1377 Sutter Avenue Rezoning

1377 Sutter Avenue, Brooklyn, NY 11208

Block 4254 Lots 39, 41, 44, 45, 1, & 4

Brooklyn Community District 5 CEQR

No. 21DCP053K
ULURP Reference Nos. C210031ZMK, N210032ZRK

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Technical Memorandum

April 2022

This memorandum summarizes the potential environmental effects of a City Council Modification to the original proposed zoning map amendment and zoning text amendment that was previously analyzed in the October 1st, 2021, 1377 Sutter Avenue Rezoning Environmental Assessment Statement (EAS). The Proposed Actions that were analyzed in the EAS and certified by the Department of City Planning at a CPC Certification hearing on October 4th 2021 were (1) a zoning map amendment to rezone the Proposed Project Area from an R5 zoning district to an R6A/C2-4, zoning district, and (2) a zoning text amendment to ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Queens Community District 5, to establish the Proposed Project Area as a Mandatory Inclusionary Housing ("MIH") Designated Area.

Introduction

The Proposed Actions would affect an area that includes the Applicant's property, (Brooklyn Block 4254, Lots 39 and 41) as well as several other non- applicants controlled lots including Brooklyn Block 4254 lots 1, 4, 44, and 45 (the "Affected Area"), in the East New York neighborhood of Brooklyn, Community District 5. The Proposed Actions would facilitate the development on the applicant-owned development site of a five-story multifamily residential and ground floor commercial building with cellar grade parking. The applicant is seeking approval of financing from the Department of Housing Preservation and Development (HPD) under HPD's Neighborhood Construction Program to make the project's 28 units affordable housing.

Following the publication of the EAS, City Council modifications resulted in the removal of Block 4254, Lots 1, 4, and 45, as detailed below. This technical memorandum examines whether the City Council Modifications would result in any new or different significant adverse environmental impacts not already identified in the October 2021 EAS.

City Council Modifications

The Proposed City Council Modifications would alter the boundaries of the Affected Area. The Affected Area would now be bounded by Lincoln Avenue to the east, Sutter Avenue to the south, and residential properties to the north and west. The western boundary of the Affected Area would no longer be bound by the midpoint of Autumn Avenue but instead by a line 75 feet easterly of Autumn Avenue. This would result in an overall reduction in size of the Affected Area. Brooklyn Block 4254 Lots 1, 4, and 45 would no longer be included within the Affected Area. The applicant-owned Lots 41 and 39 and non-applicant owned lot 44 would remain entirely within the Affected Area.

The Proposed City Council Modification also include replacing MIH Option 2 with the Deep Affordability Option, requiring 20% of the total residential floor area used for housing units for residents with incomes averaging 40% AMI.

Changes to Analysis Framework

The EAS reviewed and certified by the CPC on October 4th, 2021 analyzed a Future With-Action Scenario that assumed the following:

Lot 41 and 39: Projected Development Site 1
Under the Future With-Action Scenario, the Applicant-owned Projected Development Site 1 (Brooklyn Block 4254, Lots 39 and 41) would be redeveloped with a 55-foot tall, 5- story (with cellar) building with ground floor local retail uses (e.g., a barber shop, beauty parlor, drug store or coffee shop, etc.). This development would contain 40,047 gsf of total floor area and 31,564 zsf of floor area (3.6 FAR) and would be comprised of 24,070 gsf/23,576 zsf of residential floor area (2.69 FAR), 7,989 gsf/zsf of commercial floor area (0.91 FAR), and 7,989 gsf of cellar space for 10 residential accessory parking spaces and building accessory uses. The building would contain 28 total residential dwelling units. For the purposes of a conservative analysis pursuant to CEQR, the EAS assumes that 20 percent of the residential floor area would be reserved as affordable to households with incomes at or below 80 percent of the AMI, resulting in 6 affordable units.

Lot 1 and 4: Projected Development Site 2
The Future With-Action Scenario includes the redevelopment of the non-Applicant owned / controlled Projected Development Site 2 (Brooklyn Block 4254, Lots 1 and 4) with a 55-foot tall, 5-story and cellar building with commercial retail uses on the ground floor, residential space on floors two through four, and storage and utility space in the cellar. The proposed development would contain 18,201 gsf of total floor area and 14,525 zsf of floor area (3.6 FAR), comprised of 10,849 gsf of residential floor area with 13 dwelling units, 3,676 gsf of commercial floor area, and 3,676 gsf of cellar space for building storage and utility space. No parking would be required or provided as part of this development. For the purposes of a conservative analysis pursuant to CEQR, the EAS assumes that 20 percent of the residential floor area would be reserved as affordable to households with incomes at or below 80 percent of the AMI, resulting in three affordable units.

Lot 44: Potential Development Site 1
Potential Development Site 1 would be developed with a 55-foot tall, five-story mixed-use building containing 11,343 gsf of floor area comprised of 6,669 gsf of residential floor area for 8 dwelling unit, 2,337 gsf of commercial floor area, and 2,337 gsf of cellar space for accessory storage and utilities.

Lot 45: Potential Development Site 2
Potential Development Site 2 would be developed with a 55-foot tall, five-story mixed use building containing 11,610 gsf of floor area comprised of 6,826 gsf of residential floor area for 8 dwelling units, 2,392 gsf of commercial floor area, and 2,392 gsf of cellar space for accessory storage and utilities.

As a result of the Proposed City Council Modification, Projected Development Site 2 and Potential Development Site 1 would not be affected by the Proposed Actions and

have been removed the analysis framework. The analysis increment would change to reflect only the redevelopment of **Projected Development Site 1 and Potential Development Site 1**.

A summary of the changes in the Analysis Framework, and the changes in the increment between the No-Action and With-Action Scenarios as a result of the Proposed Council Modifications is presented in **Table 1: Changes to Analysis Framework** below.

Table 1: Changes to Analysis Framework

	No-Action Condition	With-Action Condition	**Analysis Increment**	With-Action Condition (Proposed Council Modification)	**Analysis Increment (Proposed Council Modification)**
Residential GSF	5,156	48,414	**+43,258**	25,910	**+20,754**
Commercial GSF	0	16,394	**+16,394**	7,989	**+7,989**
Community Facility GSF	17,533	0	**-17,533**	0	**-17,533**
Parking/Cellar GSF	8,768	16,394	**+7,626**	7,989	**-779**
Total GSF	31,457	81,202	**+49,745**	41,888	**+10,431**
Market Rate Dwelling Units	8	50	**+42**	26	**+18**
Affordable Dwelling Units	0	15	**+15**	6	**+6**
Total Dwelling Units	8	65	**+57**	32	**+24**
Accessory Parking	35	10	**-25**	10	**-25**

Assessment of Potential Changes to Impact Determinations

As presented above, the changes in the analysis framework with the Proposed Council Modification reduce the analysis increment overall. Fewer dwelling units, residents, and workers are now anticipated. Generally, this would reduce the potential for significant adverse impacts in the analysis sections included in the EAS. Therefore, as summarized below, the City Council Modifications would not adversely affect the analysis or screening included in the EAS for land use, zoning, and public policy; socioeconomic conditions; community facilities; open space; shadows; historic and cultural resources; urban design and visual resources; natural resources; hazardous

materials; water and sewer infrastructure; transportation; air quality; noise; neighborhood character; or construction.

Land Use, Zoning and Public Policy:
The changes in the analysis framework caused by the Proposed Council Modifications are not anticipated to change the determinations presented in the EAS. The reduction in residential and commercial floor area in the With-Action Scenario within the Affected Area is not anticipated to result in significant adverse Land Use, Zoning or Public Policy impacts.

Historical and Cultural Resources:
As discussed in the EAS, no significant impacts to Historic and Cultural Resources are anticipated as a result of approval of the Proposed Actions. The Proposed Council Modifications would not change this determination in anyway, as no additional development nor in-ground disturbance is anticipated that has not already been analyzed n the EAS. The Proposed Council Modifications are not anticipated to result in significant adverse impacts to historic or cultural resources.

Urban Design and Visual Resources:
As discussed in the EAS, no significant impacts to Urban Design and Visual Resources are anticipated as a result of approval of the Proposed Actions. The Proposed Council Modifications would not change this determination in anyway, as no additional development, changes to streetscape, nor building height is being proposed that has not already been analyzed n the EAS. The Proposed Council Modifications are not anticipated to result in significant adverse impacts to urban design and visual resources.

Hazardous Materials:
As discussed in the EAS, no significant impacts to Hazardous Materials are anticipated as a result of approval of the Proposed Actions. The Proposed Council Modifications would not change this determination in anyway, as no additional development nor in-ground disturbance is anticipated that has not already been analyzed n the EAS. The Proposed Council Modifications are not anticipated to result in significant adverse hazardous materials impacts. Further, the (E) Designations proposed in the EAS should be modified to remove reference to Projected Development Site 2, and Potential Development Site 2.

Transportation:
As discussed in the EAS, no significant transportation impacts are anticipated as a result of approval of the Proposed Actions. The Proposed Council Modifications would not change this determination in anyway, as no additional development is anticipated

that has not already been analyzed n the EAS. The total number of person trips to and from the Affected Area would decrease. The Proposed Council Modifications are not anticipated to result in significant adverse transportation impacts.

Air Quality:
As discussed in the EAS, no significant Air Quality impacts are anticipated as a result of approval of the Proposed Actions. The Proposed Council Modifications would not change this determination in anyway, as no additional development is anticipated that has not already been analyzed n the EAS. The Proposed Council Modifications are not anticipated to result in significant adverse air quality impacts, as a result of stationary or mobile sources. Further, the (E) Designations proposed in the EAS should be modified to remove reference to Projected Development Site 2, and Potential Development Site 2.

Noise:
As discussed in the EAS, no significant noise impacts are anticipated as a result of approval of the Proposed Actions. The Proposed Council Modifications would not change this determination in anyway, as no additional development is anticipated that has not already been analyzed n the EAS. The Proposed Council Modifications are not anticipated to result in significant adverse noise impacts, as they would not introduce new sensitive receptors to unacceptable noise conditions. Further, the (E) Designations proposed in the EAS should be modified to remove reference to Projected Development Site 2, and Potential Development Site 2.

Construction:
As discussed in the EAS, no significant impacts related to construction are anticipated as a result of approval of the Proposed Actions. The Proposed Council Modifications would not change this determination in anyway, as no additional development is anticipated that has not already been analyzed n the EAS. The Proposed Council Modifications are not anticipated to extend or otherwise alter the construction timeline presented in the EAS.

Conclusion

The Proposed Council Modifications are not anticipated to alter the determination of significance presented in the EAS. The Proposed Council Modifications do not necessitate further analysis in any of the sections presented in the EAS. The Proposed Actions as amended by the Proposed Council Modifications are not anticipated to result in any significant adverse impacts.