A. INTRODUCTION

The Applicant, Harrison Realty LLC, is seeking a zoning map amendment from M3-1 to R7A/C2-4, R7D/C2-4, R7D, and R8A/C2-4 zoning districts and a zoning text amendment to designate a Mandatory Inclusionary Housing Area (MIHA) to facilitate a new predominantly residential mixed-use development on two blocks it owns in the South Williamsburg section of Brooklyn Community District 1. The 182,366-square foot (sf) "project area" consists of the two trapezoidal-shaped blocks, including: (1) the 71,322 sf "Northern Block," bounded on the north by a segment of Walton Street that was demapped in 1999 and continues to function as a street, on the east by Harrison Avenue, on the south by Wallabout Street, and on the west by Union Avenue (Block 2249, Lots 23, 37, 41, and 122); and (2) the 111,044-sf "Southern Block" bounded on the north by Wallabout Street, on the east by Harrison Avenue, on the south by Gerry Street, and on the west by Union Avenue (Block 2265, Lot 14). The project area, which currently has no buildings and is used for temporary activities pursuant to short-term rental agreements, would be rezoned from M3-1 to R7A, R7D, and R8A, and would have a C2-4 commercial overlay on all of the rezoning area except for a 65-foot-wide portion located 140 feet north of the north street line of Wallabout Street and 200 feet west of the west street line of Harrison Avenue and with its northern boundary coincident with the center line of the former Walton Street (65 feet by 60 feet of this area would be within the project area). The Applicant also seeks a zoning text amendment to Zoning Resolution (ZR) Appendix F to establish the project area as a MIHA, which would require a share of residential floor area be reserved for affordable housing pursuant to the Mandatory Inclusionary Housing (MIH) program. Pursuant to the proposed zoning and MIHA designation, the Applicant intends to develop housing and local retail and a 26,000-sf privately-owned, publicly-accessible open space on these blocks. The project may seek public financing to facilitate the development of affordable housing. The open space would be provided pursuant to a legal instrument, such as a Restrictive Declaration (RD) recorded against the property.

With the proposed zoning map amendment, the proposed new zoning district boundaries would be extended to the centerline of adjoining streets, including the demapped segment of the 70-foot wide Walton Street bounding the Northern Block. As such, an approximately 8,851-sf trapezoidal area, in the bed of the former mapped street also would be rezoned as a result of the proposed action. The rezoning of the southern part of the demapped Walton Street would not result in any new development or change in its existing conditions.

In addition, with the new zoning district boundary extending through the centerline of streets bounding the project area blocks and following existing zoning boundaries, a raised triangle in the public right-of-way formed by the intersection of Union and Marcy avenues, and Wallabout Street would be located within the rezoning area. However, as this area is within the City-owned mapped street it is not subject to zoning, i.e., does not generate floor area, and it would not be directly affected by the proposed action.

Apart from the two blocks owned and controlled by the Applicant and the City-owned portion of Walton Street that would be rezoned, there are no other properties within the proposed rezoning area. As such, no other properties would be directly affected by the proposed action. The "rezoning area" includes the Northern and Southern Blocks and also includes this portion of demapped Walton Street; in contrast the "project area" only consists of the Northern and Southern Blocks, which are owned by the Applicant and excludes the City-owned portion of demapped Walton Street, as the proposed action would not result in any development on that area.

As identified in the Land Use Review application, pursuant to the proposed action, the Applicant proposes to develop the project area with a development program consisting of 1,146 DUs, of which at least 287 DUs, occupying 25 percent of the floor area excluding non-residential ground floor space, would be inclusionary housing affordable units, and 64,807 gsf of local retail space. The development would be required to provide 404 accessory parking spaces and the applicant is not proposing to provide parking beyond what is required though it would be permitted to do so subject to the provisions of the ZR. The Applicant's development would also include 26,000 sf of publicly-accessible open space, provided in midblock corridors on each block measuring 65 feet wide by 200 feet long and aligned on a north-south axis parallel to Harrison Avenue. The Applicant's development would consist of eight buildings featuring streetwalls and setbacks, reaching a maximum height of 140 feet (14 stories). As discussed below, reasonable worst-case development scenario (RWCDS) With-Actions conditions would be nearly identical to the Applicant's proposed development, with only two relatively minor differences: (1) residential program; and 2) building heights. The Applicant's development would have 1,146 DUs, instead of 1,147 DUs, the share of affordable housing would be 25 percent instead of 30 percent, and as a result of those changes, the required/provided accessory parking provided for the Applicant's development would be 404 spaces instead of 427. The Applicant's development program would have a maximum building height of 140 feet, as compared to 145 feet for the RWCDS. This is due to the RWCDS providing qualifying ground floor uses that allow maximum building heights to be 5 feet taller than otherwise permitted (the Applicant's development would not meet the qualifying ground floor criteria). The retail and publicly-accessible open space programs in the Applicant's development would be the same under the RWCDS.

RWCDS No-Action Conditions

A reasonable worst-case development scenario (RWCDS) for the proposed action has been identified for the future without the proposed action (RWCDS No-Action) and the future with the proposed action (RWCDS With-Action). Under RWCDS No-Action it is assumed that the rezoning area would not be redeveloped, the demapped Walton Street would continue to function as a public street and the project area would be vacant. As noted above, there are short-term temporary activities present in the project area, specifically vehicle and equipment storage. There are no buildings in the project area and there has been no long-term occupancy of the project area since its use by Pfizer. It is possible that unenclosed activities, such as the storage uses currently present in the project area, could continue to operate on an as-of-right basis in the future without the proposed action. Furthermore, under the existing M3-1 zoning, manufacturing and most types of commercial uses also would be allowed as-of-right (Use Groups 6-14 and 16-18), though hotels, residences, and community facilities would not be permitted. As the project area does not include

any buildings, new enclosed as-of-right uses such as retail, office, or light manufacturing would require construction of new buildings. Given that the surrounding area does not have a well-established trend of new construction on large sites of light manufacturing or commercial-only development, it is assumed that these blocks would be unoccupied in the RWCDS No-Action scenario to provide a conservative framework for analysis.

RWCDS With-Action Conditions

Under RWCDS With-Action conditions, it is projected that the project area would be redeveloped with approximately 1,147 DUs, occupying 1,147,378 gsf of residential space. (As such, there would be one more DU under the RWCDS than with the Applicant's development program.) As the project area would be designated a MIHA, the housing affordability requirement of MIH would apply. Option 1 of MIH requires 25 percent of residential units to be affordable at 60 percent area median income (AMI), with 10 percent affordable at 40 percent AMI; Option 2 requires 30 percent of units at 80 percent AMI. While the applicant is proposing Option 1, for analysis purposes, the building program conservatively assumes 30 percent of units affordable at an average of 80 percent AMI. Accordingly, under the RWCDS 803 DUs would be market rate units and 344 DUs would be affordable housing units. The RWCDS With-Action also includes 64,807 gsf of local retail space. Accessory parking would be provided at the minimum level required by zoning; based on the projected market rate/affordable housing splits outlined above, the RWCDS includes approximately 427 self-park spaces. As a condition for allowing a change in use for the project area, the development would include 26,000 sf (0.6 acres) of dedicated publicly-accessible open space, in a 65-foot wide, midblock linear corridor with 13,000 sf on each block, which would be located 200 feet west of and parallel to Harrison Avenue. The RWCDS With-Action would consist of eight buildings featuring streetwalls and setbacks, reaching a maximum height of 145 feet (14 stories). Similar to the No-Action condition, the demapped segment of Walton Street would continue to function as a public street.

A legal instrument, such as an RD, would be adopted as part of the proposed action. It would bind the project area to providing and maintaining the 26,000 sf of privately-owned publicly-accessible open space as a condition for the change in use, as detailed in plans included with the application. As it would dedicate the location of the open space, the building footprint would be limited to areas outside the open space area. This would also include a requirement that completion of the open space would be a condition for issuance of the first certificate of occupancy (C of O) for residential use.

It is expected that the development would be constructed over a 23-month period, with completion and occupancy expected to occur in 2019. Accordingly, the environmental review is using 2019 as the Build year for analysis of future conditions consistent with New York *City Environmental Quality Review ("CEQR") Technical Manual* guidance.

B. EXISTING CONDITIONS

Site Location and Characteristics

The rezoning area comprises approximately 191,217 sf and includes two blocks (the project area-Northern and Southern Blocks) owned by the Applicant and the southern portion of an adjoining City-owned one-block-long formerly mapped street segment, in the southeastern portion of Brooklyn Community District 1. The rezoning area is generally bounded by the demapped segment of Walton Street on the north, Harrison Avenue to the east, Gerry Street to the south, and Union and Marcy Avenues to the west.

The range of addresses associated with the Northern Block include 164-174 Harrison Avenue (even numbers), 30-44 Union Avenue (even numbers), 233-247 Wallabout Street (odd numbers), and 60 Walton Street. The 71,322-sf Northern Block has approximately 200 feet of frontage along Harrison Avenue, approximately 445 feet of frontage along Wallabout Street, approximately 267 feet of frontage along Union Avenue, and approximately 268 feet of frontage along the City-owned demapped Walton Street. The range of addresses associated with the Southern Block includes 1-57 Gerry Street (odd numbers), 176-190 Harrison Avenue (even numbers), 2-28 Union Avenue (even numbers), and 322-356 Wallabout Street (even numbers). The 111,044-sf Southern Block has approximately 200 feet of frontage along Harrison Avenue, approximately 617 feet of frontage along Gerry Street, approximately 235 feet of frontage along Union Avenue, and approximately 493 feet of frontage along Wallabout Street. The 8,851-sf southern half of demapped Walton Street area is 35 feet wide. This City-owned property's northern boundary is approximately 238 feet long and its southern boundary is approximately 268 feet long. Although no longer formally a mapped street it continues to operate as the southern half of a 70-foot wide, one-way eastbound right-of-way open to vehicles and pedestrians with posted City parking regulations.

Both of the blocks are zoned M3-1 and contain no existing buildings. Each block is enclosed by chain-link fencing. The Northern Block includes remnants of a former subway entrance within the property line near the intersection of Union Avenue and Walton Street. Both blocks are currently occupied by temporary activities pursuant to short-term rentals. The Northern Block is covered by grass and vegetation and the Southern Block is entirely paved. The Northern Block is vacant with no active use, although it is currently being used for temporary equipment/vehicle storage. The Southern Block is striped with parking spaces and it is currently being used for temporary equipment/vehicle storage for construction equipment and supplies, including assembled sidewalk sheds/scaffolding equipment (the current occupant is a provider of these materials to the construction industry and uses the block for on a temporary basis and maintains a permanent base elsewhere in Brooklyn). On the Northern Block there is a curb cut on Wallabout Street and in addition, in many locations along the block the curb is in deteriorated condition. On the Southern Block there are curb cuts for driveways with gates on Wallabout Street and Gerry Street.

The streets bounding the project area include Harrison Avenue on the east and Gerry Street on the south, which are both 70 feet wide (mapped width) and operate with two-way traffic, and Union Avenue on the west which is 80 feet wide and also operates with two-way traffic. Wallabout Street, which separates the Northern and Southern Blocks, is 70 feet wide and operates with two-way

traffic although Wallabout Street east of Harrison Avenue operates one-way westbound and Wallabout Street west of Marcy Avenue operates one-way eastbound. The public sidewalks adjoining the project area are approximately 15 to 20 feet wide.

The topography of the project area is generally flat. Site elevations in the area generally range from approximately +9.5 feet North American Vertical Datum of 1988 (NAVD 88) to approximately +13.5 NAVD 88. The project area is located in the coastal zone boundary and is partly within a designated "shaded X" zone on the Federal Emergency Management Agency (FEMA) 2015 Preliminary Flood Insurance Rate Map (FIRM), indicating an area of moderate to low-risk flood hazard with an annual probability of flooding of 0.2 percent to 1 percent, usually defined as the area between the limits of the 100-year and 500-year floods. The portion of the project area outside the shaded X zone is located above the 500-year floodplain and considered an area of minimum flood hazard.

The rezoning area blocks were previously owned by Pfizer which housed its main plant at 630 Flushing Avenue (Block 1720, Lot 1), two blocks to the south. Pfizer operated pharmaceutical production facilities and related operations on several sites in the area beginning with its founding in a building at the corner of Harrison Avenue and Bartlett Street in 1849. Pfizer ceased its manufacturing operations at the main building in 2008. In the 1950s Pfizer began using portions of the Northern Block, which had been previously occupied by a mix of residential, commercial, industrial, and institutional buildings, for parking and warehousing activities. The block was gradually cleared of buildings in the following decades and by 1991 the entire block was vacant. The Southern Block was partly occupied by Pfizer operations by the late nineteenth century and by the mid-twentieth century the entire block was used by Pfizer. Uses of the site by Pfizer over the years included laboratories and manufacturing facilities. Operations on the block ended in 1989 and the buildings on the site were demolished by the mid-1990s. Sometime after that the block was paved with asphalt and a parking lot striped.

Table ES-1 summarizes existing conditions in the project area.

Neighborhood Context

The project area is located near the southeastern edge of Williamsburg, an area historically dominated by Pfizer and other industrial uses but which in recent years has experienced a substantial amount of residential redevelopment as traditional industrial uses have declined. Nearby neighborhoods include the northern part of Bedford-Stuyvesant, which has a concentration of large-scale public housing developments, and the western part of Bushwick, an area that historically has had a mix of residential, commercial, and industrial uses that has also been experiencing a trend of residential redevelopment of former industrial properties.

The project area is located within a M3-1 heavy manufacturing (low performance) district. This M3-1 district extends further south covering two blocks to the south.

Table ES-1. Summary of Rezoning Area Existing Conditions

Addresses	Northern Block: 164-174 Harrison Ave.; 30-44 Union Ave.; 233-247 Wallabout St.; 60 Walton St. Southern Block: 1-57 Gerry St.; 176-190 Harrison Ave.; 2-28 Union Ave.; 322-356 Wallabout St.
Block and Lots	Northern Block: Block 2249, Lots 23, 37, 41, 122 Southern Block: Block 2265, Lot 14
Lot Area	Northern Block: 71,322 sf (1.64 acres) Southern Block: 111,044 sf (2.55 acres) Total Project Area: 182,366 sf (4.19 acres) Southern Portion of Demapped Walton Street Area: 8,851 sf (0.20 acres) Total Rezoning Area: 191,217 (4.39 acres)
Zoning	M3-1
Uses	Northern Block: Vacant (temporarily equipment/vehicle storage) Southern Block: Vacant (temporarily equipment/vehicle storage) Demapped Walton Street Area: Functions as part of a street open to traffic
Ownership	Northern & Southern Blocks: An affiliate of the Applicant Demapped Walton Street Area: City of New York
Public Transit Access	Subway: Flushing Ave. Station (G) adjacent to project site; Lorimer St. Station (J, M) approximately 0.2-mile walk from project area Bus: B46 (Broadway); B48 (Lorimer St.); B57 (Flushing Ave.)

C. PURPOSE AND NEED FOR THE PROPOSED ACTION

The area surrounding the project area has experienced a significant trend of residential, mixed-use, and neighborhood-oriented institutional development in recent years, including both market-rate and affordable housing residential developments, some with ground floor retail or community facility uses. As this area of Williamsburg and nearby areas of Bedford-Stuyvesant and Bushwick have transformed, traditional industrial uses have declined substantially, as evidenced by their lack of active use of the project area blocks for more than 20 years.

The Applicant believes that the proposed action would improve the condition of the project area and surrounding neighborhood by redeveloping vacant properties with new mixed use buildings that would complement existing uses in the area. Overall, the Applicant believes that the proposed action would be consistent with and would advance the ongoing land use trends and address demand for housing and retail space in this area of the City by facilitating the construction of up to 1,147 residential units (including up to 344 affordable units) where residential uses are currently not permitted.

Under existing zoning regulations, uses permitted as-of-right on the project area include Use Groups 6-14, and 16-18, which include heavy manufacturing and industrial uses up to 2.0 FAR and certain commercial uses. With the proposed zoning map amendment, residential (Use Groups 1 and 2) and community facility uses (Use Groups 3 and 4), which are prohibited by the existing zoning, would be permitted. In addition, local retail uses (Use Groups 5-9 and 14), would be permitted on the ground floor within the commercial overlay areas.

The proposed zoning map amendment from M3-1 to R7A, R7D, and R8A with C2-4 commercial overlays covering most of the project area, together with the proposed zoning text amendment

designating the project area an MIHA and the RD requiring the establishment of the 0.6-acre publicly-accessible open space as a condition for receiving a residential certificate of occupancy, would facilitate the residential, affordable housing, and open space development in the Applicant's proposal.

D. REQUIRED APPROVALS AND REVIEW PROCEDURES

The Applicant is requesting two City Planning Commission (CPC) actions, a zoning map amendment and a zoning text amendment. Both are discretionary actions; the zoning map amendment is subject to the Uniform Land Use Review Procedure (ULURP) and the zoning text amendment is subject to public review with requirements similar to ULURP. The RD to memorialize the open space commitment also would be subject to City Planning Commission approval in connection with the approval of the zoning actions. These actions are subject to environmental review under the State Environmental Quality Review Act ("SEQRA") and the City Environmental Quality Review ("CEQR").

In addition, the project may seek public financing by the NYC Department of Housing Preservation and Development (HPD) or the New York City Housing Development Corporation (HDC) to facilitate the development of affordable housing. Such applications are also subject to environmental review requirements.

Proposed Zoning Map Amendment

The proposed zoning map amendment would change the underlying zoning of the rezoning area from an M3-1 heavy manufacturing district to R7A, R7D, and R8A contextual residence districts. An R7A district would be mapped for the portion within 100 feet of Harrison Avenue. An R7D district would be mapped for the portion more than 100 feet from Harrison Avenue and including the areas extending up to 335 feet from Harrison Avenue on the Southern Block and up to 200 feet from Harrison Avenue within 140 feet of Wallabout Street and up to 265 feet from Harrison Avenue beyond 140 feet from Wallabout Street on the Northern Block. An R8A district would be mapped for the portion more than 335 feet from Harrison Avenue on the Southern Block and more than 200 feet from Harrison Avenue within 140 feet of Wallabout Street and more than 265 feet from Harrison Avenue beyond 140 feet on the Northern Block. In addition, a C2-4 commercial overlay would be mapped over the underlying districts, covering the entirety of the Rezoning Area, except for a 65-foot wide area located 200 feet west of Harrison Avenue, 140 feet north of Wallabout Street, and with its northern boundary coincident with the center line of the former Walton Street (65 feet by 60 feet of this area would be within the project area). With the proposed zoning map amendment, residential (Use Groups 1 and 2) and community facility uses (Use Groups 3 and 4), which are prohibited by the existing zoning, would be permitted. In addition, local retail uses (Use Groups 5-9 and 14), would be permitted by the commercial overlay on the ground floor of buildings, provided they are not on the same floor as or above dwelling units.

The proposed zoning map amendment would follow zoning map convention in which the proposed new zoning district boundaries would be extended to the centerline of adjoining streets. Given that the Northern Block is bounded on the north by the demapped Walton Street, the zoning

boundary would extend to a prolongation of the centerline of mapped segments to the east of Harrison Avenue and west of Union Avenue, i.e., in the centerline of the demapped 70-foot wide segment of Walton Street between Harrison and Union avenues. As such, an approximately 8,851-sf trapezoidal area, in the bed of the former mapped street also would be rezoned as a result of the proposed action. Similarly, the C2-4 zoning overlay that would be mapped as part of the proposed action would also cover the portion of the rezoning area within the demapped Walton Street, excluding the area described above.

R7A, R7D, and R8A are contextual zoning districts that allow for new medium-density residential development and community facilities. The description of these districts provided herein is based on the regulations applicable to MIHAs, as it is anticipated that the proposed zoning map amendment and the proposed zoning text amendment designating the project area an MIHA would be adopted in tandem.

In MIHAs, R7A districts allow for residential development up to 4.6 FAR and community facility uses up to 4.0 FAR. In MIHAs R7A requires a streetwall of 40 to 75 feet, a setback from the streetwall, and allows a maximum building height of 90 feet or 95 feet (with a qualifying, i.e., commercial, ground floor use), and a maximum of 9 stories.

In MIHAs, R7D districts allow for residential development up to 5.60 FAR and community facility uses up to 4.20 FAR. In MIHAs, R7D requires a streetwall of 60 to 95 feet, a setback from the streetwall, and allows a maximum building height of 110 feet or 115 feet (with a qualifying ground floor use) and a maximum of 11 stories.

In MIHAs, R8A districts allow for residential development up to 7.20 FAR and community facility uses up to 6.50 FAR. In MIHAs, R8A requires a streetwall of 60 to 105 feet, a setback from the streetwall, and allows a maximum building height of 140 feet or 145 feet (with a qualifying ground floor use) and a maximum of 14 stories.

New residences in R7A and R7D are required to provide off-street parking spaces for 50 percent of the market rate dwelling units, with no required parking for affordable housing applicable sites within the Transit Zone, as defined by the Zoning Resolution, Appendix I. New residences in R8A are required to provide parking for 40 percent of the market rate dwelling units, with no required parking for affordable housing applicable to sites within the Transit Zone.

C2-4 commercial overlays allow for local retail uses and commercial development up to 2.0 FAR. The C2-4 commercial overlay requires 1 parking space for every 1,000 sf of zoning floor area for general retail uses.

Proposed Zoning Text Amendment

The proposed zoning text amendment would amend ZR Appendix F to establish a MIHA coterminous with the rezoning area, which would require the provision of affordable housing pursuant to the MIH program.

Under MIH, a share of new housing is required to be permanently affordable when land use actions create significant new housing potential, either as part of a City neighborhood plan or private land use application. MIH consists of two alternatives: 1) 25 percent of residential floor area be must be affordable housing units affordable to households with income at a weighted average of 60 percent of area median income (AMI), with 10 percent affordable to households within an income band of 40 percent of AMI; or 2) 30 percent of residential floor area must be affordable housing units affordable to households with income at a weighted average of 80 percent of AMI. In combination with these options, two other options may be utilized. A "Deep Affordability Option" also may be utilized providing 20 percent of residential floor area must be affordable housing units affordable to households with income at a weighted average of 40 percent of AMI. Also, a "Workforce Option" also may be utilized providing 30 percent of residential floor area must be affordable housing units affordable to households with income at a weighted average of 115 percent, with 5 percent of residential floor area must be affordable housing units affordable to households within an income band of 70 percent of AMI and another 5 percent of residential floor area must be affordable housing units affordable to households within an income band of 90 percent of AMI. Other restrictions apply to the Deep Affordability and Workforce Options. The CPC and ultimately the City Council determine requirements applicable to each MIHA.

Restrictive Declaration (RD)

The proposed publicly-accessible open space that would be developed as part of the proposed action and which would remain privately-owned, would be provided pursuant to a legal instrument such as am RD recorded against the property. It would bind the project area to providing and maintaining the 26,000 sf of privately-owned publicly-accessible open space in the location indicated as a condition for the change in use, as detailed in plans included with the application. This would also include a requirement that completion of the open space would be a condition for issuance of the first certificate of occupancy (C of O) for residential use.

(E) Designation

To avoid the potential for significant adverse impacts in the areas of hazardous materials, air quality, and noise, an (E) designation (E-427) will be assigned to Block 2265, Lot 14, and Block 2249, Lots 23, 37, 41, and 122 (the project area tax lots) in conjunction with the proposed discretionary actions.

Public Review Process

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

Uniform Land Use Review Procedure (ULURP)

The City's ULURP, mandated by Sections 197-c and 197-d of the City Charter, is a process specially designed to allow public review of a proposed action at four levels: the Community Board, the Borough President and (if applicable) the Borough Board, the CPC and the City

Council. The procedure sets time limits for review at each stage to ensure a maximum total review period of approximately seven months. The ULURP process begins with a certification by the New York City Department of City Planning (DCP) that the ULURP application is complete, which includes satisfying CEQR requirements (see the discussion below). The application is then forwarded to the applicable community board, in this case Brooklyn CB1, which has 60 days in which to review and discuss the approval, hold public hearings, and adopt recommendations regarding the application. Once this step is complete, the Borough President reviews the application for up to 30 days. The CPC then has 60 days to review the application, during which time a ULURP/CEQR public hearing is held. Comments made at the DEIS public hearing and subsequent comment period (the record for commenting remains open for ten days after the hearing to receive written comments) are incorporated into a Final EIS (FEIS). The FEIS must be completed at least ten days before CPC makes its decision on the application. The CPC may approve, approve with modifications or deny the application. If the ULURP application is approved, or approved with modifications, it moves forward to the City Council for review. The City Council has 50 days to review the application and during this time will hold a public hearing on the proposed action, through its Land Use Subcommittee. The Council may approve, approve with modifications, or deny the application. If the Council proposes a modification to the proposed action, the ULURP review process stops for 15 days, providing time for a CPC determination on whether the proposed modification is within the scope of the environmental review and ULURP review. If it is, then the Council may proceed with the modification; if not, then the Council may only vote on the actions as approved by the CPC. Following the Council's vote, the Mayor has five days in which to veto the Council's actions. The City Council may override the mayoral veto within 10 days.

City Environmental Quality Review (CEQR)

Pursuant to the SEQRA (Article 8 of the Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City has established rules for its own environmental quality review in Executive Order 91 of 1977, as amended, and 62 RCNY Chapter 5, the Rules of Procedure for CEQR. The environmental review process provides a means for decision-makers to systematically consider environmental effects along with other aspects of project planning and design, to propose reasonable alternatives, and to identify, and when practicable mitigate, significant adverse environmental effects.

E. REASONABLE WORST-CASE DEVELOPMENT SCENARIO

As noted above, there are minor differences between the Applicant's proposed development and the RWCDS for With-Action conditions. The RWCDS assumes that the project area would be developed with the project area's maximum permitted floor area of 1,095,595.2, a built FAR of approximately 6.0, which reflects the maximum under the proposed split lot conditions. The Applicant's development program identified in the application is based on the use of 1,094,573.1, with 1,022.1 zsf of permitted floor area not used as it based on a design, with 529.5 zsf unused on the Northern Block and 492.6 zsf unused on the Southern Block, i.e., areas too small to use for a dwelling unit. Overall, the RWCDS would result in one more DU than the Applicant's proposal – 1,147 DUs compared 1,146 DUs – and as a worst case the RWCDS assumes 30 percent of the

units would be low-moderate income affordable housing units for households earning at or below 80 percent of AMI, instead of 25 percent as indicated in the Applicant's proposal. Due to these changes in residential program and share of affordable units, the accessory parking requirements would change commensurately. The Applicant's proposed development would provide 404 accessory parking spaces but the RWCDS would provide 427 accessory parking spaces. In addition, the Applicant's development program would have a maximum building height of 140 feet, as compared to 145 feet for the RWCDS. This is due to the RWCDS providing qualifying ground floor uses that allow maximum building heights to be 5 feet taller than otherwise permitted (the Applicant's development would not meet the qualifying ground floor criteria). The retail and publicly-accessible open space programs in the Applicant's development would be the same under the RWCDS.

RWCDS

Pursuant to *CEQR Technical Manual* guidelines, a RWCDS has been identified in order to assess the potential environmental effects of future development that could occur as a result of the proposed action. This includes the amount, type, and location of development that is expected to occur in both future No-Action and With-Action conditions. The net incremental difference between the future With-Action and No-Action serves as the basis for the environmental impact analyses.

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

Development Site Criteria for the RWCDS

In projecting the amount and location of new development in the future with and without the proposed action, several factors have been considered in identifying likely development sites in the proposed rezoning area. These include known development proposals and past development trends. The initial step in establishing the development scenario was to identify those sites where new development could reasonably occur. The Applicant's development proposal for the 182,366 sf project area, including both the Northern and Southern Blocks, is considered a known proposal likely to occur if the proposed action is approved.

In addition to the Applicant's property, the proposed rezoning area includes an approximately 8,851-sf trapezoidal area, in the bed of the former mapped street. However, this area is owned by the City and continues to function as a street, and is not located within any designated tax lots or zoning lots.

No development is expected to occur in the bed of Walton Street as a result of the proposed action, as it is expected to continue to operate as a street open to traffic similar to existing conditions. The City previously intended for this area to form part of an industrial development site (per the 1989 Broadway Triangle Urban Renewal Plan) and later to form part of a commercial development site (per a 2000 proposal that was not advanced). These development proposals, which would have

involved the disposition of the demapped Walton Street to a previous property owner, are no longer active.

Disposition of the demapped portion of Walton Street or any development rights associated with the property would require a ULURP action for disposition of property owned by the City of New York, and possibly related actions subject to ULURP and CEQR such as designation as an Urban Development Action Area Plan (UDAAP). In any event, the Applicant has not proposed to purchase this property or execute a zoning lot development agreement or similar arrangement that would allow it to use floor area generated by the street on the adjoining Northern Block. Unlike the previous industrial and commercial development proposals that intended to use the bed of the demapped street to accommodate development requiring a "superblock" site plan, the Applicant is proposing a contextual mixed residential-commercial development that can be accommodated by the 200-foot wide Northern and Southern Blocks. As such, the proposed action is not expected to generate any development using the area of demapped Walton Street or development rights generated by it and it is not considered in the RWCDS.

Therefore, the only the Applicant's property, consisting of the Northern and Southern Blocks (project area), have been identified as development sites in the rezoning area. As noted above, the zoning district boundaries to be established would extend to the centerline of bounding streets and along the prolongation of the centerline of Walton Street in the demapped area north of the Northern Block, but zoning is not applicable to mapped streets and no development is projected to be located on or use development rights from the demapped area which is City-owned and functions as a street.

RWCDS No-Action Conditions

In the future without the proposed action ("RWCDS No-Action Scenario"), the existing M3-1 zoning would remain in place. As discussed above in the introduction, in this case, absent the proposed action, it is anticipated that the project area would be vacant and would not support any active uses. As noted above, there are short-term temporary activities present in the project area, specifically vehicle and equipment storage. There are no buildings in the project area and there have been no long-term occupancy of the project area since its use by Pfizer. Although short-term activities such as storage or long-term uses permitted as-of-right under the existing M3-1 zoning could occur under No-Action conditions, it is assumed that these blocks would be unoccupied in the RWCDS No-Action scenario to provide a conservative framework for analysis.

Conditions within 400 Feet of the Rezoning Area

In recent years, most development in the vicinity of the rezoning area has consisted of new residential developments, some with ground floor retail. There also have been several community facility developments completed in new construction or conversion. This is part of an ongoing trend in which former industrial properties that lie vacant and underutilized to the detriment of the community are being reused to help meet the strong demand for both market-rate and affordable housing. Under No-Action conditions, residential redevelopment of the rezoning area is not permitted.

RWCDS With-Action Conditions

Maximum Allowed Development for With-Action Conditions

With the rezoning of the 182,366 sf project area from M3-1 to R7A, R7D, and R8A districts and C2-4 commercial overlays and its designation as a MIHA, residential, community facility, and local retail uses would be permitted in the project area. With the split zoning district boundaries and MIH designation, the 71,322-sf Northern Block would have a blended 5.93 maximum permitted residential FAR, allowing up to 423,278 zsf of residential floor area, up to 134,844 zsf could be commercial floor area (within the portion of the block mapped with a commercial overlay) and up to 358,623 zsf could be community facility floor area. The 111,044-sf Southern Block would have a blended 6.05 maximum permitted residential FAR, allowing up to 672,317 zsf of residential floor area, up to 222,088 zsf could be commercial floor area and up to 563,686 zsf could be community facility floor area. For the two project area blocks combined, up to 1,095,595 zsf of residential floor area would be permitted (approximately 6.01 FAR), of which up to 356,932 zsf could be commercial floor area and up to 922,309 zsf could be community facility floor area. This information is provided in Tables ES-2 and ES-3.

Although the area and the depth of excavation in the project area has not been determined, it is expected that the Applicant would excavate all or part of the site to provide space for parking and other accessory spaces. For analysis purposes, it is assumed that the cellar area of disturbance could be at any location within the project area.

With the permitted zoning and assumptions outlined above, the RWCDS With-Action scenario development program would include a total of approximately 1,340,314 gsf of total building area (1,095,595 zsf). This would include approximately 1,147,378 gsf of residential area, consisting of approximately 1,147 DUs (based on 1,000-gsf average unit size); 64,807 gsf of local retail space; approximately 128,128 gsf of parking space, consisting of 427 spaces, as required by zoning, including approximately 68,428 gsf of ground floor space and approximately 59,700 gsf of below-grade space. The development would be subject to MIH, with either 25 or 30 percent of the floor area (excluding ground floor non-residential space) allocated to affordable housing units. For analysis purposes, it is conservatively projected that the CPC and the City Council would apply the 30 percent requirement to this site and therefore approximately 344 of the 1,147 DUs would be affordable housing units. The accessory parking would include approximately 364 residential spaces and approximately 63 retail spaces.

Under the RWCDS With-Action scenario, the project area would have approximately 4,072 residents, based on an average of approximately 3.55 residents per household (the average household size for census tracts within a quarter-mile radius of the project area, 2010 Census), approximately 194 retail employees based on an average of 3 retail employees per 1,000 gsf (a rate used in the 2009 Broadway Triangle FEIS, et al), and approximately 46 residential building employees based on 1 employee for every 25 DUs (a rate used in the Atlantic Yards FEIS, et al).

Table ES-2, Project Area RWCDS Conditions

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type of residential structures			Multi-family elevator buildings (with ground floor retail)	Multi-family elevator buildings (with ground floor retail)
No. of dwelling units			1,147	+1,147
No. of low- to moderate-income units			344	+344
Gross floor area (sq. ft.)			1,147,379	+1,147,379
Commercial	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)			Local retail	Local retail
Gross floor area (sq. ft.)			64,807	+64,807
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
Vacant Land	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," describe:	Temporarily used for parking/storage	Assumed vacant for analysis purposes		Vacant land redeveloped
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces			0	
No. of accessory spaces			427	+427
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
ZONING				
Zoning classification	M3-1	M3-1	R7A/C2-4, R7D/C2-4; R7D; R8A/C2-4	R7A/C2-4, R7D/C2-4, R7D, R8A/C2-4 replaces M3-1
Maximum amount of floor area that can be developed	364,732 zsf, commercial & manufacturing	364,732 zsf, commercial & manufacturing	1,095,595 zsf residential 922,309 zsf com. fac. 356,932 zsf commercial(see Table 1-3 for details)	+1,095,595 zsf residential +922,309 zsf com. fac. -7,800 zsf commercial -364,732 zsf manufacturing.

Table ES-3, Maximum Amount of Floor Area That Can Be Developed: With-Action Conditions

Block/Lot Number(s)	Use	With Action Conditions		
		Zoning District	FAR[1]	Max. ZSF
Northern Block Zoning Lot, R7A/C2-4 portion: 20,000 sf	Commercial	R7A/C2-4	2.0	**40,000**
	Community Facility	R7A/C2-4	4.0	**80,000**
	Residential	R7A/C2-4	4.6	**92,000**
	Manufacturing	R7A/C2-4	0.0	**0**
Northern Block Zoning Lot, R7D/C2-4 portion: 20,000 sf	Commercial	R7D/C2-4	2.0	**40,000**
	Community Facility	R7D/C2-4	4.2	**84,000**
	Residential	R7D/C2-4	5.6	**112,000**
	Manufacturing	R7D/C2-4	0.0	**0**
Northern Block Zoning Lot, R7D portion: 3,900 sf	Commercial	R7D	0.0	**0**
	Community Facility	R7D	4.2	**16,380**
	Residential	R7D	5.6	**21,840**
	Manufacturing	R7d	0.0	**0**
Northern Block Zoning Lot, R8A/C2-4 portion: 27,422 sf	Commercial	R8A/C2-4	2.0	**54,844**
	Community Facility	R8A/C2-4	6.5	**178,243**
	Residential	R8A/C2-4	7.2	**197,438**
	Manufacturing	R8A/C2-4	0.0	**0**
Northern Block Zoning Lot, Total, R7A/C2-4, R7D/C2-4, R7D, & R7D/C2-4: 71,322 sf	Commercial	R7A-R7D-R8A/C2-4	2.0	**134,844**
	Community Facility	R7A-R7D-R8A/C2-4	5.0[2]	**358,623**
	Residential	R7A-R7D-R8A/C2-4	5.9[2]	**423,278**
	Manufacturing	R7A-R7D-R8A/C2-4	0.0	**0**
Southern Block Zoning Lot, R7A/C2-4 portion: 20,000 sf	Commercial	R7A/C2-4	2.0	**40,000**
	Community Facility	R7A/C2-4	4.0	**80,000**
	Residential	R7A/C2-4	4.6	**92,000**
	Manufacturing	R7A/C2-4	0.0	**0**
Southern Block Zoning Lot, R7D/C2-4 portion: 47,000 sf	Commercial	R7D/C2-4	2.0	**94,000**
	Community Facility	R7D/C2-4	4.2	**197,400**
	Residential	R7D/C2-4	5.6	**263,200**
	Manufacturing	R7D/C2-4	0.0	**0**
Southern Block Zoning Lot, R8A/C2-4 portion: 44,044 sf	Commercial	R8A/C2-4	2.0	**88,088**
	Community Facility	R8A/C2-4	6.5	**286,286**
	Residential	R8A/C2-4	7.2	**317,117**
	Manufacturing	R8A/C2-4	0.0	**0**
Southern Block Zoning Lot, Total, R7A/C2-4, R7D/C2-4, & R7D/C2-4: 111,044 sf	Commercial	R7A-R7D-R8A/C2-4	2.0	**222,088**
	Community Facility	R7A-R7D-R8A/C2-4	5.1[2]	**563,686**
	Residential	R7A-R7D-R8A/C2-4	6.1[2]	**672,317**
	Manufacturing	R7A-R7D-R8A/C2-4	0.0	**0**
Total Project Area, R7A/C2-4, R7D/C2-4, & R7D/C2-4: 182,366 sf	Commercial	R7A-R7D-R8A/C2-4	2.0	**356,932**
	Community Facility	R7A-R7D-R8A/C2-4	5.1[2]	**922,309**
	Residential	R7A-R7D-R8A/C2-4	6.0[2]	**1,095,595**
	Manufacturing	R7A-R7D-R8A/C2-4	0.0	**0**

Notes:
[1] Residential FARs for R7A, R7D, and R8A are for MIHAs, as proposed for the project area.
[2] Residential and Community Facility FARs for Northern Block Zoning Lot, Total Block; Southern Block Zoning Lot, Total Block; and Total Projected Area are weighted averages reflecting the proposed split zoning district condition.

Building volumes would substantially fill the permitted building envelopes (except that there would be no buildings in the 26,000-sf midblock publicly-accessible open space) allowed by the proposed R7A, R7D, and R8A zoning districts. This would result in building heights up to 75, 115, and 145, in the respective districts. As noted above, the buildings would meet "qualifying ground floor" requirements in order to be permitted to reach these buildings heights. (Otherwise, the building heights would be 5 feet shorter than indicated, as would be the case for the Applicant's proposed development described above.) Qualifying ground floor criteria include: (1) height of the second floor must be at least 13 feet above the adjoining sidewalk, (2) a cap on the number of stories (8, 10, and 12, for R7A, R7D, and R8A, respectively, (3) limits on the widths of residential lobbies and parking entries/exits, and (4) parking wrapping and screening requirements.

Net Increment

As the project area is assumed to remain vacant under RWCDS No-Action conditions, the projected RWCDS With-Action conditions also represent the net increment for the proposed action. As such, the net increment consists of a total of 1,147 DUs, consisting of 803 market rate units and 344 affordable housing units, 64,807 gsf of local retail space, 0.6 acres (26,000 sf) of publicly-accessible open space, and 427 accessory parking spaces.

Build Year

It is anticipated that construction of the development in the project area would commence in 2018 contingent on the approval of the proposed action. An approximately 23-month construction schedule is anticipated, with completion and occupancy in 2019. Accordingly, the analysis will use a 2019 Build year.

F. PROBABLE IMPACTS OF THE PROPOSED ACTION

Land Use, Zoning, and Public Policy

No significant adverse impacts on land use, zoning, or public policy, as defined by the guidelines for determining impact significance set forth in the *CEQR Technical Manual*, are anticipated in the future with the proposed action in the project area (the primary study area) or within a quarter-mile radius (secondary study area). The RWCDS resulting from the proposed action would not directly displace any land uses so as to adversely affect surrounding land uses, nor would it generate land uses that would be incompatible with land uses, zoning, or public policies in the secondary study area. The proposed action/RWCDS would not result in land uses that conflict with surrounding land uses or public policies applicable to the project area or the secondary study area. The proposed action would facilitate new residential, local retail, and publicly-accessible open space in the project area, which would otherwise remain zoned M3-1 in which new residential uses would not be permitted. This new mixed-use development would complement existing residential, retail, and community facility uses and other anticipated land uses as vacant and underutilized properties, many formerly industrial, continue to be redeveloped. The proposed zoning map amendment, replacing M3-1 with R7A, R7D, and R8A underlying districts and a C2-4 commercial overlay covering most of the rezoning area, would allow new development at a scale and density

that is compatible with the existing development in the surrounding area. The existing manufacturing zoning is no longer appropriate for the project area, as Pfizer has vacated the project area and other nearby properties and the extent of other industrial uses has declined. As the area, which is well-served by transit, is experiencing a trend toward residential, retail, and community facility development, a rezoning to allow residential development would be consistent with City policies such as OneNYC and Housing New York. The proposed zoning text amendment would expand affordable housing opportunities by ensuring that new residential development would include a share of Mandatory Inclusionary Housing units, also consistent with City policy. Thus, the proposed action would create a zoning designation that is appropriate for the project area's future use. The proposed action would generate a substantial amount of new affordable housing, which is consistent with City policies. The proposed action is also projected to generate new local retail space, which would be supportive of the residential development in the project area and the secondary study area. The 26,000 sf of publicly-accessible open space required as part of the redevelopment of the project area also would be compatible with area's land use characteristics.

The proposed action, with these beneficial elements, would not result in any significant adverse impacts to land use, zoning, or public policy.

Socioeconomic Conditions

The proposed action and associated RWCDS would not result in significant adverse socioeconomic impacts. The following summarizes the conclusions for each of the five CEQR areas of socioeconomic concern.

Direct Residential Displacement

The project area is currently zoned M3-1 and does not contain any existing residential units. Accordingly, per the *CEQR Technical Manual*, the proposed action would not exceed the screening threshold for direct residential displacement. Therefore, further analysis related to direct residential displacement is not warranted and there would be no significant adverse impacts from the proposed action/RWCDS due to direct residential displacement.

Indirect Residential Displacement

According to the *CEQR Technical Manual*, indirect displacement of a residential population most often occurs when an action increases property values, and thus rents, making it difficult for some of the existing residents to continue to afford to live in the area. A screening assessment found that the proposed action and associated RWCDS would warrant further analysis. The proposed action and RWCDS would introduce a residential population whose average incomes would be higher than the overall income in the ½-mile study area. The results of the preliminary assessment found that the proposed action and associated RWCDS would not result in significant adverse impacts due to indirect residential displacement.

Although the proposed action/RWCDS would add a sizeable amount of residential development to the two-block project area, this would be in keeping with existing trends in the surrounding areas of Williamsburg and Bedford Stuyvesant. The neighborhoods of Williamsburg and Bedford

Stuyvesant, which are included in the study area, have been transitioning from underutilized industrial uses to more residential and mixed-use areas. The construction of new residential buildings in Brooklyn has accelerated noticeably in recent years, and there is a substantial amount of new housing planned for the study area by the proposed action's build year, 2019, which will add an estimated 1,659 dwelling units.

According to the *CEQR Technical Manual*, a population increase of less than 5 percent of the total study area population would generally not be expected to change real estate market conditions in a study area. The RWCDS associated with the proposed action would result in a maximum increase of approximately 1,147 residential units, of which 344 housing units would be affordable units, compared to the No-Action condition. Assuming that the units would be fully occupied and would have the same average household size as the census tracts within a ¼-mile radius of the project area (3.55 persons per household, according to the 2010 Census), this is expected to increase the residential population by approximately 4,072 people. This equates to an approximately 5.4 percent increase as compared to No-Action conditions in the ½-mile study area. Therefore, the proposed action and RWCDS would introduce a substantial new population that could potentially affect residential real estate market conditions in the study area.

However, while the proposed action/RWCDS could result in some upward pressure on rents within the study area, it is not expected to result in significant indirect residential displacement of the study area's potentially vulnerable population. A large portion of the existing housing inventory consists of publicly assisted housing whose low-and moderate-income tenants are protected and would not be in danger of potential secondary displacement. Furthermore, by adding new housing units, the proposed project could serve to relieve, rather than increase, market pressure in the study area. There is already a trend in the study area toward more costly housing and an influx of a more affluent population that is anticipated to continue in the future without the proposed action, as demonstrated by a decline in the persons below the poverty level, increase in households earning more than $100,000 and rising rental rates and home values. Therefore, the proposed action and RWCDS would not introduce a new trend or accelerate an existing trend of changing socioeconomic conditions in a manner that would have the potential to substantially change the socioeconomic character of the neighborhood. In addition, the proposed action and RWCDS would add up to 344 affordable housing units to the study area, which would help ensure housing opportunities for lower-income residents and would encourage a more diverse demographic composition within the study area.

Direct Business and Institutional Displacement

The proposed action and resultant RWCDS would not directly displace any businesses, as the project area is not occupied by any permanent uses. The two blocks are used on a temporary basis for equipment/vehicle storage and would be expected to remain vacant under No-Action conditions. The activities currently utilizing the project area are subject to short-term rental agreements consistent with the applicant's intent to redevelop the project area pursuant to the proposed action. Therefore, further analysis related to direct business and institutional displacement is not warranted and there would be no significant adverse impacts from the proposed action/RWCDS due to direct business displacement.

Indirect Business and Institutional Displacement

The proposed action/RWCDS would not result in significant adverse impacts due to indirect business and institutional displacement. In most cases, the issue for indirect business and institutional displacement is whether an action would increase property values and thus rents throughout the area, making it difficult for some categories of businesses to remain. According to the *CEQR Technical Manual*, commercial development of less than 200,000 square feet (sf) would typically not result in significant socioeconomic impacts. For projects exceeding this threshold, an assessment of indirect business displacement is appropriate.

The proposed action/RWCDS would not introduce commercial development exceeding this *CEQR Technical Manual* threshold. Commercial uses are common in the study area and are largely concentrated along portions of Broadway and Flushing Avenue. According to 2016 PLUTO data, the ½-mile study area includes approximately 1.58 million gross square feet of retail space and within a more immediate ¼-mile area surrounding the project area is approximately 266,971 gsf of retail. The RWCDS would introduce approximately 64,807 gsf of local ground floor retail along two street frontages of the project area, which equates to about a 4.1 percent increase in retail space within the ½-mile study area and about a 24.3 percent increase in the ¼-mile radius. The proposed retail is expected to support the existing and project-generated populations, as well as the consumer demand that would be added to the study area in the future without the proposed action and as a result of the proposed action/RWCDS. Therefore, further assessment of indirect business displacement is not warranted and there would be no significant adverse impacts from the proposed action/RWCDS due to indirect business displacement.

Adverse Effects on Specific Industries

The proposed action/RWCDS would not have the potential to have a significant adverse impact on specific industries or any category of business in the study area. The proposed action/RWCDS would not directly displace any existing business, nor would it have significant adverse indirect effects on businesses in the study area. Therefore, further assessment of specific industries would not be warranted and there would be no significant adverse impacts on specific industries with the proposed action/RWCDS.

Community Facilities and Services

The proposed action/RWCDS was assessed for its potential effects on community facilities and services. A screening analysis found that the proposed action/RWCDS would exceed screening thresholds related to elementary and intermediate schools, high schools, libraries, and publicly-funded child care centers, thereby requiring a detailed analysis for each of those types of facilities. However, the proposed action/RWCDS would not exceed the thresholds for detailed analyses of hospitals and health facilities, fire protection services, or police protection services.

Based on a detailed analysis of public elementary schools, in the future With-Action condition, the proposed action/RWCDS would result in the introduction of approximately 333 additional elementary school students and the study area utilization rate would be approximately 12.0 percentage points higher compared to the No-Action condition, increasing from 87.3 percent to

99.2 percent. Therefore, pursuant to CEQR guidance, the proposed action/RWCDS would not result in a significant adverse impact to study area public elementary schools, as the With-Action utilization rate would remain below 100 percent.

Based on a detailed analysis of public intermediate schools, study area utilization would exceed the 100 percent utilization threshold. The proposed action/RWCDS would result in the introduction of approximately 138 additional intermediate school students and the utilization rate would be approximately 6.2 percentage points higher compared to the No-Action condition, increasing from 135.9 percent to 142.0 percent. Therefore, pursuant to CEQR guidance, the proposed action/RWCDS would result in a significant adverse impact to study area public intermediate schools requiring consideration of mitigation, as discussed below.

Since the action is estimated to add 161 high school students, which exceeds the CEQR threshold for detailed analysis (i.e. 150 students), a detailed analysis is needed. According to the *CEQR Technical Manual*, the determination of impact significance for high schools is conducted at the borough level. In the future With-Action condition, the Brooklyn high school utilization rate is expected to increase by 0.2 percentage points over the No-Action condition, for a With-Action utilization rate of 99.4 percent. As enrollment would not exceed capacity, no significant adverse impacts to Brooklyn high schools are anticipated.

The analysis of publicly-funded child care facilities found that under With-Action conditions the child care study area would experience a utilization rate of 103.7 percent, with the utilization rate increasing 2.7 percentage points over No-Action conditions. As such, the proposed action/RWCDS would not exceed the impact threshold, which is an action that results in both a utilization rate over 100 percent and a 5 percentage point or greater increase in the utilization rate over No-Action conditions. As such, the proposed action would not result in a significant adverse impact on child care.

The analysis of libraries found that the proposed action/RWCDS would increase the study area population by approximately 2.9 percent and would reduce the ratio of holdings to residents at study area libraries from 0.85 holdings per resident to 0.83 holdings per resident. The percentage change in study area population is well below the CEQR threshold of 5 percent for impact significance. Accordingly, the proposed action is not expected to have any adverse impacts on library services within the study area.

Open Space

According to the *CEQR Technical Manual*, a proposed action may result in a significant adverse impact on open space resources if (a) there would be direct displacement/alteration of existing open space within the study area that has a significant adverse effect on existing users; or (b) it would reduce the open space ratio and consequently overburden existing facilities or further exacerbate deficiency in open space. The *CEQR Technical Manual* also states that "if the area exhibits a low open space ratio indicating a shortfall of open space, even a small decrease in the ratio as a result of the action may cause an adverse effect." A 5 percent or greater decrease in the open space ratio is considered to be "substantial", and a decrease of less than 1 percent is generally considered to be insignificant unless open space resources are extremely limited.

The majority of the open space study area is not located in either an underserved or a well-served area as defined in the *CEQR Technical Manual Appendix: Open Space Maps*, although four blocks in the southeastern portion of the study area are located within an underserved area that extends further east into the Bushwick neighborhood.

The proposed action/RWCDS would not result in a significant adverse open space impact. The proposed rezoning would not result in any direct displacement or alteration of existing public spaces in the study area. In terms of indirect effects, it would result in a 3.4-percent decrease in the study area's open space ratio, which is less than the 5-percent impact threshold. Although the study area's No-Action open space ratio would be relatively low under No-Action conditions, the introduction of a new 0.60-acre publicly accessible open space as part of the proposed action would provide not only a quantitative improvement in the open space ratio but a qualitative one as well by creating a new open space adjacent to the residences generated by the proposed action which could be used by the public. In addition, as the action-generated buildings would be required to comply with the Quality Housing Program (QHP), the project would be required to provide approximately 31,623 sf of private indoor or outdoor recreation space. These spaces also would help meet the open space needs of action-generated residents.

Shadows

The screening and detailed shadows assessment found that the proposed action would not result in significant adverse shadow impacts to the open space resources that would be affected by action-generated incremental shadows. Project-generated incremental shadows on De Hostos Playground would be limited to small areas for a 3-hour and 40-minute period on December 21; there would be no incremental shading at other times. In the case of Union/Marcy Avenue Greenstreet, which is a 0.02-acre landscaped area with two benches, action-generated shadows would be cast on it during each of the four analysis dates in the mornings, ranging in duration from 33 minutes on December 21 to 2 hours, 47 minutes on June 21. At other times most portions of this resource would not be in shadow. The action-generated shadows would occur in the early morning, when use of greenstreet benches is typically low, and the landscaped elements would continue to receive significant sunlight exposure each day. Overall, there would be no noticeable reduction in the usability of any open space resources as a result of the proposed action. Accordingly, no significant adverse shadow impacts are anticipated as a result of the proposed action.

Historic and Cultural Resources

The *CEQR Technical Manual* identifies historic resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated New York City Landmarks (NYCL); properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); properties listed in the State/National Registers of Historic Places (S/NR) or contained within a district listed in or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks; and properties not identified by one of the programs listed above, but that meet their eligibility requirements. An assessment of historic/archaeological resources is usually needed for projects that involve or are located adjacent

to historic or landmark structures or within historic districts, or projects that require in-ground disturbance, unless such disturbance occurs in an area that has already been excavated. In accordance with CEQR guidelines, archaeological resources are assessed only in areas where excavation is likely and would result in new in-ground disturbance.

According to *CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites impacted by a proposed action and in the area surrounding the project site. The historic resources study area is therefore defined as the project site plus an approximate 400-foot radius around the site, which is typically adequate for the assessment of historic resources in terms of physical, visual, and historical relationships.

The NYC Landmarks Preservation Commission reviewed the project area and surrounding study area and determined that there are no architectural or archaeological resources on the project area and no resources of concern in the study area. Accordingly, the proposed action does not have the potential to affect any historic architectural or archaeological resources and no further analysis is warranted.

Urban Design and Visual Resources

The detailed analysis found that the proposed action would not result in any significant adverse urban design and visual resources impacts. The proposed action/RWCDS would result in development that is compatible with the existing and expected future built environment in the surrounding study area and the proposed action/RWCDS would not affect views of any visual resources from publicly-accessible locations.

Hazardous Materials

The project area would be developed pursuant to the requirements of an (E) designation (E-427) that would be recorded as part of the proposed action (for the Northern and Southern Blocks) and the VCP (for the Southern Block). With the required remedial actions that will be carried out with OER and DEC oversight as a pre-condition that must be satisfied before the project area can be redeveloped and occupied, the proposed action would not have the potential to result in significant adverse hazardous materials impacts.

Water and Sewer Infrastructure

Based on the methodology set forth in the *CEQR Technical Manual*, the analysis finds that the proposed action/RWCDS would not result in a significant adverse impact on the City's water supply or wastewater and stormwater conveyance and treatment infrastructure.

Water Supply

The anticipated water usage of the proposed action is expected to total 433,771 gallons per day (gpd), which would represent less than 0.05 percent of the approximately one billion gallons of water supplied daily to New York City by DEP. Given this relatively minor incremental increase in water consumption as compared to citywide demand and that the project area is not in an area

that experiences low water pressure, the proposed action/RWCDS is not expected to adversely affect the City's water supply or system water pressure.

Sanitary (Dry Weather) Flows

The estimated amount of sanitary sewage generated by the proposed action/RWCDS would be 422,754 gpd. This amount would represent approximately 0.2 percent of the average daily flow of 218 million gallons per day (mgd) at the Newtown Creek Wastewater Treatment Plant (WWTP) and would not result in an exceedance of the plant's permitted capacity of 310 mgd. Because the City's sewers are sized and designed based on the designated zoning of an area, and related population density and surface coverage characteristics, the proposed rezoning may result in development that is inconsistent with the design of the existing built sewer system. To be issued a permit to connect to the City sewer, a site-specific hydraulic analysis may be required to determine whether the existing sewer system is capable of supporting higher density development and related increases in sanitary flows. Sewer improvements and/or a new drainage plan, may also be required of the future site developer at the time of the house or site connection proposal. Therefore, the proposed action/RWCDS would not create a significant adverse impact on the City's sanitary sewage treatment system. In addition, per the New York City Plumbing Code (Local Law 33 of 2007), low-flow fixtures would be required to be implemented and would help to reduce sanitary flows from the proposed action/RWCDS.

Stormwater (Wet Weather) Flows

Compared to existing conditions, in the future with the proposed action/RWCDS, the combined wet weather flows from the project area would increase by 0.07 million gallons (mg) to 0.43 mg, depending on rainfall duration and intensity, over existing conditions. As a New York State Department of Environmental Conservation (NYSDEC) State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001) is required for any development that would involve soil disturbance of one or more acres, a Stormwater Pollution Prevention Plan (SWPPP), consisting of both temporary erosion and sediment controls and post-construction stormwater best management practices (BMPs), would be required of the future development on the project area blocks. Sewer improvements and/or a new drainage plan, may also be required to be completed at the time of the house or site connection proposal.

Accordingly, the proposed action/RWCDS would not result in any significant adverse water and sewer infrastructure impacts.

Energy

The proposed action/RWCDS would not result in a significant adverse impact on energy systems. Development facilitated by the proposed action is expected to create an increased demand on energy systems, including electricity and gas. It is estimated that With-Action development in the project area would result in an increase of approximately 159.4 million MBTUs in its annual energy use as compared to No-Action conditions. As the project area would be vacant under RWCDS No-Action conditions, this would represent the action-generated incremental increase in

annual energy consumption attributable to the proposed action. This increase in annual demand would represent approximately 0.02 percent of New York City's annual energy consumption of 1 trillion MBTUs and is not expected to result in a significant adverse impact on energy systems. Moreover, any new developments resulting from the proposed action would be required to comply with the NYCECC, which governs performance requirements of heating, ventilation, and air conditioning systems, as well as the exterior building envelope of new buildings. In compliance with this code, new developments must meet standards for energy conservation, which include requirements relating to energy efficiency and combined thermal transmittance.

Transportation

Based on Level 1 and Level 2 screening analyses specified in the *CEQR Technical Manual*, detailed traffic, subway station, and pedestrian analyses are required for typical traffic peak hours, which include one hour during the weekday AM, weekday midday, weekday PM, and Saturday midday peak periods. The results of these analyses are summarized as follows:

Traffic

Traffic operations were analyzed at ten intersections (seven signalized and three unsignalized, two of which would become signalized in the No-Action condition) in the vicinity of the project area where action-generated demand would exceed 50 vehicle trips per hour in any peak hour. The traffic analysis indicates that four, four, eight, and one lane groups at four, three, six, and one intersection(s) would experience significant adverse impacts during the weekday AM, weekday midday, weekday PM, and Saturday midday peak hours, respectively. See below for a discussion of mitigation measures for these impacts.

Parking

The off-street accessory parking capacity required for the project area under the proposed action/RWCDS would be sufficient to accommodate all action-generated parking demand, and therefore significant demand for on-street and public off-street parking is not anticipated. Consequently, no significant adverse impacts to on-street or public off-street parking would be expected to result from the proposed action/RWCDS as per *CEQR Technical Manual* criteria and detailed on-street and public off-street parking analysis is not warranted.

Transit

The proposed action/RWCDS is expected to generate travel demand at two subway stations; the Lorimer Street subway station on the BMT Jamaica Line served by the J and M trains and the Flushing Avenue subway station on the IND Crosstown Line served by the G train. The Flushing Avenue station would process less than 200 action-generated trips in all peak hours and therefore the proposed action/RWCDS would not have the potential result in any significant adverse subway impacts at that station. The proposed action/RWCDS would add approximately 308 and 355 subway trips per hour (in and out combined) to the Lorimer Street subway station during the weekday AM and PM peak hours, respectively. Approximately 207 and 143 passengers would use the Manhattan-bound platform during the weekday AM and PM peak hours, respectively, and

101 and 212 passengers would use the Queens-bound platform during the weekday AM and PM peak hours, respectively. These trips would all use stairways located at the corner of Wallabout Street and Broadway at the east end of the station. No significant adverse impacts would be expected to result from the proposed action/RWCDS as per *CEQR Technical Manual* criteria.

A total of five bus routes operate in the vicinity of the project area (the B43, B44, B46, B48, and B57). Total peak hour project generated bus demand is not expected to exceed the 50 bus trips per hour per direction threshold on any route as per *CEQR Technical Manual criteria.* Therefore, significant adverse impacts to bus routes would not be expected to result from the proposed action/RWCDS and a detailed bus route analysis is not warranted.

Pedestrians

Detailed pedestrian analyses were conducted at a total of eight sidewalks, five crosswalks, and 14 corner areas where action-generated pedestrian demand, including both walk-only and transit trips, is expected to exceed the 200 pedestrian trips per hour threshold during the weekday AM, weekday midday, weekday PM, and Saturday midday peak hours. All analyzed pedestrian elements would operate at an uncongested LOS B or better in all peak hours, with the exception of the south crosswalk at Wallabout Street and Harrison Avenue, which would operate at an acceptable LOS C in the With-Action condition, and therefore no significant adverse pedestrian impacts would result from the proposed action/RWCDS.

Air Quality

The proposed action/RWCDS would not result in any significant adverse air quality impacts on sensitive uses in the surrounding community, and would not be adversely affected by existing sources of air emissions in the project area and surrounding vicinity. A summary of the general findings is presented below.

The stationary source analyses determined that there would be no potential significant adverse air quality impacts from fossil fuel-fired heat and hot water systems at the projected and potential development sites. An (E) designation (E-427) would be mapped on the project area tax lots as part of the zoning proposal to ensure the developments would not result in any significant air quality impacts from fossil fuel-fired heat and hot water systems emissions due to individual or groups of development sites. These would include fuel type restrictions for all buildings, requiring the use of natural gas-fired boilers, and stack location restrictions for some buildings.

As the proposed action/RWCDS would not exceed the analysis screening thresholds for mobile sources and industrial sources, detailed analysis is not required and the proposed action/RWCDS would not result in significant adverse impacts related to those concerns.

The parking facilities assumed to be developed as a result of the proposed action/RWCDS would not result in any significant adverse air quality impacts.

Greenhouse Gas Emissions and Climate Change

It is estimated that the proposed action/RWCDS would generate approximately 11,842 total metric tons of carbon dioxide equivalent (CO_2e) emissions annually, including approximately 8,478 metric tons of CO_2e emissions from building operations and 3,364 metric tons of CO_2e emissions from mobile sources. This represents less than 0.03 percent of the City's overall 2014 GHG emissions of approximately 49.09 million metric tons. It should also be noted that the estimated GHG emissions conservatively do not account for any energy efficiency measures that may be implemented beyond what is required by City's Energy Code. Accordingly, the proposed action would not result in significant adverse GHG emissions impacts.

Noise

Noise from the increased traffic volumes generated by the proposed action would not cause significant adverse noise impacts as the relative increases in noise levels would fall below the applicable *CEQR Technical Manual* significant adverse impact threshold (3.0 dBA).

To ensure acceptable interior noise levels for the proposed project, noise attenuation specifications would be mandated through the assignment of an (E) designation (E-427) assigned to the tax lots that make up the project area. The requirements of the (E) designation resulting from the noise analysis state that the future building facades of residential and community facility uses must provide 31.0 dBA of composite window/wall attenuation along Union Avenue between Wallabout Street and Gerry Street, and the westernmost 100 feet of Gerry Street; and 28.0 dBA of composite window/wall attenuation for future building facades along the easternmost 517 feet of Gerry Street, Harrison Avenue between Gerry Street and Walton Street, the easternmost 100 feet of Wallabout Street, and the easternmost 100 feet of Walton Street. The minimum composite window/wall attenuation for commercial uses would be 5 dBA less than that for residential and community facility uses. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided.

With implementation of the attenuation levels required pursuant to the (E) designation, the proposed project would provide sufficient attenuation to achieve the *CEQR Technical Manual* interior noise level guidelines of 45 dBA or lower for residential and community facility uses and 50 dBA or lower for commercial uses. Therefore, the proposed action would not result in any significant adverse noise impacts related to building attenuation requirements.

Public Health

The proposed action, which would include the implementation of an (E) designation related to hazardous materials, air quality, noise and which would be subject to the existing Voluntary Cleanup Agreement (VCA) controls on the project area's Southern Block (Block 2269) under the Voluntary Cleanup Program (VCP), is not expected to result in significant adverse impacts in the following technical areas that contribute to public health: air quality, operational noise, water quality, hazardous materials, or construction. Therefore, no further analysis is warranted.

Neighborhood Character

The proposed action is not expected to result in significant adverse effects related to neighborhood character. The proposed action would facilitate the development of apartment buildings with ground floor retail uses and upper floor residences on two blocks that currently do not contain any permanent structures and are vacant apart from temporary vehicle and equipment storage uses. For analysis purposes, it is assumed the project area would remain vacant. As such, the action-generated development would complement the area's trend of predominantly residential development and neighborhood commercial and community facilities replacing vacant and underutilized industrial properties that has occurred in recent years and is projected to continue under No-Action conditions. Likewise, the rezoning of the project area would be similar to other recent rezonings to the east and west intended to facilitate new mixed-use development. Unlike large-scale mid-twentieth century tower-in-a-park developments found in parts of the study area, these more recent developments have generally been high lot coverage streetwall buildings reintroducing development more contextual with earlier development history. The RWCDS With-Action scenario's market rate housing would introduce a residential population whose average income would be higher than the overall average income in the socioeconomic conditions study area, but similar to the average income of the new population expected to reside in the area's market rate housing in the future without the proposed action. The affordable housing units added by the RWCDS With-Action scenario would maintain a diverse demographic composition within the study area and would complement existing rent-protected units and affordable housing that is expected to be constructed at other sites under No-Action conditions. The proposed action would also provide a publicly-accessible open space in an area where there has not been a commensurate growth in such resources comparable to the new residential development.

A preliminary assessment of the effects of the proposed action, identified that the neighborhood character study area is defined by a few key components, including its mix of land uses, building types, and socioeconomic trends; varying street patterns; and its location in an urbanized area with subway stations. As described elsewhere in this EIS, the RWCDS With-Action scenario would not result in significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; shadows; urban design and visual resources; or noise. The action-generated significant adverse transportation impacts would not affect any defining feature of neighborhood character. In addition, a combination of moderate effects of the proposed action would not create a significant adverse neighborhood character impact.

Construction

The proposed action/RWCDS would result in temporary disruptions including construction related traffic, dust, noise, or mobile source emissions. However, these effects would be temporary, as the duration of construction activities for the proposed development are not expected to exceed 24 months and construction activity generally would be limited to the hours of 7 AM to 6 PM on weekdays consistent with New York City construction regulations. The preliminary assessment provides a quarterly projection of average construction workers, construction worker vehicles, and construction trucks and provides preliminary assessments of the effects of project construction on transportation, air quality, noise, historic and cultural resources, hazardous materials and natural

resources. As the duration of action-generated construction would not exceed 24 months, detailed analysis is not warranted and no significant adverse construction impacts would occur.

G. MITIGATION

Community Facilities and Services

Intermediate Schools

The proposed action would result in a significant adverse impact on intermediate schools in Sub-district 1 of Community School District (CSD) 14.

If the demand for school seats is as high as the methodology in this analysis projects and the shortfall of school seats occurs, either one or a combination of the following measures, as noted in the *CEQR Technical Manual*, would need to be undertaken:

* Relocating administrative functions from a school building to another site, thereby freeing up space for classrooms;
* Making space within the buildings associated with the proposed project or elsewhere in the school study area available to the Department of Education (DOE);
* Restructuring or reprogramming existing school space;
* Providing for new capacity (seats) by constructing a new school or an addition to an existing school;
* Other measures may be identified in consultation with the School Construction Authority (SCA) and DOE that do not create additional capacity but may nevertheless serve to alleviate capacity constraints.

At this time, there has been no commitment to adopt any of the above-mentioned administrative actions and/or capital solutions. Between the DEIS and FEIS, potential mitigation will be reviewed with DOE and SCA to determine its feasibility.

Absent a commitment to implement one or more of the above measures, the proposed action would result in an unmitigated significant adverse impact on public intermediate schools if projections prove correct.

Transportation

Traffic

The proposed action would result in significant adverse impacts at seven study area intersections during one or more analyzed peak hours; specifically, four lane groups at four intersections during the weekday AM peak hour; four lane groups at three intersections during the weekday midday peak hour; eight lane groups at six intersections during the weekday PM peak hour; and one lane group at one intersection during the Saturday midday peak hour. Implementation of traffic engineering improvements, such as signal timing changes or modifications to curbside parking

regulations, would provide mitigation for the anticipated traffic impacts. Implementation of the recommended traffic engineering improvements is subject to review and approval by the New York City Department of Transportation (DOT) prior to implementation. If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure will be identified, if possible. Table ES-4 shows that significant adverse impacts would be fully mitigated at all analyzed lane groups and intersections during all analyzed peak hours.

Table ES-4, Summary of Lane Groups/Intersections with Significant Adverse Traffic Impacts

Peak Hour	Lane Groups/ Intersections Analyzed	Lane Groups/ Intersections With No Significant Impacts	Lane Groups/ Intersections With Significant Impacts	Mitigated Lane Groups/ Intersections	Unmitigated Lane Groups/ Intersections
Weekday AM	29/10	25/6	4/4	4/4	0/0
Weekday Midday	28/10	24/7	4/3	4/3	0/0
Weekday PM	29/10	21/4	8/6	8/6	0/0
Saturday Midday	28/10	27/9	1/1	1/1	0/0

H. ALTERNATIVES

As described in the *CEQR Technical Manual*, alternatives selected for consideration in an environmental impact statement are generally those that are feasible and have the potential to reduce, eliminate, or avoid adverse impacts of a proposed project while meeting some or all of the goals and objectives of the project.

This EIS considers the following alternatives to the proposed action:

- A No-Action Alternative, which is mandated by CEQR and the State Environmental Quality Review Act (SEQRA) and is intended to provide the lead and involved agencies with an assessment of the expected environmental impacts of no action on their part.

- A Lesser Density Alternative, which would reduce the development density permitted in the project area, by rezoning the project area to R7A with a C2-4 commercial overlay covering the entirety of both blocks. As with the proposed action and consistent with City policy, a zoning text amendment would designate the project area as a Mandatory Inclusionary Housing Area (MIHA).

- A No Significant Adverse Schools Impacts Alternative, which would eliminate the significant adverse schools impacts by reducing the number of residential units.

No-Action Alternative

The No-Action Alternative examines future project site conditions, but assumes the absence of the proposed action (i.e., none of the discretionary approvals proposed as part of the proposed action would be adopted). Under the No-Action Alternative, the project area's existing M3-1 zoning would remain and it is anticipated that the project area would be unoccupied and there would

continue to be no buildings in the area. The technical chapters of this EIS have also described the No-Action Alternative as "the Future Without the Proposed Action."

The significant adverse impacts anticipated for the proposed action would not occur under the No-Action Alternative. However, the No-Action Alternative would not meet the goals of the proposed action. The benefits expected to result from the proposed action—including facilitating a mixed-use, mixed-income development which would include a publicly-accessible open space on a two-block area currently only used for temporary short-term activities—would not be realized under this alternative, and therefore the No-Action Alternative would fall short of the objectives of the proposed action and, unlike the proposed action, would not contribute to the City's goal of increasing the supply of affordable housing.

Lesser Density Alternative

A Lesser Density Alternative to the proposed action was developed to determine whether development of the project area with a lower density would eliminate or reduce any of the significant adverse impacts identified under the proposed action. Under the Lesser Density Alternative, the project area would be rezoned R7A, with a C2-4 commercial overlay mapped across the entire area and, as with the proposed action, the rezoning area would be designated as a MIHA. With this zoning designation, it is projected that the project area would be redeveloped with 1,036,552 gsf, consisting of residential, retail, and accessory parking space, the same mix of buildings uses anticipated under the proposed action. The development program would include 862 DUs, of which 259 DUs would be affordable housing units, 64,807 gsf of local retail, and 365 required accessory parking spaces. The development would be built to the maximum permitted floor area ratio (FAR) of 4.6 and building heights would reach the maximum permitted height of 95 feet. Compared to the proposed action, the Lesser Density Alternative would have 25 percent fewer residential units, with 85 fewer affordable housing DUs and 285 fewer DUs overall, and 15 percent fewer required accessory parking spaces, with 62 fewer spaces. The amount of retail space under the Lesser Density Alternative is projected to be the same as the proposed action. However, unlike the proposed action, under the Lesser Density Alternative the development would not include a 26,000-sf midblock publicly-accessible open space.

Conditions with the Lesser Density Alternative, as compared to the probable impacts of the proposed action, are summarized below. As under the proposed action, the Lesser Density Alternative would not result in significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; community facilities and services (high schools, health care, publicly-funded day care, libraries, and fire and police protection services); open space; shadows; urban design and visual resources; natural resources; hazardous materials; water and sewer infrastructure; energy; transportation (parking, transit, and pedestrians); air quality; greenhouse gas emissions and climate change; noise; public health; neighborhood character; and construction. Also as under the proposed action, the Lesser Density Alternative would result in significant adverse impacts related transportation (traffic). As under the proposed action, all of the significant adverse impacts under the Lesser Density Alternative would be mitigable. Unlike the proposed action, the Lesser Density Alternative would not result in a significant adverse intermediate school impact. However, the Lesser Density Alternative would be less successful at accomplishing the proposed action's goals of providing new housing, would not include a

publicly-accessible open space, and would not create as much as affordable housing that would advance the City's Housing New York plan.

No Significant Adverse Schools Impacts Alternative

Under the proposed action, intermediate schools in the study area would operate at 142.0 percent of capacity, approximately 6.2 percentage points higher than under No-Action. As such, the proposed action would result in an over utilization of intermediate school facilities and a 5 percentage point or greater increase in the utilization rate over No-Action conditions. The proposed action would not result in significant adverse impacts on elementary and high schools or other type of community facilities and services considered under CEQR.

The purpose of the No Significant Adverse Schools Impacts Alternative is to determine if there is a practicable alternative to the proposed action that could eliminate the intermediate schools impacts by reducing the number of residential units developed in the project area.

To eliminate the intermediate school impact, the number of residential units would have to be reduced by approximately 19.8 percent from 1,147 DUs to 920 DUs. A development of this size would generate 110 intermediate school students, based on rates provided for Brooklyn in the *CEQR Technical Manual*, as compared to 138 intermediate school students generated by the proposed action. With this reduction, intermediate schools in the study area would operate at 140.8 percent of capacity, approximately 4.9 percentage points higher than under No-Action. As such, under this alternative the increase in school utilization of intermediate schools would be below the 5-percent increase impact threshold and therefore the proposed action's significant adverse schools impact would be eliminated.

The reduction in density required for this alternative would be similar, but of a slightly lesser magnitude than that of the Lesser Density Alternative described above, which would include 862 DUs. If, like the proposed action and the Lesser Density Alternative, the No Significant Adverse Schools Impacts would also include 64,807 gsf of local retail, then it would have a built FAR of approximately 4.88, which is 6 percent higher than the 4.6 FAR permitted for R7A (MIHA) districts considered in the Lesser Density Alternative and 19 percent lower than the weighted average 6.0 FAR permitted for the proposed action. As with the Lesser Density Alternative, the No Significant Adverse Schools Impacts Alternative would not include the 26,000-sf publicly-accessible open space that would be part of the proposed action. This alternative may be feasible, however, similar to the Lesser Density Alternative it would not provide the same level of benefits as the proposed as it would result in fewer affordable housing units and would not provide a 26,000-sf publicly-accessible open space in a growing residential area with relatively low open space ratios.

With 920 DUs, the No Significant Adverse Schools Impacts Alternative would generate a residential population of 3,266 residents, slightly higher than the 3,060 residents generated by the 862-DU Lesser Density Alternative but lower than the 4,072 residents generated by the 1,147-DU proposed action. Given its size relative to the Lesser Density Alternative, the environmental effects of the No Significant Adverse Schools Impacts Alternative would be generally similar to

the Lesser Density Alternative, outlined above, with significant adverse impacts anticipated for traffic and no significant adverse impacts anticipated for other technical areas.

I. UNAVOIDABLE ADVERSE IMPACTS

The proposed action is anticipated to result in a significant adverse impact on intermediate schools in Sub-district 1 of Community School District 14. The proposed action/RWCDS would result in the introduction of approximately 138 additional intermediate school students and the utilization rate would be approximately 6.2 percentage points higher compared to the No-Action condition, increasing from 135.9 percent to 142.0 percent. Therefore, pursuant to CEQR guidance, the proposed action/RWCDS would result in a significant adverse impact to study area public intermediate schools requiring consideration of mitigation.

Potential mitigation measures to avoid the intermediate schools impact have been identified, but at this time, there has been no commitment to adopt any of specific measure. Between the DEIS and FEIS, potential mitigation will be reviewed with the Department of Education (DOE) and the School Construction Authority (SCA) to determine its feasibility. If none of these measures are determined to be practicable and feasible, then the proposed action's intermediate schools impact would be considered an unavoidable adverse impact.

The traffic analysis indicates that four, four, eight, and one lane groups at four, three, six, and one intersection(s) would experience significant adverse impacts during the weekday AM, weekday midday, weekday PM, and Saturday midday peak hours, respectively. Implementation of traffic engineering improvements, such as signal timing changes or modifications to curbside parking regulations, would fully mitigate the anticipated traffic impacts. Implementation of the recommended traffic engineering improvements is subject to review and approval by the New York City Department of Transportation (DOT) prior to implementation. If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure will be identified, if possible. However, if measures to fully mitigate any or all of the impacts are not found to be practicable and feasible, then such traffic impacts would be considered an unavoidable adverse impact of the proposed action.

J. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTION

The term "growth-inducing aspects" generally refers to "secondary" impacts of a proposed action that trigger further development outside the directly affected area. The *CEQR Technical Manual* indicates that an analysis of the growth-inducing aspects of a proposed action is appropriate when the project: (1) adds substantial new land use, residents, or employment that could induce additional development of a similar kind or of supported uses, such as retail establishments to serve new residential uses; and/or (2) introduces or greatly expands infrastructure capacity (e.g., sewers, central water supply).

The projected increase in residential population is likely to increase the demand for neighborhood services, ranging from community facilities to local retail and services. It is anticipated that the

consumer needs of the new residential and worker populations would largely be satisfied by a combination of the new retail uses provided by the RWCDS With-Action scenario and the existing and planned retail and community facility uses in the surrounding area. The RWCDS With-Action scenario could also lead to additional growth in the City and State economies, primarily due to employment and fiscal effects during construction on the project site and operation of the action-generated buildings after their completion. However, this secondary growth is not expected to result in any significant impacts in any particular area or at any particular site.

The proposed action would result in more intensive land uses in the project area, which is currently vacant apart from temporary uses such as temporary equipment/vehicle storage. However, it is not anticipated that the proposed action would generate significant secondary impacts that would result in substantial new development in nearby areas.

Overall, the proposed action would not induce significant additional growth beyond that identified and analyzed in this EIS and no further assessment is warranted.

K. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Resources, both natural and man-made, would be expended in the construction and operation of the RWCDS With-Action scenario buildings. These resources include the building materials used in construction; energy in the form of gas and electricity consumed during construction and operation by various mechanical and processing systems; and the human effort (time and labor) required to develop, construct, and operate various components. These are considered irretrievably committed because their reuse for some other purpose would be highly unlikely.

The RWCDS With-Action scenario also constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future. However, the land use change that would occur as a result of the proposed action would be compatible with existing conditions and trends in the area as a whole and would be accessible to the project area's existing infrastructure, public facilities, and residential amenities. The project area does not possess any natural resource values and has been previously developed.

In addition, the public services provided in connection with the RWCDS With-Action scenario (e.g., police and fire protection, public education, open space, and other City resources) constitute resource commitments that might otherwise be used for other programs or projects. However, the RWCDS With-Action scenario would reintegrate the project area into the neighborhood fabric, enliven the area, produce economic growth, and increase fiscal revenues.

The commitments of resources and materials are weighed against the benefits of the RWCDS With-Action scenario. The proposed action would result in a mixed-use development project on two large blocks that are currently not in active use, apart from short-term temporary activities. Additionally, the proposed action would facilitate a mixed-use development with a significant amount of affordable residential units, as well as local retail uses and publicly-accessible open space.