HERKIMER-WILLIAMS EIS
Executive Summary

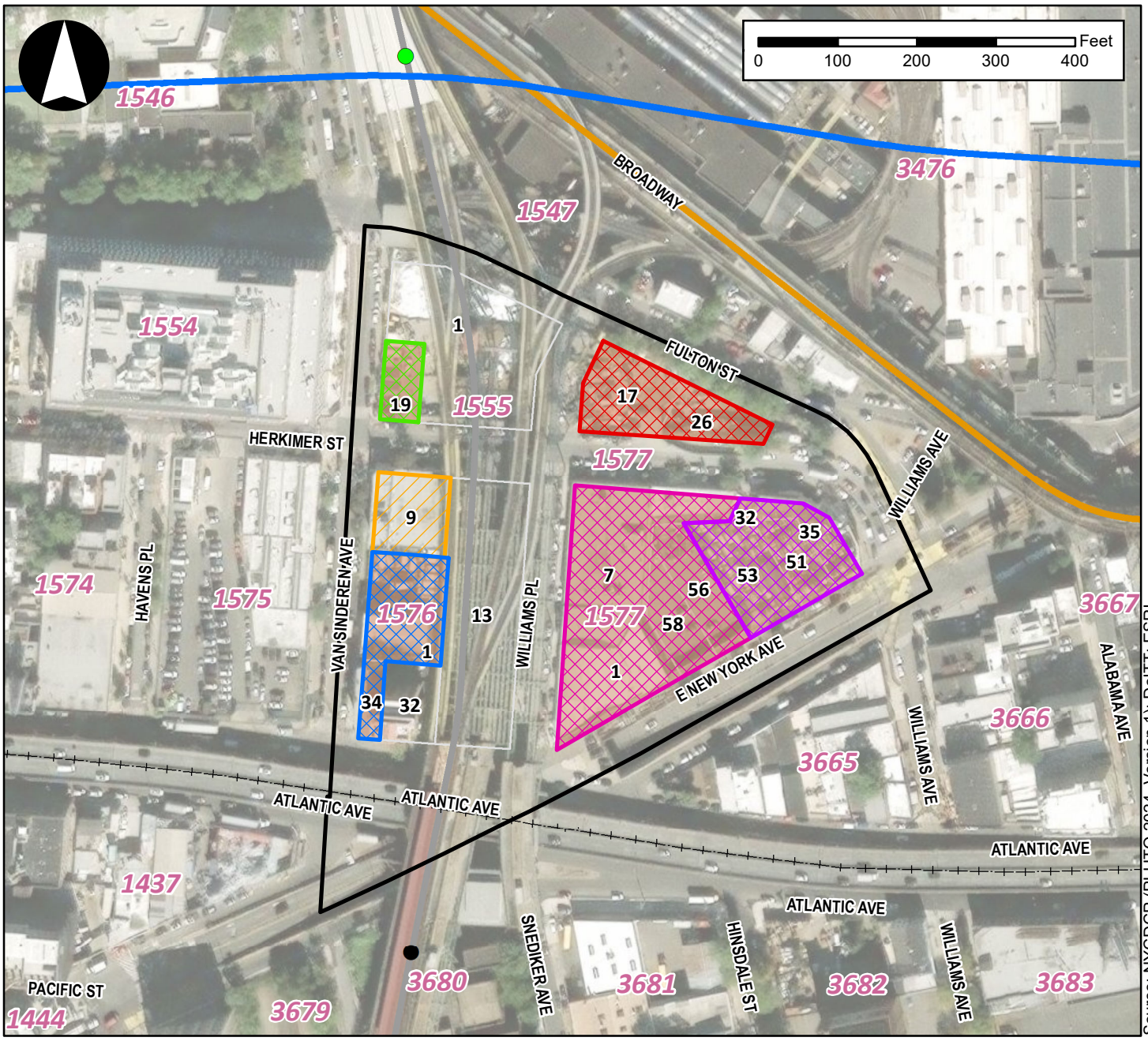
A. INTRODUCTION

Broadway Junction Partners LLC, the Applicant, and the co-applicants, the New York City Economic Development Corporation (NYCEDC) and New York City Department of Citywide Administrative Services (DCAS), as representative agency of the City of New York, seek discretionary actions to facilitate the redevelopment of portions of four blocks in the East New York neighborhood of Brooklyn Community District (CD) 5. The Project Area includes Block 1555, Lots 1 and 19; Block 1576, Lots 1, 9, 13, 32, and 34; and Block 1577, Lots 1, 7, 17, 26, 32, 35, 51, 53, 56, and 58 (refer to **Figure ES-1**). The Applicant is seeking City Planning Commission (CPC) approval of discretionary actions, including: (i) a Zoning Map Amendment to rezone the Project Area from an M1-2 zoning district to C6-4 and M1-6 zoning districts; (ii) special permits within a Large-Scale General Development (LSGD) pursuant to Sections 74-743(a)(1) and (2) of the *Zoning Resolution of the City of New York* (ZR) to distribute floor area across the LSGD and to modify rear yard and height and setback regulations, respectively; (iii) a ZR Section 74-161 special permit to allow Use Group VI retail uses in excess of 20,000 sf of floor area in the proposed M1-6 zoning district; (iv) Zoning Text Amendments to (a) ZR Appendix F to designate a Mandatory Inclusionary Housing ("MIH") Area over the C6-4 zoning district-portion of the Project Area and (b) ZR Section 74-742 with respect to the contiguity of ownership of zoning lots in an LSGD when there is an intervening elevated rail line; and (v) a combination acquisition and site selection of real property by the City to construct a publicly accessible open space at 1519 Herkimer Street (also known as Parcel 1; Block 1555, Lot 19) within the LSGD (collectively, the "Proposed Actions"). DCAS is applicant and NYCEDC is co-applicant only for the combination acquisition and site selection action. Although located in Brooklyn CD 5, the Project Area is proximate to Brooklyn CDs 4 and 16; Brooklyn CD 16 is located across Van Sinderen Avenue from the Project Area, while Brooklyn CD 4 is located approximately 600 feet to the north of the Project Area.

The Proposed Actions would facilitate the redevelopment of several projected development sites within the Project Area. The projected development sites are Projected Development Site 1A (Block 1555, Lot 19), Projected Development Site 1B (Block 1576, Lots 1 and 34), Projected Development Site 1C (Block 1577, Lots 17 and 26), Projected Development Site 1D (Block 1577, Lots 32, 35, 51, and 53), and Projected Development Site 1E (Block 1577, Lots 1, 7, 56, and 58). Additionally, Projected Development Site 2 comprises Block 1576, Lot 9. Projected Development Sites 1A through 1E are under the ownership or control of the Applicant and are coterminous with the LSGD. Projected Development Site 2 is owned by Calvary Church and is not under the ownership or control of the Applicant and is not included within the LSGD. Within the Project Area, no redevelopment would occur on Block 1555, Lot 1 and Block 1576, Lots 13 and 32; therefore, these lots are not considered projected development sites.

Approval of the Proposed Actions would facilitate the development of five new buildings and potentially, a small retail kiosk on the projected development sites in the Project Area. The new mixed-use development on the projected development sites would contain a combined total of approximately 1,589,202 gross square feet (gsf), including approximately 435,766 gsf of commercial office space, 113,760 gsf of commercial retail space, 834,763 gsf of residential space (1,112 dwelling units [DUs][1]), 22,985 gsf of

[1] The Proposed Development on Projected Development Sites 1A through 1E and the development on Projected Development Site 2 provide an average dwelling unit size of approximately 750 square feet (sf).



Source: NYCDCP (PLUTO 2024, Version 1); DoITT; ESRI

Legend

- Project Area
- Projected Development Site 1A
- Projected Development Site 1B
- Projected Development Site 1C
- Projected Development Site 1D
- Projected Development Site 1E
- Projected Development Site 2
- LSGD Development Sites
- Subway Station (Express)
- Subway Station (Local)
- Atlantic Branch Line (LIRR)
- A/C Line
- J/Z Line
- L Line
- 1555 Tax Blocks
- 1 Tax Lots



community facility (house of worship) space, and 98,483 gsf of light industrial space for Use Groups III-X[2], as well as approximately 174 accessory parking spaces (approximately 83,445 gsf) and 20,080 sf of publicly accessible area ("PAA") space (the "Proposed Development"). Pursuant to the City's MIH program, 20-30 percent or approximately 222-334 units would be designated as permanently affordable at an average of 40-80 percent area median income (AMI) depending on the selected Option (the Applicant intends to map both Options 1 and 2). In addition to the approximately 222-334 permanently affordable units pursuant to MIH, the Applicant intends to work with the New York City Department of Housing and Preservation (HPD) to allow the proposed DUs in the Proposed Development to be designated as 100 percent affordable units as well, pursuant to available subsidy.

A Reasonable Worst Case Development Scenario (RWCDS) has been established for the Proposed Actions for an analysis year of 2036. In the future with the Proposed Actions, the Proposed Actions would be approved, allowing the Applicant to construct the Proposed Development on the projected development sites in the Project Area. In addition, a second RWCDS (the "Alternate Community Facility Scenario") will be assessed for conservative analysis purposes, where deemed appropriate for any technical area in the Environmental Impact Statement (EIS) where this development scenario serves as the more conservative RWCDS compared to the Proposed Development. The Alternate Community Facility Scenario would include five new buildings and potentially, a small retail kiosk in the Project Area containing a combined total of approximately 1,620,348 gsf, including approximately 688,065 gsf of residential uses (911 DUs), 461,749 gsf of commercial office space, 137,026 gsf of commercial retail space, 114,691 gsf of community facility space (including 22,985 gsf of house of worship space and 91,706 gsf of academic university space), and 111,933 gsf of light industrial space for Use Groups III-X, as well as approximately 200 accessory parking spaces (approximately 106,884 gsf) and 20,080 sf of PAA space. Pursuant to the City's MIH program, 20-30 percent or 182-273 units would be designated as permanently affordable at an average of 40-80 percent AMI depending on the selected Option (as mentioned, the Applicant intends to map both Options 1 and 2). Like the Proposed Development, the Applicant intends to work with HPD to allow the proposed DUs in the Alternate Community Facility Scenario to be designated as 100 percent affordable units, pursuant to available subsidy.

This chapter provides a detailed description of the Proposed Development and the Proposed Actions, including project background, project purpose and need, site description, project description, the Reasonable Worst Case Development Scenario, and the governmental approvals required. The analyses following this chapter examine the potential for the Proposed Actions to result in significant adverse environmental impacts in any technical area of the 2021 *City Environmental Quality Review* (CEQR) *Technical Manual*.

B. BACKGROUND AND EXISTING CONDITIONS

Project Area

The Project Area encompasses a total of approximately 190,474 sf of lot area and contains the entirety of three tax blocks (i.e., Blocks 1555, 1576, and 1577), with frontages generally bounded by Fulton Street (80-feet-wide) to the north, Van Sinderen Avenue (70-feet-wide) to the west, Atlantic Avenue (120-feet-

[2] "Light industrial" specifically refers to Use Group III-X uses outlined in the ZR, which consist of custom manufacturing, wholesale, and accessory uses. These uses are permitted in C6-4 commercial districts and would allow, for example, creative maker spaces in the Proposed Development and/or Alternate Community Facility Scenario.

wide west of Havens Place and greater than 120-feet-wide between Havens Place and Williams Avenue) to the south, and East New York Avenue (115-feet-wide) to the east. The Project Area is bifurcated in the east-west direction by Herkimer Street (70-feet-wide) and in the north-south direction by Williams Place (60-feet-wide).

As described above and shown in **Figure ES-1**, the Project Area contains several projected development sites. The projected development sites are Projected Development Site 1A (Block 1555, Lot 19), Projected Development Site 1B (Block 1576, Lots 1 and 34), Projected Development Site 1C (Block 1577, Lots 17 and 26), Projected Development Site 1D (Block 1577, Lots 32, 35, 51, and 53), and Development Site 1E (Block 1577, Lots 1, 7, 56, and 58). Additionally, Projected Development Site 2 comprises Block 1576, Lot 9. Projected Development Sites 1A through 1E are under the ownership or control of the Applicant and are coterminous with the LSGD. Projected Development Site 2 is owned by Calvary Church and is not under the ownership or control of the Applicant and is not included within the LSGD. Within the Project Area, no redevelopment would occur on the non-Applicant-owned Block 1555, Lot 1 and Block 1576, Lots 13 and 32; therefore, these non-Applicant-owned lots are not considered projected development sites. The projected development sites, as well as the non-Applicant-owned three lots where no redevelopment would occur, are further described below.

Projected Development Sites

Projected Development Site 1A

Projected Development Site 1A is comprised of Block 1555, Lot 19 and is owned by the Applicant. Projected Development Site 1A is currently unimproved and is on a short-term lease to an MTA contractor rehabilitating subway tracks (0.0 FAR). Formerly, Projected Development Site 1A has been used as unenclosed parking and storage space. There is one existing, 20-foot-side curb cut along Projected Development Site 1A's southern-facing frontage along Herkimer Street (approximately 30 feet east of Van Sinderen Avenue).

Projected Development Site 1B

Projected Development Site 1B is comprised of Block 1576, Lots 1 and 34. Lots 1 and 34 are owned by the Applicant. Lot 1 is improved with a two-story manufacturing building containing approximately 8,800 gsf (8,000 zsf) of light industrial uses (0.61 FAR) and Lot 34 is improved with a three-story commercial building containing approximately 9,000 gsf (8,182 zsf) of office uses (3.32 FAR). There is one existing 20-foot-wide curb cut along Projected Development Site 1B's Van Sinderen Avenue frontage; the curb cut is along the east side of Van Sinderen Avenue approximately 160 feet north of Atlantic Avenue.

Projected Development Site 1C

Projected Development Site 1C is comprised of Lots 17 and 26 on the northern portion of Block 1577. Lots 17 and 26 are owned by the Applicant. Projected Development Site 1C is unimproved and used for parking and dead storage of vehicles (0.0 FAR). There are three existing curb cuts along Projected Development Site 1C's Fulton Street and Herkimer Street frontages. Specifically, there is one, 36-foot-wide curb cut along the north side of Herkimer Street (approximately 90 feet east of Williams Place); one 25-foot-wide curb cut along the south side of Fulton Street (approximately 50 feet east of Williams Place); and one 25-foot-wide curb cut along the south side of Fulton Street (approximately 160 feet east of Williams Place).

Projected Development Site 1D

Projected Development Site 1D is comprised of Lots 32, 35, 51, and 53 on the southern portion of Block 1577. Lots 32, 35, 51, and 53 are owned by the Applicant. Within Projected Development Site 1D, Lots 32 and 51 are unimproved, vacant, and used for temporary parking (0.0 FAR each); Lot 35 is improved with a one-story auto repair shop containing approximately 2,640 gsf (2,400 zsf) of light industrial uses (0.49 FAR); and Lot 53 is improved with a one-story building containing approximately 990 gsf (900 zsf) of light industrial uses (0.08 FAR). There are seven existing curb cuts along Projected Development Site 1D's East New York Avenue and Herkimer Street frontages. Specifically, there are three curb cuts of variable width along the north side of East New York Avenue and four curb cuts of variable width along the south side of Herkimer Street.

Projected Development Site 1E

Projected Development Site 1D is comprised of Lots 1, 7, 56, and 58 on the southern portion of Block 1577. Lots 1, 7, 56, and 58 are owned by Mystic Display Co., Inc. and currently leased to the MTA. According to the MTA Lease Agreement that was executed in September 2015, Mystic Display Co., Inc. and the MTA agreed to a 10-year term set to expire in 2025, with a single five-year renewal option that could be exercised by the MTA to remain in place until 2030. The MTA-leased sites are currently utilized as warehouses, parking, shop, and offices for NYCT's Automated Fare Collection (AFC) and Electronic Maintenance Division (EMD). Within Projected Development Site 1E, Lot 1 is improved with a one-story maintenance facility containing approximately 17,224 gsf (15,658 zsf) of light industrial uses (0.91 FAR); Lot 7 is improved with a one-story (plus mezzanine) maintenance facility containing approximately 20,768 gsf (18,880 zsf) of light industrial uses (1.00 FAR); and Lots 56 and 58 are currently improved with an unenclosed surface parking lot that provides access to the adjacent Lots 1 and 7 (0.0 FAR each). There are seven existing curb cuts along Projected Development Site 1E's East New York Avenue, Herkimer Street, and Williams Place frontages. Specifically, there are two curb cuts of variable width along the north side of East New York Avenue, two curb cuts of variable width along the south side of Herkimer Street, and three curb cuts of variable width along the east side of Williams Place.

Projected Development Site 2

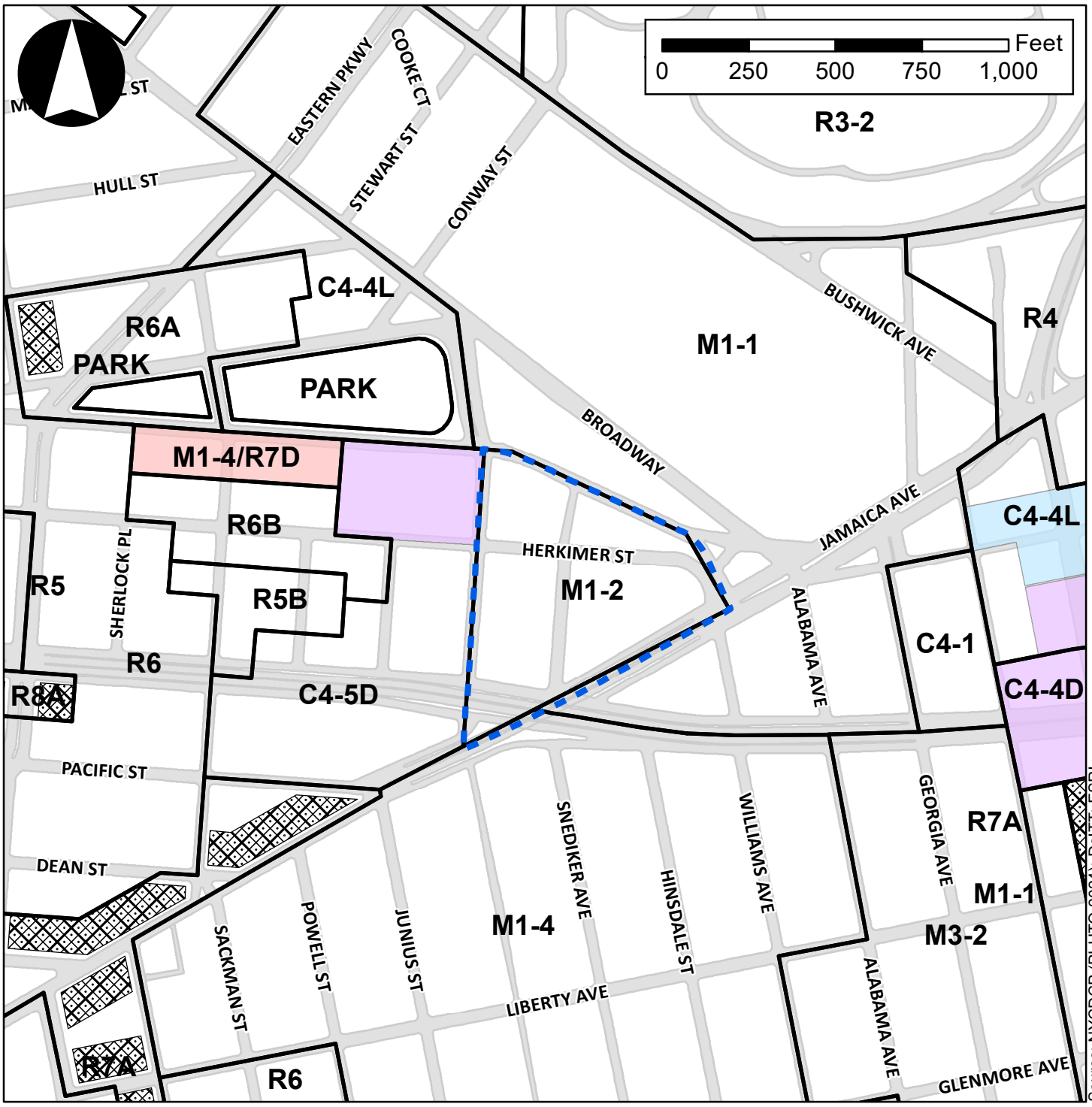
Projected Development Site 2 is comprised of Block 1576, Lot 9 and is owned by Calvary Church. Projected Development Site 2 is improved with a two-story building containing approximately 12,904 gsf (11,731 zsf) of community facility (house of worship) uses (1.33 FAR). There is one existing 25-foot-wide curb cut along Projected Development Site 2's Herkimer Street frontage; the curb cut is along the south side of Herkimer Street approximately 30 feet east of Van Sinderen Avenue.

Out Parcels

Block 1555, Lot 1 and Block 1576, Lot 13 are both owned by the MTA and improved with elevated subway structures and an at-grade parking lot (0.0 FAR). Block 1576, Lot 32 is owned by Amba Mata Inc. and improved with a six-story hotel building containing approximately 18,476 gsf (16,796 zsf) and 40 keyed-rooms (2.43 FAR). The above three lots are referred to, collectively, as the "Out Parcels."

Neighborhood Context

The area surrounding the Project Area is characterized by a wide variety of manufacturing/industrial, commercial, residential, community facility, and transportation/utility land uses and various building types. As shown in **Figure ES-2**, the Project Area is entirely within an M1-2 zoning district. The Project Area



Legend

- Project Area
- M1-1 Zoning District Boundaries
- C2-4 Commercial Overlay
- Special Enhanced Commercial District 5
- Special Enhanced Commercial District 6
- Special Mixed Use District (MX-16)

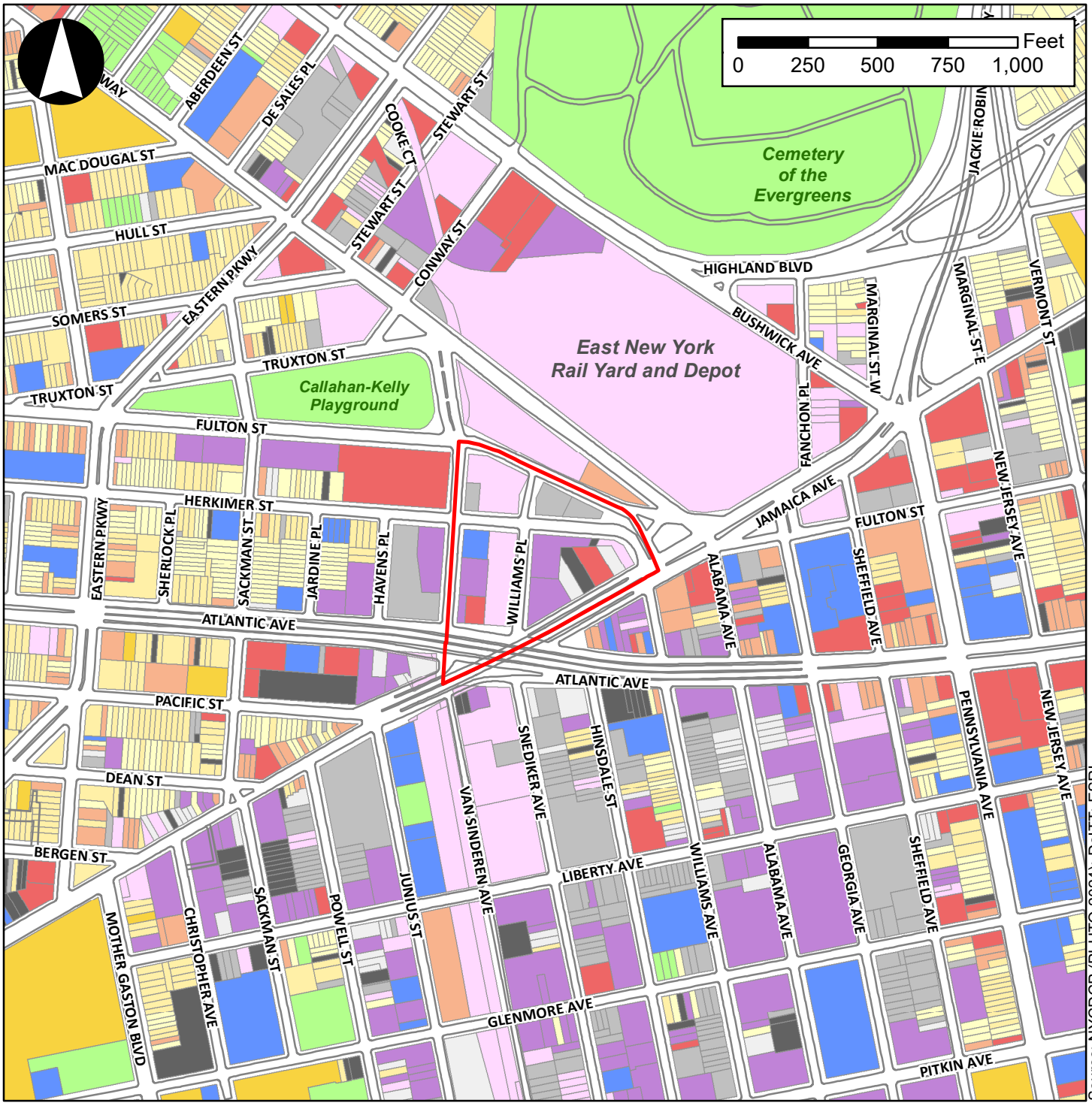
was originally zoned M1-1 as part of the 1961 Zoning Resolution but was rezoned to M1-2 in 1967 as part of multi-site rezoning of approximately 10 blocks in the East New York neighborhood generally bounded by Fulton Street to the north, Sackman Street/Sherlock Place to the west, Dean Street to the south, and East New York Avenue to the west.

M1-2 zoning districts permit most commercial and light manufacturing uses, and limited community facility uses; residential uses in M1-2 zoning districts are not permitted as-of-right. M1-2 zoning districts permit 2.0 FAR for commercial/manufacturing uses and up to 4.8 FAR for community facility uses. Buildings within M1-2 zoning districts are permitted a maximum base height of up to 60 feet and are regulated by the sky exposure plane (2.7 to 1 along narrow streets and 5.6 to 1 along wide streets) beyond the maximum base height. As such, existing buildings within the Project Area are generally comprised of low-rise commercial, light industrial, and community facility (house of worship) buildings. Parking and loading requirements vary depending on size and type of use.

As shown in **Figure ES-3**, predominant land uses within the area surrounding the Project Area include manufacturing/industrial, commercial, residential, mixed-use commercial and residential, and transportation/utility uses, as well as some public/institutional, parking, and open space uses. Some vacant and underutilized properties are also present in the surrounding area. As shown in **Figure ES-3**, many of the buildings found along Fulton Street, East New York Avenue, Atlantic Avenue, Williams Place, Van Sinderen Avenue, and Broadway are largely occupied by either manufacturing/industrial or transportation/utility uses. Some residential and mixed-use commercial and residential buildings can be found to the east of the Project Area, within the area east of East New York Avenue and north of Atlantic Avenue.

Residential uses in the surrounding area mostly consist of low- to mid-density, multi-family residential buildings, with building heights ranging between two- to four-stories. Higher density multi-family residential/mixed-use buildings located in the surrounding area include 2377 Pacific Street (southwest of the Project Area) and 62 Pennsylvania Avenue (east of the Project Area). 2377 Pacific Street is a recently constructed (2020), eight-story multi-family elevator residential with 136 DUs; and 62 Pennsylvania Avenue is a recently constructed (2020) nine-story mixed-use residential and commercial building containing 218 DUs. Additionally, the New York City Housing Authority's (NYCHA) Ocean Hill Houses and Howard Houses are located approximately 0.3 miles northwest and southwest of the Project Area, respectively. The Ocean Hill Houses consist of three, 14-story residential buildings containing a total of 238 DUs, and the Howard Houses consist of 10 residential buildings spread across an approximately 15.3-acre campus, with building heights ranging from seven- to 13-stories and containing a combined total of approximately 815 DUs.

Commercial and mixed-use commercial and residential buildings are generally located along Atlantic Avenue and East New York Avenue, and are generally low- to mid-rise, ranging from one- to four-stories in height. Commercial uses within the surrounding area are primarily hotels, local retail (such as eating and drinking establishments, pharmacies, beauty salons, clothing stores, and convenience stores), and local service uses (such as wholesale, grocery, and hardware stores). Industrial uses in the surrounding area are generally characterized as one- to two-story buildings and include warehouses, storage facilities, and distributors. Institutional uses located near the Project Area include the WIN Junius and Liberty Residences at 1 and 23 Junius Street, respectively, which both provide transitional housing services for formerly homeless families, as well as several houses of worship, including the Sacred Fellowship Ministries and Glorious Praise Baptist Church (both located at 2519 Atlantic Avenue), the Kingdom Life Center (2533 Atlantic Avenue), and the Kingdom Life Christian Center (1466-1474 Herkimer Street). Callahan-Kelly Playground, a 3.25-acre open space owned and operated by the New York City Department



Source: NYCDCP (PLUTO 2024); DoITT; ESRI

Legend

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

of Parks and Recreation (NYC Parks), is also located northwest of the Project Area. The playground features basketball and handball courts, playground equipment, spray showers, adult fitness equipment, a skate park, bench seating, and tree plantings.

Special Enhanced Commercial District (EC)

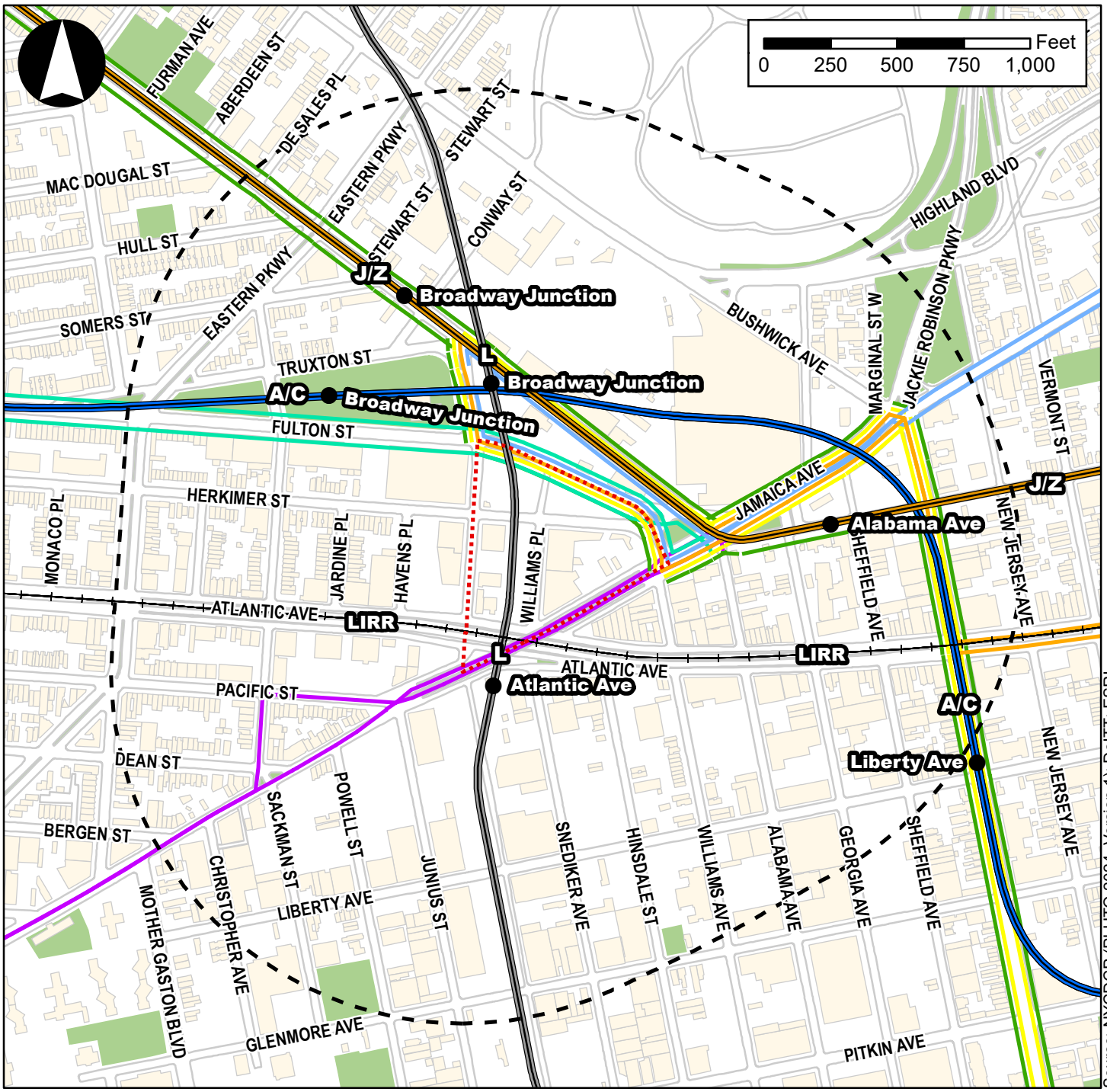
On April 20, 2016, as part of the East New York Community Plan (2016), the New York City Council approved Zoning Map and Text Amendments to establish the Special Ocean Hill (EC-5) and East New York (EC-6) Enhanced Commercial Districts on portions of an approximately 191-block area in the East New York, Cypress Hills, and Ocean Hill neighborhoods of Brooklyn CDs 5 and 16. EC-6 is generally bounded by Sheffield Avenue to the west, Lincoln Avenue to the east, Fulton Street to the north, and Pitkin Avenue to the south); and EC-5 is generally bounded by Eastern Parkway Extension to the west, Van Sinderen Avenue to the east, Broadway to the north, and East New York Avenue to the south. The intention of the EC-5 and EC-6 are to foster a safe and engaging pedestrian experience along portions of the Atlantic Avenue, Pitkin Avenue, Fulton Street, and Pennsylvania Avenue corridors by establishing regulations requiring non-residential ground-floor uses, requiring minimum levels of transparency on the ground-floor, limiting curb cuts, and requiring setbacks along corridors with elevated trains. EC-5 is located directly west of the Project Area; however, no portion of EC-5 is located in the Project Area. EC-6 is located approximately three blocks east of the Project Area.

Area Transportation

Major thoroughfares in the surrounding area include Fulton Street and Broadway directly north, Atlantic Avenue to the south, and East New York Avenue to the east. To the east of the Project Area, East New York Avenue flows into Jamaica Avenue, which begins just east of Broadway. Additionally, near the Project Area, Broadway, Fulton Street, Herkimer Street, and East New York Avenue are designated by the New York City Department of Transportation (DOT) as ~~a~~ Local Truck Routes, whereas Atlantic Avenue is designated as a Through Truck Route.[3] The street network and interweaving mass transit surrounding the Project Area is unique. East New York Avenue and Atlantic Avenue both have express and local service vehicular lanes. East New York Avenue's express lanes span between Herkimer Street and Junius Street (one block southwest of the Project Area) and are located in a subgrade tunnel below East New York and Atlantic avenues' local service lanes and the Long Island Rail Road (LIRR) commuter rail and East New York Station. Atlantic Avenue's express lanes span between Georgia Street (two blocks southeast of the Project Area) and Eastern Parkway (five blocks west of the Project Area) and are elevated above the LIRR commuter rail line and East New York and Atlantic avenues' local service lanes, and below the elevated Canarsie (L) subway line.

The Project Area is within the Outer Transit Zone and is extremely well-served by mass transit, including the Broadway Junction Subway Station complex serving five subway lines (i.e., the A/C/J/L/Z lines), several bus lines, and the East New York Station serving the LIRR's Atlantic Branch (refer to **Figure ES-4**). Several elevated MTA rail lines – including the elevated L (a.k.a. the 14th Street-Canarsie line) and J/Z (a.k.a. the Jamaica line) – cut through the Project Area: the elevated L line runs north-south and bifurcates the Project Area, whereas the elevated J/Z line runs southeast-northwest along Broadway and Jamaica

[3] According to DOT, the New York City Truck Route Network is a set of roads that commercial vehicles must use in New York City, which is comprised of two distinct classes of roadways: Local Truck Routes and Through Truck Routes (defined in Section 4-13 of the New York City Traffic Rules). The Through Truck Route Network is primarily composed of major urban arterials and highways and must be used by trucks that have neither an origin nor destination within the borough. The Local Truck Route Network is designated for trucks with an origin and destination within a borough, which includes trucks that are traveling to make a delivery, or for loading or servicing.



Legend

- Project Area
- Quarter-Mile Radius
- Subway Station (Local)
- Subway Station (Express)
- Atlantic Branch Line (LIRR)
- A/C Line
- L Line
- J/Z Line
- B12
- B20
- B25
- B83
- Q24
- Q56

Avenue just north and east of the Project Area. The Broadway Junction Subway Station complex provides access to Manhattan- and Ozone Park/Rockaway Beach-bound service along the A/C subway lines; Manhattan- and Jamaica Center-bound service along the J/Z subway lines; and Manhattan- and Canarsie/Rockaway Parkway-bound service along the L subway line. The A/C/J/L/Z lines converge at the Broadway Junction Subway Station complex, one block north of the Project Area, with elevated tracks of the L line running above the portion of Williams Place within the Project Area and the elevated tracks of the J/Z line running above Broadway one block north of the Project Area. The Broadway Junction Subway Station complex is composed of three stations: the two elevated stations on the Jamaica (J/Z) and Canarsie (L) Lines, as well as the underground station on the Fulton Street (A/C) Line. The Fulton Street Line is accessible from the station's ground-level station house fronting the west side of Van Sinderen Avenue between Fulton and Truxton streets (located on Block 1546, Lot 1), using staircases down to the platform level. The Jamaica and Canarsie lines are reachable from the same station house via escalators from the street level to the upper mezzanine. The station house located on Van Sinderen Avenue is the only entrance/exit to the entire complex. The Atlantic Avenue (L) Subway Station is also located directly south of the Project Area, with entrances/exits located on the southwest corner of Snediker and Atlantic avenues. Additionally, the Alabama Avenue (J/Z) Subway Station is located east of the Project Area, with the western portions of the station platform and entrance/exits located on the south side of Fulton Street between Alabama and Georgia avenues. In terms of commuter rail, the East New York station is located within the southern portion of the Project Area, with entrances along the north and south sides of Atlantic Avenue between Van Sinderen Avenue and Snediker Avenue/Williams Place, providing access to Downtown Brooklyn- and Long Island-bound service along the LIRR's Atlantic Branch. The Atlantic Branch runs east-west along and underneath an elevated portion of Atlantic Avenue. In addition, the MTA's East New York Rail Yard is located directly north of the Project Area and is generally bounded by Broadway to the south, Jamaica Avenue to the east, Bushwick Avenue to the north, and Conway Street to the west. The MTA Rail Yard is primarily used for storing subway cars used on the J, L, M, and Z lines, and is equipped with hand-operated switches. A separate part of the facility houses the MTA's East New York Bus Depot. Several local bus services are provided within the surrounding area, including the B12 (connecting Prospect Lefferts Gardens and East New York) which runs along East New York Avenue directly southeast of the Project Area; the B20 (connecting East New York, Brooklyn and Ridgewood, Queens) which runs along Fulton Street and Broadway directly north of the Project Area; the B25 (connecting Fulton Landing with East New York) which runs along Fulton Street directly north of the Project Area; the B83 (connecting Spring Creek/Gateway Center Mall with East New York) which runs along Fulton Street and Broadway to the north and Jamaica Avenue to the east; the Q24 (connecting Jamaica, Queens with Bedford-Stuyvesant, Brooklyn) which runs along Fulton Street and Broadway to the north and Jamaica Avenue to the east; and the Q56 (connecting Jamaica, Queens with East New York, Brooklyn) which runs along Fulton Street and Broadway to the north and Jamaica Avenue to the east. There are also three Citi Bike docking stations located near the Project Area, one at the intersection of Somers Street and Broadway, one at the intersection of Van Sinderen Avenue and Truxton Street, and one at the intersection of Van Sinderen Avenue and Atlantic Avenue. Taken together, these transit options provide access to and from the Project Area from much of Brooklyn, Manhattan, and beyond.

C. DESCRIPTION OF THE PROPOSED ACTIONS

The Applicant is seeking CPC approval of discretionary actions, including: (i) a Zoning Map Amendment to rezone the Project Area from an M1-2 zoning district to C6-4 and M1-6 zoning districts; (ii) special permits within an LSGD pursuant to ZR Sections 74-743(a)(1) and (2) to distribute floor area across the LSGD and to modify rear yard and height and setback regulations, respectively; (iii) a ZR Section 74-161 special permit to allow Use Group VI retail uses in excess of 20,000 sf of floor area in the proposed M1-6 zoning

district; (iv) Zoning Text Amendments to (a) ZR Appendix F to designate an MIH Area over the C6-4 zoning district-portion of the Project Area and (b) ZR Section 74-742 with respect to the contiguity of ownership of zoning lots in an LSGD when there is an intervening elevated rail line; and (v) a combination acquisition and site selection of real property by the City to construct a publicly accessible open space at 1519 Herkimer Street (also known as Parcel 1; Block 1555, Lot 19) within the LSGD (collectively, the "Proposed Actions").

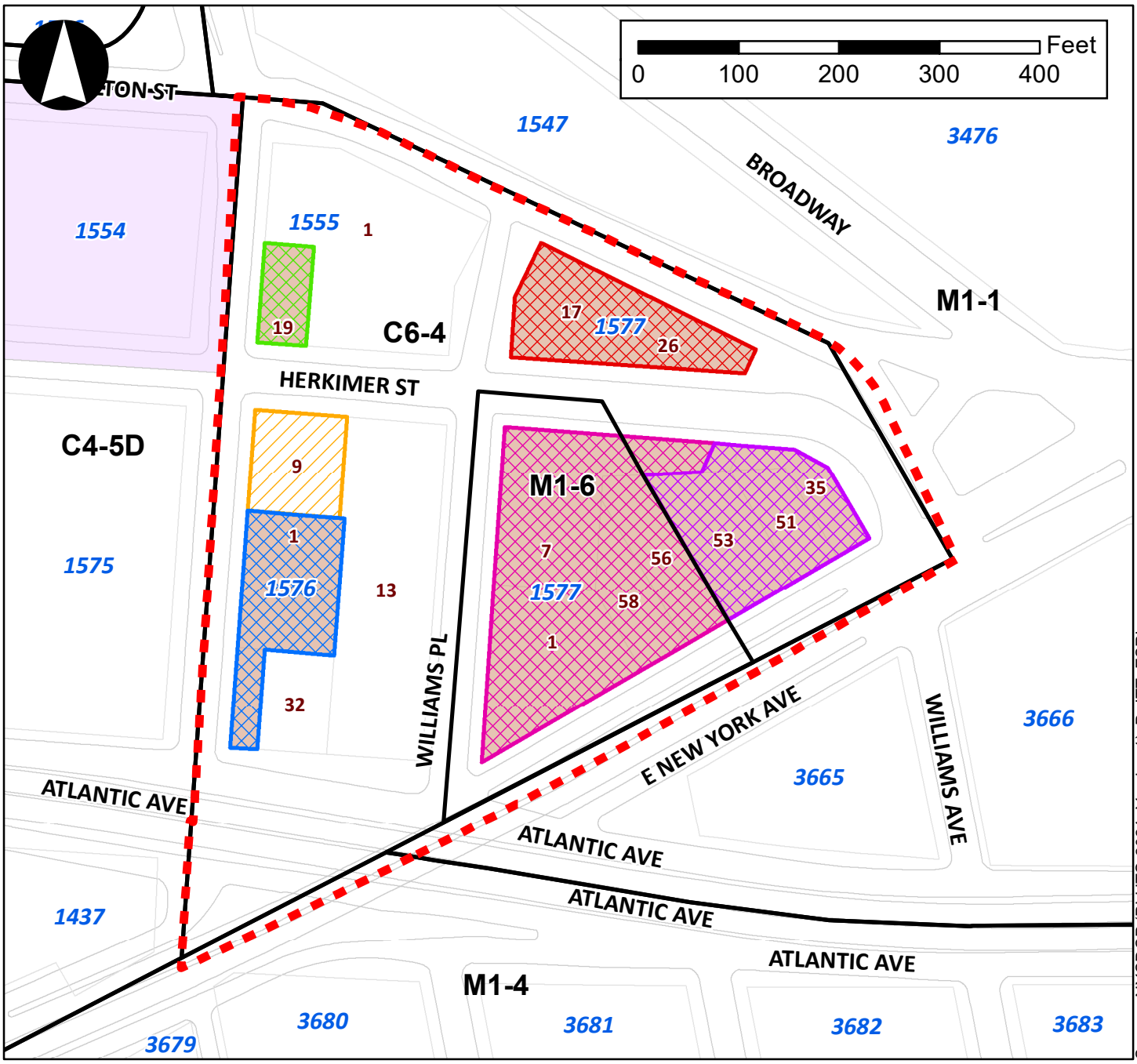
The Proposed Actions would be subject to the Uniform Land Use Review Procedure (ULURP). The Proposed Actions are also subject to environmental review under the City Environmental Quality Review (CEQR) process. These actions are described in more detail below.

Zoning Map Amendment

The Applicant is proposing a Zoning Map Amendment that would rezone the Project Area from M1-2 to C6-4 and M1-6 (refer to **Figure ES-5**). As shown in **Figure ES-5**, the Zoning Map Amendment would affect all portions of Blocks 1555, 1576, and 1577. Specifically, the proposed C6-4 zoning district would include all of Block 1555, Lots 1 and 19; all of Block 1576, Lots 1, 9, 13, 32, and 34; all of Block 1577, Lots 17, 26, 32, 35, 51, and 53; and a portion of Block 1577, Lot 7; whereas the proposed M1-6 zoning district would include all of Block 1577 Lots 1, 56, and 58, and a portion of Lot 7 (refer to **Figure ES-5**).

Table ES-1 compares the use and bulk requirements under the existing and proposed zoning districts. C6-4 zoning districts (R10 equivalent) are non-contextual commercial districts typically mapped within the City's major business districts, which allow a maximum FAR of 10.0 for commercial uses, 10.0 for residential uses (or 12.0 FAR for qualifying affordable or senior housing), and 10.0 for community facility uses. The proposed C6-4 zoning district would be governed by standard residential height and setback regulations, which may allow for additional height and bulk flexibility with the provision of qualifying affordable or senior housing. However, as an option, C6-4 zoning districts permit street wall and sky exposure plane developments in accordance with the bulk regulations set forth in ZR Section 23-70, inclusive. For residential uses, while off-street parking is generally required for 12 percent of a building's standard dwelling units, since the Project Area is within the Outer Transit Zone, off-street parking would not be required for income-restricted housing units. Off-street parking is also not required for any non-residential uses.

M1 zoning districts are non-contextual manufacturing districts that often serve as buffers between M2 and M3 zoning districts and adjacent to residential or commercial districts. M1 zoning districts are industrial/manufacturing districts that have performance standards and typically include light industrial uses such as woodworking shops, repair shops, and wholesale service and storage facilities. M1-6 zoning districts allow a maximum FAR of 10.0 for manufacturing uses, 10.0 for commercial uses, and 10.0 for community facility uses. Pursuant to the M1 Hotel Text Amendment, hotels are only permitted by special permit. Residential development is not allowed in M1 zoning districts. Buildings within M1-6 zoning districts are governed by the sky exposure plane, which begins 85 feet above the street line. Off-street parking is generally not required in M1-6 zoning districts, but requirements may vary depending on use, such as hospitals, refreshment stands, drive-ins, and motels which may require off-street parking.



Legend

- Project Area
- Projected Development Site 1A
- Projected Development Site 1B
- Projected Development Site 1C
- Projected Development Site 1D
- Projected Development Site 1E
- Projected Development Site 2
- LSGD Development Sites
- M1-1 — Zoning District Boundaries
- Special Enhanced Commercial District 5
- 1555 — Tax Blocks
- 1 — Tax Lots

TABLE ES-1
Comparison of Existing and Proposed Zoning

	Existing	Proposed	
	M1-2	**C6-4**	**M1-6**
Use Group	I, III-X[1]	I-X[1]	I, III-X[1]
Maximum Permitted FAR			
Residential	Not Permitted	12.0[2,3]	Not Permitted
Community Facility	4.8	10.0	10.0
Commercial	2.0	10.0[2]	10.0
Commercial and Community Facility	4.8	10.0	10.0
Manufacturing	2.0	Not Permitted	10.0
Overall Maximum Permitted	4.8	12.0[2,3]	10.0

Source: *Zoning Resolution of the City of New York*.
Notes:
[1] Certain uses permitted subject to size, locational, special permit, and other restrictions and conditions, as specified in the ZR.
[2] Plus up to 20 percent increase for a public plaza bonus.
[3] Up to 12.0 FAR for qualifying affordable or senior housing in an MIH Area.

Zoning Text Amendment – MIH

The Applicant is proposing a Zoning Text Amendment that is required to map the proposed C6-4 zoning district as an MIH Area by creating a new map for Brooklyn CD 5 in Appendix F of the ZR. The MIH Area would require any new developments containing residential uses to provide affordable units pursuant to one of the MIH options described below:

- Option 1 – requires 25 percent of residential floor area must be affordable housing for residents with incomes averaging 60 percent AMI; and
- Option 2 – requires 30 percent of residential floor area must be affordable housing for residents with incomes averaging 80 percent AMI.
- Option 3 – requires 20 percent of residential floor area must be affordable housing for residents with incomes averaging 40 percent AMI.

The MIH Area would require 20-30 percent affordable floor area and permit a maximum floor area based on a higher residential FAR of 12.0 rather than the underlying (base) residential FAR of 10.0 in the proposed C6-4 (R10 equivalent) zoning district. The Applicant intends to map both Options 1 and 2.

Zoning Text Amendment ZR 74-742 – Contiguity of Ownership of LSGD Parcels

The Applicant is proposing a Zoning Text Amendment to amend ZR Section 74-742 to allow the elevated rail line to be considered a "street" for the purposes of the contiguity of the ownership arrangement of the LSGD, as required by its ZR Section 12-10 definition. The Zoning Text Amendment would allow the uniformity of LSGD bulk controls across the lots within the LSGD (Projected Development Sites 1A through 1E), even though Projected Development Sites 1A and 1B are physical separated by publicly-owned lots with elevated rail lines from Projected Development Sites 1C, 1D, and 1E. Allowing for contiguity of the various parcels comprising Projected Development Sites 1A through 1E despite the location of intervening streets and publicly-owned MTA rail structures is consistent with the stated goal of large-scale development, which is to "allow greater flexibility for the purpose of securing better site planning, while safeguarding the present or future use and development of the surrounding area." The proposed Zoning Text Amendment would permit Projected Development Sites 1A through 1E to be established as an LSGD, and to permit various zoning modifications including the distribution of floor area without regard for zoning lot lines and relief from height, setback, and rear yard requirements within the various lots. The

MTA's elevated tracks and platform on Block 1555, Lot 1 and Block 1576, Lot 13, which pursuant to the proposed Zoning Text Amendment, would be treated as a street for the purposes of LSGD contiguity, are not within the projected development sites nor contribute floor area to the LSGD.

Large-Scale General Development (LSGD) Special Permit

The Applicant is proposing a special permit under the LSGD pursuant to ZR Sections 74-743(a)(1) and (2) for the following:

- Pursuant to ZR Section 74-743 (a)(1) to allow the distribution of floor area without regard zoning lot and district boundary lines.
- Pursuant to ZR Section 74-743 (a)(2) to modify rear yard regulations per ZR Sections 23-342, 33-26, and 43-26.
- Pursuant to ZR Section 74-743(a)(2) to modify height and setback regulations per ZR Sections 23-432, 23-433, 23-434, and 43-43.

In total, the proposed height and setback waivers improve the LSGD's site plan and relationship between buildings and adjacent streets and surrounding development because these waivers allow for a more varied built form throughout Projected Development Sites 1A through 1E within the LSGD that draws attention to the prominent aspects of the Proposed Development (e.g., the proposed PAA spaces and pedestrian corridor on Herkimer Street east of Williams Place). The range of envelope variety would enhance the LSGD's unique and distinct context amongst its own buildings and the surrounding neighborhood character, supporting its establishment as a regional mixed-use hub adjacent to ample mass transit options, and thereby resulting in better urban design and better site planning for Projected Development Sites 1A through 1E.

After completion of the DEIS, the Applicant proposed a modification (ULURP No. C250286(A)ZSK) to the Proposed Development that would modify the maximum permitted envelope for Projected Development Site 1B (Block 1576, Lots 1 and 34) compared to what was analyzed in the DEIS. To facilitate the proposed modification, the maximum permitted envelope under the proposed LSGD Special Permit for Projected Development Site 1B (also known as Parcel 2/Building B in the ULURP application) has been modified to indicate that the proposed setback depth above the base height of Parcel 2/Building B has been modified from ten (10) feet to eight (8) feet. The maximum building height proposed on Projected Development Site 1B would remain 24 stories (265'; 295' including bulkhead).

A Technical Memorandum was prepared to examine whether the proposed modification to the proposed LSGD Special Permit for Projected Development Site 1B would result in any significant adverse environmental impacts not previously identified and addressed in the DEIS. The Technical Memorandum, provided in **Appendix H**, concluded that the proposed modification would not result in any new or different significant adverse impacts not already identified in the DEIS. The Final Environmental Impact Statement (FEIS) has incorporated the proposed modification to the proposed LSGD Special Permit for Projected Development Site 1B.

Retail Special Permit

The Applicant is proposing a special permit under ZR Section 74-161 to allow Use Group VI retail and service use with floor area greater than 20,000 sf within the proposed M1-6 zoning district and building proposed on Projected Development Site 1E. With the proposed Zoning Map Amendment, Projected Development Site 1E would be primarily in an M1-6 zoning district, which does not permit Use Group VI

retail and service uses greater than 10,000 sf of floor area. Under the retail special permit, up to 75,992 sf of Use Group VI retail and service uses would be permitted on the first and second floors of the portion of the building proposed on Projected Development Site 1E in the M1-6 zoning district to match the large retail uses permitted within the C6-4 zoning district-portion of the LGSD (as well as elsewhere in the Project Area). All other uses permitted in the M1-6 zoning district-portion of the building proposed on Projected Development Site 1E would not require a use special permit and would be limited to as-of-right uses. The retail special permit, if approved, would allow the Applicant flexibility to locate large retail spaces throughout the building proposed on Projected Development Site 1E and the LSGD, including across zoning district boundaries, and would further facilitate the establishment of the Proposed Development as a regional, mixed-use hub in an area of the City rich in mass transit options.

Combination Acquisition and Site Selection of Real Property by the City

DCAS and NYCEDC, as co-applicants and representative entities of the City, seek a combination acquisition and site selection. The acquisition of Projected Development Site 1A at 1519 Herkimer Street (also known as Parcel 1; Block 1555, Lot 19), which is contemplated to be in the form of an easement, would be for the purposes of access and construction of the PAA space on Projected Development Site 1A. As discussed above, the City, through NYCEDC, has committed to financial investments to make public realm improvements in and around the Broadway Junction Subway Station complex. These investments include, but are not limited to, the development of two new public plazas — one of which would be located immediately north of and adjacent to Projected Development Site 1A at 1519 Herkimer Street (also known as Parcel 1; Block 1555, Lot 19) on a portion of Block 1555, Lot 1. The ULURP application for the two new public plazas was certified on April 21, 2025 (CEQR No. 25NYP001K; ULURP No. 2025K0339). The proposed acquisition would enable NYCEDC to construct the PAA space on Projected Development Site 1A utilizing capital funding and plan for its design such that it functions harmoniously with the adjacent future public plaza to the north, in a manner that permits the two sites to operate as a single public open space. Construction of the PAA space on Projected Development Site 1A within the similar context of the Broadway Junction public realm improvements will complement the City's investment in public open space and pedestrian amenities in the surrounding area, while simultaneously facilitating the creation of an entranceway from the Broadway Junction Subway Station complex to the Proposed Development and neighborhoods to the east and south. Additionally, as noted above, the Applicant and the City intend to enter into an agreement for continued maintenance of the PAA space on Projected Development Site 1A by the Applicant following initial construction.

D. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

To facilitate the Proposed Development, the Applicant is seeking CPC approval of discretionary actions, including: (i) a Zoning Map Amendment to rezone the Project Area from an M1-2 zoning district to C6-4 and M1-6 zoning districts; (ii) special permits within an LSGD pursuant to ZR Sections 74-743(a)(1) and (2) to distribute floor area across the LSGD and to modify rear yard and height and setback regulations, respectively; (iii) a ZR Section 74-161 special permit to allow Use Group VI retail uses in excess of 20,000 sf of floor area in the proposed M1-6 zoning district; (iv) Zoning Text Amendments to (a) ZR Appendix F to designate an MIH Area over the C6-4 zoning district-portion of the Project Area and (b) ZR Section 74-742 with respect to the contiguity of ownership of zoning lots in an LSGD when there is an intervening elevated rail line; and (v) a combination acquisition and site selection of real property by the City to construct a publicly accessible open space at 1519 Herkimer Street (also known as Parcel 1; Block 1555, Lot 19) within the LSGD (collectively, the "Proposed Actions").

The Proposed Actions are intended to facilitate the development of new residential, office, retail, light industrial, manufacturing, and community facility space at the Project Area by increasing the permitted residential, commercial, and community facility FARs within the Project Area. The Proposed Actions would assist Broadway Junction, one of the largest transit centers in New York City, in fulfilling its potential as "a more accessible and dynamic transit hub and economic center," as described in NYCEDC's and DCP's 2019 report, *Broadway Junction: A Vision for the Future*.[4] In addition to providing open space and affordable housing, the Proposed Actions would also provide economic opportunities benefitting the surrounding neighborhoods. The Proposed Actions would facilitate the new development of up to approximately 1.6 million gsf of mixed-use development that would accommodate a variety of tenants, including an institutional anchor like an academic university, retail designed to cater to the needs of the surrounding neighborhoods, as well as offices. The City of New York is already in the process of moving City agencies to the Broadway Junction area, including approximately 275,000 sf of office space for the New York City Human Resources Administration or Department of Social Services (HRA/DSS) at 2440 Fulton Street, directly west of the Project Area.

The Proposed Actions would increase density in the Project Area to create employment opportunities and provide community resources in a way that is not currently feasible based on existing site constraints. The Project Area's existing buildings and infrastructure are aged and in need of essential maintenance and upgrades and have limited ability to provide the type of accommodations needed and/or desired for new businesses. The existing low-rise light industrial buildings limit the potential of the Project Area, much of which is currently occupied by unenclosed parking and storage facilities. In addition, the existing M1-2 zoning district, which was mapped in 1967, further limits the Project Area from being redeveloped with new, state-of-the-art commercial and light industrial spaces as, despite its location near mass transit, the maximum permitted commercial and manufacturing FAR is 2.0. Additionally, limited community facility uses are permitted as-of-right at up to 4.8 FAR, whereas residential uses are not permitted.

By facilitating new mixed-use development within the Project Area, the Proposed Actions would facilitate a new mixed-use development in a transit-rich area of the City and provide viable development sites, creating much needed job opportunities and affordable housing. The increased density of the Proposed Development would be subject, with some design flexibility, to controls in the LSGD that are responsive to the neighborhood context and improve the pedestrian and retail environment of the Project Area. The Proposed Development would leverage the existing assets of full-block frontage on several wide streets and excellent mass transit access to better enhance and activate the Project Area. The proposed PAA spaces would further enhance the pedestrian experience and environment at the Project Area by providing widened sidewalks and multifaceted passive recreation spaces.

Zoning Map Amendment

The Applicant is proposing a Zoning Map Amendment to Zoning Map 17c to rezone portions of the Project Area from an M1-2 zoning district to C6-4 and M1-6 zoning districts. Specifically, the proposed C6-4 zoning district would include all of Block 1555, Lots 1 and 19; all of Block 1576, Lots 1, 9, 13, 32, and 34; all of Block 1577, Lots 17, 26, 32, 35, 51, and 53; and a portion of Block 1577, Lot 7. The proposed M1-6 zoning district would include all of Block 1577 Lots 1, 56, and 58, and a portion of Lot 7. Due to the scarcity of available developable land and the resulting high land costs, the bulk and density of the proposed C6-4 (R10 equivalent) and M1-6 zoning districts are necessary and appropriate to facilitate the development of the Proposed Development on underutilized properties in one of Brooklyn's most transit rich areas.

[4] "*Broadway Junction: A Vision for the Future*" (2019). NYCEDC and DCP; https://edc.nyc/sites/default/files/2019-09/broadwayjunction.pdf

Equivalent zoning districts are mapped at key transportation hubs and downtown clusters in Brooklyn and Manhattan. The C6-4 zoning district would facilitate the development of new retail, office, residential, community facility, and open space, while the M1-6 zoning district would help to preserve permitted manufacturing and industrial uses at the Project Area.

The Zoning Map Amendment would permit residential space in the Project Area, which would be consistent with the City's planning and policy goals as outlined in *Housing Our Neighbors: A Blueprint for Housing and Homelessnes*s and *Where We Live NYC Plan*. The Project Area is in an area of the City that is well served by existing public transportation; therefore, the Proposed Actions would promote the City's goals of providing new housing, including affordable housing, while encouraging and supporting new transit-oriented development within a transit rich area of Brooklyn. The Proposed Development's residential space would provide new housing units, including affordable housing units, in an area of the City in which the population is increasing, and a disproportionate share of households are rent burdened. According to DCP's Equitable Development Data Explorer[5], Brooklyn CD 5 experienced a population growth rate of approximately 9.8 percent between 2010 to 2020. This growth rate mirrors the population growth rates of Brooklyn (nine percent) and New York City (eight percent) during the same time frame. According to DCP's Equitable Development Data Explorer, Brooklyn CD 5 contains large numbers of rent-burdened households (defined as households paying more than 30 percent of income on rent) and severely rent-burdened households (defined as households paying more than 50 percent of income on rent). In 2017-2021, approximately 56 percent of households in Brooklyn CD 5 were rent-burdened and approximately 33 percent of households in Brooklyn CD 5 were severely rent-burdened as compared to Brooklyn (approximately 53 percent and 29 percent of households, respectively) and New York City as a whole (approximately 53 percent and 28 percent of households, respectively).

Zoning Text Amendments

The Applicant is proposing a Zoning Text Amendment to modify Appendix F of the ZR to map an MIH Area coterminous with the boundaries of the proposed C6-4 zoning district would increase the affordable housing capacity for Brooklyn CD 5. The Applicant is interested in pursuing either Option 1 or Option 2 of the City's MIH program. Pursuant to Option 1 of the MIH program, up to 25 percent of the residential floor area would be required to be set aside for permanently affordable housing at or below 60 percent AMI. Pursuant to Option 2, up to 30 percent of the residential floor area would be required to be set aside for permanently affordable housing at or below 80 percent AMI. In addition to Options 1 and 2, Option 3 is available. Pursuant to Option 3, up to 20 percent of the residential floor area would be required to be set aside for permanently affordable housing at or below 40 percent AMI. The Applicant intends to work with HPD to allow the proposed DUs in either the Proposed Development or the Alternate Community Facility Scenario to be designated as 100 percent affordable units, pursuant to available subsidy. The Proposed Actions would create new affordable housing units that would be consistent with the goals set forth by Mayor Eric Adams' *Housing Our Neighbors: A Blueprint for Housing and Homelessness*, *Where We Live NYC Plan*, and the City of Yes for Housing Opportunity plan, all of which aim to create and preserve affordable housing across New York City. The Proposed Actions would facilitate the development of the Proposed Development, which would provide up to 20-30 percent or approximately 222-334 units of permanently affordable housing at an average of 40-80 percent AMI pursuant to the City's MIH program, depending on the selected Option.

The Applicant is also proposing a Zoning Text Amendment to amend ZR Section 74-742 with respect to

[5] Equitable Development Data Explorer (2024). DCP; https://equitableexplorer.planning.nyc.gov/data/district/4008/demo/tot

the contiguity of ownership of zoning lots in an LSGD when there is an intervening elevated rail line. Specifically, the Zoning Text Amendment would allow the elevated rail line to be considered a "street" for the purposes of the contiguity of the ownership arrangement of the LSGD, as required by its ZR Section 12-10 definition. The Zoning Text Amendment would allow the uniformity of LSGD bulk controls across the lots within the LSGD (Projected Development Sites 1A through 1E), even though Projected Development Sites 1A and 1B are physical separated by publicly-owned lots with elevated rail lines from Projected Development Sites 1C, 1D, and 1E. Allowing for contiguity of the various parcels comprising Projected Development Sites 1A through 1E despite the location of intervening streets and publicly-owned MTA rail structures is consistent with the stated goal of large-scale development, which is to "allow greater flexibility for the purpose of securing better site planning, while safeguarding the present or future use and development of the surrounding area." The Zoning Text Amendment would permit Projected Development Sites 1A through 1E to be established as an LSGD, and to permit various zoning modifications including the distribution of floor area without regard for zoning lot lines and relief from height, setback, and rear yard requirements within the various lots. The MTA's elevated tracks and platform on Block 1555, Lot 1 and Block 1576, Lot 13, which pursuant to the Zoning Text Amendment, would be treated as a street for the purposes of LSGD contiguity, are not within the projected development sites nor contribute floor area to the LSGD.

LSGD Special Permit

The Applicant is proposing a special permit under the LSGD pursuant to ZR Sections 74-743(a)(1) and (2), which will be applicable to Projected Development Sites 1A through 1E within the Project Area, to distribute floor area across the LSGD and to modify rear yard and height and setback regulations. In total, the proposed height and setback waivers improve the LSGD's site plan and relationship between buildings and adjacent streets and surrounding development because these waivers allow for a more varied built form throughout Projected Development Sites 1A through 1E within the LSGD that draws attention to the prominent aspects of the Proposed Development (e.g., the proposed PAA spaces and pedestrian corridor on Herkimer Street east of Williams Place). The range of envelope variety would enhance the LSGD's unique and distinct context amongst its own buildings and the surrounding neighborhood character, supporting its establishment as a regional mixed-use hub adjacent to ample mass transit options, and thereby resulting in better urban design and better site planning for Projected Development Sites 1A through 1E.

Retail Special Permit

The Applicant is proposing a special permit under ZR Section 74-161 to allow Use Group VI retail and service use with floor area greater than 20,000 sf within the proposed M1-6 zoning district and building proposed on Projected Development Site 1E. With the proposed Zoning Map Amendment, Projected Development Site 1E would be primarily in an M1-6 zoning district, which does not permit Use Group VI retail and service uses greater than 10,000 sf of floor area. Under the retail special permit, up to 75,992 sf of Use Group VI retail and service uses would be permitted on the first and second floors of the portion of the building proposed on Projected Development Site 1E in the M1-6 zoning district to match the large retail uses permitted within the C6-4 zoning district-portion of the LGSD (as well as elsewhere in the Project Area). All other uses permitted in the M1-6 zoning district-portion of the building proposed on Projected Development Site 1E would not require a use special permit and would be limited to as-of-right uses. The retail special permit, if approved, would allow the Applicant flexibility to locate large retail spaces throughout the building proposed on Projected Development Site 1E and the LSGD, including across zoning district boundaries, and would further facilitate the establishment of the Proposed Development as a regional, mixed-use hub in an area of the City rich in mass transit options.

Combination Acquisition and Site Selection of Real Property by the City

DCAS and NYCEDC, as co-applicants and representative entities of the City, seek a combination acquisition and site selection. The acquisition of Projected Development Site 1A at 1519 Herkimer Street (also known as Parcel 1; Block 1555, Lot 19), which is contemplated to be in the form of an easement, would be for the purposes of access and construction of the PAA space on Projected Development Site 1A. As discussed above, the City, through NYCEDC, has committed to financial investments to make public realm improvements in and around the Broadway Junction Subway Station complex. These investments include, but are not limited to, the development of two new public plazas — one of which would be located immediately north of and adjacent to Projected Development Site 1A at 1519 Herkimer Street (also known as Parcel 1; Block 1555, Lot 19) on a portion of Block 1555, Lot 1. The proposed acquisition would enable NYCEDC to construct the PAA space on Projected Development Site 1A utilizing capital funding and plan for its design such that it functions harmoniously with the adjacent future public plaza to the north, in a manner that permits the two sites to operate as a single public open space. Construction of the PAA space on Projected Development Site 1A within the similar context of the Broadway Junction public realm improvements will complement the City's investment in public open space and pedestrian amenities in the surrounding area, while simultaneously facilitating the creation of an entranceway from the Broadway Junction Subway Station complex to the Proposed Development and neighborhoods to the east and south. Additionally, as noted above, the Applicant and the City intend to enter into an agreement for continued maintenance of the PAA space on Projected Development Site 1A by the Applicant following initial construction.

E. DESCRIPTION OF PROPOSED DEVELOPMENT

In the future with the Proposed Actions, the Applicant is proposing to demolish the existing buildings and structures at Projected Development Sites 1A through 1E (except for the existing three-story commercial office building on Block 1576, Lot 34 on Projected Development Site 1B) to facilitate the development of four new mixed-use buildings and potentially, a small retail kiosk. Additionally, on Projected Development Site 2, which is not included within the LSGD, the Applicant anticipates demolishing the existing building and developing a new as-of-right mixed-use building. In total, across the six projected development sites, the Proposed Development comprises five new buildings and potentially, a small retail kiosk containing a combined total of approximately 1,589,202 gsf, including approximately 435,766 gsf of commercial office space, 113,760 gsf of commercial retail space, 834,763 gsf of residential space (1,112 DUs), 22,985 gsf of community facility (house of worship) space, and 98,483 gsf of light industrial space for Use Groups III-X, as well as approximately 174 accessory parking spaces (approximately 83,445 gsf) and 20,080 sf of PAA space.[6] **Table ES-2** provides a summary of the Proposed Development's program.

[6] Please note that the 174 accessory parking spaces are not required by zoning under the proposed C6-4 and M1-6 zoning districts.

TABLE ES-2
Proposed Development Program

Projected Development Site	Residential GSF	Total Dwelling Units	Range of Affordable Dwelling Units (20-30%)	Commercial GSF	Community Facility GSF	Light Industrial GSF	PAA Space (sf)	Accessory Parking GSF (Spaces)	Building [Roof] Height (ft)
PD Site 1A	0	0	0 – 0	1,000	0	0	4,904	0 (0)	20’
PD Site 1B	195,198	263	52 – 79	13,242	0	0	0	0 (0)	265’
PD Site 1C	260,228	341	68 – 102	14,410	0	0	4,190	0 (0)	300’
PD Site 1D	283,868	384	77 – 115	11,747	0	0	3,689	33,845 (68)	350’
PD Site 1E	0	0	0 – 0	506,627	0	98,483	7,297	49,600 (106)	280’
PD Site 2	95,469	124	25 – 37	2,500	22,985	0	0	0 (0)	175’
Total	**834,763**	**1,112**	**222 – 334**	**549,526**	**22,985**	**98,483**	**20,080**	**83,445 (174)**	

Projected Development Site 1A

On Projected Development Site 1A, a PAA space would be constructed with allowance for a small retail kiosk (refer to **Figure ES-6**). The proposed, approximately 4,904 sf PAA space would act as a gateway into the Project Area from the adjacent Callahan-Kelly Playground and provide passive recreation space and amenities, inclusive of a pathway running diagonally from Van Sinderen Avenue to Herkimer Street, along with several planters, trees, seating options (i.e., bench seating with and without backs), PAA signage, and a small lawn on the northern portion of the site. A small 1,000 gsf retail kiosk would be permitted in the northern portion of the site. Pursuant to the combination acquisition and site selection action, the City of New York (with DCAS anticipated to hold jurisdiction) would construct the PAA space using capital funds with the intent that the PAA space be designed such that it functions harmoniously with the adjacent future public plaza to the north.

Projected Development Site 1B

On Projected Development Site 1B, the existing building on Lot 1 would be demolished and redeveloped with one new mixed-use building. The existing three-story commercial office building on Lot 34 would remain as under existing conditions. As shown in **Figures ES-7** and **ES-8**, the new building would rise to approximately 24 stories (265’; 295’ including bulkhead) and contain approximately 208,440 gsf, including approximately 195,198 gsf of residential space (263 total DUs [52 affordable DUs pursuant to MIH Option 3, 66 affordable DUs pursuant to MIH Option 1, or 79 affordable DUs pursuant to MIH Option 2]), 4,242 gsf of retail space, and 9,000 gsf of commercial office space.

Projected Development Site 1C

On Projected Development Site 1C, one new mixed-use building would be developed. As shown in **Figures ES-9** and **ES-10**, the new building would rise to approximately 27 stories (300’; 330’ including bulkhead) and contain approximately 274,638 gsf, including approximately 260,228 gsf of residential space (341 total DUs [68 affordable DUs pursuant to MIH Option 3, 85 affordable DUs pursuant to MIH Option 1, or 102 affordable DUs pursuant to MIH Option 2]), 14,410 gsf of retail space, and 4,190 sf of PAA space.

The approximately 4,190 sf of PAA space would consist of sidewalk widenings along Williams Place and Fulton Street, with more centralized meeting and gathering spaces along Herkimer Street and near the corner of Projected Development Site 1C towards the junction of Herkimer Street, Fulton Street, and East New York Avenue. The inclusion of sidewalk widenings would promote increased pedestrian usability and

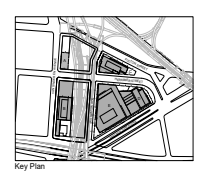


Legend

- Large Scale General Development
- Zoning Lot Line
- Zoning District Boundary
- Proposed Maximum Building Envelope
- Illustrative Building Line
- Elevated Rail Line and Associated Structures
- Commercial Access Point
- Community Access Point
- Residential Access Point
- Spot Elevation / Height (relative to NAVD88)
- Building Envelope Height / Illustrative Building Height
- Parking Access Point
- Loading Access (at loading berths)
- Traffic Direction
- Artwork Installation
- ADA Companion Seating
- Existing Fire Hydrant
- Proposed Curb Cut
- Existing Street Light
- Existing Tree & Tree Pit
- Proposed Tree & Tree Pit
- Proposed Plants
- Street Sign
- Public Accessible Area Sign
- Bus Sign
- Planted Area
- Pavers
- Sidewalk
- Proposed Building Footprint
- Existing Building Footprint

Notes

1. Elevations referenced to North American Vertical Datum of 1988 (NVD88) which is 1,095 feet above National Geodetic Survey Datum at Sandy Hook, New Jersey.
2. Graphic scale applicable to all non-dimensioned elements.
3. Buildings shown within maximum building envelopes are for illustrative purposes only and are subject to change.
4. Location of bulkheads are illustrative and subject to change.
5. Entrances to proposed buildings and interior partitions and arrangement of uses are illustrative and subject to change.
6. All uses shown are illustrative and subject to change.
7. All aspects of the landscape design for PAA 1 (Parcel 1) are shown for illustrative purposes only and are subject to change including the proposed kiosk, paving plan, trees, planter and bench design, and public area sign locations.
8. The landscape design for remaining PAA spaces and sidewalk treatment depicted are shown for illustrative purposes only and subject to change.
9. Average maintained level of illumination of not less than one horizontal foot candle (lumens per foot) throughout all walkable areas, and a minimum level of illumination of not less than 0.2 horizontal foot candles (lumens per foot) throughout all other areas, shall be required.



Scale

0 15' 30' 90'

N

Architect

WXY

WXY architecture + urban design
25 Park Place, Fifth Floor
New York, NY 10007
P (212) 219-1953
F (212) 334-1952

Rev.	Date	Description
1	06/20/2023	Draft Plans
2	09/29/2024	Draft Plans
3	03/21/2025	Draft Plans
4	05/01/2025	ULURP PLANS

Project

Herkimer Williams
Brooklyn, New York
Block 1555 Lot 1, 19
Block 1576 Lot 1, 9, 13, 32, 34
Block 1577 Lot 1, 7, 17, 26, 32, 35, 51, 53, 56, 58

Client

Seal

REGISTERED ARCHITECT
CLAIRE D. WEISZ
STATE OF NEW YORK

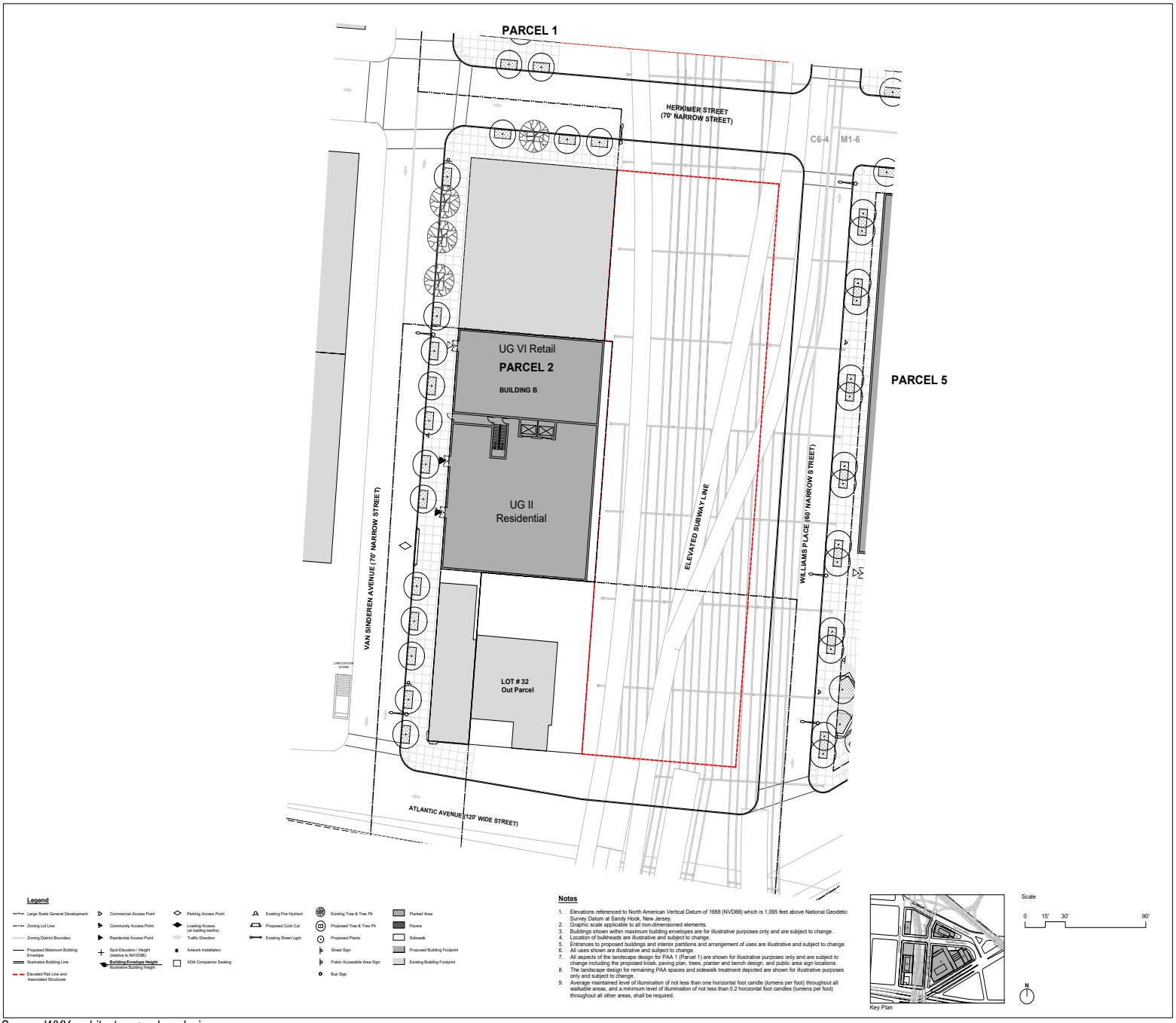
Drawing Title

Parcel 1 Zoning Lot Site Plan

Drawn by	
Checked by	
Date	May 1, 2025
Scale	1"=20'
Drawing Number	Z-020.00
Sheet Number	13 OF 32
Sheet Size	ARCH E1

Source: WXY architecture + urban design

Figure ES-6
Projected Development Site 1A Site Plan



Architect

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Rev.	Date	Description
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Client

Seal

REGISTERED ARCHITECT
CLAIRE D. WEISZ
025758-1
STATE OF NEW YORK

Drawing Title

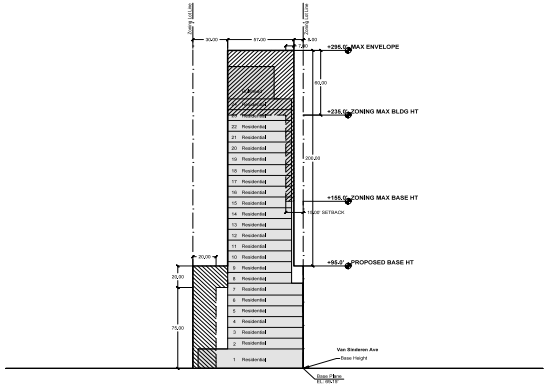
Parcel 2 Illustrative Ground Floor Plan

Drawn by	
Checked by	
Date	May 1, 2025
Scale	1"=20'
Drawing Number	Z-031.00
Sheet Number	15 OF 32
Sheet Size	ARCH E1

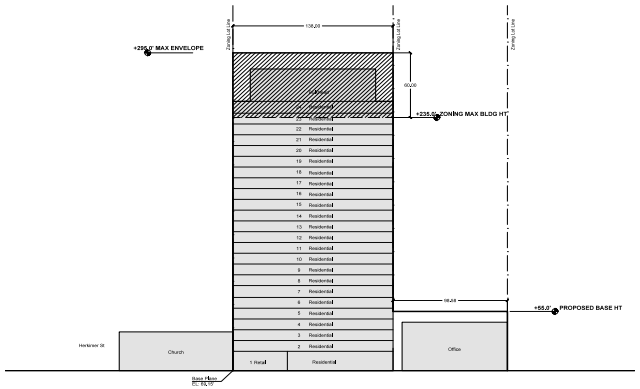
Source: WXY architecture + urban design

Herkimer- Williams EIS

Figure ES-7
Projected Development Site 1B Site Plan



1 Z-033 ZONING SECTION - VAN SINDEREN AVENUE, BUILDING B
SCALE: 1" = 40'-0"



2 Z-033 ZONING SECTION - HERKIMER STREET, BUILDING B
SCALE: 1" = 40'-0"

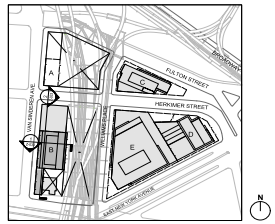
Legend

- Large Scale General Development
- Zoning Lot Line
- Zoning District Boundary
- Proposed Maximum Building Envelope
- Illustrative Building Line
- Out Parcel Boundary
- Block
- Office Access Point
- Commercial Access Point
- Residential Access Point
- Spot Elevation / Height (relative to NAVD88)
- Building Envelope Height
- Illustrative Building Height
- *heights relative to base plane
- Parking Access Point
- Loading Access (at loading berths)
- Traffic Direction
- Artwork Installation
- ADA Companion Seating
- Existing Fire Hydrant
- Proposed Curb Cut
- Existing Curb Cut (to maintained)
- Existing Street Light
- Existing Tree & Tree Pit
- Proposed Tree & Tree Pit
- Proposed Plants
- Street Sign
- Public Accessible Area Sign
- Bus Sign
- Planted Area
- Pavers
- Sidewalk
- Proposed Building Footprint
- Existing Building Footprint
- Waiver for height and setback pursuant to ZR 74-743 (a)(2).
- Waiver for required rear yard pursuant to ZR 74-743 (a)(2).
- Waiver for required min base height pursuant to ZR 74-743 (a)(2).
- Area proposed for retail and services use pursuant to ZR Section 74-161.

Notes

1. Elevations referenced to North American Vertical Datum of 1988 (NVD88) which is 1.095 feet above National Geodetic Survey Datum at Sandy Hook, New Jersey.
2. Graphic scale applicable to all non-dimensioned elements.
3. Buildings shown within maximum building envelopes are for illustrative purposes only and are subject to change.
4. Location of bulkheads are illustrative and subject to change.
5. Entrances to proposed buildings and interior partitions and arrangement of uses are illustrative and subject to change.
6. All uses shown are illustrative and subject to change.

Scale
0 15' 30' 90'



Key Plan
NTS

Architect
WXY
WXY architecture + urban design
25 Park Place, Fifth Floor
New York, NY 10007
P (212) 219-1953
F (212) 334-1952

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2	09/29/2024	Draft Plans
3	03/21/2025	Draft Plans
4	05/01/2025	ULURP PLANS
5	05/08/2025	Revised ULURP PLANS
6	05/16/2025	Revised ULURP PLANS
7	08/21/2025	Revised ULURP PLANS

Project
Herkimer Williams
Brooklyn, New York
Block 1555 Lot 1, 19
Block 1576 Lot 1, 9, 13, 32, 34
Block 1577 Lot 1, 7, 17, 26, 32, 35, 51, 53, 56, 58

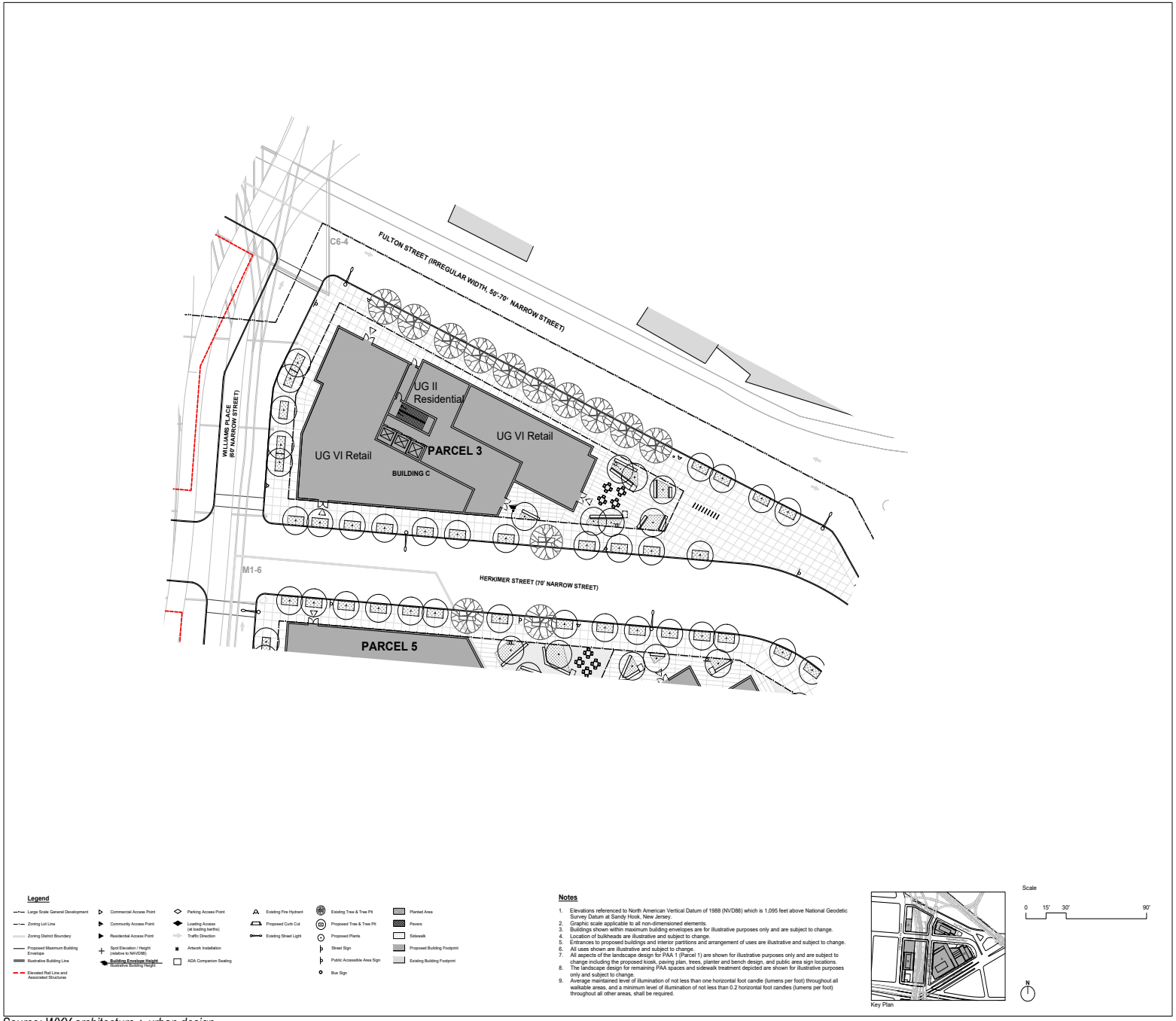
Client

Seal

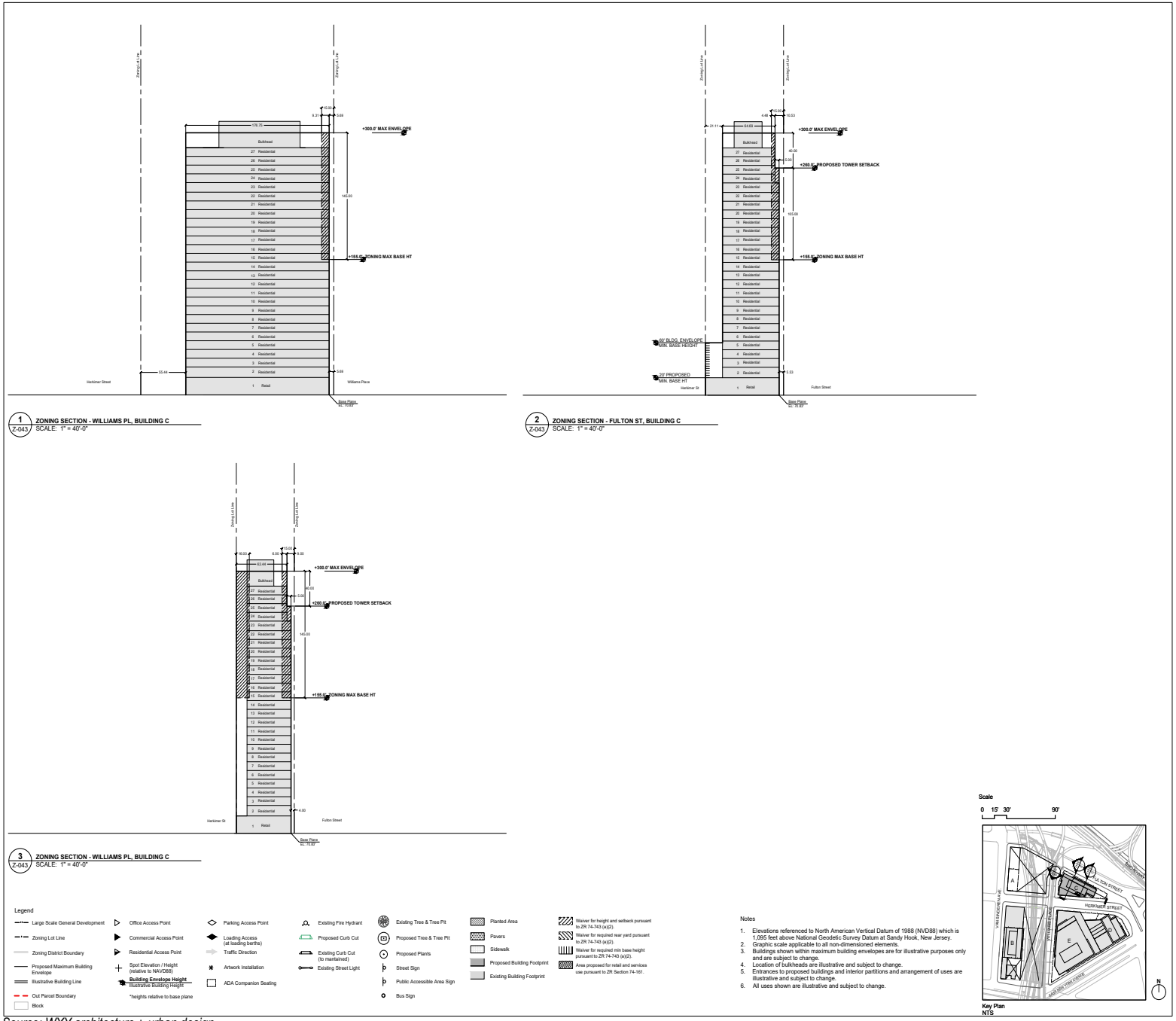
Drawing Title
Parcel 2
Waiver Sections

Drawn by	
Checked by	
Date	August 21, 2025
Scale	1"=40'
Drawing Number	Z-033.00
Sheet Number	17 OF 32
Sheet Size	ARCH E1

Source: WXY architecture + urban design



Source: WXY architecture + urban design



Source: WXY architecture + urban design

walkability along the site's frontages. The largest portion of the PAA space would contain several planters, seating options (i.e., bench seating with and without backs, movable tables/chairs, and wall seating), and PAA signage.

Projected Development Site 1D

On Projected Development Site 1D, the existing buildings and structures would be demolished and redeveloped with one new mixed-use building. As shown in **Figures ES-11** and **ES-12**, the new building would rise to approximately 29 stories (350'; 380' including bulkhead) and contain approximately 329,460 gsf, including approximately 283,868 gsf of residential space (384 total DUs [77 affordable DUs pursuant to MIH Option 3, 96 affordable DUs pursuant to MIH Option 1, or 115 affordable DUs pursuant to MIH Option 2]), 11,747 gsf of retail space, 68 parking spaces (33,845 gsf), and 3,689 sf of PAA space.

The approximately 3,689 sf of PAA space would consist of pocket spaces along Herkimer Street as the street curves towards the junction of Fulton Street and East New York Avenue. The PAA space would line the curvature of Herkimer Street with amenities including planters, trees, various seating options (i.e., bench seating with and without backs, movable tables/chairs, and wall seating), and PAA signage.

Projected Development Site 1E

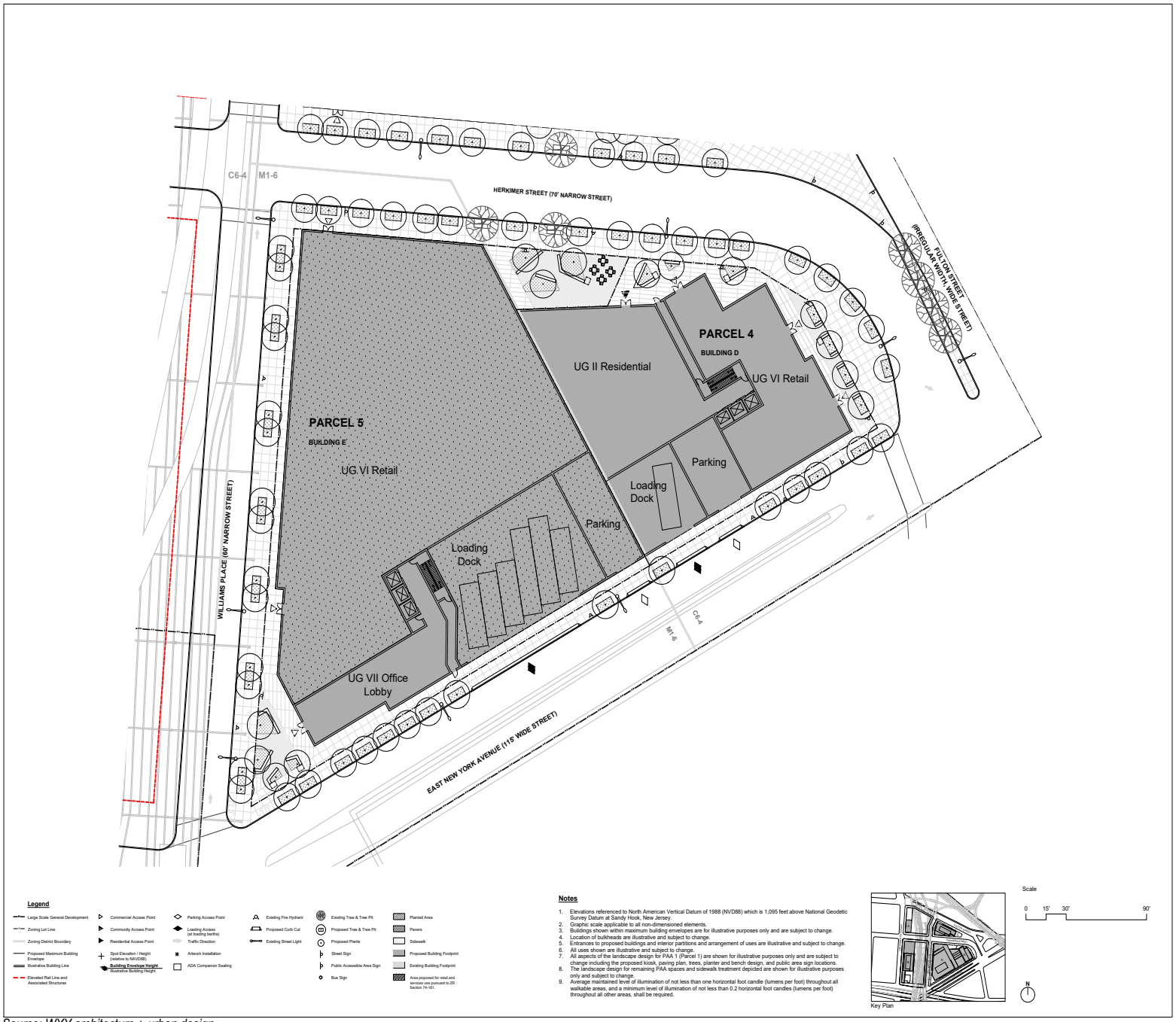
On Projected Development Site 1E, the existing buildings and structures would be demolished and redeveloped with one new mixed-use building. As shown in **Figures ES-11** and **ES-12**, the new building would rise to approximately 17 stories (280'; 320' including bulkhead) and contain approximately 654,710 gsf, including approximately 426,766 gsf of commercial office space, 79,861 gsf of retail space, 98,483 gsf of light industrial space, 106 parking spaces (49,600 gsf), and 7,297 sf of PAA space.

The approximately 7,297 sf of PAA space would consist of sidewalk widenings on Williams Place and East New York Avenue, a triangular meeting and gathering area at the corner of Williams Place and East New York Avenue, and a larger meeting and gathering space along the south side of Herkimer Street. The PAA space would contain amenities including planters, trees, various seating options (i.e., linear seating, bench seating with and without backs, movable tables/chairs, and wall seating), and PAA signage.

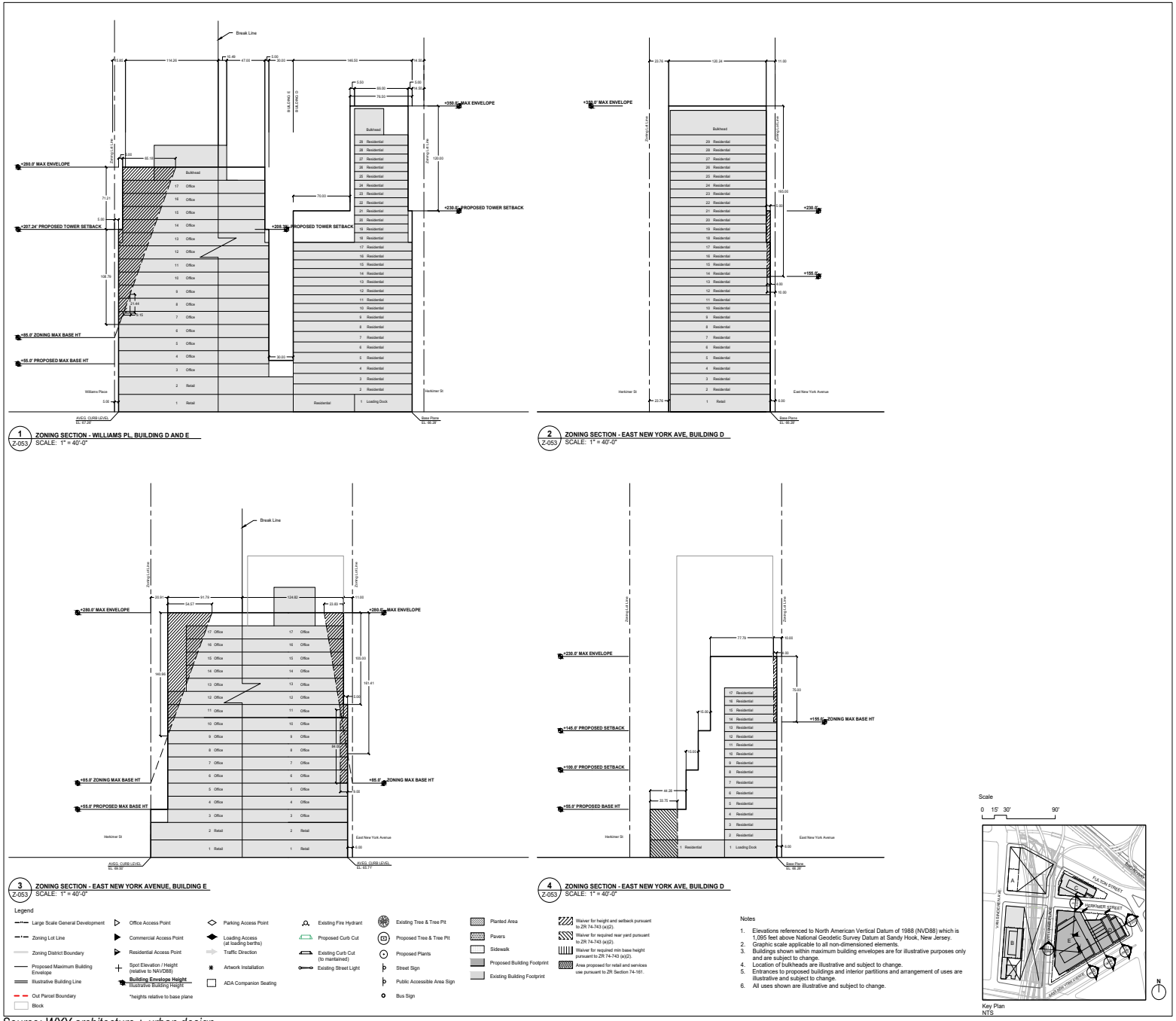
Projected Development Site 2

On Projected Development Site 2, the existing building on Lot 9 would be demolished and redeveloped with one new mixed-use building. The new building would rise to approximately 15 stories (175'; 205' including bulkhead) and contain approximately 120,954 gsf, including approximately 95,469 gsf of residential space (124 total DUs [25 affordable DUs pursuant to MIH Option 3, 31 affordable DUs pursuant to MIH Option 1, or 37 affordable DUs pursuant to MIH Option 2]), 22,985 gsf of community facility (house of worship) space for Calvary Church, and 2,500 gsf of retail space.

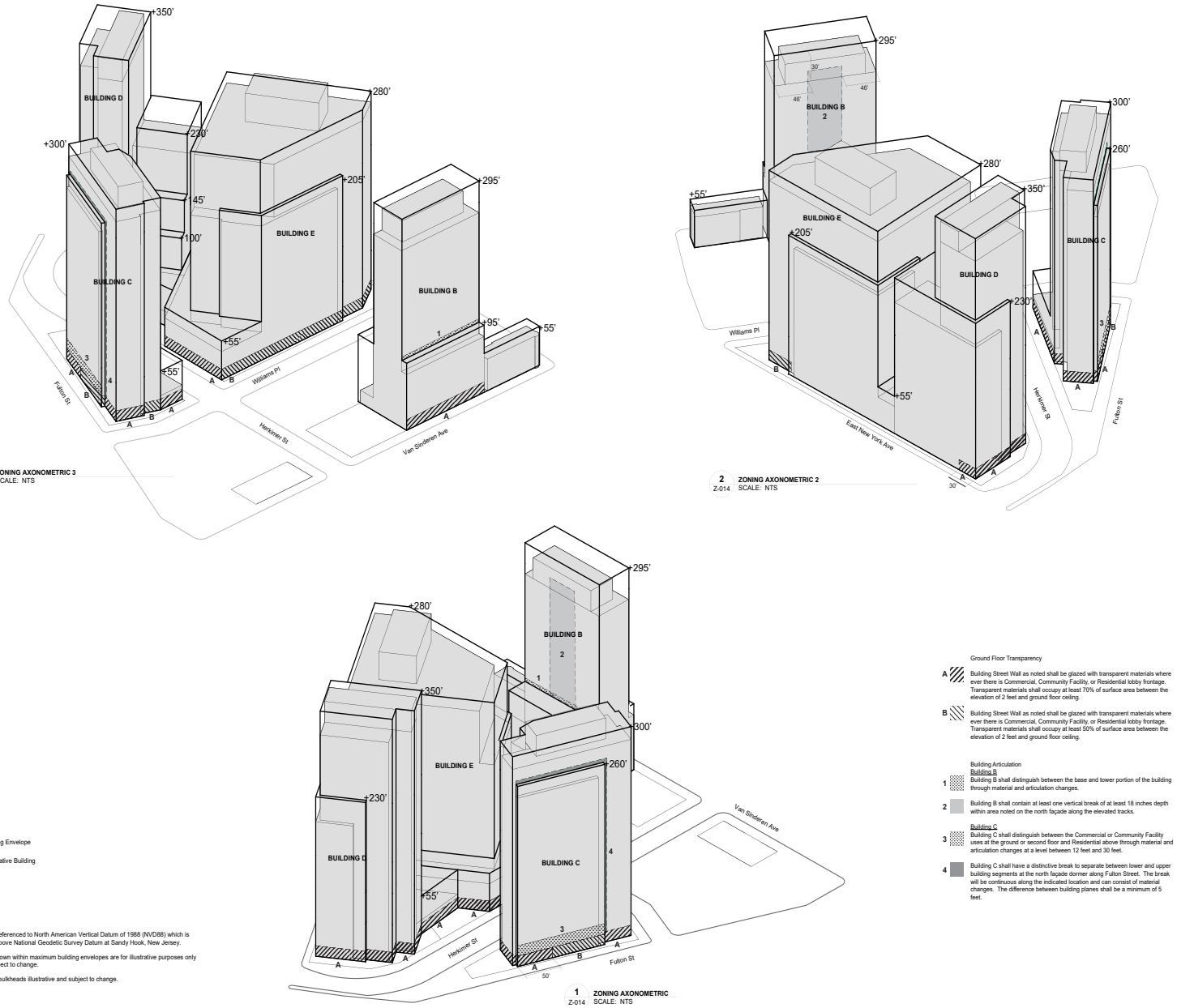
Figure ES-13 provides an illustrative rendering of the design of the Proposed Development, including the four new buildings and a potential, small retail kiosk on Projected Development Sites 1A through 1E under the LSGD Special Permit, and the new as-of-right building on Projected Development Site 2 that would not be included under the LSGD. As shown in **Figure ES-13**, for Projected Development Sites 1B through 1E under the LSGD Special Permit, the maximum permitted envelope is slightly larger than the space that would be occupied by the Proposed Development on these sites in order to allow for a modest amount of design flexibility. As the maximum permitted envelope is slightly larger than the Proposed Development for Projected Development Sites 1B through 1E, the potential effects associated with the maximum permitted envelope are considered in the EIS for Projected Development Sites 1B through 1E, where



Source: WXY architecture + urban design



Source: WXY architecture + urban design



Source: WXY architecture + urban design

Architect
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Brooklyn, New York
Block 1555 Lot 1, 19
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Block 1577 Lot 1, 7, 17, 26, 32, 35, 51, 53, 56, 58

Client

Seal
REGISTERED ARCHITECT CLAUDIA D. ROSARIO 026783 STATE OF NEW YORK

Drawing Title
LSGD Urban Design Controls Axonometric

Drawn by	
Checked by	
Date	May 1, 2025
Scale	NTS
Drawing Number	Z-014.00
Sheet Number	12 OF 32
Sheet Size	ARCH E1

applicable.

Affordable Housing

Pursuant to the City's MIH program, 20-30 percent or approximately 222-334 units would be designated as permanently affordable at an average of 40-80 percent AMI depending on the selected MIH Option. The Applicant intends to pursue either Option 1 or Option 2. Pursuant to Option 1 of the MIH program, up to approximately 66 permanently affordable units could be developed at Projected Development Site 1B, up to approximately 85 permanently affordable units could be developed at Projected Development Site 1C, up to approximately 96 permanently affordable units could be developed at Projected Development Site 1D, and up to approximately 31 permanently affordable units could be developed at Projected Development Site 2, for a total of up to 278 permanently affordable units pursuant to Option 1. For conservative analysis purposes, the EIS also studies the potential for the Proposed Development to be constructed in accordance with MIH Options 2 and 3. Pursuant to Option 2, 30 percent of the future buildings' residential floor area would be permanently affordable at or below an average of 80 percent AMI, which would result in up to approximately 79 permanently affordable units at Projected Development Site 1B, up to approximately 102 permanently affordable units at Projected Development Site 1C, up to approximately 115 permanently affordable units at Projected Development Site 1D, and up to approximately 37 permanently affordable units at Projected Development Site 2, for a total of up to 334 permanently affordable units pursuant to Option 2. Pursuant to Option 3, 20 percent of the future buildings' residential floor area would be permanently affordable at or below an average of 40 percent AMI, which would result in up to approximately 52 permanently affordable units at Projected Development Site 1B, up to approximately 68 permanently affordable units at Projected Development Site 1C, up to approximately 77 permanently affordable units at Projected Development Site 1D, and up to approximately 25 permanently affordable units at Projected Development Site 2, for a total of up to 222 permanently affordable units pursuant to Option 3. In addition to the approximately 222-334 permanently affordable units pursuant to MIH, the Applicant intends to work with HPD to allow the proposed DUs in the Proposed Development to be designated as 100 percent affordable units as well, pursuant to available subsidy.

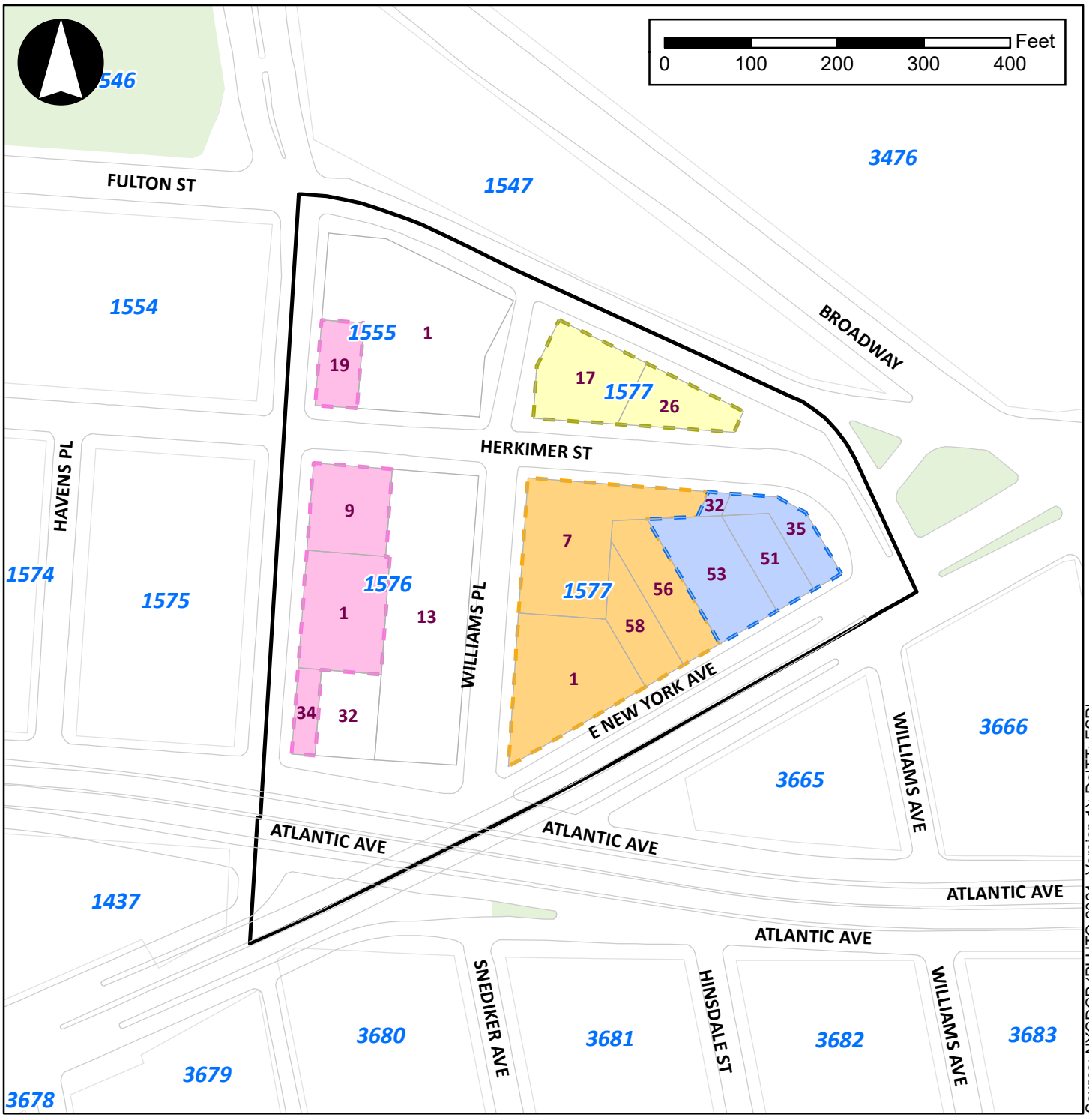
F. ANALYSIS FRAMEWORK

The Proposed Actions would change the regulatory controls governing land use and development in the Project Area. The 2021 *CEQR Technical Manual* will serve as the general guide on the methodologies and impact criteria for evaluating the Proposed Actions' potential effects on the various environmental areas of analysis.

Analysis Year

It is anticipated that the Proposed Actions would be certified into ULURP in 2025. Assuming the completion of the CEQR and ULURP processes in 2026, and a period of approximately 10 years for construction over four phases of construction, completion and occupancy of the Proposed Development is expected to occur by 2036. The Proposed Development's five new buildings and potential, small retail kiosk would likely be developed in phases over a period of approximately 10 years (2026 – 2036), with each building being constructed over a two- to three-year period. Refer to **Figure ES-14** for an overview of the preliminary phasing plan for the Proposed Development. The 2036 analysis year reflects a reasonable estimate of the time needed for the Applicant to demolish the existing buildings and structures at Projected Development Sites 1A through 1E, as well as Projected Development Site 2, and construct

Proposed Actions' RWCDS Construction Phasing



Source: NYCDCP (PLUTO 2024, Version 1); DoITT; ESRI

Legend

- Project Area
- Phase 1
- Phase 2
- Phase 3
- Phase 4
- 1555 Tax Blocks
- 1 Tax Lots
- Open Space

the Proposed Development in multiple stages. Accordingly, this environmental review will use 2036 as the analysis year for the analysis of future conditions consistent with 2021 *CEQR Technical Manual* guidance.

Reasonable Worst Case Development Scenario (RWCDS)

To assess the possible effects of the Proposed Actions, a RWCDS was established for both the future without the Proposed Actions (the "No-Action condition") and the future with the Proposed Actions (the "With-Action condition") for the analysis year of 2036. The incremental difference between the No-Action and With-Action conditions serves the basis of the impact category analyses. The Proposed Development described above in Section E for Projected Development Sites 1A through 1E (under the LSGD Special Permit) would feature a built FAR of approximately 11.08 under the proposed C6-4 and M1-6 zoning districts, which reasonably maximizes the allowable blended FAR pursuant to the proposed C6-4 and M1-6 zoning. Projected Development Site 2 would feature a built FAR of approximately 12.0 under the proposed C6-4 zoning district, which is the maximum allowable FAR for Projected Development Site 2 under the proposed C6-4 zoning district. In addition, a second RWCDS (the "Alternate Community Facility Scenario") is assessed for conservative analysis purposes, where deemed appropriate for any technical area in the EIS where this development scenario serves as the more conservative RWCDS compared to the Proposed Development.

Compared to the Proposed Development, the Alternate Community Facility Scenario would contain less residential space (688,065 gsf [911 DUs] vs. 834,763 gsf [1,112 DUs]), more commercial space (598,775 gsf vs. 549,526 gsf), more light industrial space for Use Groups Use Groups III-X (111,933 gsf vs. 98,483 gsf), more community facility space (114,691 gsf vs. 22,985 gsf), and more parking space (106,884 gsf [200 spaces] vs. 83,445 gsf [174 spaces]). The additional 91,706 gsf of community facility space in the Alternate Community Facility Scenario would be provided for academic university space, in addition to the 22,985 gsf of house of worship space. Both the Alternate Community Facility Scenario and the Proposed Development would contain the same amount of PAA space (20,080 sf). Overall, the use groups provided in both the Proposed Development and the Alternate Community Facility Scenario are the same; however, the Alternate Community Facility Scenario would provide both house of worship and academic university space, while the Proposed Development would only provide house of worship space.

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

In the 2036 future without the Proposed Actions (the "No-Action condition"), the Project Area would remain as under existing conditions. As such, Block 1555, Lot 19 would remain unimproved and vacant (0.0 FAR); Block 1576, Lot 1 would continue to be occupied by a two-story manufacturing building containing approximately 8,800 gsf of light industrial uses (0.61 FAR), Lot 9 would continue to be occupied by a two-story building containing approximately 12,904 gsf of community facility (house of worship) uses (1.33 FAR), and Lot 34 would continue to be occupied by a three-story commercial building containing approximately 9,000 gsf of office uses (3.32 FAR); and Block 1577, Lot 1 would continue to be occupied by a one-story building containing approximately 17,224 gsf of light industrial uses (0.91 FAR), Lot 7 would continue to be occupied by a one-story (plus mezzanine) building containing approximately 20,768 gsf of light industrial uses (1.00 FAR), Lots 17 and 26 would continue to be unimproved and used for parking and dead storage of vehicles (0.0 FAR each), Lots 32 and 51 would continue to be unimproved, vacant, and used for temporary parking (0.0 FAR each), Lot 35 would continue to occupied by a one-story auto repair shop containing approximately 2,640 gsf of light industrial uses (0.49 FAR), Lot 53 would continue to be occupied by a one-story building containing approximately 990 gsf of light industrial uses (0.08 FAR), and Lots 56 and 58 would continue to be occupied by unenclosed surface parking lots that provide access to the adjacent Lots 1 and 7 (0.0 FAR each). Lots 1, 7, 56, and 58 would likely continue to be leased by the

MTA and utilized as warehouse, parking, shop, and offices for NYCT's AFC and EMD. Under the No-Action condition, no changes are expected for any of the Out Parcels (i.e., Block 1555, Lot 1; Block 1576, Lots 13 and 32). Summaries of the No-Action condition uses within the Project Area are provided in **Tables ES-3** and **ES-4**.

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

Proposed Development

In the 2036 future with the Proposed Actions (the "With-Action condition"), the Proposed Actions would be approved and Projected Development Sites 1A through 1E and Projected Development Site 2 within the Project Area would be redeveloped. **Table ES-3** provides a comparison of the No-Action and With-Action conditions under the Proposed Development for analysis purposes.

As shown in **Table ES-3**, the incremental (net) change that would result from the Proposed Development would be the net addition of approximately 834,763 gsf of residential space (1,112 DUs, of which approximately 222-334 units would be designated as permanently affordable pursuant to MIH), 426,766 gsf of commercial office space, 113,760 gsf of retail space, 48,061 gsf of light industrial space, 10,081 gsf of community facility (house of worship) space, 143 off-street parking spaces, and 20,080 sf of PAA space in the Project Area. **Table ES-3** also provides an estimate of the number of additional residents and workers generated by the Proposed Actions under the Proposed Development. As shown in **Table ES-3**, the incremental change in residents and workers that would result from the Proposed Actions under the Proposed Development is the net addition of approximately 3,225 residents and 2,174 workers as compared to the No-Action condition.

TABLE ES-3
Comparison of 2036 No-Action and With-Action Conditions at the Project Area (Proposed Development)

Land Use	No-Action Condition	With-Action Condition	Increment
Land Use			
Residential	0 gsf	834,763 gsf	**+834,763 gsf**
Total Units	*0 DUs*	*1,112 DUs*	***+1,112 DUs***
Market Rate Units	*0 DUs*	*778-834 DUs*	***+778-834 DUs***
Affordable Units	*0 DUs*	*222-334 DUs*	***+222-334 DUs***
Commercial	9,000 gsf	549,526 gsf	**+540,526 gsf**
Office	*9,000 gsf*	*435,766 gsf*	***+426,766 gsf***
Retail	*0 gsf*	*113,760 gsf*	***+113,760 gsf***
Community Facility	12,904 gsf	22,985 gsf	**+10,081 gsf**
House of Worship	*12,904 gsf*	*22,985 gsf*	***+10,081 gsf***
Light Industrial	50,422 gsf	98,483 gsf	**+48,061 gsf**
Open Space[1]	0 sf	20,080 sf	**+20,080 sf**
Parking	31 spaces	174 spaces	**+143 spaces**
Populations[2,3]			
Residents	0	3,225	**+3,225 residents**
Workers	125	2,299	**+2,174 workers**

Notes:
[1] It should be noted that references to With-Action condition open spaces are those that are identified as PAA spaces only; as such, the Proposed Actions would result in the increment of up to approximately 20,080 sf of PAA space but would not result in any gain or loss of publicly owned open space.
[2] The No-Action and With-Action worker estimates are based on the following assumptions: one worker per 250 sf of commercial office space; three workers per 1,000 sf of retail space; three workers per 1,000 sf of community facility space; one worker per 1,000 sf light industrial space; one worker per 25 DUs; and one worker per 50 attended parking spaces. The worker generation rates have been sourced from the *Gowanus Neighborhood Plan FEIS* (CEQR No. 19DCP157K).
[3] The No-Action and With-Action residential population is based on 2020 Census data for the average household size for dwelling units in Brooklyn CD 5 (i.e., 2.90 persons per household).

Alternate Community Facility Scenario

In addition, pursuant to the LSGD (for Projected Development Sites 1A through 1E), floors one through four of the new building on Projected Development Site 1B could be developed with either residential, commercial office, or light industrial uses, the second floor of the new building on Projected Development Site 1C could be developed with either residential or retail uses, and floors one through eight of the new building on Projected Development Site 1D could be developed with either residential or community facility uses. Therefore, a second RWCDS (the "Alternate Community Facility Scenario") will be assessed for conservative analysis purposes, where deemed appropriate for any technical area in the EIS where this development scenario serves as the more conservative RWCDS compared to the Proposed Development. **Table ES-4** provides a comparison of the No-Action and With-Action conditions under the Alternate Community Facility Scenario for analysis purposes.

As shown in **Table ES-4**, the incremental change that would result from Proposed Actions under the Alternate Community Facility Scenario would be the net addition of approximately 688,065 gsf of residential space (911 DUs, of which 182-273 units would be designated as permanently affordable pursuant to MIH), 452,749 gsf of commercial office space, 137,026 gsf of retail space, 61,511 gsf of light industrial space, 101,787 gsf of community facility space (of which, approximately 10,081 gsf would consist of house of worship space, and up to approximately 91,706 gsf would consist of academic university space), 169 off-street parking spaces, and 20,080 sf of PAA space in the Project Area. In terms of population, the Alternate Community Facility Scenario would generate approximately 2,642 incremental residents and 2,629 incremental workers, as compared to the No-Action condition.

TABLE ES-4
Comparison of 2036 No-Action and With-Action Conditions at the Project Area (Alternate Community Facility Scenario)

Land Use	No-Action Condition	With-Action Condition	Increment
Land Use			
Residential	0 gsf	688,065 gsf	**+688,065 gsf**
Total Units	*0 DUs*	*911 DUs*	***+911 DUs***
Market Rate Units	*0 DUs*	*638-683 DUs*	***+638-683 DUs***
Affordable Units	*0 DUs*	*182-273 DUs*	***+182-273 DUs***
Commercial	9,000 gsf	598,775 gsf	**+589,775 gsf**
Office	*9,000 gsf*	*461,749 gsf*	***+452,749 gsf***
Retail	*0 gsf*	*137,026 gsf*	***+137,026 gsf***
Community Facility	12,904 gsf	114,691 gsf	**+101,787 gsf**
House of Worship	*12,904 gsf*	*22,985 gsf*	***+10,081 gsf***
Academic University	*0 gsf*	*91,706 gsf*	***+91,706 gsf***
Light Industrial	50,422 gsf	111,933 gsf	**+61,511 gsf**
Open Space[1]	0 sf	20,080 sf	**+20,080 sf**
Parking	31 spaces	200 spaces	**+169 spaces**
Populations[2,3]			
Residents	0	2,642	**+2,642 residents**
Workers	125	2,755	**+2,629 workers**

Notes:
[1] It should be noted that references to With-Action condition open spaces are those that are identified as PAA spaces only; as such, the Proposed Actions would result in the increment of up to approximately 20,080 sf of PAA space but would not result in any gain or loss of publicly owned open space.
[2] The No-Action and With-Action worker estimates are based on the following assumptions: one worker per 250 sf of commercial office space; three workers per 1,000 sf of retail space; three workers per 1,000 sf of community facility space; one worker per 1,000 sf light industrial space; one worker per 25 DUs; and one worker per 50 attended parking spaces. The worker generation rates have been sourced from the *Gowanus Neighborhood Plan FEIS* (CEQR No. 19DCP157K).
[3] The No-Action and With-Action residential population is based on 2020 Census data for the average household size for dwelling units in Brooklyn CD 5 (i.e., 2.90 persons per household).

Both the Proposed Development and the Alternate Community Facility Scenario for Projected

Development Sites 1A through 1E (under the LSGD Special Permit) would feature a built FAR of approximately 11.08 under the proposed C6-4 and M1-6 zoning districts, which reasonably maximizes the allowable blended FAR pursuant to the proposed C6-4 and M1-6 zoning. Under both the Proposed Development and the Alternate Community Facility Scenario, Projected Development Site 2 would feature a built FAR of approximately 12.0 under the proposed C6-4 zoning district, which is the maximum allowable FAR for Projected Development Site 2 under the proposed C6-4 zoning district. The drawings accompanying the LSGD Special Permit would establish the maximum permitted bulk for both the Proposed Development and the Alternate Community Facility Scenario for Projected Development Sites 1A through 1E, which coincide with the RWCDS analyzed in the EIS. Upon approval of the LSGD Special Permit, the Applicant would enter a Restrictive Declaration (RD) with the City, which is a legally binding mechanism in connection with the Proposed Actions that would govern development under the LSGD. Therefore, both the Proposed Development and the Alternate Community Facility Scenario would represent the upper bounds of potential development within the Project Area, and the impacts of the Proposed Actions would be no worse than those considered in the EIS.

G. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

Land Use, Zoning, and Public Policy

No significant adverse impacts on land use, zoning, or public policy are anticipated in the future with the Proposed Actions in the primary or secondary study areas in the 2036 analysis year. The Proposed Actions would not directly displace any land uses so as to adversely affect surrounding land uses, nor generate land uses that would be incompatible with existing land uses, zoning, or public policy in the secondary study area. The Proposed Actions – under both the Proposed Development and the Alternate Community Facility Scenario – would facilitate a multi-building mixed-use development containing residential, community facility, commercial, and light industrial uses in an area of the City that is well-served by existing infrastructure and public transportation. Additionally, the Proposed Actions, through the introduction of commercial (office and retail) and light industrial uses, would support economic development opportunities adjacent to both the East New York Industrial Business Zone (IBZ) and the East Brooklyn Business Improvement District (BID).

In the future with the Proposed Actions, the uses and bulk of both the Proposed Development and the Alternate Community Facility Scenario would be compatible with adjacent development projects, including the 2440 Fulton Street project that will introduce commercial office and retail spaces. The Proposed Actions would permit residential use in the primary study area, aiding in the expansion of the City's housing supply, including the supply of available affordable housing. The Proposed Actions would also create opportunities for additional non-residential uses, including community facility, commercial, and light industrial uses. Therefore, the Proposed Actions would result in new mixed-use development that, in addition to being appropriate for the primary and secondary study areas, would complement and improve the diverse, mixed-use land use character of the secondary study area.

Furthermore, the Proposed Actions would not result in development that would conflict with adopted, applicable public policies in both the primary and secondary study areas. Rather, the Proposed Actions would be consistent with the following public policies: OneNYC 2050, New York Works, *Get Stuff Built*, *Housing Our Neighbors: A Blueprint for Housing and Homelessness*, *Where We Live NYC Plan*, and the FRESH program.

Socioeconomic Conditions

Direct Residential Displacement

As there are no existing residential uses in the Project Area, and the Proposed Actions are site-specific within the Project Area, the Proposed Actions would not directly displace any existing residential units and residents and would not result in significant adverse socioeconomic impacts due to direct residential displacement.

Direct Business Displacement

A preliminary assessment determined that the Proposed Actions would not result in significant adverse socioeconomic impacts related to direct business displacement. The seven businesses potentially directly displaced by the Proposed Actions do not provide products or services essential to the local economy that would no longer be available to residents and businesses due to the difficulty of relocating. Nonetheless, the Applicant would work to house any potentially directly displaced businesses back into the Proposed Development and/or Alternate Community Facility Scenario, where appropriate. Furthermore, none of the seven businesses in the Project Area are subject to regulations or publicly adopted plans to preserve, enhance, or otherwise protect them. Therefore, the Proposed Actions would not have the potential to result in significant adverse socioeconomic impacts due to direct business displacement.

Indirect Residential Displacement

A preliminary assessment determined that the Proposed Actions would not result in significant adverse socioeconomic impacts due to indirect residential displacement. The preliminary assessment determined that the average household income of the new population in the With Action condition would be higher than the average household income of the existing population and that the Proposed Actions would increase the socioeconomic conditions study area population by approximately 6.9 percent. According to the preliminary assessment, residential rents are already increasing in the neighborhoods surrounding the Project Area and are expected to continue to increase with or without the Proposed Actions. The Proposed Actions would facilitate new residential development that would replace underutilized properties as well as low-density, low-intensity commercial and light industrial uses and create more housing opportunities for households at a range of incomes, including a substantial number of low-income units, that would further enhance the economic diversity of the socioeconomic conditions study area.

The Proposed Actions are expected to have a stabilizing effect on the housing market in the socioeconomic conditions study area and would allow for new housing opportunities and investments in the socioeconomic conditions study area. The Proposed Actions include a Zoning Map Amendment that would, if approved, permit residential uses and increase the allowable density in the Project Area, which comprises all or portions of four blocks bounded by three wide streets (Fulton Street, Atlantic Avenue, and East New York Avenue) and Van Sinderen Avenue in an area that is well served by public transportation. The introduction of new housing is expected to increase housing opportunities in the socioeconomic conditions study area and is not expected to introduce a trend toward increasing rents. The proposed Zoning Text Amendment to map an MIH Area would ensure new housing created in the Project Area would serve households at a range of incomes. The Proposed Actions would result in the development of up to approximately 1,112 DUs, of which approximately 222-334 would be income-

restricted units under MIH Options 1, 2, or 3;[7] however, on a wider scale, the Proposed Actions would not represent a shift from current market trends in the socioeconomic conditions study area but rather add critical housing supply to a local rental market with existing tight conditions, likely aiding overall affordability in the socioeconomic conditions study area. Therefore, the Proposed Actions would not have the potential to result in significant adverse socioeconomic impacts due to indirect residential displacement.

Indirect Business Displacement

A preliminary assessment determined that the Proposed Actions would not result in significant adverse socioeconomic impacts due to indirect business displacement. Concerns defined by the 2021 *CEQR Technical Manual* are whether the Proposed Actions could lead to changes in local market conditions that could lead to increases in commercial property values within the socioeconomic conditions study area, making it difficult for some categories of businesses to remain in the socioeconomic conditions study area, and whether the Proposed Actions could lead to displacement of a use type that directly supports businesses in the socioeconomic conditions study area or brings people to the socioeconomic conditions study area that forms a customer base for local businesses.

The Proposed Actions would not add a new economic activity or add to a concentration of a particular sector of the local economy substantial enough to significantly alter or accelerate existing economic patterns, nor would the Proposed Actions directly or indirectly displace uses that provide critical support to businesses in the socioeconomic conditions study area, or that bring people into the socioeconomic conditions study area that form a substantial portion of the customer base for local businesses. The Proposed Actions are intended to promote job and business growth by facilitating mixed-use development, including residential, commercial, community facility, and light industrial uses near established residential neighborhoods in a transit accessible area of the City that features regional access to other major hubs beyond East New York.

The Proposed Actions would expand the allowable uses and increase the allowable density in the Project Area to provide additional flexibility for economic growth. Compared to the No-Action condition, the Proposed Actions would facilitate up to approximately 1.5 million gsf of net new mixed-use development, including affordable and potentially market-rate residential uses, as well as commercial uses, community facility uses, and light industrial uses under the Alternate Community Facility Scenario in the Project Area. However, the broader socioeconomic conditions study area has well-established commercial and manufacturing zoning districts along Fulton Street and in the East New York Industrial Business Zone (IBZ), and the Proposed Actions would not add a new economic activity. Therefore, the Proposed Actions would not have the potential to result in significant adverse socioeconomic impacts due to indirect business displacement.

Community Facilities and Services

Pursuant to 2021 *CEQR Technical Manual* guidance, detailed analyses of potential indirect impacts on public elementary and intermediate schools, public libraries, and publicly funded early childhood programs were conducted, and determined that the Proposed Actions would not result in any significant adverse impacts related to community facilities and services. Based on 2021 *CEQR Technical Manual*

[7] In addition to the affordable units that would be required pursuant to the City's MIH program, the Applicant intends to work with HPD to allow all residential units in the Proposed Development to be designated as 100 percent affordable, pursuant to available subsidy.

screening methodology, detailed analyses of high schools, outpatient health care facilities, and police and fire protection services are not warranted for the Proposed Actions.

Direct Effects

The Proposed Actions would not displace or otherwise directly affect any public schools, early childhood programs, libraries, health care facilities, or police and fire protection services facilities.

Indirect Effects

Pursuant to 2021 *CEQR Technical Manual* guidance, detailed analyses of potential indirect impacts on public elementary and intermediate schools, public libraries, and publicly funded early childhood programs were conducted for the Proposed Actions and are summarized below. Based on the 2021 *CEQR Technical Manual* screening methodology, detailed analyses of high schools, outpatient health care facilities, and police and fire protection services are not warranted for the Proposed Actions.

Public Schools

According to the 2021 *CEQR Technical Manual*, for elementary and intermediate schools, a significant adverse impact may occur if a project would result in both of the following conditions: (1) a utilization rate of the elementary and/or intermediate schools that is equal to or greater than 100 percent in the future With-Action condition; and (2) 100 or more new students generated from the project past the 100 percent utilization rate. For high schools, a significant adverse impact may occur if a project would result in both of the following conditions: (1) a utilization rate of the high schools that is equal to or greater than 100 percent in the future With-Action condition; and (2) an increase of five percentage points or more in the utilization rate between the No-Action and With-Action conditions.

ELEMENTARY SCHOOLS

As detailed below, CSD 19, Sub-District 1 elementary schools would continue to operate with available capacity in the future with the Proposed Actions (as in the future without the Proposed Actions). Utilization of Sub-District 1 elementary schools would increase from a No-Action condition utilization rate of approximately 71.6 percent to a With-Action condition utilization rate of approximately 77.3 percent, with approximately 743 available elementary school seats in the With-Action condition. As a result of the Proposed Actions, CSD 19, Sub-District 1 elementary schools would continue to operate with available capacity. Therefore, no significant adverse impacts to elementary schools in CSD 19, Sub-District 1 would occur as a result of the Proposed Actions.

INTERMEDIATE SCHOOLS

As detailed below, CSD 19, Sub-District 1 intermediate schools would continue to operate with available capacity in the future with the Proposed Actions (as in the future without the Proposed Actions). Utilization of Sub-District 1 intermediate schools would increase from a No-Action condition utilization rate of approximately 59.6 percent to a With-Action condition utilization rate of approximately 66.2 percent, with approximately 425 available intermediate school seats in the With-Action condition. As a result of the Proposed Actions, CSD 19, Sub-District 1 intermediate schools would continue to operate with available capacity. Therefore, no significant adverse impacts to intermediate schools in CSD 19, Sub-District 1 would occur as a result of the Proposed Actions.

HIGH SCHOOLS

The 2021 *CEQR Technical Manual* recommends conducting a detailed analysis of high schools if a project would generate 150 or more high school students. As detailed below, the Proposed Actions would generate approximately 24 high school students. As such, a detailed analysis of the Proposed Actions' effects on high schools is not warranted and no significant adverse impacts to high schools would occur as a result of the Proposed Actions.

Libraries

According to the 2021 *CEQR Technical Manual*, if a project increases a library catchment area's population by five percent or more as compared to the No-Action condition, this increase may impair the delivery of library services to the study area, and a significant adverse impact could occur. As detailed below, the catchment area populations of the Arlington and Brownsville Libraries would not increase by more than five percent in the With-Action condition. Therefore, no significant adverse impacts to public libraries would occur as a result of the Proposed Actions.

Early Childhood Programs

The Proposed Actions would not result in significant adverse impacts on publicly funded early childhood programs. According to the 2021 *CEQR Technical Manual*, a significant adverse early childhood program impact could result if a project results in: (1) a collective utilization rate greater than 100 percent in the With-Action condition; and (2) the demand constitutes an increase of five percent or more in the collective capacity of early childhood programs serving the study area over the No-Action condition. The Proposed Development would introduce an increment of approximately 1,112 DUs. For CEQR analysis purposes, 20 percent of the Proposed Development's residential units (approximately 222 units) are assumed to be affordable at or below 80 percent AMI (which is used as a proxy for eligibility for publicly funded early childhood programs), thereby introducing approximately 40 children potentially eligible for subsidized early childhood programs to the study area. The analysis of publicly funded early childhood programs determined that the With-Action condition utilization rate of publicly funded early childhood programs in the study area would be approximately 56.4 percent, or an increase of approximately 0.5 percentage points over the No-Action condition utilization rate. Therefore, no significant adverse impacts to publicly funded early childhood programs would occur as a result of the Proposed Actions.

Open Space

According to the 2021 *CEQR Technical Manual*, a proposed action may result in a significant impact on open space resources if (a) there would be direct displacement or alteration of existing open space within the study area that would have a significant adverse effect on existing users; or (b) it would reduce the open space ratio and consequently result in the overburdening of existing facilities or further exacerbating a deficiency in open space.

Direct Effects

The Proposed Actions would not result in the physical loss of existing public open space resources. The Proposed Actions would also not result in any significant adverse shadows, operational air quality, operational noise, and construction impacts affecting open space resources.

Indirect Effects

As described in the 2021 *CEQR Technical Manual*, open space can be indirectly affected by a proposed action if it would add enough population, either residential or non-residential, to noticeably diminish the capacity of open space in the area to serve the future population. Typically, an assessment of indirect effects is conducted when a project introduces more than 200 residents or 500 workers to an area. In terms of population, the Proposed Development would generate approximately 3,225 incremental residents and 2,174 incremental workers, as compared to the No-Action condition. The Alternate Community Facility Scenario would generate approximately 2,642 incremental residents and 2,629 incremental workers, as compared to the No-Action condition.

In the future with the Proposed Actions, the passive open space ratio within the non-residential study area would decrease by approximately 14.90 percent from the No-Action condition. In the With-Action condition, the passive open space ratio within the non-residential study area of approximately 0.242 acres per 1,000 non-residents would remain above the City's planning guideline of 0.15 acres per 1,000 non-residents. As such, workers in the non-residential study area would continue to have access to passive open space resources above the City's planning guideline, and the Proposed Actions would not result in a significant adverse indirect impact on passive open space resources in the defined non-residential study area.

In the future with the Proposed Actions, the total, active, and passive open space ratios within the residential study area would each decrease by more than five percent from the No-Action condition. Although the total and passive open space ratios would decrease by approximately 6.845 and 6.809 percent, respectively, the total open space ratio (approximately 3.378 acres per 1,000 residents) would remain above the City's guideline of 2.5 acres of total open space per 1,000 residents and the passive open space ratio (approximately 2.993 acres per 1,000 residents) would remain above the City's guideline of 0.5 acres of passive open space per 1,000 residents. Therefore, the Proposed Actions would not result in significant adverse indirect impacts on total and passive open space resources in the defined residential study area.

However, the active open space ratio within the residential study area would decrease by approximately 7.126 percent from the No-Action condition, above the City's percentage change guideline of one percent. The active open space ratio, at approximately 0.386 acres per 1,000 residents, would remain below the City's guideline of 2.0 acres of active open space per 1,000 residents. While a proposed action that would reduce the active open space ratio by more than the general guidelines for the open space percentage changes outlined in the 2021 *CEQR Technical Manual* may be considered significant, there are certain qualitative factors that substantially reduce the Proposed Actions' potential impact on the residential study area's active open space ratio. Foremost among these qualitative factors is the approximately 47.49 acres of active open space within Highland Park that are located immediately adjacent to, but outside, the residential study area. While the 2021 *CEQR Technical Manual* outlines that the quantitative analysis only include open space resources located within the residential study area, it would not be reasonable to assume residents of the Proposed Development would only utilize the 5.6-acre Upper Highland Playground portion of Highland Park that is located within the residential study area, and not the approximately 47.49 acres of active open space located immediately beyond the boundary of the residential study area. If the quantitative analysis were to include the entirety of the immediately-adjacent Highland Park and its approximately 47.49 acres of active open space within the residential study area, there would be approximately 1.435 acres of active open space per 1,000 residents in the With-Action condition, which approaches the City's planning guideline for active open space (2.0 acres of active open space per 1,000 residents). Therefore, given the ameliorative effects of these qualitative factors, the

Proposed Actions would not result in a significant adverse indirect impact on active open space resources in the defined residential study area.

Shadows

A detailed analysis was conducted based on the methodology set forth in the 2021 *CEQR Technical Manual* and determined that the Proposed Actions would result in incremental shadow coverage (i.e., additional, or new, shadow coverage) on portions of six sunlight-sensitive resources: the Eastern Parkway Greenstreet, Callahan-Kelly Playground, Jewel Square, the Jamaica Avenue Greenstreet, the Jackie Robinson Parkway Greenstreets, and Cemetery of the Evergreens. Incremental shadow coverage cast on these six sunlight-sensitive resources would not affect the utilization, enjoyment, or character of these sunlight-sensitive resources and all vegetation would continue to receive appropriate durations of direct sunlight throughout the growing season.

Historic and Cultural Resources

Direct (Physical) Impacts

The Proposed Actions are site-specific, and the Project Area does not contain any identified historic architectural resources. Therefore, the Proposed Actions would not have the potential to result in any direct impacts to historic architectural resources. Furthermore, as determined by LPC, none of the lots comprising the Project Area have archaeological significance. Therefore, the Proposed Actions would not have the potential to result in any significant adverse archaeological impacts.

Indirect (Contextual) Impacts

The Proposed Actions would not result in significant adverse indirect impacts on historic architectural resources. The Proposed Actions would facilitate the development of new buildings that would range in height from 15- to 29-stories on the projected development sites within the Project Area. Although these buildings would be visible when looking north from the Atlantic Avenue Station platform, and in the background when looking east and west towards the elevated station from public vantage points along Atlantic and East New York Avenues, this change in setting would not significantly or adversely alter the potential historic context of the Atlantic Avenue Station. The study area is a developed urban environment with existing and planned mid-rise buildings forming the backdrop of the elevated station. The Proposed Development would not substantially change the visual setting of the Atlantic Avenue Station so as to affect those characteristics that make it ~~potentially~~ eligible for listing on the S/NR.

Additionally, in the future with the Proposed Actions, no incompatible visual, audible, or atmospheric elements would be introduced to the setting of the Atlantic Avenue Station. The Proposed Development would not alter the relationship of the Atlantic Avenue Station to the streetscape, as all streets adjacent to the station would remain open and the historic resource's relationship to these streets would remain unchanged in the future with the Proposed Actions. The Proposed Development would not eliminate nor screen significant public views of the Atlantic Avenue Station, which would remain visible in view corridors on the adjacent public streets and sidewalks of Atlantic and East New York Avenues. No primary elevations, significant architectural ornamentation, or notable features of the Atlantic Avenue Station would be obstructed by the Proposed Development.

The Proposed Actions would not result in development that would diminish the qualities that make the Atlantic Avenue Station historically and architecturally significant. As such, the Proposed Actions would not result in any significant adverse indirect or contextual impacts on historic architectural resources.

Construction-Related Impacts

The New York City Building Code provides some measure of protection for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Additional protective measures apply to designated NYCLs and S/NR-listed historic buildings located within 90 linear feet of a proposed construction site. For these structures, DOB's TPPN #10/88 applies. The Project Area is located within 90 feet of the Atlantic Avenue Station, while the southernmost projected development site (Projected Development Site 1E), at its closest point, is located approximately 214 feet to the north of the Atlantic Avenue Station. Therefore, construction of the Proposed Development would not be subject to the New York City Department of Buildings (DOB)'s *Technical Policy and Procedure Notice* (TPPN) #10/88 and no construction-related impacts on historic and cultural resources would occur as a result of the Proposed Actions.

Shadows Impacts

The Proposed Actions would not have the potential to result in any significant adverse shadows impacts on historic and cultural resources. None of the historic and cultural resources located within the longest shadow study area contain sunlight-sensitive features such as stained glass windows and do not depend on direct sunlight for visual character. Therefore, incremental shadows cast by the Proposed Development would not have the potential to result in any significant adverse shadows impacts on historic and cultural resources.

Urban Design and Visual Resources

A detailed analysis was conducted based on the methodology set forth in the 2021 *CEQR Technical Manual* and determined that the Proposed Actions would not have a significant adverse impact related to urban design or visual resources. The Proposed Actions would facilitate new development that is not currently permitted as-of-right in the primary study area, which would create a notable change in the urban design character of the primary study area and surrounding secondary study area. Compared to the future without the Proposed Actions, the visual appearance, and thus the pedestrian experience of the primary study area, would change considerably. However, this change would not constitute a significant adverse urban design impact as it would not negatively affect a pedestrian's experience of the primary study area. Rather, the new development facilitated by the Proposed Actions is expected to positively affect the urban design of the primary study area and improve the pedestrian experience in its vicinity and the surrounding secondary study area through the redevelopment of a largely inactive and underutilized site with mixed-use development containing active ground-floor uses and publicly accessible open spaces.

Absent the Proposed Actions, the primary study area would remain as under existing conditions, with low-rise, low-density buildings containing commercial, community facility, and industrial uses, many of which do not contain active ground-floor uses, creating imposing street walls along Williams Place and portions of East New York Avenue and Herkimer Street. Other portions of the primary study area would remain vacant or with auto-related uses, unenclosed vehicular parking, and storage lots, and transportation/utility uses surrounded by tall metal fencing and/or roll gates, usually with vehicular parking on the sidewalks, severely limiting pedestrian mobility in the primary study area. In contrast, the

Proposed Actions would facilitate the development of ground-floor retail and community facility uses and PAA space in the primary study area, reactivating the sidewalks of Fulton Street, East New York Avenue, Williams Place, Herkimer Street, and Van Sinderen Avenue. The Proposed Development and the Alternate Community Facility Scenario would also include the planting of additional street trees along these thoroughfares as required through the ZR, improving the pedestrian experience in and around the primary study area. Additionally, the proposed PAA space would further enhance the pedestrian experience of the primary study area by providing widened sidewalks within building street wall setbacks, approximately 15,176 sf of at-grade PAA space on Projected Development Sites 1C, 1D, and 1E, as well as the development of approximately 4,904 sf of at-grade PAA space on Projected Development Site 1A that would act as a gateway into the primary study area from the adjacent Callahan-Kelly Playground with passive recreation space and amenities.

The LSGD Special Permit will be applicable to Projected Development Sites 1A through 1E[8] within the primary study area and is proposed to distribute floor area across the LSGD and to modify rear yard and height and setback regulations. In total, the proposed height and setback waivers improve the LSGD's site plan and relationship between buildings and adjacent streets and surrounding development because these waivers allow for a more varied built form throughout Projected Development Sites 1A through 1E within the LSGD that draws attention to the prominent aspects of the Proposed Development and the Alternate Community Facility Scenario (e.g., the proposed PAA spaces and improved pedestrian experience on Herkimer Street east of Williams Place). The range of envelope variety would enhance the LSGD's unique and distinct context amongst its own buildings and the surrounding neighborhood character, supporting its establishment as a regional mixed-use hub adjacent to ample mass transit options, and thereby resulting in better urban design and better site planning for Projected Development Sites 1A through 1E within the primary study area. The increased density of both the Proposed Development and the Alternate Community Facility Scenario would be subject, with some design flexibility, to building envelope and open space controls in the LSGD Special Permit that is responsive to the neighborhood context and improves the pedestrian realm and ground-floor retail environment adjacent to the primary study area. The Proposed Development and the Alternate Community Facility Scenario would leverage the existing assets of full-block frontages on several wide streets and excellent mass transit access to better enhance and activate the primary study area.

The Proposed Development and the Alternate Community Facility Scenario would not obstruct any visual resources, including view corridors of visual resources, in the primary or secondary study areas, or otherwise adversely alter the context of visual resources in the primary or secondary study areas. Therefore, no significant adverse impact related to urban design or visual resources in the primary or secondary study areas would result.

Hazardous Materials

An assessment was conducted based on the methodology set forth in the 2021 *CEQR Technical Manual* and determined that the Proposed Actions would not result in significant adverse impacts related to hazardous materials with the assignment of an (E) designation to the lots comprising the projected development sites within the Project Area. The projected development sites are Projected Development Site 1A (Block 1555, Lot 19), Projected Development Site 1B (Block 1576, Lots 1 and 34), Projected

[8] The LSGD Special Permit is applicable to Projected Development Site 1A (Block 1555, Lot 19), Projected Development Site 1B (Block 1576, Lots 1 and 34), Projected Development Site 1C (Block 1577, Lots 17 and 26), Projected Development Site 1D (Block 1577, Lots 32, 35, 51, and 53), and Development Site 1E (Block 1577, Lots 1, 7, 56, and 58).

Development Site 1C (Block 1577, Lots 17 and 26), Projected Development Site 1D (Block 1577, Lots 32, 35, 51, and 53), Projected Development Site 1E (Block 1577, Lots 1, 7, 56, and 58), and Projected Development Site 2 (Block 1576, Lot 9).

Phase I and Phase II Environmental Site Assessments (ESAs) were prepared to evaluate the potential for contamination on some of the projected development sites, specifically Projected Development Site 1A (Block 1555, Lot 19); Projected Development Site 1B (Block 1576, Lots 1 and 34); Projected Development Site 1C (Block 1577, Lots 17 and 26); and Projected Development Site 1D (Block 1577, Lots 32, 35, 51, and 53). The Phase I and Phase II ESAs identified limited potential sources of subsurface contamination on, or in close proximity to, these projected development sites, including past or present industrial and automotive uses.

As such, to reduce the potential for any significant adverse impacts associated with new construction resulting from the Proposed Actions, further environmental investigation and remediation will be required. To ensure that further environmental investigation and remediation are undertaken, a hazardous materials (E) designation would be assigned to the lots comprising the projected development sites within the Project Area: Projected Development Site 1A (Block 1555, Lot 19), Projected Development Site 1B (Block 1576, Lots 1 and 34), Projected Development Site 1C (Block 1577, Lots 17 and 26), Projected Development Site 1D (Block 1577, Lots 32, 35, 51, and 53), Projected Development Site 1E (Block 1577, Lots 1, 7, 56, and 58), and Projected Development Site 2 (Block 1576, Lot 9).

By assigning an (E) designation to the lots comprising the projected development sites within the Project Area, the potential for significant adverse impacts to human health and the environment resulting from the Proposed Actions would be avoided. The New York City Office of Environmental Remediation (OER) would provide regulatory oversight of investigation and remediation. Building permits are not issued by the New York City Department of Buildings (DOB) without prior OER approval of the investigation and/or remediation pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements).

The (E) designation would require that the fee owner of a lot with an (E) designation conduct a testing and sampling protocol and have an approved remediation plan where appropriate to the satisfaction of OER. The remedial action plan provided to OER to satisfy the (E) designation must also include a mandatory construction-related health and safety plan (CHASP), which must also be submitted to OER. With the assignment of a hazardous materials (E) designation (E-857) on the projected development sites within the Project Area, the Proposed Actions and resultant Proposed Development would not result in any significant adverse impacts related to hazardous materials.

Water and Sewer Infrastructure

A preliminary assessment was conducted based on the methodology set forth in the 2021 *CEQR Technical Manual* and determined that the Proposed Actions would not result in any significant adverse impacts on water and sewer infrastructure.

Water Supply

Compared to the No-Action condition, the Proposed Development would generate an incremental water demand of approximately 506,294 gallons per day (gpd) (including water related to sanitary and domestic uses). While this would represent an increase in demand for the New York City water supply system, it does not meet the 2021 *CEQR Technical Manual* threshold of more than one million gallons per day (mgd),

which would require a detailed analysis. Therefore, an analysis of water supply is not warranted as it is expected that there would be adequate water service to meet the incremental water demand generated by the Proposed Development under the Proposed Actions and there would be no significant adverse impacts on the City's water supply.

Wastewater Treatment

Based on the preliminary assessment presented herein, it has been determined that the Proposed Actions would not result in significant adverse impacts on wastewater treatment. The Proposed Development under the Proposed Actions would generate approximately 418,286 gpd of sanitary sewage, an increase of approximately 404,520 gpd compared to the No-Action condition. With the Proposed Actions, wastewater generated by the Proposed Development would continue to be treated as it is now, in the 26th Ward Wastewater Resource Recovery Facility (WRRF). This additional flow of wastewater is not expected to cause a significant adverse impact to wastewater treatment, as the 26th Ward WRRF has a permitted capacity of 85 mgd and is currently receiving 50 mgd on average. Based on the average flow, the 26th Ward WRRF currently has an average reserve capacity of 35 mgd. Therefore, the 26th Ward WRRF would continue to have a reserve in treatment capacity in the future with the Proposed Actions.

Stormwater Conveyance

Based on the preliminary assessment presented herein, it has been determined that the Proposed Actions would not result in significant adverse impacts on stormwater conveyance. During wet weather, and depending on the rainfall volume and duration, the total volumes to the combined sewer system produced by the Proposed Development would range from approximately 0.07 to 0.50 million gallons (MG). Compared to the No-Action condition, this would represent an increase in combined sewer flows of up to approximately 0.34 MG. Based on detention requirements of the City's adopted Unified Stormwater Rule (USWR), it is concluded that the Proposed Actions would not result in significant adverse impacts to the wastewater treatment and stormwater conveyance infrastructure.

Solid Waste and Sanitation Services

The Proposed Actions would not result in any significant adverse impacts on solid waste and sanitation services. The Proposed Actions would not directly affect a solid waste management facility. Compared to the No-Action condition, the Alternate Community Facility Scenario developed in the future with the Proposed Actions (the With-Action condition) would generate an increment of approximately 56.10 tons per week of solid waste. Approximately 37 percent of the additional solid waste generated by the Proposed Actions (20.66 tons) would be handled by the New York City Department of Sanitation (DSNY), and approximately 63 percent (35.45 tons) would be handled by private carters. Overall, the land uses facilitated under the Alternate Community Facility Scenario would be expected to generate solid waste equivalent to up to approximately 1.7 DSNY truck loads per week and up to approximately 2.9 commercial carter truck loads per week. Although this would represent an increase compared to the No-Action condition, the additional solid waste resulting from the Alternate Community Facility Scenario would be a negligible increase relative to the more than 10,000 tons of garbage and 2,000 tons of recycling handled by DSNY every day. It would also represent approximately 0.01 percent of the City's anticipated future weekly waste generation handled by DSNY by 2026, and approximately 0.05 percent of the City's anticipated future weekly commercial waste generation handled by private carters by 2026 as projected in the Solid Waste Management Plan (SWMP). Therefore, the Proposed Actions would not result in an increase in solid waste that would overburden available waste management capacity. The Proposed Actions would also not conflict with, or require any amendments to, the City's solid waste management

objectives as stated in the SWMP. Therefore, the Proposed Actions would not result in any significant adverse impacts on solid waste and sanitation services.

Energy

The Proposed Actions would not result in any significant adverse impacts to the transmission or generation of energy. The Alternate Community Facility Scenario developed in the future with the Proposed Actions (the With-Action condition) would result in increased energy demand of approximately 297.5 billion British Thermal Units (BTUs) of energy per year as compared with future conditions without the Proposed Actions (the No-Action condition). This incremental increase in annual energy demand would represent approximately 0.16 percent of the City's forecasted annual energy requirement of 187.5 trillion BTUs by the 2036 analysis year. The Proposed Actions would generate an incremental increase in energy demand that would be considered negligible when compared with the overall energy demand within Consolidated Edison's (Con Edison's) New York City and Westchester County service area; therefore, the Proposed Actions would not result in any significant adverse impacts on energy.

Any new development resulting from the Proposed Actions would be required to comply with the NYCECC, which governs performance requirements of heating, ventilation, and air condition systems, as well as the exterior building envelope of new buildings. In compliance with the NYCECC, new development must meet standards for energy conservation, which include requirements related to energy efficiency and combined thermal transmittance. In addition, should there be voluntary utilization of higher performance standard designs for development facilitated under the Proposed Actions, there would then be a reduction in the forecasted energy load. Therefore, the Proposed Actions would not result in any significant adverse impacts on energy.

Transportation

A detailed transportation analysis was conducted and concludes that the Proposed Actions would result, as detailed below, in significant adverse impacts to a) vehicular traffic at 16 intersections, b) ~~two~~ one subway stair~~s~~ at one subway station, and c) pedestrian conditions at four sidewalks, five corners, and three crosswalks. Potential measures to mitigate these impacts are discussed in the "Mitigation" section below. To the extent there are no practicable measures to fully mitigate these impacts, they would be unmitigated or only partially mitigated, as the case may be. Mitigation measures ~~will continue to be~~were evaluated between certification of the DEIS and publication of the FEIS.

Traffic

Traffic conditions were evaluated for the weekday 7:15–8:15 a.m., 2:00–3:00 p.m. (midday), 5:15–6:15 p.m., and Saturday 3:45–4:45 p.m. peak hours at 30 intersections in the traffic study area where additional traffic resulting from the Proposed Actions would be most heavily concentrated. The traffic impact analysis indicates, for the Alternate Community Facility Scenario, the potential for significant adverse impacts at 16 intersections (~~11~~ 13 signalized and ~~five~~ three unsignalized) during one or more analyzed peak hours. As shown in **Table ES-5**, significant adverse impacts were identified to ~~23~~ 24 lane groups at 14 intersections during the weekday AM peak hour, ~~19~~ 22 lane groups at ~~13~~ 14 intersections in the midday peak hour, 27 lane groups at ~~16~~ 15 intersections in the PM peak hour, and 20 lane groups at ~~14~~ 13 intersections during the Saturday peak hour. Potential measures to mitigate these significant adverse traffic impacts are discussed in the "Mitigation" section.

TABLE ES-5
Summary of Significantly Impacted Intersections

	Signalized Intersections	With-Action Signalized Impact Locations (Lane groups)[1] AM	MD	PM	SAT	No. of Impacted Peak Hours
1	Broadway (E-W) & Eastern Pkwy (N-S) & Hull St (NE)	1	2	2	2	4
5	Fulton St (E-W) & Eastern Pkwy (N-S)	1	2	2	2	4
7	Fulton St (E-W) & Van Sinderen Av (N-S)	3	1	3	1	4
9	Herkimer St (E) & Eastern Pkwy (N-S)	1	1	1	1	4
16	Atlantic Av (E-W) & Eastern Pkwy (N-S)	3	3	2	3	4
18	Atlantic Av WB Service Rd (W) & East New York Av SB Service Rd (SW) & William Pl (N)	1	1	1	1	4
19	East New York Av (E-W) & Herkimer St (S) & Fulton St (SW) & Williams Ave (S)	1	2	1	1	4
20	East New York Av (E-W) & Jamaica Av (E-W) & Alabama Av (N) & Broadway (N)	3	1	2	1	4
21	Jamaica Av (E-W) & Georgia Av (N) & Bus Depot Entrance/Fanchon Pl (S)	0	1	0	0	1
23	Jamaica Av (E-W) & Jackie Robinson Pkwy/ Pennsylvania Av (N-S) & Bushwick Av (SE-NW)	3	2	3	3	4
26	Pennsylvania Av (E-W) & Fulton St (N-S)	0	0	0	0	0
28	Atlantic Av (E-W) & Georgia Av (N)	1	1	1	0	3
29	Atlantic Av (E-W) & Pennsylvania Av (N-S)	3	2	3	2	4
	Unsignalized Intersections	**With-Action Signalized Impact Locations (Lane groups)[1]** AM	MD	PM	SAT	**No. of Impact Peak Hours**
2	Broadway (E-W) &Stewart St (N-S)	0	0	0	0	0
3	Broadway (E-W) & Conway St (N-S)	1	2	2	1	4
4	Broadway (E-W) & Van Sinderen Av (S)	0	0	0	0	0
6	Fulton St (E-W) & Sackman St (S)	0	0	0	0	0
8	Fulton St (E-W) & William Pl (N)	1	0	1	1	3
10	Herkimer St (E) & Sherlock Pl (N-S)	0	0	0	0	0
11	Herkimer St (E) & Sackman St (N-S)	0	0	0	0	0
12	Herkimer St (E) & Jardine Pl (N-S)	0	0	0	0	0
13	Herkimer St (E) & Havens Pl (S)	0	0	0	0	0
14	Herkimer St (E) & Van Sinderen Av (N-S)	0	0	0	0	0
15	Herkimer St (E) & William Pl (N)[2]	0	0	2	0	1
17	Atlantic Av WB Service Rd (W) & Van Sinderen Av (N-S)	0	0	0	0	0
22	Truxton St (W) & Van Sinderen Av (N-S)	0	0	0	0	0
24	Fulton St (W) & Georgia Av (N)	1	1	1	1	4
25	Fulton St (W) & Sheffield Av (S) & Mary Warren Pl (S)	0	0	0	0	0
27	Atlantic Av WB Service Rd (W) & Alabama Av (N)	0	0	0	0	0
30	Broadway (E-W) & Somers St (S)	0	0	0	0	0
	Total Number of Impacted Lane groups	**24**	**22**	**27**	**20**	
	Total Number of Impacted Intersections	**14**	**14**	**15**	**13**	

Note: This table has been revised for the FEIS.

Transit

SUBWAY

Subway Stations

The Proposed Actions would generate a net increment of approximately 1,046 and 1,235 new subway trips during the weekday AM and PM commuter peak hours, respectively. The analysis of subway station conditions focuses on the Metropolitan Transportation Authority (MTA) New York City Transit (NYCT) Broadway Junction (A/C/J/L/Z) subway complex in proximity to the Project Area where incremental demand from the Proposed Actions would exceed the 200-trip 2021 *CEQR Technical Manual* analysis threshold in both peak hours. Based on the results of the analysis, the Proposed Actions would ~~result in~~ significantly adversely impacts ~~to two~~one platform stairs ~~at the Broadway Junction (A/C/J/L/Z) station complex – stairs P3/P4 in the AM peak hour and~~ the new platform stairs to the southbound A/C platform in the PM peak hour. Potential measures to mitigate these significant adverse subway stair impacts are discussed in the "Mitigation" section.

Subway Line Haul

The Project Area is directly served by five NYCT subway routes, including the A, C, J, L, and Z. All five routes cross the East River, and the peak direction of travel is typically Manhattan-bound in the AM peak period and Brooklyn/Queens-bound in the PM peak period. In the With-Action condition, southbound A trains are expected to operate with available capacity in the peak direction in the PM peak hour. Therefore, as southbound A trains are projected to operate with available capacity in the peak direction in the PM peak hour, no significant adverse impacts to subway line haul conditions would occur because of the Proposed Actions in the PM peak hour.

BUS

The Proposed Actions are expected to generate a net total of approximately 213 and 286 incremental bus trips during the weekday AM and PM peak hours, respectively, on the six NYCT Bus Company local bus routes serving the Project Area — the B12, B20, B25, B83, Q24, and Q56. However, the number of incremental trips in one direction is not expected to reach the 50-trip 2021 *CEQR Technical Manual* analysis threshold for a detailed bus analysis on any of the six NYCT Bus Company local bus routes. Therefore, a detailed analysis of local bus conditions under the Proposed Actions is not warranted.

CITYWIDE FERRY SERVICE (CWFS)

As there are no ferry landings proximate to the Project Area, the Proposed Actions are not expected to generate appreciable demand on the CWFS. Therefore, a detailed analysis of CWFS conditions under the Proposed Actions is not warranted and not included in the EIS.

Pedestrians

The Proposed Actions, under the Alternate Community Facility Scenario, would generate a net increment of approximately 993 walk-only trips in the weekday AM peak hour, 2,616 in the weekday midday, 2,261 in the weekday PM peak hour and 2,856 in the Saturday peak hour. Persons en route to and from subway station entrances, bus stops, and off-site parking would add approximately 2,049, 794, 2,251, and 1,232 additional pedestrian trips to Project Area sidewalks and crosswalks during these same periods, respectively. Peak hour pedestrian conditions were evaluated at 54 pedestrian elements where new trips generated by projected developments are expected to be most concentrated. As shown in **Table ES-6**, these elements—22 sidewalks, 20 corner areas, and 12 crosswalks—are primarily located in the immediate vicinity of the Project Area and along corridors connecting the Project Area to nearby subway

station entrances. Based on 2021 *CEQR Technical Manual* criteria, four sidewalks, five corners, and three crosswalks would be significantly adversely impacted by the Proposed Actions in one or more of the analyzed peak hours. Potential measures to mitigate these pedestrian impacts are discussed in the "Mitigation" section.

TABLE ES-6
Summary of Significant Pedestrian Impacts

Corridor/Intersection	Impacted Element	Peak Hour			
		AM	Midday	PM	SAT
Van Sinderen Ave btw Broadway and Fulton St	East Sidewalk	X	X	X	X
Herkimer St btw Williams Pl and E New York Ave	South Sidewalk	X		X	X
Atlantic Ave btw Alabama Ave and Georgia Ave	North Sidewalk		X	X	X
Atlantic Ave btw Williams Ave and Alabama Ave	North Sidewalk	X	X	X	X
Van Sinderen Ave & Fulton St	East Crosswalk			X	X
Williams Ave & Herkimer St & E New York Ave	North Crosswalk		X		
Georgia Ave & Atlantic Ave	West Crosswalk				X
Williams Ave & Herkimer St & E New York Ave	Northeast Corner	X	X	X	
Williams Ave & Herkimer St & E New York Ave	Northwest Corner	X	X	X	X
Broadway & Alabama Ave & Jamaica Ave & E New York Ave	Northwest Corner		X	X	X
Georgia Ave & Atlantic Ave	Southwest Corner				X
Georgia Ave & Atlantic Ave	Northwest Corner				X

Vehicular and Pedestrian Safety

Under the *Vision Zero Brooklyn Pedestrian Safety Action Plan*, Fulton Street, Broadway, East New York Avenue, Atlantic Avenue, Eastern Parkway, Bushwick Avenue, and Pennsylvania Avenue are identified as "Priority Corridors." The plan also identifies Eastern Parkway at Atlantic Avenue, Pennsylvania Avenue at Fulton Street, Rockaway Avenue at Atlantic Avenue, Rockaway Avenue at Eastern Parkway, and Pennsylvania Avenue at Belmont Avenue as "Priority Intersections." The Project Area is also located within a "Priority Area" and "Bike Priority Area" and is adjacent to a Senior Pedestrian Focus Area (SPFA).

Crash data for intersections in the traffic and pedestrian study areas were obtained from the New York City Department of Transportation (DOT) for the three-year non-Covid 19 period between January 1, 2018 and December 31, 2019 and January 1, 2023 and December 31, 2023. During this period, a total of 2,184 reportable and non-reportable crashes, two fatalities, 861 total injuries, and 107 pedestrian/bicyclist injury crashes occurred at intersections within the quarter-mile study area.

Under 2021 *CEQR Technical Manual* guidance, high crash locations are defined as those along a Vision Zero priority intersection or locations where five or more pedestrian/bicyclist injury crashes have occurred in any consecutive 12 months of the most recent three-year period for which data are available. In addition, any location along a Vision Zero Priority Corridor with three or more pedestrian/bicyclist injury crashes in any consecutive 12 months of the most recent three-year period for which data is available should be identified as a high crash location. Four intersections identified as high crash locations were selected for a qualitative assessment for street user safety – Eastern Parkway at Fulton Street, Atlantic Avenue at Pennsylvania Avenue, Eastern Parkway at Atlantic Avenue, and Pennsylvania Avenue at Fulton Street (refer to **Table ES-7**). All four intersections were part of New York City's 25-mph signal retiming initiative, where signal progression was changed to match the 25-mph speed limit. In addition, a Lead

Pedestrian Interval (LPI) phase has also been implemented at the intersection of Eastern Parkway at Atlantic Avenue.

TABLE ES-7
High Crash Locations

Intersection	Total Pedestrian/Bicycle Injury Crashes			Total Crashes (Reportable + Non-Reportable)		
	2018	2019	2023	2018	2019	2023
Eastern Parkway at Fulton Street	1	4	4	12	17	11
Atlantic Avenue at Pennsylvania Avenue	2	1	3	99	91	40
Eastern Parkway at Atlantic Avenue	1	2	0	85	83	19
Pennsylvania Avenue at Fulton Street	2	2	2	25	32	17

Note: *This table is new to the FEIS.*

Parking

Parking demand from the proposed office, retail, and community facility uses typically peaks in the midday period and declines during the late afternoon and evening. By contrast, parking demand from the proposed residential use peaks overnight. Therefore, some of the parking spaces used by residents would be available to accommodate commercial and community facility demand during daytime hours.

Parking demand generated by the Proposed Actions under the Proposed Development would peak at approximately 1,~~171~~ 160 spaces during the ~~2~~1:00 to 2~~3~~:00 p.m. period on weekdays, and at approximately 494 spaces during the 11:00 a.m. to 12:00 p.m. period on Saturdays. Parking demand generated by the Proposed Actions under the Alternate Community Facility Scenario would peak at approximately 1,~~242~~ 235 spaces during the ~~2~~1:00 to 2~~3~~:00 p.m. period on weekdays, and at approximately ~~457~~ 459 spaces during the 11:00 a.m. to 12:00 p.m. period on Saturdays.

Under the RWCDS for the Proposed Development, up to a total of approximately 174 parking spaces would be provided within the Project Area. Under the RWCDS for the Alternate Community Facility Scenario, up to a total of approximately 200 parking spaces would be provided within the Project Area. Therefore, the total increase in parking demand for the Proposed Actions under the Proposed Development would not be fully accommodated on-site and would result in parking shortfalls of approximately ~~997~~ 986 spaces during the ~~2~~1:00 to 2~~3~~:00 p.m. period on weekdays, and approximately 320 spaces during the 11:00 a.m. to 12:00 p.m. period on Saturdays. The total increase in parking demand for the Proposed Actions under the Alternate Community Facility Scenario not be fully accommodated on-site and would result in parking shortfalls of approximately 1,~~042~~ 035 spaces during the ~~2~~1:00 to 2~~3~~:00 p.m. period on weekdays, and approximately ~~257~~ 259 spaces during the 11:00 a.m. to 12:00 p.m. period on Saturdays. This excess demand would need to be accommodated in nearby off-street public parking facilities, or by on-street parking. Consequently, the Proposed Actions may potentially contribute to, or result in, off-street and on-street parking shortfalls in the 2036 With-Action condition. Based on anticipated changes in parking demand during the 2025 to 2036 period, it is estimated that in the future with the Proposed Actions, there would be a deficit of approximately 1,273 and 209 spaces of on-street public parking capacity within a quarter-mile radius of the Project Area in the weekday and Saturday midday periods, respectively. Additionally, within a half-mile radius of the Project Area, it is estimated that in the future with the Proposed Action there would be a deficit of approximately 904 spaces of on-street public parking capacity in the weekday midday period and a surplus of approximately 409 spaces of on-street public parking capacity in the Saturday midday period.

Based on 2021 *CEQR Technical Manual* guidance, any projected shortfall in parking capacity is unlikely to be considered significant due to the magnitude of available alternative modes of transportation. The shortfall in the weekday midday peak period would not be considered a significant adverse impact due to the availability of alternative modes of transportation in the surrounding area. The inability of the Proposed Actions' RWCDS or the surrounding area to accommodate future parking demands would be considered a parking shortfall, however, such a shortfall would not generally be considered significant due to the magnitude of available alternate modes of transportation. ~~Although the Project Area is well served by alternate modes of transportation and a parking shortfall is unlikely to be considered significant, the projected weekday and Saturday demands associated with the Proposed Actions' RWCDS would not be fully accommodated in the Project Area and a detailed analysis of parking conditions within a quarter-mile radius and a half-mile radius of the Project Area will be provided between certification of the DEIS and FEIS publication.~~

Air Quality

Detailed analyses were conducted based on the methodology set forth in the 2021 *CEQR Technical Manual*. A summary of the general findings is presented below.

The mobile source analyses determined that concentrations of CO and $PM_{2.5}$ due to project-generated traffic at intersections would not result in any violations of National Ambient Air Quality Standards (NAAQS), and furthermore, CO concentrations were predicted to be below CEQR *de minimis* criteria. The results show that the daily (24-hour) $PM_{2.5}$ increments are predicted to be below the *de minimis* criterion at each of the intersections analyzed. However, at ~~one~~ each of the intersection sites analyzed, the maximum annual incremental $PM_{2.5}$ concentration is predicted to exceed the *de minimis* criterion. ~~This would be considered a significant adverse air quality impact in the absence of traffic mitigation measures.~~

Between certification of the DEIS and publication of the FEIS, additional review and evaluation ~~will be~~was performed which ~~is expected to~~ determined that the identified impacts related to mobile source annual average $PM_{2.5}$ increments ~~will be~~were avoided. Additional modeling of $PM_{2.5}$ concentrations (Grid Analysis) ~~will be~~was performed using more ~~refined or~~ comprehensive analysis procedures to determine the magnitude and extent of neighborhood-scale $PM_{2.5}$ impacts from mobile sources. Other updates ~~may~~ included the use of newer vehicle emissions model data and projections. ~~It is anticipated that these additional measures will reduce $PM_{2.5}$ concentrations below the annual *de minimis* criterion thresholds.~~ The analysis confirmed that annual incremental $PM_{2.5}$ concentrations are below the annual *de minimis* criterion threshold, and therefore, the Proposed Actions would not result in a significant adverse air quality impact.

The parking facilities assumed to be developed as a result of the Proposed Actions were analyzed for potential air quality effects. The analysis found that these parking facilities would not be expected to result in any significant adverse air quality impacts.

An analysis of the nearby atypical roadways determined that there would be no significant adverse air quality impacts on the Proposed Development.

The stationary source analyses determined that the proposed buildings would not result in potential significant adverse air quality impacts from fossil fuel-fired heat and hot water systems. An (E) designation (E-857) would be mapped in connection with the Proposed Actions to ensure that proposed development would not result in any significant adverse air quality impacts from fossil fuel-fired heat and hot water systems emissions.

The analysis of existing sources associated with manufacturing and processing uses in the surrounding study area determined that emissions of air toxic compounds would not result in any potential significant adverse air quality impacts on the Proposed Development. An analysis of the cumulative impacts of existing industrial sources on the Proposed Development was performed. Maximum concentration levels at projected development sites were found to be below the applicable health risk criteria. For projected development sites with anticipated industrial uses, an (E) designation (E-857) would be mapped in connection with the Proposed Actions to ensure that there are no potential significant adverse impacts associated with air toxic compounds associated with these uses.

The analysis of the potential light industrial sources associated with the Proposed Actions' RWCDS determined that certain use group categories have the potential to result in a significant adverse air quality impact at receptor locations due to emissions from one or more air toxic compounds. To ensure that there are no potential significant adverse impacts of identified air toxic compounds in the proposed development, certain restrictions would be required as part of the Proposed Actions.

The potential cumulative effects of the existing industrial sources and proposed light industrial emission sources on the Proposed Development determined that the Proposed Actions would not cause a violation of applicable air quality standards.

The analysis of large and major sources determined that there would be no significant adverse air quality impacts on the Proposed Development.

Greenhouse Gas Emissions and Climate Change

The Proposed Actions would not result in significant adverse impacts related to GHG emissions and climate change as they would be consistent with the City's GHG emissions reduction goals and laws, as defined in the 2021 *CEQR Technical Manual*.

It is estimated that the Alternate Community Facility Scenario associated with the Proposed Actions would result in approximately 15,093 metric tons of carbon dioxide equivalent (CO_2e) of annual emissions from building operations and approximately 12,836 metric tons of CO_2e emissions from mobile sources annually, for an annual total of approximately 27,929 metric tons of CO_2e emissions. This represents approximately 0.05 percent of New York City's 2023 annual total GHG emissions of 51.22 million metric tons. It should be noted that the estimated GHG emissions for the Alternate Community Facility Scenario under the Proposed Actions conservatively do not account for any energy efficiency measures that may be implemented and that go beyond the minimum requirements because of the Proposed Actions under the Alternate Community Facility Scenario at the Project Area. Furthermore, this analysis presents gross mobile source emissions from project-generated vehicles without considering that those vehicles would be the source of emissions in the No Action condition as well. As such, the net mobile source emissions due to the Proposed Actions are likely to be substantially less than the 12,836 metric tons of CO_2e identified herein.

Under the Alternate Community Facility Scenario, the new buildings would be required at a minimum to achieve the energy efficiency requirements of the 2020 Energy Conservation Construction Code of New York State (2020 ECCCNYS), which is designed to ensure meeting the City's 80 percent by 2050 GHG reduction goal. Additionally, the Project Area is in an area supported by many transit options. By facilitating the development of new mixed-income housing alongside new office, retail, light industrial, and community facility space in a transit and pedestrian oriented urban area, the Proposed Actions are consistent with the City's goal of reducing GHG emissions through transit-oriented development.

Therefore, the Proposed Actions would be consistent with the City's applicable emissions reduction goals of transit-oriented development and construction of new resource- and energy-efficient buildings.

The Project Area is located beyond the 100- and 500-year flood zones, and therefore is not susceptible to storm surge and coastal flooding. It is also located beyond the 100- and 500-year flood zone projections developed by the NPCC for the 2020s and 2050s. Accordingly, an assessment of potential effects of climate change is not warranted for the Proposed Actions.

Noise

A noise analysis was conducted based on the methodology set forth in the 2021 *CEQR Technical Manual* and determined that the Proposed Actions would not result in significant adverse noise impacts. The analysis determined that increased traffic volumes generated by the Proposed Actions would not result in significant adverse noise impacts as the relative increases in noise levels would fall well below the applicable 2021 *CEQR Technical Manual* significant adverse impact threshold (3.0 dBA).

Based on the noise analysis, window/wall attenuation would be required in order to provide acceptable interior noise levels per the 2021 *CEQR Technical Manual* noise exposure guideline. These noise levels account for noise from projected vehicular traffic in the future as well as contribution from existing railway noise. To ensure window/wall attenuation at the projected development sites in the Project Area, an (E) designation (E-857) for noise would be applied, specifying the required amount of required window/wall attenuation. With implementation of the attenuation levels, the projected development sites would provide sufficient window/wall attenuation to achieve the 2021 *CEQR Technical Manual* interior noise level guidelines. Therefore, the Proposed Actions would not result in any significant adverse noise impacts related to noise attenuation.

Public Health

An assessment was conducted based on the methodology set forth in the 2021 *CEQR Technical Manual* and determined that the Proposed Actions would not result in a significant adverse impact related to public health. The Proposed Actions are not expected to result in unmitigated significant adverse impacts in the following technical areas that contribute to public health: water quality, noise (operational ~~and~~ or construction-related), air quality (stationary source, mobile source, or ~~and~~ construction-related) impacts, or hazardous materials. ~~The Proposed Actions could potentially result in unmitigated mobile source air quality impacts.~~ The Proposed Actions would not result in a potential significant adverse air quality impact ~~related to the $PM_{2.5}$ annual *de minimis* criterion at one of the intersection sites analyzed~~. Between certification of the DEIS and publication of the FEIS, additional ~~refinements to the analysis will be performed which is expected to determine that the identified threshold for a *de minimis* impact related to mobile source annual average $PM_{2.5}$ increments will not be met. Additional~~ modeling of $PM_{2.5}$ concentrations (Grid Analysis) ~~will be~~was performed using more comprehensive analysis procedures ~~to determine the magnitude and extent of neighborhood-scale $PM_{2.5}$ impacts from mobile sources~~. Other updates ~~may~~ included the use of newer vehicle emissions model data and projections. The grid analysis shows that the $PM_{2.5}$ concentrations are below the annual *de minimis* criterion threshold. ~~It is anticipated that the analysis accounting for these additional data points will conclude that $PM_{2.5}$ concentrations as a result of the Proposed Actions fall below the annual *de minimis* criteria thresholds, and consequently the identified impacts related to mobile sources would not occur. In addition, at each of the affected intersection locations, the Proposed Actions would not contribute to or exacerbate a violation of the $PM_{2.5}$ annual average National Ambient Air Quality Standards (NAAQS) even with the very conservative~~

~~assumptions relating to traffic, vehicle emissions, meteorology, and background $PM_{2.5}$ concentration levels used in the analysis. Therefore, the exceedances of the $PM_{2.5}$ *de minimis* criterion on an annual basis would not constitute a significant adverse impact on public health.~~

Neighborhood Character

A preliminary assessment was conducted based on the methodology set forth in the 2021 *CEQR Technical Manual* and determined that the Proposed Actions would not result in significant adverse impacts related to neighborhood character. The Project Area is located near Broadway Junction, one of the largest transit centers in New York City, while the study area encompasses portions of several established Brooklyn neighborhoods, including East New York, Brownsville, Ocean Hill, Bushwick, Bedford-Stuyvesant, and Cypress Hills. Overall, the study area is defined by its wide variety of building types and land uses, including residential, mixed-use commercial and residential, commercial, industrial/manufacturing, and transportation/utility uses, as well as some public/institutional, parking, and open space uses.

The Proposed Actions are intended to facilitate the development of new residential, office, retail, light industrial, and community facility space at the Project Area by increasing the permitted residential, commercial, and community facility FARs within the Project Area. In addition to providing open space and affordable housing, the Proposed Actions would also provide economic opportunities benefitting the surrounding neighborhoods. The Proposed Actions would facilitate the new development of up to approximately 1.6 million gsf of mixed-use development that would accommodate a variety of tenants, including an institutional anchor like an academic university, retail designed to cater to the needs of the surrounding neighborhoods, as well as offices. The Proposed Actions would increase density in the Project Area to create employment opportunities and provide community resources in a way that is not currently feasible based on existing site constraints. The Project Area's existing buildings and infrastructure are aged and have limited ability to provide the type of accommodations needed and/or desired for new businesses. The existing low-rise light industrial buildings limit the potential of the Project Area. Separately, much of the Project Area is currently occupied by unenclosed parking and storage facilities that also do not offer opportunity for substantial economic growth. In addition, the existing M1-2 zoning district, which was mapped in 1967, further limits the Project Area from being redeveloped with new, higher-density commercial and light industrial spaces as, despite its location near mass transit, the maximum permitted commercial and manufacturing FAR is 2.0. Furthermore, limited community facility uses are permitted as-of-right at up to 4.8 FAR, whereas residential uses are not permitted.

By facilitating new mixed-use development within the Project Area, the Proposed Actions would facilitate a new mixed-use development in a transit-rich area of the City and provide viable development sites, creating much needed job opportunities and affordable housing. The increased density of the Proposed Development would be subject, with some design flexibility, to controls in the LSGD that are responsive to the neighborhood context and improve the pedestrian and retail environment of the Project Area. The Proposed Development would leverage the existing assets of full-block frontage on several wide streets and excellent mass transit access to better enhance and activate the Project Area. The proposed ~~publicly accessible area ("PAA")~~ spaces would further enhance the pedestrian experience and environment at the Project Area by providing widened sidewalks and multifaceted passive recreation spaces.

As described elsewhere in this EIS and summarized herein, the Proposed Actions would not result in significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; open space; shadows; historic and cultural resources; urban design and visual resources; or noise. As discussed in greater detail below, the significant adverse traffic, transit, and pedestrian impacts that would occur as a result of the Proposed Actions would not affect any defining feature of neighborhood

character, nor would a combination of moderately adverse effects (related to any of the above-mentioned technical analysis areas) affect such a defining feature. While the Proposed Actions would result in increased transportation activities and significant adverse traffic, transit, and pedestrian impacts, these impacts would not result in a significant change to one of the determining elements of neighborhood character, and the resulting conditions would be similar to those seen in the study area and would not create levels of activity or service conditions that would be out of character with the surrounding neighborhood. Therefore, the changes in transportation due to the Proposed Actions would not result in any significant adverse impacts on neighborhood character.

Construction

In accordance with 2021 *CEQR Technical Manual* guidance, detailed analyses of potential construction period impacts related to air quality and noise conditions were conducted and determined that the Proposed Actions would not result in construction period impacts related to air quality and noise conditions. An assessment of transportation demand determined that potential significant adverse traffic impacts could occur during construction. The mitigation measures identified in **Chapter 20, "Mitigation,"** for 2036 operational traffic impacts would likely be similarly effective at mitigating any potential construction traffic impacts. In addition, preliminary assessments were conducted for other technical areas in accordance with 2021 *CEQR Technical Manual* guidance, and determined that the Proposed Actions would not result in construction period impacts related to land use and neighborhood character, socioeconomic conditions, community facilities and services, open space, historic and cultural resources, and/or hazardous materials.

Transportation

The second quarter of 2035 was selected as the reasonable worst-case analysis period for assessing potential cumulative transportation impacts from operational trips from completed portions of either the Proposed Development or the Alternate Community Facility Scenario and construction trips associated with construction activities. An assessment of transportation demand generated during this peak period is presented below.

TRAFFIC

During construction, traffic would be generated by construction workers commuting via autos and by trucks making deliveries to the Project Area. Each worker vehicle was assumed to arrive in the morning and then depart in the afternoon or early evening, while truck deliveries would occur throughout the construction day. In the second quarter of 2035, construction-related traffic is expected to peak during the 6:00 to 7:00 AM and 3:00 to 4:00 PM periods. During the 6:00 to 7:00 AM peak hour, there would be 120 PCE vehicle trips, including 96 inbound trips and 24 outbound trips. During the 3:00 to 4:00 PM peak hour, there would be 102 PCE trips, including 15 inbound trips and 87 outbound trips.

Construction traffic conditions were evaluated during the second quarter of 2035 for the construction AM and PM peak hours at 14 intersections (nine signalized and five unsignalized) in the traffic study area where construction vehicle trips would exceed the 50-trips/hour 2021 *CEQR Technical Manual* analysis threshold in one or both construction peak hours. As summarized in **Tables ES-8** and **ES-98**, the construction traffic impact analysis indicates the potential for significant adverse impacts to five lane groups at four intersections in the weekday AM construction peak hour, and 17 lane groups at 10 intersections in the weekday PM construction peak hour. ~~As the construction vehicle trips would exceed the 50-trip threshold in both the construction AM and PM peak hours, it is expected that potential significant adverse traffic impacts could occur during construction and that these impacts would be within~~

~~the range of impacts identified for the 2036 With-Action condition.~~ Mitigation measures identified for 2036 operational traffic impacts would likely be similarly effective at mitigating any potential construction traffic impacts.

TABLE ES-8
Number of Impacted Intersections and Lane Groups by Peak Hour - 2035 Peak Construction Period (Second Quarter)

	Construction Peak Hour	
	AM	PM
Impacted Lane Groups	5	17
Impacted Intersections	4	10

Note: *This table is new to the FEIS.*

TABLE ES-9
Summary of Significantly Impacted Intersections - 2035 Peak Construction Period (Second Quarter)

	Construction Peak Hour	
Signalized Intersections	**Construction AM**	**Construction PM**
Fulton Street and Eastern Parkway	X	X
Fulton Street and Van Sinderen Avenue	X	X
Herkimer Street and Eastern Parkway		X
Atlantic Avenue and Eastern Parkway		X
Atlantic Avenue WB Service Road and East New York Avenue SB Service Road/Williams Place		X
East New York Avenue and Herkimer Street/Fulton Street/Williams Avenue	X	X
Jamaica Avenue/East New York Avenue and Alabama Avenue/Broadway		X
Jamaica Avenue/Jackie Robinson Parkway and Pennsylvania Avenue/Bushwick Avenue	X	X
Unsignalized Intersections	**Construction AM**	**Construction PM**
Fulton Street and Williams Place		X
Herkimer Street and Williams Place		X
Total Impacted Intersections	**4**	**10**

Notes: X – denotes intersection significantly impacted during the construction peak hour.
This table is new to the FEIS.

PEDESTRIANS

During the second quarter of 2035 peak construction period, net incremental construction and operational travel demand on area sidewalks, corners, and crosswalks is expected to total approximately ~~59~~ 624 and 2,242 trips in the 6:00 to 7:00 AM and 3:00 to 4:00 PM peak construction hours, respectively. These trips would be widely distributed among the projected development sites in the Project Area that would be under construction in the second quarter of 2035 and would primarily occur outside the weekday AM and PM peak commuter periods and weekday midday and Saturday peak periods when area pedestrian facilities typically experience their greatest demand.

In addition, the net increase in operational pedestrian trips with full build-out of the Proposed Actions in 2036 would be substantially greater in number than pedestrian trips during the peak construction period. As peak construction pedestrian volumes are expected to be generally better than the analyzed operational peak hours with full build-out of the Proposed Actions in 2036, there would be a less likelihood of significant adverse pedestrian impacts during the construction peak hours. The east crosswalk at Van Sinderen Avenue and Fulton Street during the construction PM peak hour has the potential to have a

significant adverse impact, which is also impacted during the operational peak hours. Mitigation measures identified for 2036 operational traffic impacts would likely be similarly effective at mitigating any potential construction pedestrian impacts.~~As peak construction worker pedestrian demand generated by would not meet the 200 trips/hour 2021 *CEQR Technical Manual* analysis threshold for a detailed pedestrian analysis, significant adverse impacts to pedestrian elements are not expected to occur in the construction peak hours during the second quarter of 2035 peak construction period.~~

TRANSIT

The construction sites are in an area that is well served by public transportation with three subway stations or station complexes, six local bus routes, and one commuter rail station located on the periphery of the Project Area.

During the construction peak period, the net incremental construction and operational travel demand is expected to generate during ~~approximately 47 transit trips (31 by subway, 11 by rail, and 5 by bus) in~~ the 6:00 to 7:00 AM and 3:00 to 4:00 PM peak construction hours approximately 431 and 793 subway trips, respectively and 30 and 77 bus trips, respectively. The net increase in operational bus and subway trips with full build-out of the Proposed Actions in 2036 would be substantially greater in number than bus and subway trips during the peak construction period. Transit conditions during the 6:00 to 7:00 AM and 3:00 to 4:00 PM construction peak hours are expected to be generally better than during the analyzed operational peak hours with full build-out under the Proposed Actions in 2036 as incremental demand would be lower during construction, and most construction trips would not occur during the peak hours of commuter demand. Therefore, there would be less likelihood of significant adverse subway and bus impacts during the construction peak hours.

During the construction peak period, the net incremental construction and operational travel demand is expected to generate, during the 6:00 to 7:00 AM and 3:00 to 4:00 PM peak construction hours, approximately 13 and 17 rail trips, respectively. As peak construction worker and operational ~~transit~~rail demand generated by would not meet the 200 trips/hour 2021 *CEQR Technical Manual* analysis threshold for a detailed ~~transit~~ rail analysis, significant adverse impacts to ~~transit~~ rail services are not expected to occur in the construction peak hours during the second quarter of 2035 peak construction period.

PARKING

With full build-out under the Proposed Actions in 2036, operational parking demand is estimated to peak at more than a thousand vehicles during the weekday midday period. Parking conditions during the second quarter of 2035 peak construction period are expected to be generally better than during the analyzed operational peak hours with full build-out under the Proposed Actions in 2036. Consequently, there would be less likelihood of a parking shortfall during the peak construction hours in the cumulative analysis year (second quarter of 2035) than with full build-out under the Proposed Actions in 2036. While the second quarter of 2035 construction worker and operational parking demand could contribute to a shortfall in the midday, the Project Area is well served by alternate modes of transportation, and any such parking shortfall is unlikely to be considered significant based on 2021 *CEQR Technical Manual* guidance.

Air Quality

Maximum predicted concentrations during the representative worst-case construction periods for either the Proposed Development or the Alternate Community Facility Scenario were estimated. To estimate the maximum total pollutant NO_2, CO, and PM_{10} concentrations, the modeled concentrations were added to a background value that accounts for existing pollutant concentrations from other nearby sources. As described herein, the maximum predicted total concentrations of NO_2, CO, and PM_{10} are below the

applicable NAAQS. In addition, the maximum predicted $PM_{2.5}$ concentrations would not exceed the applicable 2021 *CEQR Technical Manual* de minimis thresholds in the 24-hour and annual averaging periods.[9] Emissions from the other less intensive construction periods would be less than the emissions during the modeled worst-case periods; therefore, the resulting concentrations from these non-peak periods are expected to be less than the concentrations estimated for the representative worst-case construction periods. Therefore, construction of either the Proposed Development or the Alternate Community Facility Scenario would not result in significant adverse air quality impacts due to construction sources.

Noise

Construction of either the Proposed Development or the Alternate Community Facility Scenario is predicted to result in elevated noise levels at surrounding sensitive noise receptors, including existing and future residential buildings, commercial offices, and outdoor recreational spaces. At some of these existing and future receptors, construction activities would, for some portion of the construction period, result in noise level increases that would be perceptible to noticeable and at times, "objectionable," i.e., equal to or greater than 15 dBA. However, at these receptors, any "objectionable" noise level increases would occur for less than 12 consecutive months. Consequently, while construction noise at these receptors would be perceptible, it would not rise to the level of a significant impact according to the impact criteria described above. Construction activities would typically occur during weekday daytime hours and would therefore not produce noise during nighttime hours when residents would be most sensitive to noise. Further, construction would comply with *New York City Noise Control Code* regulations. Per *New York City Noise Control Code* regulations, both the Proposed Development and the Alternate Community Facility Scenario would be required to prepare a Construction Noise Mitigation Plan, which may identify more control measures that would further reduce construction noise levels. Therefore, the predicted levels of construction noise were determined not to rise to the level of a significant adverse impact at existing noise receptors.

Other Technical Areas

LAND USE AND NEIGHBORHOOD CHARACTER

Construction activities would affect land use within the projected development sites in the Project Area but would not alter surrounding land uses. As is typical with construction projects, during periods of peak construction activity there would be some disruption, predominantly noise, to the surrounding area. These disruptions would be temporary in nature and would have limited effects on land uses within the surrounding area, particularly as most construction activities would take place within the projected development sites in the Project Area or within portions of sidewalks, curbs, and travel lanes of public streets immediately adjacent to the projected development sites in the Project Area. Overall, while the construction at the projected development sites in the Project Area would be evident to the local community, the temporary nature of construction would not result in significant or long-term adverse impacts on local land use patterns or the character of the surrounding area.

SOCIOECONOMIC CONDITIONS

Construction activities could temporarily affect pedestrian and vehicular access. However, lane and/or sidewalk closures would not obstruct entrances to any existing businesses, and businesses are not expected to be significantly affected by any temporary reductions in the amount of pedestrian foot traffic

[9] The 2021 *CEQR Technical Manual* 24-hour $PM_{2.5}$ *de minimis* criterion is equal to half the difference between the 24-hour background concentration (21.3 $\mu g/m^3$) and the 24-hour standard (35 $\mu g/m^3$).

or vehicular delays that could occur because of construction activities. Overall, construction activities associated with the Proposed Actions would not result in any significant adverse impacts on surrounding businesses.

Construction would create direct benefits resulting from expenditures on labor, materials, and services, and indirect benefits created by expenditures by material suppliers, construction workers, and other employees involved in the direct activity. Construction also would contribute to increased tax revenues for the City and State of New York, including those from personal income taxes.

COMMUNITY FACILITIES AND SERVICES

No community facilities and services would be directly affected by construction activities. The projected development sites in the Project Area will be surrounded by construction fencing and barriers that would limit the effects of construction on any nearby community facilities and services. Construction workers would not place any burden on public schools and would have minimal, if any, demands on libraries, childcare facilities, and health care. Construction under the Proposed Actions would not block or restrict access to any facilities in the area and would not materially affect emergency response times. The NYPD and FDNY emergency services and response times would not be significantly affected due to the geographic distribution of the police and fire facilities and their respective coverage areas.

OPEN SPACE

There are currently no publicly accessible open spaces in the projected development sites in the Project Area and no open space resources would be used for staging or other construction activities. As discussed above, there would be no significant adverse air quality impacts on open spaces in the surrounding area considering dust control measures and other emission reduction measures incorporated into construction activities associates with the Proposed Actions. The construction noise analysis (discussed above) shows that, while construction noise could be perceptible at some of the nearby open spaces, the predicted construction noise levels would not rise to the level of a significant adverse impact and would therefore not result in a major change in the usability of these open space resources.

HISTORIC AND CULTURAL RESOURCES

The Project Area does not possess archaeological significance, and therefore, the Proposed Actions do not have the potential to result in construction period archaeological impacts. The Proposed Actions would not result in any significant adverse direct impacts to architectural resources as no historic architectural resources are located within the Project Area. Moreover, no architectural resources are located within 90 feet of the Project Area. Therefore, the Proposed Actions would not result in any significant adverse construction-related impacts to historic architectural resources.

HAZARDOUS MATERIALS

An assessment of potential impacts on hazardous materials is described in Chapter 9, “Hazardous Materials.” The hazardous materials assessment identified limited potential sources of subsurface contamination on, or in close proximity to, the projected development sites in the Project Area, including past or present industrial and automotive uses. To reduce the potential for significant adverse impacts associated with new construction resulting from the Proposed Actions, a hazardous materials (E) designation would be assigned to the lots comprising the projected development sites in the Project Area. The (E) designation requires approval by the New York City Office of Environmental Remediation (OER) prior to obtaining permits from the New York City Department of Buildings (DOB) for any new development entailing soil disturbance. The environmental requirements for the (E) designation also include a mandatory Construction Health and Safety Plan (CHASP), which must be approved by OER.

Adherence to these existing regulations would prevent impacts from construction activities at the projected development sites in the Project Area.

H. MITIGATION

Transportation

The Proposed Actions would result in significant adverse impacts to: a) vehicular traffic at 16 intersections; b) ~~two~~ one stair~~s~~ at one subway station; and c) pedestrian elements at four sidewalks, five corners, and three crosswalks. Mitigation measures that could address the significant adverse impacts are discussed below and ~~will continue to be~~were evaluated between certification of the DEIS and publication of the FEIS.

Traffic

As shown in **Table ES-10~~7~~**, the Proposed Actions would result in significant adverse traffic impacts at 16 study area intersections (~~11~~ 13 signalized and ~~five~~ three unsignalized) during one or more analyzed peak hours; specifically ~~23~~ 24 lane groups at 14 intersections during the weekday AM peak hour, ~~19~~ 22 lane groups at ~~13~~ 14 intersections in the midday peak hour, 27 lane groups at ~~16~~ 15 intersections in the PM peak hour, and 20 lane groups at ~~14~~ 13 intersections during the Saturday peak hour. Implementation of traffic engineering improvements such as signal timing changes ~~and installation of new traffic signals~~ are being proposed and would provide mitigation for some of the anticipated traffic impacts. The proposed traffic engineering improvements will be implemented at the discretion of DOT. If DOT determines that implementation of the proposed traffic engineering improvement at one or more locations is infeasible, and no alternative and equivalent measure is identified, then that impact would remain unmitigated and would constitute an unavoidable adverse impact.

TABLE ES-10~~7~~
Summary of Lane Groups/Intersections with Significant Adverse Traffic Impacts

Peak Hour	Lane Groups/ Intersections Analyzed	Lane Groups/ Intersections With No Significant Impacts	Lane Groups/ Intersections With Significant Impacts	Mitigated Lane Groups/ Intersections	Unmitigated Lane Groups/ Intersections
Weekday AM	100/30	~~77~~76/~~18~~16	~~23~~24/14	2/2	~~21~~22/12
Weekday Midday	100/30	~~81~~78/~~20~~17	~~19~~22/~~13~~14	~~1/1~~2/2	~~18~~20/12
Weekday PM	100/30	73/~~17~~15	27/~~16~~15	0/0	27/~~16~~15
Saturday	100/30	80/~~18~~17	20/~~14~~13	0/0	20/~~14~~13

Note: *This table has been revised for the FEIS.*

Assuming all the proposed mitigation measures are implemented, significant adverse impacts would be fully mitigated at two lane groups in the weekday AM peak hour, ~~one~~ two lane groups in the midday peak hour, zero lane groups in the weekday PM peak hour, and zero lane groups in the Saturday peak hour. Intersections where these impacts would be fully mitigated would total two, ~~one~~two, zero, and zero during these same periods, respectively. In total, impacts to one or more lane groups would remain unmitigated in one or more peak hours at ~~16~~ 15 intersections.

Transit

The Proposed Actions would result in significant adverse impacts to ~~two~~ one platform stair~~s~~ in the ~~AM and~~ PM peak hour~~s~~ at the Broadway Junction (A/C/J/L/Z) Subway Station complex. Stairway widening is the most common form of mitigation for significant stairway impacts, provided that New York City Transit (NYCT) deems it practicable (i.e., that it is worthwhile to disrupt service on an existing stairway to widen it and that a given platform and sidewalk affected by such mitigation are wide enough to accommodate the stairway widening). Another potential mitigation measure would be to add vertical capacity (i.e., adding an escalator or additional stairway) in the vicinity of the impacted stairway. No feasible mitigation measures were identified for ~~these stairs. While these measures do not currently appear practicable, mitigation measures will continue to be evaluated~~the impacted stair between certification of the DEIS and publication of the FEIS. Therefore, the Proposed Actions would result in an unmitigated significant adverse impact at ~~platform stairs P3/P4 and~~ the new platform stair to the southbound A/C platform in the Broadway Junction Subway Station complex. ~~If no feasible mitigation measures are identified, then that impact would remain unmitigated and would constitute an unavoidable adverse impact.~~

Pedestrians

As shown in **Table ES-11~~8~~**, the Proposed Actions would significantly adversely impact four sidewalks, three crosswalks, and five corners in one or more analyzed peak hours. Recommended mitigation measures consisting of the widening of crosswalks would ~~fully~~ mitigate the impacts to the north crosswalk at Williams Avenue/Herkimer Street at East New York Avenue during the weekday midday peak hour and the east ~~two~~ crosswalk~~s~~ of Van Sinderen Avenue at Fulton Street during the Saturday peak hour. Practicable mitigation measures could not be identified for significant adverse impacts in one or more peak hours at four sidewalks, ~~one~~ two crosswalks, and five corners and would remain unmitigated. The recommended pedestrian mitigation measures will be implemented at the discretion of DOT. If DOT determines that implementation of the recommended pedestrian mitigation measures at the two crosswalks is infeasible, and no alternative and equivalent measure is identified, then these impacts would remain unmitigated and would constitute unavoidable adverse impacts.

TABLE ES-11~~8~~
Summary of Significant Pedestrian Impacts

Peak Hour	Sidewalks/ Crosswalks/ Corners Analyzed	Sidewalks/ Crosswalks/ Corners with No Significant Impacts	Sidewalks/ Crosswalks/ Corners with Significant Impacts	Mitigated Sidewalks/ Crosswalks/ Corners	Unmitigated Sidewalks/ Crosswalks/ Corners
Weekday AM	22/12/20	19/12/18	3/0/2	0/0/0	3/0/2
Weekday Midday	22/12/20	19/11/17	3/1/3	0/1/0	3/0/3
Weekday PM	22/12/20	18/11/17	4/1/3	0/0/0	4/1/3
Saturday	22/12/20	18/10/16	4/2/4	0/1/0	4/1/4

Air Quality

The mobile source analyses determined that at ~~one~~ each of the intersections analyzed, the maximum annual incremental $PM_{2.5}$ concentration is predicted to exceed the *de minimis* criterion. ~~This would be considered a significant adverse air quality impact in the absence of traffic mitigation measures.~~ Between

certification of the DEIS and publication of the FEIS, additional refinements of the analysis ~~will be~~were performed which ~~could~~ determined that the identified impacts related to mobile source annual average $PM_{2.5}$ increments ~~will be~~were avoided, without the need for mitigation measures. Additional modeling of $PM_{2.5}$ concentrations (Grid Analysis) ~~will be~~was performed using more comprehensive analysis procedures to determine the magnitude and extent of annual average neighborhood-scale $PM_{2.5}$ impacts from mobile sources. Other updates ~~may~~ included the use of newer vehicle emissions model data and projections. ~~It is anticipated~~The updates confirmed that ~~these additional measures will reduce~~ $PM_{2.5}$ concentrations were below the annual *de minimis* ~~criteria~~ criterion thresholds~~,~~ and therefore, the Proposed Actions would not result in a significant adverse air quality impact. ~~In addition to the refined analysis which may demonstrate that potential impacts related to mobile sources would be avoided, potential mitigation measures are currently being explored by the lead agency, DCP, and will be refined between certification of the DEIS and publication of the FEIS. Absent the identification and implementation of feasible mitigation measures the impact could remain unmitigated.~~

Construction

Transportation

It is expected that potential significant adverse traffic~~, transit,~~ and pedestrian impacts could occur during construction and that these impacts would be within the range of operational transportation impacts identified for the 2036 With-Action condition in the "Transportation" section above. As presented in the "Transportation" section above, the Proposed Actions would result in significant adverse impacts to: a) vehicular traffic at 16 intersections; b) one stair at one subway station; and c) pedestrian elements at four sidewalks, five corners, and three crosswalks. Therefore, there is the potential for significant adverse construction transportation impacts at the same 16 intersections, one stair at one subway station, and four sidewalks, five corners, and three crosswalks.

~~The mitigation measures identified for 2036 operational traffic and pedestrian impacts would likely be similarly effective at mitigating any potential construction traffic and pedestrian impacts. These mitigation measures would also be subject to DOT review and approval. If DOT determines that an identified improvement is infeasible, and no alternative and equivalent measure is identified, then the impact would be unmitigated and would constitute an unavoidable significant adverse impact.~~

The mitigation measures identified above for 2036 operational pedestrian impacts would likely be similarly effective at mitigating any potential 2035 construction pedestrian impacts, should they occur – specifically the recommended mitigation measure of widening the east crosswalk at Van Sinderen Avenue and Fulton Street would fully mitigate the significant adverse impact during the PM construction peak hour. These mitigation measures would also be subject to DOT review and approval. If DOT determines that an identified mitigation measure is infeasible, and no alternative and equivalent measure is identified, then the impact would be unmitigated and would constitute an unavoidable significant adverse impact.

Construction traffic conditions during the second quarter of 2035 peak construction period were evaluated at 14 intersections (nine signalized and five unsignalized) in the traffic study area where combined construction and incremental operational vehicle trips would exceed the 50-trips/hour 2021 *CEQR Technical Manual* analysis threshold in the AM and/or PM construction peak hours. The construction traffic impact analysis identified the potential for significant adverse impacts to five lane groups at four intersections in the weekday AM construction peak hour and 17 lane groups at 10 intersections in the weekday PM construction peak hour.

As shown in **Tables ES-12** and **ES-13**, implementation of recommended traffic engineering improvements including modifications to signal timing and phasing would fully mitigate the significant adverse impacts to two lane groups in the construction AM peak hour and one lane group in the construction PM peak hour. Intersections where all impacts would be fully mitigated would total two and one, during these same periods, respectively. Impacts to three lane groups in the construction AM peak hour and 16 lane groups in the construction PM peak hour would remain at a total of nine intersections.

Implementation of the recommended traffic engineering improvements is subject to final review and approval by DOT. If, prior to implementation, DOT determines that a recommended mitigation measure is infeasible, an alternative mitigation measure will be identified, if possible. In the absence of the application of mitigation measures, the impacts would remain unmitigated.

TABLE ES-12
Summary of Lane Groups/Intersections with Significant Adverse Construction Traffic Impacts

Peak Hour	Lane Groups/ Intersections Analyzed	Lane Groups/ Intersections with No Significant Impacts	Lane Groups/ Intersections with Significant Impacts	Mitigated Lane Groups/ Intersections	Unmitigated Lane Groups/ Intersections
Construction AM	55/14	50/10	5/4	2/2	3/2
Construction PM	55/14	38/4	17/10	1/1	16/9

Note: *This table is new to the FEIS.*

TABLE ES-13
Lane Groups with Unmitigated Significant Adverse Construction Traffic Impacts

	Peak Hour	
	Weekday AM	Weekday PM
Signalized Intersections		
5. Fulton St & Eastern Pkwy		EB-LTR, WB-LTR
7. Fulton St & Van Sinderen Ave		WB-LT, NB-LTR, SB-LTR
16. Atlantic Ave & Eastern Pkwy		NB-T, NB-R, SB-TR
18. Atlantic Ave WB Service Rd & E New York Ave SB Service Road & Williams Pl		SWB-R
19. E New York Ave & Herkimer St & Fulton St & Williams Ave	SB-LTR	SB-LTR
20. E New York Ave & Jamaica Ave & Alabama Ave & Broadway		EB-LTR, NB-L
23. Jamaica Ave & Jackie Robinson/Pennsylvania Ave & Bushwick Ave	EB-L, SB-R	EB-L, WB-LT
Unsignalized Intersections		
8. Fulton St & Williams Pl		NB-LR
15. Herkimer St & Williams Pl[1]		NB-LT

Notes: NB-northbound, SB-southbound, EB-eastbound, WB-westbound, L-left-turn, T-through, R-right-turn.
[1] For the FEIS, the installation of a signal at the intersection of Herkimer Street and Williams Place is a Project Component Related to the Environment (PCRE) under the With-Action condition.
This table is new to the FEIS.

As indicated above, impacts to one or more lane group(s) would remain unmitigated in one or both peak hours at nine intersections during the peak construction period. Consequently, these impacts could also constitute unavoidable significant adverse traffic impacts in the 2035 construction peak as a result of the Proposed Actions.

I. ALTERNATIVES

No-Action Alternative

The No-Action Alternative examines future conditions in the Project Area but assumes the absence of the Proposed Actions (i.e., none of the discretionary approvals proposed as part of the Proposed Actions would be adopted). Under the No-Action Alternative by 2036, it is anticipated that the Project Area would remain as under existing conditions. Overall, it is assumed that the Project Area would be occupied by approximately 9,000 gsf of office space, approximately 12,904 gsf of community facility (house of worship) space, approximately 50,422 gsf of light industrial space, and approximately 31 parking spaces. The technical chapters of this EIS have described the No-Action Alternative as "the Future Without the Proposed Actions."

The significant adverse impacts anticipated to occur related to transportation~~, mobile source air quality,~~ and construction transportation that would occur with the Proposed Actions would not occur under the No-Action Alternative. However, the No-Action Alternative would not meet the goals of the Proposed Actions. The benefits expected to result from the Proposed Actions — including promoting affordable housing development by permitting residential uses and establishing an MIH Area within a portion of the Project Area, encouraging economic development by increasing permitted community facility, commercial, and manufacturing densities in a transit accessible area of the City, creating pedestrian-oriented streets through active ground floor retail uses and PAA space — would not be realized under this alternative, and the No-Action Alternative would fall short of the objectives of the Proposed Actions.

No Significant Adverse Impacts Alternative

The No Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Actions are modified to avoid the unmitigated significant adverse impacts associated with the Proposed Actions, which include impacts related to transportation~~, mobile source air quality,~~ and construction transportation. This alternative considers a development scenario that would not result in any significant adverse impacts that could not be fully mitigated. However, to eliminate all identified unmitigated significant adverse impacts, the Proposed Actions would have to be modified to a point where the principal goals and objectives of the Proposed Actions would not be fully realized.

J. UNAVOIDABLE ADVERSE IMPACTS

According to the 2021 *CEQR Technical Manual*, unavoidable adverse impacts are those that would occur if a proposed project is implemented regardless of the mitigation employed, or if mitigation is infeasible. The Proposed Actions would result in significant adverse impacts with respect to transportation (traffic, transit, and pedestrians)~~, air quality (mobile source),~~ and construction (transportation). To the extent practicable, mitigation has been proposed for these identified significant adverse impacts. In the event that no practicable mitigation is identified to fully mitigate significant adverse impacts, reasonable alternatives to the Proposed Actions that would meet their purpose and need, eliminate their impacts, and not cause other or similar significant adverse impacts are explored. In other cases, mitigation has been proposed, but absent a commitment to implement the mitigation, the impacts may not be eliminated. Where impacts cannot be fully mitigated, they would constitute an unavoidable significant adverse impact of the Proposed Actions.

Transportation

The Proposed Actions would result in significant adverse impacts to: a) vehicular traffic at 16 intersections; b) ~~two~~ one stair~~s~~ at one subway station; and c) pedestrian elements at four sidewalks, five corners, and three crosswalks.

Traffic

The Proposed Actions would result in significant adverse traffic impacts at 16 study area intersections (~~11~~ 13 signalized and ~~five~~ three unsignalized) during one or more analyzed peak hours; specifically, ~~23~~ 24 lane groups at 14 intersections during the weekday AM peak hour, ~~19~~ 22 lane groups at ~~13~~ 14 intersections in the midday peak hour, 27 lane groups at ~~16~~ 15 intersections in the PM peak hour, and 20 lane groups at ~~14~~ 13 intersections during the Saturday peak hour.

As demonstrated below, some of these impacts could be mitigated through the implementation of traffic engineering improvements, including:

- Modification of existing traffic signal phasing and/or timing.~~; and~~
- ~~Installation of new traffic signals.~~

Implementation of traffic engineering improvements would fully mitigate significant adverse traffic impacts at two lane groups in the weekday AM peak hour, ~~one~~ two lane group~~s~~ in the midday, zero lane groups in the PM, and zero lane groups in the Saturday peak hour. Intersections where these impacts would be fully mitigated would total two, ~~one~~two, zero, and zero during these same periods, respectively. No practicable mitigation was identified for the impacts to one or more lane group(s) in one or more peak hours at ~~16~~ 15 intersections. Consequently, these impacts would constitute unavoidable significant adverse traffic impacts because of the Proposed Actions.

The proposed traffic engineering improvements will be implemented at the discretion of DOT. If DOT determines that implementation of the proposed traffic engineering improvement at one or more locations is infeasible, and no alternative and equivalent measure is identified, then that impact would remain unmitigated and would constitute an unavoidable adverse impact. Mitigation measures ~~will continue to be~~were evaluated between certification of the DEIS and publication of the FEIS.

Transit

The Proposed Actions would result in significant adverse impacts to ~~two~~ one platform stair~~s~~ in the ~~AM and~~ PM peak hour~~s~~ at the Broadway Junction (A/C/J/L/Z) Subway Station complex. Stairway widening is the most common form of mitigation for significant stairway impacts, provided that New York City Transit (NYCT) deems it practicable (i.e., that it is worthwhile to disrupt service on an existing stairway to widen it and that a given platform and sidewalk affected by such mitigation are wide enough to accommodate the stairway widening). Another potential mitigation measure would be to add vertical capacity (i.e., adding an escalator or additional stairway) in the vicinity of the impacted stairway. No feasible mitigation measures were identified for these stairs. Therefore, the Proposed Actions would result in an unavoidable significant adverse impact at ~~platform stairs P3/P4 and~~ the new platform stair to the southbound A/C platform in the Broadway Junction Subway Station complex.

Pedestrians

The Proposed Actions would significantly adversely impact four sidewalks, five corners, and three

crosswalks in one or more peak hours. Recommended mitigation measures consisting of the widening of crosswalks would ~~fully~~ mitigate the impacts to the north crosswalk at Williams Avenue/Herkimer Street at East New York Avenue during the weekday midday peak hour and the east ~~two~~ crosswalk of Van Sinderen Avenue at Fulton Street during the Saturday peak hour~~s~~. Practicable mitigation measures could not be identified for significant adverse impacts in one or more peak hours at four sidewalks, ~~one~~ two crosswalks, and five corners. The recommended pedestrian mitigation measures will be implemented at the discretion of DOT. If DOT determines that implementation of the recommended pedestrian mitigation measures at the two crosswalks is infeasible, and no alternative and equivalent measure is identified, then these impacts would remain unmitigated and would constitute unavoidable adverse impacts. Mitigation measures ~~will continue to be~~were evaluated between certification of the DEIS and publication of the FEIS.

~~Air Quality~~

~~The Proposed Actions would result in a potential significant adverse air quality impact related to the $PM_{2.5}$ annual *de minimis* criterion at one of the intersection sites analyzed. Between certification of the DEIS and publication of the FEIS, additional refinements to the analysis will be performed which is expected to determine that the identified threshold for a *de minimis* impact related to mobile source annual average $PM_{2.5}$ increments will not be met. Additional modeling of $PM_{2.5}$ concentrations (Grid Analysis) will be performed using more comprehensive analysis procedures to determine the magnitude and extent of neighborhood-scale $PM_{2.5}$ impacts from mobile sources. Other updates may include the use of newer vehicle emissions model data and projections. It is anticipated that the analysis accounting for these additional data points will conclude that $PM_{2.5}$ concentrations as a result of the Proposed Actions fall below the annual *de minimis* criteria thresholds, and consequently the identified impacts related to mobile sources would not occur. However, if the additional review and evaluation determines that there would still be a significant adverse mobile source air quality impact at the analyzed location and there is no feasible or practical mitigation for the identified impact, then this would constitute an unavoidable adverse impact of the Proposed Actions.~~

Construction

Transportation

In the second quarter of 2035 peak construction period, construction traffic in combination with operational traffic from completed development on the Projected Development Sites would result in significant adverse traffic impacts at 10 study area intersections (eight signalized and two unsignalized) during one or both analyzed construction peak hours; specifically, five lane groups at four intersections in the AM construction peak hour and 17 lane groups at 10 intersections in the PM construction peak hour. Some of these impacts could be mitigated through the implementation of traffic engineering improvements, including modification of existing traffic signal phasing and/or timing.

Implementation of traffic engineering improvements would fully mitigate significant adverse traffic impacts at two lane groups in the AM construction peak hour and at one lane group in the PM construction peak hour. Intersections where all impacts would be fully mitigated would total two and one, during these same periods, respectively. No practicable mitigation was identified for the impacts to one or more lane group(s) in one or more peak hours at nine intersections. Consequently, these impacts would constitute unavoidable significant adverse traffic impacts because of the Proposed Actions.

~~It is expected that potential significant adverse traffic, transit, and pedestrian impacts could occur during construction and that these impacts would be within the range of operational transportation impacts~~

~~identified for the 2036 With-Action condition. The mitigation measures identified for 2036 operational traffic and pedestrian impacts would likely be similarly effective at mitigating any potential construction traffic and pedestrian impacts. Most significant adverse impacts would be mitigated with the implementation of recommended mitigation measures, but unmitigated significant adverse impacts could remain at several intersections during the construction peak hours. No intersection improvement measures could mitigate the significant adverse construction-related impacts at these intersections and therefore these constitute unavoidable adverse impacts. In addition, if~~The proposed traffic engineering improvements will be implemented at the discretion of DOT. If DOT determines that an identified improvement is infeasible, and no alternative and equivalent measure is identified, then that impact would remain unmitigated and would constitute an unavoidable adverse impact.

In addition, the Proposed Actions would significantly adversely impact one crosswalk during the PM construction peak hour, which is also impacted during the operational peak hours. A recommended mitigation measure consisting of the widening of a crosswalk would fully mitigate the impact to the crosswalk. The recommended pedestrian mitigation measure will be implemented at the discretion of DOT. If DOT determines that implementation of the recommended pedestrian mitigation measure at the crosswalk is infeasible, and no alternative and equivalent measure is identified, then this impact would remain unmitigated and would constitute an unavoidable adverse impact.

K. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS

The term “growth-inducing aspects” generally refers to "secondary" impacts of a proposed project that trigger further development outside the directly affected area. The 2021 *CEQR Technical Manual* indicates that an analysis of the growth-inducing aspects of a proposed project is appropriate when a project: (1) adds substantial new land use, residents, or new employment that could induce additional development of a similar kind or of support uses, such as retail establishments to serve new residential uses; and/or (2) introduces or greatly expands infrastructure capacity (e.g., sewers, central water supply).

A RWCDS was developed to assess the possible effects of the Proposed Actions on the projected development sites in the Project Area. Under the Proposed Development, a net increment (compared to the No-Action condition) of approximately 834,763 gsf of residential space (1,112 DUs, of which approximately 222-334 units would be designated as permanently affordable pursuant to MIH), 426,766 gsf of commercial office space, 113,760 gsf of retail space, 48,061 gsf of light industrial space, 10,081 gsf of community facility (house of worship) space, 143 off-street parking spaces, and 20,080 sf of PAA space would be developed by 2036. Under the Alternate Community Facility Scenario, a net increment (compared to the No-Action condition) of approximately 688,065 gsf of residential space (911 DUs, of which 182-273 units would be designated as permanently affordable pursuant to MIH), 452,749 gsf of commercial office space, 137,026 gsf of retail space, 61,511 gsf of light industrial space, 101,787 gsf of community facility space (of which, approximately 10,081 gsf would consist of house of worship space, and up to approximately 91,706 gsf would consist of academic university space), 169 off-street parking spaces, and 20,080 sf of PAA space would be developed by 2036. The environmental consequences of this growth are the subject of Chapters 2 through 19 of this EIS.

The projected increase in residential population is likely to increase the demand for neighborhood services surrounding the Project Area, ranging from community facilities to local goods and services. This would enhance the growth of local commercial corridors near the Project Area. However, the Proposed Actions take this potential growth into account as part of the RWCDS under the planned community facility and commercial components. The Proposed Actions could also lead to additional growth in the City and State

economies, primarily due to employment and fiscal effects during construction on the projected development sites and operation of these developments after their completion. However, this secondary growth would be expected to occur incrementally throughout the region over the 10-year analysis period (2026-2036) and is not expected to result in any significant impacts in any area or at any particular site.

The Proposed Actions would result in more intensive land uses within the Project Area. However, it is not anticipated that the Proposed Actions would generate significant secondary impacts resulting in substantial new development in nearby areas. The Proposed Actions would not result in significant adverse impacts to direct residential or business displacement, nor indirect residential or indirect business displacement in the area surrounding the Project Area. Although the Proposed Actions could add a new population with a higher average household income as compared with the existing population in the surrounding area, the Proposed Actions would not directly displace existing residential tenants. The area surrounding the Project Area is an established mixed-use area of the City that supports a dense and diverse amount of economic activity. All the land uses contemplated under the Proposed Actions are well-established in the surrounding area and would not constitute new economic activities or alter existing economic patterns. Moreover, the Proposed Actions do not include the introduction of new infrastructure or an expansion of infrastructure capacity that would result in indirect development. Therefore, the Proposed Actions would not induce significant new growth in the surrounding area.

L. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Resources, both natural and man-made, would be expended in the construction and operation of developments projected to occur because of the Proposed Actions. These resources include the building materials used in construction; energy in the form of gas and electricity consumed during construction and operation of project-generated development by various mechanical and processing systems; and the human effort (time and labor) required to develop, construct, and operate various components of project-generated development. These are considered irretrievably committed because their reuse for some other purpose would be highly unlikely.

The development facilitated by the Proposed Actions also constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future. However, the land use change that would occur because of the Proposed Actions would be compatible in terms of use and scale with existing conditions and trends in the area as a whole. None of the projected development sites possess any natural resource values, and the projected development sites are in large part developed or have been previously developed. It is noted that funds committed to the design, construction/renovation, and operation of projected development sites under the Proposed Actions would not be available for other projects. However, this is not a significant adverse fiscal impact or a significant adverse impact on City resources.

In addition, the public services provided in connection with the development facilitated by the Proposed Actions (e.g., police and fire protection, public education, open space, and other City resources) also constitute resource commitments that might otherwise be used for other programs or projects. However, the Proposed Actions would enliven the Project Area and produce economic growth that would generate tax revenues providing a new source of public funds that would offset these expenditures.

The commitments of resources and materials are weighed against the benefits of the Proposed Actions, which would introduce new residential development, including permanently affordable housing options, as well as new community facility, commercial, and light industrial space, as well as new publicly accessible

open space.

M. EFFECTS ON DISADVANTAGED COMMUNITIES

Effective December 30, 2024, Section 8-0109(2)(k) of the New York State Environmental Conservation Law requires that Environmental Impact Statements (EISs) include a statement of the effects of the Proposed Actions on disadvantaged communities, including whether the Proposed Actions may cause or increase a disproportionate pollution burden. The 2021 *CEQR Technical Manual* predates these revisions to the Environmental Conservation Law and does not provide guidance regarding the scope of this analysis. On January 29, 2025, the New York State Department of Environmental Conservation (DEC) proposed draft revisions to its State Environmental Quality Review Act (SEQRA) regulations (6 NYCRR Part 617) to implement this new statutory provision. This assessment considers the impacts that have been identified pursuant to the 2021 *CEQR Technical Manual* as well as applicable guidance from DEC in determining whether the Proposed Actions would result in disproportionate impacts on disadvantaged communities.

The area affected by the Proposed Actions would affect census tracts comprised of Disadvantaged Communities (DACs) - both higher and lower vulnerability levels – and non-DACs. The Proposed Actions have the potential to result in significant adverse impacts in the following CEQR technical areas: transportation (traffic, transit, and pedestrians)~~; mobile source air quality;~~ and construction (transportation).

There would not be any disproportionate pollution burden on DACs because of the Proposed Actions related to transportation, air quality, and construction. Although most of the potential impacts would occur in DACs with "higher burdens and vulnerabilities," the potential impacts would not cause a greater or more severe pollution burden in DACs as compared to non-DACs. ~~However, as a mobile source air quality impact may occur in DACs with higher burdens and vulnerabilities, a disproportionate pollution burden could occur. Between the Draft and Final EIS, additional refinements to the analysis will be performed which is expected to determine that the identified threshold for a *de minimis* impact related to mobile source annual average $PM_{2.5}$ increments will not be met. Additional modeling of $PM_{2.5}$ concentrations (Grid Analysis) will be performed using more comprehensive analysis procedures to determine the magnitude and extent of neighborhood-scale $PM_{2.5}$ impacts from mobile sources. Other updates may include the use of newer vehicle emissions model data and projections. It is anticipated that the analysis accounting for these additional data points will conclude that $PM_{2.5}$ concentrations as a result of the Proposed Actions fall below the annual *de minimis* criteria thresholds, and consequently the identified impacts related to mobile sources would not occur. In addition to the refined analysis which may demonstrate that potential impacts related to mobile sources would not occur, potential mitigation measures are currently being explored by the lead agency, DCP, and will be refined between the DEIS and FEIS.~~