DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Daniel R. Garodnick, Director
Department of City Planning

September 30, 2022

NOTICE OF COMPLETION AND NOTICE OF AVAILABILITY OF A FINAL ENVIRONMENTAL IMPACT STATEMENT

Innovative Urban Village

Project Identification
CEQR No. 20DCP057K
ULURP Nos. C220314ZSK, C220311ZSK,
C220312ZMK, N220313ZRK, N220165LDK

Lead Agency
City Planning Commission
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SEQRA Classification: Type I

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Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 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 Final Environmental Impact Statement (FEIS) has been prepared for the action described below. Copies of the FEIS are available for public inspection at the office of the undersigned as well as online via the Innovative Urban Village project page on ZAP: https://zap.planning.nyc.gov/projects/2019K0038. To view the Innovative Urban Village FEIS and Appendix, navigate to the project page in ZAP and select Public Documents, then "FEIS_20DCP057K". The proposal involves actions by the City Planning Commission (CPC) and the New York City Council pursuant to Uniform Land Use Review Procedure (ULURP). A public hearing on the DEIS was held on August 24, 2022, in conjunction with the City Planning Commission's public hearing pursuant to ULURP. Written comments on the DEIS were requested and were received and considered by the Lead Agency through 5:00 pm on September 6, 2022. The FEIS incorporates responses to the public comments received on the DEIS and additional analysis conducted subsequent to the completion of the DEIS.

A. INTRODUCTION

The Applicant, Innovative Urban Living, LLC, is seeking discretionary approvals from the CPC to facilitate the proposed large-scale development of a site located on Brooklyn Block 4430, Lot 1; and Block 4434, Lots 1 and 10 in the East New York neighborhood of Brooklyn, Community District 5 (the Development Site). These approvals include a zoning map amendment that would apply to the entire Project Area, which in addition to the Development Site includes de minimis portions of the north side of Block 4434, Lot 60 and Block 4431, Lots 70 and 100, and extends to the centerlines of Flatlands Avenue, Louisiana Avenue and Pennsylvania Avenue. Additional approvals include zoning text amendments to establish the Project Area as a Mandatory Inclusionary Housing (MIH) area and to expand the boundary of the Transit Zone to include the Rezoning Area, a large-scale general development special permit, and a special permit for a public parking garage (the Proposed Actions). A portion of the site is currently occupied by the 92,784-gross-square-foot (gsf) Christian Cultural Center (CCC) facility, which would remain on the site as part of the project.

The Proposed Actions would facilitate the development of a mixed-use, purpose-built development on the site of the CCC, which would be comprised of income-based affordable housing; a Performing Arts Center (PAC); a grocery store; local retail; new publicly accessible open space; and a variety of community facilities targeted to the civic, economic, educational, and cultural needs of the East New York neighborhood (the Proposed Project). Overall, the Proposed Project would include a total approximate 2,200,538-gsf development to be constructed in phases over a planned 10-year period, with ten buildings ranging from two to 15 stories. The proposed building program for the site would include approximately 1,645,820 gsf of residential space accommodating approximately 2,050 residential units; approximately 100,904 gsf of community facility space, including general community facility space to include a day care (approximately 12,320 gsf), other community facility uses such as a senior center or medical clinic (approximately 9,900 gsf), and the existing CCC facility (78,684 gsf); approximately 110,570 gsf of commercial space that includes a grocery store (approximately 14,300 gsf) and local retail space (approximately 65,670 gsf), a trade school (approximately 14,100 gsf) to be located in one wing of the existing CCC building (thereby reclassifying approximately 14,100 gsf of existing community facility space to commercial space) and a PAC (approximately 16,500 gsf); and approximately 343,244 gsf of parking, including 145,684 gsf of below grade parking and a 197,560-gsf public parking garage that would accommodate accessory parking for the retail and community facility uses.

The Applicant intends to develop a total of approximately 2,050 income-based residential units, including approximately 200 units of affordable senior housing units and up to 100 residential units offering affordable home ownership opportunities, including affordable condominiums and approximately 30 maisonettes under affordable homeownership that would be within four of the residential buildings. The Proposed Project would also include approximately 84,950 square feet (sf) of publicly accessible passive open space, approximately 36,000 sf of private passive open space, and approximately 29,400 sf of private active open space.

The Proposed Actions are subject to CEQR. The New York City Department of City Planning (DCP), acting on behalf of the CPC, is the lead agency for the environmental review.

B. BACKGROUND AND EXISTING CONDITIONS

The Project Area contains the Development Site as well as de minimis portions of the north side of Block 4434, Lot 60 and Block 4431, Lots 70 and 100. The Project Area is located within East New York in Brooklyn Community District 5.

Development Site

The Development Site, as indicated above, encompasses the northern portion of the block bounded by Flatlands Avenue, Pennsylvania Avenue, Louisiana Avenue, and Vandalia Avenue and consists only of Block 4430, Lot 1 and Block 4434, Lots 1 and 10.

The Project Area, which is coterminous with the proposed Rezoning Area and the proposed Transit Zone expansion, contains the Development Site as well as de minimis portions of the north side of Block 4434, Lot 60 and Block 4431, Lots 70 and 100 and is bounded by the centerlines of Flatlands Avenue (a wide street

with a width of approximately 110 feet) to the north, Pennsylvania Avenue (a wide street with a width of approximately 120 feet) to the east, and Louisiana Avenue (a narrow street with a width of approximately 70 feet) to the west.

The Development Site runs along the full length of Flatlands Avenue from Louisiana Avenue to Pennsylvania Avenue to a depth as measured from Flatlands Avenue of up to approximately 597 feet, 6 inches along Louisiana, a depth of approximately 369 feet, 6 inches in the midblock, and a depth of approximately 291 feet along Pennsylvania Avenue. Overall, the Development Site has a lot area of approximately 10.32 acres, or approximately 449,653 sf. Approximately 562,066.25 zoning sf (zsf) of residential floor area is permitted at the Development Site under the present zoning controls, and approximately 899,306 zsf is permitted for community facility uses.

The Development Site is currently improved with the one-story (with mezzanine), 92,784-gsf CCC—a large, non-denominational house of worship constructed in 1997. Situated on the western portion of the Development Site and surrounded by a surface parking lot containing approximately 385 striped accessory parking spaces, the CCC has a footprint of approximately 56,050 sf and is set back approximately 90 feet, 6 inches from Louisiana Avenue at its closest point and 129 feet from Flatlands Avenue. It is accessed via a curb cut along Flatlands Avenue immediately opposite of Alabama Avenue and via two existing curb cuts along Louisiana Avenue. The eastern portion of the Development Site is unimproved land, serving as a location for overflow parking during church services and other events at the CCC and otherwise not used.

The CCC serves as a "third place" for people to gather in worship, prayer, learning, and community service, with approximately 12,000 members attending in-person on a regular basis and over 60,000 individuals attending virtually at different times. The primary space in the CCC building is a large worship center which currently has a capacity of approximately 3,800 persons. Other spaces in the building are used for the CCC's youth ministry, children's ministry, and kindergarten. In addition to the main worship center, the CCC building includes a lobby space, which can double as a banquet space, a chapel, a number of classrooms and conference rooms, a café space which is used as a public gathering space, and a meditation space. Throughout the CCC building are a number of religious historical artifacts and works of art and architecture which highlight Christian history as well as showcase symbols of faith and tradition of other religions.

All of these spaces are made available to the public, community groups, city agencies, and businesses in the area on a regular basis and for a wide range of purposes consistent with the values of the CCC, including for worship, weddings, funerals, baby dedications, counseling, graduations (e.g., for the FDNY), banquets (e.g., an interfaith meeting of 150 clergy), organization meetings (e.g., Alcoholics Anonymous), organizational needs (e.g., large training orientations, employment application screening center), and vocational training (construction, electrical, plumbing, and culinary). The CCC also uses its capacity virtually, through its administration and virtual teachings for the New School of Biblical Theology.

The CCC serves as a center to the surrounding community not only through its gospel and by providing a physical gathering space, but also through its support of the community at large. In particular, the CCC's largest community impact is through its food assistance program, which fed over 100,000 people per year in the last two years, including through home delivery to seniors and emergency response to disasters such as Hurricane Sandy, where the CCC provided food and also blankets and generators to those in need. Among its many community service accomplishments, the CCC has provided a computer lab to a local school, provided backpacks of school supplies to children in the neighborhood, and rebuilt homes in New Orleans. The CCC also leverages its capacity, including its roughly 1,500 volunteers, to assist smaller churches in their ministries, by raising money through corporate sponsorships, and by joining forces with other existing organizations to provide community services locally and abroad. The Proposed Development would increase the CCC's capacity to respond to the needs of the community and further these efforts.

Project Area Context

The Project Area is located at the northwestern end of the peninsula between Fresh Creek and Hendrix Creek—both inlets of Jamaica Bay. Much of the peninsula, including the areas south and east of the Project Area, is occupied by Spring Creek Towers (formerly known as Starrett City), a 140-acre affordable housing complex opened in 1974 that contains over 5,800 residential units in 46 buildings. The complex includes a

community center and two schools. To the east of Spring Creek Towers/Starrett City, along Hendrix Creek, is the New York City Department of Environmental Protection's (NYC DEP) 26th Ward Wastewater Treatment Plant.

In addition to Spring Creek Towers/Starrett City, the area includes a number of other affordable housing properties. Immediately south of the Project Area are the New York City Housing Authority's (NYCHA) Vandalia Avenue complex and Council Towers, an assisted living facility for low-income seniors. Northwest of the Project Area is the 65-acre, 1,600-unit Breukelen Houses complex, which extends from East 103rd Street to Louisiana Avenue, and the Breukelen Ballfields, which are located northwest of Flatlands Avenue between Williams and Louisiana Avenues. To the northeast is NYCHA's 21-building Linden House complex. These surrounding NYCHA housing developments were generally built between the 1950s and 1970s.

Across Flatlands Avenue to the north of the Project Area is a mapped M1-1 zoning district, an area that includes low-rise buildings constructed in the 1950s and 1960s. Businesses in this area include used car sales, auto repair, auto parts stores, transportation and busing businesses, and self-storage, along with mixed retail and commercial businesses. A 1980s low-rise commercial complex with restaurants, a bank, and a supermarket is located just west of the Project Area across Louisiana Avenue. The Fresh Creek Nature Preserve borders the creek's east and west sides; the area west of the creek consists mainly of single-family development that is part of the Canarsie neighborhood.

The Project Area was zoned R3-2 dating back to 1961, during which time the Project Area was configured as separate blocks bisected by Malta Street and Alabama, Georgia, and Sheffield Avenues. In 1966, the superblock to the east of the Project Area was rezoned to C4-2 and R5 (CP-18730). In 1967, the C4-2 portion of the Project Area was rezoned to R5 (CP-19815), and later that year the block to the south of Vandalia Avenue was likewise rezoned to R5 (CP-20066). The Spring Creek Towers/Starrett City complex was developed in the early 1970s in these locations.

Other rezonings surrounding the Project Area included the mapping of commercial overlays, with two blocks to the northeast of the Project Area along Pennsylvania Avenue being mapped with a C2-2 overlay in 1973 (CP-22531) and the block immediately west of the Project Area along Louisiana Avenue being mapped with a C2-2 overlay in 1979 (M 770445A ZMK). In 1980, the southern portion of the project block, immediately south of the Project Area, was rezoned to R5 to facilitate the development of the Vandalia Avenue housing complex (C 800248 ZMK).

The remainder of the project block, including the Project Area, was rezoned to R5 in 1992 to facilitate a proposed large-scale residential development known as Fresh Creek Estates (C 900891 ZMK). Related actions included demapping of Alabama, Georgia, and Sheffield Avenues within the Project Area (C 900890 MMK). The Fresh Creek Estates proposal included 477 affordable housing units to be developed within three-story townhouse apartment buildings, with on-site accessory parking and interior roadways. However, the project was never realized, and the Project Area remained undeveloped until 1997 when the CCC was constructed. The Project Area has remained in its current condition since that time.

C. DESCRIPTION OF THE PROPOSED ACTIONS

Zoning Map Amendment

The Applicant is seeking a zoning map amendment to change the existing R5 district within the Project Area to an R7-2 district with a C2-4 commercial overlay. The existing R5 zoning does not allow for commercial uses, limiting possibilities for local retail and economic opportunity for small business owners. The C2-4 commercial overlay would address this need by allowing for a range of commercial uses at the Development Site, including a grocery store and local retail to serve residents of the Proposed Development and the surrounding neighborhoods. In addition, the R5 zoning does not allow for sufficient density to create the integrated residential, local retail, and community facility development at the proposed affordable income levels envisioned for the Development Site. The rezoning from an R5 district to an R7-2 district would allow for an increase in the development potential in the Development Site from 1.25 FAR for residential to 4.6

FAR in an MIH district, and from 2.0 for community facility use to 6.5 FAR. The Proposed Development contemplates an FAR of 4.29 including the parking garage, and floor area allowed by the R7-2 zoning aligns with the Proposed Development in a manner appropriate to the area. The Project Area is immediately adjacent to two wide streets, including one providing direct access to the Shore Parkway, and has good access to mass transit and is an appropriate area for the additional density being proposed, and without resulting in additional development potential that would occur with a higher density zone, such as an R8 district.

The proposed Zoning Map Amendment would also modify height and setback and yards controls in the Project Area to establish a dynamic street wall presence within the Project Area in buildings with heights reflective of other residential buildings in the surrounding area. In particular, under Quality Housing and MIH controls and in absence of the additional land use actions being proposed, the proposed R7-2 zoning would require that (i) buildings be located at the street rather than separated from the streets by a front yard, (ii) buildings have a minimum base height of 40 feet and a maximum height of 75 feet before setback rather than a maximum street wall height of 30 feet; and (iii) a maximum building height of 135 feet and 13 stories where affordable is provided on site, instead of a maximum height of 40 feet. While the other land use actions seek some adjustment to these street wall controls to make the building configuration even more dynamic, the general bulk controls for R7-2 districts are appropriate for the area by bringing uses and building heights already in the area out to the street line, lending to their accessibility, providing more activity and eyes on the streets, and promoting a more pedestrian-friendly environment.

Zoning Text Amendment

The Applicant is seeking two zoning text amendments:

- An amendment to Appendix F of the Zoning Resolution (ZR) (Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas) to establish the Project Area as an MIH area, Option 1.
- An amendment to Appendix I of the ZR (Transit Zone) to expand the boundary of the existing Transit Zone that is currently mapped north of Flatlands Avenue to include the Project Area.

Special Permits

The Applicant is seeking two special permits:

1. A special permit pursuant to ZR 74-743(a)(2) to locate buildings within a large-scale general development without regard to yard, distance between buildings, and height and setback regulations to allow for the centralized community-centered core and street-oriented residential buildings envisioned by the Proposed Project.
    a. Yards:

    The Development Site is comprised of a series of corner lot, through lot, and interior lot areas and would require a series of yards adjacent to the common lot line with the neighboring property, even though a significant setback exists between the common lot line and the adjoining buildings. In particular, waivers are being requested for ZR 35-54 and ZR 23-51, which require a side yard along the common side lot line to the south with a minimum depth of 8 feet; of ZR 33-303 which requires a rear yard of 20 feet for commercial uses; and ZR 23-471 and 23-543, which require a rear yard of 30 feet for residential uses. Waiving side and rear year requirements along the common property line allows for the location of the PAC in the center of the Proposed Project and the introduction of the central quadrangle as a significant community open space. The yard waivers would also allow for the location of the public parking garage in proximity to the PAC and the CCC. Accordingly, the Applicant requests a modification of the rear yard requirements of Zoning Resolution Section 23-47 (Minimum Required Rear Yards) and the special side yard requirements of Section 23-51 (Special Provisions for Yards Adjacent to R1 Through R5 Districts) to eliminate yard requirements along portions of the southern boundary of the Development Site.

    b. Distance between buildings:

    In order to introduce a residential presence along Louisiana Avenue and at the same time maintain the CCC in its existing location, limited modifications to the requirements of Zoning Resolution

Section 23-711 (Standard minimum distance between buildings) are requested between Building 7 and 8 and the CCC building. At the closest point, there would be a separation of 30 feet 6 inches between the two buildings; the amount of separation quickly expands in the areas where the modification is requested. A modification is also requested between Building 5, Building 6, Building 9 and 10, and the CCC. These modifications would allow the large-scale general development (LSGD) to improve the streetscape by introducing a residential and retail presence along Louisiana Avenue and Flatlands Avenue and at the same time maintain the CCC in its existing location. Because the CCC building is only 36.6 feet tall, this condition is limited to the lowest floors of the residential buildings. A modification is also requested between Building 4 and the PAC to allow the PAC to be situated at the core of the LSGD and adjacent to the central quadrangle and public parking garage, resulting in a better site plan.

c. Height and Setback:

While the proposed R7-2 district provides an appropriate density for the Project Area and the Proposed Project, R7-2 MIH developments are subject to height and setback controls that do not allow for the strong street wall presence and variation in heights envisioned for the Proposed Project. In particular, MIH developments are limited to a height of 75 feet within 10 feet of a wide street and 15 feet of a narrow street and an overall building height of the lesser of 135 feet or 13 stories, and a minimum base height of 40 feet is required. Additionally, within 25 feet of an adjoining R5 district, buildings are limited to a maximum height of 55 feet within 100 feet of a wide street and 45 feet beyond 100 feet of a wide street. While much of the Proposed Project would comply with the minimum and maximum height limitations, the height of portions of the Proposed Project's street wall would exceed the 75-foot height. In addition, portions of the Proposed Project would exceed the 135-foot and 13-story height limitation by one story for Buildings 3, 5, and 6 (to a height of up to approximately 154.84 feet plus bulkhead) and by two stories for Building 1 (to a height of approximately 160.87 feet plus bulkhead). Building 2 would not exceed the maximum number of stories permitted but would exceed the maximum permitted height and rise to a height of approximately 139.77 feet plus bulkhead. Within 25 feet of the southern boundary of the Development Site, portions of Buildings 2, 4, 9 and 10, the PAC, and the garage would exceed the maximum permitted height within 25 feet of an R5 district. Portions of the street wall of Buildings 1, 3, 5, 6, and 7 and 8 would be set back at a height lower than the minimum base height but no higher than above the second story. The modification of height and setback controls allows for buildings with a dynamic and varied profile with building elements ranging from six to fifteen stories creating visual interest throughout the project. The higher elements also allow for the introduction of the central quadrangle to the middle of the Project Area surrounded by the lower scale core anchored by the CCC and the PAC, which is anticipated to have a maximum height of approximately 50 feet. Accordingly, a modification to Zoning Resolution Sections 23-693 (Special provisions applying adjacent to R1 through R6B Districts), 23-951 (Height and Setback for compensated developments in Inclusionary Housing designated areas), 23-952 (Height and setback in Mandatory Inclusionary Housing areas), and 23-66 (Height and Setback Requirements for Quality Housing Buildings), 35-65 (Height and Setback Requirements for Quality Housing Buildings), and 23-693 (Special provisions applying adjacent to R1 through R6B Districts) is requested to permit modifications of minimum and maximum base height before setback and maximum building height controls.

2. A special permit pursuant to ZR 74-512 to permit a public parking garage with more than 150 spaces some of which would be located on the roof of the public parking garage during periods of peak parking demand for the church (Sundays and Tuesday evenings). This special permit would allow for a public parking garage that would be a sufficient size to serve the congregants of the CCC, visitors to the PAC and other community facility and commercial uses that are part of the Proposed Project and would consolidate the existing surface parking into an enclosed facility allowing for the productive use of the Development Site for the Proposed Project.

The Applicant also intends to seek public funds and/or financing from various City and New York State agencies and/or programs related to affordable housing development. The discretionary CPC actions listed

above, along with the discretionary public funds that may be sought by the Applicant, are collectively referred to as the Proposed Actions.

The project approvals would also include recordation of an (E) Designation (E-679) on the Development Site (Brooklyn Block 4430, Lot 1 and Block 4434, Lots 1 and 10), as well as a Restrictive Declaration to codify commitments made in the FEIS related to the environmental review. The Restrictive Declaration would be recorded against the Development Site to ensure project components related to the environment (PCREs) and mitigation measures are implemented.

D. DESCRIPTION OF THE PROPOSED PROJECT

The Applicant is proposing to replace the underutilized portions of the Development Site with a vibrant mixture of community facility, commercial, and residential uses targeted at creating a sustainable, affordable neighborhood anchored by the presence of the CCC and targeted at addressing a number of economic, social, educational and cultural needs of the neighborhood. Overall, the Proposed Project would incorporate ten new buildings on the Development Site, including eight predominately residential buildings ranging in height from two to 15 stories, with a total of approximately 2,050 units affordable to households with a range of incomes between 30 percent and 100 percent of the area median income (AMI). The CCC building would remain as the dominant feature of the Development Site. Serving its parishioners and the surrounding community, the CCC would be part of a multi-faceted community facility core that includes the PAC, a trade school, a day care facility, a senior center, and a central green space.

A privately-owned, publicly accessible street system would be introduced into the Development Site aligned with the adjoining street grid to invite people into the Proposed Project and create a more walkable environment. Finally, a seven-story public parking garage, accommodating up to approximately 500 parking spaces for these uses, would be located near Louisiana Avenue and would serve as a replacement to the surface parking that exists today. Overall, the Proposed Project would include approximately 84,950 sf of publicly accessible open space, consisting of a public plaza on the corner of Flatlands Avenue and Louisiana Avenue, a public arcade and entry plaza and a central quadrangle. The Proposed project would also include an 11,000-sf playground adjacent to the childcare center which would also serve residents, an 18,400-sf private recreational space to be located on the roof of the parking garage which would be flexible to accommodate parking for vehicles during peak church hours (Sunday and Tuesday evenings only), and approximately 36,000 sf of private passive open space including residential building courtyards and rooftop areas. The Proposed Project would include pedestrian paths and a private street network that would run through the Development Site. Construction of the Proposed Project would be phased over a ten-year period, with completion anticipated in 2031.

It is the Applicant's intention that the Proposed Project would comply with and exceed the requirements of Option 1 of the City's MIH program. Option 1 has the following requirements:

- 25 percent of new housing units must be set aside for families making an average of 60 percent or less of AMI.
- Of this set-aside, at least 10 percent must be for families making an average of 40 percent or less of AMI.

Further, the Proposed Development is focused on meeting the needs of a significant portion of the population in East New York and in Brooklyn at large by providing workforce housing at the very low-, low-, and moderate-income housing brackets. According to the U.S. Census Bureau's 2019 American Community Survey (ACS) data, a three-person household in Brooklyn Community District 5 (East New York and Starrett City) has a median income of $51,648,[1] approximate to the 50 percent AMI band set by the NYC Department of Housing Preservation and Development (HPD). Utilizing this datapoint as a reference, the Proposed Development would fill the need for affordable housing in the area by providing housing within the 30 percent to 100 percent AMI band, with 50 percent of units at 60 percent of AMI or less. 25 percent of units

[1] 2019 ACS 5-Year Estimates Detailed Tables; Table B19019, "Median Household Income in the Past 12 Months (In 2019 Inflation-Adjusted Dollars) by Household Size" for NYC-Brooklyn Community District 5 – East New York and Starrett City.

would be provided at 80 percent of AMI or less and 25 percent of units would be provided at 100 percent of AMI or less.

In addition, up to 100 homeownership units would be provided through the HPD Open Door program at the moderate-income band. In total the Proposed Development would include approximately 2,050 units of 100 percent rent-stabilized, intergenerational, income-based housing. The units provided would be a diverse mix of unit types, including 2-bedroom and 3-bedroom residences and would be coupled with requisite resources to allow members of the community to thrive.

The Proposed Development would be consistent with Housing New York 2.0's goal of creating more homes for seniors by providing up to 200 units for seniors. In addition, the Proposed Development would further the plan's goal of building protections against displacement in fast-changing neighborhoods by providing mixed-income dwelling units at a range of income bands, allowing residents to remain in the community, even if their economic health changes. Finally, the Proposed Development would be constructed on the currently vacant and underutilized lots on the eastern portion of the Development Site, furthering the plan's goal of unlocking the potential of vacant lots.

The Proposed Development would support several of the initiatives outlined in OneNYC 2050 as well, including the initiative to ensure all New Yorkers have access to safe, secure, and affordable housing.

In total, the Proposed Project would result in approximately 2,200,538 gsf of development. This would include approximately:

- 100,904 gsf of community facility space, including general community facility space to include a day care (approximately 12,320 gsf), other community facility uses such as a senior center or medical clinic (approximately 9,900 gsf), and the existing CCC facility (78,684 gsf);
- 110,570 gsf of commercial space that includes a grocery store (approximately 14,300 gsf) and local retail space (approximately 65,670 gsf), a trade school (approximately 14,100 gsf) to be located in one wing of the existing CCC building;
- a new PAC (approximately 16,500 gsf);
- 343,244 gsf of parking including a total of approximately 886 parking spaces within subgrade parking (approximately 386 parking spaces) and an approximately 7-story, 500-space public parking garage for the retail and community facility uses. During peak parking periods for the church (Sundays and Tuesday evenings), approximately 21,889 sf of parking (of the approximately 182,277 gsf public parking garage) would be provided on the roof of the proposed public parking garage.

The new buildings would be arranged around the existing CCC building to create a community facility core anchored by the CCC, with residential uses surrounding and adjacent to this core. Similar to its current configuration, the CCC would be accessed by pedestrians through a courtyard plaza leading from Louisiana and Flatlands Avenues to the building's front door, with a second entrance leading from Flatlands Avenue. Adjacent to the CCC, in the interior of the Development Site, would be an open quadrangle and the PAC, creating a central gathering space for community facility visitors, churchgoers, occupants of the residential buildings, and the general public. The central quadrangle and the PAC would be visible from Flatlands Avenue, with views highlighted by an approximately 20-foot-tall arcade within Building 5 connecting Flatlands Avenue to the central quadrangle. The proposed public parking garage would be located adjacent to the PAC and CCC along Louisiana Avenue, limiting the visibility of this use and placing it in close proximity to the intended users of the facility. It is anticipated that private basketball courts or other recreation space would be located on the roof of the proposed public parking garage as an additional amenity for residents.

Vehicular access to the Development Site would include proposed entrances from Pennsylvania Avenue and Louisiana Avenue and a right-turn-in/right-turn-out access on Flatlands Avenue at Sheffield Avenue. Interior vehicular circulation would be facilitated via extensions of Sheffield Avenue and Georgia Avenue through the northern portion of Development Site, connecting with a proposed east-west interior roadway providing access to the proposed public parking garage, drop-off areas for the CCC, and the mixed-use buildings located on the western portion of the site. Site egress would be provided onto Flatlands Avenue from both Georgia

Avenue and Sheffield Avenue. A signal warrant analysis will be conducted to determine if a new traffic signal can be installed at the Georgia Avenue/Flatlands Avenue intersection.

In order to create strong street presence and allow for local retail in the base of the buildings, the proposed residential buildings would front on the perimeter avenues and the private streets. The residential buildings would range in height from approximately 129 to 161 feet—with street wall heights within 100 feet of Flatlands Avenue ranging between approximately 20 and 161 feet, and street wall heights beyond 100 feet of Flatlands Avenue of approximately 21 and 120 feet along Pennsylvania Avenue and ranging between approximately 25 feet and 134 feet along Louisiana Avenue.

The residential buildings would contain ground floor commercial and community facility uses facing outward, including a grocery store and local retail shops fronting on the perimeter avenues. Approximately 30 residential maisonette units with individual entrances and front stoops would be located on the newly created private inner streets. The proposed residential buildings would contain between approximately 179 and 315 dwelling units. Parking would be located below-grade in the cellars of various buildings, with a total approximate 386 parking spaces proposed.

Existing curb cuts on Louisiana and Pennsylvania Avenues would be relocated to facilitate the new internal private street network. On Flatlands Avenue, one existing curb cut that aligns with Georgia Avenue would be maintained, and a second would be relocated from its current alignment with Alabama Avenue to align with Sheffield Avenue.

In addition, the Proposed Project would facilitate better access to public transit options through the operation of a private shuttle service available to residents and the CCC (on Sundays) to and from the nearest subway stops (East 105th Street on the L line and Pennsylvania Avenue on the 3 line) during peak commuting hours. The shuttle is anticipated to commence operation upon full completion of the overall development.

It is anticipated that the Proposed Development would be constructed in several phases, during which time the CCC would remain operational. Phase 1A would consist of Buildings 1 and 2, located in the easternmost portion of the Development Site adjacent to Pennsylvania Avenue. Buildings 3 and 4, located just west of Phase 1A, and the Garage would be constructed in Phase 1B, which is currently contemplated to occur following Phase 1A. During this time, sufficient parking for CCC would be provided on the paved parking lot. Upon completion of the Garage, congregants and visitors to the CCC would be able to utilize the Garage for parking, with access provided via the existing paved parking lot, allowing for construction of the later phases while maintaining necessary parking for CCC services.

Phase 2A1 and Phase 2A2, which may be constructed in any order or simultaneously, would include Building 5 and Building 6 located to the north of the CCC along Flatlands Avenue, and the PAC and quadrangle, respectively. Phase 2A2 would also include the final leg of the construction of the private streets providing permanent access between the parking garage and Louisiana and Flatlands Avenues. Building 7 and 8 (which is a single building with two portions) located to the west of the CCC along Louisiana Avenue would be constructed in Phase 2B and Building 9 and 10 (which is also a single building with two portions) at the southwestern corner of the Development Site adjacent to the parking garage would be constructed in Phase 2C.

E. PROJECT PURPOSE AND NEED

The Proposed Actions are being requested to allow the bulk, uses, and density required to meet the Applicant's goals for the Proposed Project. As detailed above, the Project Area is located within an area densely developed with affordable housing. To the east and south, the Spring Creek Towers/Starrett City and Vandalia Avenue housing complexes are made up of 10- to 20-story towers, while the Breukelen Houses to the northwest are three to seven stories in height. Across Flatlands Avenue and Louisiana Avenue are low-rise industrial and commercial businesses. The CCC is located in the northwest corner of the Development Site, however the site overall is underutilized, and is otherwise occupied by paved and unpaved parking.

The Development Site's existing R5 zoning, with a maximum FAR of 1.25 and a height limit of 40 feet, typically produces three- and four-story attached houses and small apartment houses. However, demand for

affordable housing in East New York continues to grow, and Brooklyn Community District 5 has identified needs for additional affordable housing and other amenities that cannot be met under the existing zoning. In addition, New York City's affordable housing plan, "Housing New York 2.0," aims to create and preserve 300,000 high-quality, affordable homes by 2026 to address the needs for affordable housing throughout the City. The Proposed Actions would address these needs as follows:

- The zoning map amendment is needed to facilitate the additional density required to provide a substantial amount of affordable housing and other desired uses in Community District 5. The existing R5 zoning does not allow for commercial uses, limiting opportunities for local retail and economic opportunity for small business owners. The C2-4 commercial overlay would address this need by allowing for a range of commercial uses on the Development Site, including a grocery store and local retail to serve residents of the Proposed Project and the surrounding neighborhoods. In addition, the R5 zoning does not allow for sufficient density to create the integrated residential, local retail, and community facility program envisioned for the Development Site. The additional density would allow for a new public parking garage to replace the open parking which presently occupies the majority of the Development Site, in turn allowing for new development across the entirety of the Development Site. The rezoning from an R5 district to an R7-2 district would allow for an increase in the development potential on the Development Site from 1.25 FAR for residential to 4.6 FAR in an MIH district, and from 2.0 for community facility use to 6.5 FAR. The Proposed Project would be 4.29 FAR and would be consistent in scale with the existing affordable housing developments in the area, such as the Spring Creek Towers/Starrett City and Vandalia Avenue complexes.
- The zoning text amendment to designate the site as an MIH area would support community and citywide public policy goals by providing permanently affordable housing across a range of income levels, which otherwise would not be required if the Development Site were developed as-of-right.
- The zoning text amendment to include Project Area within the Transit Zone is needed to avoid unnecessary costs of building parking on the Development Site in excess of anticipated demand by residents. The Project Area is directly across Flatlands Avenue from the Transit Zone boundary to the north and has a range of transit options serving the Project Area, including the Subway (the East 105th Street stop on the L is located a six and a half block walk from the Development Site) and the BM2 Express, BM5 Express, B6, B6 limited, B60, B82, B82 SBS, B83, and B103 limited bus lines, providing local and express service throughout Brooklyn, Manhattan, and Queens. For this reason, it is anticipated that most new residents would use public transit as the primary transportation method. Currently, approximately 62 percent of the residents, based on census data, commute to work via mass transit. The change in boundaries would reflect this fact and would promote more sustainable forms of transportation.
- The Special Permit for a large-scale general development is needed to accommodate the desired housing density and facilitate a superior site plan, including driveways for circulation, a pedestrian-friendly site, a centralized community-centered core, and to create visual interest with varied building heights and profiles throughout the Proposed Project.
- The Special Permit for a public parking garage with more than 150 spaces, some of which are to be located on the roof of the garage, would allow for a garage of sufficient size to serve the congregants of the CCC, who travel from across the City, as well as the visitors to the retail and community facility uses, and would consolidate the existing surface parking into an enclosed facility allowing for the productive use of the Development Site for the Proposed Project.

F. ANALYSIS FRAMEWORK

The *2021 CEQR Technical Manual* served as guidance on the methodologies and impact criteria for evaluating the potential environmental effects of the Proposed Project that would result from the Proposed Actions. As the Proposed Project would be complete and operational in 2031, the environmental setting for analysis is not the current environment, but the future environment. To the extent that the Proposed Actions

would allow for a range of possible scenarios that are considered reasonable and likely, the scenario with the most severe environmental impacts was chosen for CEQR analysis. This is considered to be the reasonable worst-case scenario (RWCDS), the use of which ensures that, regardless of which scenario actually occurs, its impacts would be no worse than those considered in the environmental review. The CEQR assessment examines the incremental differences between the RWCDS of the future without the Proposed Actions in place (the No-Action condition) and the future with the Proposed Actions in place and the associated operation of the Proposed Project (the With-Action condition). The Proposed Project was determined to be the RWCDS because development pursuant to the Proposed Actions would be restricted to the bulk and density associated with the general large scale development special permit and shown on the special permit drawings.

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 Project (or With-Action condition) is 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.

Future No-Action Condition

Under the baseline, or No-Action condition, it is assumed that the Development Site would remain in its existing condition, with only the existing CCC operational on the site. As relevant for each area of analysis, future growth in population and employment has been considered in the development of the No-Action condition of that study area. This included both background growth and growth generated by known projects (developments that are under construction, planned, or proposed). Inclusion of known developments was based on, but not limited to, consideration of whether the project requires discretionary approvals, the status of that approval process, and the project size.

Future With-Action Condition

The With-Action condition within the Development Site reflects the Proposed Project. The With-Action condition would include approximately 2.18 million gsf of development (4.29 FAR). Table 1 provides the increment for analysis.

Analysis Year

Assuming a conservative build-out of approximately ten years, the Proposed Project is expected to be complete and operational by 2031.

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

Use Group		Existing Condition	No-Action Condition	With-Action Condition	Increment
Residential	Dwelling Units	-	-	2,050	2,050
	Total Residential gsf	-	-	1,645,820	1,645,820
Commercial gsf	Local Retail	-	-	65,670	65,670
	Grocery	-	-	14,300	14,300
	Performing Arts Center	-	-	16,500	16,500
	Trade School	-	-	14,100	14,100
	Total Commercial	-	-	110,570	110,570
Community Facility gsf	Day Care	-	-	12,320	12,320
	Senior Center/Medical Office			9,900	9,900
	Existing CCC Facility	92,784	92,784	78,684	-14,100
	Total Community Facility	92,784	92,784	100,904	8,120
Parking[1]	Lot Spaces	385	385	-	- 385
	Public Parking Garage Spaces	-	-	500	500
	Public Parking Garage gsf	-	-	197,560	197,560
	Accessory Residential Parking Spaces	-	-	386	386
	Accessory Residential Parking gsf	-	-	145,684	145,684
	Total Parking gsf	-	-	343,244	-
Total Development gsf		92,784	92,784	2,200,538	2,082,344
Open Space gsf	Public Open Space	-	-	84,950	84,950
	Private Open Space	-	-	65,400	65,400
ZSF		91,700	91,700	1,928,868	1,812,520
Residents[2]		0	0	4,797	4,797
Employees[3]		130	130	610	480

[1] Of the total 197,560 gsf of public parking provided, 25,410 sf would include flex space provided on the roof of the proposed public parking garage to allow for increased parking capacity during the church's peak parking periods (Sundays and Tuesday evenings).

[2] The number of residents is based on an average household size of 2.34 persons per dwelling unit for the half-mile study area, including Census Tracts 982, 984, 986, 1016, 1058.01, 1058.04, 1104 and 1106 (2014-2018 ACS).

[3] Employee estimates were derived using ratios provided by the NYC Department of City Planning. The number of employees working in residential buildings was calculated by dividing the total residential units by 25 dwelling units (82 building employees). The number of retail and grocery workers was calculated by dividing the total commercial gsf by 333.3 sf (240 retail employees). The number of employees generated by the PAC, Trade School, and general community facility space including a day care and senior center was calculated by dividing the total gsf by 333.3 sf (158 employees). The number of employees of the existing CCC Building was provided by the CCC (130 employees).

G. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

Land Use, Zoning, and Public Policy

The analysis presented in this chapter concludes that the Proposed Actions would not result in significant adverse impacts on land use, zoning, or public policy.

The Proposed Actions would result in new land uses and greater bulk and density than what currently exists on the Development Site. New uses to the Development Site—including residential, commercial space, and

open space—would be compatible with surrounding land uses. Additionally, the increased bulk and density on the Development Site facilitated by the Proposed Actions would be comparable to existing developments in the East New York neighborhood, as exhibited by the Spring Creek Towers/Starrett City complex and NYCHA's Breukelen Houses, both of which are located within close proximity to the Development Site. The requested discretionary actions would not conflict with the current surrounding zoning. Rather, the Proposed Actions would facilitate development that is well-integrated with current built conditions and the existing zoning framework within the study area. Therefore, the Proposed Project would not adversely affect surrounding land uses or zoning.

The Proposed Project would be supportive of several city policies, including Housing New York 2.0, OneNYC 2050, the Waterfront Revitalization Program (WRP), and Zoning for Coastal Flood Resiliency. The Proposed Project would expand the City's current affordable housing stock by introducing 2,050 affordable units across ten new mixed-use buildings. Moreover, the Proposed Project would expand facilities currently serving study area residents through the construction of the PAC, a trade school, and a daycare. A small portion of the Project Area falls within the 500-year floodplain, a moderate risk flood area. The proposed buildings would be designed to withstand future flood events and mitigate potential flood-related damages pursuant to the City's Building Code requirements, consistent with Policy 6 of the WRP and the goals set forth by the Zoning for Coastal Flood Resiliency. Therefore, the Proposed Project would directly support relevant City policies.

Socioeconomic Conditions

The Proposed Actions would not result in significant adverse impacts to socioeconomic conditions. For the Proposed Project, preliminary and detailed analyses of indirect residential displacement were warranted. Detailed analyses related to direct residential displacement, direct business displacement, indirect business displacement and adverse effects on specific industries were not warranted.

The Proposed Project would comply with and exceed the requirements of Option 1 of the City's MIH program. Sitewide, the Proposed Project would include 50 percent of units at 60 percent of AMI or less, with the majority of these units rented at 40 or 50 percent of AMI and senior housing capped at 60 percent AMI. An additional 25 percent of units would be affordable at 80 percent of AMI or less and the remaining 25 percent of units would be affordable at 100 percent of AMI or less. In all, it is expected that the first 1,000 homes to be constructed would not include any rents above 80 percent AMI.

The non-MIH units would be income-based affordable housing through various city and state programs for low, moderate, and middle income. The income bands for the affordable housing units in excess of the MIH requirement, as well as the applicable programs for the senior housing units, would remain subject to the availability of capital subsidy and other public capital sources at the time of construction.

The Proposed Project would result in an alternative housing option in the neighborhood because 75 percent of the proposed units would be available for households earning 80 percent or less of AMI. It is also noted that many renters in the area rely on Section 8 vouchers. Section 8 vouchers would be accepted at the Proposed Development, creating another housing option for low-income renters in the area. The proposed affordable ownership or condominium units would also provide a path for area low-income renters looking to own their home. The detailed assessment determined that the Proposed Actions would not result in significant adverse impacts to socioeconomic conditions.

Community Facilities and Services

The Proposed Actions would result in significant adverse impacts to early childhood programs and public libraries. In accordance with *CEQR Technical Manual* guidelines, detailed analyses of potential indirect impacts on public elementary and intermediate schools, public libraries, and publicly funded early childhood programs were conducted for the Proposed Actions. A preliminary assessment of healthcare facilities and police and fire protective services identified that the Proposed Project would not introduce a sizeable new population to the neighborhood, nor would it displace or alter the existing healthcare facilities and police and fire protective services. Therefore, significant adverse impacts to healthcare facilities and police and fire protective services are not anticipated and further analysis is not warranted.

Indirect Effects on Public Schools

Following the methodologies in the *CEQR Technical Manual*, the study area for the analysis of elementary and intermediate schools is the school districts' "subdistrict" (also known as a "region" or "school planning zone") in which the Proposed Project is located, specifically Subdistrict 3 of Community School District (CSD) 19.

Under the With-Action condition, the utilization rate of elementary and intermediate schools would not exceed 100 percent. Therefore, based on *CEQR Technical Manual* guidelines, the Proposed Actions would not result in significant adverse impacts to elementary and intermediate schools.

Indirect Effects on Early Childhood Programs

In the With-Action condition, the Proposed Actions would result in the incremental development of approximately 2,050 dwelling units to the Project Area, of which 1,338 units are intended to be affordable for non-senior households with incomes up to 80 percent of AMI, as compared to the No-Action condition. 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 238 childcare slots.

Based on a detailed analysis, early childhood programs would be over capacity with a shortfall of 665 slots in the With-Action condition. The utilization rate would be 141.3 percent and the change in utilization rate would be 14.8 percent. Since the collective utilization rate for early childhood programs would be greater than 100 percent and would increase more than five percent from the No-Action condition, the Proposed Actions would result in a significant adverse impact on early childhood programs, and would therefore require consideration of mitigation, as discussed in below in Section H, Mitigation.

Indirect Effects on Libraries

There is one library within 0.75 miles of the Project Area: the Brooklyn Public Library Spring Creek branch. As stated in the *CEQR Technical Manual*, a significant adverse impact would occur if a project would increase the population of the library catchment area by five percent or more, and this increase would impair the delivery of library services in the study area. The catchment area population would increase by seven percent from the No-Action to With-Action condition and the holdings per resident would decrease from 0.0714 in the No-Action condition to 0.0688 in the With-Action condition.

The analysis concludes that the Proposed Project could result in a significant adverse impact to public libraries based on the projected population change of 6.9 percent to the Spring Creek Library catchment area population. Per the guidance of the *CEQR Technical Manual*, a proposed project may result in a significant adverse impact to public libraries if the Proposed Project would increase a library catchment area population by 5 percent or more, compared to the conditions in the future without the Proposed Actions, and if this increase would be expected to impair the delivery of library services in the study area. Residents in the catchment area for the library also reside in the catchment areas for other nearby libraries (including Jamaica Bay Library, Canarsie Library, and New Lots Library) and would also be served by these libraries. Both the current and projected populations would also have access to the entire Brooklyn Public Library (BPL) and New York Public Library (NYPL) system through the interlibrary loan system and could have resources delivered to their nearest library branch. Finally, there are thousands of online resources available to card holders throughout the public library system. However, even if the Proposed Project would not affect the access to holdings, the Proposed Project could affect access to computer resources, programming space, and program staffing.

As the Spring Creek Library catchment area population is projected to increase by approximately 6.9 percent, exceeding the 5 percent threshold cited in the *CEQR Technical Manual*, and the Proposed Project could impair the delivery of library services, a significant adverse impact to public libraries could result from the Proposed Project. This impact requires consideration of mitigation, as discussed below in Section H, Mitigation.

Open Space

The Proposed Actions would not have a direct impact on open space resources in the study area. The Proposed Actions would not result in the physical loss of existing public open space resources, and would not result in any adverse shadow, air quality, noise, or other environmental impacts that would affect the usefulness of any study area open space. As the Proposed Actions are expected to introduce approximately 4,797 residents and 480 incremental workers in the future with the Proposed Actions, a detailed open space analysis for a residential (half-mile) study area was conducted to assess the potential for indirect effects, pursuant to the *CEQR Technical Manual*. The Proposed Project would not generate a net increase in workers above the 500-worker threshold. Therefore, a non-residential open space analysis is not warranted.

In the future with the Proposed Actions, within the half-mile residential study area, the passive open space ratio (OSR) would decrease by 5.30 percent to 0.652 acres per 1,000 residents; although this decrease is greater than the City's guideline of five percent, the passive OSR would remain higher than the benchmark ratio of 0.50 acres per 1,000 residents. The active and total OSRs would remain below the City's guideline ratios of 2.0 acres per 1,000 residents and 2.5 acres per 1,000 residents, respectively, in the future with the Proposed Actions. The active OSR would decrease by 12.97 percent to 1.140 acres per 1,000 residents and the total OSR would decrease by 10.33 percent to 1.792 acres per 1,000 residents. Although the project would result in percent increases that exceed the DCP Guidelines, it is anticipated that any potential for adverse open space impacts would be alleviated by qualitative factors, including the introduction of approximately 0.67 acres of private active open space and approximately 0.83 acres of private passive open space as part of the Proposed Project and the open space resources available to the thousands of residents of the adjacent Spring Creek Towers (formerly Starrett City).

There would be a temporary indirect active open space impact during construction related to the phasing of the project as new demand for open space resources would materialize from residents prior to the completion of all of the planned on-site open spaces. Therefore, a discussion of mitigation is warranted. This temporary impact would be eliminated upon full build-out of the project when all proposed open spaces are constructed.

Furthermore, the Spring Creek Towers/Starrett City open space resources are for residents only and are therefore not accounted for in the open space calculations; however, it is anticipated that the residents would continue to use these on-site open space amenities. Open spaces in the adjacent NYCHA Breukelen and Linden Houses such as basketball courts and playgrounds are available for use by residents of those housing developments, though not considered in the quantitative analysis. In addition, the 400-acre Shirley Chisholm State Park is located just outside of the study area, which could be reasonably assumed to be utilized by study area residents and residents introduced by the Proposed Actions. Further, the residential study area has a higher median age and a greater percentage of senior citizens than Kings County or New York City as a whole, which would reflect a higher demand for passive open space resources and less demand for active open space amenities. Therefore, the Proposed Project would not result in any permanent open space impacts.

Shadows

The Proposed Actions would not result in significant adverse impacts related to shadows. A preliminary shadows assessment conducted for the Proposed Project determined that in the With-Action condition, project-generated shadows could reach two sunlight sensitive resources: Breukelen Ballfields and the Fresh Creek Nature Preserve. The assessment shows that shading that could occur on Fresh Creek Nature Preserve on the June 21st analysis day would be de minimis and does not warrant further analysis. Breukelen Ballfields could receive shading on three analysis days, but the shading would be of short duration and in the early morning, and therefore is not anticipated to affect the vegetation or public use of the park. Therefore, there would be no significant adverse impacts from the Proposed Project with respect to shadows as a result of the Proposed Actions.

Historic and Cultural Resources

A preliminary assessment concluded that the Proposed Actions would not result in significant adverse impacts to historic and cultural resources. A request for an environmental review letter was sent to LPC to determine if there were any architectural or archaeological resources on the Development Site or within an

approximate 400-foot radius of the site. According to the response letter issued by LPC and dated September 6, 2019, the Development Site has no archeological significance and does not contain buildings or structures with architectural significance. In addition, no buildings or structures with architectural significance were identified within 400 feet of the Project Area. Therefore, the Proposed Actions would not cause significant adverse impacts to historic and cultural resources and no further analysis is warranted.

Urban Design and Visual Resources

Urban Design

The Proposed Actions would not result in significant adverse impacts to urban design. The Proposed Actions would result in built forms and building types that are similar in height and bulk to the low- to mid-density residential buildings that currently exist within the study area. The design of the Proposed Project would provide strong and consistent street wall buildings and would integrate varied building heights and setbacks that would create visual interest and enhance the pedestrian experience. The inclusion of private streets, pedestrian walkways, and publicly and privately accessible open spaces would contribute to an inviting urban fabric that would be well-integrated into the existing neighborhood and create new pedestrian connections and amenities. The introduction of street-fronting retail; residential lobbies and maisonettes; the trade school, PAC, and childcare facility would activate the street frontages at the perimeter of the site and within the site. The Proposed Project would also incorporate approximately 84,950 sf of publicly accessible open space, consisting of an entry plaza for sitting and mingling, as well larger areas suitable for active programing and events; contemplative gardens flanking the entry plaza that would provide landscaped pedestrian connections to the rest of the site; and a centrally located publicly accessible open space, which would form the civic heart of the site, anchored by the PAC and bookended on either side by the trade school and childcare facility. Additionally, the Proposed Project would include an 11,800-sf privately accessible playground as part of the childcare center and an 18,400-sf private recreation space to be located on the roof of the parking garage which would be flexible to accommodate parking for vehicles during peak church hours (Sunday and Tuesday evenings only). The Development Site would introduce buildings of greater bulk and density arranged around a coherent grid that would surround the proposed quadrangle. These elements, together with the church and the PAC, would contribute to orientation and legibility of pedestrians navigating the site. These elements of the Proposed Project's design, along with the introduction of street-fronting retail; residential lobbies and maisonettes; a trade school, PAC, and childcare facility, would serve to activate the Development Site and provide needed facilities and services to the surrounding community. Compared to the No-Action condition, the With-Action condition would improve the built environment with a mix of land uses and new open spaces that would improve the urban design of the Development Site.

Visual Resources

There are two visual resources located within the study area: Fresh Creek Nature Preserve and Fresh Creek Basin. These resources are separated from the Project Area by a shopping plaza and residential development along Louisiana Avenue, and the majority of these resource's features, such as wetlands or walking paths, are not visible from the Project Area. In addition, the Project Area is not visible from these resources. Therefore, no significant adverse impacts to these two visual resources would occur as a result of the Proposed Actions.

Natural Resources

As the Project Area does not support natural resources, the Proposed Actions do not have the potential to result in direct effects to same. As defined in Chapter 11 of the *CEQR Technical Manual*, the potentially relevant indirect effects of the Proposed Actions to nearby natural resources (i.e., the Fresh Creek Nature Preserve and Jamaica Bay) include potential impacts due to shadows, decreases in water quality, or introduction of impervious surfaces that alter drainage patterns. Based on the analyses present in this chapter and supported by analyses from the Shadows and Water and Sewer Infrastructure chapters, the identified potential impacts would not occur, were determined to be *de minimis*, or would be avoided through regulatory agency requirements and implementation of best management practices (BMPs).

Specifically, the very limited temporal and areal extent of incremental shading that would occur within Fresh Creek Nature Preserve would be limited to ecologically degraded, upland portions of the preserve, and would not affect Fresh Creek Basin. Therefore, shading impacts to natural resources would be *de minimis* and do not warrant further analysis. Based on implementation of BMPs and conformance with the NYC DEP, New York State Department of Environmental Conservation (NYSDEC) and other regulatory agency regulations and permitting requirements, the Proposed Actions are consistent with the applicable NYC DEP Water Quality and Stormwater Objectives for Jamaica Bay included in the *Jamaica Bay Watershed Protection Plan Volume II*. Therefore, no significant adverse impacts to natural resources are anticipated due to implementation of the Proposed Actions, and no further analyses are warranted.

Hazardous Materials

Environmental site assessments have been conducted in the Development Site, which have determined that the Development Site does require remediation prior to development. Subsurface investigations confirmed historic site uses, including landfilling activities associated with the placement of ash from city incinerators to level the land, were the source of this contaminated soil material. This material is known as "historic fill." To address the historic fill and other contamination based on the additional historic uses of a former gasoline filling station and former auto wrecking facility identified within the Development Site, Block 4430, Lot 1 and Block 4434, Lots 1 and 10, an (E) Designation (E-679) for hazardous materials is appropriate for the Development Site, which would be remediated in accordance with, at a minimum, the (E) Designation program administered by the New York City Mayor's Office of Environmental Remediation (OER).

Notably, Block 4434, Lots 1 and 10 have already been entered into the NYSDEC Brownfield Cleanup Program (BCP) and shall be remediated in accordance with the BCP requirements under NYSDEC regulatory oversight and pursuant to a Brownfield Cleanup Agreement (BCA) Index No. C224290-04-19 dated May 31, 2019. All reports generated for the benefit of NYSDEC will also be shared with OER. OER will generally accept the reports generated in the BCP for the purpose of complying with the (E) Designation (E-679) requirements on that lot once the State Remedial Action Work Plan is approved. Compliance with the respective remediation regulatory programs would provide for the protection of human health and the environment within the Development Site once a Certificate of Completion (COC) issued by NYSDEC or a Notice of Satisfaction (NOS) by OER, and any required long term institutional and engineering controls are in place. Therefore, the Proposed Actions would eliminate any significant adverse impacts related to hazardous materials through implementation of required regulatory remediation of the Development Site and long-term site management.

The subsurface investigation conducted on the BCP portion of the Development Site (Block 4434, Lot 10) evaluated for the presence of contamination in soil/fill materials, groundwater and soil vapor based on historic uses, which included a gasoline filling station, automobile junkyard/vehicle dismantling facility, and historic ash landfilling by the city. Miscellaneous debris, including tires, porcelain, wire, plastic, fabric and shoes were found in test pits installed as part of the subsurface investigation. The results of the Phase II Environmental Investigation (EI) Report indicated the presence of semi-volatile organic compounds (SVOCs) and heavy metals in soils that exceed NYSDEC soil cleanup objectives (SCOs) for residential, commercial, and industrial use and were attributed to historic site activities. Groundwater evaluated on Block 4434, Lot 10 also exhibited contamination—including SVOCs and heavy metals at concentrations exceeding NYSDEC groundwater standards and guidance values—attributed to historic site uses. While historic investigations in the early 2000's found some methane vapor, more recent field screening completed during the Environmental Investigation (EI) Report did not reveal methane exceedances.

To address these conditions during site redevelopment, a BCP application was submitted to the NYSDEC on December 14, 2018. A BCA was executed on May 15, 2019, and Block 4434, Lot 10 was entered into the NYSDEC BCP as of that date. As such, hazardous materials remedial requirements associated with Block 4434, Lot 10 shall be completed under the NYSDEC BCP with regulatory oversight provided by NYSDEC and NYSDOH. A comprehensive Remedial Investigation (RI) was implemented and the RI Report (RIR), submitted on July 23, 2021, was approved on February 1, 2022. Next, the NYSDEC-approved Remedial Action Work Plan (RAWP) and Construction Health and Safety Plan (CHASP) will be prepared and implemented. Upon completion of the approved remedial action, a Final Engineering Report (FER) shall be

completed and submitted to NYSDEC for review and approval. Any potential institutional or engineering controls (ICs/ECs) relating to site management would be followed in accordance with an NYSDEC-approved Site Management Plan (SMP).

The remainder of the Development Site (Block 4430, Lot 1 and Block 4434, Lot 1) were evaluated in a recent July 2021 Phase II Environmental Investigation (EI) Report, which identified soil and groundwater contamination above applicable regulatory standards attributed to similar landfilling and petroleum related historic site activities and the presence of historic fill materials. Elevated SVOC, pesticides, PCBs and metals above applicable NYSDEC SCOs were identified in soils across the non-BCP portions of the Development Site, which were attributed to the presence of historic fill materials. SVOC, metal and PCB contamination in groundwater identified in the Phase II EI was attributed to sediment entrainment of fill material in the groundwater samples. Methyl tert-butyl ether (MTBE), a chemical additive to petroleum, was also identified.

To address the conditions identified on Block 4434, Lot 1, a BCP application and Remedial Investigation Work Plan (RIWP) were submitted to the NYSDEC on January 13, 2022 and were issued for public comment on March 23, 2022. A BCA for Block 4434, Lot 1 was executed May 23, 2022. As the site has been accepted into the BCP, hazardous materials remedial requirements associated with Block 4434, Lot 1 shall be completed under the NYSDEC BCP with regulatory oversight provided by NYSDEC and NYSDOH, similar to Block 4434, Lot 10. A comprehensive RI will be implemented and documented in a RIR, followed by the preparation of a RAWP and CHASP. Upon completion of the approved remedial action, a FER shall be completed and submitted to NYSDEC and NYSDOH for review and approval. Any potential ICs/ECs relating to site management would be followed in accordance with an NYSDEC-approved SMP.

Given the conditions identified within the Development Site in the subsurface investigations, the Proposed Actions would include an (E) Designation for hazardous materials (E-679), which would be applied to the Development Site (Brooklyn Block 4430, Lot 1 and Block 4434, Lots 1 and 10). The (E) Designation provides a mechanism for regulatory oversight for future remedial action as a pre-construction requirement to ensure the potential risks or exposures associated with the presence of hazardous substances shall be reduced or eliminated to the maximum extent possible as related to the hazardous materials present. The implementation of the preventative and remedial measures required under the (E) Designation would avoid the potential for significant adverse hazardous materials impacts due to the Proposed Actions. As previously indicated, Block 4434, Lots 1 and 10, shall be remediated under the BCA with regulatory oversight provided by NYSDEC. However, OER will generally accept the reports generated in the BCP for the purpose of complying with the (E) Designation requirements once the State RAWP is approved. Additionally, BCP eligibility may be explored in the future for the remaining portions of Development Site that are not currently entered in the BCP.

With regulatory oversight provided by NYSDEC under the BCA executed for Block 4434, Lots 1and 10, and the placement of an (E) Designation for the Development Site, the hazardous materials present will be properly remediated under the oversight of either or both State and City remediation agencies; therefore, the Proposed Actions would not result in any significant adverse impacts with respect to hazardous materials for the Development Site.

Water and Sewer Infrastructure

A preliminary assessment was conducted and determined that the Proposed Actions would not result in a significant adverse impact on the City's water and sewer infrastructure. Although the Proposed Actions would create new demand for water and treatment of sewage in comparison to the No-Action condition, based on the methodology set forth in the *CEQR Technical Manual*, the incremental increases would be well within the capacity of the City's systems, and the effects would not be considered significant or adverse.

Solid Waste and Sanitation Services

The Proposed Actions would not result in a significant adverse impact on solid waste and sanitation services. The Proposed Actions would generate an increment above the No-Action condition of approximately 56.94 tons per week of solid waste but would not directly affect a solid waste management facility. Approximately 73 percent of the additional solid waste generated by the Proposed Actions would be handled by the New

York City Department of Sanitation (DSNY), and 27 percent would be handled by private carters. Overall, the uses facilitated by the Proposed Actions would be expected to generate solid waste equivalent to approximately 3.36 DSNY truck loads per week and 1.24 commercial carter truck loads per week. Although this would be an increase compared with conditions in the future without the Proposed Actions, the additional solid waste resulting from the Proposed Actions would be a negligible increase relative to the approximately 9,000 tons of waste handled by commercial carters every day or the 12,260 tons per day handled by DSNY, and it would also represent approximately 0.036 percent of the City's anticipated future weekly commercial and DSNY-managed waste generation in 2025, as projected in the Solid Waste Management Plan (SWMP). As such, the Proposed Actions would not result in an increase in solid waste that would overburden available waste management capacity. The Proposed Actions would also not conflict with, or require any amendments to, the City's solid waste management objectives as stated in the SWMP. Therefore, the Proposed Actions would not result in a significant adverse impact on solid waste and sanitation services.

The Proposed Actions are also not expected to directly affect operations at the DSNY garage located on the block bounded by Cozine Avenue, Milford Street, Flatlands Avenue, and Montauk Avenue. Under the Proposed Actions, it is anticipated that there would be no geometric changes nor operational changes (e.g., roadway closures, reversals, etc.) to the street network used by sanitation trucks to access the DSNY garage. In addition, there would be no changes to curbside parking regulations on block fronts along Cozine Avenue, Milford Street, Flatlands Avenue, and Montauk Avenue that are currently used for garage operations. (Sidewalks and curbside space adjacent to the DSNY garage are routinely used for sanitation truck and employee auto parking as well as for the storage of snowplow blades and other equipment.)

Transportation

The Proposed Actions would result in significant adverse transportation impacts related to traffic, transit (bus) and pedestrian conditions. Mitigation measures are discussed below in Section H, Mitigation.

Traffic

The Proposed Project would generate a total of 668 vehicles per hour (vph) (277 "ins" and 442 "outs") in the weekday AM peak hour, 536 vph (268 "ins" and 268 "outs") in the weekday midday peak hour, 722 vph (402 "ins" and 320 "outs") in the weekday PM peak hour, 771 vph (380 "ins" and 391 "outs") in the Saturday peak hour, and 789 vph (379 "ins" and 410 "outs") in the Sunday peak hour. Of the 13 intersections analyzed, the Proposed Project would result in significant adverse traffic impacts at nine intersections during the weekday AM peak hour, seven intersections during the weekday midday peak hour, nine intersections during the weekday PM peak hour and seven intersections during the Saturday peak hour. A subset of seven intersections was analyzed for the Sunday peak hour (coinciding with CCC church services) and significant traffic impacts were identified at four of these seven intersections. The identification and evaluation of traffic capacity improvements needed to mitigate potential significant adverse traffic impacts created by the Proposed Projected are presented below Section H, Mitigation.

Parking

The Proposed Project would provide approximately 886 on-site parking spaces between four garages – three underground garages with a total capacity of approximately 386 spaces located under Buildings 1 and 2, Buildings 3 and 4, and Building 9, and an approximately 500-space garage which would be located next to the CCC and performing arts center buildings and would be used for CCC church services, and community facility and commercial uses.

While the project's overall projected parking demand would be accommodated during the day there would be an anticipated residential shortfall of 418 parking spaces during the overnight or early morning hours, 194 parking spaces during the weekday morning and 65 parking spaces during the Saturday afternoon periods. Based on the results of the quarter-mile parking inventory survey, there would be enough available on-street parking to accommodate the projected parking shortfall during these periods. Adequate parking supply would be provided for the other uses that include local retail, food store, and community facility uses.

An approximately 500-space parking garage would be developed as part of the project and would accommodate the majority of the church's on-site parking demand of 810 spaces during the 10 AM to 11 AM Sunday peak hour. The church parking overflow would be accommodated by the surrounding on-street parking within a quarter mile from the site (a five-minute walk) with a modest projected excess demand of 29 spaces that could be accommodated by surrounding on-street parking just beyond a five-minute walk of the Development Site. The parking demand for the proposed new uses would be expected to exceed the on-site parking by 191 spaces which would also need to be accommodated by surrounding on-street parking beyond a five-minute walk of the Development Site (total shortfall of 220 spaces). The Proposed Project would also provide shuttle bus service for CCC visitors from the subway stations which could potentially reduce the amount of church and residential-related parking demand.

Subways

Three fare control areas were analyzed at the Rockaway Parkway L subway station during the commuting peak hours. The analysis determined that all station elements that were analyzed would operate at acceptable levels of service with the exception of the Glenwood Road fare control during the AM peak hour. As part of the recent station renovations, there is no fence or other barrier behind the Glenwood Road fare control and the vast majority of subway riders were observed to not use the fare control and instead walk directly into the station without paying the fare. The analysis of this fare control area conservatively assumes that all subway riders would use the fare control and not evade the fare, and the fare control would be significantly impacted as a result of the Proposed Project.

A subway line haul analysis was conducted for the L subway line and determined that the subway line would operate at over-capacity conditions during the commuting peak hours. However, the project would result in an increase of 1.63 passengers per car in the Manhattan-bound direction during the AM peak hour and 1.53 passengers per car in the Brooklyn-bound direction during the PM peak hour; these increases are below the five subway passengers per car threshold that are considered a significant impact per the *CEQR Technical Manual* criteria. Therefore, significant subway line haul impacts are not expected as a result of the project.

Buses

Bus line haul analyses were conducted for three bus routes (B82, B82 SBS and B83) based on the *CEQR Technical Manual's* screening assessment. The With-Action condition analysis determined that there would be adequate supply for the Proposed Project's projected demand for the B82 and B82 SBS in the eastbound direction during the AM peak hour, and the B82 (both directions) and B82 SBS in the westbound direction during the PM peak hour. However, the Proposed Project would result in a capacity shortfall for the bus routes listed below; these bus routes would be significantly impacted.

- The B82 bus route in the westbound direction during the AM peak hour
- The B82 SBS bus route in the westbound direction during the AM peak hour, and in the eastbound direction during the PM peak hour
- The B83 bus route in both directions during both the AM and PM peak hours

The identification and evaluation of bus service improvements needed to mitigate potential significant adverse bus impacts created by the Proposed Projected are presented below in in Section H, Mitigation.

Pedestrians

Pedestrian analyses were performed for nine sidewalk elements, 14 crosswalk elements, and 13 corner elements at key intersections for the weekday AM, midday, PM, and Saturday peak hours. Of the 36 pedestrian elements analyzed, the Proposed Project would result in significant adverse impacts at one pedestrian element (one crosswalk) during the weekday AM and midday peak hours, two pedestrian elements (two crosswalks) during the weekday PM peak hour, and four pedestrian elements (three crosswalks and one sidewalk) during the Saturday peak hour. Due to the confluence of pedestrian activities from the Proposed Project and the church services, the Proposed Project would result in significant pedestrian impacts at 12 of the 14 pedestrian elements analyzed for the Sunday peak hour (three sidewalks, five crosswalks, and four corner analysis locations). Mitigation measures that could be implemented to mitigate these significant adverse pedestrian impacts are discussed below in Section H, Mitigation.

Vehicular and Pedestrian Safety

Nine of the 13 traffic analysis locations have been identified as high crash-locations according to New York City Department of Transportation (NYC DOT) criteria. The intersection of Pennsylvania Avenue and Stanley Avenue had at least five bicycle and/or pedestrian crashes recorded within a consecutive 12-month period and was identified as a high-crash location. In addition to this intersection, eight traffic analysis locations are located along the Pennsylvania Avenue, Linden Boulevard, and Rockaway Parkway corridors which have been identified by NYC DOT as priority corridors as part of the NYC Vision Zero Program and therefore are considered high-crash locations per the *CEQR Technical Manual* criteria.

Air Quality

The air quality analysis addressed mobile sources, parking facilities, emissions from the HVAC and hot water systems and from industrial sources. The Proposed Actions would not result in significant adverse impacts related to air quality.

Mobile Sources

The number of incremental trips generated by the Proposed Actions would be higher than the screening thresholds for carbon monoxide (CO) and particulate matter ($PM_{2.5}$) identified in the *CEQR Technical Manual*. A mobile source screening assessment was undertaken, which indicated the need for additional analysis. Based on screening analysis results and consultation with the NYC DCP, the intersection of Louisiana Avenue and Flatlands Avenue was selected as a worst-case location. A microscale analysis for CO and PM was conducted for this location using the weekday traffic. The highest predicted CO and PM concentrations were below respective National Ambient Air Quality Standards (NAAQS) and the City's de minimis values.

Parking Facilities

A parking garage analysis was undertaken for the two largest proposed parking garages. One facility is a subgrade accessory parking garage that would be mechanically ventilated; the other is a naturally ventilated seven-story public parking garage. The accessory parking facility would be located under Buildings 3 and 4, while the public parking garage would be a standalone structure next to Buildings 9 and 10. The analysis determined that emissions from both parking facilities would not result in a significant adverse air quality impact. Since the two other proposed accessory parking facilities (under Buildings 1 and 2 and Buildings 9 and 10) would have lower parking capacities and lower inbound and outbound traffic volumes, it was determined that no impacts would result from these facilities. Overall, no significant adverse air quality impacts are expected from the parking facilities.

Stationary Sources

An analysis of the potential for the Proposed Actions to result in stationary source impacts was undertaken. The detailed analysis of HVAC and hot water systems emissions from Buildings 1 through 10 and the PAC

demonstrated that these buildings must use natural gas with low NOx burners in their fossil fuel-fired heating and hot water systems and ensure that the exhaust stacks are located at the highest proposed building tier and at specified height above grade to avoid any potential significant adverse air quality impact. Further, the exhaust stacks for Building 4 must be located at a certain horizontal distance from northern and eastern edge of the building to avoid potential significant adverse air quality impacts. These commitments are memorized in an (E) designation for the Proposed Actions (E-679). With these measures, the Proposed Development would not result in significant adverse stationary source air quality impacts.

Industrial Sources

No industrial sources were identified within a 400-foot radius of the Project Area and no large or major sources were identified within a 1,000-foot radius of the Project Area. Therefore, the analysis of industrial, large or major sources was not warranted.

Greenhouse Gas Emissions

The Proposed Actions would be consistent with the applicable City 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 the Proposed Actions would result in approximately 7,682 metric tons of carbon dioxide equivalent (CO_2e) emissions from its annual operations and 8,110 metric tons a year of CO2e emissions from mobile sources. This represents less than 0.03 percent of the City's overall 2019 GHG emissions of 55.1 million metric tons, an insignificant contribution.

The Proposed Project will 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. As a result, the Proposed Project will generate emissions below the Local Law 97 requirements and will contribute towards the NYC GHG reduction goals.

Since the Development Site is located within the 0.2 percent annual chance floodplain, the potential effects of global climate change have been considered and are presented in the Waterfront Revitalization Program Consistency Assessment appendix. The assessment considers the effects of climate change on rising sea levels, storm surge, and coastal flooding resulting from the Proposed Actions. As detailed in the Appendix, it was determined that the Proposed Project would be supportive of Policy 6.2 of the New York City WRP. Therefore, adverse impacts to climate change are not anticipated as a result of the Proposed Actions.

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

Existing Noise Receptors

The Project Area includes existing residential and community facility receptors. The Proposed Actions would introduce new stationary and mobile sources of noise.

The increase in noise due to mobile sources with the No-Action and With-Action conditions have been determined with proportional noise modeling at 13 intersections and 6 monitoring locations throughout the study area. Mobile source noise levels would increase by up to 1.2 dBA for the With-Action condition compared to No-Action condition due to traffic generated by the Proposed Actions. Mobile source noise levels would increase up to 1.8 dBA for the With-Action condition compared to existing conditions due to background traffic growth and traffic generated by the Proposed Actions.

The closest existing noise-sensitive building is a NYCHA property at 1 Vandalia Avenue southeast of the Project Area. The building includes a 10-story portion approximately 108 feet from the Project Site and the proposed rooftop basketball court. No-Action noise levels at this receptor would range from 56.5 dBA to 66.7 dBA (Leq). With-Action noise levels at this receptor including stationary and mobile sources would range from 58.0 to 67.6 dBA (Leq). The Proposed Actions would result in an increase up to 1.6 dBA (Leq) in noise. Since noise levels would not increase by 3 dBA or more at these receptors, there would be no significant adverse impacts due to mobile and stationary sources.

The residential building at 1180 Pennsylvania Avenue is approximately 80 feet from the Project Site and proposed daycare recreational area. No-Action noise levels at this receptor would range from 52.8 to 66.5 dBA (Leq). With-Action noise levels at this receptor including stationary and mobile sources would range from 59.4 to 67.7 dBA (Leq). The Proposed Actions would result in an increase up to 6.5 dBA (Leq) in noise. Since noise levels would increase by 5 dBA or more at these receptors, primarily resulting from the proposed childcare facility playground at Building 4, there would be a significant adverse noise impact due to the Proposed Actions. However, the existing window and through-wall air conditioners would provide enough attenuation to maintain an interior noise level of 45 dBA or below. Therefore, interior noise to would be at an acceptable level and would result in a finding of no unavoidable significant adverse noise impacts at this location.

New Noise Receptors

The noise analysis for 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 modeling of noise from proposed recreation areas. Between the Draft and Final EIS, CadnaA model (TNM module) analysis was conducted to determine if Sunday peak hour vehicles coming in and out of the Project Site would cause a need for more attenuation at Project Buildings.

The With-Action noise level at the northern and eastern facades of Building 1 including mobile and stationary sources would be up to 78.6 dBA (L_{10}). Therefore, the eastern façade along Pennsylvania Avenue, the northern façade along Flatlands Avenue, the western façade within 50 feet of Flatlands Avenue, and the southern façade within 50 feet of Pennsylvania Avenue would require a minimum composite window/wall of 35 OITC.

The With-Action noise level at the eastern façade of Building 2 including mobile and stationary sources would be up to 78.6 dBA (L_{10}). Therefore, the eastern façade along Pennsylvania Avenue and the northern and southern façades within 50 feet of Pennsylvania Avenue would require a minimum composite window/wall of 35 OITC.

The With-Action noise level at the northern façade of Building 3 including mobile and stationary sources would be up to 72.4 dBA (L_{10}). Therefore, the northern façade along Flatlands Avenue and the eastern and western façades within 50 feet of Flatlands Avenue would require a minimum composite window/wall sound attenuation of 28 OITC.

The With-Action noise level at the southern façade of Building 4 including mobile and stationary sources and the new childcare facility playground would be up to 75.9 dBA (L_{10}). Therefore, the southern, eastern, and western façades of Building 4 within 50 feet of the proposed childcare facility playground would require a minimum composite window/wall sound attenuation of 31 OITC.

The With-Action noise level at the northern façade of Buildings 5 including mobile and stationary sources would be up to 72.4 dBA (L_{10}). Therefore, the northern façade along Flatlands Avenue and the eastern and western façades within 50 feet of Flatlands Avenue would require a minimum composite window/wall sound attenuation of 28 OITC.

The With-Action noise level at the northern façade of Buildings 6 including mobile and stationary sources would be up to 72.4 dBA (L_{10}). Therefore, the northern façade along Flatlands Avenue and the eastern and western façades within 50 feet of Flatlands Avenue would require a minimum composite window/wall sound attenuation of 28 OITC.

The With-Action noise level at the northern, western, and southern façades of Building 7/8 including mobile and stationary sources would be up to 74.5 dBA (L_{10}). Therefore, the northern, western, and southern façades of Building 7/8 would require a minimum composite window/wall sound attenuation of 31 OITC.

The With-Action noise level at all façades of Building 9/10 including mobile and stationary sources and the proposed rooftop basketball court would be up to 75.5 dBA (L_{10}). Therefore, all façades of Building 9/10 would require a minimum composite window/wall sound attenuation of 31 OITC.

Other facades of the proposed buildings and the PAC are setback from Louisiana Avenue, Flatlands Avenue, and Pennsylvania Avenue where With-Action noise levels would be below 70 dBA (L_{10} or L_{eq}). Therefore, there would be no need for a minimum composite window/wall sound attenuation requirement at these locations.

To implement these attenuation requirements, an (E) designation (E-679) would be applied to the Development Site specifying the appropriate amount of window/wall attenuation and an alternate means of ventilation. With these commitments, the Proposed Project would not result in any significant adverse noise impacts.

Public Health

As described in the relevant analyses of this EIS, the Proposed Actions would not result in unmitigated significant adverse impacts in any of the technical areas related to public health: hazardous materials, water quality, air quality, or noise.

Due to contamination on the Development Site, Block 4434, Lot 10 has already been entered into the NYSDEC BCP and shall be remediated in accordance with the BCP requirements under NYSDEC regulatory oversight and pursuant to a BCA Index No. C224290-04-19 dated May 31, 2019. To address the conditions identified on Block 4434, Lot 1, a BCP application and RIWP were submitted to the NYSDEC on January 13, 2022 and were issued for public comment on March 23, 2022. As the site was accepted into the BCP on May 23, 2022, hazardous materials remedial requirements associated with Block 4434, Lot 1 shall be completed under the NYSDEC BCP with regulatory oversight provided by NYSDEC and NYSDOH, similar to Block 4434, Lot 10. A comprehensive RI will be implemented and documented in a RIR, followed by the preparation of a RAWP and CHASP. Upon completion of the approved remedial action, a FER shall be completed and submitted to NYSDEC and NYSDOH for review and approval. Any potential ICs/ECs relating to site management would be followed in accordance with an NYSDEC-approved SMP. Further, the Proposed Actions would include the placement of an (E) Designation (E-679) for the entire Development Site (Brooklyn Block 4430, Lot 1; Block 4434, Lot 1 and 10). Therefore, the Proposed Actions would not result in any significant adverse impacts with respect to hazardous materials for the Development Site.

The analysis of operational air quality showed that the Proposed Actions would not result in significant adverse air quality impacts from stationary sources including the proposed garages' emissions. A refined analysis of emissions from the HVAC and hot water systems demonstrated that if the fuel is restricted to natural gas, low NOx boilers are used, and requirements to the stack height for all proposed buildings are memorialized in the (E) Designation (E-679), significant adverse impacts are not anticipated. Additional horizontal restrictions would be imposed on Building 4 in order to avoid significant adverse air quality impacts. A microscale mobile source analysis was conducted for the intersection of Louisiana and Flatlands Avenues, the selected worst-case location. The highest predicted CO and PM concentrations were below respective NAAQS and the City's de minimis values.

Mobile source noise levels would increase by up to 1.2 dBA for the With-Action condition compared to No-Action condition due to traffic generated by the Proposed Actions. Therefore, there would be no potential for significant adverse noise impacts due to mobile sources.

The residential property at 1 Vandalia Avenue, located southeast of the Development Site, includes a 10-story portion approximately 108 feet from the Development Site and the proposed rooftop basketball court. With-Action noise levels at this receptor including stationary and mobile sources would range from 58.0 to 67.6 dBA (L_{eq}). The Proposed Actions would result in an increase of up to 1.6 dBA (Leq) in noise from the

No-Action noise levels. Since noise levels would not increase by 3 dBA or more at these receptors, there would be no significant adverse impacts due to mobile and stationary noise sources.

The residential building at 1180 Pennsylvania Avenue is approximately 80 feet from the Development Site and proposed daycare recreational area (to be located at Proposed Building 4). With-Action noise levels at this receptor including stationary and mobile sources would range from 59.4 to 67.7 dBA (L_{eq}). The Proposed Actions would result in an increase of up to 6.5 dBA (L_{eq}) in noise from No-Action noise levels. While the detailed noise analysis concluded that the Proposed Actions could result in noise levels exceeding noise impact criteria for greater than 5 dBA, as this residential building would not experience noise levels in exceedance of 85 dBA, the Proposed Actions are not anticipated to cause excessively high chronic noise exposure and therefore, are not expected to result in a significant adverse public health impact related to operational noise.

As described in Natural Resources and Water and Sewer Infrastructure, the Proposed Actions would not result in significant adverse impacts. Therefore, no water quality impacts are anticipated as a consequence of the Proposed Actions.

In regard to construction impacts from the Proposed Project, with the aforementioned regulatory oversight on the Development Site through the BCP, BCA, and the (E) designation (E-679), the Proposed Actions would not result in any significant adverse impacts with respect to hazardous materials for the Development Site during the construction period. Furthermore, the Proposed Project would not result in significant adverse impacts on air quality during construction. The results of the quantitative on-site construction analysis indicate that the Proposed Project would not exceed NO_2, PM_{10}, and CO NAAQS. In addition, the maximum predicted 8-hour CO concentration would be well below and incremental concentrations of $PM_{2.5}$ would not exceed the City's de minimis criteria. Finally, comparison of intersection traffic under construction conditions with operational conditions demonstrated no potential for significant adverse CO and PM impacts from construction-related traffic.

Construction activities would adhere to existing construction noise regulations and implement a Construction Noise Mitigation Plan, as required by the New York City Noise Code, including an 8-foot construction noise barrier, and while construction noise would be reduced, the Proposed Actions would result in the potential for significant adverse construction noise impacts. In total, construction noise levels would exceed the thresholds for exterior noise increase and acceptable interior noise levels at six buildings throughout the Development Site, including three existing buildings and three buildings that would be introduced by the Proposed Actions during the phased development. None of the existing or Proposed Buildings in the vicinity of the Development Site would experience elevated noise levels in exceedance of 85 dBA. Additionally, as described in Chapter 19, Construction, the predicted noise levels due to construction are associated with specific pieces of equipment that operate intermittently during the construction period. The detailed noise analysis concluded that the Proposed Action could result in noise levels exceeding the acceptable interior noise impact criteria and noise increases exceeding 15 dBA for 12 months or more or 20 dBA for 3 months or more. No analyzed noise receptors are expected to experience exterior noise levels in exceedance of the 85 dBA public health threshold. Therefore, there would not be significant adverse public health impacts due to construction of the Proposed Action.

Finally, all project work would be performed under a NYSDEC-approved Stormwater Pollution Prevention Plan (SWPPP) to be prepared in with the terms and conditions of the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001, January 2020). No project work or equipment and materials storage would occur within or adjacent to wetlands. Various project erosion and silt controls would be installed and maintained pursuant to the New York State Standards and Specifications for Erosion and Sediment Control (2016). Thus, significant adverse impacts to public health from construction activities are not anticipated.

Neighborhood Character

The Proposed Project would not result in significant adverse impacts to neighborhood character. With the exception of community facilities and services and transportation, the Proposed Actions would not result in significant adverse impacts in any of the technical areas that contribute to neighborhood character (i.e., the

Proposed Actions would not result in significant adverse impacts to land use, zoning, and public policy; socioeconomic conditions; historic and cultural resources; urban design and visual resources; or shadows). While the Proposed Actions would result in significant adverse impacts to community facilities and services, the increased demand on early childhood programs could be mitigated by the introduction of a 6,350-gsf childcare facility (implementation would occur in consultation with the NYC DOE). The increased demand on libraries could be mitigated by the provision of computer labs that have free internet access for residents within lounge spaces in each building within the Proposed Project, space within the PAC to be provided for use by BPL for programming, and additional outdoor space within the Central Quad to be made available for BPL programming. Regarding transportation, traffic impacts at several intersections, pedestrian impacts at several crosswalks, and fare control and bus capacity impacts are all anticipated as a result of the Proposed Actions. Regarding noise, a significant adverse impact at one existing residential building is anticipated as a result of the Proposed Actions. However, with the existing window and through-wall AC units, identified significant adverse operational noise impact is already fully mitigated to meet the acceptable interior noise levels.

The Proposed Actions would enhance the urban design and character of the neighborhood by redeveloping an underutilized lot and surface parking with pedestrian-oriented buildings constructed close to the lot line and oriented along a coherent grid that would surround a proposed central quad. These elements, together with new publicly accessible open spaces and anchor uses including the CCC and the PAC, would contribute to improved orientation and legibility in the area as compared to the No-Action condition. In addition, proposed street-fronting retail and commercial space, residential lobbies and maisonettes, and community facility space would serve to activate the Development Site and provide needed facilities and services to the surrounding community.

Overall, the Proposed Project would contribute to a more vibrant future for the neighborhood, contributing to the goals of increasing the city's affordable housing stock and introducing development that is well-integrated with the urban fabric through expanded community facilities, open space, and an internal street network.

Overall, the Proposed Project would not result in a significant change to the defining features of neighborhood character.

Construction

The Proposed Actions could result in significant adverse construction impacts related to transportation 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 and would employ the general construction practices described in Chapter 19, Construction. The Proposed Project would also comply with the requirements of the New York City Noise Control Code.

Transportation

The projected construction activities would yield less total traffic than the amount of traffic projected for the Proposed Project. However, significant traffic impacts could still occur at some of the study area locations during construction, similar to impacts identified in Transportation. Construction activities would generate 184 construction worker auto trips and six construction truck trips during the AM construction peak hour, and 184 construction worker auto trips and two construction truck trips during the PM construction peak hour. Construction trucks would be required to use the NYC DOT-designated truck routes to get to the project area and would then use local streets to access the construction sites.

In addition to construction-related trips, trips generated by components of the Proposed Project that would be expected to be completed by the 2030 construction peak year. These operational trips were also incorporated into the construction traffic analysis.

Construction traffic impacts were identified at two of the seven intersections analyzed during the AM construction peak hour, and nine of the twelve intersections analyzed during the PM construction peak hour. Where impacts during construction may occur, measures similar to the ones recommended in Chapter 20,

Mitigation could be implemented early to aid in alleviating congested traffic conditions. The two intersections that would be impacted during the AM peak hour could be fully mitigated with typical traffic improvement measures (i.e., signal timing modification and changing parking regulations to provide an additional travel lane). Significant impacts at the intersections of Pennsylvania Avenue with Flatlands Avenue, Stanley Avenue and Linden Boulevard, and Flatlands Avenue with Louisiana Avenue, East 108th Street, and Rockaway Parkway could not be fully mitigated during the PM peak hour. The PM construction peak hour findings are similar to operational With-Action conditions except for the intersections of Pennsylvania Avenue with Stanley Avenue, and the intersection of Flatlands Avenue and East 108th Street which could be mitigated under the operational With-Action conditions.

Construction workers would generate an estimated maximum daily parking demand of 285 spaces during the Q4 2025 peak construction quarter. This parking demand could be accommodated by the approximately 385 on-site surface spaces used by the church (these spaces are used by the CCC Tuesday evenings and Sundays during the morning/midday period) and would be mostly vacant during construction. The on-site surface spaces would be replaced with a 500-space above ground parking garage after it is completed in the third quarter of 2026; construction workers would park in this garage after it is completed. Therefore, construction for the Proposed Project would not result in a parking shortfall.

Based on census data for the construction industry, it is anticipated that approximately 35 percent of construction workers would commute to the Development Site by public transportation. During the Q4 2025 quarter when construction worker volumes would be highest, construction would be expected to generate 442 daily construction workers (154 workers would be expected to use public transportation). It is expected that the majority of construction workers (80 percent) would arrive during the AM construction peak hour and depart during the PM construction peak hour, and they would generate approximately 123 construction worker trips by public transportation during the AM and PM construction peak hours. The worker pedestrian trips would be below the 200 pedestrian CEQR thresholds for detailed analysis, therefore construction activities are not expected to result in transit or pedestrian impacts.

Air Quality

Phase 1B was determined to be the peak period for construction air quality emissions. Based on the results of the emissions intensity and quantitative construction air quality analysis for on-site emissions (construction equipment, trucks and fugitive dust from construction of foundations for building 3 and 4 (in phase 1B) and truck idling and moving on paved and unpaved roads) and based on a comparison to the operational mobile source impact analysis for off-site construction traffic, the Proposed Project would not result in significant adverse impacts on air quality during construction. The results of the quantitative on-site construction analysis indicate that the Proposed Project would not exceed NO_2 1-hour, PM_{10} 24-hour, and CO 1-hour and 8-hour NAAQS. In addition, the maximum predicted 8-hour CO concentration would be well below and incremental concentrations of $PM_{2.5}$ would not exceed the City's de minimis criteria. Finally, the emissions intensity analysis that compares conditions under construction conditions with operational conditions demonstrated no potential for significant adverse CO and $PM_{2.5}$ impacts from construction-related traffic.

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 phased development. Based on the proximity of these noise-sensitive land uses, there is the potential for construction to cause significant adverse noise impacts.

Construction noise from mobile sources has been evaluated from 6:00 AM to 7:00 AM, when construction traffic would be greatest since this is the period that most worker vehicles and trucks arrive at the Development Site. This is a period prior to construction activities and noise from stationary construction

equipment would occur. Construction noise from mobile sources would not increase by 3 dBA or more and there would be no significant adverse noise impact due to construction mobile sources.

Construction noise from stationary sources has been evaluated for 16 different phases of construction. For each phase of the Proposed Development (i.e., Phase 1A, Phase 1B, Phase 2A, Phase 2B, and Phase 2C) there would be foundation, superstructure, elevators, exterior construction, and interior fit-out phases of construction of the proposed buildings (i.e., Buildings 1, 2, 3, 4, 5, 6, 7/8, 9/10 and the PAC).

The potential for significant adverse construction noise impact depends on the intensity and duration of construction activities. As it relates to the public health, construction noise would be a significant adverse noise impact if noise levels exceed 85 dBA for a prolonged period of time. If construction noise levels would occur continuously for 24 months or more, a detailed construction noise analysis is warranted and there is a potential for significant adverse noise impact. Construction noise occurring for shorter durations would not typically result in significant adverse noise impact unless there is a higher intensity of noise. For example, construction may cause significant adverse impact if exterior noise levels would increase by 15 dBA or more for 12 months or more or 20 dBA or more for a period of 3 months or more. These criteria apply to residential, community facility, and commercial office spaces, but do not apply to retail spaces. Between Draft and Final EIS, consideration of interior noise level within or above the acceptable limits has been included as part of determination of significant adverse construction noise impact. Therefore, the chapter also investigates interior L_{10} noise levels to compare with the CEQR interior noise guideline of 45 dBA (L_{10}) for residential and community facility uses and interior noise guideline of 50 dBA (L_{10}) for commercial office uses in order to determine if a receptor would experience significant adverse construction noise impact and if potential mitigation at the receptor is needed.

In total, exterior and interior construction noise levels would exceed the thresholds at six buildings throughout the Development Site, including three existing buildings and three buildings that would be introduced by the Proposed Actions during the phased development. The following summarizes the results of the construction noise assessment at the closest receptors surrounding the Proposed Project.

- There would be a total of six buildings where construction noise levels would increase by 20 dBA or more over existing conditions for three months or longer and where this level of noise increase would cause interior noise levels to exceed the acceptable threshold for at least three consecutive months including:
  - Proposed Building 2
  - Proposed Building 3
  - Proposed Building 4
  - 1180 Pennsylvania Avenue
  - 1170 Pennsylvania Avenue
  - 1 Vandalia Avenue
- There would be a total of five buildings where construction noise levels would increase between 15-20 dBA over existing conditions for 12 months or longer and where this level of noise increase would cause interior noise levels to exceed the acceptable threshold for at least 12 consecutive months including:
  - Proposed Building 2
  - Proposed Building 3
  - Proposed Building 4
  - 1180 Pennsylvania Avenue
  - 1170 Pennsylvania Avenue

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, including an 8-foot construction noise barrier, construction noise would be reduced but would still exceed the thresholds for significant construction noise impact prior to mitigation.

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 NYC LPC or the State and/or National Register of Historic Places (S/NR) which would require special protections from potential damage due to vibration. There is the potential for construction vibration from some construction equipment, such as pile drivers, to cause annoyance in nearby residences. However, 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

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

Construction could, in some instances, temporarily affect pedestrian and vehicular access on street frontages immediately adjacent to the Development Site. 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 resulting from the Proposed Actions is not expected to result in any significant adverse impacts on surrounding businesses.

The construction site 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 any 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, no construction impacts would be expected to community facilities as a result of the Proposed Actions.

There are no existing publicly accessible open spaces on the Development Site. While Breukelen Ballfields is located near the site at the northwest corner of Flatlands Avenue and Louisiana Avenue, no access to this publicly accessible open space would be impeded during construction. In addition, measures would be implemented to control air emissions, dust, noise, and vibration on the construction site.

A request for an environmental review letter was sent to NYC LPC to determine if there were any architectural or archaeological resources on the Development Site or within an approximate 400-foot radius of the Project Area (coterminous with the rezoning area boundary). According to the response letter issued by LPC and dated September 6, 2019, the Development Site has no archeological significance and does not contain buildings or structures with architectural significance. In addition, no buildings or structures with architectural significance were identified within 400 feet of the Project Area.

As discussed in greater detail in Hazardous Materials, the potential for significant adverse impacts related to hazardous materials resulting from the Proposed Actions would be precluded through the placement of institutional controls such as an (E) designation on the Development Site.

H. MITIGATION

In accordance with the *CEQR Technical Manual*, where significant adverse impacts are identified, mitigation to reduce or eliminate the impacts to the fullest extent practicable is developed and evaluated. Where potential significant adverse impacts have been identified—in the areas of transportation,

community facilities (indirect impacts on early childhood programs and libraries), noise and construction—measures are examined to mitigate the anticipated impacts. The potential open space impact would be temporary due to the sequencing of construction and there would be no open space impact at full buildout of the project.

In connection with approval of the Proposed Actions, a Restrictive Declaration would be recorded on the Development Site, subject to CPC approval. The Restrictive Declaration would codify commitments made in the FEIS related to the environmental review to ensure that project components related to the environment and mitigation measures are implemented.

Community Facilities

Early Childhood Programs

As the Proposed Project would be developed sequentially, the significant adverse impact would occur when the Proposed Project completed construction of approximately 530 non-senior, affordable units, which would introduce approximately 95 children eligible for publicly funded early childhood programs. Based on the proposed phasing schedule, it is therefore anticipated that the significant adverse impact to early childhood programs could first occur at Phase 1B of the Proposed Project's construction (to commence in 2025) and would increase as other phases are constructed and occupied.

Required mitigation measures to address the identified significant adverse impact to publicly funded early childhood programs were explored in consultation with the NYC DOE between the DEIS and FEIS. Such measures may include, but are not limited to, the provision of suitable space on-site for an early childhood program, provision of a suitable location off-site and within a reasonable distance, or funding or making program or physical improvements to support additional capacity. If it is deemed appropriate by NYC DOE, the Proposed Project could include space that could be used for early childhood programming within certain building groups. In this case, the Proposed Project has allocated approximately 12,320-gsf for a childcare facility within the Project Area. Approximately 128 childcare slots (or approximately 6,350 sf assuming 50 sf per child) could be designated for publicly funded early childhood programming, which would fully mitigate the significant adverse impact if the designated spaces are tenanted by early childhood providers in consultation with DOE. If mitigation measures are not fully effective in addressing the significant adverse impact to early childhood programs, then the Proposed Actions would result in an unavoidable adverse impact to early childhood programs. The implementation of the mitigation measures would rely upon the direction of the DOE and the ongoing monitoring that the DOE must undertake to determine the appropriate mitigation measures.

Libraries

As the Proposed Project would be developed sequentially, the significant adverse impact first would occur (pass the threshold of a 5 percent increase in the catchment area population) when the Proposed Project completes construction of approximately 1,487 of the 2,050 units, which would introduce a population of approximately 3,480 residents to the catchment area. Based on the proposed phasing schedule, it is therefore anticipated that the significant adverse impact to public libraries would first occur during Phase 2A of the Proposed Project's construction, which is anticipated to commence in 2027.

Required mitigation measures to address the identified significant adverse impact to Libraries have been developed in consultation with the Brooklyn Public Library (BPL). In order to address a significant adverse impact to library services resulting from the Large-Scale Development Project, the Applicant shall provide a computer lab space in each residential building and shall include free Wi-Fi service in the main lounge areas in each residential building. Furthermore, space within the PAC would be provided for use by BPL for programming and additional outdoor space within the Central Quad would be made available for BPL programming. The full range of mitigation measures ultimately implemented would rely upon input from BPL, which would undertake ongoing monitoring to determine the appropriate mitigation measures as the Proposed Project is occupied. The Applicant would consult and coordinate with BPL prior to the design of Phase 2A, when the significant adverse impact to public libraries is first expected to occur, to determine the need, practicality, and feasibility for the proposed mitigations described above. If mitigation measures are

not fully effective in addressing the significant adverse impact to libraries, then the Proposed Actions would result in an unavoidable adverse impact to libraries.

Open Space

Required mitigation measures to address the identified temporary indirect active open space impact were explored with DCP and NYC Parks between the DEIS and FEIS. As no mitigation measures were fully effective in addressing the temporary adverse impact to active open space, the Proposed Actions would result in an unavoidable temporary adverse impact to active open space. During construction, it is anticipated that the active open space ratio (OSR) would exceed a 3 percent change (which is the relevant *CEQR Technical Manual* percent change threshold for active open space ratio) once the first 425 units are constructed and occupied (approximately 997 residents are anticipated) during Phase IA, the first phase of construction. With the Central Quad and the Entry Plaza and walkways constructed in the later phases of the project (within thirty-six months of the closing on the required financing and building permits for both Buildings 5 and 6), a temporary indirect active open space impact would result. As such, it is anticipated that up to approximately six years could elapse between the impact threshold and the full build-out of all of the proposed on-site open spaces.

Transportation

Traffic

Of the 13 intersections analyzed, the Proposed Project would result in significant adverse traffic impacts at nine intersections during the weekday AM peak hour, seven intersections during the weekday midday peak hour, nine intersections during the weekday PM peak hour, and seven intersections during the Saturday peak hour. A subset of seven intersections was analyzed during the Sunday peak hour and significant traffic impacts were identified at four of these intersections during this peak hour. The majority of the intersections analyzed would either not be significantly impacted or could be fully mitigated with readily implementable traffic improvement measures described. Six of the 13 intersections would remain unmitigated during the weekday AM peak hour, two intersections during the weekday midday peak hour, five intersections during the weekday PM peak hour (three of the five intersections could be partially mitigated), and four intersections during the Saturday peak hour. During the Sunday peak hour, four of the seven intersections would remain unmitigated. Mitigation measures such as signal timing changes, parking regulation changes to gain a travel lane at key intersections, and lane restriping, are standard traffic capacity improvements that are typically implemented by NYC DOT.

Subway

Subway station elements at the Rockaway Parkway L subway station were analyzed during the AM and PM commuter peak hours and significant impacts were identified at the Glenwood Avenue fare control area during the AM peak hour. There would be no significant impacts on subways during the PM peak hour. As part of the recent station renovations, there is no fence or barrier behind the Glenwood Road fare control and the majority of subway riders were observed to evade the fare control. The subway station analysis assumed that all subway riders would use the fare control and not evade the fare. The analysis at this fare control, which consists of one high entry/exit turnstile (HEET) and one high exit turnstile (HXT), determined that the fare control would operate at over-capacity conditions during the AM peak hour under existing conditions and any small increase in subway riders would result in a significant impact. Between the Draft EIS and Final EIS, mitigation measures were studied in conjunction with NYCT, and it was determined that this impact could be mitigated with the installation of an additional HEET at this fare control. As a practical matter, the additional HEET would not be implemented in the absence of any measures taken by NYCT to deter the ongoing fare evasion. Therefore, until any measures are taken by NYCT to deter fare evasion at this location, the significant impact would be unmitigated. Thereafter, the significant impact would be fully mitigated upon the implementation of one additional HEET.

Buses

The Proposed Project would result in a capacity shortfall for the B82 bus route during the AM peak hour (93 spaces in the westbound direction), B82 SBS bus route during the AM peak hour (two spaces in the westbound direction) and PM peak hour (56 spaces in the eastbound direction), and B83 bus route during the AM peak hour (107 spaces in the northbound direction, 12 spaces in the southbound direction) and PM peak hour (64 spaces in the northbound direction, 75 spaces in the southbound direction).

Impacts to the B82 bus route could be mitigated with the addition of two standard buses in the westbound direction during the AM peak hour. Impacts to the B82 SBS bus route could be mitigated with the addition of one standard bus in the westbound direction during the AM peak hour, and two standard buses in the eastbound direction during the PM peak hour. Impacts to the B83 bus route could be mitigated with the addition of three standard buses in the northbound direction and one standard bus in the southbound direction during the AM peak hour, and two standard buses in each direction during the PM peak hour. The general policy of NYCT is to provide additional bus service where demand warrants, taking into account financial and operational constraints.

Pedestrians

Of the 36 pedestrian elements analyzed, the Proposed Project would result in significant adverse pedestrian impacts at one pedestrian element (one crosswalk) during the weekday AM and midday peak hours, two pedestrian elements (two crosswalks) during the weekday PM peak hour, four pedestrian elements (three crosswalks and one sidewalk) during the Saturday peak hour. A subset of 14 pedestrian elements along the Development Site frontages was analyzed for the Sunday peak hour. Twelve pedestrian elements (five crosswalks, three sidewalks, and four corners) would be impacted during this peak hour. Potential improvements that could mitigate the significant impacts were reviewed and it was determined that the pedestrian impacts could not be mitigated with typical improvement measures.

Noise

The Proposed Actions would result in the potential for significant adverse impacts to one existing residential building, located at 1180 Pennsylvania Avenue, due to the introduction of new stationary and mobile noise sources. With-Action sound levels would range from 59.4 to 67.7 dBA (L_{eq}), an increase of up to 6.5 dBA from the No-Action condition. While the detailed noise analysis concluded that the Proposed Actions could result in noise levels exceeding noise impact criteria for greater than 5 dBA, primarily resulting from the proposed childcare facility playground at proposed Building 4, there would be significant adverse noise impacts at 1180 Pennsylvania Avenue due to the Proposed Action. The existing window and through-wall air conditioners used by the adjacent buildings would provide enough attenuation to maintain an interior noise level of 45 dBA or below. Therefore, interior noise would be at an acceptable level and would result in a finding of no unavoidable significant adverse noise impacts at this location.

With the inclusion of (E) Designations for new buildings on the Development Site which specify window-wall attenuation requirements, the project would not result in any on-site noise impacts requiring mitigation.

Construction

Construction Noise

Since noise levels during construction would exceed the thresholds for exterior increases in noise, there would be potential for the project to result in significant adverse construction noise impacts at new buildings that would be introduced with the phased development and at existing residential buildings located immediately south of the Development Site. Interior noise levels would exceed the interior impact criterion for residential receptors during certain 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, including an 8-foot-tall construction noise barrier, construction noise would be reduced but would still exceed the thresholds for significant construction noise impact prior to mitigation.

No feasible mitigation measures were identified to mitigate the potential construction noise impact. While additional mitigation measures were explored in consultation with the lead agency between Draft EIS and Final EIS, no feasible mitigation measures were identified and, as such, the Proposed Actions would result in a significant adverse noise impact that would remain unmitigated.

Construction Transportation

Seven intersections were analyzed for potential significant traffic impacts during the AM construction traffic peak hour and twelve intersections were analyzed during the PM construction traffic peak hour. Significant impacts were identified at two analysis intersections during the AM peak hour and at nine intersections during the PM peak hour. Where impacts during construction may occur, measures similar to the ones recommended in the operational traffic analysis could be implemented early to aid in alleviating congested traffic conditions. The two intersections that would be impacted during the AM peak hour could be fully mitigated with typical traffic improvement measures (i.e., signal timing modification and changing parking regulations to provide an additional travel lane). Significant impacts at the intersections of Pennsylvania Avenue with Flatlands Avenue, Stanley Avenue and Linden Boulevard, and Flatlands Avenue with Louisiana Avenue, East 108th Street, and Rockaway Parkway could not be fully mitigated during the PM peak hour. The PM construction peak hour findings are similar to operational With-Action conditions except for the intersections of Pennsylvania Avenue with Stanley Avenue, and the intersection of Flatlands Avenue and East 108th Street which could be mitigated under the operational With-Action conditions.

I. ALTERNATIVES

No-Action Alternative

The No-Action Alternative examines future conditions in 2031 absent the Proposed Actions. In simplest terms, the No-Action Alternative is the No-Action condition identified, described, and assessed in the preceding chapters of this FEIS. In the No-Action Alternative, the Development Site would remain in its existing condition, with only the existing CCC operational on the site (approximately 92,784 gsf of community facility space and 385 striped accessory parking spaces).

The significant adverse impacts associated with the Proposed Actions would not occur under the No-Action Alternative. However, the No-Action Alternative would not meet the project goals, and as compared to the Proposed Actions, the intended benefits—the introduction of affordable housing units and an array of community facility uses, economic activity introduced by local retail, and public open spaces—would be eliminated with the No-Action Alternative.

The No-Action Alternative would not result in any significant adverse impacts as no development would occur in the absence of the Proposed Actions.

Modified Application Before the City Planning Commission

Since issuance of the Draft EIS, the Proposed Development has been updated by the Applicant to refine the landscaping and amenities for the public access areas on the Development Site and to change the maximum number of stories of four of the buildings. The City Planning Commission is reviewing, and in some cases modifying, the Applicant-proposed modifications. In particular, changes to the public access areas include relocation of certain signs, consolidation and relocation of a number of trash receptacles, a decrease in the number of benches along certain portions of the public access areas, and the addition of new benches adjacent to the east of the Building 5 arcade. Building 1 has been reduced from 15 stories to 14 stories and Buildings 3, 5, and 6 have been reduced from 14 stories to 13 stories. Additionally, the maisonettes would be allowed to be located between the ground floor and second story of the primary portions of the buildings, including Buildings 1 and 3. The effect of these changes may be a loss of between 0 and 75 dwelling units. No change to the permitted heights of buildings or zoning floor area of the Proposed Development included in the Draft EIS would occur as a result of the Large-Scale General Development refinements. In addition, the location, intended use, and overall amount of public access area would be unchanged from that considered in the Draft EIS.

As these project modifications would not change overall building height or massing, none of the technical analyses related to building bulk or massing would have to be adjusted to reflect the changes to the project. Similarly, as the density-based analyses evaluate a worst-case development scenario for the project, they represent a conservative analysis for the project and disclose the environmental impacts associated with the maximum number of dwelling units that could be constructed on-site. A reduction in the proposed number of dwelling units by up to 75 units would create a nominal reduction in demand for services, but would not substantively change the findings of the EIS related to socioeconomic conditions, community facilities and services, open space resources, water and sewer infrastructure, solid waste and sanitation services, transportation, air quality, greenhouse gas emissions and climate change, noise, public health, neighborhood character, construction, mitigation, or unavoidable significant adverse impacts. The significant adverse impacts and mitigation under this alternative would remain the same as under the Proposed Project, and the following technical areas would require mitigation under either alternative: community facilities, open space, transportation, noise, and construction (see Mitigation)

No Unmitigated Significant Adverse Impacts Alternative

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the projected density increase and other components of the Proposed Actions are changed specifically to avoid the unmitigated significant adverse impacts associated with the Proposed Actions. The Proposed Actions would result in significant adverse impacts to community facilities, specifically early childhood programs and libraries, and transportation specifically to traffic, subway, and pedestrian conditions. A temporary impact to active open space would also occur during the construction period of the With-Action condition. As discussed below, sensitivity analyses were conducted for those technical analyses that have the potential to result in significant adverse impacts and it was determined that significant reductions in the proposed development program would be required in order to result in no unmitigated significant adverse impacts, as follows:

- To avoid impacts to early childhood programs, the number of non-senior residential units would need to be reduced from 1,338 units to 530 units.
- To avoid impacts to libraries, the number of residential units would need to be reduced from 2,050 units to 1,486 units.
- To avoid the temporary open space impact, the on-site open spaces would need to be constructed during an earlier phase (i.e., after the completion of Phase IA); however, this would not be feasible due to the space requirements associated with construction phasing.
- To avoid unmitigated traffic impacts the development would need to be reduced to eight percent of the Proposed Project (165 residential units).
- A development of any size would result in unmitigable pedestrian impacts due to the effect of the 500-space parking garage on church-related traffic.
- To avoid unmitigated subway impacts the development would need to be reduced to nine percent of the Proposed Project (185 residential units).

In order to avoid impacts, the project either would have to be reduced below the thresholds described above or the site would remain in its existing condition. However, neither option would meet the project's goals of creating a sustainable, affordable neighborhood and address the economic, social, educational and cultural needs of the neighborhood.

The project is projected to result in unmitigated operational traffic, pedestrian, subway and construction noise impacts. As described below, mitigation has been identified for the community facilities (early childhood programs and libraries) that is expected to adequately mitigate the projected impacts. It was determined that any new construction on the Development Site would involve the use of construction equipment such as drill rigs and concrete mixer trucks and, as such, would be expected to result in unmitigated construction noise impacts. In order to avoid impacts to construction, the project would have to be reduced to such a degree that the proposal would not meet the goals and objectives of the Applicant's development program, which features a 100 percent affordable housing development, community facility, local retail, a trade school, a performing

arts center (PAC), and publicly accessible open spaces. Therefore, to avoid these impacts, construction would need to be avoided, and the project and the Applicant's intended benefits would not be realized.

J. UNAVOIDABLE SIGNIFICANT ADVERSE IMPACTS

As described in Section H, Mitigation, the Proposed Actions have the potential to result in significant adverse community facilities, transportation, and construction impacts. The Proposed Actions would also result in a temporary active open space impact during the construction period. 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.

K. GROWTH-INDUCING ASPECTS OF THE PROPOSED PROJECT

The Proposed Actions would permit an increase in the maximum floor area ratio, commercial uses, mandatory inclusionary housing, a parking garage, and modifications to certain regulations related to the large-scale general development in order to facilitate the development of a new mixed-use community on the campus of the CCC. Approval of the Proposed Actions would allow for more dense development on the Development Site that is contextual with its surroundings, the provision of affordable housing on site, and a parking scheme that will best serve the needs of visitors and residents. It is intended to further the City's development goals for affordable housing, create a sustainable, affordable neighborhood anchored by the presence of the CCC, and targeted at addressing a number of economic, social, educational and cultural needs of the neighborhood.

The requested discretionary approvals include a zoning map amendment that would apply to the entire Project Area, which in addition to the Development Site includes de minimis portions of the north side of Block 4434, Lot 60 and Block 4431, Lots 70 and 100, and extends to the centerlines of Flatlands Avenue, Louisiana Avenue and Pennsylvania Avenue. However, as there are existing buildings on these lots, including affordable housing developments, it is unlikely that the Proposed Actions would induce any new development.

These goals would be realized in connection with the development of approximately 2,050 units of affordable housing, approximately 100,904 gsf of community facility space, and approximately 110,570 gsf of retail space. Additional space would be included for parking. All of this would be built upon underutilized space currently used for surface parking. There are several existing developments that create a residential and mixed-use character of the neighborhood surrounding the Development Site, which are independent of the Proposed Project. Existing developments such as the Spring Creek Towers/Starrett City, Vandalia Avenue, Breukelen Houses, and Linden House developments provide affordable housing options alongside community facility uses such as senior centers and schools to residents in the neighborhood. Commercial uses are also located throughout the neighborhood. Overall, the study area is well developed with a mix of uses near good transportation options.

The Proposed Project would comply with and exceed the requirements of Option 1 of the City's MIH program. Sitewide, the Proposed Project would include 50 percent of units at 60 percent of AMI or less, with the majority of these units rented at 40 or 50 percent of AMI and senior housing capped at 60 percent AMI. An additional 25 percent of units would be affordable at 80 percent of AMI or less and the remaining 25 percent of units would be affordable at 100 percent of AMI or less. In all, it is expected that the first 1,000 homes to be constructed would not include any rents above 80 percent AMI.

The non-MIH units would be income-based affordable housing through various city and state programs for low, moderate, and middle income. The income bands for the affordable housing units in excess of the MIH requirement, as well as the applicable programs for the senior housing units, would remain subject to the availability of capital subsidy and other public capital sources at the time of construction.

The Proposed Project would result in an alternative housing option in the neighborhood because 75 percent of the proposed units would be available for households earning 80 percent or less of AMI. It is also noted that many existing renters in the area rely on Section 8 vouchers. Section 8 vouchers would be accepted at the Proposed Development, creating another housing option for low-income renters in the area. The proposed affordable ownership or condominium units would also provide a path for area low-income renters looking to own their home. The detailed assessment in Chapter 3, Socioeconomic Conditions, indicates that real estate market condition in the study area is not expected to change significantly and concludes that the Proposed Project is not expected to result in significant adverse impacts due to indirect residential displacement.

Furthermore, the infrastructure in the study area is already well developed such that improvements associated with the Proposed Actions would not induce additional growth or overburden the existing system.

Although the Proposed Actions would result in increased development, it is not anticipated that the Proposed Actions would result in substantial new development in nearby areas that would generate significant secondary impacts. Additionally, the zoning changes introduced by the Proposed Actions are limited to the boundaries of the Project Area and would not extend beyond the Project Area.

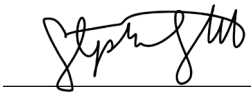
Therefore, the Proposed Actions would not induce significant new growth in the surrounding area.

L. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

The Proposed Project constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future; however, the Development Site does not possess any natural resource of significant value, and the site has been previously developed. Furthermore, funds committed by the Applicant to the design, construction/renovation, and operation of developments under the Proposed Actions are not available for other projects.

These commitments of resources and materials are weighed against the benefits of the Proposed Project. The Proposed Actions would facilitate the construction of a new, mixed-use development surrounding the existing CCC with affordable housing, a mix of community facility uses, and commercial uses. The Proposed Project would also provide significant improvements to the public realm, including a publicly accessible street network and new public open space. Through the development of this new mixed-use development that is integrated into the urban fabric, the Proposed Actions seek to provide needed services, business opportunities, and affordable housing to the community.

The Proposed Actions would facilitate the development of market rate and affordable housing, the latter of which would add to the City's affordable housing stock and support the goals outlined in the City's affordable housing plan, "Housing New York: A Five-Borough Ten-Year Plan" of producing 200,000 affordable homes two years ahead of schedule, by 2022, and generating an additional 100,000 homes over the following four years. Additionally, the trade school, PAC, neighborhood retail, and publicly accessible open space would provide needed services and amenities to the neighborhood. The Proposed Actions would work in concert to leverage investments in local public infrastructure and housing.



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