City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT FULL FORM

Please fill out, print and submit to the appropriate agency (see instructions)

PART I: GENERAL INFORMATION

PROJECT NAME Crown Heights West Rezoning

1. *Reference Numbers*

CEQR REFERENCE NUMBER (To Be Assigned by Lead Agency)	BSA REFERENCE NUMBER (If Applicable)
13DCP105K	
ULURP REFERENCE NUMBER (If Applicable))	**OTHER REFERENCE NUMBER(S) (If Applicable) (e.g. Legislative Intro, CAPA, etc)**
130213 ZMK, N130212ZRK	

2a. *Lead Agency Information*

NAME OF LEAD AGENCY: NYC Department of City Planning

NAME OF LEAD AGENCY CONTACT PERSON: Robert Dobruskin, AICP

ADDRESS: 22 Reade Street, Room 4E

CITY: New York | STATE: NY | ZIP: 10007

TELEPHONE: 212-720-3423 | FAX: 212-720-3495

EMAIL ADDRESS: rdobrus@planning.nyc.gov

2b. *Applicant Information*

NAME OF APPLICANT: NYC Department of City Planning

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON: Purnima Kapur

ADDRESS: 16 Court Street, 7th Floor

CITY: Brooklyn | STATE: NY | ZIP: 11241

TELEPHONE: 718-780-8280 | FAX: 718-596-2609

EMAIL ADDRESS: pkapur@planning.nyc.gov

3. *Action Classification and Type*

SEQRA Classification

☐ UNLISTED ☑ TYPE I; SPECIFY CATEGORY *(see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended):*

Action Type *(refer to Chapter 2, "Establishing the Analysis Framework" for guidance)*

☐ LOCALIZED ACTION, SITE SPECIFIC ☑ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

4. *Project Description:*

See Attachment 1: Project Description

4a. *Project Location: Single Site* *(for a project at a single site, complete all the information below)*

ADDRESS	NEIGHBORHOOD NAME	
TAX BLOCK AND LOT	BOROUGH	COMMUNITY DISTRICT
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION IF ANY:		ZONING SECTIONAL MAP NO:

4b. *Project Location: Multiple Sites* *(Provide a description of the size of the project area in both City Blocks and Lots. If the project would apply to the entire city or to areas that are so extensive that a site-specific description is not appropriate or practicable, describe the area of the project, including bounding streets, etc.)*

See Attachment 1: Project Description

5. *REQUIRED ACTIONS OR APPROVALS* *(check all that apply)*

City Planning Commission: YES ☑ NO ☐

- ☑ CITY MAP AMENDMENT
- ☐ ZONING MAP AMENDMENT
- ☑ ZONING TEXT AMENDMENT
- ☑ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)
- ☐ CONCESSION
- ☐ UDAAP
- ☐ REVOCABLE CONSENT
- ☐ ZONING CERTIFICATION
- ☐ ZONING AUTHORIZATION
- ☐ HOUSING PLAN & PROJECT
- ☐ SITE SELECTION — PUBLIC FACILITY
- ☐ FRANCHISE
- ☐ DISPOSITION — REAL PROPERTY

ZONING SPECIAL PERMIT, SPECIFY TYPE:

- ☐ MODIFICATION OF
- ☐ RENEWAL OF
- ☐ OTHER

Board of Standards and Appeals: YES ☐ NO ☑

- ☐ SPECIAL PERMIT

EXPIRATION DATE MONTH DAY YEAR

- ☐ VARIANCE (USE)
- ☐ VARIANCE (BULK)

SPECIFY AFFECTED SECTION(S) OF THE ZONING RESOLUTION

Department of Environmental Protection: YES ☐ NO ☑

Other City Approvals: YES ☐ NO ☑

- ☐ LEGISLATION
- ☐ FUNDING OF CONSTRUCTION; SPECIFY
- ☐ POLICY OR PLAN; SPECIFY
- ☐ LANDMARKS PRESERVATION COMMISSION APPROVAL *(not subject to CEQR)*
- ☐ 384(b)(4) APPROVAL
- ☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) *(not subject to CEQR)*
- ☐ RULEMAKING
- ☐ CONSTRUCTION OF PUBLIC FACILITIES
- ☐ FUNDING OF PROGRAMS; SPECIFY
- ☐ PERMITS; SPECIFY:
- ☐ OTHER; EXPLAIN

6. *State or Federal Actions/Approvals/Funding:* YES ☐ NO ☑ IF "YES," IDENTIFY

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

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 11×17 inches in size and must be folded to 8.5 ×11 inches for submission.*

☑ Site location map ☑ Zoning map ☑ Photographs of the project site taken within 6 months of EAS submission and keyed to the site location map

☑ Sanborn or other land use map ☐ Tax map ☐ For large areas or multiple sites, a GIS shape file that defines the project sites

PHYSICAL SETTING *(both developed and undeveloped areas)*

Total directly affected area (sq. ft.):	Type of waterbody and surface area (sq. ft.): N/A	Roads, building and other paved surfaces (sq. ft.) N/A

Other, describe (sq. ft.):

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

Size of project to be developed: Refer to EAS Attachment 2 for description of Reasonable Worst Case Development Scenario (RWCDS) (gross sq. ft.)

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

If 'Yes,' identify the total square feet owned or controlled by the applicant : Total square feet of non-applicant owned development:

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 disturbance (if known):

Area: sq. ft. (width × length) Volume: cubic feet (width × length × depth)

Does the proposed project increase the population of residents and/or on-site workers? YES ☑ NO ☐ Number of additional residents? 581 Number of additional workers? 0

Provide a brief explanation of how these numbers were determined:

Refer to EAS Attachment 4, Socioeconomics

Does the project create new open space? YES ☐ NO ☑ If Yes: (sq. ft)

Using Table 14-1, estimate the project's projected operational solid waste generation, if applicable: (pounds per week)

Using energy modeling or Table 15-1, estimate the project's projected energy use: (annual BTUs)

9. *Analysis Year* *CEQR Technical Manual Chapter 2*

ANTICIPATED BUILD YEAR (DATE THE PROJECT WOULD BE COMPLETED AND OPERATIONAL): 2023	ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS:
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? YES ☐ NO ☐	IF MULTIPLE PHASES, HOW MANY PHASES:

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

10. *What is the Predominant Land Use in Vicinity of Project?* *(Check all that apply)*

☑ RESIDENTIAL ☐ MANUFACTURING ☑ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER, Describe:

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Land Use				
Residential	YES ☐ NO ☑	YES ☑ NO ☐	YES ☑ NO ☐	
If yes, specify the following				
No. of dwelling units		Refer to EAS Attach. 2	Refer to EAS Attach. 2	Refer to EAS Attach. 2
No. of low- to moderate income units				
No. of stories				
Gross Floor Area (sq.ft.)				
Describe Type of Residential Structures				
Commercial	YES ☑ NO ☐	YES ☑ NO ☐	YES ☑ NO ☐	
If yes, specify the following:				
Describe type (retail, office, other)	Refer to EAS Attach. 2	Refer to EAS Attach. 2	Refer to EAS Attach. 2	Refer to EAS Attach. 2
No. of bldgs				
GFA of each bldg (sq.ft.)				
Manufacturing/Industrial	YES ☐ NO ☑	YES ☐ NO ☑	YES ☐ NO ☑	
If yes, specify the following:				
Type of use				
No. of bldgs				
GFA of each bldg (sq.ft.)				
No. of stories of each bldg				
Height of each bldg				
Open storage area (sq.ft.)				
If any unenclosed activities, specify				
Community Facility	YES ☐ NO ☑	YES ☑ NO ☐	YES ☑ NO ☐	
If yes, specify the following:				
Type		Refer to EAS Attach. 2	Refer to EAS Attach. 2	Refer to EAS Attach. 2
No. of bldgs				
GFA of each bldg (sq.ft.)				
No. of stories of each bldg				
Height of each bldg				
Vacant Land	YES ☑ NO ☐	YES ☐ NO ☑	YES ☐ NO ☑	
If yes, describe:	Refer to EAS Attach. 2			
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)				
Other Land Use	YES ☐ NO ☑	YES ☐ NO ☑	YES ☐ NO ☑	
If yes, describe				
Parking				
Garages	YES ☐ NO ☑	YES ☑ NO ☐	YES ☑ NO ☐	
If yes, specify the following:				
No. of public spaces	Refer to EAS Attach. 2	Refer to EAS Attach. 2	Refer to EAS Attach. 2	
No. of accessory spaces				
Operating hours				
Attended or non-attended				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Parking *(continued)*				
Lots	YES ☐ NO ☑	YES ☐ NO ☑	YES ☐ NO ☑	
If yes, specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (includes street parking)	YES ☑ NO ☐	YES ☑ NO ☐	YES ☑ NO ☐	
If yes, describe	No change to on street parking which exists on most streets			
Storage Tanks				
Storage Tanks	YES ☑ NO ☐	YES ☑ NO ☐	YES ☐ NO ☑	
If yes, specify the following:				
Gas/Service stations	YES ☑ NO ☐	YES ☑ NO ☐	YES ☐ NO ☐	
Oil storage facility	YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐	
Other, identify:	YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐	
If yes to any of the above, describe:				
Number of tanks	Refer to EAS Attach. 10	Refer to EAS Attach. 10		
Size of tanks				
Location of tanks				
Depth of tanks				
Most recent FDNY inspection date				
Population				
Residents	YES ☐ NO ☑	YES ☑ NO ☐	YES ☑ NO ☐	
If any, specify number		480	1061	581
Briefly explain how the number of residents was calculated:	Assumed 2.39 residents/household per 2010 US Census, refer to EAS Attach. 4			
Businesses	YES ☑ NO ☐	YES ☑ NO ☐	YES ☑ NO ☐	
If any, specify the following:	Refer to EAS Attach. 2	Refer to EAS Attach. 2	Refer to EAS Attach. 2	
No. and type				
No. and type of workers by business				
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:				
Zoning*				
Zoning classification	Varies, See Attach 3	Varies, See Attach 3	Varies, See Attach 3	
Maximum amount of floor area that can be developed (in terms of bulk)	" "	" "	" "	
Predominant land use and zoning classifications within a 0.25 mile radius of proposed project	" "	" "	" "	
Attach any additional information as may be needed to describe the project. If your project involves changes in regulatory controls that affect one or more sites not associated with a specific development, it is generally appropriate to include the total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

**This section should be completed for all projects, except for such projects that would apply to the entire city or to areas that are so extensive that site-specific zoning information is not appropriate or practicable.*

PART II: TECHNICAL ANALYSES

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, answer the subsequent questions for that technical area and consult the relevant chapter of the CEQR Technical Manual for guidance on providing additional analyses (and attach supporting information, if needed) 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 often only means that more information is required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to either provide additional information to support the Full 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 or zoning that is different from surrounding land uses and/or zoning? Is there the potential to affect an applicable public policy? If "Yes", complete a preliminary assessment and attach.	✔	
(b) Is the project a large, publicly sponsored project? If "Yes", complete a PlaNYC assessment and attach.		✔
(c) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries? If "Yes", complete the Consistency Assessment Form.		✔
2. *SOCIOECONOMIC CONDITIONS*: *CEQR Technical Manual Chapter 5*		
(a) Would the proposed project:		
• Generate a net increase of 200 or more residential units?	✔	
• Generate a net increase of 200,000 or more square feet of commercial space?		✔
• Directly displace more than 500 residents?		✔
• Directly displace more than 100 employees?		✔
• Affect conditions in a specific industry?		✔
(b) If 'Yes' to any of the above, attach supporting information to answer the following questions, as appropriate. If 'No' was checked for each category above, the remaining questions in this technical area do not need to be answered.		✔
(1) ***Direct Residential Displacement***		
• If more than 500 residents would be displaced, would these displaced residents represent more than 5% of the primary study area population?		✔
• If 'Yes,' is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?		✔
(2) ***Indirect Residential Displacement***		
• Would the expected average incomes of the new population exceed the average incomes of the study area populations?		✔
• If 'Yes,' would the population increase represent more than 5% of the primary study area population or otherwise potentially affect real estate market conditions?		✔
• If 'Yes,' would the study area have a significant number of unprotected rental units?		✔
Would more than 10 percent of all the housing units be renter-occupied and unprotected?		✔
Or, would more than 5 percent of all the housing units be renter-occupied and unprotected where no readily observable trend toward increasing rents and new market rate development exists within the study area?		✔

	YES	NO
(3) *Direct Business Displacement*		
• Do any of the displaced businesses provide goods or services that otherwise could not be found within the trade area, either under existing conditions or in the future with the proposed project?		✔
• Do any of the displaced businesses provide goods or services that otherwise could not be found within the trade area, either under existing conditions or in the future with the proposed project?		✔
• Or, is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?		✔
(4) *Indirect Business Displacement*		
• Would the project potentially introduce trends that make it difficult for businesses to remain in the area?		✔
• Would the project capture the retail sales in a particular category of goods to the extent that the market for such goods would become saturated as a result, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?		✔
(5) *Affects on Industry*		✔
• Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?		✔
• Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?		✔
3. *COMMUNITY FACILITIES*: *CEQR Technical Manual Chapter 6*		
(a) 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) Would the project exceed any of the thresholds outlined in Table 6-1 in Chapter 6?	✔	
(c) If 'No' was checked above, the remaining questions in this technical area do not need to be answered. If 'Yes' was checked, attach supporting information to answer the following, if applicable.		✔
(1) *Child Care Centers*		
• Would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?		✔
• If Yes, would the project increase the collective utilization rate by 5 percent from the No-Action scenario?		✔
(2) *Libraries*		
• Would the project increase the study area population by 5 percent from the No-Action levels?		✔
• If Yes, would the additional population impair the delivery of library services in the study area?		✔
(3) *Public Schools*		
• Would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 105 percent?		✔
• If Yes, would the project increase this collective utilization rate by 5 percent from the No-Action scenario?		✔
(4) *Health Care Facilities*		
• Would the project affect the operation of health care facilities in the area?		✔
(5) *Fire and Police Protection*		
• Would the project affect the operation of fire or police protection in the area?		✔
4. *OPEN SPACE*: *CEQR Technical Manual Chapter 7*		
(a) Would the project change or eliminate existing open space?		✔
(b) Is the project located within an underserved area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	✔	
(c) If 'Yes,' would the proposed project generate more than 50 additional residents or 125 additional employees?	✔	
(d) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?		✔
(e) If 'Yes,' would the project generate more than 350 additional residents or 750 additional employees?		✔
(f) If the project is not located within an underserved or well-served area, would it generate more than 200 additional residents or 500 additional employees?		✔
(g) If 'Yes' to any of the above questions, attach supporting information to answer the following: • Does the project result in a decrease in the open space ratio of more then 5%?		✔
• If the project is within an underserved area, is the decrease in open space between 1% and 5%?		✔
• If 'Yes," are there qualitative considerations, such as the quality of open space, that need to be considered?		✔

	YES	NO
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?	✔	
(c) If 'Yes' to either of the above questions, attach supporting information explaining whether the project's shadow reach any sunlight-sensitive resource at any time of the year.		
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for, or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; is listed or eligible for listing on the New York State or National Register of Historic Places; or is within a designated or eligible New York City, New York State, or National Register Historic District? If "Yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.	✔	
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	✔	
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources that is not currently allowed by existing zoning?		✔
(c) If "Yes" to either of the above, please provide the information requested in Chapter 10.		✔
8. *NATURAL RESOURCES:* CEQR Technical Manual Chapter 11		
(a) Is any part of the directly affected area within the Jamaica Bay Watershed? If "Yes", complete the Jamaica Bay Watershed Form.		✔
(b) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11? If "Yes," list the resources: Attach supporting information on whether the proposed project would affect any of these resources.		✔
9. *HAZARDOUS MATERIALS:* CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential use in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	✔	
(b) Does the proposed project site have existing institutional controls (e.g. (E) designations or a Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	✔	
(c) Does the project require soil disturbance in a manufacturing zone or any development on or near a manufacturing zone or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	✔	
(d) Does 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?	✔	
(e) Does the project result in development where underground and/or aboveground storage tanks (e.g. gas stations) are or were on or near the site?	✔	
(f) Does the project result in renovation of interior existing space on a site with potential compromised air quality, vapor intrusion from on-site or off-site sources, asbestos, PCBs or lead-based paint?		✔
(g) Does the project result in development on or near a government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, municipal incinerators, coal gasification or gas storage sites, or railroad tracks and rights-of-way?		✔
(h) Has a Phase I Environmental Site Assessment been performed for the site? If 'Yes," were RECs identified? Briefly identify:		✔
(i) Based on a Phase I Assessment, is a Phase II Assessment 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) Is the proposed project located in a combined sewer area and result in at least 1,000 residential units or 250,000 SF or more of commercial space in Manhattan or at least 400 residential units or 150,000 SF or more of commercial space in the Bronx, Brooklyn, Staten Island or Queens?		✔
(c) Is the proposed project located in a separately sewered area and result in the same or greater development than that listed in Table 13-1 in Chapter 13?		✔
(d) Does the proposed project involve development on a site five acres or larger where the amount of impervious surface would increase?		✔
(e) Would the proposed project involve development on a site one acre or larger where the amount of impervious surface would increase and 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?		✔
(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 WWTP and/or generate contaminated stormwater in a separate storm sewer system?		✔
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?		✔
(i) If "Yes" to any of the above, conduct the appopriate preliminary analyses and attach supporting documentation.		✔
11. *SOLID WASTE AND SANITATION SERVICES:* CEQR Technical Manual Chapter 14		
(a) Would the proposed project have the potential to generate 1000,000 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?		✔

	YES	NO
12. *ENERGY*: *CEQR Technical Manual Chapter 15*		
(a) 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:		
(1) 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 peakhour. See Subsection 313 in Chapter 16 for more information.*		✔
(2) Would the proposed project result in more than 200 subway/rail or bus 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) or 200 subway trips per station or line?		✔
(3) 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?		✔
14. *AIR QUALITY*: *CEQR Technical Manual Chapter 17*		
(a) *Mobile Sources:* Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?		✔
(b) *Stationary Sources:* Would the proposed project result in the conditions outlined in Section 220 in Chapter 17? If 'Yes,' would the proposed project exceed the thresholds in the Figure 17-3, Stationary Source Screen Graph? (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) designations or a Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?		✔
(f) If "Yes," conduct the appropriate analyses and attach any supporting documentation.		
15. *GREENHOUSE GAS EMISSIONS*: *CEQR Technical Manual Chapter 18*		
(a) Is the proposed project a city capital project, a power plant, or would fundamentally change the City's solid waste management system?		✔
(b) If "Yes," would the proposed project require a GHG emissions assessment based on the guidance in Chapter 18?		✔
(c) If "Yes," attach supporting documentation to answer the following; Would the project be consistent with the City's GHG reduction goal?		✔
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 124 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-designations or a Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?		✔
(e) If "Yes," conduct the appropriate analyses and attach any supporting documentation.		✔
17. *PUBLIC HEALTH*: *CEQR Technical Manual Chapter 20*		✔
(a) Would the proposed project warrant a public health assessment based upon the guidance in Chapter 20?		
18. *NEIGHBORHOOD CHARACTER*: *CEQR Technical Manual Chapter 21*		
(a) Based upon the analyses conducted for the following technical areas, check Yes if any of the following technical areas required 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 here why or why not an assessment of neighborhood character is warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		✔

		YES	NO
19.	***CONSTRUCTION IMPACTS:*** *CEQR Technical Manual Chapter 22* Would the project's construction activities involve (check all that apply):		✓
	• Construction activities lasting longer than two years;		✓
	• Construction activities within a Central Business District or along an arterial or major thoroughfare;	✓	
	• Require closing, narrowing, or otherwise impeding traffic, transit or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc);		✓
	• Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out;		✓
	• The operation of several pieces of diesel equipment in a single location at peak construction;		✓
	• Closure of community facilities or disruption in its service;		✓
	• Activities within 400 feet of a historic or cultural resource; or	✓	
	• Disturbance of a site containing natural resources.		✓

If any boxes are checked, explain why or why not a preliminary construction assessment is warranted based on the guidance of 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.

While the project's construction would be located along an arterial or major thoroughfare, the location is not likely to be sensitive to said construction or construction-related temporary closures, such as narrowing or otherwise impending vehicle lanes or pedestrian elements. Such activities are considered routine and are fully addressed by a permit and pedestrian access plan as required by the New York City Department of Transportation (DOT) Office of Construction Mitigation and Coordination (OCMC) at the time of closure. Moreover, new development is projected to occur over a 10 year period and a large geographic area. The construction activity for the projected development sites is expected to be routine in nature, and it's not anticipated to last longer than 18-months adjacent to any existing or future sensitive receptors. While all buildings adjacent to a construction site are protected through New York City Department of Buildings (DOB) Building Code Section 27-166 (C26-112.4), special controls are required for construction within 400 feet of an historic resource. The protective measure applies only to designated NYCL and S/NR listed historic buildings that are located within 90 linear feet of a proposed construction site. For these structures, the DOB's Technical Policy and Procedure Notice (TPPN) #10/88 is applicable. The DOB's TPPN 10/88 supplements the standard building protections afforded by the Building Code C26-112.4 by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent LPC-designated or S/NR-listed resources (within 90 feet), and to detect at an early stage the beginnings of damage so that construction procedures can be changed. Therefore, there is no potential for any significant adverse construction-related impacts.

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 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

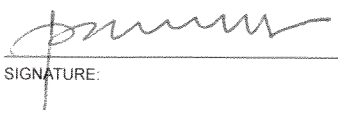
Director, Brooklyn Office — APPLICANT/SPONSOR

of

NYC Department of City Planning — NAME THE ENTITY OR OWNER

the entity which seeks the permits, approvals, funding or other governmental action described in this EAS.

Check if prepared by: ☐ APPLICANT/REPRESENTATIVE or ☐ LEAD AGENCY REPRESENTATIVE (FOR CITY-SPONSORED PROJECTS)

NYC Department of City Planning	Purnima Kapur
APPLICANT/SPONSOR NAME:	LEAD AGENCY REPRESENTATIVE NAME:
	March 14, 2013
SIGNATURE:	DATE:

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

PART III: DETERMINATION OF SIGNIFICANCE (To Be Completed By Lead Agency)

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

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

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

2. Are there any aspects of the project relevant to the determination whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, explain them and state where, as a result of them, the project may have a significant impact on the environment. — ✓

3. ***LEAD AGENCY'S CERTIFICATION***

Deputy Director, Environmental Review and Assessment Division
TITLE

NYC Department of City Planning
LEAD AGENCY

Celeste Evans
NAME

Celeste Evans
SIGNATURE

ATTACHMENT 1 – PROJECT DESCRIPTION
Crown Heights West Rezoning
Environmental Assessment Statement
CEQR No: 13DCP105K
ULURP Nos: 130213 ZMK, N 130212ZRK

1. Introduction

The Department of City Planning (DCP) proposes a zoning map amendment and a text amendment for an approximately 55 block area in the western part of the Crown Heights neighborhood of Brooklyn, Community District 8 (Figure 1-A Rezoning Area). The rezoning area is bounded by Pacific Street, Dean Street, and Bergen Street to the north; Nostrand Avenue to the east; Eastern Parkway to the south, and Washington Avenue and Grand Avenue to the west.

This comprehensive zoning study was undertaken at the request of Community Board 8 and local elected officials to maintain the neighborhood character in response to concerns that existing zoning allows out-of-scale development in the area. The proposal also responds to requests for additional tools to support the development of affordable housing in the area. The proposed actions would maintain neighborhood scale and character by replacing non-contextual zoning with contextual zoning districts with height limits; allow for modest residential growth with incentives and opportunities for affordable housing development along parts of Franklin Avenue and Bedford Avenue; and tailor commercial overlays in the area to better reflect commercial activity.

The Crown Heights West rezoning area is predominantly mapped with residential R6 districts, in conjunction with C1 commercial overlays along north-south corridors. A small area comprising nine full and partial blocks at the northeast corner of Eastern Parkway and Washington Avenue is mapped with residential R7-1 district. In addition to the commercial overlays, there are two commercial districts, a C4-3 commercial district along Nostrand Avenue and a C8-2 commercial district over a tiny portion at the southern tip of Bedford Avenue. The majority of these districts have been in place since 1961 when the current Zoning Resolution was established, and do not closely reflect the prevailing context in terms of scale, height, and building type.

The proposal would rezone the area from the existing R6, R7-1, C4-3 and C8-2 zoning districts to R5B, R6B, R6A, R7A and R7D contextual zoning districts, which would protect the scale and character of the neighborhood while allowing opportunities for modest growth where appropriate. The existing commercial overlays within the residential area would be updated

from C1-3 and C2-3 to C2-4, based on underlying land uses. The proposal would refine commercial overlays on the thoroughfares based on the underlying land uses and lot configurations, bringing existing establishments into conformance and protecting the side residential streets from commercial encroachment. The proposal also amends the zoning resolution to create a new Inclusionary Housing Area in order to provide incentives for the creation of affordable housing.

The proposed rezoning seeks to accomplish the following objectives, which were formulated through close consultation with Community Board 8 and local elected officials:

- Maintain the existing scale and character of the neighborhood by establishing contextual zoning districts with height limits and ensure new development is in context with existing character
- Create incentives and opportunities for creation for affordable housing development
- Match commercial zoning to reflect existing retail character and prevent commercial intrusion into residential side streets by tailoring commercial overlays to reflect existing use

In order to assess the environmental effects of the proposed action, a Reasonable Worst-Case Development Scenario was developed and detailed below. Four projected development sites and two potential development sites were identified. The incremental difference between the future with-action and the future no-action development scenarios (build year 2023) for all projected development site is:

- An increase of 243 dwelling units;
- A decrease of 175 square feet of commercial space;
- A decrease of 11,552 square feet of community facility space.

An overview of Crown Heights West, the need and purpose for the actions and the specific components are discussed below.

2. Background

Prior and Current Unrelated Actions

In the last few decades, there have been a few land use actions that have affected the proposed Project Area, including recent DCP-initiated re-zonings and recent landmark district designations.

In and around the proposed rezoning area there have been a number of historic districts designated. The first of these was the Crown Heights North Historic District, designated in 2007 (N 070459 HKK), which covers an area ranging from Bedford/Rogers Avenue to Kingston Avenue, including 13 full and partial blocks in northeast corner of the rezoning area. The Prospect Heights Historic District, designated in 2009 (N 100002 HKK), is located between Washington Avenue and Flatbush Avenue and includes 850 buildings, predominately residential. This was followed by the Crown Heights North II Historic District, designated in 2011 (N 12007 HKK), which covers an area ranging from Nostrand Avenue to Brooklyn Avenue, including 15 full and partial blocks extending east of the rezoning area. The Park Place Historic District, designated in 2012 (N 130003 HKK), covers a partial block on Park Place between Franklin and Bedford Avenues in the middle of the rezoning area.

Adjacent to the rezoning area to the west, the Prospect Heights neighborhood from Flatbush Avenue to Washington Avenue and from Atlantic Avenue to Eastern Parkway was rezoned as part of a contextual rezoning in 1993 (C 930430 ZMK, 93DCP037K).

There has been one recent rezoning within the rezoning area since 1961? The Franklin Lofts Rezoning rezoned part of one block along Franklin Avenue between Bergen and Dean Streets from an M1-1 manufacturing district to an R6/C2-3 district in order to facilitate a mixed-use development (C 030294 ZMK, 03DCP036K).

Surrounding Area

The area surrounding the rezoning area consists of a variety of land uses, housing types and zoning districts. To the north of the rezoning area lies the M1-1 zoning district, a light industrial manufacturing district, which stretches along almost the entire northern rezoning area boundary between Bergen Street and Pacific Street up to and along Atlantic Avenue. This is a low-density, low-rise area with warehouses, wholesalers, auto related uses such as auto repair shops and scrap yards and commercial uses including restaurant supply companies and delis. Several of these buildings and lots are now vacant or deteriorated. The M1-1 zone also has some scattered residential uses including a few small buildings. In terms of character, visually there is a very clear delineation between the buildings in M zone and the adjacent residential zoned areas.

To the west lies the neighborhood of Prospect Heights, the area between Washington Avenue and Grand Avenue to Flatbush Avenue which was contextually rezoning in 1990. The contextually rezoned areas adjacent to the western rezoning area boundary along Washington/Grand Avenue include R6A and R7A residential zoning districts with commercial

overlays along Washington Avenue. Washington Avenue is a major mixed use corridor with ground floor retail and three to four residential stories above, and borders between Prospect Heights to west and Crown Heights to the east. It is a vibrant thoroughfare with a number of restaurants, stores, pubs, salons, grocery stores and supermarket including Key Foods. It is a wide street, with a bus route and a bike path that connects to Prospect Park. R6B-zoned residential areas west of Washington Avenue are characterized by two to three story row houses and four story small multifamily apartment buildings further beyond. Along Eastern Parkway is an area zoned R7A that consists of large bulky predominantly six to seven story multifamily elevator apartment buildings.

The southern boundary of the rezoning area, Eastern Parkway, coincides with the community district boundary between districts 8 and 9. Eastern Parkway, the world's first six-lane highway designed by Frederick Law Olmstead and Calvert Vaux, is a designated NYC scenic landmark. This is also the Parade route of the annual West-Indian Day Carnival, which starts at Utica Avenue and ends at Grand Army Plaza. The areas south of Eastern Parkway between Washington Avenue till Franklin Avenue within Community District 9 include contextually rezoned R8A and R6A zoning districts which date to the Washington Avenue rezoning in the early 1990s. The land uses are predominantly large six story residential multifamily elevator buildings. The Brooklyn Museum, a NYC landmark and the Brooklyn Botanical Garden are located diagonally to the south-west of the rezoning area. A C8-2 commercial district adjacent to rezoning area is the extension of the C8-2 district north of Eastern Parkway within the rezoning area. The adjacent land uses within this zone include a gas station and a public school. The remaining area south of the rezoning area is zoned R6 and is predominantly built up with large five to six story multifamily elevator apartment buildings.

The area along the entire eastern edge of the rezoning area is also zoned R6. Two historic districts are located adjacent to the eastern boundary of rezoning area. The Crown Heights North I designated in 2007, partly overlaps the rezoning area and extends further westwards within the rezoning area along pacific Street and Dean Street upto Bedford/Rogers Avenue. It includes 450 buildings, including single- and two-family row houses, freestanding residences, apartment houses, churches, and institutional buildings dating from the 1850s to the 1930s. The Crown Heights North II Historic District, designated in 2011, contains 600 buildings, including single- and two-family row houses, flats buildings, institutional buildings, churches, and apartment houses from the 1870s to 1940s. The Park Place Historic District is comprised of 13 fine, largely intact examples of Brooklyn's richly- diverse Queen Anne and Romanesque Revival style rowhouse architecture. Built in 1889-90, the rowhouses were built by two Philadelphia brothers, Frederick W. and Walter S. Hammet. These Historic Districts comprise a portion of the central part of Crown Heights neighborhood.

Rezoning Area

The western part of Crown Heights, in Brooklyn Community District 8, is a predominantly residential neighborhood in central Brooklyn well-known for its brownstones and row houses rich in architectural beauty, many historic districts and several city landmarks, including Weeksville Houses, a national significant historic site; and Brooklyn Children's Museum. The rezoning area is located in the western part of Crown Heights neighborhood and is bounded by Atlantic Avenue, Pacific Street, Dean Street, and Bergen Street to the north; Nostrand Avenue to the east; Eastern Parkway to the south, and Washington Avenue and Grand Avenue to the west.

The rezoning area was originally developed with predominantly single family houses that were built 1850s onwards, characterized by wooden framed villas and houses on spacious lots built on a former farmland. By the 1870s the Brooklyn city railroad company was operating a line along Fulton Street from the Fulton ferry and a dense network of horse carts serving this area made it a very attractive suburban residential location.

Eastern Parkway, a NYC scenic landmark, was the world's first six lane parkway when it was built in early 1870s. Many large houses were built around this period in the southern portion of the rezoning area along eastern Parkway. With the completion the Brooklyn Bridge in 1883 and the opening of Kings County Elevated Railway along Fulton Street, from the foot of Brooklyn Bridge to East New York in the 1888s, Crown Heights became a very desirable area to live in. It spurred development of hundreds of fine free standing mansions and row houses and semi attached dwellings. From the 1870s through the 1930s parts of the rezoning area were known as the fashionable and beautiful St Marks District, and St Marks Avenue was reportedly considered one of Brooklyn's wealthiest streets. The Franklin Ave Shuttle, originally a part of the mainline of the BMT Brighton Beach Line, opened as part of that steam railroad line in 1878. It provided elevated service between Fulton Ferry under the Brooklyn Bridge down to Coney Island. Later on the Elevated lines got replaced by subways and this became a shuttle service connecting the A/C subway line along Fulton with the B/Q subway line at Prospect Park.

Following the 1920 opening of the subway extension under Eastern Parkway, apartment buildings started replacing many of the old villas along St. Mark's Avenue and Park Place. Large six to seven story apartment buildings replaced the large villas and mansions in the southwestern portion of the rezoning area.

In the past several years, the area has witnessed an influx of new residents and has begun to experience increasing private reinvestment in the form of new stores and development of market-rate private housing. Redevelopment activity is on the rise, with many new stores

opening along Franklin Avenue and several new apartment buildings that have been recently built.

Existing Land Uses

The rezoning area is predominantly residential with mixed use corridors along the north- south avenues. There are several community facilities concentrated along Classon Avenue and also scattered throughout the rest of the rezoning area. There are a small number of commercial uses, as well as a few manufacturing uses in the rezoning area that are either vacant or used for storage. (Figure 3-A Land Use).

The rezoning area is characterized by a wide variety of residential building types. East-west midblocks are generally developed with three-to-four story brownstones, row houses and four-story medium-density apartment buildings with no off-street parking. There are also a few pockets of very low scale blocks containing two-to-three story one or two family homes. These are located along East-West blocks between Bedford and Franklin Avenues including Park Place, Sterling Street and St John's Place. Several large six-to-seven story higher-density apartment buildings exist in the southwestern portion of the rezoning area long Eastern Parkway and Washington Avenue. A block along St Marks, which was the home of the former Interfaith Hospital, contains many buildings converted from hospital to residential use, which range from five- to 13-stories. Other towers in the rezoning area include a ten-story building near Bergen Street and the Franklin Avenue Shuttle line, a fourteen-story building along St Mark's Avenue and a thirteen-story building along Classon Avenue.

The retail uses are generally located along Nostrand and Franklin Avenues, the major retail corridors in the neighborhood, and are characterized by three- and four-story mixed-use buildings containing ground-floor retail with residential above. Nostrand Avenue is a vibrant medium density thoroughfare with a number of West Indian restaurants and stores. While a portion of Nostrand Avenue is zoned C4-3, a regional retail zoning district, the existing uses are more reflective of local retail. The mixed-use development along Franklin Avenue gradually increases in scale from north to south, with several two-three story buildings in the northern half and four-six story buildings in the southern half of the rezoning area.

Bedford Avenue and Rogers Avenue have a mixed character, with some block fronts that are predominantly residential and some with a combination of retail and residential uses. Bedford Avenue is a wide street and a major thoroughfare. There is a small pocket of C8-2 district at the southern tip of Bedford Avenue which includes a bank, a dental center, a gas station and an

auto center. Unlike the other north-south corridors in the rezoning area, Classon Avenue has a number of public institutions and community facilities including houses of worship, public and private schools and a nursing home. The former Interfaith Hospital was located along Classon Avenue at St Marks, before it relocated to Bedford Stuyvesant for larger space.

Crown Heights is served by the 2, 3, 4 and 5 subway lines, which run along Eastern Parkway, the southern boundary of the rezoning area. The Franklin Avenue Shuttle, with a stop at Park Place, runs through the middle of the rezoning area parallel to Franklin Avenue, connecting the C subway line along Fulton Street in Bedford Stuyvesant South to the B and Q subway lines at Prospect Park. The B line connects to downtown Manhattan and Bronx, while the Q line connects to midtown Manhattan and Queens. The Shuttle also connects to the 2, 3, 4 and 5 subway lines along Eastern Parkway, which connect the area with Manhattan and the Bronx. Additionally, the A and C lines, running along Fulton Street, are within a ½ mile walk of the northern boundary of the study area.

The area is served by the B65 and B45 bus lines which run east/west on Dean/Bergen Street, and on Sterling Street/St John's Place, respectively. These lines offer connections to Downtown Brooklyn and the2, 3, 4, 5, D, N, R, B and Q subway lines. The B44 and B49 bus lines run south on Nostrand Avenue, and north/south on Rogers/Bedford Avenue, respectively. These lines offer connections to Sheepshead Bay and Manhattan Bay/Kingsborough Community College to the south, respectively.

Existing Zoning

Currently, the area is predominately zoned R6. A small area of nine full and partial blocks in the southwestern corner zoned R7-1, and C1-3 and C2-3 commercial overlays on Franklin Avenue, including parts of Nostrand Avenue, Bedford Avenue, Rogers Avenue and one block front along Classon Avenue. Additionally, there are two commercial districts, including a C4-3 commercial district along Nostrand Avenue and a C8-2 commercial district at the southern tip of Bedford Avenue north of the Eastern Parkway. (Figure1-B Existing Zoning)

The existing zoning districts allow new buildings that are not of a similar type and scale as the predominant neighborhood fabric that exists today. For example, the existing R6 zoning designations, which have been in place since 1961, do not impose a maximum building height and facilitate the development of 12- to 14-story apartment buildings that are out-of-scale with the overall neighborhood character.

R6

Approximately 82% (45 full or partial blocks) of the rezoning area is zoned R6, which permits tower construction on large lots under the 1961 height factor regulations. There is no height limit in R6 districts if the height factor regulations are utilized, and the maximum FAR is 2.43 for residential buildings. The R6 regulations permit community facility buildings, such as hospitals, schools, churches, medical offices, and mixed residential and community facility buildings up to a maximum FAR of 4.8. The optional Quality Housing program permits an FAR of 2.2 on narrow streets and 3.0 on wide streets but limits building heights to 55 feet and 70 feet, respectively. Off-street parking is required for a minimum of 70% dwelling units and a minimum of 50% dwelling units when the Quality Housing program is utilized.

R7-1

Approximately 16% (9 full or partial block) of the rezoning area is zoned R7-1, located in the southwest portion of the rezoning area. The area is bounded by Sterling Place to the north, Bedford Avenue to the east, Washington Avenue to the west, and Eastern Parkway to the south. The R7-1 district regulations permit residential and community facility uses with a maximum FAR of 3.44 for residential uses and 4.8 for community facility uses. There are no fixed height limits and building envelopes are governed by the sky exposure plane. Residential developments using the optional Quality Housing Program in an R7-1 district are allowed a maximum 3.44 FAR on a narrow street with a base height of between 40 and 60 feet and a maximum building height of 75 feet, or a maximum 4.0 FAR on wide streets with a base height of between 40 and 65 feet, and a maximum building height of 80 feet. Off-street parking is required for 60% of the dwelling units. Off-street parking is required for 50% of the dwelling units under Quality Housing or if the lot area is less than 10,000 sf. Off-street parking is waived if five spaces or fewer are required.

C4-3

Approximately 3% (8 partial blocks) of the rezoning area is zoned C4-3. The C4-3 commercial zoning district is mapped along four block fronts along Nostrand Avenue. C4-3 districts are regional commercial centers where uses, such as specialty and department stores, serve a larger area and generate more activity than a local retail area. The C4-3 district regulations permit commercial buildings of up to 3.4 FAR, residential and mixed commercial/residential building of up to 2.43 under height factor regulations and 3.0 using the Quality Housing regulations (R6 equivalent). Community facility and mixed residential/community facility buildings can have an FAR of up to 4.8 with no height limit. Off-street parking is required for 70% of the dwelling units or 50% of dwelling units for buildings built under the Quality Housing regulations. Non-residential parking requirements vary with use.

C8-2

Less than 1 % (2 partial blocks) of the rezoning area is zoned C8-2. The C8-2 zoning district is mapped on one block of Bedford Avenue between Eastern Parkway and Lincoln Place. C8-2 districts bridge commercial and manufacturing districts and are mapped mainly along major arterials. The C8-2 district regulations allow all commercial uses, including automotive and other heavy commercial services, up to FAR 2.0 or FAR 4.8 for community facilities or mixed commercial and community facility buildings. Residences are not permitted in C8-2 districts and performance standards apply to commercial uses. Off-street parking requirements vary with use, but are generally substantial for automotive uses.

C1-3 and C2-3 Overlays

There are commercial overlays permitting local commercial retail uses mapped along Franklin Avenue, including parts of Nostrand Avenue, Bedford Avenue, Rogers Avenue and one block front along Classon Avenue. The C1-3 commercial overlay allows small-scale retail and service shops needed in residential neighborhoods. The C2-3 overlays allow a slightly broader range of service uses, such as funeral homes and repair services. In R6 districts, the commercial FAR can be up to 2.0.

3. Purpose and Need for the Proposed Actions

The proposed actions are intended to maintain the existing scale and character of the neighborhood by establishing contextual zoning districts with height limits and ensure new development is in context with existing character, create incentives and opportunities for creation for affordable housing development and match commercial zoning to reflect existing retail character and prevent commercial intrusion into residential side streets by tailoring commercial overlays to reflect existing use. The existing zoning regulations in the Crown Heights West rezoning area have predominantly been in place since 1961, and permit buildings that are out-of-character since there is no height limit on buildings in these districts.

Recent years have seen some commercial, residential and community facility development in the rezoning area, with some recent development creating buildings that are out of character with the surrounding neighborhood context. In addition, the existing commercial overlays do not allow for a wide variety of commercial uses that are required to serve the needs of the community. Also, in some areas they do not reflect the underlying land uses, the commercial overlays extend deep into the residential side streets, allowing commercial encroachment into these residential areas.

The proposed actions, expounded on below, are the result of close consultation with elected officials, property owners, residents and Brooklyn Community Board 8 to address concerns about recent development while allowing for modest growth on major corridors where such development is appropriate. The proposed actions are intended to achieve primarily three objectives:

- Maintain the existing scale and character of the neighborhood by establishing contextual zoning districts with height limits and ensure new development is in context with existing character
- Create incentives and opportunities for creation for affordable housing development, by application of Inclusionary Housing Program in parts of the rezoning area
- Match commercial zoning to reflect existing retail character and prevent commercial intrusion into residential side streets by tailoring commercial overlays to reflect existing use

4. Actions Necessary to Facilitate the Project

Zoning Map Changes

The proposed actions would introduce new zoning districts on approximately 55 full or partial blocks. These proposed zoning districts are described in detail below. (Figure 1-C Proposed Zoning)

Proposed R5B

Existing R6

Three full and partial blocks of the rezoning area with existing low rise homes are proposed to be rezoned from R6 to R5B. These proposed R5B areas are built with predominantly two story brownstones. The R5B designation would protect the low-rise, small homes character of these aesthetically pleasing and well preserved brownstones and row houses from the early 19th century.

The R5B district is a row house district that allows residential and community facility uses to a maximum FAR of 1.35 with a maximum street wall of 30 feet and a maximum building height of 33 feet. The front yard of a new development must be at least five feet deep and as deep as one adjacent front yard and no deeper than the other, to a maximum depth of 20 feet. Parking is not required for one and two family homes. Where parking is required, spaces for 66 percent of the units must be provided. Curb cuts are prohibited on zoning lots less than 40 feet wide, front yard parking is prohibited and infill zoning provisions are not applicable.

Proposed R6B

Existing R6, R7-1 districts

25 full and partial blocks of the rezoning area are proposed to be rezoned to R6B. This proposed designation would protect the lower-rise, rowhouse character of the east-west side streets. In portions of the area currently zoned R6, the R6B designation would allow for modest enlargements of many existing homes while establishing a height limit that reflects the scale of existing development. These proposed R6B areas are typically built with three-to-four story rowhouses and four story apartment buildings.

The R6B district is a rowhouse district that allows residential and community facility uses up to a maximum FAR of 2.0 and limits building heights to 50 feet and street wall heights to 40 feet. New development in the proposed R6B district would be required to maintain the existing street wall characteristics. New multi-family residences must provide one off-street parking space each for 50% of the dwelling units. This parking requirement is waived if five or fewer spaces are required.

Proposed R6A

Existing R6, C4-3, R7-1 districts

47 full or partial blocks of the rezoning area are proposed to be rezoned to R6A. An R6A district is proposed for lot frontages along many north/south avenues, including portions of Grand Avenue, Classon Avenue, Franklin Avenue, Bedford Avenue, Rogers Avenue, Nostrand Avenue and along some east-west streets where appropriate. The area proposed to be mapped with R6A generally contains small and medium sized apartment buildings, including some out of scale ten-to-fourteen story buildings and mixed use developments along parts of the avenues. Some of these areas on the north-south avenues have commercial overlays of either C1-3 or C2-3 and would be updated to C2-4.

In addition, a portion of Nostrand Avenue between St Marks Avenue and St. Johns Place is currently zoned C4-3 commercial district, an R6 equivalent commercial district, which would be replaced with the proposed R6A. The commercial uses existing in the area zoned C4-3 are predominantly reflective of local retail, and the proposed C2-4(see C2-4 description further below) commercial overlay would match the zoning to the retail character, which is one of the goals of this rezoning.

R6A is a medium-density apartment district, with a maximum FAR of 3.0 for residential and community facility uses. Above a base height of 40 to 60 feet, the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum height of 70 feet. New structures in R6A districts are required to line up with adjacent

structures to maintain the streetwall. Off-street parking is required for 50% of housing units, but is not allowed in the front of the building. This parking requirement is waived if five or fewer spaces are required.

Proposed R7A (area mapped with inclusionary housing)

Existing R6

An R7A designation with an inclusionary housing program is proposed for 12 full and partial blocks fronting Franklin Avenue.

Areas with existing R6 zoning districts along Franklin Avenue are mixed use in character, with predominantly two to four story mixed use buildings with ground floor retail, as well as one east-west block along St Marks Avenue, which contains some larger apartment buildings interspersed with smaller scale residential and a few vacant one story manufacturing and community facility use buildings.

R7A permits residential and community facility uses to a base FAR of 3.45. The FAR may be increased to 4.6 if affordable housing is provided. Base heights are required to be between 40 and 65 feet, and the maximum building height is 80 feet after a setback from the street. This typically produces 6- to 8-story buildings. New buildings in R7A districts must be located no closer to the street than a neighboring building. Parking is required for 50% of the residential units. New residences would be required to provide one off-street parking space for 30% of the dwelling units. This parking requirement is waived if 15 or fewer spaces are required. Non-residential parking requirements of one space per 1,000 square feet of commercial area are waived when fewer than 40 spaces are required

The proposed R7A districts with inclusionary housing bonus for this area would allow development opportunities for affordable housing and, concurrent with proposed C2-4 commercial overlay along Franklin Avenue, will promote contextual mixed use buildings. Three of projected sites and one potential development site are within this portion of the proposed R7A districts

Proposed R7A

Existing R6, R7-1 district

Most of the area currently zoned R7-1, comprising of 9 full and partial blocks, is proposed to be replaced by R7A. This area between St Johns Place and Eastern Parkway includes six to seven story large and bulky multistory elevator apartment buildings. The proposed R7A would be

consistent with the existing character of this area, and ensure that new developments would be contextual in nature.

R7A is an apartment house district with height limits and street wall lineup provisions. R7A permits residential and community facility uses with a maximum FAR of 4.0. Height is limited to 65 feet at the street and 80 feet after a 10- or 15-foot setback, producing six- to eight-story buildings. One parking space is required for 50% of new residential units.

Proposed R7D (mapped with Inclusionary Housing Program)

Existing R6, C8-2 districts

An R7D designation is proposed for 3 partial blocks along Bedford Avenue between St John's Place and Eastern Parkway. Bedford Avenue is a wide street and a major thoroughfare.

R7D is a residential district that allows apartment building development, with a base FAR of up to 4.2 for residential and community facility uses. The R7D district would be included in the Inclusionary Housing program, which would allow a 33% floor area bonus, up to 5.6 FAR, if 20% of the floor area is made affordable to low-income households, either on-site or off-site. Above a base height of 60 to 85 feet, the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 100 feet. New structures in R7D districts are required to line up with adjacent structures to maintain the streetwall. Where a commercial overlay is mapped, structures in R7D districts are required to be built up to the street lot line with no setback below the base height. In addition, where commercial overlays are mapped, active ground floor uses, such as retail uses, commercial services, and community facilities are required. Off-street parking is required for at least 30% of the dwelling units. This parking requirement is waived if 15 or fewer spaces are required. Non-residential parking requirements of one space per 1,000 square feet of commercial area are waived when fewer than 40 spaces are required.

Mapping R7D in this small area will provide a few opportunities for housing and mixed use development, including affordable housing, which is one of the objectives of the rezoning.

Per the recent zoning text amendment, minimum transparency requirements are applicable for the ground floor of buildings in R7D districts where C2 commercial overlays are mapped in order to engage the pedestrian and create a vibrant pedestrian streetscape. The regulations would require that 50 percent of the building frontage on the ground floor between a height of 2 and 12 feet above curb level be glazed with transparent materials.

Proposed C2-4 Overlays

Existing C1-3 and C2-3 districts in R6 and R7-1 districts

The proposed rezoning would update all C1-3 and C2-3 commercial overlay districts to C2-4 districts. In addition to Use Groups 1, 2, 3, 4, 5, and 6 allowed in C1-3 districts, C2-4 districts also allow Use Groups 7, 8, 9, and 14, which include uses such as plumbing and electrical shops, small bowling alleys and movie theaters, funeral homes, small repair shops, printers, and caterers. Parking requirements vary depending on the type of commercial use and the districts suffix. Food and Retail establishments are required to provide one accessory space per 200 and 300 square feet, respectively in C1-3 and C2-3 districts. However, the proposed C2-4 overlays will require one accessory space per 1,000 square feet for all types of commercial uses.

The existing C2-3 and C1-3 commercial overlays would be removed in a few areas where no existing commercial uses exist. This would protect residential side streets from commercial encroachment. In 1961, overlays were mapped to a depth of 150 feet in order to reflect the belief that parking would be accommodated in the first 50 feet of front yard space at retail stores. However, this proposal would map commercial overlays to a depth of 100 feet in order to better reflect the typical depth of existing lots along these corridors and to prevent commercial uses from encroaching on residential side streets. The existing commercial overlays are proposed to be removed on one block of Rogers Avenue between Lincoln Place and Eastern Parkway, and removed or reduced to 50' on some parts of Nostrand Avenue between Dean Street and Atlantic Avenue, because there are no commercial uses in these areas and to protect the existing residential character along the side streets.

New commercial overlays are proposed in a few locations to reflect the existing patterns and trends of commercial use on portions of the north-south avenues. These new commercial overlays will bring existing commercial uses into conformance and increase the predictability of new development along these corridors. The proposed C2-4 commercial overlay would be mapped along one block front along Bedford Avenue between Eastern Parkway and Lincoln Place, which is the location of existing C8-2 district, and on Nostrand Avenue between St Marks Avenue and St. Johns Place, which is the location of the existing C4-3 commercial district. New C2-4 commercial overlay would also be added to a block front on the west side along Classon Avenue, between Prospect Place and Park Place. This would bring the underlying mixed use buildings with retail on ground floor in conformance, and also help match zoning with retail character, one of the goals of rezoning.

The proposed zoning districts are based on a careful study of the local context on a block-by-block basis. The proposal would increase the predictability of new development and create new opportunities.

ZONING TEXT AMENDMENTS

Inclusionary Housing Program

A zoning text amendment is included in order to apply the Inclusionary Housing Program in parts of the rezoning area (Figure I-D). The Crown Heights West rezoning proposal applies the Inclusionary Housing program to portions of the proposed R7A and R7D districts within the study area, establishing incentives for the creation and preservation of affordable housing in conjunction with new development. The Inclusionary Housing bonus proposed is consistent with the bonus established for contextual developments under the recently adopted Fort Greene/Clinton Hill, Bedford Stuyvesant South, Greenpoint-Williamsburg Contextual, and Sunset Park rezonings, and promotes the creation and preservation of affordable units in both rental and condominium developments. The incentives target affordable housing to a range of income levels.

Under the Inclusionary Housing program, a development providing affordable housing is eligible for a floor area bonus, within contextual height limit and bulk regulations tailored to this area. Affordable units can be provided either on-site or off-site, or by acquiring and preserving existing housing at affordable rents. Off-site affordable units must be located within the same community district or within a half-mile of the bonused development. Available city, state, and federal housing finance programs may be used to finance affordable units. The combination of a zoning bonus with housing programs would establish an incentive for the development and preservation of affordable housing in the rezoning area.

Inclusionary Housing Program		
Zoning District	Base FAR	Bonus FAR
R7A	3.45	4.6
R7D	4.2	5.6

Eastern Parkway

The Crown Heights West rezoning also includes a text amendment to maintain consistency with a requirement in the Administrative Code requiring building setbacks along Eastern Parkway, a designated national scenic landmark. The Administrative Code requires buildings along Eastern Parkway to be set back 30 feet from the sidewalk. The text amendment would ensure that the Zoning Resolution's requirements along Eastern Parkway allow for the 30 foot setback.

A section in the Administrative Code dating to the construction of Eastern Parkway at the end of the 19th century requires buildings to be set back from Eastern Parkway by 30 feet. The

Crown Heights West rezoning's proposed contextual zoning districts, however, would require buildings to be built up to or within only 15 feet of the street line. Therefore, a zoning text amendment is proposed to allow compliance with the 30-foot setback requirement of the Code in the contextual zoning districts lining both the north and south sides of Eastern Parkway inside and outside of the rezoning area.

The text would affect ZR section 23-633 "Street wall location and height and setback regulations in certain districts" and section 35-24 "Special Street Wall Location and Height and Setback Regulations in Certain Districts." The text would specify that in Community District 8 in the Borough of Brooklyn, a line drawn 30 feet north of and parallel to Eastern Parkway shall be considered the #street line# of Eastern Parkway. In Community District 9 in the Borough of Brooklyn, a line drawn 30 feet south of and parallel to Eastern Parkway shall be considered the #street line# of Eastern Parkway (See Zoning Text Amendment in Appendix i).

5. Conclusion

This comprehensive zoning study was undertaken at the request of Community Board 8 and local elected officials to maintain the neighborhood character in response to concerns that existing zoning allows out-of-scale development in the area. The proposal also responds to requests for additional tools to support the development of affordable housing in the area. The proposed actions would maintain neighborhood scale and character by replacing non-contextual zoning with contextual zoning districts with height limits; allow for modest residential growth with incentives and opportunities for affordable housing development along parts of Franklin Avenue and Bedford Avenue; and tailor commercial overlays in the area to better reflect commercial activity.

The proposed rezoning seeks to accomplish the following objectives, which were formulated through close consultation with Community Board 8 and local elected officials:

- Maintain the existing scale and character of the neighborhood by establishing contextual zoning districts with height limits and ensure new development is in context with existing character
- Create incentives and opportunities for creation for affordable housing development
- Match commercial zoning to reflect existing retail character and prevent commercial intrusion into residential side streets by tailoring commercial overlays to reflect existing use

In response to these goals, the Crown Heights West Rezoning would rezone all or part of fifty-five (55) blocks in the Crown Heights West neighborhood of Brooklyn's Community District 8. The rezoning area is generally bounded by Pacific, Dean Street, and Bergen streets to the north; Nostrand Avenue to the east; Eastern Parkway to the south, and Washington and Grand avenues to the west. The proposal would rezone the area from the existing R6, R7-1, C4-3 and C8-2 zoning districts to R5B, R6B, R6A, R7A and R7D contextual zoning districts. The existing commercial overlays within the residential area would be rezoned from C1-3 and C2-3 to C2-4, based on underlying land uses. The proposal would refine commercial overlays on the thoroughfares based on the underlying land uses and lot configurations, bringing existing establishments into conformance and protecting the side residential streets from commercial encroachment. The proposal also amends the zoning resolution to create a new Inclusionary Housing Area in order to provide incentives for the creation of affordable housing. Finally,
The proposal would amend the zoning resolution to incorporate an existing requirement in the Administrative Code which requires buildings to be set back 30 feet along Eastern Parkway.

FIGURE 1- A LOCATION MAP

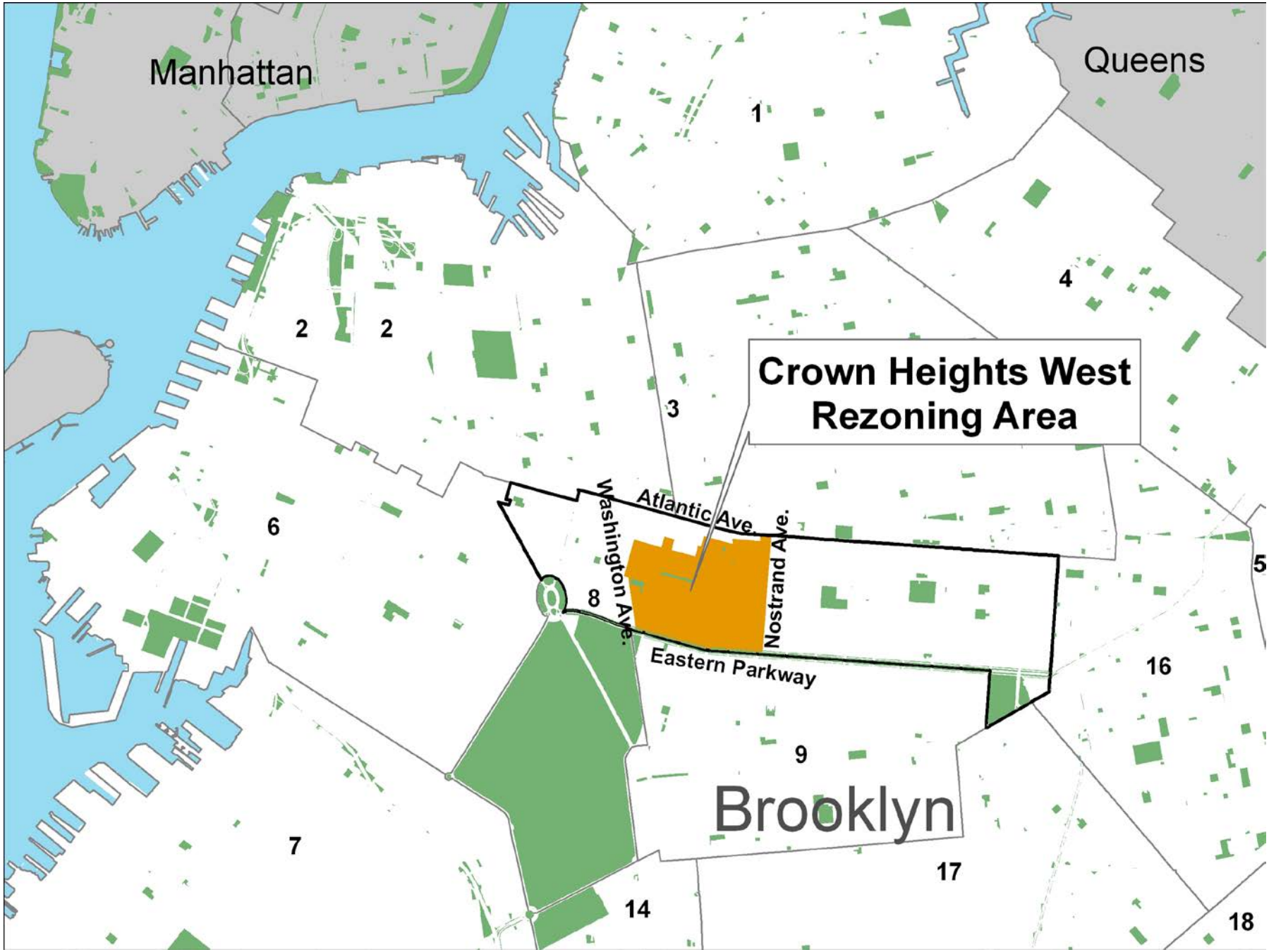


FIGURE 1-B EXISTING ZONING

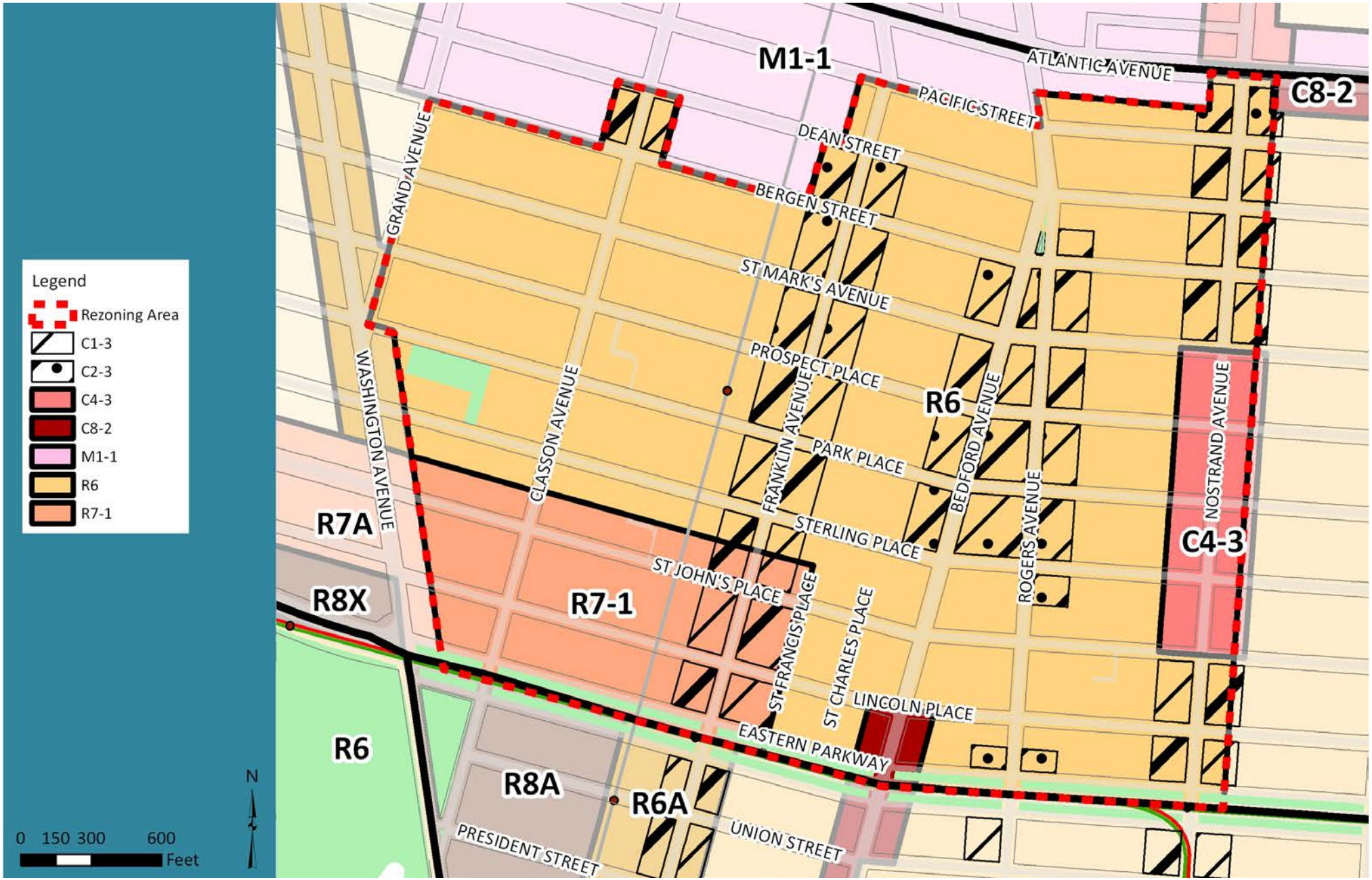


FIGURE 1-C PROPOSED ZONING

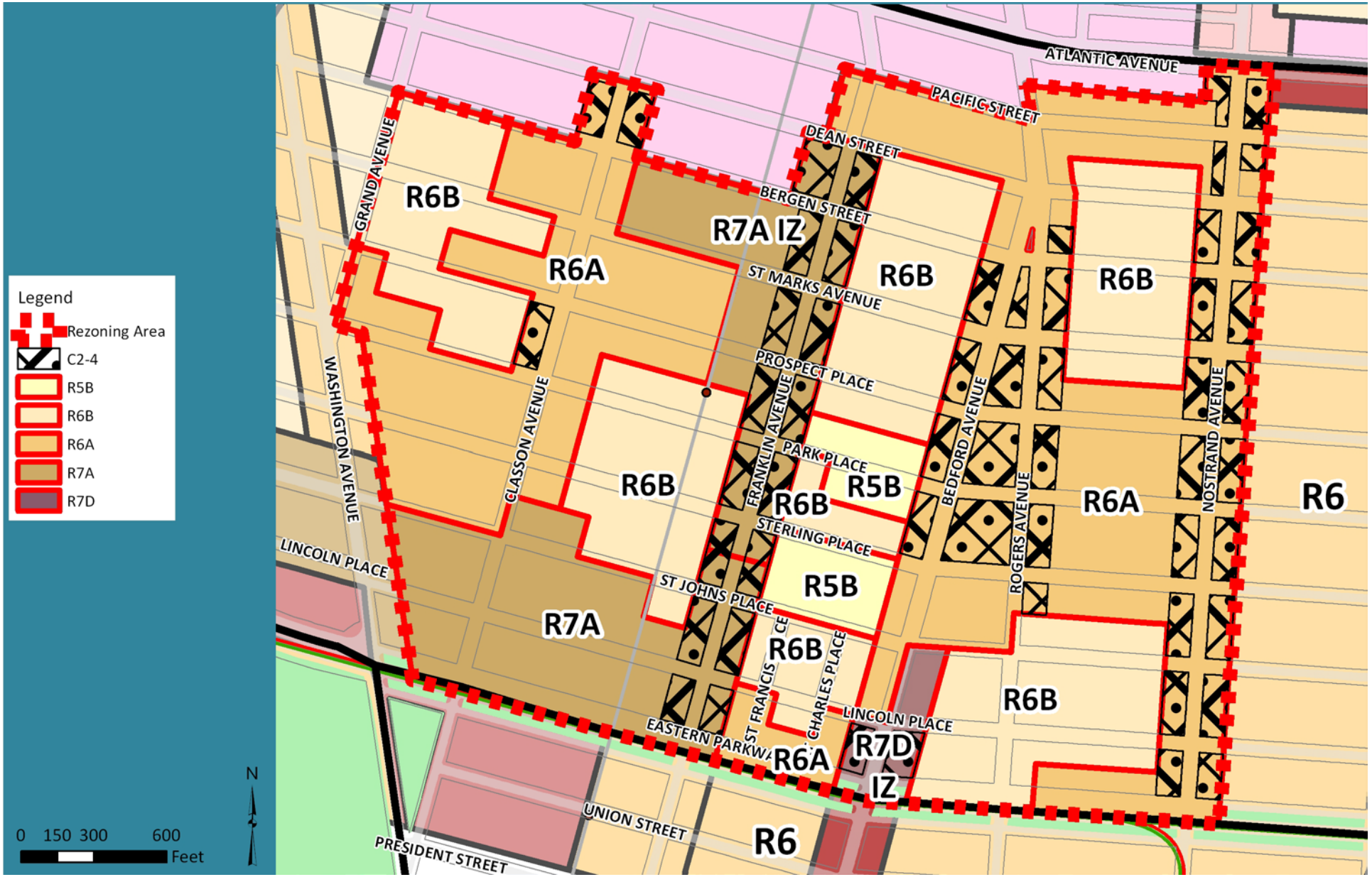
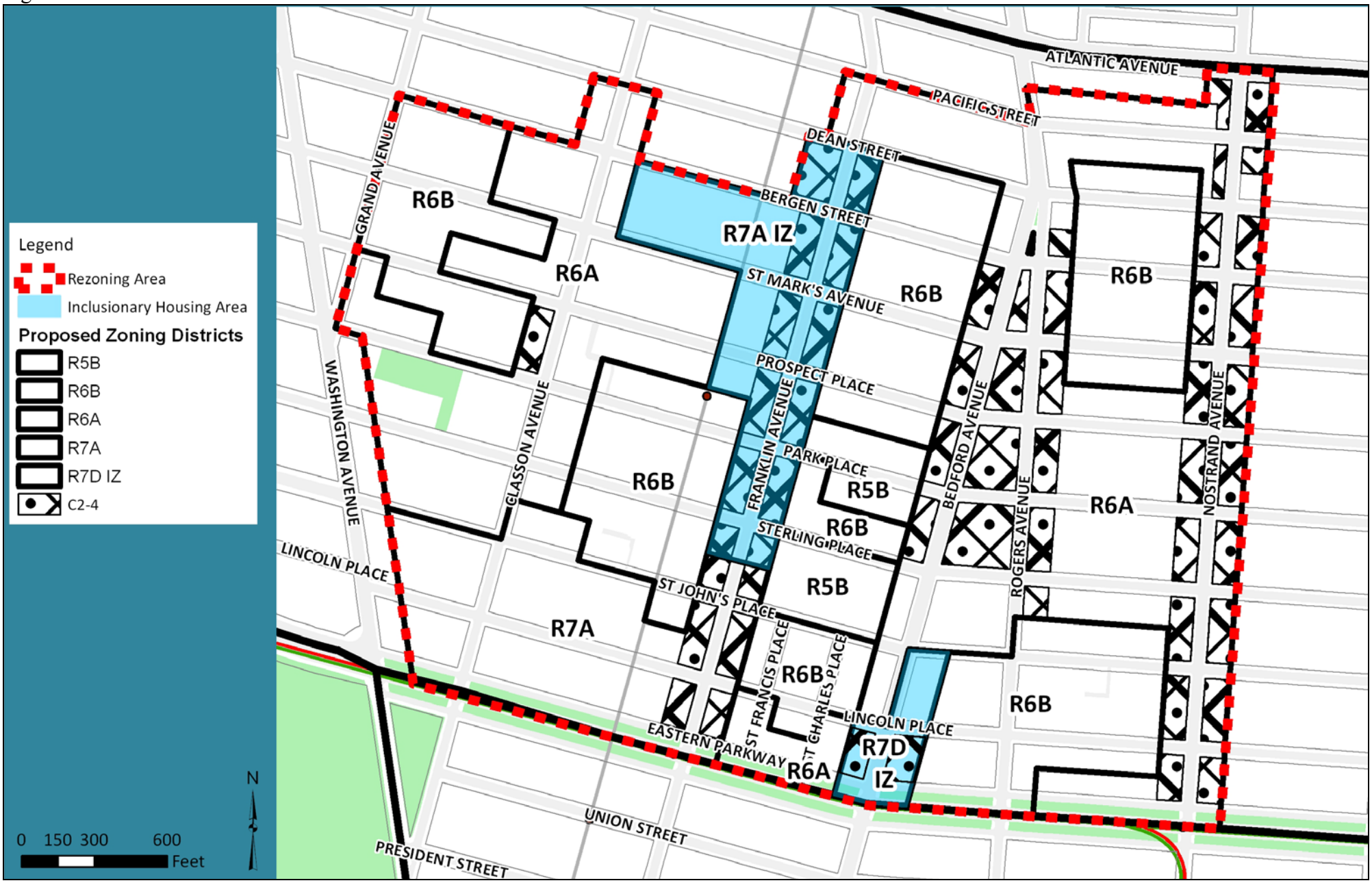


Figure 1–D INCLUSIONARY HOUSING AREA



ATTACHMENT 2 – REASONABLE WORST CASE DEVELOPMENT SCENARIO
Crown Heights West Rezoning
Environmental Assessment Statement
CEQR No: 13DCP105K
ULURP Nos: 130213 ZMK, N 130212 ZRK

SOFT SITE SELECTION METHODOLOGY

In order to assess the possible effects of the proposed action, a reasonable worst case development scenario was developed for both the current zoning (Future No-Action) and proposed zoning (Future With-Action) conditions for a ten-year period (build year 2023). The incremental difference between the Future No-Action and Future With-Action conditions will serve as the basis for the impact analyses of the Environmental Assessment Statement. For area-wide rezonings not associated with a specific development, a ten-year period is typically the length of time over which developers would act on the area-wide zoning map changes such as those proposed.

To determine the With-Action and No-Action conditions standard methodologies have been used following the CEQR Technical Manual guidelines employing reasonable assumptions and standard best practices. These methodologies have been used to identify the amount and location of future development. In projecting the amount and location of new residential development, several factors have been considered in identifying likely development sites. These include known development proposals, past development trends, and the development site criteria described below. Generally, for area-wide rezonings that create a broad range of development opportunities, new development can be expected to occur on selected, rather than all, sites within the rezoning area.

The first step in establishing the development scenario was to identify those "soft sites" where new development could be reasonably expected to occur. Soft sites are sites where additional development could reasonably be expected to occur as a result of the proposed rezoning. This includes rezoning from R6 to R7A, R6 to R7D and where commercial zoning is proposed where none currently exists, or the uses proposed by the commercial zoning are wider than the existing.

A change from R6 to R6A on narrow streets with the proposed rezoning would not result in development that is different in density or use from development under the existing zoning and, therefore, would not induce new development or uses that are different than what can occur today. The existing R6 zoning on a narrow street allows buildings with no height limits, with a maximum FAR of 2.43 for residential uses and a maximum FAR of 4.8 for community facility uses. The current development trends in the rezoning area and in nearby neighborhoods with similar row-house characteristics indicate that sites in R6 districts on narrow streets are generally developed with new buildings containing a mix of uses of ground-floor community facility and residential use above at a total Floor Area Ratio (FAR) of 3.0,

comprised of 2.43 FAR of residential use and 0.6 FAR of community facility use. The proposed R6A zoning on a narrow street would allow buildings with a height limit of 70 feet and a maximum FAR of 3.0 for both residential and community facility uses. Under the proposed zoning existing development trends would continue and new buildings would be expected to include 2.4 FAR of residential and 0.6 FAR of community facility use. The R6A zoning district is proposed on narrow streets where the existing density, use and height of buildings are reflective of the proposed density, height and use of an R6A zoning district. Therefore, a change from R6 to R6A on narrow streets would not result in a different building density as new developments under the existing zoning are likely to be identical in use and density as those built under the proposed zoning.

Development sites were identified based on the following criteria:

- Lots located in areas where an increase in permitted Floor Area Ratio (FAR) is proposed;
- Lots with a total size of 5,000 square feet or larger;
- Lots developed to less than or equal to half of the proposed FAR under the proposed zoning;
- Sites with no more than two owners for property assemblages

The choice of development sites was further refined by eliminating sites with the following conditions:

- Schools (public and private), municipal libraries, government offices, and houses of worship;
- Recent major investment, including new construction, conversion, or renovation;
- Buildings with six or more residential units, due to required relocation of tenants in rent-stabilized units;
- Highly irregular lots that would make development difficult.
- Lots utilized for public transportation and/or public utilities

PROJECTED AND POTENTIAL DEVELOPMENT SITES

To produce a reasonable, conservative estimate of future growth, the development sites were further divided into two categories: projected and potential development sites. The projected development sites are considered more likely to be developed within the ten-year analysis period. Potential sites are considered less likely to be developed over the ten-year period.

Projected Development Sites

Projected development sites are considered more likely to be developed within the ten-year analysis period (build year 2023) due to a number of variables, including their proximity to areas that have experienced the most development in recent years and their size (they are either large lots or contiguous small lots in common ownership that together comprise a large

site). Projected development sites meet all of the aforementioned soft site development criteria.

Potential Development Sites

Potential development sites are less likely to be developed within the ten year period because they are used for community facilities, or have multiple tenants operating on the same lot or a combination of both.

In the future without the proposed action, the identified projected and potential development sites are assumed to either remain unchanged from existing conditions, or become occupied by uses that are as of-right under existing zoning and reflect current trends. Under the existing zoning, the developments described below could be expected to occur on the projected and potential development sites based on the attractiveness of the Crown Heights West area for development and the character of recent development in the area.

Based on the above criteria, four projected and two potential (six total) sites have been identified (refer to Figure 2-A Development Site Map). The incremental difference between the Future No-Action and Future With-Action for all **projected** development sites is:

- An increase of 243 dwelling units;
- A decrease of 175 square feet of retail space;
- A decrease in 11,552 square feet of community facility space;

Further breakdown of these sites can be found in the RWCDS Table 2-1.

DEVELOPMENT SCENARIO PARAMETERS

The Crown Heights West rezoning would reinforce current land uses and encourage contextually appropriate building while fostering new residential development. The existing built environment of three- and four-story walk-up buildings would be encouraged through contextually residential districts. The proposal would also refine commercial overlays on the thoroughfares based on the underlying land uses and lot configurations, bringing existing establishments into conformance and protecting the side residential streets from commercial encroachment

The number of projected dwelling units in apartment buildings was determined by dividing the total amount of residential floor area by 1,000 and rounding to the nearest whole number.

PROJECTED SITE 1

1519-1535 Bedford Avenue
Block 1260, Lots 1 and 5
C8-2/R6 to R7D/C2-4 (IZ) and R6B



1519-1535 Bedford Avenue contains two lots owned by a single owner totaling 28,156 square feet. These lots contain a single-story gas station and car wash.

No-Action Scenario
1519-1535 Bedford Avenue would likely remain in its current use as a gas station and car wash under the existing C8-2 zoning. C8-2 districts do not permit residential uses and limit commercial floor area to 2.0 FAR.

With-Action Scenario
1519-1535 Bedford Avenue could be developed with a 100 foot tall mixed-use building set back thirty feet from Eastern Parkway containing 11,197 square feet of commercial space on the ground floor and 125 residential dwelling units including 25 affordable housing units under the inclusionary housing program. 56 parking spaces would be provided in an underground garage.
Increment: Increase of 125 Dwelling Units

PROJECTED SITE 2
1046 Dean Street
Block 1142, Lots 44 and 48
R6/C2-3 to R7A/C2-4 (IZ)



1046 Dean Street contains two lots owned by a single owner totaling 33,816 square feet. Seven vacant one-to-five-story factory buildings are located on these lots.

No-Action Scenario (based on an existing proposal for the site)
1046 Dean Street contains an existing four-story loft building that would be preserved. The rest of the site would be developed with a five-story commercial and residential mixed use building. The total commercial floor area of both the existing building and the new building would be 45,093 square feet. 3,090 square feet of community facility use would be located within the existing building. Total residential units would be 74 dwelling units including 15 affordable units. 78 parking spaces would be provided at below grade.

With-Action Scenario
The existing four-story loft building would be preserved and converted to commercial use. The remainder of the 1046 Dean Street site could be developed into a mixed use building with retail and residential uses. It would be constructed with an 80 foot tall residential building. The total commercial floor area of both the existing building and the new building would be 48,183 square feet . The total number of residential units would be 107 including 21 affordable units. 48 parking spaces would be provided below grade
Increment: Increase of 33 Dwelling Units

PROJECTED SITE 3
922-924 Bergen Street
Block 1149, Lots 40 and 41
R6 and R6/C2-3 to R7A (IZ) and R7A/C2-4 (IZ)



922-924 Bergen Street contains two lots owned by separate owners totaling 21,156 square feet. Two vacant warehouse buildings are located on these lots.

No-Action Scenario
922-924 Bergen Street could be developed with a 160-foot mixed-use tower with 8,462 square feet of commercial space, 8,462 square feet of community facility space and 51 residential units. 36 parking spaces would be provided below grade.

With-Action Scenario
922-924 Bergen Street could be developed with an 80 foot tall residential building containing 97 residential units including 19 affordable units. 44 parking spaces would be provided below grade.
Increment: Increase of 46 Dwelling Units

PROJECTED SITE 4
505 St. Marks Avenue
(Block 1149, Lot 72)
R6 to R7A (IZ)



505 St. Marks Avenue is a 31,200 square foot lot containing a vacant one-story building last used as a daycare center.

No-Action Scenario
505 St. Marks Avenue could be developed with a 160-foot mixed-use tower containing 18,720 square feet of community facility space on the ground floor and 76 residential units. 53 parking spaces would be provided in a below-grade garage.

With-Action Scenario
505 St. Marks Avenue could be developed with an 80 foot tall mixed-use building containing 18,720 square feet of community facility space and 115 residential units including 23 affordable units. 52 parking spaces would be provided in a below-grade garage.
Increment: Increase of 39 Dwelling Units

POTENTIAL SITE A
1499 Bedford Avenue
Block 1253, Lot 7
R6 to R7D (IZ) and R6B



1499 Bedford Avenue is a 15,804 square foot lot containing a two-story day care center.

No-Action Scenario
1499 Bedford Avenue could be redeveloped with a 70-foot, 47-unit residential building with 12,643 square feet of community facility space on the ground floor and 24 parking spaces in an underground garage.

With-Action Scenario
1499 Bedford Avenue could be developed with a 100 foot tall mixed-use building containing a 12,643 square foot day care center and 74 residential units (of which 15 would be affordable housing units). 33 parking spaces would be provided in an underground garage

Increment: Increase of 27 Dwelling Units

POTENTIAL SITE B
711 Franklin Avenue
Block 1231, Lot 1
R6/C1-3 to R7A/C2-4 (IZ)



711 Franklin Avenue is a 10,250 square foot lot containing a single-story building with multiple tenants including a laundromat, a restaurant, a non-profit office and a pawn shop.

No-Action Scenario
711 Franklin Avenue could be developed with a 55 foot tall mixed-use building containing 8,200 square feet of commercial space, 8,200 square feet of community facility space and 23 residential units. 12 parking spaces would be provided in a below-grade garage.

With-Action Scenario
711 Franklin Avenue could be developed with an 80 foot tall mixed-use building containing 8,200 square feet of commercial space and 39 residential units, eight of which would be affordable. 18 parking spaces would be provided in a below-grade garage.

Increment: Increase of 16 Dwelling Units

Figure 2-A: Development Site Map

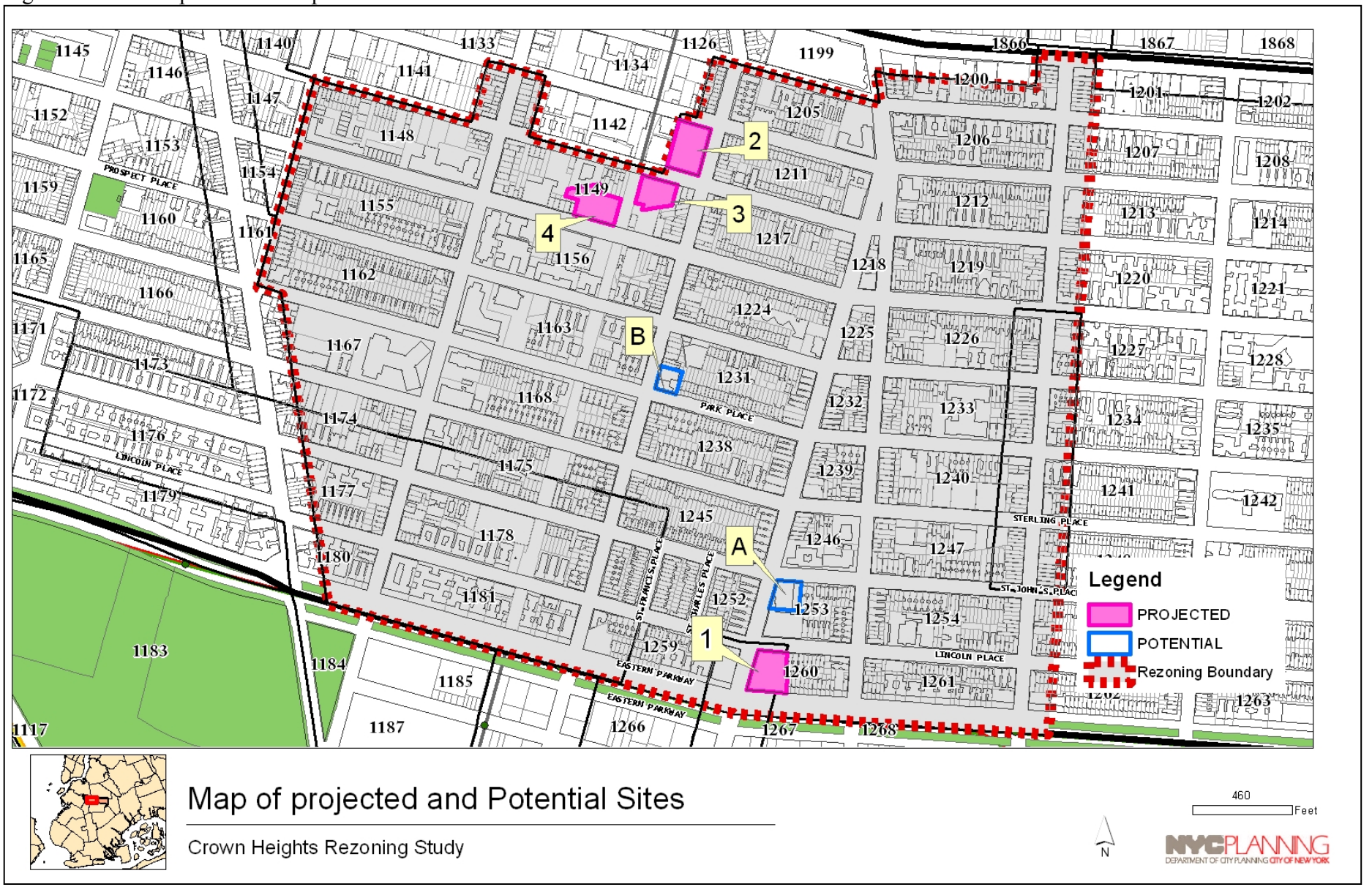


Table 2-1: Reasonable Worst Case Development Scenario

ROWN HEIGHTS REZONING
easonable Worst Case Development Scenario

SITE CHARACTERISTICS AND EXISTING CONDITIONS

DEVELOPMENT SITES				SITE CHARACTERISTICS					EXISTING CONDITIONS					
DEVELOPMENT SITES	BLOCK	LOT(s)	ADDRESS	Existing Zoning	Lot Area	Built Zoning Floor Area	Existing FAR	Existing Building Height	Vacant Land	Commercial	Community Facility	Residential Floor Area	Residential Dwelling Units	Parking Spaces
LIST OF PROJECTED SITES														
1	1260	1,5	1519, 1535 BEDFORD AVENUE	C8-2, R6	28,156	6,000	0.50	20?	0	6,000	0	0	0	0
2	1142	44,48	1046 DEAN STREET	R6/C2-3	33,816	27,700	0.82	10	0	27,700	0	0	0	0
3	1149	40,41	922,924 BERGEN STREET	R6/C2-3, R6	21,156	19,536	0.92	10	0	19,536	0	0	0	0
4	1149	72	505 ST MARKS AVENUE	R6	31,200	20,450	0.66	10	0	0	0	0	0	0
PROJECTED SITES TOTAL														
LIST OF POTENTIAL SITES														
A	1253	7	1499 BEDFORD AVENUE	R6	15,804	10,500	0.66	10	0	0	10,500	0	0	0
B	1231	1	711 FRANKLIN AVENUE	R6/C1-3	10,250	8,007	0.78	10	0	8,007	0	0	0	0

NO-ACTION

DEVELOPMENT SITES				NO-ACTION CONDITION								NO-ACTION CONDITION						
DEVELOPMENT SITES	BLOCK	LOT(s)	ADDRESS	Projected Development	Ground Disturbance?	Existing Zoning	As-of-right Max FAR	Projected FAR	Max Building Height	Proposed Building Height	Vacant Land	Commercial Floor Area	Community Facility	Projected Residential Floor Area	Residential Dwelling Units	Affordable Housing Units	Parking Spaces
PROJECTED SITES																	
1	1260	1,5	1519, 1535 BEDFORD AVENUE	No Change	No	C8-2, R6	2.0 (4.8 CF)	0.50	*	20	0	6,000	0	0	0		0
2	1142	44,48	1046 DEAN STREET	New Retail+CF+Mixed Income 80/20 Residential	No	R6/C2-3	2.2 (1.0 CF)	3.82	55	55	0	45,093	3,090	74,395	74	15	78
3	1149	40,41	922,924 BERGEN STREET	New Retail+CF+ Residential	Yes	R6/C2-3, R6	4.60	3.80	HF*	145	0	8,462	8,462	51,409	51		36
4	1149	72	505 ST MARKS AVENUE	New Community Facility + Residential	Yes	R6	3.0 (1.0 CF)	3.43	HF*	145	0	0	18,720	75,816	76		53
PROJECTED SITES TOTAL												59,555	30,272	201,620	201	15	167
POTENTIAL SITES																	
A	1253	7	1499 BEDFORD AVENUE	New Community Facility + Residential	Yes	R6	3.0 (1.0 CF)	3.80	70	70	0	0	12,643	47,033	47		24
B	1231	1	711 FRANKLIN AVENUE	Mixed Commercial+CF+Residential	Yes	R6/C1-3	2.2 (1.0 CF)	3.80	55	55	0	8,200	8,200	22,550	23	0	12

WITH-ACTION

DEVELOPMENT SITES				WITH-ACTION CONDITION								WITH-ACTION CONDITION						
DEVELOPMENT SITES	BLOCK	LOT(s)	ADDRESS	Projected Development	Ground Disturbance?	Proposed Zoning	Proposed Max FAR	Proposed Built FAR	Max Building Height	Proposed Building Height	Vacant Land	Commercial Floor Area	Community Facility	Total New Residential Floor Area	Residential Dwelling Units	Affordable Housing Units	Parking Spaces
PROJECTED SITES																	
1	1260	1,5	1519, 1535 BEDFORD AVENUE	New Commercial+Mixed Income Residential	Yes	R7D/C2-4, R6B	5.60	4.90	100	100	0	11,197	0	124,662	125	25	56
2	1142	44,48	1046 DEAN STREET	New Commercial+Mixed Income Residential	No	R7A/C2-4	4.60	4.60	80	80	0	48,183	0	107,371	107	21	48
3	1149	40,41	922,924 BERGEN STREET	Mixed Income Residential+CF	Yes	R7A, R7A/C2-4	4.60	4.60	80	80	0	0	0	57,318	57	19	44
4	1149	72	505 ST MARKS AVENUE	New Community facility + Mixed Income Residential	Yes	R7A	4.60	4.30	80	80	0	0	18,720	115,440	115	23	52
PROJECTED SITES TOTAL												59,380	18,720	444,790	444	89	200
POTENTIAL SITES											0						
A	1253	7	1499 BEDFORD AVENUE	New Community facility + Mixed Income Residential	Yes	R7D, R6B	5.60	5.50	100	100	0	0	12,643	74,152	74	15	33
B	1231	1	711 FRANKLIN AVENUE	New Commercial+Mixed Income Residential	Yes	R7A/C2-4	4.60	4.60	80	80	0	8,200	0	38,950	39	8	18

DIFFERENCE

DEVELOPMENT SITES				DIFFERENCE								DIFFERENCE						
DEVELOPMENT SITES	BLOCK	LOT(s)	ADDRESS	Projected Development	Ground Disturbance?	Proposed Zoning	Proposed Max FAR	Proposed Built FAR	Max Building Height	Proposed Building Height	Vacant Land	Commercial Floor Area	Community Facility	Total New Residential Floor Area	Residential Dwelling Units	Affordable Housing Units	Parking Spaces
PROJECTED SITES																	
1	1260	1,5	1519, 1535 BEDFORD AVENUE								0	5,197	0	124,662	125	25	56
2	1142	44,48	1046 DEAN STREET								0	3,090	-3,090	32,975	33	6	-30
3	1149	40,41	922,924 BERGEN STREET								0	-8,462	-8,462	45,909	46	19	8
4	1149	72	505 ST MARKS AVENUE								0	0	0	39,624	39	23	-1
PROJECTED SITES TOTAL												-175	-11,552	243,170	243	74	33
POTENTIAL SITES											0						
A	1253	7	1499 BEDFORD AVENUE								0	0	0	74,152	27	15	33
B	1231	1	711 FRANKLIN AVENUE								0	0	-8,200	-8,083	16	8	-6

ATTACHMENT 3 – LAND USE, ZONING & PUBLIC POLICY
Crown Heights West Rezoning
Environmental Assessment Statement
CEQR No: 13DCP105K
ULURP Nos: 130213 ZMK, N 130212 ZRK

INTRODUCTION

Under *CEQR Technical Manual* guidelines, an assessment of zoning is performed in conjunction with a land use analysis when an action would change the zoning on the site or result in the loss of a particular use. Similar to zoning, assessment of public policy typically accompanies an assessment of land use. Under CEQR, a land use analysis characterizes the uses and development trends in the study area that may be affected by a proposed action, and determines whether the action is compatible with or may affect those conditions. The analysis considers the proposed action's compliance with, and effect on, the area's zoning and any applicable public policies.

This section will describe the diversity and concentration of activities and services in the area, the zoning regulations that govern them and other relevant data regarding the future of the affected area. Specifically, the section will describe the existing built conditions, land use trends and the anticipated changes likely to occur by the year 2023 due to the proposed action.

As mentioned in Attachment 1, Project Description, the Crown Heights West rezoning consists of the three main components: a contextual rezoning to ensure the maintenance of the existing scale and character of the neighborhood; the creation of growth opportunities and private investment along major corridors along with the introduction of the Inclusionary Housing Program to portions of the rezoned area to encourage affordable housing; and a text amendment to ensure that contextual street wall requirements in contextually zoned areas are not in conflict with the Administrative Code.

In order to study the effects of the proposed action on land use, zoning and public policy, a primary study area that includes the area within 400 feet of the area affected by the proposed zoning map changes was established. The study area is depicted in Figure 1.

No significant adverse impacts related to land use, zoning, or public policy are anticipated. In general, the proposed actions are expected to result in changes that are compatible with and supportive of the current land use trends, zoning, and public policies.

LAND USE

Existing Conditions

Pursuant to the CEQR Technical Manual, the land use study area includes the area within 400 feet of the area affected by the proposed zoning map changes. This land use study area is depicted in Figure 1: Crown Heights West Land Use. Tables A and B below show the proportion of tax lots and the proportion of land devoted to various uses within the land use study area.

Table 3-1: Land Uses within 400 Foot of the Rezoning Area

Use	Number of Lots	% of Total Lots	Area (acres)	% of Total Area
Residential	1837	70.3%	134.55	60.2%
Mixed Use with Residential	386	14.8%	24.44	10.9%
Mixed Use without Residential	13	0.5%	0.8	0.4%
Commercial & Office Buildings	54	2.1%	6.43	2.9%
Industrial & Manufacturing Buildings	47	1.8%	9.95	4.5%
Transportation & Utility	38	1.5%	5.81	2.6%
Community Facilities & Institutions	76	2.9%	27.53	12.3%
Open Space	2	0.1%	1.38	0.6%
Parking Facilities	43	1.6%	6.04	2.7%
Vacant Land	116	4.4%	6.57	2.9%
Total	2612	100.0%	223.5	100.0%

Table 3-2: Building Type (Residential Only)

Use	Number of Lots	% of Total Lots
One & Two Family Buildings	664	29.8%
Multi-Family Walk-Up Buildings	1103	49.5%
Multi-Family Elevator Buildings	77	3.5%
Mixed Use: Residential & Commercial Buildings	386	17.3%
Total	2230	100.0%

The land use study area consists of 2,612 tax lots covering 223.5 acres. Approximately 70% of these tax lots contain residential buildings, with almost another 15% mixed use with residential, which means 85% of lots in the study area are residential in nature. Of the lots developed with residential uses approximately 30% are one and two family buildings, 49.5% are multi-family

walk-ups, 3.5% are multi-family elevator buildings, and about 17% are classified as mixed use buildings.

Among non-residential uses, community facilities and institutions constitute a little less than three percent of the study area's lots. These lots are concentrated mainly on Classon Avenue, with a number scattered throughout the rest of the rezoning area. Industrial and manufacturing uses, which consist of slightly less than 2% of the lots in the study area, are mainly in the northern section along Pacific and Bergen Street and are vacant or storage spaces.

Commercial uses are mainly found on north-south avenues, with the largest concentrations along Nostrand Avenue and Franklin Avenue. The commercial use is predominantly ground floor retail with residential above in n mixed use buildings. Vacant land accounts for 4.4% of the lots that will be rezoned, and only three percent of the actual acreage coverage.

Future No-Action

In order to assess the incremental difference in land use that would result from the proposed actions, a Reasonable Worst-Case Development Scenario (RWCDS) was prepared. The RWCDS is contained in Attachment 2 of this Environmental Assessment Statement which includes a summary of land use scenarios for the projected and potential development sites.

Absent the proposed actions, land use in the study area would retain many of the same general patterns found in the existing conditions. In addition to the changes expected on the projected development sites without the proposed actions, redevelopment of the rezoning area is expected to follow the same pattern as it has experienced over the past ten years. This includes an increase of 201 dwelling units of which only 15 are expected to be affordable. It is likely that a number of these dwelling units will be built in out-of-context buildings that take advantage of the height factor regulations afforded by the R6 zoning designation across most of the rezoning area. In the past few years several buildings have been developed that are out of character with the prevailing norm of the neighborhood and it is likely that this "tower in the park" type of building will continue. The current 150-foot deep commercial overlay mapped along the north south corridors contain some residential buildings located along side residential streets; it is possible that this would lead to commercial encroachment onto residential side streets.

Future With-Action

The intent of the proposed rezoning is to maintain the character of the existing neighborhood by applying rules that ensure that new development is contextually appropriate to the scale of the neighborhood. The proposed rezoning also incorporates incentives intended to encourage

growth opportunities and affordable housing development. In addition, the proposed rezoning would better match zoning to underlying commercial uses and ensure that commercial uses do not encroach onto residential side streets. As a result of these changes, modest increases in residential densities are expected in the Future With-Action condition relative to the Future No-Action condition and commercial and community facility growth is expected to remain lower than the Future-No Action scenario. A key factor in predicting this modest increase in new residential development (or any development) includes the type of rezoning being proposed. A rezoning from a general residential district to a comparable contextual residential district would not create great incremental increases in development. The incremental increase would be greater for areas being rezoned from a non-residential district to a residential district. Therefore, a rezoning from one similar residential district to another generally will not cause significant changes or impacts.

The With-Action condition contains a total of 444 residential dwelling units with 89 expected to be affordable. Therefore, the incremental growth relative to the Future Without-Action conditions would be an increase of 243 dwelling units with 74 of these as affordable units. These units are expected to be contextually developed eights-and ten-story mixed use apartment buildings. As described above, Crown Heights West is dominated by residential uses, so the increase would not represent an introduction of incompatible land uses.

Changes in commercial development would remain relatively flat with just a slight decrease in floor area of 175 square feet from the No-Action scenario, while the square footage of community facilities would see a larger decrease of 11,552 square feet in the Future With-Action scenario. However, since there are currently a substantial number of community facilities in the rezoning area, this decrease would not have significant impact on the overall community facility uses.

The incremental differences would not result in substantial changes in land use in the study area. The small amount of change occurring on the four projected development sites would help the community meet its goal of increasing the amount of affordable housing in the neighborhood. The rest of the study area would likely continue to see compatible and consistent land uses in and around the rezoning area. The expected incremental residential and commercial development would support local land use trends and would not introduce incompatible uses.

ZONING

The proposed actions would not result in significant adverse impacts on zoning.

Existing Conditions/Future Without-Action

There are no concurrent plans by any city agency for area-wide zoning changes in the study area. Therefore, in the No-Action scenario, it is assumed that the zoning would not change from the existing conditions. Descriptions of the existing zoning districts are provided below.

Existing Zoning

The Crown Heights West rezoning area is predominantly mapped with residential R6 districts, in conjunction with C1 commercial overlays along north-south corridors. A small area comprising nine full and partial blocks at the northeast corner of Eastern Parkway and Washington Avenue is mapped with a residential R7-1 district. In addition to the commercial overlays, there are two commercial districts, a C4-3 commercial district along Nostrand Avenue and a C8-2 commercial district over a tiny portion at the southern tip of Bedford Avenue. The majority of these districts have been in place since 1961 when the current Zoning Resolution was established, and do not closely reflect the prevailing context in terms of scale, height, and building type. Figure 3B depicts the existing zoning.

The rezoning area is predominantly residential with mixed use corridors along the north- south avenues. There are several community facilities concentrated along Classon Avenue and also scattered throughout the rest of the rezoning area. The very small numbers of commercial and manufacturing uses in the rezoning area are either vacant or used for storage.

R6

Approximately 82% (45 full or partial blocks) of the rezoning area is zoned R6, which permits tower construction on large lots under the 1961 height factor regulations. There is no height limit in R6 districts if the height factor regulations are utilized, and the maximum FAR is 2.43 for residential buildings. The R6 regulations permit community facility buildings, such as hospitals, schools, churches, medical offices and mixed residential and community facility buildings up to a maximum FAR of 4.8. The optional Quality Housing program permits an FAR of 2.2 on narrow streets and 3.0 on wide streets but limits building heights to 55 feet and 70 feet, respectively. Off-street parking is required for a minimum of 70% dwelling units and a minimum of 50% dwelling units when the Quality Housing program is utilized.

R7-1

Approximately 16% (9 full or partial block) of the rezoning area is zoned R7-1, located in the southwest portion of the rezoning area. The area is bounded by Sterling Place to the north,

Franklin Avenue to the east, Washington Avenue to the west, and Eastern Parkway to the south. The R7-1 district regulations permit residential and community facility uses with a maximum FAR of 3.44 for residential uses and 4.8 for community facility uses. There are no fixed height limits and building envelopes are governed by the sky exposure plane. Residential developments using the optional Quality Housing Program in an R7-1 district are allowed a maximum 3.44 FAR on a narrow street with a base height of between 40 and 60 feet and a maximum building height of 75 feet. On wide streets they are allowed a maximum 4.0 FAR with a base height of between 40 and 65 feet, and a maximum building height of 80 feet. Off-street parking is required for 60% of the dwelling units. Off-street parking is required for 50% of the dwelling units under Quality Housing if the lot area is less than 10,000 sf. Off-street parking is waived if five spaces or fewer are required.

C4-3

Approximately 3% (8 partial blocks) of the rezoning area is zoned C4-3. A C4-3 commercial zoning district is mapped along four block fronts along Nostrand Avenue. C4-3 districts are regional commercial centers where uses, such as specialty and department stores, serve a larger area and generate more activity than a local retail area. The C4-3 district regulations permit commercial buildings up to a 3.4 FAR, residential and mixed commercial/residential building up to a 2.43 FAR under height factor regulations, and 3.0 using the Quality Housing regulations (R6 equivalent).

Community facility and mixed residential/community facility buildings can have an FAR of up to 4.8 with no height limit. Off-street parking is required for 70% of the dwelling units or 50% of dwelling units for buildings built under the Quality Housing regulations. Non-residential parking requirements vary with use.

C8-2

Less than 1% (2 partial blocks) of the rezoning area is zoned C8-2. This zoning district is mapped for one block along Bedford Avenue between Eastern Parkway and Lincoln Place. C8-2 districts bridge commercial and manufacturing districts and are mapped mainly along major arterials. The C8-2 district regulations allow all commercial uses, including automotive and other heavy commercial services. C8-2 districts allow up to FAR 2.0 or FAR 4.8 for community facilities or mixed commercial and community facility buildings. Residences are not permitted in C8-2 districts and performance standards apply to commercial uses. Off-street parking requirements vary with use, but are generally substantial for automotive uses.

Commercial Overlays

There are commercial overlays permitting local commercial retail uses mapped along the length of Franklin Avenue, parts of Nostrand Avenue, Bedford Avenue, Rogers Avenue and one block front along Classon Avenue. The C1-3 commercial overlay allows small-scale retail and service shops needed in residential neighborhoods. The C2-3 overlays allow a slightly broader range of service uses, such as funeral homes and repair services. In R6 districts, the commercial FAR can be up to 2.0.

Future With-Action

The proposed actions are intended to maintain the existing scale and character of the neighborhood by establishing contextual zoning districts with height limits and ensure new development is in context with existing character, create incentives and opportunities for creation for affordable housing development and match commercial zoning to reflect existing retail character and prevent commercial intrusion into residential side streets by tailoring commercial overlays to reflect existing use. The existing zoning regulations in the Crown Heights West rezoning area have predominantly been in place since 1961, and permit buildings that are out-of-character since there is no height limit on buildings in these districts.

The proposed actions would affect approximately 22,612 lots on 55 full and partial blocks. The rezoning area covers portions of Zoning Map sections 16c, 16b, 17a and 17d. The proposal would rezone the area from the existing R6, R7-1, C4-3 and C8-2 zoning districts to R5B, R6B, R6A, R7A and R7D contextual zoning districts. The existing commercial overlays within the residential area would be rezoned from C1-3 and C2-3 to C2-4, and the locations of commercial overlays would be adjusted to better reflect underlying land uses. Proposed zoning districts are described in detail below (Figure 3C).

The proposed contextual zoning strategy is intended to reinforce the character of Crown Heights West residential blocks and ensure future residential development is more consistent with the surrounding neighborhood's building patterns. The proposed rezoning also provides opportunities for growth in affordable housing options by creating an Inclusionary Housing Zone to provide incentives for developers to create more.

Zoning Map Changes

The proposed actions would introduce new zoning districts on approximately 55 full or partial blocks. These proposed zoning districts are described in detail below.

Proposed R5B

Existing R6

Three full and partial blocks of the rezoning area with existing low rise homes are proposed to be rezoned from R6 to R5B. These proposed R5B areas are built with predominantly two story brownstones. The R5B designation would protect the low-rise, small homes character of these aesthetically pleasing and well preserved brownstones and row houses from the early 19th century.

The R5B district is a row house district that allows residential and community facility uses to a maximum FAR of 1.35 with a maximum street wall of 30 feet and a maximum building height of 33 feet. The front yard of a new development must be at least five feet deep and as deep as one adjacent front yard and no deeper than the other, to a maximum depth of 20 feet. Parking is not required for one and two family homes. Where parking is required, spaces for 66 percent of the units must be provided. Curb cuts are prohibited on zoning lots less than 40 feet wide, front yard parking is prohibited and infill zoning provisions are not applicable.

Proposed R6B

Existing R6, R7-1 districts

25full and partial blocks of the rezoning area are proposed to be rezoned to R6B. This proposed designation would protect the lower-rise, rowhouse character of the east-west side streets. In portions of the area currently zoned R6, the R6B designation would allow for modest enlargements of many existing homes while establishing a height limit that reflects the scale of existing development. These proposed R6B areas are typically built with three-to-four story rowhouses and four story apartment buildings.

The R6B district is a rowhouse district that allows residential and community facility uses up to a maximum FAR of 2.0 and limits building heights to 50 feet and street wall heights to 40 feet. New development in the proposed R6B district would be required to maintain the existing street wall characteristics. New multi-family residences must provide one off-street parking space each for 50% of the dwelling units. This parking requirement is waived if five or fewer spaces are required.

Proposed R6A

Existing R6, C4-3, R7-1 districts

47 full or partial blocks of the rezoning area are proposed to be rezoned to R6A. An R6A district is proposed for lot frontages along many north/south avenues, including portions of Grand Avenue, Classon Avenue, Franklin Avenue, Bedford Avenue, Rogers Avenue, Nostrand Avenue

and along some east-west streets where appropriate. The area proposed to be mapped with R6A generally contains small and medium sized apartment buildings, including some out of scale ten-to-fourteen story buildings and mixed use developments along parts of the avenues. Some of these areas on the north-south avenues have commercial overlays of either C1-3 or C2-3 and would be updated to C2-4.

In addition, a portion of Nostrand Avenue between St Marks Avenue and St. Johns Place is currently zoned C4-3 commercial district, an R6 equivalent commercial district, which would be replaced with the proposed R6A. The commercial uses existing in the area zoned C4-3 are predominantly reflective of local retail, and the proposed C2-4(see C2-4 description further below) commercial overlay would match the zoning to the retail character, which is one of the goals of this rezoning.

R6A is a medium-density apartment district, with a maximum FAR of 3.0 for residential and community facility uses. Above a base height of 40 to 60 feet, the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum height of 70 feet. New structures in R6A districts are required to line up with adjacent structures to maintain the streetwall. Off-street parking is required for 50% of housing units, but is not allowed in the front of the building. This parking requirement is waived if five or fewer spaces are required.

Proposed R7A (area mapped with inclusionary housing)

Existing R6

An R7A designation with an inclusionary housing program is proposed for 12 full and partial blocks fronting Franklin Avenue.

Areas with existing R6 zoning districts along Franklin Avenue are mixed use in character, with predominantly two to four story mixed use buildings with ground floor retail, as well as one east-west block along St Marks Avenue, which contains some larger apartment buildings interspersed with smaller scale residential and a few vacant one story manufacturing and community facility use buildings.

R7A permits residential and community facility uses to a base FAR of 3.45. The FAR may be increased to 4.6 if affordable housing is provided. Base heights are required to be between 40 and 65 feet, and the maximum building height is 80 feet after a setback from the street. This typically produces 6- to 8-story buildings. New buildings in R7A districts must be located no closer to the street than a neighboring building. Parking is required for 50% of the residential units. New residences would be required to provide one off-street parking space for 30% of the dwelling units. This parking requirement is waived if 15 or fewer spaces are required. Non-

residential parking requirements of one space per 1,000 square feet of commercial area are waived when fewer than 40 spaces are required

The proposed R7A districts with inclusionary housing bonus for this area would allow development opportunities for affordable housing and, concurrent with proposed C2-4 commercial overlay along Franklin Avenue, will promote contextual mixed use buildings. Three of projected sites and one potential development site are within this portion of the proposed R7A districts

Proposed R7A

Existing R6, R7-1 district

Most of the area currently zoned R7-1, comprising of 9 full and partial blocks, is proposed to be replaced by R7A. This area between St Johns Place and Eastern Parkway includes six to seven story large and bulky multistory elevator apartment buildings. The proposed R7A would be consistent with the existing character of this area, and ensure that new developments would be contextual in nature.

R7A is an apartment house district with height limits and street wall lineup provisions. R7A permits residential and community facility uses with a maximum FAR of 4.0. Height is limited to 65 feet at the street and 80 feet after a 10- or 15-foot setback, producing six- to eight-story buildings. One parking space is required for 50% of new residential units.

Proposed R7D (mapped with Inclusionary Housing Program)

Existing R6, C8-2 districts

An R7D designation is proposed for 3 partial blocks along Bedford Avenue between St John's Place and Eastern Parkway. Bedford Avenue is a wide street and a major thoroughfare.

R7D is a residential district that allows apartment building development, with a base FAR of up to 4.2 for residential and community facility uses. The R7D district would be included in the Inclusionary Housing program, which would allow a 33% floor area bonus, up to 5.6 FAR, if 20% of the floor area is made affordable to low-income households, either on-site or off-site. Above a base height of 60 to 85 feet, the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 100 feet. New structures in R7D districts are required to line up with adjacent structures to maintain the streetwall. Where a commercial overlay is mapped, structures in R7D districts are required to be built up to the street lot line with no setback below the base height. In addition, where commercial overlays are mapped, active ground floor uses, such as retail uses, commercial services, and community facilities are required. Off-street parking is required for at least 30% of the dwelling

units. This parking requirement is waived if 15 or fewer spaces are required. Non-residential parking requirements of one space per 1,000 square feet of commercial area are waived when fewer than 40 spaces are required.

Mapping R7D in this small area will provide a few opportunities for housing and mixed use development, including affordable housing, which is one of the important goals of the rezoning.

Proposed C2-4 Overlays

Existing C1-3 and C2-3 districts in R6 and R7-1 districts

The proposed rezoning would update all C1-3 and C2-3 commercial overlay districts to C2-4 districts. In addition to Use Groups 1, 2, 3, 4, 5, and 6 allowed in C1-3 districts, C2-4 districts also allow Use Groups 7, 8, 9, and 14, which include uses such as plumbing and electrical shops, small bowling alleys and movie theaters, funeral homes, small repair shops, printers, and caterers. Parking requirements vary depending on the type of commercial use and the districts suffix. Food and Retail establishments are required to provide one accessory space per 200 and 300 square feet, respectively in C1-3 and C2-3 districts. However, the proposed C2-4 overlays will require one accessory space per 1,000 square feet for all types of commercial uses.

The existing C2-3 and C1-3 commercial overlays would be removed in a few areas where no existing commercial uses exist. This would protect residential side streets from commercial encroachment. In 1961, overlays were mapped to a depth of 150 feet in order to reflect the belief that parking would be accommodated in the first 50 feet of front yard space at retail stores. However, this proposal would map commercial overlays to a depth of 100 feet in order to better reflect the typical depth of existing lots along these corridors and to prevent commercial uses from encroaching on residential side streets.

New commercial overlays are proposed in a few locations to reflect the existing patterns and trends of commercial use on portions of the north-south avenues. These new commercial overlays will bring existing commercial uses into conformance and increase the predictability of new development along these corridors. The proposed C2-4 commercial overlay would be mapped along one block front along Bedford Avenue between Eastern Parkway and Lincoln Place, which is the location of existing C8-2 district, and on Nostrand Avenue between St Marks Avenue and St. Johns Place, which is the location of the existing C4-3 commercial district. New C2-4 commercial overlays would be added to a block front on the west side along Classon Avenue, between Prospect Place and Park Place. This would bring the underlying mixed use buildings with retail on ground floor in conformance, and also help match zoning with retail character, one of the goals of rezoning.

The proposed zoning districts are based on a careful study of the local context on a block-by-block basis. The proposal would increase the predictability of new development and create new opportunities for residential development, including affordable housing, and businesses expansion.

Inclusionary Housing Program

A zoning text amendment is included in order to apply the Inclusionary Housing Program in parts of the rezoning area. The Crown Heights West rezoning proposal applies the Inclusionary Housing program to portions of the proposed R7A and R7D districts within the study area, establishing incentives for the creation and preservation of affordable housing in conjunction with new development (Figure 1-D). The proposed Inclusionary Housing bonus is consistent with the bonus established for contextual developments under the recently adopted Fort Greene/Clinton Hill, Bedford Stuyvesant South, Greenpoint-Williamsburg Contextual, and Sunset Park rezonings, and promotes the creation and preservation of affordable units in both rental and condominium developments. The incentives target affordable housing to a range of income levels.

Under the Inclusionary Housing program, a development providing affordable housing is eligible for a floor area bonus (Table 3-1), within contextual height limit and bulk regulations tailored to this area. Affordable units can be provided either on-site or off-site, or by acquiring and preserving existing housing at affordable rents. Off-site affordable units must be located within the same community district or within a half-mile of the bonused development. Available city, state, and federal housing finance programs may be used to finance affordable units. The combination of a zoning bonus with housing programs would establish a powerful incentive for the development and preservation of affordable housing in the rezoning area.

Table 3-1 Inclusionary Housing Program

Zoning District	Base FAR	Bonus FAR
R7A	3.45	4.6
R7D	4.2	5.6

As mentioned above, the proposed R7A and R7D districts would allow residential development with a maximum FAR of 43.45 and 4.2 respectively, commercial development with a maximum FAR of 2.0, and community facility development with a maximum FAR of 4.0 and 4.2 respectively With the inclusionary housing bonus, the maximum residential FAR in the proposed R7A and R7D districts would be increased to a maximum of 4.6 and 5.6 respectively, provided that the affordable housing requirements are met.

Text Amendment: 30 Feet along Eastern Parkway

The Crown Heights West rezoning also includes a text amendment to maintain consistency with a requirement in the Administrative Code requiring building setbacks along Eastern Parkway. The Administrative Code requires buildings along Eastern Parkway to be set back 30 feet from the sidewalk. The text amendment would ensure that the Zoning Resolution's requirements along Eastern Parkway allow for the 30 foot setback.

A section in the Administrative Code dating to the construction of Eastern Parkway at the end of the 19th century requires buildings to be set back from Eastern Parkway by 30 feet. The Crown Heights West rezoning's proposed contextual zoning districts, however, would require buildings to be built up to or within 15 feet of the street line. Therefore, a zoning text amendment is proposed to allow compliance with the 30-foot setback requirement of the Code in the contextual zoning districts lining both the north and south sides of Eastern Parkway inside and outside of the rezoning area.

The text would affect ZR section 23-633 "Street wall location and height and setback regulations in certain districts" and section 35-24 "Special Street Wall Location and Height and Setback Regulations in Certain Districts." The text would specify that in Community District 8 in the Borough of Brooklyn, a line drawn 30 feet north of and parallel to Eastern Parkway shall be considered the #street line# of Eastern Parkway. In Community District 9 in the Borough of Brooklyn, a line drawn 30 feet south of and parallel to Eastern Parkway shall be considered the #street line# of Eastern Parkway.

PUBLIC POLICY

Within the rezoning area, there are two sites that are governed by the Crown Heights Urban Renewal Area. This area was designated an Urban Renewal Project area in 1973 due to vacant and substandard buildings and lots that were considered safety hazards and were physically deteriorating. The first site (site 5 in the Urban Renewal Plan) is located along the western side of Bedford Avenue, extending south from Park Place about ¾ of the way to Sterling Place. It contains seven tax lots. The second site (site 6 in the Urban Renewal Plan) is located on the eastern side of Franklin Avenue between Sterling Place and St. John's Place. It contains four tax lots.

Per the Urban Renewal Project, specific land use regulations govern these sites beyond the zoning code requirements. Permitted land uses are limited to residential, community facility and commercial space that supports the residential development. Building bulk and parking

requirements follow the zoning resolution except if more restrictive rules are set in place. For these sites, building height is limited to 40 feet for new residential buildings. The urban design objectives are for development to be compatible with and reinforce existing urban patterns of the surrounding residential neighborhood.

Today at site 5 on Bedford Avenue and Park Place, all but one of the lots cited for the Urban Renewal project have been updated and renovated into functioning multi-family walk-up buildings. All the buildings are around 45 feet in height. There is one vacant lot that has not been developed. At site 6 on Franklin Avenue between St. John's Place and Sterling Place, all lots are currently functioning as multi-family, walk-up buildings. Their current heights are 50 feet.

Analysis of both Urban Renewal sites show that the current land use and the Urban Renewal designation will be consistent with the proposed re-zoning. The buildings on site 5 are currently located in a R6 district that will be up-zoned to R6A. They will remain in compliance since their current height is less than the height limit of 70 feet in an R6A. The buildings on site 6 are currently 50 feet and with an up-zoning from R6 to R7A (with a commercial overlay of C2-4) they will continue to be in compliance. Residential and community facility uses would continue to be permitted consistent with the urban renewal designation.

Due to the consistency of the proposed actions with the current land uses on these Urban Renewal Project sites, along with the end of the Urban Renewal Plan in 2015, it is not believed that the requested rezoning will negatively affect the public policies currently operating in this section of Crown Heights. No adverse impact on public policy is expected.

As mentioned under the Text Amendment above, a section in the Administrative Code requires buildings to be set back from Eastern Parkway by 30 feet. As the Crown Heights West rezoning's proposed contextual zoning districts would require buildings to be built up to or within 15 feet of the street line, a zoning text amendment which is described in detail above, is proposed to allow compliance with the 30-foot setback requirement of the Code in the contextual zoning districts lining both the north and south sides of Eastern Parkway inside and outside of the rezoning area.

SUSTAINABILITY AND PLANYC

PlaNYC, the City's long-term sustainability plan, was adopted in 2007 and updated in April 2011. It contains policy initiatives that relate to the city's land use, open space, brownfields, energy

use and infrastructure, transportation systems, water quality and infrastructure, and air quality, and aim to prepare the city for projected climate change impacts. Its structure sets broadbased targets to be reached by 2030. To execute the strategic vision, PlaNYC adopts 10 goals to be achieved through 132 separate initiatives and a number of subsidiary plans. Many of these goals are to be realized through public sector projects, local laws or the City's regulatory frameworks governing both private and public actions. The 2012 CEQR Technical Manual requires the evaluation of large publicly sponsored zonings to ensure the proposed action(s) align with the broad priorities espoused by the PlaNYC initiatives.

While the proposed action is not directly implementing a PlaNYC initiative, such as replacing aging infrastructure, the rezoning, as aforementioned, is intended to promote medium density mixed-use development along a major corridor in the Bronx and around mass-transit while protecting the existing neighborhood character of targeted residential areas. Shifting population growth to mass-transit nodes and providing new development opportunities are in line with the purpose of PlaNYC's many initiatives' and the goal to provide adequate housing for New Yorkers around sustainable forms of transportation. Moreover, as discussed below and elsewhere in the EAS, the proposed action will not adversely affect Open Space, Natural Resources, Infrastructure, Energy, Construction, Transportation, Greenhouse Gas Emissions, and Air Quality, which are areas that relate to PlaNYC initiatives. Therefore, the proposed action is consistent with the overall strategy of PlaNYC's initiatives.

CONCLUSION

The proposed rezoning would protect and maintain the neighborhood's built character, while also providing growth opportunities and incentives for the development of more affordable housing units. This will be done through the establishment of contextual zoning districts in Crown Heights West that will reinforce the prevailing built fabric and character of this neighborhood. The proposal will also provide modest opportunities for growth by establishing incentives for the creation and preservation of affordable housing in conjunction with new development under the inclusionary housing program. The proposed text amendment requiring zoning to conform to the 30 foot setback requirement ensures that the zoning resolution would be consistent with the administrative code's requirements.

Accordingly, the proposed actions would result in changes that would be compatible with and supportive of land use trends, zoning, and public policy. In effect, the proposed actions would bear a positive impact on preserving neighborhood character while encouraging affordable housing development. Consequently, no significant adverse impacts related to land use, zoning or public policy are anticipated and no further analysis is warranted.

FIGURE 3-A LAND USE

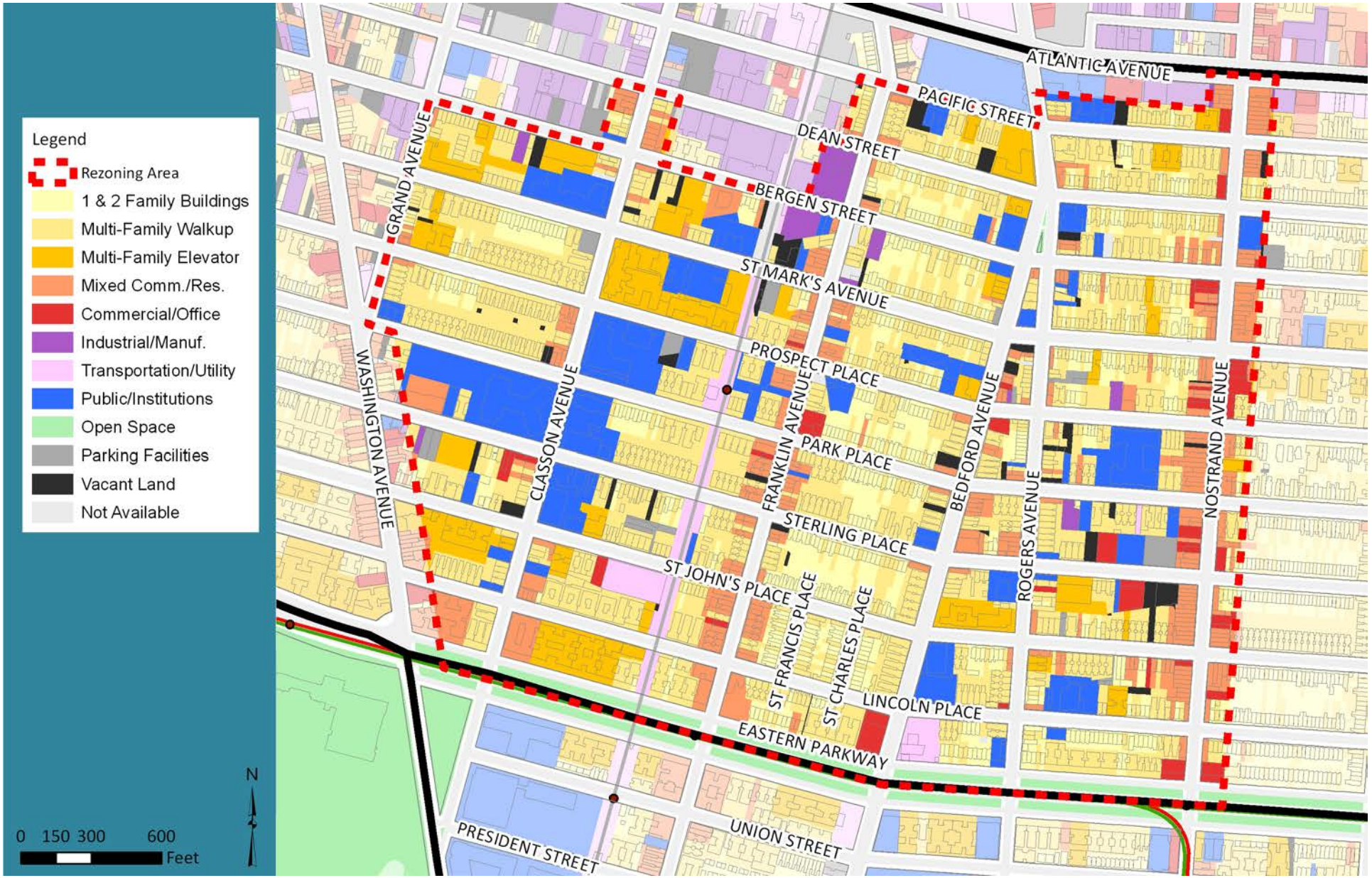


FIGURE 3-B EXISTING ZONING

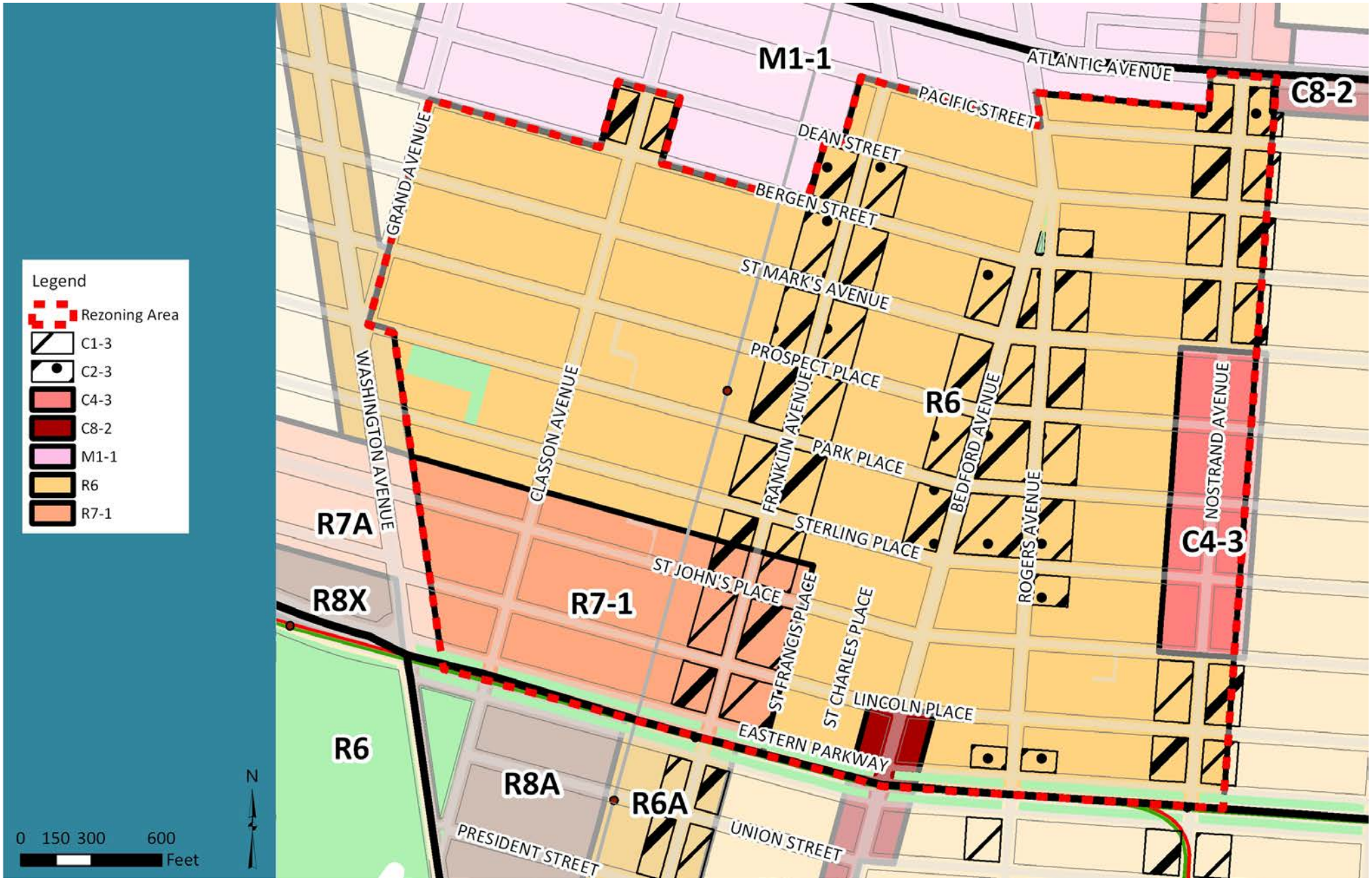
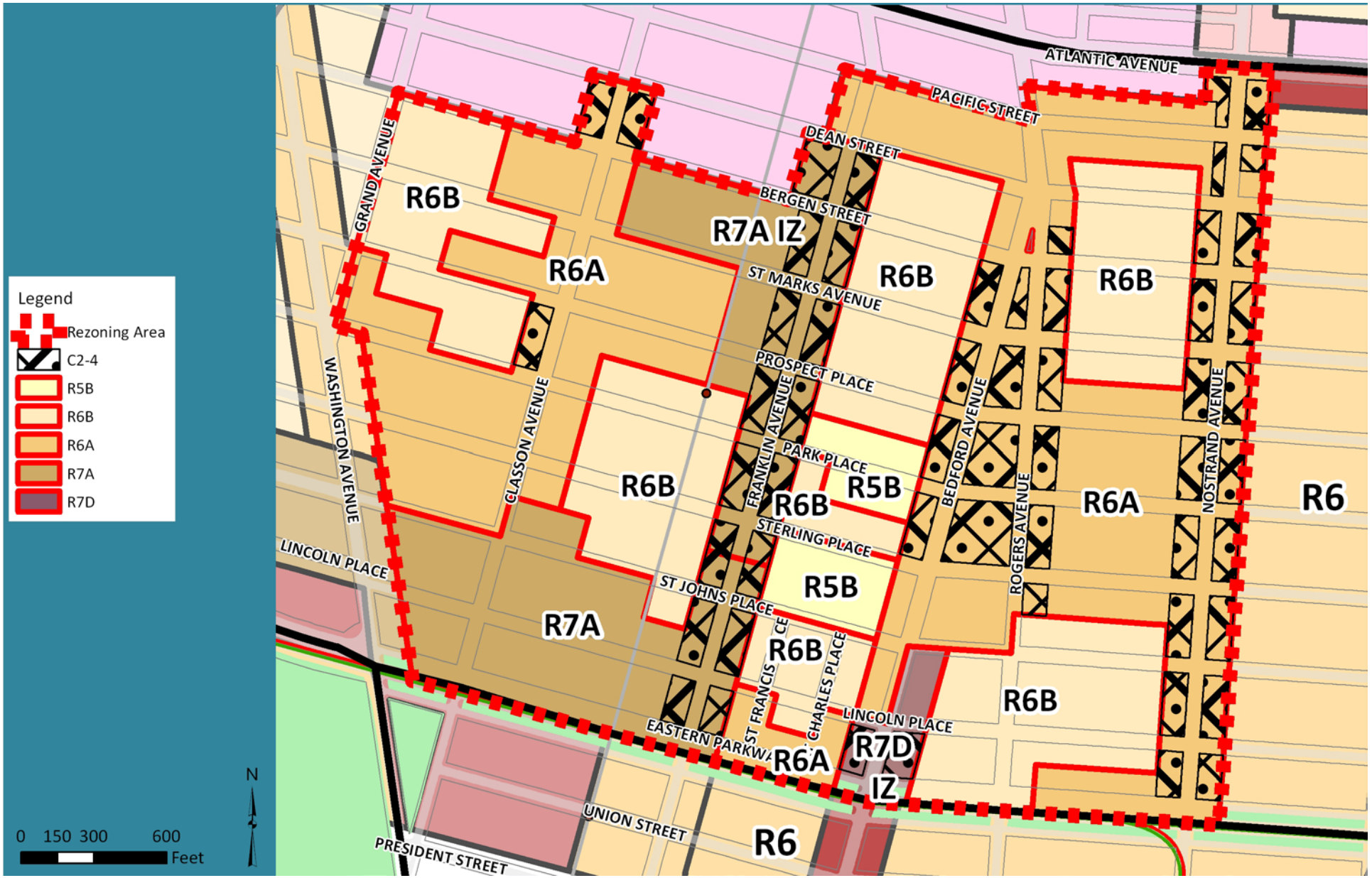


FIGURE 3-C PROPOSED ZONING



ATTACHMENT 4 – SOCIOECONOMICS
Crown Heights West Rezoning
Environmental Assessment Statement
CEQR No: 13DCP105K
ULURP Nos: 130213 ZMK, N 130212 ZRK

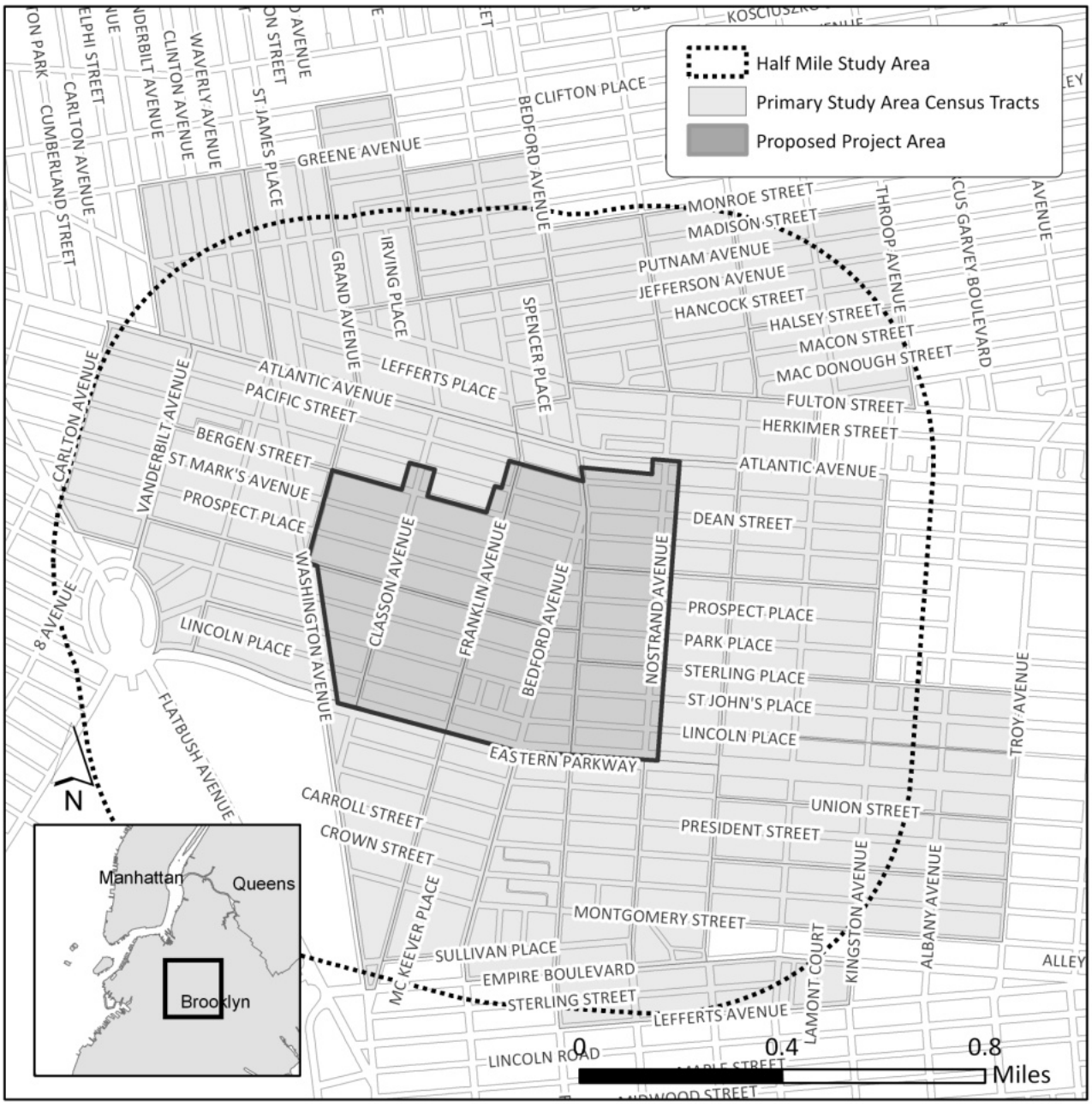
1. Introduction

This chapter describes changes in socioeconomic conditions resulting from the Proposed Action and evaluates whether such changes would result in significant adverse impacts.

The analysis uses *City Environmental Quality Review (CEQR) Technical Manual* guidelines to evaluate whether the Proposed Action would result in significant adverse socioeconomic impacts due to: (1) direct displacement of residential population on the Project Site; (2) direct displacement of existing businesses on the Project Site; (3) indirect displacement of residential population in the study area; (4) indirect displacement of businesses in the study area; or (5) adverse effects on specific industries not necessarily tied to the project or to the study area.

Based on the CEQR Environmental Assessment Statement form, four of the five sections for socioeconomic analysis do not trigger an environmental review. However, an analysis on the effects the proposal will have on indirect residential displacement follows below because the proposed project would generate a net increase of 200 or more residential units – a threshold at which a preliminary analysis of this type of displacement is required.

A primary study area was defined by the Census Tracts with a majority of land area falling within one half mile of the proposed project area. The tracts are listed and shown below:



2010 Census Tracts in Half-Mile Primary Study Area:

163	213	229	269	317.0	329
199	215	231	305	2	333
201	217	245	313	319	335
203	219	247	315	321	337
205	221	249	317.0	323	339
207	227	267	1	325	341

2. **Indirect Residential Displacement**

The CEQR Technical Manual requires the assessment of indirect residential displacement, which considers the following questions:

- Would the expected average incomes of the new population exceed the average incomes of the study area populations?
- If yes, would the population increase represent more than 5% of the primary study area population or otherwise potentially affect real estate market conditions?
- If yes, would the study area have a significant number of unprotected rental units?

Trends since 2000 reveal rising incomes in the proposal area, and median household incomes are expected to increase in the foreseeable future under the no-build and build scenarios. Brooklyn Community District 8 had a median household income of $39,236 in 2010 according to the 2008-2009-2010 ACS, as compared to $35,502 (adjusted to 2009) for the same area in 2000 according to the 2000 Census.

It is impossible to determine the degree to which the proposed action would result in median household incomes higher than what would result under the no-build scenario. A second analysis was completed as part of this impact analysis to determine whether the population increase would represent more than 5% of the primary study area population.

According to the 2010 Census, the census tracts encompassed by the project and the half-mile primary study area surrounding it contain 129,309 people in 54,035 households – an average of 2.39 people per household. The population for this same study area in 2000 was 130,629 residents, illustrating an essentially stable population. Assuming the same rate of growth, the primary study area population would be expected to reach 128,002 by 2020 under the no-build scenario.

The proposed action is expected to result in the development of 243 housing units, of which 74 would be affordable housing units. Assuming the 2.39 people per household, the proposed action is expected to result in a population increase of 581 residents, alongside an essentially stable population, resulting in a total population of 128,583. The new 581 residents resulting from the proposed action represent 0.5% of the 2020 population, well below the 5.0% threshold for the likelihood of indirect residential displacement. Therefore, no further analysis is required.

A comparison of the Existing, Future No-Action, and Future With-Action conditions in the Primary Study Area follows:

Primary Study Area	Existing Conditions (2010)	Future No-Action (2023)	Future With-Action (2023)	Increment between No- and With-Action
Population	129,309	128,002	128,583	581
Dwelling Units (Households)	54035	53,557	53,800	243

3. **Conclusion**

The proposed actions would provide opportunities for new residential development, but is not expected to result in the indirect displacement of existing residents. .

Detailed socioeconomic analysis is not warranted based on the above preliminary analyses. The proposed action would not displace existing residents or businesses. The proposed action would also not affect real estate market conditions in a way that would result in indirect displacement of residents or businesses. As the proposed action does not have the potential to result in direct or indirect residential or business impacts or impacts on specific industries, no significant impacts are anticipated and further analysis is not warranted.

ATTACHMENT 5 – PROJECT DESCRIPTION
Crown Heights West Rezoning
Environmental Assessment Statement
CEQR No: 13DCP105K
ULURP Nos: 130213 ZMK, N 130212 ZRK

Introduction

The Department of City Planning (DCP) proposes a zoning map amendment and a text amendment for an approximately 55 block area in the western part of the Crown Heights neighborhood of Community District 8, Brooklyn (Figure 1-A Rezoning Area).

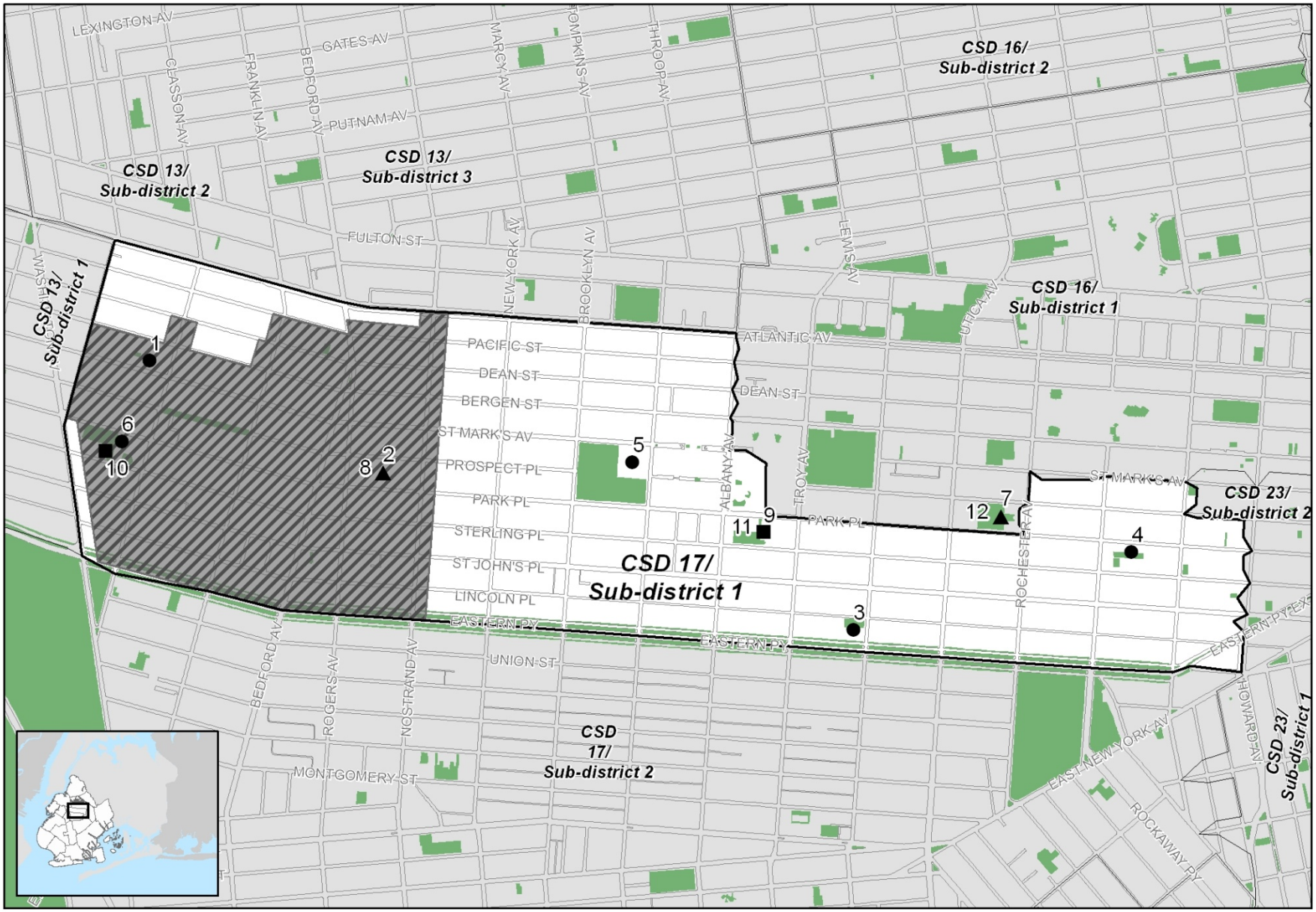
DCP has identified 4 development sites suitable for residential and commercial development in the Future-With Action condition. Under the existing zoning (Future-Without Action), DCP projects that these development sites will yield 201 dwelling units by 2023 (Build Year). Under the proposal (Future-With Action), an additional 243 dwelling units are projected to be developed, of which 74 dwelling units could be created or preserved as affordable housing through the Inclusionary Housing Program.

Need for Further Analysis

The *CEQR Technical Manual* defines community facilities and services as public or publicly funded schools, hospitals, libraries, day care centers and police and fire services. A community facilities analysis examines a proposed action's potential effect on the provision of services by those community facilities. Direct effects occur when a particular action physically alters or displaces a community facility; indirect effects result from increases in population which creates additional demand on service delivery. The proposed action would not result in physical alteration or displacement of any community facilities, therefore no directs effect to existing community facilities are expected as a result of the proposed action.

However, the *CEQR Technical Manual* (Table 6-1) provides thresholds for analyses of indirect effects. Based on these thresholds, the addition of 243 dwelling units does not require detailed analyses of hospitals, libraries, publicly funded day care centers, or police and fire services. However, the *CEQR Technical Manual* directs that if a proposed action could generate more than 50 public elementary and intermediate school students or 150 public high school students, a more detailed analysis is required. The Crown Heights Rezoning action is expected to generate 109 public elementary and intermediate school students and 34 public high school students. Further analysis of the impacts of the proposed rezoning on public elementary and intermediate schools in this area is warranted.

Figure 5A


LEXINGTON AV
GATES AV
PUTNAM AV
FULTON ST
PACIFIC ST
DEAN ST
BERGEN ST
ST MARK'S AV
PROSPECT PL
PARK PL
STERLING PL
ST JOHN'S PL
LINCOLN PL
EASTERN PY
UNION ST
MONTGOMERY ST
ATLANTIC AV
DEAN ST
PARK PL
ST MARKS AV
CSD 13/ Sub-district 2
CSD 13/ Sub-district 3
CSD 13/ Sub-district 1
CSD 16/ Sub-district 2
CSD 16/ Sub-district 1
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CSD 23/ Sub-district 2
CSD 23/ Sub-district 1
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12
Proposed Crown Heights Rezoning Area
Public Schools in the Vicinity of Crown Heights Rezoning
Elementary School
Intermediate School
K-8 School
Intermediate/ High School
Community School District Sub-district Area in Analysis
12/17/12

PUBLIC SCHOOLS

Existing Conditions

Elementary and intermediate schools are located in geographically defined school districts, each divided into Sub-districts for capital planning purposes. The Crown Heights Rezoning Area falls within Community School District (CSD) 17 Sub-district 1 (Figure 5.A).

Table 5.1

Public Elementary Schools within CSD 17 Subdistrict 1

Enrollment, Capacity, and Utilization

Key	Facility Name	Facility Address	CSD / Sub-district	Enrollment	Target Capacity	Available Seat	Utilization (Percent)
1	P.S. 22	443 St. Marks Ave	17 / 1	444	998	554	44.5%
2	PS 138*	760 Prospect Pl	17 / 1	581	943	362	61.6%
3	P.S. 167	1025 Eastern Pkwy	17 / 1	463	785	322	59.0%
4	P.S. 191	1600 Park Pl	17 / 1	272	661	389	41.1%
5	P.S. 289	900 St. Marks Ave	17 / 1	582	800	218	72.8%
6	P.S. 316	750 Classon Ave	17 / 1	291	626	335	46.5%
7	IS 394*	188 Rochester Ave	17 / 1	426	603	178	70.6%
			Total	**3,058**	**5,416**	**2,357**	**56%**

Source:
NYC Department of Education, *Enrollment/Capacity/Utilization Report 2011-12 School Year*
* P.S Component of P.S./I.S. schools

Table 5.2

Public Intermediate Schools within CSD 17 Subdistrict 1

Enrollment, Capacity, and Utilization

Key	Facility Name	Facility Address	CSD / Subdistrict	Enrollment	Target Capacity	Available Seat	Utilization (Percent)
8	PS 138*	760 Prospect Place	17 / 1	300	487	187	62%
9	MS 334	1224 Park Place	17 / 1	226	474	248	48%
10	MS 353	750 Classon Ave	17 / 1	180	349	169	52%
11	MS 354	1224 Park Place	17 / 1	264	535	271	49%
12	IS 394*	188 Rochester Ave	17 / 1	219	311	91	71%
			Total	1,190	2,156	967	55%

Source:
NYC Department of Education, *Enrollment/Capacity/Utilization Report 2011-12 School Year*
* I.S Component of P.S./I.S. schools

As shown in Tables 5.1 and 5.2, the utilization rates for both public elementary and intermediate schools within the Sub-districts are collectively operating well below capacity.

Future-No Action Condition

Under the future without the proposed action, the projected development sites could yield 201 dwelling units by 2023, and are expected to generate 435 elementary students and 182 intermediate students (Table 5.3).

Table 5.3

Future-With No Action: Number of Public School Students Generated without the Proposed Rezoning (Based on SCA's Housing Pipeline and Projected Development Sites)

	SCA Housing Pipeline		Future-With No Action			Grand Total	
	PS Students	IS Students	# of Dus	PS Students	IS Students	PS Students	IS Students
CSD 17 Sub-district 1	377	158	201	58	24	**435**	**182**

Source: CEQR Technical Manual 2012, Table 6-1a
School Construction Authority Planning Division, 2011

Projected School Capacity

The DOE's Office of Portfolio Planning has identified a number of underutilized school buildings in CSD 17 Sub-district 1 and has proposed significant changes in school utilization for several of these school buildings. Plans to co-locate new DOE and/or charter schools are reviewed by the applicable Community Education Council, public hearings are held, and plans are either approved or rejected. Significant changes for utilization in the following buildings have been approved and will be implemented by the 2023 Build Year: PS 22, PS 138, PS 191, MS 390 (currently housing MS 334 and 354).

The Building Utilization Plans for these approved changes have been reviewed.[1] Target capacities are not included in these Building Utilization Plans since structural changes may affect

[1] DOE Building Utilization Plans are published within the Panel for Education Policy webpage: http://schools.nyc.gov/AboutUs/leadership/PEP/publicnotice/default.htm. They are organized based on the Panel's schedule of public notices and hearing dates. Per the Building Utilization Plans, capacity for PS 22 is calculated at 361; PS 138 is calculated at 543 for PS component and 281 for IS component; PS 191 is calculated 303; MS 334 is calculated at 240; and MS 354 calculated at 300.

future total capacity, so the maximum projected enrollment is used as a proxy for capacity, with the assumption that the maximum enrollment would equal the maximum capacity as a reasonable worst case scenario for capacity for the Build Year.

According to DOE's latest available enrollment projections, elementary and intermediate enrollment in CSD 17 is expected to decrease (Tables 5.4 and 5.5).

Table 5.4
Projected Public Elementary School Enrollment, Capacity and Utilization in 2023 without the Proposed Action

	DOE Projected Enrollment 2023[1]	Students Generated by New Development[2]	Total Projected Enrollment 2023	Capacity[3]	Seats Available	Utilization
CSD 17 Sub-district 1	3,415	435	3,850	4,209	359	91%

[1] DOE Enrollment Projections 2007-2018. The last year for which projections were calculated (2018) has been used to project elementary school enrollments to the 2023 analysis year. Enrollment projections sub-district study areas were calculated based on *CEQR TM methodology*.
[2] Calculations based on DUs identified in the RWCDS that could be constructed in each Sub-district absent the Proposed Action, and SCA's Housing Pipeline.
[3] Capacity numbers: NYC Department of Education, *Enrollment/Capacity/Utilization Report 2011-12 School Year.* Capacity per *CEQR TM methodology*. Projected capacity per DOE Building Utilization Plans. See footnote 1.

Table 5.5
Projected Public Intermediate School Enrollment, Capacity and Utilization in 2022 without the Proposed Action

	DOE Projected Enrollment 2023[1]	Students Generated by New Development[2]	Total Projected Enrollment 2023	Capacity[3]	Seats Available	Utilization
CSD 17 Sub-district 1	826	182	1,008	2,156	1,148	47%

[1] DOE Enrollment Projections 2007-2018. The last year for which projections were calculated (2018) has been used to project elementary school enrollments to the 2023 analysis year. Enrollment projections sub-district study areas were calculated based on *CEQR TM methodology*.
[2] Calculations based on DUs identified in the RWCDS that could be constructed in each Sub-district absent the Proposed Action, and SCA's Housing Pipeline.
[3] Capacity numbers: NYC Department of Education, *Enrollment/Capacity/Utilization Report 2011-12 School Year.* Capacity per *CEQR TM methodology*. Capacity per *CEQR TM methodology*. Projected capacity per DOE Building Utilization Plans. See footnote 1.

Future-With Action Condition

Under the proposed action, an additional 243 dwelling units could be developed on the projected development sites by 2023. This would generate 229 elementary and 102 intermediate school students by 2023 (Table 5.6 and 5.7).

Table 5.6
Future-With Action: Number of Public School Students Generated with the Proposed Rezoning

	# of Dus Increment	PS Students	IS Students	Total PS/IS Students
CSD 17 Sub-district 1	243	70	39	109
				CEQR Technical Manual 2012, Table 6-1a

As shown in Table 5.7 and Table 5.8, the addition of 70 elementary and 39 intermediate school students generated under the Future-With Action scenario by 2023 will only slightly increase school enrollment over the DOE's projected enrollment within the Sub-district study areas over the Future-No Action by 2023.

Table 5.7
Projected Public Elementary School Enrollment, Capacity and Utilization in 2023 with the Proposed Action

	Future No-Action Projected Enrollment 2020[1]	Students Generated by Proposed Action	Total Projected Enrollment 2020	Capacity[2]	Seats Available	Utilization
CSD 17 Sub-district 1	3,850	70	3,921	4,209	288	93%

[1] See Table 5.5
[2] Capacity numbers: NYC Department of Education, *Enrollment/Capacity/Utilization Report 2011-12 School Year.*

Table 8
Projected Public Intermediate School Enrollment, Capacity and Utilization in 2023 with the Proposed Action

	Future No-Action Projected Enrollment 2020[1]	Students Generated by Proposed Action	Total Projected Enrollment 2020	Capacity[2]	Seats Available	Utilization
CSD 17 Sub-district 1	1,008	39	1,047	1,335	327	78%

[1] See Table 5.5
[3] Capacity numbers: NYC Department of Education, *Enrollment/Capacity/Utilization Report 2011-12 School Year.*

Conclusion

There will be ample elementary and intermediate school capacity in the Build Year, and the proposed Crown Heights Rezoning is not expected to cause a significant adverse impact to the affected school sub-districts.

ATTACHMENT 6 – OPEN SPACE
Crown Heights West Rezoning
Environmental Assessment Statement
CEQR No: 13DCP105K
ULURP Nos: 130213 ZMK, N 130212 ZRK

INTRODUCTION

Open space is defined as publicly or privately owned land that is publicly accessible and operates, functions, or is available for leisure, play, or sport, or set aside for the protection and/or enhancement of the natural environment. According to the *CEQR Technical Manual*, a public open space is accessible to the public on a constant and regular basis, including for designated daily periods. Public open spaces may be under public (government) or private ownership. Examples include resources such as parks managed by the City, State, or Federal governments; public plazas; outdoor schoolyards that are accessible to the public outside of school hours; landscaped medians with seating; public housing grounds; gardens; and nature preserves, if publicly accessible.

According to the *CEQR Technical Manual*, an analysis of open space is conducted to determine whether or not a proposed action would have a direct impact resulting from the elimination or alteration of open space and/or an indirect impact resulting from overtaxing available open space. According to the *2012 New York City Environmental Quality Review Technical Manual* (*CEQR Technical Manual*), a direct open space impact would "physically change, diminish, or eliminate an open space or reduce its utilization or aesthetic value." An indirect effect may occur when the population generated by a proposed project would be sufficient to noticeably diminish the ability of an area's open space to serve the existing or future population.

In general, an open space analysis is required if a proposed project would generate more than 200 residents or 500 employees. However, the need for an analysis varies in certain areas of the city that have been identified as either underserved or well-served by open space. If a project is located in an underserved area, the threshold for an open space analysis is 50 residents or 125 workers. If a project is located in a well-served area, the threshold for an open space analysis is 350 residents or 750 workers. Maps in the Open Space Appendix of the *2012 CEQR Technical Manual* identify the proposed rezoning area as partially within an underserved area and partially within a well served area. Because the affected area is within an underserved area in Brooklyn and the proposed action would exceed these thresholds and requires a preliminary assessment.

METHODOLOGY

The *CEQR Technical Manual* presents standards by which the adequacy of open space in a community may be measured. According to the *CEQR Technical Manual*, an area with a ratio of 2.5 acres of open space per 1,000 residents is well-served by open spaces, and is consequently used as a benchmark for large-scale plans and proposals. Open space analyses involve estimating an area's open space ratio and projecting the effect of a proposed action on that ratio.

In addition to the benchmark noted above, an open space analysis also considers the City's median community district open space ratio of 1.5 acres per 1,000 residents when determining impact significance. The City also seeks to attain a planning goal of a balance of 20 percent passive open space and 80 percent active open space.

According to the CEQR Technical Manual, a significant adverse open space impact may occur if a proposed action would result in the direct displacement or alteration of existing open space, unless the proposed action would provide a comparable replacement within the study area and there is no net loss of publicly accessible open space. A significant adverse impact may also occur if a proposed action would reduce the open space ratio by more than 5 percent in areas that are currently below the City's median community district open space ratio of 1.5 acres per 1,000 residents. These reductions may result in overburdening existing facilities or further exacerbating a deficiency in open space.

A screening process was conducted for the Proposed Actions to determine whether or not there would be a direct impact resulting from the elimination or alteration of open space and/or an indirect impact resulting from overtaxing available open space.

Direct Effects

Direct effects may occur when the proposed project would encroach on, or cause a loss of, open space. They may also occur if the facilities within an open space would be so changed that the open space no longer serves the same user population. Limitation of public access and changes in the type and amount of public open space may also be considered direct effects. Other direct effects include the imposition of noise, air pollutant emissions, odors, or shadows on public open space that may alter its usability. It should be noted that direct effects may not always result in adverse effects to open space; rather, alterations and reprogramming of parks may be beneficial or may result in beneficial changes to some resources and may or may not have an adverse effect on others.

According to the CEQR Technical Manual, if a proposed project would have a direct effect on an open space, an assessment of the effects on open space and its users may be appropriate. Direct effects occur if the proposed project would:

- Result in a physical loss of public open space (by encroaching on an open space or displacing an open space);
- Change the use of an open space so that it no longer serves the same user population (e.g., elimination of playground equipment);
- Limit public access to an open space; or
- Cause increased noise or air pollutant emissions, odors, or shadows on public open space that would affect its usefulness, whether on a permanent or temporary basis.

The Proposed Actions would not result in any direct effects on any open space resources, as the project would not result in a physical loss of any public open spaces, either by encroaching on open spaces, or displacing open spaces. The Proposed Actions would not change the use of any open space so that it would no longer serve the same user population, nor would the Proposed Actions limit public access to an open space or result in significant amounts of increased noise, air pollutant emissions, odors, or shadows on any public open spaces affecting their usefulness. Therefore, an assessment of direct effects is not warranted.

Indirect Effects

Indirect effects may occur when the population generated by proposed actions overtaxes the capacity of existing open spaces so that their service to the future population of the affected area would be substantially or noticeably diminished.

As stated in the *CEQR Technical Manual*, for the majority of projects, an assessment is conducted if the proposed project would generate more than 200 residents or 500 employees, or a similar number of other users to an area (such as the visitor population that might be introduced by a large shopping area). However, the need for an open space assessment may vary in certain areas of the City that are considered either underserved or well-served by open space.

Underserved areas are areas of high population density in the City that are generally the greatest distance from parkland, where the amount of open space per 1,000 residents is less than 2.5 acres. If a project is located in an underserved area, an open space assessment should be conducted if the project would generate more than 50 residents or 125 workers.

The rezoning area is located within Brooklyn Community District 8 (CD 8) and the majority of the area is within the area that the New York City Department of Parks and Recreation (DPR)

designated as underserved by open space. Thus, the analysis screening threshold used in the assessment of indirect open space impacts is if more than 50 residents or 125 employees are generated by the Proposed Action. The preliminary screening for the potential of new non-residential and residential open space users generated by the Proposed Action to have a significant adverse effect on open space resources is presented below.

Preliminary Screening of Potential Non-Residential Open Space Users

As discussed in Attachment 1, "Project Description," the Proposed Action is expected to result in a decrease of 175 square feet of commercial floor area and 12,643 square feet of community facility floor area. According to the *CEQR Technical Manual,* preliminary analysis of the impacts of potential non-residential open space users should be done when there is a projected increase in non-residential open space users. Since the Projected Action is not expected to increase non-residential uses and thus non-residential users, significant indirect adverse impacts to open space resulting from non-residential users would not be expected and further analysis is not warranted for this action.

Preliminary Screening of Potential Residential Open Space Users

As discussed in Attachment 1, "Project Description," the Proposed Actions would result in the net incremental addition of approximately 243 dwelling units (DU) by the 2023 analysis year, when compared to the Future No-Action Condition. This would add an estimated 569 new residents to the open space study area over the next ten years. The number of new residents was estimated by multiplying the average persons per household of 2.34 within the study area census tracts (Figure 6-A) by the 243 incremental increase in DUs generated by the Proposed Action. As the Proposed Action would potentially generate 569 more residents than the Future No-Action Condition, a preliminary assessment is warranted to determine if the change in total population relative to total open space in the area would result in a significant adverse impact.

EXISTING CONDITION

As stated in the *CEQR Technical Manual*, the first step in an open space analysis is to define and map a study area. In accordance with the guidelines established in the *CEQR Technical Manual*, an open space study area is generally defined by a reasonable walking distance that users would travel to reach local open space and recreational resources. That distance is typically a half-mile radius for residential users. For this action, a half-mile radius was drawn around the projected and potential development sites within the rezoned area to determine the reasonable distance users are expected to walk to open space resources.

Following *CEQR Technical Manual* guidelines, census tracts with approximately 50 percent or more of their area located within the half-mile radius of the projected and potential

development sites were included in the calculation of population and open space, while those census tracts with less than approximately 50 percent of their area in the half-mile radius were excluded. The open space study area includes 19 census tracts that have areas of approximately 50 percent or more in the half-mile residential open space study area. The census tracts included in the analysis are: 203, 205, 207, 213, 215, 217, 219, 221, 227, 245, 247, 305, 315, 317.01, 317.02, 319, 321, 323, and 325. The open space study area is shown in Figure 6-A below.

Residential Demographics under the Existing Condition

To determine the existing residential population served in the open space study area, census data were compiled for the census tracts included in the area. According to the 2010 census data, the open space study area had an overall population of 74,493 persons, as shown in Table 1. The census tracts that comprise the open space study area overlap with portions of Brooklyn Community Districts 3 and 9. The proposed rezoning area is located within Brooklyn CD 8, which contained a population of 96,317 according to 2010 census data. However, all of CD 8 is not within the half mile radius, which is why the population of the study area is smaller.

According to US Census data, between 2000 and 2010, the residential population in the study area fell by three percent from 76,814 residents to 74,493 residents. While there was a five percent increase in the number of dwelling units in the area from 32,326 dwelling units to 33,890, the vacancy rate increased from 7.2% to 7.5% and the average household size fell from 2.52 persons per household to 2.34. The combination of higher vacancies and smaller households resulted in a drop in the population. A similar drop in the next ten years would result in a decrease in population to 72,258 residents. However, for the purposes of providing a conservative Reasonable Worst Case analysis, this EAS assumes that population in the study area would generally stay constant and would not decrease further.

Table 6-1 Population and Population Change by Census Tract in the Open Space Study Area

Census Tract (2010)	2000 Population	2010 Population	Population Change 2000-2010
203	1,192	1,697	505
205	2,444	2,469	25
207	4,659	4,310	-349
213	4,735	4,205	-530
215	5,617	5,307	-310
217	3,843	3,597	-246
219	3,820	3,595	-225
221	3,928	3,609	-319
227	3,406	3,454	48

Census Tract (2010)	2000 Population	2010 Population	Population Change 2000-2010
245	3,555	3,946	391
247	2,349	2,316	-33
305	4,777	5,549	772
315	5,371	5,175	-196
317.01	3,673	3,433	-240
317.02	3,579	3,363	-216
319	3,850	3,508	-342
321	5,612	5,001	-611
323	3,763	3,554	-209
325	6,641	6,405	-236
Total	**76,814**	**74,493**	**-2,321**

Open Space Resources/Inventory under the Existing Condition

There are 20 open space resources within the study area, as shown in Figure 6-A and Table 6-2. These 20 locations total 26.24 acres of open space.

Open space resources within the identified study area are discussed in further detail below:

1. *Stroud Playground*

   Located between Washington Avenue, Classon Avenue, Sterling Place and Park Place, this park includes a playground and is adjacent a school by the same name. Both are named for Elijah J. Stroud (1923-1972), a New York Police Officer who was killed in the line of duty. The playground contains benches, game tables, and a comfort station. Play areas include an elephant animal art sculpture, red, yellow, and green play equipment with safety surfacing, basketball hoops, a handball court, swing sets, and a spray shower. The playground is approximately 1.19 acres with about 0.90 acres of active open space.

2. *Walt L. Shemal Garden*

   Located on Dean Street between Bedford Avenue and Franklin Avenue. This community garden is approximately 0.15 acres.

3. *Grant Gore*

   Located at intersection of Bedford Avenue and Rogers Avenue and bordered on the south side by Bergen Street. This open space has a monument dedicated to Ulysses S. Grant. Grant Gore is approximately 0.02 acres.

Figure 6-A STUDY AREA AND OPEN SPACE RESOURCES

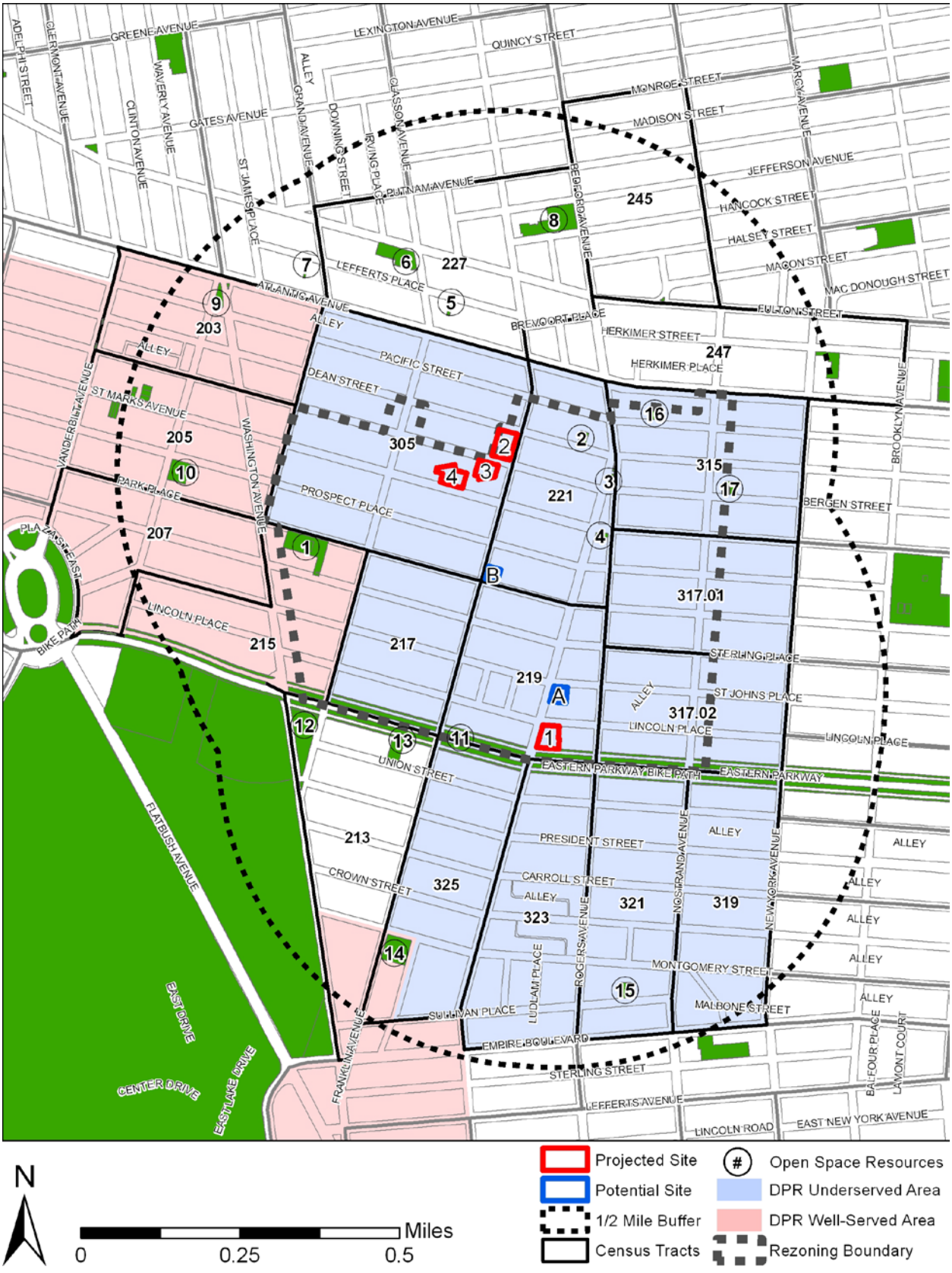

Table 6-2: Existing Open Space in Study Area

Map Key # (Figure 6-A)	Name/Location	Location	Type of Facility	Acreage		
				Active	Passive	Total
1	Stroud Playground	Washington Ave., Classon Ave., Sterling Pl. & Park Pl.	Schoolyard / Playground	0.90	0.29	1.19
2	Walt L. Shemal Garden	Dean St. btwn Bedford Ave. & Franklin Ave.	Community Garden	0.00	0.15	0.15
3	Grant Gore	Bedford Ave., Rogers Ave., & Bergen St.	Monument	0.00	0.02	0.02
4	Mama Dee's Garden -	Bergen St. btwn Bedford Ave. & Rogers Ave.	Community Garden	0.00	0.06	0.06
5	Lefferts Place Block Association	Lefferts Pl. btwn Classon Ave. & Franklin Ave.	Community Garden	0.00	0.07	0.07
6	Crispus Attucks Playground	Classon Ave., Fulton St., & Lefferts Pl.	Playground	0.39	0.54	0.93
7	Greene Room Community Garden	Lefferts Pl. btwn St James Pl. & Grand Ave.	Community Garden	0.00	0.06	0.06
8	Hancock Playground	Bedford Ave., Jefferson Ave., & Hancock Ave.	Schoolyard / Playground	1.07	0.48	1.55
9	Lowry Triangle	Pacific St., Washington Ave., Underhill Ave.	Plaza / Triangle	0.00	0.11	0.11
10	Underhill Playground	Underhill Ave., Prospect Pl., Park Pl.	Playground	0.23	0.36	0.59
11	Eastern Parkway Malls	Eastern Parkway btwn Underhill Ave. & Brooklyn Ave.	Parkway	0.00	7.67	7.67
12	Dr. Ronald McNair Park	Eastern Pkwy., Washington Ave., & Classon Ave.	Plaza	0.00	1.36	1.36
13	Union Street Garden (Eastern Parkway Coalition)	Union St. to Eastern Pkwy btwn Franklin Ave. & Classon Ave.	Community Garden	0.00	0.44	0.44
14	Jackie Robinson Playground	Montgomery St. btwn Franklin Ave. & McKeever Pl.	Schoolyard / Playground	0.65	0.35	1.00

15	Dodger Playground	Sullivan Pl., btwn. Rogers Ave. & Nostrand Ave.	Playground	0.1	0.19	0.29
16	Westbrook Memorial Garden	Pacific St., btwn Nostrand Ave. & Bedford Ave.	Community Garden	0.00	0.12	0.12
17	1100 Bergen Block Association	Bergen St. btwn Nostrand Ave. & New York Ave.	Community Garden	0.00	0.23	0.23
Total Acreage				**3.34**	**12.5**	**15.84**

Sources: New York City Department of Parks and Recreation (DPR), Brooklyn Queens Land Trust, OASIS

4. *Mama Dee's Community Garden*

Located at the intersection of Rogers and Bedford. Owned by the Brooklyn Queens Land Trust, this community garden grows vegetables for the local community. In the summer it is used for picnics, barbeques and other community events. It is approximately 0.06 acres.

5. *Lefferts Place Block Association*

This community garden is located on Lefferts Place between Classon Avenue and Franklin Avenue. The space includes grills, tables, a tool shed and composting. It is approximately 0.07 acres.

6. *Crispus Attucks Playground*

Located on Classon Avenue between Fulton Street and Lefferts Place, this park includes a playground, handball courts, a comfort station and spray showers. It was named for Crispus Attucks, an African American killed in the Boston Massacre of 1770. It was the first park to be named for an African American in New York City. It is about 0.93 acres and has approximately 0.39 acres of active open space.

7. *Greene Room Community Garden*

Located on Lefferts Place between St. James Place and Grand Avenue. This community garden includes grills, tables, a tool shed and raised-bed vegetable gardens. The space is approximately 0.06 acres.

8. *John Hancock Playground*

Located on Bedford Avenue, Jefferson Avenue and Hancock Avenue, this park was built in 1947 and had gone through multiple name changes until 1999 when it was given its current name to celebrate John Hancock. In 2000, the park went through a major renovation that upgraded it with new play equipment with safety surfacing, a new spray shower, and new paving and fencing. It is about 1.55 acres with 1.07 acres of active open space.

9. *Lowry Triangle*

Lowry Triangle is a small park located at the intersection of Washington and Underhill Avenues between Atlantic Avenue and Pacific Avenue. It includes benches and a monument to Reverend Benjamin Lowry. The triangle is approximately 0.11 acres.

10. *Underhill Playground*

Located on Underhill Avenue between Prospect Place and Park Place. This playground includes updated play equipment, spray showers and handball courts. It is approximately 0.59 acres.

11. Eastern Parkway Mall

The Eastern Parkway Mall runs from Grand Army Plaza to Ralph Avenue. It was designed by the famous landscape architect Frederick Law Olmstead, coined by him and Calvert Vaux as the first parkway. It was created to provide a scenic journey to the adjoining Prospect Park. Today it is used for walking, biking and sitting at one of the many benches that line the mall. The mall is an approximately 7.67 acres of liner open space.

12. Dr. Ronald McNair Park

Located on Eastern Parkway at Washington Avenue, this park was named after Dr Ronald McNair, an astronaut who passed away aboard the Space Shuttle Challenger when it exploded shortly after take-off. The Park consists of a bronze portrait statue of McNair along with benches and tables used to play chess. It is approximately 1.36 acres.

13. Union Street Garden - Eastern Parkway Coalition

This large community garden stretches between Eastern Parkway and Union Street on top of the Franklin Avenue Shuttle's Eastern Parkway Station. It includes a playground, raised bed gardens, multiple tool sheds, grills and places to sit. It is approximately 0.44 acres.

14. Jackie Robinson Playground

This playground is part of PS 375 Jackie Robinson School on Montgomery Street between Franklin Avenue and McKeever Place. This playground is approximately 1.00 acre.

15. Dodger Playground

Located on Sullivan Place between Rogers Avenue and Nostrand Avenue. It includes updated play equipment, spray showers and water fountains. This space is approximately 0.29 acres.

16. Westbrook Memorial Garden

This garden is located on Pacific Street between Nostrand Avenue and Bedford Avenue. It includes a gazebo and a few vegetable patches. It is approximately 0.12 acres.

17. 1100 Bergen Block Association

This community garden holds a variety of community events including an autumn back to school party and children's parties. It also has some vegetable gardens. The space is approximately 0.23 acres.

PRELIMINARY ASSESSMENT

In order to determine whether the increase in the population of open space users would significantly reduce the amount of available open space in the study area, open space ratios for the existing conditions and future with-action conditions were calculated in accordance with the guidelines established in the CEQR Technical Manual. The results are summarized in Table -6-3 and described in detail below.

Table 6-3 **Open Space Ratio**

	Existing Conditions	**Future With No Action**	**Future With Action**
Study Area Population	74,493	74,963	75,532
Available Open Space	15.8 Acres	15.8 Acres	15.8 Acres
Open Space Ratio (Acrage per 1,000 people)	0.212	0.210	0.209

Existing Conditions

According to the CEQR Technical Manual the median open space ratio at the Citywide Community District level is 1.5 acres of open space per 1,000 residents. A detailed assessment of open space would be warranted if the open space ratio would decrease by five percent or more in areas with open space ratios below that of the Citywide median.

Using the estimated population of the study area noted above, the current open space ratio for the study area is 0.212 acres per 1,000 residents.

Future With No Action

The Future With No Action scenario is projected to add 201 new dwelling units to the rezoning area. The average household size for the 19 census tracts captured for this analysis is 2.34. Therefore, projected new residents would be 470. The total population within the study area census tracts would be 74,963. The projected open space ratio under Future With No Action scenario would be 0.210 acres per 1,000 residents.

Future With-Action

The proposed action is estimated to add an incremental 243 new dwelling units to the rezoned area compared to the Future With No Action scenario. Assuming the average household size remains constant at 2.34, these additional dwelling units would contain 569 residents. Therefore, the estimated future with-action population of the study area is 75,532.

In the study area, the total open space ratio in the future with-action condition is projected to be approximately 0.209 acres per 1,000 people. As with the Future With No Action scenario, the open space ratio will continue to be well below the median Citywide Community District open space ratio of 1.5 acres per 1,000 residents. The percent change from the No Action scenario will be 0.47%. The CEQR Technical Manual states that in underserved areas, a change of less than 1% from the No Action Scenario does not warrant further review unless potentially significant impacts are expected. Moreover, it is likely that some of the open space deficiency within the rezoning area could be alleviated by the proximity of Prospect Park within a reasonable walking distance. The future With-Action ratio would remain essentially the same as in the future without action.

CONCLUSION

The preliminary analysis that was conducted in accordance with *CEQR Technical Manual* concluded that a detailed analysis is not warranted. This analysis took into consideration the presence of 15.8 acres of open space within the study area which results in an existing open space ratio within the study area of 0.212, a projected no-action ratio of 0.210 and a projected future with-action ratio of 0.209. Compared with the future no-action condition, the proposed action would decrease the open space ratio by approximately 0.001 acres per 1,000 residents, or a 0.47 percent reduction. As per the *CEQR Technical Manual,* in areas extremely lacking in open space, a decrease of less than 1 percent between the Future With No Action and Future With Action open space ratios is not seen as significant and does not warrant further analysis.

Based on these findings, and that no direct or qualitative changes to an open space would occur as a result of the actions, no significant adverse impacts on open space are anticipated and no further analysis is needed.

ATTACHMENT 7 – SHADOWS

Crown Heights West Rezoning
Environmental Assessment Statement
CEQR No: 13DCP105K
ULURP Nos: 130213 ZMK, N 130212 ZRK

INTRODUCTION

No significant adverse shadow impacts on sunlight-sensitive resources are anticipated to occur as a result of the Proposed Action.

The 2012 CEQR Technical Manual defines that shadow is the condition that results when a building or other built structure blocks the sunlight that would otherwise directly reach a certain area, space or feature. An incremental shadow is an additional or new shadow that a building or other built structure resulting from a proposed project would cast on a sunlight-sensitive resource during the year.

Sunlight-sensitive resources of concern are those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. Such resources generally include: a) publicly accessible open spaces, b) architectural resources with shadow sensitive features such as stained glass windows and façade elements that depend on direct sunlight for visual character, and c) natural resources such as wetland and surface water bodies that are the habitat of vegetation or animals that depend on direct sunlight to live and/or grow.

In general, the 2012 CEQR Technical Manual defines the following features as not being sunlight-sensitive resources: a) city streets and sidewalks, except when improved as part of the New York City's Greenstreets program, b) architectural resources that do not have sunlight-sensitive features, and c) private open spaces such as front and back yards, stoops, and other open spaces that are not accessible to the general public. Additionally, paved areas on public open spaces, such as handball and basketball courts with no seating areas and no vegetation, are not considered sunlight-sensitive. It is also not necessary to analyze shadows during the time periods of 1.5 hours after sunrise and 1.5 hours before sunset because sunlight intensity around these periods is very low.

A significant adverse shadow impact occurs when the incremental shadow added by a proposed project falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources.

The 2012 CEQR Technical Manual generally states that it is necessary to perform a shadow impact analysis if a new or additional height resulting from the Proposed Action would be 50 feet or greater. Additionally, the analysis would be required if any development site is adjacent to, or across the street from, a sunlight-sensitive open space feature, historic resource, or other important natural feature.

Height increments were calculated between the Future With No-Action and the Future With Action scenarios. Under the With No-Action scenario, building heights on development sites could range between 20 feet and 145 feet, or 20 feet and 165 feet with mechanical penthouses. Under the With Action scenario, building heights on projected and potential development sites range between 80 feet and 100 feet, or 100 feet and 120 feet when including 20 feet mechanical penthouses. The largest height increment between these two scenarios is 100 feet on Projected Site 1. In Addition, Potential Site B is located adjacent to the Park Place Historic District. The potential building height increment on the site would be more than 10 feet. Therefore, a shadow impact assessment is required.

TIER 1 SCREENING ASSESSMENT

According to the 2012 CEQR Technical Manual guidelines, shadow study areas are determined by drawing a radius equal to 4.3 times the maximum height of each projected and potential site under the With Action scenario. The buffer defines an area that the longest shadow a building on each site could cast on the winter solstice, which happens around December 21st. Sunlight-sensitive resources that are located outside of these buffers are therefore eliminated from further analysis.

At this step in the analysis, it was determined that Projected Sites 2, 3, and 4 will not cast shadows on any sunlight-sensitive resources (Figure 7-01). However, it was determined that Projected Site 1, and Potential Sites A and B could potentially cast shadows on some of sunlight-sensitive resources (Figure 7-01). Those resources include: 1) the Eastern Parkway Malls (National Scenic Landmark); 2) the Studebaker Building (LP-2083); and 3) Park Place Historic District (LP-2446).

TIER 2 SCREENING ASSESSMENT

A further screen was applied to determine whether the buildings in the With Action scenario could actually cast a shadow over sunlight-sensitive resources. According to the 2012 CEQR Technical Manual, buildings in New York City area will not cast a shadow in the triangle

between – 108 degrees and + 108 degrees relative to true north direction. This screening analysis showed that Projected Site 1 could cast shadow on the Eastern Parkway Mall (Figure 7-02), Potential Site A could cast shadows on the Studebaker Building (Figure 7-02), and Potential Site B could cast shadows on architectural resources within the Park Place Historic District (Figure 7-03).

Figure 7-01: Tier I Assessment, Development Sites and Potential Shadow Sensitive Resources

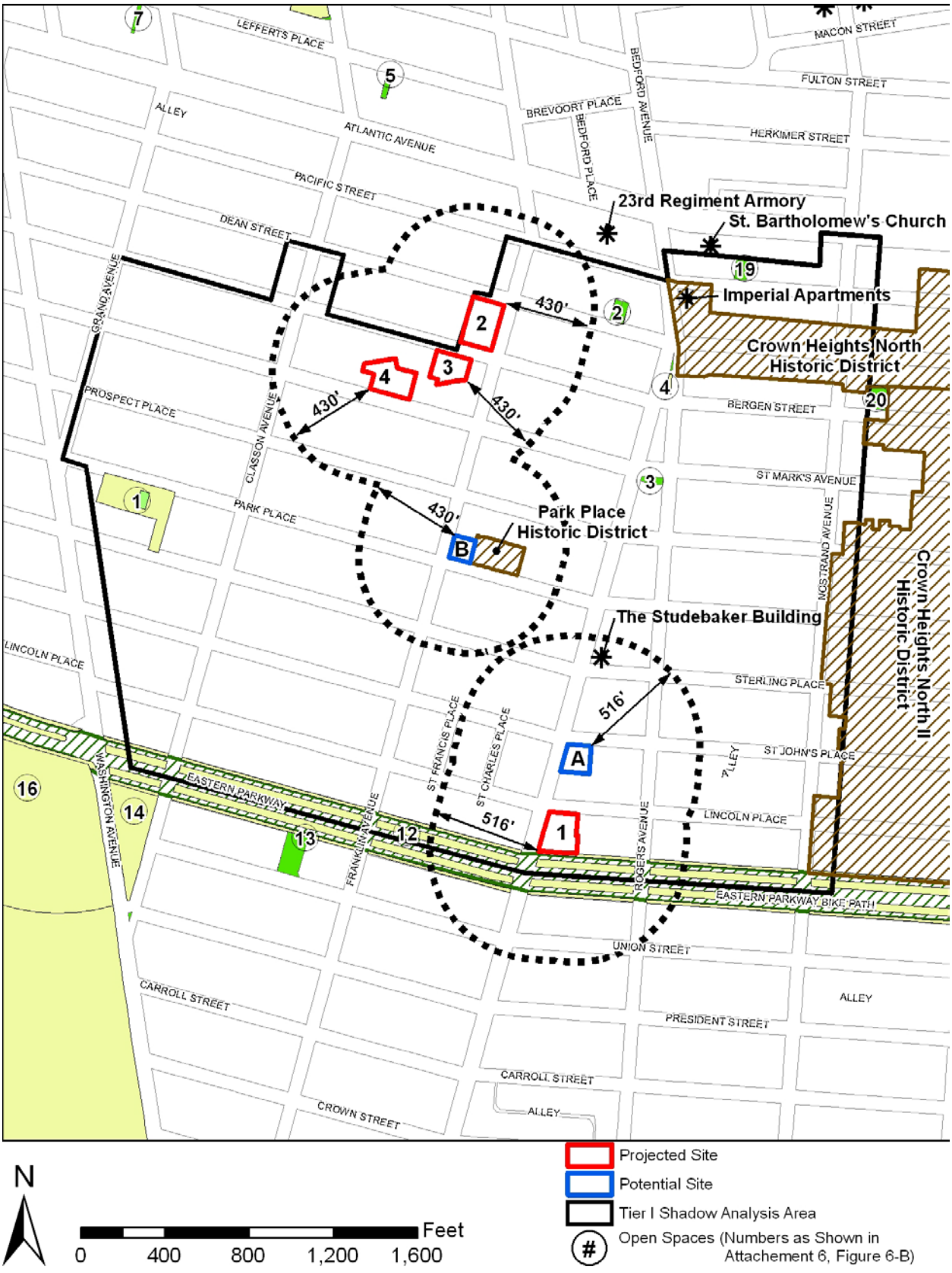

Figure 7-02: Tier II Assessment, Site 1 and Site A

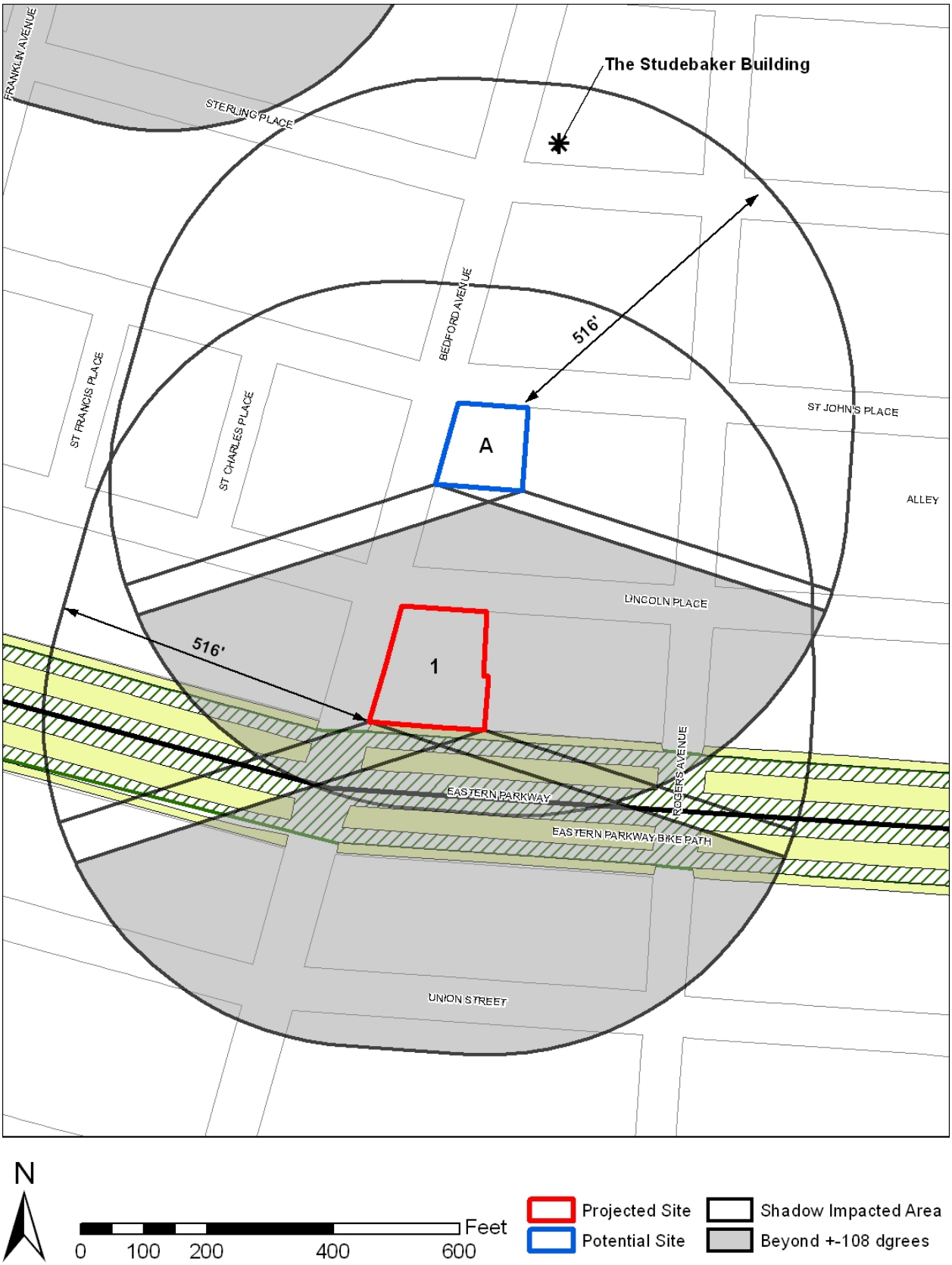

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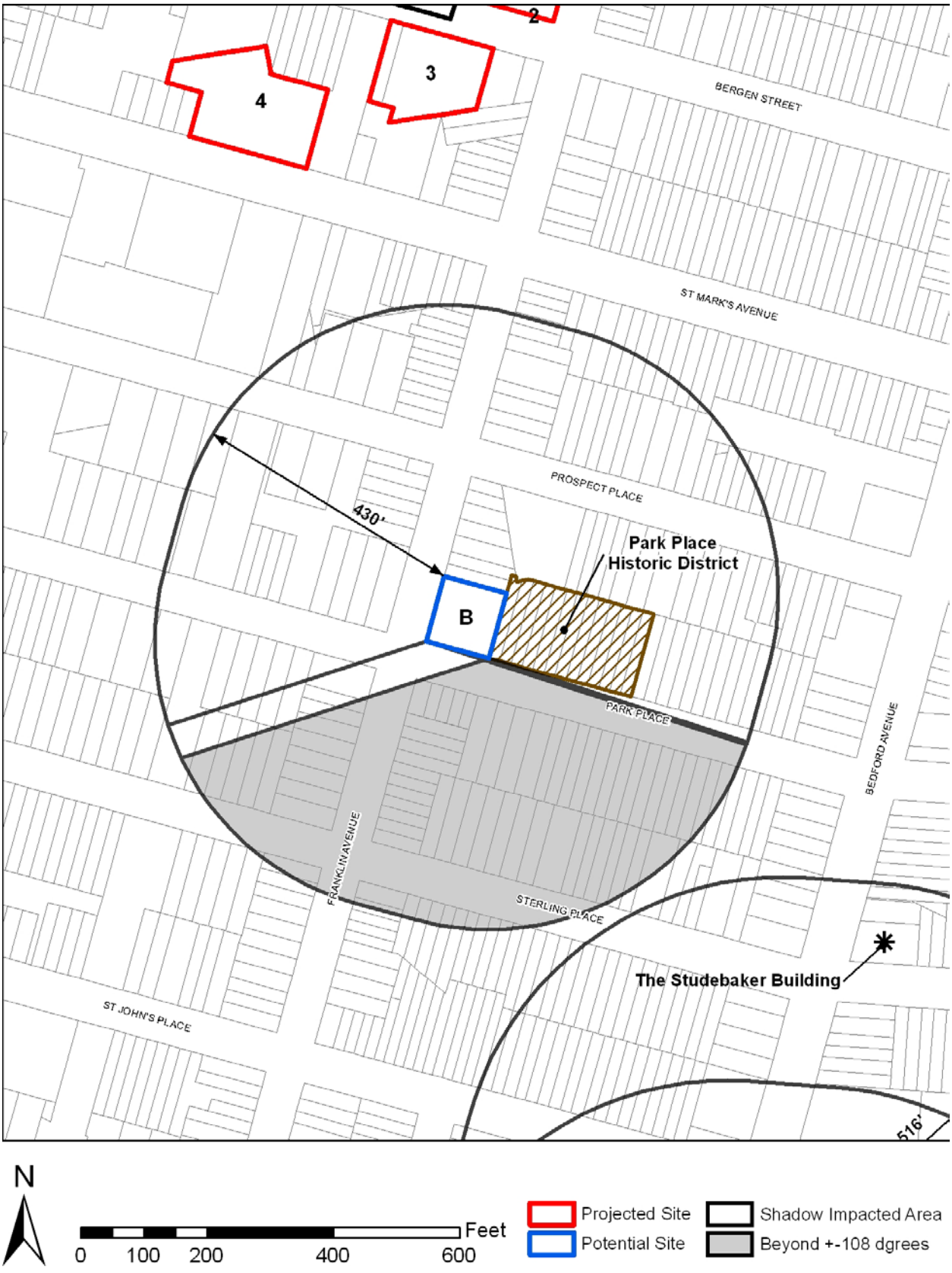
Figure 7-03: Tier II Assessment, Site B



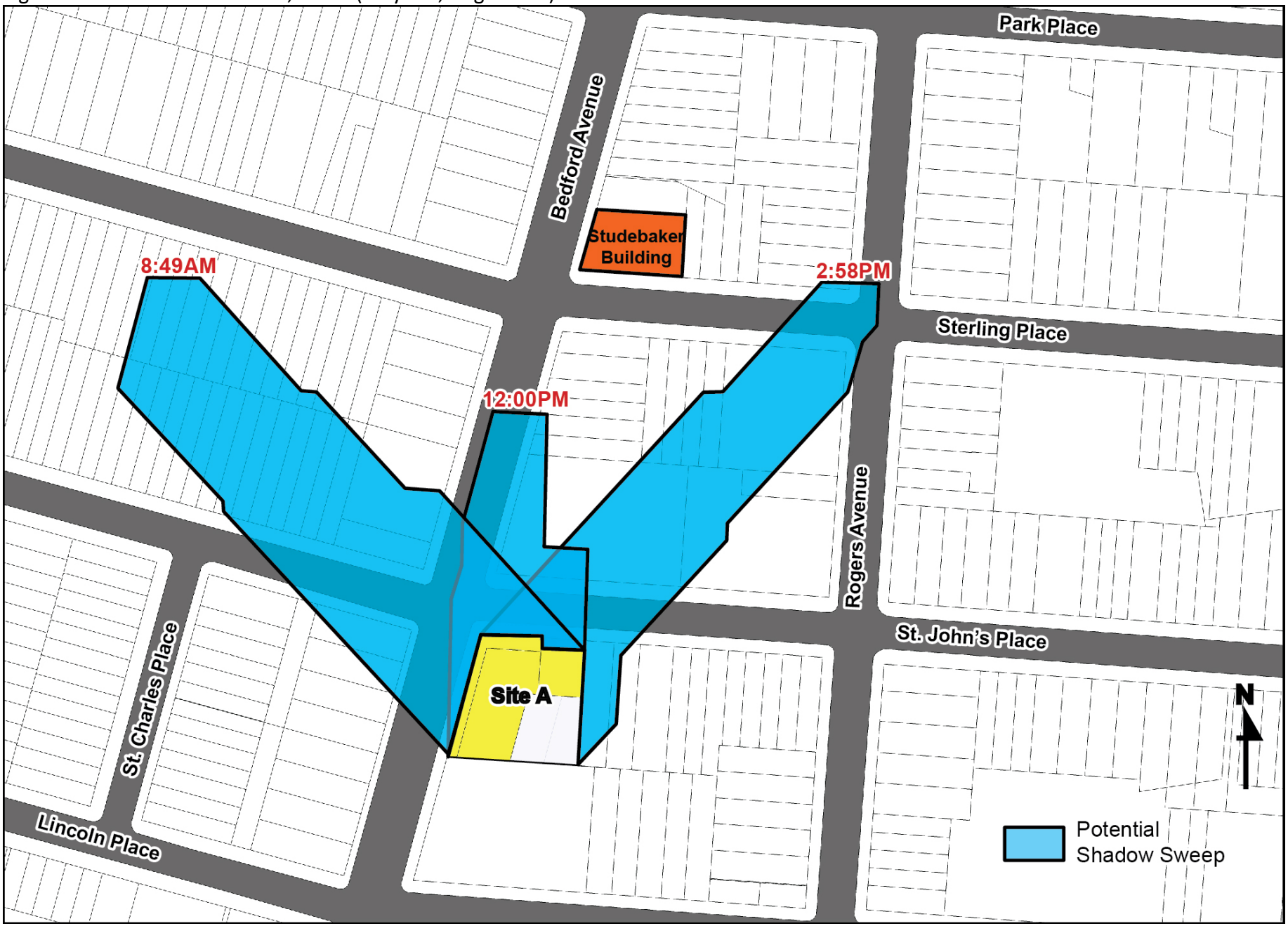
TIER 3 SCREENING ASSESSMENT

In order to determine a more realistic extent of shadows from potential and projected development sites, three- dimensional models of the area, as well as projected and potential reasonable worst-case buildings under the With Action scenario, were created. Shadows from each development site were rendered using three-dimensional computer modeling software that is listed in the 2012 CEQR Technical Manual.

According to the 2012 CEQR Technical Manual, five representative days during the growing season, as well as one representative day of cold-weather conditions, were analyzed. The growing season representative days include: 1) the spring and fall equinoxes (March 20th and September 22nd, respectively) where shadow sweeps follow approximately the same path on these two days and the length of a shadow would be about the middle of the longest and the shortest days in the year; 2) summer solstice (June 20th) which is the longest day and the length of a shadow would be the shortest in the year, and; 3) May 6th and August 6th where shadow sweeps follow approximately the same path on these two days and the shadow length is about halfway between summer solstice and the spring or fall equinoxes. The winter solstice (December 21st) was used as a representative day for cold weather conditions. The winter solstice is the shortest day and a shadow would be the longest in the year.

The assessment showed that the shadows cast by the reasonable worst-case building on Projected Site 1 could touch the Eastern Parkway Malls early in the morning on May 6th, June 21st, and August 6th. It was also confirmed that the reasonable worst-case building on Potential Site A would not cast shadow to any sunlight-sensitive resources (Figure 7-04). At this point, the Studebaker Building was eliminated from the analysis. The reasonable worst-case building on Potential Site B could cast shadow on the front façade of buildings within the Park Place Historic District on May 6th, June 21st, and August 6th. The results of this assessment confirmed that detailed assessment is required for Projected Site 1 and Potential Site A.

Figure 7-04: Tier III Assessment, Site A (May 6th, August 6th)



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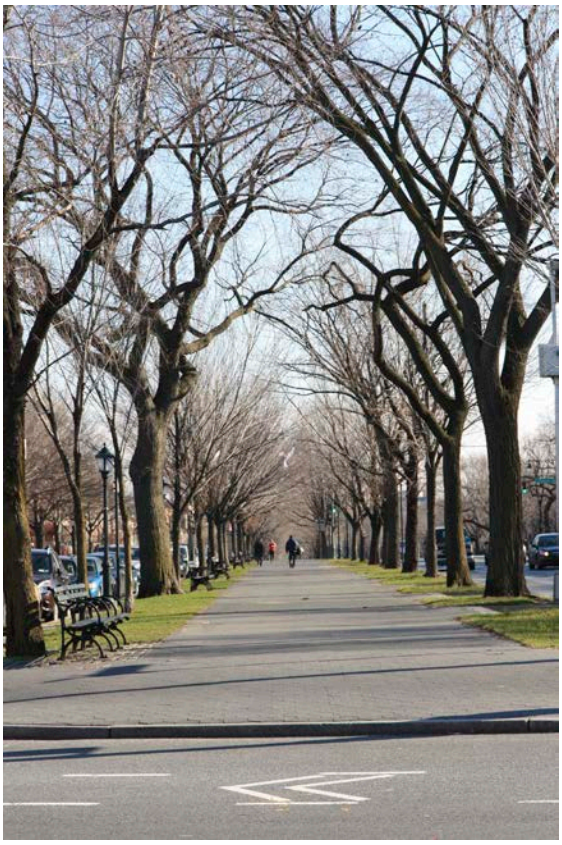
DETAILED ASSESSMENT

The purpose of the detailed assessment is to determine the degree to which the sunlight-sensitive features on identified open space and architectural resources would be affected by the incremental shadows beyond those that would be cast in the Future With No-Action conditions.

Eastern Parkway Mall





The Eastern Parkway Mall runs from Grand Army Plaza to Ralph Avenue. It was designed by the famous landscape architect Frederick Law Olmstead, coined by him and Calvert Vaux as the first parkway. It was created to provide a scenic journey to the adjoining Prospect Park. Today it is used for walking, biking and sitting at the many benches that line the mall.

On May 6th/August 6th analysis days, the incremental shadow from Projected Site 1 could overlap with the middle portion of the mall between Bedford Avenue and Franklin Avenue for the time period between 6:16AM and 6:49AM (duration of 33 minutes) (Figure 7-05).

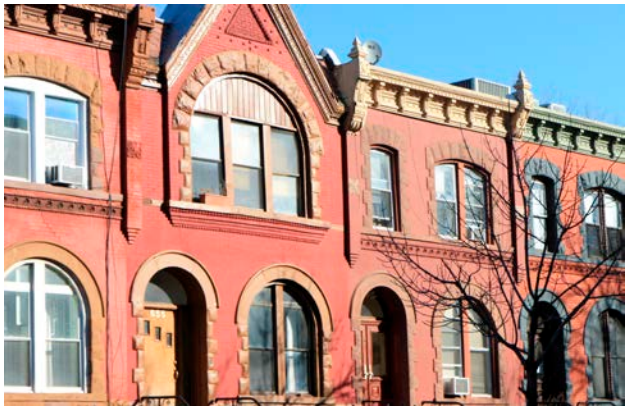
On June 21st, the incremental shadow from Projected Site 1 could cast shadow over the western portion of the mall between Franklin Avenue and Rogers Avenue for the time period between 5:52AM and 6:59AM (duration of 1 hour and 7 minutes). The western portion of the

mall section between Rogers Avenue and Nostrand Avenue could be affected by the incremental shadow for the time period between 5:44PM and 6:04PM (duration of 20 minutes) (Figure 7-06).

On each of the analysis days, the incremental shadow would cover a portion of the Eastern Parkway Mall for a period in the early morning or late afternoon. During the analysis timeframe for all growing season representative days, the affected vegetation would receive well over six hours of direct sunlight regardless of the incremental shadows. Likewise, affected seating areas in the mall would receive direct sunlight for most of the day, and are not highly utilized during the early morning hours. The incremental shadow which touches the mall in late afternoon happens only around summer solstice when temperatures would be warmer, and not being able to receive direct sunlight would not significantly affect the usability of such areas. Finally, it is highly unlikely that the 20 foot mechanical penthouse used in this assessment would cover the entire roof area; therefore, the actual impact of the incremental shadow from the Projected Site 1 development would be significantly less than what was shown in this assessment. Given the factors stated above, it was concluded that the incremental shadows that could result from this action would not adversely impact the usability of the Eastern Parkway Mall.

Park Place Historic District





The Park Place Historic District (LP-2446) is comprised of 13 fine, largely intact examples of Brooklyn's richly- diverse Queen Anne and Romanesque Revival style rowhouse architecture. Built in 1889-90, the rowhouses were built by two Philadelphia brothers, Frederick W. and Walter S. Hammet. he houses feature large round-arch-headed openings that are characteristic of the Romanesque Revival style, as well as richly decorated and textured facades featuring terra-cotta sills decorated with rosettes, corbelled brick sills with sawtooth and beaded moldings and scalloped edges, triangular panels filled with terra-cotta strap work, and patterned bricks ornamented with projecting knocks that give the row a romantic quality typical of the Queen Anne Style.

On May 6th/August 6th analysis days, the incremental shadow from Potential Site B could overlap with the front façade of buildings within the historic district for the time period between 4:18PM and 5:29PM (duration of 1 hour and 11 minutes) (Figure 7-07).

On June 21st, the incremental shadow from Potential Site B could cast shadows over the front façades for the time period between 4:21PM and 5:38PM (duration of 1 hour and 17 minutes). After 5:38PM, the building façade will be within a shadow cast by these buildings themselves and there will be no increased shadow from the potential new development (Figure 7-08).

On all analyzed dates, the incremental shadow would cover a small portion of the building façades within the Park Place Historic District for a very short time period in the late afternoon. The angle of a shadow at the shadow-in time on each analyzed date is already past or close to +90 degrees from true north direction and also almost parallel to the façade of the historic buildings, which is +105 degrees from true north direction: on May 6th/August 6th, the shadow angle at the shadow-in time was +88 degrees from true north direction; similarly, the angle of a shadow at shadow-in time on June 21st is +94 degrees from the true north direction. Shadows cast when the sun is near or past true east direction are stretched and have very low intensity. Moreover, according to Park Place Historic District Designation Report (LP-2446), the buildings within the District are not considered sunlight sensitive resources, and therefore are not anticipated to be impacted by shadows cast from Potential Site B. The incremental shadows from a new projected building on Potential Site B under the With Action scenario would not adversely impact the integrity of the shadow sensitive architectural features within the Park Place Historic District.

Table 7-01: Shadow Analysis Summary

Analysis Day	March 21 / September	May 6 / August 6	June 21	December 21
Sunrise – Sunset	5:57AM –	4:46AM – 6:59PM	4:22AM –	7:19AM –
Timeframe	7:27AM -	6:16AM - 5:29PM	5:52AM - 6:04PM	8:49AM -
Eastern Parkway Mall				
Shadow Enter-Exit Times	---	Site 1: 6:16AM - 6:49AM	Site 1: 5:52AM - 6:59AM 5:44PM - 6:04PM	---
Incremental Shadow Duration	---	Site 1: 33 min.	Site 1: 1 hr. and 27 min.	---
Park Place Historic District				
Shadow Enter-Exit Times	---	Site B: 4:18PM - 4:39PM	Site B: 4:21PM - 5:38PM	---

Incremental Shadow Duration	---	Site B: 21 min.	Site B: 1 hr. and 17 min.	---

Figure 7-05: Detailed Assessment, Site 1, AM (May 6th, August 6th)

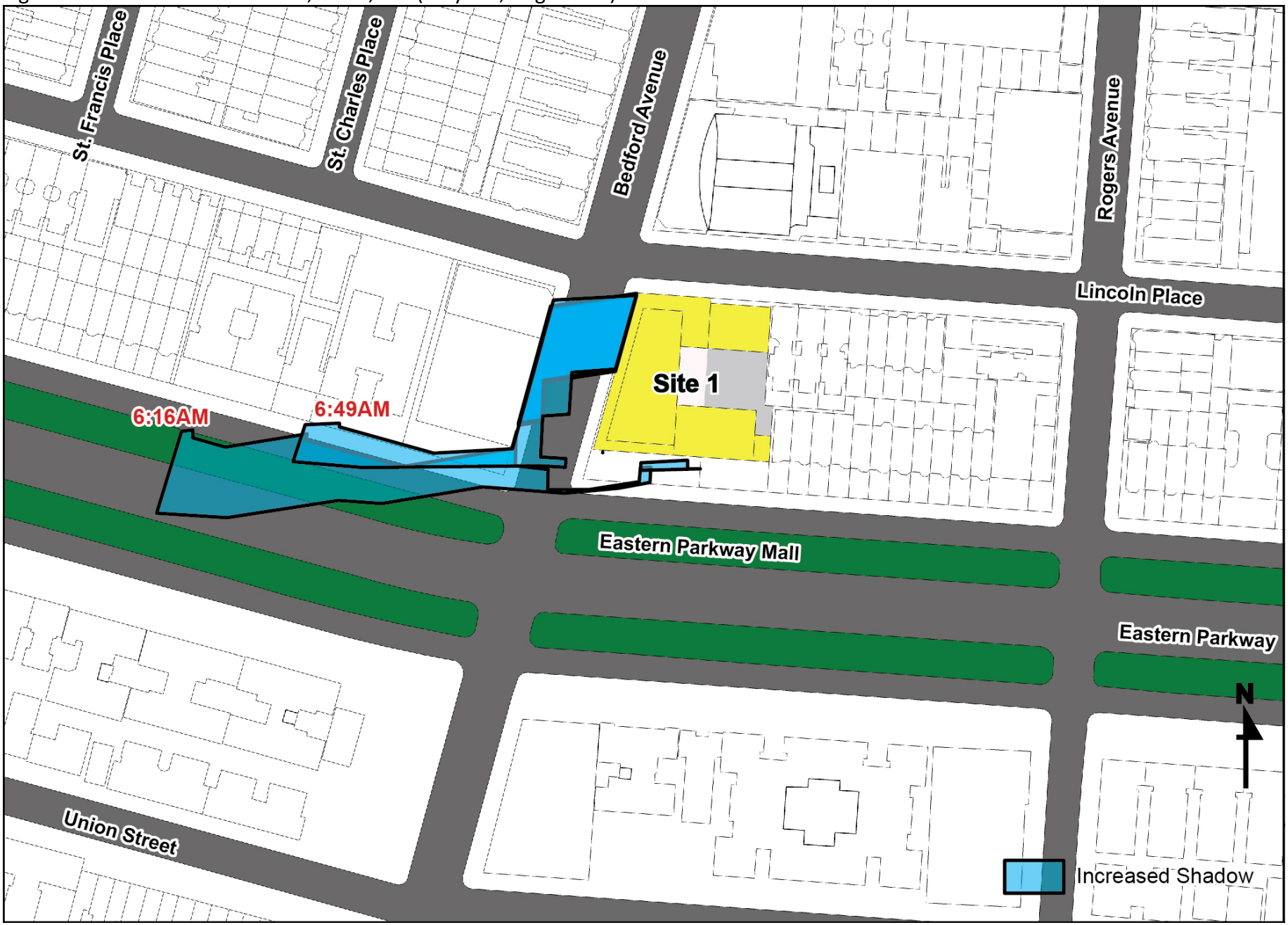


Figure 7-06: Detailed Assessment, Site 1, AM (June 21st)

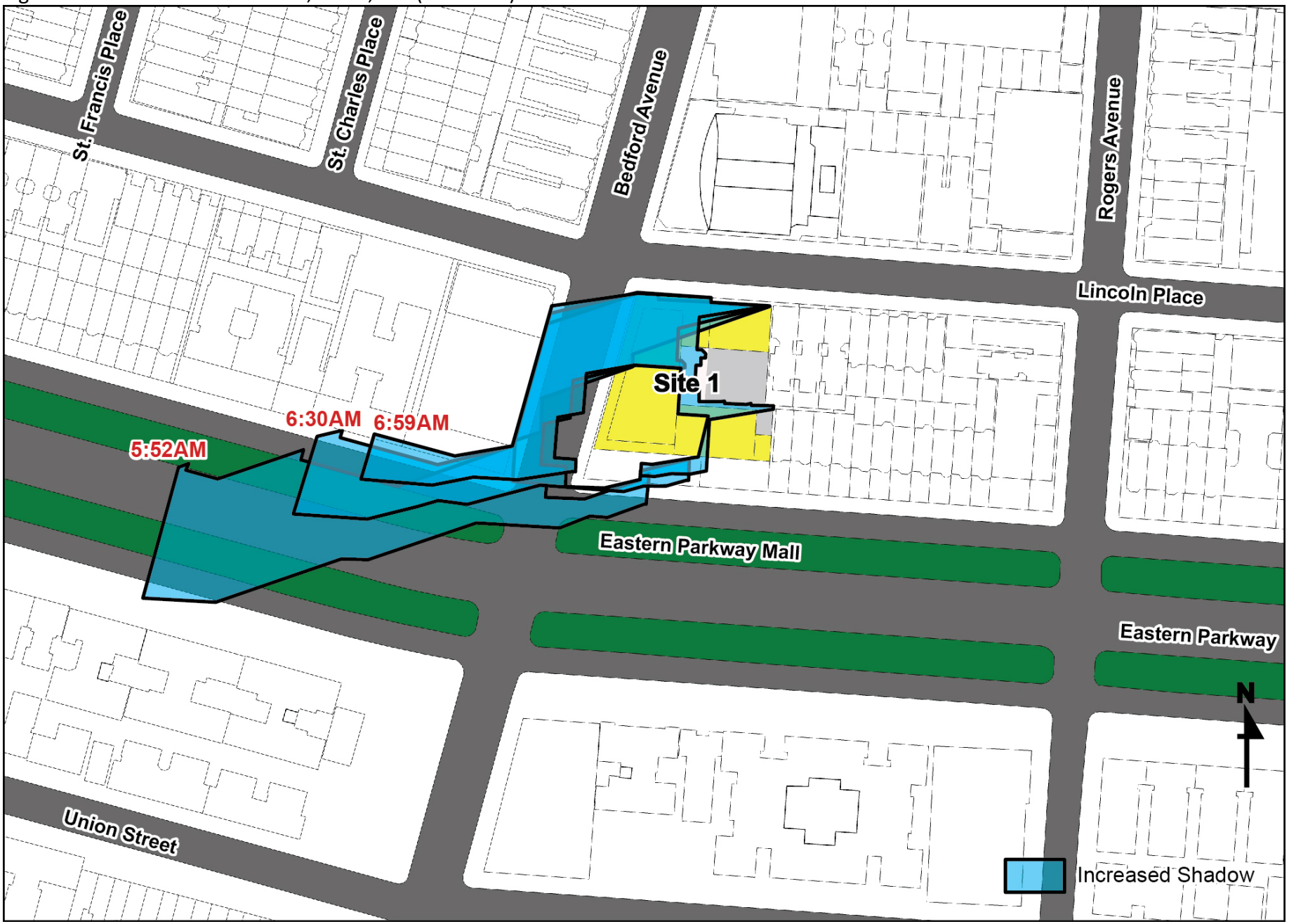


Figure 7-06 (continued): Detailed Assessment, Site 1, PM (June 21st)

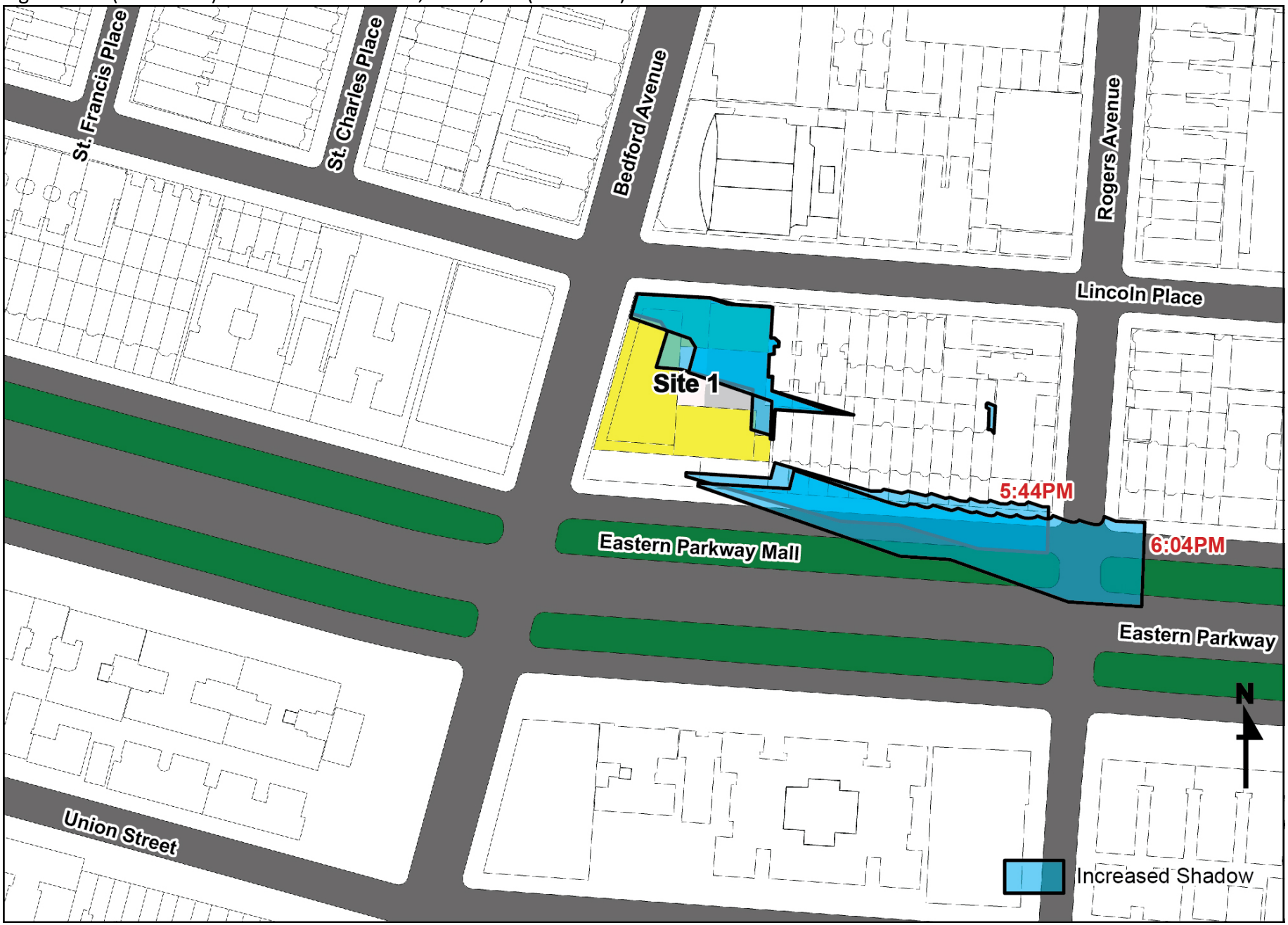
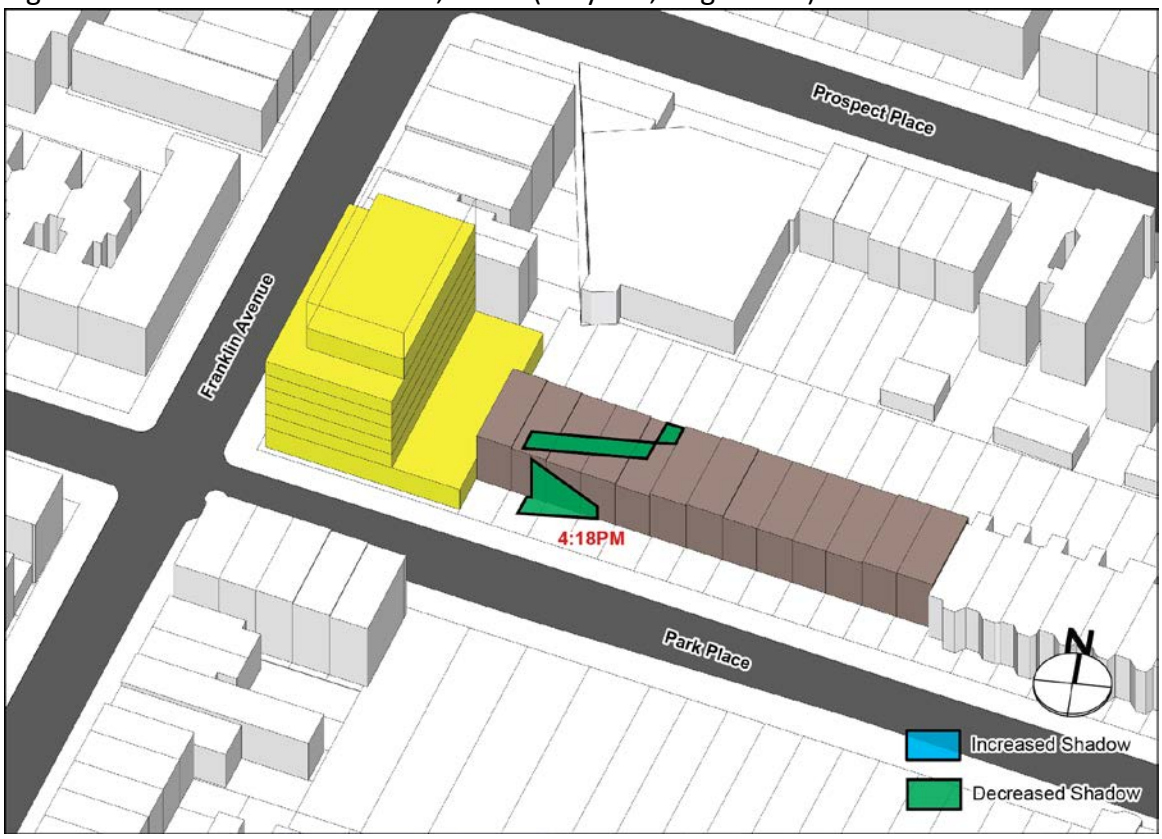
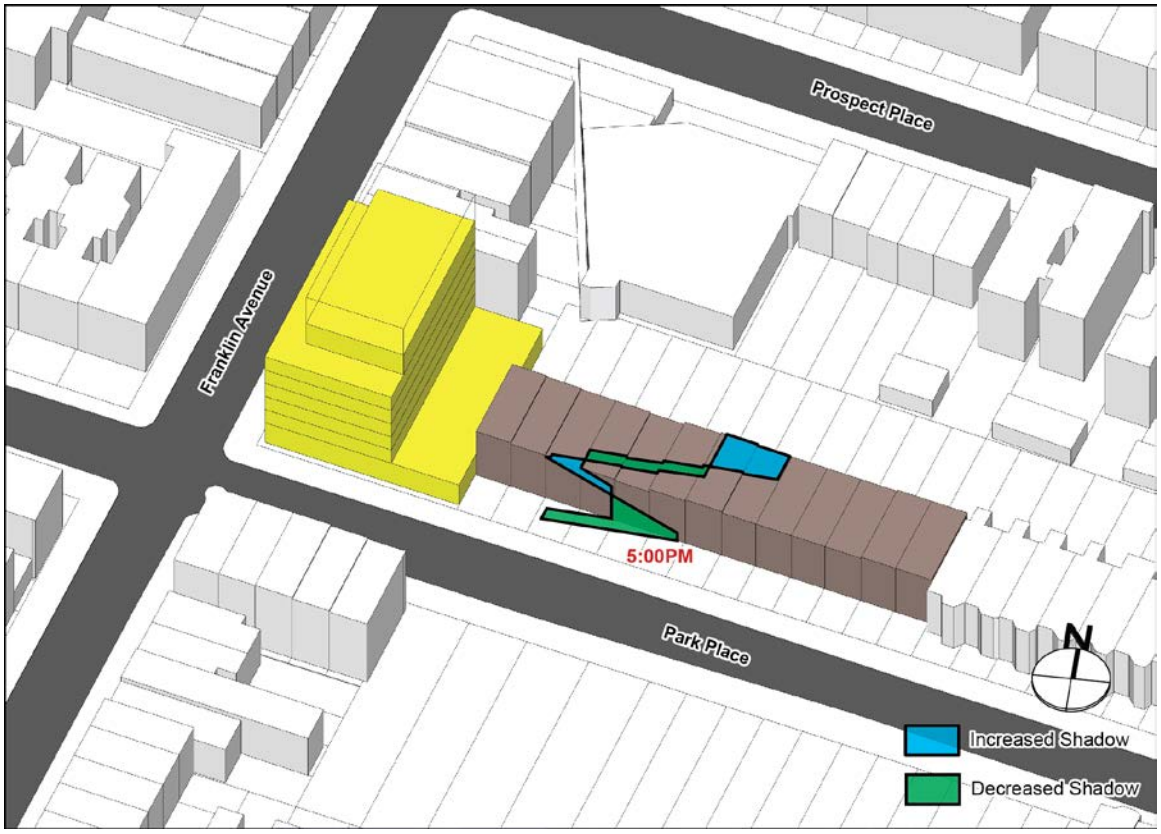


Figure 7-07: Detailed Assessment, Site B (May 6th, August 6th)

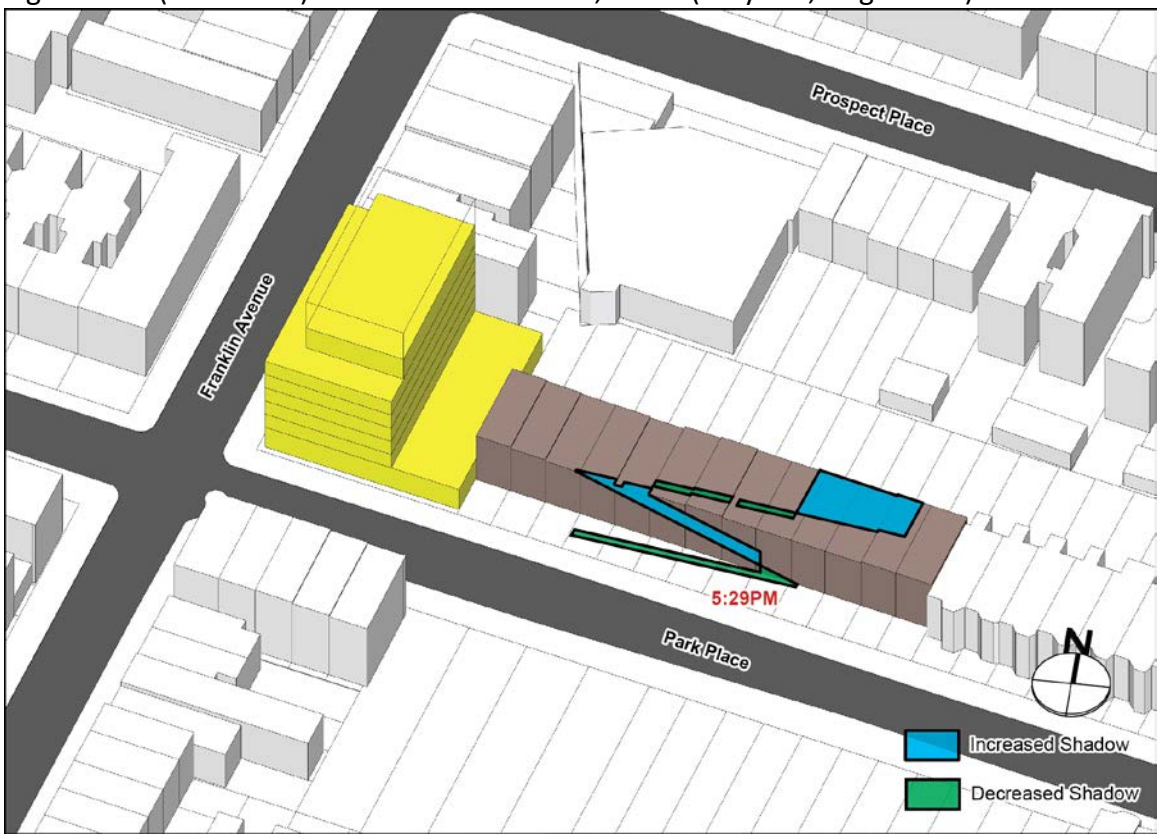


4:18PM



5:00PM

Figure 7-07 (continued): Detailed Assessment, Site B (May 6th, August 6th)



5:29PM

Figure 7-08: Detailed Assessment, Site B (June 21st)



4:21PM



5:00PM

Figure 7-08 (continued): Detailed Assessment, Site B (June 21st)



5:38PM

CONCLUSION

As discussed in previous sections, incremental shadows created by the projected and potential full build-out of the proposed action would not result in any significant adverse shadow impacts on open space and historic resources. No natural resource including a water body and a wild habitat was identified within the study area.

Open Spaces

Within and around the study area, there are ten publicly accessible open spaces including public parks, community gardens and school playgrounds that will be publicly accessible during weekends and after school hours. The shadow analysis identified that the Eastern Parkway Mall as the only open space that could potentially be affected by the increased shadow from the proposed action. Our detailed analysis concluded that the increased shadow from Projected Site 1 would reach the Mall during the summer season for brief periods in the early morning and late afternoon. While these incremental shadows would fall on pavement and roads, which are not considered sunlight sensitive, they would also fall on vegetation and seats. However, these incremental shadows are small and would not disturb the sustenance of the vegetation or the ability for pedestrians to enjoy the mall and fully utilize the benches and seats. Therefore, the incremental shadows that could result from this action would not adversely impact the usability of the Eastern Parkway Mall.

Historic Resources

Within and around the study areas, there are four individual landmarks and three historic districts. The Park Place Historic District is the only resource that could potentially be affected by projected or potential developments. Our detailed analysis revealed that the increased shadow from Potential Site B would touch a small portion of the building facades for a brief period in late afternoon during the summer season. The angle of a shadow at the shadow-in time for all studied dates would be almost parallel to the angle of the front façade of buildings within the historic district and it is likely that many of the architectural details are already in shadow cast from their own eaves and other features. Moreover, according to Park Place Historic District Designation Report (LP-2446), the buildings within the Park Place Historic District are not considered sunlight sensitive resources, and therefore are not anticipated to be impacted by shadows cast from Potential Site B. This analysis concludes that the incremental shadows from Potential Development Site B would not adversely impact the integrity of the shadow sensitive architectural features within the Park Place Historic District.

ATTACHMENT 8 - HISTORIC AND CULTURAL RESOURCES
Crown Heights West Rezoning
Environmental Assessment Statement
CEQR No: 13DCP105K
ULURP Nos: 130213 ZMK, N 130212 ZRK

INTRODUCTION

This chapter assesses the potential for significant adverse impacts of the Proposed Action on historic, architectural and archaeological resources. The *CEQR Technical Manual* indentifies historic resources as districts, buildings structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated New York City Landmarks; properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); properties listed or determined eligible for listing in the State/National Registers of Historic Places (S/NR), or contained within a district listed in or formally determined eligible for S/NR listing by the New York State Office of Parks, Recreation, and Historic Preservation, also known as the New York State Historic Preservation Office (SHPO); properties recommended by the New York State Board for listing in the S/NR; National Historic Landmarks; and properties not identified by one of the programs listed above, but that meet their eligibility requirements.

According to *CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the Proposed Action, and in the area surrounding identified development sites. The historic architectural resources study area in the area surrounding identified the sites that are projected or have the potential to be redeveloped, plus an approximately 400-foot radius around these projected and potential redevelopment sites, see Figure 8-A (MAP with buffer and project sites). There are the areas in which it is expected that new development could affect physical, visual, and historic relationships of historic architectural resources. Archaeological resources are considered only in those areas where excavation is likely, and would result in new in-ground disturbance. These are limited to sites that may be developed in the rezoning area, including projected and potential development sites.

Per consultation with the Landmarks Preservation Commission, there are three historical districts partially or fully located in the proposed rezoning area, five individual historical landmarks and one national scenic landmark located in the proposed rezoning area. There is also a potential historic district currently being studied by LPC. As the proposed rezoning would generate development that could result in new in-ground disturbance and construction of a building type not currently permitted in the affected area, the proposed rezoning has the

potential to affect historic architectural resources and archeological resources. However, as discussed below, the proposed rezoning would not result in significant adverse impacts on historic resources.

BACKGROUND/HISTORY[1]

Early History

According to the LPC report[2], the area currently known as Crown Heights was occupied at the time of European contact by the Lenape Indians. In the early nineteenth century it was a rural area located within the village of Bedford. In 1854, the heirs of "Judge" Leffert Lefferts Jr. auctioned off most of the property that would become northwestern Crown Heights as "1,600 lots situated in the level, beautiful, and most desirable part of the Ninth Ward." During this time, improved transportation links with Fulton Ferry, including regular stagecoach and horsecar service, had made northwestern Crown Heights an increasingly attractive residential location. By the 1850s suburban development, characterized by freestanding villas set on spacious lots was underway, only a few of which currently remain within the historic districts.

By the mid 19th century, increasing transportation links between the neighborhood and the ferries along Brooklyn's waterfront established the foundation for the neighborhood's future growth. In 1853 Brooklyn's horsecar company, the Brooklyn City Railroad, was founded. It established four lines leading outward from Fulton Ferry, including one along Fulton Street through Bedford, to East New York. In subsequent years, the Fulton line would expand its horsecar routes and become a 'dense transit network' linking the area with other neighborhoods and the waterfront ferries. During the second half of the 19th century, the Brooklyn, Flatbush and Coney Island Railroad opened between Brighton Beach and the Flatbush Avenue terminal of the Long Island Rail Road. It is currently in use and has been renamed as the Brighton (Q and B) Line of the New York City Subway and as the Franklin Avenue Shuttle. [3]

In the 1870s, these villas were joined in Crown Heights by speculative row houses constructed in anticipation of the 1883 opening of the Brooklyn Bridge. Following the 1888 opening of the Kings County Elevated Railway, which ran through Bedford along Fulton Street and terminated close to the Brooklyn Bridge, large-scale residential development in Crown Heights took off.

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[1] This section is largely adapted from LPC, *Crown Heights North Historic District Designation Report* (LP-2204) (New York: City of New York, 2007), 7-37; and LPC, *Crown Heights North II Historic District Designation Report* (LP-2361) (New York: City of New York, 2011), 6-32. And LPC, *Park Place Historic District Designation Report(*LP-2446) (New York: City of New York, 2012),3-5

[2] LPC Designation Report, LP-2204

[3] LPC Designation Report, LP-2446

Between 1888 and 1893, hundreds of exceptionally fine freestanding, attached, and row houses were constructed in northwestern Crown Heights. Around the turn of the century, the area was becoming one of Brooklyn's most desirable residential areas, and Crown Heights came to be known as the "St. Mark's District." The opening of the IRT subway line along Eastern Parkway in 1920 kicked off a final wave of residential development in Crown Heights, as many freestanding mansions were demolished and replaced by middle-class, six-story elevator apartment houses.

Later History

Following the 1920 opening of the IRT Subway extension under Eastern Parkway, six-story elevator apartment houses started replacing many of the old villas along St. Mark's Avenue and Park Place. [4]

The residential development of Crown Heights ended during the onset of the Great Depression. During this period, the development of the Independent Subway, or the IND, opened beneath Fulton Street, replacing the elevated line and providing direct access to the area from Harlem, which was then the epicenter of New York City's African American Community and thethe area's African American population population increased significantly.

From the 1950s onwards, the black population of Crown Heights continued to increase and by the 1990s, Crown Heights was considered to be the center of Caribbean-American life in the United States. The city's annual West Indian-American Day Parade conducted over Labor Day Weekend has become one of the city's premier annual events, attracts an estimated two million spectators.

During the 1960s, Crown Heights, like many other neighborhoods in Brooklyn, Manhattan, and the Bronx, experienced deterioration of its building stock and intensifying social problems, including rising unemployment, gang wars and crime rates. During the 1990s, crimes rates began to decrease and urban renewal and redevelopment began to take effect.

Current conditions

Following the 1920 opening of the subway extension under Eastern Parkway, apartment buildings started replacing many of the old villas along St. Mark's Avenue and Park Place. Large six to seven story apartment buildings replaced the large villas and mansions in the southwestern portion of the rezoning area.

[4] LPC Designation Report, LP - 2361

In the past several years, the area has witnessed an influx of new residents and has begun to experience increasing private reinvestment in the form of new stores and development of market-rate private housing. Redevelopment activity is on the rise, with many new stores opening along Franklin Avenue and several new apartment buildings that have been recently built.

HISTORIC AND CULTURAL RESOURCES

Existing Conditions

Archaeological Resources

Archaeological resources are physical remains, usually buried, of past activities on a site. They can include remains from Native American people who used or occupied a site, including tools, refuse from tool-making activities, habitation sites, etc. Archaeological resources can also include remains from activities that occurred during the historic period (beginning with European colonization of the New York area in the 17th century) that include European contact with Native Americans, as well as battle sites, foundations, wells, and privies. Archaeological resources in developed areas may have been disturbed or destroyed by grading, excavation, and infrastructure installation and improvements. However, some resources do survive in an urban environment. Deposits may have been protected either by being paved over or by having a building with a shallow foundation constructed above them. In both scenarios, archaeological deposits may have been sealed beneath the surface, protected from further disturbance.

The *CEQR Technical Manual* requires an evaluation of an action's potential for impacts on archaeological resources if it would result in new or additional in-ground disturbance to an area. For any actions that would result in new ground disturbance, assessment of both prehistoric and historic archaeological resources is generally appropriate.

The impact area for potential archaeological resources affected by the Proposed Action is considered to be the area where in-ground disturbance may occur. As discussed in Attachment 2, "Reasonable Worst Case Development Scenario," all projected and potential sites are assumed to be developed in both the future without and future with the proposed action, except for Projected Development Site 1. The ground disturbance is assumed to be the same in the no-action and with-action scenarios since the amount of lot coverage would remain the same for all developments. It is assumed that Projected Development Site 1 is void of potential archeological remains since as an existing gas station excavation and ground disturbance for the below-grade tanks occurred. Therefore, the proposed action is not expected to result in significant adverse archaeological impacts.

Architectural Resources

In order to assess the potential impacts of the proposed rezoning on historical architectural resources, a study area was defined by drawing a 400-foot radius around the boundaries of the projected and potential development sites. There are five resources within the proposed rezoning. All resources are designated as New York City Landmarks.

Historic Districts

1. The **Crown Heights North Historic District I** (NYCL-listed) was designated on April 24, 2007 in recognition of its architectural merits and historical character. It contains more than 450 buildings, most of which are rowhouses. The Historic District has roots reaching back to the middle of the nineteenth century to the 1930s and is a "showcase for the work of architects who played an important role in Brooklyn's development, including Montrose Morris, George P. Chappell, Albert E. White, Amzi Hill, and Axel Hedman, the district is among Brooklyn's most architecturally distinguished areas, retaining some of the borough's most beautiful and well-preserved residential streets, and featuring a broad array of outstanding residential architecture in popular late-nineteenth- and early-twentieth century styles, including the Italianate, neo-Grec and Queen Anne, as well as the Romanesque, Renaissance, Colonial, Mediterranean, Medieval, and Tudor Revival styles."[5] (Figure D-1)

2. **Crown Heights North II Historic District was** (NYCL-listed) designated on June 27, 2011. Located on the northwestern portion of Crown Heights, this historic district adjoins the Crown Heights North Historic District discussed above. "The Crown Heights North II Historic District comprises more than 600 buildings, including single- and two-family row houses, freestanding residences, flats buildings, institutional buildings, churches, and apartment houses built primarily from the 1870s to the early 1940s."[6] Nearly all of these buildings are excellent and well-preserved examples of architectural styles that flourished in Brooklyn during this period, including the neo-Grec, Queen Anne, Art Deco, and Art Moderne, as well as the Romanesque, Renaissance, Colonial, Gothic, and Medieval Revival styles. (Figure D-2)

   For the portion of the rezoning area within the **Crown Heights North I and II Historic District** (NYCL-listed), the proposed actions would preserve land uses and building types through the mapping of the contextual R6B and R6A zoning districts.

[5] LPC Designation Report, LP -2204
[6] LPC Designation Report, LP- 2361

3. **Park Place Historic District (NYCL-listed)** designated on June 26, 2012 is comprised of 13 fine, largely intact examples of Brooklyn's richly diverse Queen Anne and Romanesque Revival style rowhouses architecture. Built in 1889-90, the row was built by two Philadelphia Brothers, Frederick W. and Walter S. Hammet. Park Place homes were constructed as single-family residences. With the onset of the Depression, many families took in roomers and by 1950, 4 of homes were converted to multi-family dwelling units. The houses feature large round-arch-headed openings that are characteristic of the Romanesque Revival style, as well as richly decorated and textured facades featuring terra-cotta sills decorated with rosettes, corbelled brick sills with sawtooth and beaded moldings and scalloped edges, triangular panels filled with terra-cotta strap work, and patterned bricks ornamented with projecting knocks that give the row a romantic quality typical of the Queen Anne Style. [7] (Figure D-3)

   Park Place Historic District is located in the proposed rezoning area. No impacts to this historic resource are expected to occur as a result of the proposed actions, which will apply contextual R5B to this site and contextual R5B, R6B and R6A districts to the surrounding area.

4. The **Crown Heights North IV** study area is roughly bounded by Rogers and Nostrand Avenues along Saint Marks Street. The potential Crown Heights North Historic District IV contains some fine examples of large and finely detailed rows of houses, free-standing mansions and apartment buildings, designed in many of the most popular late-nineteenth and early-twentieth century architectural styles, such as Italianate, neo-Grec, Romanesque Revival, and Renaissance Revival.

   Most of the land within the proposed district was part of a farm cultivated by one of the largest landowners in Kings County, the Lefferts family, and enslaved people of African descent. During the nineteenth century the area at the western edge of the potential historic district included the small settlement of Bedford Corners. The Lefferts family began to sell its land holdings in the area in the 1850s, but it remained primarily rural until the last decades of the 19th century. Beginning in the 1870s, St. Mark's Avenue began to attract a number of Brooklyn's wealthier citizens and was built up with sumptuous free-standing frame and masonry mansions frequently on large landscaped lots. Two of these mansions are found in the potential Crown Heights North IV Historic District, Nos. 669 and 673 St. Mark's Avenue. Of particular note in the potential historic district are the extraordinary Chateauesque style row houses at 675 to 679 St. Mark's

[7] LPC Designation Report, LP- 2446

Avenue, the Beaux Arts style apartment building at No. 637-641, and the Tudor style apartment house at No. 654.

The potential **Crown Heights North IV** Historic District is located in the proposed rezoning area. No impacts to this historic resource are expected to occur as a result of the proposed actions, which will apply contextual R6B to this area and contextual R6A districts to the surrounding area.

Individual Landmarks

5. Located in the proposed rezoning**, Saint Bartholomew's Church** (NYCL-listed) was designated in March 19, 1974 for it's "strikingly picturesque Romanesque Revival building."[8] It was designed and built by Brooklyn architect George P. Chappell who also designed the Romanesque Revival Tompkins Avenue Congregational Church in Bedford. Saint Bartholomew's Church, located in the vicinity of Grant Square, and contains significant architectural qualities such as its benches, porches, windows and belfry tower, making it a significant historical resource to Grant Square.[9] (Figure I-1)

   No impacts to this historic resource are expected to occur as a result of the proposed actions, which will apply contextual R6A to this site and to the surrounding area.

6. Designated as New York City Landmark on March 18, 1986, **Imperial Apartments** (NYCL-listed) were designed in 1982 and designed by Montrose W. Morris for Louis F. Seitz. Located on Grant Square, it stands among several distinguished buildings, recalling the area's prestige at the turn of the century. The design of the Imperial Apartments are inspired by 16th century chateaux of Renaissance France and executed in a skillful combination of buff-colored roman brick, terra cotta, slate and metal.[10] (Figure I-2)

   No impacts to this historic resource are expected to occur as a result of the proposed actions, which will apply contextual R6A to this site and contextual R6B and R6A districts to the surrounding area.

7. Built in 1920, located in the proposed rezoning, the New York City Historic Landmark, **Studebaker Building** (NYCL-listed) is one the few automobile showrooms remaining on Brooklyn's once thriving Automobile Row. Designed by New York-based architects Tooker and Marsh, the neo-Gothic style building is brick, clad in white terra cotta manufactured by the Atlantic Terra Cotta Work, the largest fabricator of the

[8] LPC Designation Report, LP- 082
[9] Ibid.
[10] LPC Designation Report, LP- 1432

architectural terra cotta in the world from the turn-of-the century to the Depression. The features of the building include segmental arched openings on the fourth floor, battlemented parapet with black and white terra-cotta wheel emblems, and nee-Gothic style details including molding, colonettes, and figural sculpture. It is an excellent example of a commercial terra-cotta clad structure which served as a company icon.[11] (Figure I-3)

No impacts to this historic resource are expected to occur as a result of the proposed actions, which will apply contextual R6A to this site and to the surrounding area.

8. The **Kol Israel Synagogue** (S/NR listed), located at 603 St. John's Place, was built in 1928 by Brooklyn architect Tobias Goldstone and listed on the National Register for Historic Places in 2009. It is a small, two-story rectangular building faced in random laid fieldstone.

   No impacts to this historic resource are expected to occur as a result of the proposed actions, which will apply contextual R6B to this site and to the surrounding area.

9. Built in 1860s and designed by Philip Englehard, the **Malt House at the Nassau Brewery Complex** (S/NR eligible) may be the earliest extant lager beer brewery building in Brooklyn. The complex consists of 8 buildings and there are 100 foot long tunnels running underneath the buildings. The beginning of this site as a brewery dates back to 1849, when Limberger and Walter founded a small brewery on Dean Street. The brewery grew and then changed ownership in 1866 when Christian Goetz bought the plant and named it the Bedford Brewery. By 1879, Bedford Brewery was the 10th largest of Brooklyn's 43 breweries. In January 1884, William Brown and others bought the plant and tripled production in one year. Brown adopted the name Budweiser after a trip to Budweis, Czechoslovakia. In 1898, after being sued by the Anheuser-Busch Company of St. Louis, Brown changed the name of the company to the Nassau Brewing Co. The company remained in operation until 1914. Heinz produced canned goods here in the Fermenting/Filling room building and Monti Moving and Storage owned the buildings from 1972 to 2001. The ice house has been converted to residential use and the Fermenting/Filling room building has been converted to commercial; the remaining buildings appear to be vacant. The Malt House and Nassau Brewery Complex appear LPC eligible. (Figure I-4)

   No impacts to this historic resource are expected to occur as a result of the proposed actions, as discussed further below, which will apply contextual R7A to this site and to

[11] LPC Designation Report, LP 2083

the surrounding area. As discussed below, the Malt House is expected to be redeveloped in the Future Without the Proposed Action pursuant to a previous rezoning and plans filed by the owner of the property with the Department of Buildings. The No-Action scenario, described in more detail below, is based on these plans and previous discussions with the property owner. Since the Malt House would be redeveloped regardless of the approval of the proposed action, then no significant adverse impacts related to historic resources as a result of the proposed action are anticipated.

Scenic Landmarks

10. Located at the southern boundary of the rezoning area**, Eastern Parkway,** is a Scenic landmark designated in 1978 and also the world's first parkway when it was built and conceived by Frederick Law Olmsted and Calvert Vaux in 1866. The parkway was constructed from Grand Army Plaza to Ralph Avenue between 1870 and 1874. (Figure S-1a and S-1b)

    The Eastern Parkway hosts many special events, including the springtime "Welcome Back to Brooklyn," which celebrates the borough's famous sons and daughters, and the early September Caribbean Day Parade. Community members along Eastern Parkway celebrated a remarkable milestone in August 1978. At that time, the United States Secretary of the Interior designated Eastern Parkway a National Scenic Landmark in order to preserve the legacy of the world's first parkway[12].

    A section in the Administrative Code dating to the construction of Eastern Parkway at the end of the 19th century requires buildings to be set back from Eastern Parkway by 30 feet. The Crown Heights West rezoning's proposed contextual zoning districts, however, would require buildings to be built up to or within only 15 feet of the street line. Therefore, a zoning text amendment is proposed to allow compliance with the 30-foot setback requirement of the Code in the contextual zoning districts lining both the north and south sides of Eastern Parkway inside and outside of the rezoning area.

    The text would affect ZR section 23-633 "Street wall location and height and setback regulations in certain districts" and section 35-24 "Special Street Wall Location and Height and Setback Regulations in Certain Districts." The text would specify that in Community District 8 in the Borough of Brooklyn, a line drawn 30 feet north of and parallel to Eastern Parkway shall be considered the street line of Eastern Parkway. In Community District 9 in the Borough of Brooklyn, a line drawn 30 feet south of and parallel to Eastern Parkway shall be considered the street line of Eastern Parkway.

[12] http://www.nycgovparks.org/parks/B029/history

Future No-Action Condition

Under the Future No-Action Scenario the status of historic architectural resources could change. New York City Landmark listed resources could be listed in the State and/or National Registers. It is also possible that additional significant architectural resources could be identified over time.

Under the Future No-Action Scenario, existing zoning would remain in place. As discussed in Attachment 1, "Project Description," the existing zoning districts allow new buildings that are not of a similar type and scale as the predominant neighborhood fabric that exists today. The existing R6 zoning designations, which have been in place since 1961, do not impose a maximum building height and facilitate the development of 12- to 14-story apartment buildings that are out-of-scale with the overall neighborhood character.

It is expected that the rezoning area would experience growth in community facility, commercial, and residential uses. Under the RWCDS, as-of-right development is expected to occur on three of the four projected development sites. As a result, a total number of 102 dwelling units (DUs); approximately 59,555 square feet of commercial space, and approximately 30,272 square feet of community facility space may be developed.

Under the RWCDS in the Future No-Action Scenario, Projected Development Site 1 is within 400 feet of the designated scenic resource Eastern Parkway and Projected Development Site 2 is located on "The Malt House" of the Nassau Brewery Complex, which appears LPC eligible and has been determined N/SR eligible by SHPO. Projected Development Sites 3 and 4 are within 400 feet of the Malt House. Additionally, potential development Site B is adjacent to the Park Place Historic district. No other projected or potential development sites are within 400 feet of a historic or cultural resource.

Projected Development Site 1 would remain unchanged as a gas station in the future-without action scenario. Potential Development Site B would be developed in the future with-out the proposed action with a five-story 38,950 square foot building consisting of 23 dwelling units, 8,200 square feet of commercial space and 8,200 square feet of community facility space. The properties adjacent to Potential Development Site B and within the Park Place Historic District would be subject to protection through Department of Building (DOB) controls governing the protection of adjacent properties from construction activities.

Projected Development Site 2 would be developed in the future with-out the proposed action with a five-story 122,578 square foot building consisting of 74 dwelling units, of which 15 would be affordable housing units, 3,090 square feet of community facility space and 45,093 square

feet of commercial space. The property owner has stated that the site would be redeveloped with or without the proposed action. The future with-action development scenario is based discussions with the property owner and filed building permits with the Department of Buildings. The site was part of an earlier rezoning, known as Franklin lofts (CEQR# 03DCP036K), from M1-1 to R6 with a C2-3 commercial overlay. As noted above, the site is located on the former Malt House of the Nassau Brewery Complex. The site was not determined to be architecturally significant in Franklin Avenue Lofts EAS, but has since been determined potentially eligible for LPC designation.

Projected Development Site 3 would be developed in the future without the proposed action with a 14-story 68,333 square foot building consisting of 51 dwelling units, 8,462 square feet of commercial space and 8,462 square feet of community facility space. Projected Development Site 4 would be developed in the future without the proposed action with a 14-story 94,536 square foot building consisting of 75 dwelling units and 18,720 square feet of community facility space. These buildings would be developed under the height factor and open space regulations which do not limit the height of the building or location of the building within the lot.

Future With-Action Condition

According to the *CEQR Technical Manual*, significant adverse impacts to historic and cultural resources could potentially result if a proposed action affects those characteristics that make a resource eligible for LPC designation or S/NR listing. This section assesses the potential for the proposed action to result in significant adverse impacts on identified historic and cultural resources. **Table 8-1** provides information about possible direct and indirect impacts to historic and cultural resources according to *CEQR Technical Manual.*

The Future With-Action Scenario's potential for significant adverse impacts on historic resources were assessed in accordance with **Table 8-1** to determine (a) whether there would be a physical change to any designated resource or its setting, and (b) if so, is the change likely to diminish the qualities of the resource that make it important (including non-physical changes such as context or visual prominence). The assessment of the potential for impacts on significant resources are described below.

TABLE 8-1 Possible Impacts to Historic and Cultural Resources

• Construction resulting in ground disturbance, including construction of temporary roads and access facilities, grading, and landscaping.
• Below-ground construction, such as excavation or installation of utilities.
• Physical destruction, demolition, damage, alteration or neglect of all or part of an historic property

• Changes to the architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.
• Isolation of the property from, or alteration of, its setting or visual relationship 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.
• Introduction of incompatible visual, audible, or atmospheric elements to a resource's setting.
• Replication of aspects of the resource so as to create a false historical appearance.
• Elimination or screening of publicly accessible views of the resource.
• Construction-related impacts such as falling objects, vibration, dewatering, flooding, subsidence, or collapse.
• Introduction of significant new shadows, or significant lengthening of the duration of existing shadows, over an historic landscape or an historic structure to the extent that the architectural details that distinguish that resource as significant are obscured.

Source: *CEQR Technical Manual*

Direct Impacts

Historic resources could be directly affected by physical destruction, demolition, damage, alteration, or neglect of all or part of a historic resource. For example, alterations, such as the addition of a new wing to a historic building could result in significant adverse impacts, depending on the design. Direct impacts also include changes to an architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.

NR-listed and eligible resources are given a measure of protection from the effects and impacts of projects sponsored, assisted, or approved by federal agencies under Section 106 of the National Historic Preservation Act. Although preservation is not mandated, federal agencies must attempt to avoid adverse impacts on such resources through a notice, review, and consultation process. S/NR-listed and eligible resources are similarly protected against impacts resulting from projects sponsored, assisted, or approved by State agencies under the State Historic Preservation Act. However, private owners of S/NR-listed and eligible resources using private funds can alter or demolish their properties without such a review process. Privately owned properties that are NYCLs, in LPC-designated historic districts, or pending designation as Landmarks by LPC are protected under the New York City Landmarks Law. The law requires LPC review and approval before any alteration or demolition occurs, regardless of whether the

project is publicly or privately funded. Publicly owned resources are also subject to review and advisement by LPC before project implementation.

The Proposed Action has the potential to result in direct impacts to the aforementioned potentially eligible LPC and S/NR eligible Malt House, since the Malt House of the Nassau Brewery Complex occupies Projected Development Site 2, which is assumed under the RWCDS to be developed with a 107,371 square foot building consisting of 107 dwelling units, of which 21 would be affordable under the Inclusionary Housing program, and 48,183 square feet of retail commercial space.

However, as previously discussed, pursuant to an earlier rezoning, this projected development site would be redeveloped in the future without the proposed action. The site would be redeveloped with or without the proposed rezoning. Therefore, the development of the site in the Future With the Proposed Action would not result in significant adverse impacts.

None of other remaining historic architectural resources in the study area are located on or include projected or potential development sites. Therefore, the development expected to be generated by the Proposed Action is not anticipated to directly affect any of the aforementioned resources.

Construction Impacts

Historic resources may be subject to indirect construction impacts from activities taking place nearby. Under the Proposed Action, construction activities on one potential development site, Site B, could have an indirect adverse physical impact on one identified historic architectural resource within 90 feet of site construction. Potential Development Site B, as discussed earlier, and Projected Development Site 3, is within 90 feet of the designated Park Place Historic District.

The 90-foot buffer is recognized as being close enough to potentially experience adverse construction-related impacts from ground-borne construction-period vibrations, falling debris, and/or collapse.

There are two mechanisms to protect buildings in New York City from potential damage caused by adjacent construction. All buildings are provided some protection from accidental damage through DOB controls that govern the protection of any adjacent properties from construction activities, under Building Code Section 27-166 (C26-112.4). For all construction work, Building Code Section 27-166 (C26-112.4) serves to protect buildings by requiring that all lots, buildings, and service facilities adjacent to foundation and earthwork areas be protected and supported in accordance with the requirements of Building Construction Subchapter 7 and Building Code Subchapters 11 and 19. The second protective measure applies to NYCLs, properties within

NYCHDs, and S/NR-listed properties. For these structures, *TPPN #10/88* applies. *TPPN #10/88* supplements the standard building protections afforded by Building Code C26-112.4 by requiring a monitoring program to reduce the likelihood of construction damage to adjacent NYCLs and NR-listed properties (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

Buildings in the Park Place Historic District (NYCHD) and the Malt House, which are within 90 feet of Potential Development Site B and Projected Development Site 3, would be protected under *TPPN 10/88*. Provided these measures are followed, then significant, adverse construction-related impacts would not occur. It should also be noted that potential development sites are considered less likely to be redeveloped than projected development sites.

Indirect Impacts

Indirect impacts, also referred to as contextual impacts, can occur when development results in the isolation of a property from or alteration of its setting or visual relationship with the streetscape; introduction of incompatible visual, audible, or atmospheric elements to a resource's setting; replication of aspects of a resource so as to create a false historic appearance; or elimination or screening of publicly accessible views of the resource. Whereas this section of the chapter focuses specifically on the Proposed Action's potential for significant adverse impacts on the physical and visual context of historic architectural resources, an assessment of the Proposed Action's effect on the visual character of the study area in general is provided separately in Section G, "Urban Design and Visual Resources" and in Section E, "Shadows." The following is a discussion of any potential for indirect impacts on the Park Place Historic District and the Eastern Parkway Scenic Landmark.

Park Place Historic District (NYCL-listed) is located directly adjacent to Potential Development Site B. Under the RWCDS, it is assumed that Potential Development Site B would be developed in the future with the proposed action with a eight-story 47,150 square foot building consisting of 39 dwelling units, of which 8 would be affordable under the IH program, and 8,200 square feet of commercial space.

Since the RWCDS assumes new construction on Potential Development Site B there is the potential for visual impacts. However, development under the RWCDS would not result in isolation of the Park Place Historic District from its setting. It is anticipated that new construction under the RWCDS for Potential Development Site B would be compatible with the existing built environment of the district. The overall building height would be limited to 80 feet and urban design rules would require new development to match with existing building characteristics. The building would be required to set back from a maximum base height of six-

stories, which is similar to the buildings surrounding the historic district. The district consists of rowhouses located in an urban neighborhood with various building types surrounding it, including apartment buildings, and is located mid-block between Franklin and Bedford Avenues; therefore it is screened from development occurring at the block ends. It should also be noted that potential development sites are less likely to be developed in the future than projected development sites. Therefore, the Proposed Action would result in no indirect impact to the resource.

The **Eastern Parkway Scenic Landmark (NYCSNL-listed)** is located within 90 feet of Projected Development Site 1. Under the RWCDS, it is assumed that Projected Development Site 1 would be developed with a ten-story 135,859 square foot building consisting of 125 dwelling units, of which 25 would be affordable under the IH program, and 11,197 square feet of ground floor commercial space.

Since the RWCDS assumes new construction on Projected Development Site 1 there is the potential for visual impacts. However, development under the RWCDS would not result in isolation of the Scenic Landmark from its setting. It is anticipated that new construction under the RWCDS for Projected Development Site 1 would be compatible with the existing built environment of the district. The views of the projected development site from the scenic land mark are also screened by intervening development. Moreover, a zoning text amendment is proposed to require new buildings, including Projected Development Site 1, to conform to the Administrative Code along Eastern Parkway that requires buildings to setback 30 feet on both the north and south sides of Eastern Parkway. This text amendment would ensure that Site 1 would not be inconsistent with the existing street frontage and urban fabric along Eastern Parkway. Therefore the Proposed Action would result in no indirect impact to the resource.

The **Malt House of the Nassau Brewery Complex** is located at 1046 Dean Street. The potentially eligible LPC and S/NR eligible site is the location of Projected Development Site 2 and is within 400 feet of Projected Development Sites 3 and 4. As discussed in greater detail below, the RWCDs for Projected Development Site 2 could result in a direct impact to the Malt House, and is therefore addressed and analyzed in greater detail in the Direct Impacts section.

Since the RWCDS assumes new construction on Projected Development Site 3 and 4, there is the potential for visual impacts. Projected Development Site 3 would be developed in the future with the proposed action with an 8-story 97,318 square foot residential building with 97 dwelling units. Projected Development Site 4 would be developed in the future with the proposed action with an 8-story 134,160 square foot building consisting of 115 dwelling units, of which 23 would be affordable under the Inclusionary Housing program, and 18,720 square feet of community facility space.

Under the RWCDS for Projected Development Site 3 and 4, new construction would not result in the isolation of the Malt House from its setting. The development scenario for Projected Development Site 3 and 4 would be compatible with the existing built environment surrounding the Malt House, since the proposed zoning district would require building setbacks above a contextual base height and a consistent streetwall. The development for Site 3 and 4 under the proposed action would be consistent and reflect the density and height of the existing built environment, which is in stark contrast to the development under the existing zoning discussed above. Furthermore, the Malt House is located in an urban environment and is on a corner lot that spans the length of the block fronting Franklin Avenue. Projected Development Sites 3 and 4 are located midblock and are mostly screened by intervening developments. Therefore the Proposed Action would result in no indirect impact to the resource.

Shadows

As described in Attachment 7, "Shadows," some projected and potential development sites have the potential to affect two of the indentified architectural resources in the study area. . Projected Site 1 could cast shadow on the Eastern Parkway Mall and Potential Site B could cast shadows on architectural resources within the Park Place Historic District. A detailed shadow impacts assessment was conducted for these resources of concern, and the results are summarized below.

After further 3D analysis, the **Park Place Historic District** would be cast in some net incremental shadows. On the May 6th/August 6th analysis days, the incremental shadow from Potential Site B could overlap with the front façade of buildings within the historic district for the time period between 4:18PM and 5:29PM (1 hour and 11 minutes). On June 21st, the incremental shadow from Potential Site B could cast shadows over the front façades for the time period between 4:21PM and 5:38PM (1 hour and 17 minutes). After 5:38PM, the building façade will be within a shadow cast by other buildings and there will be no increased shadow from the potential new development. On both dates, the incremental shadow would cover a small portion of the some of the building façades within the Park Place Historic District for a period of time in the late-afternoon. However, according to Park Place Historic District Designation Report (LP-2446), the buildings within the Park Place Historic District are not considered sunlight sensitive resources, and therefore are not anticipated to be impacted by shadows cast from Potential Site B.

The **Eastern Parkway Mall** is a scenic landmark and is considered, per the 2012 CEQR TM, a sunlight sensitive resource. On the May 6th/August 6th and June 21st analysis days, the incremental shadow from Projected Site 1 could overlap with the portions of the Eastern Parkway Mall. On May 6th/August 6th an incremental shadows could fall between Bedford Avenue and Franklin Avenue for the time period between 6:16AM and 6:49AM (33 minutes). On June 21st, the incremental shadow from Projected Site 1 could cast shadow over the

western portion of the mall between Franklin Avenue and Rogers Avenue for the time period between 5:52AM and 6:59AM (1 hour and 7 minutes). The western portion of the mall section between Rogers Avenue and Nostrand Avenue could be affected by the incremental shadow for the time period between 5:44PM and 6:04PM (20 minutes). While these incremental shadows would fall on pavement and roads, which are not considered sunlight sensitive, they would also fall on vegetation and seats. However, as aforementioned and discussed in Attachment 7, "Shadows," these incremental shadows are small and would not disturb the sustenance of the vegetation or the ability for pedestrians to enjoy the mall and fully utilize the benches and seats.

None of the other remaining resources have the potential to be indirectly affected by incremental new shadows. Thus, any incremental shadows caused by the Proposed Action would not create a significant adverse impact.

Conclusion

As per the CEQR Technical Manual, visual and contextual impacts on historic resources can include: isolation of a property from or alteration of its setting or visual relationship with the streetscape; introduction of incompatible visual, audible, or atmospheric elements to a resource's setting; elimination or screening of publicly accessible views of a resource; or introduction of significant new shadows, over a historic landscape or on a 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.

The Proposed Action would not result in any of those types of visual and contextual impacts to the known historic resources within the study area. As all of the new buildings that could be developed under the Proposed Action would be residential, commercial, or community facility structures of heights and bulk consistent with those urban design features of the area (see Attachment 9, "Urban Design and Visual Resources"), the Proposed Action would not introduce any incompatible visual, audible, or atmospheric elements to the settings of historic resources. The Proposed Action is intended to protect existing scale and character of the neighborhood by establishing contextual zoning districts with height limits and ensure new development is in context with existing character while incentivizing opportunities for growth and affordable housing.

The historic resources in the project area include a range of buildings of various types, sizes, and styles and the Proposed Action aims to encourage the design of new development that is in character with the area. Publicly accessible views of resources would not be blocked, because

all new development would occur on existing blocks and lots, and maximum building heights would be limited and capped in the rezoning area. In addition, as more fully described in Attachment 7, “Shadows,” there would be no significant adverse impacts to historic resources with sunlight dependent features. Most resources would not be affected by incremental shadow and where resources would be subject to varying amounts of incremental shadow as a result of the Proposed Action, the increments would not be significant due to their limited extent and other site specific factors.

No impacts of these historic resources are expected to occur as a result of the Proposed Action, which will map contextual zoning districts to match the existing character of the area. No demolition of listed, eligible or potentially eligible historic resources is anticipated. Where there is anticipated ground disturbance due to the proposed action, the area being disturbed has already been excavated and/or filled with large underground storage tanks. Therefore, there are no anticipated impacts expected to affect the historical or cultural resources due to the projected and potential development sites.

FIGURE A – MAP OF HISTORIC RESOURCES

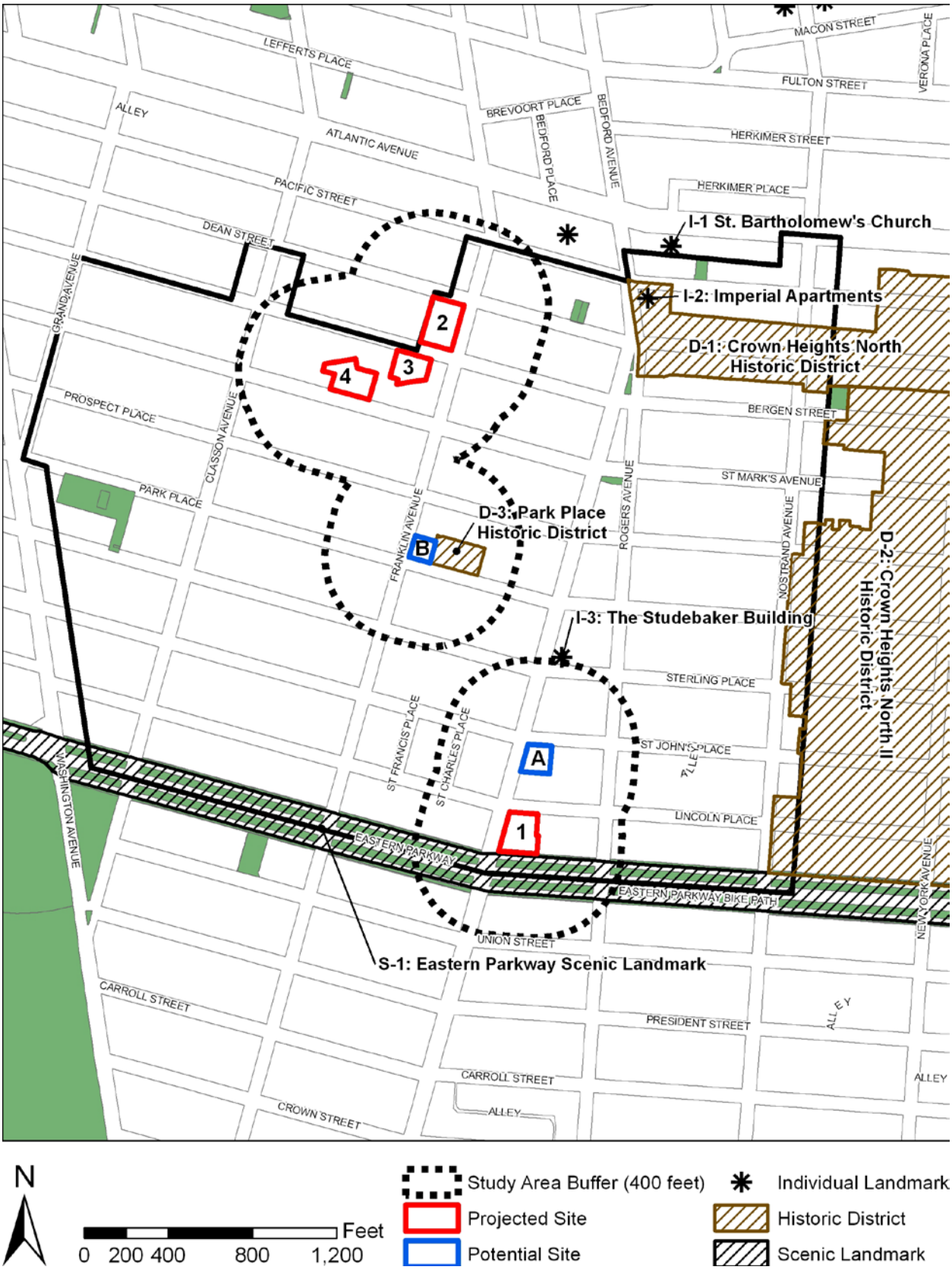


FIGURE D-1 Crown Heights North Historic District I



FIGURE D-2 Crown Heights North Historic District II



FIGURE D-3 Park Place Historic District



FIGURE D-4 Crown Heights North IV Study Area

(St. Marks Place from Rogers Avenue to Nostrand Avenue)



FIGURE I-1 Saint Bartholomew's Church



FIGURE I-2 Imperial Apartments



FIGURE I-3 Studebaker Building



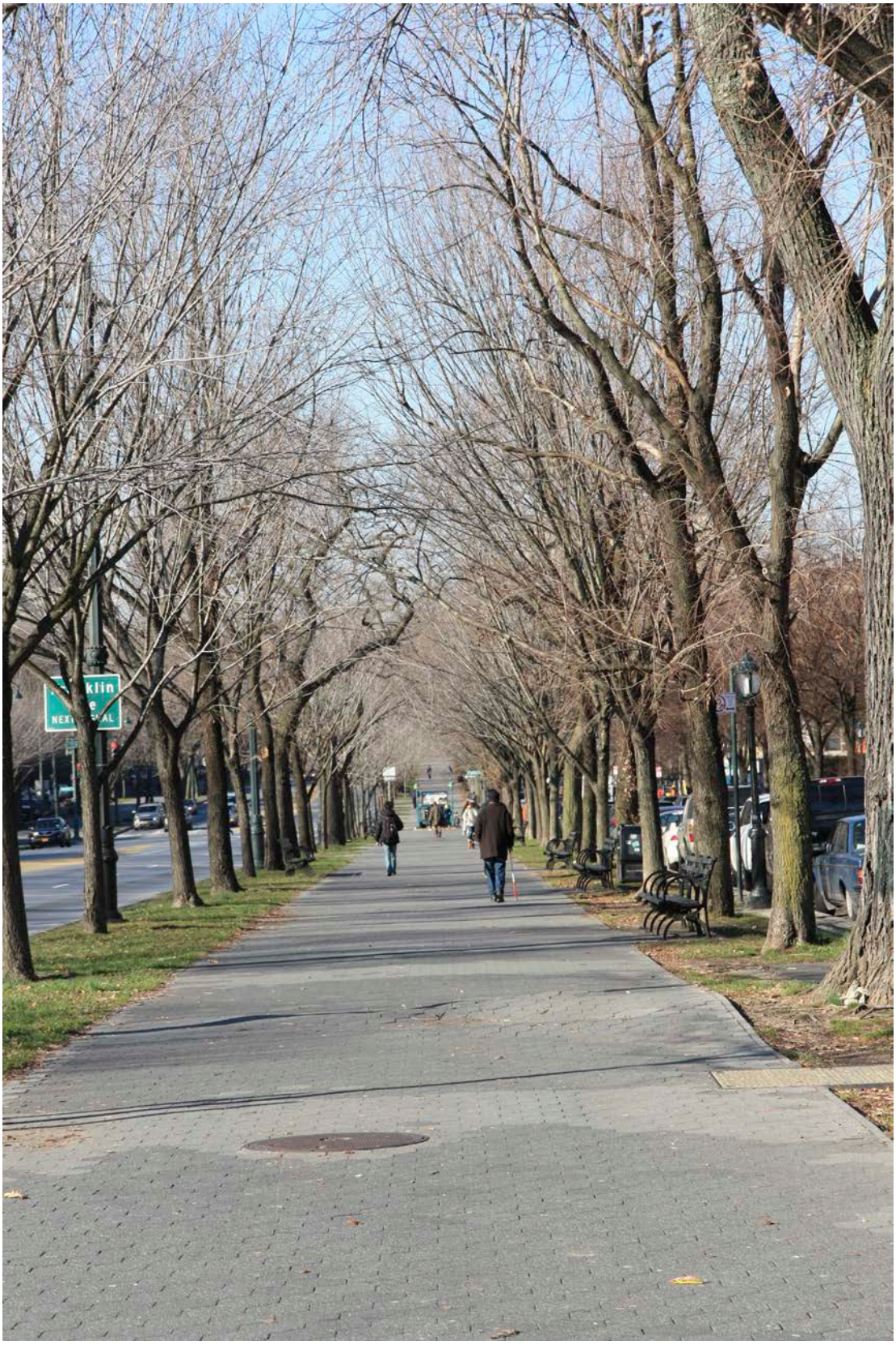
FIGURE I-4 Malt House



FIGURE S-1a Eastern Parkway



FIGURE S-1b Eastern Parkway



ATTACHMENT 9 – URBAN DESIGN AND VISUAL RESOURCES
Crown Heights West Rezoning
Environmental Assessment Statement
CEQR No: 13DCP105K
ULURP Nos: 130213 ZMK, N 130212 ZRK

INTRODUCTION

This section considers the potential of the Proposed Action to affect urban design and visual resources. As defined in the 2012 *City Environmental Quality Review (CEQR) Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space. A visual resource can include views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings, and natural resources. Since the Proposed Action could result in the potential for a pedestrian to observe, from the street level, a physical alteration beyond what is allowed by existing zoning, a preliminary assessment of urban design and visual resources is warranted.

Per the *2012 CEQR Technical Manual*, the following analysis focuses on where the Proposed Action would be most likely to influence land use patterns and the built environment. This analysis addresses the urban design and visual resources of the study area for existing conditions, the future without the Proposed Action (the No-Action condition) and the future with the Proposed Action (With-Action condition) in the 2023 analysis year when the full build-out pursuant to the Proposed Action is expected to be completed.

The proposed action is intended to reinforce and improve the existing neighborhood character of the proposed Crown Heights West rezoning area through additional growth opportunities and urban design requirements. The proposed zoning districts would ensure that future development is largely consistent in built form with the existing built context by preventing out-of-scale and incongruous development, which is allowed under the existing zoning districts' regulations. Additionally, moderate increases in residential density are proposed in selected areas around wide avenues and intersections to incentivize developments with greater number of affordable housing units. These increases consist of contextual zoning districts with strict height limits and urban design requirements, including provisions that require new structures to line up with adjacent structures to maintain the streetwall.

No significant adverse impacts related to urban design and visual resources are anticipated as a result of the proposed action. The proposed action would promote new development that is consistent with existing uses, density, scale and bulk, and would not result in buildings or structures that would be substantially different in character or arrangement than those that currently exist in the neighborhood.

METHODOLOGY

As defined in the *CEQR Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space and this analysis considers the effects of the Proposed Action on the experience of a pedestrian in the rezoning and study areas. Urban Design assessments focus on those project elements that have the potential to alter the built environment, or urban design, of the rezoning area, which is collectively formed by the following components:

- Street Pattern and Streetscape—the arrangement and orientation of streets define location, flow of activity, street views, and create blocks on which buildings and open spaces are arranged. Other elements including sidewalks, plantings, street lights, curb cuts, and street furniture also contribute to an area's streetscape.

- Buildings—building size, shape, setbacks, pedestrian and vehicular entrances, lot coverage and orientation to the street are important urban design components that define the appearance of the built environment.

- Open Space—open space includes public and private areas that do not include structures, including parks and other landscaped areas, cemeteries, and parking lots.

- Natural Features—natural features include vegetation, and geologic and aquatic features that are natural to the area.

- View Corridors and Visual Resources—visual resources include significant natural or built features, including important views corridors, public parks, landmarks structures or districts, or otherwise distinct buildings.

The rezoning area does not have natural features, built or natural visual resources, according to the definitions in the *CEQR Technical Manual*. Moreover, the proposed action would not affect the street hierarchy or reconfigure blocks. Therefore, this chapter will analyze the urban design characteristics of the study areas, which include the streetscape, buildings, open spaces.

Study Areas

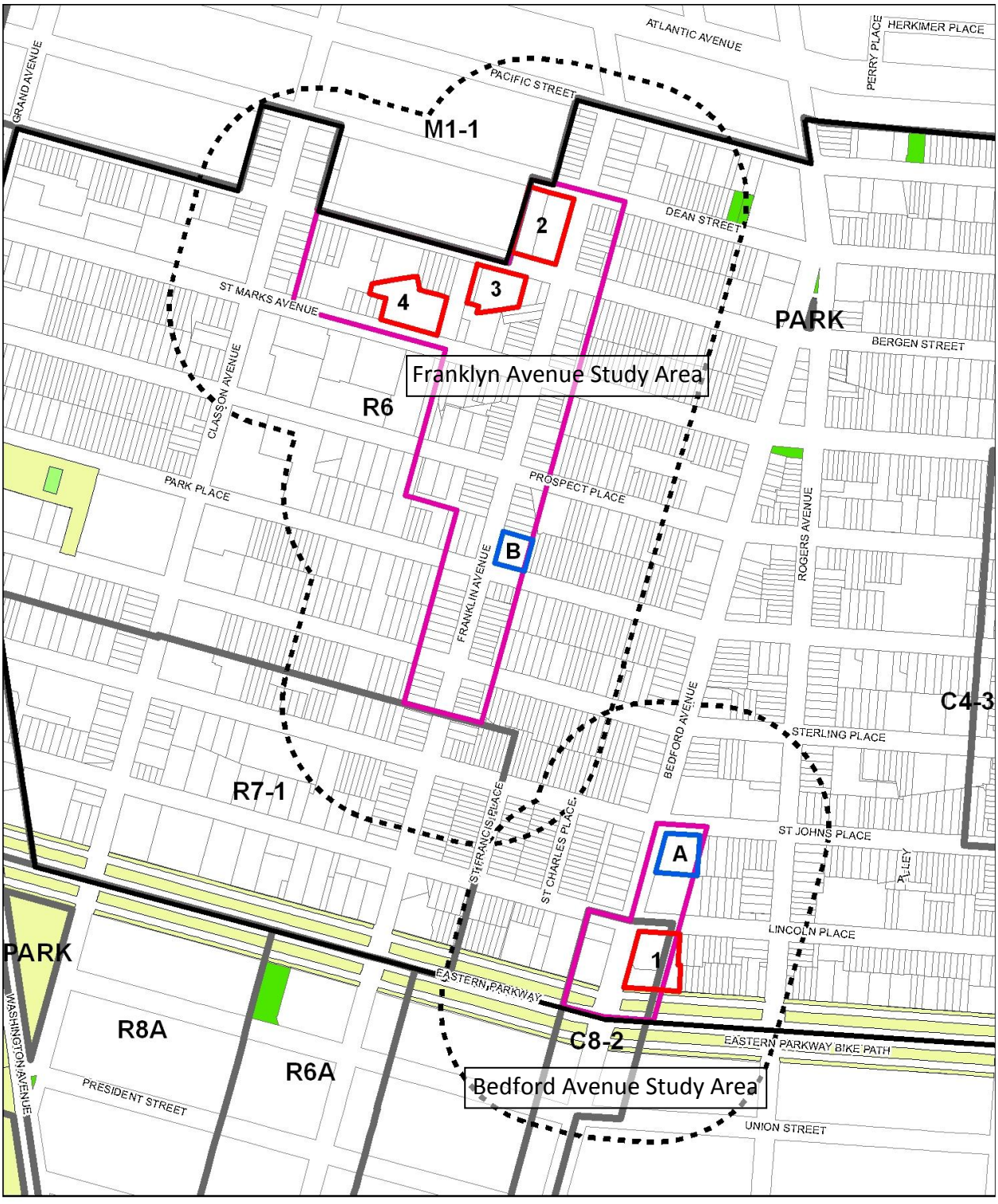
In accordance with the *2012 CEQR Technical Manual*, the analysis begins with a preliminary assessment to determine whether the changes to the pedestrian environment are sufficiently significant to require greater explanation and further study in the form of a detailed analysis. Examples include projects that would potentially obstruct view corridors, compete with icons in

the skyline, or make substantial alterations to the streetscape of an area by noticeably changing the scale of buildings.

The proposed action would permit moderate increases to the allowable residential bulk in limited areas. Since these increases consist primarily of medium-density residential districts with commercial overlays, which would be limited to a portion of the Bedford Avenue corridor between Eastern Parkway and Saint John's Place and around the Franklin Avenue corridor, the focus for the preliminary assessment was therefore limited to these two study areas. Two study areas, Bedford Avenue and Franklin Avenue, were chosen in order to examine the effects the proposed action would have on the urban design character of the area (**Map 9- 1**). Each study area was selected on the basis that the proposed action would allow an increase in density, which could have the potential for a pedestrian to observe, from the street level, a physical alteration beyond what is allowed by existing zoning.

Since the urban design and visual resources analysis is a site specific-based technical analysis, the anticipated development on projected development sites forms the basis for this preliminary assessment. As discussed in Attachment 2, a reasonable worst-case development scenario (RWCDS) has been developed to represent the potential development that could result from the proposed action.

Map 9- 1: Study Areas and Existing Zoning Districts



EXISTING CONDITIONS

The rezoning area is a predominantly residential neighborhood. In general, smaller residential buildings are seen along narrow side streets and larger apartments are seen along wide avenues. Retail and other commercial activities are seen along north-south corridors especially along Nostrand Avenue and Franklin Avenue. There is a concentration of large community facilities along Classon Avenue including public schools, healthcare institutions and churches. Smaller community facilities including daycare centers and churches are scattered throughout the rezoning area. Manufacturing, storage and utility-related uses are mostly seen in the northwest of the rezoning area bounded by Bergen Street to the south, Franklin Avenue to the east and Grand Avenue to the west.

Bedford Avenue Study Area

The core of the Bedford Avenue study area is primarily zoned C8-2, and the rest is zoned R6. C8-2 districts bridge commercial and manufacturing districts and are mapped mainly along major arterials. Since the C8-2 district is designed for automobile dependent commercial uses, it requires a substantial number of parking spaces. Residential uses are prohibited within C8-2 districts. Up to 2.0 FAR is allowed for commercial uses and up to 4.8 FAR is allowed for community facilities. Developments within this district usually result in a one- to two-story low lot coverage building surrounded by large open parking lots, which creates an environment unwelcoming and difficult to navigate for pedestrians. The existing C8-2 district includes a two-story building with ground floor retail and medical and professional offices and a one-story gas station and auto service center (Figure 9- 1, Figure 9- 2).

The existing R6 district along Bedford Avenue contains a wide range of building types. In general, the west side of the avenue is filled with intact multi-family residential buildings (Figure 9- 3) and the east side of the avenue is filled with community facilities including a senior housing, a daycare center and a former Savoy Theatre which is currently used as a church (Figure 9- 4).

As discussed in Attachment 3, “Land Use, Zoning, and Public Policy,” the Administrative Code requires all buildings to be setback 30 feet from Eastern Parkway.



Figure 9- 1: Commercial building with parking on the Eastern Parkway Scenic Landmark



Figure 9- 2: Auto-related business within existing C8-2 district



Figure 9- 3: Existing multi-family buildings on the west side of Bedford Avenue



Figure 9- 4: Former Savoy Theatre on the east side of Bedford Avenue

Projected Development Site 1 is located at 1519-1535 Bedford Avenue (Block 1260, Lots 1 and 5). The majority of the Site is currently zoned C8-2 and a small portion beyond one hundred feet from Bedford Avenue is zoned R6. Site 1 currently contains two tax lots totaling 28,156 square feet. These lots contain a single-story gas station and a car wash maintenance facility (Figure 9- 5). Currently, the existing use on Development Site 1 is encroaching upon the 30 foot setback required by the Administrative Code.



Figure 9- 5: Projected Site 1, Existing Conditions

Franklin Avenue Study Area

The majority of the Franklin Avenue study area is currently zoned R6. The existing R6 zoning regulations permit residential buildings up to 2.43 FAR under Height Factor bulk regulations, and the optional Quality Housing regulations allow residential buildings to be built to a maximum of 2.2 FAR along narrow streets and up to 3.0 FAR along avenues wider than 75 feet. When pursuing Height Factor bulk regulations, building height is governed by a sky exposure plane and the residential FAR can be maximized at 13 to 15 stories. Under the optional Quality Housing program, building heights are limited to 55 feet along narrow streets and to 70 feet along wide avenues. Community facility buildings may be developed up to 4.8 FAR.

The existing R6 district contains a wide range of residential building types. Midblock sections along east-west streets are generally developed with two- to four-story brownstones, rowhouses and small apartment buildings (Figure 9- 6). Moderate-density apartments are seen along wide avenues and at intersections (Figure 9- 7).

The existing R6 district in the study area also contains larger buildings. A former Interfaith Hospital complex is located on a block south of St. Mark's Avenue, between Franklin Avenue and Classon Avenue (Figure 9- 8). The complex contains buildings with large footprints ranged from five to 13 stories. When the hospital moved away from the neighborhood, these buildings were converted for residential uses. Height factor residential buildings ranging from 10 to 14 stories in height are also seen along Classon Avenue, St. Mark's Avenue and Bergen Street (Figure 9- 9). These height factor buildings typically are setback from the streetline and are surrounding by private open space and/or parking lots. Pedestrian entrances are located far from the street.

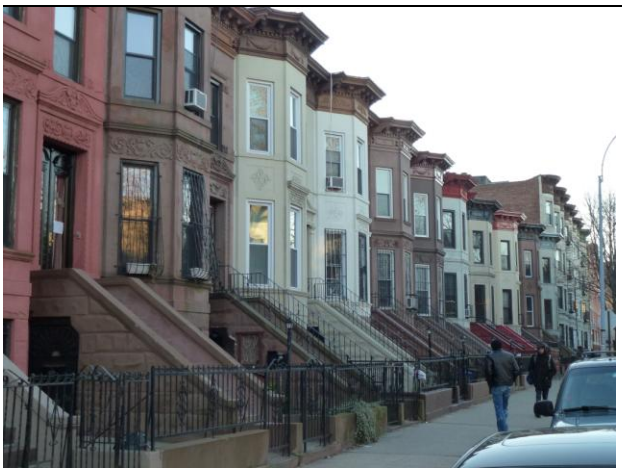


Figure 9- 6: One to two family rowhouses on side streets



Figure 9- 7: Moderate density apartments on Franklin Avenue



Figure 9- 8: Former Interfaith Hospital complex, looking south from St. Marks Ave.



Figure 9- 9: Height factor buildings, looking south from Dean St.

Projected Development Site 2 is located at 1046 Dean Street (Block 1142, Lot 44 and 48). The site is currently zoned R6 with C2-3 commercial overlay. Site 2 contains two lots owned by a single owner totaling 33,816 square feet (Figure 9- 10). Seven vacant one- to five-story factory buildings are located on these lots. This site was formerly part of the Nassau Brewery Complex and was recently rezoned in 2006 from M1-1 to R6 with a C2-3 overlay.

Projected Development Site 3 is located at 922-924 Bergen Street (Block 1149, Lots 40 and 41). The site is currently zoned for R6 with C2-3 commercial overlay. Site 3 consists from two tax lots owned by separate owners. Two vacant warehouse buildings are currently located on these lots (Figure 9- 11).

Projected Development Site 4 is located at 505 St. Marks Avenue (Block 1149, Lot 72). The site is currently zoned for R6. Site 4 is a 31,200 square foot lot containing a vacant one-story building last used as a daycare center (Figure 9- 12).



Figure 9- 10: Projected Site 2, Existing Conditions



Figure 9- 11: Projected Site 3, Existing Conditions



Figure 9- 12: Projected Site 4, Existing Conditions

FUTURE WITHOUT THE PROPOSED ACTION

The existing zoning in the study areas is predominantly C8-2 and R6. C8-2 districts bridge commercial and manufacturing districts and are mapped mainly along major arterials. Residential uses are prohibited within C8-2 districts. This has produced a range of building forms and heights including single-story gas station establishments and a two-story retail and medical facility. R6 districts do not have fixed height limits and building envelopes are regulated by a sky exposure plane and open space ratios. R6 districts are general housing districts that allow all housing types and multi-family buildings and community facility uses. Generally, the proposed R6 district encourages mid-rise multi-family buildings and community facility uses on the ground floor built to an expected height of 40 to 80 feet depending on lot area and other requirements. However, the R6 district has also produce buildings that rise 160 feet and are setback from the street and surrounded by a parking lot.

The C8-2 and R6 districts have been in place since 1961 have produced a variety of mixed building forms in the area, ranging from row houses to five- to six-story apartment buildings. The existing zoning has produced an inconsistent streetscape which lacks a consistent street wall and a variety of street level activity. Additionally, the private open space generated by height factor buildings, in general, creates negative open spaces (the non-public areas in between buildings) and tends to create unwelcoming streetscapes for pedestrians. It is expected that in the Future Without the Proposed Action building forms would continue to be unpredictable, creating an inconsistent streetscape.

Bedford Avenue Study Area

Under the No-Action Scenario, Projected Site 1 would likely remain in its current use as a gas station and car service center. C8-2 districts do not permit residential uses and limit commercial floor area to 2.0 FAR (Figure 9- 13).

Franklin Avenue Study Area

Under the No-Action Scenario, Projected Development Site 2 would continue to be zoned R6 with C2-3 commercial overlay. As previously discussed, pursuant to an earlier rezoning, Projected Development Site 2 would be redeveloped in the future without the proposed action. The property owner has stated that the site would be redeveloped with or without the proposed action. Based on discussions with the property owner and plans filed with the Department of Buildings, the site would be developed with a five-story residential building with a ground floor commercial space. An existing four-story manufacturing loft building on the southwest of the Site would be preserved and converted for office and community facility uses.

Total residential units would be 74 dwelling units and 78 parking spaces would be provided at below grade.

Projected Development Site 3 is currently zoned R6. Existing one story warehouses would be demolished and the site would be redeveloped with a 14-story Height Factor residential building with a ground floor community facility space. 36 below grade parking spaces would be provided.

Projected Development Site 4 is currently zoned R6. The existing former daycare center building would be demolished and a 14-story residential building with a ground level community facility space would be built. There would be 52 parking spaces provided in a below grade garage.

FUTURE WITH THE PROPOSED ACTION

The study area portion of Bedford Avenue is proposed to be rezoned from C8-2 and R6 to R7D with Inclusionary Housing and C2-4 overlay. R7D is a residential district that allows apartment building development, with a base FAR of up to 4.2 for residential and community facility uses. The R7D district would be included in the Inclusionary Housing program, which would allow a 33% floor area bonus and a maximum FAR up to 5.6, if 20% of the floor area is made permanently affordable to low-income households. Above a base height of 60 to 85 feet, the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 100 feet. New structures in R7D districts are required to line up with adjacent structures to maintain the streetwall. These requirements would ensure that there are active uses are on the ground floor creating a more a dynamic streetscape that will enhance the pedestrian experience. Additionally, new development on the ground floor will be required to provide 50 percent of the area between 2 and 12 feet as transparent surface.

The study area portion of Franklin Avenue is proposed to be rezoned from R6 to R7A with Inclusionary Housing and C2-4 overlays along the corridor. R7A districts permit residential and community facility uses to a base FAR of 3.45. The FAR may be increased to 4.6 if affordable housing is provided. Base heights are required to be between 40 and 65 feet, and the maximum building height is 80 feet after a setback from the street. This typically produces 6- to 8-story buildings. New buildings in R7A districts must be located no closer to the street than a neighboring building. These requirements would ensure that new development is predictable and will create a streetscape that fosters a safe and vibrant environment.

Map 9- 2 shows the study area with proposed zoning change.

Bedford Avenue Study Area

As discussed earlier, the current C8-2 and R6 districts have resulted in one- to two-story low lot coverage buildings surrounded by large open parking lots and underutilized space and multi-family residential buildings (Figure 9- 3) and community facilities including a senior housing building, a daycare center and a former Savoy Theatre which is currently used as a church (Figure 9- 4).

Under the With-Action Scenario, Projected Site 1 would be rezoned to R7D with an inclusionary zoning designation and with a C2-4 commercial overlay. Under the proposed zoning, the site could be developed with a 100 foot tall residential building with a commercial space on the ground floor. The building would contain 125 residential dwelling units including 25 affordable housing units under the inclusionary housing program. 56 parking spaces would be provided in an underground garage. 50 percent of the area between 2 and 12 feet on the ground floor would be a transparent or glazed surface.

Franklin Avenue Study Area

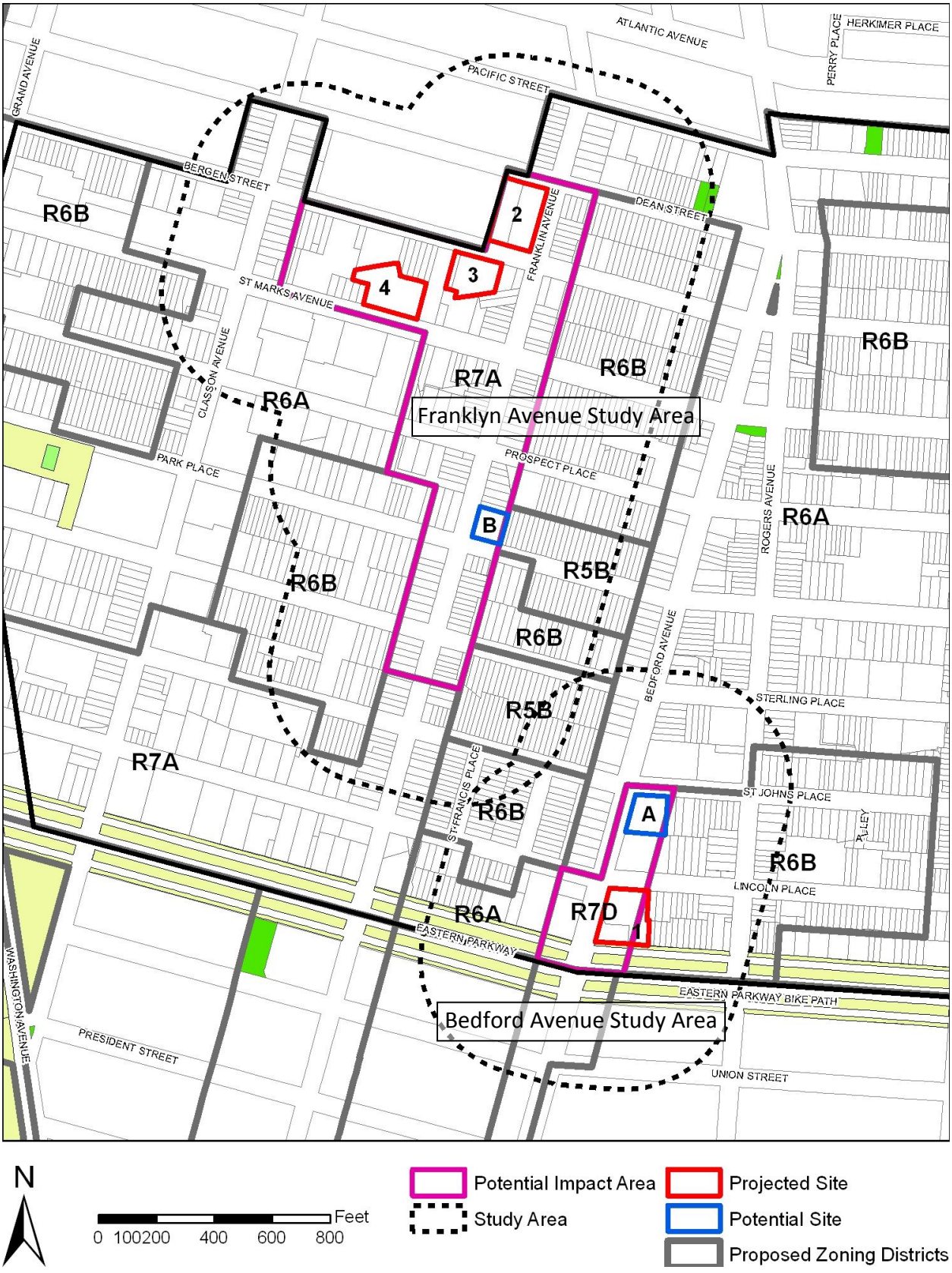
As discussed earlier, the current R6 district contains a range of building types including two- to four-story brownstones, rowhouses, small apartment buildings and a large medical facility converted to residential use (Figure 9- 6). Other moderate-density apartments are seen along wide avenues and at intersections (Figure 9- 7).

Under With-Action Scenario, Projected Site 2 would be rezoned to R7A with an inclusionary zoning designation and with a C2-4 commercial overlay. The site could be developed with an eight-story residential building with a ground floor retail space. An existing four-story loft building on the southeast corner of the site would be preserved and converted to commercial and community facility spaces. The total number of residential units would be 107 including 21 affordable units. 48 parking spaces would be provided below grade.

Projected Development Site 3 would be rezoned to R7A with an inclusionary zoning designation. The site could be developed with an 80 foot tall building containing 97 residential units including 19 affordable units. 44 parking spaces would be provided below grade.

Projected Development Site 4 would be rezoned to R7A with an inclusionary zoning designation. The site could be developed with an 80 foot tall residential building with a ground floor community facility space and 115 residential units including 23 affordable units. 52 parking spaces would be provided in a below-grade garage.

Map 9- 2: Study Areas and Proposed Zoning Districts


ATLANTIC AVENUE
PACIFIC STREET
HERKIMER PLACE
PERRY PLACE
GRAND AVENUE
BERGEN STREET
DEAN STREET
FRANKLIN AVENUE
ST MARKS AVENUE
CLASSON AVENUE
PARK PLACE
PROSPECT PLACE
ROGERS AVENUE
BEDFORD AVENUE
STERLING PLACE
ST JOHNS PLACE
ST FRANCIS PLACE
ALLEY
LINCOLN PLACE
EASTERN PARKWAY
EASTERN PARKWAY BIKE PATH
WASHINGTON AVENUE
PRESIDENT STREET
UNION STREET
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Franklyn Avenue Study Area
Bedford Avenue Study Area
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Feet
Potential Impact Area
Study Area
Projected Site
Potential Site
Proposed Zoning Districts

ANALYSIS

Bedford Avenue Study Area

The existing C8-2 district is designed for automobile dependent commercial uses and requires a substantial number of parking spaces, which have waned since 1961 when the C8-2 zoning district was designated. The range of permitted uses in the C8-2 district is limited and residential uses are prohibited. New developments within this district usually result in a one- to two-story low lot coverage building surrounded by large open parking lots, which creates an environment unwelcoming and difficult to navigate for pedestrians.

The proposed R7D district would be mapped on the area currently zoned for C8-2 (a lower density semi-industrial district) at the intersection of Eastern Parkway and Bedford Avenue. One block frontage within an existing R6 district along Bedford Avenue adjacent to the existing C8-2 district would also be included in the proposed R7D district

The proposed R7D district is intended to would incentivize new residential development with affordable housing. R7D districts allow residential densities of up to 4.2 FAR or up to 5.6 FAR with an Inclusionary Housing Bonus. The minimum base height of 60 feet would be required to be built at the street line and the overall building height would be limited to 100 feet after a 10 foot setback along wide avenues or a 15 foot setback along narrow streets. A C2-4 commercial overlay would be mapped on the existing C8-2 district, which typically generates regional and local retail establishments that promote pedestrian-friendly streetscapes. The proposed R7D district with a commercial overlay would require active ground floor uses, including retail uses, and other urban design regulations, including transparency requirements and limited curb cuts, which would ensure the creation of a pedestrian friendly environment. The Administrative Code and a new zoning text amendment would require buildings to be set back 30 feet from Eastern Parkway.

In contrast the existing C8-2 and R6 zoning districts do not require or promote a consistent streetwall or active, transparent uses on the ground floor and neither ensures predictable development that would enhance or improve the corridor. These districts, as discussed earlier, allow new development to ignore the pedestrian's experience by setting back the buildings frontage and entrances. Consequently, the recent urban forms that these zoning districts promote are unpredictable and incongruous compared to the existing context.

Figure 9- 13 shows a view looking north along Bedford Avenue and looking into Projected Site 1. The area is currently developed with a gas and auto service station and a commercial building with substantial parking spaces along street frontage. There is a notable volume of pedestrians due to bus stops, access to the Eastern Parkway Mall and nearby subway stations. At this site,

designated open areas along the Eastern Parkway Scenic Landmark are typically filled with parking lots and car waiting areas for the auto service facility.

Figure 9- 14 is a simulated view of Projected Site 1 under the No-Action scenario where the existing auto service facility will remain. Figure 9- 15 is a simulated view of the same sites in With Action scenario utilizing the Inclusionary Housing Bonus. While a higher maximum FAR would be introduced with the proposed action, it is not expected that the proposed action would adversely impact the general urban design and visual resources within the area due to restricted building height, significantly reduced parking requirements, urban design requirements and restrictions on auto-oriented businesses. The proposed R7D and C2-4 overlay would allow and encourage active uses and density at a scale that would promote a vibrant pedestrian environment. The R7D with a C2-4 overlay would reactive the streetscape on the eastern portion of Bedford Avenue as shown in Figure 9-17.



Figure 9- 13: view looking north along Bedford Avenue and looking into Projected Site 1



Figure 9- 14: Simulated view of Projected Site 1 under No-Action scenario

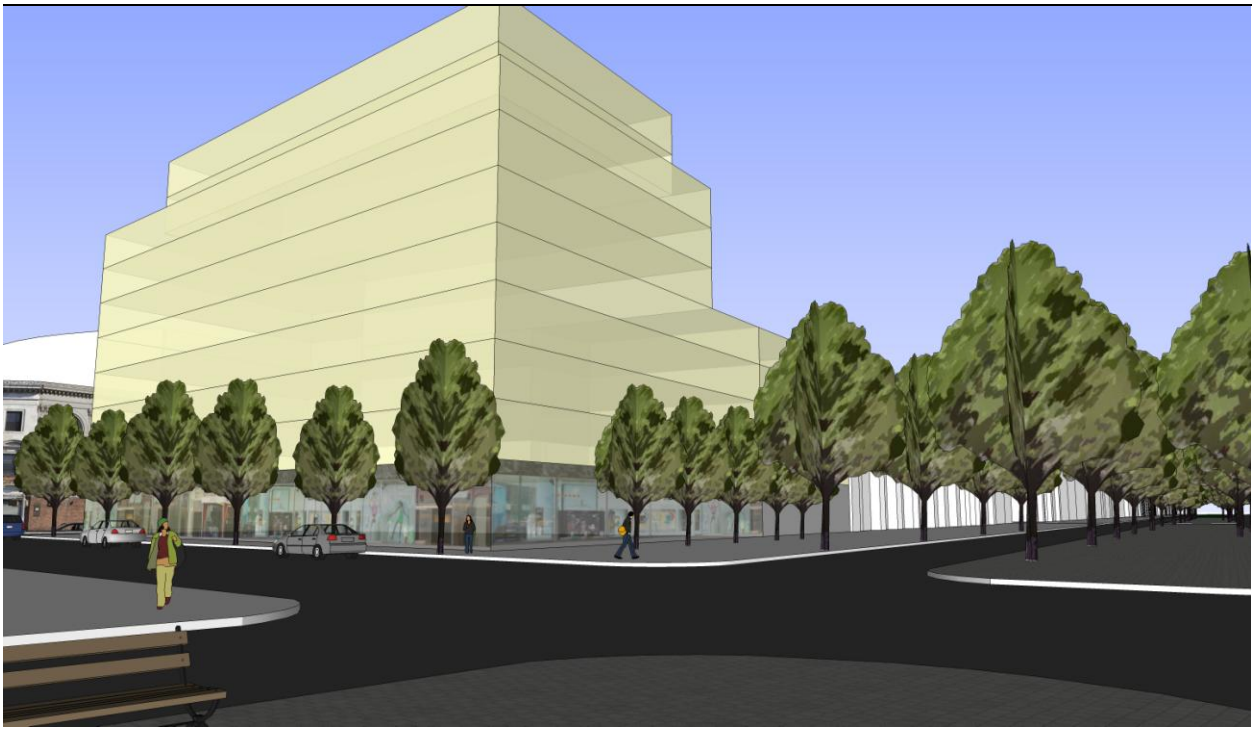


Figure 9- 15: Simulated view of Projected Site 1 under With-Action scenario

Franklin Avenue Study Area

The area along Franklin Avenue and a partial block north of St. Mark's Avenue between Franklin Avenue and Classon Avenue would be rezoned to an R7A district with an Inclusionary Housing Designation to incentivize developments with affordable housing units.

Currently, the existing R6 district does not require new development to blend with the existing urban built environment. New developments typically setback from the street and are surrounded by parking lots and/or negative open space (the private space in and between buildings) creating an unwelcoming pedestrian environment (see Figure 9-9). Since there are no height limits and development is regulated in part by the sky exposure plane and open space ratio, new development has been incongruous with the surrounding built context.

The proposed contextual R7A district would set a height limit of 80 feet and would require new buildings to be built on or close to street lines to create or enhance a pedestrian friendly environment. Allowed residential density would be 3.45 FAR or 4.6 FAR with the Inclusionary Housing Bonus. Allowed community facility use FAR would be reduced to 4.0 FAR. A C2-4 commercial overlay will replace the existing C1-3 and C2-3 commercial overlays along Franklin Avenue to promote locally-oriented, low traffic generating retail and other businesses.

Figure 9- 16 shows a view along Bergen Street looking toward Projected Sites 2 and 3. Figure 9-17 is a simulated image of the same view showing projected developments under the No-Action scenario. Projected Site 2 would be developed with a five-story residential building with a ground floor retail space and Projected Site 3 would be developed with a 14-story residential tower with ground floor community facility spaces. Figure 9- 18 shows a simulated view under With-Action scenario. Both Site 2 and 3 would be developed with an eight-story residential building with a ground floor retail space on Site 2 and community facility space on Site 3.

Figure 9- 19 shows a view along St. Mark's Avenue looking toward Projected Sites 3 and 4. Figure 9- 20 is a simulated image of the same view showing projected height factor residential towers on these two sites in No-Action scenario. Figure 9- 21 shows a simulated view of Projected Sites 3 and 4 in With-Action scenario. Both Site 3 and 4 would be developed with eight-story residential building with a ground floor community facility space.

While the allowable residential FAR would be increased to promote development with affordable housing within the Franklin Avenue study area, it is not expected that the proposed action would adversely impact the general urban design and visual resources within the area due to restricted building height and urban design requirements that ensure the creation of a pedestrian friendly street environment. The proposed R7A district and commercial overlays

along Franklin Avenue would promote a vibrant pedestrian environment by allowing active uses along the corridor and requiring new development to create and frame a safe and welcoming public realm through contextual zoning requirements.



Figure 9- 16: Street view along Bergen Street looking northeast toward Projected Sites 2 and 3



Figure 9- 17: Simulated view of Projected Sites 2 (right) and 3 (left) under No-Action scenario



Figure 9- 18: Simulated view of Projected Sites 2 (right) and 3 (left) under With-Action scenario



Figure 9- 19: Street view along St. Mark's Avenue looking northeast toward Projected Sites 3 and 4



Figure 9- 20: Simulated view of Projected Sites 3 (right) and 4 (left) under No-Action scenario

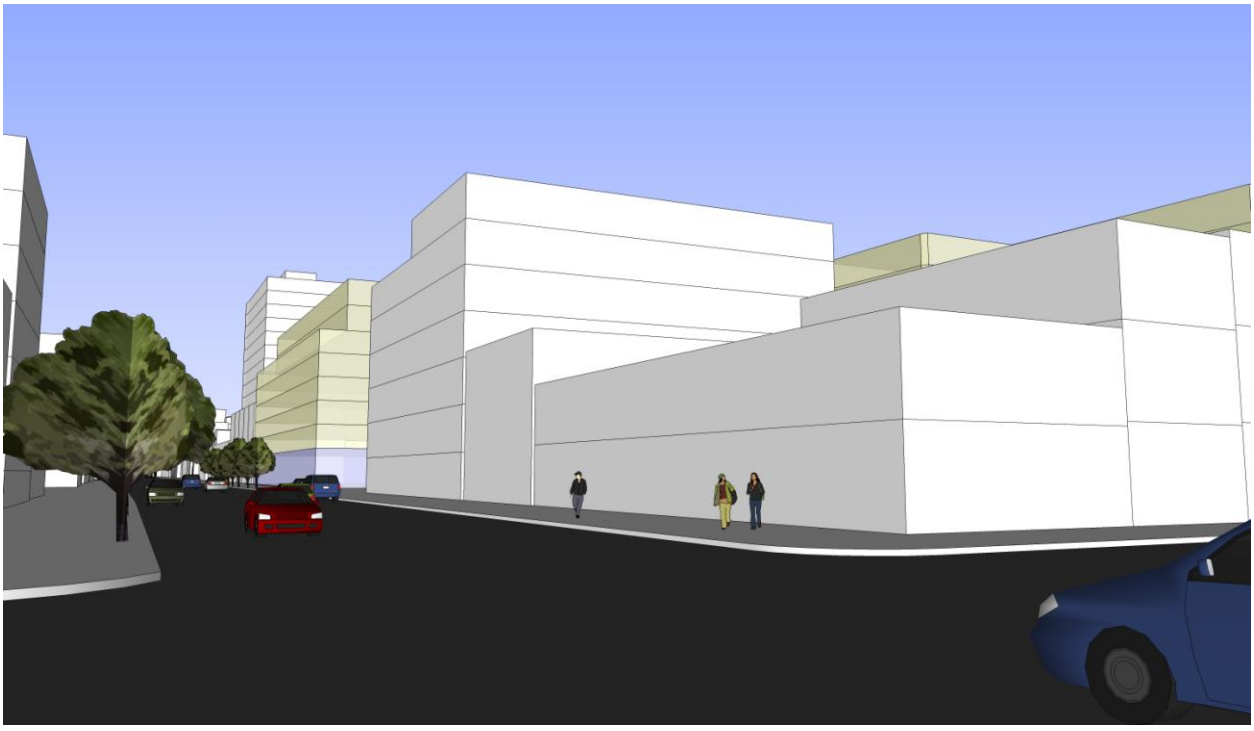


Figure 9- 21: Simulated view of Projected Sites 3 (right) and 4 (left) under With-Action scenario

CONCLUSION

As described above, the current streetscapes, existing buildings and land uses within the study area are varied. There are one-story low lot coverage establishments surrounded by parking, two- to four-story residential walkups, multifamily apartment buildings, a large residential complex converted from a medical facility with multiple 170 foot towers, manufacturing uses and other various commercial and community facility structures. There is no one predominant urban form or context in the study areas and current zoning promotes divergent urban forms from the existing context.

As analyzed in previous sections, existing buildings and land uses in the study area are not unique in terms of urban design character. New development under proposed action would not alter an entrenched, consistent urban context, obstruct a natural or built visual corridor or be inconsistent with the existing character and building forms typically seen in the area. The proposed action would not alter block forms, and would encourage a greater continuity in the street wall. The potential new development would encourage greater continuity in the streetscapes by requiring a more consistent street wall and active uses than exists there today. Enhanced urban design regulations with proposed contextual zoning districts would improve the areas urban design character and would promote pedestrian friendly street environment.

It is not expected that the proposed actions and projected and potential development pursuant to the proposed action would have significant adverse impacts on the urban design and visual resources of the project area. There will be no changes to the topography, natural features, street hierarchy, block shapes, or building arrangements. Consequently, the Proposed Action is not expected to have a significant adverse impact on urban design and therefore no further analysis is necessary.

ATTACHMENT 10 - HAZARDOUS MATERIALS

Crown Heights West Rezoning
Environmental Assessment Statement
CEQR No: 13DCP105K
ULURP Nos: 130213 ZMK, N 130212 ZRK

Introduction

This chapter assesses the potential for impacts from an increased exposure to hazardous materials and/or contaminants that could be encountered in the soil and/or groundwater during construction on the sites included within the rezoning area. Potential effects from hazardous materials could result when on-site contaminants at concentrations above regulatory standards or guidance values are disturbed during construction activities, or when a new use is introduced that would increase the risk of human exposure to hazardous materials or contaminants.

The 2012 CEQR manual defines a hazardous material as any substance that poses a threat to human health or the environment. Potential hazardous materials include: heavy metals; volatile organic compounds (VOCs); semi-volatile organic compounds (SVOCs); polychlorinated biphenyls (PCBS); pesticides; and hazardous wastes as defined under the Federal Resource Conservation and Recovery Act. Substances used in building materials and fixtures, such as asbestos-containing materials (ACM), lead-based paint, and mercury are also considered hazardous materials.

The presence of hazardous materials on site does not necessarily indicate a threat to human health or the environment. Rather, a means of exposure, presence of a receptor, and an unacceptable dose amount must be present to cause a threat. During construction on a development site, hazardous materials could be distributed through the excavation of soil and bedrock, extraction of groundwater, or the demolition and renovation of existing structures. Likely routes of human exposure to hazardous materials are the inhalation of VOCs, the ingestion of particulate matter containing SVOCs or metals, or skin contact with hazardous materials released during soil-disturbing activities.

The purpose of the CEQR regulations for hazardous materials is to determine whether proposed actions would cause the increased exposure of people or the environment to hazardous materials, and, if so, whether that increased exposure would result in significant environmental or public health impacts. According to the 2012 CEQR Technical Manual guidance, significant impacts related to hazardous materials may occur when:

- Elevated levels of hazardous materials exist on a site and the project would increase human or environmental exposure;
- A project would introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure;
- The project would introduce a population to potential human or environmental exposure from off-site sources.

A preliminary assessment of potential hazardous material impacts is warranted for the proposed actions. This is due to the expected redevelopment of a number of sites where elevated levels of hazardous materials could be currently present and will be disturbed due to:

- Development within an area close to a manufacturing zone and/or existing facilities;
- Rezoning to a residential or mixed-use district, in an area that has historically stored, used, disposed of or generated hazardous materials, such as an area in a C8 zoning district;
- Development on a vacant or underutilized site where there is a reason to suspect contamination.

This chapter assesses the potential presence of subsurface contamination (soil, soil gas, groundwater, and bedrock) and the possible presence of hazardous materials in surface structures for all projected and potential development sites identified by the reasonable worst-case development scenario (RWCDS).

Hazardous Materials Screening Methodology

Hazardous material screening seeks to evaluate the potential for contamination on development sites. The objective of this analysis is to determine if any of the projected and potential development sites identified as part of the RWCDS could be adversely affected by current or historical uses on-site, adjacent to or within 400 feet of the site. If contamination on a site is suspected or known through documentation, an (E) designation will be assigned. The (E) designation helps to guarantee that an appropriate level of site investigation and remediation is completed before development so that a zoning map amendment does not introduce new pathways for contamination. It ensures that the public, and any construction workers involved in developing the sites, are not exposed to contamination risk. On sites where contamination has been found, regulations stipulate that (E) designations be assigned to make sure that the appropriate level of site investigation and any necessary remediation occur prior to redevelopment actions.

A screening methodology was implemented to evaluate the applicability of assigning an (E) designation to privately-owned projected and potential development sites that have been identified by the RWCDS for proposed action. The first part of the screening involved the creation of a study area, which includes the following (as per 2012 CEQR guidelines): the four projected development sites, two potential development sites, and the area within a 400-foot buffer of each development site (see Figure 10-A). A list of all potential and projected development sites is provided in Table 10-1.

TABLE 10-1: Potential and Projected Development Sites

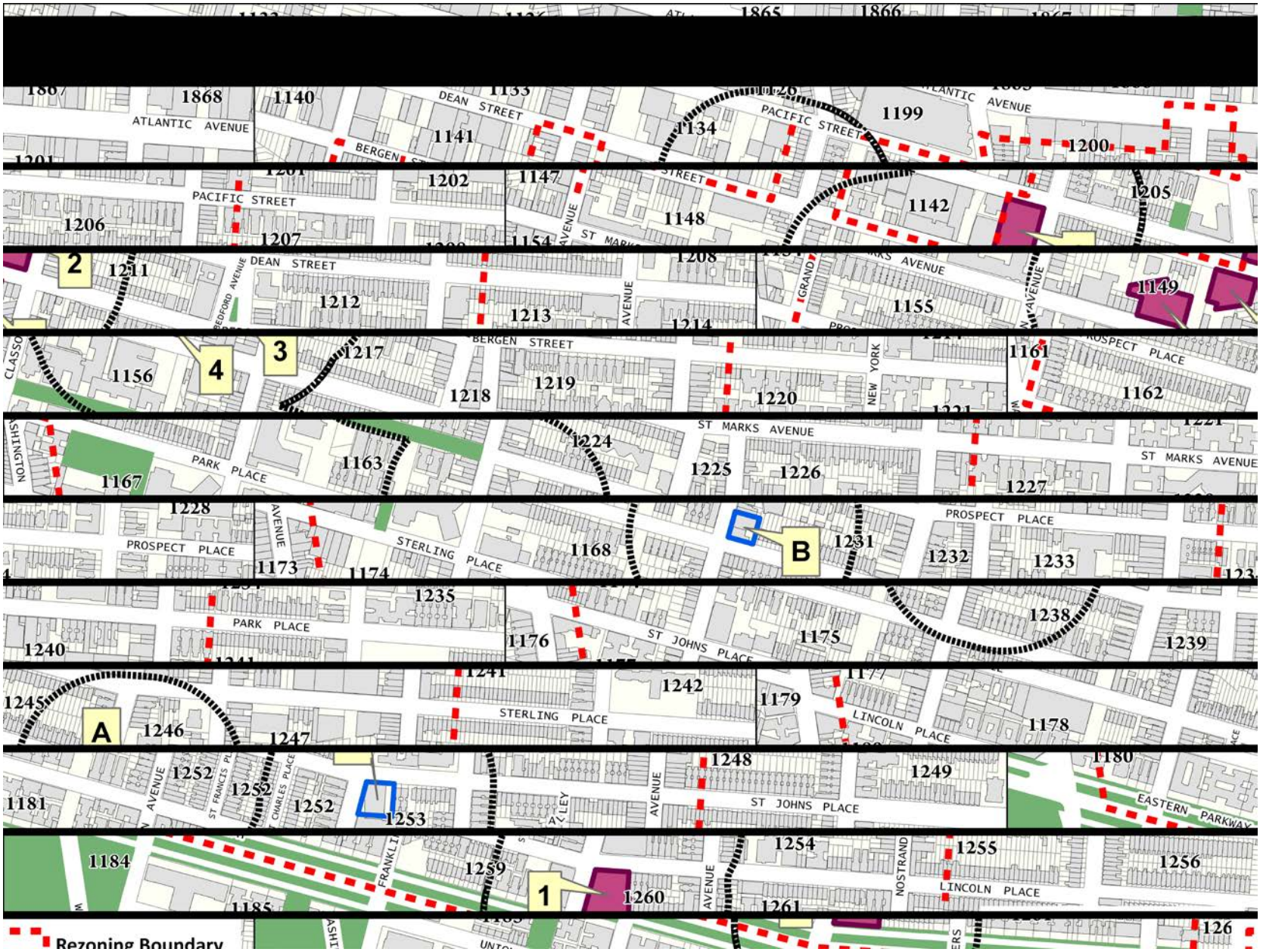
	Sites	**Address**	**County**	**Zip Code**
Projected Sites	1	1519,1535 Bedford Avenue	Kings	11216
	2	1046 Dean Street	Kings	11238
	3	922,924 Bergen Street	Kings	11238
	4	505 St. Mark's Avenue	Kings	11238
Potential Sites	A	1499 Bedford Avenue	Kings	11216
	B	711 Franklin Avenue	Kings	11238

The next step in the screening process was a site history investigation and a land use survey of the study area. The site history investigation involved a review of documentation of both past and present uses to determine if any of the land uses of the sites were consistent with those identified on the *List of Facilities, Activities or Conditions Requiring Assessment* in the Hazardous Materials Appendix of the 2012 CEQR Technical Manual. Historical sources included, but were not limited to: Sanborn Fire Insurance Maps, business atlases, and United States Geological Survey (USGS) topographic maps.

The visual component of the assessment involved inspection of the study area parcels from the public right of way to determine current land uses. The visual inspection for the hazardous materials study area was conducted on September 12, 2012 and included an inspection of the entire area from areas accessible to the public. Information on site conditions was obtained from these vantage points and the observed site conditions were noted.

If projected and potential development parcels were not assigned an (E) designation after this initial screening, adjacent parcels or nearby parcels within 400 feet were assessed using the same sources. If land use determined through visual inspection or review of historical documentation was consistent with those uses identified in the Hazardous Materials Appendix, affected parcels were given an (E) designation.

Figure: 10-A


ATLANTIC AVENUE
DEAN STREET
PACIFIC STREET
BERGEN STREET
ST MARKS AVENUE
PARK PLACE
PROSPECT PLACE
STERLING PLACE
ST JOHNS PLACE
LINCOLN PLACE
EASTERN PARKWAY
1
2
3
4
A
B
Rezoning Boundary

Field Survey

The results of the land use survey and site history investigations indicate that portions of the study area were developed as residential and industrial uses, and that some of the sites within the study area including some vacant buildings. Based on the methodology from *CEQR Technical Manual*, of the 9 tax lots that have been examined, 9 lots have uses that would qualify for (E) designations and two of these 9 lots are already designated with a Hazardous Materials (E) designation.

Table B, "Hazardous Materials Screening," presents the detailed list of 9 tax lots (4 projected development sites and 2 potential development sites) that might be developed under the proposed action and the reason(s) for the (E) designation recommendation.

TABLE 10-2: Hazardous Materials Screening

Projected Sites

Site Description			**Reason for (E) Designation**		
Site	**Block**	**Lot(s)**	**Existing Land Use**	**Adjacent to:**	**Within 400 ft:**
1	1260	1, 5	1519-1535 Bedford Avenue: Gas Station/Car Wash (Documented Spill# 9109883)		Spill# 8600769; 8706242; 9012713; 9206907; 9813767
2*	1142	44, 48	1036-1046 Dean Street: Industrial/Manufacturing, Vacant*	1024 Dean Street: Auto Repair Shop in 1922 (Block 1142, Lot 40); 925 Bergen Street: Garage, Manufacturing, Storage in 1947 (Block 1142, Lot 60)	Truck Parking/Trucking Terminal with stored gas tanks in 1965 (Block 1142, Lot 18), Spill# 9513833

3	1149	40, 41	922 Bergen Street: Industrial/Manufacturing (1962: factory, office, storage and off street loading; 1946: manufacture kitchen utensils)	525 St. Mark's Avenue: Public garage and repair shop in 1935 (Block 1149, Lot 61)	Spill# 9513833
4	1149	72	505 St. Mark's Avenue Public Facilities/Institutions (Day Care Center)		922 Bergen Street: 1962: Factory, office, storage and off street loading, 1946: manufacture kitchen utensils (Block 1149, Lot 41); 964 Dean Street: Commercial printing, manufacture lamps, auto parts, electrical parts in 1967 (Block 1142, Lot 12); Spill# 306264

***Already existing (E) designation**

Potential Sites

Site Description			**Reason for (E) Designation**		
Site	**Block**	**Lot(s)**	**Current Use**	**Adjacent to:**	**Within 400 ft:**
A	1253	7	1499 Bedford Avenue: Day Care Center		1519-1535 Bedford Avenue: Car Wash/Gas Station (Block 1260 Lot 1,5); Spill# 9109883
B	1231	1	711 Franklin Avenue: North Crown Heights Family Outreach Center/Thai restaurant/Laundromat		562 St. Mark's Avenue: Auto repair shop in 1928 (Block 1224, Site 13); Spill# 609570

TABLE 10-3: (E) Designation Screening Details

Site	Block	Lot(s)	Preliminary Screening	Hazardous Materials Conditions	(E) Designation?
1	1260	1, 5	Petroleum & Possible Non-Petroleum Protocol	Current use: Car Wash and Gas Station; Documented petroleum spill on site.	Yes
2	1142	44, 48	-	-	Existing Restrictive Declaration
3	1149	40, 41	Petroleum & Possible Non-Petroleum Protocol	Site formerly manufactured kitchen utensils*****; within 400 feet of former auto repair facility and documented petroleum spill.	Yes
4	1149	72	Petroleum & Possible Non-Petroleum Protocol	Within 400 feet of former automobile manufacturer and printing facility and documented petroleum spill.	Yes
A	1253	7	Petroleum & Possible Non-Petroleum Protocol	Within 400 feet of gas station and documented petroleum spill.	Yes
B	1231	1	Petroleum & Possible Non-Petroleum Protocol	Within 400 feet of former Auto Repair Facility and documented petroleum spill.	Yes

* Manufacture of kitchen utensils may have involved the manufacture of metal or rubber products

FIELD SURVEY

The results of the land use survey and site history investigations indicate that portions of the study area were developed as residential and industrial uses, and that some of the sites within the study area continue to be used by manufacturing businesses in recent years. Based on the methodology from *CEQR Technical Manual*, of the 9 tax lots examined, 9 have or are adjacent to existing or past land uses that would qualify for (E) designations and two of these 9 lots are already designated.

Table 10-2, "Hazardous Materials Screening," presents the detailed list of 9 tax lots (4 projected development sites and 2 potential development sites) that would be developed under the proposed action and the reason(s) for the (E) designation recommendation.

Future Without the Proposed Action

In the future without the proposed action new development might occur on seven of the nine tax lots that warrant an (E) designation. Without the proposed action, development of these sites would occur without the restrictions of the (E) designation (except for lots on projected Site 2). Without the proposed action the risks for potential exposure to hazardous and/or contaminated materials at these sites may increase.

Future With the Proposed Action

In the future with the proposed action, all of the lots that qualify for (E) designation have the potential to be redeveloped. The environmental impacts due to the possible presence of hazardous material at the projected and potential sites relate to the potential for impacts to the health and safety of workers during demolition of existing structures and construction, transportation of contaminated soil, or impacts to future residents or employees of individual buildings on these sites. These adverse impacts are principally associated with the following uses and concerns:

- Former or current gasoline filling stations or automotive service centers on a development site or an adjacent site
- Auto-related or "transportation" uses on the development site or an adjacent site (e.g., garage, filling station, auto repair, service or painting)
- Records of industrial/ manufacturing activities on the development site or adjacent sites
- Documented petroleum/waste oil spills on site or within 400 feet of a development site.

As stated above, the eligible sites recommended for (E) designations are based on whether the sites may have been adversely affected by existing or historical uses at, or adjacent to, these sites. By placing (E) designations on sites where there is a known or suspected environmental concern allows the possible avoidance of an adverse impact to human health and the environment resulting from the proposed action. (E) designations provide the City with a mechanism to prevent significant adverse impacts from occurring on possible development sites.

Placing an (E) designation on the seven projected and potential tax lots would eliminate the potential for significant adverse impacts from hazardous materials due to development on

these sites under the proposed action. The (E) designation places regulatory oversight on these sites so that any potential environmental impacts and/or exposures can be mitigated.

Conclusion

As referenced above, an (E) designation will be placed on the sites identified in Table 10-3 as part of the proposed zoning. Recommendations for (E) designations are based on whether the projected and potential development sites may have been adversely affected by current or historical uses at, adjacent to, or within 400 feet of all projected and potential development sites. In determining (E) designations, current site conditions were given priority consideration followed by adjacent site use or history, and finally followed by current and historical conditions within a 400-foot radius of all development sites.

Receiving an (E) designation requires that the property owner must conduct a Phase I Environmental Site Assessment (ESA) in accordance with the American Society of Testing Materials (ASTM) E1527-05, a soil and groundwater testing protocol, and remediation where appropriate so as to satisfy the New York City Office of Environmental Remediation (OER), prior to any new development. All testing and remediation measures must be completed before the issuance of construction-related New York City Department of Buildings (DOB) permits pursuant to Section 11-15 of the Zoning Resolution, Environmental Requirements. The (E) designation also requires mandatory construction-related health and safety plans, which must be approved by OER.

Under the (E) designation, the following tasks must be undertaken:

Task 1 – The applicant submits to OER, for review and approval, a Phase 1A of the site along with a soil and groundwater 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 sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2 – A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and

approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER. If remediation is indicated from the 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.

An OER-approved construction-related health and safety plan would be implemented during evacuation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation. All demolition or rehabilitation would be conducted in accordance with applicable requirements for disturbance, handling and disposal of suspect lead-paint and asbestos-containing materials. Development of a site with an (E) designation would require that a Phase I Environmental Site Assessment be conducted, and if necessary, a sampling and remediation protocol be developed and implemented to the satisfaction of OER prior to issuance of a building permit.

Regardless of the proposed action, the conditions in the future would be the same for the development of the sites qualifying for an (E) designation. Within the proposed rezoning area, 4 projected and 2 potential development sites are potentially contaminated as a result of historical and/or current land use activity, the presence of fuel storage tanks, or some other condition identified in the *CEQR Technical Manual*. As such, these locations without environmental requirements already in place would receive an (E) designation pursuant to the proposed action (Table 10-4).

With the incorporation of the hazardous materials (E) designations, and the Hazardous Materials Restrictive Declaration already in place on Block 1142, Lots 44 and 48, no significant adverse impacts related to hazardous materials are expected. No further analysis is necessary. (E) designations for hazardous materials would be incorporated as part of the proposed action for the following properties:

Table 10-4: Locations Receiving (E) Designations

Block	**Lot(s)**
1149	40
1149	41
1149	72
1231	1
1253	7
1260	1
1260	5

ATTACHMENT 11 -TRANSPORTATION
Crown Heights West Rezoning
Environmental Assessment Statement
CEQR No: 13DCP105K
ULURP Nos: 130213 ZMK, N 130212 ZRK

Introduction

According to the *CEQR Technical Manual*, interrelationships between the key technical areas of the transportation system – traffic, transit, pedestrians, and parking – should be taken into account in any assessment. Furthermore, the individual technical areas should be separately assessed to determine whether a project has the potential to adversely and significantly affect a specific area of the transportation system. The *CEQR Technical Manual* states that a preliminary trip generation assessment should be prepared to determine whether a quantified analysis of any technical areas of the transportation system is necessary. Except in unusual circumstances, a further quantified analysis would typically not be needed for a technical area if the proposed development would result in fewer than the following increments:

- 50 peak hour vehicle trips;
- 200 peak hour subway/rail or bus transit riders (or 50 bus trips in a single direction on a single route during a peak hour); or
- 200 peak hour pedestrian trips.

The *CEQR Technical Manual* also states that if the threshold for traffic is not surpassed, it is likely that further parking assessment is also not needed.

To determine the potential for the proposed action to result in significant adverse impacts to traffic and parking, screening analyses were performed pursuant to the methodologies identified in the 2012 CEQR Technical Manual. A total net increase of 243 dwelling units and a net decrease of 175 square feet of local retail space and 11,552 square feet of community facility space (professional medical office) were projected as part of the proposed action in the Crown Heights neighborhood of Brooklyn. It was determined that the proposed action would not result in significant adverse impacts as described below.

To assess the potential effects of the proposed action on traffic and parking conditions, the appropriate screening analyses have been performed pursuant to the methodologies identified in the 2012 CEQR Technical Manual, as described below.

Level One Screening

The proposed action generates 243 dwelling units which are more than the 200 dwelling units screening threshold for a transportation assessment in Table 16-1. Therefore, a Level One screening trip generation analysis has been performed, as described below.

Since the proposed rezoning area is spread-out over a relatively large number of acres and projected sites are dispersed throughout the areas receiving medium increases in allowable density, the projected sites were grouped into two area clusters based on their proximity to each other and major traffic corridors to better analyze the likely effects of the proposed action. The clusters are shown on Figures 11-A. Each cluster could only affect the immediately surrounding traffic networks and would have minimum effect, if any, on any other cluster analyzed as part of this proposed action. The proposed action would generate fewer than 50 net vehicle trip ends during the AM, Midday, PM and Saturday Midday peak hours for any of the clusters analyzed, and based upon the 2012 CEQR Technical Manual Guidelines, no further traffic or parking analysis is required. The resulting conclusions are summarized below.

Trip Generation Characteristics

The following assumptions were utilized in estimating likely future trips from each of the land uses resulting from the proposed action as summarized in Tables 11-1 and 11-2.

Residential

A rate of 8.075 daily person trips per dwelling unit combined with the temporal distribution from the 2012 CEQR Technical Manual, Table 16-2 was assumed for the project's residential component. The mode of transportation (modal split) was estimated based on journey-to-work (JTW) data from the 2007-2011 American Community Survey for the census tracts, 219, 221, and 305 in Brooklyn, directly affected by the proposed action. The modal splits and auto vehicle occupancy rates used for each of the two development clusters are summarized in Tables 11-1 and 11-2.

Local Retail

A rate of 205 daily person trips per 1,000 square feet combined with the temporal distribution from the 2012 CEQR Technical Manual, Table 16-2 was assumed for the project's local retail component. It was assumed that 25% of the project’s generation of person trips produced by the local retail development would be considered linked trips. Person linked trips are trips that have multiple destinations, either within the proposed development site or between the development site and existing adjacent sites. The mode of transportation (modal split) was estimated based on the 2001 CEQR Technical Manual, Table 3O-3, as summarized in Table 11-2 for each local retail development.

Community Facility (Medical Office)

The proposed action generates a net decrease of 11,552 square feet of community facility (medical office) space. To be conservative, no credit is taken for the removal of pedestrian and vehicular trips to and from either of the development cluster sites.

Delivery Vehicles

The rate of 0.06 per dwelling unit and 0.35 per 1,000 square feet for retail, as reported in the 2012 CEQR Technical Manual, was used to estimate daily delivery vehicles for the proposed action as summarized in Tables 11-1 and 11-2.

Traffic and Parking Analysis

Cluster A - Site 1

Projected Development Site 1 in Cluster A would be located on Bedford Avenue between Eastern Parkway and Lincoln Place and would include a total net increase of 125 dwelling units and 5,197 square feet of local retail space. Based on the trip generation analysis, Cluster A would generate 125, 202, 191, and 190 person trips and 14, 13, 16, and 14 vehicle trip ends in the AM, Midday, PM, and Saturday Midday peak hours, respectively. Cluster A would generate fewer than 50 vehicle trip ends in any peak hour, and based upon the 2012 CEQR Technical Manual Guidelines, no further traffic or parking analysis is required as summarized in Tables 11-3 and 11-4.

Cluster B - Sites 2, 3, and 4

Projected Development Sites 2, 3, and 4 in Cluster B would all be located in an area bounded by Dean Street to the North, St. Marks Avenue to the South, Franklin Avenue to the East and Classon Avenue to the West and would include a total net increase of 118 dwelling units and a total net decrease of 5,372 square feet of local retail space and 11,552 square feet of community facility (medical office) space. Based on the trip generation analysis, Cluster B would generate 95, 48, 105, and 91 person trips and 9, 6, 8, and 7 vehicle trip ends in the AM, Midday, PM, and Saturday Midday peak hours, respectively. Cluster B would generate fewer than 50 vehicle trip ends in any peak hour, and based upon the 2012 CEQR Technical Manual Guidelines, no further traffic or parking analysis is required as summarized in Tables 11-5 and 11-6.

Transit and Pedestrians Analysis

To determine the potential for the proposed action to result in significant adverse impacts to transit and pedestrians, screening analyses were performed pursuant to the methodologies identified in the 2012 CEQR Technical Manual. Based on the trip generation estimates, summarized in Table 11-1 and 11-2, and the results of person trip analysis for each cluster, shown in Tables 11-3 and 11-5, it was determined that the proposed action would not result in significant adverse impacts as described below.

Subway

Cluster A - Site 1

Based on the trip generation analysis, Cluster A would generate 77, 66, 95, and 87 subway trips in the AM, Midday, PM, and Saturday Midday peak hours, respectively. Cluster A would generate fewer than 200 subway trips in any peak hour, and based upon the 2012 CEQR Technical Manual Guidelines, no further subway analysis is required as summarized in Table 11-3.

Cluster B - Sites 2, 3, and 4

Based on the trip generation analysis, Cluster B would generate 73, 37, 80, and 69 subway trips in the AM, Midday, PM, and Saturday Midday peak hours, respectively. Cluster B would generate fewer than 200 subway trips in any peak hour, and based upon the 2012 CEQR Technical Manual Guidelines, no further subway analysis is required as summarized in Table 11-5.

Bus

Cluster A - Site 1

Based on the trip generation analysis, Cluster A would generate 14, 14, 18, and 17 bus trips in the AM, Midday, PM, and Saturday Midday peak hours, respectively. Due to its proximity to a subway station, no subway-to-bus transfers are expected to occur for Cluster A. Cluster A would generate fewer than 200 total bus trips in any peak hour, and based upon the 2012 CEQR Technical Manual Guidelines, no further bus analysis is required as summarized in Table 11-3.

Cluster B - Sites 2, 3, and 4

Based on the trip generation analysis, Cluster B would generate 77, 39, 85, and 74 bus trips (including subway transfers) in the AM, Midday, PM, and Midday peak hours, respectively. Within a half mile of the cluster, there are a total of four (4) buses that make local stops in the vicinity of the development sites including the B45, B48, B49, and B65. Riders accessing the sites within Cluster B would likely be distributed amongst these four bus lines. Cluster B would generate fewer than 200 total bus trips and fewer than 50 total bus trips in any single direction on any single route in any peak hour, and based upon the 2012 CEQR Technical Manual Guidelines, no further bus analysis is required as summarized in Table 11-5.

Pedestrian

Cluster A - Site 1

Based on the trip generation analysis, Cluster A would generate 112, 189, 174, and 174 pedestrian (subway, bus, walk, and other) trips in the AM, Midday, PM, and Saturday Midday peak hours, respectively. Cluster A would generate fewer than 200 pedestrian trips at any pedestrian element along Bedford Avenue or Eastern Parkway in any peak hour, and based upon the 2012 CEQR Technical Manual Guidelines, no further pedestrian analysis is required as summarized in Table 11-3.

Cluster B - Sites 2, 3, and 4

Based on the trip generation analysis, Cluster B would generate 87, 43, 95, and 83 pedestrian (subway, bus, walk, and other) trips in the AM, Midday, PM, and Saturday Midday peak hours, respectively. Cluster B would generate fewer than 200 pedestrian trips at any pedestrian element along Franklin Avenue, Bergen Street, or Eastern Parkway in any peak hour, and based upon the 2012 CEQR Technical Manual Guidelines, no further pedestrian analysis is required as summarized in Table 11-5.

Conclusion

Based on the foregoing assessment of traffic, parking, pedestrian, and transit elements, the proposed Crown Heights Rezoning is not projected to have any significant transportation-related impacts and no further assessment is warranted.

Figure 11-A

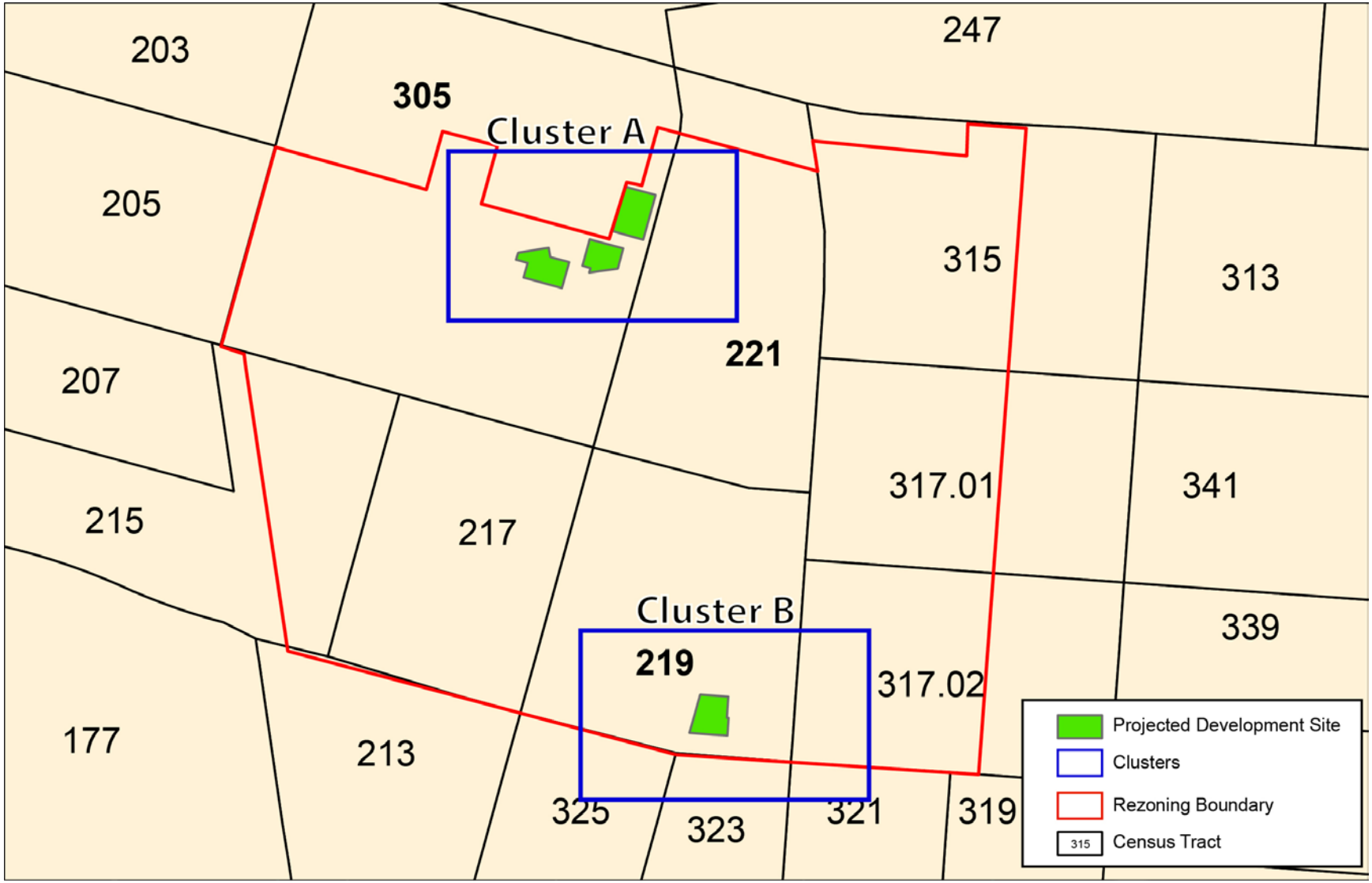

203
305
Cluster A
247
205
315
313
221
207
317.01
341
215
217
Cluster B
339
219
317.02
177
213
325
323
321
319
Projected Development Site
Clusters
Rezoning Boundary
315
Census Tract

Table 11-1

Trip Generation Assumptions - Cluster A

Crown Heights Rezoning - Brooklyn, NY

Project Components:	Residential Units		Local Retail	
Trip Generation Rates:				
(Person-trip/d.u. or 1,000 gsf)	***(1)***		***(1)***	
Weekday	8.075		205	
Saturday	9.6		240	
Peak Hours Trips:	***(1)***		***(1)***	
(8-9) AM	10.00%		3.00%	
(12-1) PM	5.00%		19.00%	
(5-6) PM	11.00%		10.00%	
(1-2) Saturday MD	8.00%		10.00%	
Peak Hours	***(2)***		***(3)***	
Modal Split (%):				
Auto	11.83%		2.00%	
Taxi	0.00%		3.00%	
Bus	12.46%		5.00%	
Subway	71.28%		20.00%	
Walk	2.85%		70.00%	
Other	1.58%		0.00%	
Total	100.00%		100.00%	
Vehicle Occupancy:	***(2)***		***(3)***	
Auto	1.00		2.00	
Taxi	1.40		2.00	
Linked Trips:			***(4)***	
	n/a		25%	
Truck Trip Generation:	***(1)***		***(1)***	
(Per / d.u. or 1,000 gsf)	0.06		0.35	
AM	12.00%		8.00%	
Midday	9.00%		11.00%	
PM	2.00%		2.00%	
Directional Splits	***(1)***		***(1)***	
(Truck Trips)	In%	Out %	In%	Out %
AM/MD/PM	50	50	50	50

Sources:

(1) *- 2012 CEQR Techincal Table 16-2*

(2) *- 2007-2011 American Community Survey, Journey-to-Work, Census tract number 219 Brooklyn, New York*

(3) *- 2001 CEQR Technical Manual, Table 3O-3*

(4)*- Assumed 25% Linked Person Trips for Retail Land Use*

Table 11-2

Trip Generation Assumptions - Cluster B

Crown Heights Rezoning - Brooklyn, NY

Project Components:	Residential Units
Trip Generation Rates:	
(Person-trip/d.u. or 1,000 gsf)	***(1)***
Weekday	8.075
Saturday	9.6
Peak Hours Trips:	***(1)***
(8-9) AM	10.00%
(12-1) PM	5.00%
(5-6) PM	11.00%
(1-2) Saturday MD	8.00%
Peak Hours	***(2)***
Modal Split (%):	
Auto	8.95%
Taxi	0.00%
Bus	4.42%
Subway	76.67%
Walk	3.66%
Other	6.30%
Total	100.00%
Vehicle Occupancy:	***(2)***
Auto	1.19
Taxi	1.4
Linked Trips:	
	n/a
Truck Trip Generation:	***(1)***
(Per / d.u. or 1,000 gsf)	0.06
AM	12.00%
Midday	9.00%
PM	2.00%
Directional Splits	***(1)***
(Truck Trips)	In% Out %
AM/MD/PM	50 50

Sources:

(1) *- 2012 CEQR Techincal Manual, Table 16-2*

(2) *- 2007-2011 American Community Survey, Journey-to-Work,*

Census tract numbers 221 and 305 Brooklyn, New York

Table 11-3

Project Person Trips by Mode of Transportation
Cluster A

Project	Auto	Taxi	Bus	Subway	Walk	Other	Total
Residential Developments							
AM Peak Hour	12	0	13	72	3	2	101
Midday Peak Hour	6	0	6	36	1	1	50
PM Peak Hour	13	0	14	79	3	2	111
Saturday MD Peak Hour	11	0	12	68	3	2	96
Local Retail							
AM Peak Hour	0	1	1	5	17	0	24
Midday Peak Hour	3	5	8	30	106	0	152
PM Peak Hour	2	2	4	16	56	0	80
Saturday MD Peak Hour	2	3	5	19	65	0	94
Total	**Auto**	**Taxi**	**Bus**	**Subway**	**Walk**	**Other**	**Total**
AM Peak Hour	**12**	**1**	**14**	**77**	**20**	**2**	**125**
Midday Peak Hour	**9**	**5**	**14**	**66**	**108**	**1**	**202**
PM Peak Hour	**15**	**2**	**18**	**95**	**59**	**2**	**191**
Saturday MD Peak Hour	**13**	**3**	**17**	**87**	**68**	**2**	**190**

Table 11-4

Project Vehicle Trips by Type
Cluster A

Project	Auto	Taxi	Truck	Total
Residential Developments				
AM Peak Hour	12	0	2	14
Midday Peak Hour	6	0	2	8
PM Peak Hour	13	0	0	13
Saturday MD Peak Hour	11	0	0	11
Local Retail				
AM Peak Hour	0	0	0	0
Midday Peak Hour	2	4	0	6
PM Peak Hour	1	2	0	3
Saturday Midday Peak Ho	1	2	0	3
Total	**Auto**	**Taxi**	**Truck**	**Total**
AM Peak Hour	**12**	**0**	**2**	**14**
Midday Peak Hour	**7**	**4**	**2**	**13**
PM Peak Hour	**14**	**2**	**0**	**16**
Saturday MD Peak Hour	**12**	**2**	**0**	**14**

Table 11-5

Project Person Trips by Mode of Transportation
Cluster B

Total	Auto	Taxi	Bus	Subway	Walk	Other	Total
AM Peak Hour	9	0	4	73	3	6	95
Midday Peak Hour	4	0	2	37	2	3	48
PM Peak Hour	9	0	5	80	4	7	105
Saturday MD Peak Hour	8	0	4	69	3	6	91

Table 11-6

Project Vehicle Trips by Type
Cluster B

Total	Auto	Taxi	Truck	Total
AM Peak Hour	7	0	2	9
Midday Peak Hour	4	0	2	6
PM Peak Hour	8	0	0	8
Saturday MD Peak Hour	7	0	0	7

ATTACHMENT 12 - Air Quality
Crown Heights West Rezoning
Environmental Assessment Statement
CEQR No: 13DCP105K
ULURP Nos: 130213 ZMK, N 130212 ZRK

Introduction

To determine the potential for the proposed action to result in significant adverse impacts to both mobile and stationary source air quality, screening analyses were performed pursuant to the methodologies identified in the *CEQR Technical Manual, January 2012 Edition*. Based on the results presented below, the proposed action would not result in significant adverse air quality impacts from either mobile or stationary sources

Mobile Sources

In general, projects may result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic, create any other mobile source pollutants such as, diesel trains and helicopters, or add new uses near mobile sources such as, roadways, garages, and parking lots. Potential pollutants of concern from induced traffic including trucks and buses are Carbon Monoxide (CO) and Particulate Matter (PM).

To determine the potential for the proposed action to result in significant adverse air quality impacts related to mobile sources, a screening analysis was performed pursuant to the methodologies identified in the *CEQR Technical Manual, January 2012 Edition.*

Based on the projected development scenario of a total net increase of 243 dwelling units and a total net decrease of 175 square feet of local retail space and 11,552 square feet of community facility space (professional medical office), it was determined that the proposed action would not generate peak hour vehicular trips above the *2012 CEQR Technical Manual, January 2012 Edition,* air quality threshold of 170 in this area of Brooklyn (please refer to Table 11-4 in the Transportation Chapter). The proposed action is also not projected to generate peak hour heavy-duty diesel vehicular trips above the *CEQR Technical Manual*, *January 2012 Edition,* air quality threshold of 12 HDDV. Therefore, the potential for significant adverse air quality impacts related to mobile sources would not be anticipated to occur, and a detailed assessment is not warranted.

Stationary Sources

In general, projects may result in significant stationary source air quality impacts when they create new stationary sources such as new fossil-fuel fired heat and hot water systems. Additionally, stationary source impacts may also result when proposed projects introduce new uses within close proximity of existing stationary sources such as industrial facilities and power plants. Potential pollutants of concern from stationary sources include Sulfur Dioxide (SO_2), Nitrogen Oxides (NO_x) and Particulate Matter (PM).

To determine the potential for the proposed action to result in significant adverse air quality impacts related to stationary sources, a screening analysis of impacts from boiler emissions for individual sites was conducted pursuant to the methodologies identified in the *CEQR Technical Manual, January 2012 Edition.* The analysis used the Stationary Source Screen nomographs from the *CEQR Technical Manual, January 2012 Edition,* Appendix: Air Quality, Figures 17-5 and 17-7 for both Fuel Oil No. 2 and Natural Gas. A study was also conducted to identify sensitive land uses within 400 feet of the boundaries of the projected and potential development sites to perform the screening analysis. EPA's AERSCREEN was then used to predict the short and long-term impacts from sources which failed the above mentioned screening analysis. A detailed analysis using Breeze AERMOD was also performed for any source which failed the AERSCREEN analysis. A cumulative analysis was also performed to determine the potential for significant adverse impact.

In addition, EPA recently promulgated a new 1-hour standards for SO_2 and NO_2 and revoked 24-hour and annual standards for SO_2. However, according to page 17-7 of the *CEQR Technical Manual, January 2012 Edition*, at this time and for the purposes of CEQR, it is premature to conduct a quantitative assessment of a project's potential SO2 and NO2 emissions' effect on the new 1-hour standards. Therefore, a quantitative discussion/analysis of a project's SO_2 and NO_2 emissions in terms of the new 1-hr standard is not appropriate.

To determine the potential for significant adverse air quality impacts on the proposed action related to industrial sources, a screening analysis was conducted pursuant to the Industrial Source Screen methodologies indentified in the *CEQR Technical Manual, January 2012 Edition*. A study was conducted to identify manufacturing, industrial, and commercial uses within 400 feet of the boundaries of the rezoning area including projected and potential development sites. The Industrial Source Screen (Table 17-3) in the *CEQR Technical Manual, January 2012 Edition*, was then used to predict short- and long-term impacts for each pollutant from the identified sources. The screening procedure used to estimate the emissions from identified sources is based on information contained in the operation permits obtained from NYCDEP Bureau of Environmental Compliance (BEC) and NYSDEC such as potential contaminants, hours per day and days per year for which emissions occur (which is related to the hours of business operation), and the characteristics of the emission exhaust systems (temperature, exhaust velocity, height, and dimensions of exhaust.

Heat and Hot Water Systems

A screening analysis was performed to determine whether emissions from development sites could potentially impact other development sites or existing buildings. The analysis was performed assuming No. 2 fuel oil and natural gas as the boiler systems' fuel type. A total of four (4) projected development sites and two (2) potential development sites were analyzed using the Stationary Source Screen nomographs from the *CEQR Technical Manual, January 2012 Edition* (Appendix: Air Quality, Figures 17-5 and 17-7). Table 12-1 below details the results of the screening analysis.

Table 12-1: Screening Results for Projected and Potential Development Sites

Site #		Block	Lot	Proposed		Total Floor Area (ft^2)	Building Height (ft)	Distance to Nearest Building of similar height or greater (ft)	Impacted		Screen	
				Zoning	Land Use				Block	Lot	SO_2	NO_2
Projected	1	1260	1, 5	R7D/ C2-4, R6B	Retail/ Residential	135,859	100	400			Pass	Pass
	2	1142	44, 48	R7A/ C2-4	Retail/ Residential	155,554	80	65	1149	40, 41	Fail	Fail
	3	1149	40, 41	R7A, R7A/ C2-4	Community Facility/ Residential	97,318	80	65	1142	44, 48	Fail	Fail
	4	1149	72	R7A	Community Facility/ Residential	134,160	80	25	1149	7501	Fail	Fail
Potential	A	1253	7	R7D, R6B	Community Facility/ Residential	86,796	100	400			Pass	Pass
	B	1231	1	R7A/ C2-4	Retail/ Residential	47,150	80	400			Pass	Pass

Three (3) projected development sites failed the screening analysis for boiler systems with No. 2 fuel oil and natural gas as the fuel type. As a result, EPA's AERSCREEN analysis was performed for these three (3) projected development sites for both fuel types. The analysis was performed by utilizing a unitary emission factor (1 gram/second). Multiple receptors were analyzed with an impact distance from one (1) meter to 1000 meters. The source elevation was projected to be three (3) feet higher than the projected building heights, at an elevation of 25.3 meters (83 feet). Other source parameters were based on DEP's Boiler Database information for boilers

between the size of one (1) and five (5) MMBtu/hr. The source parameters are presented in Table 12-2 below.

Table 12-2: Source Parameters

Stack Parameters	Units	Site 2	Site 3	Site 4
Development Size[4]	sqft	155,554	97,318	134,160
Projected Boiler size	MMBtu/hr	Between 1 and 5		
Annual consumption	gal/yr	32,666	20,437	28,174
Stack Height[4]	(m)	25.3	25.3	25.3
Stack Diameter[5]	(m)	0.3048	0.3048	0.3048
Velocity[5]	(m/s)	7.8	7.8	7.8
Temperature[6]	(K)	293	293	293
(4) Development size and height as projected due to rezoning (5) Based on DEP Boiler Database average of boilers less than 5 MMBtu/hr (6) Ambient temperature assumed as recommended in the CEQR Technical Manual (2012) Air Quality Chapter				

The resulted emission concentrations were added to the background concentrations and then compared to the National Ambient Air Quality Standards (NAAQS) in order to determine any significant impact. Table 12-3 and 12-4 detail the results of the screening analysis.

Table 12-3: AERSCREEN Results with Background Concentrations for Projected Development Sites

SITE #	SO_2 3-Hour Emission + Background	NAAQS SO_2 3-Hour Standard	EPA AERSCREEN Result for Fuel Oil No. 2 Boiler	PM_{10} 24-Hour Emission + Background	NAAQS PM_{10} 24-Hour Standard	EPA AERSCREEN Result for Fuel Oil No. 2 Boiler
2	135	1300	Pass	80	150	Pass
3	133	1300	Pass	69	150	Pass
4	147	1300	Pass	203	150	Fail

Table 12-4: AERSCREEN Results with Background Concentrations for Projected Development Sites

SITE #	NO_2 Annual Emission + Background	NAAQS NO_2 Annual Standard	EPA AERSCREEN Result for Natural Gas Boiler
2	64	100	Pass
3	58	100	Pass
4	137	100	Fail

Projected site 4 development failed the PM10 and NO2 AERSCREEN for both Fuel Oil No. 2 and Natural Gas using a distance of 25 feet from the property line to the nearest building of similar or greater height, which is an existing building on Block 1149, Lot 7501. As a result a more detailed analysis was performed using Breeze AERMOD. The analysis was performed using five (5) years of met data (LaGuardia Airport 2007-2011). Flagpole receptors were used on the buildings of similar or greater heights within 400 feet of the projected site. The source was assumed to be 55 feet from the nearest existing building on Block 1149, Lot 7501 since the proposed R7A zoning district requires a 30-foot rear yard. Source parameters remained the same. The results of the AERMOD analysis found that no potential for significant adverse air quality impacts related to HVAC emissions is anticipated from projected site 4 for either Fuel Oil No. 2 or Natural Gas as fuel type. Therefore, no (E) designation is deemed necessary for the projected and potential sites for this proposed action.

AERSCREEN was used to analyze the cumulative impact from projected sources to receptors within 400 feet of the development sites. Projected site 3 and 4 were selected as a combined area source. Sulfur Dioxide (SO_2), Nitrogen Oxides (NO_x) and Particulate Matter (PM_{10}) emission rates were assessed based on the combined area of sites 3 and 4. The results indicated that there will not be any impacts from the combined source.

Industrial Sources

A screening analysis was conducted pursuant to the Industrial Source Screen methodologies indentified in the *CEQR Technical Manual, January 2012 Edition* to determine the potential for any significant adverse air quality impacts on the proposed action related to industrial sources. A study was conducted to identify manufacturing, industrial, and commercial uses within 400 feet of the boundaries of the rezoning area including projected and potential development sites. Table 12-4 shows the sites that may require air permits.

Table 12-5: Manufacturing, Industrial, and Commercial Use Sites for which Air Permit Records were requested

Block	Lot	Address	Use
1126	57	1119-1135 Pacific Street	Auto-Repair
1126	29	1102 Atlantic Avenue	Auto-Repair
1126	29	1091-1107 Pacific Street	Auto-Repair
1126	32	1110 Atlantic Avenue	Warehouse/Industrial Use
1126	32	1109-1121 Pacific Street	Warehouse/Industrial Use
1134	44	1104 Pacific Street	Automotive/Warehouse Distribution/Recycling
1134	67	1104 Pacific Street	Auto-Repair
1134	130	1084 Pacific Street	Funeral Home
1134	64	1029-1033 Dean Street	Truck Painting
1134	81	969-995 Dean Street	Warehouse/Industrial Use
1134	17	1058 Pacific Street	Manufacturing
1134	74	1009 Dean Street	Warehouse/Industrial Use
1134	73	1011 Dean Street	Warehouse/Industrial Use
1142	18	899 Bergen Street	Warehouse/Industrial Use
1142	82	893 Bergen Street	Warehouse/Industrial Use
1142	34	1010 Dean Street	Warehouse/Industrial Use
1142	16	972 Dean Street	Warehouse/Industrial Use
1142	12	964 Dean Street	Warehouse/Industrial Use
1156	40	532 St Marks Avenue	Warehouse/Industrial Use/Graphics
1205	1	607-609 Franklin Avenue	Dry Cleaning
1205	1	1047-1057 Dean Street	Dry Cleaning
1217	1	659 Franklin Avenue	Industrial Use
1217	14	954 Bergen Street	Auto-Repair

1217	16	958 Bergen Street	Auto-Repair
1224	8	671 Franklin Avenue	Laundromat
1224	9	669 Franklin Avenue	Industrial Use
1231	1	711 Franklin Avenue	Laundromat

NYCDEP-BEC (Air, Noise, Asbestos and Hazardous Materials) and NYSDEC permit records were used to identify permitted processes and emissions from the identified sites. A permit search for these sites determined five (5) existing permits which either has been cancelled or there has been no activity for more than 10 years. Table 12-5 lists the existing permits mentioned.

Table 12-6: List of Air Permit Records obtained

Location	Block	Lot	Permit No.	Name on Permit	Comments
1029 Dean Street	1134	64	PA015276P	Franklin Body Equipment	Cancelled
			PA015376M		Cancelled
711 Franklin Avenue	1231	1	CA024695Z	Park Laundry, Inc	Cancelled
532 St Marks Avenue	1156	40	PA011887X	Amal Printing & Pub. Corp.	Unknown/Expired – 6/4/2002
			PA085786Z		Active/Expired - 3/11/2003

A map search of 1029 Dean Street (Block 1134, lot 64) showed that the property is currently used as a distributing facility known as T. C. Lee Distribution, Inc. Although Park Laundry, Inc's permit has been cancelled, a map search of 711 Franklin Avenue (Block 1231, Lot 1) showed that the Laundromat still exists. Since it could not be confirmed whether the Laundromat also includes dry cleaning on site, for the purposes of the proposed action, a screening analysis was performed based on a sample dry cleaner permit data. A screening analysis was also performed for Amal Printing & Pub. Corp., since the status of the permits was uncertain.

A map search was also performed for the dry cleaning uses listed at 607-609 Franklin Avenue and 1047-1057 Dean Street (Block 1205, Lot 1), which confirmed that the property is currently used as a restaurant known as Sushi Tatsu. However, it could not be confirmed whether the Laundromat use at 671 Franklin Avenue (Block 1224, Lot 8) includes dry cleaning on site. As a result, for the purposes of the proposed action, a screening analysis was also performed based on a sample dry cleaner permit data.

The industrial source screening analyses of the permitted emissions concluded that the proposed action would not have the potential to result in any significant adverse air quality impacts to the projected or potential development sites from industrial sources.

Conclusion

The HVAC systems for the projected and potential development sites were screened against the nearest building of similar or greater height to determine if emissions from #2 fuel oil and/or natural gas would pose a significant adverse impact. According to the preliminary CEQR HVAC nomograph screens, three (3) projected development sites failed using No. 2 fuel oil and/or natural gas. A detailed analysis using EPA's AERSCREEN and AERMOD was performed, which showed that no significant impacts related to air quality are expected, and no further analysis is warranted.

An Air Toxics Survey was carried out to ascertain if industrial or manufacturing facilities near the Proposed Action could cause an air quality impact on the proposed development. The screening analysis identified facilities with cancelled or dormant permits. The screening analysis of these facilities concluded that no significant impacts to projected or potential development sites from the industrial source are anticipated.

Therefore, no significant impacts related to air quality are expected as the result of the proposed action, and no further analysis is warranted.

ATTACHMENT 13 - NOISE
Crown Heights West Rezoning
Environmental Assessment Statement
CEQR No: 13DCP105K
ULURP Nos: 130213 ZMK, N 130212 ZRK

Introduction

A noise analysis was conducted to evaluate the potential noise impacts of the Proposed Action. Screening analyses for both mobile and stationary source noise impacts were performed in accordance with the procedures of the 2012 *CEQR Technical Manual*. Based on the results presented below, the proposed action would not result in significant adverse noise impacts from either mobile or stationary sources.

According to the 2012 *CEQR Technical Manual*, detailed noise analysis may be warranted if a sensitive receptor screening determines that a proposed action would introduce a new noise-sensitive location, known as a receptor, in an area with high ambient noise levels, which typically include those sites near highly-trafficked thoroughfares, airports, rail, or other loud activities. Receptors are defined as an area where human activity may be adversely affected when noise levels exceed predefined thresholds of acceptability or when noise levels increase by an amount exceeding a predefined threshold of change.

Mobile Sources

To determine the potential for the proposed action to result in significant noise impacts related to mobile sources, screening analyses were performed pursuant to the methodologies identified in the 2012 *CEQR Technical Manual.*

Based on the Reasonable Worst Case Development Scenario of a total net increase of 243 dwelling units and a net decrease of 175 square feet of local retail space and 11,552 square feet of community facility space (professional medical office) it was determined that the number of vehicular trips projected to be generated by the proposed action is below the 2012 *CEQR Technical Manual* traffic threshold of 50 peak hour vehicle trip ends for this area of the city. This increase does not correspond to a doubling of PCEs (Passenger Car Equivalent) between the no action and with action scenarios (3 dBA threshold). Therefore, the proposed action would not be expected to cause a significant noise impact on any sensitive receptor.

The existing ambient noise levels within the project area were measured at three locations during the morning (7:00-8:30 AM), midday (12:00-1:30 PM) and evening (4:00-6:30 PM) peak hours in the following locations:

1) In the Midblock of St Marks Ave between Classon Ave and Franklin Ave, (SE corner of Projected Site 4),

2) In the NW Corner of Franklin Ave and Bergen St, (SE corner of Projected Site 2),

3) In the NW Corner of Bedford Ave and Eastern Parkway (Across the street from Projected Site 1).

These locations are representative of the noise levels that projected and potential residential/commercial development sites would be exposed to under build conditions and they are illustrated on Figure 13-A below.

Crown Height Noise Measurement Locations

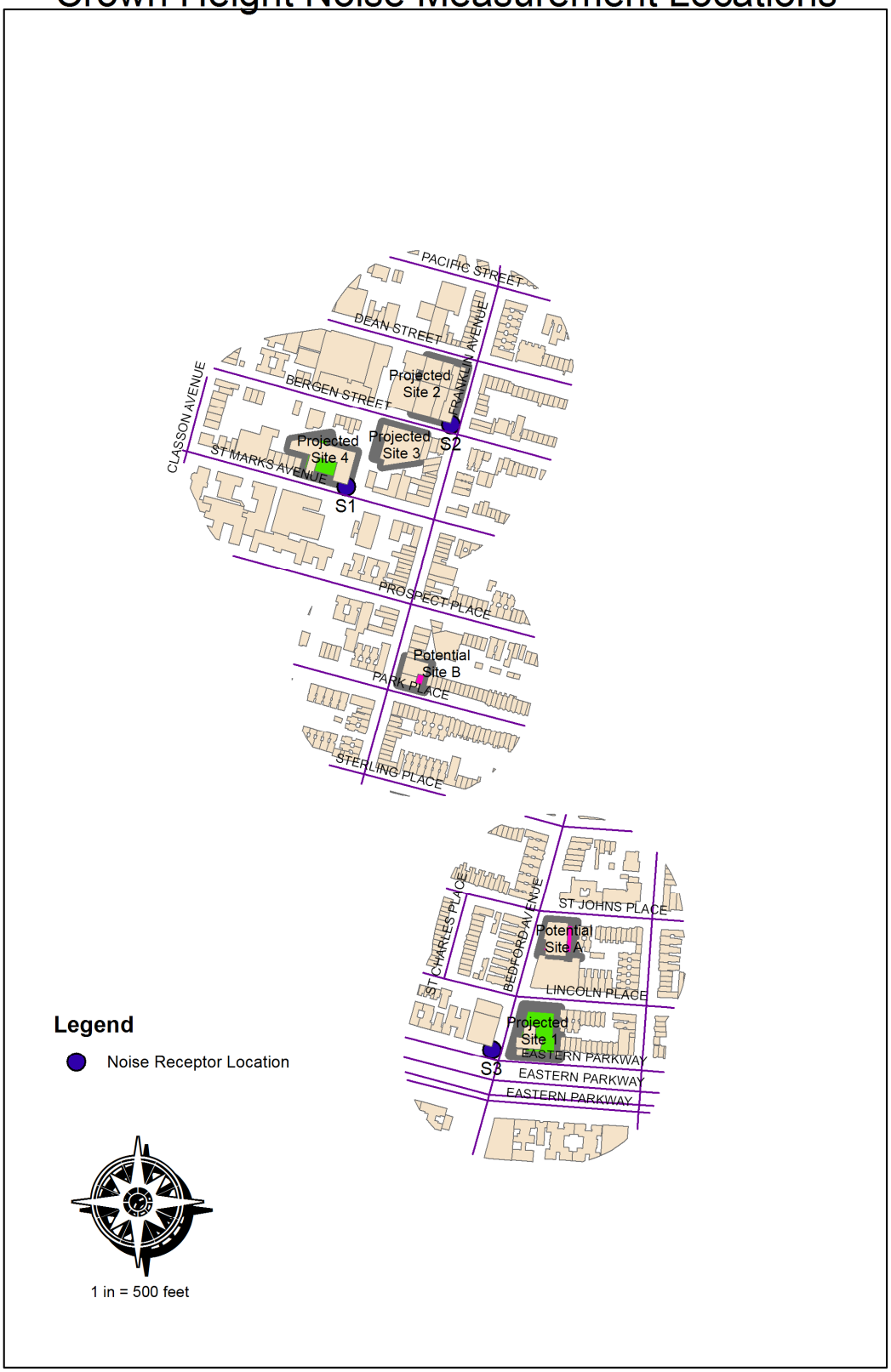


Figure 13-A Crown Height Noise Measurement Locations

The measured noise levels at these sites are tabulated in Table13-1 below:

Table 13-1: Measured Noise Levels at Mobile Source Analysis Sites

Site ID	Location	Time	L_{eq}	L_{10}	L_{50}	L_{90}	L_{min}	L_{max}
S1*	Midblock of St Marks Ave, SE corner of Projected Site 4	AM	70.9	73.9	61.0	56.6	54.9	87.7
		MD	70.4	73.4	59.8	55.5	52.4	89.8
		PM	71.4	74.4	60.8	55.8	53.3	90.8
S2	NW Corner of Franklin Ave and Bergen St, In front of Projected Site 2	AM	70.9	74.6	67.7	60.6	54.4	86.5
		MD	71.7	74.2	57.1	61.7	54.6	88.9
		PM	71.5	74.7	68.3	59.2	52.9	88.8
S3	NW Corner of Bedford Ave and Eastern Parkway, Near Projected Site 1	AM	71.0	72.9	68.4	65.3	62.0	91.3
		MD	69.7	72.3	67.2	64.1	59.6	83.4
		PM	69.9	72.0	67.9	63.4	58.1	83.7

***The dominant noise source for Site 1 is from the S-train on structure and the reported L_{10} value is adjusted to 3 dBA higher than the value of the L_{eq}.**

Proportional analysis was used to determine locations with the potential for having significant noise impacts. Proportional modeling is one of the techniques recommended in the *CEQR Technical Manual* for mobile source analysis for attenuation purposes for no action and with action scenarios. Based on the *CEQR Technical Manual*, all vehicular traffic volumes are converted into Passenger Car Equivalence (PCE) values. PCE values are derived using the following guideline:

1 Passenger Car = 1 PCE
1 Medium Truck = 13 PCE
1 Heavy Truck = 47 PCE

Based on the *CEQR Technical Manual*, the following equation was used in determining the no action and with action L_{10}.

$$\text{Future Noise Level} = 10 \times \log_{10} \frac{\text{Future PCE}}{\text{Existing PCE}} + \text{Existing Noise Level}$$

Table 13-2 shows the results of the PCE calculation and the CEQR impact criteria for the Existing condition, No-Action and With-Action Scenarios.

Table 13-2: Proportional Analysis for Mobile Noise Impact

Site	Location	Time	Existing L_{10}	Existing CEQR Category	No Action L_{10}	No Action CEQR Category	With Action L_{10}	With Action CEQR Category
S1	Midblock of St Marks Ave, SE corner of Projected Site 4	AM	73.9	MARGINALLY UNACCEPTABLE II	73.9	MARGINALLY UNACCEPTABLE II	74.4	MARGINALLY UNACCEPTABLE II
		MD	73.4	MARGINALLY UNACCEPTABLE II	73.5	MARGINALLY UNACCEPTABLE II	74.0	MARGINALLY UNACCEPTABLE II
		PM	74.4	MARGINALLY UNACCEPTABLE II	74.4	MARGINALLY UNACCEPTABLE II	74.5	MARGINALLY UNACCEPTABLE II
S2	NW Corner of Franklin Ave and Bergen St, In front of Projected Site 2	AM	74.6	MARGINALLY UNACCEPTABLE II	74.8	MARGINALLY UNACCEPTABLE II	74.9	MARGINALLY UNACCEPTABLE II
		MD	74.2	MARGINALLY UNACCEPTABLE II	74.4	MARGINALLY UNACCEPTABLE II	74.5	MARGINALLY UNACCEPTABLE II
		PM	74.7	MARGINALLY UNACCEPTABLE II	74.8	MARGINALLY UNACCEPTABLE II	74.8	MARGINALLY UNACCEPTABLE II
S3	NW Corner of Bedford Ave and Eastern Parkway, Near Projected Site 1	AM	72.9	MARGINALLY UNACCEPTABLE I	73.0	MARGINALLY UNACCEPTABLE II	73.1	MARGINALLY UNACCEPTABLE II
		MD	72.3	MARGINALLY UNACCEPTABLE I	72.5	MARGINALLY UNACCEPTABLE I	72.5	MARGINALLY UNACCEPTABLE I
		PM	72.0	MARGINALLY UNACCEPTABLE I	72.2	MARGINALLY UNACCEPTABLE I	72.2	MARGINALLY UNACCEPTABLE I

The measured ambient noise levels are within the **Marginally Unacceptable levels I, II** categories as per Table 19-3: Required Attenuation Values to Achieve Acceptable Interior Noise Levels, in 2012 *CEQR Technical Manual*.

As a result of the proposed action, four (4) Projected Development sites and two (2) Potential Development sites would be mapped with an (E) designation for noise to preclude the potential of significant impacts. It should be noted that as part of a rezoning in 2006 (CEQR No. 03DCP036K), an (E) designation for noise was placed on Project Development Site 2 that required 30 dBA based on the maximum build L10 recorded ambient noise levels of 73.5 dBA. Under current CEQR Technical Manual guidance a L10 of 73.5 dBA corresponds to a recommended window wall attenuation of 31dBA. Based on this EAS's noise assessment and readings the noise (E) designation will be updated as shown below. Table 13-3 summarizes the windows attenuation requirements for the projected and potential developments.

Table 13- 3: Required Attenuation Values for Projected and Potential Development Sites

Site #	Block	Lot	Projected Use	Governing Noise Monitoring Site	Maximum Build L_{10} at Governing Monitoring Site (dBA)	CEQR Categories	Recommended Window Attenuation (dBA)
1	1260	1,5	Residential/ Commercial	S3	73.1	MARGINALLY UNACCEPTABLE II	31
2	1142	44,48	Residential/ Commercial	S2	74.9	MARGINALLY UNACCEPTABLE II	31

Table 13- 3: Required Attenuation Values for Projected and Potential Development Sites							
Site #	**Block**	**Lot**	**Projected Use**	**Governing Noise Monitoring Site**	**Maximum Build L_{10} at Governing Monitoring Site (dBA)**	**CEQR Categories**	**Recommended Window Attenuation (dBA)**
3	1149	40,41	Mixed Income Residential	S1/S2	74.9	MARGINALLY UNACCEPTABLE II	31
4	1149	72	Mixed Income Residential	S1	74.5	MARGINALLY UNACCEPTABLE II	31
A	1253	7	Mixed Income Residential	S3	73.1	MARGINALLY UNACCEPTABLE II	31
B	1231	1	Mixed Income Residential	S2	74.9	MARGINALLY UNACCEPTABLE II	31

There are one (1) level of required noise attenuation based on the With-Action Category of Table 13-3 above. Depending on the ambient noise levels, they would require 31 dBA of window/wall attenuation.

The following sites require 31 dBA of noise attenuation in order to avoid the potential for significant adverse impacts related to noise. The proposed action includes (E) designations on the following properties which include four (4) projected development site and two (2) potential development sites:

Projected Development Sites
Block 1260, Lot 1, 5 *(Site 1)*
Block 1142, Lot 44, 48 (*Site 2*)
Block 1149, Lot 40, 41 (*Site 3*)
Block 1149, Lot 72 *(Site 4)*

Potential Development Sites
Block 1253, Lot 7 *(Site A)*
Block 1231, Lot 1 *(Site B)*

The text of the (E) designation for noise for the above properties is as follows:

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 31 dB(A) window/wall attenuation in all façades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation include, but are not limited to, central air conditioning.

With the attenuation measure specified above, the proposed rezoning would not result in any significant adverse noise impacts as the result of the proposed action, and would meet CEQR guidelines.

Stationary Sources

It is assumed that the building mechanical system (i.e., HVAC systems) would be designed to meet all applicable noise regulations (i.e., Subchapters 5, § 24-227 of the New York City Noise Control Code, the New York City Department of Buildings Code) and to avoid producing levels that would result in any significant increase in ambient noise levels. Therefore, the proposed action is not expected to result in any significant, adverse noise impacts related to stationary sources, and a detailed assessment is not warranted.

Conclusion

Analysis of future noise levels shows that the Proposed Action would not cause significant adverse impacts to the surrounding community. Along St Marks Avenue, the maximum projected future L_{10} noise levels would be 74.5 dBA. Along Franklin Avenue (Bergen Street), the maximum projected L_{10} noise levels would be a maximum of 74.9 dBA. Along Eastern Parkway (Bedford Avenue), the maximum projected L_{10} noise levels would be a maximum of 73.1 dBA. The development sites would fall into the Marginally Unacceptable I or Marginally Unacceptable II category per the CEQR Noise Exposure Guidelines. The marginally unacceptable categories would require a minimum window/wall attenuation of 31 dBA. In areas with an exterior L_{10} of 70 dBA or more, the building must provide alternate means of ventilation so that residents may keep their windows closed in warm weather. A noise (E) Designation would be placed on the aforementioned properties to ensure that no noise impacts would occur to future residents. The (E) Designation includes specifications such as the provision of a closed-window condition with a minimum window/wall attenuation to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation include, but are not limited to, air conditioning. With the (E) Designation specified on the above properties, the proposed action would not result in any significant adverse noise impacts, and no further analysis is warranted.