862-868 Kent Avenue Rezoning

Environmental Assessment Statement

CEQR Number: 24DCP144K

Prepared by:

Environmental Studies Corp.

Prepared for:

Kent Development LLC

June 16, 2024

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

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

Part I: GENERAL INFORMATION

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

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

2. *Project Name* 862-868 Kent Avenue

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
24DCP144K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
240283ZMK; 240284ZRK	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
NYC Department of City Planning			Kent Development LLC and 123 Taafe LLC		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Stephanie Shellooe, Director, EARD			Hiram Rothkrug, Environmental Studies Corp.		
ADDRESS 120 Broadway, 31st floor			ADDRESS 55 Water Mill Lane		
CITY New York	STATE NY	ZIP 10271	CITY Great Neck	STATE NY	ZIP 11021
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 718-343-0026	EMAIL hrothkrug@environmentalstudiescorp.com	

5. *Project Description*

The Applicant, Kent Development LLC, and the Co-Applicant, 123 Taafe LLC, request the following approvals (the "Proposed Actions:):

1. A Zoning Map Amendment to rezone the Affected Area from M1-1 to an an MX-4(M1-4/R6A) Special Mixed-Use District. The proposed rezoning area (the "Affected Area") consists of Brooklyn Block 1897, Lots 5, 6, 9, 10, 11, 12, 47, 48, 49, 54, 55, 56 (p/o), 7504, 7505 (p/o), and 7509 in the Bedford neighborhood of Brooklyn Community District 3; and

2. A Zoning Text Amendment to modify Appendix F to designate a Mandatory Inclusionary Housing (MIH) designated area coterminous with the Affected Area.

The Proposed Actions would facilitate the redevelopment of Lots 9 and 49, which are the properties owned by the Co-Applicant and the Applicant, respectively.

On the 12,928 sf Applicant-owned Lot 49 (Projected Development Site 1), now occupied by two one-story warehouses, the proposed development would be a new 51,322 gross square foot (gsf) multifamily residential building. The development would have 46,356 zoning square feet (zsf), for an FAR of 3.59. The building would have 8 stories and would have a roof height of 83 feet (with a required 15-foot setback from the street line at a height of 63 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 93 feet. There would be 65 dwelling units, of which 25% to 30% (17 to 21) would be income-restricted Inclusionary Housing units pursuant to Option 1 or 2, affordable to households with incomes averaging 60% or 80% AMI, respectively. The first floor would contain a gym / recreation space, mechanical rooms, the residential lobby, and 24 to 26 enclosed parking spaces for the proposed market-rate units. (Parking requirements are waived for the affordable units, as the Affected Area is located within a Transit Zone.) There would also be an outdoor recreational area for use by the building residents. One curb cut onto Kent Ave. is proposed to allow automobile access and egress.

On the 3,340 sf Co-Applicant-owned Lot 9 (Projected Development Site 2), now occupied by a a 2-story industrial

building, the proposed development would be a new16,085 gsf multifamily residential building. The development would have 12,019 zsf, for an FAR of 3.60. The building would have 7 stories and a cellar and would have a roof height of 70 feet (with a required setback at a height of 60 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 80 feet. There would be 17 dwelling units, of which 4 or 5 would be income-restricted Inclusionary Housing units. Recreational space for building residents would be located in the cellar and on the roof. Six or seven surface parking spaces would be provided in the rear yard for the market-rate units; parking requirements would be waived for the affordable units. One curb cut onto Taaffe Pl. is proposed for automobile access and egress.

This EAS assesses a reasonable worst-case development scenario in which the buildings on Projected Development Sites 1 and 2 would be larger than proposed and three additional sites, not under the Applicant's or Co-Applicant's control, would be redeveloped with multifamily residential buildings. A total of 145 dwelling units and 150,394 gsf of residential floor area would be developed under this scenario. (See the supplemental report for details.) The number of Affordable Housing Plan units would range from 36 to 44, depending on which option is used. For purposes of early childhood programs analysis, 20% (29) of the 145 units would be affordable at or below 80% of AMI.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 3	STREET ADDRESS 858-876 Kent Ave., 117-137 Taaffe Pl.
TAX BLOCK(S) AND LOT(S) Block 1897, Lots 5,6, 9, 10, 11, 12, 47, 48, 49, 54, 55, 56 (p/o), 7504, 7505 (p/o), and 7509		ZIP CODE 11205

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS A through-block area fronting on Kent Ave. and Taaffe Pl. on the block between Myrtle and Park Avenues

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-1 | ZONING SECTIONAL MAP NUMBER 12d

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

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

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☒ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Board of Standards and Appeals: ☐ YES ☒ NO

☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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

Other City Approvals Subject to CEQR (check all that apply)

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

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

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

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

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

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

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

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 44,420 Waterbody area (sq. ft) and type: 0

Roads, buildings, and other paved surfaces (sq. ft.): 44,420 Other, describe (sq. ft.): 0

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 150,394

NUMBER OF BUILDINGS: 6

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 68,062 (Site 1), 19,330 (Site 2), 26,261 (Site 3), 10,480 (Site 4), 26,261 (Site 5)

HEIGHT OF EACH BUILDING (ft.): 85 (Site 1), 85 (Site 2), 75 (Site 3), 65 (Site 4), 75 (Site 5)

NUMBER OF STORIES OF EACH BUILDING: 8 (Site 1), 8 (Site 2), 7 (Site 3), 6 (Site 4), 7 (Site 5)

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

If "yes," specify: The total square feet owned or controlled by the applicant: 16,268

The total square feet not owned or controlled by the applicant: 28,152

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

If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: 28,363 sq. ft. (width x length) VOLUME OF DISTURBANCE: 283,630 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 28,363 sq. ft. (width x length)

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

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	150,394	0	0	0
Type (*e.g.,* retail, office, school)	145 units			

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

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 355 NUMBER OF ADDITIONAL WORKERS: 0

Provide a brief explanation of how these numbers were determined: The number of residents equals the net increase in the number of units (132) times the average household size of 2.69 persons per the 2020 Census data for the Bedford Stuyvasant (West) Neighbothood Tabulation Area. There would be a net decrease in the number of workers.

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

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

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

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2028

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 20 to 22 months for each building

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☐ YES ☒ NO IF MULTIPLE PHASES, HOW MANY? 2

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: For Sites 1 and 2, this assumes that the proposed actions will be approved in 2025, following pre-certification review and ULURP, and that demolition and construction would take an estimated 22 months. The projected developments on the non-Applicant-owned sites would be completed during the following two years.

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

☒ RESIDENTIAL ☒ MANUFACTURING ☐ COMMERCIAL ☒ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: Schools and houses of worship

Part II: TECHNICAL ANALYSIS

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

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

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

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

	YES	NO
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 5,945		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 19,054,919,800		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
o Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☐
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop, or Citywide Ferry Service landing?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☒	☐
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☒	☐

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

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	DATE
Brian Kintish	June 16, 2024

SIGNATURE *Brian Kintish*

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

862-868 Kent Avenue, Brooklyn

Figure 1: Site Location

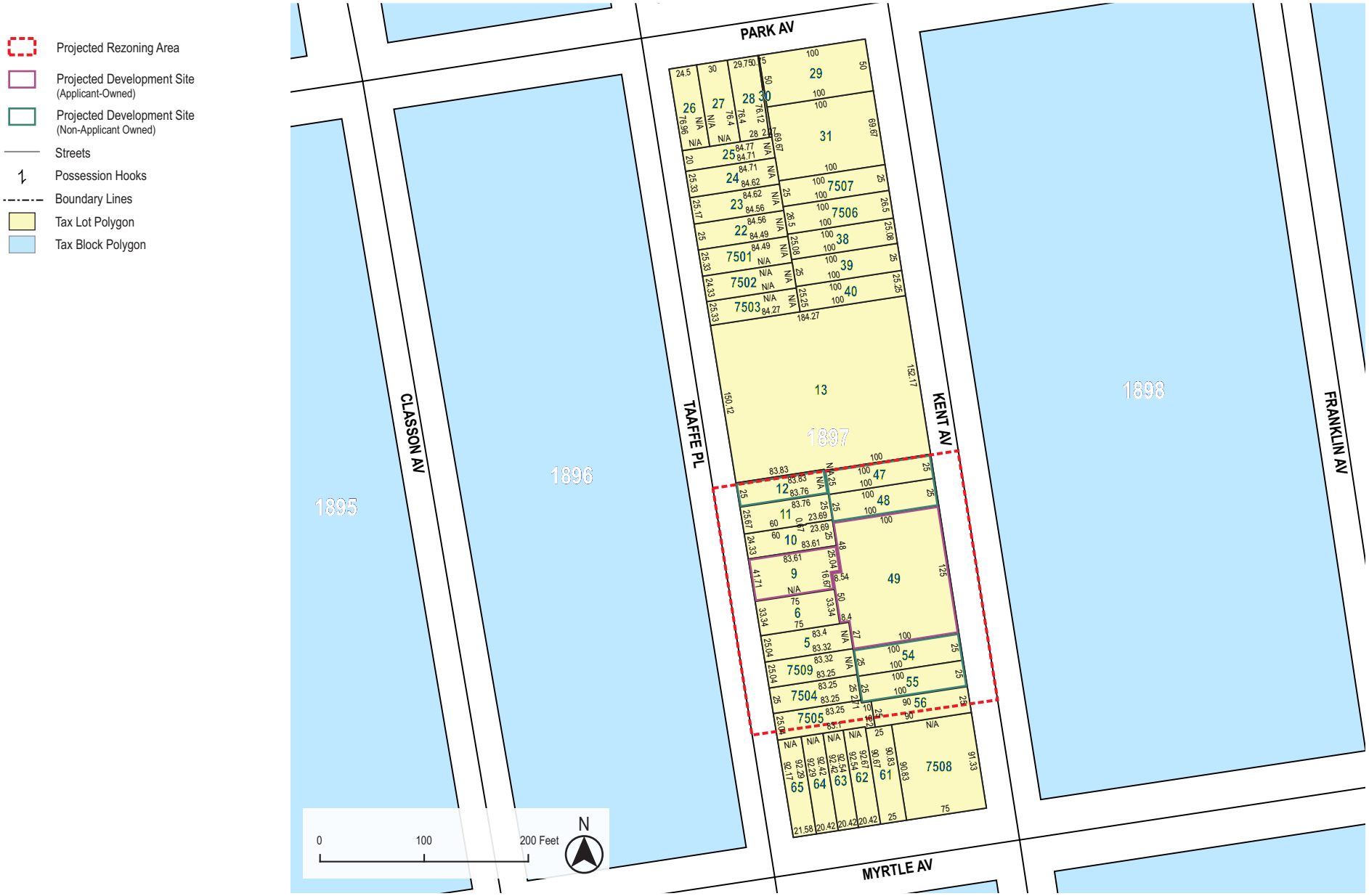


Data Source: MapPLUTO 2020v8

Urban Cartographics

862-868 Kent Avenue, Brooklyn

Figure 2: Tax Map



Data Source: MapPLUTO 2020v8, NYC DOF Digital Tax Map 1/25/21

Urban Cartographics

862-868 Kent Avenue, Brooklyn

Figure 3: Land Use Map

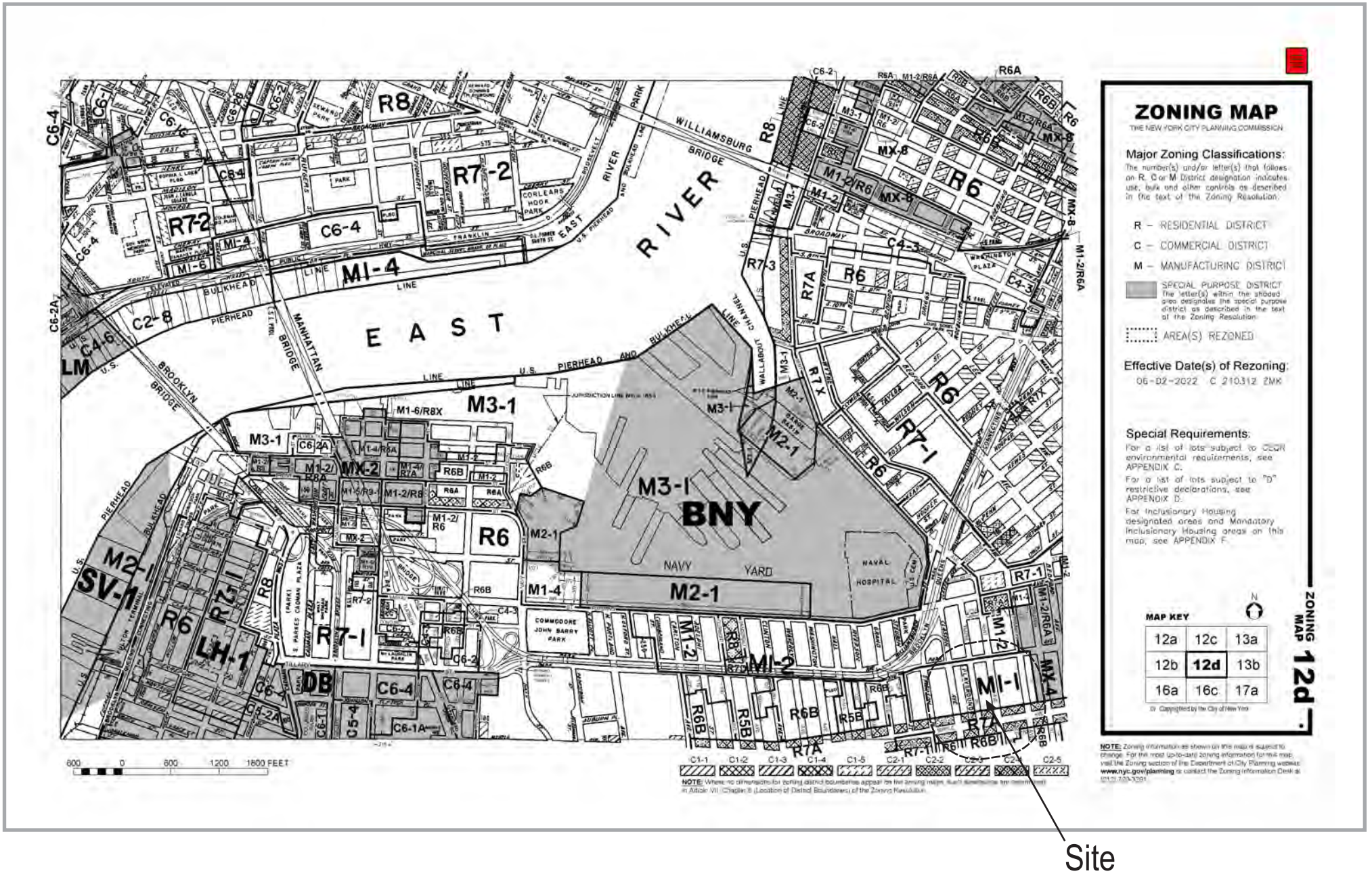


Data Source: MapPLUTO 2020v8, NYC DOF Digital Tax Map 1/25/21

Urban Cartographics

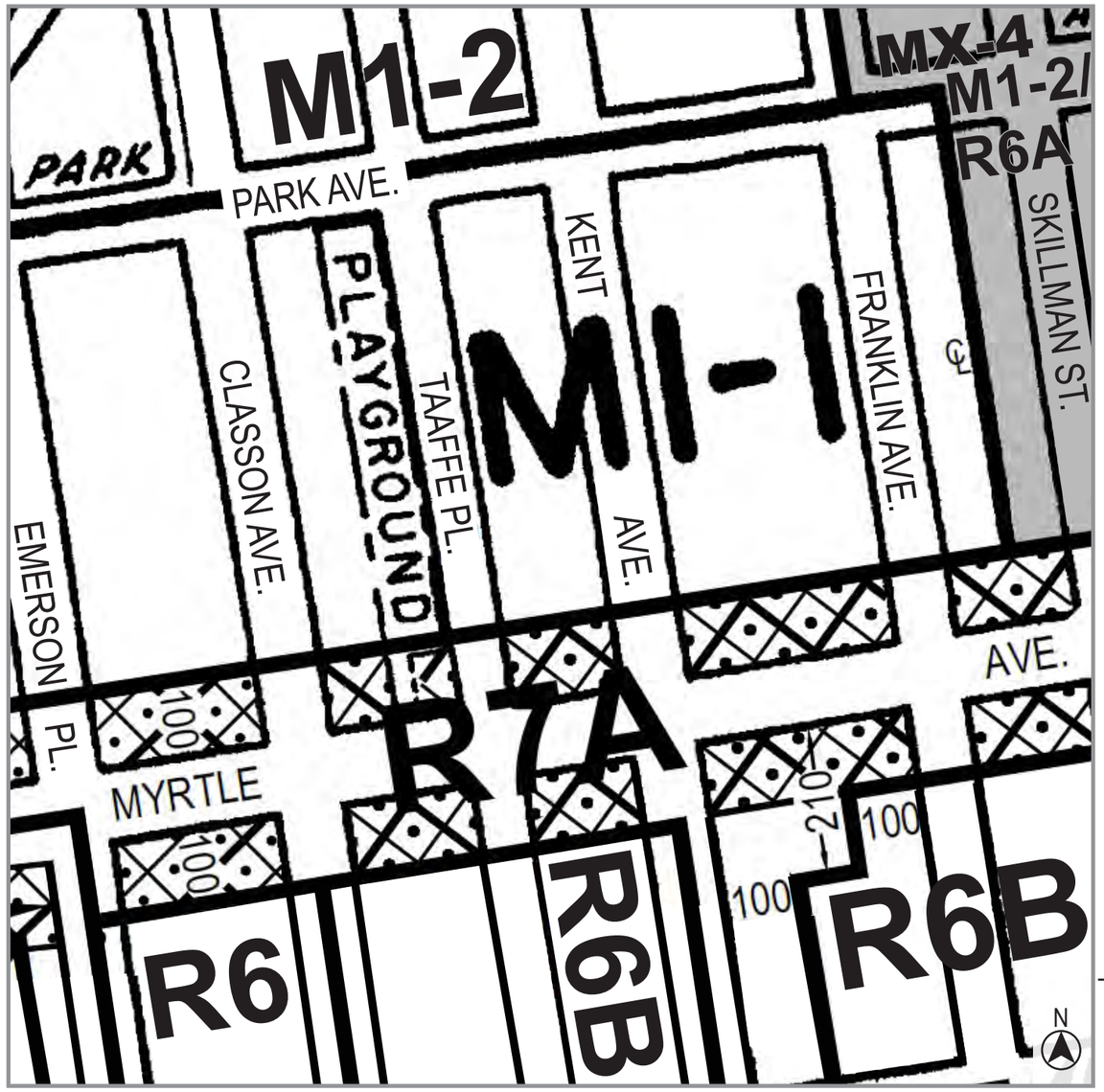
862-868 Kent Avenue, Brooklyn

Figure 4: Zoning Map

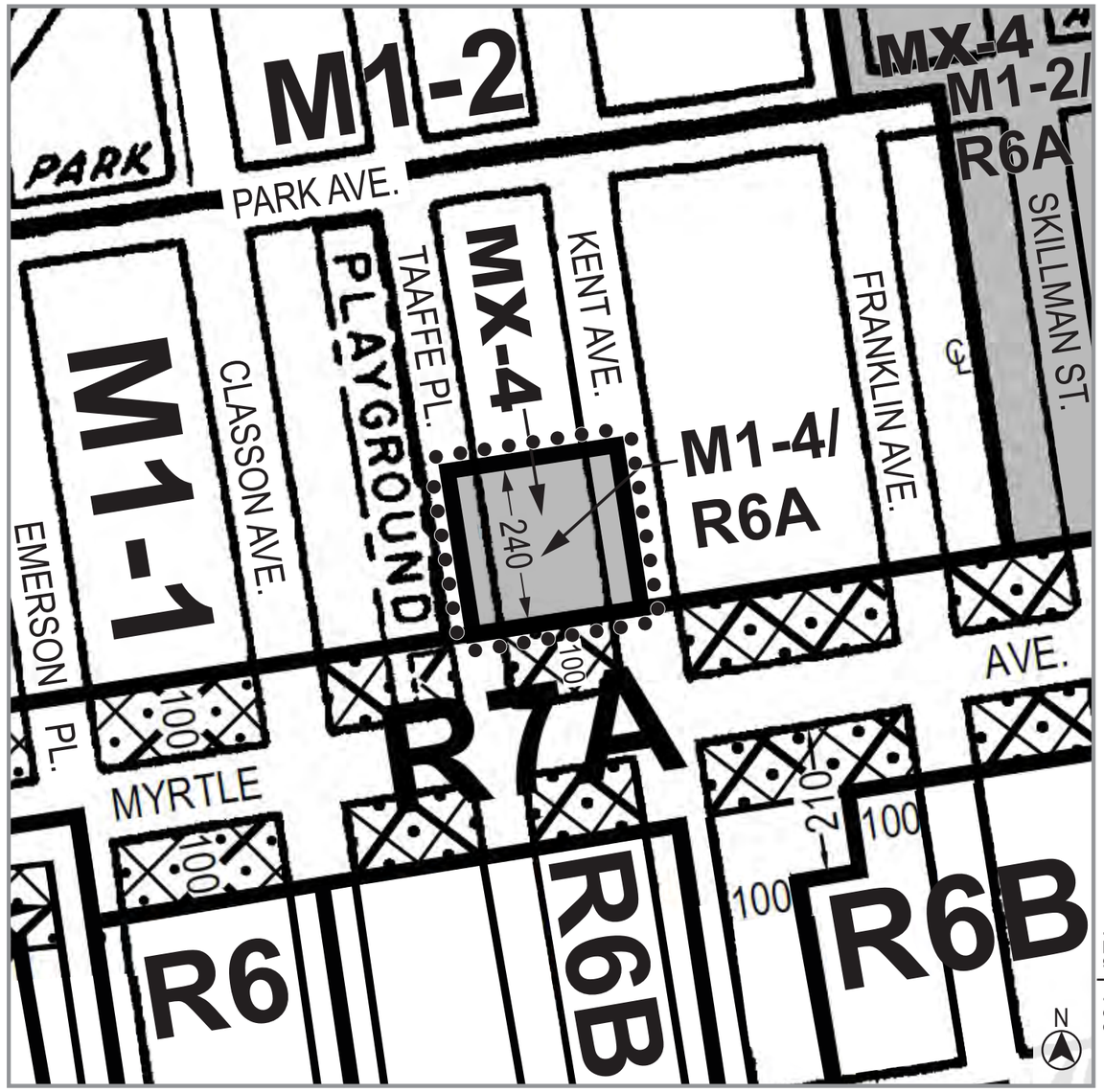


Urban Cartographics

Figure 5: Zoning Change Map



Current Zoning Map (12d & 16c)



Proposed Zoning Map (12d & 16c) - Area being rezoned is outlined with dotted lines

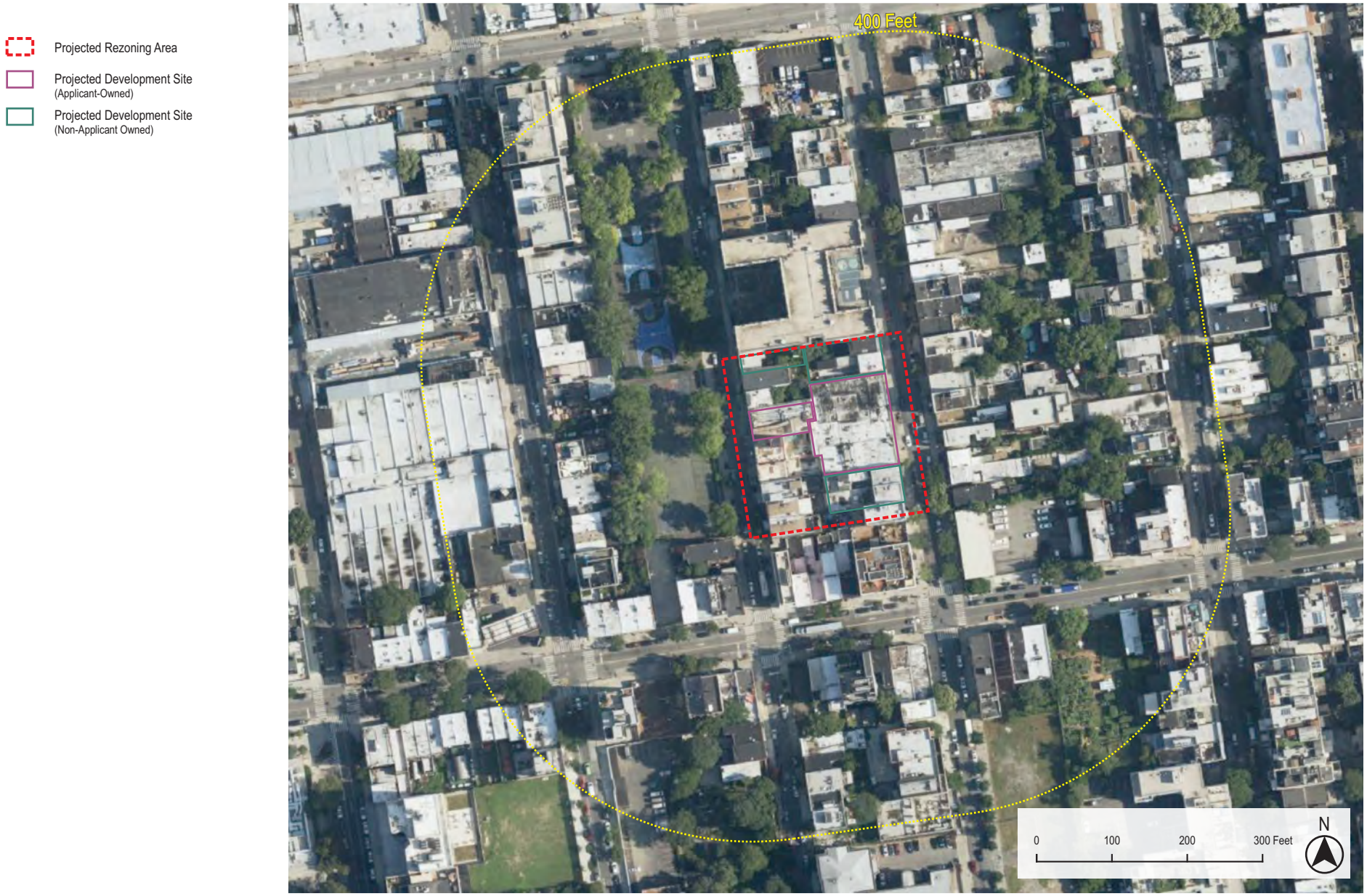
Rezoning from M1-1 to M1-4/R6A (MX-4)

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

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

862-868 Kent Avenue, Brooklyn

Figure 6: Aerial Map



Imagery Source: 2021 Bing, Microsoft Corporation

Urban Cartographics



1. View of the Project Area facing northwest from Kent Avenue.



2. View of Kent Avenue facing northwest (Project Area at left).



3. View of the Project Area facing west from Kent Avenue.





4. View of the Project Area facing southwest from Kent Avenue.



5. View of Development Site 1 facing northwest from Kent Avenue.



6. View of Development Site 1 facing west from Kent Avenue.





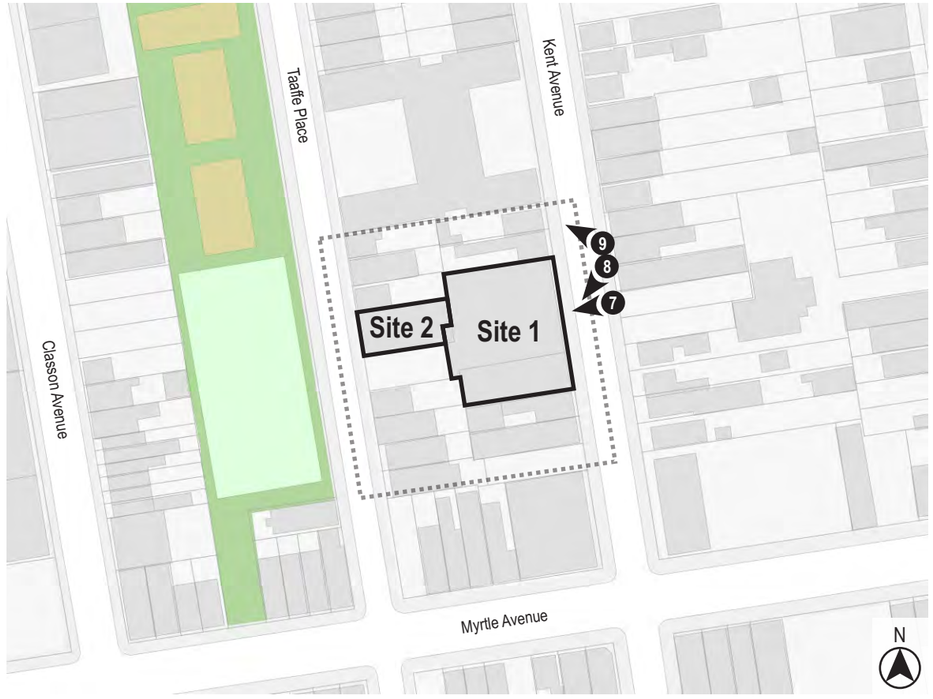
7. View of Development Site 1 facing west from Kent Avenue.



9. View of the Project Area facing northwest from Kent Avenue.



8. View of Development Site 1 facing southwest from Kent Avenue.





10. View of the Project Area facing west from Kent Avenue.



11. View of the Project Area facing southwest from Kent Avenue.



12. View of Kent Avenue facing southeast (Project Area at right).





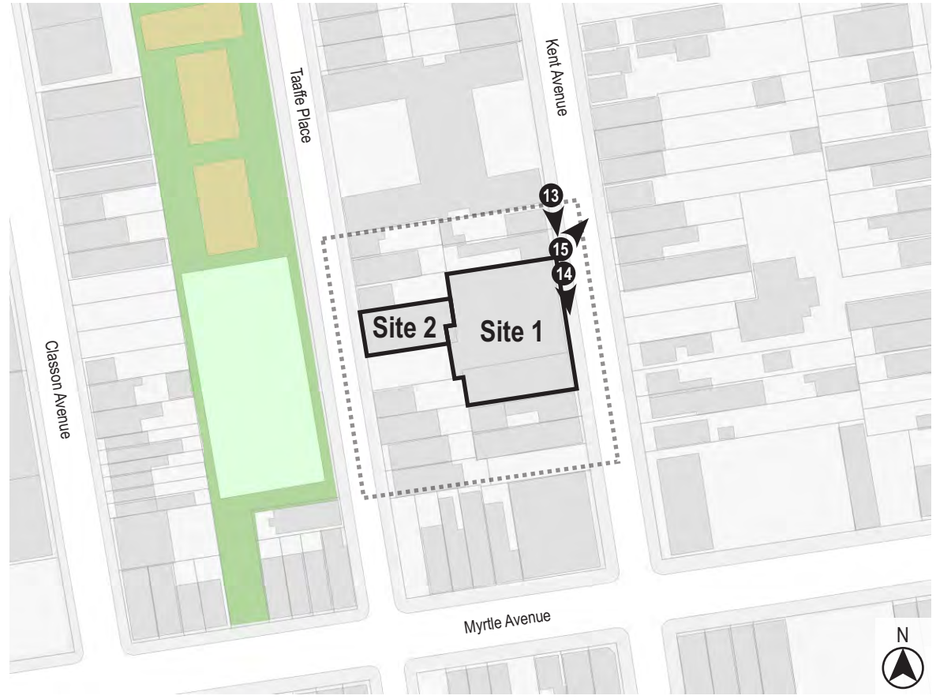
13. View of the sidewalk along the west side of Kent Avenue facing southeast (Project Area at right).



14. View of the sidewalk along the west side of Kent Avenue facing southeast (Development Site 1 at right).



15. View of the east side of Kent Avenue facing northeast from Development Site 1.





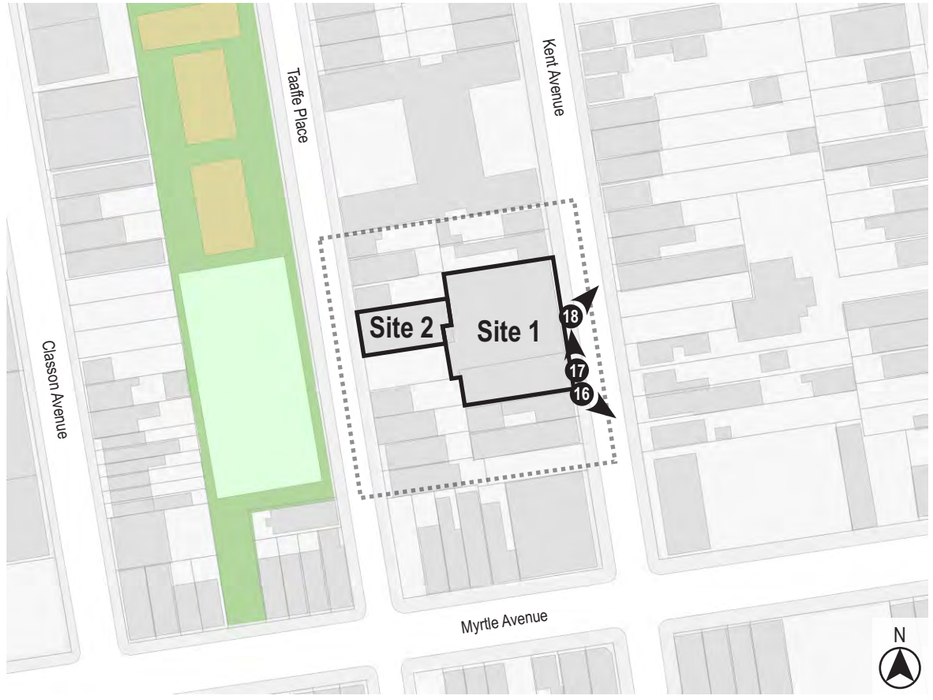
16. View of the east side of Kent Avenue facing southeast from Development Site 1.



17. View of the sidewalk along the west side of Kent Avenue facing northwest (Development Site 1 at left).



18. View of the east side of Kent Avenue facing northeast from Development Site 1.





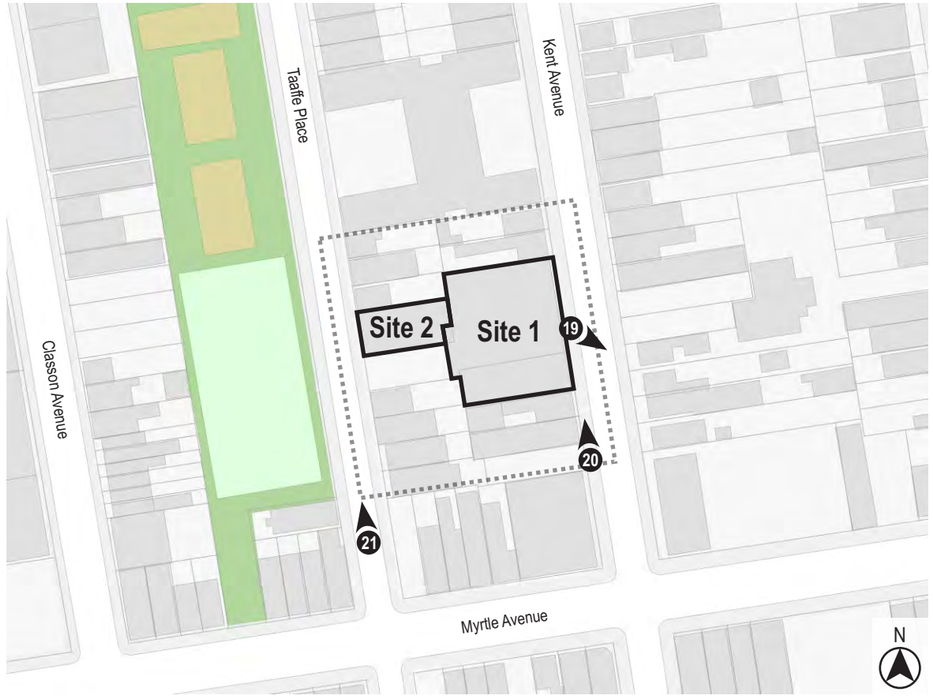
19. View of the east side of Kent Avenue facing southeast from Development Site 1.



21. View of Taaffe Place facing northwest (Project Area at right).



20. View of the sidewalk along the west side of Kent Avenue facing northwest (Project Area at left).





22. View of the Project Area facing northeast from Taaffe Place.



23. View of the Project Area facing southeast from Taaffe Place.



24. View of the Project Area facing northeast from Taaffe Place.





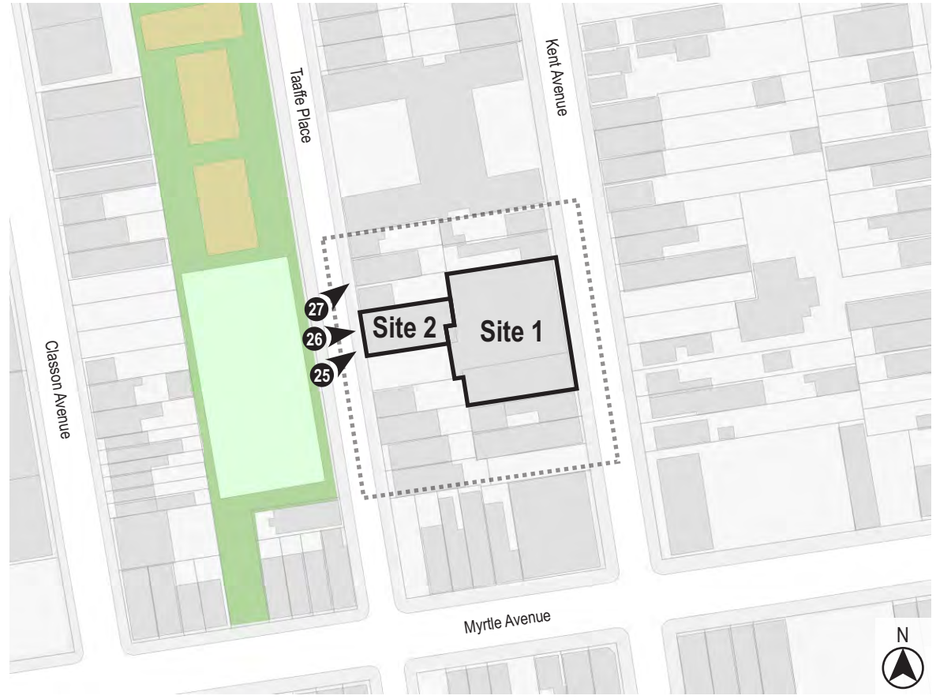
25. View of Development Site 2 facing northeast from Taaffe Place.



26. View of Development Site 2 facing east from Taaffe Place.



27. View of the Project Area facing northeast from Taaffe Place.





28. View of Taaffe Place facing southeast (Project Area at left).



29. View of the sidewalk along the east side of Taaffe Place facing southeast (Project Area at left).



30. View of P.S./I.S. 157 facing northeast from Taaffe Place.





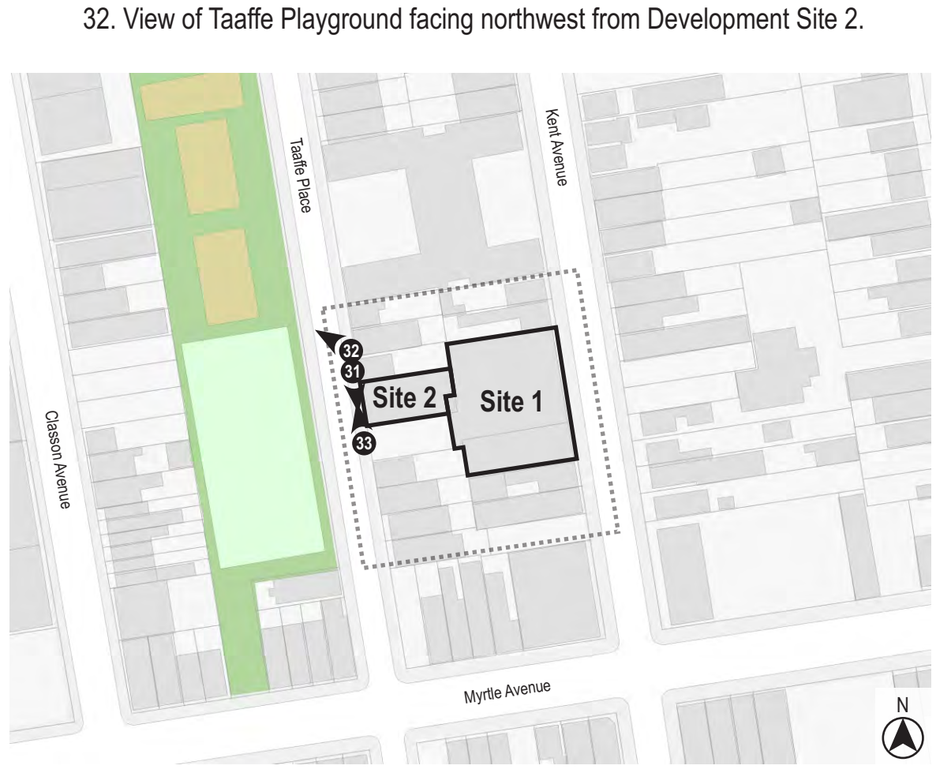
31. View of the sidewalk along the east side of Taaffe Place facing southeast (Development Site 2 at left).



33. View of the sidewalk along the east side of Taaffe Place facing northwest (Development Site 2 at right).



32. View of Taaffe Playground facing northwest from Development Site 2.



862-868 KENT AVENUE REZONING

PROJECT DESCRIPTION

PROPOSED ACTIONS

The Applicant, Kent Development LLC, and the Co-Applicant, 123 Taafe LLC, request the following approvals (the "Proposed Actions"):

1. A Zoning Map Amendment to rezone an area from an M1-1 light industrial district to an MX-4(M1-4/R6A) Special Mixed-Use District. The proposed rezoning area (the "Affected Area") consists of Brooklyn Block 1897, Lots 5, 6, 9, 10, 11, 12, 47, 48, 49, 54, 55, 56 (p/o), 7504, 7505 (p/o), and 7509 in the Bedford neighborhood of Brooklyn Community District 3; and

2. A Zoning Text Amendment to modify Appendix F to designate a Mandatory Inclusionary Housing (MIH) area coterminous with the Affected Area.

The rezoning would alter the Affected Area's use and bulk regulation. Whereas the existing zoning permits manufacturing, commercial, and certain community facility uses as-of-right, the proposed zoning would also permit residential uses and additional community facility uses. Under the existing zoning, the maximum permitted floor area ratios (FARs) are 1.00 for manufacturing or commercial uses, 2.40 for community facility uses, and 2.40 overall. Under the proposed zoning, the maximum permitted FARs would be 2.00 for manufacturing or commercial uses, 3.00 for community facility uses, 3.60 for residential uses, and 3.60 overall.

AFFECTED AREA

The Proposed Actions would affect a 44,420 square foot (sf) area located on Brooklyn Block 1897, which is bounded by Kent Avenue, Myrtle Avenue, Taaffe Place, and Park Avenue. The area has 240 feet of frontage along the west side of Kent Avenue and the east side of Taaffe Place, with the addresses 858 through 876 Kent Avenue and 117 through 137 Taaffe Place. The southern boundary is a line 100 feet north of Myrtle Avenue, which is the boundary between the existing M1-1 district and an existing R7A/C2-4 district. The Affected Area includes all of 13 lots (5, 6, 9, 10, 11, 12, 47, 48, 49, 54, 55, 7504, and 7509) and portions of two other lots (56 and 7505). Lots 56 and 7505 are partly within the R7A/C2-4 district and would not be rezoned. The lot areas and the portions within the Affected Area are shown in Table 1.

Table 1: Affected Area Lots

Lot #	Address	Lot Size (sf)	Within Affected Area	Outside Affected Area
5	131 Taaffe Pl.	2,074	2,074	0
6	129 Taaffe Pl.	2,499	2,499	0
9	123 Taaffe Pl.	3,340	3,340	0
10	121 Taaffe Pl.	2,099	2,099	0
11	119 Taaffe Pl.	2,132	2,132	0
12	117 Taaffe Pl.	2,099	2,099	0
47	858 Kent Ave.	2,449	2,499	0
48	860 Kent Ave.	2,499	2,499	0
49	862-868 Kent Ave.	12,928	12,928	0
54	872 Kent Ave.	2,499	2,499	0
55	874 Kent Ave.	2,499	2,499	0
56	876 Kent Ave.	2,250	1,425	825
7504	135 Taaffe Pl.	2,134	2,134	0
7505	137 Taaffe Pl.	2,331	1,620	710
7509	133 Taaffe Pl.	2,074	2,074	0
TOTAL		45,955	44,420	1,535

The Applicant's property (Projected Development Site 1) is 862-868 Kent Avenue (Lot 49), a 12,928 sf interior lot with 125 feet of street frontage and a depth that varies between 100 and 108 feet. It is occupied by a one-story, on-slab, 13-foot-tall industrial building constructed in 1965-1966 and enlarged during the 1990s to cover the entire lot. The building contains approximately 12,500 gross square feet (gsf), all of which counts as zoning floor area (zsf), for an FAR of 0.96. A chocolate packaging operation occupies half of the building, and an event venue occupies the other half.

The Co-Applicant's property (Projected Development Site 2) is 123 Taaffe Place (Lot 9), a 3,340 sf interior lot with approximately 42 feet of street frontage and a depth that varies between 75 and approximately 83 feet. It shares a rear lot line with Projected Development Site 1. A two-story, 23-foot-tall, 6,680 gsf (and zsf) industrial building constructed in 1993 occupies the entire lot. The FAR is 2.00. As of June 2024, the building's occupants were an automobile leasing company and the offices of two online sales operations.

No other lots within the Affected Area are owned or controlled by either the Applicant or the Co-Applicant.

Lot 48 (860 Kent Avenue) is located to the immediate north of Projected Development Site 1. It is a 25-by-100-foot, 2,499 sf parcel, occupied by a 36-foot-tall, 2,500 gsf (1,500 zsf), three-unit residential building with three stories and a cellar. The FAR is 0.60. To its north is Lot 47 (858

Kent Avenue), an identical 2,499 sf lot. It is developed with a three-story, 40-foot-tall, 1,600 gsf (and zsf), four-unit residential building. The FAR is 0.64. Under the reasonable worst-case development scenario (RWCDS), described below under Analysis Framework, the two lots are identified as the 4,998 sf Projected Development Site 3.

To the immediate north of Projected Development Site 2 is Lot 10 (121 Taaffe Place). The 2,009 sf lot is approximately 24 feet wide and 84 feet deep. A 6,068 gsf (4,924 zsf) house of worship with three stories and a cellar is under construction on the lot. When completed, the building will contain a worship hall, congregation offices, a cafeteria, and an accessory residential unit for the congregation's rabbi. The building will be 44 feet tall, and the FAR will be 2.39.

To its north is Lots 11 (119 Taaffe Place). The 2,132 sf lot is approximately 26 feet wide and 84 feet deep. It is developed with a three-story, 39-foot-tall, 4,875 gsf (and zsf), six-unit residential building. The FAR is 2.29.

At the northern edge of the Affected Area is Lot 12 (117 Taaffe Place), which measures 2,099 sf and is 25 feet wide and approximately 84 feet deep. It is developed with a two-story, 26-foot-tall, 1,344 gsf (and zsf) two-family home. The existing FAR is 0.64. The RWCDS identifies the property as Projected Development Site 4.

Lot 54 (872 Kent Avenue) is located to the immediate south of Projected Development Site 1, followed by Lot 55 (874 Kent Avenue). They are 2,499 sf lots, both 25 feet wide and 100 feet deep. Both are developed with three-story, 36-foot-tall mixed-use buildings, both with two residential units above a ground floor commercial unit. The one on Lot 54 has 5,360 gsf (and zsf), of which approximately 4,360 sf is residential and approximately 1,000 sf is commercial. The commercial space is currently vacant. The FAR is 2.14 (approximately 1.74 residential and 0.40 commercial). The building on Lot 55 contains approximately 3,250 gsf (and zsf), of which approximately 2,000 sf is residential and approximately 1,250 sf is commercial. The FAR is 1.30 (0.80 residential and 0.50 commercial). A mural painting business occupies the commercial space. Under the RWCDS, Lots 54 and 55 comprise the 4,998 sf Projected Development Site 5.

The southernmost property within the Kent Avenue side of the Affected Area is 2,250 sf, 25-feet-by-90-feet Lot 56 (876 Kent Avenue). Because the southern edge of the lot extends beyond the M1-1 district into the adjacent R7A/C2-4 district, only 1,425 sf are within the Affected Area. It is developed with a four-stories-and-cellar, 40-foot-tall, 5,165 gsf (4,949 zsf) multifamily residential building completed in 2020. There are four dwelling units, and the FAR is 2.20.

Five lots are located to the south of Projected Development Site 2 within the Taaffe Place side of the Affected Area. From north to south, they are Lots 6, 5, 7509, 7504, and 7505.

Lot 6 (129 Taaffe Place) is a 2,499 sf lot with approximately 33 feet of frontage and a depth of 75 feet. It is developed with a four-stories-plus-cellar, 40-foot-tall, 7,464 gsf (5,971 zsf), eight-unit residential building completed in 2023. The FAR is 2.39.

Lot 5 (131 Taaffe Place) is a 2,074 sf parcel with 25 feet of frontage and a depth of approximately 83 feet. It is developed with a three-story, 35-foot-tall, 4,000 gsf (and zsf) mixed-use building in

which there are two residential units above a ground floor children's daycare center. The FAR is 1.93 (1.45 residential and 0.48 community facility).

Lot 7509 (133 Taaffe Place) is another 2,074 sf lot with the same dimensions as Lot 5. It is developed with a four-stories-and-cellar, 44-foot-tall, 5,950 gsf (4,567 zsf), three-unit residential building completed in 2016. The FAR is 2.19.

Lot 7504 (135 Taaffe Place) is a 2,134 sf property that is approximately 25 feet wide and 84 feet deep. It is developed with a four-stories-and-cellar, 43-foot-tall, 5,885 gsf (4,708 zsf), three-unit residential building constructed in 2006. The FAR is 2.11.

Lot 7505 (137 Taaffe Place) is a 2,331 sf, 25-feet-by-93-feet parcel. Because the southern edge of the lot extends beyond the M1-1 district into the adjacent R7A/C2-4 district, only 1,620 sf are within the Affected Area. It is developed with a four-stories-and-cellar, 43-foot-tall, three-unit residential building completed in 2006. The building has 6,726 gsf (5,381 zsf), and the FAR is 2.31.

Although the Affected Area is zoned M1-1, nonconforming residential uses occupy 12 of the 15 lots located wholly or predominantly within it. Seven of them (Lots 5, 11, 12, 47, 48, 54, and 55) have residential uses that predate the 1961 Zoning Resolution, and five (Lots 6, 56, 7504, 7505, and 7509) have been developed with residential buildings permitted by zoning use variances granted by the Board of Standards and Appeals (BSA) during the past 20 years. The Applicant's property (Projected Development Site 1) is the only lot within the Affected Area that currently supports an industrial use, and the only buildings originally designed for industrial use are located on the Applicant's and Co-Applicant's properties (Projected Development Sites 1 and 2).

PROJECT DESCRIPTION

The Proposed Actions would facilitate the redevelopment of Block 1897, Lots 9 and 49, which are the properties owned by the Co-Applicant and the Applicant, respectively.

On the 12,928 sf Applicant-owned Lot 49 (Projected Development Site 1), the existing buildings would be demolished, and the property would be redeveloped with a new 51,322 gross square foot (gsf) multifamily residential building. The development would have 46,356 zoning square feet (zsf), for an FAR of 3.59. The building would have 8 stories and would have a roof height of 83 feet (with a required 15-foot setback from the street line at a height of 63 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 93 feet. There would be 65 dwelling units, of which 25 to 30 percent (16 to 21) would be income-restricted Inclusionary Housing units pursuant to Option 1 or 2, affordable to households with incomes averaging 60% or 80% AMI, respectively. The first floor would contain a gym / recreation space, mechanical rooms, the residential lobby, and 24 to 26 enclosed parking spaces for the proposed market-rate units. (Parking requirements are waived for the affordable units, as the Affected Area is located within a Transit Zone.) There would also be an outdoor recreational area for use by the building residents. One curb cut onto Kent Ave. is proposed to allow automobile access and egress.

On the 3,340 sf Co-Applicant-owned Lot 9 (Projected Development Site 2), the existing building would be demolished, and the proposed development would be a new 16,085 gsf multifamily residential building. The development would have 12,019 zsf, for an FAR of 3.60. The building

would have 7 stories and would have a roof height of 70 feet (with a required 15-foot setback at a height of 60 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 80 feet. There would be 17 dwelling units, of which 4 or 5 would be income-restricted Inclusionary Housing units. Recreational space for building residents would be located in the cellar and on the roof. Six or seven surface level parking spaces would be provided for the market-rate units; parking requirements would be waived for the affordable units. One curb cut onto Taaffe Pl. is proposed for automobile access and egress.

PURPOSE AND NEED

The Proposed Actions would facilitate the development of 82 dwelling units, including 20 to 26 affordable dwelling units on the Applicant's and Co-Applicant's properties, which are within the Bedford neighborhood of Brooklyn CD 3. The development of new market rate and affordable housing is consistent with the expressed policy of the City's current mayoral administration. Citywide, there is a high, unmet demand for housing, particularly for affordable housing. The need for additional affordable housing is particularly strong in Brooklyn CD 3, where approximately 45.5 percent of households are considered rent burdened (i.e., spending 35 percent or more of their income on rent). Residential use is appropriate for the Affected Area because residential and mixed-use buildings predominate within the immediately surrounding area, it is adjacent to an existing R7A/C2-4 district, is directly across the street from a public playground, and within an area that is well served by mass transit.

The Proposed Actions would also better align the Affected Area's zoning with its land use and development trends. Although the existing M1-1 zoning does not permit residential development, residential uses occupy 12 of the 15 Affected Area lots. During the past two decades, the BSA has approved use variances for residential development on 5 of the 15 lots. The Proposed Actions would bring the residential uses into conformity with the area's zoning.

ANALYSIS FRAMEWORK

The Future without the Proposed Action

Absent the Proposed Actions, additional redevelopment would not occur on the Applicant's or Co-Applicant's property or any other projected development site. The only change within the Affected Area would be the completion of the house of worship now under construction on Lot 10.

The chocolate processing operation occupying half of the building on Projected Development Site 1 (the Applicant's property, Lot 49) is expected to relocate, leaving the building half vacant. With the business's departure, no industrial uses would remain within the Affected Area or elsewhere on Block 1897. For at least the past quarter-century, the only new development within the Affected Area has been residential, with the exception of the house of worship under construction on Lot 10. The approval of four BSA use variances for residential developments in recent years testifies to the dearth of an active market for new industrial uses in the Affected Area. An existing commercial use, an event venue, occupies the other half of the building, and commercial uses occupy the other industrial building in the Affected Area (on the Co-Applicant's property, Lot 9). In accordance with land use trends, it is expected that a commercial use would occupy the vacated space in the Applicant's building under future no-action conditions.

Under the future no-action scenario, the other four projected development sites would remain in their current condition. A two-story, 23-foot-tall, 6,680 gsf industrial building occupied by an automobile leasing company and the offices of two online sales operations would remain on Projected Development Site 2 (the Co-Applicant's property, Lot 9). A three-story, 1,600 gsf, four-unit residential walkup and a three-story, 2,000 gsf, three-unit residential walkup would remain on Projected Development Site 3 (Lots 47 and 48). A two-story, 1,344 gsf two-family home would remain on Projected Development Site 4 (Lot 12). Two three-story mixed-use buildings, both with two residential units above a ground floor commercial unit, would remain on Projected Development Site 5 (Lots 54 and 55).

No other changes would occur within the Affected Area.

The Future with the Proposed Action

The formulation of the with-action scenario was based on certain assumptions. First, the developments on the Applicant's Co-Applicant's sites would maximize the FAR permitted under the proposed zoning, would achieve the maximum feasible gsf (including cellar levels), and would be as tall as permitted under the applicable height and setback regulations. Second, redevelopment pursuant to the proposed zoning would occur on all other lots within the Affected Area on which the existing FAR is less than half of the maximum permitted under the proposed zoning, unless redevelopment pursuant to the existing zoning was currently underway or a building permit had been issued.[1] Where two lots that satisfy the soft site criteria are adjacent to one another, it is assumed that they would be merged to form a single redevelopment site. Third, all such projected developments would achieve the maximum permitted FAR and the maximum building height that is feasible given the site's size and configuration, as determined by the architect for Projected Development Site 1.

Under the reasonable worst-case development scenario that is assessed in this EAS, the projected developments on Projected Development Sites 1 and 2 would be larger than proposed, and three additional sites, not under the Applicant's or Co-Applicant's control, would be redeveloped with multifamily residential buildings. A total of 145 dwelling units and 150,394 gsf of residential floor area would be developed under this scenario.

Under the with-action scenario, the 12,928 sf Applicant-owned Lot 49 (Projected Development Site 1) would be redeveloped with a 68,062 gsf multifamily residential building. The development would have 46,356 zoning square feet (zsf), for an FAR of 3.59. The building would have 8 stories and a cellar and would have a roof height of 85 feet (with a required 15-foot setback from the street line at a height of 65 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 95 feet. There would be 68 dwelling units (rather than the 65 in the proposed development), of which 25 or 30 percent (17 to 21) would be income-restricted Inclusionary Housing units pursuant to Option 1 or 2, affordable to households with incomes averaging 60% or 80% AMI, respectively.

[1] Block 1897, Lot 10, was listed as a projected development site in the approved RWCDS, but as-of-right redevelopment of the lot commenced between RWCDS approval and submission of the draft EAS. That redevelopment is described under the Existing Conditions and The Future Without the Proposed Actions sections.

The first floor would contain a gym / recreation space, mechanical rooms, the residential lobby, and 24 to 26 enclosed parking spaces for the proposed market-rate units, accounting for approximately 7,600 gsf of the 68,062 total gsf. (Parking requirements are waived for the affordable units, as the Affected Area is located within a Transit Zone.) There would also be an outdoor recreational area for use by the building residents. One curb cut onto Kent Ave. is proposed to allow automobile access and egress.

On the 3,340 sf Co-Applicant-owned Lot 9 (Projected Development Site 2), now occupied by a a 2-story industrial building, the proposed development would be a new19,330 gsf multifamily residential building. The development would have 12,019 zsf, for an FAR of 3.60. The building would have 7 stories and a cellar and would have a roof height of 70 feet (with a required setback at a height of 60 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 80 feet. There would be 17 dwelling units, of which 4 or 5 would be income-restricted Inclusionary Housing units. Recreational space for building residents would be located in the cellar and on the roof. Six or seven surface level parking spaces would be provided for the market-rate units; parking requirements would be waived for the affordable units. One curb cut onto Taaffe Pl. is proposed for automobile access and egress.

The adjacent Lots 47 and 48 (858 and 860 Kent Avenue) comprise the 4,998 sf Projected Development Site 3, which is located to the immediate north of Projected Development Site 1. The existing buildings would be demolished, and the projected development would be a new 26,261 gsf multifamily residential building. The development would have 17,960 zsf, for an FAR of 3.59. The building would have seven stories and a cellar and would have a roof height of 75 feet (with a required 15-foot setback at a height of 65 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 85 feet. There would be 25 dwelling units, of which 6 to 8 would be income-restricted Inclusionary Housing units. Ten surface level accessory parking spaces would be provided for building residents. One curb cut is proposed for automobile access and egress.

Lot 12 (117 Taaffe Place) is the 2.099 Projected Development Site 4. The existing building would be demolished, and the site would be redeveloped with a new 10,480 gsf multifamily residential building. The development would have 7,551 zsf, for an FAR of 3.60. The building would have six stories and a cellar and would have a roof height of 65 feet and a 10-foot-tall rooftop bulkhead, for an overall structure height of 75 feet. There would be ten dwelling units, of which three would be income-restricted Inclusionary Housing units. No accessory off-street parking would be required, per ZR Section 25-26, Waiver of Requirements for Small Number of Spaces, and none would be provided.

The adjacent Lots 54 and 55 (872 and 874 Kent Avenue) comprise the 4,998 sf Projected Development Site 5, which is located to the immediate south of Projected Development Site 1. The existing buildings would be demolished, and the projected development would be a new 26,261 gsf multifamily residential building. The development would have 17,960 zsf, for an FAR of 3.59. The building would have seven stories and a cellar and would have a roof height of 75 feet (with a required 15-foot setback at a height of 65 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 85 feet. There would be 25 dwelling units, of which 6 to 8 would be

income-restricted Inclusionary Housing units. Ten surface level accessory parking spaces would be provided for building residents. One curb cut is proposed for automobile access and egress.

In total, two nonresidential buildings and five residential and mixed-use buildings would be demolished, eliminating 13 households, four businesses 11,553 residential gsf, and 20,772 commercial gsf. They would be replaced by five new multifamily residential buildings, ranging in height from six to eight stories, with a total of 145 dwelling units (36 to 45 income restricted and 100 to 109 market rate) and 150,394 gsf of residential space, and providing a total of 50 to 53 accessory off-street parking spaces. Figure 7 shows the five projected development sites. Table 2 summarizes the projected developments under the with-action scenario, and Table 3 summarizes existing, future no-action, and future with-action conditions on the five projected development sites and the increment between the no-action and with-action scenarios. The tables assume that the minimum required number (36) of dwelling units would be affordable, per Inclusionary Housing Program Option 2, and that 109 would be market rate. These numbers are used in the analysis sections of this report. For purposes of early childhood programs analysis, 20% (29) of the 145 units would be affordable at or below 80% of AMI.

Table 2: Projected With-Action Developments

	Projected Development Site 1	Projected Development Site 2	Projected Development Site 3	Projected Development Site 4	Projected Development Site 5	Total
Lot size (sf)	12,928	3,340	4,998	2,099	4,998	
Gross floor area (gsf)	68,062	19,330	26,261	10,480	26,261	150,394
Zoning floor area (zsf)	46,382	12,019	17,960	7,551	17,960	101,872
FAR	3.59	3.60	3.59	3.60	3.59	
Stories	8	8	7	6	7	
Base height (feet)	65	65	65	65	65	
Roof height (feet)	85	85	75	65	75	
Bulkhead height (feet)	95	95	85	75	85	
Dwelling units	68	17	25	10	25	145
Affordable	17	4	6	3	6	36
Market rate	51	13	19	7	19	109
Parking spaces	26	7	10	0	10	53
Garage or surface	Garage	Surface	Surface	Surface	Surface	
Footprint (sf)	7,494	2,067	3,250	1,365	3,250	
Lot coverage	58%	62%	65%	65%	65%	

REQUIRED APPROVALS

The proposed projects require a Zoning Map Amendment to replace part of an existing M1-1 light industrial district with an MX-4(M1-4/R6A) Special Mixed-Use District and Zoning Text Amendment to designate a new MIH area coterminous with the rezoned area.

BUILD YEAR

The analysis year is 2028. For Sites 1 and 2, this assumes that the proposed actions will be approved in 2025, following pre-certification review and ULURP, and that demolition and construction would take an estimated 22 months. The projected developments on the non-Applicant-owned sites, each requiring 20 to 22 months of construction, would be completed during the following two years.

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862-868 Kent Avenue, Brooklyn

Figure 7: Projected Development Sites



Data Source: MapPLUTO 2020v8

Urban Cartographics

	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	2-family and 3- to 4-unit walkups	2-family and 3- to 4-unit walkups	multiamily elevator buildings	
No. of dwelling units	13	13	145	132
No. of low- to moderate-income units	0	0	29	29
Gross floor area (sq. ft.)	11,804	11,804	150,394	138,590
Commercial	☑ Yes ☐ No	☑ Yes ☐ No	☐ Yes ☑ No	
If "yes," specify the following:				
Describe type (retail, office, other)	Event space, auto leasing, office, painter	Event space, auto leasing, office, painter, TBD	N/A	
Gross floor area (sq. ft.)	15,180	21,430	N/A	-21,430
Manufacturing/Industrial	Yes	No	No	
If "yes," specify the following:				
Type of Use	Candy maker	N/A	N/A	
Gross floor area (sq. ft.)	6,250	N/A	N/A	
Open storage area (sq. ft.)	0	N/A	N/A	
If any enclosed activities, specify:	Packaging		N/A	
Community Facility	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify the following:				
Type of Use	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Vacant Land	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes", describe:	N/A	N/A	N/A	
Publicly Accessible Open Space	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify type (mapped City, State, or Federal Parkland, wetland-mapped or otherwise known, other):	N/A	N/A	N/A	
Other Land Uses	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," describe:	N/A	N/A	N/A	
Parking				
Garages	☐ Yes ☑ No	☐ Yes ☑ No	☑ Yes ☐ No	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	0	
No. of accessory spaces	N/A	N/A	26	26
Operating hours	N/A	N/A	24/7	
Attended or non-attended	N/A	N/A	Non-attended	
Lots	☐ Yes ☑ No	☐ Yes ☑ No	☑ Yes ☐ No	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	0	
No. of accessory spaces	N/A	N/A	27	27
Operating hours	N/A	N/A	24/7	
Other (includes street parking)	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
If "yes," describe:	5 curbside	5 curbside	5 curbside	
Population				
Residents	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify number:	35	35	390	355
Briefly explain how the number of residents was calculated:	By multiplying the number of units times 2.69 (the avg. household size per the 2020 Census in the Bedford Stuyvesant West NTA			
Businesses	☑ Yes ☐ No	☑ Yes ☐ No	☐ Yes ☑ No	
If "yes," specify the following:				
No. and type	6: chocolate maker, event venue, auto leasing, 2 online sales firms, mural painter	6: TBD, event venue, auto leasing, 2 online sales firms, mural painter	N/A	-6
No. and type of workers by business	Chocolate maker: 13, event venue: 3, auto leasing: 7, online sales: 14, painter: 4; total: 41	Event venue: 3, auto leasing: 7, online sales: 24, painter: 4; TBD: 13; total: 41	No businesses, but one employee per building: 5 total	-36
No. and type of non-residents who are not workers	N/A	N/A	N/A	
Briefly explain how the number of businesses was calculated:	Applicant information, observation, and an internet search by address			
Other (students, visitors, concert-goers, *etc* .)	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If any, specify type and number:	N/A	N/A	N/A	
Briefly explain how the number was calculated:				
Zoning				
Zoning classification	M1-1	M1-1	MX-4(M1-4/R6A)	
Maximum amount of floor area that can be developed	Res: 0 zsf CF: 68,071 zsf Com: 28,363 zsf Mfg: 28,363 zsf Total: 68,071 zsf	Res: 0 zsf CF: 68,071 zsf Com: 28,363 zsf Mfg: 28,363 zsf Total: 68,071 zsf	Res: 102,107 zsf CF: 85,089 zsf Com: 56,726 zsf Mfg: 56,726 zsf Total: 102,107 zsf	Res: 102,107 zsf CF: 17,018 zsf Com: 28,363 zsf Mfg: 28,363 zsf Total: 34,036 zsf
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Residential, commercial, institutional, and recreational; M1-1 and R7A/C2-4	Residential, commercial, institutional, and recreational; M1-1 and R7A/C2-4	Residential, commercial, institutional, and recreational; MX-4, M1-1, and R7A/C2-4	MX-4(M1-4/R6A)

PART II: TECHNICAL ANALYSES

INTRODUCTION

Based on the criteria in Part II of the Environmental Assessment Statement Short Form, the following technical areas require further analysis: land use, zoning, and public policy; open space; shadows; historic and cultural resources; urban design and visual resources; hazardous materials, air quality; noise; and construction. These analyses, which follow the guidance in the *CEQR Technical Manual*, are presented below. The heading numbers correlate with the relevant chapters of the 2021 *CEQR Technical Manual*.

4. LAND USE, ZONING, AND PUBLIC POLICY

Introduction

A land use analysis characterizes the uses and development trends in the area that may be affected by an action and determines whether a proposed project is compatible with those conditions or whether it may adversely affect them. The analysis also considers the proposed project's compliance with, and effect on, the area's zoning and other applicable public policies.

According to the *2021 CEQR Technical Manual*, a preliminary assessment that includes a basic description of existing and future land uses and zoning, is generally appropriate for projects that would affect land use or would change the zoning of a site, regardless of their anticipated effects. A project located within areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy controlling land use, may warrant an assessment of public policy. A land use, zoning, and public policy assessment is therefore warranted for the Proposed Actions, which are zoning map and text amendments.

Study Area

According to the *2021 CEQR Technical Manual*, the appropriate study area for a land use, zoning, and public policy analysis is related to the type and size of the project, as well as the location and context of the area that could be affected by the project. To assess the potential for project related impacts, the land use study area has been defined as the area located within 400 feet of the Affected Area. The 400-foot land use study area is generally bounded by Park Avenue to the north, Franklin Avenue to the east, the mid-block between Myrtle Avenue and Willoughby Avenue to the south, and mid-block between Classon Avenue and Emerson Place to the west. See Figure 4-1, Land Use.

Land Use

Existing Conditions within the Affected Area

The Applicant's property (Projected Development Site 1) is 862-868 Kent Avenue (Lot 49), a 12,928 sf interior lot with 125 feet of street frontage and a depth that varies between 100 and 108 feet. It is occupied by a one-story, on-slab, 13-foot-tall industrial building constructed in 1965-1966 and enlarged during the 1990s to cover the entire lot. The building contains approximately 12,500 gross square feet (gsf), all of which counts as zoning floor area (zsf), for an FAR of 0.96. A chocolate packaging operation occupies half of the building, and an event venue occupies the other half.

The Co-Applicant's property (Projected Development Site 2) is 123 Taaffe Place (Lot 9), a 3,340 sf interior lot with approximately 42 feet of street frontage and a depth that varies between 75 and approximately 83 feet. It shares a rear lot line with Projected Development Site 1. A two-story, 23-foot-tall, 6,680 gsf (and zsf) industrial building constructed in 1993 occupies the entire lot. The FAR is 2.00. As of June 2024, the building's occupants were an automobile leasing company and the offices of two online sales operations.

No other lots within the Affected Area are owned or controlled by either the Applicant or the Co-Applicant.

862-868 Kent Avenue, Brooklyn

Figure 4-1: Land Use Map



Data Source: MapPLUTO 2020v8, NYC DOF Digital Tax Map 1/25/21

Urban Cartographics

Lot 48 (860 Kent Avenue) is located to the immediate north of Projected Development Site 1. It is a 25-by-100-foot, 2,499 sf parcel, occupied by a 36-foot-tall, 2,500 gsf (1,500 zsf), three-unit residential building with three stories and a cellar. The FAR is 0.60. To its north is Lot 47 (858 Kent Avenue), an identical 2,499 sf lot. It is developed with a three-story, 40-foot-tall, 1,600 gsf (and zsf), four-unit residential building. The FAR is 0.64. Under the reasonable worst-case development scenario (RWCDS), described below under Analysis Framework, the two lots are identified as the 4,998 sf Projected Development Site 3.

To the immediate north of Projected Development Site 2 is Lot 10 (121 Taaffe Place). The 2,009 sf lot is approximately 24 feet wide and 84 feet deep. A 6,068 gsf (4,924 zsf) house of worship with three stories and a cellar is under construction on the lot. When completed, the building will contain a worship hall, congregation offices, a cafeteria, and an accessory residential unit for the congregation's rabbi. The building will be 44 feet tall, and the FAR will be 2.39.

To its north is Lots 11 (119 Taaffe Place). The 2,132 sf lot is approximately 26 feet wide and 84 feet deep. It is developed with a three-story, 39-foot-tall, 4,875 gsf (and zsf), six-unit residential building. The FAR is 2.29.

At the northern edge of the Affected Area is Lot 12 (117 Taaffe Place), which measures 2,099 sf and is 25 feet wide and approximately 84 feet deep. It is developed with a two-story, 26-foot-tall, 1,344 gsf (and zsf) two-family home. The existing FAR is 0.64. The RWCDS identifies the property as Projected Development Site 4.

Lot 54 (872 Kent Avenue) is located to the immediate south of Projected Development Site 1, followed by Lot 55 (874 Kent Avenue). They are 2,499 sf lots, both 25 feet wide and 100 feet deep. Both are developed with three-story, 36-foot-tall mixed-use buildings, both with two residential units above a ground floor commercial unit. The one on Lot 54 has 5,360 gsf (and zsf), of which approximately 4,360 sf is residential and approximately 1,000 sf is commercial. The commercial space is currently vacant. The FAR is 2.14 (approximately 1.74 residential and 0.40 commercial). The building on Lot 55 contains approximately 3,250 gsf (and zsf), of which approximately 2,000 sf is residential and approximately 1,250 sf is commercial. The FAR is 1.30 (0.80 residential and 0.50 commercial). A mural painting business occupies the commercial space. Under the RWCDS, Lots 54 and 55 comprise the 4,998 sf Projected Development Site 5.

The southernmost property within the Kent Avenue side of the Affected Area is 2,250 sf, 25-feet-by-90-feet Lot 56 (876 Kent Avenue). Because the southern edge of the lot extends beyond the M1-1 district into the adjacent R7A/C2-4 district, only 1,425 sf are within the Affected Area. It is developed with a four-stories-and-cellar, 40-foot-tall, 5,165 gsf (4,949 zsf) multifamily residential building completed in 2020. There are four dwelling units, and the FAR is 2.20.

Five lots are located to the south of Projected Development Site 2 within the Taaffe Place side of the Affected Area. From north to south, they are Lots 6, 5, 7509, 7504, and 7505.

Lot 6 (129 Taaffe Place) is a 2,499 sf lot with approximately 33 feet of frontage and a depth of 75 feet. It is developed with a four-stories-plus-cellar, 40-foot-tall, 7,464 gsf (5,971 zsf), eight-unit residential building completed in 2023. The FAR is 2.39.

Lot 5 (131 Taaffe Place) is a 2,074 sf parcel with 25 feet of frontage and a depth of approximately 83 feet. It is developed with a three-story, 35-foot-tall, 4,000 gsf (and zsf) mixed-use building in which there are two residential units above a ground floor children's daycare center. The FAR is 1.93 (1.45 residential and 0.48 community facility).

Lot 7509 (133 Taaffe Place) is another 2,074 sf lot with the same dimensions as Lot 5. It is developed with a four-stories-and-cellar, 44-foot-tall, 5,950 gsf (4,567 zsf), three-unit residential building completed in 2016. The FAR is 2.19.

Lot 7504 (135 Taaffe Place) is a 2,134 sf property that is approximately 25 feet wide and 84 feet deep. It is developed with a four-stories-and-cellar, 43-foot-tall, 5,885 gsf (4,708 zsf), three-unit residential building constructed in 2006. The FAR is 2.11.

Lot 7505 (137 Taaffe Place) is a 2,331 sf, 25-feet-by-93-feet parcel. Because the southern edge of the lot extends beyond the M1-1 district into the adjacent R7A/C2-4 district, only 1,620 sf are within the Affected Area. It is developed with a four-stories-and-cellar, 43-foot-tall, three-unit residential building completed in 2006. The building has 6,726 gsf (5,381 zsf), and the FAR is 2.31.

In summary, residential uses occupy 12 of the 15 lots located wholly or predominantly within the Affected Area. Seven of them (Lots 5, 11, 12, 47, 48, 54, and 55) have residential buildings constructed during the early and mid twentieth century, and five (Lots 6, 56, 7504, 7505, and 7509) have residential buildings constructed during the past 20 years. The three lots without residential uses are the Applicant's property (Projected Development Site 1), which is the only lot within the Affected Area that currently supports an industrial use, the Co-Applicant's property (Projected Development Site 2), an industrial building now occupied by commercial uses, and Lot 10, on which a house of worship is under construction. Except for the house of worship, the only developments within the Affected Area this century have been residential.

Existing Conditions within the Study Area

A five-story, 108,000 gsf public elementary and middle school is located on Block 1897, Lot 13, to the immediate north of the Affected Area, with frontage on both Kent Avenue and Taaffe Place. Ten three- and four-story residential walkups and a two-family home occupy the Kent Avenue and Taaffe Place frontages to the north of the school. A four-story residential walkup, a three-story industrial building converted to office use, a 2,221 sf vacant lot, and a much larger vacant lot occupy the block's Park Avenue frontage. The large vacant lot (Block 1897, Lots 29 and 31, or 420 Park Avenue) measures approximately 12,000 sf and is surrounded by opaque fencing. At the southern end of Block 1897, two residential walkup buildings, two three-story mixed-use buildings with residential units above a ground floor commercial space, a one-story retail building, and a six-story residential apartment building with 29 dwelling units occupy the Myrtle Avenue frontage.

To the east, on Block 1898 (bounded by Kent, Myrtle, Franklin, and Park Avenues), four three- and four-story residential walkups, a two-family home, a three-story building with two residential units above a vacant commercial space, a former home that has been transformed into a religious school, and a two-story warehouse face the Affected Area on the east side of Kent

Avenue. North of these properties, several residential walkups, a three-story building with residential units above a law office, a contractor's warehouse and office, a two-story warehouse, a two-family home, and a house of worship occupy the remainder of the blockfront. A New York City Department of Environmental Protection facility and its accessory parking lot occupy the northeast corner of Kent and Myrtle Avenues. A four-story building with residential units above a ground floor store, a six-floor residential apartment building, and a four-story residential walkup occupy the remainder of the block's Myrtle Avenue frontage. Block 1898's Franklin Avenue blockfront is predominantly residential, with twelve multifamily walkups, three two-family homes, and a mixed-use building with residential units above a ground floor commercial use, as well as a religious facility, a small one-story warehouse, a one-story parking garage, an entrance leading the religious school on Kent Avenue, and two vacant lots. Two residential apartment buildings and three unlicensed parking lots occupy the block's Park Avenue frontage.

To the west of the Affected Area, Block 1896 is bounded by Taaffe Place and Myrtle, Classon, and Park Avenues. Taaffe Playground, directly across the street from the Affected Area, occupies almost the entire Taaffe Place side of the block. The 1.82-acre playground is under the jurisdiction of the New York City Department of Parks and Recreation; it includes active recreational facilities for both adults and children. A four-story residential walkup is located to the south of the playground. Three- and four-story buildings with residential units above ground floor retail stores occupy the Myrtle Avenue frontage. Three five- and six-story residential apartment buildings constructed during the 2000s, 11 older residential walkups and one- and two-family homes, a two-story office building constructed during the 2000s, a one- and two-story manufacturing and warehouse facility, an auto repair shop, an unlicensed parking lot, and a vacant lot occupy the Classon Avenue frontage.

The study area includes most of the western side of Classon Avenue between Myrtle and Park Avenues, on Block 1895. The block includes one- and two-story warehouses, manufacturing and warehouse buildings, and vacant lots; a gas station occupies the northwest corner of Myrtle and Classon Avenues, and a three-story residential walkup is located to its immediate west on Myrtle Avenue.

The southernmost part of the study area consists of the south side of Myrtle Avenue from Franklin Avenue to west of Classon Avenue, as well as some properties along the side streets south of Myrtle Avenue.

On the Myrtle Avenue frontage of Block 1911 (bounded by Myrtle. Kent, and Willoughby Avenues and Taaffe Place), a construction site at the Kent Avenue corner and a vacant lot at the Taaffe Place corner flank an eight-story, 80-foot-tall building with 20 residential units above a ground floor medical office, completed in 2020, and three three- and four-story buildings with residential units above ground floor retail stores. Three- and four-story multifamily residential buildings occupy the Kent Avenue and Taaffe Place frontages south of Myrtle Avenue, with the exception of one two-story building at 159 Taaffe Place (Lot 14) that was originally industrial but is now occupied by a midwifery (a community facility use).

To the east, two five-story residential buildings, three- and four-story buildings with residential units above ground floor retail space, a small two-story commercial building, the Myrtle Village

Green community garden, and a construction site occupy the Myrtle Avenue frontage of Block 1912 (bounded by Myrtle, Kent, Willoughby, and Franklin Avenues). A six-story residential building is being built on the construction site at 622 Myrtle Avenue (Lot 22). Three- to six-story residential buildings are located on Franklin Avenue south of Myrtle Avenue, and the Myrtle Village Green has frontage along the Kent Avenue side of the block.

To the west, on Block 1910 (bounded by Taaffe Place and Myrtle, Classon, and Willoughby Avenues), five-story residential buildings, three- and five-story buildings with residential units above ground floor commercial units, and a construction site where a seven-story residential building is nearing completion occupy the Myrtle Avenue frontage. Two three-story residential walkups are located on Taaffe Place just south of Myrtle Avenue, and a convent occupies the remainder of the block.

Three-story buildings with residential units above ground floor commercial space occupies the southwest corner of Myrtle and Classon Avenues, on Block 1909.

In summary, most of the study area is predominantly residential, with community facility and open space uses interspersed, particularly along Taaffe Place and Kent and Franklin Avenues. Commercial and mixed residential and commercial buildings are located mostly along Myrtle Avenue. Industrial uses predominate in the westernmost part of the study area, along the west side of Classon Avenue.

Future No-Action Conditions within the Affected Area

Absent the Proposed Actions, additional redevelopment would not occur on the Applicant's or Co-Applicant's property or any other projected development site. The only change within the Affected Area would be the completion of the house of worship now under construction on Lot 10.

The chocolate processing operation occupying half of the building on Projected Development Site 1 (the Applicant's property, Lot 49) is expected to relocate, leaving the building half vacant. With the business's departure, no industrial uses would remain within the Affected Area or elsewhere on Block 1897. For at least the past quarter-century, the only new development within the Affected Area has been residential, with the exception of the house of worship under construction on Lot 10. The approval of four BSA use variances for residential developments in recent years testifies to the dearth of an active market for new industrial uses in the Affected Area. An existing commercial use, an event venue, occupies the other half of the building, and commercial uses occupy the other industrial building in the Affected Area (on the Co-Applicant's property, Lot 9). In accordance with land use trends, it is expected that a commercial use would occupy the vacated space in the Applicant's building under future no-action conditions.

Under the future no-action scenario, the other four projected development sites would remain in their current condition. A two-story, 23-foot-tall, 6,680 gsf industrial building occupied by an automobile leasing company and the offices of two online sales operations would remain on Projected Development Site 2 (the Co-Applicant's property, Lot 9). A three-story, 1,600 gsf, four-unit residential walkup and a three-story, 2,000 gsf, three-unit residential walkup would remain on Projected Development Site 3 (Lots 47 and 48). A two-story, 1,344 gsf two-family home would

remain on Projected Development Site 4 (Lot 12). Two three-story mixed-use buildings, both with two residential units above a ground floor commercial unit, would remain on Projected Development Site 5 (Lots 54 and 55).

Future No-Action Conditions within the Study Area

Three new buildings will be completed within the study area by 2028. All will be located on the south side of Myrtle Avenue. One will be an 8-stories-and-cellar, 90-foot-tall mixed use building at 590 Myrtle Avenue (Block 1910, Lot 25), which is located between Taaffe Place and Classon Avenue. The building will have 14 residential units above cellar office space. The second will be a four-story residential building at 616-618 Myrtle Avenue (Block 1911, Lots 22 and 23), at the southwest corner of Kent and Myrtle Avenues. It will have 12 residential units and will be 50 feet tall. The third will be a six-story, six-unit, 80-foot-tall residential building at 622 Myrtle Avenue (Block 1912, Lot 22), between Kent and Franklin Avenues.

Future With-Action Conditions

Under the with-action scenario, the 12,928 sf Applicant-owned Lot 49 (Projected Development Site 1) would be redeveloped with a 68,062 gsf multifamily Quality Housing Program residential building. The development would have 46,356 zsf, for an FAR of 3.59. The building would have 8 stories and a cellar and would have a roof height of 85 feet (with a required 15-foot setback from the street line at a height of 65 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 95 feet. There would be 68 dwelling units, of which 25 percent (17) would be income-restricted Inclusionary Housing units. The cellar would contain 26 enclosed accessory parking spaces for building residents. The first floor would contain a gym/recreation space, mechanical rooms, and the residential lobby. The upper floors would contain residential apartments. There would also be an outdoor recreational area for use by the building residents. One curb cut is proposed to allow automobile access and egress.

On the 3,340 sf Co-Applicant-owned Lot 9 (Projected Development Site 2), the existing building would be demolished, and the projected development would be a new 19,330 gsf multifamily Quality Housing residential building. The development would have 12,019 zsf, for an FAR of 3.60. The building would have eight stories and a cellar and would have a roof height of 85 feet (with a required 15-foot setback at a height of 65 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 95 feet. There would be 17 dwelling units, of which 5 would be income-restricted Inclusionary Housing units. Recreational space for building residents would be located in the cellar and on the roof. Six surface accessory parking spaces would be provided in the rear yard for building residents. One curb cut is proposed for automobile access and egress.

The adjacent Lots 47 and 48 (858 and 860 Kent Avenue) comprise the 4,998 sf Projected Development Site 3, which is located to the immediate north of Projected Development Site 1. The existing buildings would be demolished, and the projected development would be a new 26,261 gsf multifamily Quality Housing residential building. The development would have 17,960 zsf, for an FAR of 3.59. The building would have seven stories and a cellar and would have a roof height of 75 feet (with a required 15-foot setback at a height of 65 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 85 feet. There would be 25 dwelling units, of which 6 would be income-restricted Inclusionary Housing units. Ten surface accessory parking spaces

would be provided in the rear yard for building residents. One curb cut is proposed for automobile access and egress.

Lot 12 (117 Taaffe Place) is the 2.099 Projected Development Site 4. The existing building would be demolished, and the site would be redeveloped with a new 10,480 gsf multifamily Quality Housing residential building. The development would have 7,551 zsf, for an FAR of 3.60. The building would have six stories and a cellar and would have a roof height of 65 feet and a 10-foot-tall rooftop bulkhead, for an overall structure height of 75 feet. There would be ten dwelling units, of which three would be income-restricted Inclusionary Housing units. No accessory off-street parking would be provided.

The adjacent Lots 54 and 55 (872 and 874 Kent Avenue) comprise the 4,998 sf Projected Development Site 5, which is located to the immediate south of Projected Development Site 1. The site has the same dimensions as Projected Development Site 3. The existing buildings would be demolished, and the projected development would be identical to the one on Projected Development Site 3.

In total, two nonresidential buildings and five residential and mixed-use buildings would be demolished, displacing 13 households and four businesses and eliminating 11,553 residential gsf, 8,272 commercial gsf, and 12,500 manufacturing gsf. They would be replaced by five new multifamily residential buildings, ranging in height from six to eight stories, with a total of 145 dwelling units (37 income restricted and 108 market rate) and 150,394 gsf of residential space, and providing a total of 63 accessory off-street parking spaces.

Preliminary Assessment

The projected residential developments resulting from the Proposed Actions would be consistent with existing land uses within both the Affected Area and the study area. Residential uses occupy 12 of the 15 lots located wholly or predominantly within the Affected Area. The three lots without residential uses are the Applicant's property (Projected Development Site 1) and the Co-Applicant's property (Projected Development Site 2), which in the future without the Proposed Actions would be occupied by commercial uses, and Lot 10, which would be occupied by a community facility use. Most of the study area is predominantly residential, particularly along Taaffe Place, and Kent and Franklin Avenues, with community facility and open space uses interspersed. (Commercial and mixed residential and commercial buildings are located mostly along Myrtle Avenue, and industrial uses predominate in the westernmost part of the study area, along the west side of Classon Avenue.)

The projected developments would also be consistent with land use trends within the Affected Area and the study area. The only developments within the Affected Area this century have been multifamily residential buildings permitted by BSA use variances (on Lots 6, 56, 7504, 7505, and 7509), a house of worship under construction on Lot 10 within the Affected Area, and three multifamily residential or mixed-use buildings under construction within the study area (on Block 1910, Lot 25; Block 1911, Lots 22 and 23; and Block 1912, Lot 22).

For these reasons, the Proposed Actions would not have a significant adverse land use impact, and no further assessment is required.

Zoning

Existing Conditions

The entirety of the Affected Area is situated within an M1-1 light manufacturing zoning district (although the two southernmost lots extend beyond the Affected Area into an adjacent zoning district, as described below. (See EAS Figure 4-2, Zoning Map.) The M1-1 district permits most commercial uses, some community facilities, and light manufacturing / industrial uses (i.e., those listed in Use Groups 4 through 14, 16, and 17) as-of-right. New residential developments or enlargements are not permitted. The district permits a maximum floor area ratio (FAR) of 1.0 for industrial and commercial uses and 2.4 for community facility uses. Building heights are limited to a maximum front wall height of 30 feet or two stories (whichever is less), at which height an initial setback from the street line of either 20 or 15 feet (for narrow and wide streets, respectively) is required, and further height is governed by a sky exposure plane sloping upwards and rearwards from a line 30 feet above the street line at a 45 degree angle.

As noted above under Land Use, nonconforming residential uses occupy 13 of the 15 lots located wholly or predominantly within the Affected Area. Eight of them (Lots 5, 10, 11, 12, 47, 48, 54, and 55) have residential buildings that predate the 1961 Zoning Resolution and are thus legally nonconforming, and five (Lots 6, 56, 7504, 7505, and 7509) have residential buildings constructed in accordance with use variances granted by the BSA during the past 20 years.

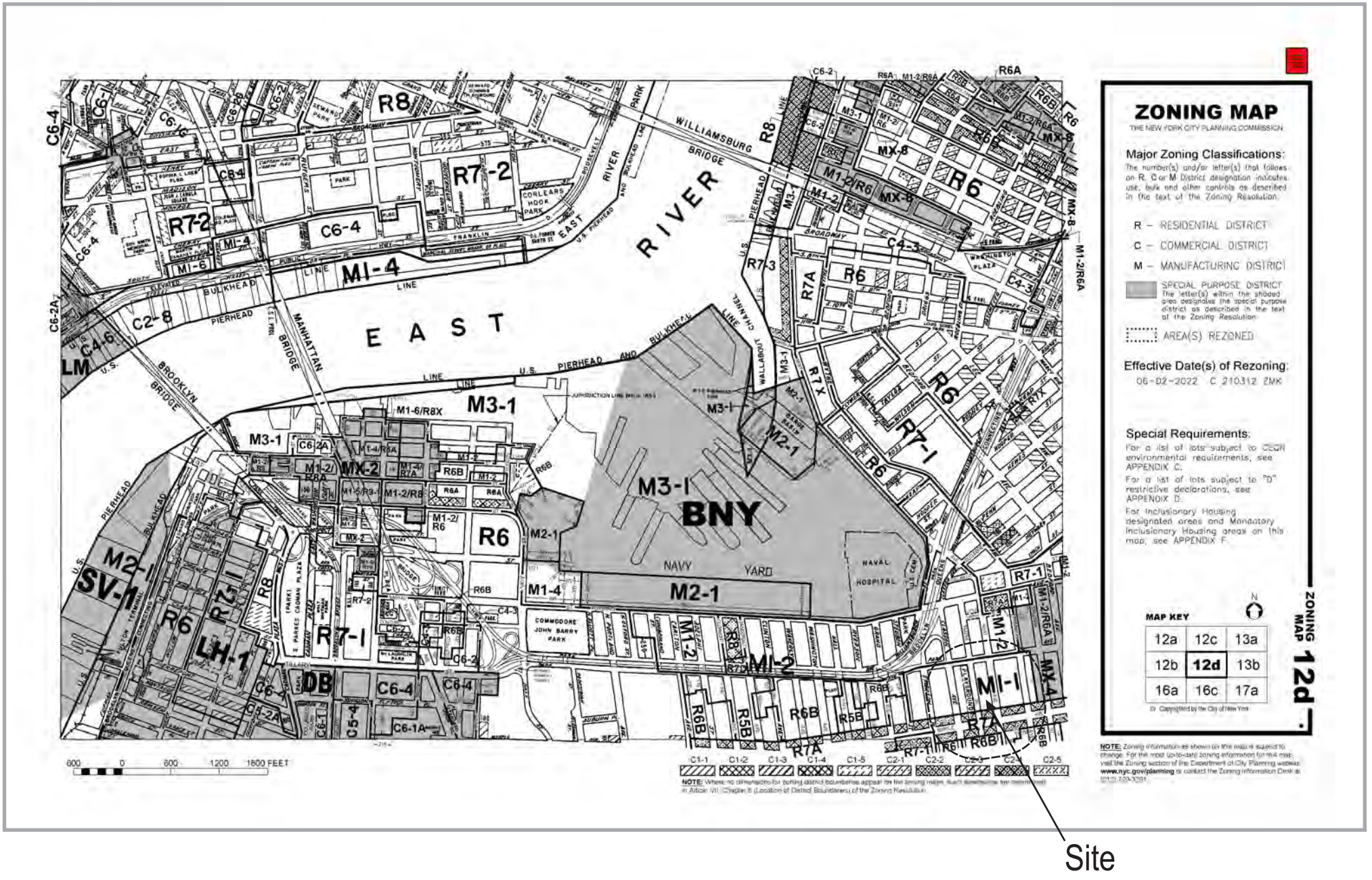
The M1-1 district covers the majority of the study area, southward to a line located 100 feet north of Myrtle Avenue.

The portion of the study area flanking Myrtle Avenue, to a depth of 100 feet from the street line, is zoned R7A/C2-4, a contextual medium density residential district combined with a local commercial overlay district. Block 1897, Lots 56 and 7505 (876 Kent Ave. and 137 Taaffe Pl.), are predominantly within the M1-1 district but are also partly within the R7A/C2-4 district. The R7A zoning district permits residential and community facility uses with a maximum permitted FAR of 4.0, which can be increased to 4.6 FAR for residential uses if the proposed building participates in the Inclusionary Housing Program. Base heights are required to be between 40 and 75 feet, and the maximum building height is 85 feet after a 10- or 15-foot setback from the street, with a maximum building height of 95 feet allowed for Inclusionary Housing buildings. The R7A district requires one off-street parking spot for 50 percent of market rate residential dwelling units. The C2-4 commercial overlay permits commercial uses. When mapped in conjunction with an R7A district, the C2-4 commercial overlay district permits a commercial FAR of 2.0.

The southernmost part of the study area, located more than 100 feet south of Myrtle Avenue, is mostly zoned R6B, although the R7A district, without the C2-4 overlay, extends southward along the east side of Kent Avenue. R6B is a contextual medium density residential district permitting residential and community facility uses as-of-right. The maximum permitted FAR is 2.0 for residential use (2.2 in the case of an Inclusionary Housing development) and 2.0 for community facility use. The maximum base height is 45 feet, and the maximum building height is 55 feet. A 30-foot-deep rear yard is required; no side yard is required.

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Figure 4-2: Zoning Map



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Future No-Action Conditions

Absent the Proposed Actions, no zoning changes would occur in the Affected Area or the study area.

Future With-Action Conditions

The Proposed Actions consist of the following:

1. A Zoning Map Amendment to rezone an area from an M1-1 light industrial district to an MX-4(M1-4/R6A) Special Mixed-Use District; and

2. A Zoning Text Amendment to modify Appendix F to designate a Mandatory Inclusionary Housing (MIH) area coterminous with the rezoning area.

The rezoning would alter the Affected Area's use and bulk regulation. Whereas the existing zoning permits manufacturing, commercial, and certain community facility uses as-of-right, the proposed zoning would also permit residential uses and additional community facility uses. Under the existing zoning, the maximum permitted floor area ratios (FARs) are 1.00 for manufacturing or commercial uses, 2.40 for community facility uses, and 2.40 overall. Under the proposed zoning, the maximum permitted FARs would be 2.00 for manufacturing or commercial uses, 3.00 for community facility uses, 3.60 for residential uses, and 3.60 overall.

Preliminary Assessment

The proposed MX-4 district would provide a transition between the M1-1 light industrial district and the Adjacent R7A/C2-4 contextual medium density residential district and local commercial overlay. The Proposed Actions would not render any existing uses nonconforming, nor would they render any existing buildings noncompliant with zoning bulk regulations. They would not preclude any currently permitted uses; instead, all such uses would be permitted at higher FARs. As a result of the Proposed Actions, the legally nonconforming residential developments that now occupy 12 of the 15 lots in the Affected Area would become conforming uses. The proposed zoning is therefore consistent with existing land uses in the Affected Area. The proposed MX-4 district would also be consistent with the land uses in the study area (the residential, community facility, and commercial uses in the adjacent R7A/C2-4 district and the residential and community facility uses in the R6B to the south of the study area, as well as the commercial and industrial uses I the M1-1 district). The actions would also bring the Zoning Map into alignment with land use trends in the area; all developments within the Affected Area this century have been multifamily residential buildings permitted by BSA use variances, except for one as-of-right community facility under construction: and three multifamily residential or mixed-use buildings are under construction within the study area. For these reasons, the Proposed Actions would not have a significant adverse zoning impact, and no further assessment is required.

Public Policy

Per the 2021 *CEQR Technical Manual*, assessment of public policy accompanies a land use assessment because such policies may help determine whether or where land uses might change

as the result of a proposed project. Pertinent public policies may be ones that apply in particular areas, such as the Coastal Zone, Urban Renewal Areas, Industrial Business Zones, or areas subject to adopted 197-a Plans. They may also be policies or strategies for addressing citywide concerns such as housing needs or sustainability.

Neither the Affected Area nor any part of the land use study area is within the Coastal Zone, an Urban Renewal Area, an Industrial Business Zone, or an area subject to a 197-a Plan. Nevertheless, policies regarding housing development pertain to the Proposed Actions.

The Proposed Actions would facilitate the development of 82 dwelling units, including 20 to 26 affordable dwelling units, on the Applicant's and Co-Applicant's properties, which are within the Bedford neighborhood of Brooklyn CD 3. Under the RWCDS assessed in this EAS, a total of five new multifamily residential buildings, with a total of 145 dwelling units (of which 36 to 45 would be income-restricted affordable units), would be developed within the Affected Area. None of these developments would occur absent the Proposed Actions.

The development of affordable and market rate housing is a public policy priority discussed in *OneNYC 2050: Building a Strong and Fair City* and *Housing Our Neighbors: A Blueprint for Housing and Homelessness*.

OneNYC 2050, released in 2019, is a nine-volume set that serves as New York City's long-term strategic plan. Volume 4, Thriving Neighborhoods, addresses housing policy. One stated goal is to "ensure all New Yorkers have access to safe, secure, and affordable housing." To accomplish this, a major commitment is to "create or preserve 300,000 affordable units by 2026 and increase overall housing supply."

Housing Our Neighbors: A Blueprint for Housing and Homelessness, released in 2022, presents the Mayor's commitments and strategies regarding affordable housing. The first stated commitment is "1. Accelerate and increase capacity for new housing supply citywide."

By facilitating the development of new mixed income housing, the proposed actions would be consistent with the City's policies regarding housing.

Conclusion

For the reasons discussed in this section, the Proposed Actions would not have a significant adverse impact related to land use, zoning, or public policy, and no further assessment is required.

7. OPEN SPACE

Introduction

This section assesses the proposed action's potential to affect the ability of open space resources to serve the population in the vicinity of the proposed rezoning area. For CEQR purposes, open space is defined as publicly or privately owned land that is publicly accessible and has been designated for leisure, play, or sport; or land that is set aside for the protection and/or enhancement of the natural environment. Under CEQR, an open space analysis is conducted to determine whether or not a proposed action would have either a direct impact resulting from the elimination or alteration of open space or an indirect impact resulting from overtaxing the use of open space. The analyses focus only on officially designated existing or planned public open space. Open space may be public or private and may include active and/or passive areas. Active open space is the part of a facility used for active play such as sports or exercise and may include playground equipment, playing fields and courts, swimming pools, skating rinks, golf courses, lawns and paved areas for active recreation. Passive open space is used for sitting, strolling, and relaxation with benches, walkways, and picnicking areas. Certain spaces such as lawns, can be used for both active and passive recreation.

Determination of Whether a Preliminary Open Space Assessment Is Appropriate

Under CEQR, an open space analysis is conducted to determine whether or not a proposed action would have either a direct impact resulting from the elimination or alteration of open space or an indirect impact resulting from overtaxing the use of open space.

Direct effects on public open space may occur when the proposed project would encroach on, or cause a loss of, open space. Direct effects may also occur if public access is limited, the type and amount of public open space is changed or if the facilities within an open space would be so changed that the open space no longer serves the same user population. Other direct effects may result from sources of noise, air pollutants, odors, or shadows on public open space, affecting its function, usability or enjoyment.

The Proposed Actions would not result in the loss, diminution, or reprogramming of any open space resource and would not limit access to any such resource. The Proposed Actions would result in construction directly across Taaffe Place from Taaffe Playground; Section 8 of this EAS assesses the potential for that development to cast shadows on the playground and concludes that the early morning shadows would not constitute a significant adverse shadow impact on the playground.

If a project may add population to an area, demand for existing open space would typically increase. Indirect effects may occur when the population generated by a proposed project would be sufficiently large to noticeably diminish the ability of an area's open space to serve the future population. According to the 2021 *CEQR Technical Manual*, the preliminary screening threshold to determine if an open space assessment is warranted is if the proposed project would generate more than 200 residents or 500 workers, or a similar number of other nonresidential users (e.g., the population introduced by a new university or college).

Under the RWCDS assessed in this EAS, five new multifamily residential buildings with a total of 145 dwelling units would be developed within the Affected Area, an incremental increase of 132 units. Based on the average household size of 2.69 persons per the 2020 Census results for the Bedford-Stuyvesant (West) Neighborhood Tabulation Area, in which the Affected Area is located, it is estimated that the developments would add 355 residents. That exceeds the threshold of 200 residents, so an assessment of the Proposed Actions' potential to cause a significant indirect open space impact is required. There would be an incremental decrease of 36 workers relative to no-action conditions. The Proposed Actions would thus not add 500 or more workers.

Indirect Impact Preliminary Analysis

Study Area

For a residential or predominantly residential development project, the 2021 *CEQR Technical Manual* suggests a study area with a radius of a half-mile, which is considered to be the maximum distance that an average person would walk to reach a park or playground, adjusted for census tract boundaries. If at least half of a census tract is located within the half-mile radius, the entire tract is included in the study area, and if less than half the tract is within a half-mile of the site, the entire tract is excluded.

The open space study area consists of 10 census tracts: tracts 191, 193, 195, 233, 235, 241, 255, 531, 537, and 1237. The study area's boundaries would be rather jagged but would extend north to 48th Street, east to 16th Avenue, south to 72nd Street, and west to 9th Avenue. (This is shown in Figure 7-1, Open Space Facilities and Census Tracts.)

Existing Conditions

Current Study Area Population

As of the 2020 census enumeration, the study area population was 55,020. This is shown in Table 7-1. To determine the current population for the year of 2024, a conservative background growth rate of two percent was applied per year based on the average growth rate of the years between the 2010 census (44,256) and 2020 census (55,023) for the relevant census tracts. This results in a 2024 population of 59,559.

Table 7-1 Study Area Population

Census Tract	2020 Population
1237	8,586
191	3,427
193	6,279
195	3,684
233	5,961
235	5,921
241	3,175
255	4,799
531	8,887
537	4,304
Study Area Total	**55,023**
Background Growth (2020-2024)	**4,536**
2024 Study Area Population	**59,559**

Source: https://popfactfinder.planning.nyc.gov/#14.32/40.69506/-73.95952

Open Space Inventory

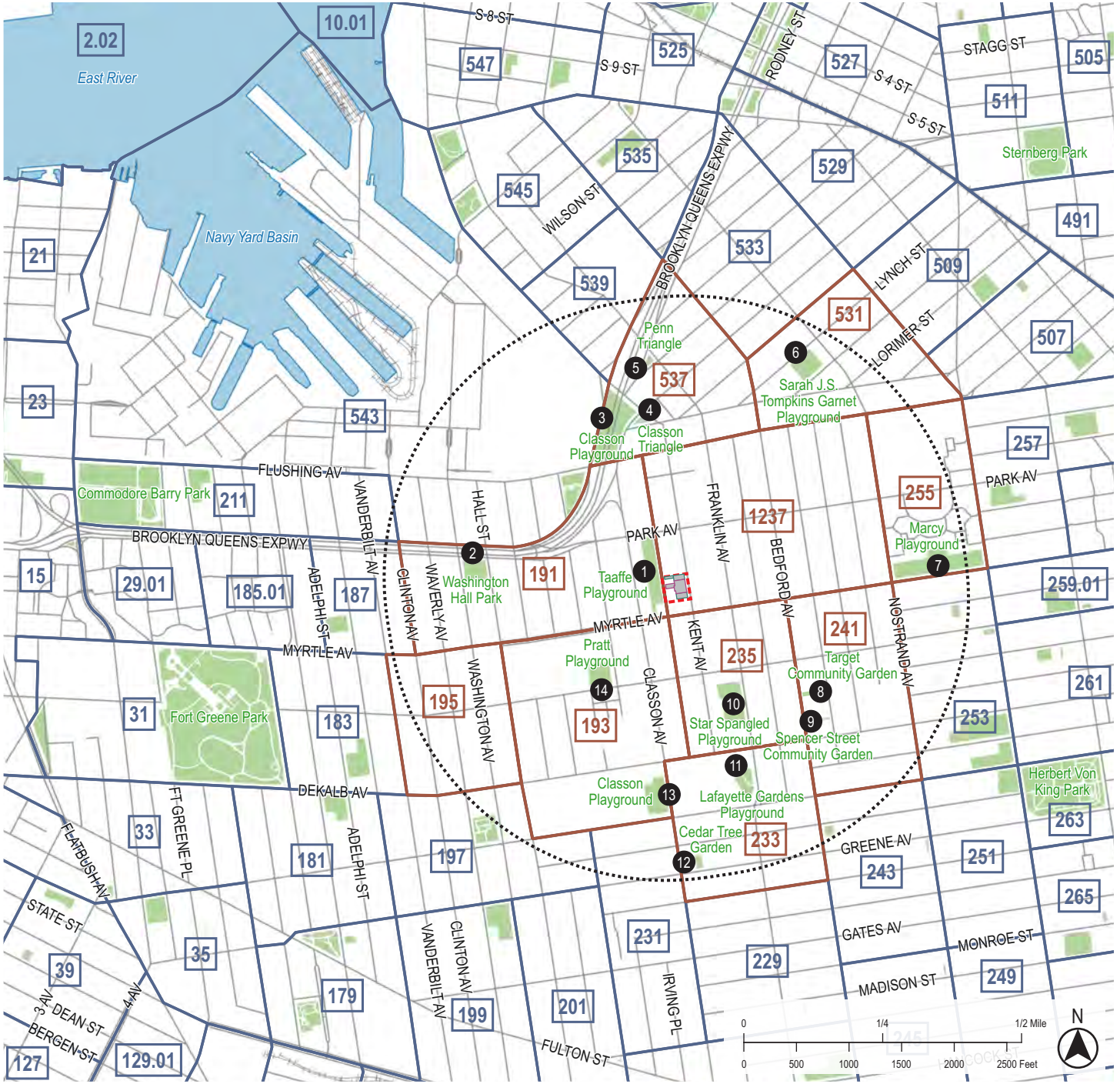
The study area contains a total of 14 publicly accessible open space resources, as is shown in Figure 7-1 and listed in Table 7-2. Cumulatively, these resources provide 15.33 acres of open space, of which 13.69 acres (89 percent) constitute active open space and 1.64 acres (11 percent) constitute passive open space.

A number of private open space resources supplement the 14 publicly accessible open space resources. There are several public housing open space areas dedicated to their respective housing complexes (including the NYC Housing Authority Lafayette and Marcy Houses and the Mitchell-Lama Pratt, Ryerson, and St. James Towers). These open spaces, totaling approximately 2.43 acres, are for the exclusive use of their respective housing complexes and are generally not publicly accessible. While these open spaces are not included in the open space ratio calculations of this section, it should be noted that these spaces likely serve as primary recreation opportunities for segments of the study area population.

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Figure 7-1: Open Space Facilities and Census Tracts

- Proposed Rezoning Area
- Projected Development Site (Applicant-Owned)
- Projected Development Site (Non-Applicant-Owned)
- 1/2-Mile Study Area
- Census Tract Boundaries
- 123 — 50% or More of Census Tract Within Study Area
- 123 — Less Than 50% of Census Tract Within Study Area
- 1 — Open Space Resources (see Table 7-1)



Urban Cartographics

Additionally, several community gardens existing within the open space study area, including the Whole Neighborhood Garden, Jane Baily Memorial Garden, Green Acres Community Garden and the Myrtle Village Green Garden, were excluded from this analysis due to their limited public accessibility.

Table 7-2 Inventory of Open Space Resources

Map Key	Park	Average		
		Active	Passive	Total
1	Taaffe Playground	1.64	0.18	1.82
2	Washington Hall Park	0.81	0.09	0.90
3	Classon Playground	2.68	0.30	2.98
4	Classon Triangle	0.00	0.21	0.21
5	Penn Triangle	0.09	0.09	0.18
6	Sarah J.S.Tompkins Garnet Playground	1.10	0.00	1.10
7	Marcy Playground	2.88	0.32	3.20
8	Target Community Garden	0.00	0.09	0.09
9	Spencer Street Community Garden	0.00	0.04	0.04
10	Star Spangled Playground	1.69	0.00	1.69
11	Lafayette Gardens Playground	0.63	0.07	0.70
12	Cedar Tree Garden	0.00	0.16	0.16
13	Classon Playground	1.34	0.00	1.34
14	Pratt Playground	0.83	0.09	0.92
	Total Open Space	13.69	1.64	15.33

Open Space Ratio

The most basic measure of the adequacy of open space resources to serve a population is the open space ratio, calculated as the acres of publicly accessible open space per thousand residents. With 15.33 acres serving a population of 59,559 residents, the current open space ratio is 0.2574. This is quite low; New York City's planning goal is an open space ratio of 2.5. The 2021 *CEQR Technical Manual* states that, ideally, this would comprise 0.50 acres (20 percent) of passive space and 2.0 acres (80 percent) of active open space per 1,000 residents.

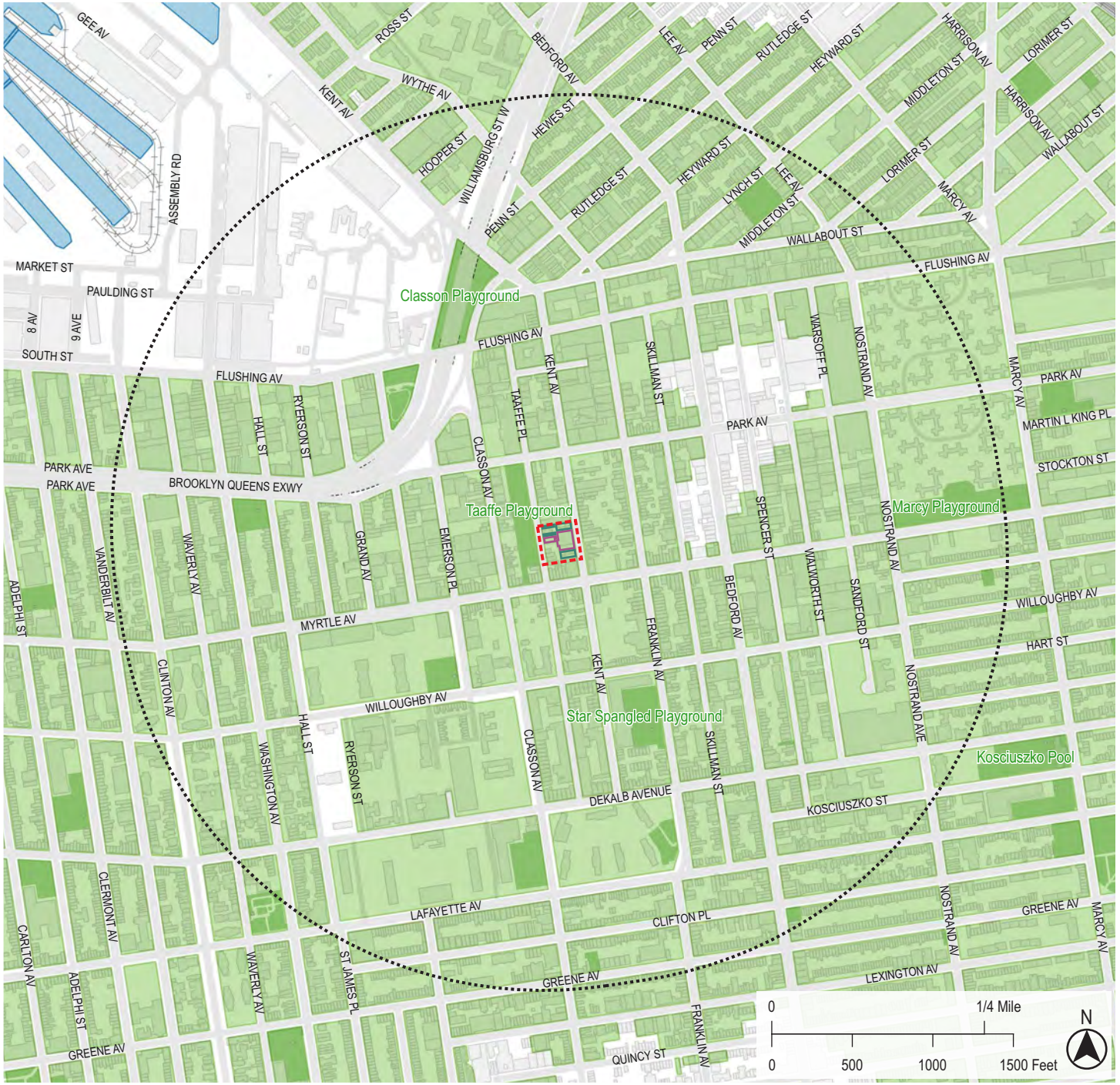
Walt to a Park Service Area

The NYC Department of Parks and Recreation has mapped the areas in the city, known as Walk to a Park Service Areas, in which residents are within walking distance of a park. According to the 2021 *CEQR Technical Manual*, "Project sites that are located outside of a Walk to a Park Service Area (i.e., located in a known walk gap area) suggests there is a need for a detailed analysis to be

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Figure 7-2: Walk to Park Service Areas

- Proposed Rezoning Area
- Projected Development Sites (Applicant-Owned)
- Projected Development Sites (Non-Applicant-Owned)
- 1/2-Mile Study Area
- Walk to Park Service Area



Urban Cartographics

performed to determine if the project may further exacerbate a condition of residents living in areas of the city with inadequate park access, potentially leading to a significant impact."

As shown in Figure 7-2, the Affected Area is located within a Walk to a Park Service Area, as is the overwhelming majority of the open space study area. There are only two walk gap areas within the study area. Although the study area's open space ratio is low, most residents live within walking distance of one or more parks.

Future No-Action Conditions

To calculate the population in the 2028 analysis year, the same background growth rate of 0.02% was applied to the existing population of 59,559, raising the number to 64,468. In addition, 32 dwelling units will be constructed within the land use study area under no-action conditions, adding another 86 residents (based on the average household size of 2.69 persons per the 2020 Census results for the Bedford-Stuyvesant (West) Neighborhood Tabulation Area, in which the Affected Area is located). This would result in a 2028 population of 64,554 residents. No change in the open space acreage is anticipated. With a 2028 no-action population of 64,554 and 15.33 acres of open space resources, the future no-action open space ratio would be 0.2375.

Future With-Action Scenario

The projected developments within the Affected Area would result in an incremental increase of 132 housing units relative to no-action conditions. Based on the average household size of 2.69 persons per the 2020 Census results for the Bedford-Stuyvesant (West) Neighborhood Tabulation Area, that would increase the study area population by 355 persons, to 64,909. That would decrease the study area's open space ratio to 0.2362, a 0.55 percent reduction. This is shown in Table 7-3.

Table 7-3: Existing, Future No-Action and Future With-Action Open Space Ratios

	Existing Conditions (2024)	Future No-Action Scenario	Future With-Action Scenario	No-Action/With Action Increment
Study Area Population	59,559	64,554	64,909	355
Total Open Space				
Publicly Accessible Open Space (Acreage)	15.33	15.33	15.33	0
Open Space Ratio (Acres/1,000 Residents)	0.2574	0.2375	0.2362	-0.55%
Active Open Space				
Publicly Accessible Open Space (Acreage)	13.69	13.69	13.69	0
Open Space Ratio (Acres/1,000 Residents)	0.2299	0.2121	0.2109	-0.57%
Passive Open Space				
Publicly Accessible Open Space (Acreage)	1.64	1.64	1.64	0
Open Space Ratio (Acres/1,000 Residents)	0.0275	0.0254	0.0253	-0.59%

For projects in study areas where the open space ratio is less than the City's planning goal of 2.5, the percentage decrease in open space ratio is weighed against how the open space ratio of the study area compares to the City's planning goal for open space. The 2021 *CEQR Technical Manual*'s Table 7-1 (reproduced as Table 7-4 below) provides general guidelines for ranges of open space ratios and tolerated percentage changes. Projects which result in a percentage change greater than the guideline for the range of calculated open space ratio may warrant a more detailed analysis.

Table 7-4: Guidance for Evaluating the Potential Change in Open Space Ratio

Table 7-1
Preliminary Assessment – Guidance for Percentage Change in Open Space Ratio

Open Space Ratio Range	Percentage Change in Open Space Ratio
2.01 to 2.50* or greater	5%
1.51 to 2.00	4%
1.01 to 1.50	3%
0.51 to 1.00	2%
0.50 or Less	1%
*2.5 OSR is the planning goal in NYC	

Because the study area's no-action open space ratio would be 0.2375 (less than 0.50), a one percent decrease in the ratio has the potential to result in a significant adverse impact on open space resources. The project-related decrease would be 0.55 percent. Although that is below one percent, because the open space ratio is as low as it is, a qualitative assessment has been performed.

The existing open space within the study area provides a wide variety of recreational activities, as listed below.

1. Taaffe Playground-Basketball courts, handball courts, playground equipment and spray showers.
2. Washington Hall Park- Playground equipment, handball courts, spray showers and public restrooms.
3. Classon Playground- Playground equipment and Wi-Fi hotspots.
4. Classon Triangle- Park benches and grassy area.
5. Penn Triangle- Playground equipment, renovated in 2021.
6. Sarah J.S. Tompkins Garnet Playground- Basketball courts, handball courts, playground equipment and spray showers.
7. Marcy Playground- Volleyball courts, handball courts, playground equipment and spray showers.
8. Target Community Garden-Planting beds and seating area.
9. Spencer Street Community Garden-Planting beds and artwork.
10. Star Spangled Playground-Basketball courts, football fields, handball courts, playground equipment, spray showers and public restrooms.
11. Lafayette Gardens Playground- Basketball courts, handball courts, playground equipment and spray showers.

12. Cedar Tree Garden-Planting beds and seating.
13. Classon Playground- Basketball courts, handball courts, playground equipment and spray showers.
14. Pratt Playground-Handball courts, spray showers, playground equipment, public restrooms.

As noted above, according to the 2021 *CEQR Technical Manual*, the preponderance of the open space in an area should be active rather than passive. In the study area, 89 percent of the publicly accessible open space inventory consists of active open space.

As previously discussed, there are approximately 2.43 acres of dedicated open space facilities (e.g., playgrounds, athletic courts, landscaping, benches, etc.) associated with three housing complexes within the open space study area that serve as primary recreation facilities for complex residents.

In addition to the three community gardens listed above, the study area contains four additional community gardens that are accessible to some study area residents. Although they were excluded from the quantitative analysis due to their limited public accessibility, they could alleviate pressure on other open space resources in the study area by virtue of their availability to some portion of the study area population.

Immediately outside the study area there are several large parks that can be easily accessed by residents, including Fort Green Park (30.17 acres) to the west and Herbert Von King Park (7.81 acres) to the southeast. A section of the Brooklyn Waterfront Greenway passes through the northwest section of the study area. This greenway is adjacent to the Naval Cemetery Landscape which is a 1.7-acre publicly accessible formerly military burial site, that now serves as a point of respite and reflection along the length of a fourteen-mile waterfront greenway, with entry from Williamsburg Street West, between Flushing and Kent Avenues. The 2021 *CEQR Technical Manual* states, "When determining if a detailed assessment is warranted, the preliminary assessment may include a discussion of the project site's proximity to nearby regional parks, or other substantial open space resources, located within or just outside the 0.5-mile and/or the 0.25-mile generalized study area boundaries (as determined in Section 320, above). For projects where the open space ratio is marginally above the percentage change guideline, as shown in Table 7-1, the presence of a nearby regional park or other substantial open space resources may be an alleviating factor for an increase in open space demand expected as a result of the project."

Within the study area there are several bike routes. Franklin, Bedford, and Classon Avenues are classified as conventional bike lanes running north/south. Willoughby, DeKalb, and Lafayette Avenues are classified as conventional bike lanes running east/west.

As shown in the Walk to Park Service Area map (Figure 7-2), the study area has very few walk gap areas, demonstrating the easy accessibility of open space to the residents.

Because of these factors, a detailed assessment is not required to determine that the Proposed Actions would not have a significant indirect impact on the ability of the area's open space resources to meet the demands of study area residents.

Conclusion

The Proposed Actions would not result in a significant direct adverse impact on any open space resources, but they would facilitate new housing construction that would add an estimated 355 new residents, increasing usage of existing open space resources in an area in which there is an existing shortage of such resources. The additional residents would reduce the open space ratio within the open space study area by 0.55 percent, from 0.2375 acres of publicly accessible open space per thousand residents to 0.2362. Although the study area's open space ratio is quite low, almost all locations, including the Affected Area, are within a Walk to a Park Service Area (that is, within easy walking distance of a park). The range of active and passive open space facilities, the presence of private open space resources that serve segments of the study area population, and proximity to regional and other large parks just outside the study area boundaries all serve to alleviate pressure on study area open spaces. For these reasons, the Proposed Actions would not have a significant adverse impact related to land open space, and no further assessment is required.

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8. SHADOWS

Introduction

Under CEQR, a shadow is defined as the circumstance in which a building or other built structure blocks the sun from the land. An adverse shadow impact is considered to occur when the shadow from a proposed project falls upon a publicly accessible open space, a historic landscape, or other historic resource if the features that make the resource significant depend on sunlight, or if the shadow falls on an important natural feature and adversely affects its uses or threatens the survival of important vegetation. An adverse impact would occur only if the shadow would fall on a location that would otherwise be in sunlight; the assessment therefore distinguishes between existing shadows and new shadows resulting from a proposed project. Finally, the determination of whether the impact of new shadows on an open space or a natural or historic resource would be significant is dependent on their extent and duration. In general, shadows on City streets and sidewalks or on other buildings are not considered significant under CEQR. In addition, shadows occurring within an hour and a half of sunrise or sunset generally are not considered significant under CEQR.

Under the with-action scenario assessed in this EAS, the Proposed Actions would result in the construction of five new buildings ranging in height from six to eight stories, all exceeding the 50-foot threshold specified in the *2021 CEQR Technical Manual*. A shadows analysis has therefore been performed.

Tier 1 Assessment

Shadow lengths vary by time of day, being longest in the early morning and late afternoon and shortest at noon, and by time of year, being longest at the winter solstice and shortest at the summer solstice. According to the *2021 CEQR Technical Manual*, the longest shadow cast by a building is 4.3 times the building's height, as measured to the highest point (the top of the rooftop bulkhead) rather than the roof. The two tallest projected buildings, located on Projected Development Sites 1 (fronting on Kent Avenue) and 2 (fronting on Taaffe Place) would both be 95 feet tall (with 10-foot-tall bulkheads rising above a roof height of 85 feet); however, because the height to the top of the bulkhead could theoretically be as much as 110 feet (if the rooftop structures were 25 rather than 10 feet tall), 110-foot-tall buildings were assumed. The longest shadows would extend 473 (4.3 times 110) feet from the buildings. Although the other three projected developments would be shorter, a radius of 473 feet was drawn around all five projected development sites.

As shown in Figure 8-1, one public open space, Taaffe Playground, is within the shadow radius. The *2021 CEQR Technical Manual* specifies that all public open spaces constitute shadow-sensitive resources. An architectural resource (PS/IS 157 on Block 1897, Lot 13) is also located within the radius, but it does not satisfy the Manual's criteria for shadow-sensitive resources (historic landscapes or buildings with sunlight-sensitive features such as stained glass or that depend on the contrast between light and dark design elements. Because a shadow-sensitive resource has been identified, a Tier 2 assessment is therefore needed.

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Figure 8-1: Tier 1 Screening Assessment

- Projected Development Site (Applicant-Owned)
- Projected Development Site (Non-Applicant Owned)
- Roof Above Max Base Height (65')
- Roof Above Max Bulkheads (110')
- Longest Shadow Study Area Boundary
- # Sunlight-Sensitive Open Space Resource
- Potentially Affected Open Space Resource



Urban Cartographics

Tier 2 Assessment

A Tier 2 assessment locates the area south of a building that cannot be cast in shadow. This area in New York City lies between -108 and +108 degrees from true north. As shown in Figure 8-2, all but the southern tip of Taaffe Playground is within the area subject to the buildings' shadows. A Tier 3 assessment is therefore needed.

Tier 3 Assessment

The Tier 3 screening assessment uses three-dimensional computer modeling software with the capacity to accurately calculate shadow patterns. The assessment is performed for the four representative days of the year set forth in the *2021 CEQR Technical Manual*: December 21, the winter solstice and shortest day of the year; March 21 / September 21, the equinoxes; May 6 / August 6, the midpoints between the summer solstice and the equinoxes; and June 21, the summer solstice and the longest day of the year. The assessment is performed for the portion of the day beginning 1.5 hours after sunrise and ending 1.5 hours before sunset.

In accordance with the *2021 CEQR Technical Manual*, a model of the five projected developments was developed. (The model assumes 25- rather than 10-foot-tall rooftop bulkheads.) The model was geo-located, and the surrounding terrain was imported into the model to account for differences in topography.

The Tier 3 shadow diagrams for the four analysis days are shown in Figures 8-3 through 8-6. Morning shadows would sweep across parts of the playground during all four analysis days. The Tier 3 shadow screening shows the shadows that could be cast as a result of the projected developments but does not distinguish the incremental new shadows that would result from the developments from the shadows cast by existing buildings.

Detailed Assessment

Detailed shadow diagrams are shown in Figures 8-7 through 8-10. They distinguish between existing and incremental new shadows, highlighting the incremental new shadows in orange, and they show the times at which the shadows from the new developments would enter and depart from the playground during the four analysis days. Table 8-1 shows the times during which the shadows from the projected developments would fall on the playground and the duration of those shadows.

Figure 8-1: Shadow Durations

Analysis Day	**December 21**	**March 21/ September 21**	**May 6 /August 6**	**June 21**
Shadow enter and exit times	8:51–10:23 AM	7:36–10:08 AM	6:27-9:42 AM	5:57-9:40 AM
Shadow duration	1 hour 32 minutes	2 hours 32 minutes	3 hours 15 minutes	3 hours 43 minutes
Note: Daylight savings time not used.				

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Figure 8-2: Tier 2 Screening Assessment

- Projected Development Site (Applicant-Owned)
- Projected Development Site (Non-Applicant Owned)
- Roof Above Max Base Height (65')
- Roof Above Max Bulkheads (110')
- Longest Shadow Study Area Boundary
- # Sunlight-Sensitive Open Space Resource
- Potentially Affected Open Space Resource
- Area That Cannot Be Shaded by the Proposed Building

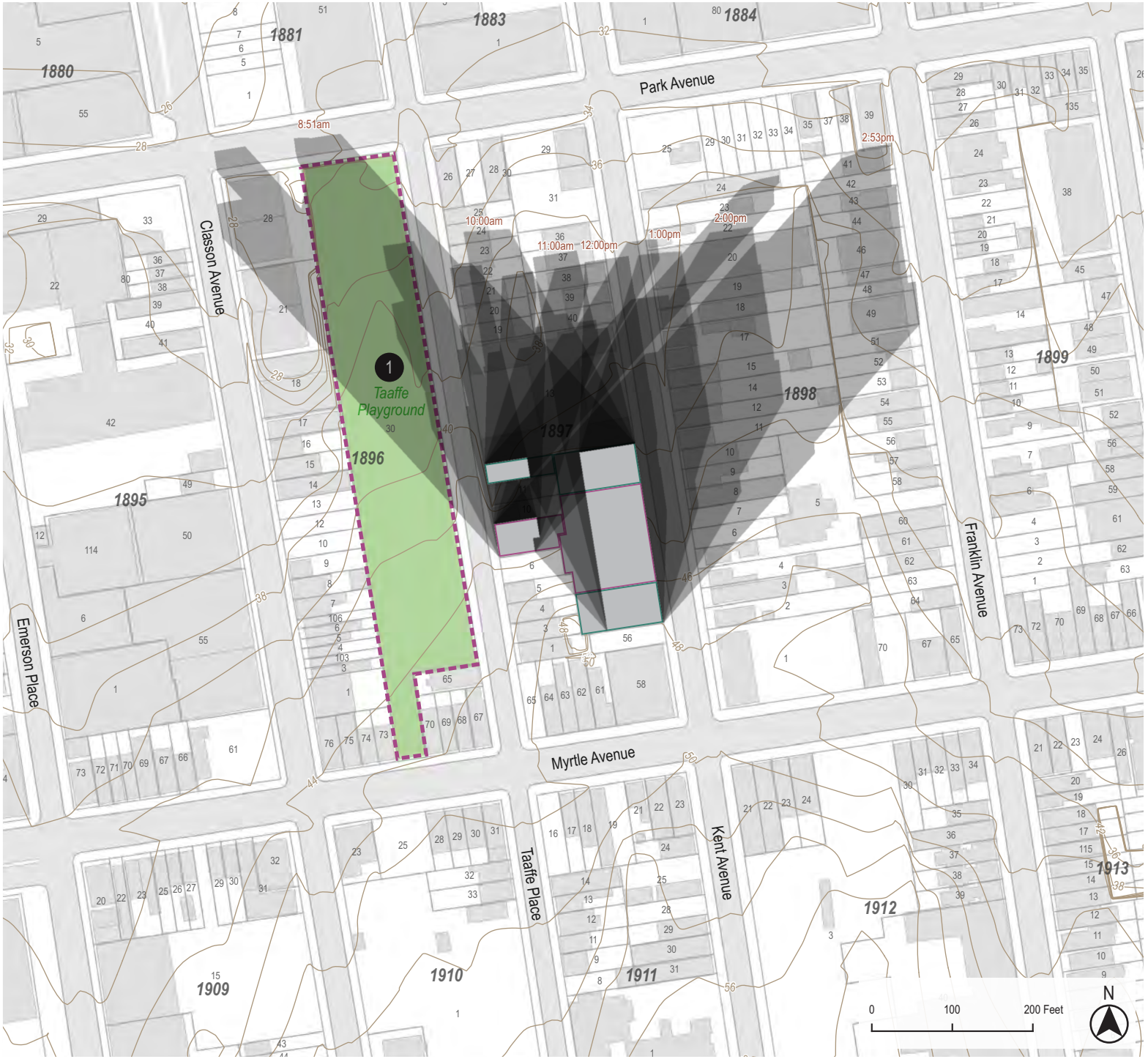


Urban Cartographics

862-868 Kent Avenue, Brooklyn

Figure 8-3: Tier 3 Screening Assessment for the December 21 Analysis Day

- Projected Development Site (Applicant-Owned)
- Projected Development Site (Non-Applicant Owned)
- Roof Above Max Base Height (65')
- Roof Above Max Bulkheads (110')
- 8:51am Shadow Cast/Analysis Time
- # Sunlight-Sensitive Open Space Resource
- Potentially Affected Open Space Resource

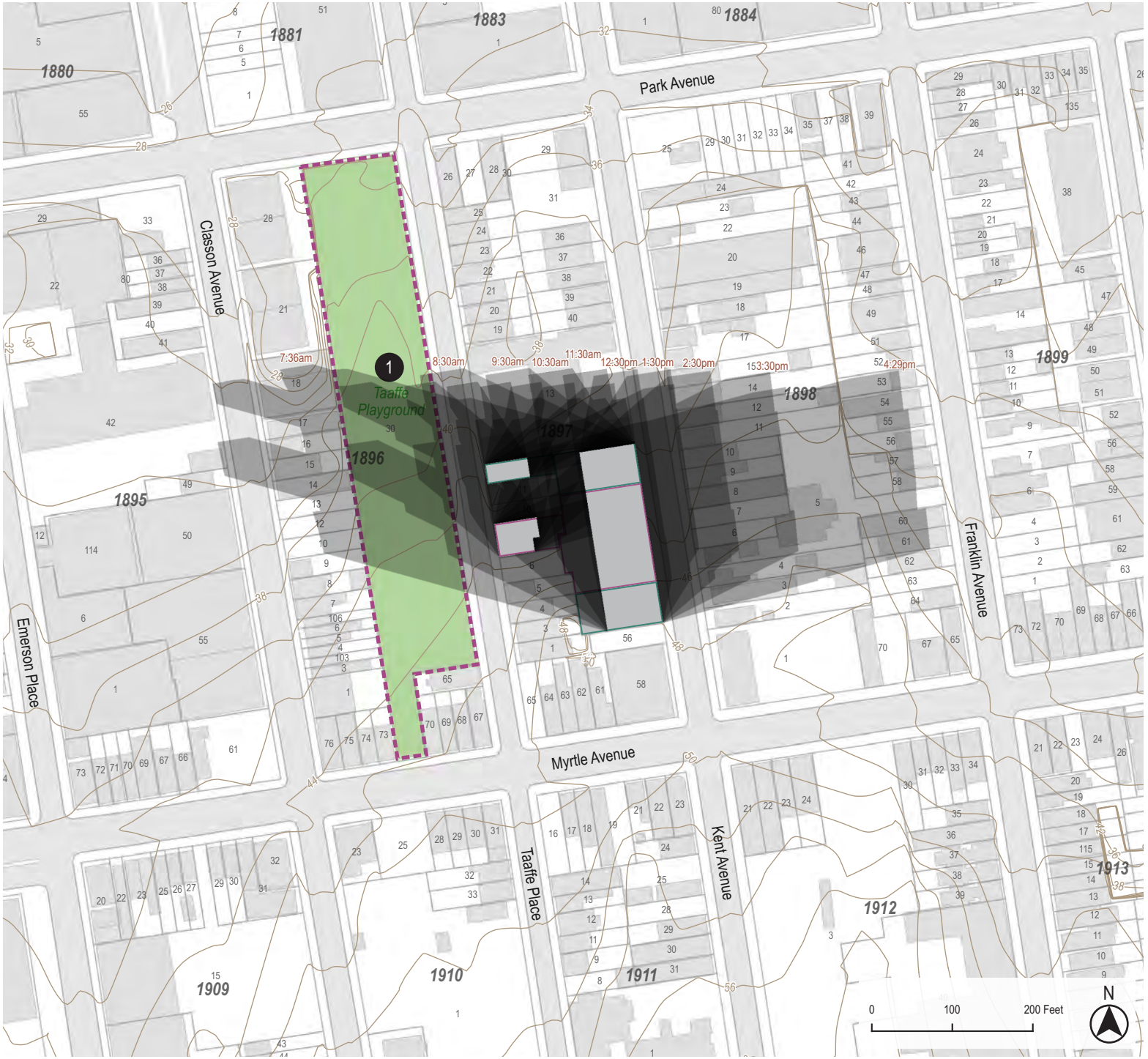


Urban Cartographics

862-868 Kent Avenue, Brooklyn

Figure 8-4: Tier 3 Screening Assessment for the March 21 Analysis Day

- Projected Development Site (Applicant-Owned)
- Projected Development Site (Non-Applicant Owned)
- Roof Above Max Base Height (65')
- Roof Above Max Bulkheads (110')
- 8:51am Shadow Cast/Analysis Time
- # Sunlight-Sensitive Open Space Resource
- Potentially Affected Open Space Resource

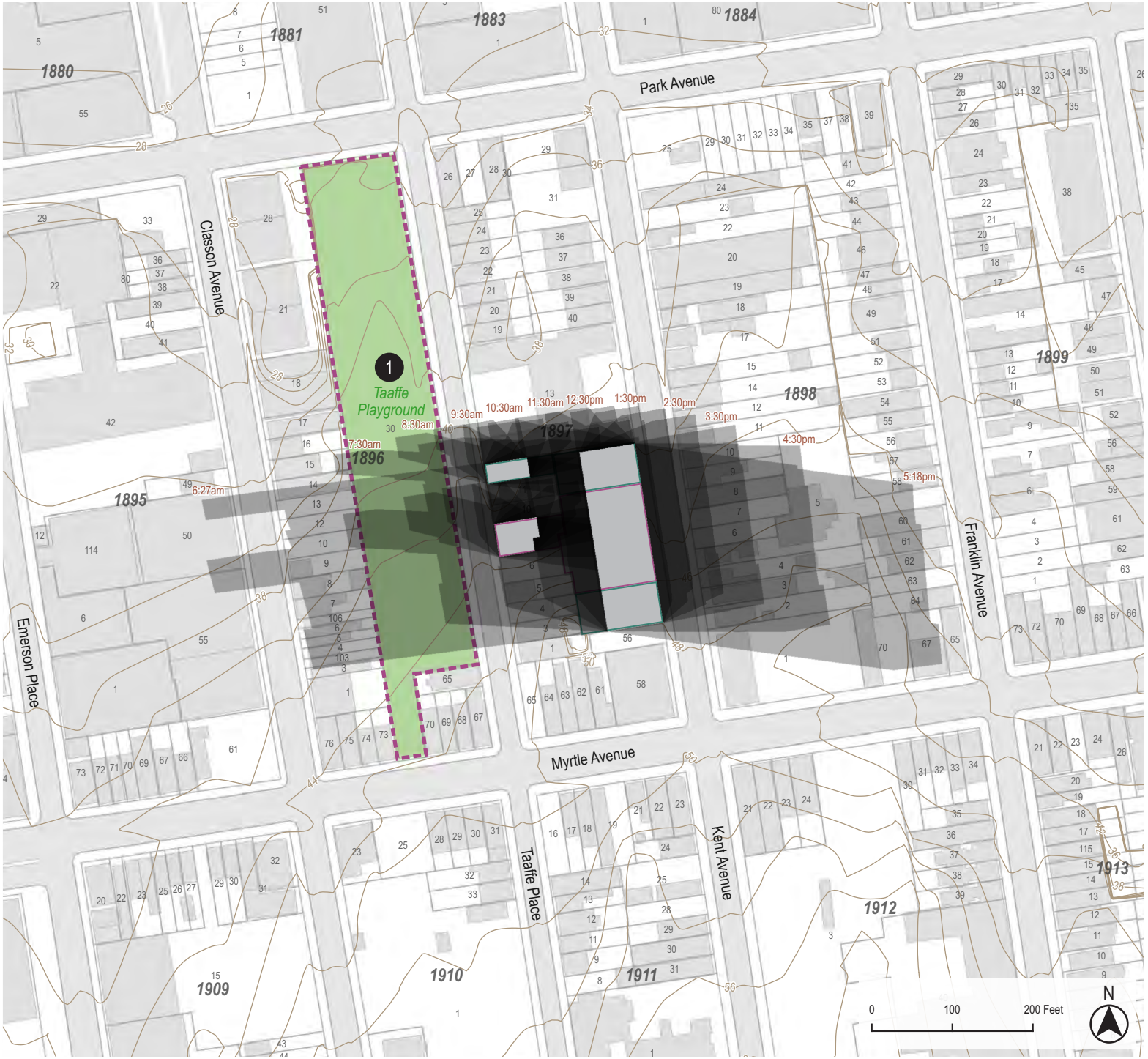


Urban Cartographics

862-868 Kent Avenue, Brooklyn

Figure 8-5: Tier 3 Screening Assessment for the May 6 Analysis Day

- Projected Development Site (Applicant-Owned)
- Projected Development Site (Non-Applicant Owned)
- Roof Above Max Base Height (65')
- Roof Above Max Bulkheads (110')
- 8:51am Shadow Cast/Analysis Time
- # Sunlight-Sensitive Open Space Resource
- Potentially Affected Open Space Resource

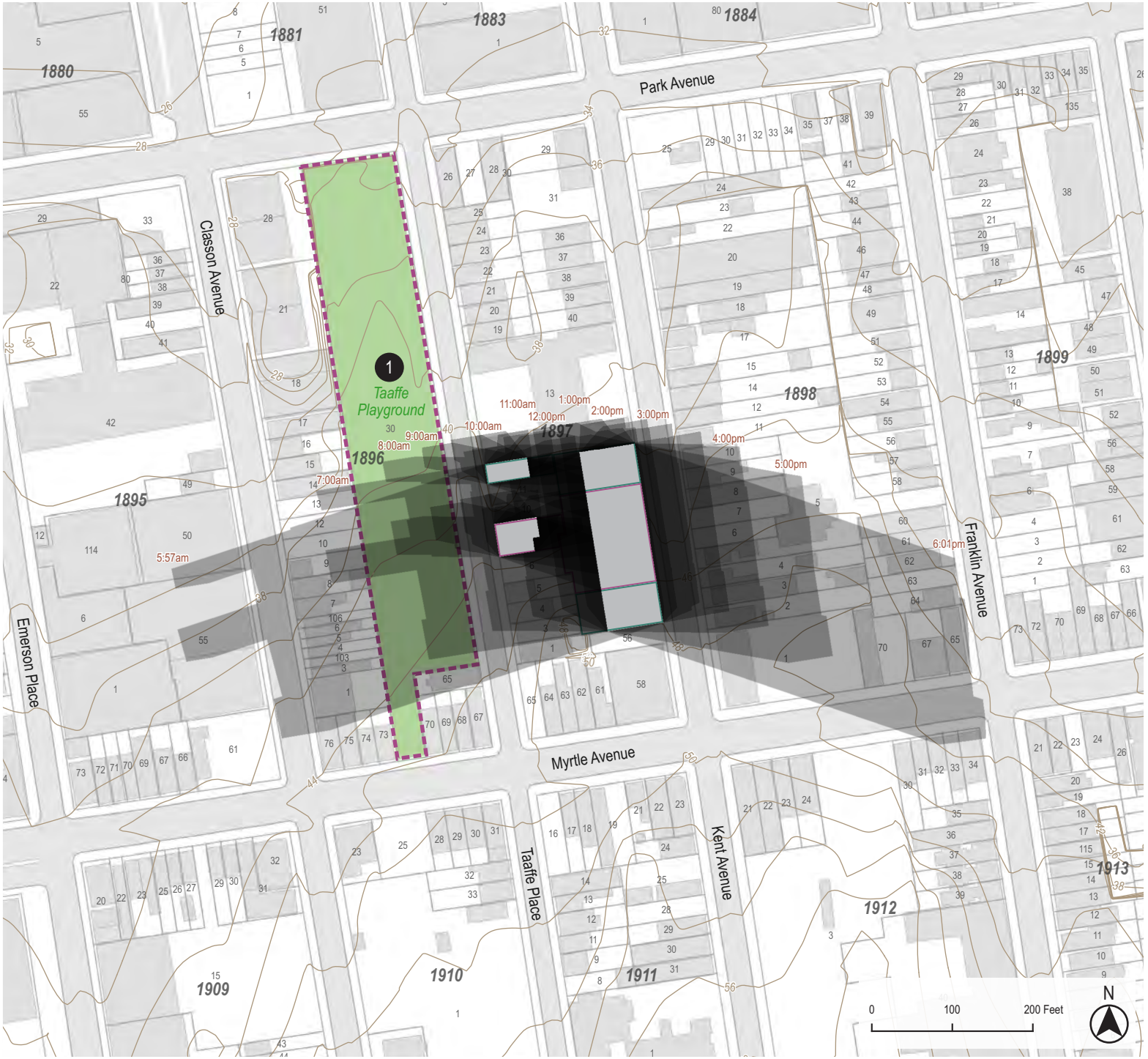


Urban Cartographics

862-868 Kent Avenue, Brooklyn

Figure 8-6: Tier 3 Screening Assessment for the June 21 Analysis Day

- Projected Development Site (Applicant-Owned)
- Projected Development Site (Non-Applicant Owned)
- Roof Above Max Base Height (65')
- Roof Above Max Bulkheads (110')
- 8:51am Shadow Cast/Analysis Time
- # Sunlight-Sensitive Open Space Resource
- Potentially Affected Open Space Resource



Urban Cartographics

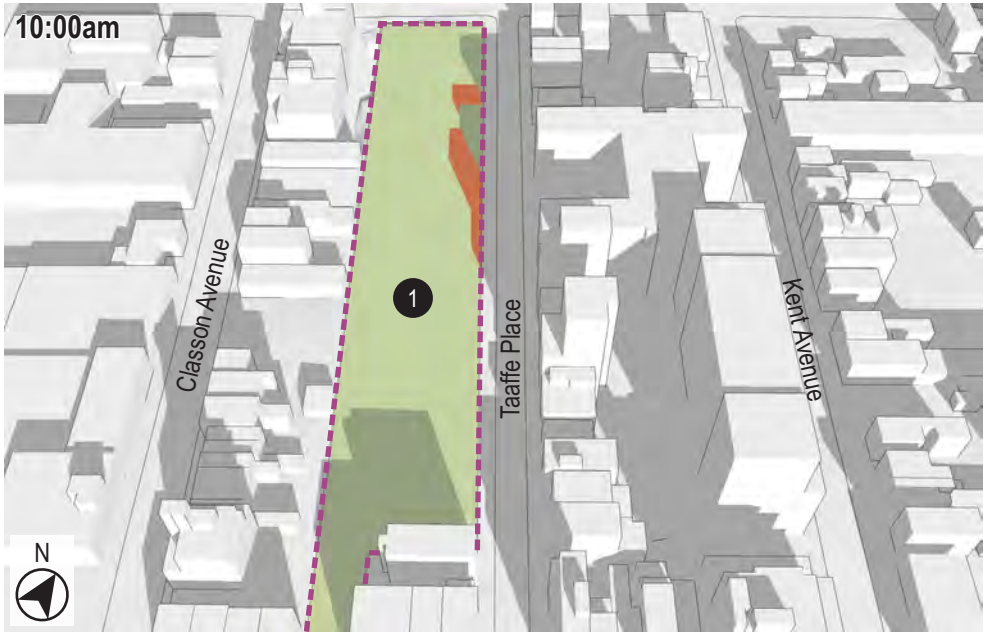
862-868 Kent Avenue, Brooklyn

Figure 8-7: Detailed Analysis for the December 21 Analysis Day

Shadows Cast on Sunlight-Sensitive Resources

1 8:51am – 10:23am





862-868 Kent Avenue, Brooklyn

Figure 8-8: Detailed Analysis for the March 21 Analysis Day

Shadows Cast on Sunlight-Sensitive Resources

1 7:36am – 10:08am







Urban Cartographics

862-868 Kent Avenue, Brooklyn

Figure 8-9: Detailed Analysis for the May 6 Analysis Day

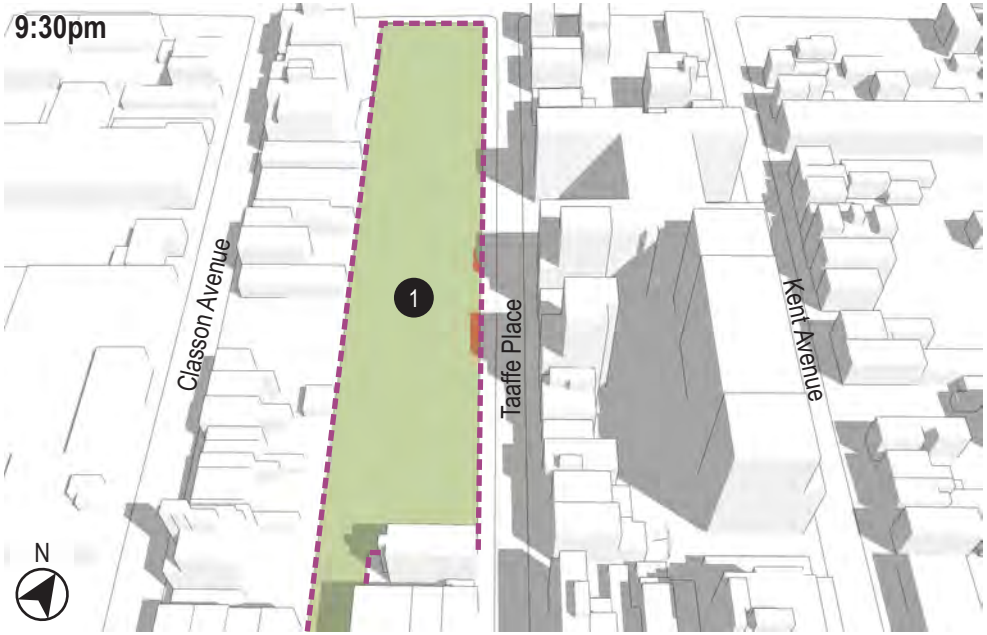
Shadows Cast on Sunlight-Sensitive Resources

1 6:27am – 9:42am









Urban Cartographics

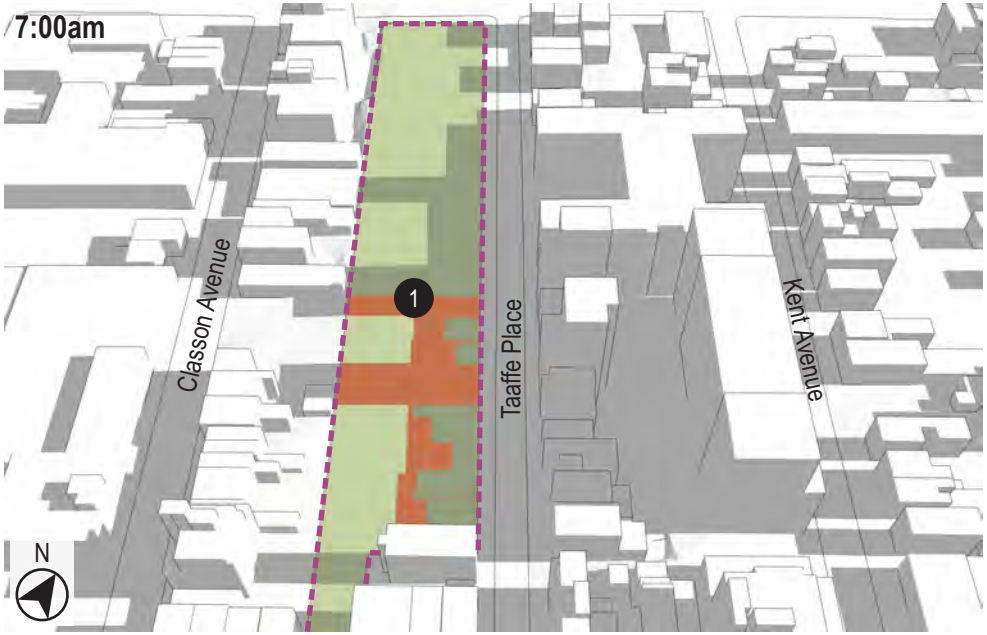
862-868 Kent Avenue, Brooklyn

Figure 8-10: Detailed Analysis for the June 21 Analysis Day

Shadows Cast on Sunlight-Sensitive Resources

1 5:57am – 9:40am









Urban Cartographics

On December 21 the projected developments would cast shadows on the playground for one hour and 32 minutes. At 8:51 AM almost the entire playground would be in shadow, with or without the projected developments. The incremental new shadows from those developments (shown in orange in Figure 8-7) would extend the shadow coverage across an additional area in the western part of the playground. The shadows would soon recede, and by 10:00 AM the shadows would cover only a small area in the northeastern part of the playground. The last shadows from the projected developments would depart the playground at 10:23 AM.

On March 21 and September 21, the spring and autumn equinoxes, the projected developments would cast shadows on the playground for two hours and 32 minutes. As shown in Figure 8-8, early morning shadows would cover most of the playground, but incremental new shadows from the projected developments would cover only a portion of the western central part of the playground. At 8:30 AM approximately half of the playground would be in shadow, including two swaths in the central portion that would be subject to incremental new shadows. By 9:30 AM, the incremental shadows would cover a small area in the eastern central part of the playground. The last shadows from the projected developments would depart the playground at 10:08 AM.

On May 6 and August 6, in mid spring and mid summer, the projected developments would cast shadows on the playground for three hours and 15 minutes. As shown in Figure 8-9, early morning shadows would cover most of the playground, including a substantial area subject to incremental new shadows. At 7:30 AM slightly less than half of the playground would be in shadow, and incremental new shadows would affect an area in the central part of the playground. At 8:30 AM shadows would cover only small portions of the playground, and approximately half of them would be the result of incremental new shadows. The last shadows from the projected developments would depart the playground at 9:42 AM.

On the summer solstice, June 21, the projected developments would cast shadows on the playground for three hours and 43 minutes. As shown in Figure 8-10, early morning shadows would cover most of the playground, including two areas subject to incremental new shadows. At 7:00 AM approximately half of the playground would be in shadow, and approximately a third of the area in shadow would be subject to incremental new shadows. At 8:00 AM a few shadows would fall on the eastern part of the playground, and approximately half of them would be incremental new shadows. At 9:00 AM shadows would affect only small areas at the edge of the playground. The last shadows from the projected developments would depart the playground at 9:40 AM.

Taaffe Playground is an active recreational facility with basketball courts, handball courts, and playground equipment, all with hard surfaces. Benches are located at the playground's periphery. Plantings consist entirely of mature trees lining the playground's periphery, behind the benches and alongside the public sidewalks.

In summary, the projected developments would cast shadows on Taaffe Playground at the beginning of the day, lasting from approximately an hour and a half to almost four hours. The shadows would not have a significant adverse impact on the trees, which, according to Chapter 8, Section 410, of the *2021 CEQR Technical Manual*, have a "minimum requirement of four to six hours of direct sunlight" a day. The shadows would be gone by mid morning, before most users

would arrive. During most of the spring and summer, when the playground would be most in use, the shadows would be gone before 10:00 AM, and after 8:30 AM only small areas near the eastern edge of the playground would remain in shadow. These early morning shadows would not constitute a significant adverse impact.

Conclusion

For the reasons discussed in this section, the Proposed Actions would not have a significant adverse impact related to shadows, and no further assessment is required.

9. HISTORIC AND CULTURAL RESOURCES

Introduction

This section considers the proposed action's potential impact on archaeological and architectural resources. Archaeological resources are artifacts or other remains, from either the prehistoric (Native American) or the historic (colonial or post-colonial) period that might provide information about the period from which they date or the society that produced them. Architectural resources include designated New York City landmarks and buildings within a designated New York City historic district, properties calendared for consideration by the New York City Landmarks Preservation Commission (LPC), properties listed on or determined to be eligible for listing on the State or National Register of Historic Places, National Historic Landmarks, and other properties that meet the eligibility criteria for such designations.

Study Areas

For archaeological resources, the study area consists of Block 1897, Lots 9, 10, 11, 12, 47, 48, 49, 54, and 55. These are the lots within Projected Development Sites 1 (Lot 47), 2 (Lot 9), 3 (Lots 48 and 49), 4 (Lot 12), and 5 (Lots 54 and 55), plus two lots (10 and 11) that are located between Projected Development Sites 2 and 4. For architectural resources, the study area is defined by a radius of 400 feet from the boundary of the Affected Area.

Archaeological Resources

Archaeological Sensitivity

According to the 2021 *CEQR Technical Manual*, archaeological resources generally need to be assessed for any project that would result in any in-ground disturbance. In-ground disturbance is any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site.

The proposed action would result in redevelopment involving in-ground disturbance on five projected development sites (Block 1897, Lots 9, 12, 47, 48, 49, 54, and 55). Portions of the lots have not previously been disturbed.

In correspondence dated February 6, 2020 (which is included in Appendix B to this report), the LPC stated the following:

> "LPC review of archaeological sensitivity models and historic maps indicates that there is potential for the recovery of remains from 19th Century occupation on the project site. Accordingly, the Commission recommends that an archaeological documentary study be performed for this site to clarify these initial findings and provide the threshold for the next level of review, if such a review is necessary."

Phase 1A Documentary Study and Archaeological Assessment

A Phase 1A documentary study and archaeological assessment was prepared by Chrysalis Archaeological Consultants, Inc., dated July 27, 2022. The study area consisted of Block 1897, Lots 9, 10, 11, 12, 47, 48, 49, 54, and 55. These are the lots within Projected Development Sites 1 (Lot 49), 2 (Lot 9), 3 (Lots 47 and 48), 4 (Lot 12), and 5 (Lots 54 and

55), plus two lots (10 and 11) that are located between Projected Development Sites 2 and 4.

All the archaeological evaluations undertaken within a .5-mile radius of the project area share the consensus that there was little to no potential to recover prehistoric archaeological material from their respective project areas. The study concluded that the Affected Area has a low probability of recovering significant prehistoric cultural materials.

Maps from 1869 and 1880, as well as other sources, demonstrate that the Affected Area was developed during the latter nineteenth century. That creates the potential for the recovery of historic period artifacts.

The Applicant's property (Lot 49, 862-868 Kent Avenue, Projected Development Site 1) consists of five historical lots (49, 50, 51, 52, and 53). Four of the lots were developed no later than 1869, with a brick stable or shed, two buildings that seem to have been homes, and a small, unidentified structure. The 1880 map shows a frame building (apparently a home) on the remaining lot, and the unidentified structure had been replaced by a brick or stone building, which in 1886 had been replaced by a wooden structure at the rear of the lot. In 1900 families or individuals occupied homes on four of the lots, and the brick former stable was owned by a carpet cleaning company. A one-story industrial building with no basement or cellar now occupies the property.

The Co-Applicant's property (Lot 9, 123 Taaffe Place, Projected Development Site 2) consists of historical Lots 8 and 9, originally 123 and 125 Graham Street. Two buildings, apparently homes, occupied the lots in 1869. A one-story industrial building with no basement or cellar now occupies the property.

Projected Development Site 3 consists of Lots 47 and 48 (858 and 860 Kent Avenue). Lot 47 was developed between 1869 and 1880 with a three-story brick building with a basement, which in 1900 was home to five households. Lot 48 was developed by 1869, and a second building was subsequently added. In 1900 the lot was home to six families. Four-unit and three-unit residential buildings now occupy the lots.

Projected Development Site 4 (Lot 12, 117 Taaffe Place) was developed with a wood frame home no later than 1869. A two-family home now occupies the lot.

Projected Development Site 5 consists of Lots 54 and 55 (872 and 874 Kent Avenue). Lot 54 was developed between 1869 and 1880 with a three-story wooden home that in 1900 was home to three families. In 1869 a structure straddled Lot 55 and Lot 56 to its south; it was gone in 1880, when a frame building occupied Lot 55. In 1886 two wooden structures fronted Kent Avenue, and a wood stable had been constructed in the rear of the lot. By 1904 these structures had been removed, and a frame shed occupied the rear of the lot. No one was reported as living at the address in 1900 or 1910. Currently two three-story buildings, , both with two residential units above a ground floor commercial unit, occupy Lots 54 and 55.

Lot 10 was developed by 1869. Lot 11 was developed between 1869 and 1880.

The study concludes that the properties "may contain historic resources, such as shaft features and deposits, associated with the nineteenth century immigrant residents." It ends with the following recommendation:

> "Considering the lack of subsurface impacts to Lots 9 and 49 it is recommended there be further archaeological consideration, i.e. Phase IB Archaeological Field Testing, prior to development to determine if there is a potential of nineteenth/early twentieth century feature remains present within the APE. As the lots are currently developed any future archaeological work would need to be coordinated with the developer to occur post-demolition and removal of the existing surfaces/features."

LPC Response

In correspondence dated July 27, 2022 (which is included in Appendix B to this report), the LPC stated the following:

> "The LPC is in receipt of the, "Phase IA Documentary Study and Archaeological Assessment for 862-868 Kent Avenue Project, Brooklyn, Kings County, New York," prepared by Chrysalis Archaeological Consultants and dated July 27, 2022. The Commission concurs with the report's conclusions. Please submit the work plan for the fieldwork once the project is ready for this step and please submit a bound copy of the report to LPC for the agency archives."

Preliminary Assessment

Archaeological field testing done prior to the onset of excavation, performed according to a work plan approved by the LPC, would prevent the loss of any archaeological resources.

Architectural Resources

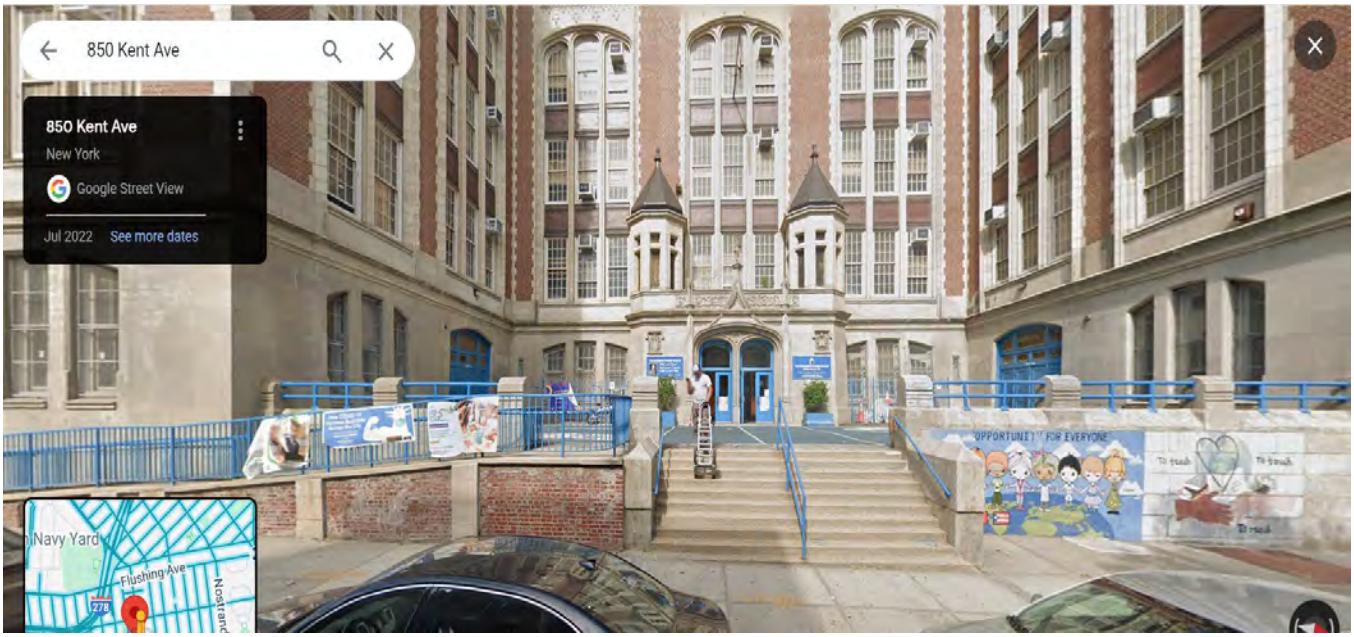
Existing Conditions

In correspondence dated February 6, 2020 (which is included in Appendix B to this report), the LPC stated that no architectural resources are located on any of the properties within the Affected Area. The letter stated that, within a 400-foot radius of the Affected Area, one building appears to be eligible for listing on the State and National Registers of Historic Places. It is P.S. 157, which occupies a through-block lot located to the immediate north of the Affected Area on Block 1897, Lot 13. The addresses are 850 Kent Avenue and 115 Taaffe Place. The school property's southern side lot line coincides with the northern side lot lines of Projected Development Sites 3 and 4.

The school (now PS/IS 157) opened in 1909. It is one of the many public schools constructed during the early 20th century to accommodate the burgeoning school age population of the newly consolidated City of New York, most of which were designed by the school system's chief architect, C.B.J. Snyder. The building has deep front courtyards facing both streets to provide

light and air for the classrooms in its wings. (See Figures 9-1 through 9-3.[2]) As a result, the building covers only about 65 percent of the 28,000 square foot, 150-foot-wide lot. For the same reason, large almost floor to ceiling windows punctuate the facades facing the streets and the courtyards, and the floor to ceiling heights are unusually large, so that the five-story building is 91 feet tall. Contrasting white stone and red brick and fanciful arches, turrets, and cornice trim characterize the front facades. (The side facades are blank walls, as shown in Figure 9-4.)

Figure 9-1: PS/IS157 Kent Avenue Façade



[2] Figures 9-1 through 9-4 show imaged from Google Street View that were captured in 2022.

Figure 9-2: PS/IS157 Kent Avenue Façade Aerial View

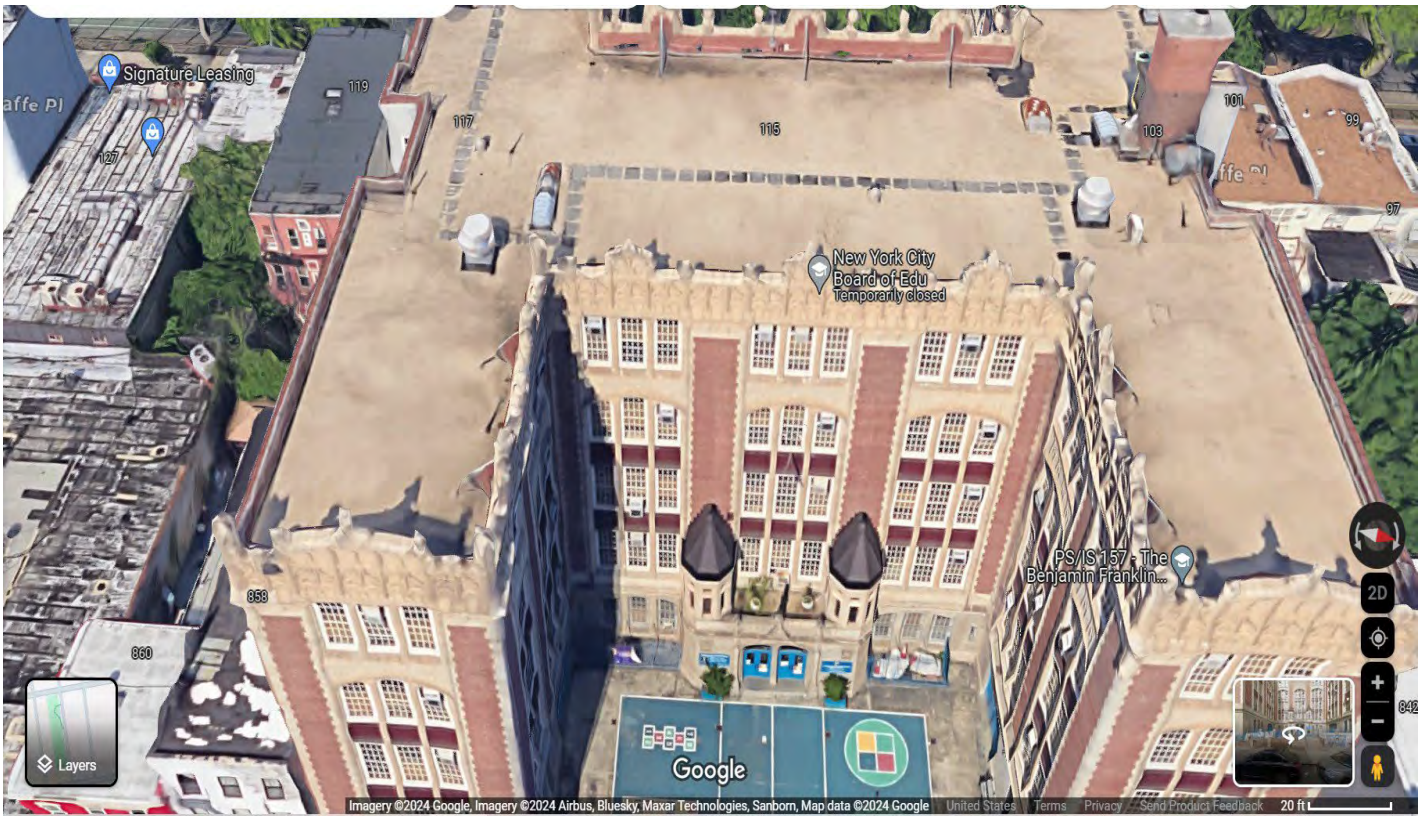


Figure 9-3: PS/IS157 Taaffe Place Façade

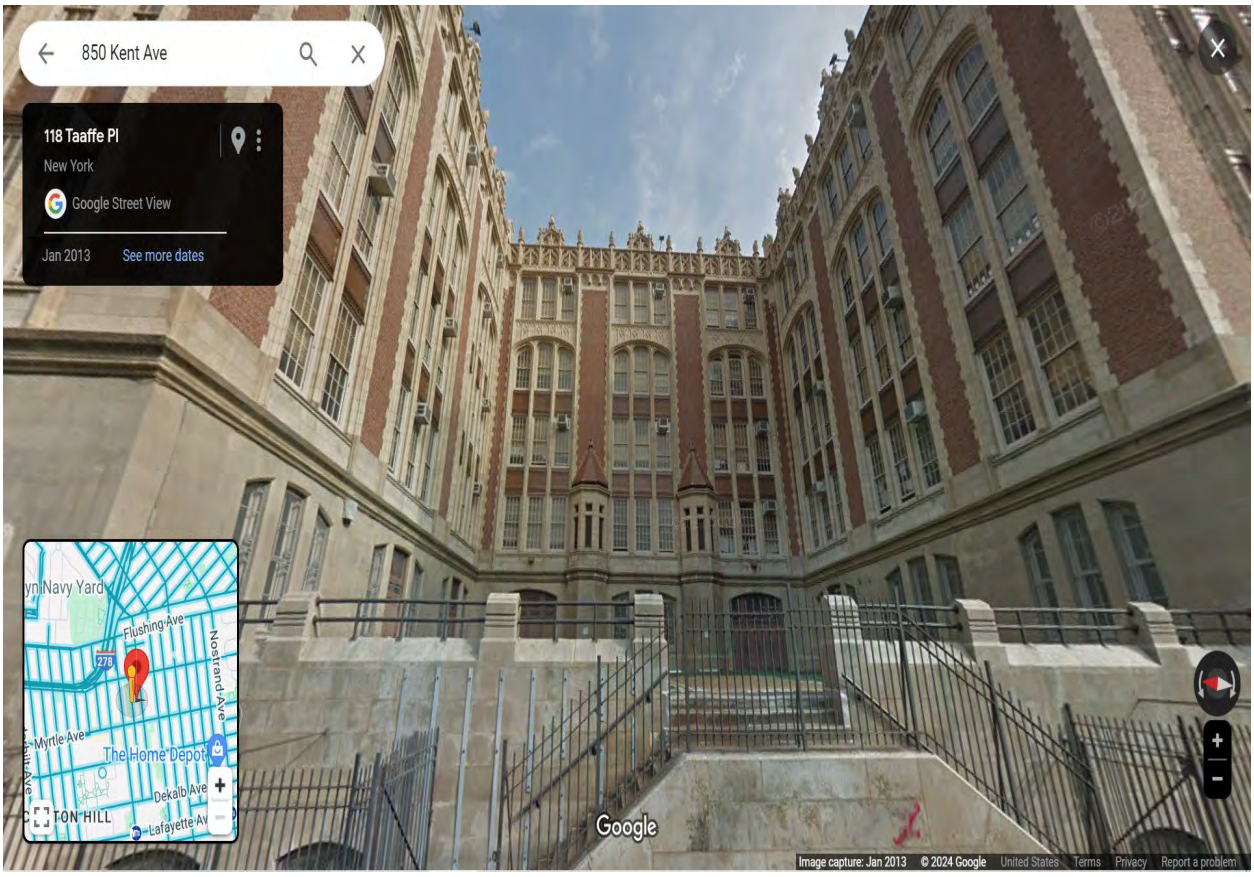
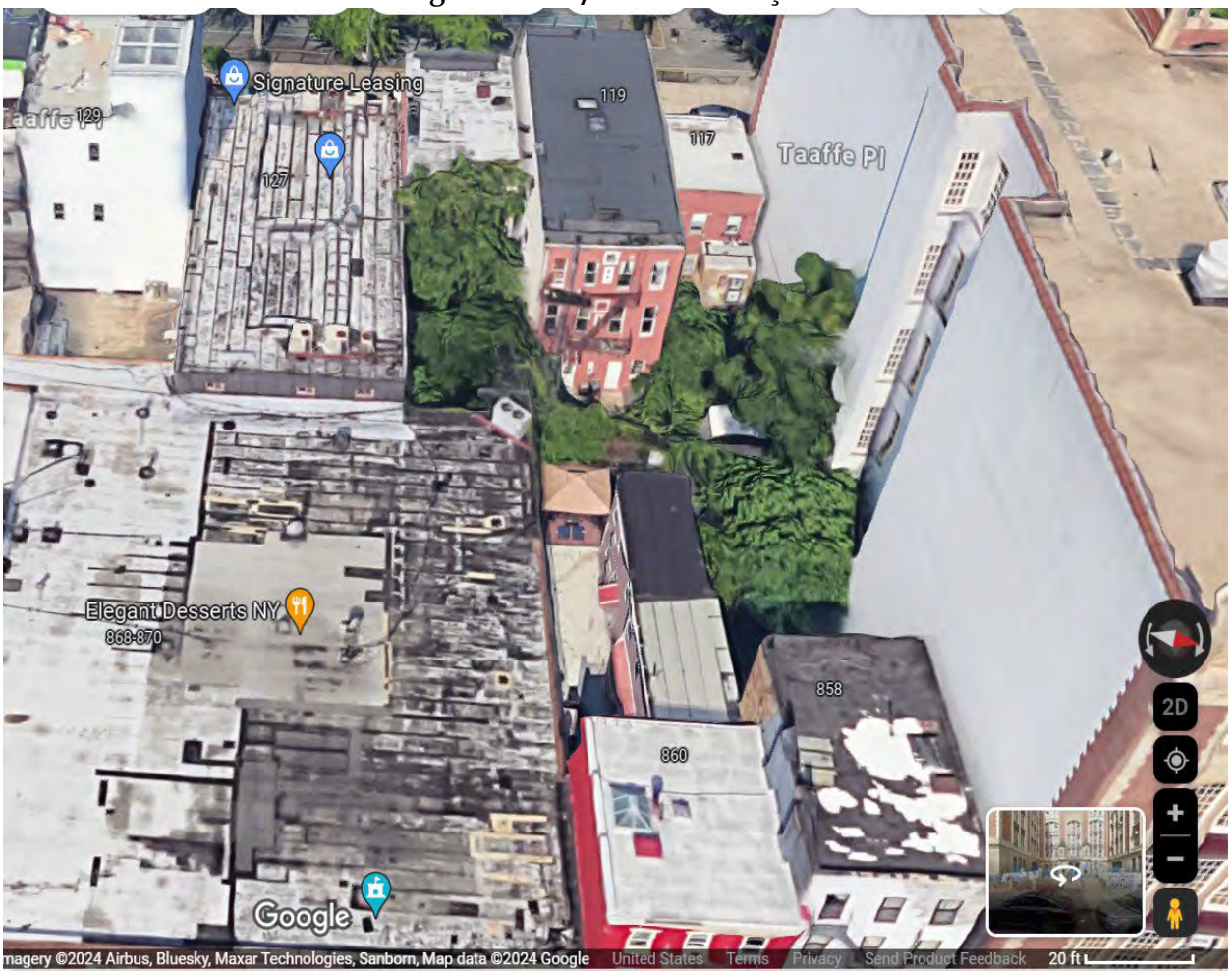


Figure 9-4: PS/IS157 Side Façade



The Future without the Proposed Actions

Under future no-action conditions, redevelopment would not occur on the Applicant's or Co-Applicant's property or any other projected development site. One- and two-story mid and late twentieth century industrial buildings 13 and 23 feet tall, and two- and three-story residential and mixed residential and commercial buildings ranging in height from 26 to 40 feet would continue to occupy the five projected development sites. The only change within the Affected Area would be the completion of a three-story house of worship now under construction on Block 1897, Lot 10.

The Future with the Proposed Actions

Under future with-action conditions, five new multifamily residential buildings, ranging in height from six to eight stories, would be built within the Affected Area.

Two of the buildings would be located directly adjacent to PS/IS 157. On Projected Development Site 3 (Lots 47 and 48), located directly south of the school on the Kent Avenue side of the block,

the existing buildings would be demolished, and the projected development would be a 26,261 gsf multifamily residential building with seven stories and a cellar. It would have a roof height of 75 feet (with a required 15-foot setback at a height of 65 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 85 feet. On Projected Development Site 4 (Lot 12), located directly south of the school on the Taaffe Place side of the block, the existing buildings would be demolished, and the projected development would be a 10,480 gsf building having six stories and a cellar. It would have a roof height of 65 feet and a 10-foot-tall rooftop bulkhead, for an overall structure height of 75 feet.

South of Projected Development Site 3 on Kent Avenue is Projected Development Site 1 (Lot 49), which would be redeveloped with a 68,062 gsf building having 8 stories and a cellar. It would have a roof height of 85 feet (with a required 15-foot setback from the street line at a height of 65 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 95 feet. To its immediate south, Projected Development Site 5 (Lots 54 and 55) would be redeveloped with a 26,261 gsf building with seven stories and a cellar that would have a roof height of 75 feet (with a required 15-foot setback at a height of 65 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 85 feet.

On Projected Development Site 2 (Lot 9, fronting on Taaffe Place 50 feet south of Projected Development Site 4), now occupied by a a 2-story industrial building, the proposed development would be a new19,330 gsf multifamily residential building. It would have 7 stories and a cellar and would have a roof height of 70 feet (with a required setback at a height of 60 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 80 feet.

Preliminary Assessment

Chapter 9, Section 420, of the 2021 CEQR Technical Manual lists the potential impacts that and action may have on an architectural resource. They are as follows.

"Physical destruction, demolition, damage, alteration, or neglect of all or part of an historic property. For example, alterations that would add a new wing to an historic building or replacement of the resource's entrance may result in adverse impacts, depending on the design."

The Proposed Actions would not result in the alteration or demolition of the school.

"Changes to the architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features. An example would be recladding an architectural resource with new brickwork."

The Proposed Actions would not result in any changes to the school's location, materials or architectural features.

"Isolation of the property from, or alteration of, its setting or visual relationships with the streetscape. This includes changes to the resource's visual prominence so that it no longer conforms to the streetscape in terms of height, footprint, or setback; is no longer part of an open setting; or can no longer be seen as part of a significant view corridor. For example, if all the buildings on a block, including an architectural resource, are four stories high, and a proposed

project would replace most of those with a 15-story structure, the four-story architectural resource would no longer conform to the streetscape. Another example would be a proposed project that would result in a new building at the end of a street so that views of an historic park beyond were blocked."

The school has never existed in a parklike setting, surrounded by open space; rather, it occupies the entire width of its lot in a well developed urban area. Whereas large almost floor to ceiling windows and architectural embellishments characterize the facades facing the streets and the courtyards, the facades along the side lot lines are blank walls with neither windows nor ornamentation. Developments on the same block as the school, to its south or north, therefore would not adversely affect its setting. The Proposed Actions would not alter the street layout or result in new development facing the school on the opposite side of either Kent Avenue or Taaffe Place; the actions would therefore not diminish views of the school's front facades or the light and air reaching the classrooms.

"Introduction of incompatible visual, audible, or atmospheric elements to a resource's setting. An example would be construction of a noisy highway or factory near a resource noted for its quiet, such as a park."

The Proposed Actions would alter the zoning to permit new residential development. The actions would not introduce noxious or inappropriate uses or infrastructure.

"Replication of aspects of the resource so as to create a false historical appearance. If a house was built during the Revolutionary War but later underwent extensive alteration, re-creation of its 18th-century appearance may have an adverse impact on that resource."

The Proposed Actions would not result in the redesign or alteration of the historic architectural resource.

"Elimination or screening of publicly accessible views of the resource. For example, if a resource is located along the waterfront and is visible across the water, tall new buildings proposed between the architectural resource and the water that would block views of the resource may result in an adverse impact."

As discussed above, the Proposed Actions would not alter the street layout or result in new development facing the school on the opposite side of either Kent Avenue or Taaffe Place. The actions would therefore not diminish views of the school's front facades.

"Construction-related impacts, such as falling objects, vibration (particularly from blasting or pile- driving), dewatering, flooding, subsidence, or collapse. Such impacts may occur to an architectural resource adjacent to a construction site if adequate precautions are not taken."

If a construction project is located within 90 feet of a historic resource identified by the LPC, the New York City Department of Buildings (DOB) requires that the project comply with DOB Technical Policy and Procedure Notice 10/88, Procedures for the Avoidance of Damage to Historic Structures Resulting from Adjacent Construction When Subject to Controlled Inspection by Section 27-724 and for Any Existing Structure Designated by the Commissioner, which

supplements the standard building protections afforded by Building Code C26-112.4. The specified procedures include establishment of criteria for maximum drilling velocity and movement criteria for the historic building walls and foundations. They include a monitoring program for the effects of vibrations, excavation, and drawdown of the water table. A licensed surveyor must be retained to monitor (through measurements made at least twice a week) any movement or tilting of the historic buildings and of any temporary retaining walls or other building support system, as well as settlements of the street and selected points on the ground. Any existing cracks in the walls of the historic buildings must be monitored. Groundwater levels are to be monitored through observation wells. Vibration from pile driving is to be monitored through the use of a seismograph placed adjacent to the closest historic building. Monitoring records must be kept and incorporated into inspection reports submitted to DOB within 30 days of the completion of excavation. The specified procedures should prevent any construction-related damage to the nearby historic resource.

"Introduction of significant new shadows, or significant lengthening of the duration of existing shadows, over an historic landscape or on an historic structure (if the features that make the resource significant depend on sunlight) to the extent that the architectural details that distinguish that resource as significant are obscured. For example, if a resource is noted for its stained glass windows, and those windows are only visible in the sunlight, significant blocking of that sunlight may result in a significant adverse impact."

The school does not have light-sensitive features, such as stained glass windows or delicate filigree, so shadows would not be detrimental.

For these reasons, the Proposed Actions would not have a significant adverse impact on architectural resources.

Conclusion

Archaeological field testing done prior to the onset of excavation, performed according to a work plan approved by the LPC, would prevent the loss of any archaeological resources that may be present at the Applicant's and Co-Applicant's properties. As explained above the projected developments would not have an adverse impact on any architectural resources. The Proposed Actions would not result in significant adverse impacts related to archaeological or architectural resources, and further assessment is not warranted.

10. URBAN DESIGN AND VISUAL RESOURCES

Introduction

An assessment of urban design is needed when a project may have effects on any of the elements that contribute to the pedestrian experience of public space. A preliminary assessment is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following:

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

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

A preliminary urban design and visual resources assessment is required because the Proposed Actions include a zoning map amendment that would alter the rezoning area's use and bulk regulations. The applicant seeks (1) a Zoning Map Amendment to rezone a 44,420 sf area from M1-1 to a MX-4(M1-4/R6A) Special Mixed-Use District and (2) a Zoning Text Amendment to map a Mandatory Inclusionary Housing area that would be coterminous with the proposed rezoning area.

Pedestrian Wind Conditions

The *CEQR Technical Manual* calls for a separate preliminary assessment to determine whether an analysis of pedestrian wind conditions is appropriate, since the construction of large buildings at locations that experience high wind conditions may result in channelization or downwash effects that could affect pedestrian safety.

The proposed rezoning is to an MX-4(M1-4/R6A) mixed-use contextual district, which has bulk regulations designed to produce buildings that align with their neighbors, maintain the perimeter block form, and have the massing associated with mid-twentieth century apartment buildings – the antithesis of low coverage towers that channel winds and create vortex effects. The Proposed Actions would result in the redevelopment of the projected development sites with buildings spanning the width of the lots, maintaining the street wall along this part of the block. Such a building would not cause pedestrian level vortex effects, which tend to form around towers surrounded by open space. As the 2021 *CEQR Technical Manual* explains, "Channelized wind pressure from between tall buildings and downwashed wind pressure from parallel tall buildings may cause winds that affect pedestrian comfort and safety." The proposed action would not have a significant adverse impact on pedestrian wind conditions, and a detailed wind conditions assessment is not required.

Existing Conditions

<u>The Affected Area</u>

The Proposed Actions would affect a 44,420 square foot area located on Brooklyn Block 1897, which is bounded by Kent Avenue, Myrtle Avenue, Taaffe Place, and Park Avenue. The area has 240 feet of frontage along the west side of Kent Avenue and the east side of Taaffe Place, with the

addresses 858 through 876 Kent Avenue and 117 through 137 Taaffe Place. The area includes all or part of 15 lots, as described below.

The area is currently zoned M1-1, which permits most commercial uses, some community facilities, and light manufacturing / industrial uses as-of-right. New residential developments or enlargements are not permitted. The district permits a maximum floor area ratio (FAR) of 1.0 for industrial and commercial uses and 2.4 for community facility uses. (There are no bulk regulations for residential uses, which are not permitted.) Building heights are limited to a maximum front wall height of 30 feet or two stories (whichever is less), at which height an initial setback from the street line of either 20 or 15 feet (for narrow and wide streets, respectively) is required, and further height is governed by a sky exposure plane sloping upwards and rearwards from a line 30 feet above the street line at a 45 degree angle.

The Applicant's property (Projected Development Site 1) is 862-868 Kent Avenue (Lot 49), a 12,928 sf interior lot with 125 feet of street frontage and a depth that varies between 100 and 108 feet. It is occupied by a one-story, on-slab, 13-foot-tall industrial building constructed in 1965-1966 and enlarged during the 1990s to cover the entire lot. The building contains approximately 12,500 gross square feet (gsf), all of which counts as zoning floor area (zsf), for an FAR of 0.96. The well maintained façade is largely blank; it is a 125-foot-long brick wall interrupted only by garages with rolldown gates, a door, and two small sets of windows. (See Photos 5, 6, 7 and 8 in the photographs section preceding this report.)

The Co-Applicant's property (Projected Development Site 2) is 123 Taaffe Place (Lot 9), a 3,340 sf interior lot with approximately 42 feet of street frontage and a depth that varies between 75 and approximately 83 feet. It shares a rear lot line with Projected Development Site 1. A two-story, 23-foot-tall, 6,680 gsf (and zsf) industrial building constructed in 1993 occupies the entire lot. The FAR is 2.00. The badly deteriorated, patched, stained, beige brick façade is a blank wall punctuated by doors, a garage entrance with a rolldown gate, and unevenly spaced small second floor windows. (See Photos 25 and 26.)

Lot 48 (860 Kent Avenue) is located to the immediate north of Projected Development Site 1. It is a 25-by-100-foot, 2,499 sf parcel, occupied by a 36-foot-tall, 2,000 gsf (1,500 zsf), three-unit residential building with three stories and a cellar, constructed circa 1910. The FAR is 0.60. To its north is Lot 47 (858 Kent Avenue), an identical 2,499 sf lot. It is developed with a three-story, 40-foot-tall, 1,600 gsf (and zsf), four-unit residential building, constructed circa 1905. The FAR is 0.64. Under the reasonable worst-case development scenario (RWCDS), the two lots are identified as the 4,998 sf Projected Development Site 3. (See Photo 9.)

To the immediate north of Projected Development Site 2 is Lot 10 (121 Taaffe Place). The 2,009 sf lot is approximately 24 feet wide and 84 feet deep. A 6,068 gsf (4,924 zsf) house of worship with three stories and a cellar is under construction on the lot. When completed, the building will contain a worship hall, congregation offices, a cafeteria, and an accessory residential unit for the congregation's rabbi. The building will be 44 feet tall, and the FAR will be 2.39.

To its north is Lots 11 (119 Taaffe Place). The 2,132 sf lot is approximately 26 feet wide and 84 feet deep. It is developed with a three-story, 39-foot-tall, 4,875 gsf (and zsf), six-unit residential building, constructed circa 1905. The FAR is 2.29. (See Photo 27.)

At the northern edge of the Affected Area is Lot 12 (117 Taaffe Place), which measures 2,099 sf and is 25 feet wide and approximately 84 feet deep. It is developed with a two-story, 26-foot-tall, 1,344 gsf (and zsf) two-family home, constructed circa 1905. The existing FAR is 0.64. The RWCDS identifies the property as Projected Development Site 4. (See Photo 27.)

Lot 54 (872 Kent Avenue) is located to the immediate south of Projected Development Site 1, followed by Lot 55 (874 Kent Avenue). They are 2,499 sf lots, both 25 feet wide and 100 feet deep. Both are developed with three-story, 36-foot-tall mixed-use buildings, both with two residential units above a ground floor commercial unit. The one on Lot 54 has 5,360 gsf (and zsf), of which approximately 4,360 sf is residential and approximately 1,000 sf is commercial. The commercial space is currently vacant. The FAR is 2.14 (approximately 1.74 residential and 0.40 commercial). The building on Lot 55 contains approximately 3,250 gsf (and zsf), of which approximately 2,000 sf is residential and approximately 1,250 sf is commercial. The FAR is 1.30 (0.80 residential and 0.50 commercial). A mural painting business occupies the commercial space. Both buildings date to approximately 1950. Under the RWCDS, Lots 54 and 55 comprise the 4,998 sf Projected Development Site 5. (See Photos 3 and 4.)

The southernmost property within the Kent Avenue side of the Affected Area is 2,250 sf, 25-feet-by-90-feet Lot 56 (876 Kent Avenue). It is developed with a four-stories-and-cellar, 40-foot-tall, 5,165 gsf (4,949 zsf) multifamily residential building completed in 2020. There are four dwelling units, and the FAR is 2.20. (See Photo 1.)

Five lots are located to the south of Projected Development Site 2 within the Taaffe Place side of the Affected Area. From north to south, they are Lots 6, 5, 7509, 7504, and 7505.

Lot 6 (129 Taaffe Place) is a 2,500 sf lot with approximately 33 feet of frontage and a depth of 75 feet. It is developed with a four-stories-plus-cellar, 40-foot-tall, 7,464 gsf (5,971 zsf), eight-unit residential building completed in 2023. The FAR is 2.39. (See Photo 24.)

Lot 5 (131 Taaffe Place) is a 2,075 sf parcel with 25 feet of frontage and a depth of approximately 83 feet. It is developed with a three-story, 35-foot-tall, 4,000 gsf (and zsf) mixed-use 1901 building in which there are two residential units above a ground floor children's daycare center. The FAR is 1.93 (1.45 residential and 0.48 community facility). (See Photo 24.)

Lot 7509 (133 Taaffe Place) is another 2,075 sf lot with the same dimensions as Lot 5. It is developed with a four-stories-and-cellar, 44-foot-tall, 5,950 gsf (4,567 zsf), three-unit residential building completed in 2016. The FAR is 2.19. (See Photo 24.)

Lot 7504 (135 Taaffe Place) is a 2,134 sf property that is approximately 25 feet wide and 84 feet deep. It is developed with a four-stories-and-cellar, 43-foot-tall, 5,885 gsf (4,708 zsf), three-unit residential building constructed in 2006. The FAR is 2.11. (See Photo 24.)

Lot 7505 (137 Taaffe Place) is a 2,331 sf, 25-feet-by-93-feet parcel. Because the southern edge of the lot extends beyond the M1-1 district into the adjacent R7A/C2-4 district, only 1,620 sf are within the Affected Area. It is developed with a four-stories-and-cellar, 43-foot-tall, three-unit residential building completed in 2006. The building has 6,726 gsf (5,381 zsf), and the FAR is 2.31. (See Photo 22.)

In summary, the Affected Area is a collection of buildings in different styles, serving different uses, constructed of different materials, and constructed in different periods. They include three- and four-story frame homes and multifamily walkups from the early 1900s, one- and two-story brick warehouses from later in the twentieth century, and four-story contemporary multifamily walkups from as recently as 2023. The industrial buildings on Projected Development Sites 1 and 2 cover the entire lots, but lot coverage for the residential buildings vary from 30 percent to 100 percent.

Urban Design Characteristics of the Study Area

This urban design study area is coterminous with the land use study area, which is the area located within 400 feet of the Affected Area. The study area is generally bounded by Park Avenue to the north, Franklin Avenue to the east, the mid-block between Myrtle Avenue and Willoughby Avenue to the south, and mid-block between Classon Avenue and Emerson Place to the west. (See Figure 4-1 in Section 4, Land Use, Zoning, and Public Policy.)

The streets are arranged in an urban grid pattern. The lengths and width of the rectangular blocks vary. Between Kent Avenue and Classon Avenue, the blocks are 184 feet wide; the block between Kent and Franklin Avenues is approximately 350 feet wide. The blocks between Myrtle and Park Avenues are 710 feet long; the ones between Myrtle and Willoughby Avenues are 510 feet long. The north-south streets are generally 60-foot-wide, one-way local streets; the east-west streets are 70 or 75 feet wide and carry two-way traffic.

Buildings on these blocks are arranged in the perimeter pattern characteristic of the more densely developed parts of New York City, fronting on the street and maintaining a generally consistent street wall along the block, generally without setbacks from the street line. There are few street trees and there is no street furniture. As in the Affected Area, lot coverage varies considerably.

Most of the study area is predominantly residential, particularly along Taaffe Place and Kent and Franklin Avenues, with community facility and open space uses interspersed. Commercial and mixed residential and commercial buildings are located along Myrtle Avenue. Industrial uses predominate in the westernmost part of the study area, along the west side of Classon Avenue, and a few small warehouses are located elsewhere in the study area.

Residential development is medium density, with building heights ranging from three to eight stories, generally without setbacks. As in the Affected Area, the buildings range widely in style and façade material and date from different periods. Most of the older housing stock consists of three- and four-story multifamily walkups, with the newer developments including six-, seven-, and eight-story elevator apartment buildings. FARs range from 0.6 to 4.0, although newer elevator buildings have FARs as high as 7.0.

Visual Resources

There are no visual resources within the Affected Area. Within the study area, there are two: a public school built in 1909 that has been deemed eligible for listing on the National and State Registers of Historic Places and a playground.

The school is PS/IS 157, which occupies a through-block site to the immediate north of the Affected Area, fronting on Both Kent Avenue and Taaffe Place. The building has deep front courtyards facing both streets to provide light and air for the classrooms in its wings. (See Photo 30 and Figures 9-1 through 9-3 in Section 9, Historic and Cultural Resources.) As a result, the building covers only about 65 percent of the 28,000 square foot, 150-foot-wide lot. For the same reason, large almost floor to ceiling windows punctuate the facades facing the streets and courtyards, and the floor to ceiling heights are unusually large, so that the five-story building is 91 feet tall. Contrasting white stone and red brick and fanciful arches, turrets, and cornice trim characterize the front facades. The side facades are blank walls.

The playground is Taaffe Playground, which is located directly west of the Affected Area, across Taaffe Place. It is a 1.28-acre park owned and operated by the NYC DPR, featuring several active recreation facilities including playground equipment and athletic courts. (See Photo 32.)

Both resources are located within the street grid. Clear views of them are available only from the sidewalks directly across the street.

Future No-Action Conditions

The Affected Area

Under no-action conditions, the overall urban design characteristics within the Affected Area would remain the same as under existing conditions. Absent the Proposed Actions, redevelopment would not occur on the Applicant's or Co-Applicant's property or any other projected development site. The one change is that the house of worship now under construction on Lot 10 will be completed.

Under the future no-action scenario, the other four projected development sites would remain in their current condition. A one-story, on-slab, 13-foot-tall, 12,500 gsf industrial building would remain on Projected Development Site 1, the Applicant's property, although a new commercial use would replace the existing chocolate packaging facility; the existing commercial use, an event venue, would continue to occupy the other half of the building. A two-story, 23-foot-tall, 6,680 gsf industrial building occupied by an automobile leasing company and the offices of two online sales firms would remain on Projected Development Site 2 (the Co-Applicant's property, Lot 9). A three-story, 1,600 gsf, four-unit residential walkup and a three-story, 2,000 gsf, three-unit residential walkup would remain on Projected Development Site 3 (Lots 47 and 48). A two-story, 1,344 gsf two-family home would remain on Projected Development Site 4 (Lot 12). Two three-story mixed-use buildings, both with two residential units above a ground floor commercial unit, would remain on Projected Development Site 5 (Lots 54 and 55).

Future No-Action Conditions within the Study Area

Three new buildings will be completed within the study area by 2028. All will be located on the south side of Myrtle Avenue. One will be an 8-stories-and-cellar, 90-foot-tall mixed use building at 590 Myrtle Avenue (Block 1910, Lot 25), which is located between Taaffe Place and Classon Avenue. The building will have 14 residential units above cellar office space. The second will be a four-story residential building at 616-618 Myrtle Avenue (Block 1911, Lots 22 and 23), at the southwest corner of Kent and Myrtle Avenues. It will have 12 residential units and will be 50 feet tall. The third will be a six-story, six-unit, 80-foot-tall residential building at 622 Myrtle Avenue (Block 1912, Lot 22), between Kent and Franklin Avenues.

Under no-action conditions, the overall urban design characteristics within the study area would remain the same as under existing conditions.

Future With-Action Conditions

The Proposed Actions consist of the following:

1. A Zoning Map Amendment to rezone an area from an M1-1 light industrial district to an MX-4(M1-4/R6A) Special Mixed-Use District. The proposed rezoning area (the "Affected Area") consists of Brooklyn Block 1897, Lots 5, 6, 9, 10, 11, 12, 47, 48, 49, 54, 55, 56 (p/o), 7504, 7505 (p/o), and 7509 in the Bedford neighborhood of Brooklyn Community District 3; and

2. A Zoning Text Amendment to modify Appendix F to designate a Mandatory Inclusionary Housing (MIH) area coterminous with the rezoning area.

The rezoning would alter the Affected Area's use and bulk regulation. Whereas the existing zoning permits manufacturing, commercial, and certain community facility uses as-of-right, the proposed zoning would also permit residential uses and additional community facility uses. Under the existing zoning, the maximum permitted floor area ratios (FARs) are 1.00 for manufacturing or commercial uses, 2.40 for community facility uses, and 2.40 overall. Under the proposed zoning, the maximum permitted FARs would be 2.00 for manufacturing or commercial uses, 3.00 for community facility uses, 3.60 for residential uses, and 3.60 overall.

Under the reasonable worst-case development scenario that is assessed in this EAS, the projected developments on Projected Development Sites 1 and 2 would be larger than proposed, and three additional sites, not under the Applicant's or Co-Applicant's control, would be redeveloped with multifamily residential buildings. A total of 160 dwelling units and 157,629 gsf of residential floor area would be developed under this scenario. (See the supplemental report for details.)

Under the with-action scenario, the 12,928 sf Applicant-owned Lot 49 (Projected Development Site 1) would be redeveloped with a 68,062 gsf multifamily Quality Housing Program residential building. The development would have 46,356 zoning square feet (zsf), for an FAR of 3.59. The building would have 8 stories and a cellar and would have a roof height of 85 feet (with a required

15-foot setback from the street line at a height of 65 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 95 feet. There would be 68 dwelling units, of which 25 percent (17) would be income-restricted Inclusionary Housing units. The cellar would contain 26 enclosed accessory parking spaces for building residents. The first floor would contain a gym/recreation space, mechanical rooms, and the residential lobby. The upper floors would contain residential apartments. There would also be an outdoor recreational area for use by the building residents. One curb cut is proposed to allow automobile access and egress.

On the 3,340 sf Co-Applicant-owned Lot 9 (Projected Development Site 2), the existing building would be demolished, and the projected development would be a new 19,330 gsf multifamily Quality Housing residential building. The development would have 12,019 zsf, for an FAR of 3.60. The building would have eight stories and a cellar and would have a roof height of 85 feet (with a required 15-foot setback at a height of 65 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 95 feet. There would be 17 dwelling units, of which 5 would be income-restricted Inclusionary Housing units. Recreational space for building residents would be located in the cellar and on the roof. Six surface accessory parking spaces would be provided in the rear yard for building residents. One curb cut is proposed for automobile access and egress.

The adjacent Lots 47 and 48 (858 and 860 Kent Avenue) comprise the 4,998 sf Projected Development Site 3, which is located to the immediate north of Projected Development Site 1. The existing buildings would be demolished, and the projected development would be a new 26,261 gsf multifamily Quality Housing residential building. The development would have 17,960 zsf, for an FAR of 3.59. The building would have seven stories and a cellar and would have a roof height of 75 feet (with a required 15-foot setback at a height of 65 feet) and a 10-foot-tall rooftop bulkhead, for an overall structure height of 85 feet. There would be 25 dwelling units, of which 6 would be income-restricted Inclusionary Housing units. Ten surface accessory parking spaces would be provided in the rear yard for building residents. One curb cut is proposed for automobile access and egress.

Lot 12 (117 Taaffe Place) is the 2.099 Projected Development Site 4. The existing building would be demolished, and the site would be redeveloped with a new 10,480 gsf multifamily Quality Housing residential building. The development would have 7,551 zsf, for an FAR of 3.60. The building would have six stories and a cellar and would have a roof height of 65 feet and a 10-foot-tall rooftop bulkhead, for an overall structure height of 75 feet. There would be ten dwelling units, of which three would be income-restricted Inclusionary Housing units. No accessory off-street parking would be provided.

The adjacent Lots 54 and 55 (872 and 874 Kent Avenue) comprise the 4,998 sf Projected Development Site 5, which is located to the immediate south of Projected Development Site 1. The site has the same dimensions as Projected Development Site 3. The existing buildings would be demolished, and the projected development would be identical to the one on Projected Development Site 3.\

Preliminary Assessment

The Proposed Actions would not affect the topography, street system, block forms, or building arrangements within the vicinity of the proposed rezoning area.

The projected developments would replace the 125-foot-long blank wall of 262-268 Kent Avenue, the deteriorated blank wall at 123 Taaffe Place, and the small, undistinguished residential and mixed residential and commercial buildings on Projected Development Sits 3, 4, and 5 with new, modern residential buildings. The buildings would be constructed to the street line and would maintain a consistent street wall, which is consistent with existing development in the surrounding area. Whereas the existing buildings on the projected development sites vary in height from 13 to 40 feet, the new developments would have a more consistent street wall height at or near the maximum permitted base height of 65 feet. As required, street trees would be planted. These changes relative to no-action conditions would improve the streetscape and therefore the pedestrian experience along both Kent Avenue and Taaffe Place.

The projected developments would be among the tallest in the Affected Area and the study area. The proposed zoning would permit rooftop heights of 85 feet, and 3-foot-tall parapet wall would bring the height to 88 feet. That is lower than the height of PS/IS 157 (91 feet), located to the immediate north of the Affected Area, which would continue to have the tallest rooftop height along both the Kent Avenue and the Taaffe Place frontages of the block. Bulkheads would rise above the rooftops, but regulations limit the rooftop area they may occupy and require that they be located at least 25 feet back from the street line. Furthermore, the proposed zoning requires a 15-foot-deep setback from the street line at the maximum street wall height of 65 feet, which would would reduce the buildings' heights as experienced by pedestrians walking past them. Finally, the adjacent R7A/C2-4 district along Myrtle Avenue permits taller buildings with roof heights of 95 feet and base heights of 75 feet, and buildings with heights similar to that of the projected developments currently exist and are under construction within the study area. For these reasons, the building heights would not have a significant adverse urban design impact. This is demonstrated by Figures 10-1 through 10-4, which are urban design diagrams that contrast the no-action streetscapes with the same streetscapes with the massing of the projected developments superimposed. The four diagrams show the perspectives, respectively, of Taaffe Place facing north, Taaffe Place facing south, Kent Avenue facing south, and Kent Avenue facing north.

Because clear views of the area's visual resources are available only from the sidewalks directly facing them and the developments would be built within the existing perimeter block pattern, the developments would not obstruct views of PS/IS 157's front facades or Taaffe Playground. As the shadows analysis presented in Section 8 of this EAS concludes, the projected developments would not result in a significant adverse shadow impact. The Proposed Actions would not have a significant adverse impact on visual resources.

Conclusion

For the reasons discussed in this section, the Proposed Actions would not have a significant adverse impact related to urban design and visual resources, and no further assessment is required.

862-868 Kent Avenue, Brooklyn

Figure 10-1: Urban Design Diagram

No-Action Scenario

Taaffe Place facing north (Site at right)



With-Action Scenario

Taaffe Place facing north (Site at right)



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

Proposed Base Height Proposed Building Height # Site Numbers

Urban Cartographics

862-868 Kent Avenue, Brooklyn

Figure 10-2: Urban Design Diagram

No-Action Scenario

Taaffe Place facing south (Site at left)



With-Action Scenario

Taaffe Place facing south (Site at left)



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

Proposed Base Height Proposed Building Height # Site Numbers

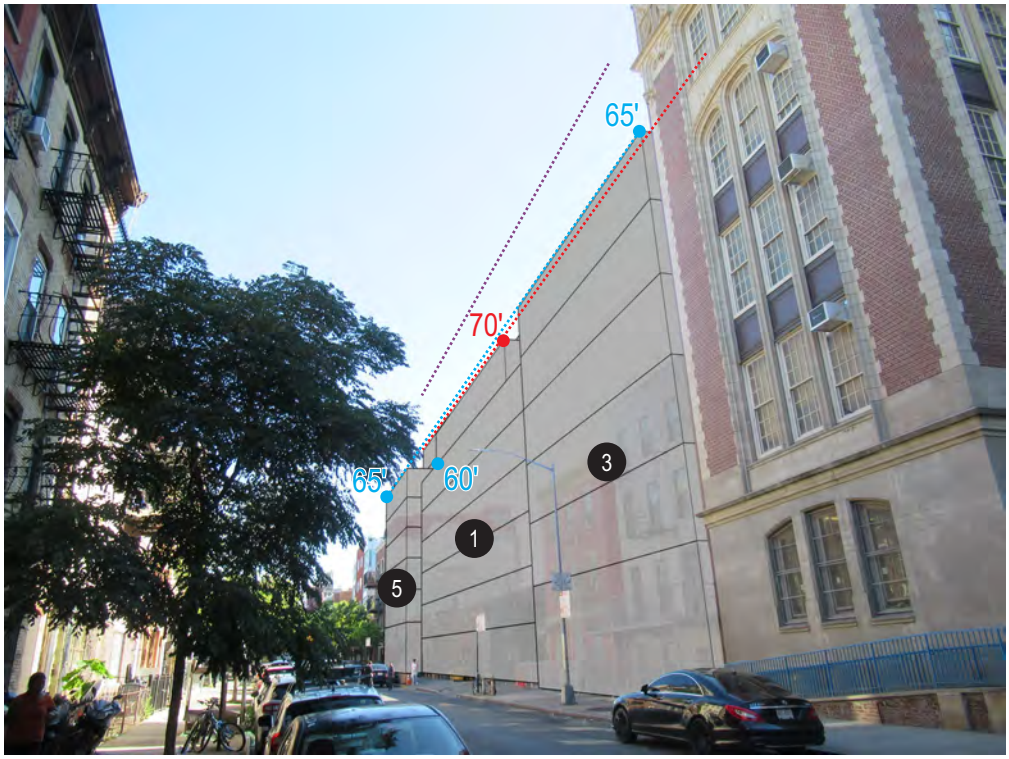
Urban Cartographics

862-868 Kent Avenue, Brooklyn
Figure 10-3: Urban Design Diagram

No-Action Scenario
Kent Avenue facing south (Site at right)



With-Action Scenario
Kent Avenue facing south (Site at right)



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

Urban Cartographics

862-868 Kent Avenue, Brooklyn

Figure 10-4: Urban Design Diagram

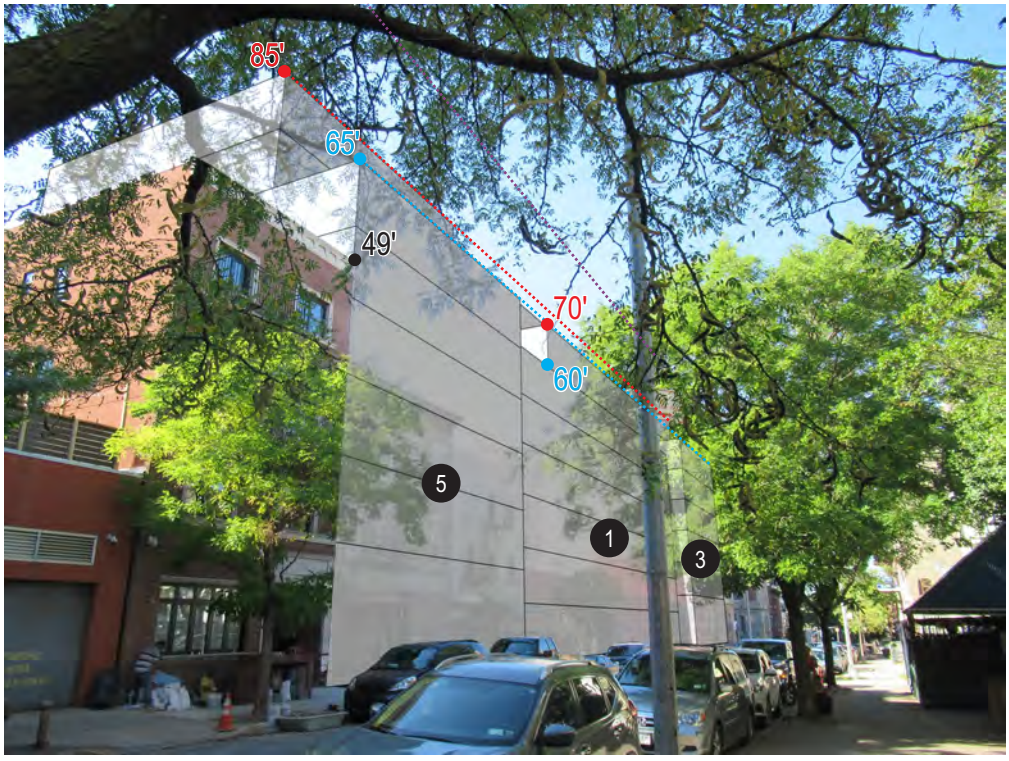
No-Action Scenario

Kent Avenue facing north (Site at left)



With-Action Scenario

Kent Avenue facing north (Site at left)



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

Urban Cartographics

14. HAZARDOUS MATERIALS

Introduction

A hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include but are not limited to, heavy metals, volatile and semi-volatile organic compounds, methane, polychlorinated biphenyls, and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). According to the 2021 *CEQR Technical Manual*, the potential for significant adverse impacts from hazardous materials can occur when: a) hazardous materials exist on a site and b) an action would increase pathways to their exposure; or c) an action would introduce new activities or processes using hazardous materials.

The Applicant's and Co-Applicant's properties are, respectively, 862-868 Kent Avenue (Brooklyn Block 1897, Lot 49) and 123 Taaffe Place (Block 1897, Lot 9). The lots are developed with buildings supporting commercial and manufacturing uses and that have previously supported other industrial uses. Since the Proposed Actions would result in the redevelopment of those properties, and thus in ground disturbance, an assessment of hazardous materials is required. In accordance with the 2021 *CEQR Technical Manual* guidelines, such an assessment was conducted to determine whether the Proposed Actions could lead to increased exposure of people or the environment to hazardous materials and whether the increased exposure would result in significant adverse public health impacts or environmental damage. The assessment involved the preparation of Phase I Environmental Site Assessments (ESAs) of the two properties, which were prepared in accordance with the latest ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM Designation E 1527-13), and the submission of the ESA reports for review by the NYC Department of Environmental Protection (DEP).

862-868 Kent Avenue

Introduction

Environmental Studies Corp. performed a Phase I ESA on the Applicant's property and prepared a report dated February 2020. The following is the report's executive summary.

Site Description

The subject property at 862-868 Kent Avenue, Brooklyn, New York is an approximate 13,000-sf, roughly rectangular shaped parcel which is fully occupied by a 1-story (on slab) industrial/warehouse building. At the time of the site visit, half the building was occupied by Lights on Kent, which is an event venue that provides rental space for parties and similar events. The other half is occupied by Elegant Desserts, a bakery operation which manufactures cookies, cakes and other desserts. Heat for the building is provided by gas-fired systems. There were not any operations involving the storage or use of hazardous substances or petroleum products observed in the subject building during the site visit. In addition, no indications of the past on-site storage or use of hazardous substances or petroleum products were observed, such as chemical/oil stained surfaces, discarded drums or chemical containers, etc.

Site History

Research into the history of the project site shows that the property was occupied by several small industrial, residential and retail buildings from at least the late 1800s to the mid-1960s. Sometime between 1954 and 1966, all the buildings on the northern four-fifths of the site were demolished, and the northern portion of the existing building was constructed. Sometime between 1993 and 1995, the small structure on the southern part of the site was demolished and the southern part of the existing building was constructed. The identified former uses of the property from the late 1800s to the present time include residential uses, retail stores, and factory/manufacturing uses including carpet cleaning companies, steel bed spring manufacturing, a machine shop, a printer, jewelry manufacturing, bakeries, party rental companies and others. Given the past industrial and manufacturing uses identified at the project site, there is a potential for contamination.

Site Drainage

Typical lavatory drainage structures such as sinks and toilets were present in the building. In addition, several floor drains were observed in the part of the building occupied by Elegant Desserts. It is likely that these structures discharge to the municipal sewer system.

Petroleum Storage Tanks

No aboveground tanks, or indications of the presence of underground tanks (tank fillports, vent lines, etc.) were observed on the property, or in the sidewalk adjacent to the site. The subject property is not identified in the New York State Department of Environmental Conservation (NYSDEC) Petroleum Bulk Storage (PBS) database.

It is not known how the buildings which formerly occupied the property were heated (e.g., oil, gas, electric, coal, etc.). According to New York City Department of Buildings (NYCDOB) records, Oil Burner Applications were issued to the site in 1960, 1972 and 1990. This indicates that one or more of the former structures at the site contained an oil-fired heating system, and subsequently a fuel oil storage tank. Any heating oil tanks which were not removed from the project site at the time of the building's demolition may remain at the property. Any petroleum storage tanks discovered during the re-development of the property should be properly removed in accordance with all applicable NYSDEC and New York City Fire Department regulations.

Asbestos / Lead-Based Paints / PCBs

Given the age of the building (constructed in the 1960s), it is possible that it contains asbestos building materials. However, no suspected asbestos-containing thermal system insulation materials were observed in the building during the site visit. Painted surfaces in the building were observed to be in good condition, with no large areas of chipped or peeling paint noted.

Regulatory Agency Database Records

The project site does not appear in the Federal or State environmental databases reviewed including the United States Environmental Protection Agency (USEPA's) Superfund, CERCLIS or ERNS databases, the RCRA Hazardous Waste Generators list or hazardous waste Treatment/Storage/Disposal Facilities list, or the New York State Department of Environmental

Conservation (NYSDEC's) Spill Logs or Petroleum Bulk Storage (PBS) database, Solid Waste Facilities database, or the Registry of Inactive Hazardous Waste Disposal Sites.

There were not any potential off-site sources of contamination, which are considered likely to have impacted the environmental condition of the subject property, identified in the regulatory agency database information reviewed.

Conclusions

The ESA revealed the following Recognized Environmental Conditions:

> The potential for contamination at the subject property from past factory/manufacturing operations at the project site, including the potential for a vapor encroachment condition to the existing and any future buildings at the site; and the potential for one or more underground petroleum storage tanks at the subject property; and
>
> The potential for one or more underground petroleum storage tanks at the subject property.

123 Taaffe Place

Introduction

Environmental Studies Corp. performed a Phase I ESA on the Co-Applicant's property and prepared a report dated November 2021. The following is the report's executive summary.

Site Description

The subject property at 123-125 Taaffe Place, Brooklyn, N.Y., consists of a 3,345+/- square foot, rectangular shaped parcel containing a 2-story (on slab), masonry and steel frame, commercial building. At the time of the site visit, the subject building was occupied by professional office uses including Signature Leasing (automobile leasing company), Super Sound Studio (music studio), and Broadway Computer Checks (checks and other paper goods). Heat and hot water for the building are provided by gas-fired systems. There were not any operations involving the storage or use of hazardous substances observed at the property during the site visit. In addition, there were not any indications of the past storage or use of hazardous substances or petroleum products observed, such as chemical/oil-stained surfaces, discarded drums or chemical containers, chemical/petroleum odors, etc.

Site History

Research into the history of the project site shows that the building was constructed circa 1993. Identified uses in the building since its construction include a wood furniture manufacturer (Encore Retail Systems, Inc.), a party rental company (Broadway Famous Party Rentals), a check company, a music studio, warehousing, and professional office uses. According to New York City Department of Buildings (NYCDOB) records, permits for the installation of paint spray booths in the building were issued in 1993 for Broadway Famous Party Rentals, and in 1998 for Encore Retail Systems.

Furniture manufacturing and paint spraying operations are types of uses which typically involve the use of hazardous substances including adhesives, and finishes such as paints, stains, varnishes, and others. Any past spills, leaks or discharges of such materials would be a potential source of contamination to the project site.

Prior to the construction of the building, the property was occupied by a 1-story storage building from the 1960s to the early 1990s. Prior to the 1960s, the site contained a 3-story dwelling, a 1-story shed, a 1-story detached garage, and a 3-story residential building with a ground floor retail store. There were not past businesses or uses which typically involve the use of hazardous substances in their operations identified at the project site prior to the early 1990s.

Site Drainage

Typical lavatory drainage structures such as sinks and toilets are located in the building. The drainage structures in the building discharge to the municipal sewer system. No staining or other indications of spills or discharges of hazardous substances was observed around any of the drainage structures at the site.

Petroleum Storage Tanks

No aboveground petroleum storage tanks, or indications of the presence of underground petroleum storage tanks, were observed on the property, such as fillports or vent lines, associated mechanical equipment, etc.

The property is not identified in the New York State Department of Environmental Conservation (NYSDEC) Petroleum Bulk Storage (PBS) database, which lists all registered facilities with a total combined petroleum storage capacity in excess of 1,100 gallons.

It is not known how the buildings formerly located at the subject were heated (e.g., oil, gas, coal, etc.). According to NYCDOB records, an Oil Burner Application was issued to the site in 1961, which indicates that at least one of the former buildings contained an oil-fired heating system. Any former petroleum storage tanks discovered at the project site during re-development should be properly closed or removed in accordance with all applicable regulations.

Asbestos/Lead-Based Paints/PCBs

Given the age of the building (constructed circa 1993), it is unlikely to contain asbestos building materials and lead-based paints. No suspected asbestos-containing materials were observed in the building during the site visit. Painted surfaces in the building were observed to be in good condition, with no areas of chipped or peeling paint noted. No transformers or other electrical equipment suspected of containing PCBs were observed at the project site.

Regulatory Agency Database Records

The subject property is identified in the NYSDEC Facility Information System (FIS) database. According to information in the database report, Encore Retail Systems at 123 Taaffe Street, Brooklyn, N.Y. is identified in the State Master Air Program as a wood household furniture manufacturer. The project site does not appear in the other Federal or State environmental databases reviewed including the United States Environmental Protection Agency (USEPA's)

Superfund, CERCLIS or ERNS databases, the RCRA Hazardous Waste Generators list or hazardous waste Treatment/Storage/Disposal Facilities list, or the New York State Department of Environmental Conservation (NYSDEC's) Spill Logs or Petroleum Bulk Storage (PBS) databases, Solid Waste Facilities database, Voluntary Cleanup Program or Brownfields databases, or the Registry of Inactive Hazardous Waste Disposal Sites.

Surrounding Land Use

The property is adjoined by residential uses to the north, and by a new residential building under construction to the south. Adjacent and to the east of the site are 1-story commercial/industrial buildings occupied by Elegant Desserts (commercial bakery), and Lights on Kent (event space). Adjacent and to the west of the site is Taaffe Place, beyond which is a public park and playground. Land uses in the immediate vicinity of the property (i.e., within approximately 500 feet of the site) are comprised of a mix of residential, commercial/retail, and light industrial uses, schools and other institutional uses, and public parks.

A review of Sanborn historical maps shows that land uses in the immediate area of the property have contained a mix of residential, commercial/retail, light industrial and institutional uses, and public parks since at least the 1930s. Industrial uses in the area surrounding the project site shown on historical Sanborn maps include a rope works, plumbing supply manufacturing, a soap works, auto repair garages (some with buried gasoline tanks), woodworking shops, filling stations, and others.

There were not any potential off-site sources of contamination, which are considered likely to have impacted the environmental condition of the subject property, identified in the regulatory agency database information reviewed.

Conclusions

The ESA revealed the following Recognized Environmental Condition:

> The potential for contamination at the subject property from past wood furniture manufacturing and spray-painting operations at the site, including the potential for a vapor encroachment condition to the existing and any future new buildings on the property.

DEP Response

In correspondence dated April 13, 2023, (which is included in Appendix B to this report), DEP stated that a Phase II Environmental Site Assessment (Phase II ESA) is necessary to adequately identify/characterize the surface and subsurface soils, groundwater and soil vapor of the Applicant's property, and to inform and disclose the measures necessary to avoid impacts from hazardous materials. At the time DEP had not yet reviewed the Phase I ESA for the Co-Applicant's property, but, given the report's conclusions, it is assumed that the same response would be given for that site as well. With regard to the projected development sites not under the Applicant's or Co-Applicant's control, DEP recommended that an (E) Designation for hazardous materials should be placed on the zoning map pursuant to Section 11-15 of the New York City Zoning Resolution for the subject properties. "The (E) Designation will ensure that testing and

mitigation will be provided as necessary before any future development and/or soil disturbance. Further hazardous materials assessments should be coordinated through the Mayor's Office of Environmental Remediation (OER)."

(E) Designations

Because buildings in active use cover the entirety of the Applicant's and Co-Applicant's properties (Projected Development Sites 1 and 2), it would not be practicable to perform Phase II ESAs at this time. Therefore, (E) designations for hazardous materials will be placed on the zoning map for these site4s as well as for Projected Development Sites 3, 4, and 5, which are not under the Applicant's or Co-Applicant's control.

[NOTE: DEP's agreement is required for this. This section will be amended following DEP's determination.]

The hazardous materials text of E-[number to come] would be as follows:

Block 1897, Lots 9, 12, 47, 48, 49, 54, and 55

Task 1-Sampling Protocol

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

Task 2-Remediation Determination and Protocol

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

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

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and

the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

Conclusion

With this (E) designation in place, no significant adverse impacts related to hazardous materials are expected, and no further analysis is warranted.

16. TRANSPORTATION

Introduction

The Affected Area is located on Brooklyn Block 1897, comprised of lots (p/o) 7505, 7504, 7509, 5, 6, 9, 10, 11, 12, 47, 48, 49, 54, 55, and (p/o) 56. Brooklyn Block 1897 is bounded by Park Avenue, a two-way eastbound/westbound roadway, on the north, Myrtle Avenue, a two-way eastbound/westbound roadway, on the south, Kent Avenue, a one-way southbound roadway, on the east, and Taaffe Place, a one-way northbound roadway, on the west within the Bedford neighborhood of Brooklyn, Community District 13.

As discussed in the Project Description above, five projected development sites would be redeveloped in the future with the Proposed Actions, resulting in the development of 145 dwelling units (an increment of 132 over the numbers in the future without the Proposed Actions), with 63 accessory parking spaces.

Minimum Development Density Screening

This level of development would not exceed the minimum development density potentially requiring a transportation analysis (which requires a minimum development density screening analysis as shown in Table 16-1 of the 2021 *CEQR Technical Manual*). The Affected Area (and thus the five projected development sites) is located within Transportation Zone 4, which includes areas within one mile of a subway station. (See Figure 16-1.) Table 16-1 compares the projected development with the. minimum density development thresholds applicable to Zone 4.

Table 16-1 – Transportation Analysis Minimum Density Development Thresholds, Zone 4

Proposed Use	Transportation Zone 4 Screening Threshold	Incremental Change	Exceeds Screening Threshold?
Residential Dwelling Units	200	+132	NO
Parking spaces	60	+63	NO

As indicated in Table 16-1, neither the projected number of dwelling units nor the projected number of parking spaces would exceed the minimum transportation analysis screening thresholds for Transportation Zone 4. A detailed assessment of transportation-related impacts is therefore not necessary.

Conclusion

For the reasons discussed in this section, the Proposed Actions would not have a significant adverse impact related to transportation, and no further assessment is required.

17. AIR QUALITY

INTRODUCTION

Ambient air quality, defined as pollutant levels in the surrounding environment to which the public has access, may be affected by air pollutants produced by motor vehicles, referred to as "mobile sources"; by fixed facilities, usually referenced as "stationary sources"; or by a combination of both. Under the City Environmental Review (CEQR), an air quality assessment determines both a proposed project's effects on ambient air quality and the quality of the ambient air at the project. This analysis followed the *2021 CEQR Technical Manual* methodology.

Air Pollutants and Applicable Standards and Guidelines

Criteria Pollutants - National Air Quality Standards

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

In addition to the NAAQS, the *CEQR Technical Manual* requires that projects subject to CEQR apply carbon monoxide (CO) and particulate matter with aerodynamic diameter less than or equal to 2.5 microns ($PM_{2.5}$) significant impact criteria (*de minimis*). The *CEQR Technical Manual de minimis* criteria set allowable incremental increases in CO and $PM_{2.5}$ concentrations that would result as a consequence of a proposed project. As a detailed CO analysis was not required, CO *de minimis* (CO *de minimis* applies to mobile sources only) is not shown. $PM_{2.5}$ *de minimis*, for projects under CEQR, is evaluated as follows:

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

Determination of significant impact related to criteria pollutants accounts for pollutants in the ambient air, including background concentrations. The New York State Department of Environmental Conservation (NYSDEC) measures concentrations of air pollutants at more than 50 sites across the state. The primary NAAQS and background concentrations of the pollutants for which a detailed analysis was conducted are shown in **Table 17-1.**

Table 17-1: Background Concentration at the NYSDEC Nearest Monitoring Station(s)

Pollutant	Averaging Period	National and State Standards	Background Concentration	Monitoring Station
$PM_{2.5}$	24-Hour	35 µg/m³	18.7 µg/m³	JHS 126 - Site No. 36-047-0122 (2)
	Annual	12 µg/m³	7.6 µg/m³	
NO_2	1-Hour	100 ppb (188 µg/m³)	55.1 ppb (103.6 µg/m³)	Queens College - Site No. 36-081-0124 (1)
	Annual	53 ppb (100 µg/m³)	14.2 ppb (26.8 µg/m³)	

Note:
1. NO_2 background concentration: NYSDEC. 2019. "New York State Ambient Air Quality Report for 2019." File version: 11/12/2020. extapps.dec.ny.gov/docs/air_pdf/2019airqualreport.pdf.
2. $PM_{2.5}$ background concentration: NYSDEC. 2020. "New York State Ambient Air Quality Report for 2020." File version: 4/13/2020. extapps.dec.ny.gov/docs/air_pdf/2020airqualreport.pdf.
3. Micrograms per meter cube - µg/m³; parts per billion – ppb.

Noncriteria Pollutants

As mentioned, New York State has adopted the national standard, NAAQS. In addition, the NYSDEC has established guidelines for the maximum allowable concentration of noncriteria air contaminants, also referred to as toxic air or air toxics contaminants, that range in toxicity level from high to low. Some of these pollutants are carcinogenic, and the list of contaminants includes 188 hazardous air pollutants (HAPs), which the EPA also regulates. The maximum allowable guidelines set maximum 1-hour and annual averaging time concentrations published (February 12, 2021 publication) in the DAR-1 Annual and Short-term Guideline Concentration (AGC/SGC Table). In addition, DAR-1 also includes standards for pollutants cumulative risk assessment (acceptable residual risk).

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

MOBILE SOURCE

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

Screening Assessment

The Proposed Actions would not exceed the minimum development density that would require a transportation analysis, as shown in Table 16-1 of the transportation chapter of the *2021 CEQR Technical Manual*. As such, the projected traffic volumes would not exceed the CO screening

threshold defined in the 2021 *CEQR Technical Manual* (170 peak-hour vehicle trips at an intersection in the study area). Considering the low levels of project-generated traffic, particulate matter (PM) emissions would not exceed the *de minimis* thresholds referenced in the *2021 CEQR Technical Manual*. The Proposed Actions would facilitate 24, 17, 19, 0, 0, and 19 accessory parking spaces in Projected Development Sites 1-5, respectively. Based on dispersion analyses of much larger parking facilities, for other projects under CEQR, a significant adverse impact is unlikely.

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

STATIONARY SOURCE

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

The Proposed Actions would facilitate the development of buildings that could be equipped with fossil fuel-fired heating/hot water, ventilation, and air conditioning (HVAC) systems and, therefore, have the potential to result in a significant adverse impact on nearby sensitive land uses.

The Proposed Actions would introduce a new use within 400 feet of existing manufacturing processing facilities. As such, an air toxics analysis is required.

Heating and Hot Water System(s)

The heating/hot water, ventilation, and air conditioning (HVAC) systems analysis considers the potential for emissions from the HVAC system(s) of a proposed action to result in development that significantly impacts land use in the area. Based on the *CEQR Technical Manual*, a preliminary screening assessment can be conducted as a first step to predict whether the potential impact of the heat and hot water system(s) boiler emissions can be significant. The screening analysis determines the threshold of development size below which the action would not have a significant impact. This CEQR screening procedure applies to buildings not less than 30 feet from the nearest building of similar or greater height. Otherwise, a detailed dispersion analysis is required.

Screening Assessment

The *CEQR Technical Manual Appendices* Figure 17-2 nomograph, applicable to a residential development equipped with a natural gas-fired HVAC system, was used for the screening assessment. As screening analysis only applies to a single smokestack, the cumulative project-on-

existing screening analysis combined emissions from multiple stacks in a single stack situated as close as possible to a receiving building.

Project-on-Existing

For the project-on-existing screening assessment, the Projected Development Sites 1-5 Reasonable Worst Case Development Scenarios (RWCDSs) gsf was analyzed as a 150,394 gsf building (Projected Development Sites 1-5 combined gsf). A height of 65 feet was applied in the screening assessment, which is the Projected Development Site 4 building height (the lowest project-increment building). **Figure 17-1** shows the roof heights of existing buildings, including under-construction buildings or developments associated with other CEQR actions in the area, and the 400-foot area around the Projected Development Sites 1-5.

Figure 17-1: Existing buildings' roof heights[3] in the surrounding area

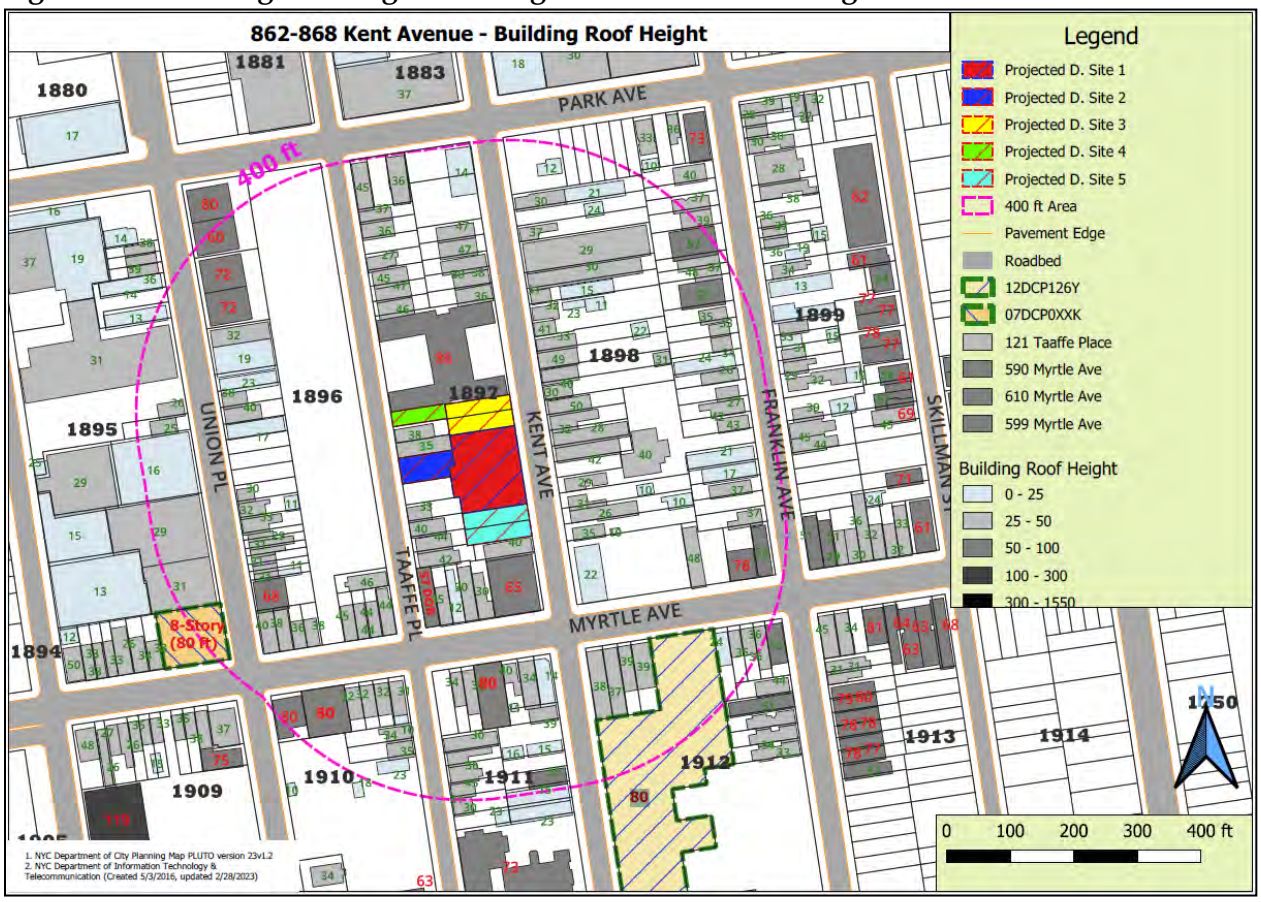
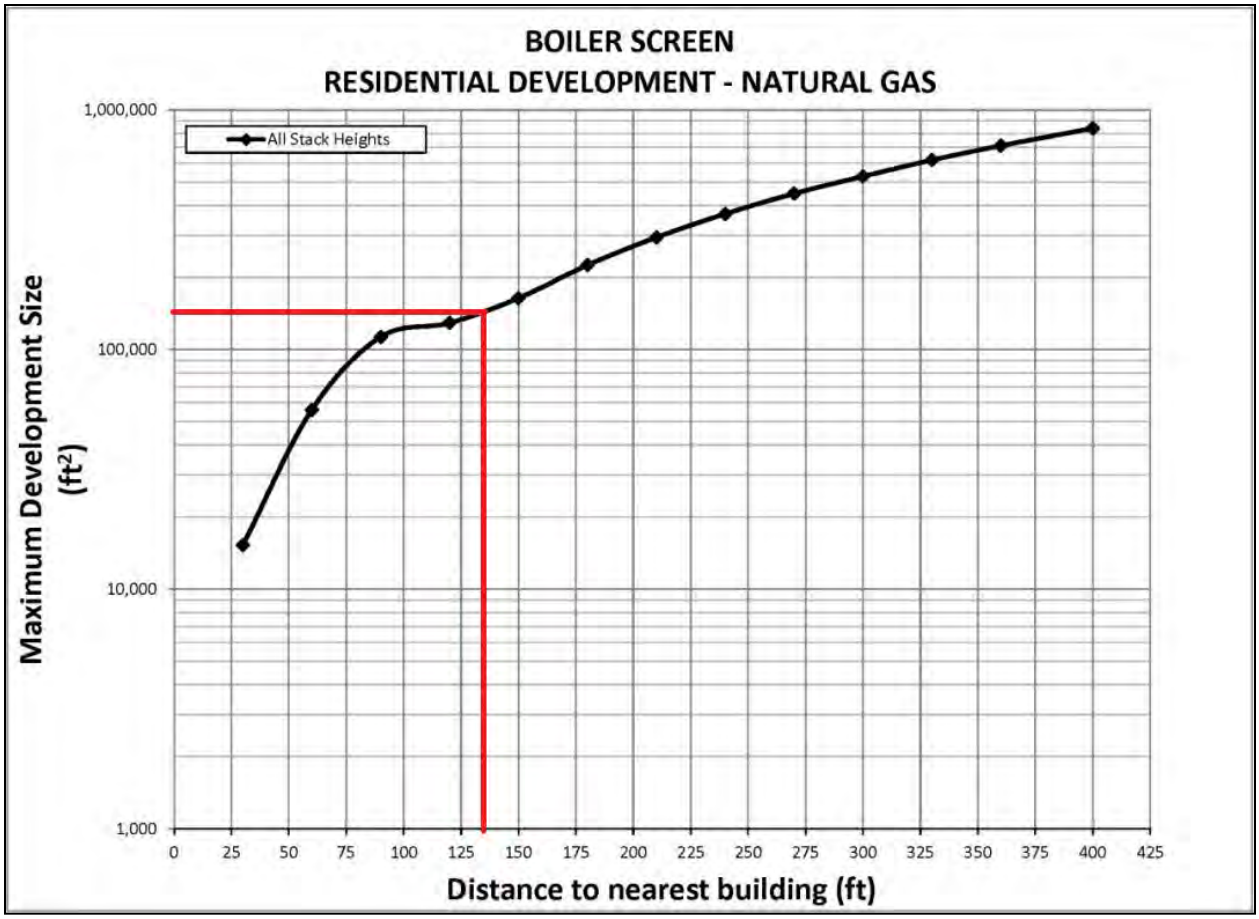


Figure 17-2 shows the project-on-existing screening analysis minimum distance. As seen in **Figure 17-2**, the line corresponding to the Projected Development Sites 1-5 combined gsf intersects the curve for a natural gas-fired HVAC system at approximately 135 feet.

Figure 2: Projected Development Sites 1-6 HVAC Screen Minimum Distance

[3] City of New York, Office of Technology and Innovation (2016). "Building-Footprints." opendata.cityofnewyork.us, Feb. 28, 2023.



As seen in **Figure 17-1**, the nearest building similar or greater in height is the 86-foot-tall building just north of Projected Development Sites 3 and 4. This 86-foot-tall public school is located at 115 Taffee Place (Block 1897, Lot 13). The other 65-foot or taller building within 130 feet of Projected Development Sites 1-5 is the newly constructed 65-foot-tall building at the northwest corner of Myrtle Avenue and Kent Avenue (609 Myrtle Avenue (Block 1897, Lot 7508)). As such, a detailed analysis is required for these buildings.

Project-on-Project

The Proposed Actions consist of 5 developments, each adjacent to at least one other development site. Therefore, the screening analysis is not applicable, and a detailed analysis is required for the project-on-project scenario.

HVAC Detailed Analysis

Pollutant concentrations were predicted with AERMOD. AERMOD MPI version 23132 executable was used in the dispersion analysis. Lakes Environmental, Inc. adjusted the EPA AERMOD source code and recompiled the model to parallelize the processing of receptors, reducing run-time significantly. The MPI executable (used in the analysis) modified the EPA AERMOD executable model version 23132. The AERMOD model incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of surface and elevated sources and simple and complex terrain. The model was run

with the regulatory default option, where applicable. AERMOD was run for both downwash effect options, where the Building Profile Input Program (BPIP) was run with the downwash effect enabled. All analyses used five consecutive years of meteorological data (2017-2021) from the NYSDEC. Meteorology surface data is from LaGuardia Airport, and upper air data is from Brookhaven station, New York. The meteorological data provided hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the five years. Population in New York City was specified to account for the effects of increased surface heating from an urban area on pollutant dispersion under stable atmospheric conditions.

Natural gas was assumed to be the type of fossil fuel, if any, used in the Projected Development Sites' HVAC systems. As determined in the analysis, the Projected Development Sites 2-5 natural gas-fired HVAC system(s) must be fitted with low-NOx (Projected Development Site 5 with at least 15 ppm burner(s) and Projected Development Sites 2-4 with at least 30 ppm burner(s)) burners. The pollutants of concern for natural gas-fueled boilers are nitrogen dioxide (NO_2) and $PM_{2.5}$. The HVAC systems' total energy capacities were calculated based on the projected development sites' RWCDSs gsf and an energy consumption rate of 60.3 thousand Btu per gsf[4] (natural gas consumption rate of 59.1 ft^3 per gsf per year, using a natural gas heating value of 1,020 Btu per ft^3). All fuel was assumed to be consumed during the 100-day heating season (2,400 hours) based on the *CEQR Technical Manual.*

$PM_{2.5}$ emissions were calculated using an emission factor for external combustion sources published in the EPA AP-42 manual. Nitrogen oxides (NOx) emissions of the low-NOx (30 ppm) HVAC systems were calculated based on an emission factor from the New York City Department of City Planning (DCP). Projected Development Site 5 low-NOx (15 ppm) HVAC system's NOx emission was calculated using EPA *Method 19—Determination of sulfur dioxide removal efficiency and particulate, sulfur dioxide and nitrogen oxides emission rates, Equation 19-1*, where a conversion factor of 1.194E-07 (Table 19–1—Conversion Factors for Concentration) was used to convert concentration in ppm to pounds per square feet.[5] Projected Development Site 1's NOx emission was calculated using an emission factor for external combustion source published in the EPA AP-42 manual. **Table 17-2** shows the pollutant emission rates of the HVAC systems serving the projected development sites.

[4] Energy Information Administration (2022). "Table US1. Total Energy Consumption, Expenditures, and Intensities, 2005 Part 1: Housing Unit Characteristics and Energy Usage Indicators." *2005 Residential Energy Consumption Survey: Energy Consumption and Expenditures Tables.*
[5] Appendix A–7 to Part 60, Title 40.

Table 17-2: Projected Development Sites HVAC Systems Emission Rates

Site ID	RWCDS Floor Area (gsf); Building Height (ft)	Fuel and Equipment	Pollutant	Emission Rate (g/s)	
				1-Hour	Annual
Projected Development Site 1	68,082 gsf; 83 ft (1)	Natural gas	NO_2	2.11E-02	5.79E-03
			$PM_{2.5}$	1.61E-03	4.40E-04
Projected Development Site 2	16,085 gsf; 70 ft (1)	Natural gas, low-NOx (30 ppm)	NO_2	1.85E-03	5.08E-04
			$PM_{2.5}$	3.79E-04	1.04E-04
Projected Development Site 3	26,261 gsf; 75 ft	Natural gas, low-NOx (30 ppm)	NO_2	3.03E-03	8.29E-04
			$PM_{2.5}$	6.19E-04	1.70E-04
Projected Development Site 4	10,480 gsf; 65 ft	Natural gas, low-NOx (30 ppm)	NO_2	1.21E-03	3.31E-04
			$PM_{2.5}$	2.47E-04	6.77E-05
Projected Development Site 5	26,261 gsf; 75 ft	Natural gas, low-NOx (15 ppm)	NO_2	1.51E-03	4.15E-04
			$PM_{2.5}$	6.19E-04	1.70E-04

Note:
1. The Proposed Development building height was applied in the analysis.

The boiler stack diameters were estimated based on values obtained from the New York City Department of Environmental Protection (DEP) "CA Permit" database.[6] Projected Development Sites 2-5 boiler stack exit temperatures were estimated based on a low-NOx boiler specification,[7] and the exit temperature of Projected Development Site 1 was based on the DEP "CA Permit" database. The stack exit velocities were calculated based on the fuel dry volume of combustion components per unit of heat content. The boiler stacks were placed 3 feet above the roofline and as close as possible to the receiving building. If a significant adverse impact was predicted, the stack(s) was raised or set back from the receiving building.

Receptors on the receiving building(s) were placed all around the receiving building envelope from the ground floor to rooftop height in spaced intervals. Receptors were also placed above the Projected Development Site 2 rooftop recreation area. Buildings in the surrounding area, including developments associated with other proposed actions and newly constructed buildings (shown in **Figure 17-1**), were accounted for in the downwash effect on plum dispersion (BPIP). The US Geological Service (USGS) National Elevation Dataset (NED) 1/3 arc-second resolution (GeoTIFF dataset), the terrain data set recommended by the EPA for use in the United States for regulatory purposes, was used to process base elevation of buildings. Base elevations of emission sources and receptors were set to their buildings' base elevations. The map application in Urchin Tracking Module (UTM) coordinates (zone 18), built into Lakes Environmental, Inc.'s commercial application of AERMOD (AERMOD View), was used to spatially locate buildings.

[6] NYCDEP "CA Permit" database obtained from the New York City Department of City Planning, February 2020.
[7] Aerco. "Benchmark 1500 and 2000." aerco.com/products/hvac-hot-water-solutions/boilers/benchmark/benchmark-1500-and-2000#jl_439b2059-2f3c-46ca-a4d6-2e2f0d0af485

The one-hour NO_2 NAAQS standard of 0.100 ppm (188 ug/m^3) is the three-year average of the 98th percentile of daily maximum one-hour average concentrations in a year. NOx is emitted from both mobile and stationary sources, where Nitric Oxide ("NO") accounts for approximately 90% of the total oxidized nitrogen emitted. In the atmosphere and while in the presence of sunlight, NO reacts with free radicals and ozone ("O_3"), forming mainly NO_2.[8] The EPA developed a three-tiered modeling approach for estimating one-hour NO_2 concentration: Tier 1, the most conservative approach, assumes a full (100%) conversion of NO_x to NO_2; Tier 2 (ARM 2) applies a conservative ambient NOx/NO_2 ratio to the NOx estimated concentrations (based on an empirical relationship); and Tier 3, which is the most precise approach, accounts for chemical transformation of NO emitted from the stack to NO_2 within the source plume using hourly ozone background concentrations. Tier 1 and Tier 2 approaches were used in the HVAC analysis, where the national default minimum and maximum NO_2/NOx ratios were applied in the Tier 2 approach.

The model was run twice, with the building wake effect enabled/disabled. The predicted concentration is the highest concentration of these. NO2-modeled concentrations were added to the background concentrations, and the results were evaluated with the NAAQS. $PM_{2.5}$ modeled concentrations were evaluated with the *de minimis* for stationary source. The HVAC dispersion analysis results are shown in **Table 17-3**.

Table 17-3 shows that the NO_2 future ambient concentrations (1-hour or annual) are within the NAAQS, and the $PM_{2.5}$ increment concentrations do not exceed the *de minimis*. These results were predicted with specific requirements to ensure no impact(s) would occur. The air quality environmental requirement(s) (E-Designation) are presented in the Conclusion section of the Air Quality Chapter.

[8] EPA. *Integrated Science Assessment (ISA) for Oxide of Nitrogen – Health Criteria (Final Report, Jan 2010)*. U.S. Environmental Protection Agency, Washington, DC, EPA/ EPA/600/R-15/068, 2016.

Table 17-3: Project-on-Project HVAC Dispersion Analysis Results

Pollutant	Increment Concentration (µg/m³)	Background Concentration (µg/m³)	Ambient concentration (µg/m³)	NAAQS (µg/m³)	*De minimis* (µg/m³)
Concentration at Projected Development Site 1					
1-hour NO_2	78.69	103.59	182.3	188	N.A.
Annual NO_2	1.032	26.8	28	100	N.A.
24-hour $PM_{2.5}$	3.94	18.7	3.94	35	8.15
Annual $PM_{2.5}$	0.259	7.6	0.26	12	0.30
Concentration at Projected Development Site 2					
1-hour NO_2	25.36	103.59	128.9	188	N.A.
Annual NO_2	0.443	26.8	27	100	N.A.
24-hour $PM_{2.5}$	1.21	18.7	1.21	35	8.15
Annual $PM_{2.5}$	0.080	7.6	0.08	12	0.30
Concentration at Projected Development Site 3					
1-hour NO_2	39.47	103.59	143.1	188	N.A.
Annual NO_2	0.544	26.8	27	100	N.A.
24-hour $PM_{2.5}$	1.90	18.7	1.90	35	8.15
Annual $PM_{2.5}$	0.113	7.6	0.11	12	0.30
Concentration at Projected Development Site 4					
1-hour NO_2	4.24	103.59	107.8	188	N.A.
Annual NO_2	0.178	26.8	27	100	N.A.
24-hour $PM_{2.5}$	0.11	18.7	0.11	35	8.15
Annual $PM_{2.5}$	0.238	7.6	0.24	12	0.30
Concentration at Projected Development Site 5					
1-hour NO_2	12.94	103.59	116.5	188	N.A.
Annual NO_2	0.330	26.8	27	100	N.A.
24-hour $PM_{2.5}$	0.50	18.7	0.50	35	8.15
Annual $PM_{2.5}$	0.029	7.6	0.03	12	0.30
Concentration at Public School 115 Taaffe Place (Block 1897, Lot 13)					
1-hour NO_2	69.35	103.59	172.9	188	N.A.
Annual NO_2	1.33	26.8	28	100	N.A.
24-hour $PM_{2.5}$	4.52	18.7	4.5	35	8.15
Annual $PM_{2.5}$	0.25	7.6	0.25	12	0.30
Concentration at 609 Myrtle Avenue (Block 1897, Lot 7508)					
1-hour NO_2	16.86	103.59	120.4	188	N.A.
Annual NO_2	0.28	26.8	27	100	N.A.
24-hour $PM_{2.5}$	0.99	18.7	1.0	35	8.15
Annual $PM_{2.5}$	0.05	7.6	0.05	12	0.30

Existing Stationary Source

Industrial Source

Per the *CEQR Technical Manual*, projects that would result in new uses (particularly schools, hospitals, parks, and residences) within 400 feet of manufacturing or processing facilities may result in potentially significant adverse air quality impacts related to stationary sources. The analysis first determines if there are any existing manufacturing uses in the 400-foot study area with exhaust stacks, vents, or other emission sources that may have the potential to adversely affect the uses introduced by the project. If warranted, an air dispersion analysis is performed for any existing industrial source in the study area. Otherwise, no analysis is required.

Existing manufacturing uses with exhaust stacks, vents, or other emission sources that may have the potential to adversely affect the uses introduced by the project were identified by reviewing the DEP online Clean Air Tracking System (CATS) database, the NYSDEC map application (DECinfo Locator[9]), and through field observation/site investigation.

The Projected Development Sites 1-5 are located in the central part of Block 1897, bounded by Park Avenue to the north, Myrtle Avenue to the south, Kent Avenue to the east, and Taaffe Place to the west. The 400-foot study area encompasses all of Block 1897 and part of Blocks 1895, 1896, 1898, 1910, 1911, and 1912. The following existing industrial emission sources were identified in the DEP CATS database:

- Kern/Rockenfield, Inc., located at 178 Classon Avenue (Block 1895, lot 55), has two active DEP processing permits: PB030410 for a paint spray booth operation and PB029910 for ornamental metal fabrication. Emissions from this facility were included in the air toxics analysis.

The following location with an expired DEP processing permit was identified in the CATS database search:

- Expired processing permit PA011174 is registered to Nelson Parra at 172 Classon Avenue (Block 1895, Lot 55). This permit expired on 4/18/2004. Tristate Telecom, a telecommunications equipment supply company, occupies 172 Classon Avenue. Nelson Parra is no longer present at this location. In addition, the facility is not registered as an Air Facility in the NYSDEC database. Therefore, no analysis was required.

No other existing industrial sources were identified in the fieldwork observation/site investigation.

Dispersion Analysis

Kern/Rockenfield, located at 178 Classon Avenue (Block 1895, Lot 55), has two operational permits: PB029910 for ornamental metal fabrication and PB030410 for a paint spray booth operation. The *CEQR Technical Manual* Industrial Source Screen methodology was used to predict maximum short-term(s) and annual average concentrations. This methodology can be used to predict pollutant concentration emitted from a single source at various distances (from 30 to 400 feet). The distance between the Kern/Rockenfield facility and the Projected Development Site 2, the nearest development site, is approximately 315 feet. A distance of 300 feet from the source (a

[9] NYSDEC. "DECinfo Locator." gisservices.dec.ny.gov/gis/dil/, Jan. 16, 2024.

distance less than or equal to the actual distance from the source) was used in the analysis (using the *CEQR Technical Manual* Industrial Source Screen methodology.) The Kern/Rockenfield emissions associated with its processing operations are:

Metal Fabrication Emission (PB029910): The process emission associated with permit PB029910, identified as Emission Point #2, is from operating a double wheels buffing machine, a sanding working bench, and a belt sander. The equipment is connected to a cyclone dust collector and after filter with 99.9% control efficiency. The filtered air returns to the workroom. The contaminant listed in the certificate is wood fines (New York identification number NY075-00-0), which are PM_{10} and $PM_{2.5}$ combined. As a conservative approach, the analysis assumed that all particulates are $PM_{2.5}$. The equipment operates 8 hours per day, 200 days per year. **Table 17-4** shows the emission specified in the DEP Permit PB029910 and the average 24-hour particulate emission, calculated from the 1-hour emission and daily hour of operation.

Spray Booth Emission (PB030410): The contaminants associated with spray booth operations are solids (particulates) and solvents. Solvents are volatile organic compounds (VOC). VOC evaporates during the spraying activity and while the coating substance dries on the sprayed article. The solids, in fluid or solid phase, are pigments, resin, and polymers that bind to the sprayed article, eventually drying to a hard surface. Some solids are over-sprayed, and the fraction not captured by a filter is emitted to the outside air. The coating compounds contain 30 to 85 percent solvent by volume, and the EPA and NYSDEC regulate this amount.

Emission associated with DEP permit PB030410, identified as Emission Point #1, is from an industrial spray booth operation with an activity rate of 4 hours per day, 250 days per year. The operation consumes 0.125 gallons per hour and 0.5 gallons in a maximum of 4-hour days. The coating is applied with an air-atomizing handgun, and the emission of solids (New York identification number NY079-00-0) is reduced by a custom filter with a 90 percent control efficiency. The solids, identified as NY079-00-0, are PM_{10} and $PM_{2.5}$ combined. As a conservative approach, the analysis assumed that all particulates are $PM_{2.5}$. All the solvents (NY identification number NY998-00-0) are emitted to the outside air. **Table 17-4** shows the emission specified in the DEP Permit PB030410 and the average 24-hour particulate emission, calculated from the 1-hour emission and daily hour of operation.

Table 17-4: Kern/Rockenfield Facility Emission Specified in DEP Permits PB029910 and PB030410

Permit ID	Pollutant		Emission Rate		
	Name	New York Identification Number	(lb/hr)	(lb/day) [1]	(lb/yr)
PB029910	PM	NY075-00	0.001	0.008	0.16
PB030410	PM	NY079-00	0.008	0.032	6.5
	VOC	NY998-00-0	0.775	N.A.	620
Note: 1. Hours per day activity used to calculate the 24-hour average emission.					

VOC (NY998-00-0) contaminant represents a group of chemicals, not a specific chemical. As the coating compound(s) 's chemical composition was unknown, the chemicals by percent weight that make up the VOC group were derived from Eagle Woodwork & Construction's DEP permit

PA024569. **Table 17-5** shows the ingredients that make up the VOC group along with their Chemical Abstract Service (CAS) number, the hourly and annual emission rates, and the VOC's dispersion analysis results, where the predicted concentrations of each chemical were evaluated with the NYSDEC SGC/AGC guidelines. **Table 17-5** shows that the noncriteria pollutant concentrations are within the SGC/AGC standard. In addition, the inhalation risk for the HAPs is 0.09 (less than 1), and the Hazardous Index is 0.0002 (less than 1) for the non-carcinogenic pollutants.

Table 17-5: Kern/Rockenfield - VOC Contaminants Emission Rates and the Air Dispersion Analysis Results

Chemical			1-Hour			Annual		
Pollutant	CAS No.	Percent Weight	Emission (lb/hr)	Conc. (µg/m³)	SGC (µg/m³)	Emission (lb/yr)	Conc. (µg/m³)	SGC (µg/m³)
Isopropanol	67-63-0	6.92%	0.054	9.8	98000.0	42.9	0.05	7000.0
Methanol	67-56-1	1.15%	0.0089	1.6	33000.0	7.2	0.01	4000.0
Acetone	67-64-1	18.46%	0.14	26.1	180000.0	114.5	0.1	30000.0
Methyl Ethyl Ketone	78-93-3	24.21%	0.19	34.3	13000.0	150.1	0.2	5000.0
Methyl Isobutyl	108-10-1	26.26%	0.203	37.2	31000.0	162.8	0.2	3000.0
Butyl Cellosolve	111-76-2	3.69%	0.029	5.2	4700.0	22.9	0.02	1600.0
Di-2-Ethylhexylphthalate	117-81-7	5.33%	0.041	7.6	---	33.1	0.04	0.42
N-Butyl Acetate	123-86-4	11.08%	0.086	15.7	71300.0	68.7	0.1	565.0
Xylene	1330-20-7	8.46%	0.066	12.0	22000.0	52.5	0.1	100.0

The $PM_{2.5}$ predicted concentrations were evaluated with the NAAQS. The $PM_{2.5}$ air dispersion results are displayed in **Table 17-6**.

Table 17-6: Kern/Rockenfield - $PM_{2.5}$ Air Dispersion Analysis Results

Criteria Pollutant (Dispersion Model)	Increment Concentration (µg/m³)	Background Conc. (µg/m³)	Evaluated Conc. (µg/m³)	NAAQS (µg/m³)
$PM_{2.5}$ 24-Hour	0.12	18.7	18.9	35
$PM_{2.5}$ Annual	0.007	7.6	7.61	12

Table 17-6 shows that the $PM_{2.5}$ concentrations do not exceed the NAAQS. Therefore, no significant adverse air quality impact is predicted in the future with the Proposed Actions from manufacturing processing facilities operating within 400 feet of the affected area.

Major and Large Source

Per the *CEQR Technical Manual*, projects introducing new uses near "major" sources, "large" sources, or odor-producing facilities may result in potentially significant adverse air quality impacts. The study area considers "major" sources, "large" sources, and odor-producing facilities within 1,000 feet of the Project Area. "Major" emission sources are identified as those located at Title V facilities; "large" emission sources are identified as sources located at facilities requiring

an Air State Facility permit. Asphalt and concrete plants, power generating plants, large public facilities boilers, and large industrial facilities are typical sources requiring these permits. Odor-producing facilities, such as solid waste management facilities and wastewater plants (i.e., sewage treatment plants), are operations that have the potential to induce discomfort.

No existing large combustion source(s), such as power plants, cogeneration facilities, etc., was identified within 1,000 feet of a projected development site.[9] According to the NYSDEC database, the nearest "major"/"large" source facility is the NAP - Kent Avenue Facility, located at 667 Kent Avenue (Block 2197, Lot 3) and approximately 2,300 feet north of the rezoning area. In addition, no odor-producing facility was identified within 1,000 feet of the rezoning area. As such, no analysis is warranted.

Conclusion

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

- The project-increment traffic associated with the Proposed Actions will not exceed the screening threshold that requires a detailed analysis.
- There is a manufacturing processing facility within 400 feet of a projected development site, for which an air toxics analysis was warranted. No significant adverse air quality impact was predicted in the air toxics analysis. Contaminant concentrations would be below the threshold criteria (NAAQS, SGC/AGC, and cumulative risk assessments). Additionally, no "major" or "large" emission source is located within 1,000 feet of the rezoning area; thus, no analysis was warranted.
- No significant adverse impact was predicted in the HVAC analysis with the Proposed Actions developments adhering to the environmental requirement specified in the Air Quality E-Designation(s).

Accordingly, based on the results of the analysis described above, the following (E) Designation would be required:

Air Quality E-Designation

***Block 1897, Lot 49 (Projected Development Site 1):** Any new residential development on the above referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s) and ensure that the HVAC stack is located at the building's highest level at a minimum of 96 feet above the grade to avoid any potential significant adverse air quality impacts.*

***Block 1897, Lot 9 (Projected Development Site 2):** Any new residential development on the above referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s) and must be fitted with low NOx (30 ppm) burner(s), ensure that the stack is located at the building's highest level or at least 83 feet above*

grade, and that the stack is located no more than 42 feet from the western lot line of Block 1897, Lot to avoid any potential significant adverse air quality impacts.

<u>Block 1897, Lots 47, 48 (Projected Development Site 3):</u> Any new residential development on the above referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s) and must be fitted with low NOx (30 ppm) burner(s), ensure that the stack is located at the building's highest level or at least 88 feet above grade, and that the stack is located at least 15 feet from the northern lot line of Block 1897, Lot 49 and at least 20 feet from the southern lot line of Block 1897, Lot 13 to avoid any potential significant adverse air quality impacts.

<u>Block 1897, Lot 12 (Projected Development Site 4):</u> Any new residential development on the above referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s) and must be fitted with low NOx (30 ppm) burner(s), ensure that the stack is located at the building's highest level or at least 68 feet above grade, and that the stack is located at least 30 feet from the eastern lot line of Block 1897, Lot 12 and at least 15 feet from the southern lot line of Block 1897, Lot 13 to avoid any potential significant adverse air quality impacts.

<u>Block 1897, Lots 54, 55 (Projected Development Site 6):</u> Any new residential development on the above referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s) and must be fitted with low NOx (15 ppm) burner(s), ensure that the stack is located at the building's highest level or at least 78 feet above grade, and that the stack is located at least 25 feet from the southern lot line of Block 1897, Lot 49 to avoid any potential significant adverse air quality impacts.

19. NOISE

Introduction

The purpose of a noise assessment under CEQR is to determine whether an action would (1) raise noise levels significantly at existing or anticipated sensitive noise receptors (such as residences or schools) or (2) introduce new sensitive uses (such residential buildings or schools) at locations subject to unacceptably high ambient noise levels.

The assessment is concerned with both mobile and stationary noise sources. Mobile sources are those that move in relation to a noise-sensitive receptor. They include automobiles, buses, trucks, aircraft, and trains. Stationary sources of noise do not move in relation to a noise-sensitive receptor. Typical stationary noise sources of concern include machinery or mechanical equipment associated with industrial and manufacturing operations; building heating, ventilating, and air conditioning (HVAC) systems; speakers for public address and concert systems; playground noise; and spectators at concerts or sporting events. An action could raise noise levels either by introducing new stationary noise sources (such as outdoor playgrounds or rooftop air conditioning compressors) or by increasing mobile source noise (generally by generating additional traffic). Similarly, an action could introduce new residences or other sensitive receptors that would be subject to noise from either stationary or mobile sources.

The Proposed Actions are a Zoning Map Amendment replacing part of an existing M1-1 light industrial district with an MX-4(M1-4/R6A) Special Mixed-Use District and a Zoning Text Amendment to modify Appendix F to designate a Mandatory Inclusionary Housing (MIH) area coterminous with the proposed rezoning area. It is projected that the Proposed Actions would result in the development of five residential buildings with a total of 145 dwelling units.

Noise Fundamentals

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

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

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

weight scales were developed to allow sound level meters, which use filter networks to approximate the characteristic of the human hearing mechanism, to simulate the frequency sensitivity of human hearing. The A-weighting is the most commonly used for environmental measurements, and sound levels measured using this weighting are denoted as dBA. The letter "A" indicates that the sound has been filtered to reduce the strength of very low and very high frequency sounds, much as the human ear does. C-weighting gives nearly equal emphasis to sounds of most frequencies. Mid-range frequencies approximate the actual (unweighted) sound level, while the very low and very high frequency bands are significantly affected by C-weighting. Table 19-1 notes the decibel levels of common noise sources.

Table 19-1: Noise Levels of Common Sources

Sound Source	**SPL(dB(A))**
Air Raid Siren at 50 feet	120
Maximum Levels at Rock Concerts (Rear Seats)	110
On Platform by Passing Subway Train	100
On Sidewalk by Passing Heavy Truck or Bus	90
On Sidewalk by Typical Highway	80
On Sidewalk by Passing Automobiles with Mufflers	70
Typical Urban Area	60-70
Typical Suburban Area	50-60
Quiet Suburban Area at Night	40-50
Typical Rural Area at Night	30-40
Isolated Broadcast Studio	20
Audiometric (Hearing Testing) Booth	10
Threshold of Hearing	0
Notes: A change in 3dB(A) is a just noticeable change in SPL. A change in 10 dB(A)Is perceived as a doubling or halving in SPL.	
Source: 2021 CEQR Technical Manual	

The following is typical of human response to relative changes in noise level:

- 3-dBA change is the threshold of change detectable by the human ear;
- 5-dBA change is readily noticeable; and
- 10-dBA change is perceived as a doubling or halving of the noise level.

The decrease in sound level caused by the distance from any single noise source normally follows the inverse square law (i.e., the SPL changes in inverse proportion to the square of the distance

from the sound source). In a large open area with no obstructive or reflective surfaces, it is a general rule that at distances greater than 50 feet, the SPL from a point source of noise drops off at a rate of 6 dB with each doubling of distance away from the source. For "line" sources, such as vehicles on a street, the SPL drops off at a rate of 3 dBA with each doubling of the distance from the source. Sound energy is absorbed in the air as a function of temperature, humidity, and the frequency of the sound. This attenuation can be up to 2 dB over 1,000 feet. The drop-off rate also will vary with both terrain conditions and the presence of obstructions in the sound propagation path.

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

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

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

Impact Determination and Noise Standards and Guidelines

In 1983, the New York City Department of Environmental Protection (NYCDEP) adopted the CEQR noise exposure guidelines for exterior noise levels. As shown in Table 19-2 below, noise standards classify noise exposure into four categories based on noise level limits and land use, for vehicular traffic, rail, and aircraft noise sources: Acceptable, Marginally Acceptable, Marginally Unacceptable and Clearly Unacceptable. Table 19-3 of the 2021 *CEQR Technical Manual* defines attenuation requirements for buildings based on exterior noise exposure levels. Recommended noise attenuation values for buildings are designed to maintain interior L_{10} noise

levels of 45 dB(A) or below or interior L_{dn} noise levels of 40 dB(A) or below depending on the noise source, as shown below in Table 19-3 below.

Table 19-2

CEQR Noise Exposure Guidelines for Use in City Environmental Impact Review[1]

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

Notes:

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

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

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

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

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

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

Table 19-3

Required Attenuation Values to Achieve Acceptable Interior Noise Levels

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

Note:

A. DNL descriptor based on average values of Ldn over a year period.

B. The above composite window-wall attenuation values are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would be 5 dB(A) less in each category. All of the above categories require a closed window situation and hence an alternate means of ventilation.

C. The required attenuation value is the difference between Lbuild and Linterior, using the appropriate noise descriptor Where:
Lbuild is the projected noise level under the build condition rounded up to the whole number
Linterior is the designed interior noise level (45 dB(A) for vehicular noise, 40 dB(A) for aircraft and train noise)

New Stationary Noise Sources

A detailed analysis may be appropriate if a proposed action would introduce a substantial stationary source (i.e., unenclosed mechanical equipment for manufacturing or building ventilation purposes, playground, etc.) at a location within 1,500 feet of a receptor, with a direct line of sight to that receptor.

The Proposed Actions would result in the redevelopment of Projected Development Sites 1 through 5 with residential buildings, which are not stationary noise sources. All rooftop mechanical equipment, including air conditioner compressors, would be enclosed and would comply with New York City Noise Code requirements, which limit noise levels generated by such equipment to 65 dBA during the daytime (7AM to 10 PM) and 55 dBA during the nighttime. The Proposed Actions would therefore not have the potential to cause a significant adverse stationary source noise impact.

New Mobile Noise Sources

Under the with-action scenario, 145 residential units would be developed. According to *CEQR Technical Manual* Table 16-1, in this part of the city (Zone 4), a minimum of 200 residential units o would be required to generate 50 vehicular trips in one hour. The addition of 145 housing units would not be expected to increase traffic or mobile source noise substantially. The Proposed actions would therefore not have the potential to cause a significant adverse mobile source noise impact.

Existing Ambient Noise Levels

An action can cause a significant adverse noise impact if it introduces new noise-sensitive uses in an area characterized by high ambient noise levels. The proposed actions would lead to the development of new residential units.

The results of noise monitoring performed in 2019 (thus reflecting pre-pandemic conditions) at 853 Kent Avenue, directly across the street from Projected Development Site 1, were used to determine ambient noise levels of the Affected Area. The location is shown in Figure 19-1.

Noise monitoring was conducted during peak vehicular travel periods (AM, Midday, PM and Saturday) for the previous project, as, similar to the Proposed Project, predominant noise sources in the area of the Proposed Project consist of vehicular movements. Pursuant to 2021 *CEQR Technical Manual* methodology, measurement periods of 20-minutes each AM, Midday, and PM peak hours were conducted at the street frontage at 853 Kent Avenue.

Noise monitoring was conducted using a Type 1 Casella CEL-633C sound meter with wind screen. The monitors were placed on a tripod at a height of approximately three feet above the ground, away from any other noise-reflective surfaces. The monitors were calibrated prior to and following each monitoring session. Periods of peak vehicular traffic around the subject site constitute a worst-case condition for noise at the project site.

Based on the noise measurements taken for the 853 Kent Avenue project, the predominant source of noise is vehicular traffic. The level of traffic and its corresponding level of noise is mild. Table 19-4 shows the noise monitoring results. Table 19-5 shows traffic volumes and vehicle classifications.

Table 219-4 – Noise Levels at 853 Kent Avenue, January 8, 2019

Time	7:58 – 8:21 am	12:41 – 1:01 pm	4:53 – 5:13 pm
L_{max}	93.4	85.7	88.9
L_{10}	**70**	**67.5**	**67**
L_{eq}	68.6	64.4	64.7
L_{50}	62.5	60.5	59
L_{90}	57.5	51	55
L_{min}	54.3	47.7	51.8

Table 19-5– Traffic Volumes and Vehicle Classifications

Vehicle Type	7:58 – 8:21 am	12:41 – 1:01 pm	4:53 – 5:13 pm
Car/ Taxi	17	19	27
Van/Light Truck/SUV	23	25	24
Motorcycle	0	0	0
Heavy Truck	8	6	5
Bus	7	1	0
Train	0	0	0

According to the noise exposure guidelines shown in Table 19-2 above, for a residential use an L_{10} of between 65 and 70 dB(A) is identified as Marginally Acceptable general external exposure. All monitoring results were in the Marginally Acceptable range. Based on the results of the 853 Kent Avenue noise study, no window-wall attenuation would be required to achieve an acceptable interior noise exposure level of 45 dB(A) for a residential use.

Conclusion

For the reasons discussed in this section, the Proposed Actions would not have a significant adverse impact related to noise, and no further assessment is required.

22. CONSTRUCTION

Introduction

A preliminary construction analysis is warranted because future development facilitated by the Proposed Actions could result in the following:

- Construction activities lasting longer than two years;
- Construction of multiple buildings where there is a potential for on-site receptors on buildings to be completed before the final build-out; and
- Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap, and last for more than two years overall.

Projected Construction Schedule

The Proposed Actions would facilitate the redevelopment of the Applicant's and Co-Applicant's lots (Projected Development Sites 1 and 2), and the reasonable worst-case development Scenario (RWCDS) that forms the framework for the analyses in this EAS projects that the Proposed Actions would result in the redevelopment of three other sites as well. The projected development schedule assumes that the Proposed Actions will be approved in 2025, following pre-certification review and ULURP, and that demolition and construction would take an estimated 22 months. The projected developments on the non-Applicant-owned sites, each requiring 20 to 22 months of construction, would be completed during the following two years. . It is not known when construction on the other sites would occur, but it is assumed that the developments would be completed during the following two years. The three developments would all be somewhat smaller than the Applicant's and Co-Applicant's and would require an one or two fewer months of construction. The final project build year would be 2028.

Construction Activities

Applicant-and Co-Applicant-Owned Sites

Construction activities would begin with the demolition of the existing structures on Projected Development Site 1 and 2 (two months). Following this, the major construction activities would include site preparation and excavation (two months), construction of the building foundation (two months), construction of the superstructure, joists, and roof (seven months), and interior fit-out work (eight months). In total, 13 months would involve exterior construction activities on the proposed building with the remaining nine months required for interior fit-out activities.

Non-Applicant-Owned Sites

Construction activities on the non-Applicant-owned Sites would be similar to those on the Applicant- and Co-Applicant-owned sites described above. The anticipated timeframes on each projected development site for demolition work, exterior and interior construction work, and time to occupy each building would be as follows:

- demolition of existing structures on each site (two months);

- site preparation and excavation (two months);

- construction of building foundations (two months);

- construction of superstructure, joists, and roof (six to seven months); and

- interior fit-out work (seven to eight months).

Figure 22-1 shows the projected construction schedule.

Project construction activities are expected to be typical for larger building construction projects in New York City. Construction activities would predominantly occur Monday through Friday, although limited delivery of certain critical pieces of equipment (e.g., cranes) may be necessary on weekend days if required in order to minimize traffic disruptions. Any weekend work would be contingent upon any conditions that may be imposed by City agencies that approve and monitor construction activities such as the NYC Department of Buildings (DOB) and the NYC Department of Transportation (DOT). DOB also regulates the permitted hours of construction. In accordance with those regulations, typical construction activities in New York City begin no earlier than 7 AM during the week, and workers typically arrive and begin to prepare work areas between 6 and 7 AM. The standard weekday construction workday ends by 3:30 PM with an occasional extended shift until 6 PM.

Potential Construction Impacts

In accordance with the 2021 *CEQR Technical Manual*, the proposed and projected projects were reviewed to determine whether further analysis of the proposed construction activities is needed for any technical area, as follows.

Transportation

According to the 2021 CEQR Technical Manual, a number of factors should be considered before determining whether a preliminary assessment of the effect of construction on transportation is needed including:

• Whether the project's construction would be located in a Central Business District (CBD) or along an arterial or major thoroughfare;

• Whether the project's construction activities would require closing, narrowing, or otherwise impeding moving lanes, roadways, key pedestrian facilities, parking lanes and/or parking spaces, bicycle routes and facilities, bus lanes or routes, or access points to transit; and

• Whether the project would involve construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap, and last for more than two years overall.

The Affected Area is not located within a central business district. All five projected development sites front on one-way local streets.

Figure 22-1: Construction Schedule (Page 1 of 2)

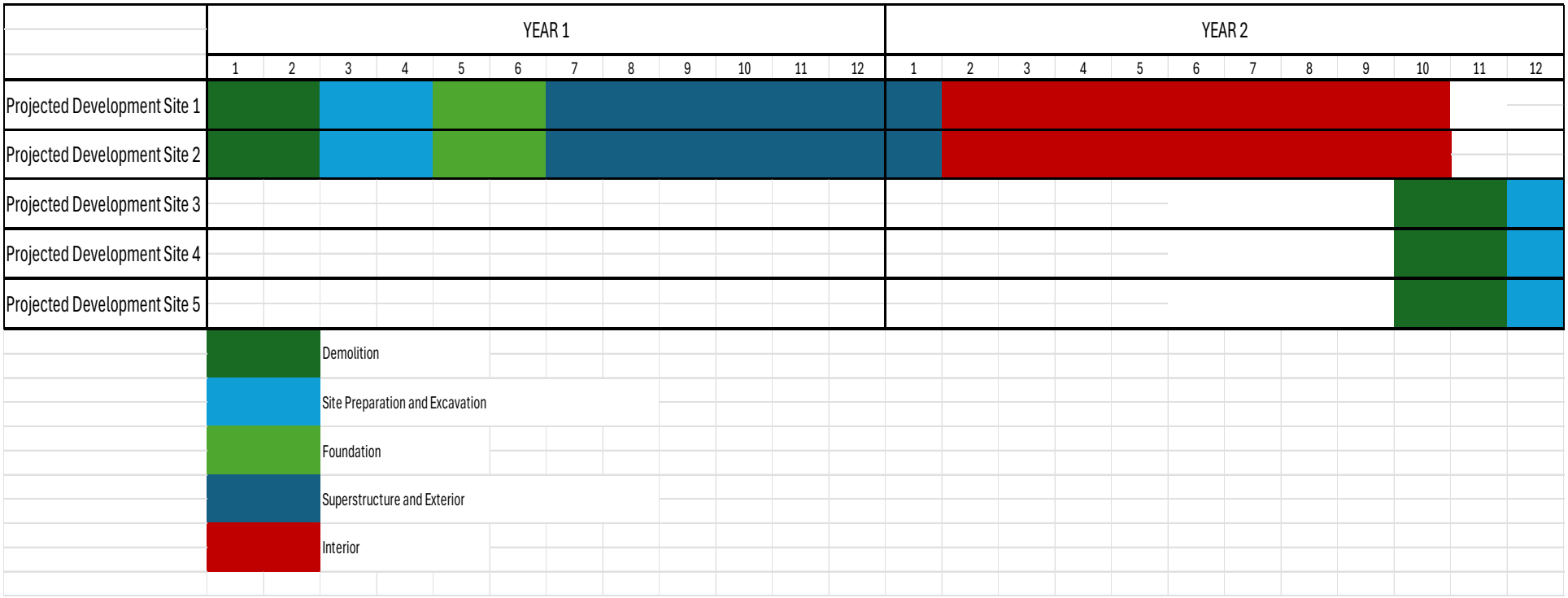
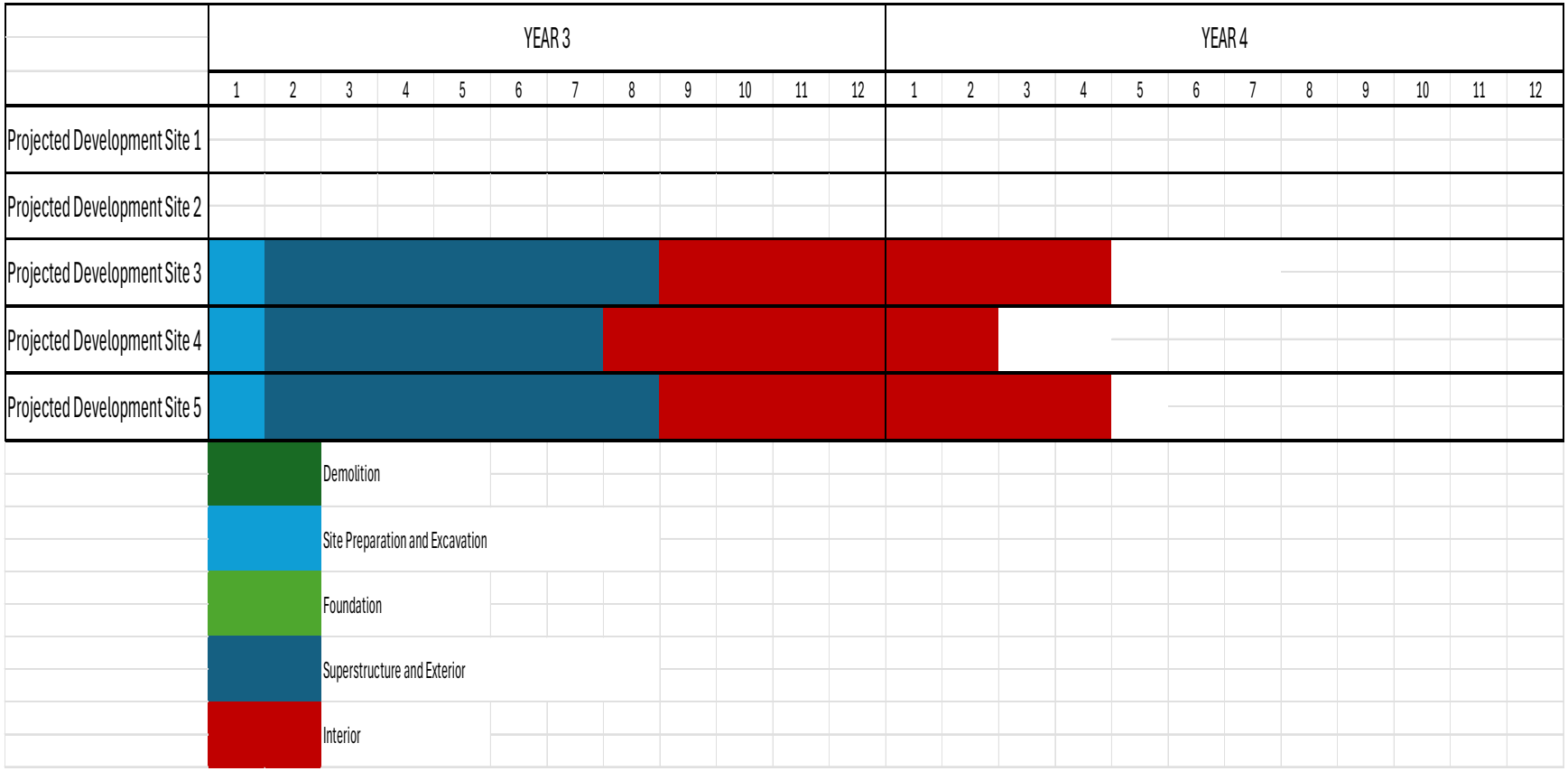


Figure 22-1: Construction Schedule (Page 2 of 2)



Construction would likely require the temporary rerouting of pedestrians but would not require the closing of either Kent Avenue or Taaffe Place to vehicular traffic. Brief temporary interruptions of traffic may occur when construction vehicles are entering or exiting a development site.

The project would involve construction on multiple development sites in the same geographic area and is anticipated to last more than two years overall. However, construction on Projected Development Sites 1 and 2 would occur simultaneously over a 22-month period, and nine of those months would be devoted to interior fit-out work. All construction on Projected Development Sites 1 and 2 other than the final stages of the interior work would be completed before construction begins on Projected Development Site 3 through 5 and would therefore not overlap with work on those sites, which would last 21 months, with eight of those months would be devoted to interior fit-out work.

On the basis of the above, construction of the proposed project would not result in significant adverse impacts on transportation.

Air Quality

The projects would make use of the Best Available Technology to minimize impacts to sensitive receptors in the vicinity of the projected development sites as further discussed below.

As with most construction projects in the city, the projected developments would require the operation of several pieces of diesel equipment at one time during the heavier periods of construction, such as demolition and excavation. The Applicant and Co-Applicant would implement the following measures that would minimize air quality and noise impacts on the surrounding community.

• Diesel Equipment Reduction. Construction of the proposed project would minimize the use of diesel engines and use electric engines, to the extent practicable. This would reduce the need for on-site generators, and require the use of electric engines in lieu of diesel where practicable.

• Clean Fuel. To the extent practicable, ultra-low sulfur diesel (ULSD) would be used for diesel engines on the projected development sites.

• Best Available Tailpipe Reduction Technologies. To the extent practicable, non-road diesel engines with a power rating of 50 horsepower (hp) or greater would utilize the best available tailpipe (BAT) technology for reducing diesel particulate matter (DPM) emissions. Diesel particle filters (DPF) have been identified as being the tailpipe technology currently proven to have the highest PM reduction capability.

To the extent practicable, construction contracts would specify that all diesel non-road engines rated at 50 hp or greater would utilize DPFs, either installed on the engine by the original equipment manufacturer (OEM) or retrofit with a DPF verified by EPA or the California Air Resources Board, and may include active DPFs if necessary; or other technology proven to reduce DPM by at least 90 percent.

• Utilization of Newer Equipment. EPA's Tier 1 through 4 standards for non-road engines regulate the emission of criteria pollutants from new engines, including PM, CO, NOx, and hydrocarbons (HC). To the extent practicable, all non-road construction equipment in the project would meet at least the Tier 2 emissions standard, and construction equipment meeting Tier 3 and/or Tier 4 emissions standards would be used where conforming equipment is widely available, and the use of such equipment is practicable.

• Dust Control. Fugitive dust control plans will be implemented as part of the construction process. For example, stabilized truck exit areas would be established for washing off the wheels of all trucks that exit the construction sites. Truck routes within the Sites would be watered as needed to avoid the re-suspension of dust. All trucks hauling loose material will be equipped with tight fitting tailgates and their loads securely covered prior to leaving the Sites. In addition to regular cleaning by the City, streets adjacent to the Site would be cleaned as frequently as needed by the construction contractor. Water sprays will be used for all transfer of spoils to ensure that materials are dampened as necessary to avoid the suspension of dust into the air.

• Restrictions on Vehicle Idling. In addition to adhering to local laws restricting unnecessary idling on roadways, on-site vehicle idle time will also be restricted to three minutes, to the extent practicable, for all equipment and vehicles that are not using their engines to operate a loading, unloading, or a processing device (e.g., concrete mixing trucks) or otherwise required for the proper operation of the engine.

Overall, these air emission control commitments would significantly reduce DPM emissions to a level otherwise achieved by applying the currently defined best available control technologies under NYC Local Law 77, which are required only for publicly funded City capital projects. In addition, as stated in the 2021 *CEQR Technical Manual*, all the necessary measures would be implemented to ensure compliance with the NYC Air Pollution Control Code regulating construction-related dust emissions. Based on the project size and the construction work involved, construction activities for the proposed project would not be considered out of the ordinary or exceptional in terms of intensity. With the implementation of an emissions control program, the proposed projects would not result in any significant adverse impacts on air quality.

Noise

While increases in ambient noise levels due to construction for two years or less may be noisy and intrusive, detailed construction noise analysis is not always required, given the relatively short periods of construction anticipated for the projected developments and the gap between completion of Projected Development Sites 1 and 2 and the start of construction on Projected Development Sites 3, 4, and 5. As described above, construction activities would be less than 24 months for each development site, including up to 13 months of exterior construction activities.

Construction noise is regulated by the NYC Noise Control Code and by EPA's noise emission standards for construction equipment. These local and federal requirements mandate that certain classifications of construction equipment and motor vehicles meet specified noise emission standards; that construction activities be limited to weekdays between the hours of 7 AM and 6 PM; and that construction materials be handled and transported in such a manner as not to create

unnecessary noise. If weekend or after hour work is necessary, permits would be required to be obtained, as specified in the NYC Noise Control Code. In addition, the NYC Noise Control Code requires the preparation of a "Construction Noise Mitigation Plan" to be implemented during project construction. The measures to be contained in the plans would avoid noise impacts on the community. The plans would include such measures as construction noise source controls, path controls, and receiver controls. With these measures in place, no significant noise impacts are expected to occur as a result of the project construction.

Historic and Cultural Resources

PS/IS 157, a school building located adjacent to Projected Development Sites 3 and 4, has been determined to be eligible for listing on the State and National Registers of Historic Places. If a construction project is located within 90 feet of a historic resource identified by the LPC, the New York City Department of Buildings (DOB) requires that the project comply with DOB Technical Policy and Procedure Notice 10/88, Procedures for the Avoidance of Damage to Historic Structures Resulting from Adjacent Construction When Subject to Controlled Inspection by Section 27-724 and for Any Existing Structure Designated by the Commissioner, which supplements the standard building protections afforded by Building Code C26-112.4. The specified procedures include establishment of criteria for maximum drilling velocity and movement criteria for the historic building walls and foundations. They include a monitoring program for the effects of vibrations, excavation, and drawdown of the water table. A licensed surveyor must be retained to monitor (through measurements made at least twice a week) any movement or tilting of the historic buildings and of any temporary retaining walls or other building support system, as well as settlements of the street and selected points on the ground. Any existing cracks in the walls of the historic buildings must be monitored. Groundwater levels are to be monitored through observation wells. Vibration from pile driving is to be monitored through the use of a seismograph placed adjacent to the closest historic building. Monitoring records must be kept and incorporated into inspection reports submitted to DOB within 30 days of the completion of excavation. The specified procedures should prevent any construction-related damage to the nearby historic resource. Therefore, the Proposed Actions would not be expected to result in any significant adverse construction impacts related to historic and cultural resources.

Hazardous Materials

As explained in the Hazardous Materials section above, because of past industrial uses, all projected development sites will be mapped with (E) designations for hazardous materials, which will require that that certain specified actions be taken prior to the issuance of any permits by DOB. These actions would include the performance of Phase II Environmental Site Assessment according to protocols reviewed and approved by the Mayor's Office of Environmental Remediation (OER) and the submission of the results to OER. If OER determines that remediation is indicated by the test results, a proposed remediation plan must be submitted to OER for review and approval. The developer must complete such remediation as determined necessary by OER and then provide OER with proper documentation that the work has been satisfactorily completed. The (E) designations also require that construction-related health and safety plans (CHASPs) reviewed and approved by OER would be implemented during excavation and

construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. These requirements would prevent a significant any significant adverse construction impacts related to hazardous materials.

Natural Resources, Open Space, Socioeconomic Conditions, Community Facilities, Land Use and Public Policy, Neighborhood Character, and Infrastructure

As discussed above, construction activities on the Applicant controlled Projected Development Sites 1 and 2 would be considered short term as they would occur simultaneously over a period of less than 24 months, as would construction activities at Projected Development Sits 3, 4, and 5. The construction activities would not have any significant direct effects on natural resources, socioeconomic conditions, community facilities, or infrastructure conditions, and would not have cumulative impacts on land use or neighborhood character. Although Projected Development Sites 2 and 4 are directly across the street from Taaffe Playground, Therefore, the Proposed Actions would not be expected to result in any significant adverse construction impacts related to these technical areas.

Conclusion

On the basis of the above analysis, the Proposed Actions would not have any potentially significant adverse construction impacts, and further analysis would not be warranted.

APPENDIX A: ARCHITECTURAL PLANS

Architectural plans are for illustrative purposes only.

jfa

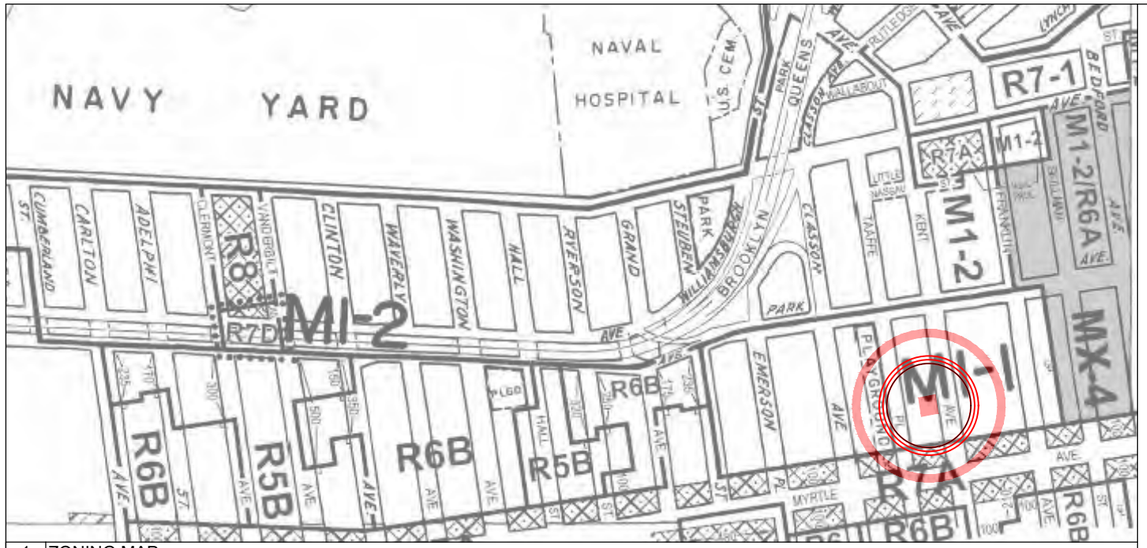
ASSOCIATES | ARCHITECTS | ENGINEERS

8 STORY, RESIDENTIAL BUILDING

862-868 KENT AVENUE

BROOKLYN, NY 11205

R6A DESIGN DEVELOPMENT PACKAGE
PACKAGE PREPARED FOR DCP
APRIL 7, 2022



1 ZONING MAP
N.T.S.

PROPERTY DATA
ADDRESS: 862-868 KENT AVE
TAX BLOCK: 1897
TAX LOT: 49
ZONING MAP NO.: 12B
ZONING DISTRICT: R6-A
COMMUNITY BOARD.: 303

FOR INCLUSIONARY HOUSING
23-154: R6A
MAX LOT COVERAGE: 65%
MAX FLOOR AREA RATIO: 3.60

25-253: R6A
PARKING SPACES REQUIRE 50% OF TOTAL DWELLING UNITS

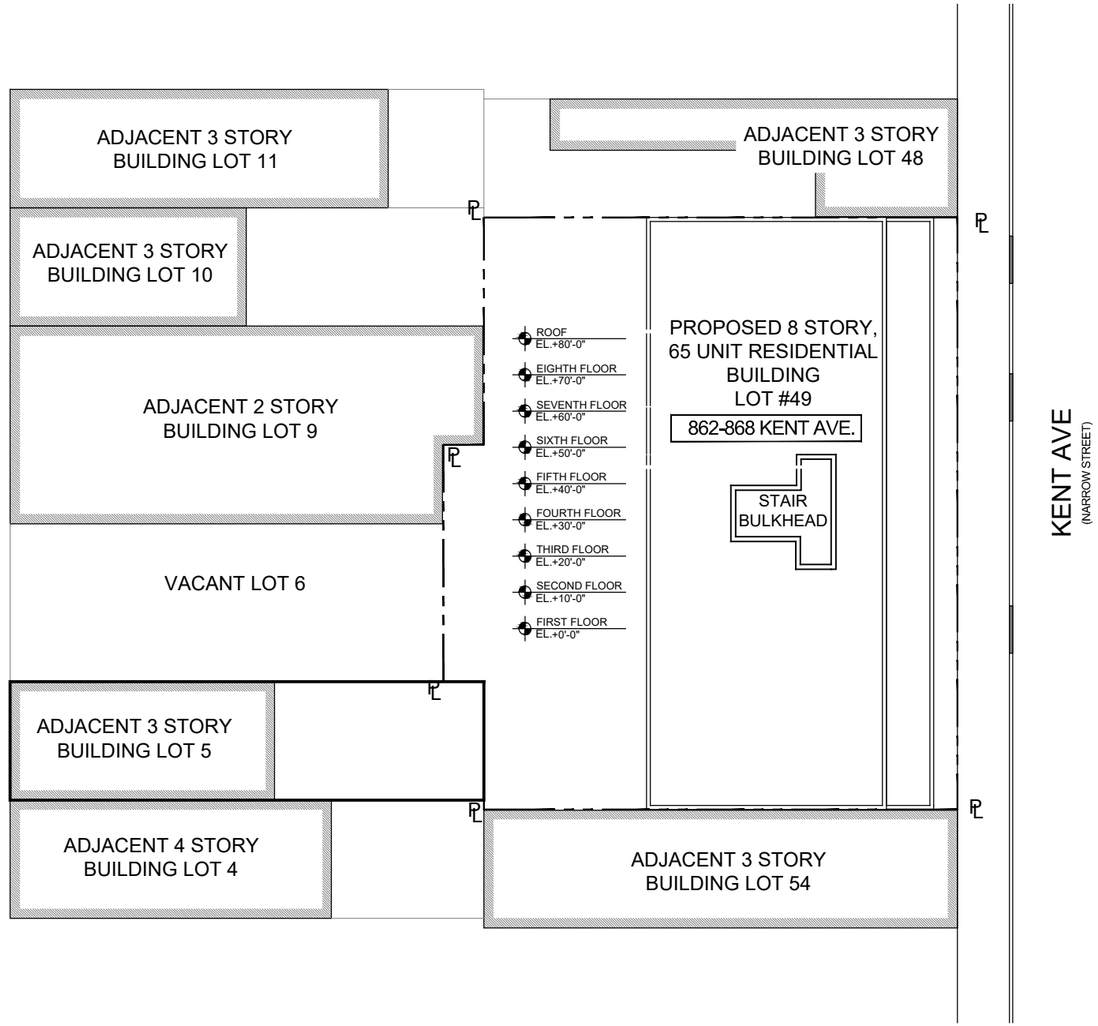
25-811: ENCLOSED BICYCLE PARKING SPACES R6
REQUIRED BICYCLE PARKING SPACES FOR RESIDENTIAL OR COMMUNITY FACILITY USES

TYPE OF USE
USE GROUP 2
REQUIRED NO. OF BICYCLE PARKING
1 PER 2 DWELLING UNITS

PRELIMINARY FLOOR AREA BREAKDOWN

LOT AREA	12,928.00 SF			
FLOOR	USE	BUILDING GROSS SF	ZONING FLOOR AREA DEDUCTIONS	RESIDENTIAL ZONING FLOOR AREA
FIRST	RESIDENTIAL	3,054.34	2,523.62	530.72
SECOND	RESIDENTIAL	7,493.92	330.44	7,163.48
THIRD	RESIDENTIAL	7,493.92	330.44	7,163.48
FOURTH	RESIDENTIAL	7,493.92	330.44	7,163.48
FIFTH	RESIDENTIAL	7,493.92	330.44	7,163.48
SIXTH	RESIDENTIAL	7,493.92	330.44	7,163.48
SEVENTH	RESIDENTIAL	5,993.49	293.24	5,700.25
EIGHTH	RESIDENTIAL	4,443.66	192.37	4,251.29
ROOFTOP STRUCTURE	MECHANICAL	360.93	304.46	56.47
PROPOSED FLOOR AREA TOTAL		51,322.02	4,965.87	**46,356.15**
PROPOSED F.A.R.				**3.59**
PERMITTED FLOOR AREA LOT #49 (LOT SF x 3.60)				46,540.80 SF
PERMITTED F.A.R.				3.60

2 ZONING ANALYSIS
N.T.S.



3 PLOT PLAN
N.T.S.

jfa
J Frankl C Mallea Associates
16 Court St, 36th Floor
Brooklyn NY 11241
718.569.2200

PROJECT:
862-868 KENT AVE
BROOKLYN, NY 11205

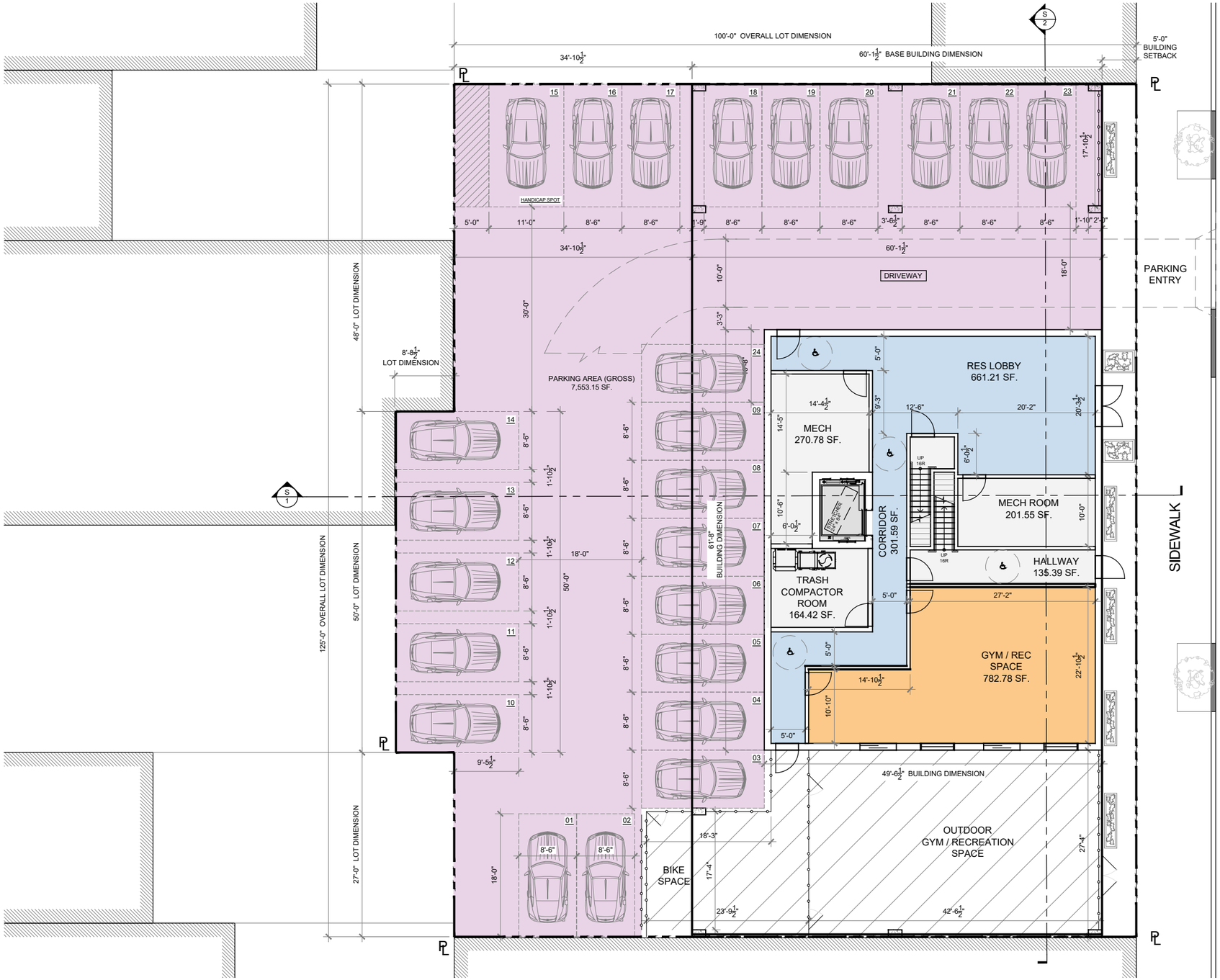
BLOCK: 1897
LOT: 49
COMMUNITY BD: 303

ZONING DISTRICT: R6-A
OCCUPANCY CLASS: R-2
USE GROUP: 2

REQUIREMENTS:
- INCLUSIONARY HOUSING OPTION II
- MAX LOT COVERAGE 65%
- MAXIMUM DWELLING UNITS: 68
- MAX. BASE HEIGHT: 65'
- MAX. BUILDING HEIGHT: 85' (QGF)
- REQUIRED CAR PARKING: 50% OF 65 D.U.
- REQUIRED BICYCLE PARKING: 50% OF 65 D.U.

SCOPE:
- 25% DWELLING UNITS = 60% AMI
- PROPOSED MAX LOT COVERAGE: 65%
- PROPOSED DWELLING UNITS: 65
- PROPOSED MAX. BASE HEIGHT: 63'
- PROPOSED MAX. BUILDING HEIGHT: 83' (QGF)
- PROPOSED PARKING SPACES: 24
- PROPOSED BIKE SPACES: 33

SCALE:
SCALE: 0 16



LEGEND

- RESIDENTIAL
- LAUNDRY & REC SPACE
- MECHANICAL, STAIRS & ELEVATOR
- PARKING
- BIKE & GYM SPACE

FIRST FLOOR
EL.+0'-0"

GROSS FLOOR AREA: 3,054 SF

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J Frankl C Mallea Associates
16 Court St, 36th Floor
Brooklyn NY 11241
718.569.2200

PROJECT:
862-868 KENT AVE
BROOKLYN, NY 11205

BLOCK: 1897
LOT: 49
COMMUNITY BD: 303

ZONING DISTRICT: R6-A
OCCUPANCY CLASS: R-2
USE GROUP: 2

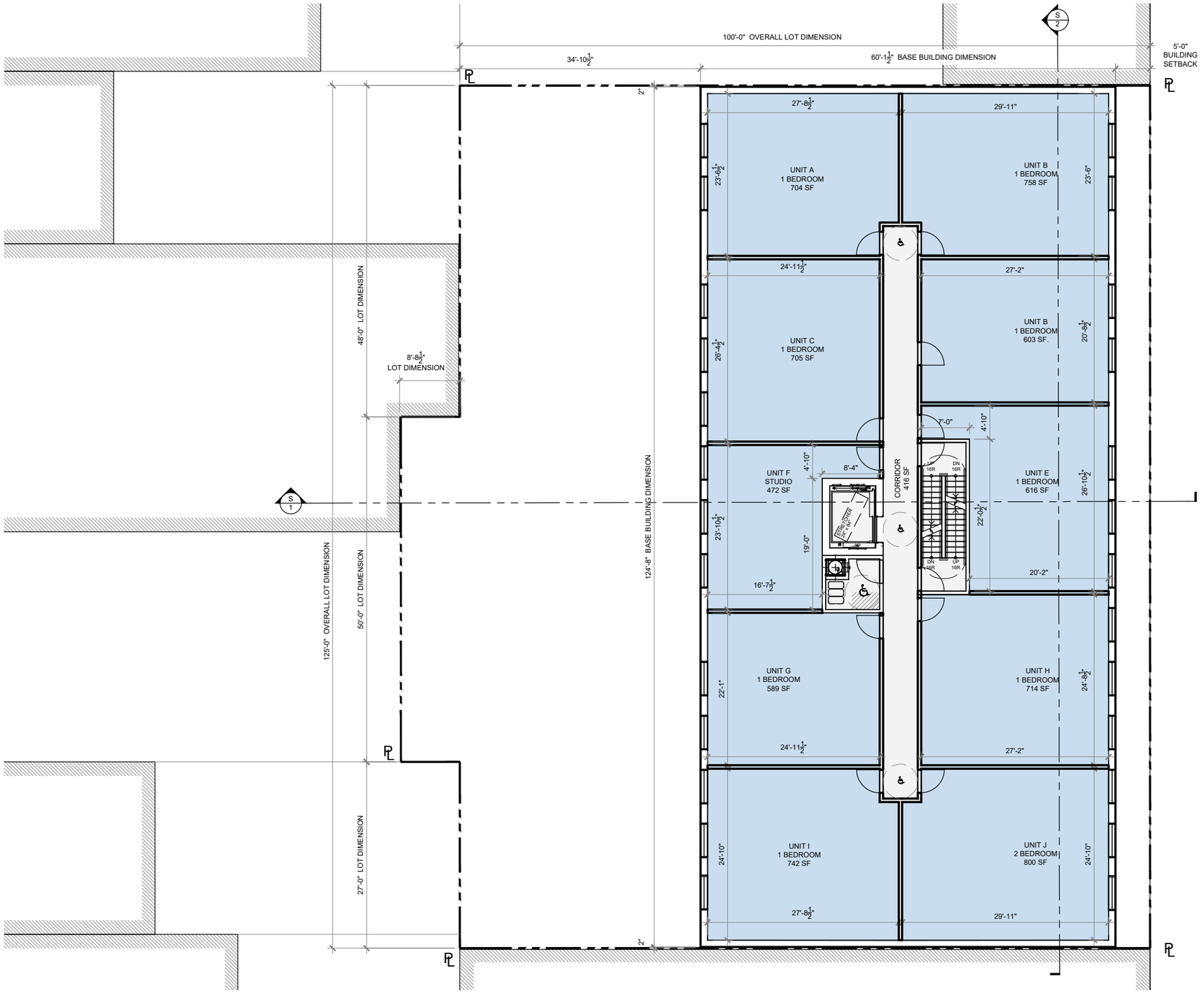
REQUIREMENTS:
- INCLUSIONARY HOUSING OPTION II
- MAX LOT COVERAGE 65%
- MAXIMUM DWELLING UNITS: 68
- MAX. BASE HEIGHT: 65'
- MAX. BUILDING HEIGHT: 85' (QGF)
- REQUIRED CAR PARKING: 50% OF 65 D.U.
- REQUIRED BICYCLE PARKING: 50% OF 65 D.U.

SCOPE:
- 25% DWELLING UNITS = 60% AMI
- PROPOSED MAX LOT COVERAGE: 65%
- PROPOSED DWELLING UNITS: 65
- PROPOSED MAX. BASE HEIGHT: 63'
- PROPOSED MAX. BUILDING HEIGHT: 83' (QGF)
- PROPOSED PARKING SPACES: 24
- PROPOSED BIKE SPACES: 33

SCALE:

SCALE: 0 16

N



KENT AVE
(NARROW STREET)

LEGEND

- RESIDENTIAL
- LAUNDRY & REC SPACE
- MECHANICAL, STAIRS & ELEVATOR
- PARKING
- BIKE & GYM SPACE

SIXTH FLOOR
EL.+50'-0"

FIFTH FLOOR
EL.+40'-0"

FOURTH FLOOR
EL.+30'-0"

THIRD FLOOR
EL.+20'-0"

SECOND FLOOR
EL.+10'-0"

GROSS FLOOR AREA: 7,493.92 SF

jfa
J Frankl C Mallea Associates
16 Court St, 36th Floor
Brooklyn NY 11241
718.569.2200

PROJECT:
862-868 KENT AVE
BROOKLYN, NY 11205

BLOCK: 1897
LOT: 49
COMMUNITY BD: 303

ZONING DISTRICT: R6-A
OCCUPANCY CLASS: R-2
USE GROUP: 2

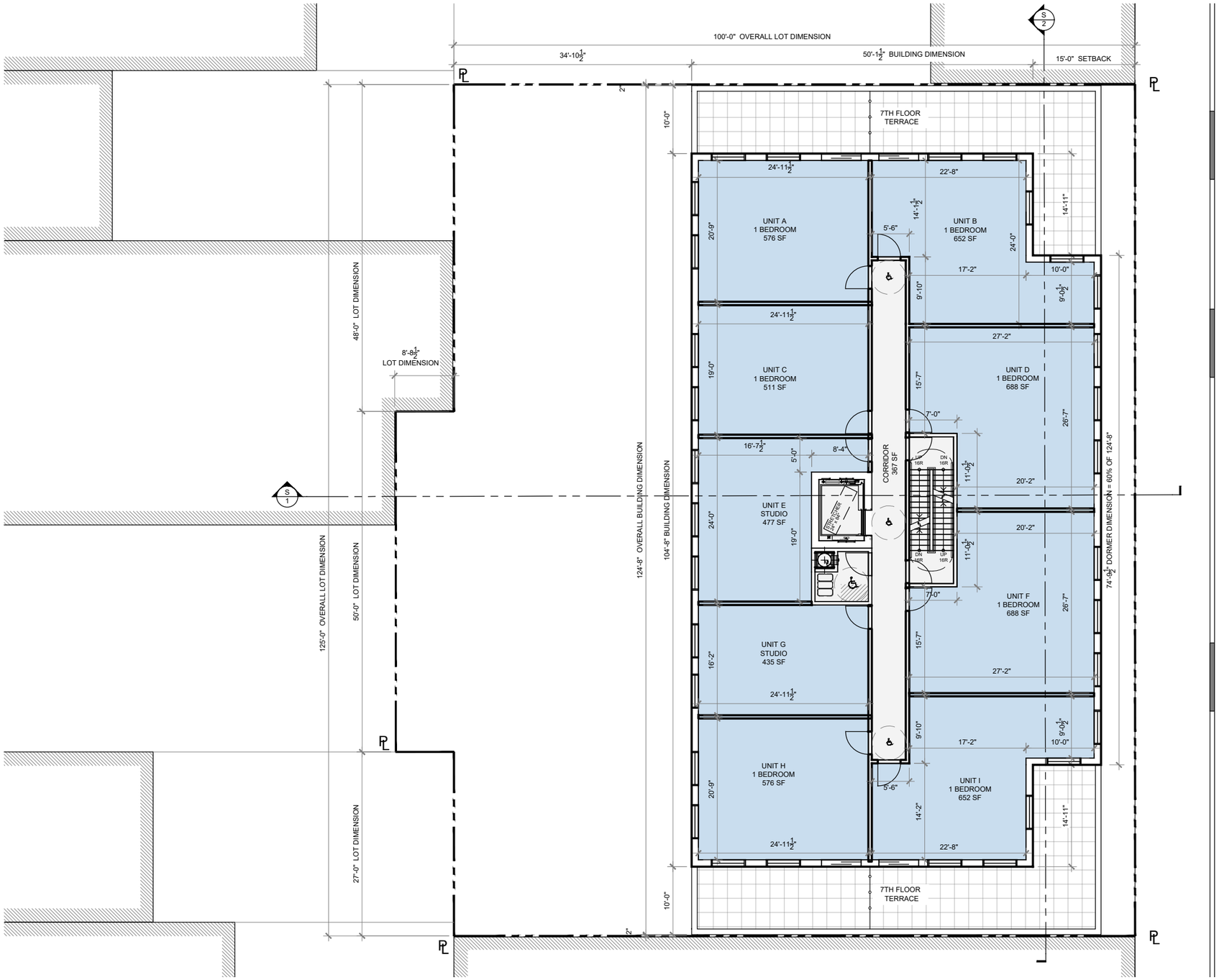
REQUIREMENTS:
- INCLUSIONARY HOUSING OPTION II
- MAX LOT COVERAGE 65%
- MAXIMUM DWELLING UNITS: 68
- MAX. BASE HEIGHT: 65'
- MAX. BUILDING HEIGHT: 85' (QGF)
- REQUIRED CAR PARKING: 50% OF 65 D.U.
- REQUIRED BICYCLE PARKING: 50% OF 65 D.U.

SCOPE:
- 25% DWELLING UNITS = 60% AMI
- PROPOSED MAX LOT COVERAGE: 65%
- PROPOSED DWELLING UNITS: 65
- PROPOSED MAX. BASE HEIGHT: 63'
- PROPOSED MAX. BUILDING HEIGHT: 83' (QGF)
- PROPOSED PARKING SPACES: 24
- PROPOSED BIKE SPACES: 33

SCALE:

SCALE:
0 16

N



LEGEND

- RESIDENTIAL
- LAUNDRY & REC SPACE
- MECHANICAL, STAIRS & ELEVATOR
- PARKING
- BIKE & GYM SPACE

SEVENTH FLOOR
EL.+60'-0"

GROSS FLOOR AREA: 5,993 SF

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J Frankl C Mallea Associates
16 Court St, 36th Floor
Brooklyn NY 11241
718.569.2200

PROJECT:
862-868 KENT AVE
BROOKLYN, NY 11205

BLOCK: 1897
LOT: 49
COMMUNITY BD: 303

ZONING DISTRICT: R6-A
OCCUPANCY CLASS: R-2
USE GROUP: 2

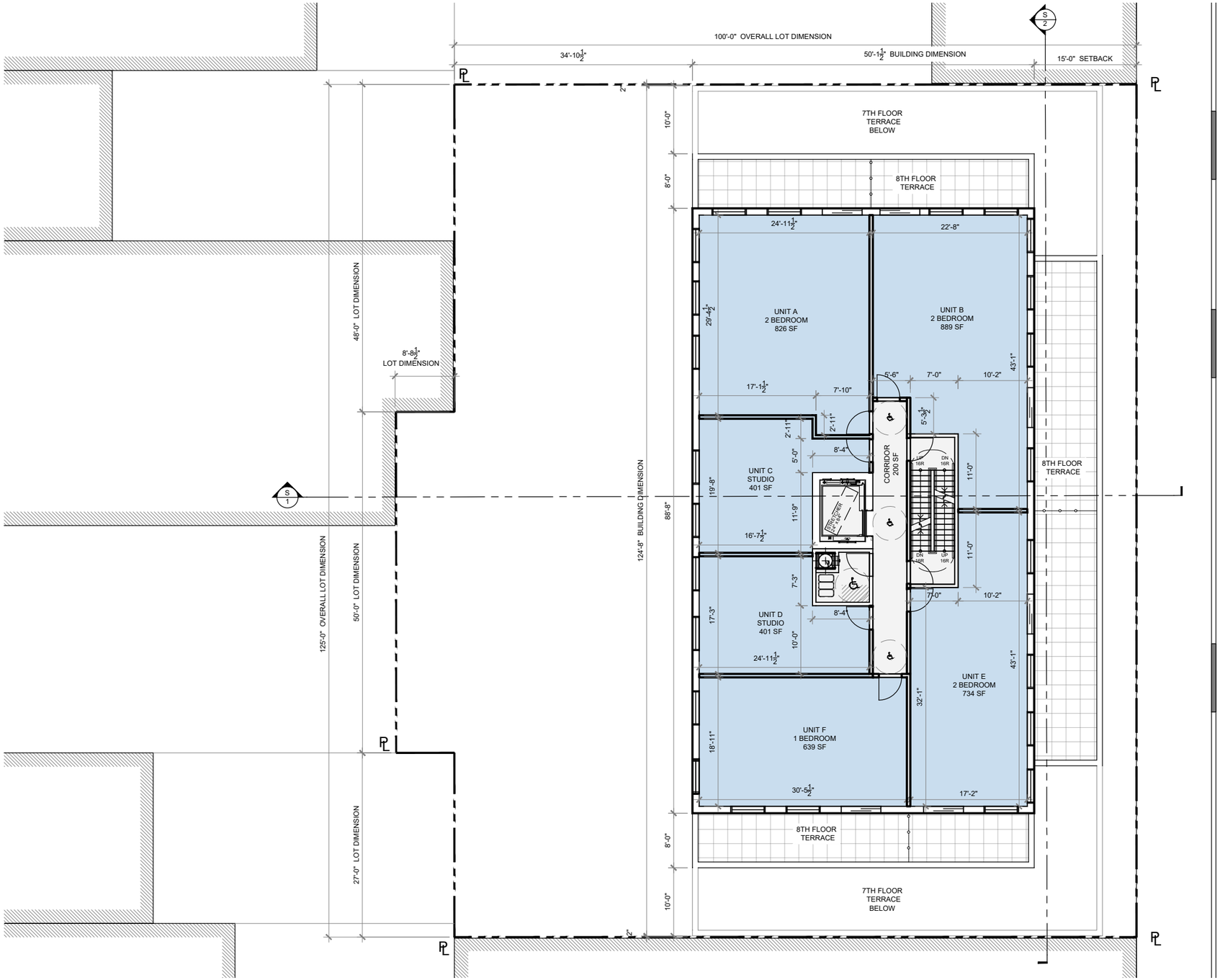
REQUIREMENTS:
- INCLUSIONARY HOUSING OPTION II
- MAX LOT COVERAGE 65%
- MAXIMUM DWELLING UNITS: 68
- MAX. BASE HEIGHT: 65'
- MAX. BUILDING HEIGHT: 85' (QGF)
- REQUIRED CAR PARKING: 50% OF 65 D.U.
- REQUIRED BICYCLE PARKING: 50% OF 65 D.U.

SCOPE:
- 25% DWELLING UNITS = 60% AMI
- PROPOSED MAX LOT COVERAGE: 65%
- PROPOSED DWELLING UNITS: 65
- PROPOSED MAX. BASE HEIGHT: 63'
- PROPOSED MAX. BUILDING HEIGHT: 83' (QGF)
- PROPOSED PARKING SPACES: 24
- PROPOSED BIKE SPACES: 33

SCALE:

SCALE: 0 16

N



KENT AVE
(NARROW STREET)

LEGEND

- RESIDENTIAL
- LAUNDRY & REC SPACE
- MECHANICAL, STAIRS & ELEVATOR
- PARKING
- BIKE & GYM SPACE

EIGHTH FLOOR
EL.+70'-0"

GROSS FLOOR AREA: 4,444 SF

J Frankl C Mallea Associates
16 Court St, 36th Floor
Brooklyn NY 11241
718.569.2200

PROJECT:
862-868 KENT AVE
BROOKLYN, NY 11205

BLOCK: 1897
LOT: 49
COMMUNITY BD: 303

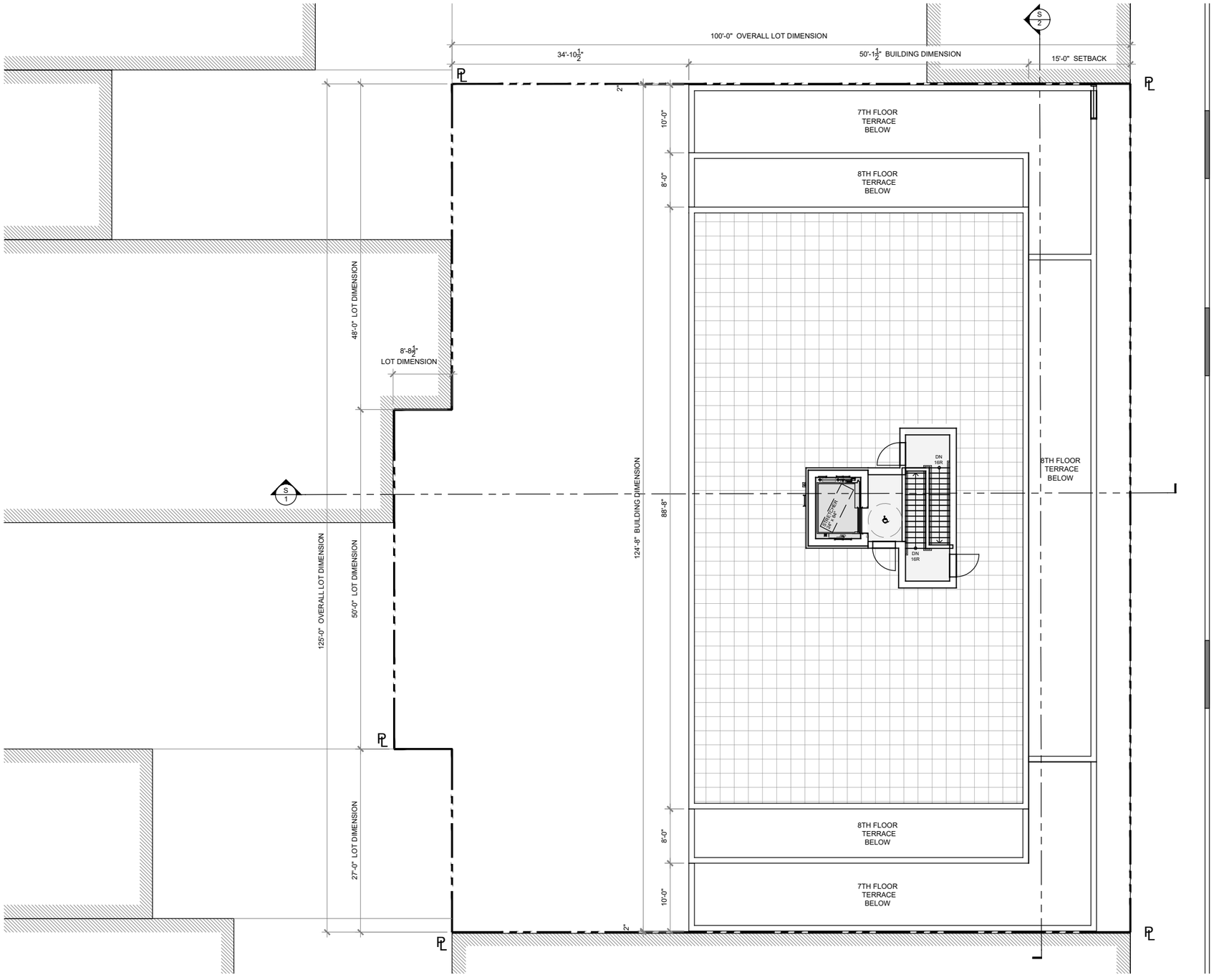
ZONING DISTRICT: R6-A
OCCUPANCY CLASS: R-2
USE GROUP: 2

REQUIREMENTS:
- INCLUSIONARY HOUSING OPTION II
- MAX LOT COVERAGE 65%
- MAXIMUM DWELLING UNITS: 68
- MAX. BASE HEIGHT: 65'
- MAX. BUILDING HEIGHT: 85' (QGF)
- REQUIRED CAR PARKING: 50% OF 65 D.U.
- REQUIRED BICYCLE PARKING: 50% OF 65 D.U.

SCOPE:
- 25% DWELLING UNITS = 60% AMI
- PROPOSED MAX LOT COVERAGE: 65%
- PROPOSED DWELLING UNITS: 65
- PROPOSED MAX. BASE HEIGHT: 63'
- PROPOSED MAX. BUILDING HEIGHT: 83' (QGF)
- PROPOSED PARKING SPACES: 24
- PROPOSED BIKE SPACES: 33

SCALE:

SCALE:
0 16



KENT AVE
(NARROW STREET)

LEGEND

- RESIDENTIAL
- LAUNDRY & REC SPACE
- MECHANICAL, STAIRS & ELEVATOR
- PARKING
- BIKE & GYM SPACE

ROOF
EL.+50'-0"

GROSS FLOOR AREA: 361 SF

jfa
J Frankl C Mallea Associates
16 Court St, 36th Floor
Brooklyn NY 11241
718.569.2200

PROJECT:
862-868 KENT AVE
BROOKLYN, NY 11205

BLOCK: 1897
LOT: 49
COMMUNITY BD: 303

ZONING DISTRICT: R6-A
OCCUPANCY CLASS: R-2
USE GROUP: 2

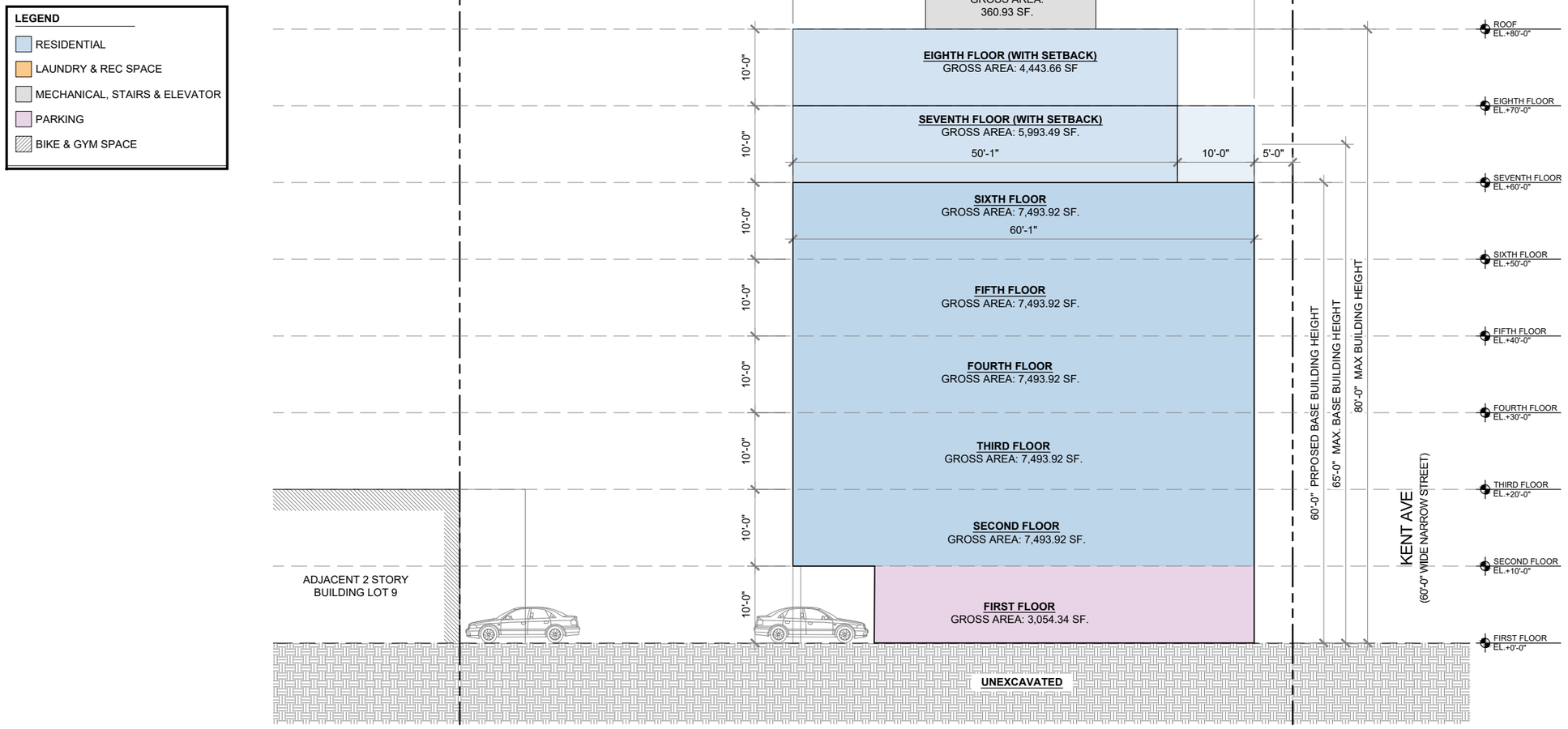
REQUIREMENTS:
- INCLUSIONARY HOUSING OPTION II
- MAX LOT COVERAGE 65%
- MAXIMUM DWELLING UNITS: 68
- MAX. BASE HEIGHT: 65'
- MAX. BUILDING HEIGHT: 85' (QGF)
- REQUIRED CAR PARKING: 50% OF 65 D.U.
- REQUIRED BICYCLE PARKING: 50% OF 65 D.U.

SCOPE:
- 25% DWELLING UNITS = 60% AMI
- PROPOSED MAX LOT COVERAGE: 65%
- PROPOSED DWELLING UNITS: 65
- PROPOSED MAX. BASE HEIGHT: 63'
- PROPOSED MAX. BUILDING HEIGHT: 83' (QGF)
- PROPOSED PARKING SPACES: 24
- PROPOSED BIKE SPACES: 33

SCALE:

SCALE:
0 16

N



SECTION 1

jfa
J Frankl C Mallea Associates
16 Court St, 36th Floor
Brooklyn NY 11241
718.569.2200

PROJECT:
862-868 KENT AVE
BROOKLYN, NY 11205

BLOCK: 1897
LOT: 49
COMMUNITY BD: 303

ZONING DISTRICT: R6-A
OCCUPANCY CLASS: R-2
USE GROUP: 2

REQUIREMENTS:
- INCLUSIONARY HOUSING OPTION II
- MAX LOT COVERAGE 65%
- MAXIMUM DWELLING UNITS: 68
- MAX. BASE HEIGHT: 65'
- MAX. BUILDING HEIGHT: 85' (QGF)
- REQUIRED CAR PARKING: 50% OF 65 D.U.
- REQUIRED BICYCLE PARKING: 50% OF 65 D.U.

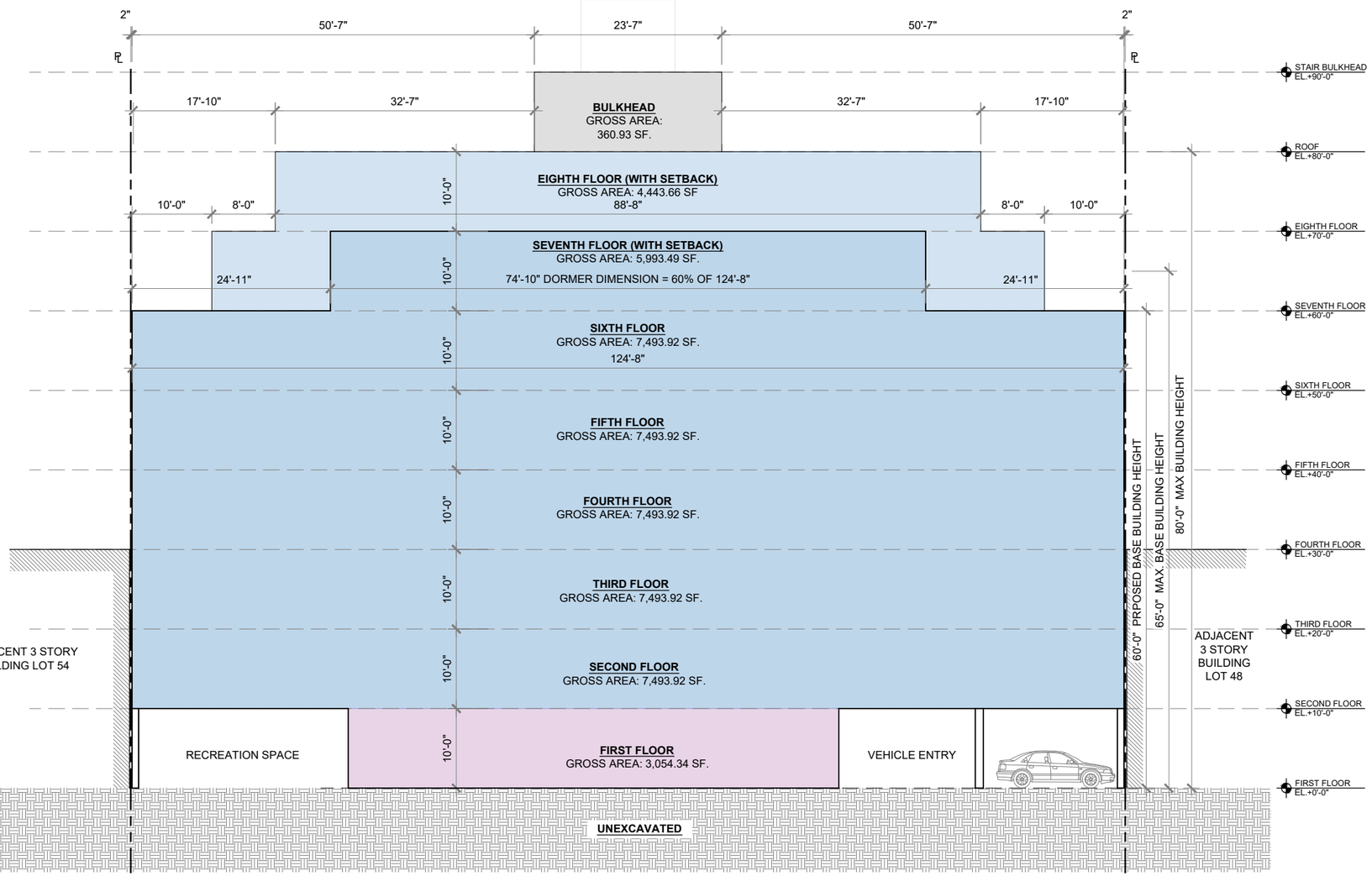
SCOPE:
- 25% DWELLING UNITS = 60% AMI
- PROPOSED MAX LOT COVERAGE: 65%
- PROPOSED DWELLING UNITS: 65
- PROPOSED MAX. BASE HEIGHT: 63'
- PROPOSED MAX. BUILDING HEIGHT: 83' (QGF)
- PROPOSED PARKING SPACES: 24
- PROPOSED BIKE SPACES: 33

SCALE:
SCALE:
0 16

N

LEGEND

- RESIDENTIAL
- LAUNDRY & REC SPACE
- MECHANICAL, STAIRS & ELEVATOR
- PARKING
- BIKE & GYM SPACE



SECTION 2

J Frankl C Mallea Associates
16 Court St, 36th Floor
Brooklyn NY 11241
718.569.2200

PROJECT:
862-868 KENT AVE
BROOKLYN, NY 11205

BLOCK: 1897
LOT: 49
COMMUNITY BD: 303

ZONING DISTRICT: R6-A
OCCUPANCY CLASS: R-2
USE GROUP: 2

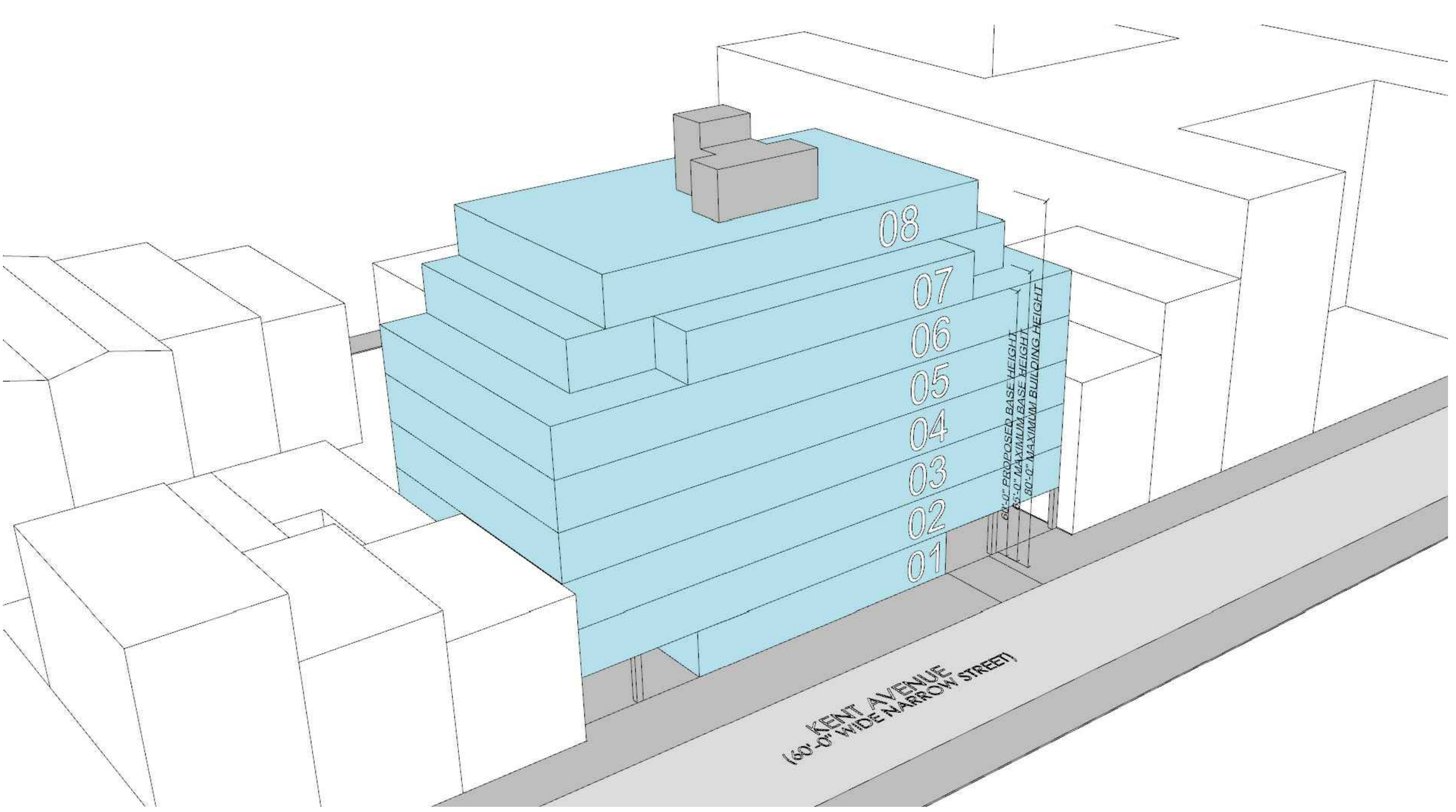
REQUIREMENTS:
- INCLUSIONARY HOUSING OPTION II
- MAX LOT COVERAGE 65%
- MAXIMUM DWELLING UNITS: 68
- MAX. BASE HEIGHT: 65'
- MAX. BUILDING HEIGHT: 85' (QGF)
- REQUIRED CAR PARKING: 50% OF 65 D.U.
- REQUIRED BICYCLE PARKING: 50% OF 65 D.U.

SCOPE:
- 25% DWELLING UNITS = 60% AMI
- PROPOSED MAX LOT COVERAGE: 65%
- PROPOSED DWELLING UNITS: 65
- PROPOSED MAX. BASE HEIGHT: 63'
- PROPOSED MAX. BUILDING HEIGHT: 83' (QGF)
- PROPOSED PARKING SPACES: 24
- PROPOSED BIKE SPACES: 33

SCALE:

SCALE:
0 16

N



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PROJECT:
862-868 KENT AVE
BROOKLYN, NY 11205

BLOCK: 1897
LOT: 49
COMMUNITY BD: 303

ZONING DISTRICT: R6-A
OCCUPANCY CLASS: R-2
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REQUIREMENTS:
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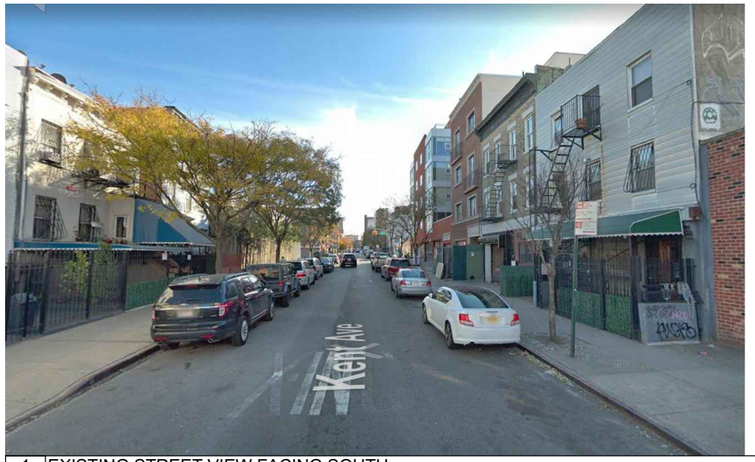
PROJECT:
862-868 KENT AVE
BROOKLYN, NY 11205

BLOCK: 1897
LOT: 49
COMMUNITY BD: 303

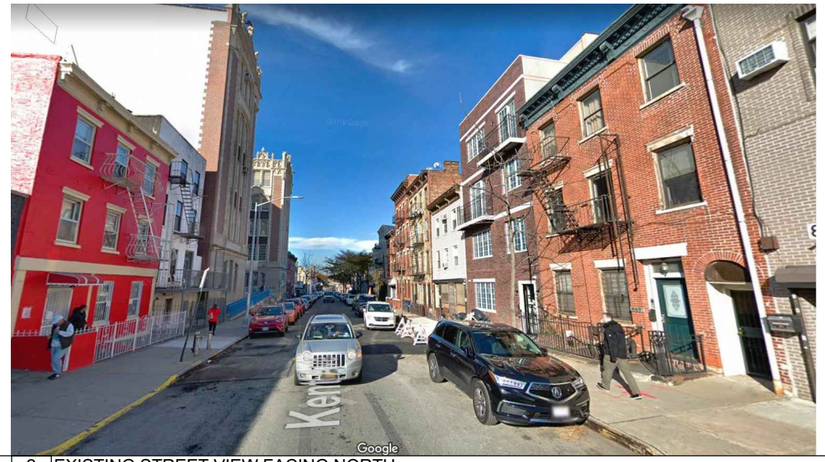
ZONING DISTRICT: R6-A
OCCUPANCY CLASS: R-2
USE GROUP: 2

REQUIREMENTS:
- INCLUSIONARY HOUSING OPTION II
- MAX LOT COVERAGE 65%
- MAXIMUM DWELLING UNITS: 68
- MAX. BASE HEIGHT: 65'
- MAX. BUILDING HEIGHT: 85' (QGF)
- REQUIRED CAR PARKING: 50% OF 65 D.U.
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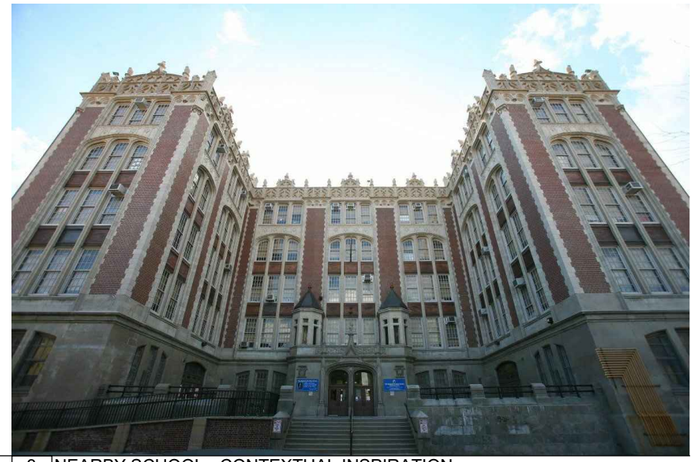
SCOPE:
- 25% DWELLING UNITS = 60% AMI
- PROPOSED MAX LOT COVERAGE: 65%
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- PROPOSED MAX. BASE HEIGHT: 63'
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- PROPOSED BIKE SPACES: 33



1 N.T.S. EXISTING STREET VIEW FACING SOUTH



2 N.T.S. EXISTING STREET VIEW FACING NORTH



3 N.T.S. NEARBY SCHOOL - CONTEXTUAL INSPIRATION



1 N.T.S. CONCEPTUAL ELEVATION



5 N.T.S. CONCEPTUAL PRESPECTIVE STREET VIEW

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PROJECT:
862-868 KENT AVE
BROOKLYN, NY 11205

BLOCK: 1897
LOT: 49
COMMUNITY BD: 303

ZONING DISTRICT: R6-A
OCCUPANCY CLASS: R-2
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REQUIREMENTS:
- INCLUSIONARY HOUSING OPTION II
- MAX LOT COVERAGE 65%
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SCOPE:
- 25% DWELLING UNITS = 60% AMI
- PROPOSED MAX LOT COVERAGE: 65%
- PROPOSED DWELLING UNITS: 65
- PROPOSED MAX. BASE HEIGHT: 63'
- PROPOSED MAX. BUILDING HEIGHT: 83' (QGF)
- PROPOSED PARKING SPACES: 24
- PROPOSED BIKE SPACES: 33

7-STORY RESIDENTIAL BUILDING

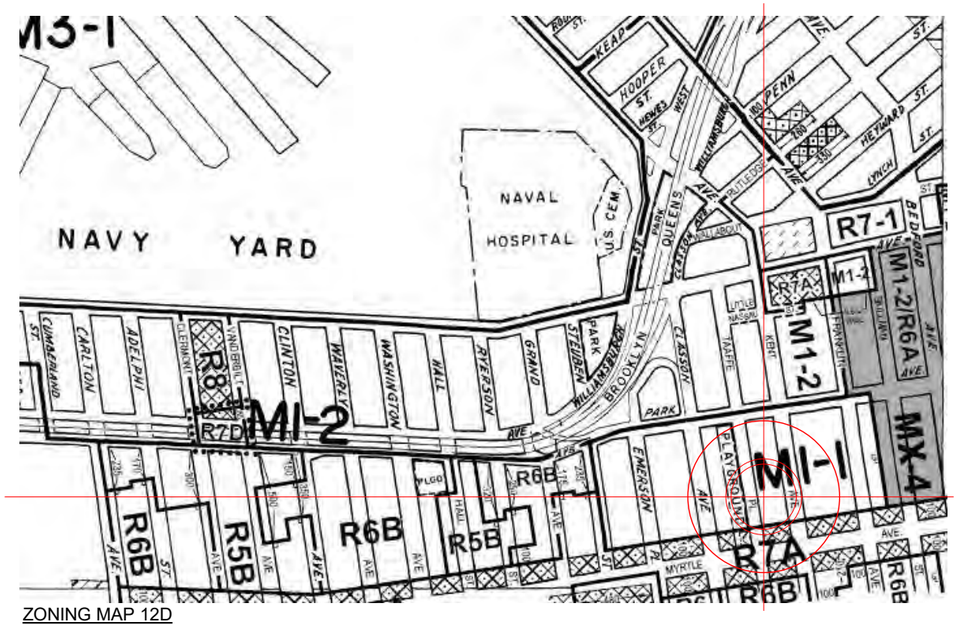
123-125 TAAFFE PLACE

BROOKLYN, NY 11305



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R6A DESIGN DEVELOPMENT PACKAGE
PREPARED FOR COMMUNITY BOARD 303



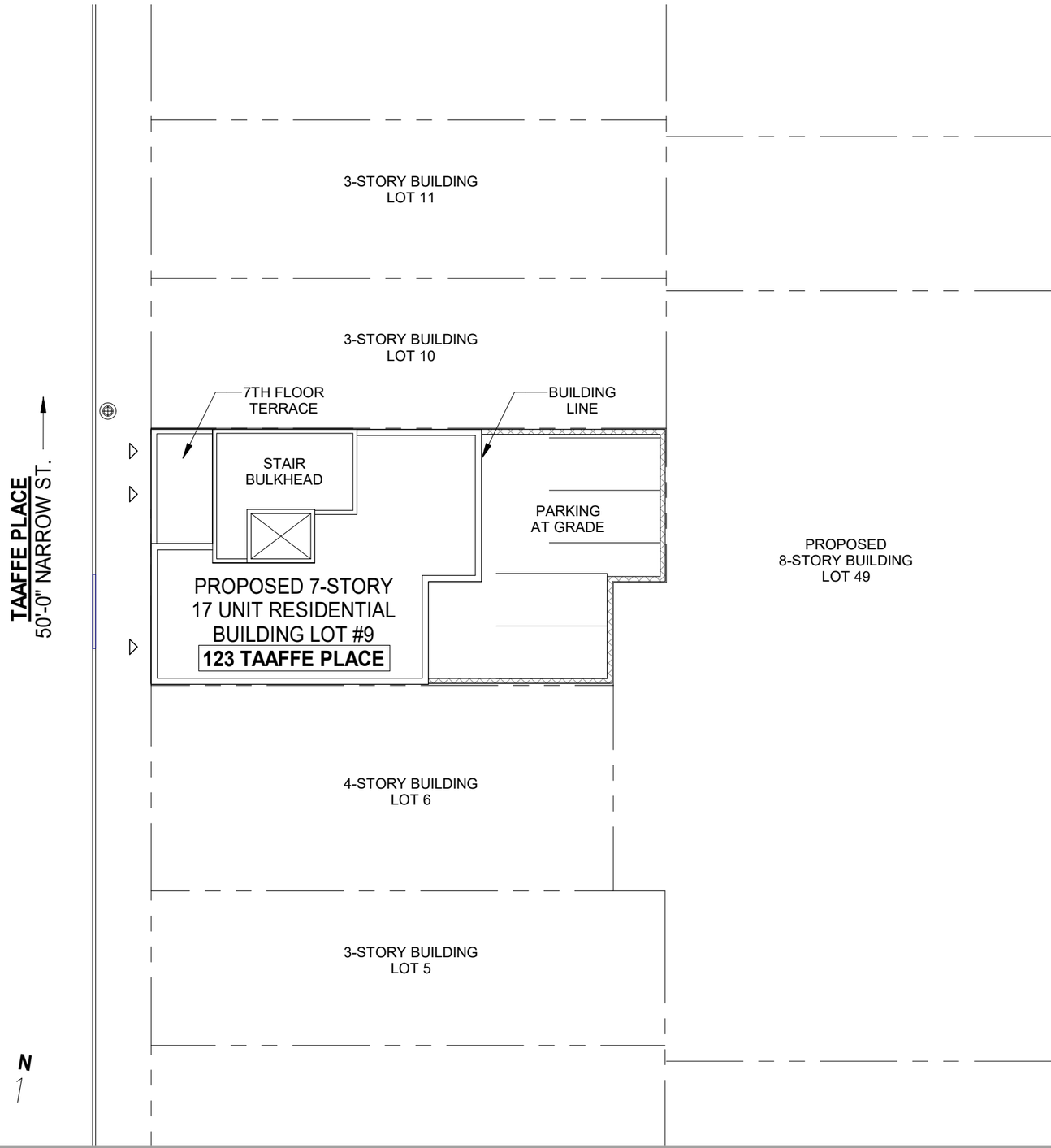
ZONING MAP 12D

PROPERTY DATA
ADDRESS: 123-125 TAAFFE PL.
TAX BLOCK: 1897 LOT: 9
ZONING: R6A PROPOSED
ZONING MAP: 12D
LOT AREA: 3,340 SF
COMMUNITY DISTRICT: 303

INCLUSIONARY HOUSING:
ZR 23-154
MAX. LOT COVERAGE 65%
PROPOSED 61% (OK)
MAX. FLOOR AREA RATIO: 3.6
PROPOSED FAR: 3.6

ZR 23-253
PARKING SPACES REQ. 50%
PROPOSED 6 (OK)
ZR 25-811
BICYCLE SPOTS 1 PER 2 DUS
PROPOSED 9 (OK)

123-125 Taaffe Place - ULURP R6A Proposed				
Lot 9 Area				3,340.0
Maximum FAR				3.60
Maximum Floor Area Permitted				12,024.0
Floor	Use	Gross Area	QH Deductions	Zoning Floor Area
Cellar	Mechanical / Storage	3,340	-	
First	Self Parking - Outdoor	2,665	-	
	Residential	675	200	475
Second	Residential	2,067	103	1,964
Third	Residential	2,067	103	1,964
Fourth	Residential	2,067	103	1,964
Fifth	Residential	2,067	103	1,964
Sixth	Residential	2,067	103	1,964
Seventh	Residential	1,890	95	1,795
Roof	Residential	425	21	404
Gross Subtotals		19,330	831	
ZFA Zoning Lot Total				12,019
Total Proposed FAR				3.60



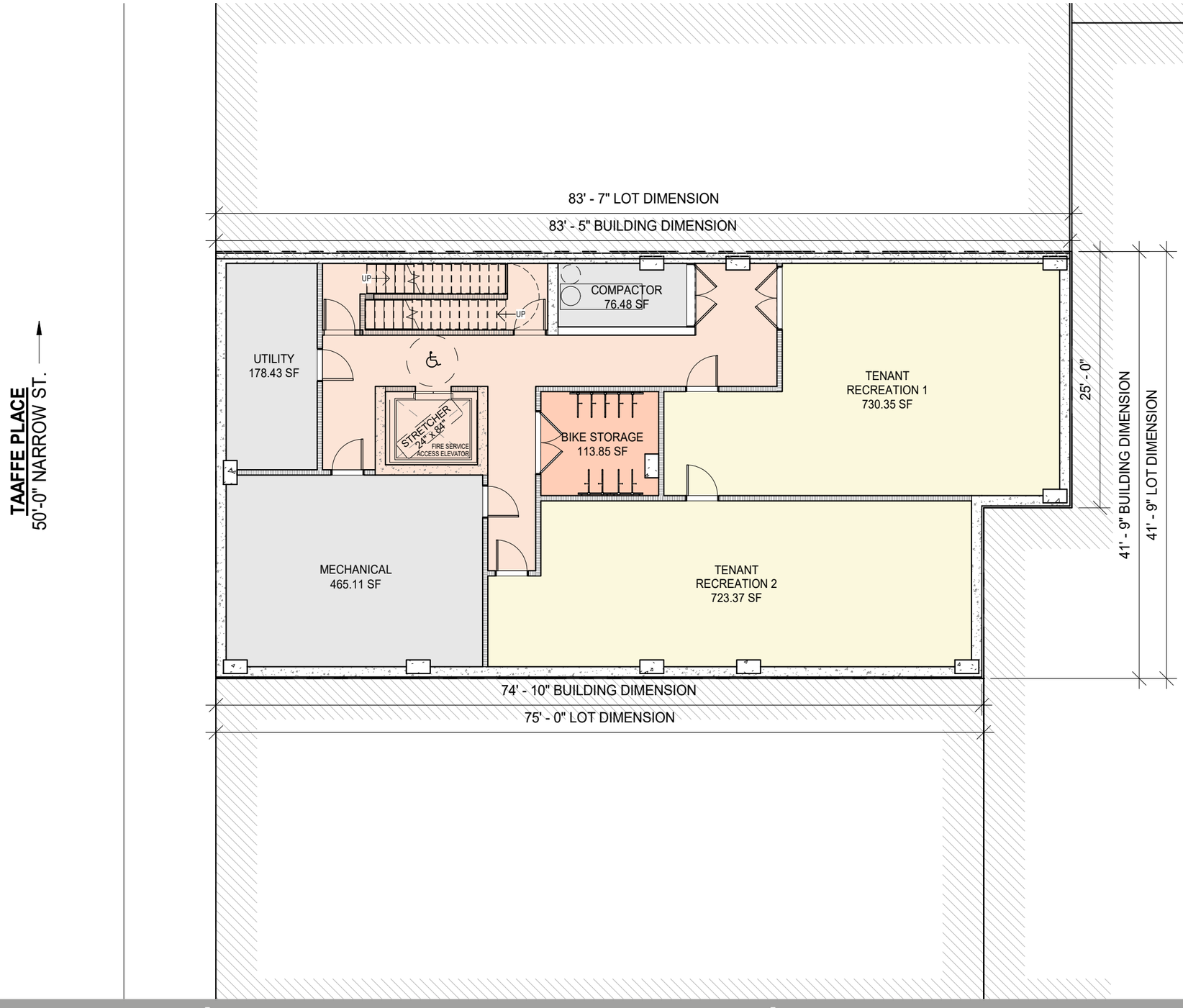
J Frankl C Mallea Associates
16 Court St, 36th Floor
Brooklyn NY 11241
718.569.2200

PROJECT:
123-125 TAAFFE PLACE

DRAWING:
SITE PLAN & ZONING OVERVIEW

PROJECT INFORMATION:
BLOCK: 1897
LOT: 9
ZONING: R6A PROPOSED
ZONING MAP: 12d
ZONING LOT AREA: 3,340 SF
COMMUNITY DISTRICT: 303
MAX. FAR: 3.6
MAX. BASE HEIGHT: 65'-0"
MAX. BLDG. HEIGHT: 85'-0" w/ QGF (8 Stories)
MAX. DUs: 17 DUs
VEHICLE PARKING (50%): 6 REQ.
BICYCLE PARKING (50%): 9 REQ.
INCLUSIONARY OPT. I - 25% DUs at 60% AMI

SCALE: As indicated



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16 Court St, 36th Floor
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PROJECT:

123-125 TAAFFE PLACE

DRAWING:

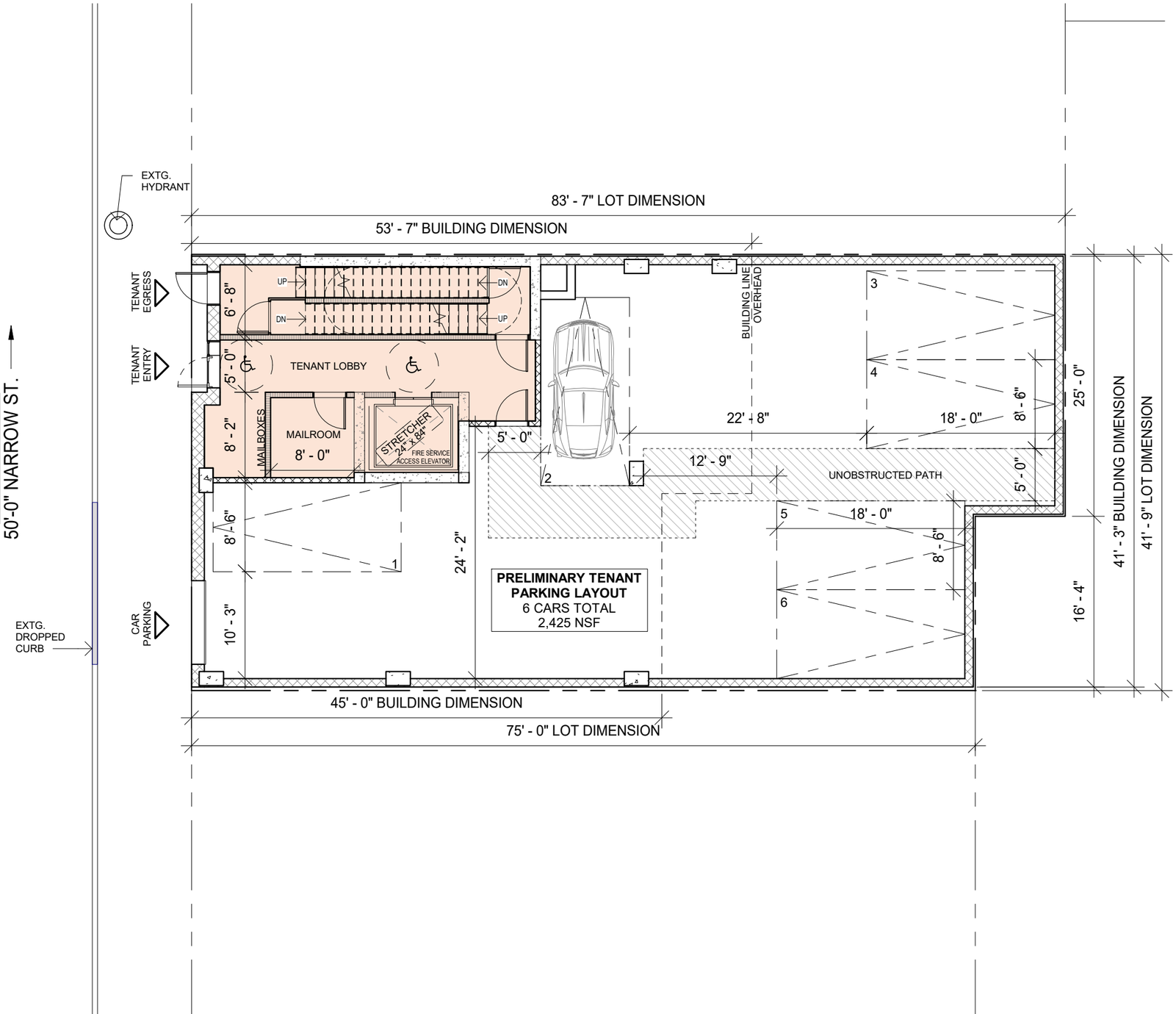
CELLAR FLOOR PLAN

PROJECT INFORMATION:

BLOCK: 1897
LOT: 9
ZONING: R6A PROPOSED
ZONING MAP: 12d
ZONING LOT AREA: 3,340 SF
COMMUNITY DISTRICT: 303

MAX. FAR: 3.6
MAX. BASE HEIGHT: 65'-0"
MAX. BLDG. HEIGHT: 85'-0" w/ QGF (8 Stories)
MAX. DUs: 17 DUs
VEHICLE PARKING (50%): 6 REQ.
BICYCLE PARKING (50%): 9 REQ.
INCLUSIONARY OPT. I - 25% DUs at 60% AMI

SCALE: 3/32" = 1'-0"



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PROJECT:

123-125 TAAFFE PLACE

DRAWING:

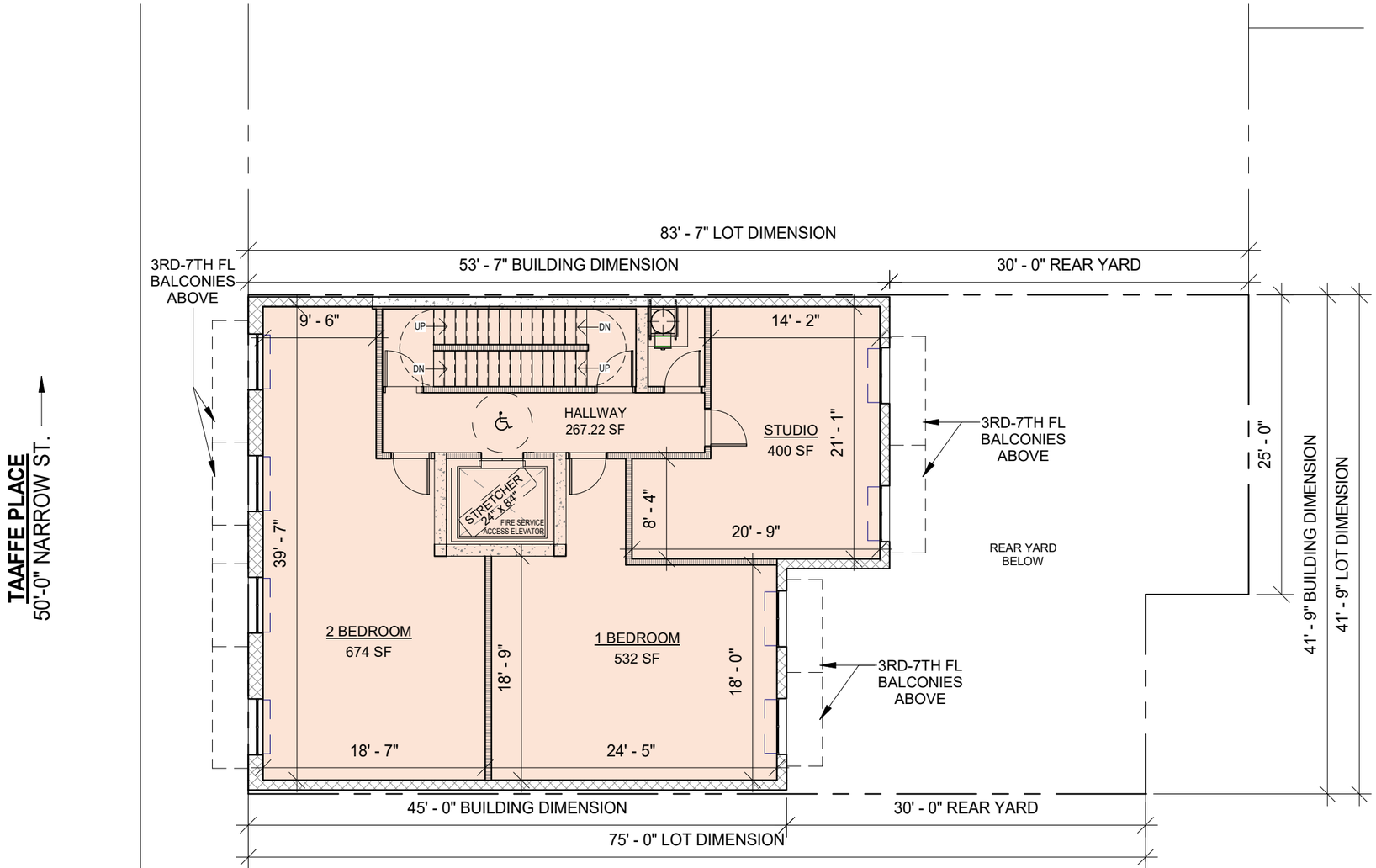
GROUND FLOOR PLAN

PROJECT INFORMATION:

BLOCK: 1897
LOT: 9
ZONING: R6A PROPOSED
ZONING MAP: 12d
ZONING LOT AREA: 3,340 SF
COMMUNITY DISTRICT: 303

MAX. FAR: 3.6
MAX. BASE HEIGHT: 65'-0"
MAX. BLDG. HEIGHT: 85'-0" w/ QGF (8 Stories)
MAX. DUs: 17 DUs
VEHICLE PARKING (50%): 6 REQ.
BICYCLE PARKING (50%): 9 REQ.
INCLUSIONARY OPT. I - 25% DUs at 60% AMI

SCALE: 3/32" = 1'-0"



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PROJECT:

123-125 TAAFFE PLACE

DRAWING:

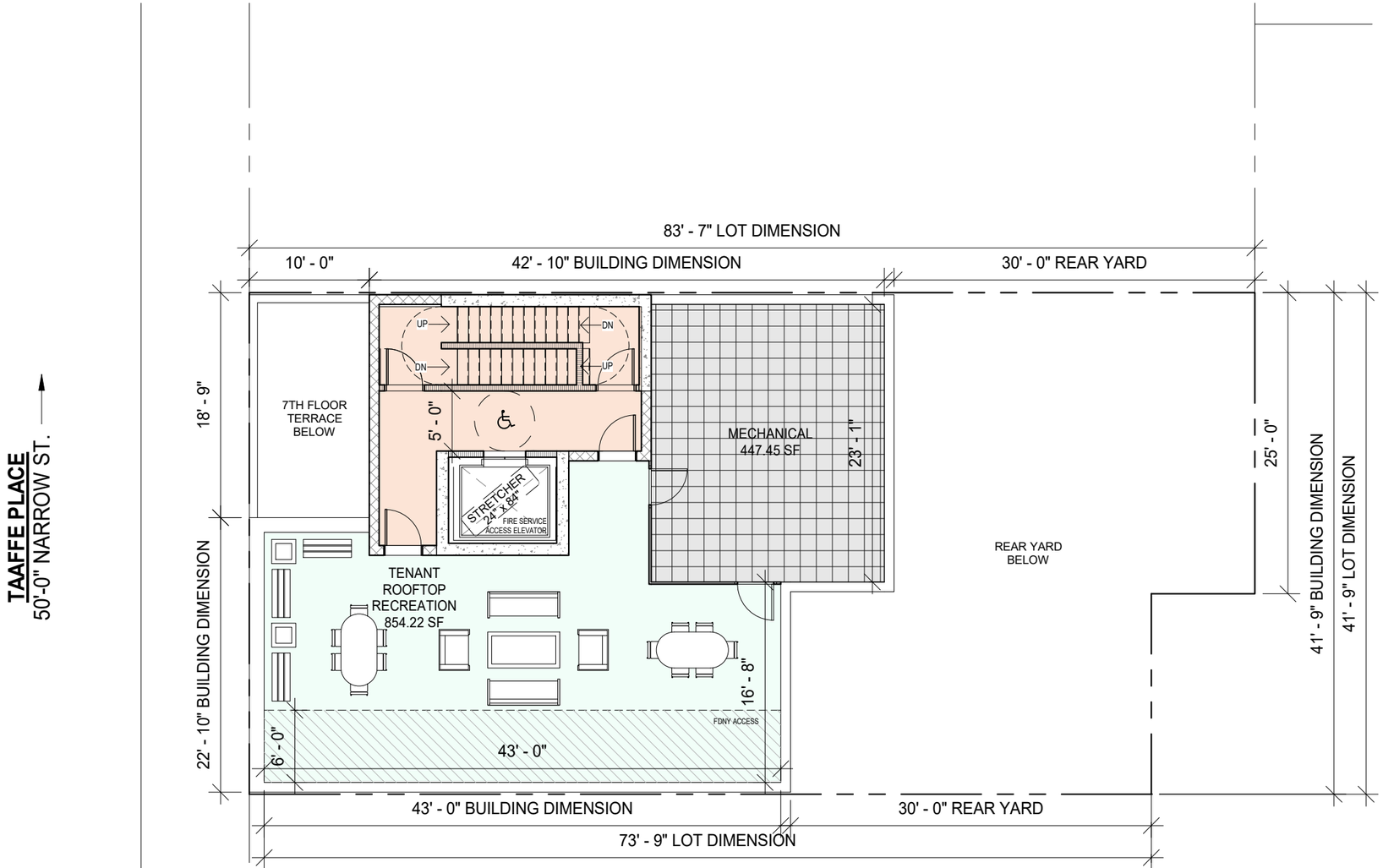
TYPICAL RESIDENTIAL FLOOR PLAN

PROJECT INFORMATION:

BLOCK: 1897
LOT: 9
ZONING: R6A PROPOSED
ZONING MAP: 12d
ZONING LOT AREA: 3,340 SF
COMMUNITY DISTRICT: 303

MAX. FAR: 3.6
MAX. BASE HEIGHT: 65'-0"
MAX. BLDG. HEIGHT: 85'-0" w/ QGF (8 Stories)
MAX. DUs: 17 DUs
VEHICLE PARKING (50%): 6 REQ.
BICYCLE PARKING (50%): 9 REQ.
INCLUSIONARY OPT. I - 25% DUs at 60% AMI

SCALE: 3/32" = 1'-0"



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16 Court St, 36th Floor
Brooklyn NY 11241
718.569.2200

PROJECT:

123-125 TAAFFE PLACE

DRAWING:

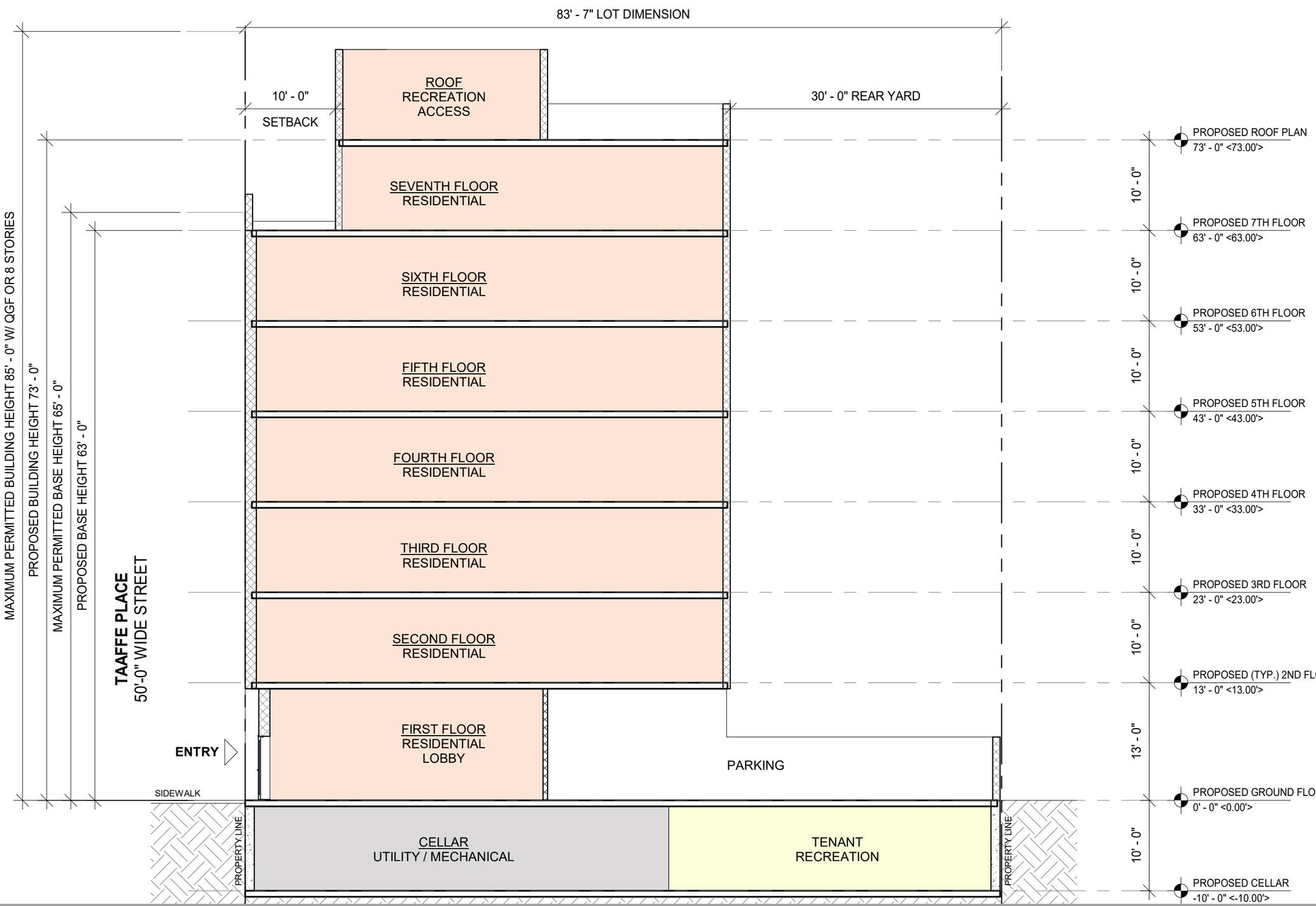
ROOF PLAN

PROJECT INFORMATION:

BLOCK: 1897
LOT: 9
ZONING: R6A PROPOSED
ZONING MAP: 12d
ZONING LOT AREA: 3,340 SF
COMMUNITY DISTRICT: 303

MAX. FAR: 3.6
MAX. BASE HEIGHT: 65'-0"
MAX. BLDG. HEIGHT: 85'-0" w/ QGF (8 Stories)
MAX. DUs: 17 DUs
VEHICLE PARKING (50%): 6 REQ.
BICYCLE PARKING (50%): 9 REQ.
INCLUSIONARY OPT. I - 25% DUs at 60% AMI

SCALE: 3/32" = 1'-0"



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16 Court St, 36th Floor
Brooklyn NY 11241
718.569.2200

PROJECT:

123-125 TAAFFE PLACE

DRAWING:

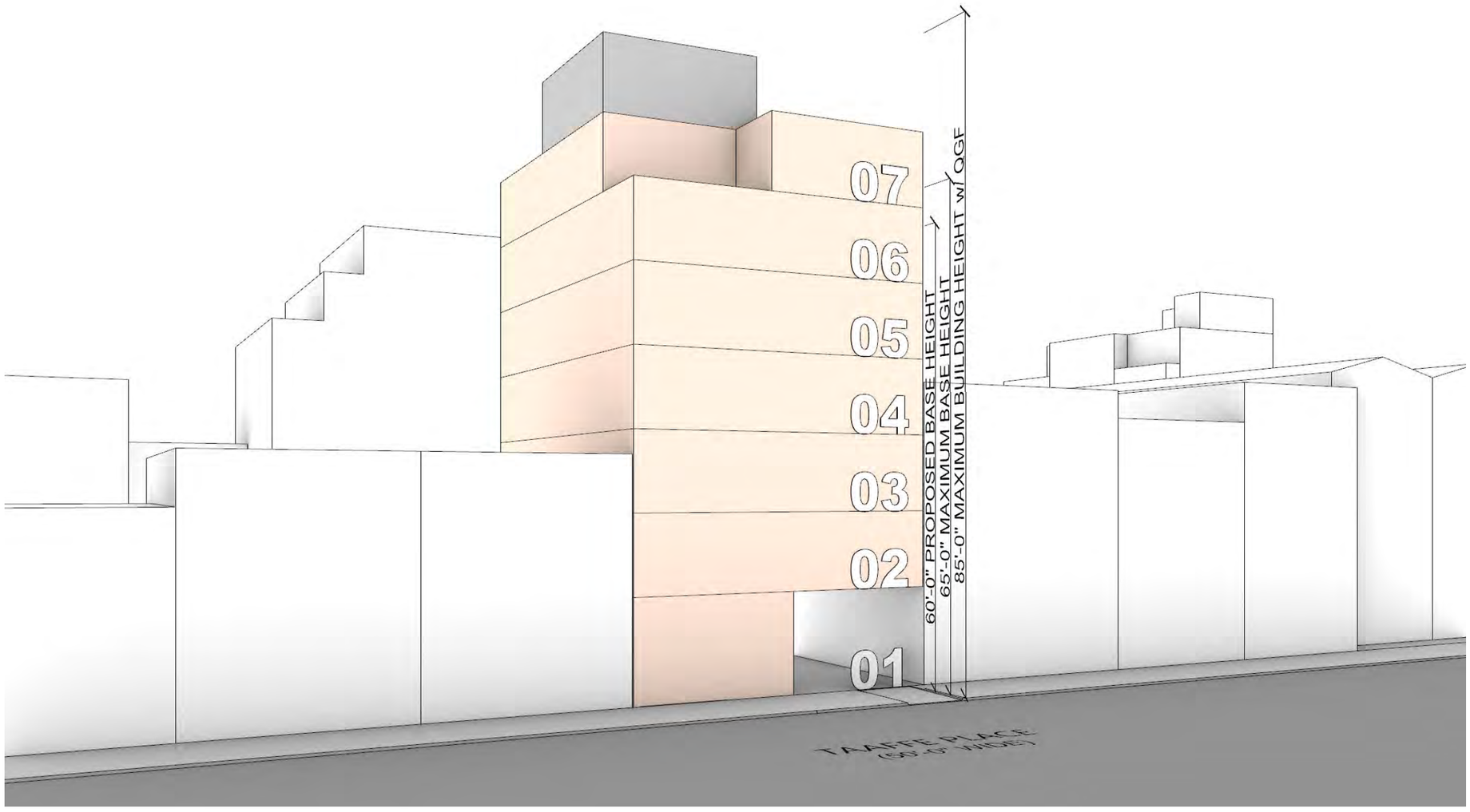
BUILDING SECTION DIAGRAMS

PROJECT INFORMATION:

BLOCK: 1897
LOT: 9
ZONING: R6A PROPOSED
ZONING MAP: 12d
ZONING LOT AREA: 3,340 SF
COMMUNITY DISTRICT: 303

MAX. FAR: 3.6
MAX. BASE HEIGHT: 65'-0"
MAX. BLDG. HEIGHT: 85'-0" w/ QGF (8 Stories)
MAX. DUs: 17 DUs
VEHICLE PARKING (50%): 6 REQ.
BICYCLE PARKING (50%): 9 REQ.
INCLUSIONARY OPT. I - 25% DUs at 60% AMI

SCALE: 3/32" = 1'-0"



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16 Court St, 36th Floor
Brooklyn NY 11241
718.569.2200

PROJECT:

123-125 TAAFFE PLACE

DRAWING:

3D MASSING

PROJECT INFORMATION:

BLOCK: 1897
LOT: 9
ZONING: R6A PROPOSED
ZONING MAP: 12d
ZONING LOT AREA: 3,340 SF
COMMUNITY DISTRICT: 303

MAX. FAR: 3.6
MAX. BASE HEIGHT: 65'-0"
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BICYCLE PARKING (50%): 9 REQ.
INCLUSIONARY OPT. I - 25% DUs at 60% AMI

SCALE:



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Brooklyn NY 11241
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PROJECT:

123-125 TAAFFE PLACE

DRAWING:

FACADE DESIGN

PROJECT INFORMATION:

BLOCK: 1897
LOT: 9
ZONING: R6A PROPOSED
ZONING MAP: 12d
ZONING LOT AREA: 3,340 SF
COMMUNITY DISTRICT: 303

MAX. FAR: 3.6
MAX. BASE HEIGHT: 65'-0"
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MAX. DUs: 17 DUs
VEHICLE PARKING (50%): 6 REQ.
BICYCLE PARKING (50%): 9 REQ.
INCLUSIONARY OPT. I - 25% DUs at 60% AMI

SCALE:

APPENDIX B: AGENCY CORRESPONDENCE

NYC Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-K
Project: KENT AVENUE PROJECT
Date Received: 1/31/2020

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

Properties with no Architectural significance:

1) 123 TAAFFE PLACE, BBL: 3018970009
2) 121 TAAFFE PLACE, BBL: 3018970010
3) 117 TAAFFE PLACE, BBL: 3018970012
4) 858 KENT AVENUE, BBL: 3018970047
5) 860 KENT AVENUE, BBL: 3018970048
6) 868 KENT AVENUE, BBL: 3018970049
7) 872 KENT AVENUE, BBL: 3018970054
8) 874 KENT AVENUE, BBL: 3018970055

Properties with Architectural significance:

In the radius: P.S. 157, 850 Kent Ave., appears S/NR eligible.

Properties with Archaeological significance:

1) 123 TAAFFE PLACE, BBL: 3018970009
2) 121 TAAFFE PLACE, BBL: 3018970010
3) 117 TAAFFE PLACE, BBL: 3018970012
4) 858 KENT AVENUE, BBL: 3018970047
5) 860 KENT AVENUE, BBL: 3018970048
6) 868 KENT AVENUE, BBL: 3018970049
7) 872 KENT AVENUE, BBL: 3018970054
8) 874 KENT AVENUE, BBL: 3018970055

Comments: LPC review of archaeological sensitivity models and historic maps indicates that there is potential for the recovery of remains from 19th Century occupation on the project site. Accordingly, the Commission recommends that an archaeological documentary study be performed for this site to clarify these initial findings and provide the threshold for the next level of review, if such review is necessary (see CEQR Technical Manual 2014).

Gina SantUcci 2/6/2020

SIGNATURE DATE

NYC Landmarks Preservation Commission

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

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

ARCHAEOLOGY REVIEW

Final Sign-Off (Multiple Sites)

Project number: LA-CEQR-K (DEPARTMENT OF CITY PLANNING)
Project: KENT AVENUE PROJECT
Date Received: 7/27/2022

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

This document only contains Archaeological review findings. If your request also requires Architecture review, the findings from that review will come in a separate document.

Comments: The LPC is in receipt of the, "Phase IA Documentary Study and Archaeological Assessment for 862-868 Kent Avenue Project, Brooklyn, Kings County, New York," prepared by Chrysalis Archaeological Consultants and dated July 27, 2022. The Commission concurs with the report's conclusions. Please submit the work plan for the fieldwork once the project is ready for this step and please submit a bound copy of the report to LPC for the agency archives.



8/2/2022

SIGNATURE DATE
Amanda Sutphin, Director of Archaeology

File Name: 1_34766_FSO_ALS_08022022.docx