962-972 Franklin Avenue Rezoning

Draft Scope of Work for an Environmental Impact Statement

CEQR #: 23DCP165K

Lead Agency:
NYC Department of City Planning

Applicant:
Franklin Ave. Acquisition LLC.

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Table of Contents

A. INTRODUCTION 2

B. REQUIRED APPROVALS AND REVIEW PROCEDURES 2

Required Approvals 2
City Environmental Quality Review (CEQR) and Scoping 3

C. EXISTING CONDITIONS 4

D. DESCRIPTION OF APPLICANT'S PROPOSED PROJECT 9

E. PROPOSED ACTIONS 9

F. PURPOSE AND NEED FOR THE PROPOSED ACTIONS 10

G. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW 11

Analysis Year 11
The Future Without the Proposed Actions (No-Action Condition) 11
The Future With the Proposed Actions (With-Action Condition) 11

H. PROPOSED SCOPE OF WORK FOR THE EIS 12

Task 1: Project Description 13
Task 2: Land Use, Zoning, and Public Policy 13
Task 3: Open Space 14
Task 4: Shadows 15
Task 5: Natural Resources 16
Task 6: Hazardous Materials 17
Task 7: Transportation 17
Task 8: Greenhouse Gas Emissions and Climate Change 18
Task 9: Neighborhood Character 19
Task 10: Construction 19
Task 11: Mitigation 20
Task 12: Alternatives 21
Task 13: Summary EIS Chapters 21
Task 14. Executive Summary 21

A. INTRODUCTION

This Draft Scope of Work ("Draft Scope") outlines the technical areas to be analyzed in the preparation of the Draft Environmental Impact Statement (DEIS) for the 962-972 Franklin Avenue Rezoning in the Crown Heights neighborhood of Brooklyn Community District (CD) 9. The New York City Department of City Planning (DCP), acting on behalf of the New York City Planning Commission (CPC), as lead agency for City Environmental Quality Review (CEQR), has determined that the project will require the preparation of an EIS.

Approval of the Proposed Actions would facilitate the development of a 14-story (145-foot-tall excluding mechanical equipment), 471,495 gsf mixed-used residential and commercial building (the "Proposed Project") containing 475 dwelling units (DUs) (419,346 gsf), 119 of which would be permanently affordable pursuant to MIH, 8,128 gsf of local retail space, 30,101 gsf of parking and loading area, and approximately 13,920 gsf of mechanical/storage space. The Proposed Project would include affordable dwelling units that would help to address affordable housing goals set forth by the City in Housing New York: A Five-Borough, Ten-Year Plan. As described above, the Proposed Project would be constructed on underbuilt and vacant land near public transportation and other public amenities.

Parking for approximately 20 percent of all market-rate units would be provided at the Proposed Project (approximately 71 parking spaces). The accessory parking garage would be accessed via a curb cut on Franklin Avenue.

It is expected that the Proposed Project would be constructed over an approximately 33-month period following project approval, with completion and occupancy expected to occur in 2026.

This document provides a description of the Proposed Actions and the Applicant's Proposed Project and includes task categories for all technical areas to be analyzed in the DEIS.

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

Required Approvals

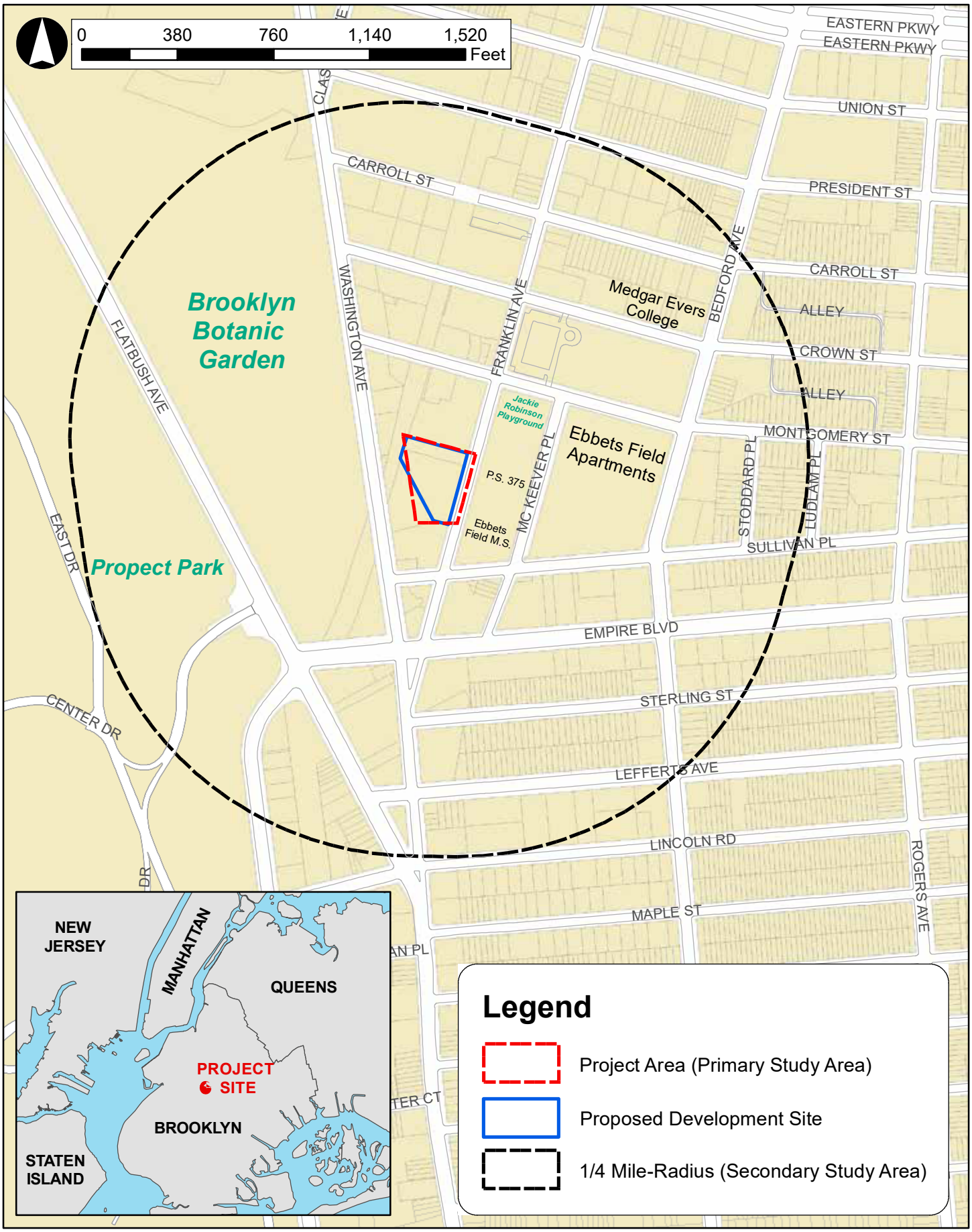
The Proposed Actions would encompass several discretionary actions that are subject to review under the City Environmental Quality Review (CEQR) process. The anticipated discretionary actions include:

1. A zoning map amendment, which would extend the existing R8A zoning district and rezone the Project Area from R6A to R8A with a C2-4 commercial overlay (mapped in the Project Area within 100 feet of Franklin Avenue), would increase the permitted FAR in the Project Area, allowing for additional development of residential uses and for the development of commercial uses that would not be permitted under existing conditions.

2. A zoning text amendment would designate the Project Area as a Mandatory Inclusionary Housing Area (MIH).

3. A special permit would be required pursuant to ZR section 74-533 to waive the parking requirements per ZR section 25-23. The requested parking reduction would facilitate the development of additional affordable housing in a development site located within a transit zone. Parking would be required for 40 percent of the non-income restricted units, with a total of

Figure 1
Project Location



approximately 143 required parking spaces. Parking for approximately 20 percent of the proposed market-rate dwelling units would be provided (approximately 71 spaces). As such, 71 parking spaces would be waived by the requested special permit. It should be noted that no parking would be required for the income-restricted units under MIH zoning.

City Environmental Quality Review (CEQR) and Scoping

The Proposed Actions are classified as a Type I Action, as defined under 6 NYCRR Part 617.4 and NYC Executive Order 91 of 1977 §6-15 (2) and is subject to environmental review in accordance with CEQR guidance. An Environmental Assessment Statement (EAS) and Positive Declaration were issued on June 27, 2023, by DCP, as lead agency. DCP has determined that the Proposed Actions may result in significant adverse environmental impacts and directed that a DEIS be prepared.

This Draft Scope of Work (Draft Scope) for the preparation of a DEIS contains a description of the Proposed Actions and the tasks that would be undertaken to analyze the potential environmental impacts of the Proposed Actions and associated Proposed Project. This Draft Scope sets forth the analyses and methodologies that will be utilized to prepare the DEIS. During the public comment period, those interested in reviewing the Draft Scope may do so and give their comments to the lead agency.

In accordance with SEQRA and CEQR, this Draft Scope of Work has been distributed for public review. The issuance of the Draft Scope marks the beginning of the public comment period. The scoping process allows the public a voice in framing the scope of the DEIS. A public scoping meeting has been scheduled for July 27, 2023 at 2:00 pm ("Scoping Meeting") and the period for submitting written comments will remain open until 5:00 pm on August 7, 2023. To continue to allow for broad public participation options, DCP will hold the public scoping meeting remotely. Instructions on how to view and participate, as well as materials relating to the meeting, will be available at the DCP Scoping Documents webpage (https://www.nyc.gov/site/planning/applicants/scoping-documents.page) and NYC Engage website (https://www1.nyc.gov/site/nycengage/index.page) in advance of the meeting. The public, interested agencies, and elected officials, are invited to comment on the Draft Scope, either in writing or orally, at the Scoping Meeting.

Comments received during the Scoping Meeting and written comments received up to ten days after the meeting will be considered and incorporated, as appropriate, into the Final Scope of Work (Final Scope). The Final Scope will revise the extent or methodologies of the studies, as appropriate, in response to comments made during the CEQR scoping process. The DEIS will be prepared in accordance with the resulting Final Scope.

Once the lead agency is satisfied that the DEIS is complete, the document will be made available for public review and comment. A public hearing will be held on the DEIS in conjunction with the City Planning Commission (CPC) hearing on the land use applications to afford all interested parties the opportunity to submit oral and written comments. At the close of the public review period, a Final EIS (FEIS) will be prepared. Comments made on the DEIS will be responded to and incorporated into the FEIS, as appropriate. The FEIS will then be used by the relevant City and State agencies to develop S/CEQR findings, which address project impacts and proposed mitigation measures, and to decide whether to approve the requested discretionary actions, with or without modifications. The rationale for that decision is then set forth in a document called a Statement of Findings.

C. EXISTING CONDITIONS

Land Use

The Development Site

Golombeck has operated to the north of the Proposed Development Site on Lots 41 and 46 from approximately 1955 to present as a spice warehouse, processing and distribution facility. Lot 63 is occupied by a one-story 12,968 gsf warehouse building that is part of the larger spice warehouse facility.

Lot 66 is a 40,277-sf lot that has remained predominantly vacant since 1961. Prior uses on the southern portion of the site includes tennis courts from 1951 to 1961; the Rubel Corporation's ice production and distribution facility from 1932 to 1951; and Flatbush Hygienic Ice Company's ice production and distribution facility from 1908 to 1932.

There are three existing curb cuts along Franklin Avenue. Not all curb cuts are used for site access on a regular basis at present. Only the northernmost curb cut on Franklin Avenue leads to a loading dock along Franklin Avenue (Lot 63). The other two curb cuts lead to the vacant Lot 66.

The Balance of the Project Area

The Project Area also includes portions of four lots not owned or under the control of the Applicant, including: part of Lot 1 (approximately 251 sf or less than one percent of the 32,461 sf lot), part of Lot 46 (approximately 555 sf or one percent of the 54,131 sf lot), part of Lot 77 (approximately 6,969 sf or 25.3 percent of the 27,479 sf lot), and part of lot 85 (approximately 186 sf or 0.6 percent of the 28,123 sf lot), as shown in **Table 1**. These properties, located partially within the Project Area, are occupied by the following land uses:

- Lot 1 is a 32,461-sf rectangular property which contains the MTA's Franklin Avenue subway shuttle right-of-way, an open-cut subway line that transects Block 1192 from Montgomery Street to Washington Avenue. Approximately 251 sf of the larger lot is located within the Project Area. As this tax lot is owned by the MTA, it is unlikely to be developed as a consequence of the Proposed Actions.

- 124 Montgomery Street (Lot 46) is an irregularly shaped 54,131 sf corner lot partially located within the Project Area. Approximately 555 sf of lot area (less than one percent of the total lot area) is located within the Project Area. Therefore, it is unlikely the property would be redeveloped as a result of the Proposed Actions.

- 1015 Washington Avenue (Lot 77) is a 27,479 sf trapezoidal property partially located within the Project Area. Lot 77 is occupied by a six-story, 95,000 gsf multi-family residential building, which represents a built FAR of 3.14. The current residential building contains 90 dwelling units constructed before 1974. Although Lot 77 is developed to less than the maximum allowable FAR under the R8A zoning (6.02 FAR), it is unlikely the property would be redeveloped since only a small portion (25.3 percent) of the site would be rezoned as a consequence of the Proposed Actions.

- 1035 Washington Avenue (Lot 85) is a 28,123 sf irregular shaped property partially located within the Proposed Rezoning Area. Lot 85 is occupied by a six-story, 117,250 gsf multi-family residential building which represents a built FAR of 3.79. The current residential building contains 104 dwelling units

constructed before 1974. Although Lot 85 is developed to less than the maximum allowable FAR under the R8A zoning (6.02 FAR), it is unlikely the property would be redeveloped as only a small portion (0.6 percent) of the site would be rezoned as a consequence of the Proposed Actions.

TABLE 1
Percentage of Lot Area Within the Existing R6A Zoning District (Project Area)

Block	Lot[1]	Address	Total Lot Area (SF)[2]	Square Footage of Lot Within Proposed Rezoning Area (SF)	Percentage of Lot Located Within the Existing R6A Zoning District (the Project Area) (%)
1192	1	Washington Avenue (MTA Right-of-Way)	32,461	251	<1%
	46	124 Montgomery Street	54,131	555	1%
	63	962 Franklin Street	12,980	12,851	99%
	66	972 Franklin Street	40,277	38,666	99%
	77	1015 Washington Avenue	27,479	6,969	25%
	85	1035 Washington Avenue	28,123	186	<1%

[1]The shaded rows represent the Development Site.

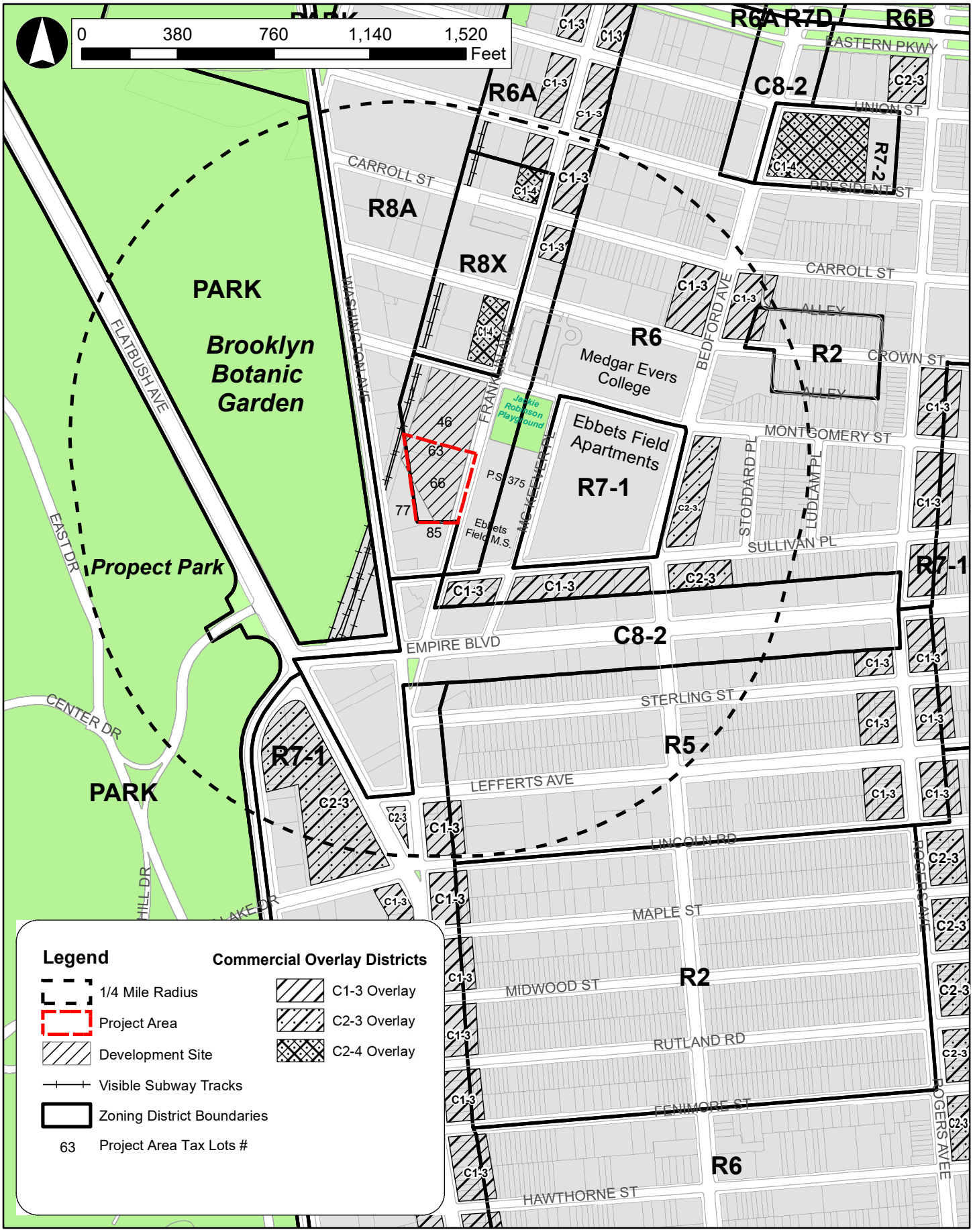
[2]Lot area comes from PLUTO data (lots 1, 77 and 85) and from a topographic survey (the Proposed Development Site).

As described below, the Proposed Actions would not be expected to result in new development on Lots 1, 46, 77 or 85.

Zoning

The Proposed Development Site is primarily located within an R6A zoning district. As described above, small portions of the lots located within the Project Area are located within the R6A zoning district. The majority of Lots 1, 77, and 85 and small portions of Lots 63 and 66 are zoned R8A (Refer to **Figure 2**).

Figure 2
Existing Zoning



R6A

R6A zoning districts are medium-density contextual districts where Quality Housing bulk regulations are mandatory. R6A districts permit a maximum FAR of 3.0 with a minimum base height of 40 feet, a maximum base height of 60 feet (65 feet with a qualifying ground floor), and a maximum building height of 70 feet (75 feet with a qualifying ground floor). Parking is required for 50 percent of the market-rate dwelling units in R6A zoning districts.

R8A

R8A zoning districts are high-density contextual districts where Quality Housing bulk regulations are mandatory. R8A districts permit a maximum FAR of 6.02 with a minimum base height of 60 feet, a maximum base height of 85 feet (95 feet with a qualifying ground floor), and a maximum building height of 120 feet (125 feet with a qualifying ground floor). Parking is required for 40 percent of dwelling units in R8A zoning districts.

Under Inclusionary Housing, the R8A district permits a maximum FAR of 7.20 with a minimum base height of 60 feet, a maximum base height of 105 feet, and a maximum building height of 140 feet (145 feet with a qualifying ground floor). Parking is required for 40 percent of dwelling units in R8A zoning districts.

As shown in **Figure 2,** an R6A zoning district is mapped across most of the Development Site. However, portions of the Project Area are already mapped with an R8A zoning district. As described above, the existing zoning district boundaries create split lot conditions for the following tax lots: 1, 63, 66, 77, and 85. As shown in **Table 1**, the vast majority of the Proposed Development Site is located within the boundaries of the existing R6A/proposed R8A zoning district extension (99 percent of Lots 63 and 66).

Only a small portion of Lots 1, 46, 77 and 85 would be rezoned as a result of the Proposed Actions, with approximately one percent of Lot 46, 25 percent of Lot 77 and less than one percent of Lot 85 being located within the rezoning area. Less than one percent of Lot 1 would be located within the Project Area and this property is an open subway cut for the MTA's Franklin Avenue subway shuttle. Therefore, it is not likely to be redeveloped as a result of the Proposed Actions.

1991 Contextual Rezoning

In 1991, the Project Area was rezoned in conjunction with a Department of City Planning rezoning of a 13-block area bounded by Eastern Parkway, Washington Avenue, Sullivan Place, and a line 100 feet east of Franklin Avenue, pursuant to ULURP No. C910293 ZMK. The application rezoned R6 and R8 districts and a 150-foot-deep C1-3 commercial overlay to contextual R6A and R8A districts and lessened the C1-3 overlay to a 100-foot depth. The rezoning was intended to encourage mid-rise, high coverage buildings, and to prevent incursion of commercial uses in the residential mid-blocks. The 1991 rezoning effort was City Planning's response to area conditions in 1991, namely, to encourage contextual residential development.

The Proposed Development Site is currently zoned R6A, which allows for medium-density residential (Use Group 1 and 2) and community facility uses (Use Groups 3 and 4). Commercial and industrial/manufacturing uses are not permitted. Development is governed by Quality Housing regulations.

ZQA and MIH

On September 21, 2015, the CPC certified into ULURP (i) the Zoning for Quality and Affordability text amendment ("ZQA") under ULURP No. N160049ZRY, and (ii) the Mandatory Inclusionary Housing text amendment ("MIH") under ULURP No. N160051ZRY. The ZQA text amendment allows modest five, ten or fifteen-foot height increases in certain zoning districts to allow for buildings with desirable high-ceilinged ground floor retail space, to allow for variety in building envelopes, to reduce parking requirements for buildings providing affordable housing under the Inclusionary Housing program in certain transit-rich areas, and to accommodate all permitted floor area in the permitted bulk envelope, particularly in buildings providing affordable housing under the Inclusionary Housing program. The MIH text amendment makes the Inclusionary Housing program mandatory in certain districts to facilitate the production of affordable housing. On February 2, 2016, the New York City Planning Commission approved the text amendments with modifications. On March 22, 2016, the City Council approved the text amendments.

960 Franklin Avenue Rezoning

The Project Area was part of the previous 960 Franklin Avenue Rezoning proposal (C200184 ZMK, C200186 ZSK, C200187 ZSK, and N200185 ZRK) (CEQR No. DCP095K). The application included a zoning text amendment, zoning map amendment, and several special permits to rezone Block 1192, Lots 40, 41, 46 and portions of Lots 1, 63, 66, 77, and 85 to R9D/C2-4 to facilitate the development of two 39-story mixed-use towers (424 and 421 feet tall north and south towers, respectively) including 1,478 DUs, 21,183 gsf of local retail space, 9,678 gsf of community facility space, and parking for approximately 16 percent of all market-rate dwelling units (approximately 128 spaces). The application was disapproved by the City Planning Commission (CPC) in September 2021.

Topography

The topography of the project site slopes downwards from Montgomery Street toward the southern edge of the property. Existing elevations in the vicinity of the property generally range from approximately 92 feet at the Project Area's northeastern corner to approximately 86 feet near Franklin Avenue at the southern edge of the property (as measured in North American Vertical Datum of 1988 (NAVD 88)).

Neighborhood Context

The area immediately north of the Proposed Development Site contains several multi-story buildings totaling 107,744 gsf, including an office building, a former boiler building, as well as buildings which contain spice warehousing and spice processing uses. In addition, a decommissioned smokestack is located north of the Proposed Development Site.

Prior uses to the north of the Proposed Development Site include: Burton Dixie Corporation, a manufacturer of mattresses and cotton felts, from 1932 to 1955; and Consumers Park Brewery, a brewery with cold storage and bottling of beverages from 1908 to 1932. The buildings on Lots 41 and 46 have been determined eligible for listing on the New York State/National Registers (S/NR), but the NYC Landmarks Preservation Commission (LPC) has indicated that the buildings do not meet their criteria for designation. The Project Area is located in the Crown Heights neighborhood of Brooklyn. Nearby neighborhoods include Prospect-Lefferts Gardens and Prospect Heights, and the Project Area is also located just east of Prospect Park and the Brooklyn Botanic Garden. During the past several years, the neighborhood has experienced considerable residential growth. The secondary study area, located within a radius of

approximately a quarter-mile of the Project Area, is primarily residential and institutional, but also accommodates some commercial/office space, transportation uses, open space resources, and vacant land.

The quarter-mile study area is comprised of predominately residential buildings (67.9 percent of buildings in the secondary study area) with several institutions/public facilities (13.3 percent of buildings) and mixed commercial and residential buildings (10.3 percent of floor area in the secondary study area). Additionally, industrial and manufacturing buildings comprise approximately 3.3 percent of the buildings in the secondary study area (refer to **Figure 3**). The approximate quarter-mile radius around the Project Area also accommodates smaller amounts of commercial/office space (3.7 percent of the total building area), and open space (0.9 percent of the total building area).

Approximately 10.0 percent of lot area and 4.4 percent of buildings in the quarter-mile study area is comprised of public facilities and institutions. P.S. 241 Emma L. Johnston (976 President Street), P.S. 375 Jackie Robinson School/M.S. 352 Ebbets Field (46 McKeever Place) and the City University of New York's (CUNY's) Medgar Evers College campus (1637 Bedford Avenue) are located within a quarter-mile of the proposed rezoning area.

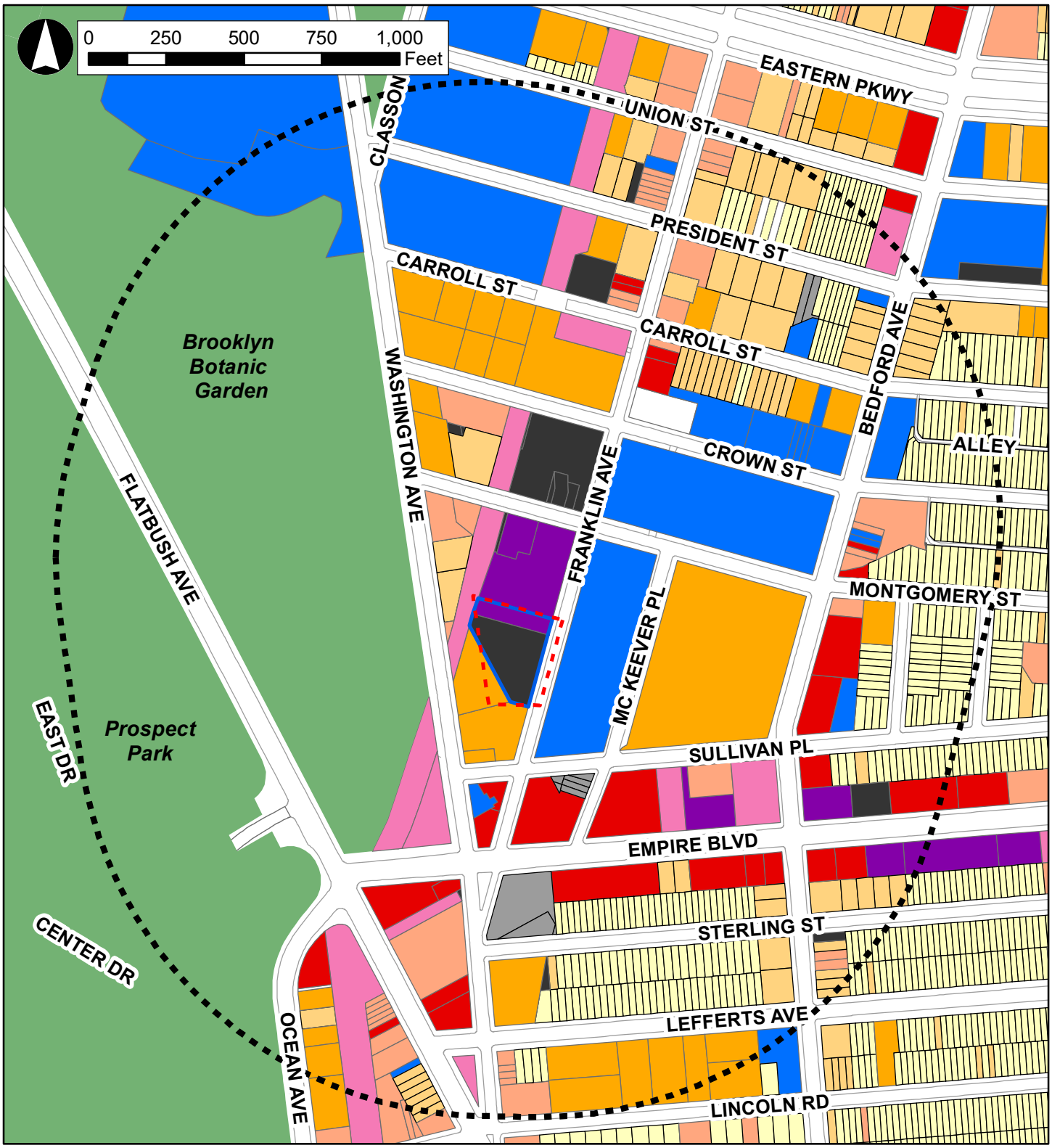
Additionally, several religious institutions are located within an approximate quarter-mile radius of the Project Area. The Full Gospel Assembly Pentecostal Church (836 Franklin Avenue) is located four blocks north of the Project Area. The Ebenezer Haitian Baptist Church (1594 Bedford Avenue), the Kingdom Hall of Jehovah's Witnesses (1032 Carroll Street), and the Full Gospel Assembly of God (131 Sullivan Place) are located in the eastern section of the secondary study area. Grace Reformed Church (1800 Bedford Avenue) and the Gospel Truth Church of God (1055 Washington Avenue) are located in the quarter-mile study area to the south of the Project Area.

Additional institutions in the quarter-mile study area include the Brooklyn Museum (200 Eastern Parkway) at the northwestern limits of the proposed rezoning area; the Five Block Day Care Center (955 Carroll Street) to the east of the proposed rezoning area; and, the Institute for Community Living Inc. (516 Flatbush Avenue), a 20-bed congregate community residence for individuals who are diagnosed with co-occurring psychiatric and substance abuse disorders is located at the southern limits of the study area. The Bedford-Union Armory (1555 Bedford Avenue) is located just beyond the limits of the quarter-mile study area boundary to the northeast of the Project Area.

There are also several large open space resources within the secondary study area. A portion of Prospect Park, including the Prospect Park Zoo (450 Flatbush Avenue), is located in the southwestern section of the quarter-mile study area. A majority of the Brooklyn Botanic Garden, including the Science Center (109 Montgomery Street), is also located within the quarter-mile study area, to the west of the Project Area. To the northwest of the Project Area is the 1.36-acre Dr. Ronald McNair Park, bounded by Eastern Parkway, Classon Avenue, and Washington Avenue.

The residential buildings in the area surrounding the Proposed Rezoning Area vary greatly, ranging in height and density from two-story, semi-detached houses, to six-story apartment buildings, to the seven 25-story Ebbets Field Houses apartment buildings containing approximately 1,300 dwelling units at 1720 Bedford Avenue in the eastern portion of the study area. Tivoli Towers, located at the northern limits of the study area, is a Mitchell-Lama residential complex built in the 1970s, consisting of 33 stories (297 feet high) and approximately 321 dwelling units.

Figure 3
Land Use



Legend

- Project Area (Primary Study Area)
- Proposed Development Site
- 1/4 Mile Radius (Secondary Study Area)

LandUse

- All Others and No Data
- One and Two Family Buildings
- Multi-Family Walkup Buidlings
- Multi-Family Elevator Buildings
- Mixed Commercial/ Residential Buildings
- Commercial/ Office Buildings
- Industrial
- Transportation/ Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land

D. DESCRIPTION OF APPLICANT'S PROPOSED PROJECT

For analysis purposes, it is anticipated that the Proposed Actions would facilitate the development of a approximately 471,495 gsf (383,451 zsf) mixed-use residential and commercial development. The Proposed Project would comprise approximately 419,346 gsf of residential uses, introducing a total of approximately 475 DUs, of which 119 DUs would be permanently affordable pursuant to MIH.

In addition to the residential component, approximately 8,128 gsf of ground floor local retail space would be provided. Approximately 30,101 gsf (parking and loading for approximately 20 percent of market-rate units or 71 parking spaces) would be allocated for parking on the ground- and cellar-levels of the Proposed Project. The remaining 13,920 gsf would be used for mechanical/storage purposes. The accessory parking garage would be accessed via a curb cut on Franklin Avenue.

The Proposed Project would comply with the height, bulk, and setback regulations of the proposed R8A/C2-4 zoning district. The Proposed Project would reach a maximum base height of 105 feet before setting back from street and reaching its maximum height of 145 feet (not including mechanical equipment).

Development of the Proposed Project would occur in a single phase and would commence as soon as all necessary public approvals are granted. Construction is expected to occur in a single phase over approximately 33 months and be completed in 2026.

E. PROPOSED ACTIONS

The Proposed Project requires the following discretionary approvals from the CPC:

Zoning Map Amendment

The proposed zoning map amendment, which would rezone the Project Area from R6A to R8A with a C2-4 commercial overlay mapped within 100 feet of Franklin Avenue, would increase the permitted FAR in the Project Area (see **Figure 2** for boundaries of the Project Area/Proposed Rezoning Area), allowing for development of more residential and commercial uses than could be provided under existing conditions. As shown in **Figure 2**, the northern boundary of the Project Area would be approximately 285 feet south of Montgomery Street and would extend from the centerline of Franklin Avenue to the right-of-way of the Franklin Avenue shuttle to the western side of the right-of-way. The eastern boundary would extend along Franklin Avenue from a point approximately 285 feet south of Montgomery Street to a point approximately 150 feet north of Sullivan Place. The southern boundary of the Project Area would extend west from Franklin Avenue in a line that runs parallel to and approximately 150 feet north of Sullivan Place to a point approximately 100 feet east of Washington Avenue. The western boundary of the Project Area would run parallel to and 100 feet east of Washington Avenue from a point approximately 150 feet north of the Sullivan Place centerline to a point approximately 300 feet west of Franklin Avenue and 285 feet south of Montgomery Street.

The proposed R8A/C2-4 zoning district would allow for the development of a wider range of uses at higher densities and would create opportunities for a more vibrant, mixed-use community, while maximizing space for affordable housing units. Within an R8A/C2-4 district, residential and community facility uses would be subject to the bulk controls of an R8A district and commercial uses would be subject to the bulk controls of a C2-4 district.

Zoning Text Amendment

A zoning text amendment to Section 23-90 (Appendix F) of the ZR is being sought in order to establish the entirety of the Project Area as a MIH area. The proposed zoning text amendment, which would designate the Proposed Rezoning Area as a MIH area, would require the construction of affordable residential units on the Applicant-owned and controlled Proposed Development Site. The City's MIH program specifies that an applicant can choose between Option 1, which requires that 25 percent of the housing must be affordable to households making 60 percent of the AMI for a household of three, and Option 2, which requires that 30 percent of the housing must be affordable to households making 80 percent of AMI for a household of three.

Special Permit to Reduce Required Parking

A special permit would be required pursuant to ZR section 74-533 to waive the parking requirements per ZR section 25-23, which states that parking is required for 40 percent of the non-income restricted units. The Proposed Project would be required to provide approximately 142 parking spaces. Parking for approximately 20 percent of market-rate units in the Proposed Project is being requested (approximately 71 parking spaces). As such, 71 parking spaces would be waived by the requested special permit. It should be noted that no parking would be required for the income-restricted units under MIH zoning.

F. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

The proposed zoning map amendment, which would rezone the area from R6A to R8A with a C2-4 overlay mapped within 100 feet of Franklin Avenue, combined with the text amendment and other requested discretionary actions described above, would facilitate the Proposed Project by increasing the permitted FAR in the Project Area, allowing for the development of more residential space, including approximately 119 units of affordable housing that would be permanently affordable housing through the City's MIH program. The proposed rezoning would also allow for the introduction of new local retail uses within 100 feet of Franklin Avenue.

The proposed zoning text amendment, which would designate the Project Area as a MIH area, would require the construction of affordable dwelling units on the Applicant-owned development site. As described above, the MIH program has two options for applicants to select from, which provide either 25 or 30 percent of the total residential units be made permanently affordable. The creation of new affordable housing would help to address affordable housing goals set forth by the City in *Housing New York: A Five-Borough, Ten-Year Plan*. Further, the 119 units of affordable housing would help to meet the stated goal of Brooklyn Community District 9 in the fiscal year 2023 *Statement of Community District Needs and Community Board Budget Requests* to address the critical need for affordable housing.

The Proposed Project would be constructed on private land in close proximity to public transportation. The inclusion of the proposed C2-4 commercial overlay would extend the existing commercial corridor further south along Franklin Avenue. As a result, it is anticipated that pedestrian activity of the surrounding Crown Heights neighborhood would be drawn south along Franklin Avenue into the Project Area.

The Proposed Actions would result in the extension of the existing R8A district mapped to the west along Washington Avenue to the Project Area.

G. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW

The 2021 *CEQR Technical Manual* will serve as the general guide for the methodologies and impact criteria for evaluating the Proposed Project's potential effects on the various environmental areas of analysis. The EIS will disclose the Proposed Project's potential significant adverse impacts on the environment. As it is anticipated that the Proposed Project would be built and operational in 2026, the technical analyses and consideration of alternatives will include descriptions of existing conditions, conditions in the future without the Proposed Project (the No-Action Condition in 2026), and conditions in the future with the Proposed Project (the With-Action condition in 2026). The incremental difference between the No-Action and With-Action conditions is analyzed to determine the potential significant adverse environmental effects of the Proposed Project.

Analysis Year

Construction of the Proposed Project would occur over an approximately 33-month period with an anticipated start date in 2023 with all components complete and fully operational by the end of 2026. Accordingly, the Proposed Project will use a 2026 Build Year for analysis purposes. Since the Proposed Project would be operational in 2026, future environmental conditions for that build year were considered for this analysis rather than the existing environmental conditions. The technical analyses and consideration of alternatives assess current conditions and forecast these conditions to the expected 2026 Build Year for the purposes of determining potential impacts. Each technical analysis will provide a description of the "Existing Condition" and assessment of future conditions without the Proposed Project ("Future without the Proposed Actions") and with the Proposed Project ("Future with the Proposed Actions").

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

Absent approval of the Proposed Actions, the Applicant would proceed with as-of-right development on the Proposed Development Site pursuant to filed plans with the Department of Buildings (DOB). The Applicant's No-Action Development would be developed pursuant to the existing R6A zoning. The R6A zoning district permits 3.0 FAR with a maximum base height of 60 feet (65 feet with a qualifying ground floor) and a maximum building height of 70 feet (75 feet with a qualifying ground floor). The Applicant would construct a seven-story residential building containing approximately 168 DUs (177,716 gsf) and 84 accessory off-street parking spaces. The 84 accessory off-street parking spaces would be in compliance with the R6A district's requirement for parking for 50 percent of the building's market-rate units.

Both lots comprising the Proposed Development Site are under the control of the Applicant. The Proposed Development Site (Lots 63 and 66) are predominantly vacant and would be redeveloped pursuant to the existing R6A zoning. As such, an as-of-right development would be developed on the Proposed Development Site pursuant to the existing R6A zoning under future No-Action conditions.

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

Under the With-Action scenario, a mixed-use residential and commercial building would be constructed with a total combined area of approximately 471,495 gsf (372,802 zsf). The Proposed Project would comprise 419,346 gsf of residential uses, introducing a total of 475 DUs, of which 119 DUs would be affordable units pursuant to MIH, and 356 DUs would be market-rate units. An average unit size of 875 gsf per unit is assumed for all dwelling units. In addition to the residential component, approximately

8,128 gsf of local retail space would be included in the Proposed Project on the ground floor. Approximately 30,101 gsf (parking and loading for approximately 20 percent of market-rate units or 71 parking spaces) would be allocated for parking on the ground- and cellar-levels of the Proposed Project. The Proposed Project would have approximately 13,920 gsf of mechanical/storage space.

TABLE 2
Comparison of No-Action and With-Action Development Scenarios

Use	No-Action Scenario	With-Action Scenario	Increment
Residential			
Market-Rate Dwelling Units	168 (~177,716 gsf)	356 (~314,509.5 gsf)	**+188 (~136,793.5 gsf)**
Affordable Dwelling Units	0	119 (~104,836.5.5 gsf)	**+119 (~**104,836.5**gsf)**
TOTAL	**168 (~177,716 gsf)**	**475 (419,346 gsf)**	**+307 (~241,650 gsf)**
Local Retail	--	8,128 gsf	**+8,128 gsf**
Parking	84 spaces (~46,707 gsf)	71 spaces (30,101 gsf)	**-13 spaces (-16,606 gsf)**
Population/Employment[1]	**No-Action Scenario**	**With-Action Scenario**	**Increment**
Residents	423	1,197	**+774**
Workers	7	43	**+36**

Notes:
[1] Assumes 2.52 persons per affordable DU (based on 2020 U.S. Census data for Brooklyn Community District 9). Estimate of workers is based on standard rates and are as follows: 1 worker per 25 dwelling units; 3 workers per 1,000 sf retail space.

The Applicant's Proposed Project would maximize the allowable FAR and allowable zoning envelope permitted in the requested R8A/C2-4 zoning district. Therefore, the Proposed Project would represent the upper limits of potential development and the impact of the Proposed Actions would be no worse than those considered in each of the technical analyses presented.

H. PROPOSED SCOPE OF WORK FOR THE EIS

Because the Proposed Project could potentially affect various areas subject to environmental assessment and was found to have the potential for significant adverse impacts, pursuant to the EAS and Positive Declaration, an Environmental Impact Statement (EIS) will be prepared for the Proposed Project that will analyze all technical areas requiring analysis beyond the Environmental Assessment Statement.

The EIS will be prepared in conformance with all applicable laws and regulations, including SEQRA (Article 8 of the New York State Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City Executive Order No. 91 of 1977, as amended, and the Rules of Procedure for CEQR, found at Title 62, Chapter 5 of the Rules of the City of New York. The EIS will follow the guidance of the 2021 *CEQR Technical Manual*, and will contain:

- A description of the development resulting from the Proposed Actions and its environmental setting;
- A statement of the environmental impacts of the Proposed Actions, including short- and long-term effects and typical associated environmental effects;
- An identification of any adverse environmental effects that cannot be avoided if the Proposed Actions are implemented;
- A discussion of reasonable alternatives to the Proposed Actions;
- An identification of irreversible and irretrievable commitments of resources that would be involved in the Proposed Actions should they be implemented; and
- A description of mitigation measures proposed to eliminate or minimize any significant adverse environmental impacts.

Based on the conclusions of the EAS, in accordance with the *CEQR Technical Manual*, there is no potential for significant adverse impacts to socioeconomic conditions; community facilities; historic and cultural resources; urban design and visual resources; water and sewer infrastructure; solid waste and sanitation services; energy; transportation; air quality; noise; or public health; due to the Proposed Project, and, as a result, analysis for those environmental areas would not be required in the EIS. All other CEQR technical areas warrant assessment and would therefore be included in the EIS. The specific technical areas to be included in the EIS, as well as their respective tasks and methodologies, are described below.

Task 1: Project Description

The first chapter of the EIS will introduce the reader to the discretionary actions required to facilitate the Proposed Project and set the context in which to assess impacts. This chapter will contain a description of the Proposed Actions, Proposed Project, and Project Site, including background and/or history; a statement of the purpose and need for the Proposed Actions; key planning considerations that have shaped the current proposal; and discussion of the approvals required, procedures to be followed, and the role of the EIS in the process. In addition, the Project Description chapter will present the planning background and rationale for the actions being proposed and summarize the Proposed Project for analysis in the EIS. Any need for environmental requirements or commitments as part of the Proposed Actions will be described.

The section on approval procedures will explain the ULURP process, its timing, and hearings before the Community Board, the Borough President's office, the CPC, and the New York City Council. The role of the EIS as a full-disclosure document to aid in decision-making will be identified and its relationship to ULURP and the public hearings described, as well as its relationship to other permitting and approvals processes.

Task 2: Land Use, Zoning, and Public Policy

A land use analysis characterizes the uses and development trends in the area that may be affected by a proposed project, describes the public policies that guide development in the area, and determines whether a proposed project is compatible with those conditions and consistent with these policies. In addition to considering the Proposed Actions' effects in terms of land use compatibility and trends in zoning and public policy, this chapter will also provide a baseline for other analyses. The primary land use study area will consist of the Project Area, where the potential effects of the Proposed Actions would be directly experienced. The secondary land use study area would include the neighboring areas within an approximate ¼-mile radius from the Project Area, as shown in **Figure 3**, which could experience indirect impacts. The analysis will include the following subtasks:

- Provide a brief development history of the Project Area (primary study area) and its surroundings (secondary study area).
- Provide a description of land use, zoning, and public policy in the study areas discussed above. Recent trends in the area will be noted.
- Based on field surveys and prior studies, identify, describe, and graphically portray predominant land use patterns for the balance of the study area. Describe recent land use trends in the study areas and identify major factors influencing land use trends.
- Describe and map existing zoning and recent zoning actions in the study areas.
- Prepare a list of future development projects in the study areas that are expected to be constructed by the 2026 analysis year and may influence future land use trends. Also, identify pending zoning

actions or other public policy actions that could affect land use patterns and trends in the study areas. Based on these planned projects and initiatives, assess future land use and zoning conditions without the Proposed Actions (No-Action condition).

- Describe the Proposed Actions and provide an assessment of the impacts of the resultant RWCDS on land use and land use trends, zoning, and public policy. Consider the effects of the Proposed Actions related to issues of compatibility with surrounding land use, consistency with public policy initiatives, and the effect on development trends and conditions in the area.

Task 3: Open Space

If a project may add population to an area, demand for existing open space facilities would typically increase. Indirect effects may occur when the population generated by the Proposed Project would be sufficiently large to noticeably diminish the ability of an area's open space to serve the future population. An assessment is conducted if the Proposed Project would generate more than 200 residents or 500 employees, or a similar number of other uses. As shown in Table 2, it is anticipated that the Proposed Project would introduce approximately 1,197 total new residents and approximately 43 total new employees to the area, with an incremental increase over future No-Action conditions expected to be approximately 774 residents and approximately 36 employees.

The Proposed Project would not directly displace any open space as there is no publicly accessible open space located within the Project Area; however, based on other chapters of the EIS, this chapter will summarize the findings of potential direct effects related to shadows. With respect to potential indirect impacts, the Proposed Project is expected to introduce more than 200 residents (774 incremental residents); therefore, an assessment of the potential for indirect effects on open space due to an increased residential population is warranted. The number of incremental workers generated by the Proposed Actions would be 36, less than the 500-worker threshold specified in the *CEQR Technical Manual*. Therefore, a detailed open space analysis is warranted for the residential population only, which would be included in the EIS pursuant to the following sub-tasks.

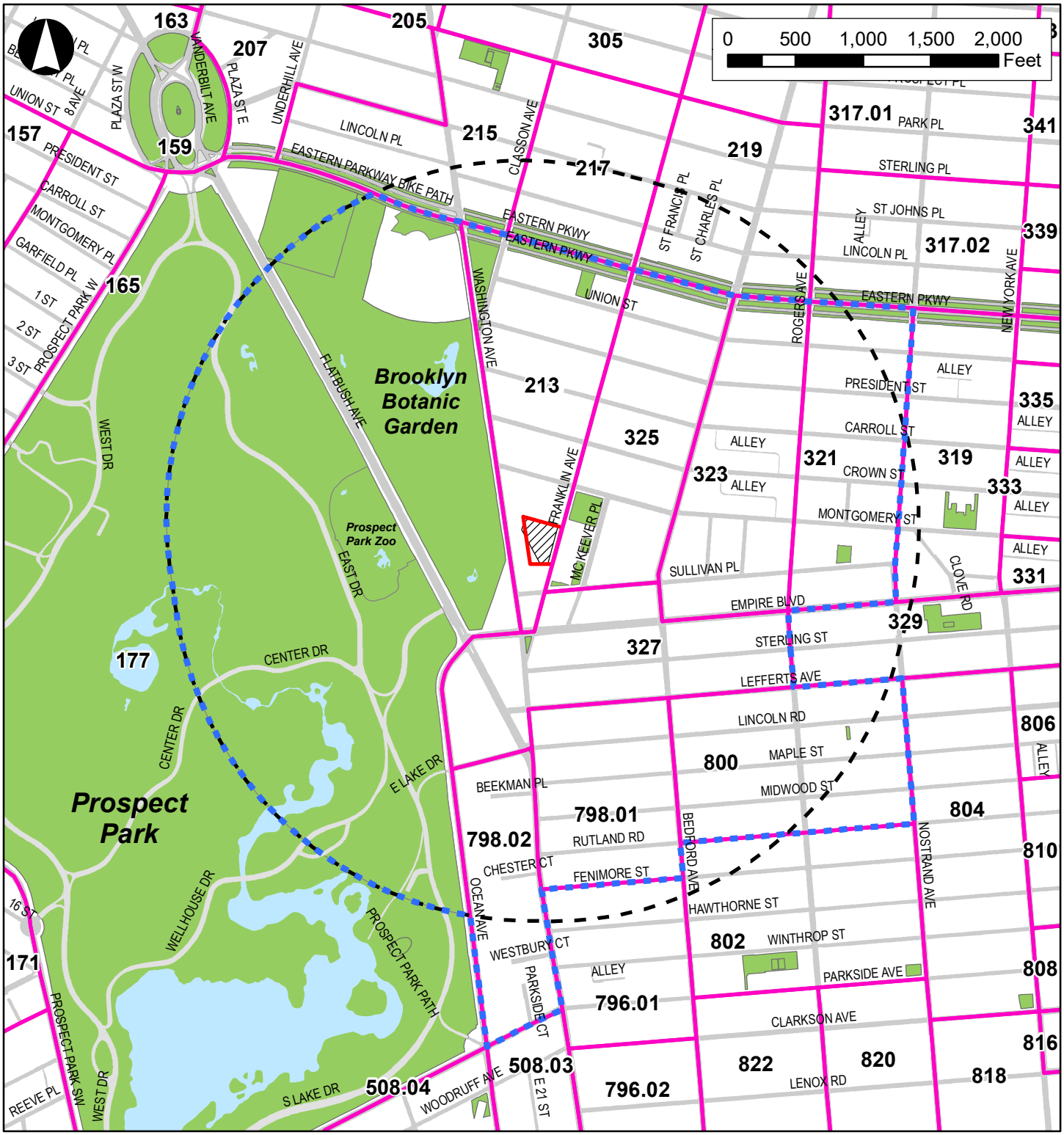
The open space analysis will consider both passive and active open space resources within a residential (0.5-mile radius) study area. As shown in **Figure 4**, the study area will generally comprise those census tracts that have 50 percent or more of their area located within the 0.5-mile radius of the Development Site, as recommended in the *CEQR Technical Manual*.[1]

The detailed open space analysis in the DEIS will include the following subtasks:

- Characteristics of the residential users will be determined. To determine the number of residents in the study area, 2020 U.S. Census data will be compiled for census tracts comprising the residential open space study area. As the study area may include a workforce and daytime population that may also use open spaces, the number of employees and daytime workers in the study area will also be calculated, based on reverse journey-to-work census data and other available information.
- Existing publicly accessible passive and active open spaces within the 0.5-mile open space study area will be inventoried and mapped. Any open space that typically charges an entry fee (e.g., Prospect Park Zoo and the Brooklyn Botanic Garden) will not be included in the inventory or quantitative analysis. The condition and usage of existing facilities will be described based on the inventory and

1 0.5-mile radius adjusted to be coterminous with the boundaries of census tracts and census blocks with existing populations that have 50 percent of their area within the radius; the 0.5-mile radius was not adjusted to be coterminous with census tracts with negligible existing populations (e.g., census tracts entirely comprised of open space).

Figure 4
Open Space Study Area



Legend

- Development Site
- Proposed Rezoning Area
- 213 2020 Census Tracts
- Half-Mile Radius
- Open Space Study Area
- Open Space

field visits. Acreages of these facilities will be determined, and the total study area acreages will be calculated. The percentage of passive and active open space will also be calculated.

- Based on the inventory of facilities and study area populations, total, passive, and active open space ratios will be calculated for the residential population and compared to City guidance to assess adequacy. Open space ratios are expressed as the amount of open space acreage (total, passive, and active) per 1,000 user population.
- Expected changes in future levels of open space supply and demand in the 2026 analysis year will be assessed, based on other planned development projects within the open space study area. Any new open space or recreational facilities that are anticipated to be operational by the analysis year will also be accounted for. Open space ratios will be calculated for future No-Action conditions and compared with exiting ratios to determine changes in future levels of adequacy.
- Effects on open space supply and demand resulting from increased residential population associated with the Proposed Project will be assessed. Any new public accessory open space facilities included in the Proposed Project would also be taken into account. The assessment of the Proposed Project's impacts will be based on a comparison of open space ratios for the future No-Action versus future With-Action conditions. In addition to the quantitative analysis, a qualitative analysis will be performed to determine if the changes resulting from the Proposed Project constitute a substantial change (positive or negative) or an adverse effect to open space conditions. The qualitative analysis will assess whether or not the study areas are sufficiently served by open space, given the type (active or passive), capacity, condition, and distribution of open space, and the profile of the study area populations.

If significant adverse impacts are identified, mitigation measures will be identified in conjunction with DCP as lead agency and any expert agencies, as appropriate.

Task 4: Shadows

A shadows analysis assesses whether new structures resulting from a proposed action would cast shadows on sunlight sensitive publicly accessible resources or other resources of concern, such as open space, historic resources, and natural resources, and to assess the significance of their impact. This chapter will examine the Proposed Project's potential for significant and adverse shadow impacts pursuant to *CEQR Technical Manual* criteria. Generally, the potential for shadow impacts exists if an action would result in new structures or additions to buildings resulting in structures over 50 feet in height that could cast shadows on important natural features, publicly accessible open space, or on historic features that are dependent on sunlight. New construction or building additions resulting in incremental height changes of less than 50 feet can also potentially result in shadow impacts if they are located adjacent to, or across the street from, a sunlight-sensitive resource.

The Proposed Project would result in the construction of a 14-story 145-foot-tall building in the vicinity of sunlight-sensitive resources, including Jackie Robinson Playground to the east and the Brooklyn Botanic Garden and Prospect Park to the west. Therefore, a shadows assessment is warranted to determine the extent, duration, and effects of any potential incremental new shadows on any sunlight-sensitive resources in the vicinity of the Development Site. The shadows assessment will follow the methodology described in the *CEQR Technical Manual*, and will include the following:

- A preliminary shadows screening assessment will be prepared to ascertain whether shadows from the Proposed Development may potentially reach any sunlight-sensitive resources at any time of year. As a zoning map amendment is being requested, a maximum building envelope will be evaluated within

which the Proposed Project would be built. The shadows analysis will maximize the allowable bulk within the requested R8A zoning district. For conservative analysis purposes, the entire 14-story portion of the Proposed Project will be raised 40-feet to account for the potential of a permitted obstruction (i.e., mechanical bulkhead).

- A Tier 1 Screening Assessment will be conducted to determine the longest shadow study area for the Proposed Development, which is defined as 4.3 times the height of a structure (the longest shadow that would occur on December 21, the winter solstice), pursuant to the *CEQR Technical Manual*. A base map that illustrates the location of the Proposed Project in relation to the sunlight-sensitive resources will be developed.
- A Tier 2 Screening Assessment will be conducted if any portion of a sunlight-sensitive resource lies within the longest shadow study area. The Tier 2 assessment will determine the triangular area that cannot be shaded by the Proposed Project due to the path of the sun across the sky, which in New York City is the area that lies between -108 and +108 degrees from true north.
- If any portion of a sunlight-sensitive resource is within the area that could be potentially shaded by the Proposed Project, a Tier 3 Screening Assessment will be conducted. The Tier 3 Screening Assessment will determine if shadows resulting from the Proposed Project can reach a sunlight-sensitive resource through the use of three-dimensional computer modeling software with the capacity to accurately calculate shadow patterns. The model will include a three-dimensional representation of the sunlight-sensitive resource(s), a three-dimensional representation of the Proposed Project, and a three-dimensional representation of the topographical information within the area to determine the extent and duration of new shadows that would be cast on sunlight-sensitive resources as a result of the Proposed Project.

- If the screening analysis does not rule out the possibility that project-generated shadows would reach any sunlight-sensitive resources, a detailed analysis of potential shadow impacts on publicly-accessible open spaces and/or sunlight-sensitive historic resources resulting from the project will be provided in the DEIS. The detailed shadow analysis will establish a baseline condition (No-Action), which will be compared to the future condition resulting from the Proposed Project (With-Action) to illustrate the shadows cast by existing or future buildings and distinguish the additional (incremental) shadow cast by the Proposed Project. The detailed analysis will include the following tasks:
  - The analysis will be documented with graphics comparing shadows resulting from the No-Action condition with shadows resulting from the Proposed Project, with incremental shadow highlighted in a contrasting color.
  - A summary table listing the entry and exit times and total duration of incremental shadow on each applicable representative day for each affected resource will be provided.
  - The significance of any shadow impacts on sunlight-sensitive resources will be assessed based on CEQR criteria.

If significant adverse impacts are identified, mitigation measures will be identified in conjunction with DCP as lead agency and any expert agencies, as appropriate.

Task 5: Natural Resources

A natural resources assessment is conducted when a natural resource is present on or near the project area and when an action involves the disturbance of that resource. The *CEQR Technical Manual* defines natural resources as: water resources, including surface water bodies and groundwater; wetland resources (freshwater and tidal); surface water hydrology; upland resources, including beaches, maritime

dunes, erosional slopes and bluffs; shrublands, grasslands, meadows and old fields; upland forests, woodlands and barrens; and built resources, including piers and other waterfront structures, old piers, pile fields and other ruins, beach protection structures, flood protection structures; and significant, sensitive, or designated resources, as indicated by the New York Natural Heritage Program. The project area is located in a fully developed area in Brooklyn and has limited potential to provide the habitat required by state- or federally-listed rare, threatened and/or endangered species. A screening analysis will be presented in the EIS identifying whether the Proposed Development would result in significant impacts on natural resources. The Brooklyn Botanic Garden represents a terrestrial cultural community as defined in the *CEQR Technical Manual* which may be affected by the Proposed Project. The assessment will provide an analysis of the effects of shading from the Proposed Project on the sunlight sensitive natural resources in the Brooklyn Botanic Garden during the early morning hours, as described in the shadows assessment.

Task 6: Hazardous Materials

A hazardous materials assessment determines whether a proposed action may increase the exposure of people or the environment to hazardous materials and, if so, whether this increased exposure would result in potential significant public health or environmental impacts. The potential for significant impacts related to hazardous materials can occur when: a) elevated levels of hazardous materials exist on a site and the project would increase pathways to human or environmental exposure; b) a project would introduce new activities or processes using hazardous materials and the risk of human or environmental exposure is increased; or c) the project would introduce a population to potential human or environmental exposure from off-site sources.

The hazardous materials chapter will examine the potential for significant hazardous materials impacts from the Proposed Actions. As part of the hazardous materials task, a Phase I Environmental Site Assessment (ESA) was prepared for the Proposed Development Site. Based on a request from NYC DEP, a Phase II Environmental Site Investigation is required. A preliminary work plan and Health and Safety Plan (HASP) has been submitted to DEP for review. No site investigation will occur until DEP approves the work plan and HASP. Findings from the Phase II Site Investigation will be discussed in the EIS.

Task 7: Transportation

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

The *CEQR Technical Manual* identifies minimum development densities that have the potential to result in significant adverse impacts to and therefore require a detailed transportation analysis. The development densities shown in Table 16-1 of the *CEQR Technical Manual* generally result in fewer than fifty peak hour vehicle trips, 200 peak hour subway/rail or bus transit riders, and 200 peak hour pedestrian trips, where significant adverse impacts are considered unlikely to occur. According to the *CEQR Technical Manual*, if an action would result in development greater than one of the minimum development densities in Table 16-1, a Level 1 (Project Trip Generation) Screening Assessment should be prepared. Except in unusual circumstances, if a proposed action is projected to result in fewer than 50 peak hour vehicle trips, 200 peak hour subway/rail or bus transit riders, or 200 peak hour pedestrian trips, it is unlikely that further analysis would be necessary. If the trip generation screening thresholds are exceeded, a Level 2 (Project-

Generated Trip Assignment) Screening Assessment should be prepared to determine if a proposed action would generate or divert 50 peak hour vehicle trips through any intersection, 200 peak hour subway trips through a single station, 50 peak hour bus trips on a single bus route in the peak direction, or 200 peak hour pedestrian trips through a single pedestrian element. If any of these Level 2 screening thresholds are met or exceeded, a detailed analysis for the respective mode is required.

A travel demand forecast was prepared in **Attachment G, "Transportation"** of the EAS to determine if the Proposed Project would exceed the Level 1 Screening Assessment thresholds. As discussed therein, the Proposed Project would exceed Level 1 Screening Assessment thresholds for traffic and pedestrians, warranting further analysis. Transit would not exceed the Level 1 Screening Assessment Threshold and would not require further analysis. The Proposed Project would exceed Level 2 Screening Assessment thresholds for pedestrians at the west sidewalk between Montgomery Street and Sullivan Place (on the project frontage) and the northwest corner of Franklin Avenue and Sullivan Place. Therefore, a detailed analysis of pedestrian conditions has been provided. The Level 2 Screening Assessment determined that additional analysis of traffic was not warranted. As detailed in **Attachment G, "Transportation"** of the EAS, each of these locations are expected to operate at level of service (LOS) C or better under the 2026 With-Action condition, and no significant adverse pedestrian impacts are anticipated. Therefore, the Proposed Project is not expected to result in significant adverse transportation impacts and further analysis is not warranted.

Task 8: Greenhouse Gas Emissions and Climate Change

Greenhouse Gas Emissions

Increased greenhouse (GHG) emissions are changing the global climate, which is predicted to lead to wide-ranging effects on the environment, including rising sea levels, increases in temperature, and changes in precipitation levels. Although this is occurring on a global scale, the environmental effects of climate change are also likely to be felt at the local level. As the RWCDS exceeds the 350,000 sf development threshold, a GHG emissions assessment will be provided in the EIS.

In accordance with the *CEQR Technical Manual*, GHG emissions generated by the RWCDS will be quantified, and an assessment of consistency with the City's established GHG reduction goal will be prepared. Emissions will be estimated for the analysis year and reported as carbon dioxide equivalent (CO_2e) metric tons per year. GHG emissions other than carbon dioxide (CO_2) will be included if they would account for a substantial portion of overall emissions, adjusted to account for the global warming potential. Relevant measures to reduce energy consumption and GHG emissions that could be incorporated into the Applicant's Proposed Development will be discussed, and the potential for those measures to reduce GHG emissions from the Proposed Development will be assessed to the extent practicable.

- *Building Operational Emissions*: GHG emissions from the Proposed Development will be estimated based on carbon intensity factors specified in the *CEQR Technical Manual*.
- *Mobile Source Emissions*: GHG emissions from vehicle trips generated by the RWCDS to and from the Project Area will be quantified using trip distances and vehicle emission factors provided in the *CEQR Technical Manual*.
- *Potential Measures to Reduce GHG Emissions*: Design features and operational measures to reduce the Proposed Development's energy use and GHG emissions will be discussed to the extent that information is available.

- *Consistency with the City's GHG Reduction Goal*: Consistency of the Proposed Development and the Proposed Actions overall will be assessed. While the City's overall goal is to reduce GHG emissions by 30 percent below 2005 level by 2025, individual project consistency is evaluated based on building energy efficiency, proximity to transit, on-site renewable power and distributed generation, efforts to reduce on-road vehicle trips and/or to reduce the carbon fuel intensity or improve vehicle efficiency for project-generated vehicle trips, and other efforts to reduce the project's carbon footprint.

Task 9: Neighborhood Character

Neighborhood character is established by numerous factors, including land use patterns, the scale of its development, the design of its buildings, the presence of notable landmarks, and a variety of other physical features that include traffic and pedestrian patterns, noise, etc. The Proposed Project has the potential to alter certain elements contributing to the affected area's neighborhood character. Therefore, a neighborhood character analysis will be provided in the EIS.

A preliminary assessment of neighborhood character will be provided in the EIS to determine whether changes expected in other technical analysis areas—land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; natural resources; urban design and visual resources; transportation; and noise—may affect a defining feature of neighborhood character. The preliminary assessment will:

- Identify the defining features of the existing neighborhood character.
- Summarize changes in the character of the neighborhood that can be expected in the future With-Action condition and compare to the future No-Action condition.
- Evaluate whether the Proposed Actions have the potential to affect these defining features, either through the potential for a significant adverse impact or a combination of moderate effects in the relevant technical areas.

If the preliminary assessment determines that the Proposed Actions could affect the defining features of neighborhood character, a detailed analysis will be conducted in accordance with the *CEQR Technical Manual* guidance.

Task 10: Construction

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. Construction impacts are usually important when construction activity has the potential to affect transportation conditions, archaeological resources and the integrity of historic resources, community noise levels, air quality conditions, and mitigation of hazardous materials. Multi-sited projects with overall construction periods lasting longer than two years and that are near to sensitive receptors should undergo a preliminary impact assessment according to the *CEQR Technical Manual*. Construction of the Proposed Project is expected to take place over a period greater than two years and is therefore considered long-term. As such, construction analysis will focus on the anticipated 33-month construction period to develop the Proposed Project. This chapter of the DEIS will provide a preliminary impact assessment following the guidance in the *CEQR Technical Manual*. The

preliminary assessment will evaluate the duration and severity of the disruption or inconvenience to nearby sensitive receptors. Technical areas to be assessed include the following:

- **Transportation Systems:** In accordance with *CEQR Technical Manual* methodologies, the travel demand that would be generated during construction of the Proposed Project will be forecasted to identify the expected number of vehicle, transit (bus and subway) and pedestrian trips from construction workers and equipment. The potential effects of this construction travel demand on study area transportation systems will then be assessed. Based on the trip projections of activities associated with peak construction for the Proposed Project, an assessment of potential transportation impacts during construction and how they are compared to the trip projections under the operational condition will be provided. If this effort identifies the need for separate detailed quantitative analysis due to an exceedance of the *CEQR Technical Manual* quantified transportation analysis thresholds (50 or more vehicle-trips and/or 200 or more transit/pedestrian trips during a given peak hour), such analysis will be prepared. The assessment will also evaluate the potential effects of construction activities on streets, sidewalks, bicycle and bus lanes, and transit access points adjacent to the Project Area, where applicable.
- **Air Quality:** The construction air quality impact section will contain a detailed discussion of emissions from construction equipment, on-road construction-related vehicles, as well as fugitive dust. The quantitative analysis will review the projected activity and equipment in the context of intensity, duration, and location of emissions relative to nearby sensitive locations including the adjacent school and playground and identify any project-specific control measures required to further reduce the effects of construction and to ensure that significant impacts on air quality do not occur.
- **Noise:** The construction noise impact section will contain a detailed quantitative analysis of noise from each phase of construction activity. Appropriate recommendations will be made to comply with NYCDEP Rules for Citywide Construction Noise Mitigation and the New York City Noise Control Code. The analysis will quantitatively review the projected activity and equipment in the context of intensity, duration, and location of emissions relative to nearby sensitive locations, and identify any project-specific control measures required to further reduce construction noise. Potential construction-related noise impacts will be assessed and addressed quantitatively.
- **Other Technical Areas:** As appropriate, the construction assessment will discuss other areas of environmental concern, including Land Use and Neighborhood Character, Socioeconomic Conditions, Community Facilities, Open Space, Historic and Cultural Resources, and Hazardous Materials, for potential construction-related impacts. In accordance with *CEQR Technical Manual* guidelines, the construction analysis will include an assessment of whether construction of the Proposed Development would potentially physically impact, or inhibit access to, adjacent land uses, including community facilities.

If significant adverse impacts are identified, mitigation measures will be identified in conjunction with DCP as lead agency and any expert agencies, as appropriate.

Task 11: Mitigation

Where significant adverse impacts that could result from the Proposed Project have been identified in Tasks 2 through 9, this chapter will describe the practicable measures that would be implemented to mitigate those impacts. These measures will be developed and coordinated with the responsible

City/State agencies, as necessary. Where impacts cannot be fully mitigated, they will be disclosed as unavoidable adverse impacts.

Task 12: Alternatives

Pursuant to CEQR, the purpose of an alternatives section in an EIS is to examine development options that would reduce or eliminate impacts resulting from the Proposed Project while substantively meeting the goals and objectives of the Proposed Actions. The specific alternatives to be analyzed will be better defined once the full extent of the Proposed Project's impacts have been identified. At this time, it is expected that the EIS will include two alternatives: (1) a No-Action alternative, which describes the conditions that would exist if the Proposed Actions were not implemented, and is considered throughout the EIS as the No-Action Condition, and (2) a No Unmitigated Impact alternative, which assesses a change in density or program design in order to avoid the potential for any unmitigated significant adverse impacts that may be associated with the Proposed Project. The specifics of these alternatives will be finalized as project impacts become clarified. The analysis of each alternative will be qualitative, except in those technical areas where significant adverse impacts of the Proposed Project have been identified.

Task 13: Summary EIS Chapters

The EIS will include the following three summary chapters, in accordance with CEQR guidance:

- **Unavoidable Adverse Impacts:** summarizes any significant adverse impacts that are unavoidable if the Proposed Actions are implemented regardless of the mitigation employed (or if mitigation is not feasible).
- **Growth-Inducing Aspects of the Proposed Project:** which generally refer to "secondary" impacts of the Proposed Actions that trigger further development.
- **Irreversible and Irretrievable Commitments of Resources:** which summarizes the Proposed Actions and their impact in terms of the loss of environmental resources (loss of vegetation, use of fossil fuels and materials for construction, etc.), both in the immediate future and in the long term. Any significant impacts for which no mitigation can be implemented will be presented as Unavoidable Adverse Impacts. In addition to discussions of Growth-Inducing Aspects of the Proposed Project and Irreversible and Irretrievable Commitment of Resources.

Task 14. Executive Summary

The executive summary will utilize relevant material from the body of the EIS to describe the Proposed Project, the environmental impacts, measures to mitigate those impacts, and alternatives to the Proposed Actions. The executive summary will be written in enough detail to facilitate drafting of a notice of completion by the lead agency.