1160 Flushing Avenue Rezoning

DRAFT
SCOPE OF WORK FOR A DRAFT ENVIRONMENTAL IMPACT STATEMENT

CEQR NO. 21DCP199K

May 23, 2022

A. INTRODUCTION

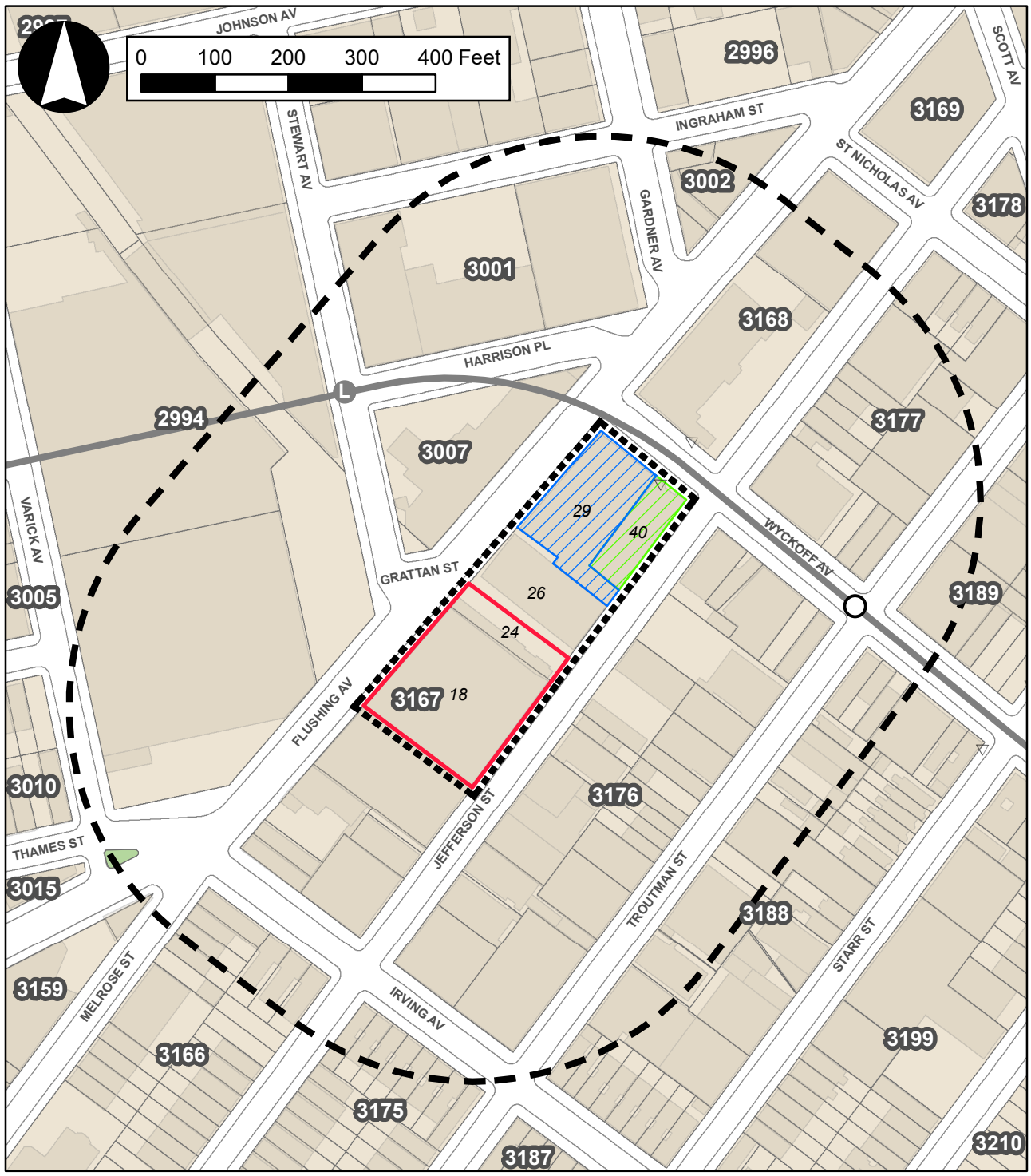
This Draft Scope of Work (DSOW) outlines the technical areas to be analyzed in the preparation of the Environmental Impact Statement (EIS) for the 1160 Flushing Avenue Rezoning proposal.

The Applicant, 1160 Flushing Ave LLC, proposes to develop a new mixed-use development at 1160 Flushing Avenue (Block 3167, Lots 18 and 24; or "Projected Development Site 1"), a 37,928-sf, rectangular-shaped site with frontages on Flushing Avenue and Jefferson Street in the Bushwick neighborhood of Brooklyn Community District (CD) 4 (see **Figure 1**). The proposed mixed-use development would consist of a single-story building and a nine-story building separated by a pedestrian alleyway. The single-story structure and first two floors and cellar floor of the nine-story building would contain a combined total of approximately 75,586 gsf (36,730 zoning square feet (zsf)) of retail uses (0.97 FAR); the second and third floors of the proposed nine-story building would contain approximately 40,732 gsf (37,846 zsf) of light industrial uses (1.0 FAR); and the remaining floors (three through nine) of the proposed nine-story building would contain approximately 121,786 gsf (114,983 zsf) of commercial office uses (3.03 FAR) (the "Proposed Project"). In total, the Proposed Project would contain approximately 238,104 gsf (189,559 zsf) of new development (5.0 FAR).

To facilitate the Proposed Project, the Applicant is seeking CPC approval for a zoning map amendment that would rezone Block 3167, Lots 12 (p/o), 18, 24, 26, 29, and 40 (the "Proposed Rezoning Area" or "Project Area") from a M1-1 district to a M1-5 district (the "Proposed Action"). Lots 18 and 24 ("Projected Development Site 1") are owned and controlled by the Applicant; Lots 12, 26, 29, and 40 are not owned or controlled by the Applicant.

In the future with the Proposed Action, the proposed zoning map amendment would be approved, allowing the Applicant to demolish the existing single-story building on Projected Development Site 1 (Lots 18 and 24) and construct the Proposed Project. However, as the proposed M1-5 zoning district permits a maximum floor area ratio (FAR) of 6.5 for community facility uses, the reasonable worst-case development scenario (RWCDS) for Projected Development Site 1 assumes an additional 1.5 FAR of community facility (medical office) uses. As such, for conservative analysis purposes, it is assumed that Projected Development Site 1 could accommodate up to approximately 75,586 gsf (36,730 zsf) of retail uses, approximately 40,732 gsf (37,846 zsf) of light industrial uses, approximately 121,786 (114,983 zsf) of commercial office uses, and approximately 59,973 gsf (56,975 zsf) of community facility (medical office) uses (the "RWCDS"). In total, the RWCDS for Projected Development Site 1 would comprise approximately 298,077 gsf (246,534 zsf) of new development (6.5 FAR).

Project Site Location



Legend

- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3
- Project Area
- 400-ft Radius
- Open Space
- L-Line
- Jefferson Street Subway Station (L)
- Subway Station Entrance
- 3167 Block
- 18 Lot

In addition, it is assumed for the purpose of providing a conservative analysis that Lots 29 and 40 (both of which are non-Applicant-owned) would each be redeveloped in the future with approval of the Proposed Action as well. It is anticipated that Lot 29 would be redeveloped with a six-story, 5.0 FAR predominantly commercial office building with ground-floor retail uses comprising approximately 79,821 gsf of office space and 16,730 gsf of retail space ("Projected Development Site 2"), and Lot 40 would be redeveloped with a five-story, 5.0 FAR predominantly commercial office building with ground-floor retail uses comprising approximately 32,547 gsf of office space and 6,250 gsf of retail space ("Projected Development Site 3"). As a result, the total With-Action development scenario for the Project Area would include approximately 234,154 gsf of commercial office uses, 98,566 gsf of retail uses, 40,732 gsf of light industrial uses, and 59,973 gsf of community facility (medical office) uses, thus representing the RWCDS for the Project Area under the Proposed Action.

It is expected that all three projected development sites would be constructed and fully operational by the end of 2027. Without discretionary approval, it is anticipated that the on-site conditions would remain unchanged from existing conditions, except for Projected Development Site 1 which is expected to be converted and reoccupied with commercial retail uses

This document provides a description of and purpose and need for the Proposed Action, the resulting proposed and projected developments, and task categories for all technical areas to be analyzed in the EIS. After reviewing an Environmental Assessment Statement (EAS) dated May 23, 2022, the New York City Department of City Planning (DCP), acting as lead agency, determined that the Proposed Action could have the potential for significant adverse impacts in one of the 20 impact categories (Transportation) outlined in the *CEQR Technical Manual*. Therefore, a detailed assessment of likely effects in the area of Transportation – and specifically traffic – will be prepared and disclosed in the Draft EIS (DEIS). Additionally, for purposes of disclosing information related to potential No-Action developments anticipated within the vicinity of the Project Area that may affect the traffic analysis, a detailed Land Use, Zoning, and Public Policy assessment will also be prepared and disclosed in the DEIS. The DEIS will also include detailed Air Quality (mobile source), Noise (mobile source), and Neighborhood Character assessments to ensure consistency with the detailed Transportation analysis. In addition, in the event the DEIS identifies unmitigated significant adverse impacts related to air quality or noise, a public health assessment may be warranted for the specific technical area(s) of the EIS, which will be determined in coordination with the lead agency, DCP.

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

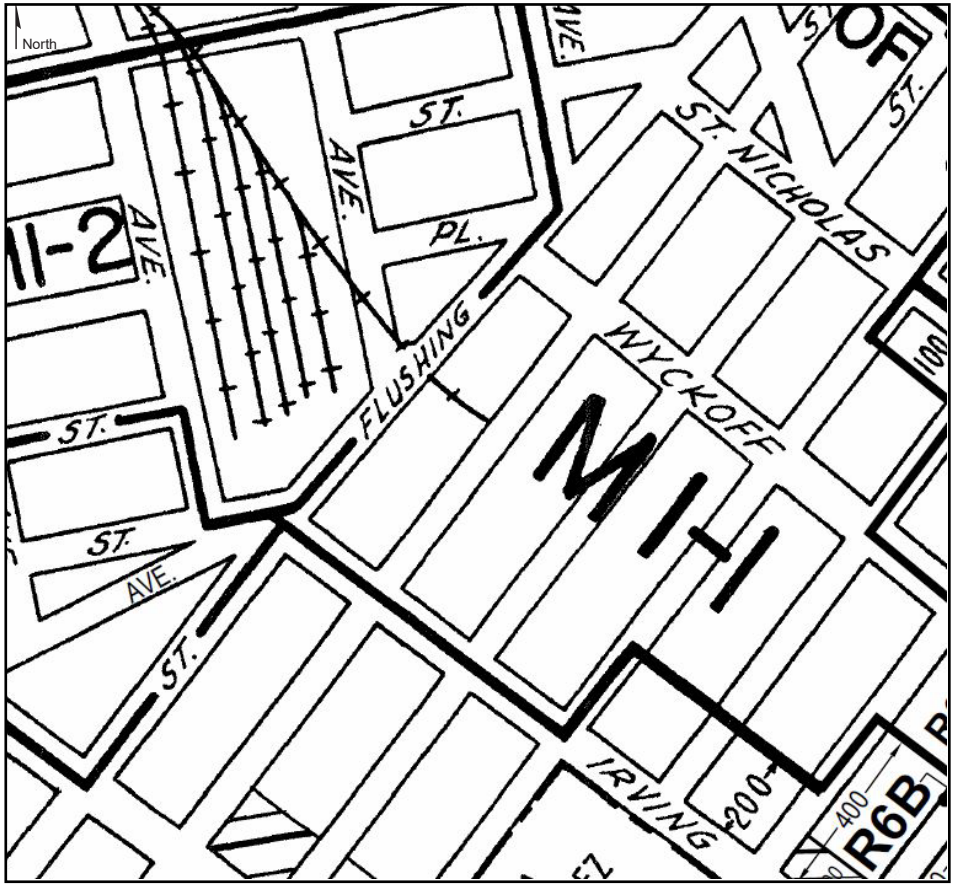
Required Approvals

The Proposed Action would encompass a single discretionary action that is subject to review under the Uniform Land Use Review Procedure (ULURP), Section 200 of the City Charter, and CEQR process. As stated above, the anticipated discretionary action consists of:

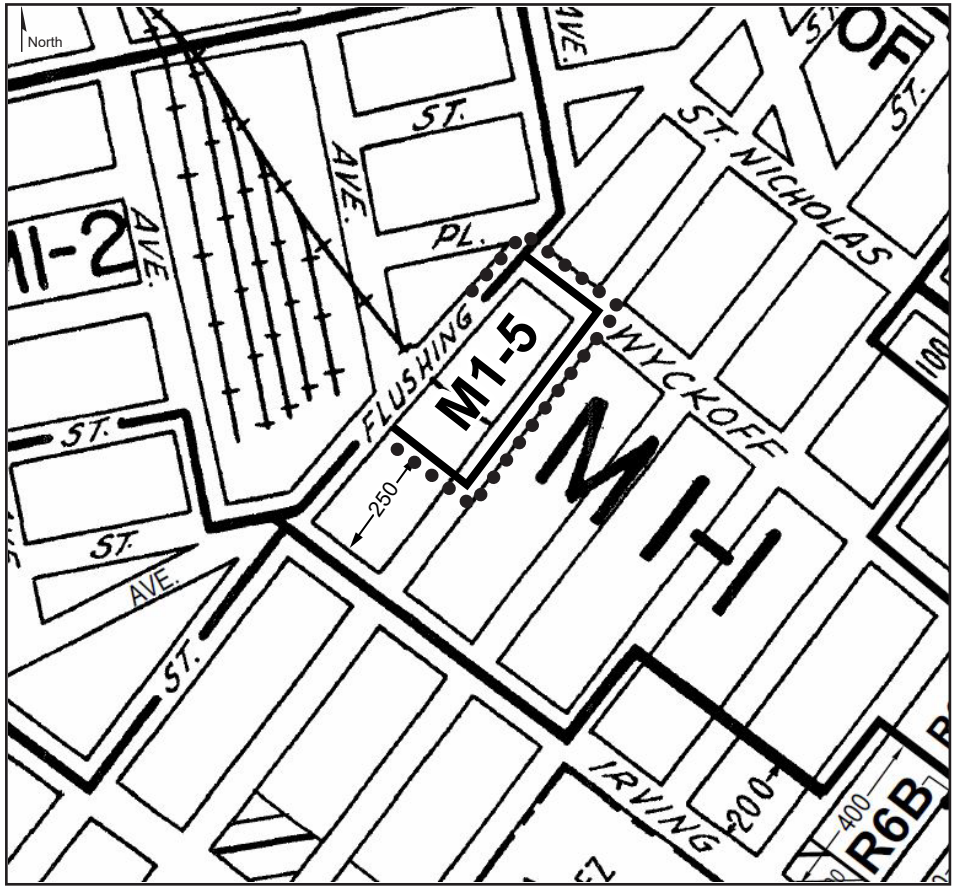
- A zoning map amendment (Zoning Sectional Map 13b) to change the zoning in the Proposed Rezoning Area from the existing M1-1 light manufacturing zoning district to an M1-5 light manufacturing zoning district (see **Figure 2**);

City Environmental Quality Review (CEQR) and Scoping

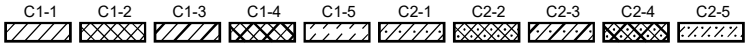
The Proposed Action and the associated reasonable worst-case development scenario (as described in further detail below in Section D, "Analysis Framework for Environmental Review") is classified as a Type I Action, as defined under section 617.4 (b)(6) of the State Environmental Quality Review (SEQR)



Existing Zoning Map (13b)



Proposed Zoning Map (13b)
Area to be rezoned is outlined with dotted lines



regulations. Therefore, the Proposed Action is subject to environmental review in accordance with CEQR guidance. An Environmental Assessment Statement (EAS) and Positive Declaration were issued on May 23, 2022 by the New York City Department of City Planning (DCP), as lead agency. DCP has determined that the Proposed Action may result in significant adverse environmental impacts and directed that an EIS be prepared.

This Draft Scope of Work (DSOW) for the preparation of an EIS contains a description of the Proposed Action and the tasks that would be undertaken to analyze the potential environmental impacts of the Proposed Action and associated RWCDS. The issuance of the DSOW marks the beginning of the public comment period. The scoping process allows the public a voice in framing the scope of the EIS. The scoping document sets forth the analyses and methodologies that will be utilized to prepare the EIS. During the public comment period, those interested in reviewing the DSOW may do so and give their comments to the lead agency. The public, interested agencies, and elected officials, are invited to comment on the DSOW, either in writing or orally, at the public scoping meeting.

A public scoping meeting is scheduled to be held on Thursday, June 23, 2022 starting at 2:00 PM. In support of the City's efforts to contain the spread of COVID-19, DCP will hold the public scoping meeting remotely. Instructions on how to view and participate, as well as materials relating to the meeting will be available at the NYC Engage webpage (https://www1.nyc.gov/site/nycengage/events/index.page) in advance of the meeting.

Comments received during the Scoping Meeting and written comments received up to ten days after the meeting and through the last day of the commenting period (no later than 5:00 PM on Tuesday, July 5, 2022), will be considered and incorporated, as appropriate, into the Final Scope of Work (FSOW). The FSOW will incorporate all relevant comments made on the DSOW and revise the extent or methodologies of the studies, as appropriate, in response to comments made during the CEQR scoping process. The EIS will be prepared in accordance with the resulting FSOW.

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

C. DESCRIPTION OF THE PROPOSED ACTION

Existing Conditions

Project Area

The Project Area encompasses Block 3167, Lots 12 (p/o), 18, 24, 26, 29, and 40 in the Bushwick neighborhood of Brooklyn CD 4. Block 3167 is bordered by Flushing Avenue to the west, Wyckoff Avenue to the north, Jefferson Street to the east, and Irving Avenue to the south. Lots 18 and 24 are owned and controlled by the Applicant and comprise Projected Development Site 1. Projected Development Site 1 encompasses a total of approximately 37,928 sf of lot area and has approximately 221-feet 6-inches of frontage on Flushing Avenue and approximately 216 feet of frontage on Jefferson Street. The Project Area totals approximately 79,108 sf of lot area and has approximately 493 feet of frontage on Flushing Avenue, 146 feet of frontage on Wyckoff Avenue, and 485 feet of frontage on Jefferson Street. The Proposed

Rezoning Area would be mapped approximately 250 feet north of Irving Avenue between Flushing Avenue and Jefferson Street. A discussion of each of the Project Area lots is provided below.

Applicant-Owned Development Site (Projected Development Site 1)

As described above, the Applicant-owned site, or Projected Development Site 1, is comprised of Brooklyn Block 3167, Lots 18 and 24. Lots 18 and 24 are currently occupied by one single-story vacant industrial (warehouse) building (see **Figure 3b**, photo #1-4). While the existing building on Lots 18 and 24 is currently vacant, it contains approximately 30,388 sf of former warehouse floor area (0.80 FAR). Lot 24 also contains a small portion of vacant, underdeveloped land on the northernmost portion of the lot, totaling approximately 3,750 sf.

Remainder of the Project Area (Lots 12, 26, 29, 40)

Lot 12 (shown in **Figure 3b**, photo #2 and 3) is a 19,265-sf, non-Applicant-owned lot and is currently occupied by a one-story lumber yard building and contains approximately 19,874 gsf of industrial uses (0.98 FAR). An approximately four-foot-wide portion (less than four percent) of Lot 12 is located within the Proposed Rezoning Area.

Lot 26 (shown in **Figure 3b**, photo #4) is a 15,200-sf, non-Applicant-owned lot and is currently occupied by a three-story warehouse building containing approximately 45,780 gsf of industrial uses (2.87 FAR), making the building noncompliant under existing zoning. All of Lot 26 is located within the Proposed Rezoning Area.

Lot 29 (shown in **Figure 3c**, photo #6) is an 18,530-sf, non-Applicant-owned lot and is currently occupied by a single-story building that, according to New York City Department of Buildings (DOB) records, is currently undergoing a conversion from industrial (warehouse) uses to commercial retail uses (DOB job no. 340525300), which will result in a building containing approximately 20,475 gsf of commercial retail space on a 18,530-sf lot (1.05 FAR). All of Lot 29 is located within the Proposed Rezoning Area.

Lot 40 (shown in **Figure 3d**, photo #12) is a 7,450-sf, non-Applicant-owned lot and is currently occupied by a single-story warehouse building containing approximately 7,613 gsf of industrial uses on a 7,450-sf lot (0.97 FAR). In addition, a small, northeastern portion of Lot 40 is encumbered by a Real Estate of Utility Companies (REUC) easement due to the location of street stairs serving the L-line's Jefferson Street Station. All of Lot 40 is located within the Proposed Rezoning Area.

Zoning

As shown in **Figure 4**, the Project Area is currently zoned M1-1, which is the original zoning designation from the 1961 Zoning Resolution. M1-1 is a light manufacturing/industrial district that has performance standards and may serve as industrial front yards or buffers to adjacent residential and commercial zoning districts. High performance industrial uses are allowed, as well as a range of commercial uses. Pursuant to the recently-approved M1 Hotel Text Amendment, hotels are only permitted by Special Permit. Additional Use Group 4 community facilities are allowed in M1 districts by special permit. Residential development is generally not allowed in M1 districts. M1-1 districts have a maximum floor area ratio (FAR) of 1.0 for manufacturing and commercial uses and 2.4 for community facility uses (Use Group 4, only). Buildings in M1-1 districts are governed by the sky exposure plane, which begins 30 feet above the street line. Within M1-1 districts, off-street parking is required and varies by use.

Existing Conditions



Legend

- Project Area
- 400-ft Radius
- Projected Development Site 1 (Applicant-owned)
- Projected Development Site 2 (Non-Applicant-owned)
- Projected Development Site 3 (Non-Applicant-owned)
- Photo Location



1.) View west towards Projected Development Site 1 from Jefferson Street.



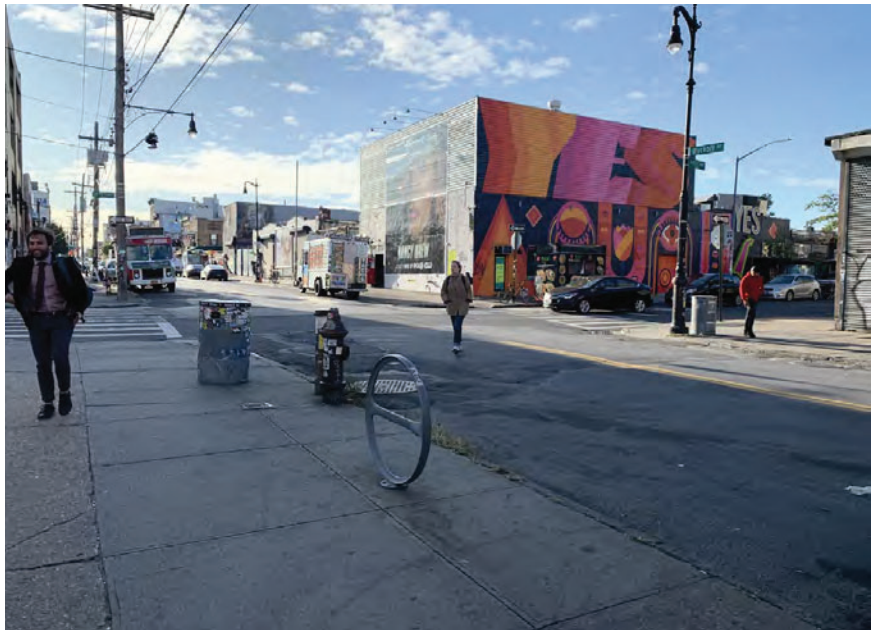
2.) View north towards Projected Development Site 1 from Jefferson Street..



3.) View east towards Projected Development Site 1 from Flushing Avenue.



4.) View south towards Projected Development Site 1 from Flushing Avenue.



5.) View southeast along Wyckoff Avenue towards the Project Area.



6.) View northwest along Wyckoff Avenue towards the Project Area.



7.) View southeast towards Projected Development Site 1 from the intersection of Flushing and Stewart avenues.



8.) View northwest from the intersection of Flushing and Stewart avenues.



9.) View northwest along Irving Avenue.



10.) View southwest along Flushing Avenue.

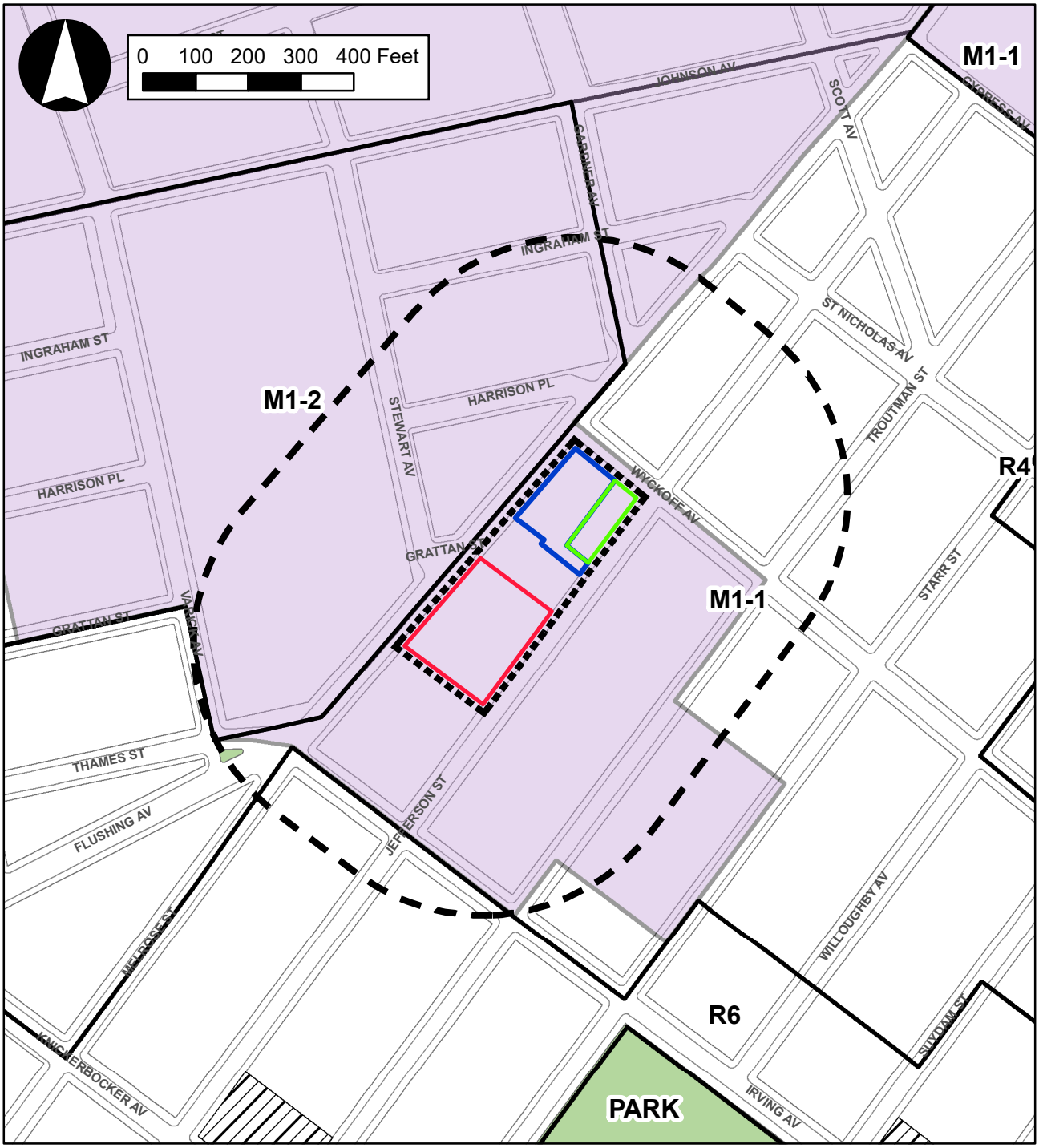


11.) View northeast along Jefferson Street.



12.) View north along Jefferson Street toward the Project Area.

Existing Zoning Map



Legend

- Project Area
- 400-ft Radius
- Projected Development Site 1 (Applicant-owned)
- Projected Development Site 2 (Non-Applicant-owned)
- Projected Development Site 3 (Non-Applicant-owned)
- M1-1 Zoning District Boundary
- C1-3 (Commercial Overlay)
- Industrial Business Zone

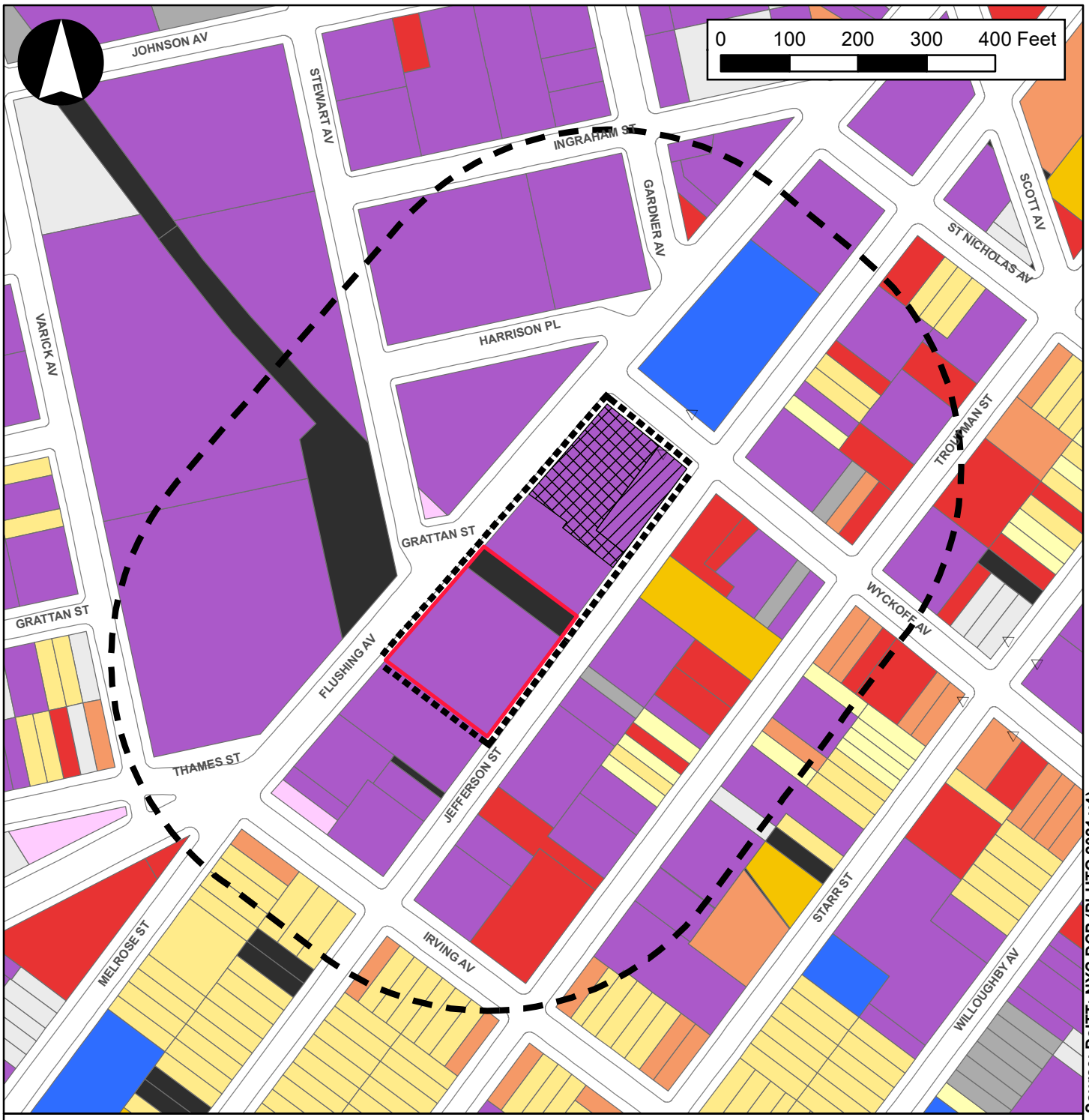
Surrounding Area and Context

The Project Area is in the Bushwick, neighborhood of Brooklyn CD 4. As presented in **Figure 5**, this area is characterized by a wide variety of industrial, commercial, and residential land uses and various building types. The predominant land use within a 400-foot radius is light manufacturing. The 400-foot radius also includes several commercial uses and residential buildings. Current land uses within the 400-foot radius reflect both longstanding manufacturing and industrial buildings. The single community facility use within the 400-foot radius is the SCO Family of Services building located directly north of the Project Area, which provides transitional housing for at-risk populations.

The Project Area and the areas to the south and east are mapped as M1-1, whereas the areas to the west and north are generally mapped as M1-2; additionally, a small, southwestern portion of the 400-foot radius is zoned R6 (see **Figure 4**). Residential uses are common on blocks to the south of the site, including immediately south of Irving Avenue. Most of the residences are low-rise, single-family buildings. Several exist southeast of the Project Area along Troutman Street and Irving Avenue. Few commercial buildings exist along Jefferson Street and Troutman Street.

The Project Area is located within the North Brooklyn Industrial Business Zone (IBZ). The North Brooklyn IBZ is the third largest in New York City, covering hundreds of blocks along Newtown Creek in the Greenpoint, East Williamsburg and Bushwick neighborhoods. The designation of an IBZ fosters high-performing business districts by creating competitive advantages over locating in areas outside of New York City. The IBZs are supported by tax credits for relocating within them, zone-specific planning efforts, and direct business assistance from Industrial Providers of NYC Business Solutions Industrial and Transportation. In light of the purpose of IBZs to foster industrial sector growth by creating real estate certainty, residential rezonings are generally not supported within IBZs.

The Project Area is also located within the boundaries of NYCDCP's *"North Brooklyn Industry and Innovation Plan"* (2018) study area. The plan was released on November 19th, 2018 and an update was shared in April 2019 at Brooklyn Community Board 1 (April 9, 2019) and Community Board 4 (April 17, 2019). Utilizing input from the local community, the plan identifies strategies to promote job growth and economic activity and ensure that core industrial areas (i.e., areas of the most intensive industrial activity) provide the necessary businesses for industrial areas to thrive. The plan explores new models for innovation districts to support 21st century businesses and jobs, with opportunities, as appropriate, for a mix of light industrial and commercial uses. Using zoning and other policy tools, the goals of the plan are to (1) create a better business environment for all, by preserving and growing industrial jobs, as well as other compatible jobs in the creative and innovative sectors; (2) improve the quality of life for workers and residents within the area and nearby; (3) address the potential for conflicts between industrial and non-industrial uses; (4) identity improvements to transportation and infrastructure conditions that would support growth in economic activity; and (5) address environmental and resiliency challenges. The North Brooklyn Plan also establishes a land use framework that identifies subareas based on existing trends and assets, which include the "Core Industrial Area," which is the central hub for essential industrial business; the "Growth District," which is a dynamic, transit-accessible district for creative and tech-driven jobs of the future; the "Transition Area," which is a mix of industrial and non-industrial uses serving as a buffer between subareas; and the "Stable Areas," or small peripheral areas where no change in land use is recommended, such as the "Mixed Edge," the "Commercial Edge," and the "Established Residential" area. Of the proposed subareas, the Project Area is located in the "Growth District" at the southern-most edge of the IBZ. The Growth District is described as being the most transit-accessible subarea with the greatest concentration of multistory industrial loft buildings. It has a rapidly evolving mix of artist studios, restaurants, TAMI (technology, advertising, media, and information) and other office-based businesses, artisanal manufacturing, and other industrial uses. According to the plan, the goal of the proposed Growth District is to promote an ecosystem of creative and tech-driven jobs in office-based and industrial sectors near transit by (a) increasing density



Source: DoITT; NYC DCP (PLUTO 2021 v4)

Legend

- Project Area
- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3
- 400-ft Radius
- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data

for commercial and industrial uses; (b) creating new loft-like building envelopes; (c) reducing parking requirements; and (d) modifying loading requirements to reflect business needs.

There have been modest new developments within the 400-foot radius. A new planned nine-story hotel across from Flushing Avenue, located at 25 Stewart Avenue, would be 115-feet tall with 140 hotel rooms. Permits for the proposed 79,798 sf building were approved in 2015. In 2019, the owners of the property sold the lot. No new plans have been filed for the property.

Area Transportation

The area surrounding the Project Area is served by several public transit options. The Jefferson Street L subway station (located to the north at the intersection of Jefferson Street and Wyckoff Avenue) is directly adjacent to the Project Area (refer to **Figure 1** and **Figure 6**). In addition, the B57 bus (connecting Maspeth, Queens and Red Hook, Brooklyn) runs along Flushing Avenue (see **Figure 6**). The B57 bus also makes a wide variety of connections to other local bus lines along Flushing Avenue in Brooklyn, including connections with the B15, B43, B44, B44 SBS, B46, B46, B47, B48, B60, B62, B69 bus lines. There are two nearby CitiBike stations, at the corner of Jefferson Street and Irving Avenue and on Wyckoff Avenue between Jefferson Street and Flushing Avenue. Taken together, these transit options provide access to the Project Area from much of north Brooklyn and beyond.

Purpose and Need for the Proposed Action

In recent years, the population of North Brooklyn and the demand for workspace has increased substantially. Between 2010 and 2016, job growth in North Brooklyn increased by as much as 42 percent. However, despite the growing investment momentum and demand for commercial space, there has been limited new construction in the area.[1] As a result of the increase in demand, the growth of the new economy in North Brooklyn is constrained, with a commercial/office vacancy rate of only two percent in Brooklyn as of 2015. In North Brooklyn, due to underlying density and parking zoning constraints, M1-1 and M1-2 districts, which are envisioned to employ many local workers, are often being used for warehousing and freight distribution where average employment is often less than one job per 2,500 sf. Frequently, as is the case for the Project Area, the narrow streets of these districts are not appropriate for the large trucks associated with heavy industrial uses, and the small footprint buildings are unsuited for the high-cube mechanized warehouses of today. While warehousing and freight distribution facilities can serve as appropriate uses in certain sections of North Brooklyn, transit accessible areas, such as the Project Area, are better served by high-density commercial office and retail uses. The proposed M1-5 zoning district would allow for the development of commercial uses at higher densities and would create opportunities for nearby schools, community groups and growing tech businesses to engage with one another.

Specifically, the proposed zoning map amendment would facilitate the development of new office and retail space in the Project Area by increasing the buildable commercial FAR from 1.0 to 5.0. Introducing additional commercial office space on Flushing Avenue would address a borough-wide need for more commercial office space, particularly for technology, advertising, media, and information ("TAMI") firms. The Proposed Action would result in new Class A office space that could accommodate a wide variety of tenants, including TAMI firms, generating new employment opportunities in the Project Area. The proposed M1-5 zoning would also help preserve essential light industrial uses within the Project Area, as the Applicant is committed to providing approximately 1.00 FAR (approximately 40,732 gsf) of light industrial uses (Use Groups 11, 16, 17) at Projected Development Site 1. The proposed retail uses that would be facilitated by the Proposed Action would serve to improve the pedestrian environment along this

[1] *North Brooklyn Industry & Innovation Plan* (2018), New York City Department of City Planning.

Transit Services



Legend

- Project Area
- LIRR

Subway

- L-Line
- Subway Station (L-Line)
- Subway Station Entrance

Bus

- B57
- B13
- B38
- B60

portion of Flushing Avenue and Jefferson Street, as well the accompanying project-generated pedestrian areas, with active ground floor uses, thus activating the streetscape surrounding and within the Project Area. Further, the proposed commercial office and light industrial development would align with the goals of the New York Works policy, which is a series of 25 initiatives to spur 100,000 jobs over the coming decade. Specifically, the plan calls for the need to bring jobs closer to where New Yorkers live to reduce commuting times and minimize the strain on the transit network.

The proposed M1-5 zoning district would also eliminate any requirements for accessory on-site parking at the Applicant-owned site and within the Project Area. As the Project Area is within a transit zone and contains the Canarsie-bound entrances to the Jefferson Street subway station, providing service along the L-line (Manhattan-bound entrances are located directly adjacent the Project Area across Wyckoff Avenue), the Proposed Action would encourage and support transit-oriented development within the Project Area in an appropriate area of Brooklyn, and would therefore support the goals of OneNYC in facilitating greater opportunities for transit-oriented growth throughout the city. Additionally, with the onset of the COVID-19 pandemic, the Proposed Action and resultant RWCDS would further support the growing need to promote livable and walkable mixed-use neighborhoods with work spaces within close proximity to residential communities.

The Proposed Action

Zoning Map Amendment

The proposed zoning map amendment, which would rezone the Project Area from M1-1 and M1-5, would increase the maximum permitted FAR from 2.4 to 6.5, allowing for additional development of commercial, light industrial, and/or community facility uses than could be provided under existing conditions, in addition to reducing the loading dock and accessory parking requirements. While the Project Area under an M1-5 district would still be governed by the sky-exposure plane as under the existing M1-1 zoning, the additional permitted density under the M1-5 district would result in larger building envelopes to accommodate the increase in permitted commercial, light industrial, and community facility uses. As shown in **Figure 2** the Proposed Rezoning Area would be mapped 250 feet north of Irving Avenue between Flushing Avenue and Jefferson Street, and its boundaries would extend approximately 493 feet along Flushing Avenue, 146 feet along Wyckoff Avenue, and 485 feet along Jefferson Street.

The Proposed Project

In the future with the Proposed Action, the Applicant proposes to demolish the existing single-story building on Projected Development Site 1 in order to facilitate a new mixed-use development spread between two buildings on a single zoning lot (the "Proposed Project"). The Proposed Project would consist of a single-story building and a nine-story building separated by a pedestrian alleyway (see **Figure 7**). The single-story structure and first two floors and cellar floor of the nine-story building would contain a combined total of approximately 75,586 gsf (36,730 zsf) of retail uses (0.97 FAR); the second and third floors of the proposed nine-story building would contain approximately 40,732 gsf (37,846 zsf) of light industrial uses (1.0 FAR)[2]; and the remaining floors (three through nine) of the proposed nine-story building

[2] While the future tenant(s) to utilize the proposed industrial space(s) are not known at this time, these spaces are intended to be occupied by uses similar to those identified in the approved applications for IBIA development projects located at 25 Kent Avenue (CEQR No: 16DCP065K; ULURP Nos: C 160124 ZSK; C 160125 ZSK; N 160126 ZRK), 103 North 13th Street (CEQR No: 18DCP182K, ULURP Nos: N 190083 ZRK; C 190084 ZSK; C 190085 ZSK), and 1 Wythe Avenue (CEQR No: 21DCP075K, ULURP Nos: 210272ZSK; N210273ZRK), all of which allocated a portion of their floor area to accommodate light industrial/manufacturing uses pursuant to IBIA regulations. For conservative analysis purposes, the analysis presented in Attachment J, "Air Quality," assumes these light manufacturing uses to include Commercial Art & Woodworking, Jewelry



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would contain approximately 121,786 gsf (114,983 zsf) of commercial office uses (3.03 FAR) (see **Figure 8**). As shown in **Figure 9**, three loading bays would be provided with a single curb cut along Flushing Avenue to satisfy the M1-5 zoning requirements associated with the proposed office, retail, and industrial uses; no accessory parking spaces would be required under the proposed M1-5 zoning district. In total, the Proposed Project would contain approximately 238,104 gsf (189,559 zsf) of new development (5.0 FAR).

D. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW

The Proposed Action would change the regulatory controls governing land use and development in the Project Area. The 2021 *CEQR Technical Manual* will serve as the general guide on the methodologies and impact criteria for evaluating the Proposed Action's potential effects on various environmental areas of analysis. The EIS defines a RWCDS for analysis using site-specific assumptions that can be reasonably anticipated base on zoning and surrounding land use trends. Based on this, the EIS considers the Proposed Action's potential to result in significant adverse impacts on the environmental setting.

Reasonable Worst-Case Development Scenario (RWCDS)

In order to assess the possible effects of the Proposed Action, a RWCDS for the Project Area was established for both Future No-Action and Future With-Action conditions. The incremental difference between the Future No-Action and Future With-Action conditions will serve as the basis for the impact analyses of the EIS.

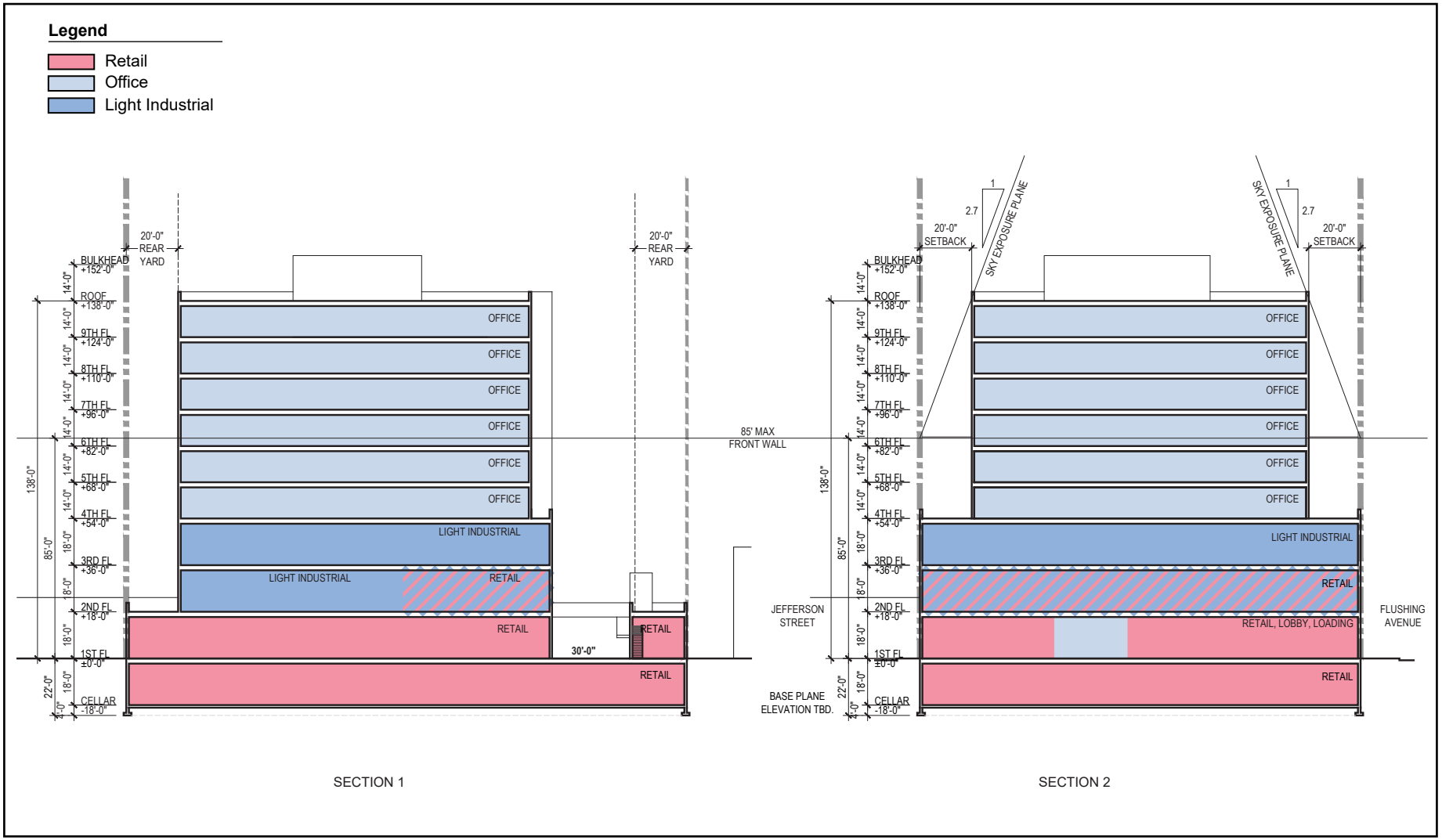
Analysis Year

Accounting for the ULURP approval timeline and based on the Proposed Project's anticipated 22-month construction timeline, it is assumed that full build-out of the Proposed Project would occur by 2025. Additionally, as noted above and described in greater detail below, two additional projected development sites (Lots 29 and Lot 40) have been identified in the Project Area that could be developed as a result of the Proposed Action. However, as described below, no formal redevelopment plans exist for the non-Applicant-owned sites. Nonetheless, the two sites meet the CEQR soft site criteria and, as such, are anticipated to be redeveloped by 2027. This analysis year reflects a reasonable estimate of the time needed for developers to demolish the existing structures on Lots 29 and 40, design the two projects, obtain design approvals, and construct the projects (a total of approximately five years). Accordingly, the EAS will use a 2027 analysis year. As all developments facilitated by the Proposed Action are expected to be operational in 2027, its environmental setting is not the current environment, but the future environment. Therefore, the technical analyses assess current conditions and forecast these conditions to the analysis year of 2027 for the purposes of determining potential impacts.

Development Site Criteria

Pursuant to the *CEQR Technical Manual*, several factors were considered in projecting the amount and timing of new development on the non-applicant owned lots within the Project Area. These include known development proposals, past development trends, and the development site criteria described below. The first step in establishing the RWCDS was to identify those sites where new development could reasonably

Manufacturing, Printing, Commercial Art & Graphic Design, and Baking (refer to Table J-14).



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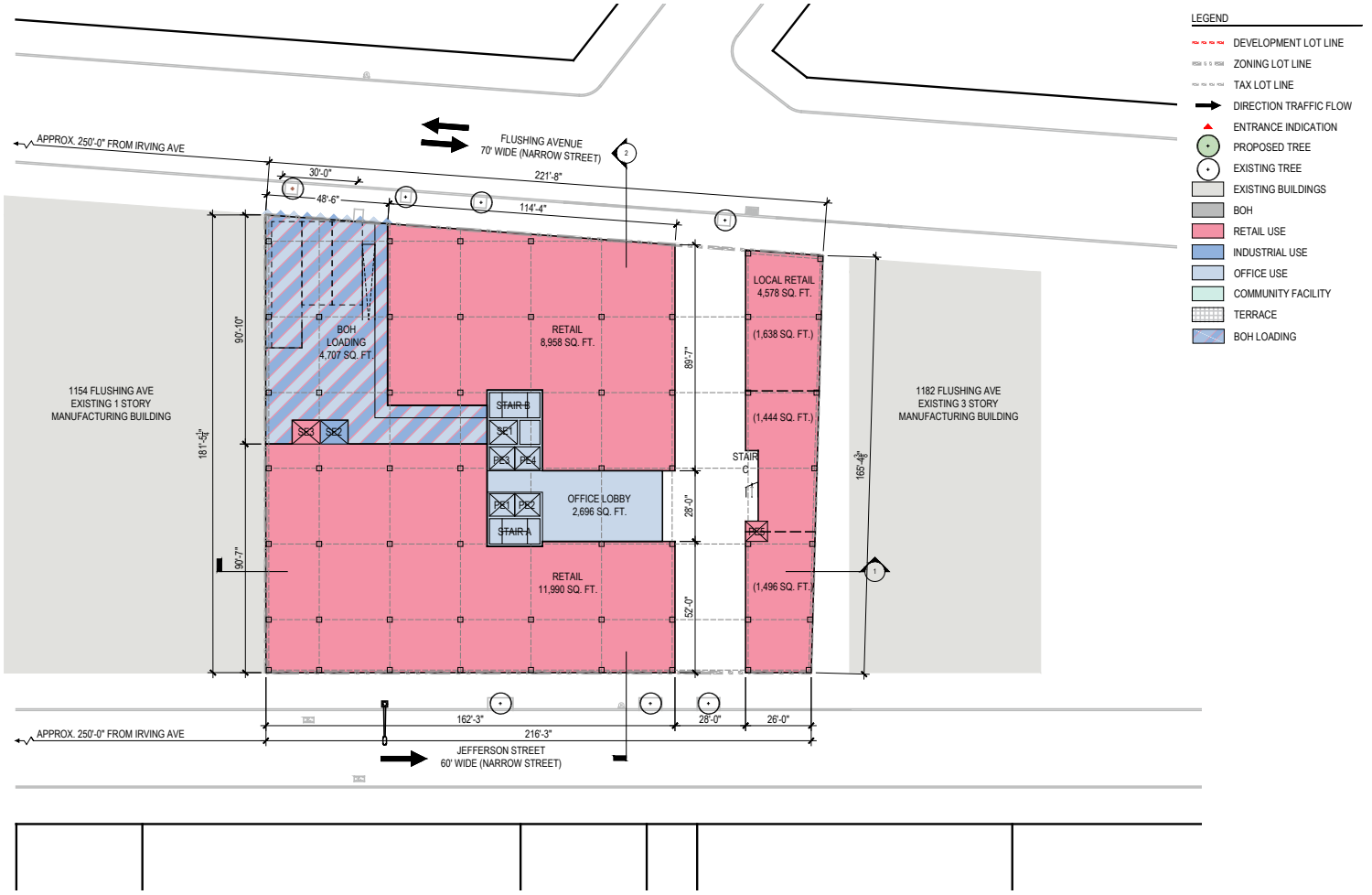

1160 FLUSHING AVE
S9ARCHITECTURE

LEVEL 01 | REASONABLE WORST CASE SCENARIO

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occur.

According to the *CEQR Technical Manual* the following factors, commonly referred to as "soft site criteria," are generally considered when evaluating whether some amount of development would likely be constructed by the build year as a result of the Proposed Action:

- The uses and bulk allowed: Lots located in areas where changes in use would be permitted and/or contain buildings built to substantially less than the maximum allowable FAR under the existing zoning are considered "soft" enough such that there would likely be sufficient incentive to develop in the future, depending on other factors specific to the area (e.g., the amount and type of recent as-of-right development in the area, recent real estate trends, site specific conditions that make development difficult, and issues relating to site control or site assemblage that may affect redevelopment potential); and
- Size of the development site: Lots must be large enough to be considered "soft." Generally, lots with a small lot size are not considered likely to be redeveloped, even if currently built to substantially less than the maximum allowable FAR. A small lot is often defined for this purpose as 5,000 sf or less, but the lot size criteria is dependent on neighborhood specific trends, and common development sizes in the study area should be examined prior to establishing these criteria.

However, the following uses and types of buildings that meet the soft site criteria are typically excluded from development scenarios because they are unlikely to be redeveloped as a result of a proposed project:

- Full block and newly constructed buildings with utility uses, as these uses are often difficult to relocate;
- Lots where construction is actively occurring, or has recently been completed, as well as lots with recent alterations that would have required substantial capital investment, unless recently constructed or altered lots were built to less than or equal to half of the maximum allowable FAR under the proposed zoning;
- Lots whose location or irregular shape would preclude or greatly limit future as-of-right development. Generally, development on irregular lots does not produce marketable floor space;
- Long-standing institutional uses with no known development plans; or
- Residential buildings with six or more units constructed before 1974. These buildings are likely to be rent-stabilized and difficult to legally demolish due to tenant re-location requirements.

Projected Development Site 1

In the future with the Proposed Action, the proposed zoning map amendment would be approved, allowing the Applicant to redevelop Projected Development Site 1. However, as the proposed M1-5 zoning district permits a maximum community facility FAR of 6.5, the reasonable worst-case development scenario for the Applicant's Development Site maximizes the permitted FAR with an additional 1.5 FAR of community facility (medical office) uses over the Proposed Project (5.0 FAR) for conservative analysis purposes. As such, for reasonable worst-case analysis purposes, it is assumed that Projected Development Site 1 would accommodate approximately 75,586 gsf (36,730 zsf) of retail uses, approximately 40,732 gsf (37,846 zsf) of light industrial uses, approximately 121,786 gsf (114,983 zsf) of commercial office uses, and approximately 59,973 gsf (56,975 zsf) of community facility (medical office) uses (the "RWCDS"). Similar to the Proposed Project, the RWCDS would require three loading bays, which would be accommodated by a single curb cut along Flushing Avenue, and would not contain any accessory parking spaces. In total, the RWCDS for Projected Development Site 1 would contain approximately 298,077 gsf (246,534 zsf) of new

development (6.5 FAR).

Remainder of the Project Area

In addition to the Applicant's property, the Project Area also includes the entirety of three privately-owned tax lots that are not controlled by the Applicant (Lots 26, 29, and 40), and an approximately four foot portion of the privately-owned Lot 12.

Lot 29 has a total lot area of 18,530 sf and a built FAR of 1.05, which represents 105 percent of the existing permitted commercial FAR and 21 percent of the proposed M1-5 district's maximum permitted commercial FAR. Lot 40 has a total area of 7,450 sf and a built FAR of 0.97, which represents 97 percent of the existing permitted commercial FAR and 19 percent of the proposed M1-5 district's maximum permitted commercial FAR. As Lots 29 and 40 both meet several criteria for being considered "soft sites," for RWCDS purposes, it is assumed that both Lots 29 and 40 (or "Projected Development Site 2" and "Projected Development Site 3," respectively) would each be redeveloped as a result of the Proposed Action.

As Lot 26 has an existing built FAR of 2.87, which represents 287 percent of the maximum permitted commercial/industrial uses under the existing M1-1 zoning (and therefore, is considered non-compliant under existing conditions) and 57.4% percent of the maximum permitted commercial/industrial uses under the proposed M1-5 zoning, it is unlikely that Lot 26 would be redeveloped in the future with the Proposed Action as the site does not meet CEQR's "soft-site" criteria. Therefore, Lot 26 is not considered a projected development site.

Additionally, as the proposed M1-5 zoning district would only extend four feet from the eastern edge of Lot 12, and thus, would not exceed 25 feet, the proposed M1-5 zoning district would not apply to Lot 12 (pursuant to ZR Section 77-211), it is unlikely that Lot 12 would be redeveloped as a result of the Proposed Action as the site does not meet CEQR "soft site" criteria. Therefore, Lot 12 is not considered a projected development site.

The Future without the Proposed Action (No-Action Condition)

In the future without the Proposed Action, it is assumed that while no new construction would be planned for the Applicant-owned Projected Development Site 1, the currently vacant, approximately 30,388 sf former industrial building on Lots 18 and 24 would be converted and reoccupied with commercial retail uses in the No-Action condition. As a result, the Projected Development Site 1 would be occupied by approximately 31,907 gsf (30,388 zsf) of commercial retail uses on a 37,928-sf lot (0.80 FAR). No other changes to the remaining Project Area lots are anticipated in the future without the Proposed Action. A summary of the No-Action uses within the Project Area is provided in **Table 1**, below.

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

In the 2027 future with the Proposed Action (the With-Action scenario), the proposed zoning map amendment would be approved, allowing the Applicant to construct the Proposed Project (5.0 FAR) at Projected Development Site 1. However, as discussed above, it is conservatively assumed that the Proposed Action would result in the development of a new mixed-use building with a built FAR of up to 6.5.

In addition, it is assumed that Projected Development Site 2 (Lot 29) and Projected Development Site 3 (Lot 40) would each be redeveloped in the 2027 With-Action scenario. It is anticipated that Projected Development Site 2 would be redeveloped with a six-story, 5.0 FAR predominantly commercial office building with ground-floor retail uses comprising approximately 79,821 gsf of office space and 16,730 gsf of retail space, and Projected Development Site 3 would be redeveloped with a five-story, 5.0 FAR predominantly commercial office building with ground-floor retail uses comprising approximately 32,547

gsf of office space and 6,250 gsf of retail space. As a result, the total With-Action development scenario for the Project Area would include approximately 234,154 gsf of commercial office uses, 98,566 gsf of retail uses, 40,732 gsf of light industrial uses, and 59,973 gsf of community facility (medical office) uses, thus representing the RWCDS for the Project Area under the Proposed Action (refer to **Figure 10**). A summary of the With-Action uses within the Project Area is provided in **Table 1**, below.

TABLE 1
Comparison of 2027 RWCDS No-Action and With-Action Scenarios for Projected Development Sites 1, 2, and 3

Use	No-Action Scenario	With-Action Scenario	Increment
Commercial	52,382 gsf	332,720 gsf	**+280,338 gsf**
Office	--	234,154 gsf	**+234,154 gsf**
Retail	52,382 gsf	98,566 gsf	**+46,184 gsf**
Community Facility (Medical Office)	--	59,973 gsf	**+59,973 gsf**
Light Industrial	7,613 gsf	40,732 gsf	**+33,119 gsf**
Population/Employment[1]	**No-Action Scenario**	**With-Action Scenario**	**Increment**
Workers	183 workers	1,488 workers	**1,305 workers**

Notes:
[1] Estimate of workers is based on standard rates and are as follows: 1 worker per 300 sf retail space; 4 workers per 1,000 sf of office space; 1 worker per 1,000 sf of light industrial spaces; and 3 workers per 1,000 sf of community facility (medical office) space.

Possible Effects of the Proposed Action

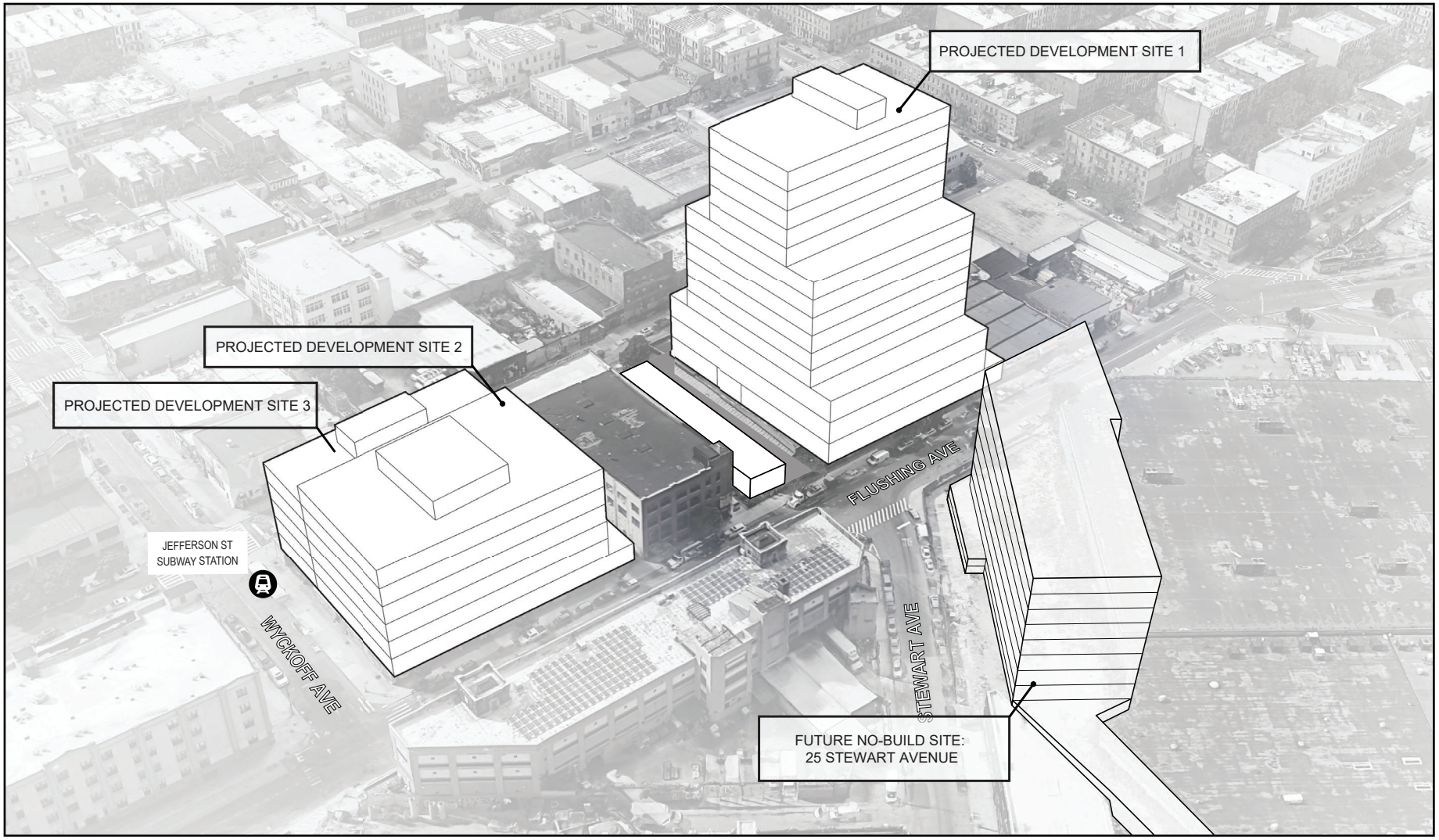
Table 1 below provides a comparison of the 2027 No-Action and With-Action scenarios for Projected Development Sites 1, 2, and 3 identified for analysis purposes. As shown in the table, the incremental (net) change that would result from the Proposed Action is the addition of 234,154 gsf of commercial office uses, 46,184 gsf of local retail uses, 59,973 gsf of community facility (medical office) uses, and 33,119 gsf of light industrial uses. Using standard ratios for estimating employment, **Table 1** estimates that the incremental change in workers that would result from the Proposed Action is the addition of 1,305 workers.

E. PROPOSED SCOPE OF WORK FOR THE EIS

As the RWCDS associated with the Proposed Action would affect various areas of environmental concern and were found to have the potential for significant adverse impacts pursuant to the EAS and Positive Declaration, an Environmental Impact Statement (EIS) pursuant to CEQR will be prepared for the Proposed Action that will analyze all technical areas of concern.

The EIS will be prepared in conformance with all applicable laws and regulations, including the State Environmental Quality Review Act (SEQRA; Article 8 of the New York State Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City Executive Order No. 91 of 1977, as amended, and the Rules and Procedure for CEQR, found at Title 62, Chapter 5 of the Rules of the City of New York. The EIS will be targeted to the analysis of the Proposed Project for technical areas of concern, including: Transportation (traffic), Air Quality (mobile source), Noise (mobile source), Neighborhood Character, and Public Health.[3] The remaining CEQR impact categories have undergone analysis as part of an EAS for the Proposed Action. The EAS prepared for the Proposed Action contains analyses that conclude there is no potential for significant adverse impacts in the following areas: Land

[3] As described above, the DEIS will also include detailed Air Quality (mobile source), Noise (mobile source), Neighborhood Character, and Public Health assessments to ensure consistency with the detailed Transportation analysis. In addition, in the event the DEIS identifies unmitigated significant adverse impacts related to air quality or noise, a public health assessment may be warranted for the specific technical area(s) of the EIS, which will be determined in coordination with the lead agency, DCP.



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Use, Zoning, and Public Policy[4]; Socioeconomic Conditions; Community Facilities; Open Space; Shadows; Historic and Cultural Resources; Urban Design and Visual Resources; Hazardous Materials; Natural Resources; Water and Sewer Infrastructure; Solid Waste and Sanitation Services; Energy; Greenhouse Gases and Climate Change; and Construction Impacts.

As described above, measures would be incorporated as part of the design, construction, and/or operation of the Proposed Project and would be required through the assignment of an (E) designation (E-674) to ensure that no significant adverse impacts related to Hazardous Materials, Air Quality, and Noise would result from the Proposed Action. These measures are described in further detail above and in the EAS. Consequently, while the Air Quality and Noise assessments will be included in the EIS to ensure consistency with the detailed Transportation analysis, Hazardous Materials will not be assessed in the EIS.[6]

The EIS, following the guidance of the 2021 *CEQR Technical Manual*, will include:

- A description of the Proposed Action, Proposed Project, RWCDS, and the Project Area's environmental setting;
- A statement of the environmental impacts of the Proposed Action, including short- and long-term effects and typical associated environmental effects;
- An identification of any adverse environmental effects that cannot be avoided if the Proposed Action is implemented;
- A discussion of reasonable alternatives to the Proposed Action;
- An identification of irreversible and irretrievable commitments of resources that would be involved in the Proposed Action, should it be implemented; and
- A description of mitigation measures proposed to eliminate or minimize any significant adverse environmental impacts.

Each chapter of the EIS that requires a detailed analysis will include an analysis of the future With-Action condition compared to the future No-Action condition, as set forth in the *CEQR Technical Manual*. The technical analyses of the EIS will examine the potential impacts related to the approval of the Proposed Action and the development of the RWCDS by the 2027 Analysis Year. DCP, as lead agency, will coordinate the environmental review of the Proposed Action among the involved and interested agencies and the public. The specific technical areas to be included in the EIS, as well as their respective tasks and methodologies, are described below.

TASK 1. PROJECT DESCRIPTION

The first chapter of the EIS introduces the reader to the Proposed Action and sets the context in which to assess impacts. This chapter contains a description of the Proposed Action: site location; the background and/or history of the project site; a statement of the purpose and need; key planning considerations that

[4] As described above, while further analysis of Land Use, Zoning, and Public Policy is not warranted and is not expected to result in significant adverse impacts, the Land Use, Zoning, and Public Policy chapter of the EIS will disclose the information related to potential No-Action developments anticipated within the vicinity of the Project Area that may affect the results of the Transportation (traffic) analysis.

[6] As described above, in terms of noise, in the event that the findings of the EIS result in exterior L_{10} noise levels that require higher attenuation ratings on any of the projected development sites' facades compared to those presented above and in the EAS, the (E) designation (E-674) will need to be modified to be consistent with the findings of the detailed noise analysis provided in the EIS.

have shaped the current proposal; a detailed description of the Proposed Action; and discussion of the approvals required, procedures to be followed, and the environmental review process.

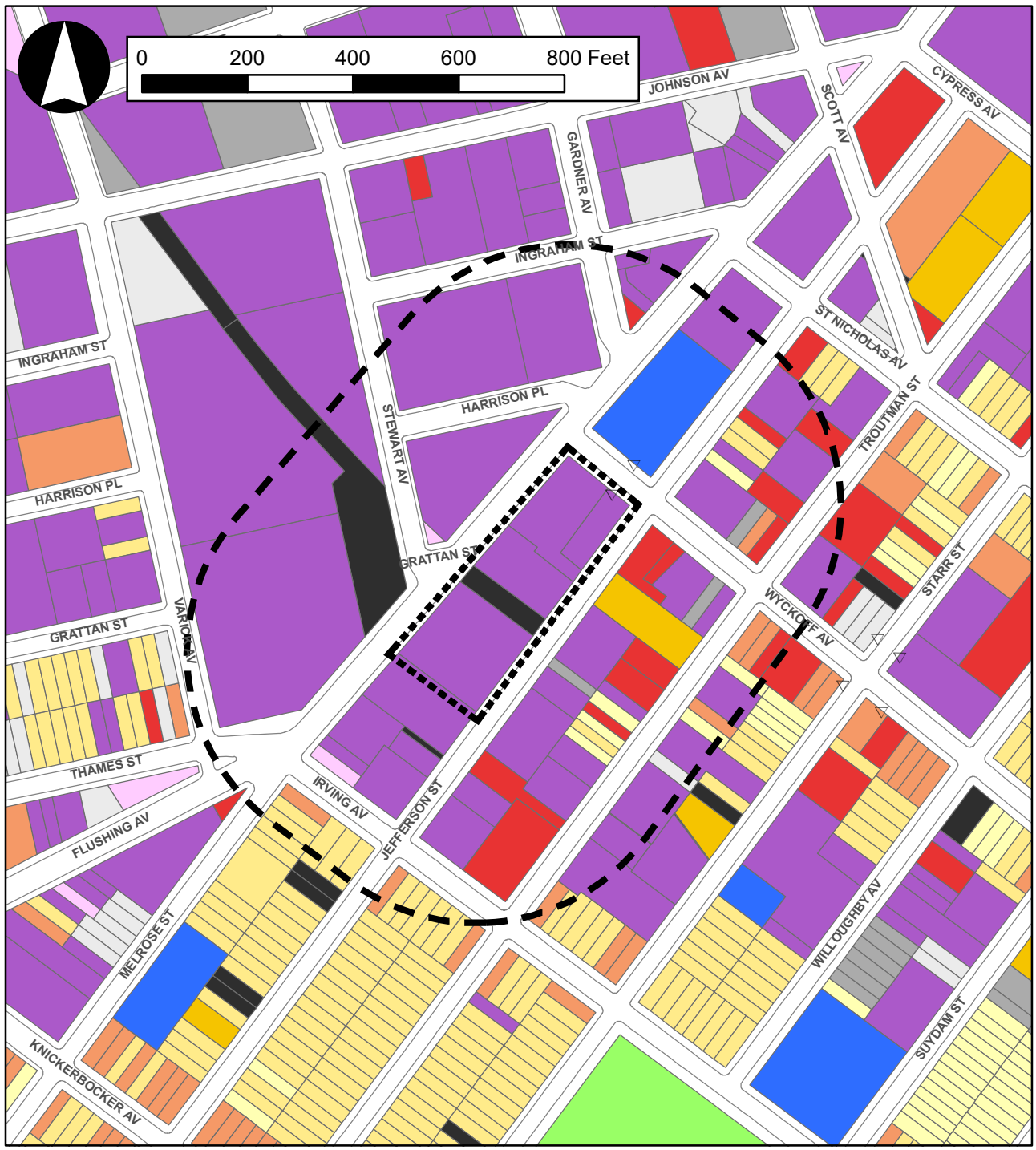
In addition, the Project Description chapter will present the planning background and rationale for the action being proposed and summarize the RWCDS for analysis in the EIS.

TASK 2. LAND USE, ZONING, AND PUBLIC POLICY

A land use analysis characterizes the uses and development trends in the area that may be affected by a proposed action, and determines whether a proposed action is either compatible with those conditions or whether it may affect them. Similarly, the analysis considers the action's compliance with, and effect on, the area's zoning and other applicable public policies. This chapter will analyze the potential impacts of the Proposed Action on land use, zoning, and public policy, pursuant to the methodologies presented in the *CEQR Technical Manual*. The primary land use study area will consist of the Project Area, where the potential effects of the Proposed Action would be directly experienced (reflecting the Proposed Action and resultant RWCDS). The secondary land use study area would include the neighboring areas within a 400-foot radius from the Project Area, as shown in **Figure 11**, which could experience indirect impacts. The analysis will include the following subtasks:

- Provide a brief development history of the primary (i.e., Project Area) and secondary study areas.
- Provide a description and map of land use patterns and trends in the study areas, including recent development activity.
- Describe and map existing zoning and recent zoning actions in the study areas.
- Describe public policies that apply the study areas, including specific development projects and plans for public improvement, including: PlaNYC, the Industrial Action Plan, the North Brooklyn Industrial Business Zone (IBZ), the North Brooklyn Industry and Innovation Plan, Vision Zero, and New York Works.
- Based on field surveys and prior studies, identify, describe, and graphically portray predominant land use patterns for the balance of the study areas. Describe recent land use trends in the study areas and identify major factors influencing land use trends.
- Prepare a list of future development projects in the study areas that are expected to be constructed by the 2027 analysis year and may influence future land use trends. Also, identify pending zoning actions or other public policy actions that could affect land use patterns and trends in the study areas. Based on these planned projects and initiatives, assess future land use and zoning conditions without the Proposed Action (No-Action condition).
- Describe proposed zoning changes and the potential land use changes resulting from the Proposed Action.
- Assess the potential impacts of the Proposed Action on land use, land use trends, zoning, and public policy.
- Describe the Proposed Action’s potential effects related to issues of compatibility with surrounding land use, the consistency with zoning and other public policies, and the effect of the Proposed Action on ongoing development trends and conditions in the study areas.
- If necessary, mitigation measures to avoid or reduce potential significant adverse land use, zoning, and/or public policy impacts will be identified.

Land Use Study Areas



Source: PLUTO 2021v4 (NYC DP), DoITT

Legend

- Primary Study Area (Project Area)
- Secondary Study Area (400-ft Radius)

Land Uses

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

TASK 3. TRANSPORTATION

The objective of a transportation analysis is to determine whether a proposed action may have a potential significant adverse impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, the safety of all roadway users (pedestrians, bicyclists and motorists), on-and off-street parking, or goods movement. The Proposed Action and resultant RWCDS is expected to induce new commercial, community facility, and light industrial development, which would generate additional vehicular travel and demand for parking, as well as additional subway and bus riders and pedestrian traffic. These new trips have the potential to affect the area's transportation systems.

Travel Demand and Screening Assessment

Detailed travel demand forecasts will be prepared for the RWCDS using standard sources, including the *CEQR Technical Manual*, U.S. census data, previously-approved studies, and other references to determine the worse-case scenario to be analyzed in the EIS transportation analysis. A travel demand forecast (a Level 1 screening assessment) will be presented by peak hour, mode of travel, and person and vehicle trips. The travel demand forecasts will also identify the number of peak hour person trips made by transit and the numbers of pedestrian trips traversing the area's sidewalks, corner areas, and crosswalks. Detailed vehicle, pedestrian and transit trip assignments (a Level 2 screening assessment) will be prepared based on the results of the Proposed Action's travel demand forecast to identify the intersections and pedestrian/transit elements selected for quantified analysis.

Traffic

The EIS will provide a detailed traffic analysis focusing on those peak hours and street network intersections where the highest concentrations of action-generated demand would occur. The peak hours for analysis will be selected, and the specific intersections to be included in the traffic study area will be determined based upon the assignment of project-generated traffic and the *CEQR Technical Manual* analysis threshold of 50 additional vehicle trips per hour, or at known congested locations. A discussion on the existing bicycle network in the study area will be included in the EIS.

The following outlines the anticipated scope of work for conducting a traffic impact analysis for the Proposed Action:

- Conduct a count program for traffic analysis locations that includes a mix of automatic traffic recorder (ATR) machine counts and intersection turning movement counts, along with vehicle classification counts and travel time studies (speed runs) as support data for air quality (Task 4) and noise (Task 5) analyses. Turning movement count data will be collected at each analyzed intersection during the weekday and Saturday peak hours, and will be supplemented by nine days of continuous ATR counts. Vehicle classification count data will be collected during each peak hour at several representative intersections along each of the principal corridors in the study area. The turning movement counts, vehicle classification counts and travel time studies will be conducted concurrently with the ATR counts. Where applicable, available information from recent studies in the vicinity of the study area will be compiled, including data from such agencies as DOT and DCP.
- Inventory physical data at each of the analysis intersections, including street widths, number of traffic lanes and lane widths, pavement markings, turn prohibitions, bicycle routes, curbside parking regulations, and vehicle queue lengths. Signal phasing and timing data for each signalized intersection included in the analysis will be obtained from DOT.
- Determine existing traffic operating characteristics at each analysis intersection including capacities, volume-to-capacity ("v/c") ratios, average vehicle delays, and levels of service ("LOS")

per lane group, per intersection approach, and per overall intersection. This analysis will be conducted using the 2000 Highway Capacity Manual (HCM) methodology with the latest approved Highway Capacity Software (HCS), or other methodology as may be determined in consultation with DOT.

- Based on available sources, Census data, and standard references, including the *CEQR Technical Manual*, estimate the demand from other major developments planned in the vicinity of the Project Area by the 2027 analysis year. This will include total daily and peak hour person and vehicular trips, and the distribution of trips by auto, taxi, and other modes. A truck trip generation forecast will also be prepared based on data from the *CEQR Technical Manual* and previous relevant studies. Mitigation measures accepted for all No-Action projects, as well as other DOT initiatives, will be included in the future No-Action network, as applicable.
- Compute the future 2027 No-Action traffic volumes based on approved background traffic growth rates for the study area (0.50 percent per year) and demand from major development projects expected to be completed in the future without the Proposed Action. Incorporate any planned changes to the roadway system anticipated by 2027, and determine the No-Action v/c ratios, delays, and LOS at analyzed intersections.
- Based on available sources, Census data, and standard references, including the *CEQR Technical Manual*, develop a travel demand forecast for the RWCDS based on the net change in uses compared to the No-Action condition. Determine the net change in vehicle trips expected to be generated by the RWCDS. Assign the net action-generated trips in each analysis period to likely approach and departure routes, and prepare traffic volume networks for the 2027 future with the Proposed Action condition for each analyzed peak hour.
- Determine the v/c ratios, delays, and LOS at analyzed intersections for the With-Action condition, and identify significant adverse traffic impacts in accordance with *CEQR Technical Manual* criteria.
- Identify and evaluate potential traffic mitigation measures, as appropriate, for any significantly impacted locations in the study area in consultation with the lead agency and DOT. Potential traffic mitigation could include both operational and physical measures, such as changes to lane striping, curbside parking regulations and traffic signal timing and phasing, roadway widening, and the installation of new traffic signals. Where impacts cannot be fully or partially mitigated, they will be described as unavoidable adverse impacts.

Transit

Detailed transit analyses are generally not required if a proposed action is projected to result in fewer than 200 peak hour rail or bus transit trips according to the general thresholds used by the Metropolitan Transportation Authority (MTA) and specified in the *CEQR Technical Manual*. If a proposed action would result in 50 or more bus trips being assigned to a single bus line (in one direction), or if it would result in an increase of 200 or more trips at a single subway station or on a single subway line, a detailed bus or subway analysis would be warranted.

Subway

The Proposed Action is expected to generate a net increase of more than 200 additional subway trips at the Jefferson Street (L) station in one or more peak hour, and would therefore require a detailed subway analysis of this station. In addition, while the RWCDS is not expected to generate more than 200 new peak hour subway trips per line in a peak direction, the Proposed Action would generate more than 200 incremental subway trips along the L line in the non-peak direction during the AM and PM peak hours. As such, further line haul analyses will be conducted and presented in the EIS if or as needed pursuant to *CEQR Technical Manual* guidance. Transit analyses typically focus on the weekday AM and PM commuter peak hours when

overall demand on the subway and bus systems is usually highest. The detailed subway analysis will include the following subtasks:

- Identify for analysis those stairways and fare entrance control elements expected to be used by significant concentrations of action-generated demand in the weekday AM and PM peak hours.
- Conduct counts of existing weekday AM and PM peak hour demand at the Jefferson Street (L) station elements and determine existing v/c ratios and LOS based on *CEQR Technical Manual* criteria.
- Determine volumes and conditions at the Jefferson Street (L) station elements in the future without the Proposed Action using approved background growth rates and accounting for any trips expected to be generated by No-Action development within the Project Area, as well as major No-Action projects in the vicinity of the Project Area.
- Add action-generated demand to the No-Action volumes at analyzed subway station elements and determine AM and PM peak hour volumes and conditions in the future with the Proposed Action.
- Identify potential significant adverse impacts at subway station stairways and fare control elements based on *CEQR Technical Manual* impact criteria.
- As the RWCDS is expected to generate 200 or more subway trips in the non-peak directions of the L subway line, subway line haul conditions will also be assessed in the EIS if or as needed pursuant to *CEQR Technical Manual* guidance.
- Mitigation needs and potential subway station improvements will be identified, as appropriate, in conjunction with the lead agency and New York City Transit (NYCT). Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

Bus

As part of the EIS, a Level 1 trip generation and (if warranted) Level 2 bus trip assignment will be prepared for the RWCDS. A detailed analysis of bus conditions is generally not required if a proposed action is projected to result in fewer than 50 peak hour trips being assigned to a single bus route (in one direction) based on the general thresholds used by the MTA and specified in the *CEQR Technical Manual*. As the incremental person-trips by bus generated by the Proposed Action is not anticipated to exceed 50 peak hour trips in one direction on any of the routes serving the Project Area, a detailed bus analysis is not expected to be warranted and no significant adverse impacts are anticipated.

Pedestrians

Projected pedestrian volumes of less than 200 persons per hour at any pedestrian element (sidewalks, corner areas, and crosswalks) would not typically be considered a significant impact, since the level of increase would not generally be noticeable and therefore would not require further analysis under *CEQR Technical Manual* criteria. Based on the level of new pedestrian demand generated by the RWCDS, it is anticipated that action-generated pedestrian trips would exceed the 200-trip analysis threshold at one or more locations in one or more peak hour. A detailed pedestrian analysis will therefore be prepared for the EIS focusing on selected sidewalks, corner areas, and crosswalks along corridors that would experience more than 200 additional peak hour pedestrian trips. Pedestrian counts will be conducted at each analysis location and used to determine existing LOS. No-Action and With-Action pedestrian volumes and LOS will be determined based on approved background growth rates, trips expected to be generated by No-Action development in the Project Area and other major projects in the vicinity of the study area, and action-generated demand. The specific pedestrian facilities to be analyzed will be determined in consultation with the lead agency once the assignment of action-generated pedestrian trips has been finalized. The analysis will evaluate the potential for incremental demand from the Proposed Action to result in significant adverse impacts based on current *CEQR Technical Manual* criteria. Potential measures to mitigate any significant adverse

pedestrian impacts will be identified and evaluated, as warranted, in consultation with the lead agency and DOT.

Vehicular and Pedestrian Safety

The City's Vision Zero initiative seeks to eliminate all deaths from traffic crashes regardless of whether on foot, bicycle, or inside a motor vehicle. In an effort to drive these fatalities down, DOT and New York City Police Department (NYPD) developed a set of five plans, each of which analyzes the unique conditions of one New York City borough and recommends actions to address the borough's specific challenges to pedestrian safety. As discussed in the *Vision Zero Brooklyn Pedestrian Safety Action Plan*, the Project Area is located within a Priority Area, which is prioritized for safety interventions. The plans outline a series of recommended actions comprised of engineering, enforcement, and education measures that intend to alter the physical and behavioral conditions on City streets that lead to pedestrian fatality and injury.

Under CEQR Technical Manual guidance, an evaluation of street user safety is needed for locations within the traffic and pedestrian study areas that have been identified as high-crash locations. There are defined as a location identified along a Vision Zero corridor/intersection or where five or more pedestrian/bicyclist injury crashes have occurred in any consecutive 12 months of the most recent three-year period for which data are available.[7] Data on traffic crashes involving pedestrians and/or cyclists at study area intersections will be obtained from DOT for the most recent three-year period available. These data will be analyzed to determine if any of the studied locations may be classified as high crash locations and whether vehicle and/or pedestrian trips and any street network changes resulting from the Proposed Action would adversely affect vehicular and pedestrian safety in the area. If any high crash locations are identified, feasible improvement measures will be explored to alleviate potential safety issues.

Parking

As part of the EIS transportation task, an hourly parking accumulation forecast will be prepared for the RWCDS. As no accessory or public parking would be provided on-site under the RWCDS, a detailed parking analysis will be prepared to determine if there is sufficient on- and off-street capacity in the surrounding area to accommodate overflow demand from the Project Area. As the RWCDS would consist of non-residential uses, the analysis of on-street and off-street parking conditions would focus on the weekday midday period, when demand is expected to be highest. Existing on- and off-street parking inventories would be conducted for the weekday midday period (when parking in a business area is frequently at peak occupancy) to document existing supply and demand for each period. Parking utilization within a 0.25-mile of the Project Area will be analyzed. If the initial on- and off-street parking assessment shows conditions at or near capacity, then a parking assessment would be conducted up to a 0.5-mile radius to determine if capacity is available to accommodate the projected demand. The parking analysis would document changes in the parking utilization in proximity to the Project Area under the No-Action and With-Action conditions based on accepted background growth rates and projected demand from No-Action and With-Action development in the Project Area and other major projects in the vicinity of the study area.

[7] Vision Zero seeks to eliminate all deaths from traffic crashes regardless of whether on foot, bicycle, or inside of a motor vehicle. Vision Zero corridors and intersections are identified as locations that disproportionately account for pedestrian fatalities and severe injuries, thus prioritizing them for safety interventions.

TASK 4: AIR QUALITY

CEQR Technical Manual criteria require an air quality assessment for actions that can result in potentially significant air quality impacts. Mobile source impacts could arise when an action increases or causes a redistribution of traffic, creates any other mobile sources of pollutants, or adds new uses near existing mobile sources, as well as from vehicles using parking facilities, parking lots, or garages. Stationary source impacts could occur with actions that create new stationary sources or pollutants such as emission stacks from HVAC systems that can affect surrounding uses; or when proposed actions add uses near existing or planned future emission stacks, and the new uses might be affected by the emissions from the stacks. As is described in the EAS, the Proposed Action is not expected to result in significant air quality impacts related to mobile or stationary sources. However, to ensure that the mobile source air quality analysis is consistent with the detailed transportation analysis that will be provided in the EIS (see Task 3), the mobile source air quality analysis will be included in the EIS.

Mobile Source

As stated in the *CEQR Technical Manual*, a project—whether site-specific or generic—may result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic, create any other mobile sources of pollutants, or add new users near mobile sources. According to the *CEQR Technical Manual* screening threshold criteria for the City, if 170 or more project-generated vehicles pass through an intersection in any given peak period for CO impact, or if a project would result in 12-23 heavy-duty diesel vehicle trips or equivalent PM emission, depending on road type for PM2.5 impact, there is the potential for mobile air quality impacts and a detailed analysis is required.

A screening analysis for CO and PM will be prepared based on the traffic analysis and the above-mentioned CEQR criteria. If screening levels are exceeded, a detailed mobile source analysis will be prepared in accordance with CEQR guidance, to evaluate the Proposed Actions for potential impacts from CO, and fine particulate matter less than 2.5 microns in diameter ($PM_{2.5}$), due to vehicular traffic anticipated to be generated by the Proposed Development. Intersection(s) would be analyzed for both CO and $PM_{2.5}$, as described below:

Emissions Modeling

Vehicular cruise and idle CO and PM emission factors to be utilized in the dispersion modeling will be computed using EPA's Motor Vehicle Emission Simulator (MOVES). Each selected intersection will be divided into distinct links for emissions modeling purposes reflecting different types of vehicle activity in accordance with the recommendations of EPA's Transportation Conformity Guidance for Quantitative Hot-spot Analyses in $PM_{2.5}$ and PM_{10} Nonattainment and Maintenance Areas. Project specific traffic data obtained through field studies will be used, as well as county- specific hourly temperature, relative humidity, vehicle age distribution, fuels and inspection/maintenance program data obtained from the New York State Department of Environmental Conservation (NYSDEC).

In order to account for the suspension of fugitive road dust in air from vehicular traffic in the local microscale analysis, $PM_{2.5}$ emission rates will include fugitive road dust. However, as DEP considers fugitive road dust to have an insignificant contribution on a neighborhood scale, fugitive road dust will not be included in the neighborhood scale $PM_{2.5}$ microscale analyses. Road dust emission factors will be calculated according to the latest procedure delineated by EPA.

Dispersion Modeling

The CO mobile source analysis will be conducted using the US Environmental Protection Agency (EPA) CAL3QHC model Version 13196 (Lakes Environmental CALRoad commercial version). $PM_{2.5}$ analysis

will be conducted using the refined CAL3QHCR model and five years of meteorological data. The $PM_{2.5}$ analysis will include estimating off-peak traffic volumes based on available 24-hr count data in the study area.

Multiple receptors will be modeled at the selected worst-case intersection; receptors will be placed at sidewalks along approach and departure links at spaced intervals, at a pedestrian height of 1.8 meters. Based on DEP guidance for neighborhood-scale corridor $PM_{2.5}$ modeling, receptors in that analysis will be placed at a distance of 15 meters from the nearest moving lane at each analysis location.

TASK 5. NOISE

A noise analysis examines an action for its potential effects on sensitive noise receptors (which can be both indoors and outdoors), including the effects on the interior noise levels of residential, commercial, and certain community facility uses, such as hospitals, schools, and libraries. The principal types of noise sources affecting the City are mobile sources (primarily motor vehicles), stationary sources (typically machinery or mechanical equipment associated with manufacturing operations or building HVAC systems) and construction noise (e.g., trucks, bulldozers, power tools, etc.). An initial impact screening would consider whether a proposed action would generate any mobile or stationary source noise, or would be located in an area with high ambient noise levels.

As the Proposed Action would introduce new sensitive uses, a detailed noise analysis will be conducted in compliance with *CEQR Technical Manual* guidance to determine whether traffic generated by the Proposed Action would have the potential to result in significant noise impacts and determine the level of building attenuation necessary to ensure that the projected development sites' interior noise levels satisfy applicable interior noise criteria.

No detailed analysis of potential noise impacts due to outdoor mechanical equipment will be performed, as outdoor mechanical equipment would be designed to meet applicable regulations. Moreover, the Project Area is not located in the vicinity of air or rail facilities, would not generate or reroute aircraft, and is not within a 65 dBA DNL contour. The following tasks would be performed in compliance with guidelines contained in the *CEQR Technical Manual*:

- Select appropriate noise descriptors. Appropriate noise descriptors for building attenuation purposes would be selected. Based on CEQR criteria, the noise analysis would examine the L10, and 1-hour equivalent (Leq(1)) noise levels.
- Select receptor locations for building attenuation purposes. Two types of receptor sites would be selected: 1) sites where the Proposed Action would have the potential for significant noise impacts due to project-generated traffic, and 2) sites where proposed new construction would require specification of window/wall attenuation that would ensure acceptable indoor noise conditions as prescribed in regulations.
- If the current traffic pattern is deemed representative, field noise measurement will be utilized to establish existing noise levels in consultation with DCP. The noise PCEs (passenger-car-equivalents) and detailed mobile source analysis will be calculated utilizing data from the transportation analysis (detailed above) to determine existing and future noise levels.
- Following procedures outlined in the *CEQR Technical Manual* for assessing mobile source noise impacts, existing and future No-Action and With-Action noise levels will be estimated at the noise receptor locations based on acoustical fundamentals and, if warranted, mathematical modeling. All projections will be made with the Leq and L10 noise descriptors.
- Determine the cumulative noise impacts from both future mobile and stationary noise sources by logarithmically adding the projected Leq noise values to yield total maximum-possible Leq and L10

noise levels. To determine the potential for significant adverse impacts caused by the Proposed Action, the total With-Action noise levels will be compared to the total No-Action noise levels at each respective receptor location and will be based on the applicable standards and CEQR impact thresholds.

- Determine amount of any building attenuation required for community facility and commercial office uses as applicable. The level of building attenuation necessary to satisfy CEQR requirements is a function of exterior noise levels and will be determined. Calculated future With-Action noise levels will be compared to appropriate standards and guideline levels. As necessary, recommendations regarding noise attenuation measures needed for the proposed development to achieve compliance with standards and guideline levels will be made.
- Determine whether project-generated traffic would have the potential for causing a significant noise impact. If it is determined that project-generated traffic would result in a doubling of Noise PCEs, a detailed mobile source noise modeling analysis will be conducted to determine noise impacts and required levels of building attenuation.

TASK 6. PUBLIC HEALTH

According to the *CEQR Technical Manual*, public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability and premature death; and reducing inequalities in health status. The goal of CEQR with respect to public health is to determine whether adverse impacts on public health may occur as a result of a proposed project, and if so, to identify measures to mitigate such effects.

According to the guidelines of the *CEQR Technical Manual*, a public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, hazardous materials, or noise. If unmitigated significant adverse impacts are identified in any of these technical areas and the lead agency determines that a public health assessment is warranted, an analysis will be provided for the specific technical area or areas.

TASK 7. NEIGHBORHOOD CHARACTER

The character of a neighborhood is established by numerous factors, including land use patterns, the scale of its development, the design of its buildings, the presence of notable landmarks, and a variety of other physical features that include traffic and pedestrian patterns, noise etc. The area surrounding the Project Area is largely composed of industrial/warehousing uses, with some residential, commercial, and community facility development to the north and east. Vacant, undeveloped land and some parking lots are also prevalent throughout the area.

The Proposed Action has the potential to alter certain constituent elements of the affected area's neighborhood character, including land use patterns, traffic, and noise levels, and therefore an analysis will be provided in the EIS. As suggested by the *CEQR Technical Manual*, the study area for neighborhood character will be coterminous with the 400-foot land use study area. The chapter will summarize changes that can be expected in the character of the neighborhood in the future without the Proposed Action (No-Action condition) as well as describing the Proposed Action's impacts on neighborhood character. Subtasks will include:

- Describe the predominant factors that contribute to defining the character of the neighborhood, drawing on relevant EIS chapters.

- Summarize changes in the character of the neighborhood that can be expected in the future No-

Action condition based on planned development projects, public policy initiatives, and planned public improvements, as applicable.

- Summarize changes in the character of the neighborhood that can be expected in the future With-Action condition, based on the RWCDS, and compare to the future No-Action condition. A qualitative assessment will be presented, which will include a description of the potential effects of the Proposed Actions on neighborhood character.

TASK 8. MITIGATION

Where significant adverse impacts have been identified in any of the above tasks, measures to mitigate those impacts will be described. The chapter will also include a quantitative sensitivity analysis to indicate the stage of the development that any proposed mitigation measures would need to be implemented. These measures will be developed and coordinated with the responsible City/State agencies, as necessary. Where impacts cannot be fully mitigated, they will be disclosed as unavoidable adverse impacts.

TASK 9. ALTERNATIVES

The purpose of an alternative section in an EIS is to examine reasonable and practical alternatives that have the potential to reduce or eliminate action-related impacts. The alternatives will be better defined once the full extent of the Proposed Action's impacts have been identified. As required by SEQRA, the EIS will include a No-Action alternative. It will also include a No Unmitigated Impact alternative. The alternatives analysis will be qualitative, except in those technical areas where significant adverse impacts for the Proposed Action have been identified. The level of analysis provided will depend on an assessment of project impacts determined by the analysis connected with the appropriate tasks. A discussion of other possible alternatives may be identified during the scoping and EIS preparation process, such as alternatives that may reduce but not eliminate identified unavoidable adverse impacts, or that may be posed by the public during the scoping of the EIS. The analysis of such an alternative will be qualitative, except where significant adverse impacts of the Proposed Action have been identified.

TASK 10. SUMMARY EIS CHAPTERS

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

- *Unavoidable Adverse Impacts*: summarizes any significant adverse impacts that are unavoidable if the Proposed Action is implemented regardless of the mitigation employed (or if mitigation is not feasible).
- *Growth-Inducing Aspects of the Proposed Action*: which generally refer to "secondary" impacts of the Proposed Action that trigger further development.
- *Irreversible and Irretrievable Commitments of Resources*: which summarizes the Proposed Action and its impact in terms of the loss of environmental resources (loss of vegetation, use of fossil fuels and materials for construction, etc.), both in the immediate future and in the long term.

TASK 11. EXECUTIVE SUMMARY

The executive summary will utilize relevant material from the body of the EIS to describe the Proposed Action, the environmental impacts, measures to mitigate those impacts, and alternatives to the Proposed

Action. The executive summary will be written in enough detail to facilitate drafting of a notice of completion by the lead agency.