): Inventory of Existing Open Space and Recreational Resources in the Study Area

Map No.[1]	Name	Location	Owner/ Agency	Amenities	User Groups	Hours of Operation	Acreage	Active		Passive		Condition/ Utilization
								Acres	%	Acres	%	
Open Space Resources Included in Quantitative Analysis												
7	Green-Wood Cemetery (P/o)	Main Entrance (5th Ave. and 25th St.)	Green-Wood Cemetery	Benches, Walkways, Landscaping, Trees	Children, Teens, Adults, Seniors	Monday - Sunday 7 AM - 7 PM	139.65	13.97	10%	125.69	90%	Excellent/High
Total Acreage Included in Quantitative Analysis							***143.28***	***17.18***	***12.0***	***126.11***	***88.0***	

Open Space Resources Excluded From Quantitative Analysis					
Map Letter[1]	**Name**	**Location**	**Owner/ Agency**	**Amenities**	**Acreage**
A	Greenstreets (four total)	Various Locations within Study Area	NYC Parks	Landscaping and Trees	1.19
				Total Acreage Excluded from Quantitative Analysis	***1.19***

Source: OASIS, NYC Parks, 2023 Primary Land Use Tax Lot Output ("PLUTO") Data (Version 1), site visits conducted in September 2023.
Notes:
[1] Refer to **Figure F-3**.
[2] The total acreage figure for the portion of Green-Wood Cemetery located within the study area was sourced from a shapefile layer utilizing ArcGIS mapping software.
DOE = New York City Department of Education.

Assessment of Open Space Adequacy

Quantitative Assessment

As previously stated, there are approximately 143.28 acres of publicly accessible open space located within the study area, including approximately 17.18 acres (12.0 percent) of active open space and approximately 126.11 acres (88.0 percent) of passive open space. A total of approximately 20,879 residents live within the study area.

The study area has an overall open space ratio of 6.862 acres per 1,000 residents, which exceeds the city's planning guideline of 2.5 acres of combined passive and active open space per 1,000 residents (refer to **Table F-4**). With a passive open space ratio of 6.040 acres per 1,000 residents, the study area, similarly, exceeds the 2021 *CEQR Technical Manual* guidance threshold of 0.5 acres of passive open space per 1,000 residents. The active open space ratio of 0.823 acres per 1,000 residents is below the city's planning guideline of 2.0 acres of active open space per 1,000 residents.

Table F-4: Adequacy of Open Space Resources – Existing Conditions

Population		Open Space Acreage			Open Space Ratios per 1,000 People			2021 *CEQR Technical Manual* Open Space Optimal Planning Goal		
		Total	Passive	Active	Total	Passive	Active	Total	Passive	Active
Study Area										
Residents	20,879	143.28	126.11	17.18	6.862	6.040	0.823	2.50	0.5	2.00

Qualitative Assessment

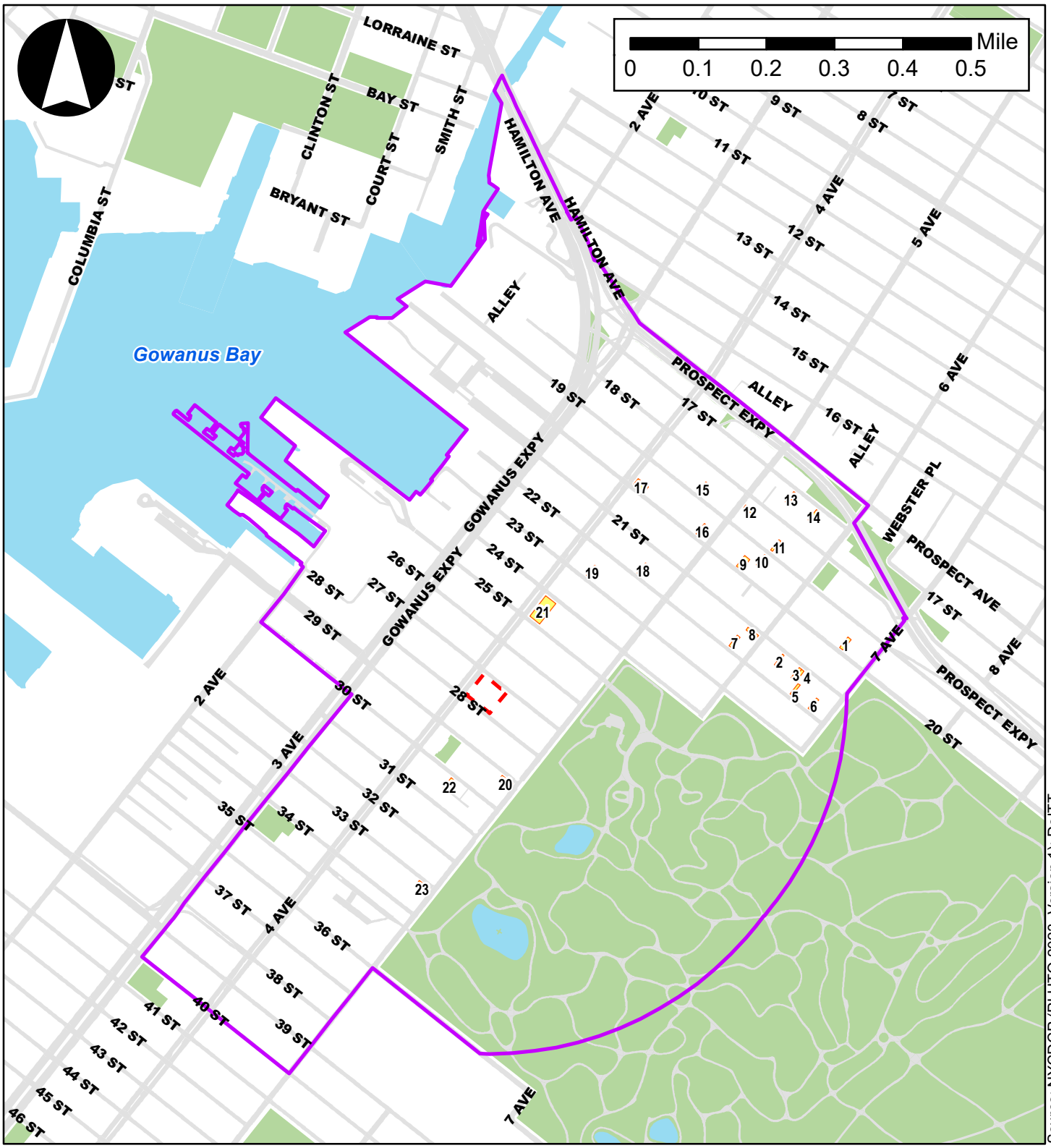
The study area exhibits a total open space ratio that exceeds the city's optimal benchmark (2.5 acres of open space per 1,000 residents). As shown in **Table F-3**, open space resources within the study area include a variety of passive and active open space uses appropriate for each residential user group. Further, and as noted in **Table F-3**, the open space resources within the study area are in good to excellent condition and exhibit low to moderate utilization rates.

IV. THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

Study Area Population

In the future without the Proposed Actions, Projected Development Site 1 would not be developed on an as-of-right basis and the existing conditions are anticipated to remain. In addition, Projected Development Site 2 (Block 661, Lots 1, 2, and 3) would not be developed on an as-of-right basis and the existing conditions for these six lots are anticipated to remain. As summarized in **Table F-5** and illustrated in **Figure F-4**, there are 26 developments within the study area anticipated for completion by the 2029 build year. In sum, these 26 developments are expected to introduce approximately 555 DUs and approximately 1,704 residents.

Figure F-4
Open Space Study Area No-Action Developments



Legend

- Project Area
- Open Space Study Area
- No-Action Developments (Keyed to Table F-5)
- Open Space
- Roadways
- Water Bodies

Table F-5: Study Area No-Action Development Projects

Map No.[1]	Address	DUs	Residential Population[2]
1	353 20th Street	5	15
2	316 21st Street	2	6
3	332 21st Street	4	12
4	334 21st Street	4	12
5	335 22nd Street	1	3
6	316 22nd Street	9	28
7	349 22nd Street	4	12
8	289 22nd Street	8	25
9	688 6th Avenue	3	9
10	265 20th Street	8	25
11	270 19th Street	3	9
12	273 19th Street	2	6
13	643 5th Avenue	21	64
14	262 17th Street	4	12
15	282 17th Street	3	9
16	215 19th Street	2	6
17	231 20th Steet	6	18
18	183 20th Street	28	86
19	217 22nd Street	2	6
20	193 23rd Street	3	9
21	738 5th Avenue	7	21
22	743 4th Avenue	185	568
23	194 30th Street	8	25
24	814 5th Avenue	11	34
25	142 33rd Street	72	221
26	875 4th Avenue	150	461
Total		***555***	***1,704***

Notes:
[1] The No-Action development projects are mapped in **Figure F-4**.
[2] Estimates of the residential population have been calculated based on the average household size of 3.07 persons per household for BK07 Sunset Park-Windsor Terrace (CD 7 Approximation) sourced from the 2017-2021 ACS Five-Year Estimates.

As indicated in **Table F-6**, in the No-Action condition, the study area population is expected to increase to approximately 22,583 residents.

Table F-6: No-Action Condition Study Area Population

	Existing Population	Additional Population from No-Action Developments	No-Action Condition Total Population
Residents	20,879	1,704	22,583

Open Space Resources

While there are no planned changes to open space resources that would increase or decrease the overall acreage in the study area, NYC Parks has one capital project planned in the study area. The project is the D'Emic Playground Reconstruction; this capital project is currently in the design phase, which began in June 2023 and is anticipated to conclude in October 2024. It is anticipated that this capital project would be fully implemented by 2029. While this project would not add any additional open space acreage to the study area, the project would improve the condition and usability of one of the largest open space resources located in the study area.

Assessment of Open Space Adequacy

In the No-Action condition, the additional population introduced to the study area would increase the demand on the study area's open space resources. As shown in **Table F-7**, the No-Action condition total, passive, and active open space ratios per 1,000 residents are expected to decrease to 6.345, 5.584, and 0.761, respectively, from 6.862, 6.040, and 0.823 under existing conditions. Therefore, the study area total and passive open space ratios would continue to exceed the city's optimal planning guidelines for total and passive open space ratios. The study area's active open space ratio would continue to be below the city's optimal planning guideline.

Table F-7: Adequacy of Open Space Resources – No-Action Condition

Population		Open Space Acreage			Open Space Ratios per 1,000 People			2021 *CEQR Technical Manual* Open Space Optimal Planning Goal		
		Total	Passive	Active	Total	Passive	Active	Total	Passive	Active
Study Area										
Residents	22,583	143.28	126.11	17.18	6.345	5.584	0.761	2.50	0.5	2.00

V. THE FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

This section describes the open space conditions that would result from the Proposed Actions' RWCDS by the 2029 build year. It evaluates the potential for the Proposed Actions to result in significant adverse impacts to open space resources directly and indirectly based on a comparison of the No-Action condition (described above) to the With-Action condition.

Study Area Population

In the future with the Proposed Actions, it is estimated the RWCDS established for the Proposed Actions would introduce approximately 967 incremental residents to the Project Area (the total for both Projected Development Sites 1 and 2 within the Project Area). Therefore, in the With-Action condition, the study area population is expected to increase to approximately 23,550 residents.

Study Area Open Space

In the future with the Proposed Actions, the Proposed Project would include an approximate 7,160-square feet ("sf") (0.16-acres) landscaped private open space located within the rear yard of Projected Development Site 1 between Buildings B and C. In addition to landscaping, the open space would contain walking paths, benches, and movable tables and chairs. Access to the open space would be restricted to residents of the Proposed Project. Further, the Proposed Project on Projected Development Site 1 would include approximately 15,500-sf of private, passive-programmed rooftop recreational spaces, including approximately 5,500-sf at Building A and approximately 10,000-sf at Buildings B and C. Access to the rooftop recreational spaces would be restricted to residents of the Proposed Project.

Direct Effects Analysis

The Proposed Actions would not have a direct effect on any study area open space resources. Construction and operation of the future buildings on Projected Development Site 1 and Projected Development Site 2 within the Project Area would not cause the physical loss of public open space because of encroachment or displacement of the space; would not change the use of an open space so that it no longer serves the same user population; and would not limit public access to an open space resource. In addition, as discussed in **Attachment B, "Supplemental Screening"** and **Attachment I, "Noise,"** the Proposed Actions would not result in significant adverse shadow, air quality, noise, or construction impacts on study area open space resources.

Indirect Effects Analysis

As noted above, the open space impact analysis consists of both a quantitative assessment and a qualitative assessment. The quantitative assessment considers how a proposed project would change the open space ratios in the study area. The qualitative assessment considers factors such as proximity to nearby destination open space resources, the connectivity of open space, the effects of new open space provided by the proposed project, and private open spaces created by the proposed project not available to the general public. It is recognized that the city's planning goals are not feasible for many areas of the city, and they are not considered impact thresholds on their own. Rather, these are benchmarks indicating how well an area is served by open space.

Assessment of Open Space Adequacy

In the With-Action condition, the additional population introduced to the study area would increase the demand on the study area's open space resources. As shown in **Table F-8**, the With-Action condition total, passive, and active open space ratios per 1,000 residents are expected to decrease to 6.084, 5.355, and 0.730, from 6.345, 5.584, and 0.761 under the No-Action condition.

Therefore, the study area total and passive open space ratios would continue to exceed the city's optimal planning guidelines for total and passive open space ratios, while the study area's active open space ratio would continue to be below the city's optimal planning guideline.

Table F-8: Adequacy of Open Space Resources – With-Action Condition

Population		Open Space Acreage			Open Space Ratios per 1,000 People			2021 *CEQR Technical Manual* Open Space Optimal Planning Goal		
		Total	Passive	Active	Total	Passive	Active	Total	Passive	Active
Study Area										
Residents	23,550	143.28	126.11	17.18	6.084	5.355	0.730	2.50	0.5	2.00

Potential Effects of the Proposed Actions on Publicly Accessible Open Space

Quantitative Assessment

According to the 2021 *CEQR Technical Manual*, a significant adverse open space impact may occur if a proposed project would reduce the open space ratio by more than the general guidelines for the open space percentage change provided in **Table F-9**.

Table F-9: Detailed Assessment – Percentage Change Guidance to Determine Possible Open Space Impact

Total Open Space Ratio Range*	Active Open Space Ratio Range*	Passive Open Space Ratio Range*	Percentage Change in Open Space ratio Signifying a Possible Adverse Open Space Impact
2.01 to 2.50 Or greater	1.61 to 2.0 Or greater	0.41 to 0.50 Or greater	5%
1.51 to 2.00	1.21 to 1.60	0.31 to 0.40	4%
1.01 to 1.50	0.81 to 1.20	0.21 to 0.30	3%
0.51 to 1.00	0.41 to 0.80	0.11 to 0.20	2%
0.50 or less	0.01 to 0.40	0.01 to 0.10	1%
*2.5 open space ratio is the planning goal in New York City, with the optimal distribution goal of 2.0 active open space ratio and 0.5 passive open space ratio.			

Source: Table 7-5 in Chapter 7, "Open Space," of the 2021 *CEQR Technical Manual*.

Table F-10 displays the percentage changes from the No-Action condition to the With-Action condition for the study area. As noted previously, in the future with the Proposed Actions, the study area total and passive open space ratios would continue to exceed the city's optimal planning guidelines for total and passive open space ratios, while the study area's active open space ratio would continue to be below the city's optimal planning guideline.

Table F-10: Study Area Open Space Ratios Summary

Ratio	2021 *CEQR Technical Manual* Open Space Optimal Planning Goal (acres per 1,000)	Open Space Ratios per 1,000			Percent Change (Future No-Action to Future With-Action)
		Existing	No-Action	With-Action	
Study Area					
Total – Residents	2.5	6.862	6.345	6.084	-4.11
Passive – Residents	0.5	6.040	5.584	5.355	-4.11
Active - Residents	2.0	0.823	0.761	0.730	-4.11

In the future with the Proposed Actions, the residential total, passive, and active open space ratios would each decrease by approximately 4.11 percent from the No-Action condition. In the With-Action condition, as under the No-Action condition, the study area's total and passive open space ratios per 1,000 residents (6.084 and 5.355, respectively) would continue to exceed the city's optimal planning guidelines for total and passive open space ratios per 1,000 residents (2.5 and 0.5, respectively), while the study area's active open space ratio per 1,000 residents (0.730) would continue to be below the city's optimal planning guideline for active open space per 1,000 residents (2.0). However, as shown in **Table F-9**, the percentage change (4.11%) in the total active open space ratio in the With-Action condition would exceed the percentage change (2%) in the active open space ratio that would signify a possible significant adverse impact.

The reduction in the active open space ratio in the study area would be ameliorated by several factors. As shown in **Table F-3**, the study area open space resources that feature ≥90% of their acreage as active open

space (i.e., Map Nos. 1, 2, 4, 5, and 6) are in good to excellent condition and exhibit low to moderate utilization rates that could accommodate additional demand for active recreation. Further, the south-central and northern portions of the study area, as well as the Project Area, are located within areas of the city that have been identified as Walk to a Park Service Areas (refer to **Figure F-2**), which are areas of the city that are within a walking distance of a park (i.e., not located within a walk gap area). In particular, the southern portions of the study area are in proximity to additional active open space acreage located beyond the boundary of the study area, within the 24.5-acre Sunset Park, a community park which includes playgrounds, spray showers, an outdoor pool, basketball courts, and handball courts for active recreation. At its closest point, Sunset Park is located approximately one block to the south of the study area's southernmost point. Therefore, in consideration of these qualitative factors, the Proposed Actions would not result in a significant adverse impact on open space in the study area, in accordance with 2021 *CEQR Technical Manual* impact criteria.

Qualitative Assessment

In the future with the Proposed Actions, as under existing and No-Action conditions, the study area would be adequately served by total and passive open space acreage, while the study area's active open space acreage would be below the city's optimal planning guideline for active open space per 1,000 residents. Overall, the reduction in the total, passive, and active open space ratios in the study area, as well as the shortfall in active open space in the study area, would be ameliorated by several factors. As shown in **Table F-3**, the open space resources within the study area, including those that feature ≥90% of their acreage as active open space (i.e., Map Nos. 1, 2, 4, 5, and 6), are in good to excellent condition and exhibit low to moderate utilization rates. Further, a wide range of passive and active open space uses are available in the study area, including game tables, a dog run, benches, and walkways for passive recreation, and multiple playgrounds, multiple spray showers, a swing set, basketball courts, and handball courts for active recreation.

As shown in **Figure F-2**, the south-central and northern portions of the study area, as well as the Project Area, are located within Walk to a Park Service Areas. In particular, the southern portions of the study area are in proximity to additional open space acreage located beyond the boundary of the study area, within Sunset Park, a 24.5-acre community park. At its closest point, Sunset Park is located approximately one block to the south of the study area's southernmost point. Additionally, in the future with the Proposed Actions, the additional acreage of Green-Wood Cemetery (totaling approximately 338.35-acres) would be accessible to residents of the study area, as the additional acres of Green-Wood Cemetery are proximate to the boundaries of the study area. Finally, the Proposed Project would include an approximate 7,160-sf (0.16-acres) landscaped private open space located within the rear yard of Projected Development Site 1 between Buildings B and C. In addition to landscaping, the open space would contain walking paths, benches, and movable tables and chairs. Access to the open space would be restricted to residents of the Proposed Project. Further, the Proposed Project on Projected Development Site 1 would include approximately 15,500-sf of private, passive-programmed rooftop recreational spaces, including approximately 5,500-sf at Building A and approximately 10,000-sf at Buildings B and C. Access to the rooftop recreational spaces would be restricted to residents of the Proposed Project. The open space provided within the rear yard of Projected Development Site 1, as well as the rooftop recreational spaces of the Proposed Project, could alleviate pressure on the study area's surrounding open spaces from residents of the Proposed Project.

Therefore, in conclusion, the Proposed Actions would not result in a significant adverse impact on open space in the study area, in accordance with 2021 *CEQR Technical Manual* impact criteria.

Attachment G:

Urban Design and Visual Resources

I. INTRODUCTION

This attachment examines the potential effects of the Proposed Actions' Reasonable Worst Case Development Scenario ("RWCDS") on urban design and visual resources. The Proposed Actions would facilitate the development of the Proposed Project, an approximately 225,140-gross square feet ("gsf") mixed-use commercial/residential development on Projected Development Site 1 (Block 661, Lots 5, 13, 14, and 66); the Proposed Project would include three separate new buildings (known as Buildings A, B, and C) and would comprise one zoning lot. Building A would comprise a 13-story (approximately 144-foot-tall including a 10-foot-tall rooftop bulkhead) building, Building B would comprise an eight-story (approximately 94-foot-tall including a 10-foot-tall rooftop bulkhead) building, and Building C would comprise a seven-story (approximately 84-foot-tall including a 10-foot-tall rooftop bulkhead) building. As described in **Attachment A, "Project Description,"** the Proposed Project would not maximize the permitted building height of 145 feet in the proposed R8A/C2-4 zoning district (for Building A of the Proposed Project) and the permitted building height of 95 feet in the proposed R7A zoning district (for Buildings B and C of the Proposed Project). Therefore, for analysis purposes, the With-Action condition for Projected Development Site 1 assumes maximum building heights (with provision of a qualifying ground floor ["QGF"] pursuant to ZR Section 23-664) of 155 feet inclusive of a 10-foot-tall rooftop bulkhead for Building A of the With-Action condition and 105 feet inclusive of a 10-foot-tall rooftop bulkhead for Buildings B and C of the With-Action condition.

In addition to the Applicant's Proposed Project on Projected Development Site 1, it is anticipated that two non-Applicant-controlled or owned "soft sites" located within the Project Area could be developed in the future With-Action condition. The With-Action condition for Projected Development Site 2 (Block 661, Lots 1, 2, and 3) comprises a 14-story (approximately 155-foot-tall including a 10-foot-tall rooftop bulkhead) building. The With-Action condition for Potential Development Site 1 (Block 661, Lots 68 and 69) comprises a nine-story (approximately 105-foot-tall including a 10-foot-tall rooftop bulkhead) building.

The 2021 *City Environmental Quality Review* ("CEQR") *Technical Manual* defines urban design as the totality of elements – including streets, buildings, visual resources, open space, natural features, and wind – that shape and affect a pedestrian's experience of public space. A visual resource is defined as the connection from the public realm to significant natural or built features, including, but not limited to, views of the waterfront, public parks, public art, statues or sculptures, landmark structures or districts, otherwise distinct buildings or groups of buildings that may be iconic or historic, or natural resources. In an urban design assessment pursuant to CEQR, one considers whether and how a project may change the experience of a pedestrian in the project area. The assessment focuses on the components of a project that may have the potential to alter the arrangement, appearance, and functionality of the built and natural environment in the context of the project. An assessment of the potential impacts of the Proposed Actions on urban design and visual resources was prepared in conformance with the 2021 *CEQR Technical Manual*. This assessment describes existing conditions and compares conditions in the future without and with the Proposed Actions to determine potential impacts on urban design and visual resources. The urban design and visual resources assessment is based on observations, drawings, maps, renderings, and photographs taken from the perspective of a pedestrian.

II. METHODOLOGY

In general, an assessment of urban design is warranted when a project may have effects on one or more of the elements that contribute to a pedestrian's experience of public space.

As described in **Attachment A, "Project Description,"** the Proposed Actions would permit the modification of yard, height, and setback requirements, as well as result in an increase in built floor area beyond what would be allowed "as-of-right." As the Proposed Actions have the potential to change pedestrians' experience of public space surrounding the Project Area in comparison to conditions in the No-Action condition, it is necessary to assess the Proposed Actions' RWCDS's potential impacts on urban design and visual resources.

The 2021 *CEQR Technical Manual* indicates that the construction of projects involving multiple tall buildings at or near waterfront sites may result in an exacerbation of wind conditions due to "channelization" or "downwash" effects that may affect pedestrian comfort and safety. The Project Area is not located along a west- or northwest-facing waterfront, nor is the Project Area located at or near waterfront sites where prevailing winds from the waterfront are not attenuated by natural features. Therefore, the Project Area is not exposed to high wind conditions and a pedestrian wind condition analysis is not warranted for the Proposed Actions pursuant to 2021 *CEQR Technical Manual* methodology.

Following 2021 *CEQR Technical Manual* guidance, the analysis is based on field visits, aerial views, photographs, and other graphic images of the zoning lot and surrounding area. Zoning calculations, including floor area calculations, building heights, and lot coverage information are also provided. The following preliminary analysis also considers the effects of the Proposed Actions on the surrounding area's visual resources, which are generally considered important public view corridors, vistas, or natural or built features. Visual resources can include waterfront views, public parks, landmark structures or districts, or natural features, such as rivers or geologic formations.

Study Areas

The study area for the assessment of urban design and visual resources corresponds to the area where the project may influence land use patterns, the built environment, and pedestrian's experiences in the public realm surrounding the project. The study area is generally consistent with the study area used for the analysis of land use, zoning, and public policy. For visual resources, the view corridors within the study area from which such resources are publicly viewable should be identified.

The urban design analysis considers both a primary study area, which is generally coterminous with the boundaries of the Project Area, and a secondary study area, which extends an approximate 400-foot radius from the boundary of the Project Area. Consistent with the secondary study area presented in **Attachment C, "Land Use, Zoning, and Public Policy,"** the secondary study area encompasses areas that have the potential to experience indirect impacts as a result of the project. The secondary study area extends an approximate 400-foot radius from the boundary of the primary study area. The secondary study area is generally bound by 26th Street to the north, Fifth Avenue to the east, 29th Street to the south, and midblock portions of Blocks 657, 660, and 664 between Third and Fourth Avenues to the west. Both

the primary and secondary study areas have been established in accordance with 2021 *CEQR Technical Manual* guidance and are presented in **Figure G-1**.

III. EXISTING CONDITIONS

Urban Design

Primary Study Area (Project Area)

The primary study area measures approximately 45,460-square feet ("sf"), comprising approximately 30,437-sf of the approximately 32,524-sf Projected Development Site 1 (Block 661, Lots 5, 13, 14, and 66), as well as approximately 15,023-sf of property not owned or controlled by the Applicant, which includes Lots 1, 2, 3, 4, 68, and 69 on Block 661. The primary study area is bound by Fourth Avenue to the west, 27th Street to the north, and 28th Street to the south. The primary study area contains approximately 200 feet of frontage on the east side of Fourth Avenue, approximately 225 feet of frontage on the south side of 27th Street, and approximately 225 feet of frontage on the north side of 28th Street.

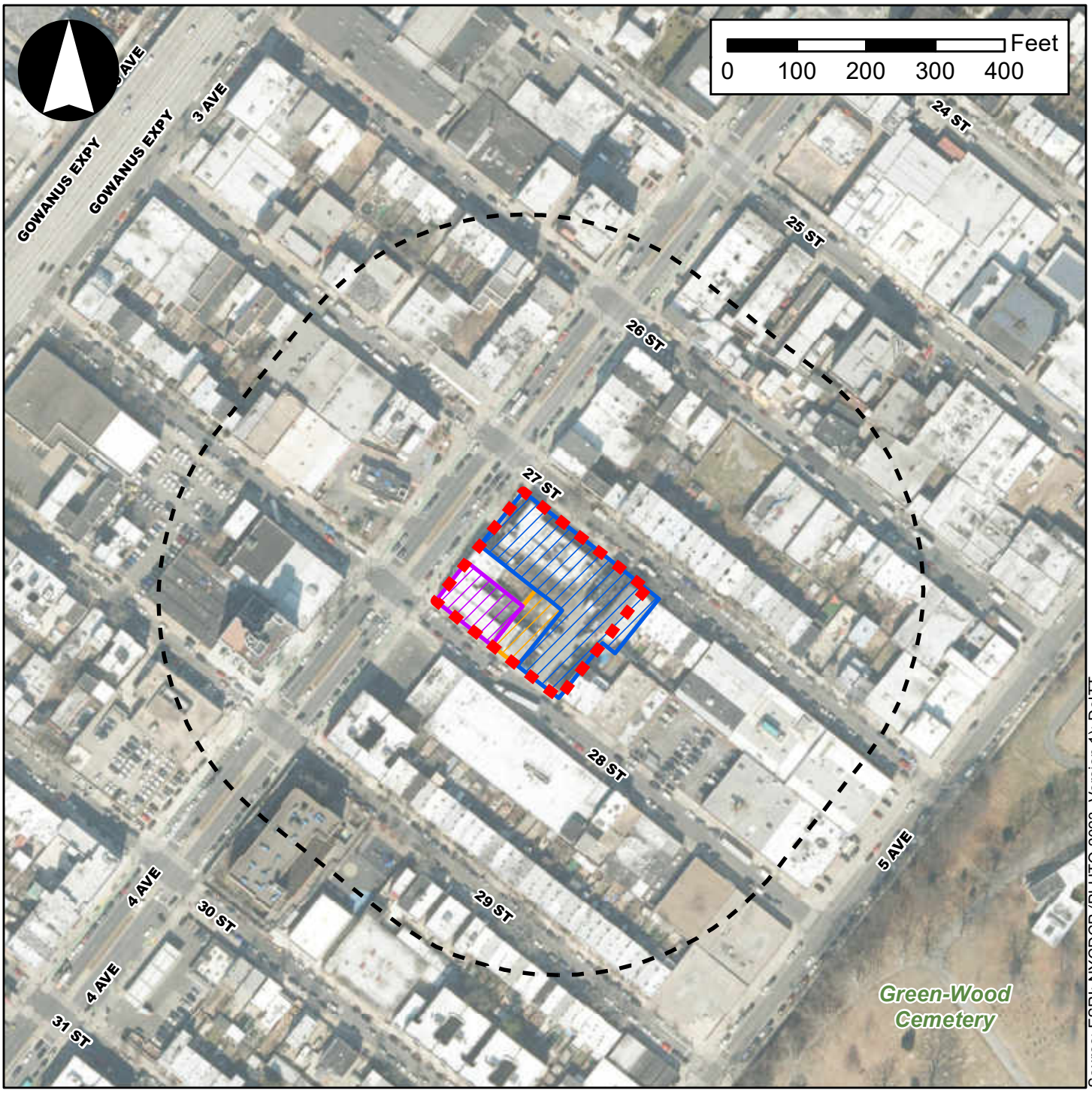
BUILDINGS

The primary study area is currently occupied by numerous low-rise buildings (refer to **Figures G-2** through **G-4** for photos of the primary study area). **Table G-1** summarizes the existing built conditions for each of the lots located within the primary study area.

The primary study area's 27th Street frontage is generally characterized by a continuous street wall of low-rise buildings. Along the primary study area's 27th Street frontage, the public facility and institutional building located on Lot 14 features no setback (0 feet) from its respective lot line on 27th Street, the public facility and institutional building located on Lot 13 is setback approximately five feet from its lot line on 27th Street, and the public facility and institutional building located on Lot 5 is setback approximately 17 feet from its lot line on 27th Street. Along the primary study area's 27th Street frontage, adjacent to Lot 5, a rear yard setback of approximately 22 feet breaks up the primary study area's continuous street wall of low-rise buildings.

The primary study area's Fourth Avenue frontage is generally characterized by a continuous street wall of low-rise buildings. Along the primary study area's Fourth Avenue frontage, the one commercial/office building (Lot 1), two mixed-use commercial/residential buildings (Lots 2 and 3), and one multi-family residential building (Lot 4) feature no setback (0 feet) from their respective lot lines on Fourth Avenue, while the public facility and institutional building located on Lot 5 is setback approximately 14 feet from its lot line on Fourth Avenue. Along the primary study area's Fourth Avenue frontage, adjacent to Lot 5, an active driveway breaks up the primary study area's continuous street wall of low-rise buildings.

The primary study area's 28th Street frontage is generally characterized by a continuous street wall of low-rise buildings; however, the portion of the primary study area's 28th Street frontage adjacent to Lot 66 contains an active driveway which breaks up the primary study area's continuous street wall of low-rise buildings. Along the primary study area's 28th Street frontage, the one commercial/office building located on Lot 1 features no setback (0 feet) from its respective lot line on 28th Street, the public facility and institutional building located on Lot 14 is setback approximately five feet from its lot line on 28th Street,



Legend

- Primary Study Area (Project Area)
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1



1. View of the Primary Study Area looking northwest from the south side of 27th Street.



2. View of the Primary Study Area looking south from the north side of 27th Street.



3. View of the Primary Study Area looking south from the intersection of 27th Street and Fourth Avenue.





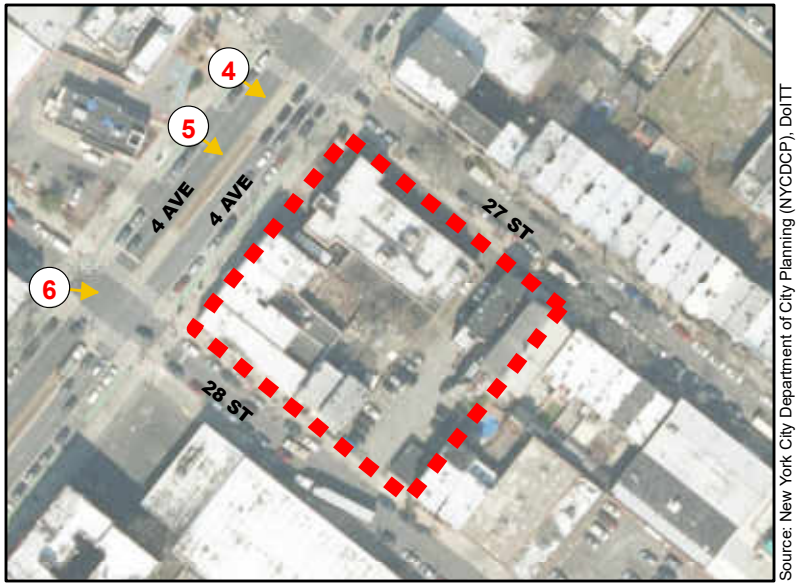
4. View of the Primary Study Area looking southeast from the west side of Fourth Avenue.



5. View of the Primary Study Area looking southeast from the west side of Fourth Avenue.



6. View of the Primary Study Area looking east from the intersection of 28th Street and Fourth Avenue.





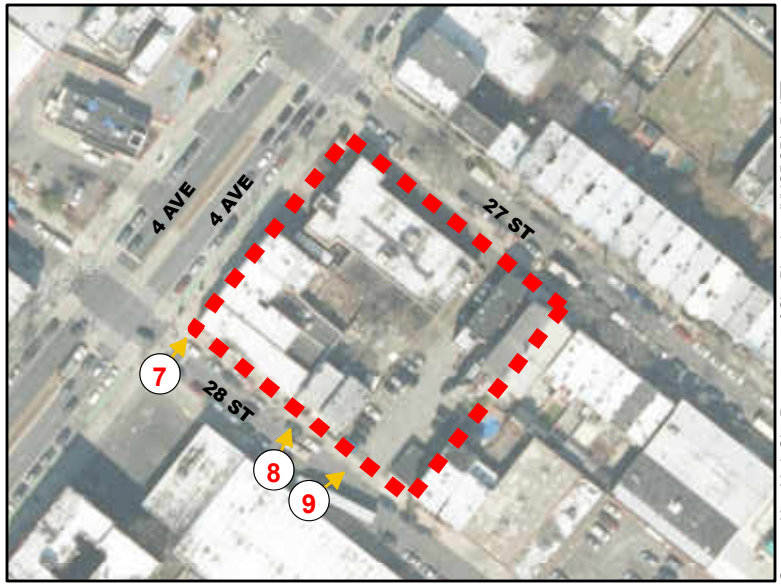
7. View of the Primary Study Area looking northeast from the intersection of 28th Street and Fourth Avenue.



8. View of the Primary Study Area looking north from the south side of 28th Street.



9. View of the Primary Study Area looking northeast from the south side of 28th Street.



and the two residential buildings located on Lots 68 and 69 are setback approximately seven feet from their lot lines on 28th Street.

Table G-1: Primary Study Area – Existing Built Conditions

Lot[1]	Affected Lot Area SF	Address	Zoning	Land Use	Total Building GSF	Built FAR[2]	Residential GSF/DUs	Parking Spaces	Construction Year
Applicant-Controlled									
5	17,500	783 Fourth Avenue	M1-1D	Public Facilities & Institutions	19,545	0.97	0/0	13	1958
13	2,504	216 27th Street		Public Facilities & Institutions	1,600	0.56	0/0	0	1920
P/o 14	5,425	220 27th Street		Public Facilities & Institutions	5,500	0.64	0/0	8	1920
66	5,008	183 28th Street		Parking Facilities	0	0	0/0	12	N/A
Non-Applicant Controlled or Owned									
1	2,516	799 Fourth Avenue	M1-1D	Commercial/Office	2,500	0.86	0/0	0	1981
2	2,499	797 Fourth Avenue		Mixed Residential/Commercial	3,760	1.34	1,790/1	0	1930
3	2,000	795 Fourth Avenue		Mixed Residential/Commercial	2,400	1.08	1,608/2	0	1930
4	3,000	793 Fourth Avenue		Residential	4,320	1.31	4,320/6	0	1931
68	2,504	181 28th Street		Residential	1,760	0.64	1,760/3	0	1910
69	2,504	179 28th Street		Residential	2,536	0.92	2,536/3	0	1910
Total Affected Primary Study Area Lot Area SF	**45,460**								

Notes:
[1] Properties controlled by the Applicant (comprising Projected Development Site 1) are highlighted in gray.
[2] The built FAR is calculated based on the ZSF for each lot. The ZSF for each lot was calculated by dividing the GSF for each lot by 1.1 (for residential square footage) and by 1.15 (for non-residential square footage), pursuant to guidance from the New York City Department of City Planning ("DCP").
Sources: DCP 2023 PLUTO Data (Version I); Field observations (September 2023).

APPLICANT-CONTROLLED PROJECTED DEVELOPMENT SITE 1

Projected Development Site 1 measures approximately 32,524-sf and comprises Lots 5, 13, 14, and 66 on Block 661. Projected Development Site 1 contains a total of approximately 100 feet of frontage on the east side of Fourth Avenue, approximately 75 feet of frontage on the south side of 27th Street, and approximately 250 feet of frontage on the north side of 28th Street. As shown in **Table G-1**, Projected Development Site 1 contains five low-rise public facility and institutional buildings totaling approximately 26,645-gsf.

Lot 5 is an approximately 17,500-sf corner lot situated at the northern portion of the primary study area. Lot 5 contains approximately 175 feet of frontage on the south side of 27th Street and approximately 100 feet of frontage on the east side of Fourth Avenue. Lot 5 contains a two-story (approximately 24.12-foot-tall), approximately 19,545-gsf public facility and institutional building (0.97 FAR) constructed in circa 1958. The two-story building is occupied by Saint Rocco's Roman Catholic Church. The building is set back approximately 14 feet from its lot line on Fourth Avenue and approximately 17 feet from its lot line on 27th Street. The building is a masonry building with a tan brick façade with windows on all façades. There

are approximately 13 parking spaces located on this lot; the parking spaces are located in the front and rear yard portions of Lot 5 and are accessed via one curb cut on Fourth Avenue and one curb cut on 28th Street. Along its 27th Street and Fourth Avenue frontages, Lot 5 features a wrought iron fence which separates the property from the sidewalks; a gate is present on Fourth Avenue to permit vehicle ingress and egress.

Lot 13 is an approximately 2,504-sf interior lot situated at the eastern portion of the primary study area. Lot 13 contains approximately 25 feet of frontage on the south side of 27th Street. Lot 13 contains a two-story (approximately 23.55-foot-tall), approximately 1,600-gsf public facility and institutional building (0.56 FAR) constructed in circa 1920. The two-story building is occupied by Saint Rocco's Roman Catholic Church. The building is set back approximately five feet from its lot line on 27th Street. The building is a masonry building with a tan brick façade and set of bay windows on each floor. There are no parking spaces located on this lot. Along its 27th Street frontage, Lot 13 features a wrought iron fence which separates the property from the sidewalk; a gate is present to permit ingress and egress.

Lot 14 is an approximately 7,512-sf through lot situated at the southern and eastern portions of the primary study area. Lot 14 contains approximately 50 feet of frontage on the south side of 27th Street and approximately 25 feet of frontage on the north side of 28th Street. Lot 14 contains three public facility and institutional buildings constructed in circa 1920, which range in height from one- to two-stories (approximately 9.87-, 21.1-, to 47.87-foot-tall) and total 5,500-gsf (0.64 FAR). These buildings are occupied by Saint Rocco's Roman Catholic Church. The building along 27th Street is not set back from its lot line on 27th Street, while the building along 28th Street is setback approximately five feet from its lot line on 28th Street. The buildings are masonry buildings that feature either tan brick or combination brick-stucco façades. There are approximately eight parking spaces located on this lot; the parking spaces are accessed via two curb cuts on 28th Street. Along its 27th Street frontage, Lot 13 features a wrought iron fence which separates the property from the sidewalk; a gate is present to permit ingress and egress. Along its 28th Street frontage, Lot 13 does not feature fencing.

Lot 66 is an approximately 5,008-sf interior lot situated at the southern portion of the primary study area. Lot 66 contains approximately 50 feet of frontage on the south side of 27th Street. Lot 66 contains a surface parking facility and no buildings (0.0 FAR); the surface parking facility contains approximately 12 parking spaces; the parking spaces are accessed via one curb cut on 28th Street. Along its 28th Street frontage, Lot 66 features a chain link fence which separates the property from the sidewalk; a gate is present to permit vehicle ingress and egress.

NON-APPLICANT-CONTROLLED PROPERTIES

As shown in **Table G-1**, six properties not owned or controlled by the Applicant are located within the primary study area; one property is occupied by a commercial/office building, two properties are occupied by mixed residential/commercial buildings, and three properties are occupied by multi-family residential buildings. As detailed in **Attachment A, "Project Description,"** five of the six lots not owned or under the control of the Applicant classify as soft sites as defined by the 2021 *CEQR Technical Manual*, comprising Projected Development Site 2 (Block 661, Lots 1, 2, and 3) and Potential Development Site 1 (Block 661, Lots 68 and 69).

PROJECTED DEVELOPMENT SITE 2

Projected Development Site 2 measures approximately 7,015-sf. Projected Development Site 2 contains a total of approximately 70 feet of frontage on the east side of Fourth Avenue and approximately 100 feet of frontage on the north side of 28th Street. As shown in **Table G-1**, Projected Development Site 2 contains three low-rise buildings totaling approximately 8,660-gsf (1.09 FAR), comprising approximately 3,398-gsf (0.44 FAR) of residential space (three DUs) and approximately 5,262-gsf (0.65 FAR) of commercial space.

Lot 1 is an approximately 2,516-sf corner lot situated in the western portion of the primary study area. Lot 1 contains approximately 25 feet of frontage on the east side of Fourth Avenue and approximately 100 feet of frontage on the north side of 28th Street. Lot 1 contains a one-story (approximately 18.87-foot-tall), approximately 2,500-gsf commercial/office building (0.86 FAR) constructed in circa 1981; the building is occupied by Joe's Auto & Truck Parts, an auto and truck parts retailer. The building is not set back from its lot lines on Fourth Avenue and 28th Street. The building is a masonry building with a tan stucco façade; windows and commercial signage are positioned along the building's westernmost frontage, adjacent to the intersection of Fourth Avenue and 28th Street. There are no parking spaces located on this lot.

Lot 2 is an approximately 2,499-sf interior lot situated in the western portion of the primary study area. Lot 2 contains approximately 25 feet of frontage on the east side of Fourth Avenue. Lot 2 contains a two-story (approximately 23.83-foot-tall), approximately 3,760-gsf mixed-use residential/commercial building (1.34 FAR) constructed in circa 1930; the building is occupied by one DU and Joe's Auto & Truck Parts, an auto and truck parts retailer. The building is not set back from its lot line on Fourth Avenue. The building is a masonry building with a tan stucco façade and second-story windows. There are no parking spaces located on this lot.

Lot 3 is an approximately 2,000-sf interior lot situated in the western portion of the primary study area. Lot 3 contains approximately 20 feet of frontage on the east side of Fourth Avenue. Lot 3 contains a three-story (approximately 29.68-foot-tall), approximately 2,400-gsf mixed-use residential/commercial building (1.08 FAR) constructed in circa 1930; the building is occupied by two DUs and Joe's Auto & Truck Parts, an auto and truck parts retailer. The building is not set back from its lot line on Fourth Avenue. The building is a masonry building with a tan stucco façade and second- and third-story windows. There are no parking spaces located on this lot.

POTENTIAL DEVELOPMENT SITE 1

Potential Development Site 1 measures approximately 5,008-sf. Potential Development Site 1 contains a total of approximately 50 feet of frontage on the north side of 28th Street. As shown in **Table G-1**, Potential Development Site 1 contains two low-rise buildings totaling approximately 4,296-gsf (0.78 FAR) of residential space (six DUs).

Lot 68 is an approximately 2,504-sf interior lot situated in the southern portion of the primary study area. Lot 68 contains approximately 25 feet of frontage on the north side of 28th Street. Lot 68 contains a two-story (approximately 33.95-foot-tall), approximately 1,760-gsf multi-family residential building (0.64 FAR) constructed in circa 1910; the building is occupied by three DUs. The building is set back approximately seven feet from its lot line on 28th Street. The building is a masonry building with cedar shake vinyl siding façade and windows along all two floors. There are no parking spaces located on this lot.

Lot 69 is an approximately 2,504-sf interior lot situated in the southern portion of the primary study area. Lot 69 contains approximately 25 feet of frontage on the north side of 28th Street. Lot 69 contains a two-

story (approximately 27.73-foot-tall), approximately 2,536-gsf multi-family residential building (0.92 FAR) constructed in circa 1910; the building is occupied by three DUs. The building is set back approximately seven feet from its lot line on 28th Street. The building is a masonry building with light yellow vinyl siding façade and windows along all two floors. There are no parking spaces located on this lot.

STREETS AND STREETSCAPE

The primary study area features frontage on three streets. 27th Street adjacent to the primary study area is a one-way street with parking lanes on both sides of the street; the street, an eastbound street with a mapped width of 60 feet, connects Third Avenue to the west and Fifth Avenue to the east. Fourth Avenue adjacent to the primary study area is a two-way street with parking lanes on both sides of the street; the street, a northbound and southbound street with a mapped width of 120 feet, connects Flatbush Avenue to the north and Belt Parkway to the south. 28th Street adjacent to the primary study area is a one-way street with parking lanes on both sides of the street; the street, a westbound street with a mapped width of 60 feet, connects Fifth Avenue to the east and Third Avenue to the west. 27th Street, Fourth Avenue, and 28th Street bordering the primary study area are flanked by concrete sidewalks; along 27th Street and 28th Street, the sidewalk width is approximately 13 feet, while the sidewalk width along Fourth Avenue is approximately 16 feet. There are three existing curb cuts located along the primary study area's street frontages, one approximate 15-foot wide curb cut is located on Fourth Avenue adjacent to Lot 5 and two curb cuts are located on 28th Street, one approximate 20-foot wide curb cut adjacent to Lot 66 and one approximate 25-foot wide curb cut adjacent to Lot 14.

Other streetscape elements adjacent to the primary study area include five standard cobra head street lights, standard New York City Department of Transportation ("DOT") parking and street signage, six bollards, residential garbage and recycling receptacles located adjacent to buildings containing residences, two fire hydrants, one small commercial waste container located adjacent to the commercial/office building on Block 661, Lot 1, one LinkNYC kiosk, one New York City Fire Department ("FDNY") call box, one New York City Department of Sanitation ("DSNY") litter receptacle, one traffic signal, one utility pole and line, one DOT CityRack, and one ParkNYC Muni-Meter. There are eight street trees located on the sidewalks adjoining the primary study area (five on 27th Street, one on Fourth Avenue, and two on 28th Street).

NATURAL FEATURES AND OPEN SPACE

According to the 2021 *CEQR Technical Manual*, natural features include vegetation (i.e., trees, shrubs, grasses, etc.), geologic, topographic, and aquatic features. Rock outcroppings, steep slopes or varied ground elevation, beaches, or wetlands may help define the overall character of an area. The topography of the area surrounding the primary study area is generally flat and there are no natural features located within the primary study area.

According to the 2021 *CEQR Technical Manual*, for the purpose of urban design, open space includes public and private areas such as parks, yards, cemeteries, parking lots, playgrounds, community gardens, plazas, and privately-owned public spaces. Open spaces within the primary study area include the asphalt- and concrete-paved areas utilized for parking located on portions of Projected Development Site 1, as well as the private front and rear yards of the two low-rise multi-family residential buildings located on Lots 68 and 69.

Secondary Study Area (400-Foot Radius)

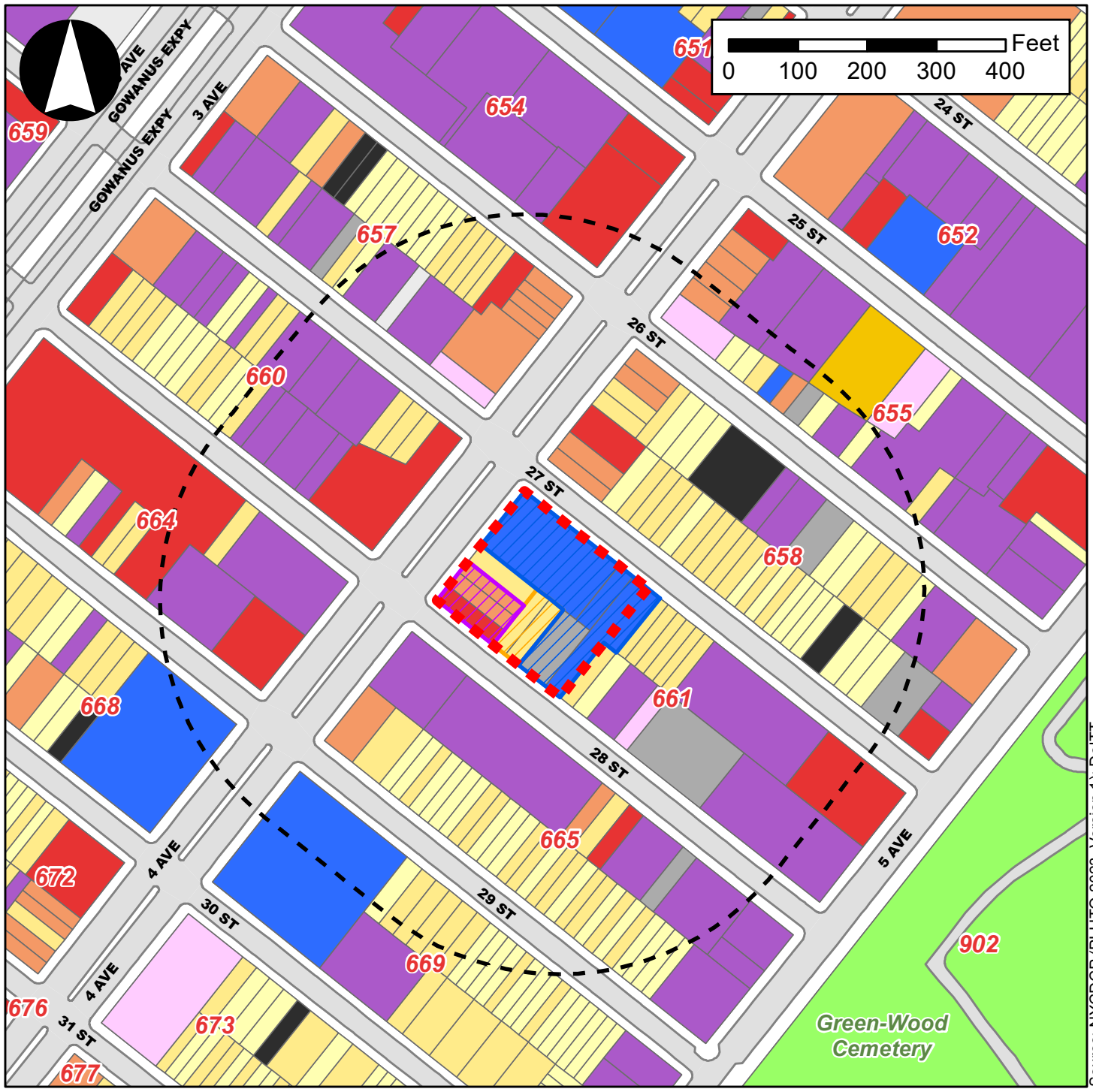
BUILDINGS

As described in **Attachment C, "Land Use, Zoning, and Public Policy,"** the predominant land uses within the secondary study area include residential and industrial/manufacturing buildings, and to a lesser extent mixed-use commercial/residential and commercial/office buildings (refer to **Figure G-5** for a map of land uses). Refer to **Figures G-6** and **G-7** for photographs of buildings within the secondary study area. Buildings within the secondary study area are low-rise in height and are generally built to the lot lines, creating continuous street walls (see photo nos. 10 and 11 in **Figure G-6** and photo no. 14 in **Figure G-7**). Where present, driveways, parking lots, and vacant lots disrupt the secondary study area's general pattern of continuous street walls (see photo no. 13 in **Figure G-7**). One- and two-family attached row houses rising to a height of either two- or three-stories are well represented along streets within the secondary study area, as are two-, three-, and four-story multi-family walkup apartment buildings. As shown in **Figure G-8**, buildings taller than four stories are generally located along Fourth Avenue. The eight-story, 111-foot-tall Liberty View Brooklyn Hotel (see photo no. 15 in **Figure G-7**), which is located in the western portion of the secondary study area along Fourth Avenue, is the tallest building located within the secondary study area, while the 10-story, 102.5-foot-tall Brooklyn Way Hotel (see photo no. 12 in **Figure G-6**), which is located in the northern portion of the secondary study area along Fourth Avenue, is the second tallest building located within the secondary study area. Industrial/manufacturing buildings, similar to residential buildings, are located throughout the secondary study area. Industrial/manufacturing buildings are typically one- or two-stories in height and contain warehouse and/or factory uses (see photo no. 10 in **Figure G-6** and photo no. 14 in **Figure G-7**). Two-, three-, and four-story mixed-use commercial/residential buildings are primarily clustered along Fourth Avenue, which serves as a commercial corridor within the secondary study area. In mixed-use commercial/residential buildings, commercial uses are typically local restaurant, retail, and office establishments located on the ground floors of low-rise buildings with residential uses located above the commercial uses. Commercial/office buildings are also concentrated along Fourth Avenue. Notable commercial/office buildings within the secondary study area include a KFC restaurant with a drive through the Brooklyn Way Hotel, and the Liberty View Brooklyn Hotel (see photo no. 12 in **Figure G-6** and photo nos. 13 and 15 in **Figure G-7**). Many of the commercial/office and mixed-use commercial/residential buildings are further distinguished by awnings and signage. As shown in **Figure G-8**, buildings within the secondary study area are typically one-, two-, and three-stories tall; in feet, building heights within the secondary study area range from a minimum of 9.87 feet (one-story) to a maximum of 111 feet (eight-stories). As shown in **Figure G-9**, taller buildings are also generally the buildings with the highest built density within the secondary study area.

Overall, the secondary study area is characterized by a variety of building typologies that lack a consistent built character. The western and eastern portions of the secondary study area, along Fourth Avenue and the midblock of 27th Street and 28th Street between Third Avenue and Fifth Avenue, generally feature a mixture of high lot-coverage, low- and mid-rise multi-family residential, mixed-use commercial/residential, commercial/office, and industrial/manufacturing buildings which form continuous street walls, while the northern and southern portions of the secondary study area, along the midblock of 26th Street, 27th Street, and 29th Street between Third Avenue and Fifth Avenue, generally feature low lot-coverage, one- and two-family attached row houses that contain shallow front yards and stoops that set them back from adjacent buildings and streets, which serves to break up the street wall.

STREETS AND STREETSCAPE

Figure G-5
Land Use Map



Legend

- Primary Study Area (Project Area)
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1
- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data



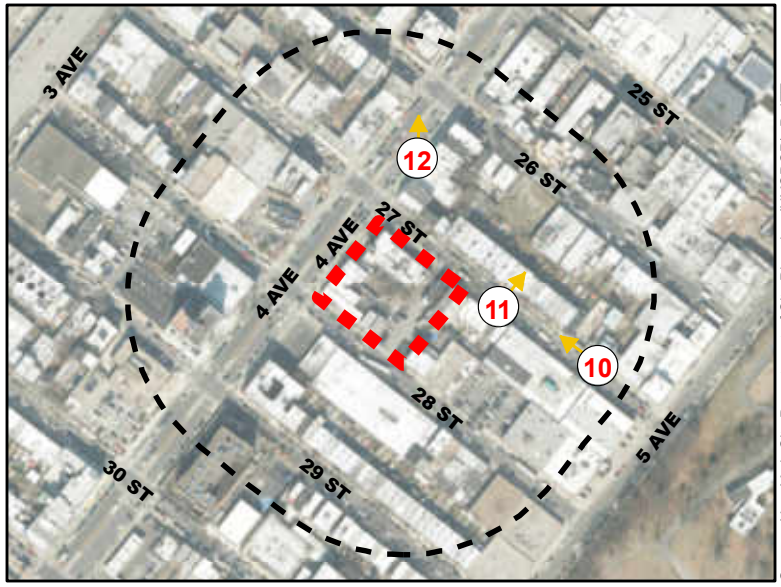
10. View of a low-rise warehouse and low-rise residential buildings looking northwest from the north side of 27th Street.



11. View of low-rise residential buildings looking northeast from the south side of 27th Street.



12. View of a low-rise mixed-use buildings and a mid-rise hotel looking north from the east side of Fourth Avenue.



Source: New York City Department of City Planning (NYCDCP), DoITT

783 Fourth Avenue Rezoning EAS

Figure G-6
Secondary Study Area - Buildings



13. View of a low-rise restaurant building looking southwest from the west side of Fourth Avenue.



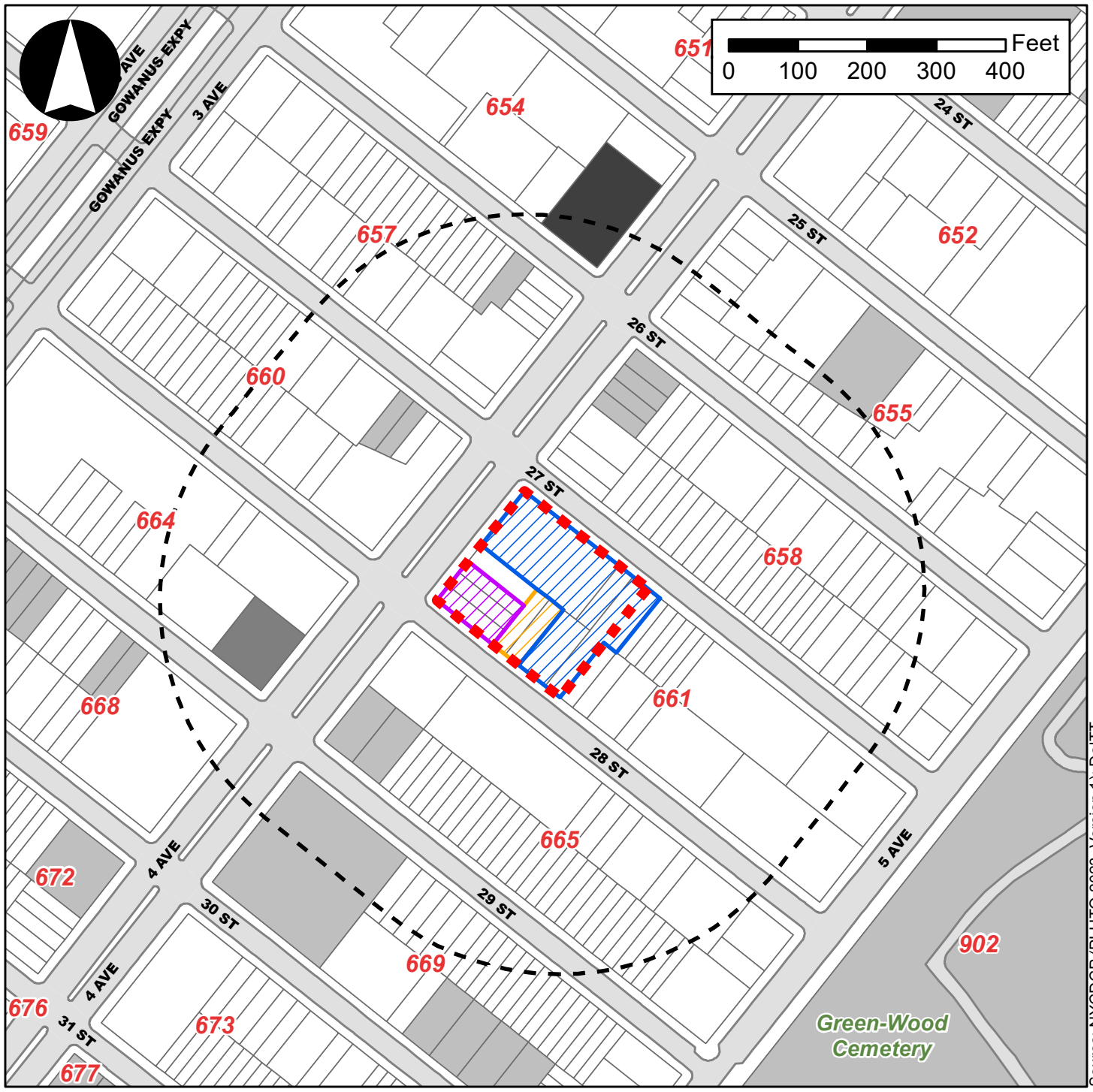
14. View of a low-rise warehouse looking west from the intersection of 28th Street and Fourth Avenue.



15. View of a low-rise police precinct (at center left) and a mid-rise hotel (at right) looking west from the east side of Fourth Avenue.



Figure G-8
Existing Building Heights



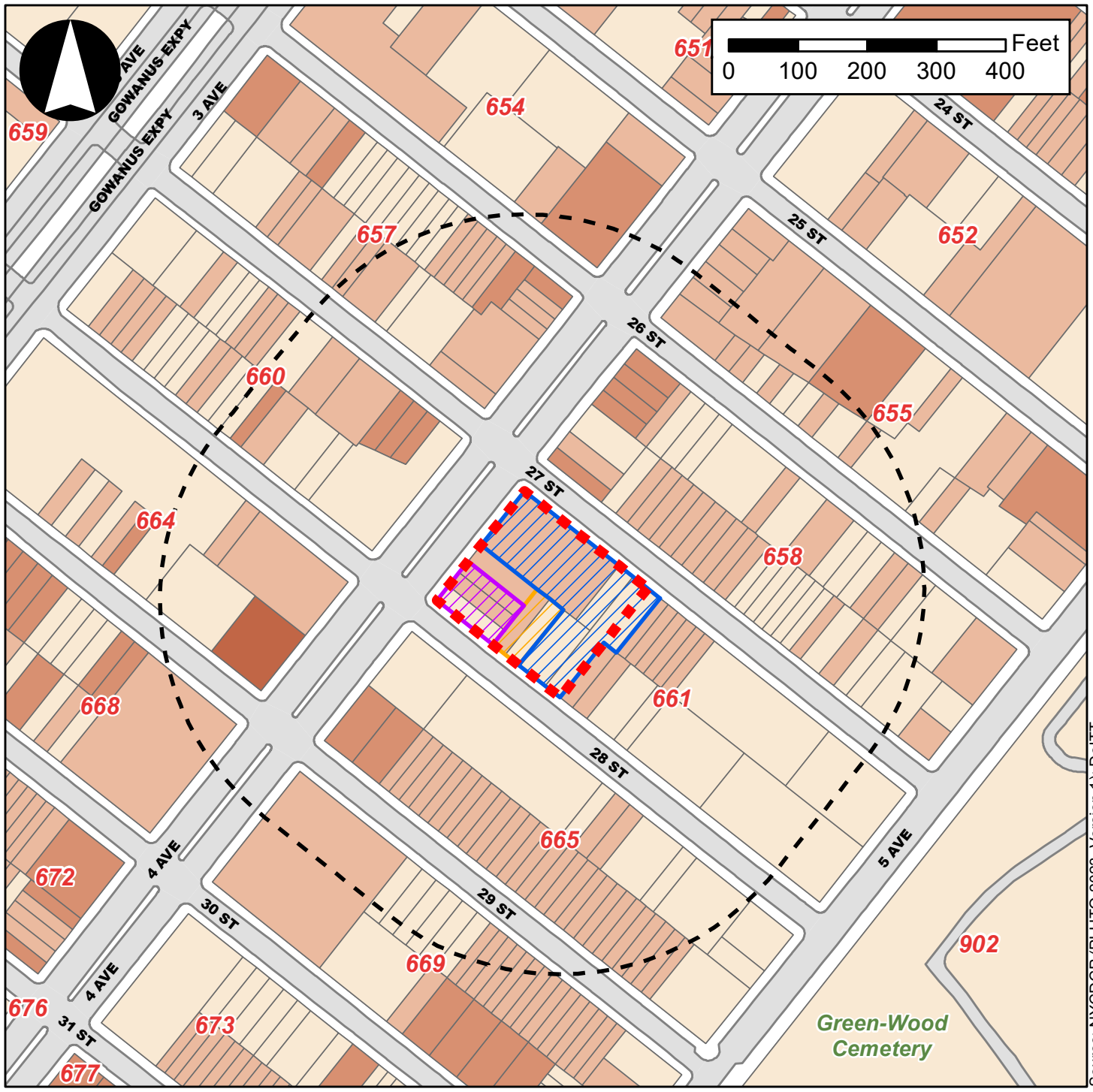
Source: NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Primary Study Area (Project Area)
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1

Number of Stories

- 3 Stories or Less
- 4 - 6 Stories
- 7 - 9 Stories
- 10 - 12 Stories
- Greater than 12 Stories



Source: NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Primary Study Area (Project Area)
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1

Built FAR

- 0.0 - 1.0 FAR
- 1.1 - 2.0 FAR
- 2.1 - 4.0 FAR
- 4.1 - 6.0 FAR
- Greater than 6.1 FAR

The secondary study area is characterized by a rectilinear street grid system, with east-west streets – 26th Street, 27th Street, 28th Street, and 29th Street – spaced approximately 200 feet apart and Fourth Avenue, the only north-south street within the secondary study area, is spaced approximately 560 feet apart from Third Avenue to the west and approximately 700 feet apart from Fifth Avenue to the east. In the immediate vicinity of the primary study area, east-west streets primarily carry local vehicular traffic, while Fourth Avenue, the only north-south street within the secondary study area, carries both local and through vehicular traffic. Within the secondary study area, 26th Street (one-way westbound), 27th Street (one-way eastbound), 28th Street (one-way westbound), and 29th Street (one-way eastbound) are narrow (less than 75 feet in width) streets; Fourth Avenue (two-way northbound and southbound) is a wide (75 feet or greater in width) street. All streets within the secondary study area contain parking lanes on both sides of the streets. Refer to **Figures G-10** and **G-11** for photographs of local streets and streetscapes within the secondary study area. As shown in the figures, all of the streets within the secondary study area are flanked by concrete sidewalks with varied widths. Streetscape elements include street trees, standard cobra head street lights, utility poles and lines, standard DOT parking and street signage, DOT traffic signals, DOT pedestrian signals, DOT CityRacks, ParkNYC Muni-Meters, FDNY call boxes, fire hydrants, United States Postal Service ("USPS") collection boxes, DSNY litter receptacles, residential garbage and recycling receptacles located adjacent to residential buildings, bollards, commercial waste containers located adjacent to non-residential buildings, LinkNYC kiosks, and planters. There are no bus stops, nor any subway station stairs or elevators within the secondary study area. One Citi bike station is located within the northern portion of the secondary study area, at the intersection of Fourth Avenue and 26th Street. Curb cuts of varied widths are common within the secondary study area and are located adjacent to non-residential buildings, primarily commercial/office and industrial/manufacturing buildings.

NATURAL FEATURES AND OPEN SPACE

The topography of the secondary study area is generally flat. There are no natural features within the secondary study area. Open spaces within the secondary study area include open areas utilized as surface parking lots, vacant lots, the P.S. 172 Community Playground located at 825 Fourth Avenue, as well as numerous private front and rear yards. Where present within the secondary study area, open spaces are generally enclosed with wrought iron or chain link fencing (see photo no. 13 in **Figure G-7** and photo nos. 19 and 21 in **Figure G-11**).

Visual Resources

Primary Study Area (Project Area)

There are no visual resources located within the primary study area.

Secondary Study Area (400-Foot Radius)

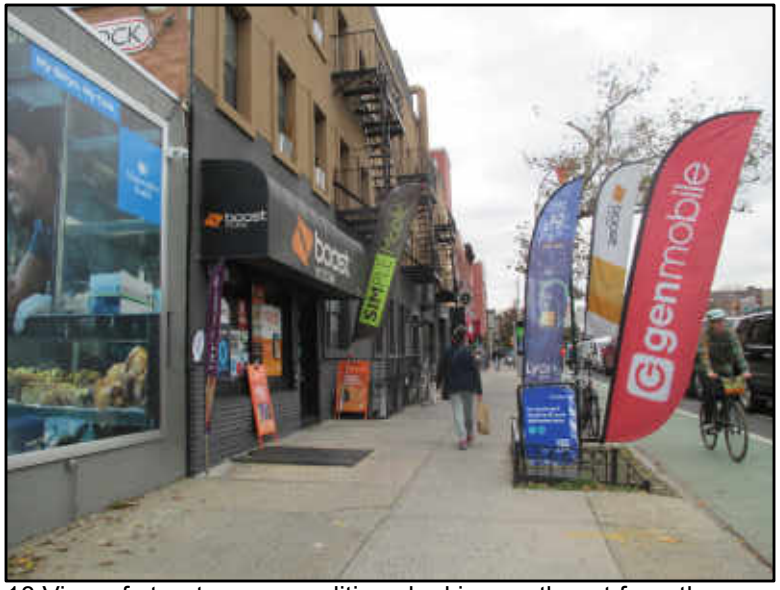
The State/National Registers of Historic Places ("S/NR")-eligible P.S. 172 is a visual resource located within the southwestern portion of the secondary study area. The S/NR-eligible P.S. 172 is not visible from viewpoints looking southward, adjacent to the primary study area's 27th Street, Fourth Avenue, and 28th Street frontages.



16. View of streetscape conditions looking southeast from the south side of 26th Street.



17. View of streetscape conditions looking northwest from the north side of 27th Street.



18.View of streetscape conditions looking northeast from the west side of Fourth Avenue.





19. View of streetscape conditions looking southwest from the south side of 28th Street.



20. View of streetscape conditions looking southeast from the north side of 29th Street.



21.View of streetscape conditions looking south from the south side of 29th Street.



In addition, the S/NR-listed Green-Wood Cemetery is in close proximity to, but not within, the secondary study area. Therefore, per 2021 *CEQR Technical Manual* guidance, because this visual resource is located beyond the boundaries of the secondary study area, it is excluded from this preliminary analysis. The S/NR-listed Green-Wood Cemetery is partially visible adjacent to the primary study area's 27th Street and 28th Street frontages; the S/NR-listed Green-Wood Cemetery is not visible adjacent to the primary study area's Fourth Avenue frontage. Furthermore, it should be noted that this visual resource, although located outside of the secondary study area, is visible from specific vantages within the secondary study area. Therefore, within the secondary study area, view corridors exist along 26th Street, 27th Street, 28th Street, and 29th Street, as the S/NR-listed Green-Wood Cemetery is partially visible from these streets looking eastward.

III. THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

Urban Design

Primary Study Area (Project Area)

BUILDINGS

As described in **Attachment A, "Project Description,"** in the future without the Proposed Actions, the Applicant would not proceed with the Proposed Project on Projected Development Site 1 within the primary study area. Under the No-Action condition, Projected Development Site 1 would not be developed as-of-right and the existing conditions are anticipated to remain. Under the No-Action condition, Projected Development Site 2 and Potential Development Site 1 would not be developed as-of-right and the existing conditions for these five lots are anticipated to remain.

STREETS AND STREETSCAPE

In the future without the Proposed Actions, there would be no changes to the configuration of the existing block, nor the arrangement, dimensions, or orientation or apportionment of street space.

NATURAL FEATURES AND OPEN SPACE

In the future without the Proposed Actions, no new publicly accessible open space would be created within the primary study area, and no changes would occur to the existing private open space (i.e., the private front and rear yards of the two low-rise multi-family residential buildings located on Lots 68 and 69) located within the primary study area.

Secondary Study Area (400-Foot Radius)

BUILDINGS

As described in **Attachment C, "Land Use, Zoning, and Public Policy,"** there are no known development projects anticipated to be completed within the secondary study area in the future without the Proposed Actions. In the future without the Proposed Actions, the built character of the secondary study area would

remain characterized by a variety of building typologies that lack a consistent built character, as under existing conditions.

STREETS AND STREETSCAPE

In the future without the Proposed Actions, no changes to streets or streetscapes are anticipated within the secondary study area. There are no known streetscape improvement plans within the secondary study area.

NATURAL FEATURES AND OPEN SPACE

The secondary study area does not contain any natural features. In the future without the Proposed Actions, existing secondary study area open space, including open areas utilized as surface parking lots, vacant lots, the P.S. 172 Community Playground located at 825 Fourth Avenue, as well as numerous private front and rear yards, are anticipated to remain unchanged from existing conditions.

Visual Resources

Primary Study Area (Project Area)

There are no visual resources within the primary study area and no new visual resources are anticipated to be introduced within the primary study area in the future without the Proposed Actions.

Secondary Study Area (400-Foot Radius)

The S/NR-eligible P.S. 172 is a visual resource located within the southwestern portion of the secondary study area. The S/NR-eligible P.S. 172 is not visible from viewpoints looking southward, adjacent to the primary study area's 27th Street, Fourth Avenue, and 28th Street frontages. In the future without the Proposed Actions, the contexts and settings of the S/NR-eligible P.S. 172 are anticipated to remain unchanged from existing conditions.

The secondary study area's four view corridors of the S/NR-listed Green-Wood Cemetery are expected to remain, as under existing conditions, as the No-Action condition would not affect the pedestrian's experience of these view corridors to the visual resource located outside of the secondary study area. Therefore, no changes to the visual resource located within the secondary study area (S/NR-eligible P.S. 172), or the four view corridors of the visual resource located outside of the secondary study area (S/NR-listed Green-Wood Cemetery), are anticipated within the secondary study area in the future without the Proposed Actions.

IV. THE FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

This section describes the effects of the Proposed Actions on the urban design and visual resource conditions within both the primary and secondary study areas and evaluates the potential for the With-Action condition to result in significant adverse impacts. As described in **Attachment A, "Project Description,"** the Proposed Project would not maximize the permitted building height of 155 feet, inclusive of a 10-foot-tall rooftop bulkhead in the proposed R8A/C2-4 zoning district (for Building A of the

Proposed Project) and the permitted building height of 105 feet, inclusive of a 10-foot-tall rooftop bulkhead, in the proposed R7A zoning district (for Buildings B and C of the Proposed Project). Therefore, for analysis purposes, the With-Action condition for Projected Development Site 1 assumes maximum building heights (with provision of a qualifying ground floor ["QGF"] pursuant to ZR Section 23-664) of 155 feet, inclusive of a 10-foot-tall rooftop bulkhead, for Building A of the With-Action condition and 105 feet, inclusive of a 10-foot-tall rooftop bulkhead for Buildings B and C of the With-Action condition.

In addition, it is anticipated that two non-Applicant-controlled or owned "soft sites" located within the primary study area could be developed in the future With-Action condition. The With-Action condition for Projected Development Site 2 comprises a 14-story (approximately 155-foot-tall including a 10-foot-tall rooftop bulkhead) building. The With-Action condition for Potential Development Site 1 comprises a nine-story (approximately 105-foot-tall including a 10-foot-tall rooftop bulkhead) building.

Urban Design

Primary Study Area (Project Area)

BUILDINGS

APPLICANT-CONTROLLED PROJECTED DEVELOPMENT SITE 1

The With-Action condition for Projected Development Site 1 would include three separate new buildings (known as Buildings A, B, and C) and would comprise one zoning lot. In total, the three separate new buildings would contain approximately 225,140-gsf (175,640-zsf, 5.4 FAR) of total building space inclusive of all building uses and cellar space.

Building A would be located within the proposed R8A/C2-4 zoning district and comprise a 14-story (approximately 155-foot-tall including a 10-foot-tall rooftop bulkhead) mixed residential/commercial building with a cellar. Building A would contain approximately 100 feet of frontage on the east side of Fourth Avenue and approximately 100 feet of frontage on the south side of 27th Street. Building A's cellar would measure approximately 8,900-gsf (comprising approximately 5,700-gsf of space to support the residential units and approximately 3,200-gsf of commercial space). Building A would feature a maximum base height of 105 feet (10-stories) and would be set back 10 feet from Fourth Avenue and 15 feet from 27th Street. No side, front, and rear yards would be provided. Building A would contain approximately 109,550-gsf (88,800-zsf) of total building space inclusive of all building uses, including the cellar. Building A would be occupied by approximately 102,050-gsf (84,600-zsf) of residential uses and approximately 7,500-gsf (4,200-zsf) of commercial retail uses. Building A's residential lobby would be located on 27th Street and the commercial retail uses, located within portions of the ground floor and cellar, would be accessed via Fourth Avenue and 27th Street. Building A's residential uses would comprise approximately 130 total DUs (33 or 39 income-restricted DUs pursuant to MIH Options 1 or 2, respectively). No accessory off-street parking is proposed for Building A's dwelling units, in accordance with the proposed zoning special permit pursuant to ZR Section 74-533, and no accessory off-street parking spaces are proposed for Building A's commercial retail uses.

Building B would be located within the proposed R7A zoning district and comprise a nine-story (approximately 105-foot-tall including a 10-foot-tall rooftop bulkhead) residential building with a cellar. Building B would contain approximately 150 feet of frontage on the south side of 27th Street. Building B

would feature a maximum base height of 65 feet (six-stories) and would be set back 15 feet from 27th Street. No side yards would be provided, and a 10 feet front yard would be provided. Building B would feature rear yards of 30 feet and 60 feet. Building B would contain approximately 79,400 gsf (57,800-zsf) of total building space inclusive of all building uses, including the cellar. Building B would be occupied by approximately 75,900-gsf (57,500-zsf) of residential uses, comprising 86 total DUs (22 or 26 income-restricted DUs pursuant to MIH Options 1 or 2, respectively). Building B's cellar would measure approximately 9,000-gsf (comprising approximately 9,000-gsf of space to support the residential units). Building B's residential lobby would be located on 27th Street. No accessory off-street parking is proposed for Building B's dwelling units, in accordance with the proposed zoning special permit pursuant to ZR Section 74-533. However, approximately 10 parking spaces are proposed within a portion of Building B's ground floor measuring approximately 3,500-gsf (300-zsf); the parking would be accessed via an approximately 12-foot-wide curb cut on 27th Street.

Building C would be located within the proposed R7A zoning district and comprise a nine-story (approximately 105-foot-tall including a 10-foot-tall rooftop bulkhead) residential building with a cellar. Building C would contain approximately 75 feet of frontage on the north side of 28th Street. Building C would feature a maximum base height of 65 feet (six-stories) and would be set back 15 feet from 28th Street. No side yards would be provided, and a 10 feet front yard would be provided. Building C would feature a 60 feet rear yard. Building C would contain approximately 36,190-gsf (29,040-zsf) of total building space inclusive of all building uses, including the cellar. Building C would be occupied by approximately 36,190-gsf (29,040-zsf) of residential uses, comprising 41 total DUs (10 or 12 income-restricted DUs pursuant to MIH Options 1 or 2, respectively). Building C's cellar would measure approximately 4,500-gsf (comprising approximately 4,500-gsf of space to support the residential units). Building C's residential lobby would be located on 28th Street. No accessory off-street parking is proposed for Building C's dwelling units, in accordance with the proposed zoning special permit pursuant to ZR Section 74-533.

The With-Action condition would also contain an approximate 7,160-sf landscaped private open space located within the rear yard of Projected Development Site 1 between Buildings B and C. In addition to landscaping, the open space would contain walking paths, benches, and movable tables and chairs. Access to the open space would be restricted to residents of the three separate new buildings.

NON-APPLICANT-CONTROLLED PROPERTIES

In addition to the With-Action condition for Projected Development Site 1, two additional soft sites not controlled or owned by the Applicant have been identified within the primary study area, as described below.

PROJECTED DEVELOPMENT SITE 2

Within the primary study area, it is anticipated that Projected Development Site 2 could be developed in the future With-Action condition. The With-Action condition for Projected Development Site 2 comprises an approximately 62,661-gsf (50,508-zsf, 7.2 FAR) mixed residential/commercial building. The building would reach a maximum height of 14-stories (approximately 155-feet-tall including a 10-foot-tall rooftop bulkhead) and a cellar. The cellar would measure approximately 7,015-gsf. The building would feature a maximum base height of 105 feet (10-stories) and would be set back 10 feet from Fourth Avenue and 15 feet from 28th Street. No side, front, or rear yards would be provided. The building would be occupied by approximately 60,645-gsf (48,754-zsf) of residential uses and approximately 2,017-gsf (1,754-zsf) of

commercial retail uses. The building's residential lobby would be located on 28th Street and the commercial retail uses, located on a portion of the ground floor, would be accessed via Fourth Avenue and 28th Street. The building's residential uses would comprise approximately 61 total DUs (15 or 18 income-restricted DUs pursuant to MIH Options 1 or 2, respectively). No accessory off-street parking spaces would be provided.

POTENTIAL DEVELOPMENT SITE 1

Within the primary study area, it is anticipated that Potential Development Site 1 is less likely to be developed in the future With-Action condition. The With-Action condition for Potential Development Site 1 comprises an approximately 30,348-gsf (23,037-zsf, 4.6 FAR) residential building. The building would reach a maximum height of nine-stories (approximately 105-feet-tall including a 10-foot-tall rooftop bulkhead) and a cellar. The cellar would measure approximately 5,008-gsf and contain an accessory parking garage. The building would feature a maximum base height of 65 feet (six-stories) and would be set back 15 feet from 28th Street. No side yards would be provided but, a 10 feet front yard and a 30 feet rear yard would be provided. The building would be occupied by approximately 25,340-gsf (23,037-zsf) of residential uses. The building's residential lobby would be located on 28th Street. The building's residential uses would comprise approximately 27 total DUs (seven or eight income-restricted DUs pursuant to MIH Options 1 or 2, respectively). Approximately seven accessory off-street parking spaces would be required for the building's dwelling units (approximately six parking spaces for the building's 20 market-rate DUs and approximately one parking space for the building's seven income-restricted DUs [MIH Option 1]). The accessory, non-attended parking garage would be located in the building's cellar and accessed via an approximately 12-foot-wide curb cut on 28th Street.

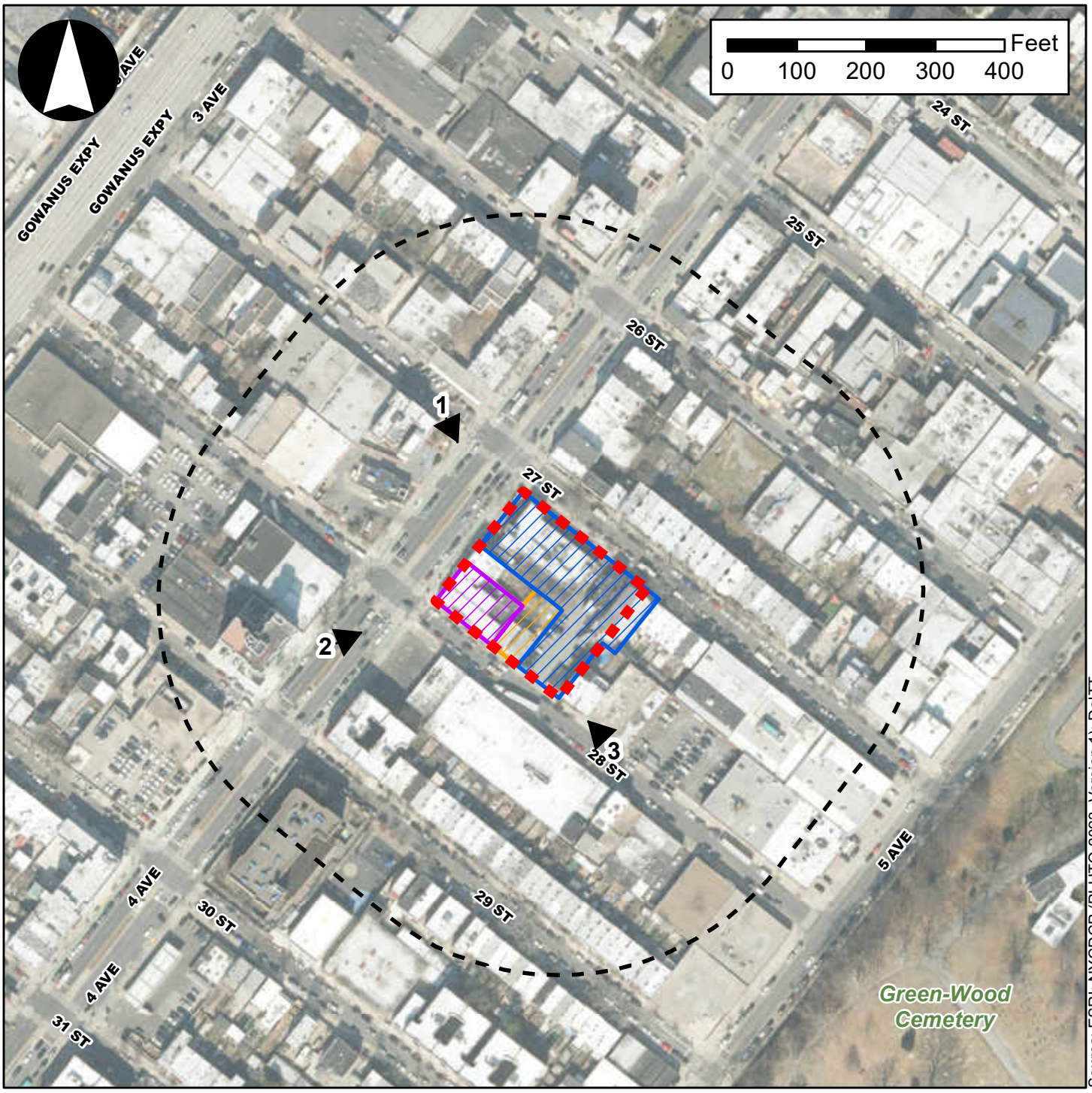
Figures G-13, **G-14**, and **G-15** provide illustrative views of the primary study area comparing the No-Action and With-Action conditions. **Figure G-12** provides a photo location map for the No-Action and With-Action comparison views. As shown in these figures, in comparison to the No-Action condition, the With-Action condition would introduce five taller buildings and alter the visual setting of the primary study area.

STREETS AND STREETSCAPE

The With-Action condition would not change the configuration of the existing block, as the With-Action condition would not change the arrangement, dimensions, or orientation or apportionment of street space. As compared to the No-Action condition, the With-Action condition would alter the pedestrian experience of the streetscape surrounding the primary study area. Although the With-Action condition for Projected Development Site 1 would not provide accessory off-street parking, approximately 10 parking spaces are proposed within a portion of Building B's ground floor; the parking would be accessed via a new, approximately 12-foot-wide curb cut on 27th Street. The three existing curb cuts located along Projected Development Site 1's street frontages (one approximate 15-foot wide curb cut on Fourth Avenue adjacent to Lot 5, one approximate 20-foot wide curb cut on 28th Street adjacent to Lot 66, and one approximate 25-foot wide curb cut on 28th Street adjacent to Lot 14) would be demolished.

In the future with the Proposed Actions, it is the Applicant's intention that the With-Action condition for Projected Development Site 1 would introduce ground floors featuring windows glazed with transparent materials, and that the With-Action condition for Projected Development Site 1 would provide pedestrian ingress and egress points on 27th Street, Fourth Avenue, and 28th Street. In addition, it is the Applicant's intention that the With-Action condition for Projected Development Site 1 would result in the reconstruction of the sidewalks adjoining Projected Development Site 1. With the reconstruction of the

No-Action Condition and With-Action Condition Massing Comparison - Photo Location Map



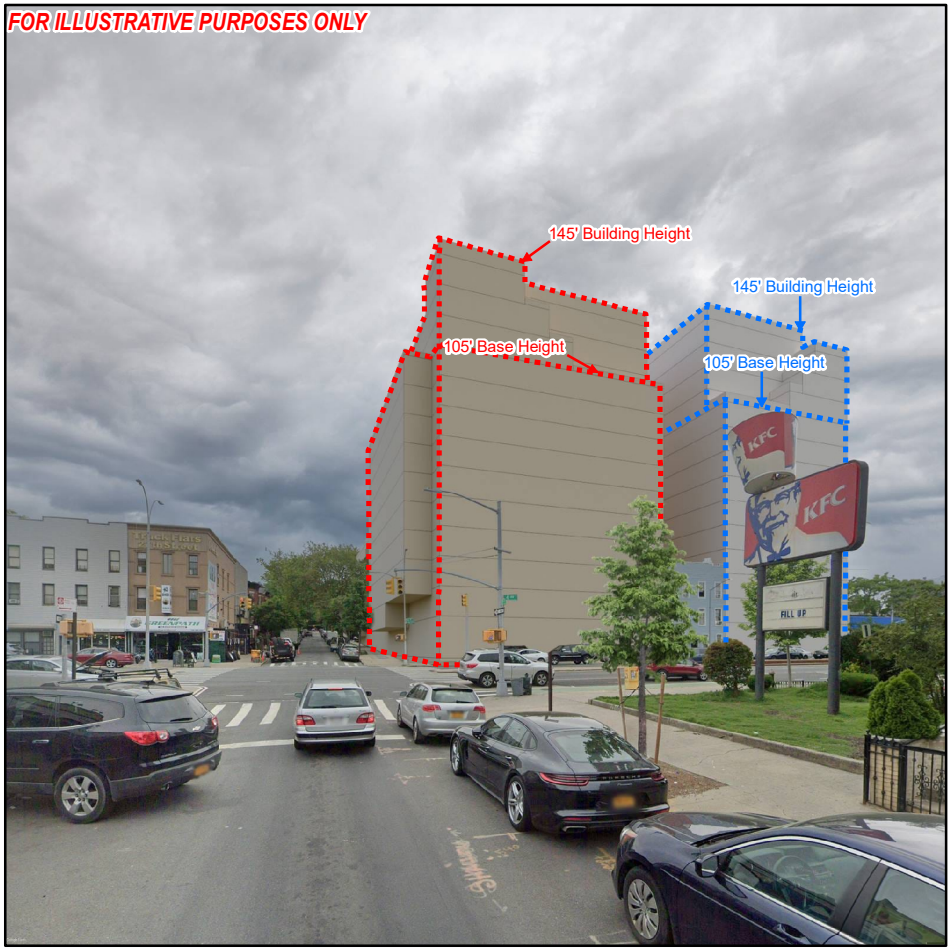
Source: ESRI; NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Primary Study Area (Project Area)
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1



No-Action Condition: View of the Primary Study Area looking southeast near the intersection of 27th Street and Fourth Avenue.

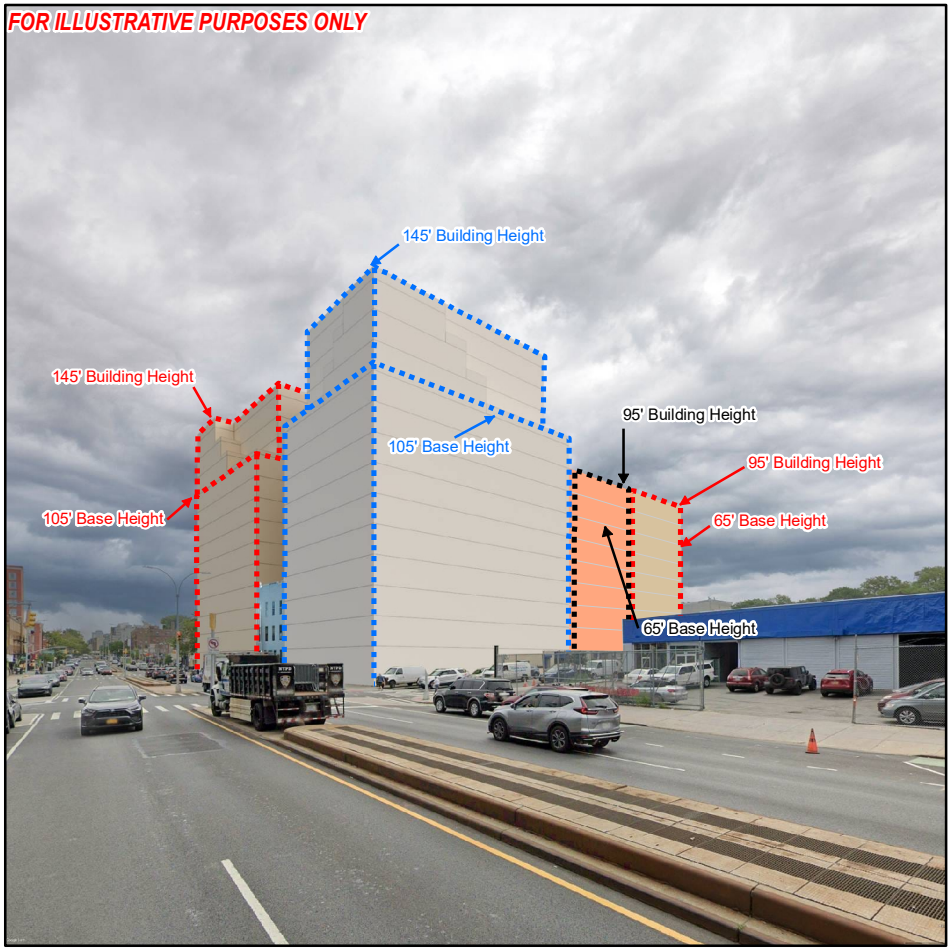


With-Action Condition: View of the Primary Study Area looking southeast near the intersection of 27th Street and Fourth Avenue.

The With-Action condition on Projected Development Site 1 is indicated in light brown, while the building on Projected Development Site 2 is indicated in gray.



No-Action Condition: View of the Primary Study Area looking northeast from Fourth Avenue.

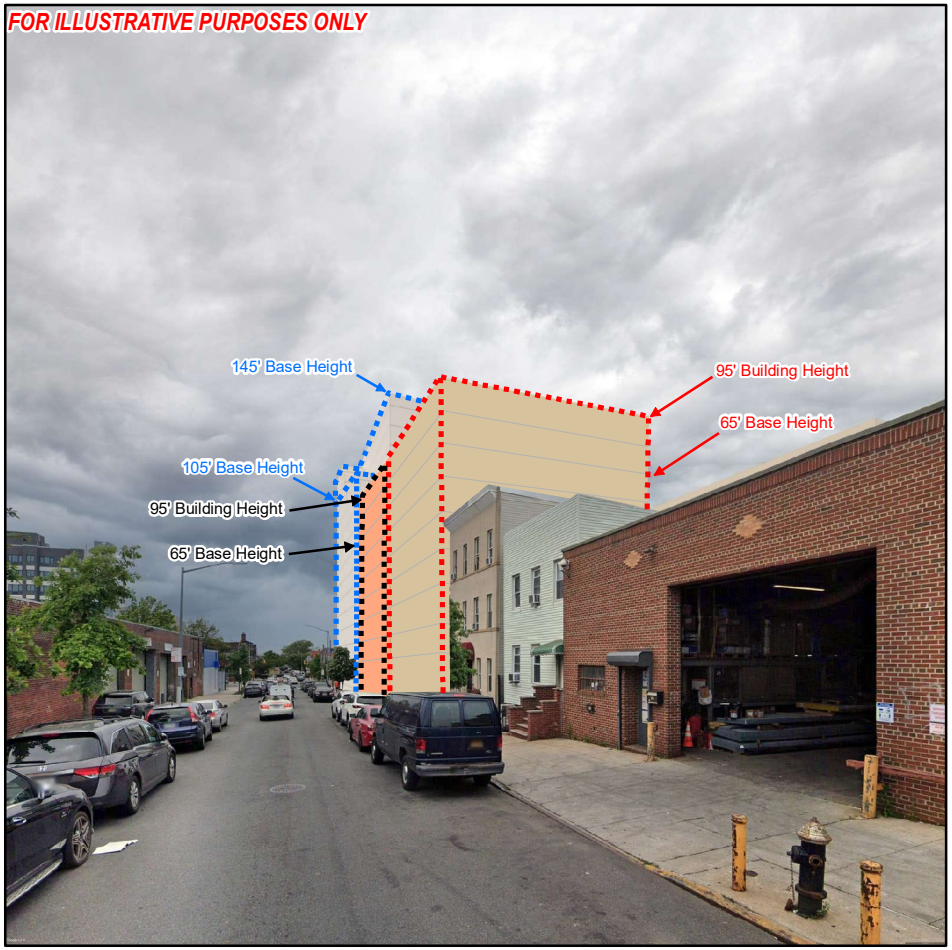


With-Action Condition: View of the Primary Study Area looking northeast from Fourth Avenue.

The With-Action condition on Projected Development Site 1 is indicated in light brown, the building on Projected Development Site 2 is indicated in gray, and the building on Potential Development Site 1 is indicated in orange.



No-Action Condition: View of the Primary Study Area looking northwest from 28th Street.



With-Action Condition: View of the Primary Study Area looking northwest from 28th Street.

The With-Action condition on Projected Development Site 1 is indicated in light brown, the building on Projected Development Site 2 is indicated in gray, and the building on Potential Development Site 1 is indicated in orange.

adjoining sidewalks, the existing three curb cuts would be demolished; however, as previously described, the With-Action condition would result in the construction of a new, approximately 12-foot-wide curb cut on 27th Street to facilitate vehicle ingress and egress at Building B, which would provide approximately 10 parking spaces (non-attended). Further, it is the Applicant's intention that the existing street trees located adjacent to Projected Development Site 1 would be preserved with reconstruction of the sidewalks. There are six street trees located on the sidewalks adjoining Projected Development Site 1 (five on 27th Street and one on Fourth Avenue).

NATURAL FEATURES AND OPEN SPACE

The primary study area does not contain natural features. Open spaces within the primary study area include the asphalt- and concrete-paved areas utilized for parking located on portions of Projected Development Site 1, as well as the private front and rear yards of the two low-rise multi-family residential buildings located on Lots 68 and 69. The With-Action condition would not result in the creation of any new publicly accessible open space within the primary study area.

In the future with the Proposed Actions, the asphalt- and concrete-paved areas utilized for parking located on portions of Projected Development Site 1, as well as the private front and rear yards of the two low-rise multi-family residential buildings located on Lots 68 and 69, would be demolished with the development of Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1. The With-Action condition for Projected Development Site 1 would include an approximate7,160-sf landscaped private open space located within the rear yard of Projected Development Site 1 between Buildings B and C. Access to the open space would be restricted to residents of the With-Action condition.

Secondary Study Area (400-Foot Radius)

BUILDINGS

Within the secondary study area, there are no known development projects anticipated to be completed within the secondary study area by the 2029 build year. In the future with the Proposed Actions, the built character of the secondary study area would remain characterized by a variety of building typologies that lack a consistent built character, as under the No-Action condition.

STREETS AND STREETSCAPE

The Proposed Actions would not alter any street patterns, street hierarchies, streetscape arrangements, or block forms within the secondary study area.

NATURAL FEATURES AND OPEN SPACE

The secondary study area does not contain any natural features. The Proposed Actions would not result in changes to the secondary study area's open spaces.

Visual Resources

Primary Study Area (Project Area)

There are no visual resources within the primary study area and no new visual resources are anticipated to be introduced within the primary study area in the future with the Proposed Actions. Therefore, the Proposed Actions would not result in any significant adverse impacts on visual resources in the primary study area.

Secondary Study Area (400-Foot Radius)

The Proposed Actions are localized, and would not alter building uses, bulks, or arrangements in the surrounding secondary study area, or result in any changes to streets, blocks, topography, natural features, or open spaces within the secondary study area under the With-Action condition. The S/NR-eligible P.S. 172 is a visual resource located within the southwestern portion of the secondary study area.

In the future with the Proposed Actions, views of this visual resource would not change in comparison to the future without the Proposed Actions. As described above, the S/NR-eligible P.S. 172 is not visible from viewpoints looking southward, adjacent to the primary study area's 27th Street, Fourth Avenue, and 28th Street frontages. In the future with the Proposed Actions, the context and setting of the S/NR-eligible P.S. 172 is anticipated to remain unchanged from existing conditions and conditions in the future without the Proposed Actions. Therefore, no changes to this visual resource are anticipated within the secondary study area in the future with the Proposed Actions. Although the With-Action condition would result in the construction of taller, larger, and denser buildings, as compared to existing conditions and conditions in the future without the Proposed Actions, the With-Action condition would not change views of the S/NR-eligible P.S. 172, nor would the With-Action condition alter the context and setting of this visual resource as this visual resource is not visible adjacent to the primary study area's 27th Street, Fourth Avenue, and 28th Street frontages.

The secondary study area's four view corridors of the S/NR-listed Green-Wood Cemetery are expected to remain unchanged from existing conditions and conditions in the future without the Proposed Actions, as the With-Action condition would not affect the pedestrian's experience of these view corridors to the visual resource located outside of the secondary study area. Therefore, no changes to the visual resource located within the secondary study area (S/NR-eligible P.S. 172), or the four view corridors of the visual resource located outside of the secondary study area (S/NR-listed Green-Wood Cemetery), are anticipated within the secondary study area in the future with the Proposed Actions. Therefore, the Proposed Actions would not result in significant adverse impacts on visual resources in the secondary study area.

Assessment

The Proposed Actions would not result in significant adverse impacts on urban design and visual resources within the primary study area or the surrounding secondary study area. In comparison to the No-Action condition, the With-Action condition would introduce taller, larger, and denser buildings to the primary study area. The With-Action condition for Projected Development Site 1 would include three separate new buildings (known as Buildings A, B, and C). Building A would comprise a 14-story (approximately 155-foot-tall including a 10-foot-tall rooftop bulkhead) building, Building B would comprise a nine-story (approximately 105-foot-tall including a 10-foot-tall rooftop bulkhead) building, and Building C would comprise a nine-story (approximately 105-foot-tall including a 10-foot-tall rooftop bulkhead) building. The With-Action condition for Projected Development Site 2 comprises a 14-story (approximately 155-foot-tall including a 10-foot-tall rooftop bulkhead) building. The With-Action condition for Potential Development Site 1 comprises a nine-story (approximately 105-foot-tall including a 10-foot-tall rooftop

bulkhead) building. However, although the With-Action condition, through the introduction of taller, larger, and denser buildings, would change the pedestrian experience in the vicinity of the primary study area as compared to conditions in the No-Action condition, this change would not be incompatible or negatively affect a pedestrian's experience of public space.

The With-Action condition would be constructed on an existing block and would not entail any changes to topography, street patterns, street hierarchy, block shapes, or natural features within the primary or secondary study areas. In addition, the Proposed Actions would not create land uses or structures that would be substantially incompatible with the existing built character of the primary or secondary study areas, or the larger surrounding Sunset Park neighborhood outside of the secondary study area. As described in **Attachment C, "Land Use, Zoning, and Public Policy,"** residential land uses are located throughout the secondary study area and represent, in sum, approximately 65.1%, 37.8%, and 40.2% of lots, lot area, and building area, respectively, within the secondary study area.

As illustrated in **Figures G-13**, **G-14**, and **G-15**, the visual context of the primary study area would change as a result of the Proposed Actions, as the With-Action condition would represent a visible change to the perspective of a pedestrian adjacent to the primary study area. As shown in these figures, in comparison to the No-Action condition, the With-Action condition would introduce taller, larger, and denser buildings to the primary study area. The heights of the existing buildings within the primary study area range from a minimum of 9.87 feet (one-story) to a maximum of 47.87 feet (two-stories). The FARs of the existing buildings within the primary study area range from 0.56 to 1.34. In comparison to the existing buildings within the primary study area, the With-Action condition would introduce two 14-story, approximately 155-foot-tall (including a 10-foot-tall rooftop bulkhead) buildings and three nine-story, approximately 105-foot-tall (including a 10-foot-tall rooftop bulkhead) buildings to the primary study area. Within the primary study area, the FAR of Projected Development Site 1 in the With-Action condition would be 5.4 FAR, while the FAR of Projected Development Site 1 in the No-Action condition would be 0.71 FAR. Within the primary study area, the FAR of Projected Development Site 2 in the With-Action condition would be 7.2 FAR, while the FAR of Projected Development Site 2 in the No-Action condition would be 1.09 FAR. Within the primary study area, the FAR of Potential Development Site 1 in the With-Action condition would be 4.6 FAR, while the FAR of Potential Development Site 1 in the No-Action condition would be 0.78 FAR. The location of Projected Development Site 1 on Fourth Avenue, a wide street with a mapped width of 120 feet would support the increased bulk permissible pursuant to the Proposed Actions. Further, in comparison to the non-Applicant-controlled lots within the primary study area, which are primarily interior lots measuring 3,000-sf or less in lot area, Projected Development Site 1 is large (32,524-sf), irregular in shape, and extends to encompass interior portions of Block 661 at depths ranging from approximately 150 to 250 feet.

Within the secondary study area, buildings are typically one-, two-, and three-stories tall; in feet, building heights within the secondary study area range from a minimum of 9.87 feet (one-story) to a maximum of 111 feet (eight-stories). However, the bulk of the five new mid-rise buildings comprising the With-Action condition would be representative of two commercial buildings located within the secondary study area, including the eight-story, 111-foot-tall, 4.58 FAR Liberty View Brooklyn Hotel located at 826 Fourth Avenue (Block 664, Lot 37) and the 10-story, 102.5-foot-tall, 3.0 FAR Brooklyn Way Hotel located at 764 Fourth Avenue (Block 654, Lot 34). Although the With-Action condition would introduce buildings that would be taller, larger, and denser than the two mid-rise commercial buildings located along Fourth Avenue, the buildings introduced under the With-Action condition would remain consistent with the residential and mixed-use commercial/residential nature of the secondary study area, where residential and mixed-use commercial/residential land uses, in sum, represent majorities of lots, lot area, and

building area within the secondary study area (refer to **Attachment C, "Land Use, Zoning, and Public Policy"**). Further, examples of buildings with bulk conditions similar to the With-Action condition are also located just outside the secondary study area. For example, within a quarter-mile radius of the primary study area, two mid-rise buildings are under construction along Fourth Avenue. At 743 Fourth Avenue (Block 652, Lot 1), also known as 737 Fourth Avenue, a 14-story, 145-foot-tall to the rooftop, 7.2 FAR mixed-use building is under construction; the building was facilitated by the 737 Fourth Avenue Rezoning (CEQR No: 19DCP127K; ULURP Nos: C200029 ZMK and N200030 ZRK), which was approved in 2021. At 875 Fourth Avenue (Block 681, Lot 1), an eight-story, 86-foot-tall, 4.07 FAR multi-family residential building is under construction.

In addition, the With-Action condition would not obstruct any views of visual resources, nor would the With-Action condition adversely impact any view corridors within the secondary study area. The S/NR-eligible P.S. 172 is a visual resource located within the southwestern portion of the secondary study area. The S/NR-eligible P.S. 172 is not visible from viewpoints looking southward, adjacent to the primary study area's 27th Street, Fourth Avenue, and 28th Street frontages. In the future with the Proposed Actions, the context and setting of the S/NR-eligible P.S. 172 is anticipated to remain unchanged from existing conditions and conditions in the future without the Proposed Actions. The secondary study area's four view corridors of the S/NR-listed Green-Wood Cemetery are expected to remain unchanged from existing conditions and conditions in the future without the Proposed Actions, as the With-Action condition would not affect the pedestrian's experience of these view corridors to the visual resource located outside of the secondary study area. Therefore, no changes to the visual resource located within the secondary study area (S/NR-eligible P.S. 172), or the four view corridors of the visual resource located outside of the secondary study area (S/NR-listed Green-Wood Cemetery), are anticipated within the secondary study area in the future with the Proposed Actions.

While the addition of the With-Action condition to the primary study area would be a change from the perspective of a pedestrian, the change would not represent a significant adverse impact. The With-Action condition would introduce continuous street walls along the primary study area's 27th Street, Fourth Avenue, and 28th Street frontages. No other changes to streetscape conditions would occur adjacent to the primary study area or within the secondary study area in the future with the Proposed Actions. Further, the Proposed Actions would result in three residential buildings and two mixed-use commercial/residential buildings located within a primary study area and a secondary study area that are characterized by residential and mixed-use commercial/residential land uses. Although the Proposed Actions would change the appearance of the built environment of the primary and secondary study areas, the change would not negatively affect a pedestrian's experience of the primary and secondary study areas. Therefore, the Proposed Actions would not result in significant adverse impacts on urban design and visual resources within the primary study area or the surrounding secondary study area.

Attachment H:

Air Quality

I. 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. As discussed herein, the Proposed Actions would not warrant a detailed analysis of mobile sources or "large" or "major" stationary sources. Fossil fuel-fired heating/hot water, ventilation, and air conditioning ("HVAC") systems could potentially be used in the new buildings facilitated by the Proposed Actions, and the Proposed Actions would introduce new uses within 400 feet of existing industrial facilities. Therefore, detailed HVAC and air toxics analyses are warranted and presented herein. The analysis framework was based on the 2021 *City Environmental Quality Review* ("CEQR") *Technical Manual*.

Project Description

The Proposed Actions affect a portion of one city block and 10 tax lots: Lots 1, 2, 3, 4, 5, 13, 14, 66, 68, and 69 on Block 661 in the Sunset Park neighborhood of Brooklyn Community District ("CD") 7.

Projected Development Site 1 (Applicant-controlled)

The Proposed Actions would facilitate the development of the Proposed Project at Projected Development Site 1 (Block 665, Lots 5, 13, 14, and 66). The Proposed Project would include three new buildings (known as Buildings A, B, and C), where the buildings would not be connected. Like the Proposed Project, the Reasonable Worst Case Development Scenario ("RWCDS") With-Action condition for Projected Development Site 1 would include three new buildings (Buildings A, B, and C) that would not be connected.

Building A of the Proposed Project would comprise a mixed residential/commercial building with a cellar. Building A would contain approximately 109,550-gsf of total building space inclusive of all building uses (102,050-gsf of residential uses and approximately 7,500-gsf of commercial retail uses). Building A's RWCDS comprises a 14-story, approximately 155-foot-tall including a 10-foot-tall rooftop bulkhead building. Under the Proposed Project, Building A comprises a 13-story, approximately 144-foot-tall including a 10-foot-tall rooftop bulkhead building. Building A's height under the Proposed Project was considered in the analysis.

Building B of the Proposed Project would comprise a residential building with a cellar. Building B would contain approximately 79,400-gsf of total building space inclusive of all building uses. The ground floor of Building B would contain approximately 3,500-gsf of building space for 10 parking spaces (non-attended). Building B's RWCDS comprises a nine-story, approximately 105-foot-tall including a 10-foot-tall rooftop bulkhead building. Under the Proposed Project, Building B comprises an eight-story, approximately 94-foot-tall including a 10-foot-tall rooftop bulkhead building. Building B's height under the Proposed Project was considered in the analysis.

Building C of the Proposed Project would comprise a residential building with a cellar. Building C would contain approximately 36,190-gsf of total building space inclusive of all building uses. Building C's RWCDS comprises a nine-story, approximately 105-foot-tall including a 10-foot-tall rooftop bulkhead building. Under the Proposed Project, Building C comprises a seven-story, approximately 84-foot-tall including a 10-foot-tall rooftop bulkhead building. Building C's height under the Proposed Project was considered in the analysis.

Non-Applicant-controlled Properties

Two additional soft sites not controlled or owned by the Applicant have been identified within the Project Area.

The RWCDS With-Action condition for Projected Development Site 2 (Block 661, Lots 1, 2, and 3) comprises an approximately 62,661-gsf mixed residential/commercial building. The building would reach a maximum height of 14-stories (approximately 155-foot-tall including a 10-foot-tall rooftop bulkhead) and a cellar. The building would be occupied by approximately 60,645-gsf of residential use and 2,017-gsf of commercial retail use. No accessory parking spaces would be required.

The RWCDS With-Action condition for Potential Development Site 1 (Block 661, Lots 68 and 69) comprises an approximately 30,348-gsf residential building. The building would reach a maximum height of nine-stories (approximately 105-foot-tall including a 10-foot-tall rooftop bulkhead) and a cellar. The building would be occupied by approximately 25,340-gsf of residential uses. An accessory parking garage on the building's cellar level, measuring approximately 5,008-gsf, would accommodate seven cars.

II. MOBILE SOURCE SCREENING

CO and $PM_{2.5}$ Emissions

As stated in the 2021 *CEQR Technical Manual*, projects—whether site-specific or generic—may result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic, create any other mobile sources of pollutants (e.g., diesel trains, helicopters, boats), or add new uses near mobile sources (e.g., roadways, garages, parking lots). According to the 2021 *CEQR Technical Manual* screening thresholds, if 170 or more project-generated vehicles pass through an intersection in any peak hour (for CO impact), or if a project would result in greater than 12 to 23 heavy duty diesel vehicle ("HDDV") trips or its equivalent vehicle emissions based on the type of road (for $PM_{2.5}$ impact), there is the potential for mobile source air quality impacts and a detailed analysis is required.

As presented in **Appendix 3, "Transportation Planning Factors and Travel Demand Forecast Technical Memorandum,"** the Proposed Actions' RWCDS would not introduce 170 or more project-generated vehicles through an intersection in any peak hour. As such, a detailed mobile source air quality analysis for CO emissions is not warranted.

The $PM_{2.5}$ equivalent truck calculation in vehicular emission screen ranges from 12 to 23 HDDVs depending on the type of roadway. The net incremental change in peak hour vehicle trips presented in **Appendix 3, "Transportation Planning Factors and Travel Demand Forecast Technical Memorandum,"** were used for the $PM_{2.5}$ equivalent truck calculations. All autos were assumed to be LDGT1 class vehicles, and all trucks were assumed to be HDDV7, based on guidance from the New York City Department of City Planning

("DCP"). **Table H-1** shows the incremental peak hour traffic volumes generated by the Proposed Actions' RWCDS (by vehicle type) and the 2021 *CEQR Technical Manual* Equivalent Truck Calculations.

Table H-1: Incremental Peak Hour Traffic Volumes Generated by the Proposed Actions' RWCDS

Roadway	Roadway Classification (Threshold HDDVs screen)[1]	Peak-Hour Period	Trucks Per Hour	Vehicle Per Hour	Equivalent Truck	Equivalent Truck Threshold	Pass/Fail
Fifth Avenue and 27th Street	Minor Arterial (16)	AM	0	26	1	23	Pass
		Midday	0	16	1	23	Pass
		PM	0	17	1	23	Pass
		Saturday Midday	0	40	2	23	Pass
Fifth Avenue and 28th Street	Minor Arterial (16)	AM	0	26	1	23	Pass
		Midday	0	16	1	23	Pass
		PM	0	17	1	23	Pass
		Saturday Midday	0	40	2	23	Pass
Fourth Avenue and 27th Street	Principal Arterial Other (14)	AM	0	26	1	23	Pass
		Midday	0	16	1	23	Pass
		PM	0	17	1	23	Pass
		Saturday Midday	0	40	2	23	Pass
Fourth Avenue and 28th Street	Principal Arterial Other (14)	AM	0	26	1	23	Pass
		Midday	0	16	1	23	Pass
		PM	0	17	1	23	Pass
		Saturday Midday	0	40	2	23	Pass

Note:
1. Roadway classification obtained from the New York State Department of Transportation ("NYSDOT") Functional Class Maps <https://www.dot.ny.gov/gisapps/functional-class-maps> (February 2024).

As shown in **Table H-1**, the Proposed Actions' RWCDS $PM_{2.5}$ equivalent truck calculations in vehicular emissions do not exceed the HDDVs screening threshold criterion(s) for any peak hour. As such, a detailed mobile source air quality analysis for $PM_{2.5}$ emissions is not warranted.

Therefore, the Proposed Actions would not exceed the 2021 *CEQR Technical Manual* screening thresholds for CO and $PM_{2.5}$ emissions, a detailed mobile source air quality analysis is not warranted, and the Proposed Actions would not result in significant adverse air quality impacts regarding CO and $PM_{2.5}$ emissions.

Parking Facilities

As stated in the 2021 *CEQR Technical Manual*, a project that would (1) result in new sensitive uses (particularly schools, hospitals, parks, and residences) adjacent to large existing parking facilities or parking garage exhaust vents and/or (2) result in the construction of parking facilities, may require analysis. The Proposed Project would not be located adjacent to a large parking facility or parking garage exhaust vents, nor would the Proposed Actions result in the development of an accessory parking garage in the With-Action condition, pursuant to the requested zoning special permit pursuant to ZR Section 74-533 "Reduction of parking spaces to facilitate affordable housing."

Further, although Projected Development Site 1 would provide 10 parking spaces (non-attended) and Potential Development Site 1 would provide seven spaces of accessory parking, none of these development sites would provide a parking facility with 85 or more spaces. Therefore, a detailed analysis of emissions associated with parking operations is not warranted for the Proposed Actions and the Proposed Actions would not result in significant adverse air quality impacts regarding mobile source emissions from parking facilities.

Atypical Roadways

As stated in the 2021 *CEQR Technical Manual*, a project that would result in the placement of operable windows (i.e., windows that may be opened and closed by the tenant), balconies, air intakes, or intake vents generally within 200 feet of an atypical (e.g., not at-grade) source of vehicular pollutants, such as a highway or bridge with a total of more than two lanes, may require analysis. The Project Area would not be located within 200 feet of an atypical (e.g., not at-grade) source of vehicular pollutants; the nearest atypical roadway is the Gowanus Expressway (Interstate 278), which is located approximately 700 feet to the west of the Project Area. Therefore, a detailed analysis of emissions associated with atypical roadways is not warranted for the Proposed Actions and the Proposed Actions would not result in significant adverse air quality impacts regarding mobile source emissions from atypical roadways.

III. APPLICABLE AIR QUALITY STANDARDS AND SIGNIFICANT IMPACT CRITERIA

As required by the Clean Air Act, National Ambient Air Quality Standards ("NAAQS") have been established for the most common air pollutants (six criteria pollutants) by the U.S. Environmental Protection Agency ("EPA"). The presence of these pollutants in ambient air is generally due to numerous diverse and widespread sources of emissions. New York has adopted the NAAQS as the State ambient air quality standard. Criteria pollutants relevant to the analyses are associated with stationary source combustion of natural gas-fired HVAC systems and emissions from manufacturing processing facilities. These include particulate matter with aerodynamic diameters less than or equal to 2.5 microns ("$PM_{2.5}$") and 10 microns ("PM_{10}"), and nitrogen dioxide ("NO_2").

In addition to the NAAQS, the 2021 *CEQR Technical Manual* requires that projects subject to CEQR apply carbon monoxide ("CO") and $PM_{2.5}$ significant impact criteria (*de minimis*). The 2021 *CEQR Technical Manual de minimis* criteria set allowable incremental increases in CO and $PM_{2.5}$ concentrations that would result as a consequence of a proposed action. Conditions associated with the Proposed Actions did not require detailed mobile source analysis; therefore, CO *de minimis* is not applicable. $PM_{2.5}$ *de minimis*, for projects under CEQR, is evaluated as follows:

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

Determination of significant impact related to criteria pollutants accounts for existing pollutant concentrations in the ambient air (background concentrations). Background concentrations from the nearest New York State Department of Environmental Conservation ("NYSDEC") federally-mandated monitoring station(s) were applied in the analysis. **Table H-2** shows the NAAQS, background concentration, and the *CEQR de minimis* for the pollutants/sources applicable to the analysis.

Table H-2: NAAQS and CEQR *de minimis* for the relevant pollutants

Pollutant	Averaging Period	NAAQS	Background Concentration	Monitoring Station	CEQR *de minimis*
NO_2	1 Hour	0.10 ppm (188 $\mu g/m^3$)	55.1 ppb (103.6 $\mu g/m^3$)	Queens College Site No. 36-081-0124 (1)	---
	Annual	0.053 ppm (100 $\mu g/m^3$)	14.18 ppb (26.8 $\mu g/m^3$)		---
PM_{10}	24 Hour	150 $\mu g/m^3$	24 $\mu g/m^3$	Division Street Site No. 36-061-0134 (2)	---
$PM_{2.5}$	24 Hour	35 $\mu g/m^3$	18.7 $\mu g/m^3$	JHS 126 Site No. 36-047-0122 (2)	8.15 $\mu g/m^3$
	Annual	12 $\mu g/m^3$	7.6 $\mu g/m^3$		0.3 $\mu g/m^3$

Note:
1. NO_2 background concentration: NYSDEC. 2019. "New York State Ambient Air Quality Report for 2019." File version: 11/12/2020. extapps.dec.ny.gov/docs/air_pdf/2019airqualreport.pdf.
2. $PM_{2.5}/PM_{10}$ background concentration: NYSDEC. 2020. "New York State Ambient Air Quality Report for 2020." File version: 4/13/2020. extapps.dec.ny.gov/docs/air_pdf/2020airqualreport.pdf.

ppb = parts per billion
$\mu g/m^3$ = micrograms per cubic meter

Non-Criteria Pollutants

Noncriteria pollutants include hundreds of toxic pollutants, ranging from high to low toxicities. High-toxicity contaminants include potential human carcinogens, such as 188 hazardous air pollutants ("HAPs"). Moderate-toxicity contaminants may consist of animal carcinogens and other substances, posing a health risk to humans. Low-toxicity contaminants generally include contaminants that are of primary concern as irritants. NYSDEC has established guidelines for the maximum allowable concentration of noncriteria air contaminants. The maximum permissible guidelines set maximum 1-hour and annual averaging time concentrations published (February 12, 2021 publication) in the DAR-1 Annual and Short-term Guideline Concentration (AGC/SGC Table). In addition, DAR-1 also includes standards for pollutants cumulative risk assessment.

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

IV. HEAT AND HOT WATER SYSTEMS ANALYSIS

The Proposed Actions would facilitate the development of five buildings (three buildings on Projected Development Site 1, one building on Projected Development Site 2, and one building on Potential Development Site 1). Each building could have its own fossil fuel-fired HVAC system. The potential of the buildings' HVAC systems, associated with the Proposed Actions, to significantly impact other land use in the area is evaluated in this section. Based on the 2021 *CEQR Technical Manual*, a preliminary screening assessment could be conducted as a first step to predict whether the potential impact of the heat and hot water systems' boiler emissions can be significant. A detailed analysis is required if the screening assessment fails.

Screening Assessment

As determined in the analysis below, natural gas will have to be the type of fossil fuel, if any, used in the HVAC systems associated with the Proposed Actions. The 2021 *CEQR Technical Manual* Appendices Figure App 17-2 nomograph was used for the screening assessment. The nomograph, applicable to residential developments using natural gas-fired HVAC systems, 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. As the screening analysis only applies to a single smokestack, the cumulative project-on-existing screening analysis combined emissions from multiple stacks in a single stack situated as close as possible to a receiving building.

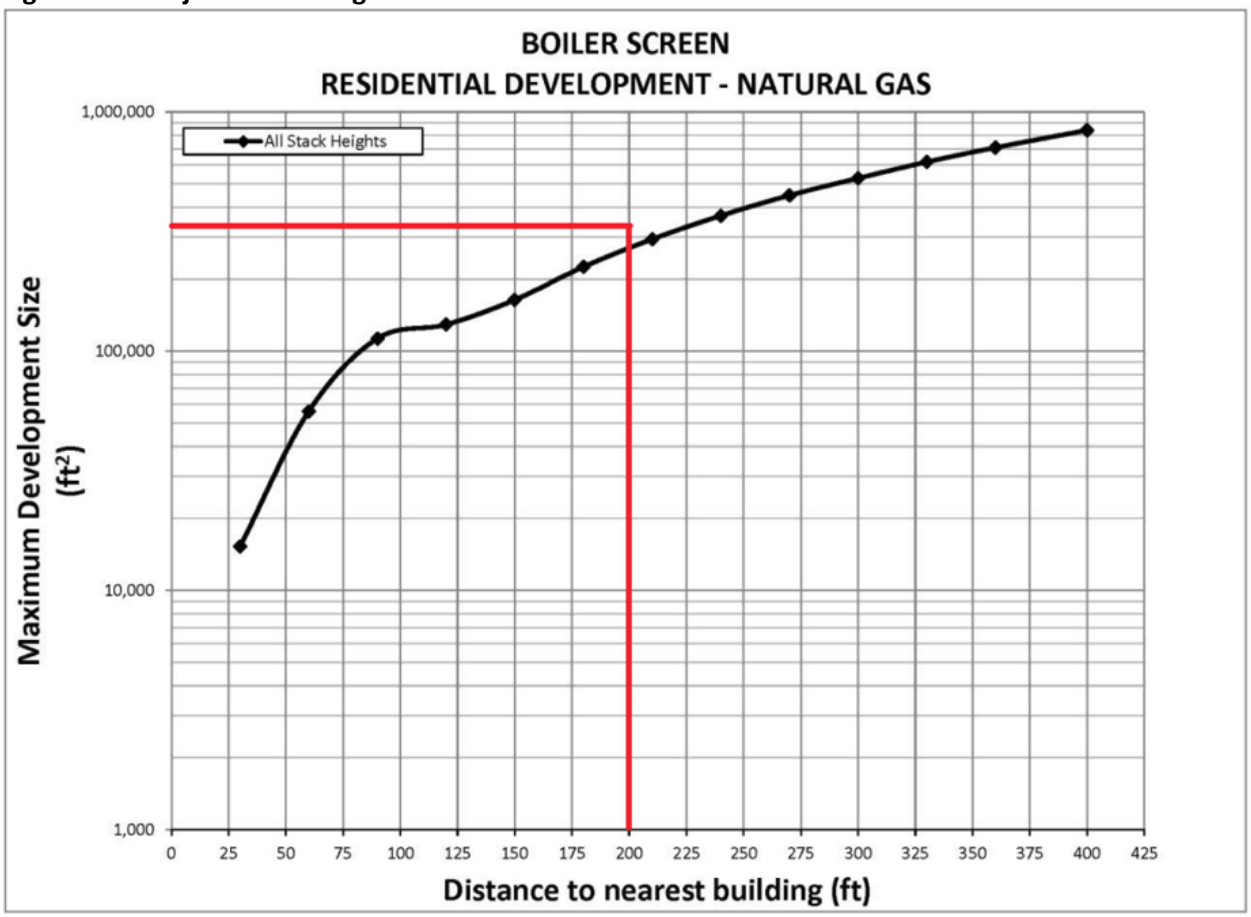
Project-on-Project

Each of the development sites (or development site buildings) within the Project Area are located adjacent to at least one other development site (or development site building). Therefore, the screening analysis is not applicable, and a detailed analysis is required.

Project-on-Existing

For the project-on-existing screening assessment, the combined floor areas of the three buildings on Projected Development Site 1, the one building on Projected Development Site 2, and the one building on Potential Development Site 1, excluding the parking garage floor areas, were combined as a single 313,186-gsf building. A 74-foot-tall building was assumed, which is the proposed height of Building C of the Proposed Project on Projected Development Site 1 and the lowest building associated with the Proposed Actions. The nearest building of similar or greater height is the 111-foot-tall hotel located at 822 Fourth Avenue (Block 664, Lot 37), situated approximately 200 feet from the Project Area. **Figure 4-1** as presented in **Appendix 4 "Air Quality"** shows existing building footprints and roof heights within 400 feet of the Project Area. **Figure H-1** shows the project-on-existing screening analysis. As shown in Error! Reference source not found.**H-1** (using Figure App 17-2 of the 2021 *CEQR Technical Manual Appendices*), the combined floor areas of the three buildings on Projected Development Site 1, the one building on Projected Development Site 2, and the one building on Potential Development Site 1, excluding the parking garage floor areas, intersect the 200-foot distance from the stack above the curve for the natural gas-fired HVAC systems. As such, a detailed analysis is required for the project-on-existing scenario.

Figure H-1: Project on Existing – HVAC Screen



HVAC Detailed Analysis

Pollutant concentrations were predicted with AERMOD. AERMOD MPI version 23132 executable was used in the dispersion analysis. Lakes Environmental, Inc. adjusted the EPA AERMOD source code and recompiled the model to parallelize the processing of receptors, reducing run-time significantly. The MPI executable (used in the analysis) modified the EPA AERMOD executable model version 23132. The AERMOD model incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of surface and elevated sources and simple and complex terrain. The model was run with the regulatory default option, where applicable. AERMOD was run for both downwash effect options, where the Building Profile Input Program ("BPIP") was run with the downwash effect enabled.

All analyses used five consecutive years of meteorological data (2017-2021) from NYSDEC. According to NYSDEC, due to nationwide helium shortage, a fair amount of 2022 upper air data was missing, and therefore, 2017-2021 meteorology data should be used. Meteorology surface data is from LaGuardia Airport, and upper air data is from Brookhaven station, New York. The meteorological data provided hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the five years. Population in New York City was specified to account for the effects of increased surface heating from an urban area on pollutant dispersion under stable atmospheric conditions.

Natural gas was assumed to be the type of fossil fuel, if any, used in the HVAC systems associated with the Proposed Actions. As determined in the analysis, except for Projected Development Site 2, the natural gas-fired HVAC systems for Projected Development Site 1 and Potential Development Site 1 must be fitted with low-NOx (at least 30 ppm) burners. The pollutants of concern for natural gas-fueled boilers are NO_2 and $PM_{2.5}$. The HVAC systems' total energy capacities were calculated based on the developments' various gsf, excluding the parking garages' gsf, and an energy consumption rate of 60.3 thousand Btu per gsf[1] (natural gas consumption rate of 59.1 ft^3 per gsf per year, using a natural gas heating value of 1,020 Btu per ft^3). All fuel was assumed to be consumed during the 100-day heating season (2,400 hours).

$PM_{2.5}$ and Projected Development Site 2 NOx emissions were calculated using emission factors for external combustion sources published in the EPA AP-42 manual. NOx emission of the low-NOx (30 ppm) HVAC system was estimated based on an emission factor from DCP. **Table H-3** shows the pollutant emission rates of the HVAC systems associated with the Proposed Actions.

Table H-3: HVAC Systems Short-term and Annual Emission Rates

Development Site	Floor Area; HVAC Stack Height	HVAC System Specs.	Pollutant	Short-term Emission Rate (g/s)	Annual Emission Rate (g/s)
Projected Development Site 1 Building A	109,550 gsf; 137 ft	Natural gas, low-NOx (30 ppm)	NO_2	1.26E-02	3.46E-03
			$PM_{2.5}$	2.58E-03	7.08E-04
Projected Development Site 1 Building B	75,900 gsf[1]; 97 ft	Natural gas, low-NOx (30 ppm)	NO_2	8.75E-03	2.40E-03
			$PM_{2.5}$	1.79E-03	4.90E-04
Projected Development Site 1 Building C	36,190 gsf; 77 ft	Natural gas, low-NOx (30 ppm)	NO_2	4.17E-03	1.14E-03
			$PM_{2.5}$	8.54E-04	2.34E-04
Projected Development Site 2	79,444 gsf[1]; 148 ft	Natural gas	NO_2	1.94E-02	5.33E-03
			$PM_{2.5}$	1.48E-03	4.05E-04
Potential Development Site 1	25,340 gsf[1]; 98 ft	Natural gas, low-NOx (30 ppm)	NO_2	2.92E-03	8.00E-04
			$PM_{2.5}$	5.98E-04	1.64E-04

Note:
1. The floor area does not include the parking garage gsf.

The boiler stack diameters and Projected Development Site 2 stack exit temperature were estimated based on values obtained from the New York City Department of Environmental Protection ("DEP") "CA Permit" database.[2] The stack exit temperatures of the low-NOx boilers were estimated based on a low-

[1] Energy Information Administration (2022). "Table US1. Total Energy Consumption, Expenditures, and Intensities, 2005 Part 1: Housing Unit Characteristics and Energy Usage Indicators." *2005 Residential Energy Consumption Survey: Energy Consumption and Expenditures Tables.*

[2] NYCDEP "CA Permit" database obtained from the New York City Department of City Planning, February 2020.

NOx boiler specification.[3] The stack exit velocities were calculated based on the fuel dry volume of combustion components per unit of heat content. The boiler stacks were initially placed 3 feet above the roofline and as close as possible to the receiving building. The stack was raised higher or setback further from the receiving building if a significant adverse impact was predicted.

Buildings A, B, and C of the Proposed Project on Projected Development Site 1 were modeled based on the site plans provided by the project's architect. The soft sites, Projected Development Site 2 and Potential Development Site 1 were modeled as buildings that cover their entire lot(s) area (wall façade placed on the outer lot lines). Receptors were placed around the building envelopes from the ground floor to rooftop height in spaced intervals. Receptors were also placed above terraces.

The map application in Urchin Tracking Module ("UTM") coordinates (zone 18), built into Lakes Environmental, Inc.'s commercial application of AERMOD (AERMOD View), was used to spatially locate buildings. The New York City Building Footprint database**Error! Bookmark not defined.** was consulted to determine the roof heights of newly constructed buildings in the area, and the building configuration (AERMOD View model) was reviewed in Google Earth. The U.S. Geological Service ("USGS") National Elevation Dataset ("NED") 1/3 arc-second resolution (GeoTIFF dataset), the terrain data set recommended by the EPA for use in the United States for regulatory purposes, was used to process the base elevation of buildings. The base elevation of receptors and sources was set to the base elevation of their buildings.

The 1-hour NO_2 concentration at Projected Development Site 2 was predicted using a Tier 3 approach. Nitric Oxide ("NO") accounts for approximately 90% of the total oxidized nitrogen emitted. In the atmosphere and in the presence of sunlight, NO reacts with free radicals and ozone ("O_3"), forming mainly nitrogen dioxide ("NO_2").**Error! Bookmark not defined.** The EPA developed a three-tiered modeling approach for estimating one-hour NO_2 concentration: Tier 1, the most conservative approach, assumes a full (100%) conversion of NO_x to NO_2; Tier 2 applies a conservative ambient NOx/NO_2 ratio to the NOx estimated concentrations; and Tier 3, which is the most precise approach, accounts for chemical transformation of NO emitted from the stack to NO_2 within the source plume using hourly ozone background concentrations. AERMOD's Plume Volume Molar Ratio Method (PVMRM) was used in the Tier 3 approach as the emission sources are stacks above buildings (not at ground level). Hourly NO_2 background concentration data for the Tier 3 approach (2017-2019), from the nearest NYSDEC monitoring station(s) (Queens College), processed by the NYSDEC was used in the analysis. Ozone concentration at Queens College monitoring station (Station ID 36-081-0124) was entered into the model as a single (highest hourly) value (0.074 ppm), based on the NYSDEC DAR-10[4] guidance. Based on DCP guidance for a similar type of HVAC analysis, an in-stack NO_2 to NOx ratio of 0.1 and NO2/NOx default equilibrium ratio of 0.9 were used. All other 1-hour NO_2 concentrations were evaluated using a Tier1 approach.

The model was run twice, with the building wake effect enabled/disabled. The predicted concentration is the highest concentration of these. The NO_2 modeled concentrations were added to the background concentrations, and the result was evaluated with the NAAQS. $PM_{2.5}$ modeled concentrations were evaluated with the *de minimis* for stationary source. The HVAC dispersion analysis results are shown in **Table H-4**.

[3] Aerco. "Benchmark 1500 and 2000." aerco.com/products/hvac-hot-water-solutions/boilers/benchmark/benchmark-1500-and-2000#jl_439b2059-2f3c-46ca-a4d6-2e2f0d0af485

[4] NYSDEC (2020). "DAR-10: NYSDEC Guidelines on Dispersion Modeling Procedures for Air Quality Impact Analysis." September 2020.

Table H-4: HVAC Systems Dispersion Analysis Results

Pollutant	Maximum Modeled (Increment) Concentration ($\mu g/m^3$)	Background Concentration ($\mu g/m^3$)	Evaluated Concentration ($\mu g/m^3$)	Threshold Concentration ($\mu g/m^3$)	Threshold Standard
Concentration at Projected Development Site 1 Building A					
1-hour NO_2	50.36	103.59	153.9	188	NAAQS
Annual NO_2	0.79	26.8	27.5	100	NAAQS
24-hour $PM_{2.5}$	2.17	18.7	2.17	8.15	*de minimis*
Annual $PM_{2.5}$	0.16	7.6	0.16	0.3	*de minimis*
Concentration at Projected Development Site 1 Building B					
1-hour NO_2	50.83	103.59	154.4	188	NAAQS
Annual NO_2	0.58	26.8	27.3	100	NAAQS
24-hour $PM_{2.5}$	2.30	18.7	2.30	8.15	*de minimis*
Annual $PM_{2.5}$	0.12	7.6	0.12	0.3	*de minimis*
Concentration at Projected Development Site 1 Building C					
1-hour NO_2	8.62	103.59	112.2	188	NAAQS
Annual NO_2	0.38	26.8	27.1	100	NAAQS
24-hour $PM_{2.5}$	0.64	18.7	0.64	8.15	*de minimis*
Annual $PM_{2.5}$	0.06	7.6	0.06	0.3	*de minimis*
Concentration at Projected Development Site 2					
1-hour NO_2	129.32 (1)		129.32	188	NAAQS
Annual NO_2	1.29	26.8	28.0	100	NAAQS
24-hour $PM_{2.5}$	5.65	18.7	5.65	8.15	*de minimis*
Annual $PM_{2.5}$	0.26	7.6	0.26	0.3	*de minimis*
Concentration at Potential Development Site 1					
1-hour NO_2	79.26	103.59	182.8	188	NAAQS
Annual NO_2	1.26	26.8	28.0	100	NAAQS
24-hour $PM_{2.5}$	4.96	18.7	4.96	8.15	*de minimis*
Annual $PM_{2.5}$	0.26	7.6	0.26	0.3	*de minimis*
Concentration at existing (822 Fourth Avenue)					
1-hour NO_2	6.18	103.59	109.8	188	NAAQS
Annual NO_2	0.08	26.8	26.8	100	NAAQS
24-hour $PM_{2.5}$	0.26	18.7	0.26	8.15	*de minimis*
Annual $PM_{2.5}$	0.02	7.6	0.02	0.3	*de minimis*

Note:
1. Concentration predicted using a Tier 3 approach.

As shown in **Table H-4**, the NO_2 future ambient concentrations (1-hour or annual) are within the NAAQS, and the $PM_{2.5}$ increment concentrations do not exceed the *de minimis*. These results were predicted with specific requirements to ensure no impact(s) would occur. The specific requirements are discussed below.

(E) Designation

Based on the analysis presented herein, specific requirements for the HVAC systems associated with the Proposed Actions would not result in any violations of the ambient air quality standards. To ensure that there is no potential for significant adverse impacts of $PM_{2.5}$ or NO_2 from the HVAC systems associated with the Proposed Actions, certain restrictions would be required for Projected Development Site 1 (Block 661, Lots 5, 14, and 66), Projected Development Site 2 (Block 661, Lots 1, 2, and 3), and Potential Development Site 1 (Block 661, Lots 68 and 69) through an Air Quality (E) Designation (E-###) that would be mapped on the applicable properties in connection with the Proposed Actions. These restrictions were determined based on the analysis results presented in **Tables H-3** and **H-4** and would avoid the potential for significant air quality impacts from stationary sources based on the conservative assumptions used in the analysis.

The restrictions would be as follows:

Block 661, Lots 5, 13, 14, and 66 (Projected Development Site 1 Building A): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for the hot water equipment and must be fitted with low NOx (30 ppm) burners, ensure that the HVAC system and hot water equipment stack is located at the building's highest level and at a minimum of 137 feet above grade, and that the stack is located at least 50 feet from the northern lot line of Block 661, Lot 4 to avoid any potential significant adverse air quality impacts.

Block 661, Lots 5, 13, 14, and 66 (Projected Development Site 1 Building B): Any new residential development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, and air conditioning (HVAC) system and hot water equipment and must be fitted with low NOx (30 ppm) burners, ensure that the HVAC system and hot water equipment stack is located at the building's highest level and at a minimum of 97 feet above grade, and that the stack is located at least 180 feet from the western lot line of Block 661, Lot 5 and no more than 45 feet from the northern lot line of Block 661, Lot 13 or 14 to avoid any potential significant adverse air quality impacts.

Block 661, Lots 5, 13, 14, and 66 (Projected Development Site 1 Building C): Any new residential development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, and air conditioning (HVAC) system and hot water equipment and must be fitted with low NOx (30 ppm) burners, ensure that the HVAC system and hot water equipment stack is located at the building's highest level and at a minimum of 77 feet above grade, and that the stack is located at least 40 feet from the eastern lot line of Block 661, Lot 68 to avoid any potential significant adverse air quality impacts.

Block 661, Lots 1, 2, and 3 (Projected Development Site 2): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, and air conditioning (HVAC) system and hot water equipment and ensure that the HVAC system and hot water equipment stack is located at the building's highest level and at a minimum of 148 feet above grade to avoid any potential significant adverse air quality impacts.

Block 661, Lots 68 and 69 (Potential Development Site 1): Any new residential development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, and air conditioning (HVAC) system and hot water equipment and must be fitted with low NOx (30 ppm) burners, ensure that the HVAC system and hot water equipment stack is located at the building's highest

level and at a minimum of 98 feet above grade, and that the stack is located at least 30 feet from the western lot line of Block 661, Lot 69 to avoid any potential significant adverse air quality impacts.

V. INDUSTRIAL SOURCE ANALYSIS

Per the 2021 *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 conducted for any existing industrial source(s) 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 (accessible through New York City Open Data[5]), the NYSDEC map application (DECinfo Locator[6]), the DCP Zoning and Land Use Map ("ZoLa") online map application, and through a field survey performed on January 26, 2024. Fieldwork photos taken during the field survey are presented in **Appendix 4 "Air Quality**."

The study area encompasses all or part of Blocks 654, 655, 657, 658, 660, 661, 664, 665, 668, and 669, and includes properties along Fourth Avenue, Fifth Avenue, 25th Street, 26th Street, 27th Street, 28th Street, and 29th Street. Land uses in the study area consist of a mix of residential, commercial/retail, and industrial uses.

The results of the study are as follows:

EVRO Aluminum, an active fabricator and wholesaler of storefront materials, is located at 183 26th Street (Block 654, Lot 41). No DEP or NYSDEC air emission permits or registrations were found on file for this business. No stacks, odors, or emissions were observed at this location during the field survey. However, emissions due to ironwork are likely. Therefore, the facility was included in the air toxics analysis.

New Honeywell Auto, an active auto body shop, is located at 763 Fourth Avenue (Block 655, Lot 1). DEP processing permit PW003321 was issued to this business for an auto body spray booth. Permit PW003321 expires on 1/4/2025. A Freedom of Information ("FOI") request was submitted to the DEP for information regarding the Processing permit at this location. The facility was included in the air toxics analysis.

H&J Auto Body & Repair is an active auto body shop at 224 25th Street (Block 655, Lot 19). This facility has a current NYSDEC Air Facility Registration ("AFR") for an auto body shop with one emission point (Registration ID 2-6102-00522/00001). The Registration expiration date is 1/2/2027. In addition, an expired DEP processing permit (DEP permit PB080203) is associated with the property. DEP processing permit, registered to D.V. Tony Autobody, expired on 6/17/2004. A FOI request was submitted to the DEP for information regarding the processing permit at this location. The facility was included in the air toxics analysis.

[5] New York City Open Data. "Clean Air Tracking System (CATS)." data.cityofnewyork.us/Environment/Clean-Air-Tracking-System-CATS-Permits/f4rp-2kvy, Jan. 4, 2024.
[6] NYSDEC. "DECinfo Locator." gisservices.dec.ny.gov/gis/dil/, Jan. 11, 2024.

10 active processing permits (two other permits expired) are registered to Aladdin Bakers, a large bakery at 240 25th Street (Block 655, Lots 22, 25, 27, 36, 39, 42, and 46). The active DEP processing permits are: PB517303, PB030010, PB018010, PB067801, PB030110, PB017910, PB022512, PB517203, PB517503, PB517603. A FOI request was submitted to the DEP for information regarding the processing permits at this location. While all the DEP processing permits are for small stationary combustion installations, ethanol emission from baking bread is likely. Therefore, the facility was included in the air toxics analysis.

Paul Signs, an active sign manufacturing operation, is located at 222-226 26th Street, Block 658, Lots 18 and 20). No DEP or NYSDEC air emission permits or registrations were found on file for this business. No stacks, odors, or emissions were observed at this location during the field survey. However, emissions due to welding are likely. Therefore, the facility was included in the air toxics analysis.

An expired DEP processing permit, PA026081, is identified at 247 27th Street (Block 658, Lot 40). This permit was issued to Amtronic, Inc. for a spray booth installation. The permit expired on 7/23/1990. Amtronic, Inc. no longer operates at 247 27th Street. At the time of the field survey, 247 27th Street was occupied by a 1-story warehouse building. No manufacturing operations, odors, or emissions were observed at this location. Therefore, the facility was screened out.

Wide Flange Ironworks, an active structural and miscellaneous steel fabrication operation, is located at 176 27th Street (Block 660, Lot 28). No DEP or NYSDEC air emission permits or registrations were found on file for this business. No stacks, odors, or emissions were observed at this location during the field survey. However, emissions due to ironwork are likely. Therefore, the facility was included in the air toxics analysis.

An active bakery (Lestis Desserts) is at 180 27th Street (Block 660, Lot 30). No DEP or NYSDEC air emission permits or registrations were found on file for this business. No stacks, odors, or emissions were observed at this location during the field survey. While the business website suggests that a fair amount or most baking goods produced at the facility are desserts[7] (no yeast), ethanol emission from yeast metabolism during bread baking is likely. Therefore, the facility was included in the air toxics analysis.

There is an expired DEP processing permit at 234 27th Street (Block 661, Lot 22). Permit PB040713 was issued to Time Warner Cable for a Registration – Industrial and expired on 10/11/2019. According to the DEP CATS database, the permit was issued for a gas-fired combustion installation. Small combustion installations are exempt.

DEP processing permit PR008619 was issued to Charter Communications at 769 Fifth Avenue (Block 661, Lot 32) for a Registration – Industrial. This permit is current and expires on 6/4/2025. A FOI request was submitted to the DEP for information regarding the Processing permit at this location. According to the DEP CATS database, the permit was issued for a No. 2 fuel oil combustion installation. Small combustion installations are exempt.

DEP processing permit PA046886 was issued to Yale Picture Frame Corp. at 770 Fifth Avenue (Block 661, Lot 41) for woodworking. This permit expired on 9/18/2007. According to the New York State Department of State, Division of Corporations Business Entity database, the Yale Picture Frame Corp. at 770 Fifth Avenue, Brooklyn, N.Y., became inactive on 7/13/2017. At the time of the field survey, the Yale Picture

[7] L'esti's Desserts. lestisdesserts.com, Feb. 6, 2024.

Frame Corp. was not operating in the building. However, Art to Frames, a custom picture frame and home décor manufacturer, occupied a portion of the building. Given that a custom frame and home décor manufacturing operation exists in the building, a FOI request was submitted to the DEP for information regarding permit PA046886. The facility was included in the air toxics analysis.

DEP processing permit PA048194 (expiration date 12/8/2024) was issued to Excellent Poly, Inc. at 820 Fourth Avenue (Block 664, Lot 29). The permit was issued for manufacturing plastic (Polyethylene) bags using plastic heat-sealing machines. A FOI request was submitted to the DEP for information regarding the processing permit at this location. The facility was included in the air toxics analysis.

NYC Professional Millwork, a custom millwork facility,[8] and GS Projects, a furniture manufacturer specializing in storage and wardrobe solutions,[9] are located at 149 29th Street (Block 664, Lot 42). A stack is located near the southeast corner of the building, and an odor was noted in front of the building during the field survey. No DEP or NYSDEC air emission permits or registrations were found on file for these businesses, and the New York City Department of Buildings ("DOB") shows no record of spray booth installation. However, emissions associated with woodworking processing are likely. Therefore, the facilities were included in the air toxics analysis.

Staplex Corp., a staple manufacturer,[10] is located at 212 28th Street (Block 665, Lot 31). No DEP or NYSDEC air emission permits or registrations were found on file for this business. No stacks, odors, or emissions were observed at this location during the field survey. However, emissions due to metal processing are likely. Therefore, the facility was included in the air toxics analysis.

There are general auto repair garages at 792 Fourth Avenue, Block 657, Lot 47 (Astros Motors), 781 Fourth Avenue, Block 658, Lot 1 (Pro 1 Tire Service), 197 28th Street, Block 661, Lot 60 (Master Fast Corp.), and 198 28th Street, Block 665, Lot 24 (G&J Service). No indications of auto body repairs or painting operations were observed at any of these auto repair garages. No stacks, emissions, or odors were noted at any of the locations during the field survey.

Figure 4-2 in **Appendix 4 "Air Quality"** provides a map showing manufacturing processing facilities, DEP processing permits, and NYSDEC AFR in the study area. The field survey or database search identified no other air toxics emission source.

Emission Profiles

12 manufacturing processing facilities were identified within 400 feet of the Project Area. These include three ironwork facilities, two auto body repair facilities, two bakeries, two woodworking facilities, one custom framing facility, and two other facilities. Emission profiles of the facilities are described below.

Ironwork Facilities

The Evro Aluminum, Paul Sign, and Wide Flange facilities were identified as emission sources associated with ironwork fabrication. Their emission profiles were based on the DEP processing permit PB39705, registered to Kendi Iron Works at 236 Johnson Avenue in Brooklyn (Block 3073, Lot 5). DEP Permit

[8] NYC Professional Millwork. nycprofessionalmillwork.com, Feb. 6, 2024.
[9] GS Projects. "Custom Wardrobes and Storage Solutions." gsprostudio.com, Feb. 6, 2024.
[10] Staplex. staplex.com/index.htm, Feb. 6, 2024.

PB39705 is for four welding and metal fabrication stations. The contaminant associated with the operation (DEP Permit PB39705) is total particulate (New York State identification number NY149-00-0). The Kendi Iron Work facility occupied the first floor of the building for an approximately 2,500 square foot of floor area. As such, the emission of the Evro Aluminum (5,008-gsf), Paul Sign (10,016-gsf), and Wide Flange (5,432-gsf) facilities were adjusted to account for their larger size. According to the EPA AP-42 manual, most particulate matter produced by welding is submicron in size. Therefore, all particulate emissions were assumed to be $PM_{2.5}$. 24-hour and annual emissions were calculated assuming the processing operation at the ironworks facility occurs during an 8-hour workday and 250 days per year. Emissions associated with the ironwork facilities are shown in **Table H-5**.

Table H-5: Ironwork Facilities $PM_{2.5}$ Emissions

Facility	$PM_{2.5}$ Emission		
	(lb/hr)	(lb/day)	(lb/yr)
Evro Aluminum	0.0040	0.032	8.0
Paul Sign	0.0080	0.064	16.0
Wide Flange	0.0043	0.035	8.7

Auto Body Repair Facilities

There are two auto body repair facilities within 400 feet of the Project Area: The New Honeywell Auto facility and the H&J Auto Body & Repair facility. Emission associated with the operations is from spray-painting. Emissions from spray-painting processing include solids, which are particulate, and solvents, which are volatile organic compounds ("VOCs"). The solids bind to the sprayed article, giving it the desired look and color. However, the over-sprayed solids could potentially be emitted to the outside air. The VOC evaporates during the spraying activity and while the coating substance dries.

Emissions from the New Honeywell Auto facility specified in the facility's DEP permit PW003321 included the particulate emission rate and the emission rate of the chemicals that comprise the VOC group. Coating compounds listed in the DEP permit PW003321 include a clear coat, base coats, thinner, and reducer. The spray-painting activity occurs 1 hour per day and 260 days per year. **Table H-6** shows the New Honeywell Auto facility's VOC emissions. **Table H-7** shows the New Honeywell Auto facility particulate emissions.

As mentioned above, the H&J Auto Body & Repair facility has a NYSDEC AFR Certificate (Registration ID 2-6102-00522/00001), and an expired DEP processing permit (DEP permit PB080203) is associated with the property. Emissions specified in the DEP permit PB080203 were used in the analysis as the DEP permit can be renewed. The DEP permit PB080203 included the particulate and the total VOC emission rates and the spray-painting daily/yearly activity rates (8 hours per day, 250 days per year). The chemical composition by percent weight was derived from the New Honeywell Auto facility's DEP permit PW003321. As a conservative measure, the maximum of the 1-hour and annual emissions was used to derive each VOC chemical emission, yielding total VOC emissions greater than what is specified in the DEP permit PB080203. The spray-painting operation's daily activity rate was used to calculate the 24-hour average particulate emissions. **Table H-6** shows the H&J Auto Body & Repair facility's VOC emissions. **Table H-7** shows the H&J Auto Body & Repair facility particulate emissions.

Table H-6: VOC Emissions – Spray-Painting At The Auto Body Repair Facilities

Chemical	CAS No.	New Honeywell Auto[1]		H&J Auto Body & Repair[2]		
		lb/hr	lb/yr	Percent Weight	lb/hr	lb/yr
Total VOC	NY998-00-0	---	---	---	0.124	23.4
Methanol	67-56-1	0.1530	24.0	5.3%	0.0066	11.8
Acetone	67-64-1	0.1027	16.0	3.6%	0.0044	7.9
Butanol-1	71-63-3	0.0367	5.7	1.3%	0.0016	2.8
Methyl Ethyl Ketone	78-93-3	0.2010	31.4	7.0%	0.0086	15.5
Trimethylbenzene, 1,2,4-	95-63-6	0.0402	6.3	1.4%	0.0017	3.1
Ethylbenzene	100-41-4	0.0799	12.5	2.8%	0.0034	6.2
Propylbenzene, N-	103-65-1	0.2010	3.1	7.0%	0.0086	15.5
Methyl Isobutyl Ketone	108-10-1	0.0928	14.5	3.2%	0.0040	7.2
Methoxypropylacetate	108-65-6	0.1403	21.9	4.9%	0.0060	10.8
Trimethylbenzene, 1,3,5-	108-67-8	0.0090	1.5	0.3%	0.0004	0.7
Methylcyclohexane	108-87-2	0.0152	2379.0	85.0%	0.1054	189.7
Toluene	108-88-3	0.5860	91.4	20.3%	0.0251	45.3
Butoxyethyl Acetate	112-07-2	0.0172	2.7	0.6%	0.0007	1.3
N-Butyl Acetate	123-86-4	0.6357	99.2	22.0%	0.0273	49.1
Heptane. N-	142-82-5	0.0201	3.1	0.7%	0.0009	1.6
Xylenes	1330-20-7	0.3082	48.1	10.7%	0.0132	23.8
Ligroine	8032-32-4	0.1550	24.3	5.4%	0.0067	12.0
Solvent Naphtha Aliphatic	64742-89-8	0.0156	2.4	0.5%	0.0007	1.2
Solvent Naphtha Light	64742-95-6	0.0804	12.5	2.8%	0.0034	6.2

Note:
1. Chemical emission rates of the New Honeywell Auto specified in the facility's DEP permit PW003321.
2. H&J Auto Body & Repair's total VOC emission is specified in the DEP permit PB080203. The percent weight of each chemical is derived from the New Honeywell Auto specified in the facility's DEP permit PW003321, yielding a total VOC emission greater than 100 percent.

Table H-7: Particulate Emissions

Facility	DEP Permit ID	Particulate (PM)			Activity Rate	
		(lb/hr)	(lb/day)	(lb/yr)	(hr/day)	(day/yr)
New Honeywell Auto	PW003321	0.063	0.063	12.608	1	260
H&J Auto Body & Repair	PB080203	0.013	0.104	23.4	8	250

Particulate emissions shown in **Table H-7** comprise PM, PM_{10}, and $PM_{2.5}$ combined. A particle size distribution of 28.6% and 46.7% for $PM_{2.5}$ and PM_{10} published in the EPA AP-42 Manual[11] for automobile and light-duty truck surface coating operations, respectively, was applied in the analysis. The facilities' daily activity rates were used to calculate the 24-hour average emission. **Table H-8** shows the short-term and annual PM_{10} and $PM_{2.5}$ emissions associated with the spray-painting operations.

[11] EPA. "APPENDIX B.1, Particle Size Distribution Data and Sized Emission Factors for Selected Sources." *AP-42: Compilation of Air Emissions Factors from Stationary Sources*, EPA, B.1-12.

Table H-8: $PM_{2.5}$ and PM_{10} Emissions – Spray-Painting at The Auto Body Repair Facilities

Pollutant	Percent Weight	New Honeywell Auto		H&J Auto Body & Repair	
		(lb/day)	(lb/yr)	(lb/day)	(lb/yr)
$PM_{2.5}$	28.6 %	0.018	3.6	0.030	6.7
PM_{10}	46.7%	0.029	5.9	0.049	10.9

NYC Professional Millwork and GS Projects

NYC Professional Millwork, a custom millwork facility, and GS Projects, a furniture manufacturer specializing in storage and wardrobe solutions, are located at 149 29th Street (Block 664, Lot 42). No DEP or NYSDEC air emission permits or registrations were found on file for these businesses. However, emissions associated with woodworking processing, including spray painting, are likely.

Emission from the operation of woodworking equipment was derived from the DEP permit PB033815 registered to Two Seven, Inc., a large woodworking facility at 221 McKibbin Street, Brooklyn. While the DEP permit PB033815 lists a filter with 99% control measure efficiency, the analysis assumed that an 80% filter control measure is in use, as it is likely that a woodworking facility will use some measure to protect workers. Similar to the activity rate specified in the DEP permit PB033815, each facility's woodworking equipment processing was assumed to occur during 8 hours per day and 250 days per year activity. **H-9** shows each facility's woodworking equipment emissions.

For the spray-painting emissions, each woodworking facility was assumed to have a coating compound consumption rate of 0.5 gallons per hour during 4 hours per day activity, based on DCP guidance on similar types of facilities operating with no DEP permit. A 200-day-per-year activity was assumed for the annual basis emission. Particulate and VOC short-term emissions were calculated using the DEP Emission Worksheet calculation. Using the DEP Emission Worksheet calculation, the coating compound consumption rate (in gallons) is multiplied by a weight fraction factor of 0.65, yielding uncontrolled particulate emission in pounds. For VOC emission, the coating compound consumption rate is multiplied by a weight fraction factor of 6.20, yielding total VOC emission in pounds. Using the DEP Emission Worksheet is based on DCP guidance on similar projects under CEQR. The methodology above was used to calculate the particulate and VOC annual emissions. **Table H-9** shows the emissions of each woodworking facility associated with their spray-painting activity.

Table H-9: NYC Professional Millwork and GS Projects Contaminants Emission Rates by Group

Facility and Processing Activity		Particulate		VOC		Activity	
		(lb/hr)	(lb/yr)	(lb/hr)	(lb/yr)	(hr/day)	(day/yr)
NYC Professional Millwork	Woodworking	0.02	40	---	---	8	250
	Spray Painting	0.325	260	3.1	2,480	4	200
GS Projects	Woodworking	0.02	40	---	---	8	250
	Spray Painting	0.325	260	3.1	2,480	4	200

Note:
1. Short-term activity rate based on DCP guidance on similar types of analysis under CEQR.
2. Spray-painting emission calculated using DCP guidance on similar types of analysis under CEQR.
3. Particulate emission is predicted by multiplying the coating compound consumption rate (gallons) by a weight fraction factor of 0.65. VOC emission is predicted by multiplying the coating compound consumption rate (gallons) by a weight fraction factor of 6.20.

Particulate emissions shown in **Table H-9** comprise PM, PM_{10}, and $PM_{2.5}$ combined. For the woodworking emission, a particle size distribution of 14.3% and 32.1% for $PM_{2.5}$ and PM_{10}, respectively, was used based on factors in the EPA AP-42 Manual.[12] For the spray-painting, a particle size distribution of 28.6% and 46.7% for $PM_{2.5}$ and PM_{10}, respectively, was applied based on factors in the EPA AP-42 Manual.[11] The daily activity rates were used to derive the 24-hour average emissions. **Table H-10** shows the NYC Professional Millwork and GS Projects' short-term and annual PM_{10} and $PM_{2.5}$ emissions.

Table H-10: NYC Professional Millwork and GS Projects $PM_{2.5}$ and PM_{10} Emissions

Pollutant	Processing Activity	Percent Weight	NYC Professional Millwork		GS Projects	
			(lb/day)	(lb/yr)	(lb/day)	(lb/yr)
$PM_{2.5}$	Woodworking	14.3 %	0.023	5.7	0.023	5.7
PM_{10}		32.1%	0.051	12.8	0.051	12.8
$PM_{2.5}$	Spray Painting	28.6 %	0.372	74.4	0.372	74.4
PM_{10}		46.7%	0.607	121.4	0.607	121.4

The chemicals by percent rate that make up the VOC group were derived from the DEP permit PB026315, registered to Two Seven, Inc., a large woodworking facility at 221 McKibbin Street, Brooklyn. This DFP permit (PB026315) includes nine different coating compounds and, therefore, is used in the analysis. **Table H-11** shows the NYC Professional Millwork and GS Projects' short-term and annual VOC chemicals emissions.

Table H-11: NYC Professional Millwork and GS Projects Noncriteria Pollutant Emissions

Chemical	CAS No.	Percent Weight	NYC Professional Millwork		GS Projects	
			(lb/hr)	(lb/yr)	(lb/hr)	(lb/hr)
Methanol	67-56-1	0.1%	0.0033	2.6	0.0033	2.6
Methyl Ethyl Ketone	78-93-3	7.9%	0.2447	195.8	0.2447	195.8
Ethylbenzene	100-41-4	12.8%	0.3969	317.5	0.3969	317.5
Methoxypropylacetate	108-65-6	5.5%	0.1700	136.0	0.1700	136.0
Toluene	108-88-3	5.5%	0.1712	136.9	0.1712	136.9
Isobutyl Acetate	110-19-0	13.3%	0.4115	329.2	0.4115	329.2
Diacetone Alcohol	123-42-2	1.5%	0.0477	38.2	0.0477	38.2
N-Butyl Acetate	123-86-4	5.4%	0.1680	134.4	0.1680	134.4
Toulene-2,4-Diisocyanate	584-84-9	0.03%	0.0008	0.7	0.0008	0.7
Xylenes	1330-20-7	54.4%	1.6873	1349.8	1.6873	1349.8

Art to Frames

Art to Frames, a custom picture frame and home décor manufacturer, is located at 770 Fifth Avenue (Block 661, Lot 41). The facility has an expired DEP permit, PA046886, registered to Yale Picture Frame Corp. While Yale Picture Frame Corp. is an inactive corporation, the Art to Frames is possibly a similar type of operation. The DEP permit PA046886 is for woodworking. However, pollutant emission rates were not included in the electronic scans provided by DEP in response to the FOI application. As such, emissions

[12] EPA. "APPENDIX B.1, Particle Size Distribution Data and Sized Emission Factors for Selected Sources." *AP-42: Compilation of Air Emissions Factors from Stationary Sources*, EPA, B.1-48.

specified in the Pranayama Art, Inc. DEP permits PB008611 for woodworking equipment and PB005111 for a spray booth were used to derive the Art to Frames emissions. As a conservative measure, the particulate emissions specified in the DEP permits PB008611 and PB005111 were adjusted to a conservative filter control measure efficiency of 80% and 250 days per year activity for the spray-painting operation. **Table H-12** shows the Art to Frames facility particulate emissions. **Table H-14** shows the Art to Frames facility VOC chemicals emissions.

Table H-12: Art to Frames Particulate Emissions

Processing	Particulate (PM)		Activity Rate	
	(lb/hr)	(lb/yr)	(hr/day)	(day/yr)
Woodworking	0.20	40.0	8	250
Spray painting	0.08	128	8	200

Particulate emissions shown in **Table H-12** comprise PM, PM_{10}, and $PM_{2.5}$ combined. For the woodworking emission, a particle size distribution of 14.3% and 32.1% for $PM_{2.5}$ and PM_{10}, respectively, was used based on factors in the EPA AP-42 Manual.[12] For the spray painting, a particle size distribution of 28.6% and 46.7% for $PM_{2.5}$ and PM_{10}, respectively, was applied based on factors in the EPA AP-42 Manual.[11] The daily activity rates were used to derive the 24-hour average emissions. **Table H-13** shows the Art to Frames' short-term and annual PM_{10} and $PM_{2.5}$ emissions.

Table H-13: Art to Frames $PM_{2.5}$ and PM_{10} Emissions

Pollutant	Processing Activity	Percent Weight	Emission Rate	
			(lb/day)	(lb/yr)
$PM_{2.5}$	Woodworking	14.3 %	0.229	5.72
PM_{10}		32.1%	0.514	12.8
$PM_{2.5}$	Spray Painting	28.6 %	0.183	36.6
PM_{10}		46.7%	0.299	59.8

Table H-14 shows the Art to Frames' short-term and annual VOC chemical emissions.

Table H-14: Art to Frames Noncriteria Pollutant Emissions

Chemical	CAS No.	Emission Rate	
		(lb/hr)	(lb/yr)
Methyl Ethyl Ketone	78-93-3	0.590	1180
Methyl Isobutyl Ketone	108-10-1	0.640	1280
Butoxyethanol, 2-	111-76-2	0.090	180
N-Butyl Acetate	123-86-4	0.270	540
Xylenes	1330-20-5	0.220	440

Staplex Corp.

Staplex Corp., a staple manufacturer, is located at 212 28th Street (Block 665, Lot 31). While the facility has no DEP or NYSDEC air emission permits or registrations, emission due to metal processing is possible. Therefore, the facility was included in the air toxics analysis. Emissions from the Staplex Corp. facility were based on the DEP permit PA065183 for metal stamping and PA065382 for metal grinding registered to

Interplex NAS, Inc. The DEP permits PA065183 and PA065382 registered to Interplex NAS, Inc. were associated with a large (45,996-gsf) facility at 120-12 28th Avenue (Block 4317, Lot 41) in Queens, where the metal grinding equipment included sixteen surface grinders. As such, emissions specified in these DEP permits (PA065183 and PA065382) were assumed to be reasonable for the Staplex Corp. facility. **Table H-15** shows the Staplex Corp. facility emissions.

Table H-15: Staplex Corp. Emissions

Processing	Contaminant		Particulate (PM)		Activity Rate	
	Name	ID	(lb/hr)	(lb/yr)	(hr/day)	(day/yr)
Metal stamping	Oil mist	NY090-00-0	0.025	5	1	200
Metal grinding	Steel grit	NY075-00-0	0.002	2.4	6	200

The emission of oil mist (New York identification number NY090-00-0) was analyzed as $PM_{2.5}$. Steel grit, which is particulate, comprises PM, PM_{10}, and $PM_{2.5}$ combined. A particle size distribution of 30.0% and 85.0% for $PM_{2.5}$ and PM_{10}, respectively, was used based on factors in the EPA AP-42 Manual for mechanically generated processes, including grinding.[13] The daily activity rates were used to derive the 24-hour average emissions. **Table H-16** shows the Staplex Corp.'s short-term and annual PM_{10} and $PM_{2.5}$ emissions.

Table H-16: Staplex Corp. $PM_{2.5}$ and PM_{10} Emissions

Pollutant	Processing Activity	Percent Weight	Emission Rate	
			(lb/day)	(lb/yr)
$PM_{2.5}$	Metal stamping	100 %	0.025	5.0
$PM_{2.5}$	Metal grinding	35.0 %	0.004	0.72
PM_{10}		85.0%	0.010	2.04

Excellent Poly, Inc.

DEP processing permit PA048194 (expiration date 12/8/2024) was issued to Excellent Poly, Inc. at 820 Fourth Avenue (Block 664, Lot 29). This permit was issued for manufacturing plastic (Polyethylene) bags using plastic heat-sealing machines. **Table H-17** shows the Excellent Poly, Inc. facility emissions.

Table H-17: Excellent Poly, Inc. Emissions

Contaminant		Emission Rate	
Name	ID	(lb/hr)	(lb/yr)
Hydrocarbon	68527-16-2	0.01	1.6

Aladdin Bakers

Aladdin Bakers is an active bakery located on Lots 22, 25, 27, 36, 39, 42, and 46 on Block 655. There are 10 active DEP processing permits (PB517303, PB030010, PB018010, PB067801, PB030110, PB017910, PB022512, PB517203, PB517503, PB517603) issued to Aladdin Bakers (two [2] other permits expired and

[13] EPA. "APPENDIX B.2, Generalized Particle Size Distributions." *AP-42: Compilation of Air Emissions Factors from Stationary Sources*, EPA, B.2-14.

not included in the analysis). While all the DEP processing permits are for small stationary combustion installations (small combustion installations are exempt), ethanol emission from baking bread is likely.

The DEP permit did not include information that could be used to estimate the VOC emissions from yeast-raised bread baking point sources. As such, a maximum emission of 25,000 pounds per year was applied in the analysis. According to 6 CRR-NY 201-2.1(21)(iv)(b), in the New York City metropolitan area, a major source has the potential to emit 25 tons per year ("tpy") or more of nitrogen oxides (NOx) or VOC. To avoid the control requirements of a New York State regulation for minor facility registration according to 6 CRR-NY 201-4.5, VOC actual emissions must be less than 50% of the major source threshold. The Aladdin Bakers facility does not have a New York State AFR certificate, nor is the facility a "major" or "large" source. As such, the maximum allowable VOC emission is 25,000 pounds per year.

According to the background document in the EPA AP-42 manual *Chapter 9: Food and Agricultural Industries*, Section *9.9.6 Bread Baking*, the primary emission source at a bakery is the oven as ethanol, produced by yeast metabolism, is not emitted in appreciable amounts until the dough is exposed to high temperatures in the oven.[14] As such, the natural gas consumption rate specified in the 10 DEP permits listed above was used to derive the average short-term ethanol emission. The ovens' annual natural gas consumption is 5,3097,400 cubic feet, and the maximum 1-hour consumption is 10,362 cubic feet per hour. **Table H-18** shows the potential emissions of the Aladdin Bakers facility.

Table H-18: Aladdin Bakers Emissions

Contaminant		Emission Rate	
Name	CAS No.	(lb/hr)	(lb/yr)
Ethanol	64-17-5	4.88	25,000

Lestis Desserts

Lestis Desserts, an active bakery, is located at 180 27th Street (Block 660, Lot 30). No DEP or NYSDEC air emission permits or registrations were found on file for this business. While the business website suggests that a fair amount or most baking goods produced at the facility are desserts[7] (no yeast), ethanol emission from yeast metabolism during bread baking is likely. Ethanol emission specified in the DEP permit PB082401 registered to David's Bread, Inc. was applied for the Lestis Desserts facility. The DEP permit PB082401 also lists emissions from the combustion of natural gas in the oven, but Lestis Desserts likely operates a small combustion installation, which is exempt. **Table H-19** shows the Lestis Desserts facility's potential emissions.

Table H-19: Lestis Desserts Emissions

Contaminant		Emission Rate	
Name	CAS No.	(lb/hr)	(lb/yr)
Ethanol	64-17-5	0.72	1.5

[14] EPA. "1.2 Overview of The Bakery Industry." *Alternative Control Technology Doc for Bakery Oven Emissions,* EPA-453/R-92-017.

Dispersion Analysis

The 2021 *CEQR Technical Manual* Industrial Source Screen methodology was used to predict pollutant concentrations. The 2021 *CEQR Technical Manual* Industrial Source Screen methodology can be used to predict a pollutant concentration emitted from a single source at various distances (from 30 to 400 feet). A distance less than or equal to the actual distance between each source and the Project Area was applied in the screening analysis. **Table 4-1** in **Appendix 4 "Air Quality"** provides the noncriteria pollutants' 1-hour dispersion analysis results by emission source. **Table 4-2** in **Appendix 4 "Air Quality"** shows the noncriteria pollutants' annual dispersion analysis results by emission source. **Table H-20** provides the cumulative VOC air dispersion analysis results.

Table H-20: Noncriteria Pollutants Dispersion Analysis Results

Contaminant	CAS No.	1-Hour	SGC	Annual	AGC
		($\mu g/m^3$)	($\mu g/m^3$)	($\mu g/m^3$)	($\mu g/m^3$)
Ethanol	64-17-5	1024.8	---	26.1	45000.0
Methanol *	67-56-1	30.2	33000.0	0.04	4000.0
Acetone	67-64-1	19.3	180000.0	0.02	30000.0
Butanol-1	71-63-3	6.9	---	0.01	---
Methyl Ethyl Ketone	78-93-3	338.8	13000.0	2.9	5000.0
Trimethylbenzene, 1,2,4-	95-63-6	7.6	---	0.01	60.0
Ethylbenzene *	100-41-4	189.6	---	0.9	1000.0
Propylbenzene, N-	103-65-1	37.8	54000.0	0.01	1000.0
Methyl Isobutyl Ketone *	108-10-1	227.2	31000.0	2.6	3000.0
Methoxypropylacetate	108-65-6	101.2	36850.0	0.4	2000.0
Trimethylbenzene, 1,3,5-	108-67-8	1.7	---	0.002	60.0
Methylcyclohexane	108-87-2	16.3	---	2.7	3800.0
Toluene *	108-88-3	185.6	37000.0	0.5	5000.0
Isobutyl Acetate	110-19-0	180.9	71300.0	0.9	565.0
Butoxyethanol, 2-	111-76-2	29.5	4700.0	0.4	1600.0
Butoxyethyl Acetate *	112-07-2	3.2	---	0.004	310.0
Diacetone Alcohol	123-42-2	21.0	---	0.1	570.0
N-Butyl Acetate	123-86-4	282.0	71300.0	1.6	565.0
Heptane. N-	142-82-5	3.8	210000.0	0.004	3900.0
Toulene-2,4-Diisocyanate *	584-84-9	0.4	2.0	0.0017	0.070
Xylenes *	1330-20-7	872.1	22000.0	4.5	100.0
Ligroine	8032-32-4	29.2	---	0.03	900.0
Solvent Naphtha Aliphatic	64742-89-8	2.9	---	0.003	3200.0
Solvent Naphtha Light	64742-95-6	15.1	---	0.02	100.0
Hydrocarbon	68527-16-2	9.9	---	0.01	---
Note: *Indicates a HAP					

As shown in **Table H-20**, the noncriteria pollutant concentrations are within the SGC/AGC standard. In addition, the carcinogen pollutants inhalation risk is 0.07 (less than 1), and the Hazardous Index is 0.005 (less than 1) for the non-carcinogenic pollutants.

Particulate (PM_{10} and $PM_{2.5}$) concentrations were evaluated with the NAAQS. **Table H-21** shows the criteria pollutants dispersion analysis results. As shown in **Table H-21**, $PM_{2.5}$ and PM_{10} concentrations are within the NAAQS.

Table H-21: Criteria Pollutants Dispersion Analysis Results

Emission Source		Conc. (ug/m3)		
Facility	**Processing**	**24-Hour $PM_{2.5}$**	**Annual $PM_{2.5}$**	**24-Hour PM_{10}**
New Honeywell Auto	Spray booth	0.0549	0.0039	0.0897
H&J Repair & Auto Body	Spray booth	0.0569	0.0045	0.0929
Art to Frame	Woodworking	1.2780	0.0114	2.8688
	Spray booth	1.0224	0.0727	1.6694
NYC Professional Millwork	Woodworking	0.0697	0.0062	0.1565
	Spray booth	1.1331	0.0803	1.8502
GS Projects	Woodworking	0.1015	0.0091	0.2278
	Spray booth	1.6489	0.1178	2.6924
Evro Aluminum	Welding	0.0726	0.0065	
Paul Signs	Welding	0.6487	0.0581	
Wide Flange	Welding	0.1060	0.0094	
Staplex Corp.	Metal stamping	0.0762	0.0054	
	Metal Grinding	0.0110	0.0008	0.0311
Total		6.28	0.39	9.68
Background Conc.		18.7	7.6	24
W. Action Ambient Conc.		25.0	8.0	33.7
NAAQS		35	12	150

Contaminant (criteria and noncriteria pollutants) predicted concentrations at Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1 would not exceed the NAAQS or the SGC/AGC standard, and the noncriteria pollutants risk assessment (cancer risk and hazard index) is within the acceptable design values. Therefore, no significant adverse air quality impacts are predicted in the future with the Proposed Actions from manufacturing processing facilities operating within 400 feet of the Project Area.

Attachment I:

Noise

I. INTRODUCTION

This attachment assesses the potential for the Proposed Actions to result in significant adverse noise impacts. As detailed in **Appendix 3 "Transportation Planning Factors and Travel Demand Forecast Technical Memorandum,"** the Reasonable Worst Case Development Scenario ("RWCDS") facilitated by the Proposed Actions would generate approximately 26, 16, 17, and 40 incremental vehicle trips in the weekday AM, midday, and PM peak hours, and Saturday peak hour, respectively. Therefore, operation of the Proposed Project would change traffic patterns and volumes in the general vicinity of the Project Area. As local vehicular traffic is a major source of ambient noise in the area surrounding the Project Area, vehicular traffic generated by the RWCDS facilitated by the Proposed Actions could lead to changes in the ambient noise levels. According to the 2021 *City Environmental Quality Review* ("CEQR") *Technical Manual*, if existing noise passenger car equivalent ("PCE") values are increased by 100 percent or more due to a proposed project (which is equivalent to an increase of 3 dBA or more) a detailed analysis is generally warranted. Conversely, if existing noise PCE values are not increased by 100 percent or more it is likely that a proposed project would not cause a significant adverse vehicular noise impact, and therefore no further vehicular noise analysis is needed.

The noise analysis for the Proposed Actions was carried out in compliance with 2021 *CEQR Technical Manual* guidelines and has two components:

1. A screening analysis to determine whether traffic generated by the Proposed Actions' RWCDS would have the potential to result in significant adverse noise impacts on existing receptors;
2. An analysis to determine the level of building attenuation necessary to ensure that interior noise levels for future development within the Project Area satisfy applicable interior noise criteria. This attachment does not include an analysis of mechanical equipment because such mechanical equipment would be designed to meet all applicable noise regulations and, therefore, would not result in adverse noise impacts.

II. ACOUSTICAL FUNDAMENTALS

Sound is a fluctuation in air pressure. Sound pressure levels ("SPLs") are measured in units called "decibels" ("dB"). The particular character of the sound that we hear (a whistle compared with a French horn, for example) is determined by the speed, or "frequency," at which the air pressure fluctuates, or "oscillates." Frequency defines the oscillation of sound pressure in terms of cycles per second. One cycle per second is known as one Hertz ("Hz"). People can hear over a relatively limited range of sound frequencies, generally between 20 Hz and 20,000 Hz, and the human ear does not perceive all frequencies equally well. High frequencies (e.g., a whistle) are more easily discernible and, therefore, more intrusive than many of the lower frequencies (e.g., the lower notes on the French horn).

"A"-Weighted Sound Level (dBA)

In order to establish a uniform noise measurement that simulates people's perception of loudness and annoyance, the decibel measurement is weighted to account for those frequencies most audible to the human ear. This is known as the A-weighted sound level, or "dBA," and it is the descriptor of noise levels most often used for community noise. As shown in **Table I-1**, the threshold of human hearing is defined as 0 dBA; very quiet conditions (as in a library, for example) are approximately 40 dBA; levels between 50 dBA and 70 dBA define the range of noise levels generated by normal daily activity; levels above 70 dBA would be considered noisy, and then loud, intrusive, and deafening as the scale approaches 130 dBA.

In considering these values, it is important to note that the dBA scale is logarithmic, meaning that each increase of 10 dBA describes a doubling of perceived loudness. Thus, the background noise in an office, at 50 dBA, is perceived as twice as loud as a library at 40 dBA. For most people to perceive an increase in noise, it must be at least 3 dBA. At 3 dBA, the change will be readily noticeable.

Table I-1: Noise Levels of Common Sources

Sound Source	SPL (dBA)
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

Note: A change in 3 dBA is a just noticeable change in SPL. A change in 10 dBA is perceived as a doubling or halving of SPL.
Source: Cowan, James P. *Handbook of Environmental Acoustics*, Van Nostrand Reinhold, New York, 1994. Egan, M. David, Architectural Acoustics. McGraw-Hill Book Company, 1988.

Noise Descriptors Used in Impact Assessment

As the SPL unit of dBA describes a noise level at just one moment and very few noises are constant, other ways of describing noise over extended periods have been developed. One way of describing fluctuating sound is to describe the fluctuating noise heard over a specific time period as if it had been a steady, unchanging sound. For this condition, a descriptor called the "equivalent sound level," L_{eq}, can be computed. L_{eq} is the constant sound level that, in a given situation and time period (e.g., one hour, denoted by $L_{eq(1)}$, or 24 hours, denoted as $L_{eq(24)}$), conveys the same sound energy as the actual time-varying sound. The Day-Night Sound Level (L_{dn}) refers to a 24-hour average noise level with a 10 dB penalty applied to the noise levels during the hours between 10 PM and 7 AM, due to increased sensitivity to noise levels during these hours. Statistical sound level descriptors such as L_1, L_{10}, L_{50}, L_{90}, and L_x, are used to indicate noise levels that are exceeded 1, 10, 50, 90, and x percent of the time, respectively.

The relationship between L_{eq} and levels of exceedance is worth noting. Because L_{eq} is defined in energy rather than straight numerical terms, it is not simply related to the levels of exceedance. If the noise fluctuates very little, L_{eq} will approximate L_{50} or the median level. If the noise fluctuates broadly, the L_{eq}

will be approximately equal to the L_{10} value. If extreme fluctuations are present, the L_{eq} will exceed L_{90} or the background level by ten or more decibels. Thus, the relationship between L_{eq} and the levels of exceedance will depend on the character of the noise. In community noise measurements, it has been observed that the L_{eq} is generally between L_{10} and L_{50}.

For purposes of the Proposed Actions, the maximum one-hour equivalent sound level ($L_{eq(1)}$) has been selected as the noise descriptor to be used in this noise impact evaluation. $L_{eq(1)}$ is the noise descriptor recommended for use in the 2021 *CEQR Technical Manual* for vehicular traffic and is used to provide an indication of highest expected sound levels. For dominant traffic noise, the one-hour L_{10} is the noise descriptor used in the 2021 *CEQR Technical Manual* noise exposure guidelines for city environmental impact review classification. As the Proposed Actions do not include federal sources of funding, only the required attenuation levels to meet CEQR noise guidelines are provided in this attachment.

III. APPLICABLE NOISE CODES AND NOISE STANDARDS AND CRITERIA

New York City Noise Code

The New York City Noise Control Code, which was enacted in December 2005 and became effective July 2007, defines "unreasonable and prohibited noise standards and decibel levels" for the City of New York. The Noise Code generally seeks to reduce ambient noise, prohibiting all unreasonable and unnecessary noise and addressing construction hours and activities. It also (1) establishes sound level standards for specific noise sources, such as motor vehicles, air compressors, and construction activities; (2) requires that all exhausts be muffled; and (3) prohibits all unnecessary noise adjacent to schools, hospitals, or courts. It specifies maximum allowable SPLs for designated octave bands emanating from a commercial or business enterprise as measured within a receiving property (such as a mixed-use and residential property). The Noise Code's enforcement is driven by complaints of violations.

New York CEQR Technical Manual Noise Standards

The 2021 *CEQR Technical Manual* sets external noise exposure standards, which are shown in **Table I-2** below. Noise exposure is classified into four categories based on the L_{10} or L_{dn}: Acceptable, Marginally Acceptable, Marginally Unacceptable, and Clearly Unacceptable. The 2021 *CEQR Technical Manual* Noise Exposure Guidelines shown in **Table J-2** are guidelines, not a law. However, city reviewing agencies use the guidelines in determining potential impacts when a project comes under their review.

Table I-2: Noise Exposure Guidelines for Use in City Environmental Impact Review[1]

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]		$L_{10} \leq 55$ dB(A)	---------- DNL ≤ 60 dB(A) ----------		---------- 60 < DNL ≤ 65 dB(A) ----------		(1) 65 < DNL ≤ 75 dB(A)		---------- 75 dB(A) < DNL ----------
2. Hospital, Nursing Home		$L_{10} \leq 55$ dB(A)		$55 < L_{10} \leq 65$ dB(A)		$65 < L_{10} \leq 80$ dB(A)		$L_{10} > 80$ dB(A)	
3. Residence, residential hotel, or motel	7 AM to 10 PM	$L_{10} \leq 65$ dB(A)		$65 < L_{10} \leq 70$ dB(A)		$70 < L_{10} \leq 80$ dB(A)		$L_{10} > 80$ dB(A)	
	10 PM to 7 AM	$L_{10} \leq 55$ dB(A)		$55 < L_{10} \leq 70$ dB(A)		$70 < L_{10} \leq 80$ dB(A)		$L_{10} > 80$ dB(A)	
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	

Source: New York City Department of Environmental Protection ("DEP"); adopted policy 1983.

Notes:

(i) In addition, any new activity shall comply with the Impact Thresholds detailed in Section 410 of Chapter 19, "Noise," of the 2021 *CEQR Technical Manual*.

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 an 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 Federal Aviation Administration- ("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 octave bands).

The 2021 *CEQR Technical Manual* also defines attenuation requirements for buildings based on exterior noise levels (refer to **Table I-3**). For dominant traffic noise, recommended noise attenuation values for buildings are designed to maintain interior noise levels of 45 dBA or lower for residential, hotel, or community facility uses and interior noise levels of 50 dBA or lower for commercial office uses and are determined based on exterior $L_{10(1)}$ noise levels.

Table I-3: Required Attenuation Values to Achieve Acceptable Interior Noise Level

	Marginally Unacceptable				Clearly Unacceptable
Vehicular Traffic	$70<L_{10}\leq73$	$73<L_{10}\leq76$	$76<L_{10}\leq78$	$78<L_{10}\leq80$	$80<L_{10}$
Aircraft[A]	65<DNL≤68	68<DNL≤71	71<DNL≤73	73<DNL≤75	75<DNL
Train	$65<L_{dn}\leq68$	$68<L_{dn}\leq71$	$71<L_{dn}\leq73$	$73<L_{dn}\leq75$	$75<L_{dn}$
Attenuation[B]	(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	See note[C]

Source: DEP; 2021 *CEQR Technical Manual*, Table 19-3.

Notes:

A. DNL descriptor based on average values of L_{dn} 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 the above categories require a closed window situation and, hence, an alternate means of ventilation.

C. The required attenuation value is the difference between L_{huild} and $L_{interior}$, using the appropriate noise descriptor

Where:

L_{build} is the projected noise level under the build condition rounded up to the whole number

$L_{interior}$ is the designed interior noise level (45 dBA for vehicular noise, 40 dBA for aircraft and train noise)

IV. METHODOLOGY

Noise Prediction Methodology

Future No-Action and With-Action noise levels were calculated using a proportional modeling technique, which is used as a screening tool to estimate changes in noise levels. The proportional modeling technique is an analysis methodology recommended for analysis purposes in the 2021 *CEQR Technical Manual*.

Using the proportional modeling technique, the prediction of future noise levels where traffic is the dominant noise source is based on a calculation using measured existing noise levels and predicted changes in traffic volumes to determine noise levels in the future without the Proposed Actions (the No-Action condition) and with the Proposed Actions (the With-Action condition). Vehicular traffic volumes are converted into noise PCE values, for which one medium-duty truck (cargo vehicles with two axles and six tires) is assumed to generate the noise equivalent of 13 cars, one heavy-duty truck (cargo vehicles with three or more axles) is assumed to generate the noise equivalent of 47 cars, and one bus (vehicles having two or three axles and designed to carry more than nine passengers) is assumed to generate the noise equivalent of 18 cars. Future noise levels are calculated using the following equation:

F NL - E NL = 10 * log10 (F PCE / E PCE)

where:

F NL = Future Noise Level
E NL = Existing Noise Level
F PCE = Future PCEs
E PCE = Existing PCEs

Sound levels are measured in decibels and, therefore, increase logarithmically with sound source strength. In this case, the sound source is traffic volumes measured in PCEs. For example, assume that traffic is the dominant noise source at a particular location. If the existing traffic volume on a street is 100 PCEs and if the future traffic volume were increased by 50 PCEs (to a total of 150 PCEs), the noise level would increase

by 1.8 dBA. Similarly, if the future traffic were increased by 100 PCEs, or doubled to a total of 200 PCEs, the noise level would increase by 3 dBA.

For the purpose of this analysis, during the noise recording, vehicles were counted and classified. To calculate the 2029 No-Action PCE values, annual background growth rates of 0.5 percent (for 2023 to 2028) and 0.25 percent (for 2028 to 2029)[1] were applied to the counted PCE values. In order to obtain the necessary 2029 With-Action PCE values to calculate the With-Action noise levels, the With-Action condition's estimated travel demand presented in **Appendix 3, "Transportation Planning Factors and Travel Demand Forecast Technical Memorandum,"** were converted into PCE values and added to the calculated No-Action PCE values.

Building Attenuation Analysis Procedure

In general, the following procedure was used in performing the 2021 *CEQR Technical Manual* building attenuation analysis:

- Noise receptor locations that have the greatest potential for being adversely affected by project-generated noise in the 2029 build year and the location of dominant sources of ambient noise were identified;
- Noise receptor locations were selected based on the following criteria: (1) locations where the highest noise levels are likely to occur based upon the consideration of existing land use patterns (e.g., locations near major commercial roadways, industrial uses, or stationary sources, etc.); and (2) along the future street frontages of the Project Area;
- Existing noise levels were determined through field measurements of ambient noise adjacent to the Project Area;
- Future (2029) noise levels without the Proposed Actions were predicted using the PCE-based proportionality equation (per 2021 *CEQR Technical Manual* guidelines) for all locations where traffic is the dominant source of noise and were based on background growth for the 2029 build year;
- Future (2029) noise levels with the Proposed Actions were predicted using the PCE-based proportionality equation (per 2021 *CEQR Technical Manual* guidelines) based on the With-Action condition's estimated travel demand presented in **Appendix 3, "Transportation Planning Factors and Travel Demand Forecast Technical Memorandum;"**
- Future (2029) noise levels with the Proposed Actions were compared with future noise levels without the Proposed Actions to determine, by applying 2021 *CEQR Technical Manual* impact criteria, whether the Proposed Actions would have the potential to result in a significant adverse impact;
- Noise levels were determined for exterior building façades at the Project Area; and
- In compliance with CEQR requirements to determine an acceptable interior space noise environment, façade-based composite window/wall attenuation specifications for the Project Area were estimated based on future projected maximum exterior noise exposure at the Project Area; CEQR requirements are based on the maximum L_{10} values for dominant traffic noise condition.

[1] Calculation according to Table 16-4 in the 2021 *CEQR Technical Manual.*

Impact Significance Criteria

According to 2021 *CEQR Technical Manual*, for the purposes of determining a significant impact during daytime hours, it is reasonable to consider a L_{eq} noise level of 65 dBA as an absolute noise level that should not be significantly exceeded. Therefore, a significant noise impact would occur at a noise receptor (i.e., residences, play areas, parks, schools, libraries, and houses of worship) during daytime hours under the following circumstances:

- A noise increase of 3 dBA or greater is predicted in the With-Action condition, when the future noise level in the No-Action condition is 62 dBA or greater; or
- When the No-Action noise level is below 62 dBA, a predicted With-Action noise increase that exceeds the difference between 65 dBA and the No-Action noise level. For example, if the No-Action noise level is 61 dBA, then the maximum noise increment with the Proposed Actions would be 4 dBA, since an increase higher than 4 dBA would result in a noise level that exceeds the 65 dBA L_{eq} significant impact threshold.
- Additionally, an increase of With-Action noise levels by 5 dBA over a No-Action noise level that is at or below 60 dBA would be considered significant.

V. EXISTING NOISE LEVELS

According to the established RWCDS for the Proposed Actions, two projected development sites and one potential development site have been identified within the Project Area.

Projected Development Site 1 (Block 661, Lots 5, 13, 14, and 66) contains a total of approximately 100 feet of frontage on the east side of Fourth Avenue, approximately 75 feet of frontage on the south side of 27th Street, and approximately 250 feet of frontage on the north side of 28th Street. Projected Development Site 1 contains five low-rise public facility and institutional buildings (ranging in height from one- to two-stories) totaling approximately 26,645-gsf (0.71 FAR), as well as three existing curb cuts (one curb cut is located on Fourth Avenue and two curb cuts are located on 28th Street) that facilitate ingress and egress to Projected Development Site 1's approximately 33 surface parking spaces. Projected Development Site 1 is occupied by the Saint Rocco's Roman Catholic Church campus.

Projected Development Site 2 (Block 661, Lots 1, 2, and 3) contains a total of approximately 70 feet of frontage on the east side of Fourth Avenue and approximately 100 feet of frontage on the north side of 28th Street. Projected Development Site 2 contains three low-rise buildings totaling approximately 8,660-gsf (1.09 FAR), comprising approximately 3,398-gsf (0.44 FAR) of residential space (three DUs) and approximately 5,262-gsf (0.65 FAR) of commercial space.

Potential Development Site 1 (Block 661, Lots 68 and 69) contains a total of approximately 50 feet of frontage on the north side of 28th Street. Potential Development Site 1 contains two low-rise buildings totaling approximately 4,296-gsf (0.78 FAR) of residential space (six DUs).

Noise Monitoring Locations

As traffic is the dominant source of noise in the vicinity of the Project Area, the receptor locations were selected based upon the assumption that the future development within the Project Area would be built

to their respective lot lines. As such, existing noise levels at the Project Area were measured at three locations adjacent to the Project Area. These locations are shown in **Figure I-1** and described below:

- Receptor Location 1 – Future northern frontage of Projected Development Site 1; approximately 113 feet east of Fourth Avenue;
- Receptor Location 2 – Future western frontages of Projected Development Site 1 and Projected Development Site 2; approximately 100 feet south of 27th Street and approximately 100 feet north of 28th Street; and
- Receptor Location 3 – Future southern frontage of Projected Development Site 1 and Potential Development Site 1; approximately 113 feet east of Fourth Avenue.

At the three receptor locations, 20-minute spot measurements were performed during the weekday AM (8:00 – 9:00 AM) peak period, midday (12:00 – 1:00 PM) peak period, and PM (5:00 – 6:00 PM) peak period. The noise monitoring occurred on Tuesday, December 5, 2023. During the three measurements periods, the weather was primarily mostly sunny to cloudy and in the high-30s to low-40s°F on December 5, with a wind speed average of six miles per hour. Additionally, vehicle classification counts were conducted during the 20-minute spot measurements, which were used in the proportional modeling analysis.

Equipment Used During Noise Monitoring

Measurements were performed using Brüel & Kjær Sound Level Meters ("SLM") Type 2250 and 2260, Brüel & Kjær ½-inch microphones Type 4189, and Brüel & Kjær Sound Level Calibrators Type 4231. The Brüel & Kjær SLMs are Type 1 instruments according to ANSI Standard S1.4- 1983 (R2006). The SLMs had a laboratory calibration date within one year of the time of use. For the three receptor locations, the microphones were mounted at a height of approximately five feet above the ground surface on a tripod and approximately six feet or more away from any large sound-reflecting surface to avoid major interference with sound propagation. The SLMs were calibrated before and after readings with a Brüel & Kjær Type 4231 Sound Level Calibrator using the appropriate adaptor. Measurements at each location were made on the A-scale (i.e., dBA). The data were digitally recorded by the SLMs and displayed at the end of the measurement period in units of dBA. Measured quantities included the L_{eq}, L_1, L_{10}, L_{50}, and L_{90} values, as well as ⅓-octave bands. A windscreen was used during all sound measurements except for calibration. All measurement procedures were based on the guidelines outlined in ANSI Standard S1.13-2005.

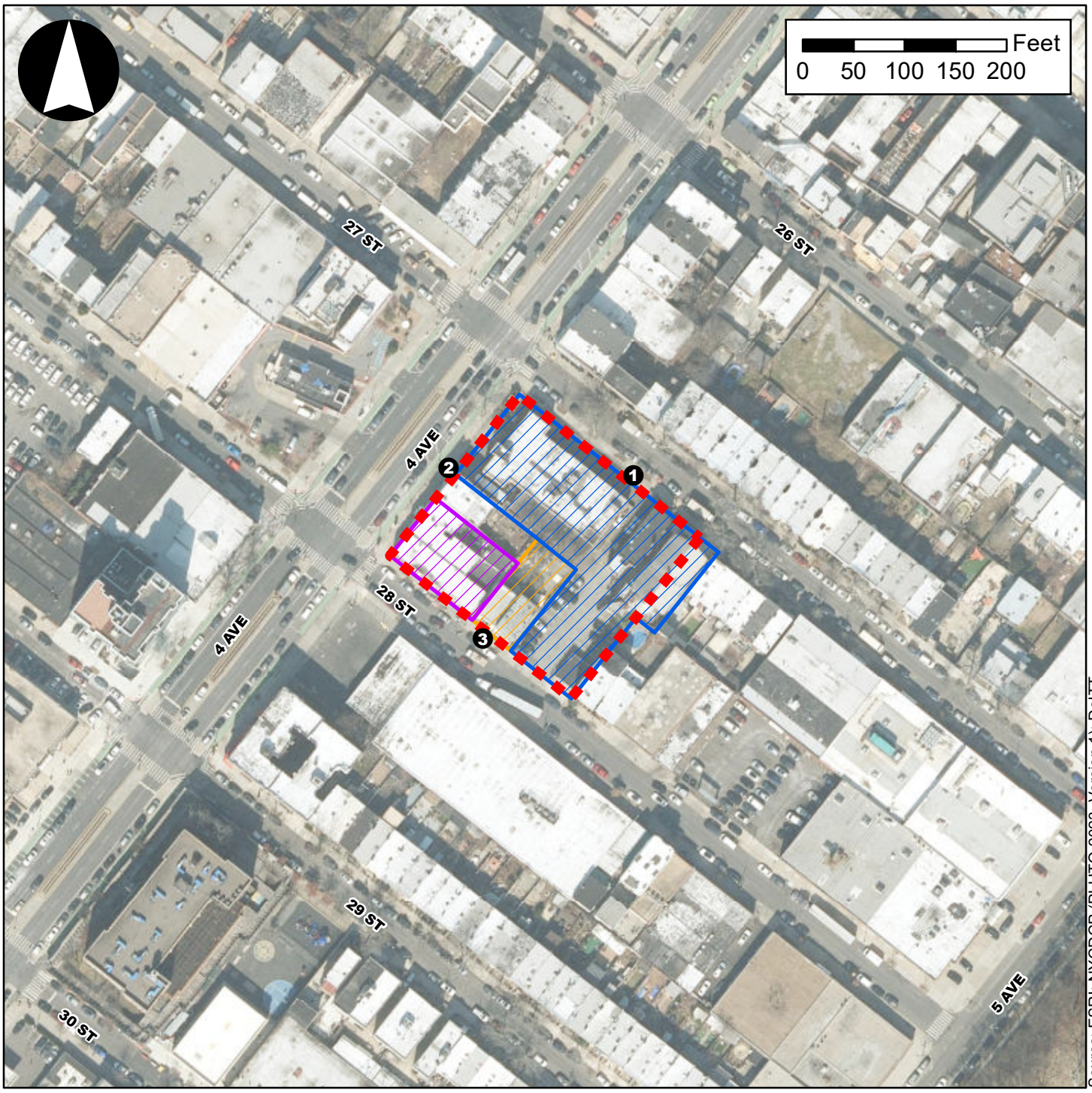
Existing Noise Levels at Receptor Locations

Measured Noise Levels

Noise monitoring results for Receptor Locations 1, 2, and 3 are summarized in **Table I-4**. Traffic was the dominant noise source and the values shown reflect the level of vehicular activity on roadways adjacent to the Project Area. Vehicular traffic volumes were counted during the noise recordings for each peak period and converted into hourly PCE values.

As shown in **Table I-4**, the results of the noise monitoring indicated that noise levels are generally highest during the weekday PM peak period. The highest L_{10} noise levels were observed at Receptor Location 2, measuring 73.34 dBA in the weekday AM peak period. Existing L_{10} noise levels at Receptor Location 2

Figure I-1
Receptor Locations



Source: ESRI; NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Project Area
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1
- 1 Receptor Locations

ranged from 69.51 dBA to 73.34 dBA, placing it in the "Marginally Unacceptable (II)" CEQR Noise Exposure category. Existing L_{10} noise levels at Receptor Location 1 ranged from 61.72 dBA to 66.31 dBA, placing it in the "Marginally Acceptable" CEQR Noise Exposure category, while existing L_{10} noise levels at Receptor Location 3 ranged from 63.82 dBA to 71.64 dBA, placing it in the "Marginally Unacceptable (I)" CEQR Noise Exposure category.

Table I-4: Existing Noise Levels (dBA)

Receptor[1]	Measurement Location	Time[2]	L_{eq}	L_1	L_{10}[3]	L_{50}	L_{90}	CEQR Noise Exposure Category
1	27th Street	AM	64.93	78.16	**66.31**	58.83	56.36	Marginally Acceptable
		MD	59.77	69.49	61.72	57.36	55.57	
		PM	59.46	67.55	62.61	57.38	53.51	
2	Fourth Avenue	AM	72.13	85.09	**73.34**	66.84	59.62	Marginally Unacceptable (II)
		MD	66.90	76.58	69.51	63.87	60.46	
		PM	67.11	75.62	70.63	64.39	57.74	
3	28th Street	AM	68.41	79.02	**71.64**	62.77	58.14	Marginally Unacceptable (I)
		MD	66.84	76.06	69.20	65.76	58.57	
		PM	62.48	74.28	63.82	57.39	54.31	

Notes: Field measurements were performed by Philip Habib & Associates on Tuesday, December 5, 2023.
[1] Receptor locations are shown in **Figure I-1**.
[2] AM = weekday AM peak period; MD = weekday midday peak period; PM = weekday PM peak period.
[3] The highest measured noise level at each receptor is indicated in **bold**.

VI. THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

Mobile Source Noise Screening Analysis

In the future without the Proposed Actions, the Project Area's existing M1-1D zoning district would remain. Under the No-Action condition, Projected Development Site 1, Projected Development Site 2, and Potential Development Site 1 would not be developed as-of-right and the existing conditions are anticipated to remain.

Using the noise prediction methodology described in Section IV above, future noise levels in the No-Action condition were calculated for the three analysis periods for the 2029 build year. **Table I-5** shows the measured existing noise levels and calculated future No-Action condition noise levels at Receptor Locations 1, 2, and 3.

Comparing future No-Action noise levels with existing noise levels, the increases in L_{eq} noise levels at Receptor Locations 1, 2, and 3 would range from 0.22 dBA to 3.61 dBA for all analysis periods. The projected No-Action L_{10} noise levels at Receptor Location 1 would range from 63.85 dBA to 67.90 dBA and would remain in the "Marginally Acceptable" CEQR Noise Exposure category, as under existing conditions. The projected L_{10} noise levels at Receptor Location 2 would range from 69.73 dBA to 73.56 dBA and would remain in the "Marginally Unacceptable (II)" CEQR Noise Exposure category, as under existing conditions. The projected L_{10} noise levels at Receptor Location 3 would range from 65.14 dBA to 72.66 dBA and would remain in the "Marginally Unacceptable (I)" CEQR Noise Exposure category, as under existing conditions.

Table I-5: 2029 No-Action Condition Noise Levels and PCE Values (dBA)

Noise Receptor Location[1]	Time[2]	Existing PCEs	No-Action PCEs	Existing L_{eq}	No-Action L_{eq}	Change in L_{eq}[3]	No-Action L_{10}[4]	CEQR Noise Exposure Category
1	AM	192	277	64.93	66.52	1.59	**67.90**	Marginally Acceptable
	MD	132	216	59.77	61.90	2.13	63.85	
	PM	63	145	59.46	63.07	3.61	66.22	
2	AM	2,889	3,042	72.13	72.35	0.22	**73.56**	Marginally Unacceptable (II)
	MD	3,057	3,214	66.90	67.12	0.22	69.73	
	PM	2,034	2,166	67.11	67.38	0.27	70.90	
3	AM	336	425	68.41	69.43	1.02	**72.66**	Marginally Unacceptable (I)
	MD	120	203	66.84	69.13	2.29	71.49	
	PM	243	329	62.48	63.80	1.32	65.14	

Notes:
[1] Receptor locations are shown in **Figure I-1**.
[2] AM = weekday AM peak period; MD = weekday midday peak period; PM = weekday PM peak period.
[3] Change in L_{eq} = No-Action L_{eq} – Existing L_{eq}.
[4] The highest No-Action noise level at each receptor is indicated in **bold**.

VII. THE FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

In the future with the Proposed Actions (the With-Action condition), the requested one zoning map amendment, one zoning text amendment, and one zoning special permit pursuant to ZR Section 74-533 would be approved, allowing the Applicant to construct the Proposed Project at Projected Development Site 1. Further, within the Project Area, it is anticipated that Projected Development Site 2 and Potential Development Site 1 could be developed in the future With-Action condition.

Mobile Source Noise Screening Analysis

Using the methodology described in Section IV, future noise levels in the With-Action condition were calculated for the three analysis periods for the 2029 build year, which are presented in **Table I-6**. As presented in the table, after accounting for additional traffic introduced by the Proposed Actions' RWCDS, the maximum projected L_{10} noise level in the With-Action condition would be 73.60 dBA during the weekday AM peak period at Receptor Location 2. Therefore, the highest noise level would remain in the "Marginally Unacceptable (II)" CEQR Noise Exposure category, as under existing and No-Action conditions. The maximum projected noise level in the With-Action condition at Receptor Location 1 would be 68.29 dBA, and thus, would remain in the "Marginally Acceptable" CEQR Noise Exposure category, as under existing and No-Action conditions. The maximum projected noise level in the With-Action condition at Receptor Location 3 would be 72.92 dBA, and thus, would remain in the "Marginally Unacceptable (I)" CEQR Noise Exposure category, as under existing and No-Action conditions.

Furthermore, comparing the future With-Action noise levels with No-Action noise levels, increases in L_{eq} noise levels would vary at Receptor Locations 1, 2, and 3, ranging from 0.02 to 0.48 dBA. However, increases of these magnitudes would not be perceptible as they are less than 3 dBA, and based upon CEQR impact criteria would not be significant. As the noise levels at Receptor Locations 1, 2, and 3 would experience changes less than the CEQR impact thresholds described in Section IV above in all peak periods, the overall changes to noise levels as a result of the Proposed Actions would not result in any significant adverse noise impacts.

Table I-6: 2029 No-Action and With-Action Condition Noise Levels and PCE Values (dBA)

Noise Receptor Location[1]	Time[2]	No-Action PCEs	With-Action PCEs	No-Action L_{eq}	With-Action L_{eq}	Change in L_{eq}[3]	With-Action L_{10}[4]	CEQR Noise Exposure Category
1	AM	277	303	66.52	66.91	0.39	**68.29**	Marginally Acceptable
	MD	216	232	61.90	62.21	0.31	64.16	
	PM	145	162	63.07	63.56	0.48	66.71	
2	AM	3,042	3,068	72.35	72.39	0.04	**73.60**	Marginally Unacceptable (II)
	MD	3,214	3,230	67.12	67.14	0.02	69.75	
	PM	2,166	2,183	67.38	67.42	0.03	70.94	
3	AM	425	451	69.43	69.69	0.26	**72.92**	Marginally Unacceptable (I)
	MD	203	219	69.13	69.46	0.33	71.82	
	PM	329	346	63.80	64.02	0.22	65.36	

Notes:

[1] Receptor locations are shown in **Figure I-1**.

[2] AM = weekday AM peak period; MD = weekday midday peak period; PM = weekday PM peak period.

[3] Change in L_{eq} = With-Action L_{eq} – No-Action L_{eq}.

[4] The highest With-Action noise level at each receptor is indicated in **bold**.

VIII. NOISE ATTENUATION REQUIREMENTS

As shown in **Table I-3**, the 2021 *CEQR Technical Manual* has noise attenuation guidance for buildings based on exterior noise levels. For dominant traffic noise, recommended noise attenuation values for buildings are designed to maintain a maximum interior noise level of 45 dBA or lower for residential, hotel, or community facility uses and interior noise levels of 50 dBA or lower for commercial office uses and are determined based on exterior L_{10} noise levels.

The attenuation of a composite structure is a function of the attenuation provided by each of its component parts and how much of the area is made up of each part. Typically, a building façade is composed of the wall, windows, and any vents or louvers for heating, ventilation, and air conditioning ("HVAC") systems in various ratios of area. Window/Wall attenuation can be described in terms of sound transmission class ("STC"), transmission loss ("TL"), and outdoor-indoor transmission class ("OITC"). Although these terms are sometimes used interchangeably, they are unique from each other. Transmission loss refers to how many decibels of sound a façade (wall) or façade accessory (window or door) can stop at a given frequency. The TL for a given construction material varies with the individual frequencies of the noise.

To simplify the noise attenuation properties of a wall, the STC rating was developed. It is a single number that describes the sound isolation performance of a given material for the range of test frequencies between 125 and 4,000 Hz. These frequencies sufficiently cover the range of human speech. Higher STC values reflect greater efficiencies to block airborne sound. The U.S. Department of Housing and Urban Development ("HUD") uses the STC when identifying the required sound attenuation for a façade.

The OITC is similar to the STC, except that it is weighted more towards the lower frequencies associated with aircraft, rail, and truck traffic. The OITC classification is defined by the American Society of Testing and Materials (ASTM E1332-90 [Reapproved 2003]) and provides a single-number rating that is used for designing a building façade including walls, doors, glazing, and combinations thereof. The OITC rating is designed to evaluate building elements by their ability to reduce the overall loudness of ground and air transportation noise. The New York City Department of Environmental Protection ("DEP") uses the OITC when identifying the required sound attenuation for a façade.

For dominant traffic noise, all façades that would experience an L_{10} of 70 dBA or greater must provide an alternate means of ventilation ("AMV") permitting a closed window condition during warm weather. This can be achieved by installing double-glazed windows on a heavy frame for masonry structures or windows consisting of laminated glass, along with AMV such as central air conditioning, through-wall sleeve-fitted air conditioners, packaged terminal air conditioning ("PTAC") units, trickle vents integrated into window frames, or other approved means. Where the required window/wall attenuation is above 40 dBA, special design features may be necessary that go beyond the normal double-glazed window and air conditioning. These may include specially designed windows (e.g., windows with small sizes, windows with air gaps, windows with thicker glazing, etc.) and additional building insulation.

Noise Attenuation Measures

As described above and presented in **Table I-6**, the maximum projected With-Action L_{10} noise levels adjacent to the Project Area are expected to be 68.29 dBA at Receptor Location 1, 73.60 dBA at Receptor Location 2, and 72.92 dBA at Receptor Location 3. Therefore, With-Action L_{10} noise levels at Receptor Location 1 would remain in the "Marginally Acceptable" CEQR Noise Exposure category, With-Action L_{10} noise levels at Receptor Location 2 would remain in the "Marginally Unacceptable (II)" CEQR Noise Exposure category, and With-Action L_{10} noise levels at Receptor Location 3 would remain in the "Marginally Unacceptable (I)" CEQR Noise Exposure category. As such, special noise attenuation measures beyond standard construction practices would be required for the proposed residential uses on the Project Area's western (Fourth Avenue) and southern (28th Street) frontages to achieve the required residential interior noise level of 45 dBA or lower. No special noise attenuation measures beyond standard construction practices would be required for the proposed residential uses on the Project Area's northern (27th Street) frontage to achieve the required residential interior noise level of 45 dBA or lower.

Composite building attenuation requirements for the western and southern frontages of the Project Area were calculated based on the maximum predicted With-Action L_{10} noise levels and are presented in **Table I-7** and illustrated in **Figure I-2**.

Table I-7: Required Attenuation (CEQR)

Location	Frontage/Façade	Maximum Projected With-Action L_{10} Noise Level	CEQR Noise Exposure Category	Required Attenuation for Residential Uses (OITC)[1, 2]
Block 661; Lot 5 Building A of Proposed Project (Projected Development Site 1)	Western	73.60	Marginally Unacceptable (II)	31
Block 661; Lots 1, 2, and 3 (Projected Development Site 2)	Western	73.60	Marginally Unacceptable (II)	31
Block 661; Lot 1 (Projected Development Site 2)	Southern	72.92	Marginally Unacceptable (I)	28

Block 661; Lots 68 and 69 (Potential Development Site 1)	Southern	72.92	Marginally Unacceptable (I)	28
Block 661; Lots 14 and 66 Building C of Proposed Project (Projected Development Site 1)	Southern	72.92	Marginally Unacceptable (I)	28

Notes:
[1] The above composite window-wall attenuation values are for residential/community facility uses. All the above categories require a closed window situation and an alternate means of ventilation. "N/A" indicates that the maximum calculated L_{10} noise level is below 70 dB(A) and the maximum calculated L_{dn} noise level is below 65 dB(A). The 2021 *CEQR Technical Manual* does not specify minimum attenuation guidance for exterior L_{10} and L_{dn} values below these levels. Commercial office uses would require attenuation values 5 dBA less.
[2] The required attenuation values are illustrated in **Figure I-2**.

(E) Designation

The composite window/wall noise attenuations outlined above in **Table I-7** would be required through the assignment of an (E) Designation for noise to portions of the Project Area (Block 661, Lots 1, 2, 3, 5, 14, 66, 68, and 69) in conjunction with the Proposed Actions. With the implementation of the composite window/wall noise attenuation, no significant adverse noise impacts would occur as a result of the Proposed Actions. The text of the (E) Designation (E-###) for window/wall attenuation would be as follows:

> **Block 661, Lot 5 (Building A of Proposed Project)**
> **In order to ensure an acceptable interior noise environment, future residential uses must provide a closed-window condition with a minimum of 31 dB(A) window/wall attenuation on the façades facing Fourth Avenue to maintain an interior L_{10} noise level not greater than 45 dB(A) for residential uses as illustrated in the EAS. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.**
>
> **Block 661, Lots 14 and 66 (Building C of Proposed Project)**
> **In order to ensure an acceptable interior noise environment, future residential uses must provide a closed-window condition with a minimum of 28 dB(A) window/wall attenuation on the façades facing 28th Street to maintain an interior L_{10} noise level not greater than 45 dB(A) for residential uses as illustrated in the EAS. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.**
>
> **Block 661, Lots 1, 2 and 3 (Projected Development Site 2)**
> **In order to ensure an acceptable interior noise environment, future residential uses must provide a closed-window condition with a minimum of 31 dB(A) window/wall attenuation on the façades facing Fourth Avenue and 28 dB(A) window/wall attenuation on the façades facing 28th Street to maintain an interior L_{10} noise level not greater than 45 dB(A) for residential uses as illustrated in the EAS. To maintain a closed-**

window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

Block 661, Lots 68 and 69 (Potential Development Site 1)
In order to ensure an acceptable interior noise environment, future residential uses must provide a closed-window condition with a minimum of 28 dB(A) window/wall attenuation on the façades facing 28th Street to maintain an interior L_{10} noise level not greater than 45 dB(A) for residential uses as illustrated in the EAS. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

With the implementation of the composite window/wall noise attenuation outlined above in **Table I-7**, the Proposed Project would provide sufficient attenuation to achieve 2021 *CEQR Technical Manual* interior noise level guidance. Therefore, the Proposed Actions would not result in any significant adverse noise impacts.

IX. OTHER NOISE CONCERNS

Mechanical Equipment

The Proposed Actions would not result in the operation of any unenclosed mechanical equipment for building ventilation purposes, and would not include any active outdoor recreational space that could result in stationary source noise impacts to the surrounding area. All mechanical equipment would be located either inside the building(s) or would be enclosed on the roof of the building(s) and would be designed to meet all applicable noise regulations and requirements (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code, the New York City Department of Buildings Code). Further, the Proposed Actions would not introduce a new receptor in an area with high ambient noise levels resulting from stationary sources, such as unenclosed mechanical equipment, unenclosed manufacturing activities or outdoor playgrounds. Therefore, the Proposed Actions would not result in any significant increase in ambient noise levels in the vicinity of the Project Area or the surrounding area.

Train Noise

An initial train noise impact screening analysis would be warranted if a new receptor would be located within 1,500 feet of existing rail activity and have a direct line of sight to that activity. The 25th Street – subway station (serviced by the R train) is located approximately two blocks to the northeast of the Project Area and the 36th Street subway station (serviced by the D, N, and R trains) is located approximately eight blocks to the southwest of the Project Area (i.e., these stations are located within 1,500 feet of the Project Area). However, the subway station and associated rail activity are located underground and there is no direct line of sight to the rail activity from the Project Area. Therefore, no initial train noise impact screening analysis is warranted for the Proposed Actions.

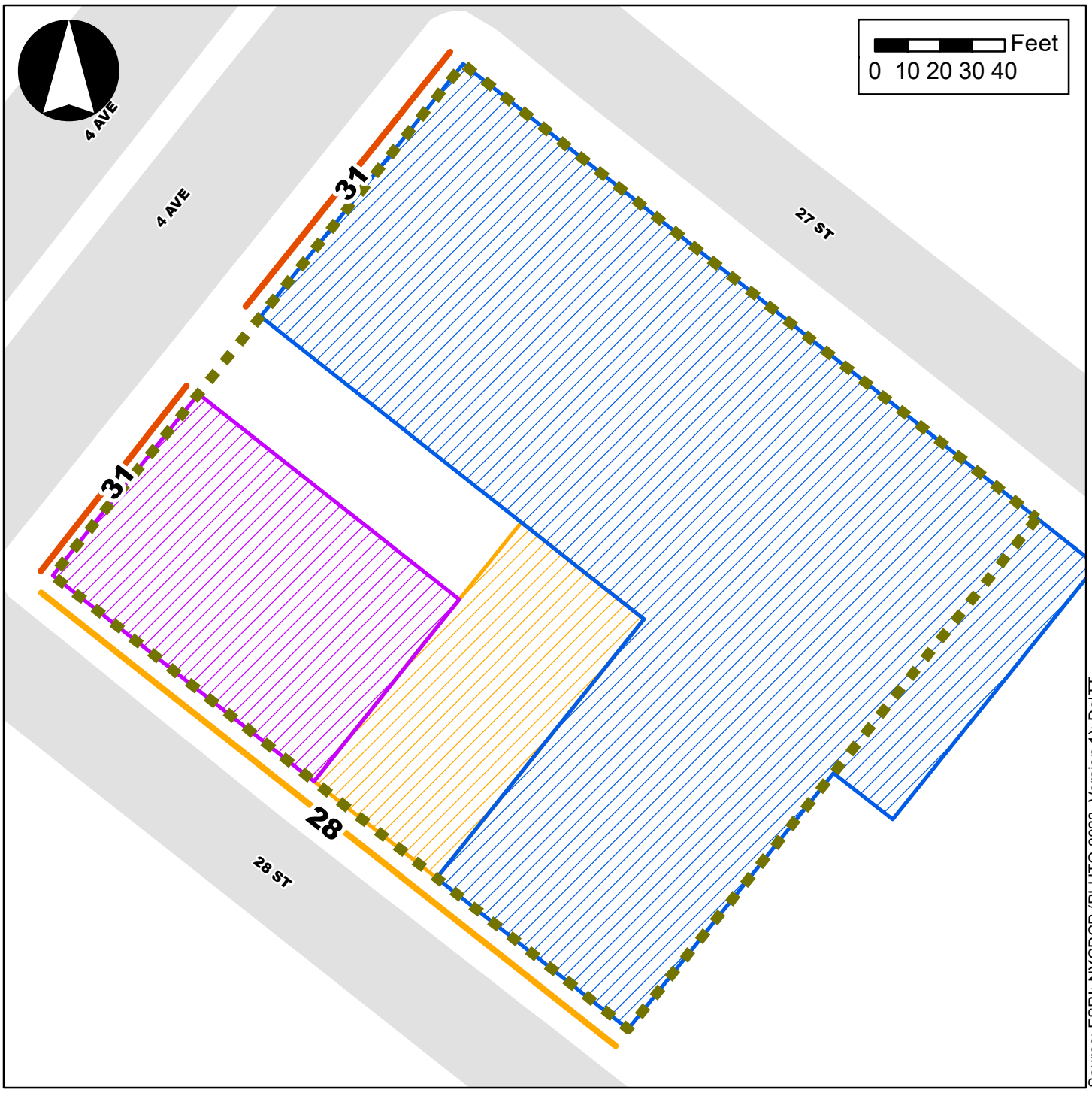
Aircraft Noise

An initial aircraft noise impact screening analysis would be warranted if the Proposed Actions would either generate or reroute aircraft or introduce new receptor(s) that would be located within a 65 dBA DNL

contour. Since the Proposed Actions would not generate or reroute aircraft, and as the Project Area is not located within a 65 dBA DNL contour, no initial aircraft noise impact screening analysis is warranted for the Proposed Actions.

Therefore, in conclusion, based on the analysis presented herein, the Proposed Actions would not result in any significant adverse noise impacts, in accordance with 2021 *CEQR Technical Manual* impact criteria.

Figure I-2
Noise Attenuation Requirements



Legend

- Project Area
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1

Attenuation Requirements (in dBA)

- 28 dBA
- 31 dBA

Appendix 1:
New York City Landmarks Preservation Commission Correspondence

Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-K
Project: 783 4 AVENUE REZONING
Date Received: 10/30/2023

Properties with no Architectural or Archaeological significance:

1) 799 4 AVENUE, BBL: 3006610001
2) 797 4 AVENUE, BBL: 3006610002
3) 795 4 AVENUE, BBL: 3006610003
4) 793 4 AVENUE, BBL: 3006610004
5) 783 4 AVENUE, BBL: 3006610005
6) 216 27 STREET, BBL: 3006610013
7) 220 27 STREET, BBL: 3006610014
8) 183 28 STREET, BBL: 3006610066
9) 181 28 STREET, BBL: 3006610068
10) 179 28 STREET, BBL: 3006610069

Comments:

S/NR ELIGIBLE PS 172, 817 4 AVENUE WITHIN RADIUS.

Gina Santucci 11/8/2023

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 37183_FSO_DNP_11082023.docx

Appendix 2:
Hazardous Materials

EXECUTIVE SUMMARY

Brussee Environmental Corporation (BEC) prepared this Phase I Environmental Site Assessment (ESA) for the institutional property located on the southeastern corner of the intersection between 4th Avenue, which runs generally north to south along the western site perimeter, and 27th Street, in the Sunset Park section of the Borough of Brooklyn, New York City, Kings County, New York (hereinafter the "subject property"). 28th Street also borders portions of the subject property to the south. The subject property is identified by the street address of 783 4th Avenue, and as Borough 3 – Block 661 – Lot Nos. 5, 13, 14, and 66 on the New York City (NYC) tax maps.[1]

The purpose of the Phase I ESA was to identify and evaluate the presence of recognized environmental conditions. Recognized environmental conditions are defied as (1) the presence of hazardous substances or petroleum products in, on or at the property due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on or at the property due to a release to the environment; or (3) the presence of hazardous substances or petroleum products in, on or at the property under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions. The work was conducted in accordance with the American Society for Testing and Materials (ASTM) Standard E 1527-21 (Standard Practices for Environmental Site Assessment: Phase I Environmental Site Assessment Process), 40 CFR Part 312 (Standards and Practices for All Appropriate Inquiry; Final Rule), and BEC's proposal for services.

BEC was able to establish a history for the property dating back to 1888. According to a review of NYC records, Sanborn maps, aerial photographs, historic city directories, and historic topographic maps, as well as personal interviews, the northwestern and southeastern portions of the subject property were developed with several 1- and 2-story retail stores, residences, and outbuildings by at least 1888. By 1906, the northeastern portions of the property were developed with a 2-story residence and a 2-story church. By 1926, the blacksmith shop was converted to a garage. In addition, the northeastern residence was expanded and identified as a Rectory. A small paint shop was also present at the southeastern corner. By the early 1950s, northwestern and northcentral portions were redeveloped with 1-car and 7-car garages. In addition, the buildings on the southeasternmost parcel (residence and paint shop) were demolished and replaced with small storage structure. Circa 1955 northwestern and north-central portions were redeveloped with the existing

[1] The full NYCDOB address range for the subject property is 783-791 4th Avenue, 198-220, 27th Street, and 183-187 28th Street.

"school" building identified as St. Rocco's Youth Center. In addition, the existing 2-story garage building was constructed at the southside of the church building and identified as an apartment. The remaining residences (south) were also demolished. Between 1978 and 1979, the storage building (southeast) was replaced with the existing 1-story garage building, identified as a garage and warehouse. In addition, remaining areas at the southern portions of the property were identified as a parking lot. City directories revealed that the youth center was occupied by the non-profit organization Opportunities for a Better Tomorrow from the mid-1990s through at least 2020.

The property is currently developed with the five 1- and 2-story buildings, including: a 1- and partial 2-story school, with two partial basement areas; a 2-story Rectory with a partial basement, a 2-story church, with no basement, a 2-story garage, and a 1-story garage, as well as paved parking lots, paved yard areas, and small landscaped areas. The two garage buildings and the parking lot are currently leased to various individuals and commercial tenants and are utilized for vehicle parking and equipment/material storage. The church, Rectory, and school buildings were formerly occupied by St. Rocco's R.C. Church and a non-profit organization (Opportunities for a Better Tomorrow) are vacant, and in minor to moderate states of disrepair.

Based on the results of the site inspection, records review and interviews, it was determined that there were no RECs, controlled recognized environmental conditions (CRECs) or historic recognized environmental condition (HRECs) identified for the subject property. However, KBEA identified several environmental concerns (ASTM Non-Scope issues/Business Environmental Risks [BERs]) for the subject property. The environmental concern/BER and KBEA's recommendations are summarized as follows:

- The subject property address (783 4th Avenue) is listed on the PBS-UST database under the name Opportunities for a Better Tomorrow and is identified as having one 3,000-gallon steel underground storage tank (UST) containing No. 2 fuel oil, closed-in-place in October 2000. The exact location of this tank is unknown; however, it was likely associated with either the Rectory or the school building. Although, no closure report or information regarding soil conditions in the vicinity of the UST were available for review. Given that the tank is identified as closed-in-place on the New York State Department of Environmental Conservation (NYSDEC) database and no LTANKS or NYSPILLS listings are associated with the subject property, BEC considers the closed UST to represent a BER.

- Information obtained from multiple historic sources indicate that the northwestern, north-central and southern portions of the property were formerly developed with multiple retail and residential

buildings. As such, there is a potential for fill materials to be present (utilized to backfill the foundations and/or basements of the former structures following their demolition. Since no information regarding the nature or source of the fill materials was available for review, there is a potential for contaminated and/or structurally unsuitable fill materials to be present on the subject property. The potential presence of fill materials is considered a BER.

Experience with similar projects shows that typical urban fill materials (impacted or clean) that are not excavated to support construction/redevelopment activities can remain on-site, as such we do not foresee an issue related to undisturbed urban fill. However, all urban fill material that is disturbed during any construction/redevelopment project may require sampling for proper disposal and handling.

- Fluorescent light ballasts were observed within inspected portions of the buildings, which based on the ages of the buildings, may contain polychlorinated biphenyls (PCBs). BEC recommends that a PCB survey be performed prior to demolition and/or renovation activities. Any PCB-containing equipment affected by the development of the site must be properly managed during demolition and/or renovation activities. In addition, while the disposal of non-leaking PCB ballasts is not currently regulated by the United States Environmental Protection Agency (USEPA), BEC recommends that the PCB ballasts be packaged in a lined, steel drum containing an absorbent material and disposed of as PCB-waste to reduce the potential for environmental contamination and potential liability for cleanup of any environmental release of PCBs from the ballasts.

- Suspect asbestos-containing vinyl floor tile, acoustic ceiling tile, pipe insulation, and plaster/sheetrock was observed in some of the inspected portions the buildings. Most of the suspect asbestos-containing materials (ACMs) were in good to fair condition at the time of the site inspection, with some water-stained/damaged ceiling tiles and plaster/sheetrock. BEC notes that much of the exposed piping was uninsulated or covered with fiberglass. In addition, suspect asbestos-contain transite shingles were also observed on the exterior of the church. Finally, due to the ages of the buildings, it is possible that roofing, roof flashing and other (inaccessible) building materials may contain asbestos.

  If activities in the buildings (i.e., renovation or demolition) will disturb any suspect asbestos material, then BEC recommends that an asbestos survey be performed to determine if ACMs are present prior

to the proposed work. If ACMs are present, then a New York State (NYS)-licensed contractor must be retained to remove the asbestos in accordance with federal and NYS regulations.

- Multiple areas of water-staining and water damage, including peeling paint, damaged/missing sheetrock/plaster, warped wooden flooring/paneling, and stained/missing ceiling tile, were observed throughout each of the site buildings. Visible mold growth was also observed in the basement of the church buildings. Additionally, the building interiors were all in minor to moderate states of disrepair.

  As future plans for the subject property are unknown, BEC provides the following recommendations: If the buildings are to be demolished, then no structural repairs and/or mold abatement is warranted at this time. However, if future plans include the use/renovation of the existing structures, then structural repairs should be made to the satisfaction of the New York City Department of Buildings (NYCDOB). Further, any areas affected by continual water leaks should be repaired and subsequently inspected for the presence of mold growth. Any evidence of mold should be cleaned and removed in accordance with the New York State Department of Health (NYSDOH) Guidelines on Assessment & Remediation of Fungi in Indoor Environments prior to occupancy. Finally, sheetrock/plaster, wood, and other water damaged building materials should be removed from the building and properly disposed.

Environmental Protection

Rohit T. Aggarwala
Commissioner

Angela Licata
Deputy Commissioner
Sustainability

59-17 Junction Blvd.
Flushing, NY 11373

Tel. (718) 595-4398
alicata@dep.nyc.gov

March 27, 2024

Louise Cafiero
Project Manager
Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: 783 Fourth Avenue Rezoning
Block 661, Lots 1, 2, 3, 4, 5, 13, 14, 66, 68, and 69
CEQR # 78DCP019K

Dear Ms. Cafiero:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the February 2024 Environmental Assessment Statement (EAS) prepared by Philip Habib & Associates and the November 2023 Phase I Environmental Site Assessment (Phase I) prepared by Brussee Environmental Corp. on behalf of 783 4th Ave LLC (applicant) for the above referenced project. It is our understanding that the applicant is seeking a zoning map amendment, a zoning text amendment, and a zoning special permit from the New York City Department of City Planning (DCP) (Proposed Actions) to facilitate the development of an approximately 225,140 gross square feet (gsf) mixed-use development (Proposed Project) at applicant-controlled Block 661, Lots 5, 13, 14, and 66 (Projected Development Site 1) in the Sunset Park neighborhood of Brooklyn Community District 7. In addition to Projected Development Site 1, the Proposed Actions would affect six lots on Block 661 not owned or controlled by the applicant: the entirety of Lots 1, 2, 3, 4, 68, and 69. Collectively, all lots affected by the Proposed Actions comprise the Project Area. The applicant seeks (i) a zoning map amendment to rezone the Project Area from an M1-1D zoning district to R7A and R8A/C2-4 zoning districts; (ii) a zoning text amendment to Appendix F of the Zoning Resolution (ZR) of the City of New York to establish the Project Area as a Mandatory Inclusionary Housing area coterminous with the area to be rezoned to R7A and R8A/C2-4 zoning districts; and (iii) a zoning special permit pursuant to ZR Section 74-533 to waive the number of required accessory off-street parking spaces in a development that includes at least 20 percent of all dwelling units as income-restricted housing units. The Proposed Project would include three new buildings (Buildings A, B, and C) and Projected Development Site 1 would comprise one zoning lot. The three new buildings would not be connected, despite being located on the same zoning lot. In total, the three new buildings would contain approximately 225,140 gsf of total building space inclusive of all building uses and cellar space. Building A would be located within the proposed R8A/C2-4 zoning district and comprise a 13-story mixed residential/commercial

building with a cellar. Building B would be located within the proposed R7A zoning district and comprise an eight-story residential building with a cellar. Building C would be located within the proposed R7A zoning district and comprise a seven-story residential building with a cellar. The three new buildings would share access to an approximate 7,160 square feet landscaped open space located within the rear yard of Projected Development Site 1 between Buildings B and C. In addition to landscaping, the open space would contain walking paths, benches, and movable tables and chairs. Within the Project Area, it is anticipated that Block 661, Lots 1, 2, 3, and 4 (Projected Development Site 2) could be developed in the future With-Action condition. Block 661, Lots 68 and 69 are considered a potential development site (Potential Development Site 1) for the With-Action condition.

Block 661, Lots 5, 13, 14, and 66

The November 2023 Phase I report revealed that historical on-site and surrounding area land uses consisted of a variety of residential, commercial, and industrial uses including retail stores, residences, outbuildings, a church, a blacksmith shop, garages, a rectory, a paint shop, a school, a railroad station, a car shop, a grocery warehouse, a service station, a merchandise warehouse, a motor freight station, a metal works, a television parts manufacturer, auto repair shops, an automotive school, a restaurant, a tire shop, an auto storage lot, machine shops, used auto sales, towing, carpet manufacturing, etc. Regulatory databases identified 31 spills and 7 historical auto sites within 1/8 mile; 23 underground storage tank sites, 31 aboveground storage tank sites, and 7 dry cleaners within 1/4 mile; 31 leaking storage tank sites, 5 voluntary cleanup program sites, and 4 brownfields sites within 1/2 mile; and 2 manufactured gas plant sites within 1 mile of the subject property.

Based upon our review of the submitted documentation, we have the following comments and recommendations to DCP:

Projected Development Site 1: Block 661, Lots 5, 13, 14, and 66 (Site under the control or ownership of the applicant)

- DCP should inform the applicant that based on the historical on-site and/or surrounding area land uses, a Phase II Environmental Site Assessment (Phase II) is necessary to adequately identify/characterize the surface and subsurface soils, groundwater, and soil vapor of the subject property, and to inform and disclose the measures necessary to avoid impacts from hazardous materials. A Phase II Investigation Protocol/Work Plan summarizing the proposed drilling, soil, groundwater, and soil vapor sampling activities should be developed in accordance with the *City Environmental Quality Review (CEQR) Technical Manual* and submitted for DEP review and approval. The Work Plan should include blueprints and/or site plans displaying the current surface grade and sub-grade elevations and a site map depicting the proposed soil, groundwater, and soil vapor sampling locations. Soil and groundwater samples should be collected and analyzed by a New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP) certified laboratory for the presence of volatile organic compounds (VOCs) by United States Environmental Protection Agency (EPA) Method 8260, semi-volatile organic compounds by EPA Method 8270, pesticides by EPA Method 8081,

polychlorinated biphenyls by EPA Method 8082, and Target Analyte List metals (filtered and unfiltered for groundwater samples). The soil vapor sampling should be conducted in accordance with the NYSDOH October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York. The soil vapor samples should be collected and analyzed by a NYSDOH ELAP certified laboratory for the presence of VOCs by EPA Method TO-15. A site-specific Health and Safety Plan (HASP) should also be submitted for DEP review and approval.

- DCP should also instruct the applicant that the Phase II Work Plan and HASP should be submitted for DEP review and approval prior to the start of any fieldwork.

Projected Development Site 2: Block 661, Lots 1, 2, 3, and 4 and Potential Development Site 1: Block 661, Lots 68 and 69 (Sites not under the control or ownership of the applicant)

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

Future correspondence and submittals related to this project should include the following CEQR # **78DCP019K**. If you have any questions, you may contact me at (718) 595-4358.

Sincerely,

Wei Yu

Wei Yu
Deputy Director, Hazardous Materials

c: R. Weissbard
T. Estesen
M. Wimbish
S. Shellooe – DCP
E. Ulker Kacar – DCP
M. Bertini – OER

Appendix 3:
Transportation Planning Factors and Travel Demand Forecast Technical Memorandum

Philip Habib & Associates
Engineers and Planners • 432 Park Avenue South • New York, NY 10016 • 212 929 5656 • 212 929 5605 (fax)

TECHNICAL MEMORANDUM

TO: **NYCDCP**

FROM: **Philip Habib & Associates**

DATE: **August 12, 2024**

PROJECT: **738 Fourth Avenue Rezoning EAS (PHA No. 2334)**

RE: **Transportation Planning Factors and Travel Demand Forecast**

This memorandum summarizes the transportation planning factors to be used for the analysis of traffic, parking, transit, and pedestrian conditions for the *738 Fourth Avenue Rezoning EAS*. Estimates of the peak travel demand for the Proposed Actions' Reasonable Worst Case Development Scenario (RWCDS) are provided, along with a discussion of trip assignment methodologies and study area definitions.

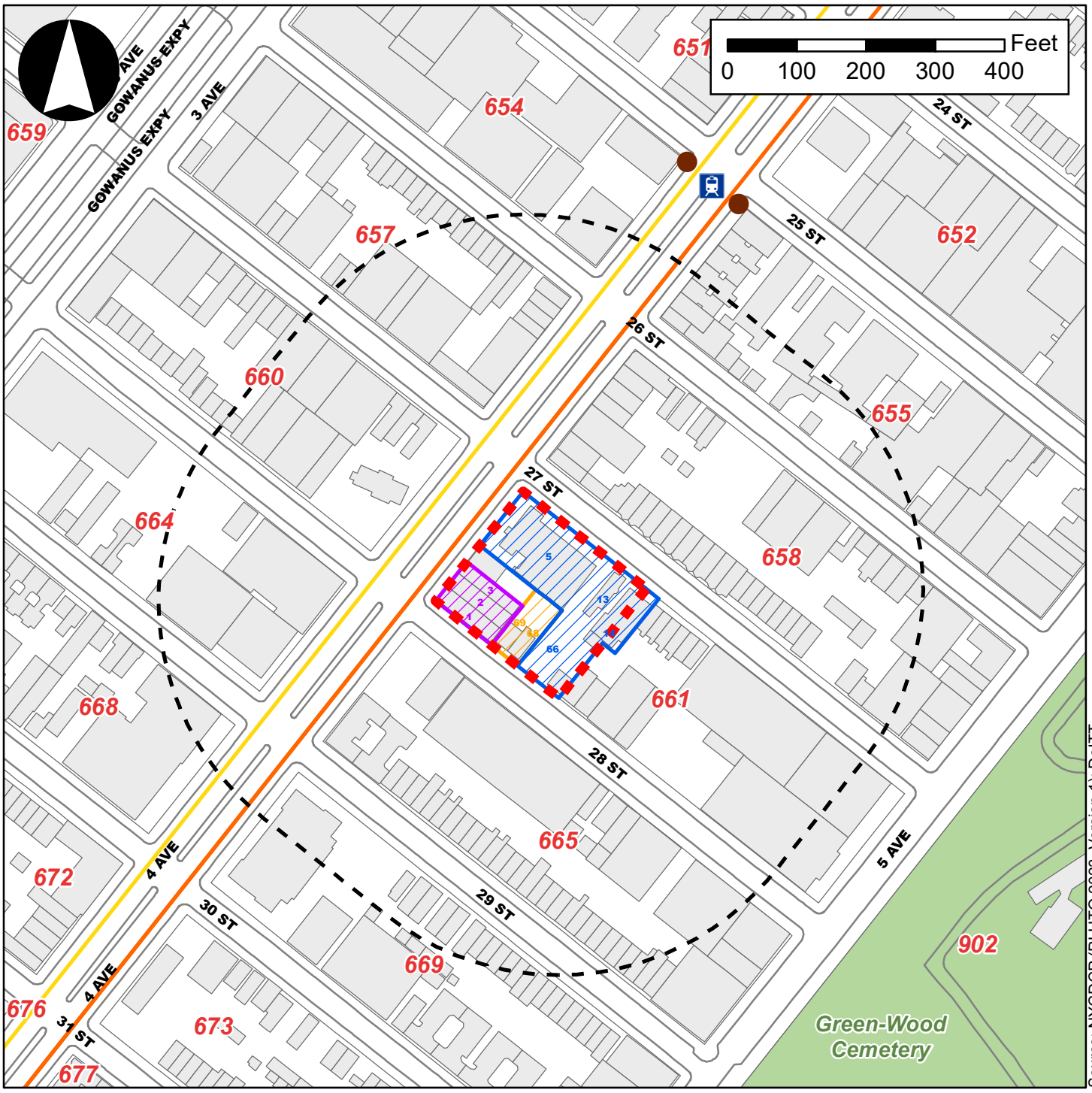
THE PROPOSED ACTIONS

The Applicant, 783 4th Ave LLC, is seeking the approval of the following actions to facilitate the development of an approximately 225,140-gross square feet ("gsf") mixed-use development (the "Proposed Project") at 783 Fourth Avenue (Block 661, Lots 5, 13, 14, and 66; also known as ["aka"] Projected Development Site 1) (refer to **Figure 1**) in the Sunset Park neighborhood of Brooklyn Community District ("CD") 7:

(1) a zoning map amendment to rezone Block 661, Lots 1, 2, 3, 4, 5, 13, 66, 68, and 69 in their entirety, and the approximately 5,425-square feet ("sf") western portion of ("p/o") Lot 14 (the "Project Area") from an M1-1D zoning district to R7A and R8A/C2-4 zoning districts;
(2) a zoning text amendment to Appendix F of the Zoning Resolution of the City of New York ("ZR") to establish the Project Area as a Mandatory Inclusionary Housing ("MIH") area (either MIH Option 1 [25% of housing units] or MIH Option 2 [30% of housing units]) coterminous with the area to be rezoned to R7A and R8A/C2-4 zoning districts; and
(3) a zoning special permit pursuant to ZR Section 74-533 "Reduction of parking spaces to facilitate affordable housing" to waive the number of required accessory off-street parking spaces in a development that includes at least 20 percent of all dwelling units ("DUs") as income-restricted housing units ("IRHUs").

The zoning map amendment, zoning text amendment, and zoning special permit pursuant to ZR Section 36-232 (the "Proposed Actions") are discretionary actions that are subject to both the Uniform Land Use Review Procedure ("ULURP") and City Environmental Quality Review ("CEQR"). The Proposed Actions would facilitate the development of the Proposed Project at Projected Development Site 1. The Proposed Project would include three new buildings (known as Buildings A, B, and C) on one zoning lot.

Figure 1
Project Location Map



Source: NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Project Area
- 400-Foot Radius
- Projected Development Site 1
- Projected Development Site 2
- Potential Development Site 1
- Existing Building Footprints
- D Train
- N and R Trains
- 25 Street Subway Station (R Train)
- Subway Entrances
- Open Space
- 661 Tax Blocks



In total, the three new buildings would contain approximately 225,140-gsf of total building space inclusive of all building uses and cellar space.

In addition to the Applicant's Proposed Project on Projected Development Site 1, it is anticipated that a non-Applicant-controlled or owned "soft site" ("Projected Development Site 2") (refer to **Figure 1**) located within the Project Area could be developed in the future With-Action condition. Projected Development Site 2 (Block 661, Lots 1, 2, and 3) could be developed with an approximately 62,661-gsf mixed residential/commercial building. It is anticipated that the remaining lots within the Project Area (Block 661, Lots 4, 68, and 69) would not or are less likely to be redeveloped as a result of the Proposed Actions.

DEVELOPMENT SCENARIOS

In order to assess the potential effects of the Proposed Actions, a RWCDS for both "future without the proposed actions" (No-Action) and "future with the proposed actions" (With-Action) conditions are analyzed for an analysis year of 2029.

Future without the Proposed Actions (No-Action Condition)

In the future without the Proposed Actions, the Project Area's existing M1-1D zoning district would remain. Under the No-Action condition, Projected Development Site 1 would not be developed as-of-right and the existing conditions are anticipated to remain. Additionally, Projected Development Site 2 (Block 661, Lots 1, 2, and 3) would not be developed as-of-right and the existing conditions for these lots are anticipated to remain as well. As such, Projected Development Sites 1 and 2 would contain a total of 3,398 gsf of residential uses (three DUs), 5,262-gsf of local retail, 26,645-gsf of community facility uses, and 33 accessory parking spaces.

Future with the Proposed Actions (With-Action Condition)

In the future with the Proposed Actions, the requested one zoning map amendment, one zoning text amendment, and one zoning special permit pursuant to ZR Section 74-533 would be approved. The With-Action condition for Projected Development Site 1, like the Proposed Project, would include three new buildings (known as Buildings A, B, and C) on one zoning lot. In total, the three new buildings would contain approximately 225,140-gsf of total building space inclusive of all building uses and cellar space, comprising approximately 214,140-gsf of residential uses (257 total DUs), approximately 7,500-gsf of commercial (local retail) uses, and approximately 10 voluntary off-street parking spaces (non-attended). **Table 1** provides a breakdown of uses by building for Projected Development Site 1 under the future With-Action condition. Additionally, an approximate 7,160-sf landscaped private open space would be located within the rear yard of Projected Development Site 1.

In addition to Projected Development Site 1, Projected Development Site 2 is anticipated to be developed with an approximately 62,661-gsf mixed use building in the future With-Action condition. The building would be occupied by approximately 60,645-gsf of residential uses (61 total DUs), and approximately 2,017-gsf of commercial retail uses. No accessory off-street parking spaces would be provided (refer to **Table 1**).

In total, Projected Development Sites 1 and 2 would comprise of a total of approximately 274,785-gsf residential uses (318 total DUs), approximately 9,517-gsf local retail uses, and 10 off-street parking

spaces (10 voluntary parking spaces on Projected Development Site 1 and no accessory parking spaces on Projected Development Site 2).

TABLE 1: With-Action Development Scenarios for Projected Development Sites 1 and 2

	Block	Lots	Residential			Commercial (GSF)	Parking		Total Mixed-Use Building (GSF)[1]
			GSF	Total DUs	Affordable DUs		GSF	Spaces	
Projected Development Site 1 Total	661	5/13/14/66	214,140	257	64 – 77	7,500	3,500	10	225,140
Building A	*661*		*102,050*	*130*	*33 – 39*	*7,500*	*0*	*0*	*109,550*
Building B	*661*		*75,900*	*86*	*22 – 26*	*0*	*3,500*	*10*	*79,400*
Building C	*661*		*36,190*	*41*	*10 – 12*	*0*	*0*	*0*	*36,190*
Projected Development Site 2 Total	661	1/2/3	60,645	61	15 – 18	2,017	0	0	62,661
	Total		**274,785**	**318**	**79 – 95**	**9,517**	**3,500**	**10**	**287,801**

Note:
[1] Inclusive of all building uses and cellar space.

RWCDS Increment

As presented in **Table 2**, compared to the No-Action condition, the With-Action condition for the Proposed Actions' RWCDS would result in the positive incremental development of approximately 271,387-gsf of residential space (comprising approximately 315 total DUs) and 4,255-gsf of local retail space, as well as the negative incremental development of approximately 26,645-gsf of community facility (educational center and house of worship) space and a reduction of 23 accessory parking spaces.

TABLE 2: 2029 RWCDS No-Action and With-Action Land Uses

Land Use	Existing / No-Action Condition	With-Action Condition	Increment
Residential (gsf)	3,398-gsf	274,785-gsf	+ 271,387-gsf
(DUs)	3 DUs	318 DUs	+ 315 DUs
Local Retail (Commercial)	5,262-gsf	9,517-gsf	+ 4,255-gsf
Educational Center(Community Facility)	19,545-gsf	0-gsf	- 19,545-gsf
House of Worship (Community Facility)	7,100-gsf	0-gsf	- 7,100-gsf
Accessory Parking	33 spaces	10 spaces	- 23 spaces

TRANSPORTATION PLANNING FACTORS

The transportation planning factors used to forecast the travel demand that would be generated by the No-Action and With-Action land uses on projected development sites are summarized in **Table 3** and discussed below.

The trip generation rates, temporal distributions, modal splits, vehicle occupancies, and truck trip factors for each projected land use were primarily based on those cited in the 2021 *CEQR Technical Manual*, factors developed for recent environmental reviews in the area, American Community Survey ("ACS") Journey-to-Work Five-Year (2015-2019) data for Kings County Census Tracts 84, 101, and 145, and data from other standard professional references. Factors are shown for the weekday AM and PM peak hours (typical peak periods for commuter travel demand) and the weekday midday and Saturday peak hours (typical peak periods for retail demand).

Residential

Residential person trip rates, temporal distribution, and directional in/out splits reflect data from the 2021 *CEQR Technical Manual*. Modal split and auto occupancy were based on 2015-2019 Five-Year ACS journey-to-work data for Kings County Census Tracts 84, 101, and 145, and taxi vehicle occupancy was based on data from the 2021 *River Ring Rezoning FEIS*. Truck generation rates and temporal distributions reflect those cited in the 2021 *CEQR Technical Manual*.

Retail

The trip generation rates, temporal distributions, and directional in/out splits for local retail reflect data from the 2021 *CEQR Technical Manual*. Modal splits and vehicle occupancy rates for local retail were based on data provided by the New York City Department of Transportation ("NYCDOT"). Truck trip generation rates and truck temporal distributions were based on data from the 2021 *CEQR Technical Manual*. There was no pass-by trip credit applied to the local retail use.

Community Facility Uses

The trip generation rates for the education community facility use conservatively reflect data from the 2021 *CEQR Technical Manual* for academic university. Because current educational center is a space utilized by the house of worship for adult education programs, like General Education Development ("GED") classes (as opposed to traditional academic programs for children and teenagers), the remaining planning factors the educational center were primarily based on factors cited in the 2022 *Innovation Urban Village FEIS*, which included a trade school. As such. the temporal distribution, modal splits, in/out splits, auto and taxi vehicle occupancy, truck generation rates and temporal distributions for the education center were based the 2022 *Innovation Urban Village FEIS*. The trip generation rates, temporal distribution, modal splits, in/out splits, auto and taxi vehicle occupancy, truck generation rates and temporal distributions for the house of worship community facility use were based on data from the 2015 *East New York Rezoning Proposal FEIS*.

TABLE 3: Transportation Planning Factors

Land Use:	Residential		Local Retail		Youth Center / Education		House of Worship	
Trip Generation:	(1)		(1)		(1)		(6)	
Weekday	8.18		329		26.60		19.19	
Saturday	9.08		358		13.50		21.83	
	per DU		per 1,000 gsf		per 1,000 gsf		per 1,000 gsf	
Temporal Distribution:	(1)		(1)		(5)		(6)	
AM	9.3%		4.8%		16.0%		7.9%	
Midday	5.6%		8.0%		10.7%		4.0%	
PM	8.5%		10.9%		26.0%		7.2%	
Saturday	8.4%		11.7%		16.0%		15.8%	
Modal Splits:	(2)		(4)		(5)		(6)	
	All Periods		Weekday	Weekend	Weekday	Weekend	All Periods	
Auto	14.6%		11.0%	11.0%	20.0%	20.0%	5.0%	
Taxi	1.4%		0.0%	0.0%	1.0%	1.0%	1.0%	
Subway/Rail	65.7%		3.0%	3.0%	47.0%	47.0%	3.0%	
Transit Bus	4.7%		2.0%	2.0%	24.0%	24.0%	6.0%	
Ferry	0.0%		0.0%	0.0%	0.0%	0.0%	0.0%	
Bike	2.6%		0.0%	0.0%	0.0%	0.0%	0.0%	
Walk/Other	11.0%		84.0%	84.0%	8.0%	8.0%	85.0%	
	100.0%		100.0%		100.0%	100.0%	100.0%	
In/Out Splits:	(1)		(1)		(5)		(6)	
	In	Out	In	Out	In	Out	In	Out
AM	22%	78%	52%	48%	94%	6%	54%	46%
Midday	50%	50%	50%	50%	46%	54%	50%	50%
PM	62%	38%	50%	50%	44%	56%	52%	48%
Saturday	55%	45%	50%	50%	57%	43%	71%	29%
Vehicle Occupancy:	(2)(3)		(4)		(5)		(6)	
	All Periods		All Periods		All Periods		All Periods	
Auto	1.22		1.20		1.10		1.65	
Taxi	1.50		1.20		1.10		1.40	
Truck Trip Generation:	(1)		(1)		(5)		(6)	
Weekday	0.06		0.35		0.29		0.29	
Saturday	0.02		0.04		0		0.29	
	per DU		per 1,000 gsf		per 1,000 sf		per 1,000 sf	
Truck Temporal Distribution:	(1)		(1)		(5)		(6)	
AM	12.0%		8.0%		9.6%		9.6%	
MD	9.0%		11.0%		11.0%		11.0%	
PM	2.0%		2.0%		1.0%		1.0%	
Saturday	9.0%		11.0%		0.0%		0.0%	
Truck Directional Distribution:	In	Out	In	Out	In	Out	In	Out
AM	50%	50%	50%	50%	50%	50%	50%	50%
MD	50%	50%	50%	50%	50%	50%	50%	50%
PM	50%	50%	50%	50%	50%	50%	50%	50%
Saturday	50%	50%	50%	50%	50%	50%	50%	50%

Notes:

(1) 2021 *CEQR Technical Manual*.
(2) 2015-2019 Five-Year ACS journey-to-work data for Kings County Census Tracts 84, 101 and 145.
(3) Based on data from *River Ring Rezoning FEIS* (2021).
(4) Based on data provided by NYCDOT.
(5) Based on data from *Innovation Urban Village FEIS* (2022).
(6) Based on data from *East New York Rezoning Proposal FEIS* (2015).

TRIP GENERATION

The net incremental change in person and vehicle trips expected to result from the Proposed Actions by the 2029 analysis year was derived based on the net change in land uses shown in **Table 2** and the transportation planning factors shown in **Table 3**. **Table 4** shows an estimate of the net incremental change in peak hour person trips and vehicle trips, (versus the No-Action condition) that would occur in 2029 with implementation of the Proposed Actions. As shown in **Table 4**, under the RWCDS, the Proposed Actions would generate a net increase of approximately 216 person trips in the weekday AM peak hour, 197 in the weekday midday peak hour, 229 in the weekday PM peak hour, and 356 in the Saturday peak hour.

Peak hour vehicle trips (including auto, truck, and taxi trips balanced to reflect that some taxis arrive or depart empty) would increase by a net total of approximately 26, 16, 17, and 40 (in and out combined) in the weekday AM, midday, and PM, and Saturday peak hours, respectively.

Peak hour subway trips would increase by a net total of approximately 121, 76, 85, and 145 during these periods, respectively, while transit bus trips would decrease by approximately nine, three, and 16 during the weekday periods, respectfully and increase by five during the Saturday peak hour.

Peak hour bike trips would increase by a net total of approximately six, four, five, and six during the weekday AM, midday, and PM, and Saturday peak hours, respectively. Trips made entirely on foot (walk-only trips) or by other non-motorized modes would increase by 69, 99, 132, and 153 trips during these periods. As such, total pedestrian trips (including walk-only trips, pedestrians walking to/from subway stations and bus stops, and those travelling on bikes) would increase by a net total of approximately 187, 176, 206, and 309 trips during the weekday AM, midday, and PM, and Saturday peak hours, respectively.

LEVEL 1 SCREENING ASSESSMENT

The 2021 *CEQR Technical Manual* describes a two-level screening procedure for the preparation of a "preliminary analysis" to determine if quantified operational analyses of transportation conditions are warranted. As discussed in the following sections, the preliminary analysis begins with a trip generation (Level 1) analysis to estimate the numbers of person and vehicle trips attributable to the proposed action. According to the 2021 *CEQR Technical Manual*, if a proposed action is expected to result in fewer than 50 vehicle or ferry trips in each peak hour, and fewer than 200 peak hour transit or pedestrian trips, further quantified analyses are not warranted. When these thresholds are exceeded, detailed trip assignments (a Level 2 screening assessment) are to be performed to estimate the incremental trips that could occur at specific transportation elements and to identify potential locations for further analysis. If the trip assignments show that the proposed action would generate 50 or more peak hour vehicle trips at an intersection, 200 or more peak hour subway trips at a station, 50 or more peak hour bus trips in one direction along a bus route, 25 or more peak hour trips by Citywide Ferry Service ("CWFS") in a single direction on a single route, 50 or more at a ferry landing, or 200 or more peak hour pedestrian trips traversing a sidewalk, corner area or crosswalk, then further quantified operational analyses may be warranted to assess the potential for significant adverse impacts on traffic, transit, ferry, pedestrians, vehicular and pedestrian safety, and parking.

TABLE 4: RWCDS Travel Demand Forecast

Land Use:		Local Retail		Residential		Youth Center / Education		House of Worship			
Size/Units:		4,255 gsf		315 DUs		-19,545 gsf		-7,100 gsf			
Peak Hour Trips:										Total Trips	
	AM	68		242		-83		-11		216	
	Midday	112		146		-56		-5		197	
	PM	154		220		-135		-10		229	
	Saturday	180		242		-42		-24		356	
Person Trips:											
AM		In	Out	In	Out	In	Out	In	Out	In	Out
	Auto	4	4	8	28	-16	-1	0	0	-4	31
	Taxi	0	0	0	3	-1	0	0	0	-1	3
	Subway	1	1	35	123	-37	-2	0	0	-1	122
	Public Bus	0	0	2	9	-19	-1	0	0	-17	8
	Ferry	0	0	0	0	0	0	0	0	0	0
	Bike	0	0	1	5	0	0	0	0	1	5
	Walk/Other	29	29	6	22	-6	0	-6	-5	23	46
	Total	34	34	52	190	-79	-4	-6	-5	1	215
Midday		In	Out	In	Out	In	Out	In	Out	In	Out
	Auto	6	6	10	10	-5	-6	0	0	11	10
	Taxi	0	0	0	0	0	0	0	0	0	0
	Subway	2	2	49	49	-12	-14	0	0	39	37
	Public Bus	2	2	3	3	-6	-7	0	0	-1	-2
	Ferry	0	0	0	0	0	0	0	0	0	0
	Bike	0	0	2	2	0	0	0	0	2	2
	Walk/Other	46	46	9	9	-3	-3	-2	-3	50	49
	Total	56	56	73	73	-26	-30	-2	-3	101	96
PM		In	Out	In	Out	In	Out	In	Out	In	Out
	Auto	9	9	20	12	-12	-15	0	0	17	6
	Taxi	0	0	2	0	-1	-1	0	0	1	-1
	Subway	2	2	90	54	-28	-35	0	0	64	21
	Public Bus	2	2	7	5	-14	-18	0	0	-5	-11
	Ferry	0	0	0	0	0	0	0	0	0	0
	Bike	0	0	3	2	0	0	0	0	3	2
	Walk/Other	64	64	15	10	-5	-6	-5	-5	69	63
	Total	77	77	137	83	-60	-75	-5	-5	149	80
Saturday		In	Out	In	Out	In	Out	In	Out	In	Out
	Auto	10	10	19	16	-6	-4	-1	0	22	22
	Taxi	0	0	2	1	0	0	0	0	2	1
	Subway	3	3	88	71	-11	-8	-1	0	79	66
	Public Bus	2	2	7	5	-6	-4	-1	0	2	3
	Ferry	0	0	0	0	0	0	0	0	0	0
	Bike	0	0	3	3	0	0	0	0	3	3
	Walk/Other	75	75	15	12	-2	-1	-14	-7	74	79
	Total	90	90	134	108	-25	-17	-17	-7	182	174
Vehicle Trips :		Local Retail		Residential		Youth Center /		House of Worship		Total Trips	
AM		In	Out	In	Out	In	Out	In	Out	In	Out
	Auto	4	4	7	23	-15	-1	0	0	-4	26
	Taxi	0	0	0	3	-1	0	0	0	-1	3
	Taxi (Balanced)	0	0	3	3	-1	-1	0	0	2	2
	Truck	0	0	0	0	0	0	0	0	0	0
	Total	4	4	10	26	-16	-2	0	0	-2	28
Midday		In	Out	In	Out	In	Out	In	Out	In	Out
	Auto	5	5	8	8	-5	-5	0	0	8	8
	Taxi	0	0	0	0	0	0	0	0	0	0
	Taxi (Balanced)	0	0	0	0	0	0	0	0	0	0
	Truck	0	0	0	0	0	0	0	0	0	0
	Total	5	5	8	8	-5	-5	0	0	8	8
PM		In	Out	In	Out	In	Out	In	Out	In	Out
	Auto	8	8	16	10	-11	-14	0	0	13	4
	Taxi	0	0	2	0	-1	-1	0	0	1	-1
	Taxi (Balanced)	0	0	2	2	-2	-2	0	0	0	0
	Truck	0	0	0	0	0	0	0	0	0	0
	Total	8	8	18	12	-13	-16	0	0	13	4
Saturday		In	Out	In	Out	In	Out	In	Out	In	Out
	Auto	8	8	15	13	-5	-4	-1	0	17	17
	Taxi	0	0	2	1	0	0	0	0	2	1
	Taxi (Balanced)	0	0	3	3	0	0	0	0	3	3
	Truck	0	0	0	0	0	0	0	0	0	0
	Total	8	8	18	16	-5	-4	-1	0	20	20

Note: 0% pass-by trip credit applied to local retail use.

Traffic

Based on 2021 *CEQR Technical Manual* guidance, a quantified traffic analysis is typically required if the proposed action would result in 50 or more vehicle trip ends in a peak hour at one or more intersections. As shown in **Table 4**, under the Proposed Actions there would be a net increase of 26, 16, 17, and 40 vehicle trips in the weekday AM, midday, and PM peak hours, and Saturday peak hours, respectively. As the numbers of trips would not exceed the 50-trip threshold in any of the analysis periods, a Level 2 screening assessment is not warranted. Therefore, significant adverse impacts for vehicles are not expected to occur under the Proposed Actions, and a detailed vehicular analysis is not warranted based on 2021 *CEQR Technical Manual* guidance.

Transit

According to the general thresholds used by the Metropolitan Transportation Authority (MTA) and specified in the 2021 *CEQR Technical Manual*, detailed transit analyses are generally not required if the proposed action is projected to result in fewer than 200 peak hour rail or bus transit riders. If the proposed action would result in 50 or more bus passengers being assigned to a single bus route in one direction, or if it would result in an increase of 200 or more passengers at a single subway station or on a single subway line, a detailed bus and/or subway analysis would be warranted. Transit analyses typically focus on the weekday AM and PM commuter peak hours, as it is during these periods that overall demand on the subway and bus systems is usually highest.

As shown in **Table 4**, the Proposed Actions are expected to generate a net total of approximately 121 and 85 incremental subway trips in the weekday AM and PM peak hours, respectively. As these numbers of trips would not exceed the 200-trip 2021 *CEQR Technical Manual* analysis threshold, further analysis is not warranted. As also shown in **Table 4,** there is expected to be a net decrease of nine and 16 incremental bus trips in the weekday AM and PM peak hours, respectively. As these numbers of trips would not exceed the 50-trip 2021 *CEQR Technical Manual* analysis threshold, further analysis is not warranted. Therefore, significant adverse impacts to transit subway and bus services are not expected to occur under the Proposed Actions, and a detailed analysis of subway and bus conditions is not warranted based on 2021 *CEQR Technical Manual* guidance.

CWFS

According to 2021 *CEQR Technical Manual* guidance, detailed analyses of the CWFS are not typically required if a proposed action would result in 50 or fewer peak hour CWFS peak hour ferry riders to a ferry landing within a half-mile of the Project Area. As the Project Area is not located within a half-mile of a CWFS ferry landing, a Level 2 screening assessment is not warranted according to 2021 *CEQR Technical Manual* guidance.

Pedestrians

According to 2021 *CEQR Technical Manual* guidance, a quantified analysis of pedestrian conditions is typically required if the proposed action would result in 200 or more peak hour pedestrian trips at any pedestrian element (sidewalk, corner area or crosswalk). As shown in **Table 4**, the Proposed Actions would generate a net incremental increase of approximately 187, 176, 206, and 309 total pedestrian trips in the weekday AM, midday, and PM peak hours, and Saturday peak hour, respectively. These

would include walk-only trips and pedestrians walking to and from subway stations and bus stops. As the numbers of trips would exceed the 200-trip threshold in the weekday PM and Saturday midday peak hours, a Level 2 screening assessment is warranted to determine which, if any, pedestrian elements require quantified analysis.

LEVEL 2 SCREENING ASSESSMENT

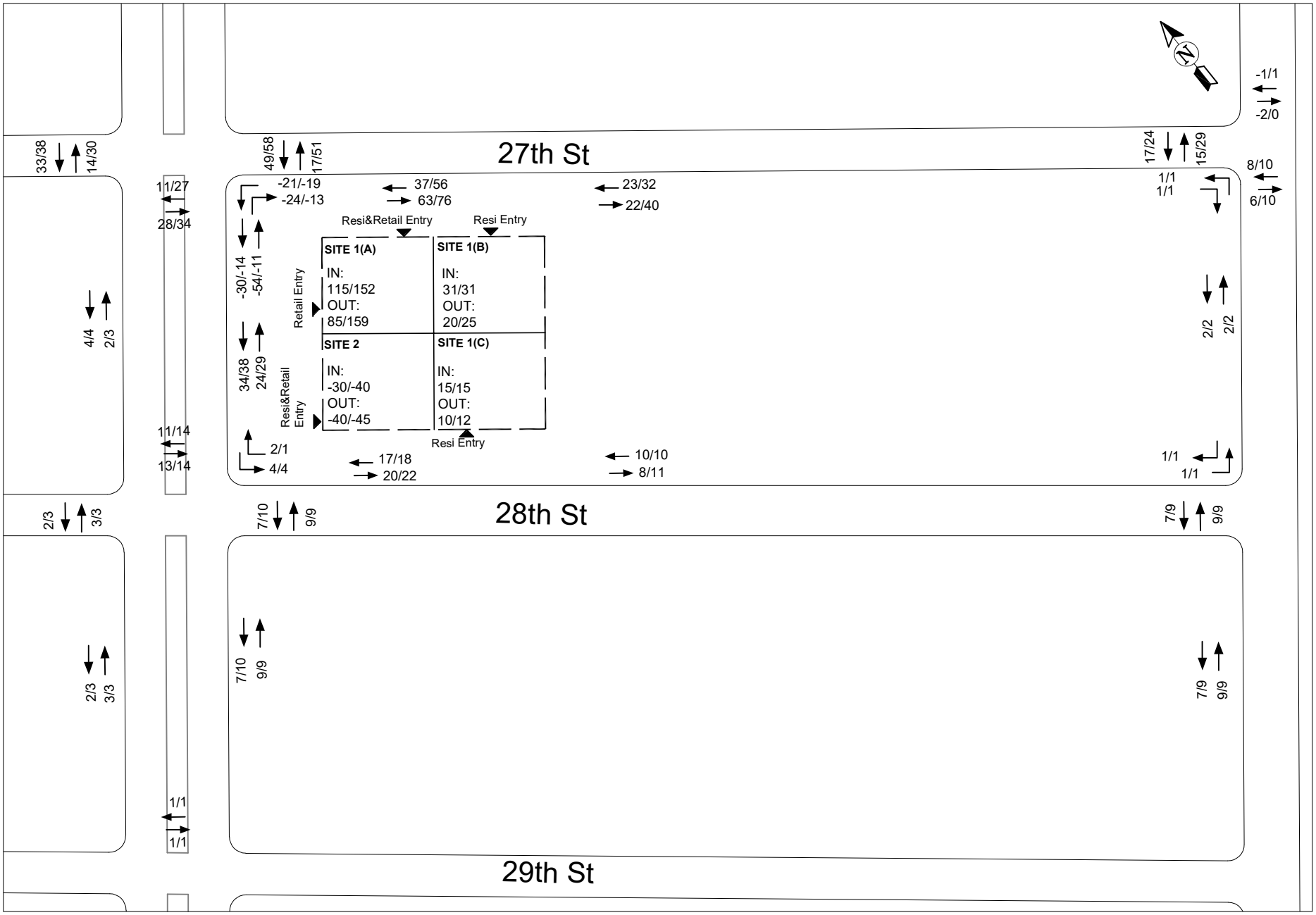
Pedestrians

Based on 2021 *CEQR Technical Manual* guidance, detailed pedestrian analyses are generally warranted if the proposed action is projected to result in 200 or more new peak hour pedestrians at any sidewalk, corner area, or crosswalk. As shown in **Table 4**, the Proposed Actions are expected to generate a net increase of 69, 99, 132, and 153 new incremental walk-only trips in weekday AM, midday, and PM, and Saturday peak hours, respectively. Although there would be a decrease of nine, three, and 16 bus trips from various bus stops during the weekly AM, midday, and PM peak hours and an increase of five bus trips during the Saturday peak hour, there would also be an increase of 121, 76, 85, and 145 pedestrians walking to and from the subway during the weekday AM, midday, and PM, and Saturday peak hours, respectively. In addition, bike trips (conservatively included with pedestrians) would increase by approximately six, four, five, and six during the same peak hours.

A preliminary assignment of net incremental pedestrian trips is shown in **Figure 2**. Subway, bus, and walk-only trips each have different assignment patterns. Subway trips were assigned to the most direct paths between the Project Area and the nearest entrances at the 25th Street (R train) subway station at 25th Street and Fourth Avenue (within a half-mile of the Project Area). Bus trips were assigned to stops for the B37 and B63 routes along Third Avenue and Fifth Avenue, respectively. Walk-only trips were distributed throughout the local street network. Bike trips were also conservatively included with walk-only trips as they would likely approach pedestrian elements adjacent to the Project Area on foot.

Overall, as shown in **Figure 2**, the greatest incremental increases in pedestrian demand under the Proposed Actions are expected to occur on pedestrian elements (sidewalks, corner areas and crosswalks) in the immediate proximity of the Project Area, along the Fourth Avenue and 27th Street corridors. Based on the assignments shown in **Figure 2**, the incremental peak hour pedestrian trips generated by the Proposed Actions would not exceed the 200-trip 2021 *CEQR Technical Manual* analysis threshold at any pedestrian elements during the weekday AM, midday, PM, or Saturday peak hours. Therefore, a detailed pedestrian analysis is not warranted in the EAS. As such, based on 2021 *CEQR Technical Manual* guidance, significant adverse impacts to pedestrian conditions are not anticipated.

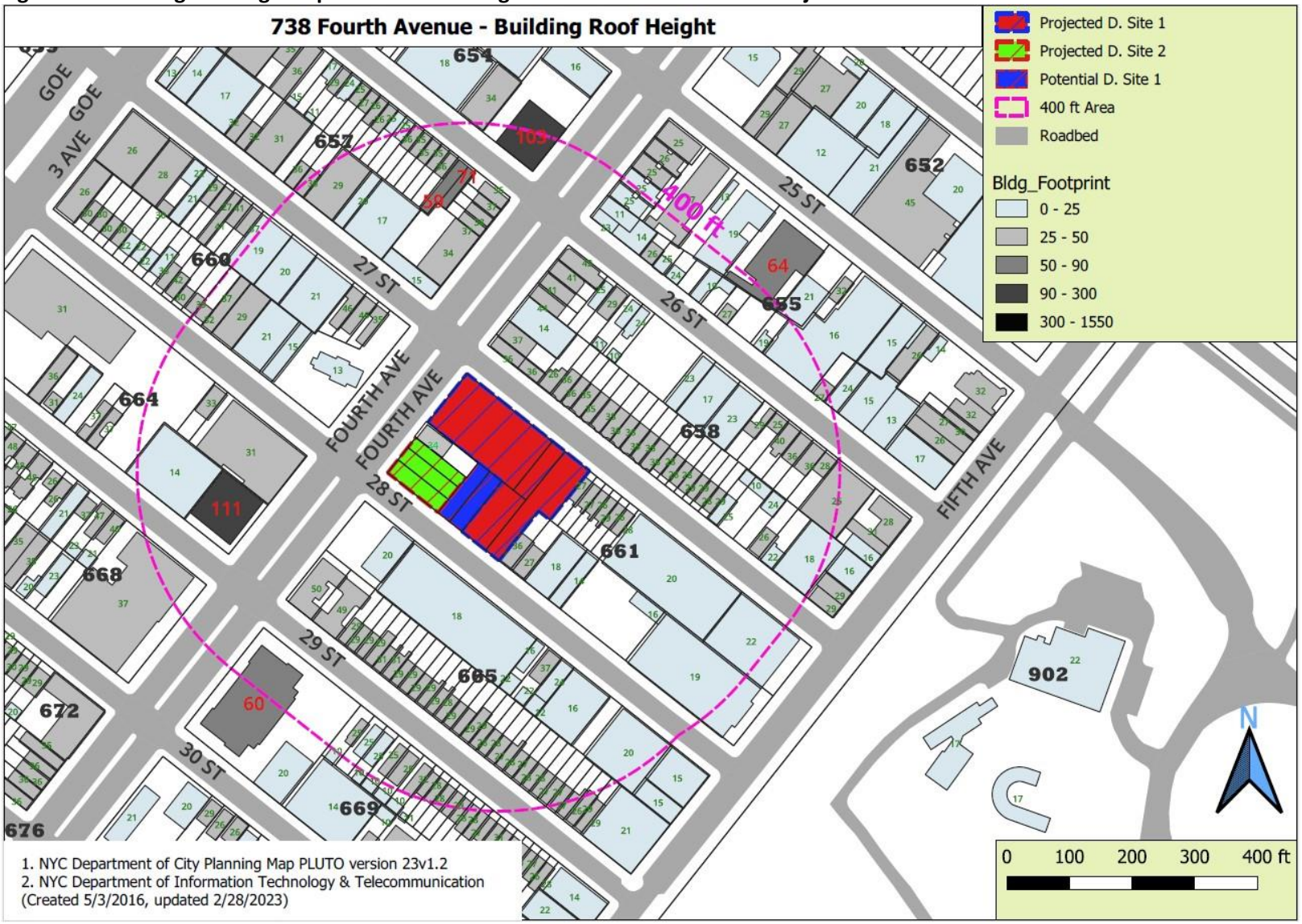
Proposed Project Peak Hours Pedestrian Volume



Legend — Project Site — Site Entrance — 2/2 = PM/SAT Pedestrian Volumes

Appendix 4:
Air Quality

Figure 4-1: Existing building footprints and roof heights[1] within 400 feet of the Project Area



[1] City of New York, Office of Technology and Innovation (2016). "Building-Footprints." opendata.cityofnewyork.us, Feb. 28, 2023.

Figure 4-2: manufacturing processing facilities, DEP processing permits, and NYSDEC AFR within 400 feet of the Project Area



Table 4-1: Noncriteria pollutants 1-hour dispersion analysis results by emission source

Contaminant	CAS No.	1-Hour Concentration (µg/m³)								SGC (µg/m³)
		New Honeywell Auto	H&J Repair & Auto Body	NYC Professional Millwork	GS Projects	Art to Frames	Excellent Poly	Aladdin Bakers	Lestis Desserts	
Ethanol	64-17-5							788.8	236.0	---
Methanol *	67-56-1	28.0	0.8	0.6	0.8					33000.0
Acetone	67-64-1	18.8	0.6							180000.0
Butanol-1	71-63-3	6.7	0.2							---
Methyl Ethyl Ketone	78-93-3	36.7	1.1	44.7	62.9	193.4				13000.0
Trimethylbenzene, 1,2,4-	95-63-6	7.3	0.2							---
Ethylbezene *	100-41-4	14.6	0.4	72.5	102.0					---
Propylbenzene, N-	103-65-1	36.7	1.1							54000.0
Methyl Isobutyl Ketone *	108-10-1	17.0	0.5			209.8				31000.0
Methoxypropylacetate	108-65-6	25.6	0.8	31.1	43.7					36850.0
Trimethylbenzene, 1,3,5-	108-67-8	1.6	0.0							---
Methylcyclohexane	108-87-2	2.8	13.5							---
Toluene *	108-88-3	107.1	3.2	31.3	44.0					37000.0
Isobutyl Acetate	110-19-0			75.2	105.8					71300.0
Butoxyethanol, 2-	111-76-2					29.5				4700.0
Butoxyethyl Acetate *	112-07-2	3.1	0.1							---
Diacetone Alcohol	123-42-2			8.7	12.3					---
N-Butyl Acetate	123-86-4	116.2	3.5	30.7	43.2	88.5				71300.0
Heptane. N-	142-82-5	3.7	0.1							210000.0
Toulene-2,4-Diisocyanate *	584-84-9			0.1	0.2					2.0
Xylenes *	1330-20-7	56.3	1.7	308.3	433.7	72.1				22000.0
Ligroine	8032-32-4	28.3	0.9							---
Solvent Naphtha Aliphatic	64742-89-8	2.9	0.1							---
Solvent Naphtha Light	64742-95-6	14.7	0.4							100.0
Hydrocarbon	68527-16-2						9.9			---
Note: *Indicates a HAP										

Table 4-2: Noncriteria pollutants annual dispersion analysis results by emission source

Contaminant	CAS No.	Annual Concentration (µg/m³)								AGC (µg/m³)
		New Honeywell Auto	H&J Repair & Auto Body	NYC Professional Millwork	GS Projects	Art to Frames	Excellent Poly	Aladdin Bakers	Lestis Desserts	
Ethanol	64-17-5							23.0	3.1	45000.0
Methanol *	67-56-1	0.03	0.01	0.003	0.004					4000.0
Acetone	67-64-1	0.02	0.01							30000.0
Butanol-1	71-63-3	0.01	0.002							---
Methyl Ethyl Ketone	78-93-3	0.03	0.01	0.2	0.3	2.3				5000.0
Trimethylbenzene, 1,2,4-	95-63-6	0.01	0.002							60.0
Ethylbezene *	100-41-4	0.01	0.004	0.3	0.5					1000.0
Propylbenzene, N-	103-65-1	0.003	0.01							1000.0
Methyl Isobutyl Ketone *	108-10-1	0.02	0.005			2.5				3000.0
Methoxypropylacetate	108-65-6	0.02	0.01	0.1	0.2					2000.0
Trimethylbenzene, 1,3,5-	108-67-8	0.002	0.0005							60.0
Methylcyclohexane	108-87-2	2.6	0.13							3800.0
Toluene *	108-88-3	0.1	0.03	0.1	0.2					5000.0
Isobutyl Acetate	110-19-0			0.4	0.5					565.0
Butoxyethanol, 2-	111-76-2					0.4				1600.0
Butoxyethyl Acetate *	112-07-2	0.003	0.0009							310.0
Diacetone Alcohol	123-42-2			0.04	0.1					570.0
N-Butyl Acetate	123-86-4	0.1	0.03	0.1	0.2	1.1				565.0
Heptane. N-	142-82-5	0.003	0.001							3900.0
Toulene-2,4-Diisocyanate *	584-84-9			0.001	0.001					0.070
Xylenes *	1330-20-7	0.1	0.02	1.5	2.1	0.9				100.0
Ligroine	8032-32-4	0.03	0.01							900.0
Solvent Naphtha Aliphatic	64742-89-8	0.003	0.001							3200.0
Solvent Naphtha Light	64742-95-6	0.01	0.004							100.0
Hydrocarbon	68527-16-2						0.01			---
Note: *Indicates a HAP										

Fieldwork Photos



Block 654, Lot 41
183 26th Street



Block 655, Lot 1
763 4th Avenue



Block 655, Lot 10
204 25th Street



Block 655, Lot 13
214 25th Street



Block 655, Lot 19
224 25th Street



Block 655, Lot 22
227 26th Street



Block 655, Lot 46
237 26th Street



Block 655, Lot 54
221 26th Street



Block 657, Lot 54
177 27th Street



Block 657, Lot 47
792 4th Avenue



Block 657, Lot 49
181 27th Street



Block 658, Lot 1
781 4th Avenue



Block 658, Lot 17
220 26th Street



Block 658, Lot 18
222 26th Street



Block 658, Lot 20
226 26th Street



Block 658, Lot 29
242 26th Street



Block 658, Lot 40
247 27th Street



Block 660, Lot 25
170 27th Street



Block 660, Lot 28
176 27th Street



Block 660, Lot 30
180 27th Street



Block 660, Lot 48
159 28th Street



Block 660, Lot 49
157 28th Street



Block 660, Lot 52
149 28th Street



Block 660, Lot 54
147 28th Street



Block 661, Lot 22
234 27th Street



Block 661, Lot 41
770 5th Avenue



Block 661, Lot 60
197 28th Street



Block 661, Lot 61
195 28th Street



Block 664, Lot 29
820 4th Avenue



Block 664, Lot 42
149 29th Street



Block 665, Lot 6
801 4th Avenue



Block 665, Lot 12
178 28th Street



Block 665, Lot 24
198 28th Street



Block 665, Lot 27
204 28th Street



Block 665, Lot 31
212 28th Street

Appendix 5:
Technical Memorandum for City of Yes for Housing Opportunity

Technical Memorandum for City of Yes for Housing Opportunity

A. INTRODUCTION

The New York City 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. The proposed zoning text amendment was referred into public review on April 26, 2024. Given that the 783 Fourth Avenue project may be affected by the proposals included in the proposed zoning text amendment, this technical memorandum assesses whether the conclusion of the project's environmental review would by altered by CHO.

783 4th Ave LLC (the "Applicant") is seeking one zoning map amendment, one zoning text amendment, and one zoning special permit from the New York City Planning Commission ("CPC") (the "Proposed Actions") to facilitate the development of an approximately 225,140-gross square feet ("gsf") mixed-use development (the "Proposed Project") at 783 Fourth Avenue (Block 661, Lots 5, 13, 14, and 66; also known as ["aka"] Projected Development Site 1 [Applicant-controlled]) in the Sunset Park neighborhood of Brooklyn Community District ("CD") 7. In addition to Projected Development Site 1, the Proposed Actions would affect six lots on Block 661 not owned or controlled by the Applicant: the entirety of Lots 1, 2, 3, 4, 68, and 69. Collectively, all lots affected by the Proposed Actions comprise the Project Area. The Project Area is bound by Fourth Avenue to the west, 27th Street to the north, and 28th Street to the south. The Project Area contains approximately 200 feet of frontage on the east side of Fourth Avenue, a wide street with a mapped width of 120 feet, approximately 225 feet of frontage on the south side of 27th Street, a narrow street with a mapped width of 60 feet, and approximately 225 feet of frontage on the north side of 28th Street, a narrow street with a mapped width of 60 feet.

The Applicant's Proposed Project would include three separate new buildings (known as Buildings A, B, and C) and Projected Development Site 1 would comprise one zoning lot. In total, the three separate new buildings would contain approximately 225,140-gsf (175,640-zsf, 5.40 FAR) of total building space inclusive of all building uses and cellar space. The Proposed Project would reasonably maximize the zoning lot's permitted blended FAR of 5.4, comprising approximately 214,410-gsf (171,440-zsf, 5.27 FAR) of residential uses and approximately 7,500-gsf (4,200-zsf, 0.13 FAR) of commercial retail uses. In addition, the Proposed Project (inclusive of Buildings A, B, and C) provides an average dwelling unit size of approximately 833-gsf (667-zsf).

In sum, the Proposed Project would contain approximately 7,500-gsf of commercial retail and 214,140-gsf of residential uses, comprising approximately 257 total DUs, 25-30% (approximately 64-77 DUs) of which would be affordable pursuant to Mandatory Inclusionary Housing ("MIH") Options 1 or 2 at a range of 60-80% AMI. For CEQR analysis purposes (i.e., Early Childhood Programs), 20% of the residential floor area (approximately 51 DUs) is assumed to be affordable at or below an average of 80% AMI. No accessory parking is assumed under the With-Action condition in accordance with the proposed zoning special permit pursuant to ZR Section 74-533; however, approximately 10 parking spaces (non-attended) are proposed within a portion of Building B's ground floor measuring approximately 3,500-gsf (300-zsf). The three separate new buildings would share access to an approximate 7,160-sf landscaped private open

space located within the rear yard of Projected Development Site 1. At its highest point, Building A of the Proposed Project would reach 13-stories (144-feet-tall including a 10-foot-tall rooftop bulkhead), Building B of the Proposed Project would reach nine-stories (94-feet-tall including a 10-foot-tall rooftop bulkhead), and Building C of the Proposed Project would reach seven-stories (approximately 84-feet-tall including a 10-foot-tall rooftop bulkhead).

EAS Reasonable Worst Case Development Scenario

Lots 5, 13, 14, and 66 (Projected Development Site 1)

The With-Action condition for Projected Development Site 1 is largely consistent with the Applicant's Proposed Project. In the With-Action condition, Projected Development Site 1 would be developed with the Proposed Project, an approximately 225,140-gsf (175,640-zsf) mixed-use residential and commercial development containing approximately 7,500-gsf of commercial retail uses and 214,140-gsf of residential uses, comprising approximately 257 total DUs (approximately 64-77 DUs of which would be affordable pursuant to MIH Options 1 or 2, respectively). However, the Proposed Project does not maximize the permitted building height of 145 feet in the proposed R8A/C2-4 zoning district or the permitted building height of 95 feet in the proposed R7A zoning district. Therefore, the Applicant's Proposed Project is not considered the RWCDS for Projected Development Site 1. For CEQR analysis purposes dependent on building height, where applicable, the With-Action condition assumes maximum building heights of 145 feet for Building A in the With-Action condition and 95 feet for Buildings B and C in the With-Action condition. 10 parking spaces (non-attended) would be provided as part of the Proposed Project.

Lots 1, 2, and 3 (Projected Development Site 2)

Within the Project Area, it is anticipated that Projected Development Site 2 could be developed in the future With-Action condition. The With-Action condition for Projected Development Site 2 comprises an approximately 62,661-gsf (50,508-zsf, 7.2 FAR) mixed residential/commercial building. The building would reach a maximum height of 14-stories (approximately 155-feet-tall including a 10-foot-tall rooftop bulkhead) and an approximately 7,015-gsf cellar. The building's residential uses would comprise approximately 61 total DUs (15 or 18 income-restricted DUs pursuant to MIH Options 1 or 2, respectively). For CEQR analysis purposes (i.e., Early Childhood Programs), 20% (12 DUs) of the residential floor area is assumed to be income-restricted at or below an average of 80% AMI. No accessory off-street parking spaces would be provided.

In sum, for Projected Development Sites 1 and 2, the With-Action condition for the Proposed Actions' RWCDS would result in the positive incremental development of approximately 271,387-gsf (217,105-zsf) of residential space (comprising approximately 315 total DUs and 79-95 affordable DUs pursuant to MIH Options 1 or 2, respectively) and 4,255-gsf (1,378-zsf) of local retail space, as well as the negative incremental development of approximately 26,645-gsf (23,170-zsf) of community facility (house of worship) space and 23 accessory parking spaces.

Lots 68 and 69 (Potential Development Site 1)

Within the Project Area, it is anticipated that Potential Development Site 1 is less likely to be developed in the future With-Action condition. The With-Action condition for Potential Development Site 1 comprises an approximately 30,348-gsf (23,037-zsf, 4.6 FAR) residential building. The building would reach a maximum height of nine-stories (approximately 105-feet-tall including a 10-foot-tall rooftop bulkhead) and a cellar. The cellar would measure approximately 5,008-gsf and contain an accessory parking garage.

The building would be occupied by approximately 25,340-gsf (23,037-zsf) of residential uses. Assuming 935-gsf (850-zsf) per DU, the building's residential uses would comprise approximately 27 total DUs (seven or eight income-restricted DUs pursuant to MIH Options 1 or 2, respectively). Approximately seven accessory off-street parking spaces would be required for the building's dwelling units and provided in a non-attended parking garage located in the building's cellar.

B. ANALYSIS FRAMEWORK

This technical memorandum provides a preliminary assessment of the effects of CHO on the Proposed Actions and evaluates whether CHO would affect the analyses 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 residential FARs for the 783 Fourth Avenue project's proposed zoning districts. In the proposed R7A district, the allowable residential FAR would change from 4.6 (pursuant to MIH) to 5.01 (pursuant to CHO). In the proposed R8A/C2-4 district, the allowable residential FAR would remain 7.2 (pursuant to MIH and pursuant to CHO).

For Projected Development Site 1, CHO would increase the maximum allowable developable residential floor area (blended across the two proposed zoning districts) by approximately 0.28 FAR, or approximately 9,903-gsf (9,003-zsf), comprising approximately 13 DUs (assuming an average unit size of approximately 833-gsf (667-zsf). In the R8A/C2-4 district, corresponding with the location of Building A of the EAS With-Action condition, CHO would facilitate the development of three additional DUs compared to the With-Action condition. In the R7A district, corresponding with the locations of Buildings B and C of the EAS With-Action condition, CHO would facilitate the development of nine additional DUs, distributed across the two buildings. Additionally, CHO would change the maximum building heights analyzed in the EAS for the proposed R7A district; in the proposed R7A district, the maximum building height would increase from 105 feet to 125 feet, inclusive of a 10-foot-tall rooftop bulkhead. In the proposed R8A/C2-4 district, the maximum building height would not change and would remain 155 feet inclusive of a 10-foot-tall rooftop bulkhead. No parking spaces would be required because CHO proposes to eliminate parking requirements for new residential developments.

For Projected Development Site 2, CHO would not increase the allowable residential FAR in the proposed R8A/C2-4 district, which would remain 7.2 (pursuant to MIH and pursuant to CHO). Furthermore, in the proposed R8A/C2-4 district, the maximum building height would not change and would remain 155 feet, inclusive of a 10-foot-tall rooftop bulkhead. No parking spaces would be required because CHO proposes to eliminate parking requirements for new residential developments.

For Potential Development Site 1, CHO would increase the maximum allowable developable residential floor area by approximately 0.41 FAR, or approximately 2,204-gsf (2,003-zsf), comprising approximately two DUs (assuming an average unit size of approximately 935-gsf (850-zsf). For Potential Development Site 1, CHO would change the maximum building height analyzed in the EAS from 105 feet to 125 feet, inclusive of a 10-foot-tall rooftop bulkhead. No parking spaces would be required because CHO proposes to eliminate parking requirements for new residential developments.

Future No-Action Condition

In the 2029 No-Action condition, the Project Area's existing M1-1D zoning would remain in place and City of Yes for Housing Opportunity would be approved. Under the existing zoning, no changes are anticipated

to occur. All existing structures and land uses located within the Project Area are anticipated to remain unchanged from existing conditions.

Future With-Action Condition

As shown in **Table 1**, in the 2029 With-Action condition, City of Yes for Housing Opportunity would modify the With-Action condition analyzed in the EAS for Projected Development Sites 1 and 2 by facilitating the incremental development of approximately 9,903-gsf (9,003-zsf) of additional total residential floor area (resulting in the incremental development of an additional 13 total and income-restricted DUs pursuant to CHO) as compared to the With-Action condition analyzed in the EAS for Projected Development Sites 1 and 2. As also shown in **Table 1**, the changes facilitated by CHO would generate an additional 42 residents.

Table 1: Projected Development Sites 1 and 2 – EAS No-Action Condition, EAS With-Action, and CHO With-Action Condition RWCDS

Use	EAS No-Action	EAS With-Action	CHO With-Action	CHO With-Action Compared to EAS With-Action
Residential (GSF)	3,398-GSF	274,785-GSF	284,688-GSF	+9,903-GSF
Total Dwelling DUs	3 DUs	318 DUs	331 DUs	+13 DUs
Income-restricted DUs	0 DUs	79[1]-95[2] DUs	92[3]-108[4] DUs	+13-+13 DUs
Commercial	5,262-GSF	9,517-GSF	9,517-GSF	0-GSF
Community Facility	26,645-GSF	0-GSF	0-GSF	0-GSF
Parking Spaces	33 spaces	10 spaces	10 spaces	0 spaces
Population[5]	**EAS No-Action**	**EAS With-Action**	**CHO With-Action**	**CHO Increment**
Residents	9	976	1,018	+42
Workers	96	41	41	0

Notes:

[1] Pursuant to MIH Option 1 (25% of DUs income-restricted at 60% AMI).

[2] Pursuant to MIH Option 2 (30% of DUs income-restricted at 80% AMI).

[3] Income-restricted DUs pursuant to MIH Option 1 plus 13 DUs pursuant to CHO.

[4] Income-restricted DUs pursuant to MIH Option 2 plus 13 DUs pursuant to CHO.

[5] The number of residents has been calculated based on the average household size of 3.07 persons per household for BK07 Sunset Park-Windsor Terrace (CD 7 Approximation) sourced from the 2017-2021 ACS Five-Year Estimates. The number of existing, No-Action, and With-Action condition workers has been calculated based on the following rates: One worker per 25 DUs, one worker per 333 sf of local retail space, and one worker per 333 sf of community facility space.

For Projected Development Site 1 and Potential Development Site 1, CHO would increase the maximum building heights analyzed in the EAS by an increment of 20 feet in the proposed R7A district.

C. SUPPLEMENTAL SCREENING PROPOSED ACTIONS WITH CHO

The changes facilitated by CHO would not substantially alter the site-specific characteristics of the Project Area. The changes would not exceed the thresholds requiring analysis within the 2021 *CEQR Technical Manual* for Historic and Cultural Resources, Natural Resources, Water and Sewer Infrastructure, Solid Waste and Sanitation Services, Energy, Greenhouse Gas Emissions and Climate Change, Public Health, Neighborhood Character, or Construction. The conclusions presented in the EAS would not change and no further analysis related to these site-specific impact categories is warranted.

The proposed (E) Designations for Hazardous Materials, Air Quality, and Noise would remain the same as presented in the EAS to avoid significant adverse impacts to these three technical areas. For Air Quality, the analysis presented in the EAS is based on specific stack heights for Projected Development Sites 1 and 2 and Potential Development Site 1; the stack heights used in the Air Quality analysis would be mandated through the proposed (E) Designation for Air Quality. Adherence to the proposed (E) Designation for Air Quality would avoid significant adverse air quality impacts. The potential changes to the With-Action condition facilitated by CHO would not alter the conclusions of the EAS related to Hazardous Materials, Noise, and Air Quality, and no further analysis related to these impact categories is warranted.

Land Use, Zoning, and Public Policy

The potential changes that would be facilitated by CHO would not require new analysis nor change the conclusion of the Land Use, Zoning, and Public Policy attachment in the EAS. The changes facilitated by CHO would continue to result in land uses that are compatible with the residential and mixed-use commercial/residential character of the secondary study area. The proposed R7A and R8A/C2-4 districts would be compatible with the secondary study area's existing R6B and R7A/C2-4 districts. The addition of 13 DUs facilitated by CHO would be supportive of the City's housing goals as identified in *Housing Our Neighbors: A Blueprint for Housing and Homelessness*. The incorporation of changes facilitated by CHO would not result in a significant adverse impact on Land Use, Zoning, and Public Policy and no further analysis is warranted.

Socioeconomic Conditions

The potential changes that would be facilitated by CHO would not require new analysis nor change the conclusion of the Socioeconomic Conditions attachment in the EAS. Compared to the With-Action condition analyzed in the EAS for Projected Development Sites 1 and 2, the addition of 13 DUs facilitated by CHO would generate approximately 42 residents. According to 2021 *CEQR Technical Manual* methodology, if the project-generated population increase is less than five percent in the study area, it would not introduce a substantial new population that could substantially affect residential real estate market conditions in the study area. As displayed in **Table D-8** of **Attachment D, "Socioeconomic Conditions"** of the EAS, in the With-Action condition, the Proposed Actions would increase the residential population of the half-mile socioeconomic study area by approximately 4.3 percent, which would not represent a substantial new population. Compared to the With-Action condition analyzed in the EAS for Projected Development Sites 1 and 2, the addition of 42 residents facilitated by CHO would increase the residential population of the half-mile socioeconomic study area by an additional 0.2 percent from the With-Action condition, to approximately 4.5 percent (i.e., below the applicable threshold of five percent). Therefore, the potential changes that would be facilitated by CHO would not alter the conclusions of **Attachment D, "Socioeconomic Conditions"** of the EAS and the incorporation of changes facilitated by CHO would not result in significant adverse indirect residential displacement impacts pursuant to CEQR.

Therefore, analysis of Socioeconomic Conditions is not warranted for the changes facilitated by CHO. The incorporation of changes facilitated by CHO would not result in a significant adverse impact on Socioeconomic Conditions and no further analysis is warranted.

Community Facilities and Services

The potential changes that would be facilitated by CHO would not require new analysis nor change the conclusion of the Community Facilities and Services attachment in the EAS. Compared to the With-Action condition analyzed in the EAS for Projected Development Sites 1 and 2, the addition of 13 DUs facilitated

by CHO would not exceed the applicable 2021 *CEQR Technical Manual* thresholds requiring assessment of Community Facilities and Services, including 50 or more elementary/middle school students and/or 150 or more high school students, 20 or more eligible children under age five, 834 DUs of new housing units in Brooklyn, or a sizeable new neighborhood where none existed before.

For public schools, the addition of 13 DUs would generate approximately two elementary school students, 0 middle school students, and 0 high school students as compared to the With-Action condition analyzed in the EAS for Projected Development Sites 1 and 2. In total, the With-Action condition under CHO would generate approximately 57 elementary school students, 12 middle school students, and 16 high schools students as compared to the No-Action condition.[1] As displayed in **Table E-6** of **Attachment E, "Community Facilities and Services"** of the EAS, the With-Action condition utilization rates of public elementary and middle schools in sub-district 2 of CSD 15, as well as public middle schools in CSD 15, would not be equal to or greater than 100 percent and the Proposed Actions would not generate 100 or more new elementary or middle school students in sub-district 2 of CSD 15, or in public middle school students in CSD 15. Compared to the With-Action condition analyzed in the EAS for Projected Development Sites 1 and 2, the addition of two elementary students and 0 middle school student facilitated by CHO would not alter the conclusions of **Attachment E, "Community Facilities and Services"** of the EAS and the incorporation of changes facilitated by CHO would not result in any significant adverse impacts on public elementary and middle schools in sub-district 2 of CSD 15, or public middle schools in CSD 15.

For early childhood programs, the addition of 13 DUs would generate approximately three additional eligible children under age five[2], and the incorporation of changes facilitated by CHO would not result in a significant adverse impact on early childhood programs, as the With-Action condition under CHO would not generate 20 or more eligible children under age five. Therefore, analysis of Community Facilities and Services is not warranted for the changes facilitated by CHO, and the incorporation of changes facilitated by CHO would not result in a significant adverse impact on Community Facilities and Services, as it is still below the 20 child screening threshold.

Open Space

The potential changes that would be facilitated by CHO would not require new analysis nor change the conclusion of the Open Space attachment in the EAS. Compared to the With-Action condition analyzed in the EAS for Projected Development Sites 1 and 2, the addition of 13 DUs facilitated by CHO would generate approximately 42 residents. As displayed in **Table F-10** of **Attachment F, "Open Space"** of the EAS, in the With-Action condition, the residential total, active, and passive open space ratios would each decrease by approximately 4.11 percent from the No-Action condition. Compared to the With-Action condition analyzed in the EAS for Projected Development Sites 1 and 2, the addition of 42 residents facilitated by CHO would decrease the residential total, active, and passive open space ratios by an additional approximately 0.18 percent from the With-Action condition, to approximately 4.29 percent. However, this additional reduction would not constitute a significant adverse impact. As described in **Attachment F, "Open Space,"** the half-mile open space study area's total and passive open space ratios would exceed the city's optimal planning guidelines for total and passive open space ratios in the With-Action condition,

[1] Per the SCA's Projected Public School Ratio student generation rates, residential units in CSD 15 generate approximately 0.1744 elementary school students per DU, approximately 0.0377 middle school students per DU, and approximately 0.05 high school students per DU.

[2] A multiplier of 0.178, applicable to projects located in Brooklyn per Table 6-1a of the 2021 *CEQR Technical Manual*, was applied to the 13 DUs.

while the half-mile open space study area's active open space ratio would fall below the city's optimal planning guideline for the active open space ratio in the With-Action condition. The potential changes that would be facilitated by CHO would not alter these conclusions.

As described in **Attachment F, "Open Space,"** in accordance with 2021 *CEQR Technical Manual* impact criteria, the reduction in the total, passive, and active open space ratios in the half-mile open space study area would be ameliorated by several qualitative factors, including the range of active and passive open space uses and the good to excellent condition of open space resources containing ≥90% of their acreage as active open space in the half-mile open space study area, as well as the proximity of additional open space acreage located adjacent to the boundaries of the half-mile open space study area that feature a range of active open space uses and would be accessible options to residents of the half-mile open space study area. Furthermore, the Proposed Project would include an approximate 7,160-sf (0.16-acres) landscaped private open space located within the rear yard of Projected Development Site 1 that would be available to residents of the Proposed Project. Therefore, the potential changes that would be facilitated by CHO would not alter the conclusions of **Attachment F, "Open Space"** of the EAS and the incorporation of changes facilitated by CHO would not result in a significant adverse impact on open space in the half-mile open space study area.

Therefore, analysis of Open Space is not warranted for the changes facilitated by CHO. The incorporation of changes facilitated by CHO would not result in a significant adverse impact on Open Space and no further analysis is warranted.

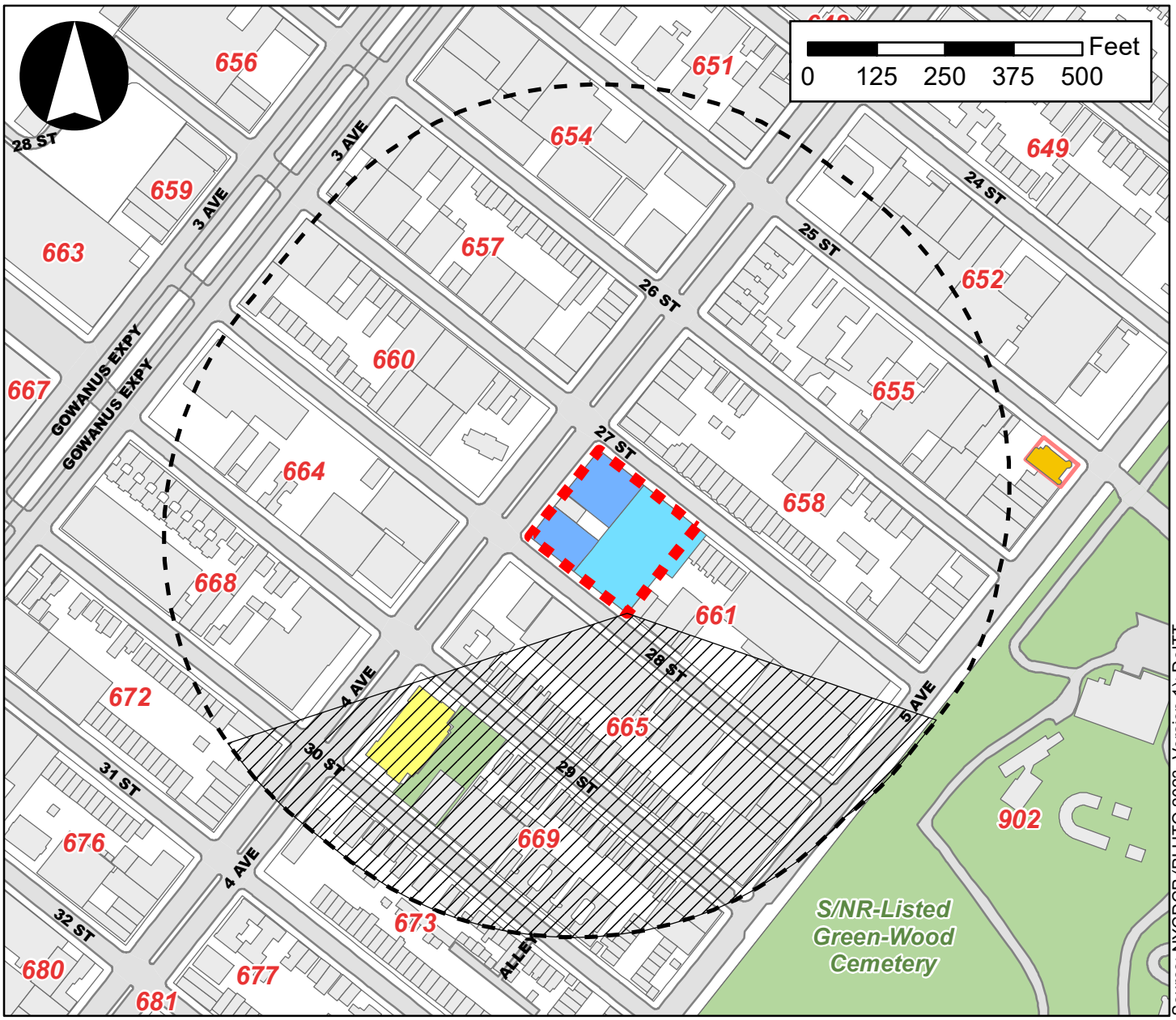
Shadows

For the Project Area, the Tier 1 Screening Assessment (i.e., the longest shadow study areas) provided in the EAS was determined based on the maximum building heights of 155 feet including a 10-foot-tall rooftop bulkhead, applicable in the proposed R8A/C2-4 district and 105 feet including a 10-foot-tall rooftop bulkhead, applicable in the proposed R7A district. For the total building heights of 155 feet applicable in the proposed R8A/C2-4 district, the longest shadow study areas extend 666.5 feet. For the total building heights of 105 feet applicable in the proposed R7A district, the longest shadow study area extends 451.5 feet. As illustrated in **Figure B-1** of **Attachment B, "Supplemental Screening"** of the EAS, the Tier 1 Screening Assessment identified potentially sunlight-sensitive resources of concern within the longest shadow study areas for the multiple building heights applicable to the Project Area.

For Projected Development Site 1, CHO would change the maximum building heights analyzed in the EAS for the proposed R7A district. In the proposed R7A district, the maximum building height would increase from 95 feet to 115 feet. In the proposed R8A/C2-4 district, the maximum building height would not change and would remain at 155 feet inclusive of a 10-foot-tall rooftop bulkhead. For Projected Development Site 2, CHO would not change the maximum building height analyzed in the EAS for the proposed R8A/C2-4 district, which would remain 155 feet. For Potential Development Site 1, CHO would change the maximum building height analyzed in the EAS from 105 feet to 125 feet, inclusive of a 10-foot-tall rooftop bulkhead.

For the proposed R7A district, CHO would increase the maximum building height analyzed in the EAS by an increment of 20 feet. Therefore, the additional 20 feet of maximum building height potentially enabled by CHO would expand the 451.5-foot longest shadow study area for the proposed R7A district to 537.5 feet (i.e., the Tier 1 Screening Assessment). **Figure 1** provides a base map illustrating the results of the Tier 1 and Tier 2 Screening Assessments for the With-Action condition under CHO. As shown in **Figure 1**, no additional, potentially sunlight-sensitive resources would fall within the 537.5-foot longest shadow study

Figure 1
Tier 1 and 2 Screening Assessments - CHO



Source: NYCDCP (PLUTO 2023, Version 1); DoITT

Legend

- Project Area
- With-Action Condition CHO 125-Foot-Tall Buildings
- With-Action Condition CHO 155-Foot-Tall Buildings
- Tier 1 Screening Assessment CHO: Longest Shadow Study Areas (Inclusive of All Buildings)
- Tier 2 Screening Assessment CHO: Area That Cannot Be Shaded
- Open Space
- S/NR-Eligible P.S. 172
- S/NR-Listed and LPC-Designated Weir Greenhouse
- Weir Greenhouse LPC Designation Boundary
- Existing Building Footprints

area potentially enabled by CHO for the proposed R7A district. Therefore, the additional maximum building heights potentially enabled by CHO would not result in significant adverse impacts related to Shadows and no further analysis is warranted.

Urban Design and Visual Resources

For Projected Development Sites 1 and 2, CHO would change the maximum base and building heights analyzed in the EAS for the proposed R7A district; in the proposed R7A district, the maximum base height would increase from 75 feet to 85 feet and the maximum building height would increase from 95 feet to 115 feet. For Projected Development Sites 1 and 2, CHO would increase the maximum allowable developable residential floor area in the proposed R7A district by approximately 0.41 FAR, from 4.6 FAR (pursuant to MIH) to 5.01 FAR (pursuant to CHO). The additional maximum base and building heights – ranging from 10 to 20 feet – and additional 0.41 FAR potentially enabled by CHO, would result in a negligible change in the appearance of buildings that would not negatively affect the pedestrian experience adjacent to the Project Area. The additional maximum base and building heights potentially enabled by CHO would not obstruct important visual resources or view corridors. Therefore, the additional maximum base and building heights and FAR potentially enabled by CHO would not result in significant adverse impacts on Urban Design and Visual Resources and no further analysis is warranted.

Transportation

The potential changes that would be facilitated by CHO would not require new analysis nor change the conclusion of the Transportation screening assessment presented in **Appendix 3 "Transportation Planning Factors and Travel Demand Forecast Technical Memorandum"** of the EAS. As outlined in the 2021 *CEQR Technical Manual*, the Development Site is located in CEQR Traffic Zone 2. Compared to the With-Action condition analyzed in the EAS for Projected Development Sites 1 and 2, the addition of 13 DUs facilitated by CHO would not exceed the applicable 200-unit 2021 *CEQR Technical Manual* minimum development density threshold for CEQR Traffic Zone 2. Therefore, numerical analysis in the form of a Level 1 (project trip generation) screening assessment is not warranted for the changes facilitated by CHO. The incorporation of changes facilitated by CHO would not result in a significant adverse impact on Transportation and no further analysis is warranted.

D. SUMMARY CONCLUSION

This technical memorandum assesses whether the City of Yes for Housing Opportunity proposal would potentially alter the analysis of the Proposed Actions and conclusions presented in the corresponding EAS for the 783 Fourth Avenue project. The City of Yes for Housing Opportunity proposal as presented in the Final Scope of Work published in April 2024 would increase the allowable residential FAR for this project's proposed R7A district by up to 0.41 FAR, as well as increase the allowable maximum building height by 20 feet in the proposed R7A district.

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