AECOM

REVISED ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) AND SUPPLEMENTAL STUDIES TO THE EAS

2513-2523 Avenue O Rezoning

2523 Avenue O
Brooklyn, NY, 11210

CEQR No. 19DCP015K

Prepared for:
Dr. Prabhat Soni
Pulmonary and Sleep Medical, P.C.
2523 Avenue O
Brooklyn, NY 11210

Prepared by:
AECOM
125 Broad Street
New York, NY 10004

Following Certification of the 2513-2523 Avenue O proposal, the proposed actions were modified from an R3-2 district rezoning, to an R3-1 district rezoning. This revised EAS incorporates a revised Negative Declaration and a memorandum describing a modification to the proposed actions from R3-2 to R3-1. The memorandum confirms that the conclusions and analysis reflected in the August 2019 EAS have not changed based on the modification. This Revised EAS supersedes the EAS issued in August 2019.

August 23rd **, 2019**
*Revised Feb. 14th**, 2020**

AECOM Project No. 60563545

City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☐ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* 2513-2523 Avenue O Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
19DCP015K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
190438ZMK	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
New York City Department of City Planning			Pulmonary and Sleep Medical, P.C.		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Olga Abinader			Richard Lobel		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 18 East 41st Street		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10017
TELEPHONE 212-720-3493	EMAIL oabinad@planning.nyc.gov		TELEPHONE 212-725-2727	EMAIL rlobel@sheldonlobelpc.com	

5. *Project Description*

The applicant is seeking a zoning map amendment to rezone a portion of Brooklyn Block 7679 (Lots 1-4) from R2 to R3-2 in Community District 14 of Brooklyn to facilitate legalization of an existing non-conforming medical office and allow for the expansion of the medical office to a total square footage of over 1,500 sf.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 14	STREET ADDRESS 2523 Avenue O
TAX BLOCK(S) AND LOT(S) Block 7679, Lots 1, 2, 3, and 4.		ZIP CODE 11210
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Avenue O, East 26th Street, off Kings Highway		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R2		ZONING SECTIONAL MAP NUMBER 23b

6. *Required Actions or Approvals* (check all that apply)

***City Planning Commission*:** ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☐ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO

☐ VARIANCE (use)

☐ VARIANCE (bulk)

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION	☐ FUNDING OF CONSTRUCTION, specify:
☐ RULEMAKING	☐ POLICY OR PLAN, specify:

☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:
☐ FUNDING OF PROGRAMS, specify:
☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

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

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): Approx, 10,000
Waterbody area (sq. ft) and type: N/A
Roads, buildings, and other paved surfaces (sq. ft.): Approx, 10,000
Other, describe (sq. ft.): N/A

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

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 8,314 gsf
NUMBER OF BUILDINGS: 2
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): Projected Site 1- 5,445, gsf, Projected Site 2- 2,869 gsf
HEIGHT OF EACH BUILDING (ft.): 35
NUMBER OF STORIES OF EACH BUILDING: 2

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: 4950
The total square feet not owned or controlled by the applicant: 5050

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☒ NO
If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length) VOLUME OF DISTURBANCE: TBD cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	0	0	8,314	0
Type (*e.g.,* retail, office, school)	0 units	0	Private Medical Office	0

Does the proposed project increase the population of residents and/or on-site workers? ☐ YES ☐ NO
If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 0 NUMBER OF ADDITIONAL WORKERS: 24
Provide a brief explanation of how these numbers were determined: Assumed 3 workers per 1,000 sf of medical office floor area

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☒ YES ☐ NO
If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly: In the No-Action Scenario, non-conforming ground floor uses on Lots 1,2 and 4 (existing medical office/ facility use) would be replaced with residential uses. It is assumed that the existing ground floor medical office/facility use on Lots 1 and 2 would be occupied with residential uses. Lot 1 would be occupied with one 1,232 gsf dwelling unit and Lot 2 would be occupied with one 1,264 gsf dwelling unit.

Lot 3 would remain in its existing condition in the No-Action Scenario

In the No-Action Scenario, it is assumed that the existing ground floor medical office/facility use on Lot 4 would be occupied with residential uses. Therefore, in the No-Action Scenario, Lot 4 would be occupied with one 1,232 gsf dwelling unit. Since it cannot be assumed that the nonconforming ground floor uses (medical office/office) on Lots 1, 2,

and 4 would remain in the No-Action Condition, it was assumed that in a future No-Action condition, this space would be occupied with an expansion of the existing residential uses on the second floors.

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2021

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: Approx 12-14 months

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO | IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: CEQR, ULURP, Design, Financing, Occupancy

10. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☐ MANUFACTURING ☐ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. See Supp. Studies		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Child Care Centers:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☐
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒

	YES	NO
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☐	☒
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. See Supplemental Studies		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☒	☐
○ If "yes," complete the Jamaica Bay Watershed Form, and submit according to its instructions. See Appendix.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☐	☒
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☐	☒
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒

	YES	NO
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 216 pounds per week		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): Approx 1,798,318 MBtu's		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) See Supp. Studies	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☒
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☐	☒
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒

	YES	NO
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. While not warranted, a brief write-up of neighborhood character is provided in the analysis		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	DATE
Max Meltzer	August 23rd, 2019

SIGNATURE 

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

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

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

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

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

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ ☒

   If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☐ **Positive Declaration:** If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission
NAME Olga Abinader	DATE August 23, 2019
SIGNATURE	

NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in the EAS, which finds that the proposed project and related actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this Determination are noted below.

Noise

An (E) designation (E-541) related to noise has been assigned to site(s) affected by the proposed actions. Refer to "Determination of Significance Appendix: (E) Designation" for a list of these sites and all applicable (E) designation requirements. With the (E) designation measures in place, the proposed actions would not result in significant adverse impacts related to noise.

Land Use, Zoning, and Public Policy

An analysis of land use, zoning, and public policy is included in this EAS. The proposed action, a zoning map amendment from an R2 district to an R3-2 district would facilitate the legalization and expansion of an existing ground-floor medical facility. The analysis considered the full buildout of the community facility space allowed under the proposed rezoning. The analysis concludes that the proposed actions would not result in any significant adverse land use, zoning, or public policy impacts to the project site or the surrounding study area.

TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning
NAME Olga Abinader	DATE August 23, 2019
SIGNATURE Olga Abinader	

TITLE Chair, Department of City Planning	
NAME Marisa Lago	DATE August 26, 2019
SIGNATURE	

Project Name: 2513-2523 Avenue O Rezoning
CEQR #: 19DCP071M
SEQRA Classification: Unlisted

Appendix I: (E) Designation

To ensure that there would be no significant adverse air quality impacts associated with the proposed project, an E designation (E-541) will be placed on the project sites as follows:

The E-designation requirements related to noise would apply to:

Projected Development Site 2:
Block 7679 Lot 4

Noise

In order to ensure an acceptable interior noise environment, future community facility uses must provide a closed- window condition with a minimum of 28 dB(A) window/wall attenuation on all building's facades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed- window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.

Environment

Prepared for:
Pulmonary and Sleep Medical, P.C.
2523 Avenue O
Brooklyn, NY 11210

Prepared by:
AECOM
125 Broad Street
New York, NY 10004

AECOM No. 60563545

2513-2523 Avenue O Rezoning

Supplemental Studies to the Environmental Assessment Statement

August, 2019

Proposed Development Site:

2523 Avenue O
Brooklyn, NY 11217

Prepared for:

Dr. Prabhat Soni
Pulmonary and Sleep Medical, P.C.
2523 Avenue O
Brooklyn, NY 11210

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1.0 PROJECT DESCRIPTION

I. INTRODUCTION

The applicant, Pulmonary and Sleep Medical, P.C., seeks a zoning map amendment to rezone portions of Brooklyn Block 7679, Lots 1-4 ("Project Area" or 'Rezoning Area") from an R2 district to an R3-2 zoning district.

The proposed development (combination) would have 1,159 gsf of residential use on the upper floor, with approximately 2,790 gsf of medical office space on the first floor and cellar with a building height of approximately 30 feet. Additional development is projected on one additional site not controlled by the applicant, as discussed below.

This EAS studies the potential for individual and cumulative environmental impacts related to the proposed action occurring approximately 400 feet around the Rezoning Area. This is generally bound by Kings Highway to the south, East 24th Street to the west, midblock between Avenue O and Avenue N to the north, and midblock between East 27th Street and East 28th Street to the east.

II. BACKGROUND AND EXISTING CONDITIONS

1.1 Project Location

The Rezoning Area is located within the Midwood neighborhood of Brooklyn Community District 14, as shown in **Figure 1-1,** and consists of the southern portion of Block 7679, Lots, 1-4. The proposed Project Site is at 2523 Avenue O (Block 7679, Lots 1 and 2). Lot 1 is a 2,500 sf lot and Lot 2 is a 2,450 sf lot. Both lots have frontage along Avenue O.

The Rezoning Area is generally bound by East 26th Street to the east, Avenue O to the south, a line that extends 100 feet north of Avenue O, and a line midway between Bedford Avenue and East 26th Street to the west. As indicated in **Figure 1-5**, the Project Site is located within an existing R2 zoning district, which permits a maximum Floor Area Ratio (FAR) of 0.5 for residential uses (Use Group 1) and permits a maximum Floor Area Ratio (FAR) of 1.0 for community facility uses (Use Groups 3-4).

Lot 1 is improved with a 1,232 gsf, 2-story building (0.49 FAR) which has UG 4 medical office on the first floor and a UG 2 residence on the upper floor. Lot 2 is improved with a 1,264 gsf, 2- story building (0.52 FAR) which has medical office on the first floor and a UG 2 residence on the upper floor.

A key to the photographs of the projected development site and surrounding project Study Area are shown in **Figure 1-3**, with photographs of the site and surrounding Study Area displayed in **Figure 1-4**.

<u>Surrounding Study Area</u>

The proposed Project Area is located in the Midwood neighborhood within Brooklyn Community District 14. Avenue O is a wide street while East 26th Street is a narrow Street. The area to the south of the Project Area is characterized by large, six-story multiple dwelling unit (UG 2) apartment buildings. The New York Community Hospital, a three-and five-story hospital, is located directly across Avenue O to the south of the Project Area. To the east of the Project Area are additional six-story multiple dwelling unit apartment buildings that front on Avenue O and Kings Highway. To the north on East 26th Street is a mixture of one and two-family semi-attached and detached residences. The area to the west is characterized mainly by detached residences. Existing zoning districts in the Study Area include R2, R7A, and R3-2 zoning districts.

The proposed Rezoning Area, described in detail below, is located on the southern portion of Block 7679, Lots 1-4, within an R2 zoning district. All of the lots are improved with 2 story buildings. Lots 1, 2, and 4

have nonconforming medical office space on the ground floor and residential space on the second floor while Lot 3 is entirely residential. All of the buildings have FAR's between 0.49 and 0.52.

The existing zoning districts in the surrounding area include:

R2 (current Rezoning Area district)

The Rezoning Area is within an R2 zoning district. From the adoption of the 1961 Zoning Resolution until 2006, the four tax lots in the Rezoning Area were located in an R6 zoning district, while the remainder of Block 7679 was mapped with an R2 district effective on April 5th of 2006 (Midwood Rezoning), the Rezoning Area was rezoned to an R2 district.

R2 zoning districts allow for residential (UG 1) and community facility (UG 3 and 4) uses. The maximum FAR is 0.5 for residential uses and 1.0 for community facility uses. R2 districts limit overall building height to 35 feet and street wall heights to 21 feet. Parking regulations in R2 zoning districts require one parking space per dwelling unit while parking requirements for UG 3 and 4 community facility uses vary by use.

R7A

An R7A district is mapped on south of the Rezoning Area. Residential and community facility uses are permitted. Residential uses are allowed at a maximum of 4.0 FAR (4.6 FAR with Inclusionary Housing) and community facility uses are allowed at a maximum FAR of 4.0. R7A zoning districts have a maximum building height of 95 feet with the inclusionary housing bonus and the provision of a Qualifying Ground Floor. Parking is required for 50 percent of market rate dwelling units in R7A districts, but only 15 percent of units in income restricted housing unit buildings. Parking requirements for UG 3 and 4 community facility uses vary by use.

R3-2

There is an R3-2 district mapped to the south of the Rezoning Area, in the very southern portion of the Study Area. The R3-2 district permits 0.6 FAR for residential use and 1.0 for community facility uses and limits overall building height to 35 feet and street wall heights to 21 feet. Parking regulations in R3-2 zoning districts require one parking space per dwelling unit while parking requirements for UG 3 and 4 community facility uses vary by use.

The surrounding area is adequately served by transit including MTA subway and bus. There is access to the B and Q subway lines at the Kings Highway station located approximately half a mile southwest of the Project Site. Furthermore, the B7 and B82 buses stop at the intersection of Kings Highway and East 26th Street, one block south of the Project Site.

1.2 Required Approvals and Proposed Actions

The proposed zoning map amendment is a discretionary public action, which is subject to the City Environmental Quality Review (CEQR) as an Unlisted action. Through CEQR, agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment. The proposed zoning map amendment is subject to public comment under the Uniform Land Use Review Procedure (ULURP). The ULURP process was established to assure adequate opportunity for public review of proposed actions. ULURP dictates that every project be presented at four levels: the Community Board; the Borough President; the City Planning Commission; and, in some cases the City Council. The procedures mandate time limits for each stage to ensure a maximum review period of seven months.

The Applicant proposes the following action:

1. A zoning map amendment to change from an R2 district to an R3-2 district property bounded by a line midway between Bedford Avenue, East 26th Street, a line 100 feet northerly of Avenue O, East 26th Street, and Avenue O (Block 7679, Lots 1-4)

Table 1.2-1 below compares the existing and proposed zoning.

Table 1.2-1 Comparison and Existing and Proposed Zoning

Zoning District	Type and Use Group (UG)	Floor Area Ratio (FAR)	Parking (Required Spaces)
R2	Residential UGs 1, 3-4	0.5 FAR –Residential 1.0 FAR – Community Facility	1 per dwelling unit
R3-2*	Residential UGs 1-4	0.5 FAR –Residential (0.6 FAR with attic allowance) 1.0 FAR – Community Facility	1 per dwelling unit

*R3-2 zoning permits UG 4 Ambulatory Medical uses larger than 1,500 sf as-of-right, whereas R2 zoning does not

1.3 Purpose and Need For Propsed Actions

The proposed actions are intended to facilitate the combination of Block 7679, Tax Lots 1 and 2 into a single zoning lot and a combination of the two buildings on each lot into a single building. The combined building would be used for medical offices on the first floor and residential use on the second floor. There would be approximately 2,790 gsf (1,424 zsf) of medical office (UG 4) and 1,159 gsf (1,159 zsf) of residential use (UG 2) on the Proposed Development Site. The purpose of the zoning map amendment is discussed below. The requested R3-2 zoning would allow for Use Group 4 ambulatory care facilities as-of-right, thus causing the existing medical offices on lot 1 to become conforming and the R3-2 zoning district would permit medical offices larger than 1,500 sf.

Zoning Map Amendment

The proposed Project Area consists of the four lots that were rezoned from R6 to R2 in 2006: tax lots 1, 2, 3, and 4 on Block 7679. The Project Area is approximately 10,000 square feet, with 100 feet of frontage on Avenue O and 100 feet of frontage on East 26th Street. Each of the four lots in the Project Area is improved with a nonconforming semi-detached single-family residence. Lots 1 and 2 also have non-conforming medical offices on the ground floor, and Lot 4 is owned by New York Community Hospital; upon information and belief, this building is used as administrative offices for the hospital.

As stated above, the 2006 rezoning resulted in the four semi-detached residences in the Project Area becoming nonconforming. In order to facilitate the continued use of the Development Site for both residential and medical office use (at a size greater than 1,500 square feet), and bring the uses into conformance with the Zoning Resolution, a rezoning is required for the Project Area.

While a medical office existed (without an accurate Certificate of Occupancy) on Lot 2 prior to the 2006 rezoning, there was no medical office on Lot 1 prior to the rezoning. Since both buildings are currently used for medical offices, there is no possibility that the current condition could be legalized as-of-right.

1.4 Description of the Proposed Development

The Proposed Development is a combination of Block 7679, Lots 1 and 2 into a single zoning lot and a combination of each of the buildings on the aforementioned lots into a single building. This combined building would be used for medical offices on the first floor and residential use on the second floor. The

proposed R3-2 zoning district is the lowest density zoning district that would permit medical offices larger than 1,500 square feet.

1.5 Reasonable Worst Case Development Scenario

Existing Conditions

The Rezoning Area consist of 4 adjacent tax lots (Block 7679- Lots 1-4) in the Midwood neighborhood of Brooklyn in Community District 14. Lot 1 is improved with a 0.49 FAR building (1,232 gsf) with ground floor medical office space and one dwelling unit on the second floor. Lot 2 is improved with a 0.52 FAR building (1,264 gsf) with ground floor medical office space and one dwelling unit on the second floor. Lot 3 is improved with a 0.5 FAR building (1,232 gsf) with one dwelling unit. Lot 4 is improved with a 0.47 FAR building (1,232 gsf) which is occupied with ground floor office space (NY Community Hospital Administrative Space with one dwelling unit on the second floor).

Future No-Action Scenario

The proposed development site is located in the Midwood neighborhood of Brooklyn, which is densely developed. Under R2 zoning guidelines, the existing medical office space on Lots 1, 2, and administrative of space on Lot 4 within the Rezoning Area is nonconforming.

In the No-Action Scenario, it is assumed that the existing ground floor medical office/facility use on Lots 1 and 2 would be occupied with residential uses. Lot 1 would be occupied with one 1,232 gsf dwelling unit and Lot 2 would be occupied with one 1,264 gsf dwelling unit. As mentioned, Lot 3 would remain in its existing condition in the No-Action Scenario

In the No-Action Scenario, it is assumed that the existing ground floor medical office/facility use on Lot 4 would be occupied with residential uses. Therefore, in the No-Action Scenario, Lot 4 would be occupied with one 1,232 gsf dwelling unit.

Additionally, it was assumed that Lot 3 would remain in its existing condition in the No-Action.

Future With-Action Scenario

The Future With-Action condition under a Reasonable Worst Case Development Scenario requires identification of the type, location, and extent of development anticipated as a result of the proposed action along with any potential impacts that may arise from that future development. As directed by CEQR, this analysis requires that the With-Action Condition to be considered a scenario that maximizes the permitted FAR allowed under the proposed rezoning.

To determine those sites that are likely to be induced to develop under the proposed rezoning, the remaining projected development sites within the proposed Rezoning Area were divided into two categories - projected development sites and potential development sites. Projected development sites are considered more likely to be developed within analysis period (build year 2021) because of their size (they are either large lots or contiguous small lots in common ownership that together comprise a large site). Potential development sites are less likely to be developed within the analysis period because they are not entirely under common ownership, have an irregular shape or have some combination of these features.

Based on these criteria, Block 7679, Lots 1 and 2; and Block 7679, Lot 4 have been identified as Projected Development Sites. To present a conservative assessment; the With-Action scenario assumes that these sites would be constructed to the maximum floor area allowed under R3-2 regulations.

Projected Development Sites

Projected Development Site 1: Block 7679, Lots 1 and 2 – Assessment (Applicant's Site)

In the With-Action Scenario, it is assumed that Lots 1 and 2 would be merged as a single development lot with a total lot area of 4,950 sf. It is assumed that the lot would be developed with approximately 5,445 gsf (4,950 zsf) of medical office space for an FAR of 1.0, the maximum FAR allowed for medical use in R3-2 zoning districts. It is assumed this new building would be constructed to its maximum height of 35 feet. The non-conforming medical offices would be brought into conformance in this proposed action.

Projected Development Site 2: 7679, Lot 4–Assessment

In the With-Action Scenario, it is assumed that Lot 4, which is owned by NY Community Hospital, would be developed with medical office/facility uses to an FAR of 1.0, the maximum FAR allowed in R3-2 zoning districts for medical office/facility use. On a 2,608 sf lot, it is assumed that approximately 2,869 gsf (2,608 zsf) would medical office/facility uses would be developed. It is assumed this new building would be constructed to its maximum height of 35 feet. The non-conforming medical offices would be brought into conformance in this proposed action.

Sites Where Development Would Not Be Induced or Precluded by the Proposed Action

Block 7679, Lot 3

Lot 3 is a 2,442 sf lot improved with a 1,232 gsf UG 1 residential building. This is a small lot which is built out to an FAR of 0.50 (all residential). In the With-Action Scenario, the owner of this property would be able to build to a residential FAR of 0.6. It is unlikely that the land owner would build an additional 0.1 FAR on the lot. Additionally, as this is a private home, it is unlikely that any new residential units would be added on the lot in the With-Action. Given the hospital across the street, and the existing medical office on Lot 2, it is unlikely that this lot would add ground floor medical office, or be combined with another lot to form a new building with medical office use and residential uses. Therefore, it is assumed that no development would be induced on Lot 3 in the With-Action Scenario.

1.6 Required Approvals

The applicant requires a zoning map to implement the proposed project. The proposed zoning map is a discretionary public action that is subject to both the Uniform Land Use Review Procedure (ULURP) and CEQR; the requested public funding is a discretionary public action that is subject to CEQR.

The actions necessary to facilitate the proposal are:

1. A zoning map amendment to change from an R2 district to an R3-2 district property bounded by a line midway between Bedford Avenue, East 26th Street, a line 100 feet northerly of Avenue O, East 26th Street, and Avenue O (Block 7679, Lots 1-4).

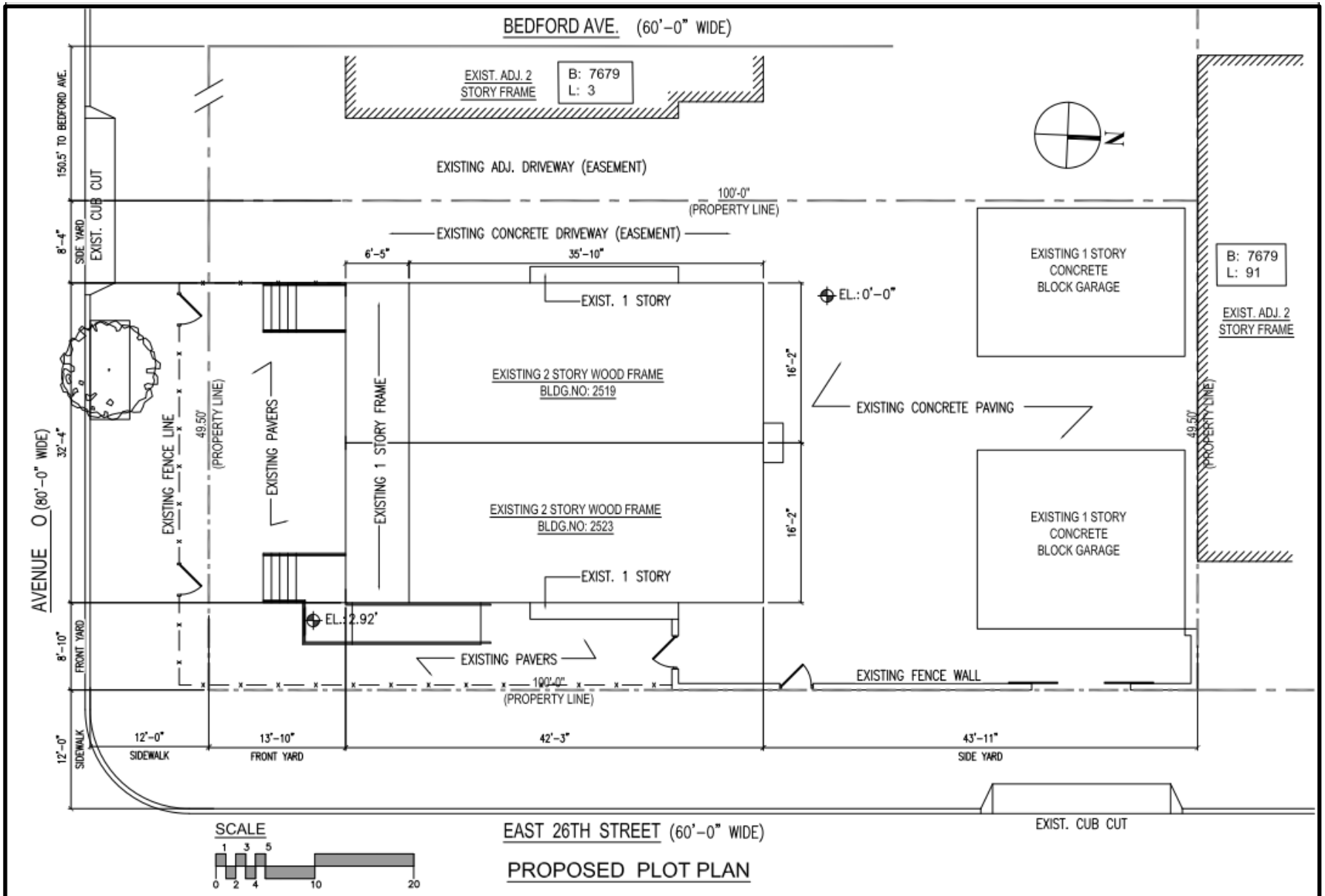
Proposed R3-2 Zoning District Rationale

The proposed development is a combination of tax lots 1 and 2 into a single zoning lot and a combination of the two buildings into a single building. This combined building would be used for medical offices on the first floor and residential use on the second floor. The requested R3-2 district is the lowest density district that would permit medical facilities larger than 1,500 square feet.

From the adoption of the 1961 Zoning Resolution until 2006, the four tax lots that comprise the Project Area were located in an R6 zoning district, while the remainder of the Block 7679 was located in an R2

district. By amendment effective April 5, 2006, as part of the Midwood Rezoning (C 060130 ZMK), the Project Area was rezoned to an R2 district. As a result of this rezoning, the four semi-detached residences located in the Project Area became nonconforming.

As stated above, the 2006 rezoning resulted in the four semi-detached residences in the Project Area becoming nonconforming. In order to facilitate the continued use of the Development Site for both residential and medical office use (at a size greater than 1,500 square feet), and bring the uses into conformance with the Zoning Resolution, a rezoning in required for the Project Area.



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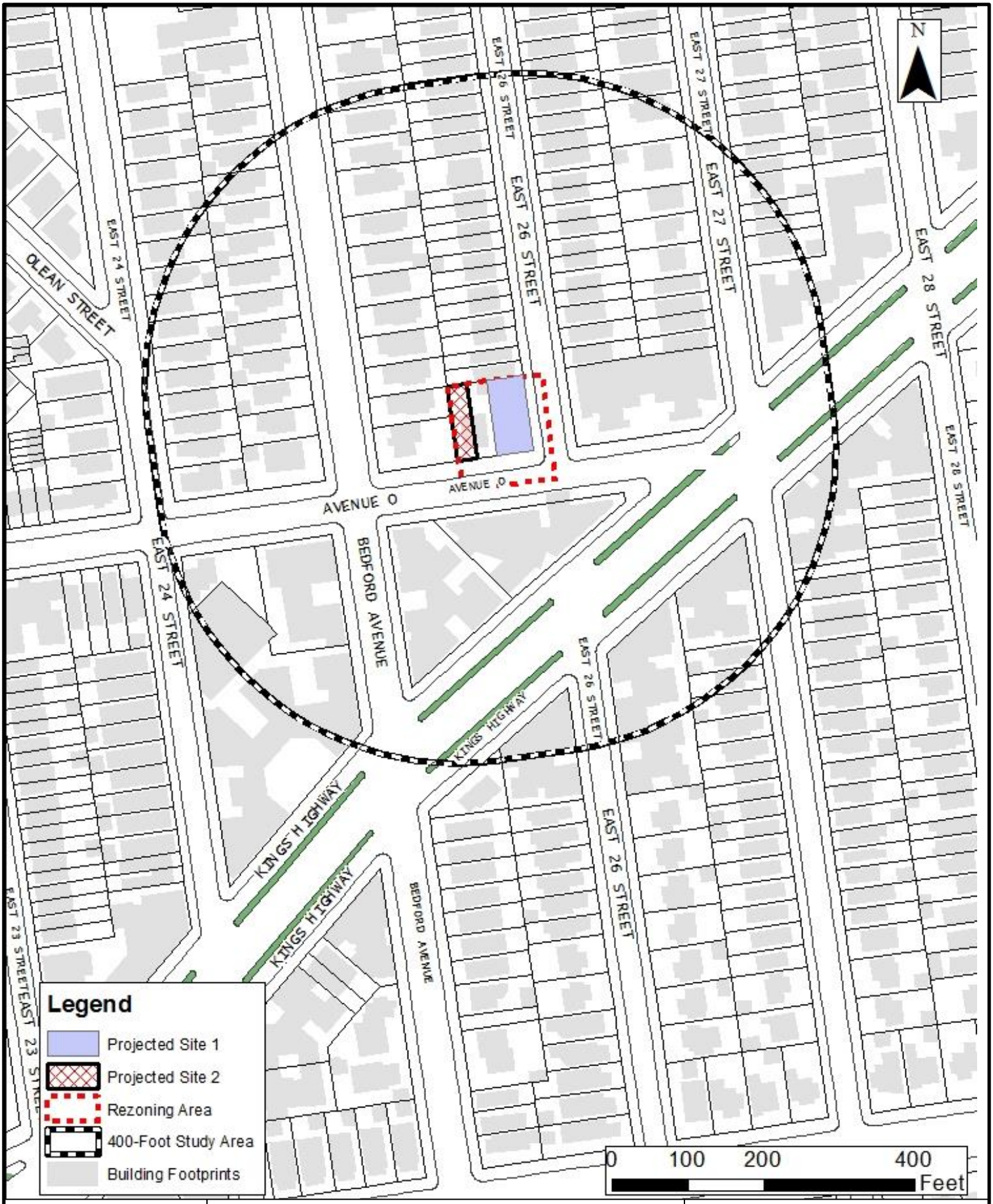
Environmental Assessment Statement
2513-2523 Avenue O Rezoning
Brooklyn, NY

Figure 1
Applicant Plans-Illustrative Purposes



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Environmental Assessment Statement
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Brooklyn, NY

Figure 1-1
Project Site Location



Environmental Assessment Statement
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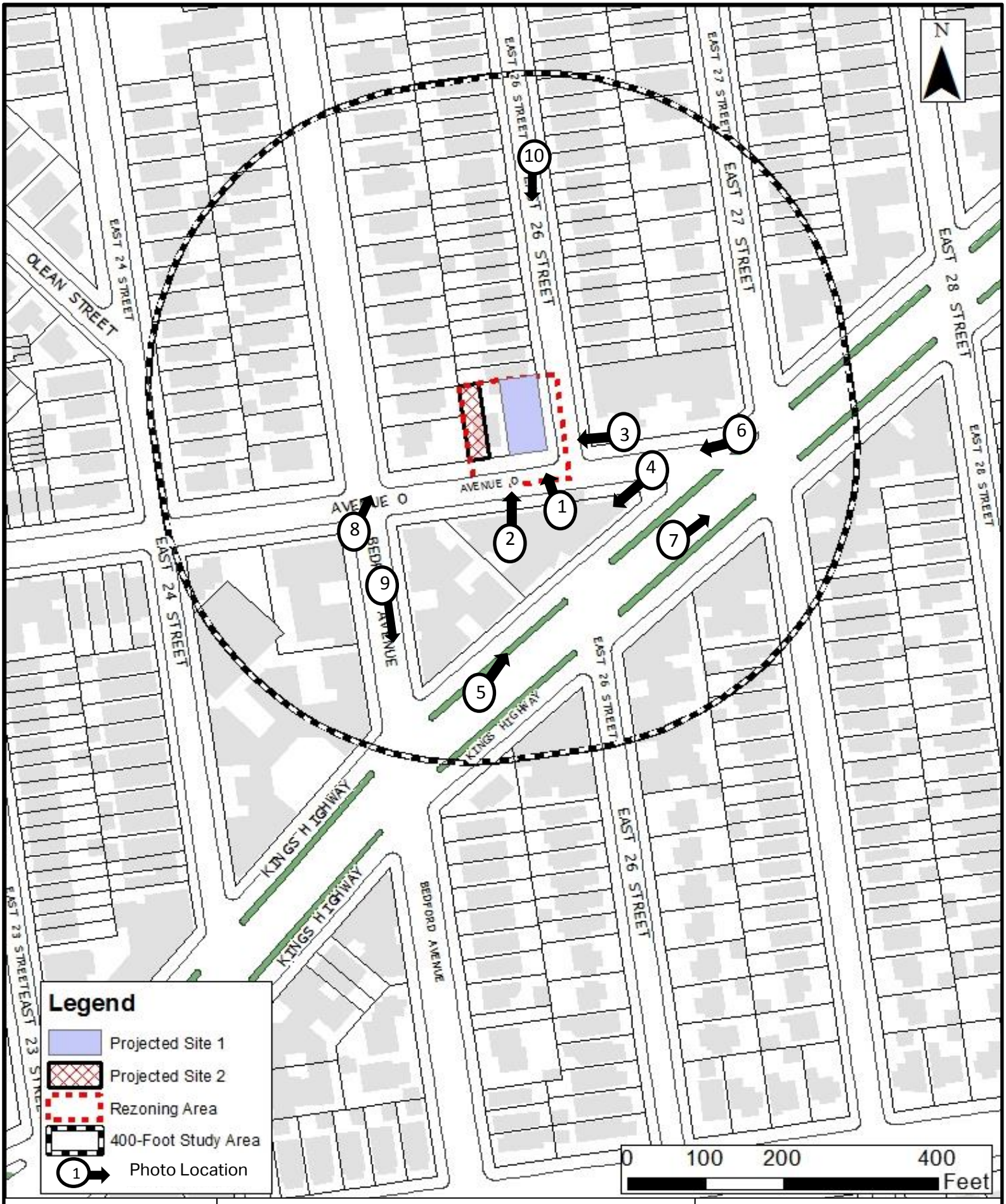
Brooklyn, NY

Figure 1-1a
Project Site Location-Aerial



AECOM	**Environmental Assessment Statement** **2513-2523 Avenue O Rezoning** **Brooklyn, NY**	**Figure 1-2** Tax Map



Environmental Assessment Statement
2513-2523 Avenue O Rezoning
Brooklyn, NY

Figure 1-3
Photo Key

Figure 1-4 Photographs of the Site and Surrounding Area (Photos Taken May 7th, 2018)



Photo 1: View of the Rezoning Area on Avenue O, looking north, Projected Site 1 is comprised of the two houses on the right while Projected Site 2 is the red and white house on the left



Photo 2: View of the Rezoning Area on Avenue O, looking northeast, Projected Site 1 is comprised of the two houses on the right while Projected Site 2 is the red and white house on the left



Photo 3: View of Projected Development Site 1, looking west from the intersection of Avenue O and East 26th Street



Photo 4: View of NY Community Hospital, across from the Project Site on Avenue O, looking south



Photo 5: View of NY Community Hospital and adjacent apartment buildings along Kings Highway



Photo 6: View of NY Community Hospital and adjacent apartment buildings on the left with Projected Site 1 visible on the right looking east on Avenue O



Photo 7: View of apartment buildings along Kings Highway looking east from 26th Street



Photo 8: View of residential uses west of the Rezoning Area on Bedford Avenue



Photo 9: View of mid-rise residential buildings southwest of the Rezoning Area on Bedford Avenue



Photo 10: Views of residential uses on East 26th Street, north of the Rezoning Area

Table 1.6-1 Projected Development Under the Proposed Rezoning

Block	Lot	Lot Area	Existing Zoning	Existing FAR	Prop Zoning	Proj Res. zsf	Proj Res. gsf	Proj Com Fac. zsf	Proj Com Fac. gsf	Proj Comn zsf	Proj Comm. gsf	Projected FAR	DUs
7679	12	4,950	R2	0.51	R3-2	0	0	5,445	4,950	0	0	1.0	0
7679	4	2,608	R2	0.47	R3-2	0	0	2,869	2,608	0	0	1.0	0
Total						0	0	8,314	**7,558**	0	0		***0***



Environmental Assessment Statement
2513-2523 Avenue O Rezoning
Brooklyn, NY

Figure 1-5
Detailed Zoning Map

2.0 ENVIRONMENTAL REVIEW

The following technical sections are provided as supplemental assessments to the Environmental Assessment Statement ("EAS") Short Form. Part II: Technical Analyses of the EAS forms a series of technical thresholds for each analysis area in the respective chapter of the *CEQR Technical Manual*. If the proposed project was demonstrated not to meet or exceed the threshold, the 'NO' box in that section was checked; thus additional analyses were not needed. If the proposed project was expected to meet or exceed the threshold, or if this was not able to be determined, the 'YES' box was checked on the EAS Short Form, resulting in a preliminary analysis to determine whether further analyses were needed. For those technical sections, the relevant chapter of the *CEQR Technical Manual* was consulted for guidance on providing additional analyses (and supporting information, if needed) to determine whether detailed analysis was needed.

A 'YES' answer was provided in the following technical analyses areas on the EAS Short Form:

- Land Use, Zoning, and Public Policy
- Historic and Cultural Resources
- Urban Design and Visual Resources
- Natural Resources
- Air Quality
- Noise
- Neighborhood Character

In the following technical sections, where a preliminary or more detailed assessment was necessary, the discussion is divided into Existing Conditions, the Future No-Action Conditions (the Future Without the Proposed Action), and the Future With-Action Conditions (the Future With the Proposed Action).

2.1 LAND USE, ZONING AND PUBLIC POLICY

The *CEQR Technical Manual* recommends procedures for analysis of land use, zoning and public policy to ascertain the impacts of a project on the surrounding area. Land use, zoning and public policy are described in detail below.

2.1.1 Land Use

The *CEQR Technical Manual* defines land use as the activity that is occurring on the land and within the structures that occupy it. Types of land use can include single- and multi-family residential, commercial (retail and office), community facility/institutional and industrial/manufacturing uses, as well as vacant land and public parks (open recreational space). The 2014 *CEQR Technical Manual* recommends that a proposed action be assessed in relation to land use, zoning, and public policy. For each of these areas, a determination is made of the potential for significant impact by the proposed action. If the action does have a potentially significant impact, appropriate analytical steps are taken to evaluate the nature of the impact, possible alternatives and possible mitigation.

Existing Conditions

The *CEQR Technical Manual* recommends a land use; zoning and public policy Study Area extending 400 feet from the site of a proposed action. This Study Area is generally bound by Kings Highway to the south, East 24th Street to the west, midblock between Avenue O and Avenue N to the north, and midblock between East 27th Street and East 28th Street to the east.

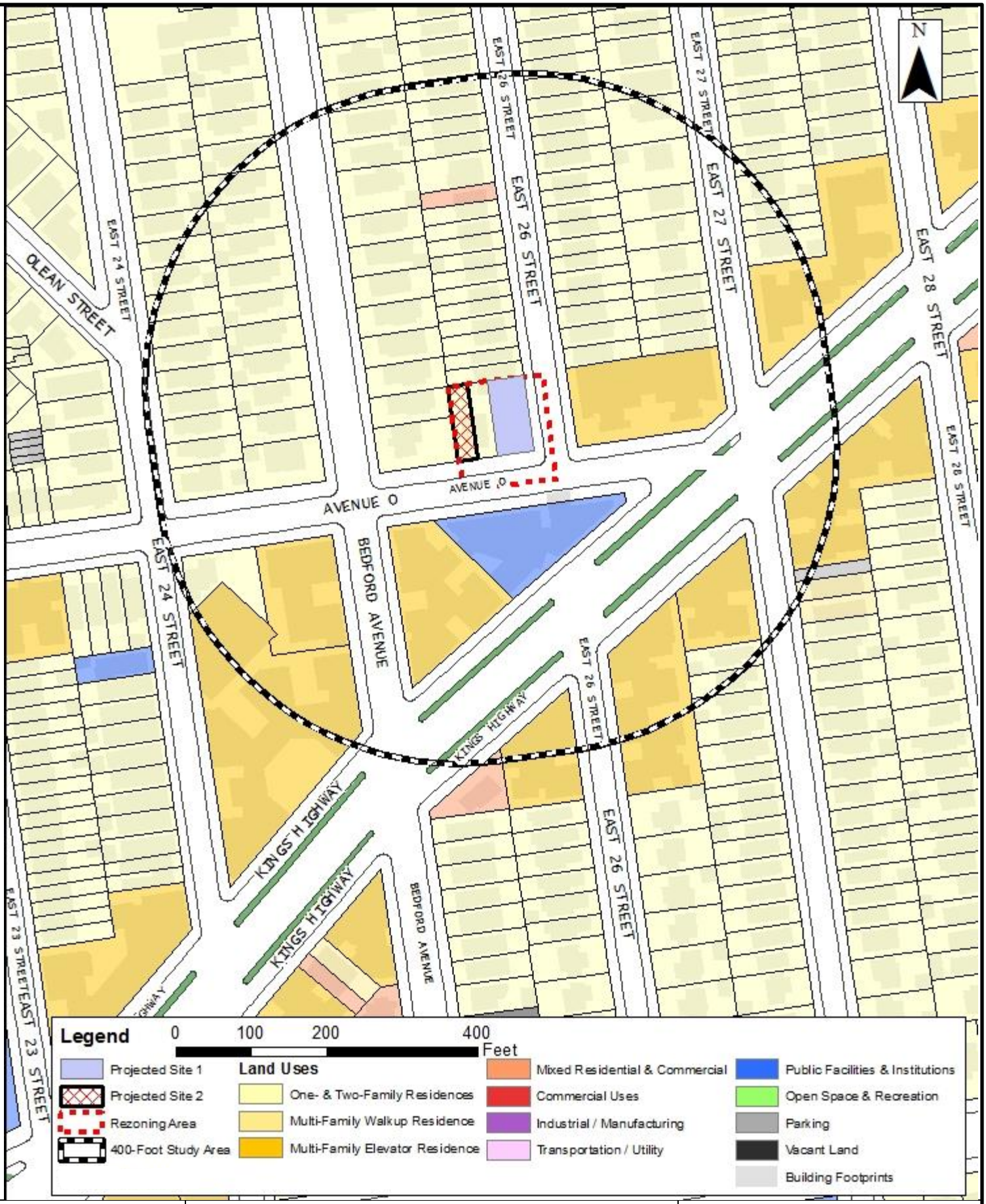
A field survey was conducted to determine the existing land use patterns and neighborhood characteristics of the Study Area. Existing land use in the Study Area is primarily comprised of a mix of single- and multi-family residential buildings, public facility and institutions and mixed residential and commercial buildings. The New York Community Hospital is across the street from the Rezoning Area on Avenue O. The

prevailing built form of the area is a mix of mid-rise residential buildings and one and two family residential buildings. Additionally, the New York Community Hospital, which has two buildings, (three and five stories apiece) is directly opposite the Project Site.

The proposed Rezoning Area consists of Block 7679, Lots 1-4. The properties within the proposed Rezoning Area are used as follows: Block 7679, Lot 1 is improved with a 2-story 1,232 gsf mixed-use building with medical office on the first floor and residential use on the second floor built to an FAR of 0.49 . Lot 2 is improved with a 2-story 1,264 gsf mixed-use building with medical office on the first floor and residential use on the second floor built to an FAR of 0.52. Lot 3 is improved with a 2-story 1,232 gsf residential building built to an FAR of 0.50. Block 7679, Lot 4 is improved with a 2-story 1,232 gsf mixed-use building with medical office on the first floor and residential use on the second floor built to an FAR of 0.47

The surrounding Study Area predominantly consists of Use Group 1 and 2 one-and-two family residential buildings, and multifamily mid to high rise apartment buildings. Additionally, the New York Community Hospital is located directly across Avenue O from the Project Site. In the southern portion and eastern portion of the Study Area, along Kings Highway, are UG 2 six story, midrise multifamily apartment buildings. Directly across the street from the Project Site on Avenue O is the New York Community Hospital. The western and northern portions of the Study Area are primarily comprised of one and two family residences.

The general mix of land use observed in the Study Area generally reflects the distribution of land use observed throughout Brooklyn CD 14, which is summarized in **Table 2.1-1.** The most prominent land use within Brooklyn CD 14 is 1 and 2 family residences, followed by multifamily elevator residential buildings.



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Environmental Assessment Statement
2513-2523 Avenue O Rezoning
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Figure 2.1-1
Land Use Map

Table 2.1-1 2014 Land Use Distribution - Brooklyn Community District 14

LAND USES	PERCENT OF TOTAL
Residential Uses	
1-2 Family	47.92
Multi-Family Elevator	14.76
Multi-Family Walk-up	9.91
Mixed Residential/Commercial	5.95
Subtotal of Residential Uses	*78.54*
Non-Residential Uses	
Commercial/Office	4.59
Industrial	0.25
Transportation/Utility	2.45
Institutions	8.5
Open Space/Recreation	3.69
Parking Facilities	1.02
Vacant Land	0.9
Miscellaneous	0.07
Subtotal of Non-Residential Uses	*21.46*
TOTAL	**100.0**

Source: *Community District Profiles, New York City Department of City Planning.*

Future No-Action Scenario

The Project Site and Rezoning Area are located in the Midwood neighborhood of Brooklyn within an existing R2 zoning district. However, the medical office uses within the Rezoning Area are nonconforming under the current R2 zoning. Therefore, it is assumed that the in No-Action Scenario, these nonconforming uses would vacate the properties at which they are located (Lots 1, 2, and 4). The No-Action Scenario would be different from the Existing Conditions as described in detail below.

No-Action Scenario on Lots 1 and 2 (Applicant Site)

The proposed Project Site (Lots 1 and 2) is occupied with two buildings. Lot 1 is a 2,500 sf lot improved with a 1,232 gsf building with ground floor medical office use and residential use on the second floor, built to an FAR of 0.49. Lot 2 is a 2,450 sf lot improved with a 1,264 gsf building with ground floor medical office use and residential use on the second floor, built to an FAR of 0.52. The ground floor medical office use is nonconforming. In the No-Action Scenario, it is assumed that the ground floor medical office use would vacate the ground floors of Lots 1 and 2 would be occupied by an expansion of the second floor residential use. In the No-Action Scenario, Lot 1 would be improved with a 1,232 gsf UG 1 residential building while Lot 2 would be improved with a 1,264 gsf UG 1 residential building

No-Action Scenario on Lot 4

Lot 4 is a 2,608 sf lot improved with a 1,232 sf building with medical office on the ground floor and residential use on the second floor built to an FAR of 0.47. The ground floor medical office use, which is believed to be used as back office space for New York Community Hospital, is nonconforming. In the No-Action Scenario, it is assumed that the ground floor medical office use would vacate the ground floor and be occupied with an expansion of the second floor residence. In the No-Action Scenario, Lot 4

would be improved with a 1,232 gsf UG 1 residential building, built to an FAR of 0.47, which is allowed per R2 zoning district guidelines.

No-Action Scenario on Lot 3

Lot 3 is a 2,442 sf lot improved with a two-story 1,232 gsf UG 1 residential house built to an FAR of 0.5. It is likely to remain in its existing condition in the No-Action Scenario, as the uses are conforming and it is built to its maximum FAR under the existing zoning regulations for residential uses.

Future With-Action Scenario

Under the With-Action Scenario, the proposed rezoning would amend the zoning map to change the existing R2 district to an R3-2 district, which would facilitate the applicant's proposed development of combining tax lots 1 and 2 into a single zoning lot and combining the two buildings on each lot into a single building for use as legal and conforming medical office space on the first floor and residential use on the second floor. The proposed R3-2 zoning district would be the lowest density district that would permit a medical facility larger than 1,500 sf.

However, in the interest of a conservative analysis under the With-Action Scenario, it is assumed that Block 7679, Lots 1-2 would be developed as a single zoning lot with exclusively medical office space. On a combined 4,950 sf lot, it is assumed that approximately 5,445, gsf of medical office space (4,950 zsf) would be development in the Future With-Action Scenario.

Furthermore, in the interest of a conservative analysis, Lot 4, which is also within the Rezoning Area (non applicant owned) has also been identified as a projected development site (Projected Site 2). On a 2,608 square foot lot, is assumed that the proposed rezoning would result in approximately 2,869 gsf (2,608 zsf) of medical office space in the Future With- Action Scenario.

The proposed action would introduce new medical office uses to the study area. The Study Area currently contains medical office and community facility uses (NY Community Hospital). The proposed action would not result in significant adverse impacts related to land use.

2.1.2 Zoning

The *New York City Zoning Resolution* dictates the use, density and bulk of developments within New York City. Additionally, the Zoning Resolution provides required and permitted accessory parking regulations. The City has three basic zoning district classifications – residential (R), commercial (C), and manufacturing (M). These classifications are further divided into low-, medium-, and high-density districts.

Existing Conditions

Zoning designations within and around the Study Area are depicted in **Figure 2.1-2**, while **Table 2.1-2** summarizes use, floor area and parking requirements for the zoning districts in the Study Area.

The proposed Rezoning Area is located in the Midwood neighborhood in Brooklyn's Community District 14.
The Projected Development Sites are located in an R2 zoning district that is mapped generally along Avenue O to the south, midblock between Ocean Avenue and East 21st Street to the west, midblock between Nostrand Avenue and East 29th Street to the east, and Avenue K to the north. Residential uses (UG 1) as well as community facility uses (UGs 3 and 4) are allowed as-of-right in R2 zoning districts. The maximum built floor area ratio (FAR) for R2 districts is 1.0 for community facility uses and 0.5 for residential uses. R2 zoning districts have front, rear, and side yard requirements for all UG 1 residential uses and one parking space is required per dwelling unit.

Directly south of the Rezoning Area, across Avenue O, is an R7A zoning district that is generally mapped along Kings Highway, extending approximately 100 feet north and south of Kings Highway, and mapped to East 17th

Street to the west and Nostrand Avenue to the east. Residential uses (UGs 1 and 2) as well as community facility uses (UGs 3 and 4) are allowed as-of-right in R7A zoning districts. The maximum built floor area ratio (FAR) for R7A districts is 4.0 and can reach a maximum of 4.6 with Mandatory Inclusionary Housing (MIH) designated area bonus. The maximum FAR for community facility uses is also 4.0. Building heights within R7A districts can reach a maximum of 85 feet or 95 in MIH areas. Parking is required for 50 percent of all dwelling units that are market rate.

South of the R7A zoning district, in the very southern portion of the 400-foot Study Area, is a portion of an R3-2 zoning district. Residential uses (UGs 1 and 2) as well as community facility uses (UGs 3 and 4) are allowed as-of-right in R3-2 zoning districts. The maximum built floor area ratio (FAR) for R3-2 districts is 1.0 for community facility uses and 0.5 for residential uses, though an FAR of 0.6 is allowed with a special permit. Building heights within R3-2 districts can reach a maximum of 35 feet, while the perimeter wall height has a maximum of 21 feet. Parking is required for every dwelling unit.

Table 2.1-2 Summary of Zoning Regulations

Zoning District	Type and Use Group (UG)	Floor Area Ratio (FAR)	Parking (Required Spaces)
R2	Residential UGs 1, 3,4	0.5 FAR for Residential 1.0 FAR for Community Facility	1 per dwelling unit
R7A	Residential UGs 1-4	4.0 FAR for Residential 2.0 FAR for Community Facility	50 percent of dwelling units (waived if 15 or fewer spaces required)
R3-2	Residential UGs 1-4	0.6 FAR for Residential 1.0 FAR for Community Facility	1 per dwelling unit

Source: Zoning Handbook, New York City Department of City Planning,

Future No-Action Scenario

The Project Site and Rezoning Area are located in the Midwood neighborhood of Brooklyn within an existing R2 zoning district. However, the medical office uses within the Rezoning Area are nonconforming under the current R2 zoning. While absent the proposed action, there would no changes to the zoning, it is assumed that the in No-Action Scenario, these nonconforming uses would vacate the properties at which they are located (Lots 1, 2, and 4). The No-Action Scenario would be different from the Existing Conditions as described in detail below.

No-Action Scenario on Lots 1 and 2 (Applicant Site)

The proposed Project Site (Lots 1 and 2) is occupied with two buildings. Lot 1 is a 2,500 sf lot improved with a 1,232 gsf building with ground floor medical office use and residential use on the second floor, built to an FAR of 0.49. Lot 2 is a 2,450 sf lot improved with a 1,264 gsf building with ground floor medical office use and residential use on the second floor, built to an FAR of 0.52. The ground floor medical office use is nonconforming. In the No-Action Scenario, it is assumed that the ground floor medical office use would vacate the ground floors of Lots 1 and 2 would be occupied by an expansion of the second floor residential use. In the No-Action Scenario, Lot 1 would be improved with a 1,232 gsf UG 1 residential building while Lot 2 would be improved with a 1,264 gsf UG 1 residential building

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Under the With-Action Scenario, the proposed rezoning would amend the zoning map to change the existing R2 district to an R3-2 district, which would facilitate the applicant's proposed development of combining tax lots 1 and 2 into a single zoning long and combining the two buildings on each lot into a single building for use as legal and conforming medical office space on the first floor and residential use on the second floor. The proposed R3-2 zoning district would be the lowest density district that would permit a medical facility larger than 1,500 sf.

However, in the interest of a conservative analysis under the With-Action Scenario, it is assumed that Block 7679, Lots 1-2 would be developed as a single zoning lot with exclusively medical office space. On a combined 4,950 sf lot, it is assumed that approximately 5,445, gsf of medical office space (4,950 zsf) would be development in the Future With-Action Scenario.

Furthermore, in the interest of a conservative analysis, Lot 4, which is also within the Rezoning Area (non applicant owned) has also been identified as a projected development site (Projected Site 2). On a 2,608 square foot lot, is assumed that the proposed rezoning would result in approximately 2,869 gsf (2,608 zsf) of medical office space in the Future With- Action Scenario.

While the proposed action would create a new R3-2 zoning district, the FAR permitted and height permitted within the R3-2 district would be similar to the existing form in the surrounding 400-foot Study Area, including the R2 zoning district, as well as the R3-2 zoning district to the south of Kings Highway. Both districts have maximum CF FAR of 1.0, but the R2 further restricts certain CF uses. There a maximum FAR of 0.5 and 0.6 for residential uses in R2 and R3-2 zoning districts respectively. The R3-2 zoning district allows for a wider variety of Medical Offices uses above 1,500 sf as -of-right.

The new zoning does not introduce new uses to the Study Area. UG 2 is not allowed in R2 but is allowed in R3-2. Current residential uses on the site are UG2 (residential, not single family detached homes). This is consistent with the Study Area. As such, no significant adverse impacts related to zoning are expected and no further analysis is required.

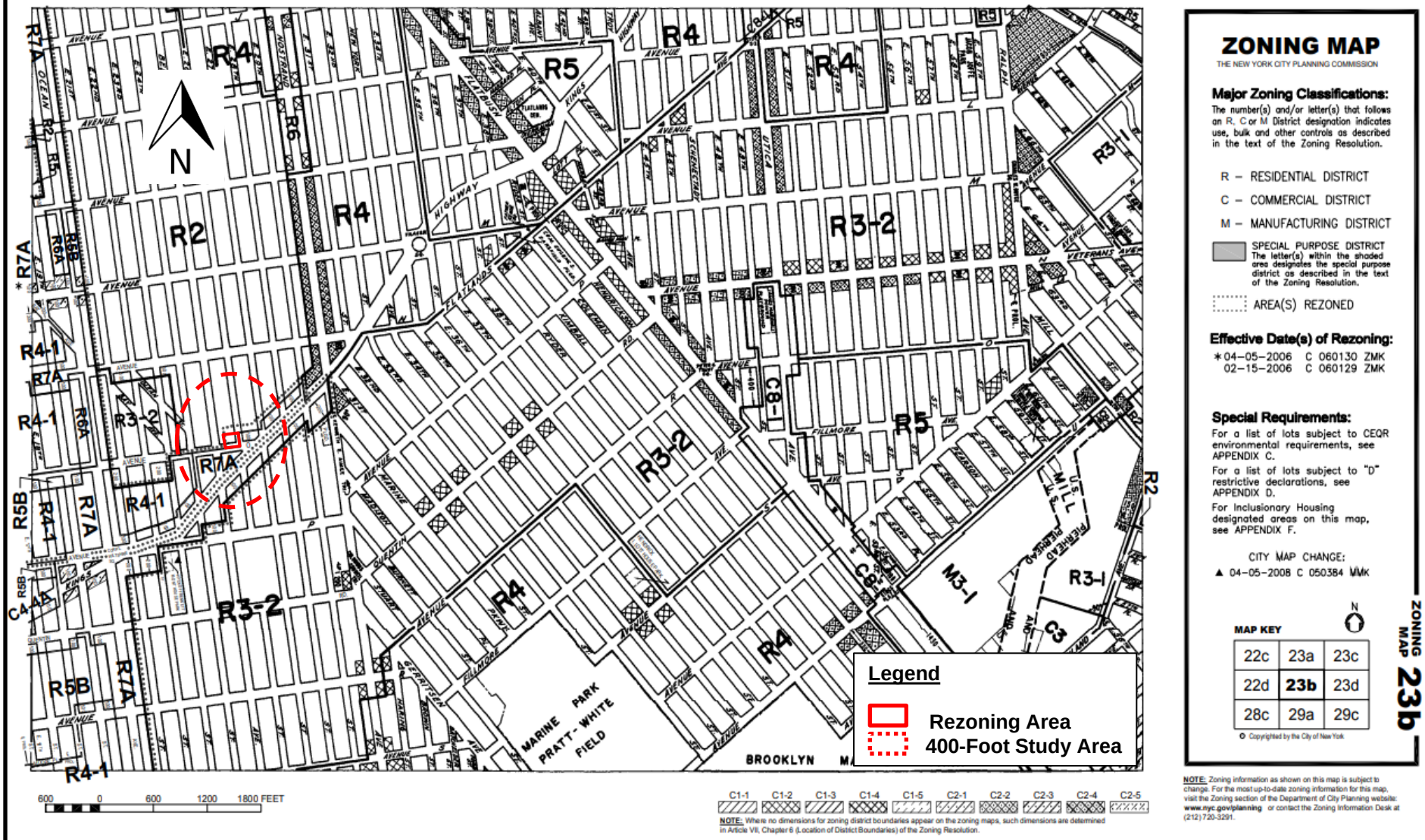

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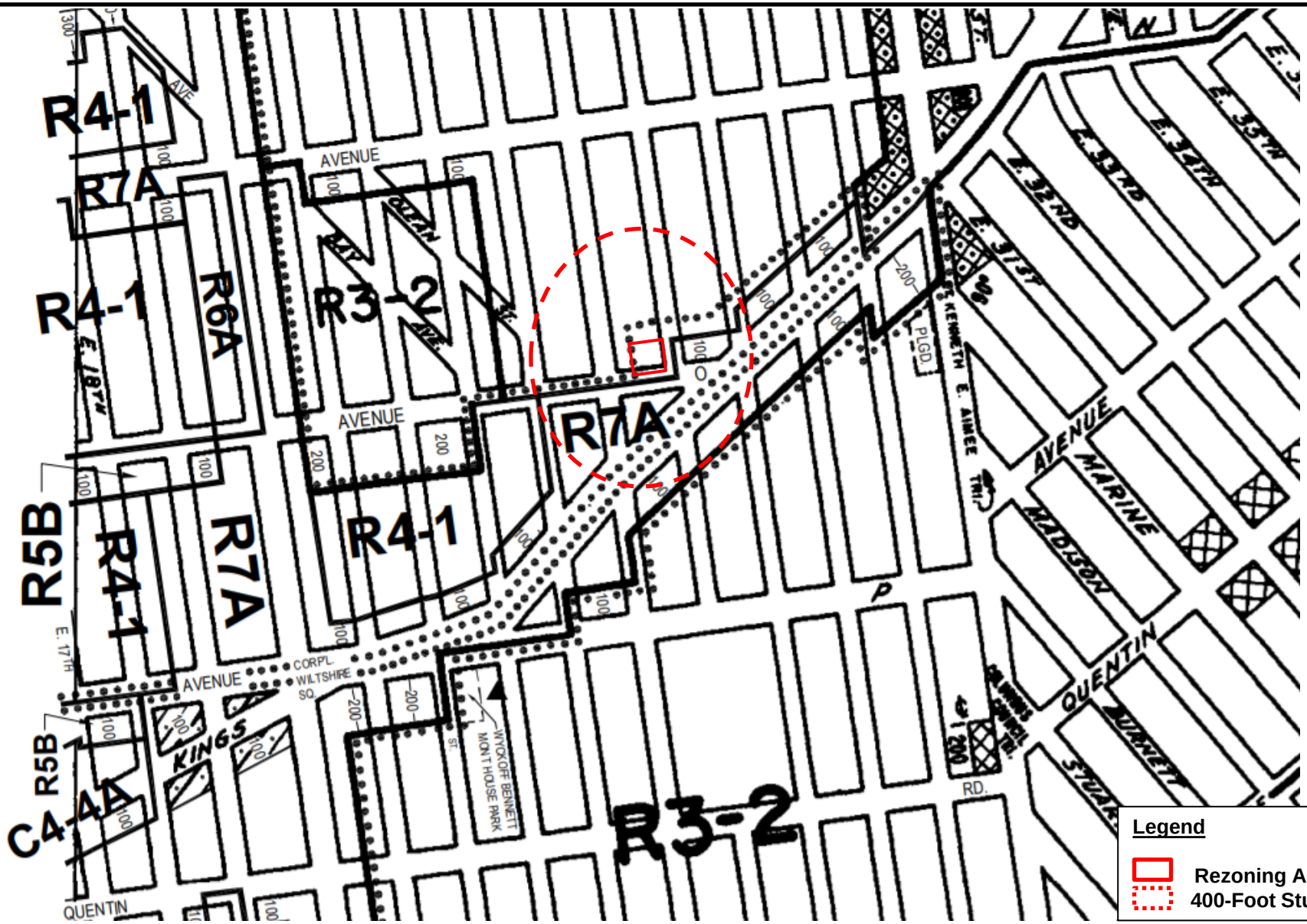
Figure 2.1-2
Zoning Map



AECOM	**Environmental Assessment Statement** **2513-2523 Avenue O Rezoning** **Brooklyn, NY**	**Figure 2.1-3** Zoning Map- Zoomed In

2.1.3 Public Policy

The Project Site is not part of, or subject to, an Urban Renewal Plan (URP), adopted community 197-a Plan, Solid Waste Management Plan, Business Improvement District (BID), Industrial Business Zone (IBZ), or the New York City Landmarks Law. The proposed action is also not a large publically sponsored project, and as such, consistency with the City's *PlaNYC 2030* for sustainability is not warranted. In addition, the Rezoning Area is not located in the Coastal Management Zone; therefore a consistency review is not warranted.

Waterfront Revitalization Program

The Rezoning Area is not located within New York City's designated coastal zone and, as such, is not subject to review for its consistency with the City's Waterfront Revitalization Program (WRP).

2.2 HISTORIC AND CULTURAL RESOURCES

An assessment of historic and cultural resources is usually necessary for projects that are located in close proximity to historic or landmark structures or districts, or for projects that require in-ground disturbance, unless such disturbance occurs in an area that has been formerly excavated.

The term "historic resources" defines districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, architectural and archaeological importance. In assessing both historic and cultural resources, the findings of the appropriate city, state, and federal agencies are consulted. Historic resources include: the New York City Landmarks Preservation Commission (LPC)-designated landmarks, interior landmarks, scenic landmarks, and historic districts; locations being considered for landmark status by the LPC; properties/districts listed on, or formally determined eligible for, inclusion on the State and/or National Register (S/NR) of Historic Places; locations recommended by the New York State Board for Listings on the State and/or National Register of Historic Places and National Historic Landmarks.

2.2.1 Architectural Resources

According to *CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the proposed action and in the area surrounding identified development sites. The historic resources Study Area is therefore defined as the Project Site plus an approximately 400-foot radius around the proposed action area.

None of the identified Projected Development Sites or lots within the rezoning are designated local or S/NR historic resources or properties, nor are these sites part of any designated historic district. Additionally, there are no LPC or S/NR landmarks or historic districts located within the 400-foot Study Area around the Rezoning Area. The LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on April 23rd, 2018, indicating that none of the properties within the Rezoning Area (Block 7679, Lots 1-4) have any architectural significance (see **Appendix B**)

2.2.2 Archaeological Resources

Unlike the architectural evaluation of a Study Area that extends beyond the footprint of a project's block and lot lines, the analysis of potential and/or projected impacts to archaeological resources is controlled by the actual footprint of the limits of soil disturbance. Archeological resources are physical remains, usually subsurface, of the prehistoric and historic periods such as burials, foundations, artifacts, wells and privies. The existing Rezoning Area lots are disturbed and improved with structures.No recent or distant cultural or archaeological significance have been attached to this area. Further, utilizing the NYS Office of Parks, Recreation and Historic Preservation's "Cultural Resource Information System" (CRIS) mapper, the Rezoning Area does not fall within an archaeologically sensitive area. Based on both current and historic photoreconnaissance of the Rezoning Area, there is little potential for impact to any known or

unknown resource due to development. The LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on April 23rd, 2018, indicating that the no properties within the Rezoning Area (Block 7679, Lots 1-4) had any archaeological significance (see **Appendix B**). Therefore, significant adverse impacts to archaeological resources are not expected as a result of the proposed action, and further analysis is not warranted. Additionally, the *CEQR Technical Manual* only requires a detailed evaluation of a project's potential effect on the archeological resources if it would potentially result in an in-ground disturbance to an area not previously excavated. As this project is not expected to result in any in-ground disturbance to any areas that are currently undisturbed, no detailed analysis is warranted.

2.3 URBAN DESIGN AND VISUAL RESOURCES

According to the *CEQR Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space. Elements that play an important role in the pedestrian's experience include streets, buildings, visual resources, open space, and natural features, as well as wind as it relates to channelization and downwash pressure from tall buildings.

The *CEQR Technical Manual* notes an urban design assessment considers whether and how a project may change the experience of a pedestrian in the Study Area. The assessment focuses on the components of a proposed project that may have the potential to alter the arrangement, appearance, and functionality of the built environment. In general, an assessment of urban design is needed when the project may have effects on one or more of the elements that contribute to the pedestrian experience (e.g., streets, buildings, visual resources, open space, natural features, wind, etc.). An urban design analysis is not warranted if a proposed project would be constructed within existing zoning envelopes, and would not result in physical changes beyond the bulk and form permitted "as-of-right" with the zoning district.

As the proposed action would result in the expansion an existing building that is not allowed "as-of-right" per existing zoning, a preliminary analysis was conducted.

2.3.1 Preliminary Analysis and Study Area

As stated in the *CEQR Technical Manual*, the Study Area for urban design is the area where the project may influence land use patterns and the built environment, and is generally consistent with the Study Area used for the land use analysis (i.e., 400 feet around the proposed Rezoning Area). For visual resources, existing publicly accessible view corridors within the Study Area should be identified. The purpose of the preliminary assessment is to determine whether any physical changes proposed by a project may raise the potential to significantly and adversely affect elements of urban design, which would warrant the need for a detailed urban design and visual resources assessment.

Existing Conditions

The Study Area is located in Midwood, Brooklyn. A ground level photograph map key is provided in the previously presented **Figure 1-3**, with ground-level photographs of the projected development sites and the Study Area are provided in previously presented **Figure 1-4**. The architecture throughout the Study Area is eclectic, with no particular unity or style of form to unify the built environment. As noted in **Chapter 2.1-1**, a mix of uses characterizes the area, which is nearly entirely comprised of multi-story/multi-family walk-ups, multi-family elevator buildings, and one and two family residences, though the New York Community Hospital is directly across the street from the Rezoning Area.

Residences are the most prominent land use throughout the Study Area and range from one and two family residences in the northern portion of the Study Area to high-rise 6-story multi-family elevator buildings in the southern and eastern portions of the Study Area. The New York Community Hospital, which has two buildings, (three and five stories apiece) is directly opposite the Project Site.

Most buildings are arranged regular (parallel) with respect to their lot placement and directly abut the sidewalk to create a continuous commercial and walking experience. The one and two family residences

in the Study Area are detached in some instances, while some of the residences are attached to each other. Most of the one and two family homes in the Study Area are three stories in height.

Most of the residential buildings north of Avenue O are 3 stories in height while the buildings south of Avenue O, along Kings Highway, range from 5 to 7 stories in height.

The topography throughout the Project Area is flat. The streetscape along the Project Area is even and a continuous sidewalk is present throughout and the portion of the block being rezoned within the Project Area. The general walking character of the Project Area and Study Area is very good. There are quality healthy street trees, albeit irregularly placed, throughout the Study Area. There are no vacant lots with the Rezoning Area or within the greater Study Area.

No other notable streetscape elements (e.g. benches) are located within the Study Area and no natural features of note are located within the Study Area. There are landscaped "Green Streets" along Kings Highway. The street hierarchy of the Study Area includes several different functional classifications. Avenue O is classified as a Minor Arterial Roadway under the New York State Department of Transportation, while Bedford Avenue and Kings Highway are classified as Principal Arterial Other roadways. All other streets within the Study Area are considered local streets.

Future No-Action Condition

The proposed development site is located in the Midwood neighborhood of Brooklyn, which is densely developed with a mix of low rise and high rise residential buildings. The Project Site and Rezoning Area are located within an existing R2 zoning district. However, the medical office uses within the Rezoning Area are nonconforming under the current R2 zoning. Therefore, it is assumed that the in No-Action Scenario, these nonconforming uses would vacate the properties at which they are located (Lots 1, 2, and 4). The No-Action Scenario would be different from the Existing Conditions as described in detail below.

<u>No-Action Scenario on Lots 1 and 2 (Applicant Site)</u>
The proposed Project Site (Lots 1 and 2) is occupied with two buildings. Lot 1 is a 2,500 sf lot improved with a 1,232 gsf building with ground floor medical office use and residential use on the second floor, built to an FAR of 0.49. Lot 2 is a 2,450 sf lot improved with a 1,264 gsf building with ground floor medical office use and residential use on the second floor, built to an FAR of 0.52. The ground floor medical office use is nonconforming. In the No-Action Scenario, it is assumed that the ground floor medical office use would vacate the ground floors of Lots 1 and 2 would be occupied by an expansion of the second floor residential use. In the No-Action Scenario, Lot 1 would be improved with a 1,232 gsf UG 1 residential building while Lot 2 would be improved with a 1,264 gsf UG 1 residential building.

<u>No-Action Scenario on Lot 4</u>
Lot 4 is a 2,608 sf lot improved with a 1,232 sf building with medical office on the ground floor and residential use on the second floor built to an FAR of 0.47. The ground floor medical office use, which is believed to be used as back office space for New York Community Hospital, is nonconforming. In the No-Action Scenario, it is assumed that the ground floor medical office use would vacate the ground floor and be occupied with an expansion of the second floor residence. In the No-Action Scenario, Lot 4 would be improved with a 1,232 gsf UG 1 residential building, built to an FAR of 0.47, which is allowed per R2 zoning district guidelines.

<u>No-Action Scenario on Lot 3</u>
Lot 3 is a 2,442 sf lot improved with a two-story 1,232 gsf UG 1 residential house built to an FAR of 0.5. It is likely to remain in its existing condition in the No-Action Scenario, as the uses are conforming and it is built to its maximum FAR under the existing zoning regulations for residential uses.

Future With-Action Condition

According to the *CEQR Technical Manual*, if a preliminary assessment determines that changes to the pedestrian environment are sufficiently significant to require greater explanation and further study, then a

detailed urban design and visual resources analysis is appropriate. Detailed analyses are generally appropriate for all area-wide rezoning applications that include an increase in permitted floor area or changes in height and setback requirements, general large scale developments, or projects that would result in substantial changes to the built environment of a historic district, or components of an historic building that contribute to the resource's historic significance. Conditions that merit consideration for further analysis of visual resources include when the project partially or totally blocks a view corridor or a natural or built rare or defining visual resource. Further conditions that merit consideration are when the project changes urban design features so that the context of a natural or built visual resource is altered, such as if a project alters the street grid so that the approach to the resource changes, or if a project changes the scale of surrounding buildings so that the context changes.

According to the *CEQR Technical Manual*, if a preliminary assessment determines that changes to the pedestrian environment are sufficiently significant to require greater explanation and further study, then a detailed urban design and visual resources analysis is appropriate. Detailed analyses are generally appropriate for all area-wide rezoning applications that include an increase in permitted floor area or changes in height and setback requirements, general large scale developments, or projects that would result in substantial changes to the built environment of a historic district, or components of an historic building that contribute to the resource's historic significance. Conditions that merit consideration for further analysis of visual resources include when the project partially or totally blocks a view corridor or a natural or built rare or defining visual resource. Further conditions that merit consideration are when the project changes urban design features so that the context of a natural or built visual resource is altered, such as if a project alters the street grid so that the approach to the resource changes, or if a project changes the scale of surrounding buildings so that the context changes.

The Projected Development Site is presently used as a 3-story mixed use building with medical office on the ground floor and residential uses on the upper floors on Lots 1 and 2. The Projected Development Site has a lot area of 4,950 square feet. Projected Development Site 2, (Lot 4) – the other projected development site is comprised of a 1,232 gsf building on a 2,608 sf lot used as administrative office space by the New York Community Hospital.

Under the With-Action Scenario, the proposed rezoning would amend the zoning map to change the existing R2 district to an R3-2 district, which would facilitate the applicant's proposed development of combining tax lots 1 and 2 into a single zoning long and combining the two buildings on each lot into a single building for use as legal and conforming medical office space on the first floor and residential use on the second floor. The proposed R3-2 zoning district would be the lowest density district that would permit a medical facility larger than 1,500 sf.

However, in the interest of a conservative analysis under the With-Action Scenario, it is assumed that Block 7679, Lots 1-2 would be developed as a single zoning lot with exclusively medical office space. On a combined 4,950 sf lot, it is assumed that approximately 5,445, gsf of medical office space (4,950 zsf) would be development in the Future With-Action Scenario.

Furthermore, in the interest of a conservative analysis, Lot 4, which is also within the Rezoning Area (non applicant owned) has also been identified as a projected development site (Projected Site 2). On a 2,608 square foot lot, is assumed that the proposed rezoning would result in approximately 2,869 gsf (2,608 zsf) of medical office space in the Future With- Action Scenario.

A three-dimensional representation of an approximate building envelope allowed under a reasonable worst case development scenario for the proposed development site as well as projected development sites and potential development sites is overlaid a photograph of the street under existing conditions, along with figures showing the no-action conditions, in **Figures 2.6.1** to **2.6.4**

This current section of Midwood is very densely developed with a variety of residential uses. In addition to the mix of low rise and high residential uses, the New York Community Hospital (3-5 stories) is located across the street from the Rezoning Area. The proposed project would bring into conformance the existing uses on Lots 1, 2, and 4. The Projected Development Sites would be 3 floors and approximately

35 feet in height, which would be similar in height to a number of the residential homes on the north side of Avenue O, where the Rezoning Area is located, directly across the street from the New York Community Hospital.

Buildings of similar height and bulk, (and use) are found within the Study Area to the south, east, north, and west of the Project Site. To the south, is the New York Community Hospital, which has two buildings, one three, and the other five stories in height. To the north of the Project Sites, there are a number of one and two family homes that are also three stories in height.

The proposed action would not diminish or disturb the existing aesthetic continuity, pedestrian features of the community or neighborhood, and as the proposed action would not block any view corridors or views to/from any natural areas with rare or defining features, nor would the proposed action impact an historical or culturally sensitive community features, the proposed action is not expected to result in any significant adverse urban design or visual resource related impacts



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Figure 2.3-1
No-Action Scenario-projected Site 1-View 1



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Figure 2.3-2
With-Action Scenario-Projected Site 1-View 1



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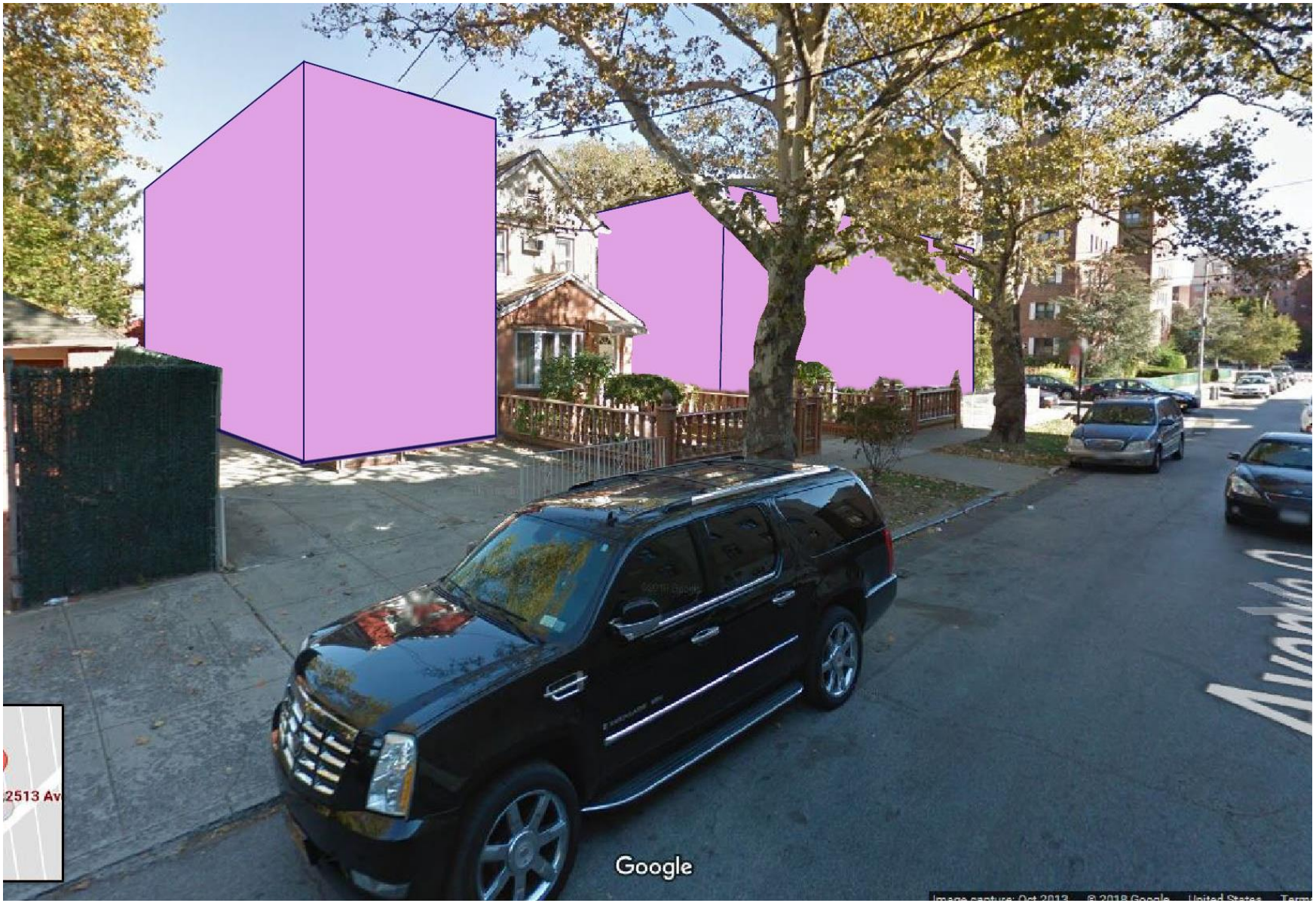
Figure 2.3-3
No-Action Scenario-Projected Site 1 & 2-View 2



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2513-2523 Avenue O Rezoning
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Figure 2.3-4
With-Action Scenario-Projected Site 1 & 2-View 2

2.4 NATURAL RESOURCES

An assessment of a proposed project's impact on natural resources is typically performed for projects that either would occur on or near natural resources (e.g., wetlands, woodlands, meadows, etc.), or for projects that would result in either the direct or indirect disturbance of such resources. The specific Project Site is a disturbed urban environment. Since the site is already developed and located in a disturbed urban environment, no natural resource impacts are anticipated.

According to the *CEQR Technical Manual*, the Project Site is located within the Jamaica Bay Watershed. As such, the Jamaica Bay Watershed Protection Plan, Project Tracking Form was completed (see **Appendix C)**.The Jamaica Bay Watershed Protection Plan, developed pursuant to Local Law 71 of 2005, mandates that the New York City Department of Environmental Protection (DEP) work with the Mayor's Office of Environmental Coordination (MOEC) to review and track proposed development projects in the Jamaica Bay Watershed that are subject to CEQR, in order to monitor growth and trends. If a project is located in the Jamaica Bay Watershed, the applicant should complete the Project Tracking Form and submit it to DEP and MOEC. The information in the Form is to be used for tracking purposes only. It is not intended to indicate whether further CEQR analysis is needed or to substitute for the guidance offered in the relevant chapters of the *CEQR Technical Manual*.

2.5 AIR QUALITY

When assessing the potential for air quality significant impacts, the *CEQR Technical Manual* seeks to determine a proposed action's effect on ambient air quality, or the quality of the surrounding air. Ambient air can be affected by motor vehicles, referred to as "mobile sources," or by fixed facilities, referred to as "stationary sources." This can occur during operation and/or construction of a project being proposed. The pollutants of most concern are carbon monoxide, lead, nitrogen dioxide, ozone, relatively coarse inhalable particulates (PM_{10}), fine particulate matter ($PM_{2.5}$), and sulfur dioxide.

The *CEQR Technical Manual* generally recommends an assessment of the potential impact of mobile sources on air quality when an action increases traffic or causes a redistribution of traffic flows, creates any other mobile sources of pollutants (such as diesel train usage), or adds new uses near mobile sources (e.g., roadways, parking lots, garages). The *CEQR Technical Manual* generally recommends assessments when new stationary sources of pollutants are created, when a new use might be affected by existing stationary sources, or when stationary sources are added near existing sources and the combined dispersion of emissions would impact surrounding areas.

2.5.1 Mobile Sources

According to the *CEQR Technical Manual*, projects, whether site-specific or generic, have the potential to result in significant adverse mobile source air quality impacts when they may increase or cause a redistribution of traffic, create any other mobile sources of pollutants (such as diesel trains, helicopters etc.), or add new uses near mobile sources (roadways, garages, parking lots, etc.). Automobiles and vehicular traffic in general are typically considered mobile sources of air pollutants. Changes in local traffic volumes, traffic patterns, or the types of vehicles moving through a given area could result in significant adverse air quality impacts.

In the With-Action Scenario, it is assumed that Lots 1 and 2 would be merged as a single development lot with a total lot area of 4,950 sf. It is assumed that the lot would be developed with approximately 5,445 gsf (4,950 zsf) of medical office /facility space. Furthermore, it is assumed that Lot 4, which is owned by NY Community Hospital, would be developed with medical office/facility uses to an FAR of 1.0, the maximum FAR allowed in R3-2 zoning districts for medical office/facility use. On a 2,608 sf lot, it is assumed that approximately 2,869 gsf (2,608 zsf) would medical office/facility uses would be developed. No additional development is expected to occur as a result of the proposed action on Lot 3. The proposed action is not expected to exceed the 170-peak-hour-trip CEQR preliminary screening threshold

for an air quality mobile source assessment. Therefore, no further assessment of mobile source air quality is warranted and significant adverse impacts on air quality generated by mobile sources are not expected as a result of the proposed action.

Considering the development does not warrant traffic Level I screening analysis, there would be no adverse air quality impact from project generated mobile source.

2.5.2 Stationary Sources

According to the *CEQR Technical Manual*, projects may result in stationary source air quality impacts when one or more of the following occurs:

According to the *CEQR Technical Manual*, some instances in which projects may result in stationary source air quality impacts include certain new uses near existing (or planned future) emissions stacks are introduced that may affect the use; when new sensitive uses are located near a large emission source; when new sensitive uses created within 400 feet of manufacturing or processing facilities; or when new uses are created within 400 feet of a stack associated with commercial, institutional, or residential developments (and the height of the new structures would be similar to or greater than the height of the emission stack), among other instances. As the proposed rezoning in the With-Action Scenario would introduce approximately 8,314 gsf of UG 4 Medical Office floor area combined on Projected Sites 1 and 2. Furthermore, no manufacturing or processing facilities were noted within 400 feet of the Rezoning Area during a recent field inspection. Additionally, a search for large and major sources was completed and none were found in the area around the Project Site. Searched databases included the NYC Department of Environmental Protection CATS database and NYS Department of Environmental Conservation Air State Facility Permits and Title V Permits. As such, it is reasonable to assume that a stationary source analysis is not warranted.

While there is an on-site laboratory, there are not laboratory vents or fume hoods present at the hospital which could potentially release fumes from the laboratory into the air. There are very strict, city and state, regulations that the hospital complies with regarding disposal of biomedical waste.

HVAC and Hot Water Boiler Emissions Screening

Impacts from boiler emissions at the projected development sites are a function of fuel oil type, stack height, minimum distance from the source to the nearest building, and square footage of the development. For each building, site stack height and development size are plotted on the appropriate graph, provided in the *CEQR Technical Manual*. Buildings for which no boiler information was found are assumed to use Fuel Oil #2. Furthermore, while different screening graphs are used for residential and non-residential buildings, for the purposes of this analysis the non-residential development screening graph has been used, which presents a more conservative screening analysis.

These graphs indicate the minimum distance between subject buildings (i.e., a projected development site) and surrounding buildings (with operable windows, balconies, etc.) of a similar or greater height needed to avoid a potential air quality impact. The screening results for each projected development are shown below in **Figures 2-5.1 and 2.5-2.**

<u>Introduction</u>

The project applicant is seeking an amendment to rezone portions of Brooklyn Block 7679 (Lots 1-4) from an existing R2 zoning district to an R3-2 zoning district The Reasonable Worst Case Development Scenario (RWCDs) as shown in **Table 2.5-1**.

Table 2.5-1 Reasonable Worst Case Development Scenario (RWCDS)

Site No.	Block	Lot	Lot Area (Sq. ft.)	Proposed Zoning	Max Allowable (Sq.)	Max Allowable Height (ft.)
Projected Site 1	7679	1	2,500	R3-2	5,445	35
	7679	2	2,450			
Projected Site 2	7679	4	2,608	R3-2	2,869	35

Analysis

As demonstrated below, in **Figures 2.5-1 and 2.5-2**, this required distance for each projected development site is beyond the minimum distance needed to avoid the potential for a significant adverse air quality impact related to each building's boiler emissions. Therefore, significant adverse impacts regarding stationary air quality sources are not expected, and further stationary source air quality analyses are not warranted. **(See below).**

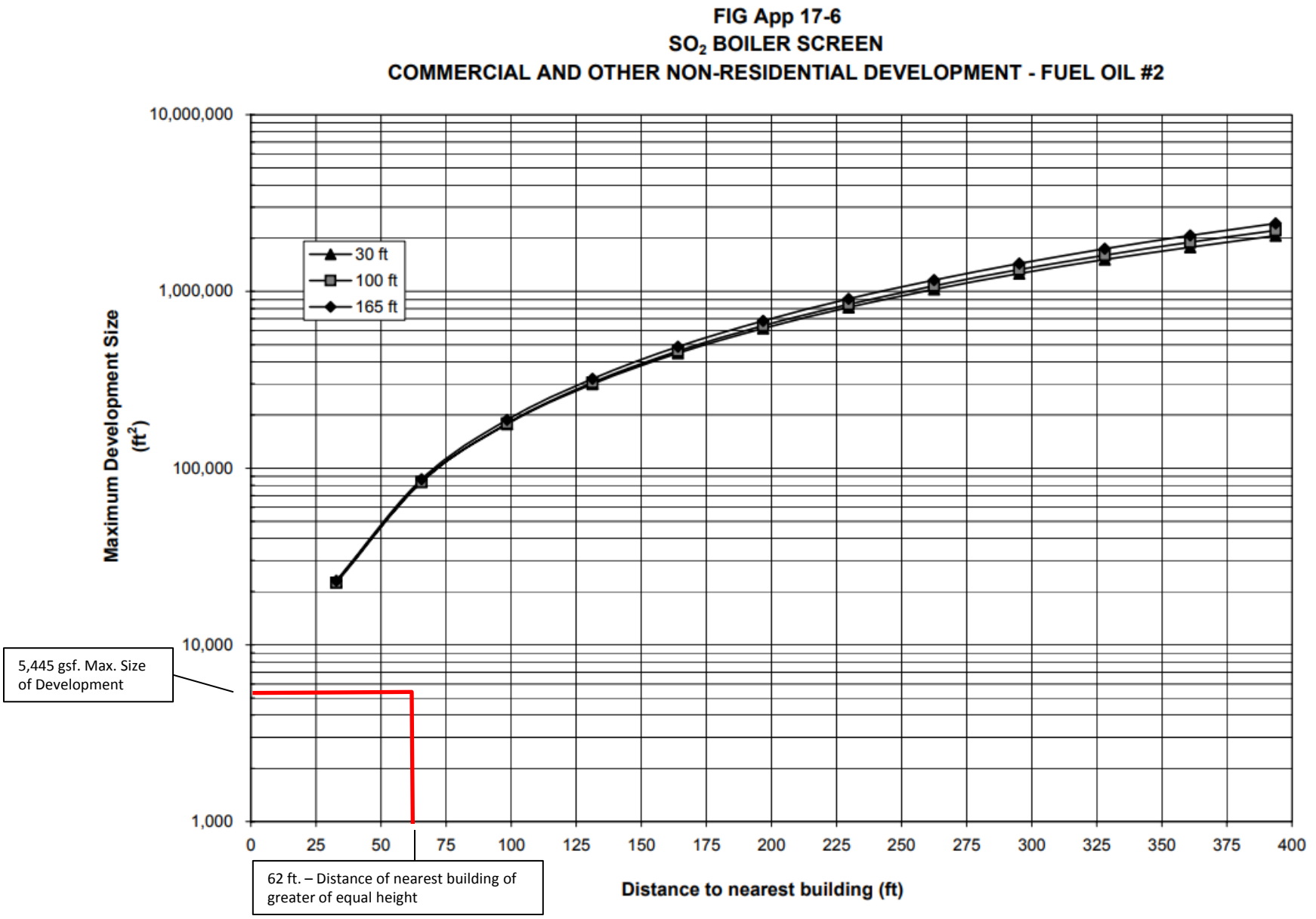

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Figure 2.5-1
Air Quality Screen- Projected Site 1

A review of the surrounding area indicates that the nearest building occupied with sensitive receptors and operable windows (taller than projected 35-foot tall subject building) is the 6-story multi-family residential building located at 2607 Avenue O (Brooklyn Block 7680, Lot 1), east of this Projected Development Site 1. This building is located approximately 62 feet to the east of Projected Site 1. This distance is well beyond the minimum distance needed to avoid the potential for a significant adverse air quality impact related to its boiler emissions, and therefore the impact from this projected development site does not warrant further analyses.

FIG App 17-6
SO_2 BOILER SCREEN
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT - FUEL OIL #2

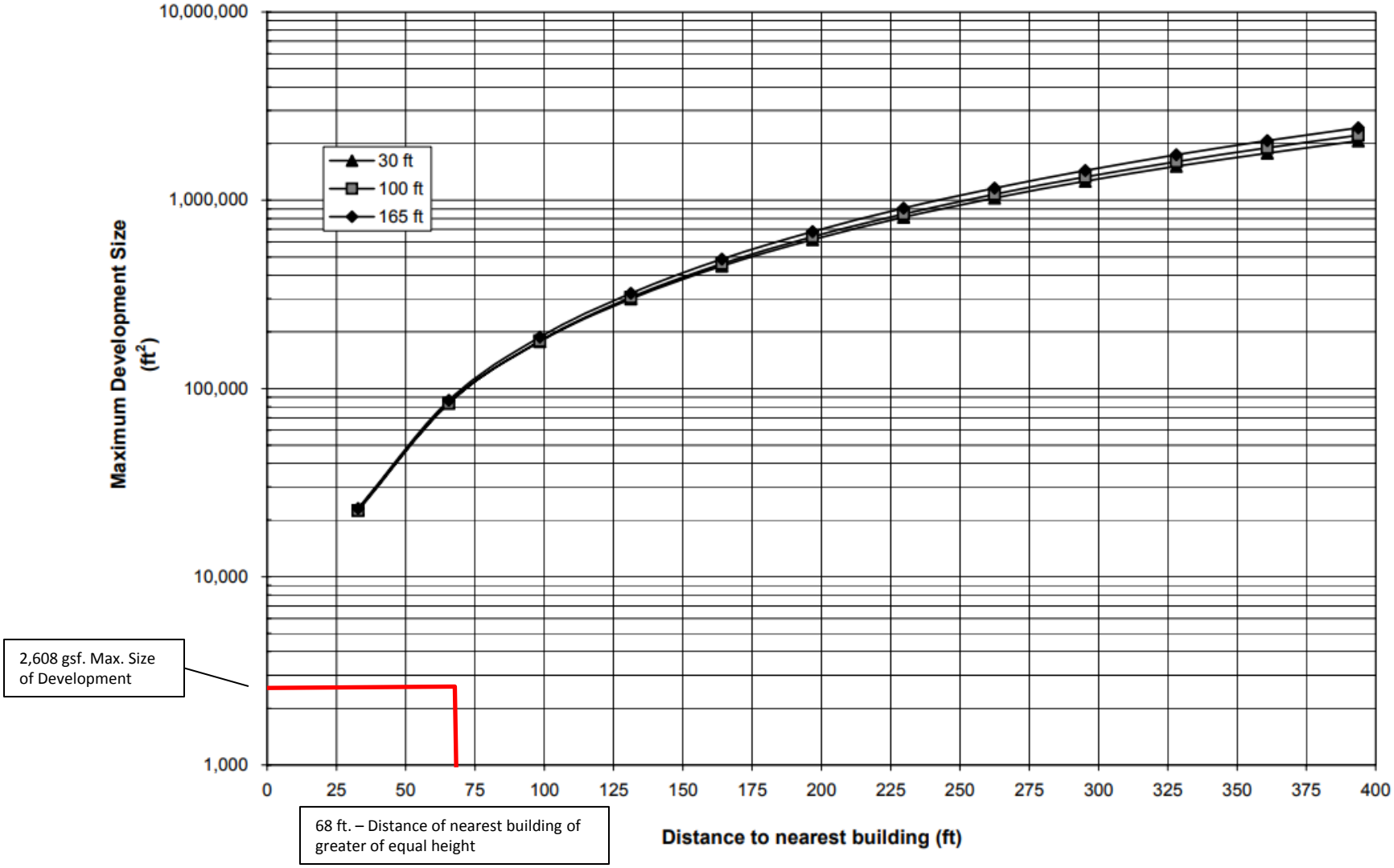

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Figure 2.5-2
Air Quality Screen- Projected Site 2

A review of the surrounding area indicates that the nearest building occupied with sensitive receptors and operable windows (taller than projected 35-foot tall subject building) is the 5-story New York Community Hospital building located at 2525 Kings Highway (Brooklyn Block 6772, Lot 4), south of Projected Development Site 2. This building is located approximately 68 feet south Projected Development Site 2. This distance is well beyond the minimum distance needed to avoid the potential for a significant adverse air quality impact related to its boiler emissions, and therefore the impact from this projected development site does not warrant further analyses.

2.5.3 Air Toxics Permit Search

A search of DEP permits within 400-feet of the Project Area was conducted and 9 permits were found, all on Block 6772, Lot 4. However, 8 of these permits were cancelled or disapproved. Only one active permit remains.

This active permit was on Block 6772, Lot 4, which is the New York Community Hospital. This permit though, was not for an industrial source but instead for a backup generator (**See Appendix D**), to make sure that the hospital could function in the event of a power outage.

No industrial source permits were found within 400-feet of the Study Area. And no large scale industrial source permits were found within 1000 feet of the Study Area. As such, no further analysis related to air quality is required and no significant adverse impacts are expected.

2.6 NOISE

Noise is defined as any unwanted sound, and sound is defined as any air pressure variation that the human ear can detect. Human beings can detect a large range of sound pressures ranging from 20 to 20 million micropascals, but only these air-pressure variations occurring within a particular set of frequencies are experienced as sound. Air pressure changes that occur between 20 and 20,000 times a second, stated as units of Hertz (Hz), are registered as sound.

In terms of hearing, humans are less sensitive to low frequencies (<250 Hz) than mid-frequencies (500-1,000 Hz). Humans are most sensitive to frequencies in the 1,000 to 5,000 Hz range. Since ambient noise contains many different frequencies all mixed together, measures of human response to noise assign more weight to frequencies in this range. This is known as the A-weighted sound level.

Noise is measured in sound pressure level (SPL), which is converted to a decibel scale. The decibel is a relative measure of the sound level pressure with respect to a standardized reference quantity. Decibels on the A-weighted scale are termed “dB(A).” The A-weighted scale is used for evaluating the effects of noise in the environment because it most closely approximates the response of the human ear. On this scale, the threshold of discomfort is 120 dB(A), and the threshold of pain is about 140 dB(A). **Table 2.7-1** shows the range of noise levels for a variety of indoor and outdoor noise levels.

Table 2.6-1 Sound Pressure Level & Loudness of Typical Noises in Indoor & Outdoor Environments

Noise Level dB(A)	Subjective Impression	Typical Sources		Relative Loudness (Human Response)
		Outdoor	Indoor	
120-130	Uncomfortably Loud	Air raid siren at 50 feet (threshold of pain)	Oxygen torch	32 times as loud
110-120	Uncomfortably Loud	Turbo-fan aircraft at take-off power at 200 feet	Riveting machine Rock band	16 times as loud
100-110	Uncomfortably Loud	Jackhammer at 3 feet		8 times as loud
90-100	Very Loud	Gas lawn mower at 3 feet Subway train at 30 feet	Newspaper press	4 times as loud

		Train whistle at crossing Wood chipper shredding trees Chain saw cutting trees at 10 feet		
80-90	Very Loud	Passing freight train at 30 feet Steamroller at 30 feet Leaf blower at 5 feet Power lawn mower at 5 feet	Food blender Milling machine Garbage disposal Crowd noise at sports event	2 times as loud
70-80	Moderately Loud	NJ Turnpike at 50 feet Truck idling at 30 feet Traffic in downtown urban area	Loud stereo Vacuum cleaner Food blender	Reference loudness (70 dB(A))
60-70	Moderately Loud	Residential air conditioner at 100 feet Gas lawn mower at 100 feet Waves breaking on beach at 65 feet	Cash register Dishwasher Theater lobby Normal speech at 3 feet	2 times as loud
50-60	Quiet	Large transformers at 100 feet Traffic in suburban area	Living room with TV on Classroom Business office Dehumidifier Normal speech at 10 feet	1/4 as loud
40-50	Quiet	Bird calls Trees rustling Crickets Water flowing in brook	Folding clothes Using computer	1/8 as loud
30-40	Very quiet		Walking on carpet Clock ticking in adjacent room	1/16 as loud
20-30	Very quiet		Bedroom at night	1/32 as loud
10-20	Extremely quiet		Broadcast and recording studio	
0-10	Threshold of Hearing			

Sources: Noise Assessment Guidelines Technical Background, by Theodore J. Schultz, Bolt Beranek and Newman, Inc., prepared for the US Department of Housing and Urban Development, Office of Research and Technology, Washington, D.C., undated; Sandstone Environmental Associates, Inc.; Highway Noise Fundamentals, prepared by the Federal Highway Administration, US Department of Transportation, September 1980; Handbook of Environmental Acoustics, by James P. Cowan, Van Nostrand Reinhold, 1994.

Because the scale is logarithmic, a relative increase of 10 decibels represents a sound pressure level that is 10 times higher. However, humans do not perceive a 10 dB(A) increase as 10 times louder; they perceive it as twice as loud. The following are typical human perceptions of dB(A) relative to changes in noise level:

- 3 dB(A) change is the threshold of change detectable by the human ear;
- 5 dB(A) change is readily noticeable; and
- 10 dB(A) increase is perceived as a doubling of the noise level.

As a change in land use may result in a change in type and intensity of noise perceived by residents, patrons and employees of a neighborhood, the *CEQR Technical Manual* recommends an analysis of the two principal types of noise sources: mobile sources and stationary sources.

2.6.1 Mobile Sources

Mobile noise sources are those which move in relation to receptors. The mobile source screening analysis addresses potential noise impacts associated with vehicular traffic generated by the proposed action. According to the *CEQR Technical Manual*, if existing passenger car equivalent (PCE) values are increased by 100 percent or more due to a proposed action, a detailed analysis is generally performed.

In the future with the proposed rezoning, a total of 4 parcels and two projected development sites are projected to be in the Rezoning Area. This would result in a total of approximately 8,314 total square feet of medical office floor area between the two projected development sites. The creation of the expansion of the medical office space that would result from this action is not expected to cause vehicular traffic (and thus PCE values) to double at any local intersections. The proposed action is not anticipated to generate enough vehicular traffic to double traffic levels on adjacent streets during any peak hour due to the relatively moderate to high numbers of vehicles in the immediate area. As such, the proposed action is unlikely to warrant a mobile source analysis and significant mobile source related impacts are not expected.

2.6.2 Stationary Sources

The *CEQR Technical Manual* states that based upon previous studies, unless existing ambient noise levels are very low and/or stationary source levels are very high (and there are no structures that provide shielding), it is unusual for stationary sources to have significant impacts at distances beyond 1,500 feet. A detailed analysis may be appropriate if the proposed project would: cause a substantial stationary source (i.e., unenclosed mechanical equipment for manufacturing or building ventilation purposes, playground, etc.) to be operating within 1,500 feet of a receptor, with a direct line of sight to that receptor; or introduce a receptor in an area with high ambient noise levels resulting from stationary sources, such as unenclosed manufacturing activities or other loud uses. Machinery, mechanical equipment, heating, ventilating and air-conditioning units, loudspeakers, new loading docks, and other noise associated with building structures may also be considered in a stationary source noise analysis. Impacts may occur when a stationary noise source is near a sensitive receptor, and is unenclosed. Because all of the building's mechanical equipment associated with the proposed action would meet all applicable noise regulations and would not result in any significant increase in ambient noise levels.

Introduction

The applicant is seeking a zoning map amendment to rezone portions of Brooklyn Block 7679, Lots 1-4 from an R2 district to an R3-2 zoning district to facilitate the proposed development of a combination of Brooklyn Block 7679, tax lots 1 and 2 into a single zoning lot and a combination of the two buildings on each respective lot into a single building. This combined building would be used for medical offices on the first floor and residential use on the second floor. The proposed zoning map amendment would legalize an existing non-conforming use (medical office) and allow for the medical office to expand beyond 1,500 square feet.

This analysis describes the noise measurement results collected on May 22, 2018 and May 23, 2018 at two locations in front of Projected Site 1 and Projected Site 2 shown in **Figure 2.6-1**. These measurements were then compared with New York City Department of Environmental Protection (NYCDEP)-established exterior noise exposure guidelines, Table 19-2 in the *City Environmental Quality Review (CEQR) Technical Manual*, to determine appropriate building noise attenuation, if required, for any of proposed buildings to ensure that interior noise levels would be acceptable per Table 19-3 in the *CEQR Technical Manual*.

Noise Measurement

Noise measurements were conducted at two locations (**Figure 2.6-1**) during peak vehicular travel periods, 8:00-9:00 am, 12:00-1:00 pm, and 5:00-6:00 pm. The weather conditions were normal with calm winds and were considered suitable for an ambient noise measurement.

A Type 1 sound level meter (Larson Davis LxT) with wind shield was used to conduct the noise monitoring. The meter was placed on a tripod at a height of approximately five feet above the ground, away from any reflective surfaces. The meter was calibrated prior to and following each monitoring session.

Noise measurements were conducted at the following locations. These two locations were chosen as they are located in front of each of the Projected Sites.

- Location 1: the intersection of Avenue O and E 26th Street (Photo 1 below);
- Location 2: mid-block of Avenue O between E 26th Street and Bedford Avenue (Photo 2 below).



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Figure 2.6-1
Noise Measurement Locations



Photo 1- Meter Setup at Location 1



Photo 2- Meter Setup at Location 2

Measurement Summary

Tables 2.6-2 and 2.6-3 present the ambient noise levels in terms of various noise metrics measured at two selected locations during three daytime periods. L_{10} is the metric used by NYCDEP in establishing the exterior noise exposure guidelines.

Table 2-6.2: Noise Levels in dBA at Location 1

Noise Metric	Time Period		
	May 22, 7:40-8:01 AM	May 23, 12:14-12:35 PM	May 23, 5:08-5:29 PM
L_{eq}	68.3	64.8	62.8
L_{max}	94.4	86.3	84.5
L_{10}	**68.9**	**65.0**	**65.8**
L_{50}	62.2	58.9	59.9
L_{90}	58.7	57.0	57.3
L_{min}	56.9	55.4	54.9

Table 2.6-3: Noise Levels in dBA at Location 2

Noise Metric	Time Period		
	May 22, 8:03-8:24 AM	May 23, 12:36-12:57 PM	May 23, 5:31-5:52PM
L_{eq}	65.8	65.4	**71.7**
L_{max}	86.6	93.9	101.9
L_{10}	**67.7**	**63.8**	67.3
L_{50}	61.2	59.7	62.0
L_{90}	57.9	57.9	59.9
L_{min}	56.1	55.4	57.6

Observation and Discussion

During the midday peak hour on May 22, the New York Community Hospital was having a fire drill. Doctors and nurses were evacuated toward the Projected Sites. Additionally, there was some woodcutting work being done on the next block (Avenue O between Bedford Avenue and E 24th Street) to prevent a dead tree from falling on a house. Therefore, the noise monitoring program was ceased during midday May 22 and completed on May 23.

Noise Measurement Assessment Conclusions

Compared to *CEQR Technical Manual* guidelines, existing noise levels measured at Locations 1 and 2 are both “marginally unacceptable”. To preclude the potential for significant adverse impacts related to noise, an (E) designation would be incorporated into the rezoning proposal for Block 7679, Lot 4. E-541 has been assigned to this project. The text for the (E) designation is as follows:

Block 7679, Lot 4: In order to ensure an acceptable interior noise environment, future community facility uses must provide a closed-window condition with a minimum of 28 dB(A) window/wall attenuation on all building’s facades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.

2.7 NEIGHBORHOOD CHARACTER

Neighborhood character, as defined in the *CEQR Technical Manual,* is considered to be an amalgam of the various elements that give a neighborhood its distinct personality. These elements include land use, socioeconomic conditions, historic and cultural resources, urban design and visual resources, transportation, noise, open space and shadows, as well as any other physical or social characteristics that help to define a community. Not all of these elements affect neighborhood character in all cases; a neighborhood usually draws its distinctive character from a few defining features.

According to the *CEQR Technical Manual,* if a project has the potential to result in any significant adverse impacts on any of the above technical areas, a preliminary assessment of neighborhood character may be appropriate. A significant impact identified in one of these technical areas is not automatically equivalent to a significant impact on neighborhood character; rather, it serves as an indication that neighborhood character should be examined.

In addition, depending on the project, a combination of moderate changes in several of these technical areas may potentially have a significant effect on neighborhood character. As stated in the *CEQR Technical Manual*, a "moderate" effect is generally defined as an effect considered reasonably close to the significant adverse impact threshold for a particular technical analysis area. When considered together, elements may have the potential to significantly affect neighborhood character. Moderate effects on several elements may affect defining features of a neighborhood and, in turn, a pedestrian's overall experience. If it is determined that two or more categories may have potential 'moderate effects' on the environment, CEQR states that an assessment should be conducted to determine if the proposed project result in a combination of moderate effects to several elements that cumulatively may affect neighborhood character. If a project would result in only slight effects in several analysis categories, then further analysis is generally not needed.

The proposed action would not exceed any of the thresholds in the technical areas listed above, which would typically warrant a detailed assessment of the potential for neighborhood character impacts, and thus significant adverse impacts are not expected. In addition, the proposed action is not expected to result in any notable moderate changes in the noted technical areas, and as such, would not have a significant effect on neighborhood character. An assessment of the potential for moderate changes as a result of the proposed action follows below. A key to the photographs of the site and surrounding project Study Area were previously shown with photographs of the site and surrounding Study Area displayed previously at the end of Section 1.

This chapter reviews the defining features of the neighborhood and examines the proposed action's potential to affect the neighborhood character of the surrounding Study Area. The Study Area is generally coterminous with the Study Area used for the land use and zoning analysis in **Chapter 2.1**. The impact analysis of neighborhood character that follows below focuses on changes to the technical areas listed above that exceeded CEQR preliminary screening thresholds that were assessed in this EAS Short Form.

The assessment begins with a review of existing conditions and the neighborhood of the Study Area. The information is drawn from the preceding sections of this EAS, but is presented in a more integrated way. While the other sections present all relevant details about particular aspects of the environmental setting, the discussion for neighborhood character focuses on a limited number of important features that gives the neighborhood its own sense of place and that distinguish them from other parts of the city. A concise discussion of the changes anticipated by the 2021 analysis year under the Future No-Action Condition is then included. A brief overview of the Proposed Action is then presented, along with an analysis of whether any anticipated significant adverse impacts and moderate adverse effects, regarding the relevant technical CEQR assessment categories for neighborhood character, would adversely affect any of the defining features.

2.7.1 Existing Conditions

Land Use, Zoning and Public Policy

A field survey was conducted to determine the existing land use patterns and neighborhood characteristics of the Study Area. Existing land use in the Study Area is primarily comprised of a mix of single- and multi-family residential buildings, public facility and institutions and mixed residential and commercial buildings. The New York Community Hospital is across the street from the Rezoning Area on Avenue O. The prevailing built form of the area is a mix of mid-rise residential buildings and one and two family residential buildings. Additionally, the New York Community Hospital, which has two buildings, (three and five stories apiece) is directly opposite the Project Site.

The proposed Rezoning Area consists of Block 7679, Lots 1-4. The properties within the proposed Rezoning Area are used as follows: Block 7679, Lot 1 is improved with a 2-story 1,232 gsf mixed-use building with medical office on the first floor and residential use on the second floor built to an FAR of 0.49 . Lot 2 is improved with a 2-story 1,264 gsf mixed-use building with medical office on the first floor and residential use on the second floor built to an FAR of 0.52. Lot 3 is improved with a 2-story 1,232 gsf residential building built to an FAR of 0.50. Block 7679, Lot 4 is improved with a 2-story 1,232 gsf mixed-use building with medical office on the first floor and residential use on the second floor built to an FAR of 0.47

The surrounding Study Area predominantly consists of Use Group 1 and 2 one-and-two family residential buildings, and multifamily mid to high rise apartment buildings. Additionally, the New York Community Hospital is located directly across Avenue O from the Project Site. In the southern portion and eastern portion of the Study Area, along Kings Highway, are UG 2 six story, midrise multifamily apartment buildings. Directly across the street from the Project Site on Avenue O is the New York Community Hospital. The western and northern portions of the Study Area are primarily comprised of one and two family residences.

The proposed Rezoning Area is located in the Midwood neighborhood in Brooklyn's Community District 14.
The Projected Development Sites are located in an R2 zoning district that is mapped generally along Avenue O to the south, midblock between Ocean Avenue and East 21st Street to the west, midblock between Nostrand Avenue and East 29th Street to the east, and Avenue K to the north. Residential uses (UG 1) as well as community facility uses (UGs 3 and 4) are allowed as-of-right in R2 zoning districts. The maximum built floor area ratio (FAR) for R2 districts is 1.0 for community facility uses and 0.5 for residential uses. R2 zoning districts have front, rear, and side yard requirements for all UG 1 residential uses and one parking space is required per dwelling unit.

Directly south of the Rezoning Area, across Avenue O, is an R7A zoning district that is generally mapped along Kings Highway, extending approximately 100 feet north and south of Kings Highway, and mapped to East 17th Street to the west and Nostrand Avenue to the east. Residential uses (UGs 1 and 2) as well as community facility uses (UGs 3 and 4) are allowed as-of-right in R7A zoning districts. The maximum built floor area ratio (FAR) for R7A districts is 4.0 and can reach a maximum of 4.6 with Mandatory Inclusionary Housing (MIH) designated area bonus. The maximum FAR for community facility uses is also 4.0. Building heights within R7A districts can reach a maximum of 85 feet or 95 in MIH areas. Parking is required for 50 percent of all dwelling units that are market rate.

South of the R7A zoning district, in the very southern portion of the 400-foot Study Area, is a portion of an R3-2 zoning district. Residential uses (UGs 1 and 2) as well as community facility uses (UGs 3 and 4) are allowed as-of-right in R3-2 zoning districts. The maximum built floor area ratio (FAR) for R3-2 districts is 1.0 for community facility uses and 0.5 for residential uses, though an FAR of 0.6 is allowed with a special permit. Building heights within R3-2 districts can reach a maximum of 35 feet, while the perimeter wall height has a maximum of 21 feet. Parking is required for every dwelling unit.

Urban Design and Visual Resources

Residences are the most prominent land use throughout the Study Area and range from one and two family residences in the northern portion of the Study Area to high-rise 6-story multi-family elevator buildings in the southern and eastern portions of the Study Area. The New York Community Hospital, which has two buildings, (three and five stories apiece) is directly opposite the Project Site.

Most buildings are arranged regular (parallel) with respect to their lot placement and directly abut the sidewalk to create a continuous commercial and walking experience. The one and two family residences in the Study Area are detached in some instances, while some of the residences are attached to each other. Most of the one and two family homes in the Study Area are three stories in height.

Avenue O serves as a "divide" sort of speak between the low rise portion of the Study Area north of the Rezoning Area and the high-rise portion of the Study Area to the south of the Rezoning Area, along Kings Highway. Most of the residential buildings north of Avenue O are 3 stories in height while the buildings south of Avenue O, along Kings Highway, range from 5 to 7 stories in height.

The topography throughout the Project Area is flat. The streetscape along the Project Area is even and a continuous sidewalk is present throughout and the portion of the block being rezoned within the Project Area. The general walking character of the Project Area and Study Area is very good. There are quality healthy street trees, albeit irregularly placed, throughout the Study Area. There are no vacant lots with the Rezoning Area or within the greater Study Area.

No other notable streetscape elements (e.g. benches) are located within the Study Area and no natural features of note are located within the Study Area. There are "green streets' along Kings Highway, however, they are really just sporadic patches of unkempt grass and trees irregularly placed along the north and south side of Kings Highway. The street hierarchy of the Study Area includes several different functional classifications. Avenue O is classified as a Minor Arterial Roadway under the New York State Department of Transportation, while Bedford Avenue and Kings Highway are classified as Principal Arterial Other roadways. All other streets within the Study Area are considered local streets.

2.7.2 Future No-Action Conditions

The Project Site and Rezoning Area are located in the Midwood neighborhood of Brooklyn within an existing R2 zoning district. However, the medical office uses within the Rezoning Area are nonconforming under the current R2 zoning. Therefore, it is assumed that the in No-Action Scenario, these nonconforming uses would vacate the properties at which they are located (Lots 1, 2, and 4). The No-Action Scenario would be different from the Existing Conditions as described in detail below.

<u>No-Action Scenario on Lots 1 and 2 (Applicant Site)</u>

The proposed Project Site (Lots 1 and 2) is occupied with two buildings. Lot 1 is a 2,500 sf lot improved with a 1,232 gsf building with ground floor medical office use and residential use on the second floor, built to an FAR of 0.49. Lot 2 is a 2,450 sf lot improved with a 1,264 gsf building with ground floor medical office use and residential use on the second floor, built to an FAR of 0.52. The ground floor medical office use is nonconforming. In the No-Action Scenario, it is assumed that the ground floor medical office use would vacate the ground floors of Lots 1 and 2 would be occupied by an expansion of the second floor residential use. In the No-Action Scenario, Lot 1 would be improved with a 1,232 gsf UG 1 residential building while Lot 2 would be improved with a 1,264 gsf UG 1 residential building

<u>No-Action Scenario on Lot 4</u>

Lot 4 is a 2,608 sf lot improved with a 1,232 sf building with medical office on the ground floor and residential use on the second floor built to an FAR of 0.47. The ground floor medical office use, which is believed to be used as back office space for New York Community Hospital, is nonconforming. In the No-Action Scenario, it is assumed that the ground floor medical office use would vacate the ground

floor and be occupied with an expansion of the second floor residence. In the No-Action Scenario, Lot 4 would be improved with a 1,232 gsf UG 1 residential building, built to an FAR of 0.47, which is allowed per R2 zoning district guidelines.

No-Action Scenario on Lot 3

Lot 3 is a 2,442 sf lot improved with a two-story 1,232 gsf UG 1 residential house built to an FAR of 0.5. It is likely to remain in its existing condition in the No-Action Scenario, as the uses are conforming and it is built to its maximum FAR under the existing zoning regulations for residential uses.

2.7.3 Future With-Action Conditions

Land Use, Zoning, and Public Policy

Under the With-Action Scenario, the proposed rezoning would amend the zoning map to change the existing R2 district to an R3-2 district, which would facilitate the applicant's proposed development of combining tax lots 1 and 2 into a single zoning long and combining the two buildings on each lot into a single building for use as legal and conforming medical office space on the first floor and residential use on the second floor. The proposed R3-2 zoning district would be the lowest density district that would permit a medical facility larger than 1,500 sf.

However, in the interest of a conservative analysis under the With-Action Scenario, it is assumed that Block 7679, Lots 1-2 would be developed as a single zoning lot with exclusively medical office space. On a combined 4,950 sf lot, it is assumed that approximately 5,445, gsf of medical office space (4,950 zsf) would be development in the Future With-Action Scenario.

Furthermore, in the interest of a conservative analysis, Lot 4, which is also within the Rezoning Area (non applicant owned) has also been identified as a projected development site (Projected Site 2). On a 2,608 square foot lot, is assumed that the proposed rezoning would result in approximately 2,869 gsf (2,608 zsf) of medical office space in the Future With- Action Scenario.

As the proposed action would create medical office uses that currently exist in the Study Area (NY Community Hospital is across the street), albeit in a small smaller capacity, significant adverse impacts related to land use are not expected and no further analysis is required.

Under the With-Action Scenario, the proposed rezoning would amend the zoning map to change the existing R2 district to an R3-2 district, which would facilitate the applicant's proposed development of combining tax lots 1 and 2 into a single zoning long and combining the two buildings on each lot into a single building for use as legal and conforming medical office space on the first floor and residential use on the second floor. The proposed R3-2 zoning district would be the lowest density district that would permit a medical facility larger than 1,500 sf.

However, in the interest of a conservative analysis under the With-Action Scenario, it is assumed that Block 7679, Lots 1-2 would be developed as a single zoning lot with exclusively medical office space. On a combined 4,950 sf lot, it is assumed that approximately 5,445, gsf of medical office space (4,950 zsf) would be development in the Future With-Action Scenario.

Furthermore, in the interest of a conservative analysis, Lot 4, which is also within the Rezoning Area (non applicant owned) has also been identified as a projected development site (Projected Site 2). On a 2,608 square foot lot, is assumed that the proposed rezoning would result in approximately 2,869 gsf (2,608 zsf) of medical office space in the Future With- Action Scenario.

While the proposed action would create a new zoning district, the FAR permitted and height permitted within the R3-2 district would be similar to the existing form in the surrounding 400-foot Study Area, including the R2 zoning district, as well as the R3-2 zoning district to the south of Kings Highway. The

maximum FAR for community facility uses in both R3-2 and R2 zoning districts is 1.0 for community facility uses an FAR of 0.5 and 0.6 for residential uses in R2 and R3-2 zoning districts respectively. As such, no significant adverse impacts related to zoning are expected and no further analysis is required.

Historic and Cultural Resources

None of the identified Projected Development Sites or lots within the rezoning are designated local or S/NR historic resources or properties, nor are these sites part of any designated historic district. Additionally, there are no LPC or S/NR landmarks or historic districts located within the 400-foot Study Area around the Rezoning Area. The LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on April 23rd, 2018, indicating that none of the properties within the Rezoning Area (Block 7679, Lots 1-4) have any architectural significance (see **Appendix B**)

The existing Rezoning Area has not been recently disturbed and no recent or distant cultural or archaeological significance have been attached to this area. Further, utilizing the NYS Office of Parks, Recreation and Historic Preservation's "Cultural Resource Information System" (CRIS) mapper, the Rezoning Area does not fall within an archaeologically sensitive area. Based on both current and historic photoreconnaissance of the Rezoning Area, there is little potential for impact to any known or unknown resource due to development. The LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on April 23rd, 2018, indicating that the no properties within the Rezoning Area (Block 7679, Lots 1-4) had any archaeological significance (see **Appendix B**). Therefore, significant adverse impacts to archaeological resources are not expected as a result of the proposed action, and further analysis is not warranted.

Urban Design and Visual Resources

Under the With-Action Scenario, the proposed rezoning would amend the zoning map to change the existing R2 district to an R3-2 district, which would facilitate the applicant's proposed development of combining tax lots 1 and 2 into a single zoning long and combining the two buildings on each lot into a single building for use as legal and conforming medical office space on the first floor and residential use on the second floor. The proposed R3-2 zoning district would be the lowest density district that would permit a medical facility larger than 1,500 sf.

However, in the interest of a conservative analysis under the With-Action Scenario, it is assumed that Block 7679, Lots 1-2 would be developed as a single zoning lot with exclusively medical office space. On a combined 4,950 sf lot, it is assumed that approximately 5,445, gsf of medical office space (4,950 zsf) would be development in the Future With-Action Scenario.

Furthermore, in the interest of a conservative analysis, Lot 4, which is also within the Rezoning Area (non applicant owned) has also been identified as a projected development site (Projected Site 2). On a 2,608 square foot lot, is assumed that the proposed rezoning would result in approximately 2,869 gsf (2,608 zsf) of medical office space in the Future With- Action Scenario.

This current section of Midwood is very densely developed with a variety of residential uses. In addition to the mix of low rise and high residential uses, the New York Community Hospital (3-5 stories) is located across the street from the Rezoning Area. The proposed project would bring into conformance the existing uses on Lots 1, 2, and 4 in the Rezoning Area and permit the applicant to expand his existing medical office. The proposed rezoning should help to stimulate quality development, providing additional medical office space in a very densely populated neighborhood. In terms of aesthetics, the projected expansions of medical office use would not be in contrast to the design character of the neighborhood. The Projected Development Sites would be 3 floors and approximately 35 feet in height, which would be similar in height to a number of the residential homes on the north side of Avenue O, where the Rezoning Area is located, directly across the street from the New York Community Hospital. There are currently no views of consequence to the Rezoning Area.

The proposed action would not result in any of the above conditions that would merit further detailed assessment of urban design and visual resources. The new buildings (or expansions) would not be out-of-context with the surrounding buildings within the Study Area. In fact several other buildings of similar height and bulk, (and use) are found within the Study Area to the south, east, north, and west of the Project Site. To the south, is the New York Community Hospital, which has two buildings, one three, and the other five stories in height. To the north of the Project Sites, there are a number of one and two family homes that are also three stories in height. Avenue O serves as a "divide" sort of speak between the low rise residential portion of the Study Area and the high rise, high density portion of the Study Area. The Projected Development Sites would fit in well on this portion of Avenue O and assist in the "transition" from low density development to high density development (with regards to FAR and gsf). As the proposed action would not diminish or disturb the existing aesthetic continuity, pedestrian features of the community or neighborhood, and as the proposed action would not block any view corridors or views to/from any natural areas with rare or defining features, nor would the proposed action impact an historical or culturally sensitive community features, the proposed action is not expected to result in any significant adverse urban design or visual resource related impacts

Natural Resources

According to the *CEQR Technical Manual*, the Project Site is located within the Jamaica Bay Watershed. As such, the Jamaica Bay Watershed Protection Plan, Project Tracking Form was completed (see **Appendix C)**.

Transportation

The Project would not result in any conditions that would warrant a transportation assessment. As such, significant adverse impacts with regards to transportation are not expected and no analysis is required as the project would not significantly adversely impact the existing transportation network in the Study Area.

Noise

Noise measurements were conducted at two locations (**Figure 2.7-1**) during peak vehicular travel periods, 8:00-9:00 am, 12:00-1:00 pm, and 5:00-6:00 pm. The weather conditions were normal with calm winds and were considered suitable for an ambient noise measurement.

A Type 1 sound level meter (Larson Davis LxT) with wind shield was used to conduct the noise monitoring. The meter was placed on a tripod at a height of approximately five feet above the ground, away from any reflective surfaces. The meter was calibrated prior to and following each monitoring session.

Noise measurements were conducted at the following locations

- Location 1: the intersection of Avenue O and E 26th Street
- Location 2: mid-block of Avenue O between E 26th Street and Bedford Avenue

Compared to *CEQR Technical Manual* guidelines, existing noise levels measured at Locations 1 and 2 are both "marginally unacceptable". To preclude the potential for significant adverse impacts related to noise, an (E) designation would be incorporated into the rezoning proposal for Block 7679, Lot 4. E-541 has been assigned to this project. The text for the (E) designation is as follows:

Block 7679, Lot 4: In order to ensure an acceptable interior noise environment, future community facility uses must provide a closed-window condition with a minimum of 28 dB(A) window/wall attenuation on all building's facades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed- window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.

APPENDICIES

APPENDIX A. Applicant Plans

SCOPE OF WORK

COMBINE LOT 1 & LOT 2 AS ONE CORNER LOT AND CONVERT FIRST FLOOR INTO COMMUNITY FACILITY USE (AMBULATORY DIAGNOSTIC -U.G.4)

LOCATION PLAN



ZONING CALCULATIONS - PROPOSED R3-2

ADDRESS: 2519/2523 AVENUE O
BROOKLYN, NY 11210
BLOCK: 7679 PROPOSED ZONING: R3-2
LOT: 1 & 2 TO BE COMBINED MAP: 23b
U.G#: 1 & 4 BIN#: 3210920/3254498
C.B.: 314 CONST.CLASS: II-D
OCCUPANCY GROUP: J-3 @2ND FL & E@1ST FL (1968 CODE)
C. OF O.: NONE

USE GROUPS: U.G. 1 (RESIDENCE), U.G. 4 (AMBULATORY DIAG.)
LOT AREA: 4,950 S.F.
MAX. FAR = 1.0 ZR 24-11

MAX. PERMITTED FLOOR AREA FOR COMMUNITY FACILITY AS PER ZR 24-11
LOT AREA: 100' X 49.5' = 4,950 S.F.
MAX. PERMITTED F.A.R. = 1.0 AS PER ZR 24-11
MAX. PERMITTED F.A. = 4,950 x 1.0 = 4,950 S.F.
EXISTING FIRST FLOOR AREA = 1,424 S.F.
CELLAR (NOT INCLUDED IN TOTAL)
PROPOSED FIRST FLOOR AREA = NO CHANGE
PROPOSED SECOND FLOOR AREA = NO CHANGE
COMMUNITY FACILITY ZONING FLOOR AREA (PROPOSED/EXISTING) = 1,424 S.F.
1,424 S.F. < 4,950 S.F. OK.

MAX. PERMITTED FLOOR AREA FOR RESIDENTIAL AS PER ZR 23-142
MAX. FAR = 0.5
MAX. FLOOR AREA ALLOWED = 0.5 x 4,950 = 2,475 S.F.
EXISTING SECOND FLOOR AREA = 1,159 S.F.
RESIDENTIAL ZONING FLOOR AREA = 1,159 S.F. < 2,475 S.F. (COMPLYING)

BUILDING HEIGHT AS PER ZR 24-521
MAX. BUILDING FRONT WALL HEIGHT : 25'-0"
EXISTING BUILDING HEIGHT: 26'-3"
PROPOSED BUILDING HEIGHT: NO CHANGE

BUILDING HEIGHT AS PER ZR 23-631 (B)
MAX BUILDING HEIGHT OF PERIMETER WALLS: 21'-0"
EXISTING WALL HEIGHT AT EAST 16TH STREET AND SIDE YARD: 25'-3"
EXISTING WALL HEIGHT AT AVENUE O: 15'-11"
PROPOSED BUILDING HEIGHT: NO CHANGE

PERCENTAGE OF LOT COVERAGE AS PER ZR 24-11
MAX. LOT COVERAGE: 55%
MAX. LOT COVERAGE PERMITTED: 4,950 x .55 = 2,723 S.F.
EXISTING LOT COVERAGE = 2,182 S.F. < 2,723 S.F. OK
MAX. LOT COVERAGE: 35% ZR 23-142
ACTUAL LOT COVERAGE: 2,182 / 4,950 = 44% > 35%

FRONT YARD REQUIREMENTS AS PER ZR 24-34
MIN. FRONT YARD SETBACK REQUIRED: 15'-0"
EXISTING FRONT YARD SETBACK: @ AVE. O = 13'-10" & @ EAST 26 ST = 8'-10"
PROPOSED FRONT YARD: NO CHANGE

SIDE YARD REQUIREMENTS AS PER ZR 24-35
REQUIRED NUMBER OF SIDE YARD: 2
AGGREGATE WIDTH OF STREET WALL LESS THAN 80': 42'-3" + 16'-2" + 16'-2" = 74'-6" < 80'-0"
MIN. SIDE YARD = 8'
EXISTING SIDE YARD: 1 @ 43'-11"
EXISTING SIDE YARD: 1 @ 8'-4'
PROPOSED SIDE YARDS: NO CHANGE

SIDE YARD REQUIREMENTS AS PER ZR 23-461
MINIMUM REAR YARD REQUIRED: 8'
EXISTING SIDE YARD: 8'-4"
EXISTING SIDE YARD: 43'-11"
PROPOSED SIDE YARD: NO CHANGE

2519/2523 AVENUE O, BROOKLYN, NY 11210

NSC ARCHITECTURE P.C.
1945 MCDONALD AVENUE, BROOKLYN, NY 11223
Phone (718) 998-2829

DRAWING : PR-001
PROPOSED ZONING C.A.L.C.
DATE: AUGUST 21, 2017

N:\16032 – 2519 AVE O, BROOKLYN – DR. SONA\CONTRACT DOCUMENTS\ZONING – BSA– PROPOSED– COMMFAC.DWG

BEDFORD AVE. (60'-0" WIDE)

EXIST. ADJ. 2 STORY FRAME

B: 7679
L: 3

150.5' TO BEDFORD AVE.

EXIST. CUB CUT

8'-4" SIDE YARD

EXISTING ADJ. DRIVEWAY (EASEMENT)

100'-0" (PROPERTY LINE)

EXISTING CONCRETE DRIVEWAY (EASEMENT)

6'-5"

35'-10"

EXIST. 1 STORY

EL.: 0'-0"

EXISTING 1 STORY CONCRETE BLOCK GARAGE

B: 7679
L: 91

EXIST. ADJ. 2 STORY FRAME

EXISTING 2 STORY WOOD FRAME
BLDG.NO: 2519

16'-2"

EXISTING CONCRETE PAVING

49.50' (PROPERTY LINE)

EXISTING FENCE LINE

EXISTING PAVERS

EXISTING 1 STORY FRAME

AVENUE O (80'-0" WIDE)

32'-4"

EXISTING 2 STORY WOOD FRAME
BLDG.NO: 2523

EXISTING 1 STORY CONCRETE BLOCK GARAGE

EXIST. 1 STORY

EL.: 2.92'

EXISTING PAVERS

EXISTING FENCE WALL

8'-10" FRONT YARD

100'-0" (PROPERTY LINE)

12'-0" SIDEWALK

12'-0" SIDEWALK

13'-10" FRONT YARD

42'-3"

43'-11" SIDE YARD

EXIST. CUB CUT

SCALE

1 3 5
0 2 4 10 20

EAST 26TH STREET (60'-0" WIDE)

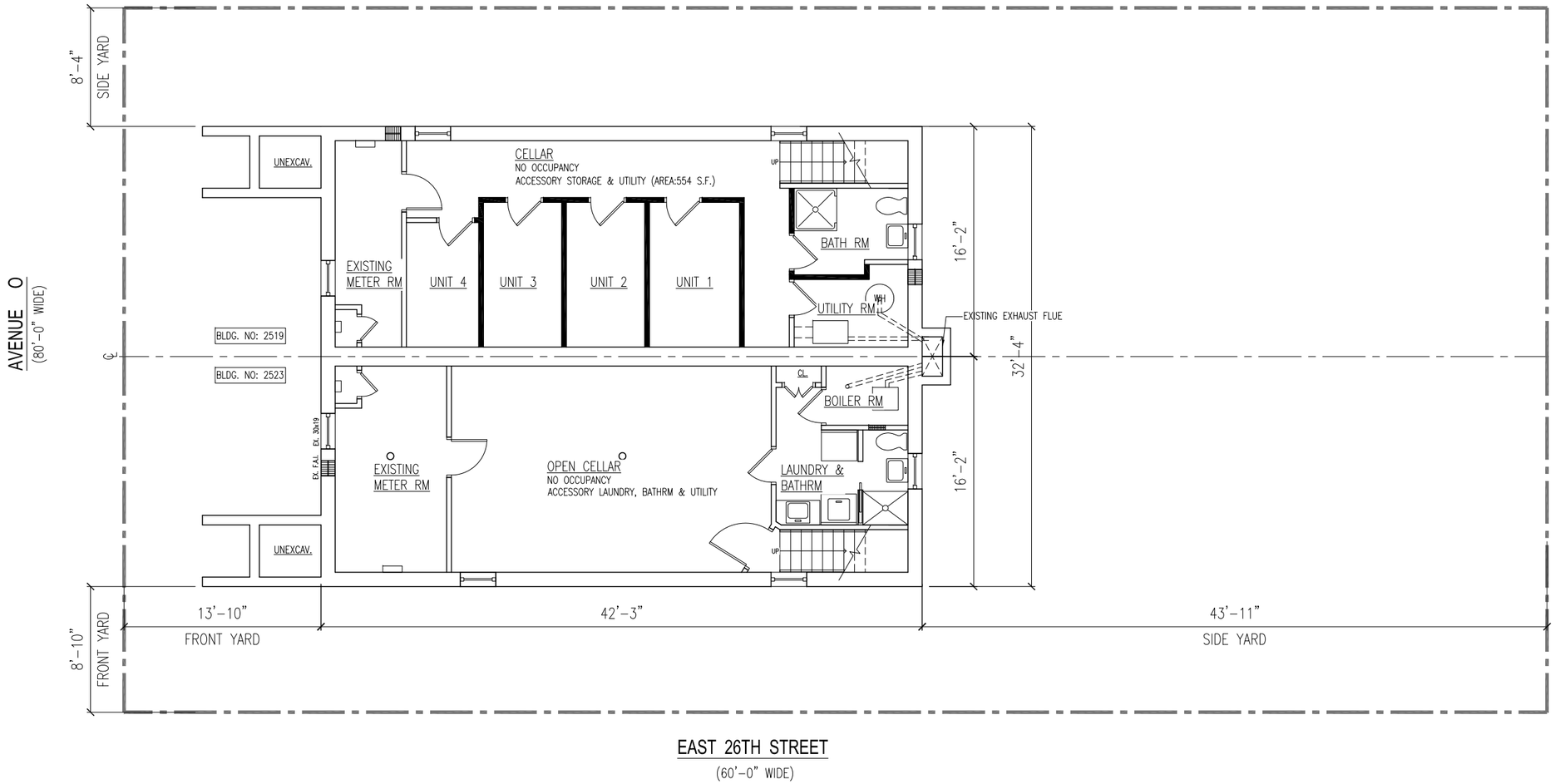
PROPOSED PLOT PLAN

2519/2523 AVENUE O, BROOKLYN, NY 11210

NSC ARCHITECTURE P.C.
1945 MCDONALD AVENUE, BROOKLYN, NY 11223
Phone (718) 998-2829

DRAWING : PR-002
PLOT PLAN
DATE: JULY 28, 2017

N:\16032 - 2519 AVE O, BROOKLYN - DR. SONA\CONTRACT DOCUMENTS\ZONING - BSA- PROPOSED- COMMPACING



SCALE

1 3 5
0 2 4 10 20

PROPOSED CELLAR FLOOR PLAN

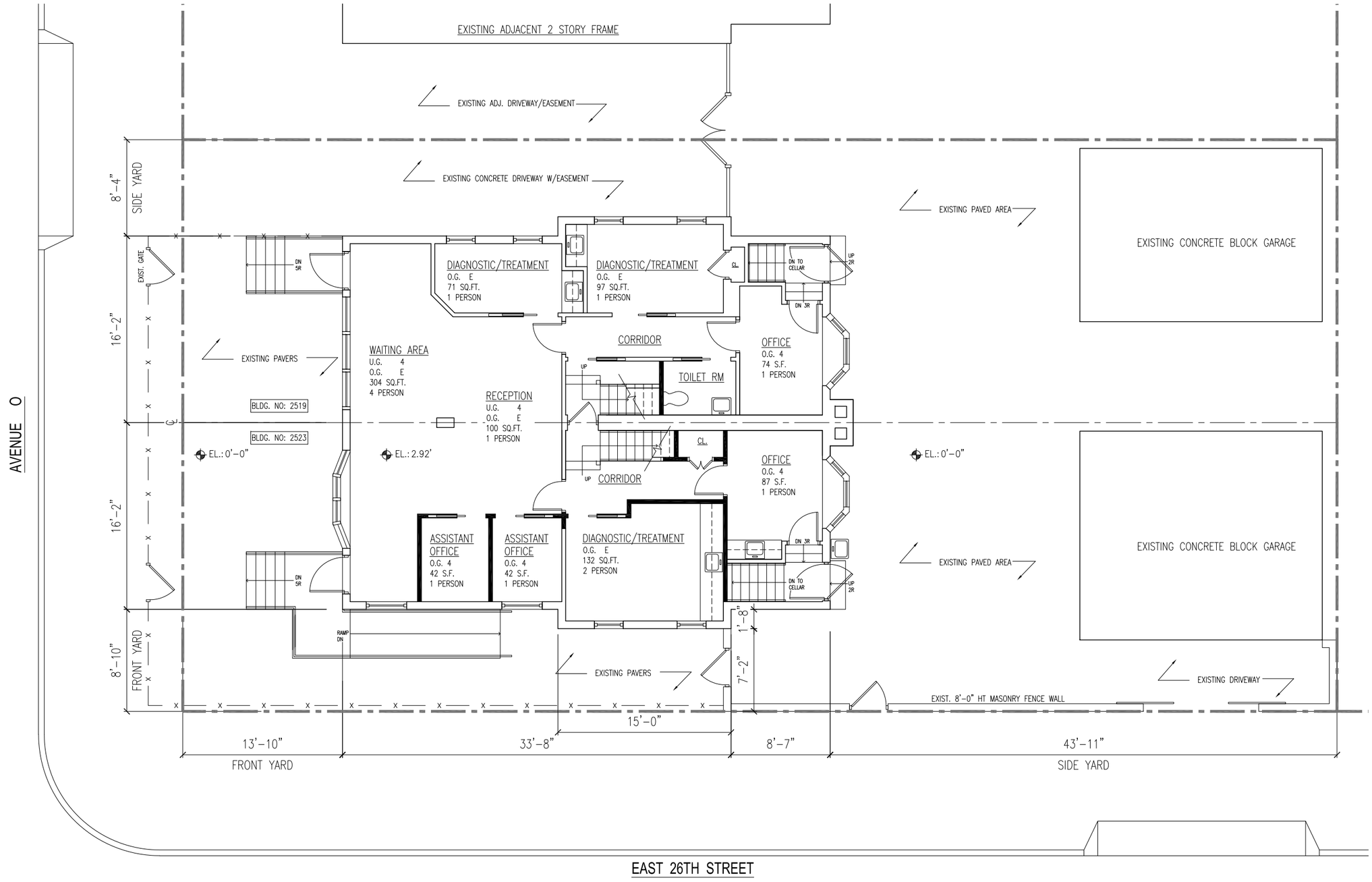
N

2519/2523 AVENUE O, BROOKLYN, NY 11210

NSC ARCHITECTURE P.C.
1945 MCDONALD AVENUE, BROOKLYN, NY 11223
Phone (718) 998-2829

DRAWING:
PR-003
CELLAR FLOOR PLAN
DATE: JULY 28, 2017

N:\16032 - 2519 AVE O, BROOKLYN - DR. SUNK\CONTRACT DOCUMENTS\ZONING - BSA- PROPOSED- COMMFAC.DWG



SCALE

1 3 5

0 2 4 10 20

PROPOSED FIRST FLOOR PLAN

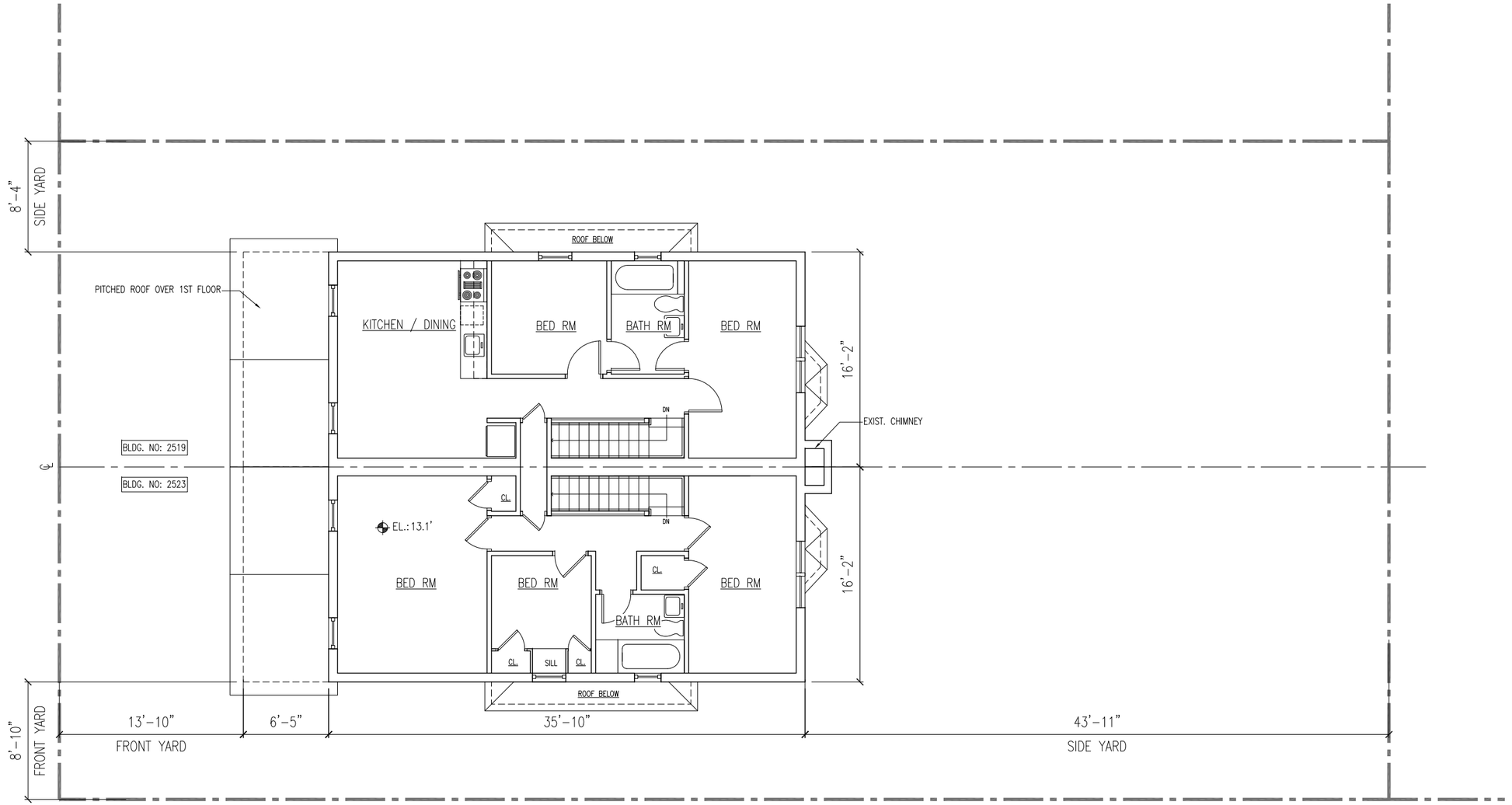
N

2519/2523 AVENUE O, BROOKLYN, NY 11210

NSC ARCHITECTURE P.C.
1945 MCDONALD AVENUE, BROOKLYN, NY 11223
Phone (718) 998-2829

DRAWING : **PR-004**
FIRST FLOOR PLAN
DATE: JULY 28, 2017

N:\16032 - 2519 AVE O, BROOKLYN - DR. SONA\CONTRACT DOCUMENTS\ZONING - RS3+ PROPOSED+ COMMFAC.DWG



SCALE

1 3 5

0 2 4 10 20

PROPOSED SECOND FLOOR PLAN

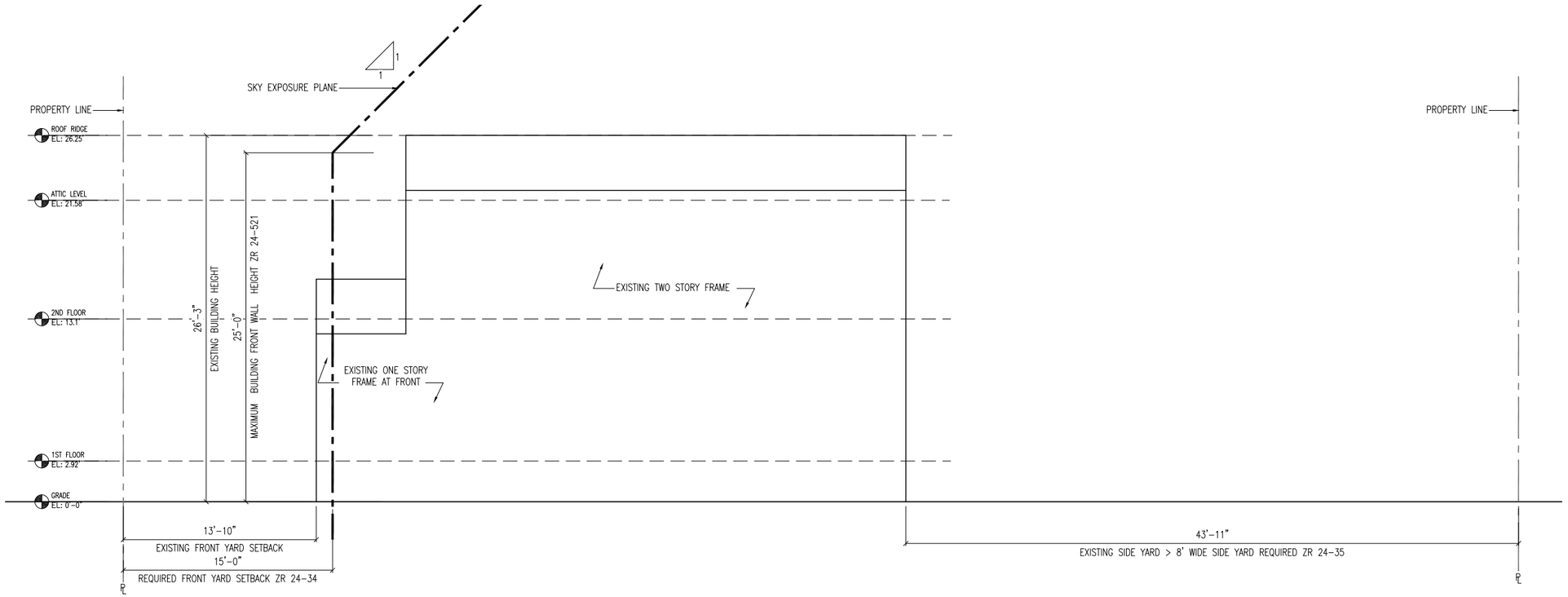
N

N:\16032 - 2519 AVE O, BROOKLYN - DR. SONI\CONTRACT DOCUMENTS\ZONING - BSA- PROPOSED- COMMFAC.DWG

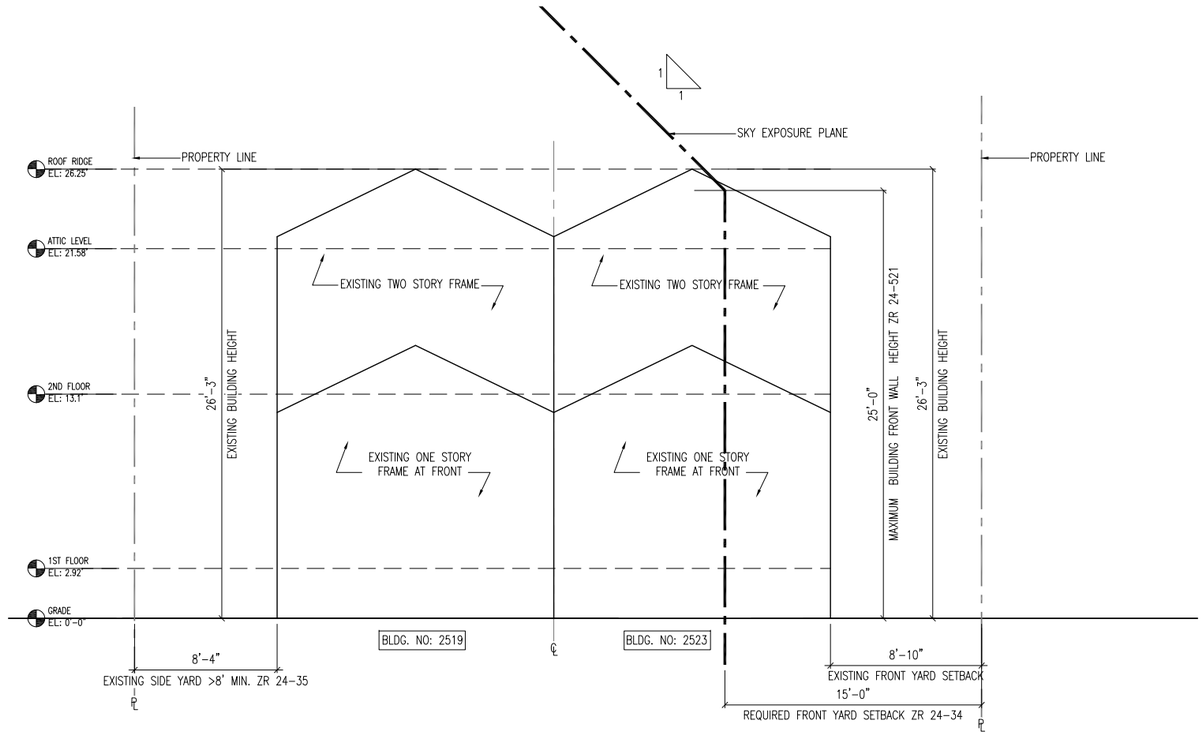
2519/2523 AVENUE O, BROOKLYN, NY 11210

NSC ARCHITECTURE P.C.
1945 MCDONALD AVENUE, BROOKLYN, NY 11223
Phone (718) 998-2829

DRAWING:
PR-005
SECOND FLOOR PLAN
DATE: JULY 28, 2017



HEIGHT & SETBACK BULK DIAGRAM - FRONT ELEVATION VIEW -E.26 ST.(R3-2)



HEIGHT & SETBACK BULK DIAGRAM - FRONT ELEVATION VIEW -AVE. O(R3-2)

SCALE

1 3 5

0 2 4 10 20

2519/2523 AVENUE O, BROOKLYN, NY 11210

NSC ARCHITECTURE P.C.
1945 MCDONALD AVENUE, BROOKLYN, NY 11223
Phone (718) 998-2829

DRAWING: **PR-006**
SECOND FLOOR PLAN
DATE: JULY 28, 2017

N:\16032 – 2519 AVE O, BROOKLYN – DR. SONI\CONTRACT DOCUMENTS\ZONING – BSA– PROPOSED– COMPAC.DWG

APPENDIX B- LPC Correspondence

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-K
Project: AVENUE O REZONING
Date received: 4/20/2018

Properties with no Architectural or Archaeological significance:

1) ADDRESS: 2523 Avenue O, BBL: 3076790001
2) ADDRESS: 2519 Avenue O, BBL: 3076790002
3) ADDRESS: 2517 Avenue O, BBL: 3076790003
4) ADDRESS: 2513 Avenue O, BBL: 3076790004



4/23/2018

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 33277_FSO_DNP_04232018.doc

APPENDIX C- Jamaica Bay Watershed Protection Plan Project Tracking Form

Print Form

Jamaica Bay Watershed Protection Plan
Project Tracking Form

The Jamaica Bay Watershed Protection Plan, developed pursuant to Local Law 71 of 2005, mandates that the New York City Department of Environmental Protection (DEP) work with the Mayor's Office of Environmental Coordination (MOEC) to review and track proposed development projects in the Jamaica Bay Watershed (http://www.nyc.gov/html/oec/downloads/pdf/ceqr/Jamaica_Bay_Watershed_Map.jpg) that are subject to CEQR in order to monitor growth and trends. If a project is located in the Jamaica Bay Watershed, (the applicant should complete this form and submit it to DEP and MOEC. This form must be updated with any project modifications and resubmitted to DEP and MOEC.

The information below will be used for tracking purposes only. It is not intended to indicate whether further CEQR analysis is needed to substitute for the guidance offered in the relevant chapters of the CEQR Technical Manual.

A. GENERAL PROJECT INFORMATION

1. CEQR Number: TBD 1a. Modification ☐
2. Project Name: 2513-2523 Avenue O Rezoning
3. Project Description:

   The applicant is seeking is zoning map amendment to rezone a portion of Brooklyn Block 7679 (Lots 1-4) from R2 to R3-2 in Community District 14 of Brooklyn to facilitate the the legalization of an existing non-conforming use (medical office) and allow the medical office to expand beyond 1,500 sf.

4. Project Sponsor: Pulmonary and Sleep Medical, P.C.
5. Required approvals: Zoning Map Amendment (R2 to R3-2)
6. Project schedule (build year and construction schedule): 2020 Build Year

B. PROJECT LOCATION:

1. Street address: 2523 Avenue O
2. Tax block(s): Block 7679 Tax Lot(s): 1-4
3. Identify existing land use and zoning on the project site: Mixed Residential and Medical Office, R2
4. Identify proposed land use and zoning on the project site: Mixed Res. and Medical Office, R3-2
5. Identify land use of adjacent sites (include any open space): Residential, Community Facility
6. Describe existing density on the project site and the proposed density:

Existing Condition	Proposed Condition
Block 7679 Lot 1 and 2- 0.51 FAR,	Block 7679 , Lots 1-2, 1.0 FAR

7. Is project within 100 or 500 year floodplain (specify)? ☐ 100 Year ☐ 500 Year ☒ No

C. GROUND AND GROUNDWATER

1. Total area of in-ground disturbance, if any (in square feet): Approx 1600 sf.
2. Will soil be removed (if so, what is the volume in cubic yards)? Yes (TBD)
3. Subsurface soil classification:
   (per the New York City Soil and Water Conservation Board): N/A Urban
4. If project would change site grade, provide land contours (**attach** map showing existing in 1' contours and proposed in 1' contours).
5. Will groundwater be used (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: N/A Rates: N/A
6. Will project involve dewatering (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: N/A Rates: N/A
7. Describe site elevation above seasonal high groundwater:

   N/A

D. HABITAT

1. Will vegetation be removed, particularly native vegetation? ☐ **Yes** ☒ **No**

   If YES,
   - **Attach** a detailed list (species, size and location on site) of vegetation to be removed (including trees >2" caliper, shrubs, understory planting and groundcover).
   - **List** species to remain on site.
   - **Provide** a detailed list (species and sizes) of proposed landscape restoration plan (including any wetland restoration plans).
2. Is the site used or inhabited by any rare, threatened or endangered species? ☐ **Yes** ☒ **No**
3. Will the project affect habitat characteristics? ☐ **Yes** ☒ **No**

   If YES, describe existing wildlife use and habitat classification using "Ecological Communities of New York State." at http://www.dec.ny.gov/animals/29392.html.
4. Will pesticides, rodenticides or herbicides be used during construction? ☐ **Yes** ☒ **No**

   If YES, estimate quantity, area and duration of application.
5. Will additional lighting be installed? ☐ **Yes** ☒ **No**

   If YES and near existing open space or natural areas, what measures would be taken to reduce light penetration into these areas?

E. SURFACE COVERAGE AND CHARACTERISTICS

(describe the following for both the existing and proposed condition):

	Existing Condition	Proposed Condition
1. ***Surface area:***		
Roof:	3350 sf	4950
Pavement/walkway:	N/A	N/A
Grass/softscape:	N/A	N/A
Other (describe):	N/A	N/A
2. ***Wetland*** (regulated or non-regulated) area and classification:	N/A	N/A
3. ***Water surface area:***	N/A	N/A

4. ***Stormwater management*** (describe):

Existing – how is the site drained?

Site drains into adjacent sewer system.

Proposed – describe, including any infrastructure improvements necessary off-site:

No related infrastructural changes are proposed.

APPENDIX D – - NYC DEP Generator Permit for NY Community Hospital

Environmental Protection

Register with CATS
Login into CATS

NYC .gov always open

NYC DEP CATS Information

PREMISES: 2525 KINGS HIGHWAY BROOKLYN BIN: 182231 BLOCK: 06772 LOT: 00004				
Owner:	**Application #:** PB463803	**Type:** REGISTRATION - ENGINE/GENERATOR	**Expiration Date:** 10/21/2019	
Business Type: NA	**Request Type:** Renewal - Engines/Generators	**Status:** CURRENT	**Submitted Date:** 8/3/2017	**Decision Date:** 8/14/2017
Boiler Make / Model: MQ / 176KW	**Fuel Type 1:** NO2FUEL	**Fuel Type 2:** NA	**Heat Input (Million BTU/Hr.):** 1.72	
Burner Make / Model: NA	**Number of Identical Units:** 1			
	AKA : 2524 AVENUE O BROOKLYN			

If you have any questions please contact CATS Online Permitting System at Catsfeedback@dep.nyc.gov or call us at **718-595-3855**.

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APPENDIX E – - Revised CEQR EAS Short Form, Part III and Negative Declaration & Technical Memorandum- Revised CEQR EAS with Revised Zoning District Designation (R3-1) by the City Council and Revised Jamaica Bay Watershed Protection Plan Project Tracking Form

City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☐ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* 2513-2523 Avenue O Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
19DCP015K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
190438ZMK	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
New York City Department of City Planning			Pulmonary and Sleep Medical, P.C.		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Olga Abinader			Richard Lobel		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 18 East 41st Street		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10017
TELEPHONE 212-720-3493	EMAIL oabinad@planning.nyc.gov		TELEPHONE 212-725-2727	EMAIL rlobel@sheldonlobelpc.com	

5. *Project Description*

The applicant is seeking a zoning map amendment to rezone a portion of Brooklyn Block 7679 (Lots 1-4) from R2 to R3-2 in Community District 14 of Brooklyn to facilitate legalization of an existing non-conforming medical office and allow for the expansion of the medical office to a total square footage of over 1,500 sf. However, The New York City Council will propose a modification for 2513-2523 Avenue O. The modification, if adopted, would be to change the zoning district from the proposed R3-2 to R3-1 in order to limit the existing medical facility to 1,500 square feet.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 14	STREET ADDRESS 2523 Avenue O
TAX BLOCK(S) AND LOT(S) Block 7679, Lots 1, 2, 3, and 4.		ZIP CODE 11210

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Avenue O, East 26th Street, off Kings Highway

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R2	ZONING SECTIONAL MAP NUMBER 23b

6. *Required Actions or Approvals* (check all that apply)

***City Planning Commission*:** ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☐ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO

☐ VARIANCE (use)

☐ VARIANCE (bulk)

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)

- ☐ LEGISLATION
- ☐ RULEMAKING
- ☐ CONSTRUCTION OF PUBLIC FACILITIES
- ☐ 384(b)(4) APPROVAL
- ☐ OTHER, explain:
- ☐ FUNDING OF CONSTRUCTION, specify:
- ☐ POLICY OR PLAN, specify:
- ☐ FUNDING OF PROGRAMS, specify:
- ☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)

- ☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
- ☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
- ☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

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

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

- ☒ SITE LOCATION MAP
- ☒ ZONING MAP
- ☒ SANBORN OR OTHER LAND USE MAP
- ☒ TAX MAP
- ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
- ☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): Approx, 10,000

Waterbody area (sq. ft) and type: N/A

Roads, buildings, and other paved surfaces (sq. ft.): Approx, 10,000

Other, describe (sq. ft.): N/A

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

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 8,314 gsf

NUMBER OF BUILDINGS: 2

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): Projected Site 1- 5,445, gsf, Projected Site 2- 2,869 gsf

HEIGHT OF EACH BUILDING (ft.): 35

NUMBER OF STORIES OF EACH BUILDING: 2

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

If "yes," specify: The total square feet owned or controlled by the applicant: 4950

The total square feet not owned or controlled by the applicant: 5050

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☒ NO

If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length) VOLUME OF DISTURBANCE: TBD cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	0	0	8,314	0
Type (*e.g.,* retail, office, school)	0 units	0	Private Medical Office	0

Does the proposed project increase the population of residents and/or on-site workers? ☐ YES ☐ NO

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 0 NUMBER OF ADDITIONAL WORKERS: 24

Provide a brief explanation of how these numbers were determined: Assumed 3 workers per 1,000 sf of medical office floor area

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☒ YES ☐ NO

If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly: In the No-Action Scenario, non-conforming ground floor uses on Lots 1,2 and 4 (existing medical office/ facility use) would be replaced with residential uses. It is assumed that the existing ground floor medical office/facility use on Lots 1 and 2 would be occupied with residential uses.
Lot 1 would be occupied with one 1,232 gsf dwelling unit and Lot 2 would be occupied with one 1,264 gsf dwelling unit.

Lot 3 would remain in its existing condition in the No-Action Scenario

In the No-Action Scenario, it is assumed that the existing ground floor medical office/facility use on Lot 4 would be occupied with residential uses. Therefore, in the No-Action Scenario, Lot 4 would be occupied with one 1,232 gsf dwelling unit. Since it cannot be assumed that the nonconforming ground floor uses (medical office/office) on Lots 1, 2, and 4 would remain in the No-Action Condition, it was assumed that in a future No-Action condition, this space would be occupied with an expansion of the existing residential uses on the second floors.

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2021

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: Approx 12-14 months

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO | IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: CEQR, ULURP, Design, Financing, Occupancy

10. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☐ MANUFACTURING ☐ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. See Supp. Studies		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Child Care Centers:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☐
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒

	YES	NO
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☐	☒
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. See Supplemental Studies		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☒	☐
○ If "yes," complete the Jamaica Bay Watershed Form, and submit according to its instructions. See Appendix.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☐	☒
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☐	☒
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒

	YES	NO
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 216 pounds per week		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): Approx 1,798,318 MBtu's		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) See Supp. Studies	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☒
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☐	☒
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒

	YES	NO
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. While not warranted, a brief write-up of neighborhood character is provided in the analysis		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	DATE
Max Meltzer, AICP	February 14th, 2020

SIGNATURE 

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

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

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

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

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

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☐ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☐ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds that the proposed project:

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

Technical Memorandum

2523 Avenue O Rezoning

CEQR No. 19DCP015K

ULURP # 190438ZMK

1- Introduction

On August 23rd, 2019, the New York City Department of City Planning (DCP), as lead agency, issued a Negative Declaration for the 2523 Avenue O Rezoning Environmental Assessment Statement (EAS). The EAS considered discretionary actions proposed by Pulmonary and Sleep Medical, P.C. (the "Applicant") that included a zoning map amendment that would rezone a portion of Brooklyn Block 7679 in the Midwood neighborhood of Brooklyn Community District 14. The Proposed Zoning Map Amendment would change the zoning on Block 7679, Lots 1-4 from R2 to R3-2.

The Proposed Actions would facilitate the legalization of an existing non-conforming medical office.

The Proposed Actions were subsequently revised in February of 2020 to reflect an update to the Applicant's requested Zoning Map Amendment. The Zoning Map Amendment would be modified from a request to go from an R2 to R3-2 zoning district to an R2 to an R3-1 zoning district. This modification is being proposed by the City Council.

Since the issuance of the Negative Declaration, the New York City Council is considering a modification to the zoning map amendment from the originally proposed R3-2 zoning district to an R3-1 zoning district in order to limit the existing medical facility to 1,500 square feet. However, this proposed modification will not affect the applicants proposed project and does not significantly alter the RWCDS or any category of analysis, because the total FAR, height, and setbacks allowed would not be altered, though the total square footage of medical use allowed would change. It is not expected that the modification will change in any way the With-Action Scenario, analysis, or E-Designation. The Technical Memorandum describes the Proposed Actions under the City Council's potential modification and examines whether it would result in any new or different significant adverse environmental impacts not already identified in the August 2019 EAS and Negative Declaration.

2- Description of the Previous Proposed Actions and Reasonable Worst-Case Development Scenario.

Zoning Map Amendment

The previous proposed zoning map amendment would rezone the southern portion of Brooklyn Block 7679, Lots 1-4 from an R2 zoning district to an R3-2 zoning district with a total area to be rezoned of approximately 10,000 sf.

As described in the August 2019 Reasonable Worst-Case Development Scenario (RWCDS), it is expected that the Proposed Action would result in a development slightly larger than what the applicant is proposing on Lot 1 and 2 (Projected Development Site 1) and would also result in development on Lot 4, (Projected Development Site 2). The RWCDS for each projected site are below.

<u>Block 7679 Lots 1 and 2 - Projected Development Site No. 1</u>
In the With-Action Scenario, it is assumed that Lots 1 and 2 would be merged as a single development lot with a total lot area of 4,950 sf. It is assumed that the lot would be developed with approximately 5,445 gsf (4,950 zsf) of medical office space for a FAR of 1.0, the maximum FAR allowed for medical use in R3-2 zoning districts. It is assumed this new building would be constructed to its maximum height of 35 feet. The non-conforming medical offices would be brought into conformance in this proposed action.

Block 7679 Lot 4 - Projected Development Site No. 2

In the With-Action Scenario, it is assumed that Lot 4, which is owned by NY Community Hospital, would be developed with medical office/facility uses to a FAR of 1.0, the maximum FAR allowed in R3-2 zoning districts for medical office/facility use. On a 2,608-sf lot, it is assumed that approximately 2,869 gsf (2,608 zsf) would medical office/facility uses would be developed. It is assumed this new building would be constructed to its maximum height of 35 feet. The non-conforming medical offices would be brought into conformance in this proposed action.

3- Description of the Current Proposed Actions and RWCDS

Since the issuance of the August 2019 EAS, the City Planning Commission is considering modifications to the Proposed Actions as follows:

- Modifying the Zoning Map Amendment from the proposed R3-2 district to an R3-1 district

As a result of the proposed potential modification to the rezoning area boundary, Lots 1-4 would be rezoned from R2 to R3-1, as opposed to the originally proposed R3-2 zoning in order to limit the existing medical facility to 1,500 square feet. However, this will affect the Projected Development Sites 1 or 2—both are under 1500 sf of community facility space. This modification will not change any of the With-Action Scenario, analyses, or the E designation.

The build year of 2021 remains unchanged. The potential modifications to the proposed Zoning Map Amendment would not alter the RWCDS and would not result in any additional discretionary actions.

4- Likely Effects of the Proposed Modifications

The August 2019 EAS and Negative Declaration concluded that the Proposed Actions would not have the potential for significant adverse impacts related to the environment. As discussed above, the August 2019 EAS was revised in February of 2020 to reflect an updated modified zoning map amendment to reflect the newly proposed R3-1 zoning district for the Rezoning Area. The screening and detailed analyses prepared for the original Proposed Actions in the August 2019 EAS and the February 2020 revised EAS concluded that the current Proposed Actions would not have the potential for significant adverse impacts in the following areas: Land Use, Zoning, and Public Policy, Historic and Cultural Resources, Urban Design and Visual Resources, Natural Resources, Air Quality, Noise, Neighborhood Character, and Construction.

Since the potential modifications resulted in a congruent Reasonable Worst-Case Development Scenario as what was originally proposed, the revised EAS based on the current Proposed Actions did not meet or exceed CEQR Technical Manual thresholds for any new impact categories.

The following paragraphs provide technical explanations for each analysis category that was analyzed in the August 2019 EAS and why the current Proposed Actions would not result in significant environmental impacts. Revised maps which clearly indicate the modified zoning map amendment are also provided.

Land Use, Zoning and Public Policy

Land Use

Under the With-Action Scenario, the proposed rezoning would amend the zoning map to change the existing R2 district to an R3-1 zoning district. In order to present a conservative assessment, the With-Action Scenario assumes that the Projected Development Sites would be constructed to the maximum allowable floor area in an R3-1 zoning district, which is 1.0 FAR. The Proposed Actions would not introduce any new or non-conforming land uses or Use Groups that are not already located within the study area. As such, no significant adverse impacts with respect to land use are expected and no further analysis is required.

Zoning

The Proposed Actions would change the existing R2 district to an R3-1 district over Brooklyn Block 7679, Lots 1-4. Doing so would bring existing nonconforming medical office space into conformity. The Proposed Actions would not have a significant impact on the extent of conformity within the current surrounding area and it would not adversely affect the viability of conforming uses on nearby properties. Ground floor commercial uses are commonplace throughout the study area. Additionally, there are adjacent existing residential districts that permit medical office use as-of-right and there are medical office uses just across the street from the Rezoning Area. Furthermore, the proposed zoning district (R3-1) facilitate the legalization of an existing non-conforming medical office in the Rezoning Area. Therefore, significant impacts to zoning are not anticipated and further zoning analysis is not warranted.

Public Policy

The Project Site is not part of, or subject to, an Urban Renewal Plan (URP), adopted community 197-a Plan, Solid Waste Management Plan, Business Improvement District (BID), Industrial Business Zone (IBZ), or the New York City Landmarks Law. The Proposed Action is also not a large publically sponsored project, and as such, consistency with the City's PlaNYC 2030 for sustainability is not warranted. In addition, the Rezoning Area is not located in the Coastal Management Zone; therefore, a consistency review is not warranted. The Rezoning Area is not located within New York City's designated coastal zone boundary and therefore is not subject to review for its consistency with the City's Waterfront Revitalization Program.

Historic and Cultural Resources

According to *CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the Proposed Actions and in the area surrounding identified development sites. The historic resources study area is therefore defined as the Project Site plus an approximately 400-foot radius around the Proposed Rezoning Area. The Projected Development Sites are not a designated local or S/NR historic resource or property, nor are the Sites in any designated historic district. The LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources and a response was received on April 23rd, 2018, indicating that the projected development site has no architectural significance.

In order to determine whether the projected development has the potential to affect nearby off-site historic or architectural resources, the study area was screened for historic and architectural resources. No historic or architectural resources were identified within the 400-foot study area. Therefore, no significant adverse impacts on historic or architectural resources are expected as a result of the Proposed Actions, and further assessment is not warranted.

Unlike the architectural evaluation of a study area that extends beyond the footprint of a project's block and lot lines, the analysis of potential and/or projected impacts to archaeological resources is controlled by the actual footprint of the limits of soil disturbance. Archeological resources are physical remains, usually subsurface, of the prehistoric and historic periods such as burials, foundations, artifacts, wells and privies. The *CEQR Technical Manual* requires a detailed evaluation of a project's potential effect on the archeological resources if it would potentially result in an in-ground disturbance to an area not previously excavated. The existing rezoning area has not been recently disturbed and no recent or distant cultural or archaeological significance have been attached to this area. Further, utilizing the NYS Office of Parks, Recreation and Historic Preservation's "Cultural Resource Information System" (CRIS) mapper, the Rezoning Area does not fall within an archaeologically sensitive area. Based on both current and historic photoreconnaissance of the Rezoning Area, there is little potential for impact to any known or unknown resource due to development. The LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on April 23rd, 2018, indicating that the projected development site has no architectural significance. Therefore, significant adverse impacts to archaeological resources are not expected as a result of the Proposed Actions, and further analysis is not warranted.

While this response from the LPC was received in 2018, when the Proposes Actions still included a rezoning to R3-2, response indicates that no lots in the current proposed Rezoning Area have any archaeological or architectural significance. Therefore, no significant adverse impacts regarding historic and cultural resources are expected and no further analysis is required.

Urban Design and Visual Resources

As the Projected Development Site would be built within the existing lot footprint on the Project Site, the development in the With-Action Scenario would not alter or disrupt the existing street grid or change the arrangement and orientation of streets in the area. Additionally, the Proposed Action would not permanently alter the existing sidewalks that border the Project Site to the east and west. Furthermore, there would not be any changes to the existing sidewalk layout. Overall, the development in the Future With-Action would not alter with the existing streets, street grid, streetscape, and sidewalks.

The With-Action Scenario in the February 2020 EAS is congruent to the RWCDS in the previously certified August 2019, meaning the projected height and bulk of the Projected Development Sites have not changed under the proposed modification.

This current section of Midwood is very densely developed with a variety of residential uses. In addition to the mix of low rise and high residential uses, the New York Community Hospital (3-5 stories) is located across the street from the Rezoning Area. The proposed project would bring into conformance the existing uses on Lots 1, 2, and 4. The Projected Development Sites would be 3 floors and approximately 35 feet in height, which would be similar in height to a number of the residential homes on the north side of Avenue O, where the Rezoning Area is located, directly across the street from the New York Community Hospital. Buildings of similar height and bulk, (and use) are found within the Study Area to the south, east, north, and west of the Project Site. To the south, is the New York Community Hospital, which has two buildings, one three, and the other five stories in height. To the north of the Project Sites, there are several one- and two-family homes that are also three stories in height. The Proposed Action would not diminish or disturb the existing aesthetic continuity, pedestrian features of the community or neighborhood, and as the Proposed Action would not block any view corridors or views to/from any natural areas with rare or defining features, nor would the Proposed Action impact an historical or culturally sensitive community features, the Proposed Action is not expected to result in any significant adverse urban design or visual resource related impacts

Natural Resources

The specific Project Site is a disturbed urban environment. Since the site is already developed and located in a disturbed urban environment, no natural resource impacts are anticipated. The proposed modification from R3-2 to R3-1 will not have any adverse impacts on Natural Resources.

According to the *CEQR Technical Manual*, the Project Site is located within the Jamaica Bay Watershed. As such, the Jamaica Bay Watershed Protection Plan, Project Tracking Form was completed. The Jamaica Bay Watershed Protection Plan, developed pursuant to Local Law 71 of 2005, mandates that the New York City Department of Environmental Protection (DEP) work with the Mayor's Office of Environmental Coordination (MOEC) to review and track proposed development projects in the Jamaica Bay Watershed that are subject to CEQR, in order to monitor growth and trends. If a project is in the Jamaica Bay Watershed, the applicant should complete the Project Tracking Form and submit it to DEP and MOEC. The information in the Form is to be used for tracking purposes only. It is not intended to indicate whether further CEQR analysis is needed or to substitute for the guidance offered in the relevant chapters of the *CEQR Technical Manual*.

A revised Jamaica Bay Watershed Protection Plan, Project Tracking Form was completed to reflect the proposed zoning modification.

Air Quality

As discussed above, the With-Action Scenario in the February 2020 EAS is congruent to the RWCDS in the previously certified August 2019, meaning the projected height and bulk of the Projected Development Sites have not changed under the proposed modification.

No Mobile Source impacts with regards to air quality are anticipated as the proposed modification is not expected to exceed the 170-peak-hour-trip CEQR preliminary screening threshold for an air quality mobile source assessment. Therefore, no further assessment of mobile source air quality is warranted and significant adverse impacts on air quality generated by mobile sources are not expected as a result of the proposed modification.

As demonstrated in the August 2019 EAS, the required distance for each Projected Development Site is beyond the minimum distance needed to avoid the potential for a significant adverse air quality impact related to each building's boiler emissions. Therefore, significant adverse impacts regarding stationary air quality sources are not expected, and further stationary source air quality analyses are not warranted.

A review of the surrounding area indicates that the nearest building occupied with sensitive receptors and operable windows (taller than projected 35-foot tall subject building) is the 6-story multi-family residential building located at 2607 Avenue O (Brooklyn Block 7680, Lot 1), east of this Projected Development Site 1. This building is located approximately 62 feet to the east of Projected Site 1. This distance is well beyond the minimum distance needed to avoid the potential for a significant adverse air quality impact related to its boiler emissions, and therefore the impact from this projected development site does not warrant further analyses.

A review of the surrounding area indicates that the nearest building occupied with sensitive receptors and operable windows (taller than projected 35-foot tall subject building) is the 5-story New York Community Hospital building located at 2525 Kings Highway (Brooklyn Block 6772, Lot 4), south of Projected Development Site 2. This building is located approximately 68 feet south Projected Development Site 2. This distance is well beyond the minimum distance needed to avoid the potential for a significant adverse air quality impact related to its boiler emissions, and therefore the impact from this projected development site does not warrant further analyses.
Furthermore, no industrial source permits were found within 400-feet of the Study Area. And no large-scale industrial source permits were found within 1000 feet of the Study Area. As such, no further analysis related to air quality is required and no significant adverse impacts are expected.

Noise

Mobile Sources

In the future with the Proposed Rezoning, a total of 4 parcels and two Projected Developments are projected to be in the Rezoning Area as discussed above. This With-Action Scenario under the Proposed R3-1 Zoning District is congruent to the With-Action Scenario under the previously proposed R3-2 Zoning District. The modification is not anticipated to generate enough vehicular traffic to double traffic levels on adjacent streets during any peak hour due to the relatively moderate to high numbers of vehicles in the immediate area. As such, the proposed action is unlikely to warrant a mobile source analysis and significant mobile source related impacts are not expected.

Stationary Sources

Noise measurements were conducted at two locations during peak vehicular travel periods, 8:00-9:00 am, 12:00-1:00 pm, and 5:00-6:00 pm. The weather conditions were normal with calm winds and were considered suitable for an ambient noise measurement. Noise measurements were conducted at the following locations. These two locations were chosen as they are in front of each of the Projected Sites.

During the midday peak hour on May 22nd, 2019, the New York Community Hospital was having a fire drill. Doctors and nurses were evacuated toward the Projected Sites. Additionally, there was some woodcutting work being done on the next block (Avenue O between Bedford Avenue and E 24th Street) to prevent a dead tree from falling on a house. Therefore, the noise monitoring program was ceased during midday May 22 and completed on May 23.

Compared to *CEQR Technical Manual* guidelines, existing noise levels measured at Locations 1 and 2 are both "marginally unacceptable". To preclude the potential for significant adverse impacts related to noise, an (E) designation would be incorporated into the rezoning proposal for Block 7679, Lot 4. E-541 has been assigned to this project. The text for the (E) designation is as follows:

Block 7679, Lot 4: In order to ensure an acceptable interior noise environment, future community facility uses must provide a closed-window condition with a minimum of 28 dB(A) window/wall attenuation on all building's facades in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.

Since the With-Action Scenario in the February 2020 EAS is congruent to the RWCDS in the previously certified August 2019, the E-Designation still applies. With this E- Designation in place, no adverse effects with regards to noise are expected and no further analysis is required.

Neighborhood Character

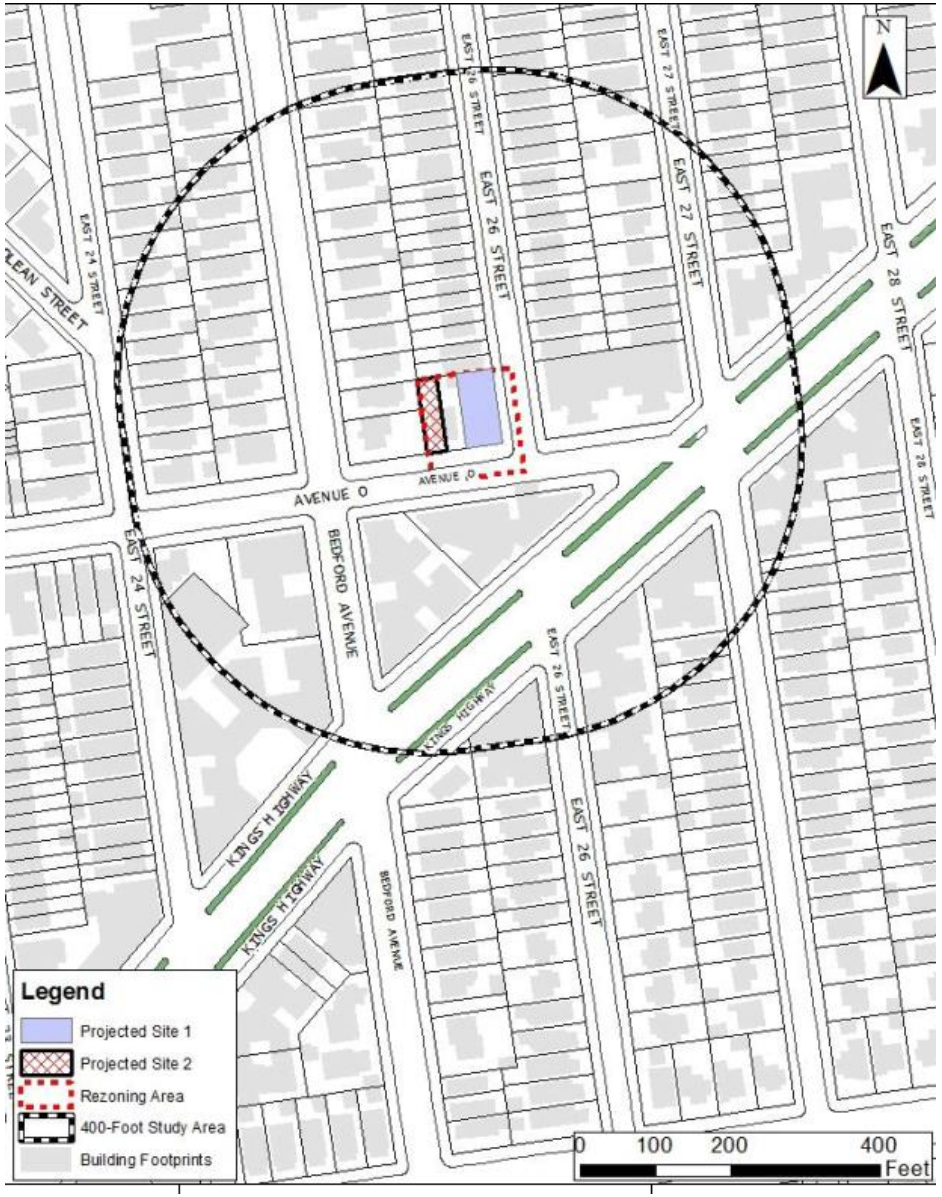
As this EAS has established, of the relevant technical areas specified in the *CEQR Technical Manual* that comprise neighborhood character, the Proposed Actions would not cause significant adverse impacts regarding any of them. Moderate adverse effects that would potentially impact such a defining feature, either singly or in combination, have also not been identified for more than one technical area. Therefore, as the Proposed Actions would not have a significant adverse impact on neighborhood character and would not result in a significant adverse impact to a defining feature of the neighborhood, further analysis is not necessary.

Construction

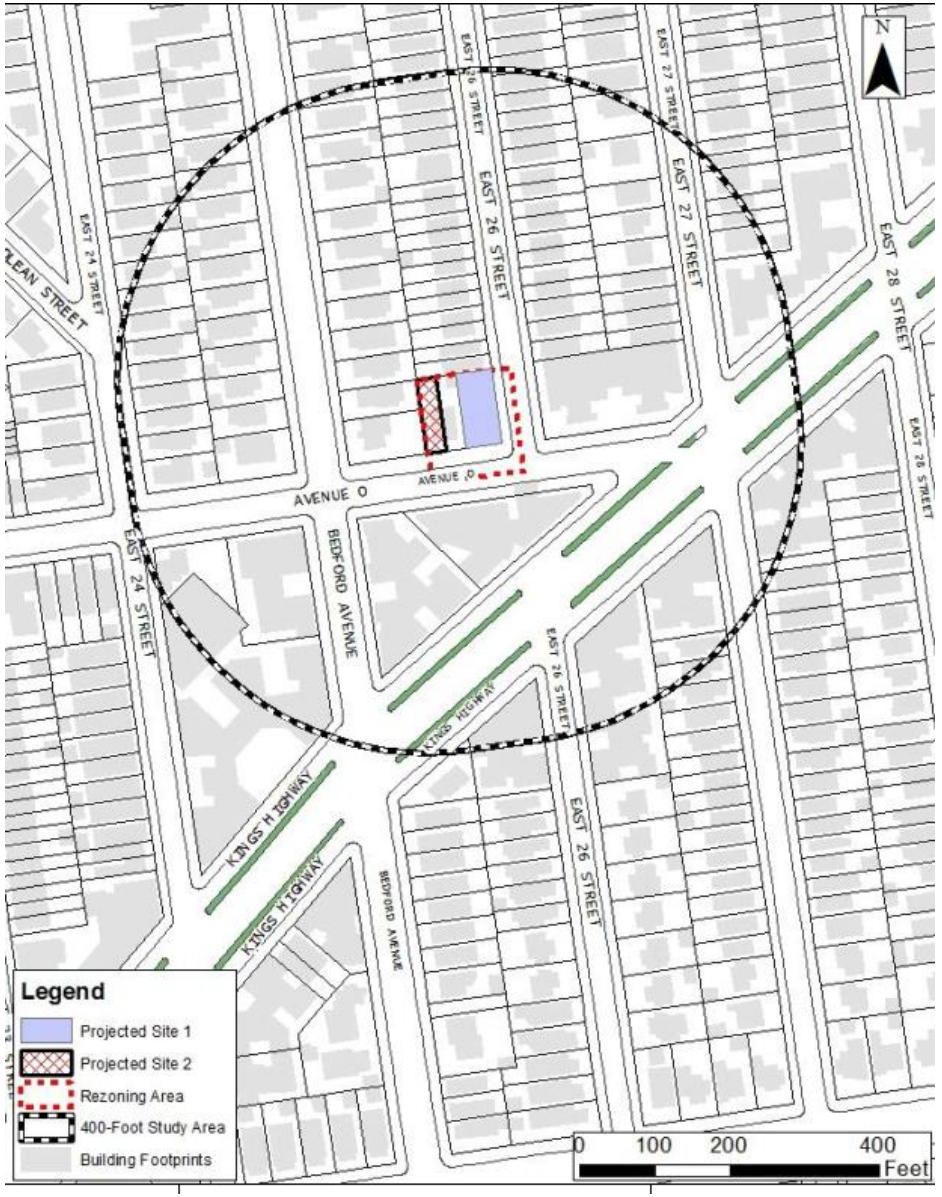
The August 2018 EAS submission found that construction-related activities are not expected to have any significant adverse impacts on traffic, air quality, noise, historic resources, or hazardous materials conditions as a result of the Proposed Actions. The February 2020 EAS looks at an RWCDS that is congruent to the August 2019 RWCDS. Given the congruent development scenario, no significant adverse impacts with regards to construction are expected as a result of the Proposed Actions and no further analysis is required.

5- Conclusion

Based on the above analysis, it can be concluded that the modifications to the Proposed Actions would not result in any significant adverse impacts. This Technical Memorandum serves to supplement the Negative Declaration issued on August 23rd, 2019 and the revised Negative Declaration issued February 14th, 2020. As indicated above, the conclusions of the August 2019 EAS and the Revised EAS and Revised Negative Declaration remain unchanged.



Previously Certified Zoning Map Amendment
R2 Zoning to R3-2 Zoning



Potential City Council Modification
R2 Zoning to R3-1 Zoning

Print Form

Jamaica Bay Watershed Protection Plan
Project Tracking Form

The Jamaica Bay Watershed Protection Plan, developed pursuant to Local Law 71 of 2005, mandates that the New York City Department of Environmental Protection (DEP) work with the Mayor's Office of Environmental Coordination (MOEC) to review and track proposed development projects in the Jamaica Bay Watershed (http://www.nyc.gov/html/oec/downloads/pdf/ceqr/Jamaica_Bay_Watershed_Map.jpg) that are subject to CEQR in order to monitor growth and trends. If a project is located in the Jamaica Bay Watershed, (the applicant should complete this form and submit it to DEP and MOEC. This form must be updated with any project modifications and resubmitted to DEP and MOEC.

The information below will be used for tracking purposes only. It is not intended to indicate whether further CEQR analysis is needed to substitute for the guidance offered in the relevant chapters of the CEQR Technical Manual.

A. GENERAL PROJECT INFORMATION

1. CEQR Number: 19DCP015K 1a. Modification ☒
2. Project Name: 2513-2523 Avenue O Rezoning
3. Project Description:

While the applicant was seeking a zoning map amendment to change the zoning on Brooklyn Block 7679, Lots 1-4 from R2 to R3-2, The New York City Council is potentially modifying that to have the area rezoned to R3-1.

4. Project Sponsor: Pulmonary Sleep Medical, P.C.
5. Required approvals: Zoning Map Amendment (R2 to R3-1)
6. Project schedule (build year and construction schedule): 2021 Build Year

B. PROJECT LOCATION:

1. Street address: 2523 Avenue O
2. Tax block(s): 7679 Tax Lot(s): 1-4
3. Identify existing land use and zoning on the project site: Mixed Res. and Medical Office, R2
4. Identify proposed land use and zoning on the project site: Mixed Res. and Medical Office, R3-1
5. Identify land use of adjacent sites (include any open space): Residential and Community Facility
6. Describe existing density on the project site and the proposed density:

Existing Condition	Proposed Condition
0.51 FAR	1.0 FAR

7. Is project within 100 or 500 year floodplain (specify)? ☐ 100 Year ☐ 500 Year ☒ No

C. GROUND AND GROUNDWATER

1. Total area of in-ground disturbance, if any (in square feet): Approx. 1600 sf
2. Will soil be removed (if so, what is the volume in cubic yards)? Yes (TBD)
3. Subsurface soil classification:
   (per the New York City Soil and Water Conservation Board): N/A Urban
4. If project would change site grade, provide land contours (**attach** map showing existing in 1' contours and proposed in 1' contours).
5. Will groundwater be used (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: NA Rates: NA
6. Will project involve dewatering (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: NA Rates: NA
7. Describe site elevation above seasonal high groundwater:

   NA

D. HABITAT

1. Will vegetation be removed, particularly native vegetation? ☐ **Yes** ☒ **No**

   If YES,
   - **Attach** a detailed list (species, size and location on site) of vegetation to be removed (including trees >2" caliper, shrubs, understory planting and groundcover).
   - **List** species to remain on site.
   - **Provide** a detailed list (species and sizes) of proposed landscape restoration plan (including any wetland restoration plans).
2. Is the site used or inhabited by any rare, threatened or endangered species? ☐ **Yes** ☒ **No**
3. Will the project affect habitat characteristics? ☐ **Yes** ☒ **No**

   If YES, describe existing wildlife use and habitat classification using "Ecological Communities of New York State." at http://www.dec.ny.gov/animals/29392.html.
4. Will pesticides, rodenticides or herbicides be used during construction? ☐ **Yes** ☒ **No**

   If YES, estimate quantity, area and duration of application.
5. Will additional lighting be installed? ☐ **Yes** ☒ **No**

   If YES and near existing open space or natural areas, what measures would be taken to reduce light penetration into these areas?

E. SURFACE COVERAGE AND CHARACTERISTICS

(describe the following for both the existing and proposed condition):

	Existing Condition	Proposed Condition
1. ***Surface area:***		
Roof:	3350 sf	4950 sf
Pavement/walkway:	NA	NA
Grass/softscape:	NA	NA
Other (describe):	NA	NA
2. ***Wetland*** (regulated or non-regulated) area and classification:	NA	NA
3. ***Water surface area:***	NA	NA

4. ***Stormwater management*** (describe):

Existing – how is the site drained?

Site drains into adjacent sewer system

Proposed – describe, including any infrastructure improvements necessary off-site:

No related infrastructural changes are proposed

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