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August 8, 2025

NOTICE OF COMPLETION OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

395 Flatbush Avenue Extension Redevelopment

Project Identification:
CEQR No. 25HPD058K
ULURP Nos. 260038 ZMK
260039 ZRK
260040 PPK
260042 PCK
260043 ZCK
260044 LDK

Lead Agency:
City of New York - Department of Housing Preservation & Development (HPD)
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SEQRA Classification: Type I

Pursuant to City Environmental Quality Review('CEQR'), Mayoral Executive Order No. 91 of 1977, and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA'), as found in 6 NYCRR Part 617, a Draft Environmental Impact Statement (DEIS') has been prepared for the action described below. Copies of the DEIS are available for public inspection at the office of the undersigned, or for download at the HPD "Environmental Review" webpage.

An Environmental Assessment Statement (EAS') was completed on May 1, 2025. A Positive Declaration, issued on May 1, 2025, established that the proposal may have a significant adverse impact on the environment, thus warranting the preparation of an Environmental Impact Statement (EIS'). A Draft Scope of Work for a DEIS was issued on May 1, 2025. A virtual public scoping meeting was held on June 5, 2025, at 4:00 p.m. The public review period for agencies and the public to review and comment on the Draft Scope of Work was open through June 16, 2025. Modifications to the Draft Scope of Work for the project's EIS were made as a result of public and interested agency input during the scoping process. A Final Scope of Work (FSOW) document for the Proposed Actions was issued on August 8, 2025.

The proposal involves actions subject to approval by the City Planning Commission (CPC') and Council of the City of New York pursuant to Uniform Land Use Review Procedure (ULURP'). A public hearing on the Draft Environmental Impact Statement (DEIS) will be held at a date to be announced, in conjunction with the CPC public hearing pursuant to ULURP. Subsequent

notice will be given as to the time and place of the public hearing. Written comments on the DEIS are requested and would be received and considered by the Lead Agency until the 10th calendar day following the close of the public hearing.

A. PROJECT DESCRIPTION

The New York City Department of Housing Preservation and Development ('HPD'), in conjunction with the New York City Department of Health and Mental Hygiene ('DOHMH') and the Department of Citywide Administrative Services ('DCAS') (each a co-applicant, and collectively, the Applicant) is seeking approval for a zoning map amendment, zoning text amendments, disposition of City-owned property, site selection and acquisition of real property interest, certification to establish and facilitate a transit volume, and an amendment to the Brooklyn Center Urban Renewal Plan (URP) (collectively, the 'Proposed Actions'). The Proposed Actions would facilitate the redevelopment of Brooklyn Block 2093, Lot 1 (the 'Development Site') with an approximately 1,544,875 gross square foot ('gsf') (1,075,100 zoning square foot ['zsf'], 21.87 floor area ratio ['FAR']), 72-story (840-foot-tall) mixed-use building, approximately 4,745 sf of open space available to the public, and other public realm improvements(the 'Proposed Project') in the Downtown Brooklyn neighborhood of Brooklyn, Community District ('CD') 2, as described in further detail below

The Proposed Project would introduce 1,263 dwelling units within 1,233,950 gsf (933,820 zsf) of residential floor area; 325 to 379 of those units would be designated as income restricted, rent-stabilized permanently affordable for households with incomes averaging between 60 percent and 80 percent area median income (AMI) pursuant to applicable requirements of the City's Mandatory Inclusionary Housing (MIH) Program option 1 or 2, respectively. The Proposed Project would also introduce 209,770 gsf (141,280 zsf, 2.87 FAR) of non-residential floor area. The non-residential floor area would comprise 128,255 gsf of retail space and 81,515 gsf for commercial office and/or community facility use that may be dedicated for future City use.

Public realm improvements would include an approximately 4,745 sf of open space available to the public on the southern portion of the Development Site, an expanded sidewalk along the Development Site's Flatbush Avenue Extension frontage, and surface improvements around the existing DeKalb Avenue subway station entrance on the Development Site.

Additionally, the Proposed Project would include private amenity spaces for building residents, consisting of no less than 28,000 sf of active recreational space (including but not limited to gym and play areas) and 5,000 sf of passive recreational space (including but not limited to lounge areas, a roof deck, and dog run). Such amenities would be located throughout the building, including potential use of terrace and rooftop areas.

B. DESCRIPTION OF THE PROPOSED ACTIONS

The Applicant is seeking the following actions to facilitate development of the Proposed Project:

Actions proposed by HPD:

› A Zoning Map Amendment to rezone the Development Site (and extending to the centerline of the street) from a C6-4 district to a C6-12 district (Project Area);

› Zoning text amendments to the Zoning Resolution of the City of New York (ZR) to:

· Amend the Special Downtown Brooklyn District (ZR 101-00 et. seq.) as following:

- Modify ZR 101-00 et. seq. to establish a C6-12 district and modify ZR 101-21 to permit a maximum permitted FAR of 19.0 for residential and 23.0 for mixed uses on lots that are greater than 30,000 sf with at least one full block street frontage or occupy an entire block;
- Modify ZR 101-222 and ZR 101-224 to modify setback requirements for large qualifying lots that have below grade transit infrastructure occupying more than 30% of the lot; and
- Modify ZR 101-41 to provide exemptions from the street wall location and continuity requirements for lots meeting a certain lot size threshold that provide open space.

· Amend Appendix F: Mandatory Inclusionary Housing Areas and Former Inclusionary Housing Designated Areas for Brooklyn Community District 2 to establish the Project Area as an MIH area, Options 1 and 2;

› An Amendment to the Brooklyn Center URP; and

› Chairperson Certification pursuant to ZR 66-21(c) to establish and facilitate a transit volume on the Development Site as determined by the Metropolitan Transit Authority (MTA).

Action proposed by DCAS and HPD:

› Disposition approval of City-owned property, Brooklyn Block 2093, Lot 1.

Action proposed by DCAS and DOHMH:

› Combined Site Selection and Acquisition approval of real property interest of Brooklyn Block 2093, Lot 1.

In conjunction with the Proposed Actions, additional approvals are being sought at the Public Design Commission (PDC) to facilitate certain elements of the Proposed Project. After PDC approval is obtained, the Applicant intends to seek a compliance determination from the Department of City Planning for the proposed Publicly Accessible Open Space signage pursuant to Chapter 11 of Title 62 of the Rules of the City of New York (POPS Rules).

C. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

The City-owned Development Site is located in the Special Downtown Brooklyn District, New York City's third-largest Central Business District (CBD). Downtown Brooklyn is a unique mixed-use area with some of the tallest and highest density developments—both residential and commercial—in the city. The Proposed Project would revitalize City-owned land that currently houses underperforming commercial uses into a vibrant mixed-use development. This transformation would generate new housing opportunities, including permanently affordable units, alongside state-of-the-art spaces for commercial (office and retail) and/or community facility uses, providing additional job opportunities for nearby residents and benefiting the surrounding neighborhoods. The Proposed Project strategically capitalizes the Development Site's proximity to various public transportation options and the neighborhood's existing mixed-use land use character.

Given the existing housing crisis in New York City and the capacity of the Development Site to support new residential and commercial and/or community facility uses, the Proposed Actions would result in more appropriate land uses and density on the Development Site in a transit-rich area of Downtown Brooklyn, compared to the conditions absent the Proposed Actions. Development of the Proposed Project would enliven the pedestrian experience at the Development Site by introducing residential uses (including permanently affordable residential units) and would be compatible with the surrounding neighborhood and CBD by preserving commercial office and retail uses.

The additional affordable housing units generated by the Proposed Actions would also align with the goals identified in the City's Housing Our Neighbors: A Blueprint for Housing and Homelessness report; more specifically, the Blueprint's goal to redevelop underutilized government-owned land. Additionally, City of Yes for Housing Opportunity, a city-wide zoning text amendment aimed at addressing the City's housing crisis by increasing housing availability across all neighborhoods, was adopted in December 2024. The initiative enhances flexibility and incentives for diverse and affordable housing types while reducing regulatory hurdles for development, including the establishment of new higher density zoning districts. By introducing residential units, including permanently affordable units on the Development Site where none currently exist, the Proposed Project would address and further the City's goals and initiatives aimed at responding to the historic housing shortage.

In addition to its residential offerings, the Proposed Project would also provide non-residential uses benefiting the neighborhood. DCAS and DOHMH are seeking combined site selection and acquisition approval to facilitate a potential City use on the Development Site in the future. The potential use contemplated by DOHMH includes a medical clinic, office space, community facility space, and laboratories. By incorporating neighborhood-serving retail and commercial office and/or community facility spaces, the Proposed Project would align with the established character of the Fulton Mall corridor, extending its existing dynamic mixed-use activity. This uniquely transit-rich area is well-suited for a mix of retail establishments which would not only support the area's existing commercial strength but also encourage further economic growth and accessibility, providing benefits to existing and future residents and visitors.

Furthermore, the Proposed Actions would add to the neighborhood's amenities by providing approximately 4,745 sf of unenclosed open space available to the public located along Fulton Street on the southern end of the Development Site and a sidewalk widening along the Development Site's Flatbush Avenue Extension frontage.

The Proposed Actions reflect the need to revitalize the site and existing building to provide much needed housing and commercial development consistent with the current housing goals of the City as well as the goals established by the Special Downtown Brooklyn District. Additionally, the Proposed Project's site planning incorporates a balanced design approach by providing ground floor retail alongside a large open space available to the public along the entire Fulton Street frontage to provide for much needed open space in the neighborhood and active streetscape for pedestrians.

The combination of affordable housing and public open space access facilitated by the Proposed Actions would support the "Thriving Neighborhoods" initiative of OneNYC 2050, which aims to foster communities that have safe and affordable housing and are well-served by parks, cultural resources, and shared spaces. The Proposed Project seeks to transform an underutilized site in Downtown Brooklyn into a mixed-use, vibrant community hub, that aims to provide much-needed affordable housing, commercial amenities, and public open space.

D. ENVIRONMENTAL ANALYSIS FRAMEWORK

For the purpose of the environmental analyses, the No-Action condition represents the future absent the Proposed Actions and serves as the baseline by which the Proposed Actions (or With-Action condition) are compared to determine the potential for significant environmental impacts. The difference between the No-Action and With-Action conditions represents the increment to be analyzed in the CEQR process.

Additionally, as described in the Proposed Actions, the proposed zoning text amendment to the Special Downtown Brooklyn District (ZR 101-00 et. seq.) would only apply to "large qualifying lots". As of the publication of this DEIS, no other "large qualifying lots" have been identified beyond the Development Site. Therefore, a conceptual analysis is not warranted.

Future No-Action Condition

In the No-Action condition, it is expected that the existing seven-story commercial office and retail building currently occupying the Development Site would remain under existing conditions and be fully occupied (see Table 1-1).

Future With-Action Condition

In the future With-Action condition, the Applicant would construct the Proposed Project on the Development Site, as described previously.

However, for conservative analysis purposes, the With-Action condition assumes a development that would include slightly more commercial office and retail spaces that would maximize the permitted total FAR to 23.0 (including 19.0 residential FAR). As such, under With-Action conditions, the Development Site would be redeveloped with a 72-story (840-foot-tall, including bulkhead),1,552,605-gsf (1,130,388 zsf; 23.0 FAR) mixed-use building, including 1,233,950 gsf (933,820 zsf; 19.0 FAR) of residential space and 217,500 gsf (196,568 zsf) of non-residential space. The non-residential space would include 88,500 gsf of commercial office space and/or community facility space that may be dedicated for future City use currently contemplated for DOHMH, and 129,000 gsf of commercial retail space (see Table 1-1). Similar to the Proposed Project, development under the With-Action condition would include approximately 101,155 gsf of mechanical space on the cellar, fifth, 23rd, 42nd, and 65th floors. No accessory parking spaces would be provided in the With-Action condition. The With-Action condition will include 1,263 residential units, of which 325 to 379 units would be permanently income-restricted pursuant to MIH Options.

An approximately 4,745 sf open space available to the public would be provided in the With-Action condition.

Increment for Analysis

The program details under the No-Action condition, the With-Action condition, and increments over the No-Action condition for the Proposed Project are presented in Table 1-1.

Table 1-1 Future No-Action and With-Action Comparison

		No-Action Condition	**With-Action Condition**	**Increment**
Commercial Office and/or Community Facility (GSF)		293,370	88,500[2]	-204,870
Commercial Retail (GSF)		35,548	129,000	+93,452
Residential	GSF	0	1,233,950	+1,233,950
	Dwelling Units (DUs)	0	1,263	+1,263
	Affordable DUs[1]	*0*	*253 to 379*	*+253 to 379*
Parking (SF)		46,190	0	-46,190
Parking (Spaces)		*140*	*0*	*-140*
TOTAL Proposed Project GSF		375,108	1,552,605[3]	+ 1,177,497
Open Space Available to the Public (SF)		0	4,745	+4,745
Residential Population		0	2,564	+2,564
Non-Residential Population		1,283	792	-491

Notes
[1] For CEQR analysis purposes, affordable units are identified as those at or below 80 percent of AMI.
[2] As described above, while the future non-residential tenants are not known at this time, they could include community facility tenants; the use that would generate the most conservative result would be used in any given technical area.
[3] Total floor area for the Proposed Project includes 101,155 gsf of mechanical space.

Analysis (Build) Year

The analysis year for the Proposed Project is 2032. It is anticipated that the Proposed Project would be completed and occupied in 2032 following completion of the land use review process in 2026, expiration of all existing tenant leases by 2028, and approximately 60 months of construction.

E. SUMMARY OF ENVIRONMENTAL ANALYSIS

The Proposed Actions have the potential to result in significant adverse impacts related to land use, zoning, and public policy; socioeconomic conditions; community facilities; open space; shadows; historic and cultural resources; urban design and visual resources; hazardous materials; transportation; air quality; greenhouse gas emissions and climate change; noise; public health; neighborhood character; and construction. The May 1, 2025 EAS and Positive Declaration found that the Proposed Actions met the thresholds for the above-listed CEQR technical areas and warrant further analysis. The above-listed CEQR technical areas were analyzed in the DEIS and are summarized below.

LAND USE, ZONING, AND PUBLIC POLICY

Land Use and Zoning

The Proposed Actions would result in an expansion of existing land uses in the study area and the Proposed C6-12 zoning district would reflect appropriately the unique nature of the Development Site encompassing an entire block situated in a transit-rich area and surrounded by other high-density mixed-use buildings in the study area. The permitted bulk and height under the Proposed Actions would help revitalize the Development Site to increase housing capacity, furthering the current housing goals of New York City as well as the goals of the Special Downtown Brooklyn District. Alongside its residential offerings, the Proposed Project would also provide non-residential uses, such as local retail space, office space, and/or community facility space serving the local community, enhancing the pedestrian experience, and serving the goals of the Special Downtown Brooklyn District. The Proposed Actions would also enable much needed public realm improvements, such as an open space that would be made available to the public. The mix of ground-floor retail and open space is expected to continue to support the area's existing commercial activities while improving the pedestrian experience, benefiting area residents and visitors. The Proposed Actions would not conflict with the current surrounding zoning or existing uses. Rather, the Proposed Actions would facilitate developments that would integrate well with this transit-rich area and the existing zoning framework within the study area. Therefore, the Proposed Actions would not adversely affect surrounding land uses, zoning, or public policy.

Public Policy

The Proposed Actions would be supportive of several New York City policies, including the goals set forth in the Brooklyn Center Urban Renewal Plan (URP), Brooklyn Cultural District, Business Improvement Districts, Housing Our Neighbors: A Blueprint for Housing and Homelessness; OneNYC 2050, Where We Live NYC/Fair Housing Together Plan, and City of Yes initiatives (including City of Yes for Housing Opportunity, Economic Opportunity, and

Carbon Neutrality). The Proposed Actions would facilitate more housing development, including permanently affordable housing, along with other local retail uses, commercial offices, and/or community facility space serving the local community and enhancing the pedestrian experience within the Downtown Brooklyn neighborhood and Special Downtown Brooklyn District. Additionally, the redevelopment of the Development Site offers new retail opportunities at commercial corridors, supporting the recovery of local retail. The Proposed Project would also seek to incorporate a multitude of sustainable measures and integrate high-performance building strategies, furthering the City's sustainability goal.

SOCIOECONOMIC CONDITIONS

The Proposed Actions would introduce a residential population of approximately 2,564 persons at the Development Site. Since development under the Proposed Actions would increase the residential population of the quarter-mile study area by 9.1 percent compared to the 2032 No-Action condition (an increase greater than 5 percent), a half-mile study area was used for the assessment of indirect residential displacement, per CEQR Technical Manual guidance.

The 2020 residential population of the half-mile study area was 52,159 persons per the 2020 US Census (adjusted to 57,220 when taking into account development since 2020), while the 2022 median household income was $132,541 (per the 2018-2022 American Community Survey [ACS] 5-year estimates), higher than that of Brooklyn and New York City as a whole. The analysis found that the third quartile of market-rate rents in the study area are roughly $3,800 for studios, $4,900 for one-bedroom units, $7,000 for two-bedroom units, and $12,100 for three-bedroom units.

In the No-Action condition, anticipated residential development projects would increase the study-area population to 72,638. In the future With-Action conditions, the Proposed Actions would result in 2,564 residents being added to the study area population, further increasing the population of the half-mile study area to 75,202, a 3.5-percent increase compared to the No-Action condition. Anticipated affordable rents and average household size were used to estimate the average household income for the residents of the affordable units at $99,812, while observed third-quartile market rents and unit sizes in the study area were used to estimate the average household income for residents of the market-rate units at $222,782. The weighted average income for residents of all incremental units was estimated to be $185,881. This is higher than the average household income for the study area of $132,541.

Though the estimated weighted average incomes of the new population are expected to be higher than the average incomes of the study area populations, the estimated new population would represent an increase of less than 5 percent over No-Action conditions (approximately 3.5 percent). This level of population increase would not be expected to introduce or accelerate a trend leading to the displacement of vulnerable populations or create a significant indirect residential displacement adverse impact. Therefore, the Proposed Actions would have no significant adverse impacts related to socioeconomic conditions.

COMMUNITY FACILITIES AND SERVICES

The Proposed Actions were considered for their potential to directly or indirectly affect existing community facilities, including publicly supported early childhood programs, libraries, public schools, healthcare facilities, and fire and police protection services. The Proposed Actions would not result in direct effects to community facilities. Based on *CEQR Technical Manual* thresholds, the Proposed Actions did not warrant analysis of public high schools, libraries, healthcare facilities, or fire and police protection services.

Early Childhood Programs

Based on the multipliers for estimating the number of children eligible for early childhood programs according to the New York City Department of Education (DOE), the Proposed Actions are anticipated to generate the need for approximately 68 childcare slots, and a detailed analysis was undertaken. Based on a detailed analysis, early childhood programs in the study area would be under according to the New York City Department of Education (DOE), the Proposed Actions are anticipated to generate the need for approximately 68 childcare slots, and a detailed analysis was undertaken. Based on a detailed analysis, early childhood programs in the study area would be under capacity with a surplus of 744 slots in the With-Action condition. The utilization rate would be approximately 66 percent, and the change in utilization rate would be approximately 4.2 percent in comparison to the No-Action condition. Since the collective utilization rate for early childhood programs would be less than 100 percent in the future with the Proposed Actions, the Proposed Actions would not result in a significant adverse impact on publicly funded early childhood programs, and no further analysis is warranted.

Public Schools

The Proposed Actions would result in over 50 elementary and intermediate school students, indicating that further analysis is warranted. However, the Proposed Actions would not introduce 150 high school students, indicating that no impact to high schools would occur. Following the methodologies in the CEQR Technical Manual, the study area for the analysis of elementary and intermediate schools is Community School District ('CSD') 13, Subdistrict 2 in which the Development Site is located. Under the With-Action condition, the utilization rate of elementary and intermediate schools would not exceed 100 percent, nor would the Proposed Actions generate more than 100 elementary- or intermediate-school aged students. Therefore, based on CEQR Technical Manual guidelines, the Proposed Actions would not result in significant adverse impacts to elementary and intermediate schools.

OPEN SPACE

According to the CEQR Technical Manual, a project may have a significant adverse indirect impact on open space resources if it significantly reduces the open space ratio (OSR), thereby overburdening existing facilities or exacerbating a deficiency in open space. Given that the Proposed Actions are anticipated to introduce an increment of approximately 2,527 residents over the No-Action condition, an open space analysis for a residential half-mile study area was conducted in accordance with CEQR Technical Manual guidelines.

In the 2032 analysis year, the active OSR would decrease 3.387 percent from 0.068 in the No-Action condition to 0.066 in the With-Action condition. The passive OSR would decrease 3.137 percent from 0.552 in the No-Action condition to 0.535 in the With-Action condition. The total OSR would decrease 3.165 percent from 0.620 in the No-Action condition to 0.600 in the With-Action condition. Therefore, based on CEQR's quantitative thresholds, the Proposed Actions would result in a significant adverse quantitative impact. However, the Development Site is located in a Walk-to-a-Park Service Area and would continue to be served by nearby open space resources not accounted for in the quantitative assessment. Additionally, the Proposed Actions would introduce 4,745 sf of new open space available to the public. Furthermore, the Proposed Actions would introduce private amenity space for the building's residents, including no less than 28,000 sf of private active recreational space and 5,000 sf of private passive recreational space. These amenities would help to absorb a portion of the incremental demand on active and passive open spaces within the study area. Therefore, considering both the quantitative and qualitative assessment, the Proposed Actions would not result in significant adverse impact to open space.

SHADOWS

A detailed shadows analysis was conducted based on the methodology set forth in the CEQR Technical Manual and determined that the Proposed Actions would not result in a significant adverse impact related to shadows. Because future development on the Development Site is expected to exceed 50 feet in height, the CEQR Technical Manual threshold for a shadows analysis, Tier 1 through Tier 3 and detailed shadows analyses were undertaken for the Proposed Actions. As described below, several sunlight-sensitive resources were identified within the Tier 3 shadow sweep that were advanced to a detailed analysis. These resources consist of 12 open space resources: Walt Whitman Park, University Place, Cadman Plaza Park, Greenstreet at Brooklyn Bridge Boulevard, Fort Greene Park, Edmonds Playground, Greenstreet at Carlton Avenue, P.S. 261 Playground, MetroTech Plaza, Albee Square, Abolitionist Place, and Avalon Fort Greene Plaza; and five historic resources: Evangelical Lutheran Church of the Holy Trinity, First Free Congregation Church, Mary of Nazarene Roman Catholic Church, Fort Greene Park, and Simpson Methodist Episcopal Church. No natural resources warrant a detailed analysis.

A detailed analysis was conducted for the resources that could receive incremental shadow on one or more of the analysis days. For the open space resources that were studied in the detailed shadows analysis, incremental shadows would be of limited duration and would occur on spaces that either receive uninterrupted sunlight during other periods of the analysis day or on spaces that do not receive uninterrupted sunlight under existing/No-Action conditions. Thus, it was determined that incremental shadows would not adversely impair the public's enjoyment of the space or the viability of vegetation of these resources. For the historic resources studied in the detailed shadows analysis, it was determined that incremental shadows either would not reach sunlight-sensitive features of the historic resources or would not last long enough to affect their use or enjoyment by the public. Based on the foregoing, no adverse impacts to sunlight sensitive resources would occur due to shadows from future development under the Proposed Actions.

HISTORIC AND CULTURAL RESOURCES

Based on an environmental review letter provided by LPC on February 11, 2025, the Development Site does not have archaeological significance. As such, an assessment of archaeological resources is not warranted, and no significant adverse impacts would result from the Proposed Actions.

None of the architectural resources within the study area are within 90 feet of the Development Site and as such, the Proposed Actions would not result in direct impacts to historic resources. Although the Proposed Project will introduce a new building that is taller than the existing building on the Development Site, this new development would be consistent with the ongoing growth and transformation of Downtown Brooklyn. As a result, it is not expected that construction of the Proposed Project would significantly alter the setting, visual relationship or publicly accessible views of historic resources within the study area.

Additionally, it was determined that incremental shadows either would not reach sunlight-sensitive features of historic resources within the study area or would not last long enough to affect their use or enjoyment by the public. As such, the Proposed Actions would not result in significant adverse shadow impacts on any architectural resources containing sunlight-sensitive features in the study area.

Therefore, there would be no significant adverse impacts to architectural resources as a result of the Proposed Actions.

URBAN DESIGN AND VISUAL RESOURCES

Urban Design

The Proposed Actions would not result in significant adverse impacts to urban design in either the primary or secondary study areas. The proposed With-Action building on the Development Site would be constructed on an existing block and would not entail any changes to block shapes, street pattern and hierarchy, topography, open space, or natural features in the primary or secondary study area. The Proposed Actions would not create land uses or structures that would be substantially incompatible with existing and emerging character of the surrounding area. As described below, the proposed With-Action building would be of a similar height and bulk to buildings that have been recently completed and buildings that would be completed by the 2032 build year. The Proposed Actions would activate the streetscape by introducing a 24-hour population to the Development Site. Furthermore, the Proposed Actions would introduce several public realm improvements that increase pedestrian safety and circulation (as well as improving access to public transit through improvements to the DeKalb Avenue subway station entrance) and enhance the pedestrian experience of the Development Site and primary study area.

Visual Resources

Visual resources within the primary and secondary study area include the Williamsburgh Savings Bank, located south of the Development Site. An analysis of the Proposed Actions' impact on

significant view corridors to the Williamsburgh Savings Bank identified one significant view corridor within the study area. As detailed below, development under With-Action conditions at the Development Site would not obstruct any significant view corridors to the Williamsburgh Savings Bank. Therefore, no significant adverse impacts to visual resources would occur as a result of the Proposed Actions.

HAZARDOUS MATERIALS

The Proposed Actions would not result in significant adverse impacts related to hazardous materials.

A Phase I Environmental Site Assessment (ESA) dated March 25, 2025, revealed one Recognized Environmental Condition (REC) in connection with the Development Site, which pertains to historic off-site activity. To address this condition during site redevelopment, the Proposed Actions would adhere to requirements of the existing (E)-Designation for hazardous materials (E-124), which was applied to Brooklyn Block 2093, Lot 1 as part of the 2004 Downtown Brooklyn Development project. The implementation of the remedial measures required under the (E)-Designation would preclude the potential for significant adverse hazardous materials impacts due to the Proposed Actions.

Compliance with the (E)-Designation protocol would use the Phase I ESA to the extent practicable. Any testing and sampling required by Office of Environmental Remediation ('OER') for the Development Site would be followed in accordance with the requirements of the OER (E)-Designation process. Furthermore, the Development Site would not receive any construction permits from the Department of Buildings until such time as OER has determined that the requirements of the (E)-Designation have been met.

In addition to the (E)-Designation on the Development Site, regulatory requirements pertaining to the disturbance and handling of any lead-based paint (LBP), asbestos-containing materials (ACM), and PCB-containing building materials would be followed. As such, implementation of the Proposed Actions would not result in significant adverse impacts related to hazardous materials.

TRANSPORTATION

Traffic

Traffic analyses were performed for 19 intersections. The Proposed Actions would result in significant adverse traffic impacts to several intersections during the weekday AM, midday, PM, and Saturday peak hours, respectively. Mitigation measures that could be implemented to mitigate these significant adverse traffic impacts are discussed in Chapter 18, Mitigation.

NYCDOT is currently in the process of developing the Flatbush Avenue Bus Priority plan that would implement bus lanes along Flatbush Avenue between Livingston Street to the north and Grand Army Plaza to the south, portions of which fall within the traffic study area for the Proposed Project. As currently proposed, the plan would convert two Flatbush Avenue travel

lanes to center-running bus lanes with the goals of improving bus speeds, reliability, and safety along the corridor; the plan would also implement concrete bus boarding islands and would extend the curb at selected locations to provide additional pedestrian spaces.

NYCDOT is also in preliminary planning stage for the Dekalb-Lafayette Avenues Bus and Safety Improvements project to improve bus service and street safety along the Dekalb Avenue and Lafayette Avenue corridors between Flatbush Avenue Extension and Broadway. Portions of the Dekalb Avenue corridor fall within the traffic study area for the Proposed Project. As preliminarily indicated, NYCDOT is exploring the feasibility of implementing bus priority measures, which might include curbside bus lanes similar to those that were temporarily implemented along Dekalb Avenue in the summer of 2024, and other improvements focused on improving safety for pedestrians and bicyclists.

If implemented, these preliminary plans have the potential to change future conditions, including travel patterns such as vehicle routing and mode choice, and may result in additional significant adverse impacts at traffic analysis locations due to the reduction in roadway capacity for general vehicle traffic. These changes could affect intersections along Flatbush Avenue between Livingston Street and Atlantic Avenue, Dekalb Avenue between Flatbush Avenue Extension and Ashland Place, and nearby upstream or downstream intersections.

At the time of the publication of the Draft EIS, these two plans remain in development. As such, for the purposes of the traffic analysis, the Draft EIS uses the existing roadway configuration (e.g., number of travel lanes, parking lanes, etc.) and signal timing plans on the Flatbush Avenue and Dekalb Avenue corridors to model the future conditions by the Proposed Project's Analysis Year.

The proposed Flatbush Avenue Bus Priority project and Dekalb-Lafayette Avenues Bus and Safety Improvements project would be implemented at NYCDOT's discretion. Once the design of the aforementioned projects is complete, NYCDOT would conduct post-implementation monitoring studies to assess traffic conditions, which would include, but is not limited to: monitoring vehicle speeds and traffic volumes for a defined period of time. Based on the findings of these studies, NYCDOT may refine components of the project to optimize roadway conditions.

Parking

Under With-Action conditions, no on-site parking would be provided at the Development Site. Therefore, project-generated auto trips would need to park at off-site, off-street parking facilities within the study area. The peak off-site parking demand of 382 parking spaces during the Saturday afternoon period could be accommodated by the 1,968 off-site parking spaces available in the study area. The study area would be expected to have a parking utilization of 74 percent during the weekday midday period.

Subways

Fare control areas and stairways were analyzed at the DeKalb Avenue subway station located under the Development Site during the commuter peak hours. The analysis determined that the fare control areas and stairs analyzed would operate at acceptable levels of service (LOS) during

both peak hours. Therefore, the Proposed Actions would not result in significant adverse subway impacts.

Pedestrians
Pedestrian analyses were performed for four sidewalk elements, four crosswalk elements, and five corner elements at key intersections for the weekday AM, midday, PM, and Saturday peak hours. Of the 13 pedestrian elements analyzed, the Proposed Actions would result in significant adverse impacts at one crosswalk element during the weekday AM and PM peak hours and two crosswalk elements during the Saturday peak hour. Significant pedestrian impacts are not expected during the weekday midday peak hour. Measures that could be implemented to mitigate these significant adverse pedestrian impacts are discussed in greater detail in the DEIS and are summarized further within this document.

Vehicular and Pedestrian Safety
Ten of the 19 traffic and pedestrian analysis locations have been identified as high-crash locations according to the CEQR Technical Manual criteria. Eight analysis intersections are located along the Vision Zero Priority Corridors and experienced at least three pedestrian/bicyclist crashes within a consecutive 12-month period. One of these intersections is also a Vision Zero Priority Intersection. Two other Vision Zero Priority Intersections were identified in the study area.

AIR QUALITY

The Proposed Actions would not result in significant adverse air quality impacts on the surrounding sensitive receptors, nor would nearby emission sources significantly impact the Proposed Project.

The mobile source analysis determined that project-generated traffic resulting in concentrations of carbon monoxide (CO) and fine particulate matter ($PM_{2.5}$) at the analyzed intersections would not result in any violations of National Ambient Air Quality Standards (NAAQS). Further, the 24-hour and annual incremental $PM_{2.5}$ concentrations were predicted to be below the City's *de minimis* criteria, therefore, no significant adverse impacts with respect to mobile sources would occur

The Applicant would commit to using electric HVAC and hot water systems for the Proposed Project, which would be required through the Land Disposition Agreement and/or Regulatory Agreement with HPD. As such, a stationary source analysis is not warranted, and no significant adverse impacts would occur with respect to stationary sources.

The analysis of existing light industrial/manufacturing uses in the surrounding study area determined that emissions of air toxic compounds would not result in any potential significant adverse air quality impacts. An analysis of the cumulative health risk impacts of existing industrial sources on the Development Site was also performed. Maximum concentration levels at the Development Site were found to be below the applicable health risk criteria.

The analysis of existing large and major emissions sources within 1,000 feet of the Development Site concluded that this source would not result in significant adverse air quality impacts on With-Action development.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

The Proposed Actions would be consistent with the applicable City's Greenhouse Gas ('GHG') emissions reduction and climate change goals, and there would be no significant adverse GHG emission or climate change impacts as a result of the Proposed Actions.

Following the methodology provided in the *CEQR Technical Manual*, it is estimated that development under the With-Action condition would result in approximately 7,811 metric tons of carbon dioxide equivalent (CO_2e) emissions from its annual operations and 235 metric tons a year of CO_2e emissions from mobile sources. This represents less than 0.02 percent of the City's overall 2022 GHG emissions of 53.7 million metric tons.

Development under the With-Action condition would comply with the 2020 Energy Conservation Construction Code of New York State and 2020 New York City Energy Conservation Code, which govern performance requirements of heating, ventilation, and air-conditioning systems, as well as the exterior building envelope of new buildings. The Proposed Project under With-Action conditions would comply with the Local Law 97 requirements and would contribute toward the NYC GHG reduction goals.

NOISE

A noise assessment was conducted to determine whether the Proposed Actions would significantly increase sound levels from mobile and stationary sources at existing noise receptors, and if new noise receptors that would be introduced would be in an acceptable ambient sound level environment. With the implementation of the attenuation requirements described below, no significant adverse noise impacts form mobile or stationary sources would occur as a result of the Proposed Actions.

Stationary Source
The Proposed Actions would introduce a new active recreational space as a stationary source on the rooftop of the building podium. Besides that, no other substantial stationary source noise generators are anticipated to be introduced as the result of the Proposed Actions. The design and specifications for the With-Action building's mechanical equipment would incorporate sufficient noise reduction devices that would comply with applicable noise regulations and standards, including the standards contained in the revised New York City Noise Control Code.

The noise analysis for existing and new receptors evaluates whether receptors would be introduced into an environment with acceptable ambient noise conditions. With-Action noise levels have been evaluated at new receptors based on ambient noise measurements, mobile source proportional noise modeling, and detailed modeling of noise from the With-Action

development. Based on the modeling results, With-Action sound levels are expected to increase by up to 3.6 A-weighted decibels (dBA) over No-Action levels. However, as the noise level increases in exceedance of 3 dBA were found at the locations where With-Action condition noise levels (Leq) are less than 65 dBA, these increments are not considered as significant impacts. Therefore, the Proposed Actions would not result in a significant adverse noise impact due to new mobile and stationary sources.

Based on the highest predicted L10 sound levels, a minimum outdoor-to-indoor window/wall sound attenuation of 33 dBA would be required on the northern façade facing DeKalb Avenue, 31 dBA of window/wall attenuation would be required on the western façade facing Flatbush Avenue Extension and the southern façade facing Fulton Street, and 28 dBA of window/wall attenuation would be required on the eastern façade facing Hudson Avenue to maintain acceptable interior noise conditions for residential, commercial office, and/or community facility uses. Additionally, a minimum outdoor-to-indoor composite window/wall sound attenuation of 33 dBA would be required on the top of the podium facing the proposed active open space. With the implementation of the attenuation requirements described above, no significant adverse noise impacts would occur as a result of the Proposed Actions.

These attenuation requirements would be incorporated through an (E)-Designation (E-124) on the Development Site. The Development Site would not receive any construction permits from the Department of Buildings until such time as OER has determined that the requirements of the (E)-Designation have been met.

Open Space
The Proposed Actions would introduce approximately 4,745 sf of open space available to the public on the southern portion of the Development Site. Future noise levels (L10) within the newly created open space would be above 55 dBA. This exceeds the 55 dBA (L10) guideline for outdoor areas requiring serenity and quiet contained in the CEQR Technical Manual. However, this relatively low noise level is often not achieved in outdoor areas due to the level of nearby noise sources (e.g., nearby roadway, train, and aircraft activity, as well as activities within the outdoor space itself) at most New York City outdoor public open space areas and parks. Furthermore, under existing and No-Action conditions, noise levels at the future location of the project-generated open space at the southern portion of the Development Site fronting Fulton Street currently exceed—and in the future would continue to exceed—55 dBA (L_{10}). This level of existing noise is comparable to noise levels in a number of passive open space areas that are within range of substantial noise sources, including Fort Greene Park, Prospect Park, and Brooklyn Bridge Park. The proposed uses of the project-generated open space do not require serenity and quiet. Therefore, the proposed open spaces are not considered sensitive.

PUBLIC HEALTH

The Proposed Actions would not result in any significant adverse public health impacts as defined in the *CEQR Technical Manual*. During operation, the Proposed Actions would not result in unmitigated significant adverse impacts in the areas of air quality, noise, water quality, or hazardous materials. While significant adverse noise impacts could occur during construction,

these impacts would be temporary and would result from conditions that are common during the construction of high-rise buildings in densely populated areas of New York City. Excessive noise can affect health through the disruption of sleep or hearing. While noise during the construction period would reach applicable *CEQR Technical Manual* impact thresholds at several receptors, these thresholds are based on quality-of-life considerations as opposed to public health considerations. Noise levels during the construction period would not be high enough to constitute a public-health concern. The impacts would occur only during the construction period, after which noise levels would be below the relevant *CEQR Technical Manual* impact thresholds. While the Proposed Actions would have the potential to result in a significant adverse construction noise impact that would remain unmitigated, the temporary nature of the noise levels during the construction period combined with the attenuation provided by building conditions would not cause a significant adverse public health impact.

NEIGHBORHOOD CHARACTER

The Proposed Actions would not result in a significant adverse impact to neighborhood character. As outlined in the *CEQR Technical Manual*, the assessment of neighborhood character is based on the impacts on the defining features of the neighborhood and potential impacts found in other technical areas. The Proposed Actions would not result in significant adverse impacts in the technical areas of land use, zoning and public policy; socioeconomic conditions; community facilities and services; open space; historic and cultural resources; urban design and visual resources; shadows; or noise. The Proposed Actions would result in significant impacts to transportation (traffic and pedestrians). Therefore, a preliminary assessment of neighborhood character is provided.

The Proposed Actions would result in the development of new, mixed-use building which would include affordable housing and align with the Downton Brooklyn trend towards residential and mixed-use development without significantly affecting the neighborhood's defining features or existing open spaces. New development under the Proposed Actions would enhance the pedestrian experience and preserve visual corridors while introducing new public open space. Regarding the significant impacts on traffic and pedestrians, some of the significant impacts could be mitigated through various measures while others would remain unmitigated or could only be partially mitigated. Overall, although there would be an increase in transportation activity due to the Proposed Actions, the resulting conditions would be similar to those typically found in the urban neighborhood defining the study area and would not result in density of activity or service conditions that would be out of character with the surrounding neighborhood. As such, the Proposed Actions would not result in significant adverse impacts on neighborhood character.

DISADVANTAGED COMMUNITIES

The Proposed Actions would not have significant adverse impacts related to their effects on disadvantaged communities. Based on the technical analyses presented in the EIS pursuant to *CEQR Technical Manual* guidance, the Proposed Actions would not have the potential to result

in significant adverse impacts in any technical areas other than transportation (traffic and pedestrian) and construction (transportation and noise). All potential impacts would occur in both non-DAC census tracts or DACs with "lower burdens and vulnerabilities". Although not all transportation and construction impacts could be mitigated, none of these significant adverse impacts would cause or increase a disproportionate pollution burden on a DAC, either alone or in conjunction with other technical areas.

CONSTRUCTION

The analysis presented in this chapter concludes that the Proposed Actions would result in significant adverse impacts to construction, particularly in terms of traffic congestion, pedestrian movement and noise. Governmental oversight of construction in New York City is extensive and involves a number of City, State, and Federal agencies, each with specific areas of responsibility. Construction at the Development Site would be subject to government regulations and oversight described in Chapter 17, Construction and would employ the general construction practices described therein. The Proposed Project would also comply with the requirements of the New York City Noise Control Code.

Transportation

Traffic

The peak quarter for construction was identified as the third quarter of 2030 when a daily average of 638 construction workers and 49 trucks would be generated by construction activity. In this quarter, construction activities would generate 151 construction worker vehicle trips and 22 construction truck trips during the AM construction peak hour, and 151 construction worker vehicle trips and six construction truck trips during the PM construction peak hour. A detailed traffic analysis was performed for 18 key intersections for the AM and PM construction peak hours within the traffic study area. These analyses determined that nine of the 18 analysis intersections would be significantly impacted during the AM construction peak hour of 6 AM to 7 AM, and three of the 18 analysis intersections would be significantly impacted during the PM construction peak hour of 3 PM to 4 PM. The following intersections would be significantly impacted:

- Flatbush Avenue Extension and Tillary Street (AM peak hour)
- Flatbush Avenue Extension and DeKalb Avenue (PM peak hour)
- Flatbush Avenue Extension and Fulton Street (AM hour)
- Flatbush Avenue and Lafayette Avenue (AM peak hour)
- Flatbush Avenue and 4th Avenue (PM peak hour)
- Flatbush Avenue and Atlantic Avenue (AM peak hour)
- Fulton Street and Hudson Avenue (AM and PM peak hours)
- Fulton Street and Rockwell Place (AM peak hour)
- DeKalb Avenue and Ashland Place (AM peak hour)

- Fulton Street and Ashland Place (AM peak hour)
- Schermerhorn Street and 3rd Avenue (AM peak hour)

Standard traffic capacity improvements typically implemented by NYC DOT, such as signal timing modifications, would provide full mitigation at some of the significantly impacted intersections. Implementation of traffic improvements measures are subjected to NYC DOT's review and approval. Traffic capacity improvements were identified and could fully mitigate four of the nine significantly impacted intersections during the AM construction peak hour (five intersections would remain unmitigated) and two of the three significantly impacted intersections during the PM construction peak hour (one intersection would remain unmitigated).

As described above, NYCDOT is currently in the process of developing the Flatbush Avenue Bus Priority plan and the Dekalb-Lafayette Avenues Bus and Safety Improvements project. If implemented, these preliminary plans have the potential to change future conditions, including travel patterns such as vehicle routing and mode choice, and may result in additional significant adverse impacts at traffic analysis locations due to the reduction in roadway capacity for general vehicle traffic.

At the time of the publication of the Draft EIS, these two plans remain in development. As such, for the purposes of the traffic analysis, the Draft EIS uses the existing roadway configuration (e.g., number of travel lanes, parking lanes, etc.) and signal timing plans on the Flatbush Avenue and Dekalb Avenue corridors to model the future conditions by the Proposed Project's Analysis Year.

The proposed Flatbush Avenue Bus Priority project and Dekalb-Lafayette Avenues Bus and Safety Improvements project would be implemented at NYCDOT's discretion. Once the design of the aforementioned projects is complete, NYCDOT would conduct post-implementation monitoring studies to assess traffic conditions, which would include, but is not limited to: monitoring vehicle speeds and traffic volumes for a defined period of time. Based on the findings of these studies, NYCDOT may refine components of the project to optimize roadway conditions.

Parking

Construction workers would generate an estimated peak daily parking demand of 189 spaces during the third quarter of 2030, the peak construction quarter. This level of parking demand could be accommodated by available capacity at the three off-street parking facilities nearest the site. Overall, after accounting for construction parking demand and diversion of existing demand from the Development Site that would be relocated to other facilities, there would be approximately 1,403 spaces available for the public during the weekday overnight period and 463 spaces available during the weekday midday period in the off-street parking study area. Therefore, no parking shortfall would occur as a result of project-generated construction activity.

Transit and Pedestrians

Construction worker activities would be highest during the third quarter of 2030 and would generate approximately 225 construction worker transit trips during the AM and PM construction peak hours. These construction-related transit trips would occur outside of the peak periods of

transit ridership and as the Development Site is located above the DeKalb Avenue subway station and the study area is well served by public transit, construction activities are not expected to result in transit impacts.

As multiple worker entrances will be provided around the Development Site, construction worker pedestrian trips are not expected to exceed the 200 pedestrian *CEQR* thresholds for detailed analysis. However, there is a potential for detours as a result of sidewalk closures. A level of service analysis was conducted for the north sidewalk of DeKalb Avenue between Flatbush Avenue Extension and Hudson Avenue. The level of service analysis, which was conducted for the peak commuter and midday periods – periods when pedestrian activity is highest during the day - concluded that there would be a potential for a significant adverse impact on this sidewalk as a result of sidewalk closure-related detours during the weekday AM and PM peak hours. These impacts would be unmitigable.

Air Quality

Measures required to reduce pollutant emissions during construction include all applicable laws, regulations, and the City's building codes. These include dust suppression measures, idling restrictions, and the use of ultra-low sulfur diesel (ULSD) fuel. With the implementation of these emission reduction measures, the dispersion modeling analysis of construction-related air emissions for both on-site and on-road sources determined that particulate matter ($PM_{2.5}$ and PM_{10}), annual-average nitrogen dioxide (NO_2), and carbon monoxide (CO) concentrations would be below their corresponding *de minimis* thresholds or National Air Quality Ambient Standards (NAAQS), respectively. Therefore, construction of the Proposed Project would not result in significant adverse air quality impacts during construction.

Noise

Construction of the phased development would involve standard construction activities and practices for buildings in New York City. Foundation installation and superstructure phases of construction are typically when the noisiest activities occur. The exterior and interior fit-out phases of construction typically involve minimal exterior equipment and substantially quieter noise conditions. The Development Site is near existing residential, community facility, and commercial land uses, and the introduction of new residences would occur throughout construction of the proposed development. Based on the proximity of these noise-sensitive land uses, there is the potential for construction to cause significant adverse noise impacts.

To assess the potential for the Proposed Project to result in noise impacts during construction, a quantified noise analysis was conducted.

Construction noise from mobile sources was evaluated for the 6:00 AM to 7:00 AM peak period, when construction traffic would be greatest. Construction noise from mobile sources would not increase by 3 dBA or more, the applicable analysis threshold, and there would be no significant adverse noise impact due to construction mobile sources.

Construction noise from stationary sources was evaluated for five phases of construction, since there would be overlapping activities for demolition, construction of the building foundation, construction of the core and shell, and interior phases of construction associated with the Proposed Project. Construction of the Proposed Project is predicted to result in elevated noise levels at several of the analyzed receptors during limited periods of time during the overall construction period. To the west of the Development Site, at the residential building (R03) located at 540 Fulton Street, construction is predicted to result in noise level increases up to approximately 13.6 dBA for up to 27 months. To the north of the Development Site, at the Long Island University (LIU) facilities (R13 and R14) along DeKalb Avenue, construction is predicted to result in noise level increases up to 17.7 dBA for up to 32 months. To the east of the Development Site, at the residential buildings (R15 and R16) along Hudson Avenue, construction is predicted to result in noise level increases of up to approximately 29.2 dBA over a 49-month period. To the south of the Development Site, at the residential buildings along Fulton Street located at 1 Flatbush Avenue, construction is predicted to result in noise level increases up to approximately 10.3 dBA over an 11-month period. Such exceedances may be intrusive but would be temporary and would typically occur during weekdays during construction activities. At each of these locations, since all of the buildings have central heating, ventilation and air conditioning (HVAC) systems or a similar closed-window condition, approximately 30 to 35 dBA attenuation (depending on the building) can be achieved with a closed-window condition resulting in interior noise levels that are close to or exceed the CEQR interior noise level threshold for these types of uses (i.e., 45 dBA (L_{10}) for residential and community facility uses and 50 dBA (L_{10}) for office or equivalent spaces).

Since noise level increases due to construction would exceed the CEQR exterior noise level thresholds at several existing sensitive receptors, and since the CEQR interior noise levels would also be exceeded at some of these receptors, construction of the Proposed Project would result in significant adverse construction noise impacts. All construction noise impacts would occur at existing residential and/or community facility buildings located close to the Development Site, including the following sensitive receptors: R03, R13, R14, R15, and R16. Interior noise levels at these receptors, which include a mix of residential and community facility receptors, would primarily experience an exceedance of the CEQR interior noise level impact criteria during the demolition, excavation/foundation, and core and shell phases of construction.

Therefore, the Proposed Actions would have the potential to result in a significant adverse noise impact that would remain unmitigated.

Vibration

Construction activities have the potential to generate ground-borne vibration that can potentially cause structural or architectural damage or annoy people in nearby vibration-sensitive spaces, such as residences. The most substantial sources of construction vibration are equipment associated with the excavation and foundation phase, such as pile drivers, drill rigs, bulldozers, and jack hammers.

There are no buildings within the Project Area listed by the New York City Landmarks Preservation Commission (LPC) or the State and/or National Register of Historic Places (S/NR) which would require special protection from potential damage due to vibration.

As the existing real estate of utility company (REUC) easement prevents pile driving too deep on the southern portion of the site due to the proximity to the MTA subway station, caisson rigs would be used instead if possible. Additionally, these construction activities would only occur for limited periods of time at any particular location and there would be no significant adverse impact as a result of construction vibration.

Other Technical Areas

Land Use and Neighborhood Character

While construction of the new buildings under the Proposed Actions would cause temporary disruption, particularly related to traffic and noise, it is expected that such effects in any given area would be relatively short in duration and therefore would not create a neighborhood character impact. Therefore, no significant adverse construction impacts to land use and neighborhood character are expected.

Socioeconomic Conditions

Construction could, in some instances, temporarily affect pedestrian and vehicular access on street frontages immediately adjacent to the Development Site; however, long-term lane and/or sidewalk closures are not expected during construction and therefore, would not restrict access to any existing or planned retail businesses. Utility service would also be maintained to all businesses, although there may be very short-term interruptions. Overall, construction of the Proposed Project is not expected to affect surrounding businesses or to result in any significant adverse impacts on socioeconomic conditions.

Community Facilities

The construction sites would be surrounded by construction fencing and barriers that would limit the potential for impacts of construction on nearby community facilities. Construction of the proposed buildings would not block or restrict access to facilities in the area and would not affect emergency response times of the New York City Police Department (NYPD) and New York City Fire Department (FDNY) given the geographic distribution of the police and fire facilities and their respective coverage areas. Therefore, construction impacts are not expected to result in any significant adverse impacts on community facilities.

Open Space

There are no existing publicly accessible open spaces on the Development Sites. While University Place is located directly northwest of the Development Site, access to this publicly accessible open space would not be impeded during construction. In addition, measures would be implemented to control air emissions, dust, noise, and vibration on the construction site. Therefore, no significant adverse construction impacts to open space are expected.

Historic and Cultural Resources

The Development Site has no archaeological significance, nor are there any identified architectural resources located within 90 feet of the Development Site. Therefore, construction would not affect any archaeological or architectural resources.

Natural Resources

The Development Site does not contain and is not adjacent to any natural resources, as defined in the CEQR Technical Manual. Therefore, no significant adverse impacts related to natural resources would occur during construction of the Proposed Project.

Hazardous Materials

The Proposed Actions would adhere to requirements of the existing (E)-Designation for hazardous materials (E-124), which was applied to Brooklyn Block 2093, Lot 1 as part of the 2004 Downtown Brooklyn Development project. The implementation of the remedial measures required under the (E)-Designation would reduce the potential for significant adverse hazardous materials impacts due to the Proposed Actions. Any testing and sampling required by OER for the Development Site would be followed in accordance with the requirements of the OER (E)-Designation process. In addition to the (E)-Designation on the Development Site, regulatory requirements pertaining to the disturbance and handling of any lead-based paint (LBP), asbestos-containing materials (ACM), and PCB-containing building materials would be followed. As such, implementation of the Proposed Actions would not result in significant adverse impacts related to hazardous materials.

Water and Sewer Infrastructure

The Development Site is not adjacent to any water resources. Therefore, construction of the Proposed Project would not have an impact on water quality. During construction, the Applicants would comply with all applicable regulations governing on-site stormwater management and disposal into the sewer system, including the NYC Construction Code, NYC Plumbing Code, Unified Stormwater Rule (USWR), and Local Law 97 of 2017. As described in Section 3, Water and Sewer Infrastructure of the EAS, the incorporation of the appropriate sanitary flow and stormwater source control storm management practices would reduce the overall volume of sanitary sewer discharge and stormwater runoff as well as the peak stormwater runoff rate from the Development Site. As such, construction associated with the Proposed Actions is not expected to result in a significant adverse impact on the City's water and sewer infrastructure.

F. MITIGATION

As detailed in preceding sections, the Proposed Actions has the potential to result in significant impacts to transportation (traffic and pedestrian) and construction (traffic, pedestrian, and noise). Potential measures for these impacts are still being developed in consultation with the lead and expert agencies and are summarized in the **Table ES-4** below:

Table ES-4 Impact and Potential Mitigations Summary		
Impact Category	**Significant Impact**	**Mitigation Measure(s) If Applicable**
Transportation – Traffic	› Seven intersections during the weekday AM peak hour; › Six intersections during the weekday midday peak hour; › Six intersections during the weekday PM peak hour, and › Ten intersections during the Saturday peak hour	Standard traffic capacity improvements typically implemented by NYCDOT, such as signal timing modifications, could partially mitigate some of these traffic impacts
Transportation – Pedestrian	› One pedestrian element during the weekday AM and PM peak hours, and › Two pedestrian elements during the Saturday peak hour	Improvements in the form of crosswalk widening were identified and would mitigate these impacts.
Construction—Traffic	› Temporary traffic impact at › Nine intersections during the AM construction peak hour; and › Three intersections during the PM construction peak hour.	Standard traffic capacity improvements typically implemented by NYCDOT, such as signal timing modifications, could partially mitigate some of these temporary traffic impacts
Construction-Noise	Noise sensitive receptors at existing residential and/or community facility buildings located close to the Development Site	The potential for additional mitigation will be considered further between the Draft EIS and Final EIS, in coordination with the lead agency
Construction-Pedestrian	Temporary pedestrian impact at the north sidewalk of DeKalb Avenue between Flatbush Avenue Extension and Hudson Avenue during the weekday AM and PM peak hours	These impacts would be unmitigable.

Transportation

Traffic

Of the 19 intersections analyzed, the Proposed Actions would result in significant adverse traffic impacts at seven intersections (at eight traffic movements) during the weekday AM peak hour, six intersections (at eight traffic movements) during the weekday midday peak hour, six intersections (at nine traffic movements) during the weekday PM peak hour, and ten intersections (at 16 traffic movements) during the Saturday peak hour. Standard traffic capacity improvements typically implemented by NYC DOT, such as signal timing modifications, could fully mitigate traffic impacts at four intersections during the weekday midday peak hour (one additional intersection would be partially mitigated), two intersections during the weekday PM peak hour (one intersection would be partially mitigated), and four intersections during the Saturday peak hour (one intersection would be partially mitigated); significant traffic impacts during the weekday AM peak hour would remain unmitigated. Significant traffic impacts to the intersections listed below would remain unmitigated (see Table ES-5).

- Flatbush Avenue Extension and Tillary Street (AM, PM, and Saturday)
- Flatbush Avenue Extension and Myrtle Avenue (AM)
- Flatbush Avenue Extension and Dekalb Avenue (AM, PM, and Saturday)
- Flatbush Avenue Extension and Fulton Street (AM, midday, PM, and Saturday)
- Flatbush Avenue and Lafayette Avenue (AM and Saturday)
- Fulton Street and Hudson Avenue (AM, PM, and Saturday)
- DeKalb Avenue and Ashland Place (AM)
- Schermerhorn Street and Third Avenue (midday and Saturday)

Table ES-5 Transportation- Traffic Impact Summary

Intersection with significant Impact	Impact Shading denotes that no mitigation measures were identified, significant impact on traffic movements would remain unmitigated	Mitigation Measure(s) If Applicable
Flatbush Avenue Extension and Tillary Street	Weekday AM, PM, and Saturday Peak Hours	Standard traffic capacity improvements typically implemented by NYC DOT, such as signal timing modifications could mitigate or partially mitigate some of the significant impacts
Flatbush Avenue Extension and Myrtle Avenue	Weekday AM, PM, and Saturday Peak Hours	
Flatbush Avenue Extension and DeKalb Avenue	Weekday AM, Midday, PM,and Saturday Peak Hours	
Flatbush Avenue Extension and Fulton Street	Weekday AM, Midday, PM, and Saturday Peak Hours	
Flatbush Avenue and	Weekday AM, Midday, and	

Lafayette Avenue	Saturday Peak Hours	
Flatbush Avenue and Atlantic Avenue	Weekday PM and Saturday Peak Hours	
Fulton Street and Hudson Avenue	Weekday AM, PM, and Saturday Peak Hours	
Fulton Street and Rockwell Avenue	Saturday Peak Hour	
Dekalb Avenue and Ashland Place	Weekday AM Peak Hour	
Fulton Street and Ashland Place	Saturday Peak Hour	
Lafayette Avenue and Ashland Place	Weekday Midday Peak Hour	
Schermerhorn Street and Third Avenue	Weekday Midday, and Saturday Peak Hours	
Nevins Street and Schermerhorn Street	Weekday Midday Peka Hour	

Pedestrians

The Proposed Project would result in significant impacts at one pedestrian element during the weekday AM and PM peak hours and two pedestrian elements during the Saturday peak hour. Improvements in the form of crosswalk widening were identified and would mitigate these impacts. Implementation of the pedestrian mitigation measures is within the jurisdiction of NYC DOT.

Construction

Construction Transportation

18 key intersections were analyzed for potential significant traffic impacts during the construction traffic peak hours. Significant impacts were identified at nine intersections during the AM construction peak hour and three intersections during the PM construction peak hour. Where impacts during construction may occur, traffic capacity improvements in the form of signal timing modifications were proposed to provide full mitigation at some intersections. Significant traffic impacts could be fully mitigated at four of the eight significantly impacted intersections during the AM construction peak hour (four intersections would remain unmitigated) and three of the four significantly impacted intersections during the PM construction peak hour (one intersection would remain unmitigated).

As described above, NYCDOT is currently in the process of developing the Flatbush Avenue Bus Priority plan and the Dekalb-Lafayette Avenues Bus and Safety Improvements project. If implemented, these preliminary plans have the potential to change future conditions, including travel patterns such as vehicle routing and mode choice, and may result in additional significant adverse impacts at traffic analysis locations due to the reduction in roadway capacity for general vehicle traffic.

At the time of the publication of the Draft EIS, these two plans remain in development. As such, for the purposes of the traffic analysis, the Draft EIS uses the existing roadway configuration (e.g., number of travel lanes, parking lanes, etc.) and signal timing plans on the Flatbush Avenue and Dekalb Avenue corridors to model the future conditions by the Proposed Project's Analysis Year.

The proposed Flatbush Avenue Bus Priority project and Dekalb-Lafayette Avenues Bus and Safety Improvements project would be implemented at NYCDOT's discretion. Once the design of the aforementioned projects is complete, NYCDOT would conduct post-implementation monitoring studies to assess traffic conditions, which would include, but is not limited to monitoring vehicle speeds and traffic volumes for a defined period of time. Based on the findings of these studies, NYCDOT may refine components of the project to optimize roadway conditions.

Noise

Since noise levels during construction would have the potential to exceed the thresholds for exterior increases in noise, there would be potential for the project to result in high exterior and interior noise levels at existing noise receptors located in the vicinity of the Development Sites. All construction noise impacts would occur at existing residential and/or community facility buildings located close to the Development Site. Interior noise levels at the receptors, which include a mix of residential and community facility receptors, would primarily experience an exceedance of the CEQR interior noise level impact criteria during the demolition, excavation/foundation, and core and shell phases of construction.

With the adherence to existing construction noise regulations and the implementation of a Construction Noise Mitigation Plan, as required by the New York City Noise Code, an 8-foot construction noise barrier has been included in the modeling. However, construction noise would continue to exceed the thresholds for significant construction noise impact prior to mitigation.

The primary sources of construction noise causing significant adverse impacts include the rigs during the foundation phases of construction and concrete mixer trucks during the foundation and superstructure phases of construction. Since the impacted residential buildings are generally 10 or more stories tall, increasing the height of the perimeter wall would provide limited benefit compared to the standard 8-foot wall. Concrete mixer trucks would be located along Hudson Avenue or DeKalb Avenue depending on the specific phase of construction. As the impacted receptors are relatively tall, it would not be feasible to introduce a noise barrier between the receptor buildings and the Development Site.

The potential for additional mitigation will be considered further between the Draft EIS and Final EIS, in coordination with the lead agency; however, if no further feasible or practicable mitigation measures are identified, the Proposed Actions would result in a significant adverse noise impact due to construction that would remain unmitigated.

G. ALTERNATIVES

No-Action Alternative

The No-Action Alternative assesses the future conditions on the Development Site in absence of the Proposed Actions (i.e., none of the discretionary approvals proposed as part of the Proposed Actions would be adopted). In the 2032 future under the No-Action Alternative, it is expected that the existing seven-story commercial office and retail building currently occupying the Development Site would remain under existing conditions and be fully occupied with approximately 293,370 gsf of commercial office space, 35,548 gsf of commercial retail space, and a 46,190-gsf accessory parking garage with approximately 140 spaces. The proposed public realm improvements (a new public open space, an expanded sidewalk, and surface improvements around the existing DeKalb Avenue subway station entrance) would not be carried out. These conditions are referred to throughout the EIS as the No-Action Condition or the Future Without the Proposed Actions.

The anticipated significant adverse impacts of the Proposed Actions related to traffic, pedestrians, construction transportation (traffic and pedestrians), and construction noise would not occur under the No-Action Alternative. However, the No-Action Alternative would not meet the goals and objectives of the Proposed Actions. Under the No-Action Alternative, there would be no residential development on the Development Site, and there would be a substantial lost opportunity to create a large number of affordable and market-rate housing units on a single site in Downton Brooklyn. The existing zoning would not permit residential uses of any kind, and Mandatory Inclusionary Housing (MIH) would not be mapped on the Project Area, meaning that no affordable or market rate housing would be developed. In addition, under the No-Action Alternative, there would be no public realm improvements to the Development Site, including the project-generated publicly accessible open space located on the southern portion of the Development Site, the expanded sidewalk along the Development Site's Flatbush Avenue Extension frontage, or the surface improvements around the existing DeKalb Avenue subway station entrance on the Development Site. Therefore, the No-Action Alternative would fail to meet the objectives of the Proposed Actions.

No Unmitigated Significant Adverse Impacts Alternative

The No Unmitigated Significant Adverse Impacts Alternative assesses a scenario in which the Proposed Actions are modified such that future development would avoid the unmitigable significant adverse impacts associated with the Proposed Actions, as identified in the EIS. The Proposed Actions would result in unmitigable significant adverse impacts due to operational traffic as well as traffic and noise levels during the temporary construction period. In order to

eliminate these impacts, the Proposed Actions would have to be modified to such a point where their principal goals and objectives would not be realized, such as by seeking a lower density zoning district or removing or modifying some of all of the proposed zoning waivers.

H. UNAVOIDABLE ADVERSE IMPACTS

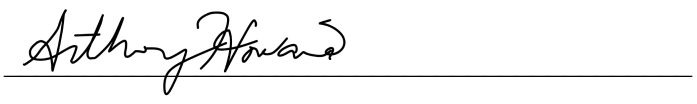
The Proposed Actions have the potential to result in significant adverse traffic and pedestrian impacts as well as construction related traffic, pedestrian and noise impacts at certain locations. To the extent practicable, mitigation has been proposed for these identified significant adverse impacts. However, in some instances no practicable mitigation has been identified to fully mitigate the significant adverse impacts, and there are no reasonable alternatives to the Proposed Actions that would meet the purpose and need, eliminate potential impacts, and not cause other or similar significant adverse impacts.

I. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS

The Proposed Actions would be limited to the Development Site only and are not expected to add substantial new land uses, new residents, or new employment to the surrounding area. The Proposed Actions are not expected to cause any significant secondary impacts (such as indirect residential displacement, increased infrastructure demand related to water, sanitation services, or energy) that would lead to substantial new development in the surrounding area. Therefore, the Proposed Actions would not induce significant new growth in the surrounding area.

J. IRREVERSIBLE AND IRRETRIEVEABLE COMMITMENTS OF RESOURCES

the Proposed Project would constitute a long-term commitment of land resources and funds committed by the project sponsor to the design, construction, and operation of the Proposed Project. However, the Proposed Actions would transform an underutilized site in Downtown Brooklyn into a mixed-use, vibrant community hub, that aims to provide much-needed affordable housing, commercial and/or community facility spaces and open space available to the public. The Proposed Actions would not result in an immediate or long-term loss of environmental resources. The long-term commitment of land resources needed for the Proposed Project would be balanced by the project's benefits and alignment with City policy goals.



Anthony Howard
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City of New York - Department of Housing Preservation and Development

Date: 8/8/2025

CC:

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