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

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

PROJECT NAME 341 10th Street Rezoning and LSGD Special Permits

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
23DCP145K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
230337 ZMK, 230338 ZRK, 230339 ZSK, 230340 ZSK, 230341 LDK	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
New York City Department of City Planning			Stellar 341 LLC		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Stephanie Shellooe, AICP, Director, EARD			Benjamin Rubenstein, Stellar Management		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 44 W. 28th Street, 6th Floor		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10001
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 646-565-3080	EMAIL brubenstein@stellarmanagement.com	

3. *Action Classification and Type*

SEQRA Classification

☐ UNLISTED ☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): 6 NYCRR 617.4 (b)(9)

Action Type (refer to CEQR Technical Manual Chapter 2, "Establishing the Analysis Framework" for guidance)

☒ LOCALIZED ACTION, SITE SPECIFIC ☐ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

4. *Project Description*

The Applicant, Stellar 341 LLC, is seeking approvals (the "Proposed Actions") to facilitate a project at 341 10th Street in the Park Slope neighborhood of Brooklyn, Community District 6 (Block 1010, Lot 26; the "Project Site"). The Proposed Actions include: (1) a zoning map amendment to change R6A and R6B districts to R7-3 and R7-3/C2-4 districts (the "Rezoning Area," a portion of Project Site); (2) a zoning text amendment to allow the R7-3 district and designate the Rezoning Area a Mandatory Inclusionary Housing (MIH) Area in Appendix F of the ZR; (3) a special permit pursuant to Zoning Resolution (ZR) Section 74-743 to designate the Project Site a Large Scale General Deveopment (LSGD) and modify regulations concerning base height, maximum building height and setbacks, as well as rear yard and rear yard equivalent; and (4) a special permit pursuant to ZR Section 74-532 to reduce the accessory parking requirement. The Project Site occupies the majority of the midblock area on the block bounded by 9th Street to the north, 5th Avenue to the east, 10th Street to the south, and 4th Avenue to the west. The northern portion of the Project Site, along 9th Street, is primarily located in an R6A district, and the southern portion of the project site, along 10th Street, is primarily located in an R6B district; a small portion of the western end of the project site is located in a C4-4D district and the Special Gowanus Mixed-Use District, and a small portion of the eastern end of the Project Site is located in a C4-3A district (however, neither portion of either district would be rezoned by the Proposed Actions; the Proposed Project would utilize the 25 foot rule [ZR 77-11] to apply the proposed R7-3 and MIH regulations across the entire Project Site). The eastern portion of the Project Site contains a 12- and 18-story multifamily residential building with 154 dwelling units (DUs).

The Proposed Project would construct two new mixed-use buildings along the 9th Street and 10th Street frontages of the Project Site, in areas that currently contain parking: the "9th Street Building" would include an 17-story tower (up to 181 feet tall to the roof and up to 201 feet tall to the top of the bulkhead) and the "10th Street Building" would be 19 stories (18 floors plus a penthouse; up to 205 feet tall to the roof and 225 feet tall to the top of the bulkhead). The two buildings would total approximately 282,774 gsf (245,296 zsf). Both buildings would contain residential space on the upper floors: with a combined total of approximately 271,380 gsf of residential space, the new buildings would contain

up to 319 DUs (assuming an average unit size of 850 sf/unit), of which 64 to 96 DUs would be affordable (depending on which MIH option is selected). In the current condition, the Project Site contains the existing multifamily apartment building (173,379 gsf); with the Proposed Actions (the With Action condition), with the addition of the new buildings, the Project Site would contain a total of 456,153 gsf (409,476 zsf, 5.93 FAR). Including the 154 DUs in the existing building, which will remain, the Project Site would contain a total of 473 DUs in the With Action condition. The With Action would also include approximately 6,750 gsf of retail space and approximately 4,644 gsf of community facility space (assumed to be medical office) that would be included in the new buildings. The With Action condition also result in a reduction of parking on the Project Site from 115 spaces to 39 spaces accessory to the residential buildings.

See Page 3a, "Project Description," for more information.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) CD6	STREET ADDRESS 341 10th Street
TAX BLOCK(S) AND LOT(S) B 1010, L 26		ZIP CODE 11215

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Midblock area on the block bounded by 9th Street to the north, 5th Avenue to the east, 10th Street to the south, and 4th Avenue to the west

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY	ZONING SECTIONAL MAP NUMBER
R6A/R6B/C4-3A/C4-4D/Special Gowanus Mixed-Use District	16d

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

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

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

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

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION 74-743; 74-532

Board of Standards and Appeals: ☐ YES ☒ NO

☐ VARIANCE (use)

☐ VARIANCE (bulk)

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

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Department of Environmental Protection: ☐ YES ☒ NO ☐ Cogeneration Facility ☐ Title V Permit

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

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

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

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

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

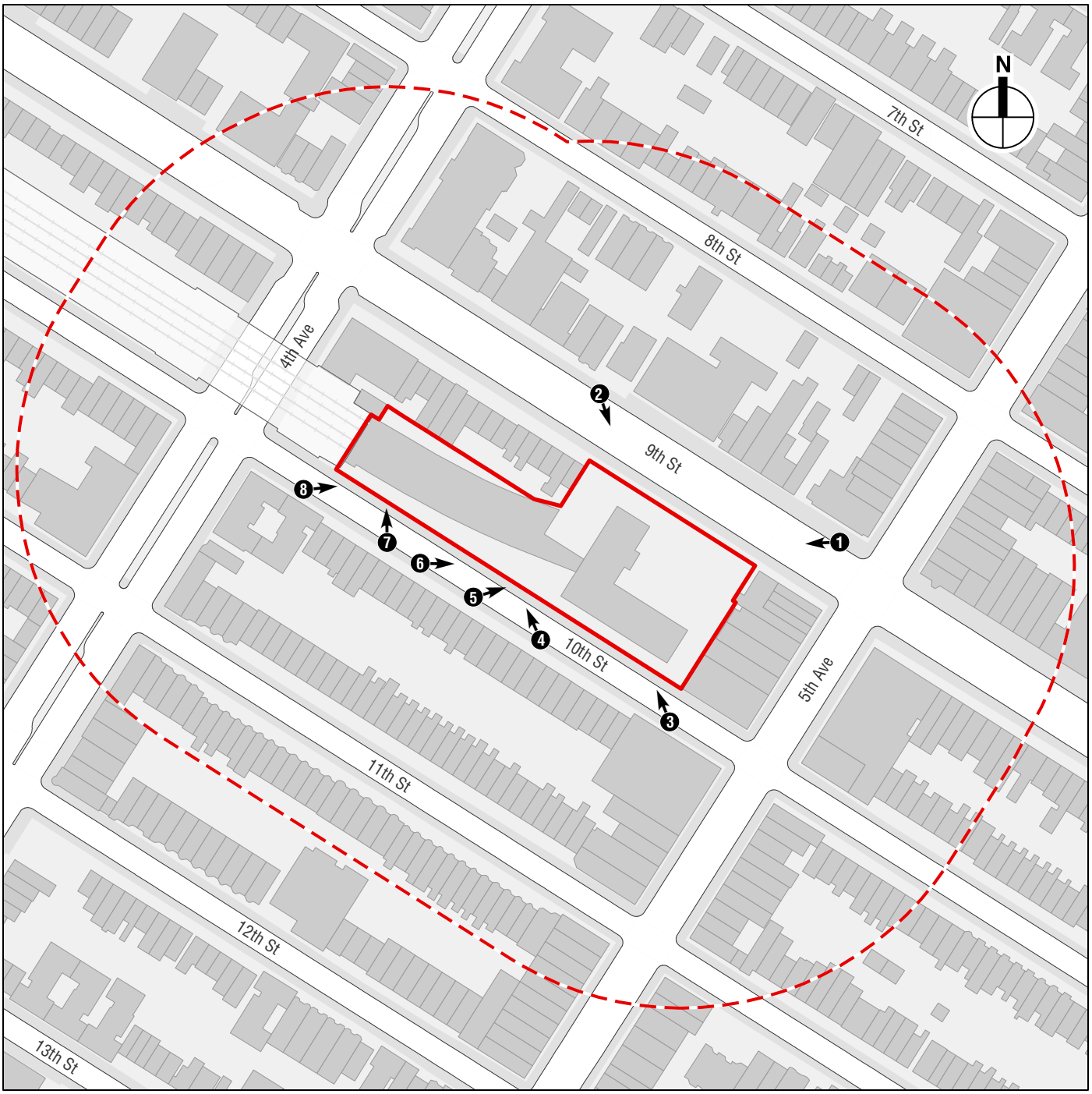
6. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

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

☒ SITE LOCATION MAP	☒ ZONING MAP	☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP	☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	

☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

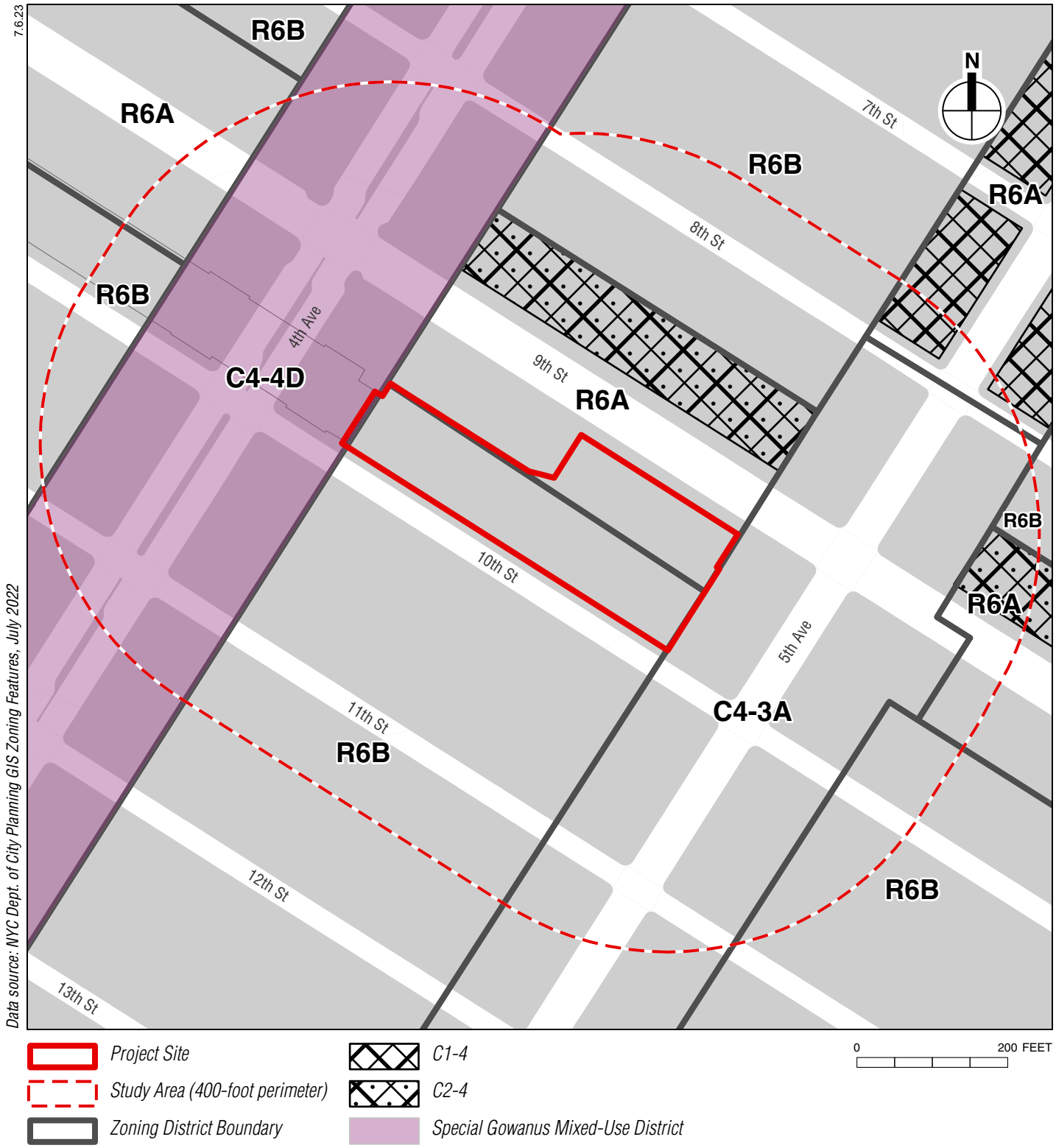
Physical Setting (both developed and undeveloped areas)



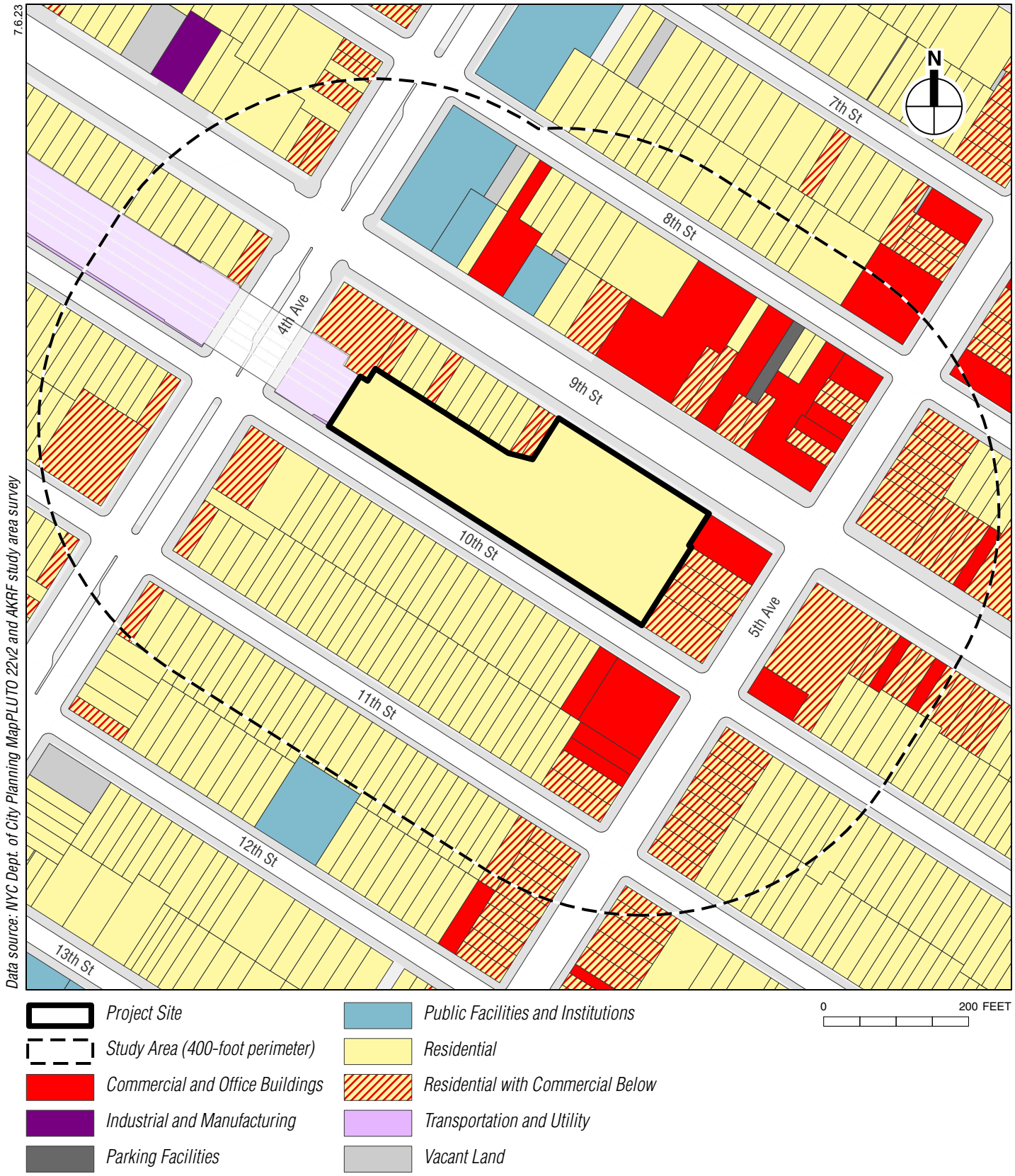
Project Location and Key to Photographs

341 10TH STREET REZONING AND LSGD SPECIAL PERMITS

Figure 1



Existing Zoning



Existing Land Use



Tax Map

341 10TH STREET REZONING AND LSGD SPECIAL PERMITS

Figure 4



1



2

Project Site Photographs



3



4

Project Site Photographs



5



6

Project Site Photographs

Figure 5c

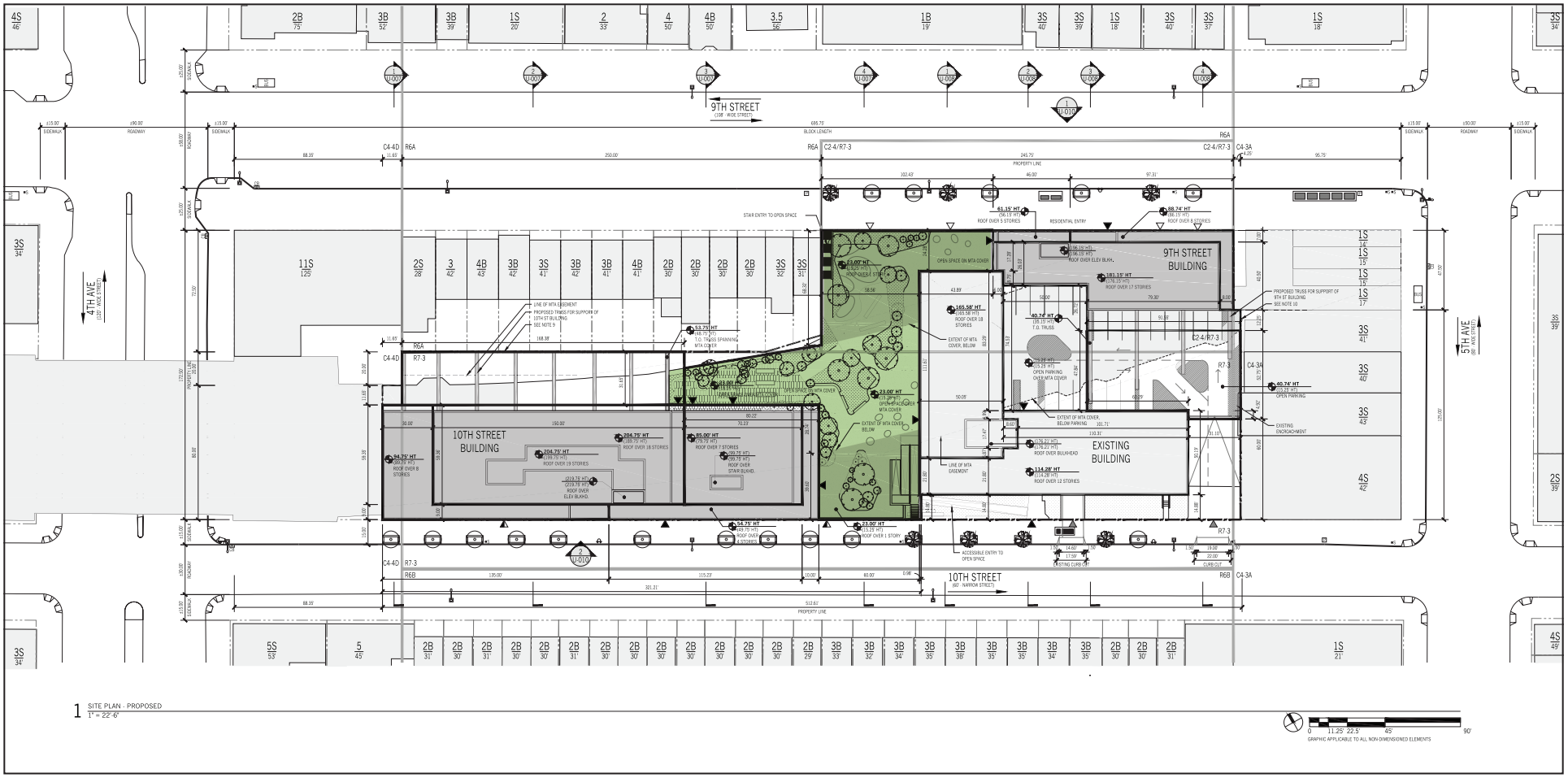


7



8

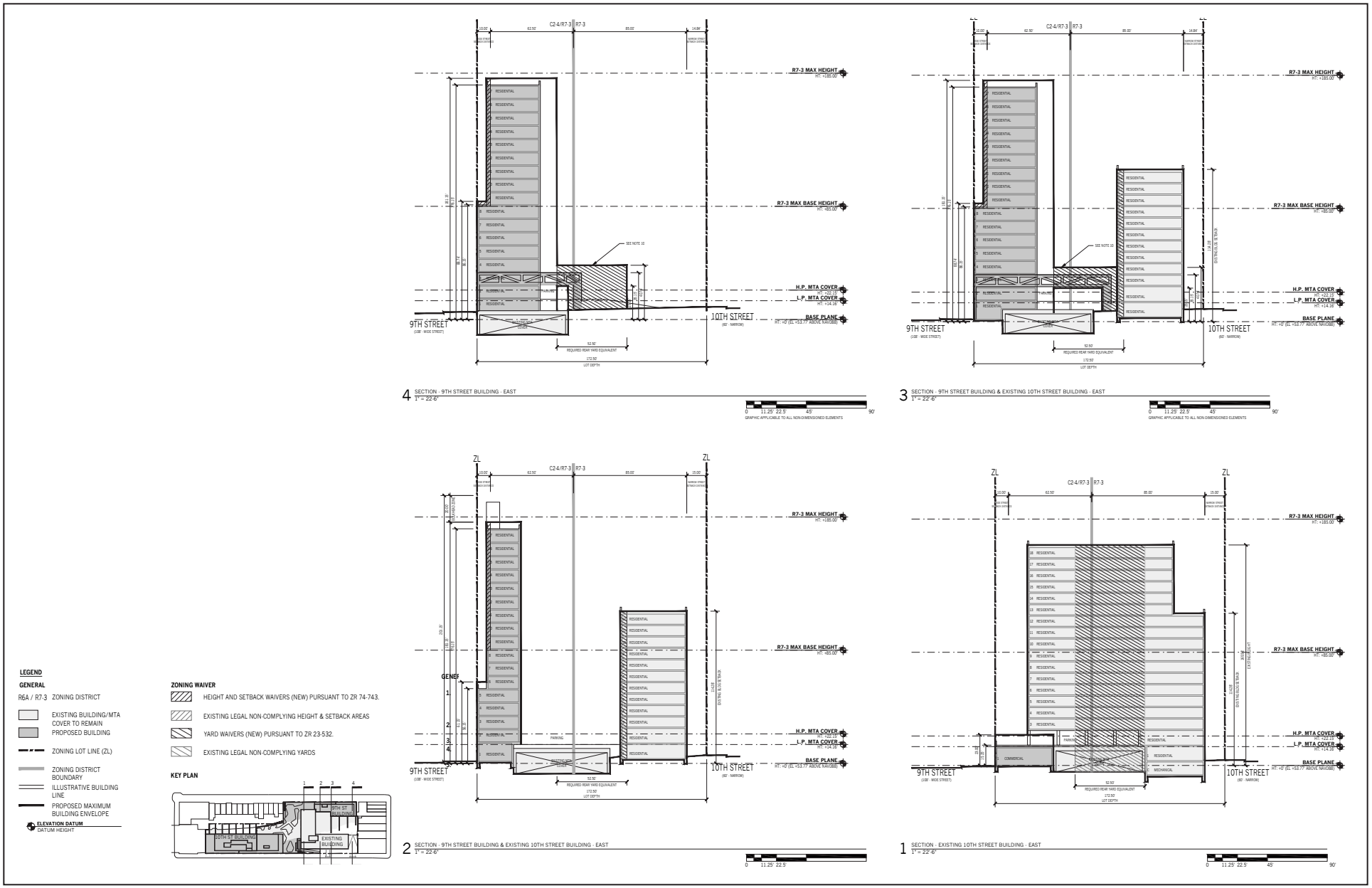
Project Site Photographs



Source: Marvel Architects

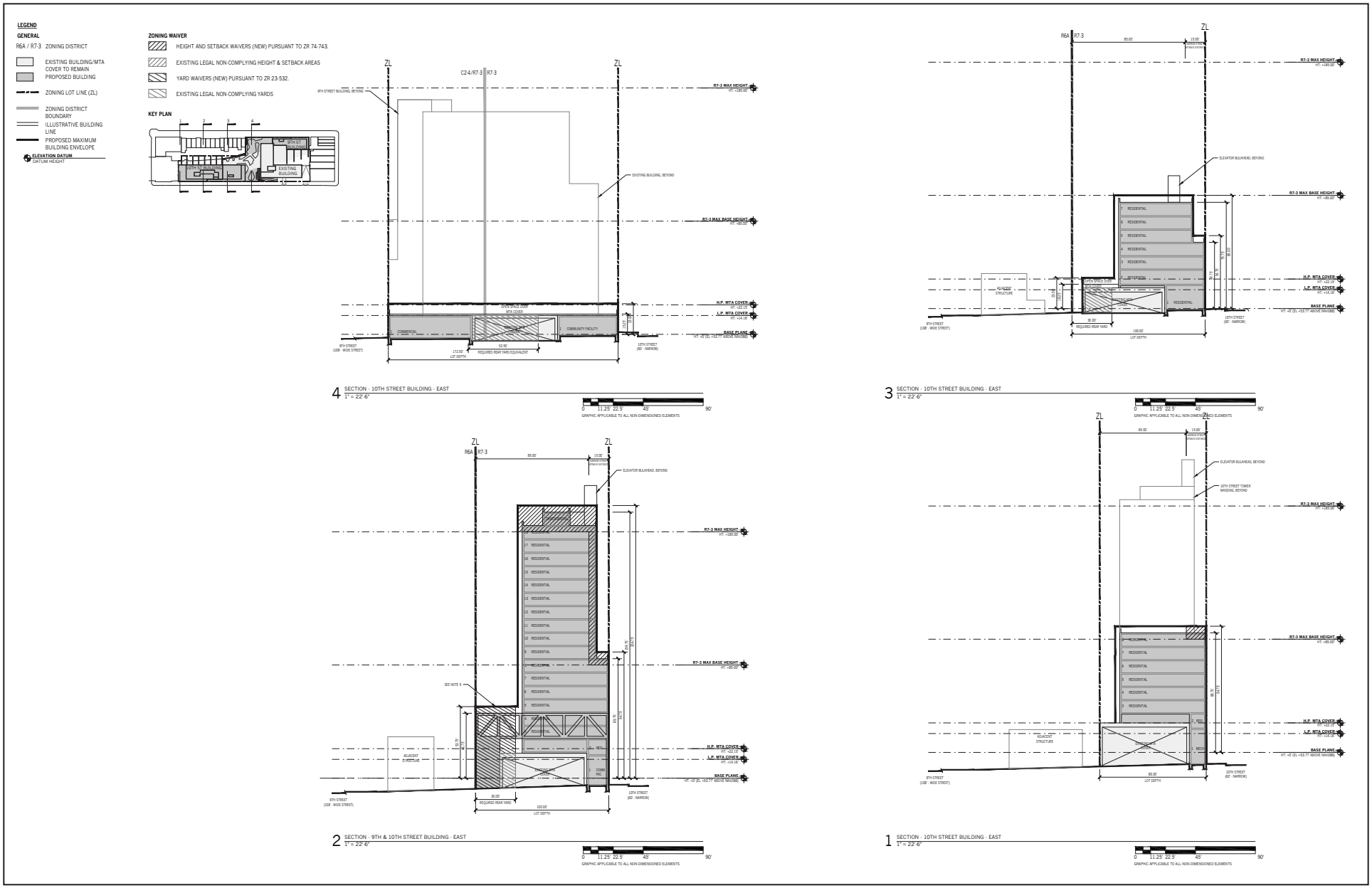
Proposed Site Plan

Figure 6



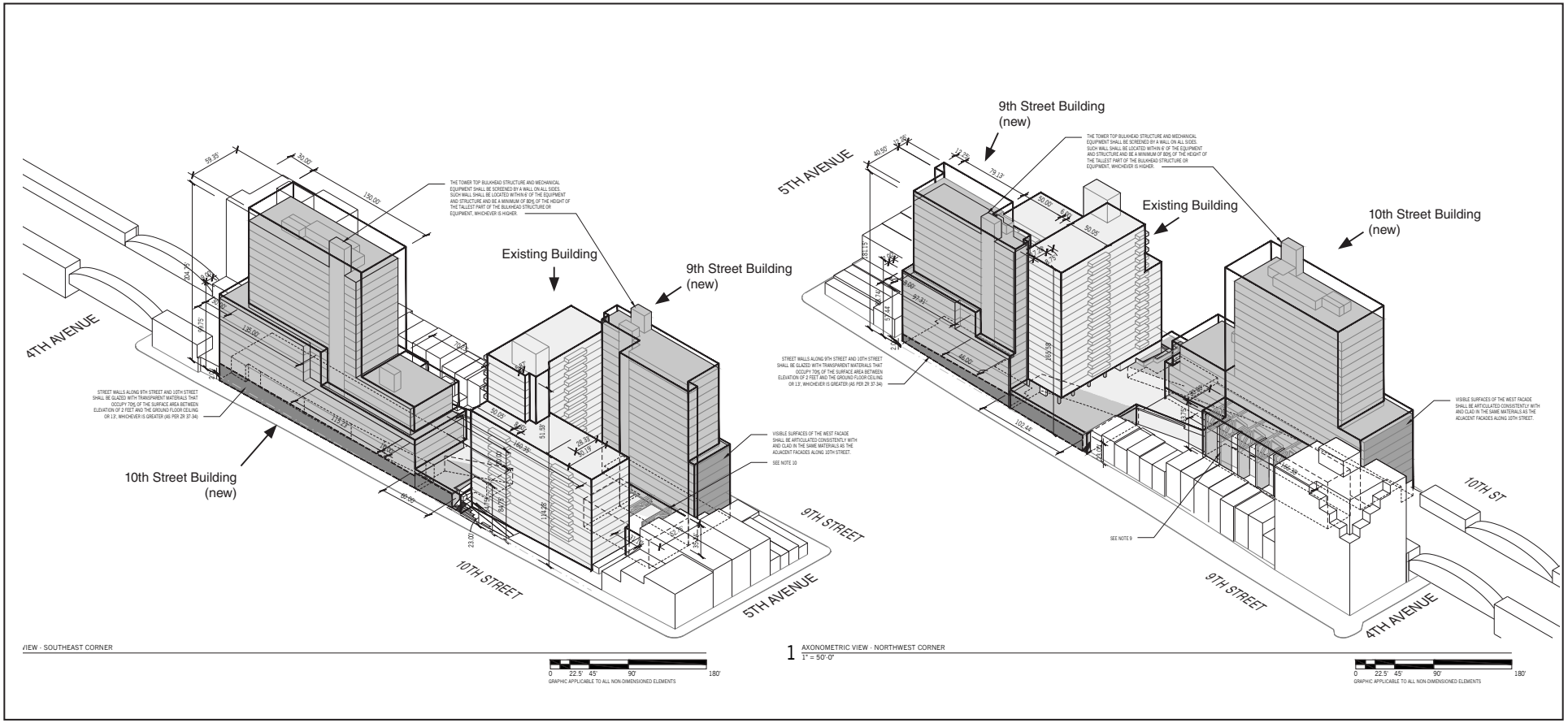
Source: Marvel Architects

Proposed Project – 9th Street Elevation



Source: Marvel Architects

Proposed Project – 10th Street Elevation



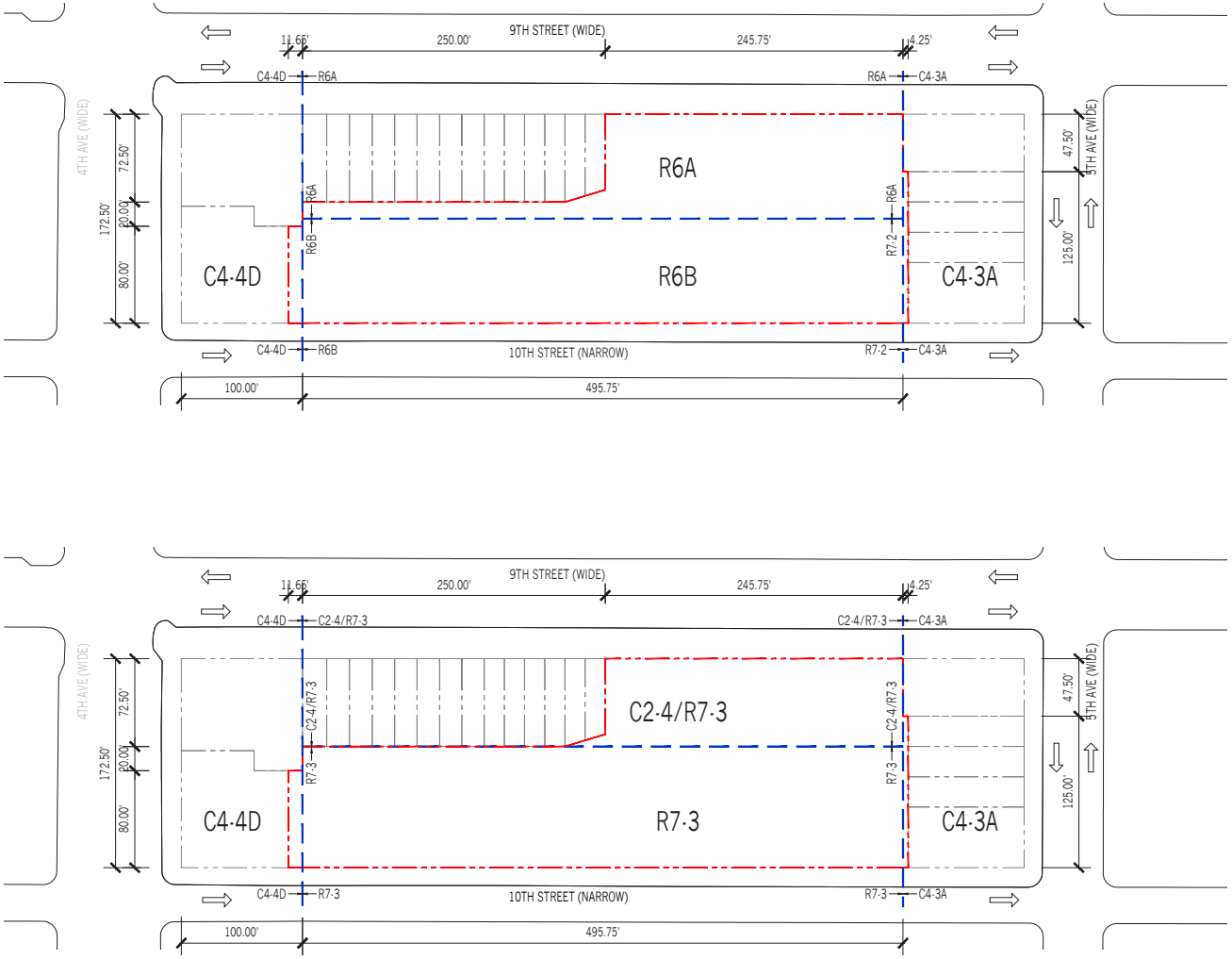
Source: Marvel Architects

Proposed Project – Axonometric View

C4-4D

R6A → C2-4/R7-3

R6B → R7-3



LEGEND

- PROJECT SITE
- LOT BOUNDARY
- ZONING DISTRICT BOUNDARY

N

Proposed Zoning Changes

Total directly affected area (sq. ft.): 69,022
Waterbody area (sq. ft.) and type: N/A
Roads, buildings, and other paved surfaces (sq. ft.): 69,022
Other, describe (sq. ft.): N/A

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

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 282,774

NUMBER OF BUILDINGS: 2

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 96,226 gsf (9th Street Building); 186,548 gsf (10th Street Building)

HEIGHT OF EACH BUILDING (ft.): 201 ft (9th Street Building); 225 ft (10th Street Building)

NUMBER OF STORIES OF EACH BUILDING: 17 (9th Street Building); 19 (10th Street Building)

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

If "yes," specify: The total square feet owned or controlled by the applicant: 69,022

The total square feet not owned or controlled by the applicant: N/A

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

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

AREA OF TEMPORARY DISTURBANCE: 27,360 sq. ft. (width x length)
VOLUME OF DISTURBANCE: 273,600 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 27,360 sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2025

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 23

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: The Proposed Project would be constructed in a single phase, with the two new buildings constructed concurrently. See Page 9a, "Construction," for more information.

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

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

Project Description

A. INTRODUCTION

The Applicant, Stellar 341 LLC, is seeking a zoning map amendment to change existing R6A and R6B districts to R7-3 and R7-3/C2-4 districts, a related zoning text amendment to allow a R7-3 district and designate a Mandatory Inclusionary Housing (MIH) Area in Appendix F of the Zoning Resolution (ZR), and special permits to establish a Large-Scale General Development (LSGD) and reduce accessory parking requirements (the "Proposed Actions"). The Proposed Actions would facilitate the development of two mixed-use buildings with neighborhood retail and community facility space on the ground floors and residential space above, with a total of 319 dwelling units (DUs), 6,720 gross square feet (gsf) of neighborhood retail space, and 4,600 gsf of community facility space on the midblock portion of the block bounded by 4th and 5th Avenues and 9th and 10th Streets (Block 1010, Lot 26) in the Park Slope neighborhood of Brooklyn, Community District 6. (the "Site" or "Project Site").

B. DESCRIPTION OF THE PROJECT SITE

The Project Site (Block 1010, Lot 26) measures approximately 69,000 square feet (or 1.6 acres) (see **Figures 1 and 4**). Metropolitan Transportation Administration (MTA) subway tracks run east-west through the Project Site: to the west of the Project Site, an elevated viaduct over the Gowanus Canal and 4th Avenue carries tracks and trains for the IND subway line (F and G trains). The line goes below-grade east of 4th Avenue and enters a tunnel structure that occupies the western portion of the Project Site and the west adjacent lot ("tunnel structure" or "MTA cover"). This line was constructed in the 1930s; at the time, the Project Site, which had historically contained low-density buildings, was cleared to allow for the construction of the subway tracks and the tunnel structure.

The eastern portion of the site is improved with accessory parking facilities and a 12- and 18-story residential building that is developed to an FAR of 2.38. The building contains 173,379 gsf (164,180 zoning square foot [zsf]) of floor area, including 154 DUs. The site contains a total of 115 accessory parking spaces, contained in a 68-space parking lot (located on the roof of the garage) on 9th Street at the northeast end of the site, a 14-space below-grade parking garage on 9th Street, an 8-space below-grade parking garage on 10th Street, and two parking lots on 10th Street that provide 6 and 19 spaces. Three curb cuts provide access/egress on 9th Street (two curb cuts service the below-grade garage and one services the parking lot) and five curb cuts provide access/egress on 10th Street (three service the parking lot at the western end of the Project Site, one services the below-grade garage, and one services the parking lot on the eastern end of the Project Site). The existing apartment building and parking facilities on the Project Site were constructed in the late 1960s; at the time, the Project Site was zoned R6, which was created with adoption of the 1961 Zoning Resolution.

The western portion of the Project Site primarily contains the MTA tunnel structure described above. The outdoor area above the tunnel structure is an unused open space in disrepair, which is controlled by the Applicant and includes trees, plantings, and benches. Access to the open space was closed by the site's previous owner. The private open space was not maintained and is in need to of refurbishment. **Figure 5** contains photographs of the Project Site. The northern portion of the Project Site, along 9th Street, is primarily located in an R6A district, and the southern portion of the Project Site, along 10th Street, is primarily located in an R6B district; a small portion of the western end of the Project Site is located in a C4-4D district and the Special Gowanus Mixed-Use District, and a small portion of the eastern end of the Project Site is located in a C4-3A district. In 2003, the Project Site was included in the boundaries of the Park Slope Rezoning (ULURP no. 030194a ZMK), which created the R6A and R6B districts currently mapped on the Project Site. More recently, the Gowanus Neighborhood Rezoning (ULURP no. 210177 ZMK) rezoned the 4th Avenue corridor to the west of the Project Site; this rezoning, which was adopted in 2021, created the C4-4D district and the Special Gowanus Mixed-Use District now applicable in this area and along the western edge of the Project Site.

C. PROJECT DESCRIPTION

DESCRIPTION OF THE PROPOSED PROJECT

The Proposed Actions would facilitate the development of the two new mixed-use buildings along the 9th Street and 10th Street frontages of the Project Site, in areas that currently contain parking (see **Figures 1 and 6**). The new building on 9th Street (the "9th Street Building") would include a 17-story tower (up to 181 feet tall to the roof and up to 201 feet tall to the top of the bulkhead[1]) with retail space and a residential lobby on the ground floor, and dwelling units above (114 DUs). The new building on the 10th Street frontage (the "10th Street Building") would be 19 stories (18 floors plus a penthouse; up to 205 feet tall to the top of the roof and up to 225 feet tall to the top of the bulkhead) with community facility space and a residential lobby on the ground floor, residential amenity space on the second floor, and dwelling units above (205 DUs) (see **Figure 7**). The Project Site contains an existing 12- and 18-story residential building which would remain in its current condition with development of the Proposed Project. The outdoor area above the tunnel structure on the western portion of the Project Site would be improved to provide private open space for tenants of the Proposed Project. An axonometric view of the Proposed Project, existing building, and tunnel structure is shown in **Figure 8**.

The two new buildings would contain approximately 282,774 gsf (245,296 zsf) and up to 319 DUs (assuming an average unit size of 850 sf/unit), of which up to 96 DUs would be affordable[2]; the 10th Street Building has been vested into Option C under the 421-A program, under which 30 percent of the 10th Street Building's 205 DUs (approximately 62 DUs) would be affordable for households making up to 130 percent of Area Median Income (AMI). Including the 154 existing DUs, the Project Site would contain a total of 473 DUs. The new buildings would also include approximately 6,750 gsf of retail space and approximately 4,600 gsf of community facility space (assumed to be medical office).

With the development of the new buildings, the parking garage on the Project Site's 9th Street frontage and the parking lot along 10th Street would be eliminated, and the parking lot (rooftop level parking) at the northeast end of the Project Site would be reduced from 68 spaces to 28 spaces. Access to the lot would be reconfigured by constructing a ramp leading to an existing curb cut on 10th Street. All three existing curb cuts on 9th Street would be eliminated. On 10th Street, the three existing curb cuts that service the small parking lot on the western end (where the 10th Street Building would be constructed) would be eliminated, and the two existing curb cuts at the eastern end would remain (as noted above, one of these curb cuts would service a ramp to access the parking lot in the center of the Project Site). An additional 11 spaces would be provided in the garage (8 spaces) and a small parking lot (3 spaces) along 10th Street. Overall, the Proposed Project would result in a reduction in accessory residential parking from 115 spaces to 39 spaces.

ACTIONS NECESSARY TO FACILITATE THE PROPOSED PROJECT

The Proposed Actions include zoning and land use approvals subject to Uniform Land Use Review Procedure (ULURP) and City Planning Commission (CPC) approval. In addition to the ULURP approvals, the Applicant may seek construction funding through the New York City Department of Housing Preservation and Development's (HPD) Senior Affordable Rental Apartments (SARA) Program for the 9th Street Building's 114 DUs at a future date. The discretionary land use and zoning approvals are described below:

ZONING MAP AMENDMENT

The Proposed Actions include a zoning map amendment to change R6A and R6B districts to R7-3 and R7-3/C2-4 districts. As noted above—excepting a small portion of the western end of the Project Site which is located in a C4-4D district and the Special Gowanus Mixed-Use District and a small portion of the eastern end of the Project Site which is located in a C4-3A district—the 9th Street frontage of the Project Site is currently mapped with an R6A district, and the 10th Street

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[1] The 9th Street Building's and 10th Street Building's bulkheads may be lower than presented; higher bulkheads are assumed for purposes of a conservative analysis.

[2] The Reasonable Worst Case Development Scenario (RWCDS) assumes a overall unit count based on 850 sf/unit. The RWCDS also projects 30 percent of the units are affordable, a typical assumption under CEQR. The Proposed Project may include senior housing in the proposed 9th Street Building; however, the RWCDS does not assume any of the units are for senior housing, as this would result in a smaller overall projected population. Therefore, the total and affordable unit counts are based on conservative estimates for analysis purposes.

frontage of the Site is mapped with an R6B district. With the proposed zoning map amendment, an R7-3 district would be mapped over the majority of the Project Site excepting the small portions at the eastern and western ends (the "Rezoning Area"), and a C2-4 overlay district would be mapped along the 9th Street frontage. Existing zoning is shown in **Figure 2** and the proposed zoning is shown in **Figure 9**.

The R6A district allows residential and community facility uses up to 3.0 FAR (up to 3.6 FAR is allowed in areas designated as part of IH), and up to 3.9 FAR is allowed for Affordable Independent Residences for Seniors [AIRS]). The contextual building form requires a street wall between 40 and 60 feet, a setback between the minimum and maximum base height, and a maximum building height of 70 feet (75 feet with a Qualifying Ground Floor [QGF] and 85 feet with IH). The existing R6B district permits residential and community facility uses to a maximum FAR of 2.0 (2.2 residential FAR for AIRS or in areas designated as part of IH). Building base heights must be between 30 and 40 feet (45 feet with a QGF or IH), with a 10-foot setback on wide streets and a 15-foot setback on a narrow street, before rising to a maximum height of 50 feet (55 feet with a QGF or IH).

The proposed R7-3 district is a medium-density residential district has special bulk, height and setback provisions and is only mapped within waterfront areas and in certain special purpose districts. The R7-3 district has a maximum base height of 85 feet and a maximum building height of 185 feet. The proposed R7-3 district allows residential and community facility uses up to an FAR of 5.0 (up to 6.0 FAR for AIRS or MIH). The C2-4 commercial overlay allows local retail uses up to an FAR of 2.0 and would be mapped along the southside of 9th Street. The proposed zoning is shown in **Figure 9**.

As noted above, the Project Site includes small areas outside of the Rezoning Area to the east, west, and northwest; these portions of the Project Site would remain under their current zoning, and the Proposed Project would utilize the 25 foot rule (ZR sec. 77-11) to apply the proposed R7-3 regulations and MIH options regulations across the entire zoning lot.

ZONING TEXT AMENDMENT

The Applicant is seeking a zoning text amendment to allow the R7-3 district. The R7-3 district has special bulk, height and setback provisions and is mapped only within waterfront areas and certain special purpose districts, such as the Special Hunters Point District. The proposed zoning text amendment would also designate the Rezoning Area an MIH Area in Appendix F of the ZR.

SPECIAL PERMITS

- ZR Section 74-743—Special Provisions for Bulk Modification

  The Applicant is seeking a special permit pursuant to ZR Section 74-743 to designate the Project Site a LSGD. The LSGD special permit would modify regulations concerning base height, maximum building height and setbacks, as well as rear yard and rear yard equivalent regulations to facilitate the new buildings on the Project Site. In particular, the rear yard and rear yard equivalent waivers would allow for the structural trusses that straddle the MTA tunnel that are proposed to support the 9th Street and 10th Street Buildings. The proposed zoning waivers would also eliminate existing non-compliant features on the Project Site created by the existing building.
- ZR Section 74-532—Reduction of Parking Requirements for Accessory Group Parking Facilities

  The Applicant is seeking a special permit pursuant to ZR Section 74-532 to reduce the accessory parking requirement due to the redevelopment of existing parking facilities and additional residential development.

D. PURPOSE AND NEED

The Applicant is seeking redevelopment of the Project Site with needed housing, ground floor retail and community facility in an area that is well-served by transit. The new uses introduced with the Proposed Project would be supportive of the mixed-use character and neighborhood-scale that is typical of Park Slope. The Project Site contains parking areas that provide an opportunity for infill development with additional residential space, including affordable housing, in a neighborhood experiencing significant demand for housing. The Proposed Project would integrate Block 1010, including the relatively isolated existing residential building on the Project Site, into the fabric of the surrounding neighborhood by replacing blank walls, parking lots, and voids with an active streetscape. With the Proposed Project, 10th Street would be activated by replacing parking and a view of the subway structure with community space and residential uses. On 9th Street, the Proposed Project would replace parking lots and a parking garage with active ground floor retail space and

residences above. The Proposed Project would also provide private open green space above the MTA cover, connecting the common spaces in the existing and proposed buildings.

The existing R6A and R6B districts do not provide the density necessary for additional residential development and do not allow the retail uses to activate the street envisioned under the Proposed Project. To facilitate the Proposed Project, the Applicant is seeking zoning changes to permit higher residential density (up to a maximum residential FAR of 6.0 under AIRS or MIH), with a C2-4 overlay district along the 9th Street to allow the proposed retail space. The Proposed Actions also include a zoning text amendment to make the Rezoning Area an MIH Area to facilitate the proposed affordable dwelling units. Under the current zoning regulations, R7-3 districts are only permitted in waterfront areas and in special mixed-use districts. To allow the mapping of the proposed R7-3 district on the Project Site, the proposed zoning text amendment includes establishment of bulk regulations applicable to R7-3 districts within MIH areas.

In addition to the zoning map and text amendments, the Proposed Actions include a special permit pursuant to ZR sec. 74-743 to designate the site an LSGD. The LSGD special permit would allow the modification of base height, maximum building height, setback, rear yard and rear yard equivalent regulations to facilitate the proposed buildings on the Project Site. The proposed modifications allowed under the special permit would also eliminate existing non-compliant features created by the existing building. Lastly, the Proposed Actions include a special permit pursuant to ZR sec. 74-532 to facilitate the reduction in accessory parking due to the redevelopment of existing parking facilities and the proposed residential development.

E. ANALYSIS FRAMEWORK

This document has been prepared in accordance with the guidelines presented in the 2021 *CEQR Technical Manual.* For each technical area, the analysis includes a description of existing conditions and an assessment of conditions in the future with and without the Proposed Actions (the "With Action" and "No Action" conditions, respectively). The Proposed Project is assumed to completed and in operation by 2025, which is the build year or analysis year used in the EAS.

The Proposed Actions would only apply to the Project Site and are not expected to result in development on any other sites. Specifically, the proposed rezoning boundaries are limited to a portion of the Project Site, and the proposed R7-3 district (with a C2-4 overlay along 9th Street) would not be applicable to any additional sites. The proposed zoning text amendments include an amendment to Zoning Resolution (ZR) Appendix F to make the rezoning area a Mandatory Inclusionary Housing (MIH) area and an amendment to the ZR to allow for the proposed R7-3 district to be mapped on a portion of the Project Site (currently, R7-3 districts are only permitted under the ZR to be mapped in waterfront areas and in Special Mixed-Use Districts). While this text amendment would allow for other sites to be mapped R7-3 in the future, any other proposals seeking a zoning to the R7-3 district would require a separate zoning map amendment action that would be subject to separate review pursuant to ULURP and CEQR. At this time, any potential sites that may utilize the R7-3 district are unknown. In addition, the proposed LSGD special permit (ZR sec. 74-734) and parking special permit (ZR sec. 74-532) are only applicable to the Project Site and would not affect development on any other sites.

NO ACTION CONDITION

The No Action condition describes a future baseline condition to which changes that are expected to result from the Proposed Actions are compared. Absent the Proposed Actions, no new buildings would be constructed on the Project Site, which would remain in its current condition. The existing building with 154 DUs and parking areas totaling 115 accessory spaces would remain in the No Action condition. In addition, the MTA cover area on the Project Site would remain in its existing condition as an unused, deteriorated open space.

WITH ACTION CONDITION

The With Action condition describes the future condition in which the Proposed Actions are approved and implemented and the projected project generated under the zoning changes is operational.

The With Action condition is the Proposed Project as described above. Under the With Action condition, two new 19-story and 17-story mixed-use buildings (225 and 201 feet tall, respectively) would be constructed along the 9th Street and 10th Street frontages of the Project Site, in areas that currently contain parking. The 9th Street Building would contain 114 DUs and the 10th Street Building would provide 205 DUs. The existing 12- and 18-story residential building would remain in

its current condition, and the outdoor area above the tunnel structure on the western portion of the Project Site would be improved with private open space for residents (based on conceptual designs, this space is expected to include walking paths, trees and landscaping, seating areas, and a children's playscape). The two new buildings would contain approximately 282,774 gsf (245,296 zsf) total. Inclusive of the existing building, the site would contain a total of 456,153 gsf (409,476 zsf, 5.93 FAR). The new buildings would contain up to 319 DUs (assuming an average unit size of 850 sf/unit), of which up to 96 DUs would be affordable pursuant to MIH. Including the 154 existing DUs, the Project Site would contain a total of 473 DUs. The new buildings would also include approximately 6,750 gsf of retail space and approximately 4,600 gsf of community facility space (assumed to be medical office).

With the elimination of parking facilities for redevelopment of the proposed buildings, the number of accessory residential parking spaces would be reduced from 115 spaces to 39 spaces. All three existing curb cuts on 9th Street would be eliminated. On 10th Street, the three existing curb cuts that service the small parking lot on the western end of the site (where the 10th Street Building would be constructed) would be eliminated, and the two existing curb cuts at the eastern end would remain (one of these curb cuts would service a new ramp to access the parking lot in the center of the Project Site).

INCREMENTAL DEVELOPMENT

To assess the possible effects of the Proposed Actions, a Reasonable Worst-Case Development Scenario (RWCDS) was developed to account for the existing condition, the No Action condition, and the With Action condition on the Project Site. The incremental difference between the No Action condition and With Action condition in the 2025 build year serves as the basis for identifying potential environmental impacts in the EAS. In total, the Proposed Actions would result in the incremental development of 319 DUs (including up to 96 affordable units through MIH), 6,750 gsf of retail space, 4,644 gsf of community facility space, and a decrease of 75 parking spaces (see **Table 1**). As discussed above, the Applicant may seek funding at a future date through HPD's SARA Program. In the event funding is provided, the DUs proposed for the 9th Street Building would be replaced with senior housing units. The specific program for a senior housing development would be contingent on several factors, including, but not limited to, available subsidy and design requirements imposed by the SARA Program.

Table 1
Reasonable Worst-Case Development Scenario

Sites	Existing/No Action Condition					With Action Condition					Increment				
	Parking Spaces	Retail GSF	Comm Fac GSF	Total DU	MIH DU	Parking Spaces	Retail GSF	Comm Fac GSF	Total DU	MIH DU	Parking Spaces	Retail GSF	Comm Fac GSF	Total DU	MIH DU
9th Street Site	82	0	0	0	0	28	6,750	0	114	34	-54	6,750	0	114	34
10th Street Site	33	0	0	0	0	11	0	4,644	205	62	-22	0	4,644	205	62
Existing Building Site	0	0	0	154	0	0	0	0	154	0	0	0	0	0	0
Project Site Total	115	0	0	154	0	39	6,750	4,644	473	96	-76	6,750	4,644	319	96

Source: AKRF, Inc.; Marvel Architects

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type of residential structures	Multi-family apartments	Multi-family apartments	Multi-family apartments	
No. of dwelling units	154	154	473	+319
No. of low- to moderate-income units	0	0	96	+96
Gross floor area (sq. ft.)	169,425	169,425	440,805	+271,380
Commercial	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)			Retail	
Gross floor area (sq. ft.)			6,750	+6,750
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type			Medical Office	
Gross floor area (sq. ft.)			4,644	+4,644
Vacant Land	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
PARKING				
Garages	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces	0	0	0	
No. of accessory spaces	22	22	8	-14
Operating hours	24 hrs	24 hrs	24 hrs	
Attended or non-attended	Non-attended	Non-attended	Non-attended	
Lots	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces	0	0	0	
No. of accessory spaces	93	93	31	-62
Operating hours	24 hrs	24 hrs	24 hrs	
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
POPULATION				
Residents	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify number:	350	350	1,074	+724
Briefly explain how the number of residents was calculated:	Estimated using 2.27 persons per household (Brooklyn Community District 6 average household size, 2020 Census)			

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Businesses	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type			TBD Retail/Community Facility (Medical Office)	
No. and type of workers by business			34	+34
No. and type of non-residents who are not workers			N/A	
Briefly explain how the number of businesses was calculated:	With Action worker estimates assume 1 worker per 333 sq ft of retail and community facility (medical office) space			
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	R6A; R6B	R6A; R6B	R7-3/C2-4	
Maximum amount of floor area that can be developed	3.0 / 2.0 FAR (Res and Comm Fac)	3.0 / 2.0 FAR (Res and Comm Fac)	6.0 FAR (Res) 5.0 FAR (Comm Fac) 2.0 FAR (Com)	+3.0-4.0 FAR Res/Comm Fac +2.0 FAR Com
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Residential (R6A, R6B, R8A); Commercial (C4-3A; C1-4 overlay; C2-4 overlay)	Residential (R6A, R6B, R8A); Commercial (C4-3A; C1-4 overlay; C2-4 overlay	Residential (R6A, R6B, R8A); Commercial (C4-3A; C1-4 overlay; C2-4 overlay	
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. See Attachment A		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☒	☐
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
○ Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
○ Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
○ Affect conditions in a specific industry?	☐	☒
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
○ If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☐
○ If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement		
○ Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☒
○ If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☐
○ If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement		
○ Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	☐	☐
○ Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?	☐	☐

	YES	NO
iv. Indirect Business Displacement		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☐
○ Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☐
v. Effects on Industry		
○ Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☐
○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☐
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. Early Childhood Programs		
○ Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the Early Childhood Programs in the study area that is greater than 100 percent?	☐	☐
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. Public Schools		
○ Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☒	☐
○ If "yes," would the project result in a utilization rate of the elementary or middle schools that is equal to or greater than 100 percent?	☒	☐
○ If "yes," would the project generate 100 or more elementary or middle school students past the 100% utilization rate?	☐	☒
○ If "yes," would the project result in a utilization rate of the high schools that is equal to or greater than 100 percent?	☐	☒
○ If "yes," would the project increase the high school utilization rate by 5 percent or more from the No-Action scenario?	☐	☒
iii. Libraries		
○ Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iv. Health Care Facilities		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Would the project generate more than 200 additional residents or 500 additional employees?	☒	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year. See Attachment E		

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

	YES	NO
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 14,724		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
○ If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 36.8 billion		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☒	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☒
○ Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☒	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, bus stop, or Citywide Ferry Service landing?	☒	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☐	☒
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☐
(c) Does the proposed project involve multiple buildings on the project site?	☒	☐
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. See Page 10a.		
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) Would the proposed project result in the development of 350,000 square feet or more?	☐	☒
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☐	☐
○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation.	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☐	☒

	YES	NO
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. See Attachment J.		
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☒	☐
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. See Page 10a, "Additional Technical Information for EAS Part II"		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. See Page 10a, "Additional Technical Information for EAS Part II"		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☒	☐
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☒	☐
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☒	☐
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. See Attachment K, "Construction"		

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	SIGNATURE	DATE
Alex Lieber, AICP Senior Technical Director, AKRF, Inc.		September 28, 2023

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

Additional Technical Information for EAS Part II

A. AIR QUALITY

As presented in Attachment I, "Transportation," the Proposed Project would generate a maximum of 21 vehicle trips at the intersections of 4th Avenue and 3rd Street during the weekday AM peak hour and at 4th Avenue and 6th Street during the weekday AM and Saturday peak hours. Therefore, the maximum number of project-generated vehicle trips, as compared with the No Action condition, does not exceed the 170 peak hour vehicle trip screening threshold defined in the *CEQR Technical Manual* for conducting a quantified analysis of carbon monoxide (CO) emissions from mobile sources. In addition, the Proposed Project does not exceed the particulate matter (PM) emission screening threshold discussed in Chapter 17, Sections 210 and 311, of the *CEQR Technical Manual*. The Proposed Project would also reduce the number of on-site parking spaces from 115 to 39 under the With Action condition for a total reduction of 76 spaces. Therefore, a mobile source air quality analysis is not required.

The Proposed Project would utilize all-electric systems for heating, cooling, and domestic hot water, including PTACs for residential units. A natural gas-fired emergency generator would be used in each building to provide life safety services in the event of a loss of utility power. The emergency generators would only be used occasionally for testing for short periods of time outside of an actual emergency. Therefore, no stationary sources of emissions associated with the Proposed Project required analysis. To ensure that there are no potential significant adverse air quality impacts from heating and hot water systems, a restriction would be required as part of the Proposed Actions through an Air Quality (E) Designation (E-730) that would be placed on the Project Site. The restriction is outlined below.

Block 1010, Lot 26

Any new residential or commercial development shall utilize only electrically powered heating, and hot water systems, to avoid any potential significant adverse air quality impacts.

A review was performed to determine whether there are any permitted industrial sources of emissions within the 400-foot study area referenced in the *CEQR Technical Manual*. Land use maps and aerial photographs were reviewed to identify potential sources of emissions from manufacturing/industrial operations. A search of federal, state, and city permit data within the study area was conducted using DEP's Clean Air Tracking System (CATS) database.[1] Within the 400-study area, no permitted activities were identified based on the permit search and no other sources of emissions were identified in the land use review. Therefore, no significant impacts on sensitive uses associated with the Proposed Project are anticipated from industrial source emissions.

The *CEQR Technical Manual* requires an analysis of projects that may result in a significant adverse impact due to certain types of new uses located near a "large" or "major" emissions source. Major sources are defined as those located at facilities that have a Title V or Prevention of Significant Deterioration air permit, while large sources are defined as those located at facilities that require a State Facility Permit. To assess the potential effects of these existing sources on the Proposed Project, a review of existing permitted facilities was conducted. Sources of information reviewed included the NYSDEC Title V and State Facility Permit websites. The review of major- and large-sources permits found no such facilities within 1,000 feet of the Project Site.[2] Therefore, no analysis is required, and no significant adverse impacts would occur on the Project Site from major or large stationary sources of emissions.

Overall, the Proposed Project would not result in any significant adverse impacts to air quality.

[1] DEP, Clean Air Tracking System database, https://a826-web01.nyc.gov/DEP.BoilerInformationExt. Accessed January 10, 2023.

[2] NYSDEC. Access to DEC Air Permits. https://www.dec.ny.gov/chemical/8569.html. Accessed January 10, 2023.

B. PUBLIC HEALTH

According to the guidelines of the *CEQR Technical Manual*, a public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise. As discussed above and throughout this EAS, the Proposed Actions would not result in any significant adverse impacts in these areas (see also Attachment H, "Hazardous Materials," and Attachment J, "Noise"). Therefore, the Proposed Actions would not result in any significant adverse impacts to public health, and further assessment is not warranted.

C. NEIGHBORHOOD CHARACTER

According to the *CEQR Technical Manual*, an analysis of neighborhood character is warranted when a proposed project has the potential to alter certain elements contributing to the affected area's neighborhood character. The elements that define neighborhood character are described in other technical analysis areas—land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; and noise. Following *CEQR Technical Manual* guidance, a preliminary assessment of neighborhood character may be appropriate if the analysis finds that the project would have the potential to result in any significant adverse impacts in these technical areas.

As discussed throughout this EAS, the Proposed Actions would not have the potential to result in any significant adverse impacts in the areas that contribute to neighborhood character.

Overall, the Proposed Actions would result in limited changes to the Project Site that would have the potential to adversely affect neighborhood character, and would not result in any significant adverse impacts in the areas that contribute to neighborhood character. Therefore, the Proposed Actions would not have the potential to result in a significant adverse impact to neighborhood character, and further assessment is not warranted.

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

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

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

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

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

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

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

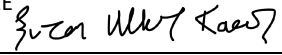
☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental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

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

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

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

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission
NAME	DATE
Evren Ulker-Kacar, AICP - Deputy Director	September 29 , 2023

SIGNATURE 

NEGATIVE DECLARATION

Statement of No Significant Effect

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

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The applicant, Stellar 341 LLC, seeks a zoning map amendment to rezone a portion of Brooklyn Block 1010 Lot 26 (the "Project Area" refers to the totality of Block 1010, Lot 26; the "Rezoning Area" constitutes a portion of the "Project Area") from R6A and R6B districts to R7 and R7-3/C2-4 districts; a zoning text amendment to Appendix F of the Zoning Resolution ("ZR") to designate the Rezoning Area a Mandatory Inclusionary Housing (MIH) area; a special permit pursuant to ZR 74-743 to designate the Project Site a Large Scale General Development (LSGD) and modify regulations concerning base height, maximum building height, setbacks, rear yards, and rear yard equivalents; and a special permit pursuant to ZR 74-532 to reduce accessory parking requirements (the "Proposed Actions"). The Proposed Actions would facilitate the development of two new mixed-use buildings consisting of a combined 282,774 gross square feet (gsf) (the "Proposed Project"). The new buildings would consist of a combined approximately 271,380 gsf of residential floor area, approximately 6,750 gsf of commercial retail space, and approximately 4,644 gsf of community facility space. The residential floor area would consist of approximately 319 dwelling units, of which, approximately 64 to 96 would be permanently affordable pursuant to MIH. The building constructed along 9th Street would be 17 stories and 201 feet tall and the building constructed along 10th Street would be 19 stories and 225 feet tall. The existing multifamily apartment building would remain within the Project Area.

The Proposed Actions would not result in significant adverse impacts to Land Use, Zoning, and Public Policy. The Proposed Actions would not displace a land use nor create a land use that would be incompatible with surrounding uses. The Proposed Actions would establish a medium-density residential zoning district with a commercial overlay in an area where similar land uses and zoning districts are prevalent. The residential, commercial, and community facility uses facilitated by the Proposed Actions would be consistent with the medium-density and mixed-use residential and commercial uses that are prevalent along 9th Street and in the surrounding area. The Proposed Actions would allow for an increase in development, bulk, and height on the Project Site relative to the No-Action Condition. The proposed R7-3/C2-4 district would allow for development at an appropriate and comparable scale relative to the medium-density residential R6A/C2-4 district to the Project Site's north and the R6B district to the Project Site's south. The development and bulk facilitated by the Proposed Actions would also be appropriate in scale to the medium-density commercial C4-3A district to the Project Site's east and the C4-4D district to the west of the Project Site. The Proposed Actions would be consistent with relevant public policies including *Housing Our Neighbors* and *OneNYC* by facilitating the development of mixed-use buildings that would include new commercial and community facility operations and permanently affordable housing units pursuant to MIH.

Open Space

A detailed analysis related to Open Space is included in this EAS. The detailed analysis concluded that the Proposed Actions would not result in significant adverse open space impacts. The Proposed Actions would not directly displace any open space resources, nor would it result in in any direct effects related to encroachments on or loss of open space, or changes in open space such that it no longer serves the same user population. In the No-Action Condition, the open space ratio within a .5-mile study area of the Project Area is 0.29 of total open space, 0.18 of active recreation open space, and 0.1 of passive recreation open space for every 1,000 residents, which are below the City's goals of 2.5 total acres of total open space per 1,000 residents, 2.0 acres of active open space for every 1,000 residents and .5 acres of passive recreation open space for every 1,000 residents. In the With-Action Condition, the total open space ratio would decline by 1.7%, the active open space ratio would decline by 1.75%, and the passive open space ratio would decline by 1.72%. Because the Proposed Actions would result in decreases in the open space ratios greater than the 1% threshold, further qualitative assessment was conducted to determine if these changes would result in a significant adverse impact.

The qualitative assessment considers those open space resources that are available to residents within the study area but are not included in the quantitative analysis. The Project Site is approximately 0.7 miles from Prospect Park, a regional park, with ample passive and active recreation assets. There are four existing public parks (Gowanus Canal Sponge Park, Gowanus Waterfront Park, Prospect Expressway Park, and Slope Park Playground) maintained by the NYC Department of Parks and Recreation and six community gardens maintained by the NYC Department of Parks and Recreation's GreenThumb program that are outside of the quantitative study area but are publicly accessible and available to residents. The Gowanus Neighborhood Plan (CEQR# 19DCP157K) will introduce approximately six acres of additional publicly accessible open space that will be available in the future to residents within the study area. The applicant also plans to provide 14,500 square feet of private open space within the Project Site for residents that would include walking paths, seating areas, and a children's play area.

Therefore, the analysis finds that the decreases in the open space ratios would not result in significant adverse open space impacts and no further analysis is necessary.

Project Name: 341 10th Street Rezoning and LSGD Special Permits
CEQR # 23DCP145K
SEQRA Classification: Type I

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-730) related to hazardous materials, air quality, and noise would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Sean O'Rourke at +1 212-720-3425.

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3493
NAME Evren Ulker-Kacar, AICP	DATE 9/29/2023
SIGNATURE	

TITLE	
Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 10/2/2023
SIGNATURE	

Project Name: 341 10th Street Rezoning and LSGD Special Permits
CEQR # 23DCP145K
SEQRA Classification: Type I

Determination of Significance Appendix

The Proposed Action(s) were determined to have the potential to result in changes to development on the following site(s):

Development Site	Borough	Block and Lot
Projected Development Site 1	Brooklyn	Block 1010, Lot 26

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-730**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1** for hazardous materials would apply as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

Project Name: 341 10th Street Rezoning and LSGD Special Permits
CEQR # 23DCP145K
SEQRA Classification: Type I

Air Quality

The (E) designation requirements for air quality would apply as follows:

> ***Projected Development Site 1:*** *Any new residential or commercial development shall utilize only electrically powered heating, and hot water systems, to avoid any potential significant adverse air quality impacts.*

Noise

The (E) designation requirements for noise would apply as follows:

> ***Projected Development Site 1:*** *To ensure an acceptable interior noise environment, future residential/community facility uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on the facades facing 4th Avenue within 50 feet of eastern lot line of Block 1010, Lot 1 and the facades facing 9th Street within 50 feet of eastern lot line of Block 1010, Lot 1 to maintain an interior L10 noise level not greater than 45 dBA for community facility uses and interior Ldn noise level not greater than 40 dBA for residential uses as illustrated in the EAS. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*

Attachment A: Land Use, Zoning, and Public Policy

A. INTRODUCTION

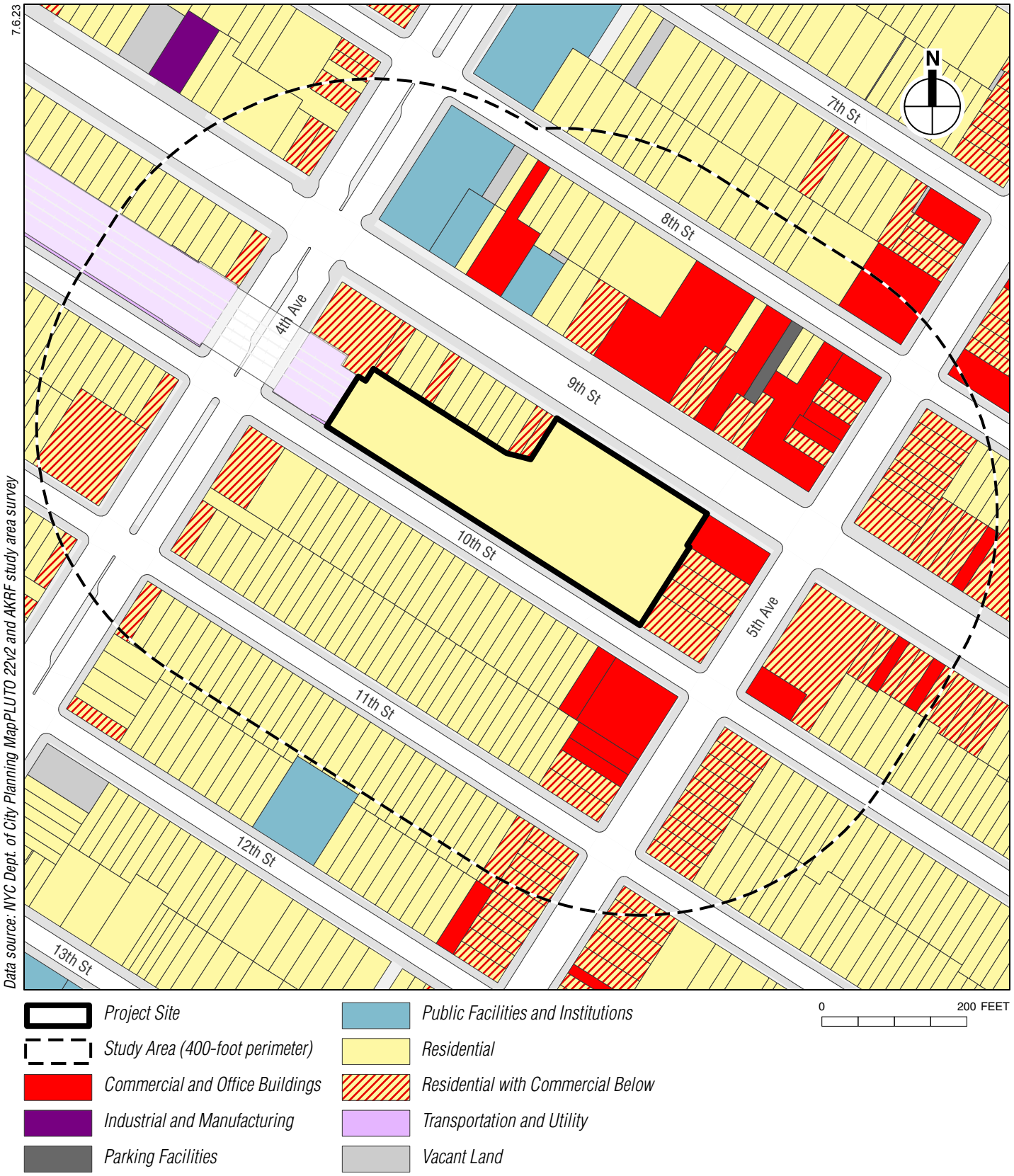
This attachment assesses the potential impacts of the Proposed Actions on land use, zoning, and public policy. The Proposed Actions consist of a zoning map amendment to change existing R6A and R6B districts to R7-3 and R7-3/C2-4 districts, a zoning text amendment to establish bulk regulations applicable to R7-3 districts within Mandatory Inclusion Housing (MIH) areas and designate a MIH Area in the Rezoning Area, and special permits to establish a Large-Scale General Development (LSGD) and reduce accessory parking requirements. The Proposed Actions would facilitate the development of two mixed-use buildings with retail and community facility space on the ground floors and residential space above, on a portion of the block bounded by 4th and 5th Avenues and 9th and 10th Streets in the Park Slope neighborhood of Brooklyn, Community District 6 (Block 1010, Lot 26) (the "Project Site"). The assessment concludes that the Proposed Actions would be compatible with existing uses in the surrounding area and would not result in any significant adverse impacts to land use, zoning, and public policy.

B. METHODOLOGY

According to the 2021 *City Environmental Quality Review (CEQR) Technical Manual*, a preliminary land use assessment, which includes a description of existing and future land uses, zoning, and public policies, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of a project's anticipated effects. Accordingly, a preliminary analysis has been prepared that describes existing and anticipated future conditions for the 2025 analysis year, assesses the nature of any changes on these conditions that would be created by the Proposed Actions, and identifies those changes, if any, that could be significant or adverse.

The Project Site is located in the Park Slope section of Brooklyn. The study area for the analysis of land use, zoning, and public policy encompasses the area within 400 feet of the Project Site. According to the *CEQR Technical Manual*, the study area is where the Proposed Actions could reasonably be expected to cause potential effects. As shown in **Figure A-1**, the study area roughly extends 400 feet to include lots on the north side of 9th Street, the south side of 11th Street, the west side of 4th Avenue, and the east side of 5th Avenue.

The analysis begins by considering existing conditions in the study area in terms of land use, zoning, and public policy. The analysis then considers land use, zoning, and public policy in the future without the Proposed Actions (the "No Action" condition) in the 2025 analysis year by identifying developments and potential policy changes expected to occur within that timeframe. Probable impacts of the Proposed Actions are then identified by comparing conditions in the future with the Proposed Actions (the "With Action" condition) with those conditions in the No Action condition.



Existing Land Use

C. EXISTING CONDITIONS

LAND USE

PROJECT SITE

The Project Site is composed of Block 1010, Lot 26, and measures approximately 69,000 square feet (or 1.6 acres). The Project Site contains two residential buildings, along with several parking lots and parking garages. An elevated viaduct (the "tunnel structure") over the Gowanus Canal and 4th Avenue carries tracks and trains for the IND (F, G and R) subway lines. The line goes below-grade east of 4th Avenue and enters a tunnel structure that occupies the western portion of the Project Site and the west adjacent lot. The outdoor area above the tunnel structure is an unused open space that contains trees, plantings, and benches. Access to the open space was closed by the site's previous owner. The private open space was not maintained, and is in need to of refurbishment. The eastern portion of the site is improved with accessory parking facilities and a 12- and 18-story residential building. The building contains 173,379 gsf of floor area, including 154 dwelling units (DUs). The site contains a total of 115 accessory parking spaces, contained in a 68-space parking lot (located on the roof of the garage) on 9th Street at the northeast end of the site, a 14-space below-grade parking garage on 9th Street, an 8-space below-grade parking garage on 10th Street, and two parking lots on 10th Street that provide 6 and 19 spaces, respectively. Three curb cuts provide access/egress on 9th Street (two curb cuts service the below-grade garage and one services the parking lot) and five curb cuts provide access/egress on 10th Street (three service the parking lot at the western end of the Project Site, one services the below-grade garage, and one services the parking lot on the eastern end of the Project Site).

STUDY AREA

As shown in **Figure A-1**, the study area is characterized primarily by residential, commercial, community facility, and mixed-use buildings.

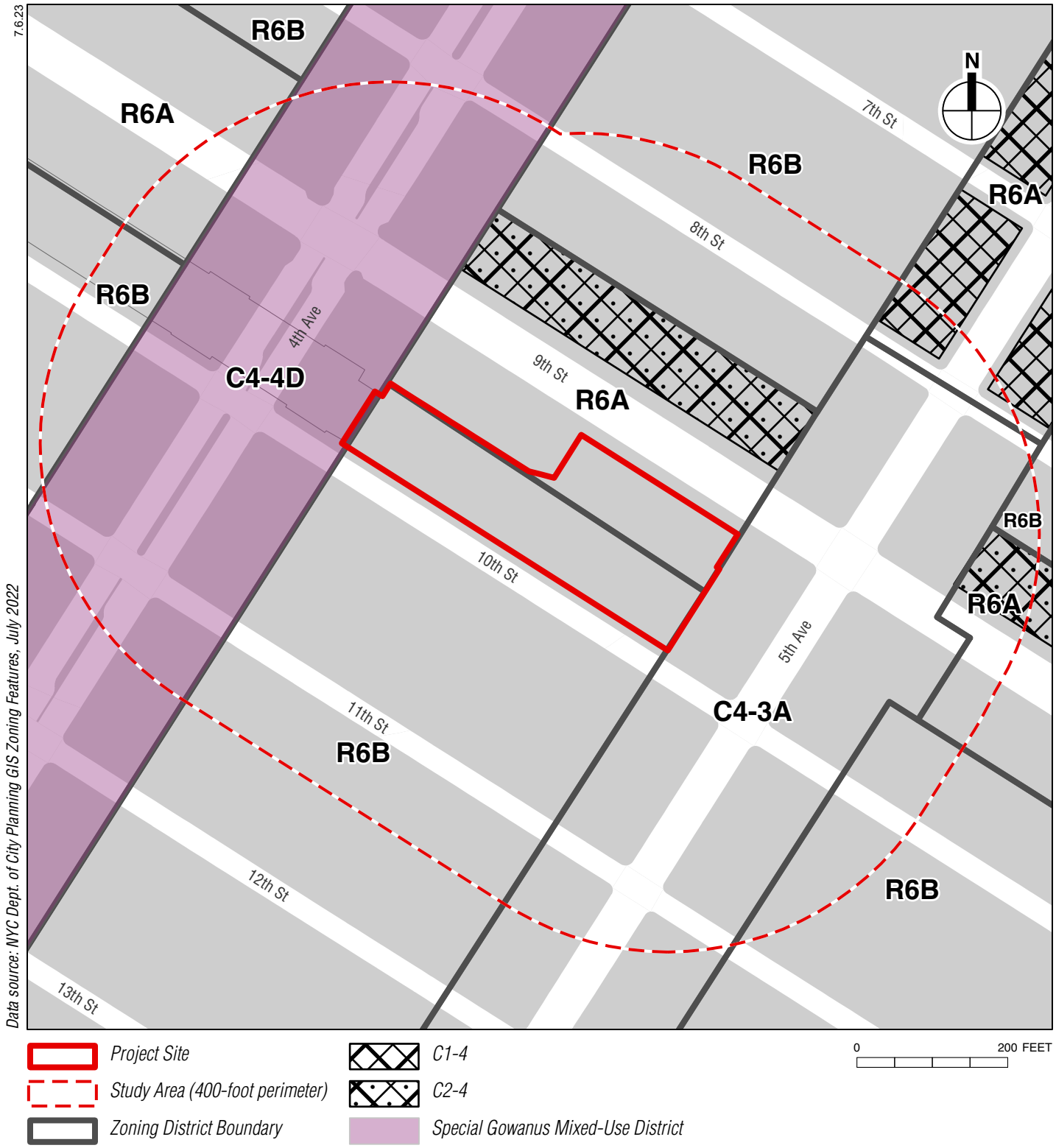
Fourth Avenue is lined with 3- to 11-story mixed-use buildings with retail on the ground floor, as well as entrances to the 4th Avenue subway station on both the east and west sides of the avenue. West of 4th Avenue, smaller residential buildings predominate. Similarly, 5th Avenue is lined with mixed-use buildings, but the buildings are shorter, with most buildings ranging between 3 and 4 stories. A few commercial buildings are also found along 5th Avenue.

The east side of 4th Avenue, between 8th and 9th Streets, contains the Church of the Holy Family-St. Thomas Aquinas, a community facility. Eighth Street contains primarily residential buildings, with retail buildings west of 5th Avenue. Ninth Street contains a mix of mostly residential and mixed-use buildings with retail space on the ground floor. Commercial uses along this blockfront include a funeral home, U.S. Post Office – Van Brunt Station and a retail use, on the north side of 9th Street. A community facility building that provides social services is also located on the north side of 9th Street. Tenth Street is primarily residential with commercial and mixed-use buildings closer to 4th and 5th Avenues. As discussed above, the 10th Street frontage of the Project Site contains the tunnel structure, parking lots and the existing residential building. Both sides of 11th Street between 4th and 5th Avenues contain mostly 2-story residential buildings.

ZONING

PROJECT SITE

As shown in **Figure A-2**, the majority of the Project Site is mapped with R6A and R6B zoning districts. The R6A district allows residential and community facility uses up to 3.0 FAR (up to 3.6



Existing Zoning

FAR is allowed in areas designated as part of Inclusionary Housing [IH] and up to 3.9 FAR for AIRS). The contextual building form requires a street wall between 40 and 60 feet, a setback between the minimum and maximum base height, and a maximum building height of 70 feet (75 feet with a Qualifying Ground Floor [QGF] and 85 feet with IH). The existing R6B district permits residential and community facility uses to a maximum FAR of 2.0 (2.2 residential FAR for AIRS or in areas designated as part of IH). Building base heights must be between 30 and 40 feet (45 feet with a QGF or IH), with a 10-foot setback on wide streets and a 15-foot setback on a narrow street, before rising to a maximum height of 50 feet (55 feet with a QGF or IH). New developments in both the R6A and R6B districts are required to line up with adjacent structures to maintain the continuous street wall character. New multifamily residences in both R6A and R6B districts must provide one off-street parking space for 50 percent of DUs, which may be waived if five or fewer spaces are required.

In addition to the R6A and R6B districts, a small portion of the western end of the Project Site is located in a C4-4D district and the Special Gowanus Mixed-Use District (GSD), and a small portion of the eastern end of the Project Site is located in a C4-3A district. These districts are discussed further below.

STUDY AREA

As shown in **Figure A-2**, the study area is mapped with R6A, R6A/C2-4, R6B, R6B/C1-4, C4-3A, and C4-4D zoning districts. The R6A and R6B zoning districts are described above. The C1-4 overlay is mapped within the R6A district generally along portions of 5th Avenue north of 8th Street, while the C2-4 overlay is mapped within the R6A district on the north side of 9th Street. C1 and C2 commercial overlays are mapped within residence districts on streets that serve local retail needs and allow an FAR of 2.0 for commercial uses. Commercial buildings are subject to commercial bulk rules and residential bulk is governed by the underlying residential district. Generally, the lower the numerical suffix, the more off-street parking is required.

A C4-3A district is mapped along 5th Avenue south of 8th Street in the study area. C4 districts are mapped in regional commercial centers and permit uses such as specialty and department stores, theaters and other commercial and office uses. The C4-3A district has a residential district equivalent of R6A (described above), and allows commercial uses up to an FAR of 3.0. Fourth Avenue is within the Special Gowanus Mixed-Use District (GSD) and within an underlying C4-4D district, a contextual commercial district. C4-4D is typically an R8A-equivalent district that permits residential development up to 7.2 FAR with MIH, commercial uses up to 3.4 FAR, and community facility uses up to 6.5 FAR. Buildings in the C4-4D district generally require a base height between 60 and 85 feet and a maximum building height of 120 feet (125 feet with a QGF and 145 feet with a QGF and IH). No accessory parking is required for non-residential uses, and parking requirements are reduced for affordable DUs.

The GSD modifies the R8A-equivalent district and establishes a residential equivalent of an R9A district with a maximum FAR of 8.5 for residential uses with MIH or AIRS, a maximum base height of 125 feet and a maximum building height of 175 feet on wide streets. There is no non-residential parking requirement, and the underlying C4-4D district's accessory off-street parking requirement is reduced.

Table A-1
Existing Zoning Districts in the Study Area

Zoning District	Maximum FAR	Uses
C4-3A	3.0 residential (3.6 w/ IH) 3.0 community facility 3.0 commercial	Residential and community facility uses; specialty and department stores, theaters, offices, and other commercial uses
C4-4D (as modified by the GSD)	7.5 residential (8.5 w/ AIRS and MIH) 6.5 community facility 3.4 commercial	Residential and community facility uses; specialty and department stores, theaters, offices, and other commercial uses
R6A	3.0 residential; (3.6 w/ IH and 3.9 w/ AIRS) 3.0 community facility	Medium-density contextual residence district
R6B	2.0 residential; (2.2 w/ IH and AIRS) 2.0 community facility	Medium-density contextual residence district
Special PI District	N/A	

Source: *New York City Zoning Resolution.*

PUBLIC POLICY

The public policy initiatives applicable to the Project Site and study area are described below.

PROJECT SITE

Housing Our Neighbors

In June 2022, the Adams Administration released *Housing Our Neighbors: A Blueprint for Housing and Homelessness*, a citywide housing plan that focuses strategies and investment on the creation and preservation of high-quality, affordable housing for all New Yorkers, including seniors and households experiencing homelessness. The plan seeks to accelerate and increase capacity for new housing supply citywide, including the supply of senior housing. Seniors are the fastest-growing population in New York City. Older New Yorkers and people with disabilities alike face fewer options for housing that they can afford. The plan leverages zoning changes to remove obstacles and seeks changes to facilitate the development of affordable housing for everyone who needs it—including senior, supportive, and other affordable housing.

OneNYC 2050

OneNYC is a comprehensive plan for a sustainable and resilient city for all New Yorkers that speaks to the profound social, economic, and environmental challenges faced by the City. Growth, sustainability, and resiliency remain at the core of OneNYC, but with the poverty rate remaining high and income inequality continuing to grow, equity was added as a guiding principle throughout the plan, which was subsequently renamed OneNYC 2050. In addition to a focus on population growth, aging infrastructure, and global climate change, the plan brings new attention to ensuring the voices of all New Yorkers are heard and to cooperating and coordinating with regional counterparts. Among the goals of the plan is to make New York City a growing, thriving City by fostering industry expansion and cultivation, promoting job growth, creating and preserving affordable housing, supporting the development of vibrant neighborhoods, increasing investment in job training, expanding high-speed wireless networks, and investing in infrastructure.

D. FUTURE WITHOUT THE PROPOSED ACTIONS

This section considers land use, zoning, and public policy conditions in the No Action condition. Absent the Proposed Actions, it is assumed that no changes to land use would occur on the Project

Site, and no land use changes are anticipated in the study area. Further, no changes in zoning or public policy are expected to affect the Project Site or study area by 2025, and existing public policies would remain in effect.

E. FUTURE WITH THE PROPOSED ACTIONS

LAND USE

PROJECT SITE

In the With Action condition, the Proposed Actions would result in more residential, local retail and community facility space on the Project Site and less space used for parking. Two new, mixed-use buildings would be developed along the 9th Street and 10th Street frontages of the Project Site, in areas that currently contain parking (see Figures 1 and 6). The new building on 9th Street (the "9th Street Building") would include a 17-story tower (up to 201 feet tall to the top of the bulkhead[1]) with retail space and a residential lobby on the ground floor, and dwelling units above. The 9th Street Building could potentially be developed with needed senior housing should discretionary financing be available at a future date. The new building on the 10th Street frontage (the "10th Street Building") would be 19 stories (18 floors plus a penthouse; up to 225 feet tall to the top of the bulkhead) with community facility space and a residential lobby on the ground floor, residential amenity space on the second floor, and dwelling units above.

The two new buildings would contain approximately 282,774 gsf and up to 319 DUs (assuming an average unit size of 850 sf/unit), of which up to 96 DUs would be affordable.[2] Including the 154 existing DUs, the Project Site would contain a total of 473 DUs. The new buildings would also include approximately 6,750 gsf of retail space and approximately 4,600 gsf of community facility space (assumed to be medical office).

With the development of the new buildings, the parking garage on the Project Site's 9th Street frontage and the parking lot along 10th Street would be eliminated, and the parking lot (rooftop level parking) at the northeast end of the Project Site would be reduced from 68 spaces to 28 spaces. Access to the lot would be reconfigured by constructing a ramp leading to an existing curb cut on 10th Street. All three existing curb cuts on 9th Street would be eliminated. On 10th Street, the three existing curb cuts that service the small parking lot on the western end (where the 10th Street Building would be constructed) would be eliminated, and the two existing curb cuts at the eastern end would remain (as noted above, one of these curb cuts would service a ramp to access the parking lot in the center of the Project Site). An additional 11 spaces would be provided in the garage (8 spaces) and a small parking lot (3 spaces) along 10th Street. Overall, the proposed project would result in a reduction in accessory residential parking from 115 spaces to 39 spaces.

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[1] The 9th Street Building's and 10th Street Building's bulkheads may be lower than presented; higher bulkheads are assumed for purposes of a conservative analysis.

[2] The Reasonable Worst Case Development Scenario (RWCDS) assumes a overall unit count based on 850 sf/unit. The RWCDS also projects 30 percent of the units are affordable, a typical assumption under CEQR. The proposed project may include senior housing in the proposed 9th Street Building; however, the RWCDS does not assume any of the units are for senior housing, as this would result in a smaller overall projected population. Therefore, the total and affordable unit counts are based on conservative estimates for analysis purposes.

STUDY AREA

The proposed project would be supportive of the mixed-use character and neighborhood scale found in the study area. The Project Site contains parking areas that provide an excellent opportunity for infill development with additional residential space, including needed affordable housing, in a neighborhood experiencing significant demand for housing. The proposed project would integrate Block 1010, including the relatively isolated existing residential building on the Project Site, into the fabric of the surrounding neighborhood by replacing blank walls, parking lots, and voids with an active streetscape.

Additionally, the proposed project would activate 10th Street by replacing parking and a view of the subway structure with community space and residential uses. On 9th Street, the proposed project would replace parking lots and a parking garage with active ground floor retail space and residences above. The proposed project would also provide private open green space above the tunnel structure, connecting the common spaces in the existing and proposed buildings. The new uses introduced with the proposed project would be compatible with, and supportive of, the existing residential, local retail, and community facility uses found in the study area. In particular, the new buildings would include new retail and community facility spaces that would be available to the existing residents in the area as well as the residents of the new buildings. In addition, the new buildings would be similar and height, use, and bulk to the existing building on the Project Site as well as other mixed-use buildings in the area, in particular the higher-density mixed use buildings along Fourth Avenue west of the Project Site. For these reasons, the Proposed Actions would not result in a significant adverse impact to land use.

ZONING

PROJECT SITE

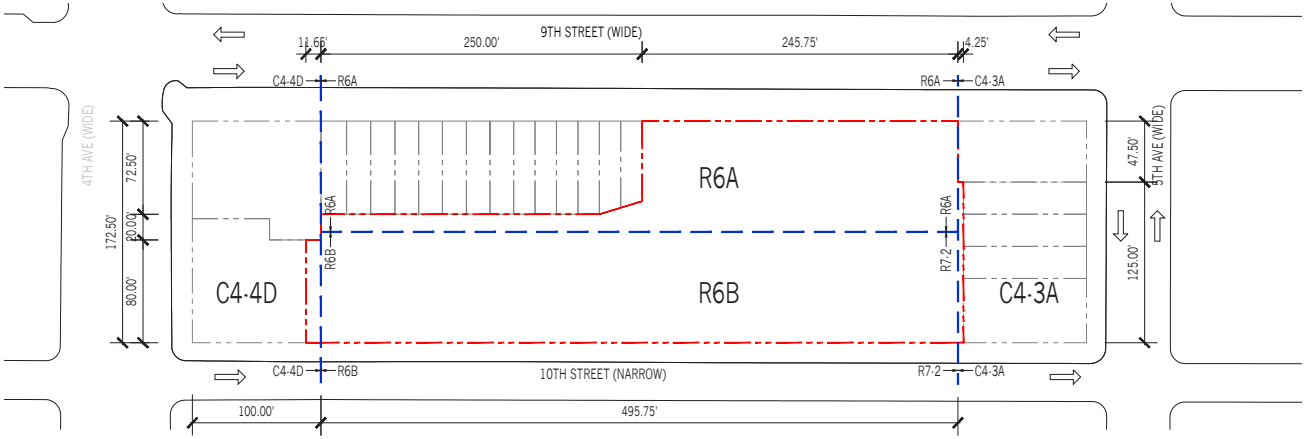
The Proposed Actions include a zoning map amendment to change R6A and R6B districts to R7-3 and R7-3/C2-4 districts. The 9th Street frontage of the Project Site is currently mapped with an R6A district, and the 10th Street frontage of the site is mapped with an R6B district. The proposed R7-3 district is a medium-density residential district that has special bulk, height and setback provisions and is only mapped within waterfront areas and in certain special purpose districts. The R7-3 district has a maximum base height of 85 feet and a maximum building height of 185 feet. The proposed R7-3 district allows residential and community facility uses up to an FAR of 5.0 (up to 6.0 FAR for MIH or AIRS). The C2-4 commercial overlay allows local retail uses up to an FAR of 2.0 and would be mapped along the southside of 9th Street. The proposed zoning map amendment would not alter the C4-4D district and the Special Gowanus Mixed-Use District (GSD) located on a small portion of the western end of the Project Site, and would not alter the C4-3A district located on a small portion of the eastern end of the Project Site. The proposed zoning is shown in **Figure A-3**.

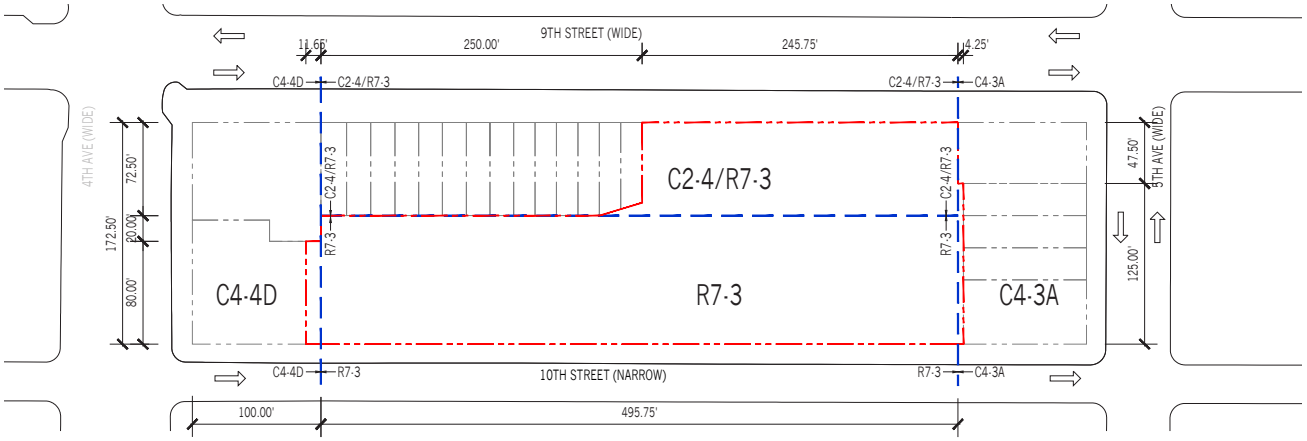
The existing zoning does not provide the density necessary for additional residential development and does not allow the retail uses that would activate the street envisioned under the proposed project. To facilitate the proposed project, the Applicant is seeking zoning changes to permit higher residential density (up to a maximum residential FAR of 6.0 under MIH or AIRS), with a C2-4 overlay district along the 9th Street to allow the proposed retail space. Under the current zoning regulations, R7-3 districts are only permitted in waterfront areas and in special mixed-use districts. To allow the mapping of the proposed R7-3 district within the Project Site, the Proposed Actions include a zoning text amendment to establish bulk regulations applicable to R7-3 districts within MIH areas. The proposed zoning text amendment would also designate the Rezoning Area

C4-4D

R6A → C2-4/R7-3

R6B → R7-3





LEGEND

- PROJECT SITE
- LOT BOUNDARY
- ZONING DISTRICT BOUNDARY

N

Proposed Zoning Changes

Figure A-3

an MIH Area to facilitate the proposed affordable dwelling units. The Project Site includes small areas outside of the Rezoning Area to the east, west, and northwest; these portions of the Project Site would remain under their current zoning, and the Proposed Project would utilize the 25 foot rule (ZR sec. 77-11) to apply the proposed R7-3 regulations and MIH options regulations across the entire zoning lot.

The Proposed Actions include a special permit pursuant to ZR Section 74-743 to designate the Project Site a LSGD. The LSGD special permit would modify regulations concerning base height, maximum building height and setbacks, as well as rear yard and rear yard equivalent regulations to facilitate the new buildings on the Project Site. The proposed zoning waivers would also eliminate existing non-compliant features on the Project Site created by the existing building. Specifically, the waivers would modify ZR 23-66, which requires a maximum base height of 85 feet (the base heights of the proposed 9th Street Building and 10th Street Building would be approximately 89 feet and approximately 95 feet, respectively), and maximum building height of 185 feet and 18 stories (the 10th Street Building would be 19 stories and have an overall height of approximately 205 feet). The waiver of ZR 23-66 would also allow the building setbacks for the 9th Street Building to be set back by seven feet (a minimum setback of 10 feet from a wide street is required) and the 10th Street Building to be set back by 9 feet (a minimum setback of 15 feet is required from a narrow street). The waivers would also modify ZR 23-47 and ZR 23-532 to allow the structural trusses that straddle the MTA tunnel structure to support the new buildings to be located in the required rear yard, as well as waive the new noncompliance of the existing building and the MTA tunnel.

In addition, the Proposed Actions include a special permit pursuant to ZR Section 74-532 to reduce the accessory parking requirement due to the redevelopment of existing parking facilities and additional residential development.

STUDY AREA

As discussed above, the Proposed Actions are being sought to permit higher residential density (up to a maximum residential FAR of 6.0 under MIH or AIRS), with a C2-4 overlay district along the 9th Street frontage to accommodate the proposed retail space. The Proposed Actions also include a zoning text amendment to permit the proposed R7-3 district to be mapped on the Project Site and make the Rezoning Area an MIH Area to facilitate the proposed affordable dwelling units.

The zoning changes would eliminate blank walls, parking lots and other parking facilities that have a deleterious effect on the streetscape immediately surrounding the Project Site. The new zoning would allow a more efficient use of the Project Site with needed housing, retail space, and community facility space. The new retail use allowed under the Proposed Actions along the 9th Street frontage of the Project Site would be compatible with existing retail uses found immediately adjacent to, and across the street from the Project Site in the study area.

The increase in residential density on the Project Site (up to 6.0 FAR with MIH or AIRS) would be less than the maximum density currently permitted along 4th Avenue, which allows up to 8.5 FAR with AIRS and MIH. Further, the proposed 17- and 19-story buildings would have building heights comparable to the height of the existing 18-story building on the Project Site, and the proposed buildings would be somewhat taller than the 11-story mixed-use building at the northwest corner of 4th Avenue and 9th Street. As discussed in Attachment I, "Transportation," the reduction in parking sought under the Proposed Actions would not result in a significant adverse impact because the project is located in Zone 2—although there is a parking shortfall, there are abundant alternative modes of transportation available. The flexibility provided with the

LSGD special permit would allow for an improved building design that accounts for the unique conditions on the Project Site that include the presence of the tunnel structure and the existing residential building. The modification of base height, maximum building height, setback, rear yard and rear yard equivalent regulations to facilitate the proposed buildings on the Project Site would result in a more cohesive development on the Project Site. The proposed modifications allowed under the special permit would also eliminate existing non-compliant features created by the existing building. For these reasons, the Proposed Actions would not result in a significant adverse impact on zoning.

CONCEPTUAL ANALYSIS

As a result of the Proposed Actions, ZR 21-15 would be amended, and R7-3 districts may be mapped within MIH areas. The mapping of R7-3 districts on other sites would require future discretionary action and would be subject to ULURP and CEQR review at the time of application.

PUBLIC POLICY

The proposed project would be supportive of public policies expected in the 2025 build year. The proposed project would be supportive of *Housing Our Neighbors* by facilitating up to 96 units of permanently affordable housing through MIH (and potentially needed senior housing in the 9th Street Building). It would be supportive of *OneNYC 2050* by increasing the supply of housing, including needed affordable housing, and enhancing the blockfronts adjacent to the Project Site by eliminating blank walls, parking lots, and parking structures and replacing them with an enlivened streetscape. For these reasons, the proposed project would support the goals of *OneNYC 2050* that relate to the creation of affordable housing and more vibrant neighborhoods. The Proposed Actions would be consistent with and supportive of the public policies that currently apply to the Project Site and the surrounding study area, and no significant adverse impacts to public policy would result from the Proposed Actions. ✶

Attachment B: Socioeconomic Conditions

A. INTRODUCTION

This attachment considers the potential for the Proposed Actions to result in significant adverse impacts to socioeconomic conditions. As stated in the 2021 *City Environmental Quality Review (CEQR) Technical Manual*, the socioeconomic character of an area includes its population, housing, and economic activities. Socioeconomic impacts may occur when a project directly or indirectly affects any of these elements.

As described in Attachment 1a, "Project Description and Screening Analyses," the Proposed Actions would facilitate the construction of two new mixed-use buildings containing residential and retail uses (the "proposed project") at 341 10th Street (the "Project Site") in the Park Slope neighborhood of Brooklyn, Community District (CD) 6. The Project Site would include a building fronting 9th Street (the "9th Street Building"), which would include a 17-story tower with retail space and a residential lobby on the ground floor, and dwelling units (DUs) above. The building fronting 10th Street (the "10th Street Building") would be 19 stories, including a penthouse on the top story, with community facility space and a residential lobby on the ground floor, residential amenity space on the second floor, and residences above. As detailed below, the Proposed Actions would not result in significant adverse socioeconomic impacts.

B. METHODOLOGY

Under CEQR, socioeconomic changes are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area. In some cases, these changes may be substantial but not adverse. In other cases, these changes may be good for some groups but bad for others. The objective of the CEQR analysis is to disclose whether any changes created by the Proposed Actions would have a significant impact compared with what would happen in the future without the Proposed Actions (the No Action condition).

An assessment of socioeconomic impacts distinguishes between impacts on the residents and businesses in a study area and separates these impacts into direct and indirect displacement for both of those segments. Direct displacement occurs when residents or businesses are involuntarily displaced from the actual site of a proposed project or sites directly affected by it. For example, direct displacement would occur if a currently occupied site were redeveloped for new uses or structures or if a proposed easement or right-of-way encroached on a portion of a parcel and rendered it unfit for its current use. In these cases, the occupants of a particular structure to be displaced can usually be identified, and therefore the disclosure of direct displacement focuses on a known number of residents and/or specific businesses and workers.

Indirect or secondary displacement occurs when residents, business, or employees are involuntarily displaced due to a change in socioeconomic conditions in the area caused by a project. Examples include the displacement of lower-income residents who are forced to move

due to rising rents caused by higher-income housing introduced by a project. Examples of indirect business displacement include higher-paying commercial tenants replacing industrial uses and when new uses introduced by a project cause commercial rents to increase. Unlike direct displacement, the exact occupants to be indirectly displaced are not known. Therefore, an assessment of indirect displacement usually identifies the size and type of groups of residents, businesses, or employees potentially affected.

Some projects may affect the operation and viability of a specific industry not necessarily tied to a specific location. An example would be new regulations that prohibit or restrict the use of certain processes that are critical to certain industries. In these cases, the CEQR review process may involve an assessment of the economic impacts of the project on that specific industry.

DETERMINING WHETHER A SOCIOECONOMIC ASSESSMENT IS APPROPRIATE

According to the *CEQR Technical Manual*, a socioeconomic assessment should be conducted if a project may be reasonably expected to create socioeconomic changes in the area affected by the project that would not be expected to occur in the absence of the project. The following screening assessment considers threshold circumstances identified in the *CEQR Technical Manual* (italicized in bold below) that can lead to socioeconomic changes warranting further assessment.

DIRECT DISPLACEMENT

Direct Residential Displacement

Would the proposed actions directly displace residential population to the extent that the socioeconomic character of the neighborhood would be substantially altered? Displacement of fewer than 500 residents would not typically be expected to alter the socioeconomic character of a neighborhood.

The Proposed Actions would not result in the direct displacement of any existing DUs. The existing 12- and 18-story residential building located on the Project Site would remain in its current condition. As such, a preliminary assessment of direct residential displacement is not warranted.

Direct Business Displacement

Would the proposed actions directly displace more than 100 employees? If so, assessments of direct business displacement and indirect business displacement are appropriate. Would the Proposed Actions directly displace a business whose products or services are uniquely dependent on its location, are the subject of policies or plans aimed at its preservation or serve a population uniquely dependent on its services in its present location? If so, an assessment of direct business displacement is warranted.

The Proposed Actions would not displace any businesses. There are no businesses currently located on the Project Site, and the existing residential building would continue to operate upon completion of the proposed project. As such, the Proposed Actions would not result in significant adverse impacts due to direct business displacement, and a preliminary assessment of direct business displacement is not warranted.

INDIRECT DISPLACEMENT

Would the Proposed Actions result in a substantial new development that is markedly different from existing uses, development, and activities within the neighborhood? Residential development of 200 units or less or commercial development of 200,000 square feet or less would typically not result in significant socioeconomic impacts. For projects exceeding these thresholds, assessments of indirect residential displacement and indirect business displacement are appropriate.

Indirect Residential Displacement

The Proposed Actions would result in the construction of up to 319 incremental DUs compared to the No Action condition, which is over the 200-unit development threshold identified by the *CEQR Technical Manual.* Therefore, a preliminary assessment of potential indirect residential displacement is warranted.

Indirect Business Displacement Due to Increased Rents

The proposed project would not exceed the 200,000-square-foot commercial development threshold warranting assessment of indirect business displacement. The proposed project would result in a total of approximately 6,750 gsf of retail space and approximately 4,600 gsf of community facility space (assumed to be medical office). Neither of these proposed uses would represent a substantial new use that is markedly different from existing uses in the area. The proposed project would add a total of approximately 724 new residents, which is a 1.8 percent increase above the existing population within an approximately half-mile distance of the Project Site.[1] Given the fact that Park Slope is already an established residential neighborhood, and the proposed DUs include designated affordable housing, the residential development that would occur as a result of the Proposed Actions would not have the potential to result in demographic changes in the local market that could lead to indirect business displacement due to increased rents, and an analysis is not warranted.

Indirect Business Displacement Due to Market Saturation

Would the proposed actions result in a total of 200,000 square feet or more of retail on a single development site or 200,000 square feet or more of region-serving retail across multiple sites? This type of development may have the potential to draw a substantial amount of sales from existing businesses within the study area, resulting in indirect business displacement due to market saturation.

The proposed project would include approximately 6,750 gsf of retail space and approximately 4,600 gsf of community facility space (assumed to be medical office) on the Project Site. In keeping with the characteristics of the neighborhood, the proposed project would provide retail uses in line with the needs of the community and surrounding uses. Such potential retail uses would not total 200,000 gsf and, as such, the Proposed Actions do not have the potential to result in significant

[1] The With Action residential population is estimated by applying the 2020 Census Brooklyn Community District 6 average household size (2.27 persons per household) to the 319 DUs assumed for the proposed project. The proposed project would add approximately 724 new residents to the area, increasing the quarter-mile study area by 6.8 percent. Therefore, the study area was expanded to a half-mile radius for the proposed project.

adverse impacts due to retail market saturation, and an assessment of indirect business displacement due to market saturation is not warranted.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

Are the proposed actions expected to affect conditions within a specific industry? This could affect socioeconomic conditions if a substantial number of workers or residents depend on the goods or services provided by the affected businesses, or if the proposed actions would result in the loss or substantial diminishment of a particularly important product or service within the City.

The Proposed Actions would not significantly affect business conditions in any industry or any category of business. As detailed above, the proposed project would not directly displace any uses located on the Project Site, nor would the proposed project have the potential to result in significant adverse impacts due to indirect business displacement. Therefore, the Proposed Actions do not have the potential to result in significant adverse effects on specific industries, and a preliminary assessment of this concern is not warranted.

DETERMINATION

Based on *CEQR Technical Manual* threshold criteria for assessment, the Proposed Actions warrant further assessment of potential indirect residential displacement. This assessment is presented in Section C, "Preliminary Assessment."

ANALYSIS FORMAT

Based on *CEQR Technical Manual* guidelines, the analysis of indirect residential displacement begins with a preliminary assessment. The objective of the preliminary assessment is to learn enough about the potential effects of the Proposed Actions to either rule out the possibility of significant adverse impacts or determine that a more detailed analysis is required to fully determine the extent of the impacts. In this case, a preliminary assessment was sufficient to conclude that the Proposed Actions would not result in significant adverse socioeconomic impacts due to indirect residential displacement.

STUDY AREA

According to the *CEQR Technical Manual*, socioeconomic study area boundaries depend on project size and characteristics. The *CEQR Technical Manual* states that a quarter-mile study area is appropriate for a project that produces a small (below 5 percent) increase to the quarter-mile area population. The Proposed Actions would introduce an estimated 724 residents, which is an approximately 6.8 percent increase to the existing quarter-mile area population. Therefore, a half-mile study area is appropriate for this analysis.

Because the socioeconomic analysis depends on U.S. Census-based demographic data, it is appropriate to adjust the study area boundary to conform to the census tract delineation that most closely approximates the desired radius (in this case, a half-mile radius surrounding the Project Site). The census tracts that constitute the "socioeconomic study area," or "study area," are shown in **Figure B-1** and include Census Tracts 117, 119.01, 119.02, 121, 135, 137, 139, 141.01, 141.02, 143, 149.01, 149.02, 151, 153, and 155. The socioeconomic study area is located within CD 6 and generally extends to Douglass Street and 1st Street to the north; Gowanus Expressway, Prospect Expressway, and 20th Street to the south; the Gowanus Canal to the west; and Eighth Avenue to the east.



Socioeconomic Study Area

341 10TH STREET REZONING AND LSGD SPECIAL PERMITS

Figure B-1

DATA SOURCES

Information used in the analysis of indirect residential displacement was gathered from the U.S. Census Bureau's 2020 Decennial Census, U.S. Census Bureau 2006–2010 and 2017–2021 American Community Survey (ACS) 5-Year Estimates, and the New York City Department of City Planning (DCP) Housing Database. The DCP Housing Database is consulted to assess a net change in completed construction projects after April 1 of the latest decennial year to present a reasonable estimate of the existing population at the time of the analysis. The DCP NYC Population FactFinder online mapping tool was used to provide comparative census data between geographies and to determine the margin of error (MOE) for single variable ACS estimates presented for the study area.[2] Census data were gathered on population, housing, and income. All dollar values for census data were converted to 2022 dollars using the United States Department of Labor Bureau of Labor Statistics Consumer Price Index to allow for comparison between years. Data on market rents within the study area were collected on the real estate listings website StreetEasy.com.

C. PRELIMINARY ASSESSMENT

INDIRECT RESIDENTIAL DISPLACEMENT

As described in the *CEQR Technical Manual*, indirect residential displacement usually occurs when a project results in a substantial new development that is markedly different from existing uses and activities within a neighborhood. This can contribute to increased property values and increased rents, which can make it difficult for some existing residents to remain in their homes.

Generally, an indirect residential displacement analysis is conducted only in cases in which the potential impact may be experienced by renters living in privately held DUs unprotected by rent control, rent stabilization, or other government regulations restricting rents, and whose incomes or poverty status indicates that they may not withstand substantial rent increases. Residents who are homeowners, or who are renters living in rent-protected DUs, are not considered potentially vulnerable populations under CEQR. This analysis follows the step-by-step assessment guidelines of the *CEQR Technical Manual*.

Step 1: Determine if the proposed actions would add new population with higher average incomes compared to the average incomes of the existing populations and any new population expected to reside in the study area without the project.

EXISTING CONDITIONS

Based on the 2020 Decennial Census and the DCP Housing Database 2022 Q4 dataset, the study area has an estimated population of 39,938.[3] The study area is located within Brooklyn CD 6,

[2] MOEs describe the precision of an estimate within a 90-percent confidence interval and provide an idea of how much variability (i.e., sampling error) is associated with the estimate. The larger the MOE relative to the size of the estimate, the greater potential for variability within the data. The MOE is partially dependent on the sample size, because larger sample sizes result in a greater amount of information that more closely approximates the population.

[3] According to the DCP Housing Database 2022 Q4 dataset, there has been an increase of 341 DUs within the study area since April 2020. Applying the CD 6 vacancy rate of 7.0 percent to the 341 units and assuming an average household size of 2.27, an additional 720 residents have been added to the study area

which has an average household size of 2.27.[4] This analysis uses average and median household incomes to describe the household income characteristics of the study area population. As shown in **Table B-1**, in 2021, the average annual household income within the study area was approximately $206,074 which was greater than that of Brooklyn ($110,233) and New York City ($120,230). Overall, the average household income has increased across all three geographic regions since 2010.

Table B-1
Average Annual Household Income (2006–2010, 2017-2021 ACS)

Area	2006–2010 ACS[1]	2017–2021 ACS[1]	Change or Direction of Change
Socioeconomic Study Area	$145,228	$206,074	Increase[2]
Brooklyn	$83,385	$110,233	32.2%
New York City	$103,669	$120,230	16.0%

Notes:
[1] All dollar figures have been adjusted to 2022 dollars based on the U.S. Department of Labor Consumer Price Index.
[2] The MOE of the difference between the 2006–2010 ACS and 2017–2021 ACS data for the study area is greater than 30 percent of the estimated difference. Therefore, a percent change cannot be estimated with confidence.
Sources: U.S. Census Bureau, 2006–2010 and 2017–2021 ACS 5-Year Estimates via DCP's NYC Population Factfinder.

Given that average income can be heavily influenced by outliers (both high and low) within the data, the median household income is also presented to supplement the analysis (see **Table B-2**). In 2021, the median annual household income within the study area was approximately $153,525, which was greater than the median household income for Brooklyn ($71,888) and New York City as a whole ($74,975). Since 2010, the median annual household income has increased in the study area and grew as much as 24 percent in Brooklyn.

Table B-2
Median Annual Household Income (2006–2010, 2017–2021 ACS)

Area	2006–2010 ACS[1]	2017–2021 ACS[1]	Change or Direction of Change
Socioeconomic Study Area	$105,285	$153,525	Increase[2]
Brooklyn	$57,981	$71,888	24.0%
New York City	$66,921	$74,975	12.0%

Notes:
[1] All dollar figures have been adjusted to 2022 dollars based on the U.S. Department of Labor Consumer Price Index.
[2] The MOE of the difference between the 2006–2010 ACS and 2017–2021 ACS data for the study area is greater than 30 percent of the estimated difference. Therefore, a percent change cannot be estimated with confidence.
Sources: U.S. Census Bureau, 2006–2010 and 2017–2021 ACS 5-Year Estimates via DCP's NYC Population Factfinder.

As shown in **Table B-3**, in 2021, the socioeconomic study area had a higher average and median gross rent per month as compared with Brooklyn and New York City. The median gross rent was

since the 2020 Decennial Census was conducted. Therefore, the half-mile study area population is estimated to be approximately 39,938 people.

[4] U.S. Census Bureau 2020 Decennial Census.

estimated at $2,621 per month, compared to $1,679 in Brooklyn and $1,675 in New York City overall. Similarly, the average gross rent within the study area ($2,583) was greater than Brooklyn ($1,746) and New York City ($1,783). All three geographies saw an increase in average and median gross rent between 2010 and 2021, with Brooklyn seeing increases as high as 31.4 percent for average rent and 23.5 percent for median gross rent.

Table B-3
Average and Median Gross Rent (2006–2010, 2017–2021 ACS)

Area	2006–2010 ACS[1]		2017–2021 ACS[1]		Percent Change	
	Average	Median	Average	Median	Average	Median
Socioeconomic Study Area	$1,980	$1,990	$2,583	$2,621	Increase[2]	Increase[2]
Brooklyn	$1,329	$1,359	$1,746	$1,679	31.4%	23.5%
New York City	$1,474	$1,425	$1,783	$1,675	20.9%	17.6%

Notes:
[1] All dollar figures have been adjusted to 2022 dollars based on the U.S. Department of Labor Consumer Price Index.
[2] The MOE of the difference between the 2006–2010 ACS and 2017–2021 ACS data for the study area is greater than 30 percent of the estimated difference. Therefore, a percent change cannot be estimated with confidence.
Sources: U.S. Census Bureau, 2006–2010 and 2017–2021 ACS 5-Year Estimates via DCP's NYC Population Factfinder and Social Explorer.

The U.S. Census ACS data does not provide specific rent information according to regulation status or unit size, but instead can paint a general picture about the rate at which housing costs are changing in a neighborhood. Recent and active rental listings were therefore used to provide a fuller understanding of where the market is today. **Table B-4** presents a summary of the existing market rents within the study area. The upper quartile market rent across studio to three-bedroom apartments totaled approximately $5,000 within the study area, as of August 2022.

Table B-4
Socioeconomic Study Area Market Rents

Unit Type	Average	Median	Upper Quartile
Studio	$2,416	$2,975	$2,813
One Bedroom	$3,282	$3,200	$3,600
Two Bedroom	$4,382	$2,900	$5,500
Three Bedroom	$5,491	$3,395	$6,500
All Unit Types	**$4,030**	**$3,600**	**$4,994**

Source: StreetEasy (http://streeteasy.com) accessed in August 2022 based on sampling of 277 active and recent listings from the last 90 days within the study area.

THE FUTURE WITHOUT THE PROPOSED ACTIONS

Project Site

The future condition without the Proposed Actions (the No Action condition) describes a future baseline condition to which changes that are expected to result from the Proposed Actions are compared. Absent the Proposed Actions, no new buildings would be constructed on the Project Site, which would remain in its current condition. The existing building with 154 DUs and parking areas totaling 115 accessory spaces would remain in the No Action condition.

Study Area

There are 35 planned developments within a half-mile radius of the Project Site that are anticipated to be completed by the build year of 2025. In total, the No Action condition will see the development of 1,014 new DUs in the socioeconomic study area. The new DUs would introduce an estimated 2,302 new residents, resulting in a total study area population of 42,240, a 5.8 percent increase compared with existing conditions. There are several notable planned projects in the study area, including: 420 Carroll Street, a 335-unit two-tower development along the Gowanus Canal; 262 9th Street, a proposed 11-story mixed use building with 63 DUs and commercial and community facility uses; and 584 4th Avenue, a 9-story mixed use building with 46 DUs. Based on existing rent and income trends, it is anticipated that the study area will continue to show a trend of rising rents and incomes in the No Action condition.

THE FUTURE WITH THE PROPOSED ACTIONS

The future with the Proposed Actions (the "With Action" condition) describes the future condition in which the Proposed Actions are approved and implemented, and the proposed project is completed and operational. In the With Action condition, the proposed project would be developed on the Project Site as described above. The proposed project would include two new 19-story and 17-story mixed-use buildings constructed along 9th Street and 10th Street frontages of the Project Site. The 9th Street Building would contain approximately 114 DUs and the 10th Street Building would provide 205 DUs, including up to 96 affordable DUs (30 percent) pursuant to Mandatory Inclusionary Housing (MIH) across the two buildings.[5] The existing residential building would remain in its current condition with 154 DUs. The two new buildings would contain approximately 282,774 gsf, including approximately 6,750 gsf of retail space and approximately 4,600 gsf of community facility space (assumed to be medical office).

The proposed project would be subject to MIH, which sets forth four options that are characterized by different affordability levels, each promoting a range of affordable development, as described below. The Applicant is proposing the Workforce Option.[6]

- **Option 1**: 25 percent of residential floor area would be set aside for households making up to 60 percent Area Median Income (AMI) on average, with 10 percent of that number set aside for households making up to 40 percent AMI.

[5] The Reasonable Worst Case Development Scenario (RWCDS) assumes a overall unit count based on 850 sf/unit. The RWCDS also projects 30 percent of the units are affordable, a typical assumption under CEQR. The Proposed Project may include senior housing in the proposed 9th Street Building; however, the RWCDS does not assume any of the units are for senior housing, as this would result in a smaller overall projected population. Therefore, the total and affordable unit counts are based on conservative estimates for analysis purposes.

[6] This is a conservative assumption as the Applicant plans to provide deeper affordability through additional programs. The Applicant is currently seeking construction funding through the New York City Department of Housing Preservation and Development's (HPD) Senior Affordable Rental Apartments (SARA) Program for the 9th Street Building's 114 DUs at a future date. The SARA program requires that all units be affordable for households in which at least one person is 62 years or older, with incomes up to 50 percent AMI and that 30 percent of units be reserved for formerly homeless households. Though the MIH affordability requirements would be exceeded via the SARA units in the 9th Street Building, since the 10th Street Building is vested under 421-a Option C, 30 percent of units in the 10th Steet Building would also be required to be affordable at up to 130 percent AMI.

- **Option 2**: 30 percent of residential floor area would be set aside for households making up to 80 percent AMI.
- **Workforce Option:** 30 percent of residential floor area must be affordable on average to households making 115 percent of AMI with 5 percent of that number set aside for households at 70 percent AMI and 5 percent at 90 percent AMI.
- **Deep Affordability Option:** 20 percent of the housing must be affordable on average to households making 40 percent of AMI.

New York City AMIs are shown in **Table B-5**. AMIs are calculated yearly by the U.S Department of Housing and Urban Development (HUD).

Table B-5
2023 New York City Area Median Income (AMI)

Family Size	30% of AMI	40% of AMI	50% of AMI	60% of AMI	80% of AMI	100% of AMI	110% of AMI	120% of AMI	130% of AMI
1	$29,670	$39,560	$49,450	$59,340	$79,120	$98,900	$108,790	$118,680	$128,570
2	$33,900	$45,200	$56,500	$67,800	$90,400	$113,000	$124,300	$135,600	$146,900
3	$38,130	$50,840	$63,550	$76,260	$101,680	$127,100	$139,810	$152,520	$165,230
4	$42,360	$56,480	$70,600	$84,720	$112,960	$141,200	$155,320	$169,440	$183,560
5	$45,750	$61,000	$76,250	$91,500	$122,000	$152,500	$167,750	$183,000	$198,250

Source: U.S. Department of Housing and Urban Development (HUD)
https://www1.nyc.gov/site/hpd/services-and-information/area-median-income.page.

The estimated average household size for the proposed project's DUs is assumed to be 2.27, which is the average household size of Brooklyn CD 6 as of the 2020 U.S. Decennial Census. Because the household size estimates for the proposed units fall between two whole numbers, as recommended in the *CEQR Technical Manual*, this analysis splits the difference between the AMI for 2- and 3-person households for the MIH units. For the MIH units, which would be affordable on average to households making 115 percent of AMI, the average household income would be $134,328, assuming $129,950 as the lower bound for a 2-person household and $146,165 as the upper bound for a 3-person household.[7]

Average Household Income of the With Action Population on the Project Site

Table B-6 shows the estimated distribution of new market rate units in the With Action condition by number of bedrooms. Assuming the MIH Workforce Option, there would be a total of approximately 223 market rate units on the Project Site in the With Action condition. The 9th Street Building is expected to consist of approximately 114 DUs, of which an estimated 70 units would be studios, 43 units would be one-bedrooms, and 1 would be a two-bedroom unit for the building super.[8] The 10th Street Building is expected to consist of approximately 205 DUs, of which 158 units would be one-bedrooms and 47 units would be two-bedrooms. Of the total 319 DUs within the two buildings, approximately 30 percent, or 96 DUs, would be set aside as affordable.

[7] The 115 percent AMI was estimated using the 2023 HUD AMI projections presented in Table B-5.

[8] The unit mix is based off the proposed project concept plans provided by the Applicant.

Table B-6
Upper Quartile Market Rate Monthly Rents: Socioeconomic Study Area

Unit Type	Count	Percent	Upper Quartile Monthly Rent
Studio	49	22%	$2,813
One Bedroom	141	63%	$3,600
Two Bedroom	33	15%	$5,500
Total[1]	223	100%	$3,732

Note: [1] Total average monthly rent is a weighted total based on the proportional unit mix estimated from the proposed project concept plans.
Sources: StreetEasy.com, accessed August 2022.

Table B-7 shows the calculations used to estimate the average household income of the market rate units. Using the upper quartile of monthly rent by bedrooms, the estimated household income for each type of unit was estimated, assuming households spend 30 percent of their gross monthly income on rent. Then, the estimated annual incomes were multiplied by the number of units to determine the aggregate income for the units by unit type. Finally, the aggregate for all unit types was divided by the total number of market rate units to determine the estimated average household income of the market rate units of $148,435.

Table B-7
Weighted Average Income of With-Action Market Rate Renters

Number of Bedrooms	Monthly Rent	Estimated Gross Monthly Income[1]	Estimated Gross Yearly income	Units	Aggregate Income by Number of Bedrooms (Yearly Income x Units)
Studio	$2,813	$9,377	$113,000	49	$5,537,000
One Bedroom	$3,600	$12,000	$144,000	141	$20,304,000
Two Bedroom	$5,500	$18,333	$220,000	33	$7,260,000
Total				223	$33,101,000
Weighted Average Income of Market Rate Units (Aggregate Income ÷ Total Units)					**$148,435**

Note: [1] Monthly income was estimated using the assumption that renters spend 30 percent of their gross monthly income on rent.
Numbers may not sum to totals due to rounding.
Sources: Monthly rent from Street Easy Listings, August 2022.

Of the total 319 DUs, 96 units would be reserved for households at incomes of up to 115 percent AMI assuming the MIH Workforce Option. **Table B-8** shows the average household income of both the affordable and market rate DUs in the With Action condition. To derive a weighted average aggregate income for the With Action population, the average income of market rate DUs was multiplied by the total number of market rate DUs and the average income of affordable DUs (at 115 percent AMI for an average household size of 2.27) was multiplied by the total number of affordable DUs on the Project Site. These two numbers were added together to determine the aggregate income for all the units, which was then divided by the total number of units to determine the average income for all units of $144,190.

Table B-8
Weighted Average Income of Total With Action Population

Income		Units	Aggregate Income (Income x Units)
Market rate[1]	$148,435	223	$33,101,000
MIH Affordable[2]	$134,328	96	$12,895,500
Total		319	$45,996,500
Weighted Average Income of the With Action Population (Aggregate Income ÷ Total Units)			**$144,190**

Notes:
[1] See **Table B-7**.
[2] Household income for MIH DUs is based on 115 percent AMI for a family of 2.27 (see **Table B-6**).
Sources: StreetEasy.com; HUD.

The expected average income of the new population ($144,190) is anticipated to be lower than the average household income of the existing socioeconomic study area population ($206,074).

D. CONCLUSION

Step 1 of the preliminary assessment determined that the Proposed Actions would not introduce a population with higher average incomes than the No Action study area population. Therefore, based on *CEQR Technical Manual* guidelines, the Proposed Actions would not result in significant adverse impacts to socioeconomic conditions due to indirect residential displacement, and no further analysis is warranted.

The results of this analysis are conservative as the Applicant plans to provide deeper affordability through additional programs. The Applicant may seek construction funding through HPD's SARA Program for the 9th Street Building's 114 DUs at a future date. The SARA program requires that all units be affordable for households in which at least one person is 62 years or older, with incomes up to 50 percent AMI and that 30 percent of units be reserved for formerly homeless households. Though the MIH affordability requirements would be exceeded via the SARA units in the 9th Street Building, since the 10th Street Building is vested under 421-a Option C, 30 percent of units in the 10th Steet Building would also be required to be affordable at up to 130 percent AMI. ✷

A. INTRODUCTION

This chapter assesses the potential impacts of the Proposed Actions on community facilities and services, which are defined in the 2021 *City Environmental Quality Review (CEQR) Technical Manual* as public or publicly funded schools, publicly financed early childhood programs, libraries, health care facilities, and fire and police protection services. CEQR methodology focuses on direct effects on community facilities, such as when a facility is physically displaced or altered, and on indirect effects, which could result from increased demand for community facilities and services generated by new users, such as the new population that would result from the Future with the Proposed Actions (the "With Action" condition).

As described in Chapter 1, "Project Description," the Applicant, Stellar 341 LLC, is seeking a zoning map amendment to change existing R6A and R6B districts to R7-3 and R7-3/C2-4 districts, a related zoning text amendment to allow a R7-3 district and designate a Mandatory Inclusionary Housing (MIH) Area in Appendix F of the Zoning Resolution (ZR), and special permits to establish a Large-Scale General Development (LSGD) and reduce accessory parking requirements (the "Proposed Actions"). The Proposed Actions would facilitate the development of two mixed-use buildings with neighborhood retail and community facility space on the ground floors and residential space above, with a total of 319 dwelling units (DUs), 6,720 gross square feet (gsf) of neighborhood retail space, and 4,600 gsf of community facility space on the midblock portion of the block bounded by 4th and 5th Avenues and 9th and 10th Streets (Block 1010, Lot 26) in the Park Slope neighborhood of Brooklyn, Community District 6 (the "site" or "Project Site").

B. PRELIMINARY SCREENING

The analysis of community facilities has been conducted in accordance with *CEQR Technical Manual* methodologies and the latest data and guidance from the New York City Department of City Planning (DCP), the New York City Department of Education (DOE) and the New York City School Construction Authority (SCA).

The purpose of the preliminary screening is to determine whether a community facilities assessment is warranted. As recommended by the *CEQR Technical Manual*, a community facilities assessment is warranted if a project has the potential to result in either direct or indirect effects on community facilities. If a project would physically alter a community facility, whether by displacement of the facility or other physical change, this "direct" effect triggers the need to assess the service delivery of the facility and the potential effect that the physical change may have on that service delivery. New population added to an area as a result of a project would use existing services, which may result in potential "indirect" effects on service delivery. Depending on the size, income characteristics, and age distribution of the new population, there may be effects on public schools, libraries, or child care centers.

DIRECT EFFECTS

The Proposed Actions would not displace or otherwise directly affect any public schools. Therefore, an analysis of direct effects is not warranted.

INDIRECT EFFECTS

The *CEQR Technical Manual* provides thresholds for guidance in making a determination of whether a detailed analysis is necessary to determine potential indirect impacts (see **Table C-1**). If a project exceeds the threshold for a specific facility type, a more detailed analysis is warranted.

Table C-1
Preliminary Screening Analysis Criteria: Brooklyn

Community Facility	Threshold For Detailed Analysis
Public schools	New SCA student multipliers that are at the CSD level were released in November 2019. These multipliers were calculated using the latest five-year estimates from the American Community Survey. For CSD 15, where the project is located, the multipliers (rounded) are .017 for elementary schools, 0.04 for intermediate schools, and 0.05 for high schools.
Libraries	Greater than 5 percent increase in ratio of residential units to libraries in a given borough. In Brooklyn, the minimum number of residential units that triggers a detailed analysis is 734.
Health care facilities (outpatient)	Introduction of sizeable new neighborhood where none existed before.[1]
Publicly Financed Early Childhood Programs	More than 20 eligible children under 6 years old, based on number of low- and low/moderate-income units by borough. In Brooklyn, the minimum number of affordable units that triggers a detailed analysis is 110.
Fire protection	Introduction of sizeable new neighborhood where none existed before.[1]
Police protection	Introduction of sizeable new neighborhood where none existed before.[1]

Note: [1] The *CEQR Technical Manual* cites the Hunters' Point South project as an example of a project that would introduce a sizeable new neighborhood where none existed before. The Hunters' Point South project would introduce approximately 5,000 new residential units to the Hunters' Point South waterfront in Long Island City, Queens.
Source: *CEQR Technical Manual*, 2021

As discussed in Chapter 1, "Project Description," a RWCDS has been developed to assess the range of uses and development envelopes that would be achievable with the Proposed Actions. In total, in the With Action condition, two new mixed-use buildings would be constructed along the 9th Street and 10th Street frontages of the Project Site, in areas that currently contain parking. The 9th Street Building would contain 100 DUs and the 10th Street Building would provide 219 DUs. The existing 12- and 18-story residential building would remain in its current condition. The new buildings would contain up to 319 DUs. Including the 154 existing DUs, the Project Site would contain a total of 473 DUs.

Applying the average household size of 2.27 persons per household (the average household size according to 2020 Census data) to the 319 incremental DUs, the Proposed Actions would introduce approximately 724 new residents to the study area.

Based on the screening criteria in **Table C-1**, a detailed analysis of potential indirect impacts on public schools (elementary and intermediate) was conducted. With respect to publicly financed early childhood programs, the Proposed Actions would introduce 96 affordable units, below the

analysis threshold of 110 affordable units in Brooklyn.[1] The *CEQR Technical Manual* requires a detailed analysis of impacts on police and fire services, hospitals, and public health clinics if a proposed action would affect the physical operation of, or access to and from, a station house or healthcare facility, or where a proposed action would create a sizeable new neighborhood where none existed before. The Proposed Actions would not directly displace a station house or healthcare facility, and, therefore, would not adversely affect the physical operation of, or access to and from a facility. In addition, the Proposed Actions would not create a sizeable new neighborhood.[2] Therefore, a detailed analysis of potential impacts on police and fire services, hospitals, and public health clinics is not warranted.

C. POTENTIAL INDIRECT EFFECTS ON PUBLIC ELEMENTARY AND INTERMEDIATE SCHOOLS

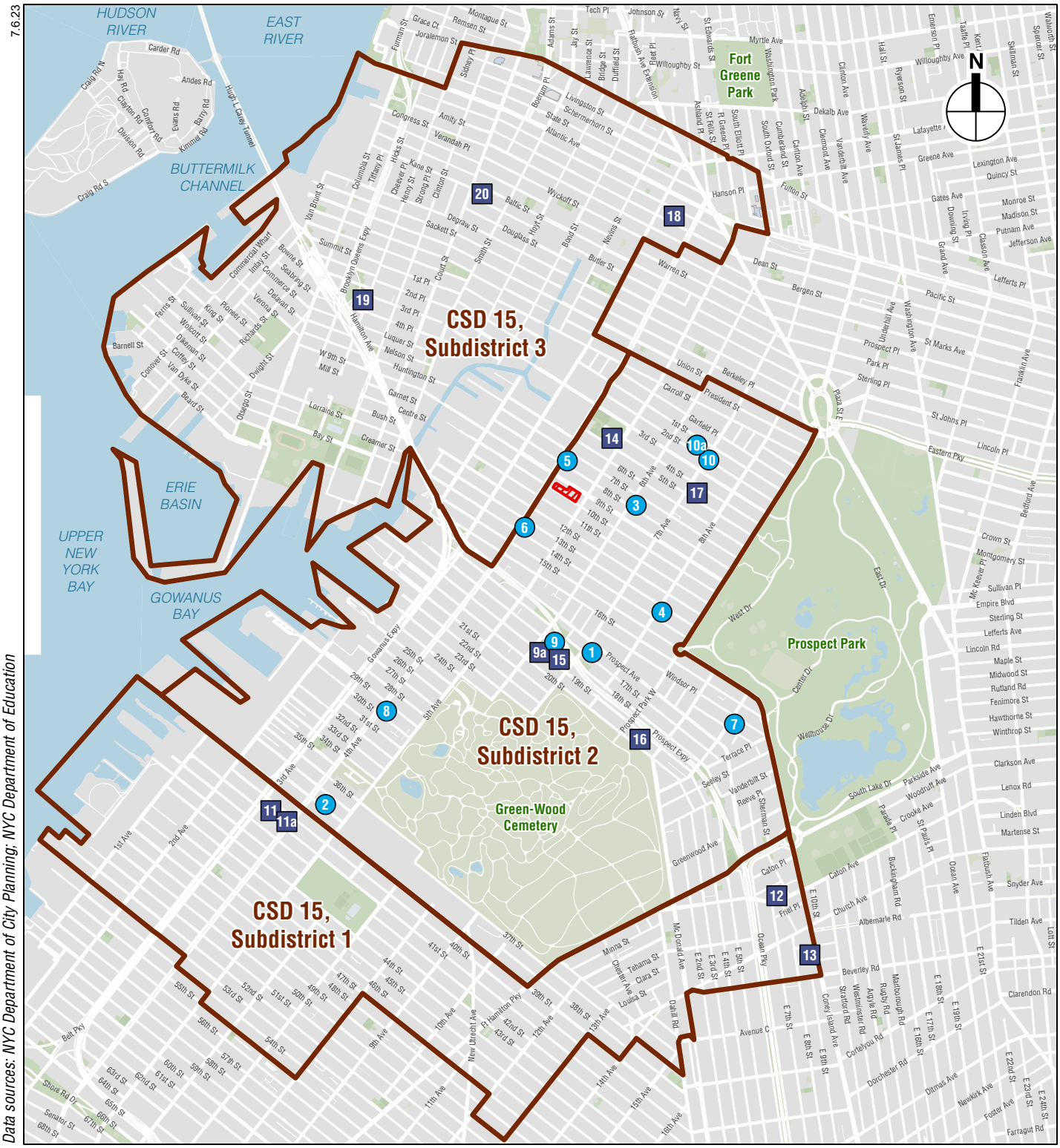
METHODOLOGY

This analysis assesses the potential effects of the Proposed Actions on public schools serving the Project Site. Following the methodologies in the *CEQR Technical Manual*, the study area for the analysis of elementary and intermediate schools is the school districts' "subdistrict" (also known as a "region" or "school planning zone") in which the project is located; the subdistricts are used for capital planning purposes and do not necessarily reflect individual school zones; therefore, students are not limited to attending schools based on their subdistrict. The Project Site is located in Subdistrict 2 of CSD 15 (see **Figure C-1**). As the Project Site is also located within an intermediate school "choice" district, a district-wide analysis has been conducted for all intermediate schools within CSD 15.

In accordance with the *CEQR Technical Manual*, the schools analysis uses the most recent DOE data on school capacity, enrollment, and utilization rates for elementary and intermediate schools in the subdistrict study area (and district study area for intermediate schools). Specifically, the existing conditions analysis uses data provided in the DOE's *Utilization Profiles: Enrollment/Capacity/Utilization,* 2021–2022 edition. Future conditions are then predicted based on Statistical Forecasting's enrollment projections and data obtained from SCA's Capital Planning Division on the number of new DUs and students expected at the subdistrict level (and district level for intermediate schools). The future utilization rate for school facilities is calculated by adding the estimated enrollment from proposed residential projects in the schools' study area to Statistical Forecasting's projected enrollment, and then comparing that number with projected school capacity. Charter school enrollment is not included in enrollment projections. Statistical Forecasting's enrollment projections for years 2021 through 2030, the most recent data currently available, were provided by DCP. These enrollment projections are based on broad demographic

[1] The Reasonable Worst Case Development Scenario (RWCDS) assumes a overall unit count based on 850 sf/unit. The RWCDS also projects 30 percent of the units are affordable, a typical assumption under CEQR. The Proposed Project may include senior housing in the proposed 9th Street Building; however, the RWCDS does not assume any of the units are for senior housing, as this would result in a smaller overall projected population. Therefore, the total and affordable unit counts are based on conservative estimates for analysis purposes.

[2] The *CEQR Technical Manual* cites the Hunters' Point South project as an example of a project that would introduce a sizeable new neighborhood where none existed before (with approximately 5,000 new dwelling units).



Elementary and Intermediate Schools Serving the Study Area

341 10TH STREET REZONING AND LSGD SPECIAL PERMITS

Figure C-1

trends and do not explicitly account for discrete new residential projects planned for the study area. The estimated student population from the other new projects expected to be completed within the study area has been obtained from SCA's Capital Planning Division and are added to the projected enrollment to ensure a more conservative prediction of future enrollment and utilization. In addition, new capacity from any new school projects identified in the DOE 2020–2024 Five-Year Capital Plan are included if construction has begun or if deemed appropriate to include in the analysis by the lead agency and the SCA.

The effect of the new students introduced by the Proposed Actions on the capacity of schools within the study areas is then evaluated. According to the *CEQR Technical Manual*, a significant adverse impact may occur for elementary or intermediate schools if a proposed action would result in both of the following conditions:

1. A utilization rate of the elementary and/or intermediate schools in the subdistrict study area, that is equal to or greater than 100 percent in the With Action condition; and
2. 100 or more new students generated from the proposed development past the 100 percent utilization point.

EXISTING CONDITIONS

ELEMENTARY SCHOOLS (SUBDISTRICT 2)

As shown in **Table C-2**, ten elementary schools serve Subdistrict 2/CSD 15. According to DOE's 2021–2022 school year enrollment figures, elementary schools in the subdistrict have a total enrollment of 5,141 students and are currently operating at 116.4 percent utilization, with a deficit of 725 seats.

INTERMEDIATE SCHOOLS (SUBDISTRICT 2)

As shown in **Table C-2**, five intermediate schools serve Subdistrict 2/CSD 15. Total enrollment at these intermediate schools is 3,314 students, or 97.4 percent of capacity, with a surplus of 120 seats.

INTERMEDIATE SCHOOLS (DISTRICT)

As shown in **Table C-2**, twelve intermediate schools serve the entirety of CSD 15. Total enrollment at these intermediate schools is 6,075 students, or 93.3 percent of capacity, with a surplus of 437 seats.

THE FUTURE WITHOUT THE PROPOSED ACTIONS

The latest available enrollment projections for Subdistrict 2/CSD 15 and for the entirety of CSD 15 were used to form the baseline enrollment in the No Action condition, shown in **Table C-3** in the column titled "Projected Enrollment." This data projects elementary and intermediate school enrollment through 2031. Since the Proposed Actions' analysis year is 2025, the 2025 projections are used as a baseline. The students projected to be introduced by other planned developments are added to this baseline projected enrollment using the SCA No Action student numbers for Subdistrict 2/CSD 15 (derived from the SCA's *Projected New Housing Starts*), as shown in the column titled "Students Introduced by Residential Projects in the No Action condition" in **Table C-3**.

Table C-2
Public Schools Serving the Study Area,
Enrollment and Capacity Data, 2021–2022 School Year

Map No.	Name	Address	Enrollment	Capacity	Available Seats	Utilization
Elementary Schools						
Subdistrict 2 of CSD 15						
1	P.S. 10 Magnet School of Math, Science and Design Technology	511 7th Avenue	831	731	-100	114%
2	P.S. 24	427 38th Street	518	559	41	93%
3	P.S. 39 Henry Bristow	417 6th Avenue	344	272	-72	126%
4	P.S. 107 John W. Kimball	1301 8th Avenue	477	350	-127	136%
5	P.S. 118 Maurice Sendak Community School	211 8th Street	220	272	52	81%
6	P.S. 124 Silas B. Dutcher	515 4th Avenue	303	264	-39	115%
7	P.S. 154 The Windsor Terrace School	1625 11th Avenue	423	342	-81	124%
8	P.S. 172 Beacon of Excellence	825 4th Avenue	519	368	-151	141%
9	P.S. 295	330 18th Street	286	407	121	70%
10	P.S. 321 William Penn	180 7th Avenue	1,020	851	-169	120%
10a	P.S. 321 William Penn Minischool	180 7th Avenue	200	0	-200	N/A
	Subdistrict 2 of CSD 150 Total		**5,141**	**4,416**	**-725**	**116.4%**
Intermediate Schools						
Subdistrict 1 of CSD 15						
11	I.S. 136	4004 4th Avenue	501	578	77	87%
11a	I.S. 821	4004 4th Avenue	406	534	128	76%
12	M.S. 839 / I.S. 437	713 Caton Avenue	359	250	-109	144%
13	M.S. 890 / P.S. 338	21 Hinckley Place	284	308	24	92%
	Subdistrict 1 of CSD 15 Total		**1,550**	**1,670**	**120**	**92.8%**
Subdistrict 2 of CSD 15						
14	M.S. 51 / I.S. 51 William Alexander	350 5th Avenue	1,077	1,014	-63	106%
15	I.S. 88 Peter Rouget	544 7th Avenue	1,145	1,338	193	86%
16	I.S. 442 / M.S. 442 Carroll Gardens School for Innovation	500 19th Street	333	291	-42	114%
9a	I.S. 443/P.S. 295 New Voices School of Academic and Creative Arts	330 18th Street	525	494	-31	106%
17	Park Slope Collegiate	237 7th Avenue	234	267	-33	88%
	Subdistrict 2 of CSD 15 Total		**3,314**	**3,404**	**90**	**97.4%**
Subdistrict 3 of CSD 15						
18	I.S. 447 / The Math and Science Exploratory School	345 Dean Street	525	720	195	73%
19	I.S. 448 / Brooklyn Collegiate Studies	610 Henry Street	270	305	35	89%
20	The Boerum Hill School for International Studies	284 Baltic Street	416	413	-3	101%
	Subdistrict 3 of CSD 15 Total		**1,211**	**1,438**	**227**	**84.2%**
	District Total		**6,075**	**6,512**	**437**	**93.3%**

Note: See **Figure C-1**.
Source: DOE *Enrollment/Capacity/Utilization for the 2021-2022 School Year*.

As shown in **Table C-3**, in the No Action condition, the total future study area enrollment is projected to be 4,788elementary students, 2,823 intermediate students for Subdistrict 2 of CSD 15 and 5,153 intermediate students for the entirety of CSD 15.

Table C-3
No Action Condition—Utilization in CSD 15

Study Area	2025 Projected Enrollment[1]	Students Introduced by Residential Projects in the No Action Condition	Total Future Enrollment	Capacity[2]	Available Seats	Utilization
Elementary Schools						
Subdistrict 2 of CSD 15	4,788	171	4,959	5,271	312	94.1%
Intermediate Schools						
Subdistrict 2 of CSD 15	2,823	79	2,902	3,404	502	85.3%
Intermediate Schools (District)						
CSD 15	5,153	142	5,295	6,512	1,217	81.3%

Notes:
[1] 2025 enrollment projections were used. Elementary and intermediate school enrollment in each subdistrict study area was calculated by applying SCA supplied percentages for each subdistrict to the relevant district enrollment projections. For Subdistrict 2/CSD 15, the district's 2025 elementary school projection of 15,158 students was multiplied by 31.59 percent. The subdistrict's intermediate school projection of 5,153 students was multiplied by 54.78 percent. The district analysis uses the entirety of the intermediate school projection.
[2] SCA-planned schools currently included include the P.S. at 836-841 5th Avenue (recently completed) and the P.S. at 763 President Street (under construction).
Sources: *Enrollment Projections 2021-2030 New York City Public Schools by Statistical Forecasting; DOE, Utilization Profiles: Enrollment/Capacity/Utilization 2021–2022 School Year;* DOE 2020–2024 *Proposed Five-Year Capital Plan;* SCA.

According to *CEQR Technical Manual* methodologies, new capacity from new school projects identified in the DOE Five-Year Capital Plan is included if construction has begun or if deemed appropriate to include in the analysis by the lead agency and the SCA. According to DOE's *2020–2024 Proposed Five-Year Capital Plan,* one school is currently under construction. An elementary school at 836-841 5th Avenue has recently been completed with 404 seats[3] and an elementary school at 763 President Street is anticipated to contain 451 seats. The No Action condition capacity assumes that all of the planned changes to elementary and intermediate schools described above are enacted by the analysis year of 2025.

ELEMENTARY SCHOOLS (SUBDISTRICT 2)

As shown in **Table C-3**, elementary schools in the subdistrict would operate under capacity (94.1 percent utilization) with a surplus of 312 seats in the No Action condition.

INTERMEDIATE SCHOOLS (SUBDISTRICT 2)

As shown in **Table C-3**, intermediate schools in the subdistrict would operate under capacity (85.3 percent utilization) with a surplus of 502 seats in the No Action condition.

INTERMEDIATE SCHOOLS (DISTRICT)

As shown in **Table C-3**, intermediate schools in the entirety of CSD 15 would operate under capacity (81.3 percent utilization) with a surplus of 1,217 seats in the No Action condition.

THE FUTURE WITH THE PROPOSED ACTIONS

According to the multipliers contained in the *CEQR Technical Manual*, with an incremental increase of 319 DUs, the Proposed Actions would introduce approximately 56 elementary students and 13 intermediate students to Subdistrict 2/CSD 15. The Proposed Actions would also introduce

[3] As this school has recently been completed, existing enrollment and utilization data is not available.

the same 13 intermediate school students to the entirety of CSD 15. As noted above, a significant adverse impact may occur for elementary or intermediate schools if a project would result in both of the following conditions: (1) a utilization rate of the elementary or intermediate schools in the subdistrict study area that is equal to or greater than 100 percent in the With Action condition; and (2) 100 or more new students generated from the proposed development past the 100 percent utilization rate.

Table C-4
With Action Condition—Utilization in CSD 15

Study Area	No Action Enrollment	Students Introduced by the Proposed Actions	Total With Action Enrollment	Capacity	Available Seats	Utilization	Change in Utilization Compared with No Action
Elementary Schools							
Subdistrict 2 of CSD 15	4,959	56	5,015	5,271	256	95.1%	1.06%
Intermediate Schools							
Subdistrict 2 of CSD 15	2,902	13	2,915	3,404	489	85.6%	0.38%
Intermediate Schools (District)							
CSD 15	5,295	13	5,308	6,512	1,204	81.5%	0.20%

Sources:
Enrollment Projections 2021–2030 New York City Public Schools by Statistical Forecasting; DOE, Utilization Profiles: Enrollment/Capacity/Utilization 2021–2022 School Year; DOE 2020–2024 *Proposed Five-Year Capital Plan;* SCA.

ELEMENTARY SCHOOLS (SUBDISTRICT 2)

In the With Action condition, the total elementary school enrollment of Subdistrict 2/CSD 15 would increase to 5,015 students. Therefore, elementary schools would operate at 95.1percent utilization with a surplus of 256 seats in the With Action condition (see **Table C-4**). Since the With Action scenario utilization rate would remain below 100 percent, the Proposed Actions would not result in a significant adverse impact to elementary schools at the subdistrict level.

INTERMEDIATE SCHOOLS (SUBDISTRICT 2)

As shown in **Table C-4**, in the With Action condition, the total intermediate school enrollment of Subdistrict 2/CSD 15 would increase to 2,915 students (85.6percent utilization) with a surplus of 489 seats. Since the With Action condition utilization rate would remain below 100 percent the Proposed Actions would not result in a significant adverse impact to intermediate schools at the subdistrict level.

INTERMEDIATE SCHOOLS (DISTRICT)

As shown in **Table C-4**, in the With Action condition, the total intermediate school enrollment in the entirety of CSD 15 would be 5,308 students (81.5 percent utilization) with a surplus of 1,204 seats. Since the With Action condition utilization rate would remain below 100 percent, the Proposed Actions would not result in a significant adverse impact to intermediate schools at the district level. ✷

A. INTRODUCTION

This chapter assesses the potential for the Proposed Actions to affect open space resources. Open space is defined in the 2021 *City Environmental Quality Review (CEQR) Technical Manual* as publicly accessible, publicly or privately owned land that is available for leisure, play, or sport, or serves to protect and enhance the natural environment. An open space assessment should be conducted if a project would have a direct effect on open space, such as eliminating or altering a publicly accessible open space, or an indirect effect, such as when an increase in population could overtax the capacity of an area's existing open spaces to serve the future population. Direct effects could also include a proposed action's effects on open spaces due to increased noise, air pollutant emissions, odor, or shadows.

The Applicant, Stellar 341 LLC, is seeking a zoning map amendment to change existing R6A and R6B districts to R7-3 and R7-3/C2-4 districts, a related zoning text amendment to allow a R7-3 district and designate a Mandatory Inclusionary Housing (MIH) Area in Appendix F of the Zoning Resolution (ZR), and special permits to establish a Large-Scale General Development (LSGD) and reduce accessory parking requirements (the "Proposed Actions"). The Proposed Actions would facilitate the development of two mixed-use buildings with neighborhood retail and community facility space on the ground floors and residential space above, with a total of 319 dwelling units (DUs), 6,720 gross square feet (gsf) of neighborhood retail space, and 4,600 gsf of community facility space on the midblock portion of the block bounded by 4th and 5th Avenues and 9th and 10th Streets (Block 1010, Lot 26) in the Park Slope neighborhood of Brooklyn, Community District 6. (the "Site" or "Project Site").

The Proposed Actions would result in an incremental increase of up to approximately 34 workers and approximately 724 residents, as compared to future conditions absent the Proposed Actions—resulting in additional demand for open space in the surrounding area. Therefore, in accordance with *CEQR Technical Manual* guidance, a residential open space assessment was conducted to determine whether the Proposed Actions would result in a significant adverse open space impact.

B. METHODOLOGY

DIRECT EFFECTS

According to the *CEQR Technical Manual*, a project would directly affect open space conditions if it causes the loss of publicly accessible open space; changes the use of an open space so that it no longer serves the same user population; limits public access to an open space; or results in increased noise or air pollutant emissions, odor, or shadows that would temporarily or permanently affect the usefulness of publicly accessible open space. Additionally, a project can directly affect an open space by enhancing its design or increasing its accessibility to the public. No open space resources would be physically displaced as a result of the Proposed Actions. This chapter uses information from Attachments E, "Shadows," J, "Air Quality," and K, "Noise," to determine

whether the Proposed Actions could have the potential to directly affect any open spaces that are in proximity to the Project Site.

INDIRECT EFFECTS

PRELIMINARY ASSESSMENT

Following the methodology of the *CEQR Technical Manual*, indirect open space effects may occur when a project would add enough population, either residents or workers, to noticeably diminish the ability of an area's open space to serve the future population. The preliminary screening threshold to determine if an assessment of indirect effects is warranted is if a project would introduce more than 200 residents or 500 workers to an area. The Proposed Actions are anticipated to introduce an incremental increase of approximately 34 workers and 724 residents to the area by the 2025 analysis year. Since the Proposed Actions would introduce more than 200 residents, a preliminary assessment of indirect effects is warranted.

DETAILED ASSESSMENT

The *CEQR Technical Manual* methodology recommends conducting a preliminary assessment to determine whether a more detailed analysis is appropriate, but also recognizes that for projects that introduce a large population in an area with a limited amount of open space available for public use, or if a project is located within a gap area of the New York City Walk to a Park Service Area, it may be clear that a detailed analysis should be conducted. Because the Proposed Actions would introduce sizeable new residential population to the study area, and the Proposed Project is located within a walk gap area, a detailed analysis was conducted.

DETAILED ANALYSIS FRAMEWORK

With an inventory of available open space resources and potential users, the adequacy of open space in the study area can be assessed both quantitatively and qualitatively. The quantitative approach computes the ratio of open space acreage to the population within the study area and compares this ratio with open space adequacy guidelines. The qualitative assessment examines other factors that may affect conclusions about adequacy, including proximity to additional resources beyond the study area, the availability of private recreational facilities, and the demographic characteristics of the area's population. Specifically, the assessment considers:

- Characteristics of the residents likely to utilize study area open spaces. To determine the number of residents in the study area, 2020 U.S. Census data has been compiled for census tracts composing the residential open space study area.
- An inventory of all publicly accessible passive and active recreational facilities in the open space study area.
- An assessment of the quantitative ratio of open space in the study area, conducted by computing the ratio of open space acreage to the residential population in the study area and comparing this open space ratio with open space adequacy guidelines.
- An assessment of expected changes in future levels of open space supply and demand in the 2025 analysis year both in the No Action and With Action conditions. Open space adequacy in the No Action condition is based on planned development projects within the open space study area. To estimate the residential population expected in the study area in the No Action condition, an average household size of 2.27 persons was applied to the number of new

housing units expected in the residential study area. Any new open space or recreational facilities that are anticipated to be operational by the analysis year are also taken into account.

- Open space ratios are determined for both the No Action and With Action conditions and compared to determine potential changes to open space adequacy in the 2025 analysis year.
- An evaluation of qualitative factors affecting open space use, including weekend and weekday utilization and the condition of facility equipment. Utilization level is assessed by field observation and is defined in Chapter 7 of the *CEQR Technical Manual:* low utilization is considered 25 percent capacity utilization or less at the peak hour, meaning that much of the space, facility, or equipment is available for use; moderate utilization is considered 25 to 75 percent capacity utilization at peak hour, meaning that some passive spaces and/or active facilities are available for use; and heavy utilization is considered 75 percent or greater capacity utilization at peak hours, meaning that few or none of the open space facilities are available for use.
- A determination of the adequacy of open spaces within the open space study area in the Existing, No Action, and With Action conditions.

The following sections describe the specific methodology for the analysis of indirect effects on open space, including establishing the study area, identifying open space user populations, creating an inventory of open space resources, and assessing the adequacy of open space resources.

STUDY AREA

The *CEQR Technical Manual* recommends establishing study area boundaries as the first step in an open space analysis. In accordance with the guidance contained in the *CEQR Technical Manual*, the open space study area is generally defined by a reasonable walking distance that users would travel to reach local open space and recreational resources, which differs by user.

Residential ½-mile Study Area

Residents are assumed to walk approximately 10 minutes, or a half-mile to an open space. Therefore, as recommended in the *CEQR Technical Manual*, a ½-mile residential study area is used to analyze the Proposed Actions' indirect effects on open space. Consistent with *CEQR* guidance, the study area was adjusted to include all census tracts with at least 50 percent of their area within a ½-mile of the Project Site. The residential study area includes Census Tracts 117, 119.01, 119.02, 121, 135, 137, 139, 141.01, 141.02, 143, 149.01, 149.02, 151, 153, and 155.

OPEN SPACE USER POPULATIONS

Existing Conditions

Data on the existing residential population within the study area was compiled from the 2020 U.S. Census for the census tracts that comprise the residential study area.

No Action Condition

The residential population was projected based on adding the number of existing residents to the number of new housing units in the residential study area in the No Action condition by an average household size of 2.27 people.

With Action Condition

The future residential population in the With Action condition was determined by adding the number of residents anticipated from the Proposed Actions to the existing resident population as well as the residential population anticipated to result from developments that are expected to be completed in the study area by the 2025 analysis year.

INVENTORY OF OPEN SPACE RESOURCES

Publicly accessible open spaces and recreational facilities located within the study area were inventoried using information from the New York City Department of Parks and Recreation (NYC Parks). The *CEQR Technical Manual* defines publicly accessible open space as open space that is regularly open to the public during designated daily periods. Open spaces that do not fit this definition because they are not available to the public on a regular basis or are available only to a limited set of users are considered private open space and are not included in the quantitative open space analysis.

The character, condition, and use of the publicly accessible open spaces and recreational facilities within the study area were determined based on field observations made in August 2022 and supplemented with online research and recent environmental review documents. Active and passive amenities were noted at each open space. Active facilities are intended for vigorous activities, such as jogging, field sports, and children's active play. Such facilities might include basketball and handball courts, jogging paths, ball fields, and playground equipment. Passive facilities encourage such activities as strolling, reading, sunbathing, and people watching. Passive open spaces are characterized by picnic areas, walking paths, seating area, or gardens. Certain areas, such as lawns or public esplanades, can serve as both active and passive open spaces. The analysis also accounts for any open spaces within the study area that will be created in the No Action or With Action condition. For the purposes of a conservative analysis, any open space introduced by the Proposed Project is assumed to be passive open space.

ADEQUACY OF OPEN SPACE RESOURCES

The adequacy of open space in the study area is quantitatively assessed using a ratio of usable open space acreage to the study area population; this is referred to as the open space ratio. To assess the adequacy of open space resources, open space ratios are compared with planning goals set by the City for the residential population as described in the *CEQR Technical Manual*.

For residential populations, the *CEQR Technical Manual* guideline for the citywide median ratio at the Community District (CD) level is 1.50 acres of open space per 1,000 residents. In addition to this median ratio, the City has set a planning goal of 2.50 acres per 1,000 residents, which includes 0.50 acres of passive space and 2.00 acres of active space per 1,000 residents. This planning goal is consequently used as an optimal benchmark for residential populations. It should be noted that the City's open space planning goals are often not feasible for many areas of the City, and they are not considered a threshold for a significant adverse effect.

IMPACT ASSESSMENT

The assessment of the potential for significant adverse impacts on open space is both quantitative and qualitative. Quantitatively, Table 7-5 of the *CEQR Technical Manual* provides percentage change guidance to determine a possible open space impact. For a project in a study area where the total open space ratio is 0.50 acres per 1,000 residents or less, the active open space ratio is

between 0.01 and 0.40, and the passive open space ratio is between 0.01 and 0.10, a decrease in an open space ratio of 1 percent or more compared to the No Action condition is generally considered to be a significant adverse impact. In addition to the quantitative factors cited above, the *CEQR Technical Manual* also recommends consideration of qualitative factors in assessing the potential for open space impacts, including the availability of nearby destination open space, the beneficial effects of new open space resources provided by a project, or other factors. It is recognized that the open space ratios of the City guidelines presented are not feasible for many areas of the City, and they are not considered impact thresholds on their own. Rather, these are benchmarks that indicate how well an area is served by open space.

When assessing the effects of a change in the open space ratio, the assessment should consider the balance of passive and active open space resources appropriate to support the affected population and the condition of existing open spaces within the study area. Determinations as to what constitutes a significant adverse open space impact are not based solely on the results of the quantitative assessment. Qualitative considerations—such as the distribution of open space, the distance to regional parks, the connectivity of open space, and any additional open space provided by the project—should be considered in a determination of significance.

NYC PARKS WALK TO A PARK INITIATIVE

New York City, as part of *OneNYC 2050— Building a Strong and Fair City*, has put forth a goal that calls for 85 percent of New York City residents to be living within a walking distance of a park by 2030. To help the City reach this goal, NYC Parks has a Walk to a Park initiative that focuses on increasing access to parks and open space in areas of the City where residents live further than a walk to a park. The Walk to a Park Service Area, which shows areas of the City that are within a walking distance of a park, is shown on **Figure D-1**. Areas that are not covered by a Walk to a Park Service Area are considered "walk gaps"—i.e., areas of the City that are not within a walking distance to a park.

According to the 2021 *CEQR Technical Manual*, as part of the preliminary assessment for open space, a project should be reviewed to determine if it is located within a Walk to a Park Service Area. For Project Sites that are located outside of a Walk to a Park Service Area (i.e., located in a known walk gap area) there may be a need for a detailed analysis to be performed to determine if the project may further exacerbate a condition of residents living in areas of the City with inadequate park access, potentially leading to a significant impact. The Project Site is located within a walk gap area, and a detailed analysis of indirect effects was conducted because the Proposed Actions would introduce a sizeable new residential population to the study area.

C. EXISTING CONDITIONS

STUDY AREA POPULATION

Based on 2020 U.S. Census data, the ½-mile study area has a residential population of approximately 39,228 (see **Table D-1**).



Walk to a Park Service Area

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Figure D-1

Table D-1
Study Area Residential Populations

Census Tract	Population
117	2,672
119.01	1,589
119.02	0
121	1,916
135	3,799
137	3,406
139	3,737
141.01	1,621
141.02	1,858
143	3,705
149.01	1,529
149.02	3,601
151	3,696
153	2,633
155	3,466
Total	**39,228**

Source: 2020 U.S. Census Bureau

AGE DISTRIBUTION

Table D-2 summarizes the age distribution of the residential population within the residential study area and compares this distribution to the age distributions of Brooklyn and New York City overall. As shown in **Table D-2**, the study area's working adult population (residents 20 to 64 years old) comprises a notably greater proportion of its population (67 percent) when compared with that of Brooklyn (61 percent) and New York City (62 percent). The 65 and over population (11 percent) is notably less than that of Brooklyn (14 percent) and New York City (15 percent). In other age categories, the study area has either similar or slightly lower proportions than that of Brooklyn and New York City.

Table D-2
Residential Study Area Population Age Distribution

	Study Area		Brooklyn		New York City	
Age Category	**Persons**	**Percent**	**Persons**	**Percent**	**Persons**	**Percent**
Under 5 Years	2940	7.2%	187,501	7.3%	534,759	6.4%
5 to 9 Years	2273	5.6%	158,523	6.2%	462,190	5.5%
10 to 14 Years	2241	5.5%	155,166	6.0%	472,456	5.6%
15 to 19 Years	1592	3.9%	136,508	5.3%	443,559	5.3%
20 to 64 Years	27,342	67.2%	1,578,314	61.3%	5,214,075	62.2%
65 Years and Over	4,289	10.5%	360,759	14.0%	1,252,513	14.9%
Total	**40,677**	**100%**	**2,576,771**	**100%**	**8,379,552**	**100%**

Sources: U.S. Census Bureau ACS 2016–2020 (5-Year Estimates).

Within a given area, the age distribution of a population affects the way open spaces are used and the need for various types of recreational facilities. Typically, children five years old or younger use traditional playgrounds that have play equipment for toddlers and preschool children. Children ages five through nine typically use traditional playgrounds as well as grassy and hard-surfaced open spaces, which are important for activities such as ball playing, running, and skipping rope. Children

ages 10 through 14 typically use playground equipment, court spaces, and ball fields. Teenagers and young adults tend toward court game facilities such as basketball and field sports. Adults (ages 20 to 64) use court game facilities and sports fields, along with more individualized recreation such as rollerblading, biking, and jogging that require bike paths, and vehicle-free roadways. Adults also gather with families for picnicking, active informal sports such as Frisbee, and recreational activities in which all ages can participate. Senior citizens (65 years and older) engage in active recreation such as handball, tennis, gardening, fishing, walking, and swimming, as well as recreational activities that require passive facilities. There is a comparatively greater working adult population within the study area, which indicates a need for open space resources that cater to this age group, such as flexible spaces for individualized recreation or active informal sports or picnicking.

OPEN SPACE INVENTORY

There are nine quantitatively assessed publicly accessible open spaces located within the ½-mile study area, providing a total of 12.16 acres, of which 7.81 acres are active recreation and 4.35 acres are passive recreation (see **Figure D-2** and **Table D-3**). Furthermore, there are ten qualitative resources within the study area.

The largest open space in the study area is Washington Park, which provides approximately 3.03 acres of open space, of which approximately 2.27 acres are used for active recreation (75 percent) and 0.76 acres are used for passive recreation (25 percent). Washington Park's active open space amenities include a children's playground (J.J. Byrne Playground), spray showers, and a multi-use synthetic turf field. Passive recreational amenities include seating areas, planted landscaping, benches, and the historic Old Stone House, a reconstructed 17th century farmhouse. The park is in good condition and experiences moderate utilization by children and adults.

Thomas Greene Playground provides approximately 2.54 acres of public open space, including approximately 2.16 acres of active open space and 0.38 acres of passive open space. Active recreational amenities include a playground and jungle gym, multi-use blacktop, handball courts, a skate park, and a swimming pool, which is open during the summer months. Passive recreation amenities at Thomas Greene Playground include seating areas and planted landscaping. Additional deck seating is located within the Douglass & Degraw (D&D) Pool. The playground is in good condition and experiences moderate utilization by children and adults.

Washington Skate Park (located to the west of a school, M.S. 51, between 4th and 5th Streets) provides approximately 1.6 acres of open space recreation within the study area. Washington Skate Park is adjacent to Washington Park. Almost all of the park is utilized for active recreation, which includes handball courts, basketball courts, a skate park, and a dog run. The park is in fair condition and experiences high utilization by children and adults.

Detective Joseph Mayrose Park provides approximately 1.35 acres of open space, all of which is passive. It includes planters, seating areas, and community plots. The park is in good condition and experiences low utilization by children.

Remaining open spaces within the study area are approximately 1 acre or less in size and are described further in **Table D-3** below. They include local playgrounds and smaller parks as well as a garden (the Butterfly Garden) and a waterfront public access area (the Whole Foods WPAA, located adjacent to the supermarket along the waterfront. These open spaces range in condition from fair to excellent and range in utilization from low to moderate. The more passive resources such as the Butterfly Gardens primarily accommodate adults while resources with more active space, such as Ennis Playground, accommodate children with an abundance of playground equipment.



Open Space Study Area and Resources

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Figure D-2

Table D-3
Study Area Open Space Inventory

Map No.[1]	Name	Location	Owner/ Responsible Agency	Total Acres	Percent Active	Percent Passive	Active	Passive	Condition[2]	Utilization[2]	Amenities	Users
1/2-mile Study Area												
1	Whole Foods WPAA	1551 3rd Avenue, New York	Whole Foods Market	1.06	0%	100%	0.00	1.06	Good	Low	Planted areas, seating	Adults
2	Ennis Playground	124 11th Street	NYC Parks	0.55	80%	20%	0.44	0.11	Excellent	Moderate	Basketball court, playground, spray showers, seating area, lawn, planted areas	Adults and Children
3	Washington Park	298 3rd Street	NYC Parks	3.03	75%	25%	2.27	0.76	Good	Moderate	Seating, playground, spray showers, ballfield, multi-purpose field, restrooms, landscaping, historic structures	Adults and Children
4	Purple Playground	Prospect Expressway & 6th Avenue	NYC Parks	0.71	80%	20%	0.57	0.14	Good	Moderate	Playground, seating, planters, basketball hoop	Adults and Children
5	Thomas Greene Playground	225 Nevins Street	NYC Parks	2.52	85%	15%	2.14	0.38	Good	Moderate	Playground, seating area, blacktop, basketball court, handball court, spray showers, swimming pool, seating area, planters	Adults and Children
6	Washington Skate Park	364 5th Avenue	DOE and NYC Parks	1.55	100%	0%	1.55	0.00	Fair	High	Handball courts, basketball courts, dog run, skate park	Adults and Children
7	Butterfly Gardens	7th Avenue & Prospect Expressway	NYC Parks	0.44	0%	100%	0.00	0.44	Excellent	Low	Seating, landscaping, planters, walking path	Adults
8	Detective Joseph Mayrose Park	17th Street & 6th Avenue	NYC Parks	1.31	0%	100%	0.00	1.31	Good	Low	Planters, seating areas, community plots	Adults
9	PS 321 Playground and Plaza	180 7th Avenue	DOE & NYC Parks	0.99	85%	15%	0.84	0.15	Fair	Moderate	Blacktop, basketball courts, playground, community garden	Adults and Children
1/2-mile Study Area Total				**12.16**	**64%**	**36%**	**7.81**	**4.35**				

Table D-3 (cont'd)
Study Area Open Space Inventory

Qualitative Open Space Resources within and outside the Study Area												
Map No.[1]	**Name**	**Location**	**Owner/ Responsible Agency**	**Total Acres**	**Percent Active**	**Percent Passive**	**Active**	**Passive**	**Condition[2]**	**Utilization[2]**	**Amenities**	**Users**
A	6/15 Green Community Garden	274 15th Street	Brooklyn Alliance of Neighborhood Gardens	0.29	0%	100%	0.00	0.29	Good	Low	Community Community Garden	Adults
B	Garden of Union	636 Union Street	NYC Parks	0.08	0%	100%	0.00	0.08	Good	Low	Community Garden	Adults
C	President Street Block Association Garden	503 President Street	NYC Parks	0.05	0%	100%	0.00	0.05	Good	Low	Community Garden	Adults
D	Schaef Earth Garden	410 6th Avenue	Park Slope United Methodist Church	0.25	0%	100%	0.00	0.25	Good	Low	Community Garden	Adults and Children
E	Greenspace on 4th	207 4th Avenue	DEP	0.41	0%	100%	0.00	0.41	Good	Low	Garden	Adults
F	Gil Hodges Community Garden	534 Carroll Street	New York Restoration Project	0.07	0%	100%	0.00	0.07	Good	Low	Community Garden	Adults and Children
G	Gowanus Canal Sponge Park	166 2nd Street	DEP	0.03	0%	100%	0.00	0.03	Excellent	Low	Planted areas, seating, boat launch	Adults
H	Gowanus Waterfront Park	1st Street and Gowanus Canal	363 Bond Street	0.67	0%	100%	0.00	0.67	Excellent	Moderate	Benches, paths, kayak dock	Adults
I	Prospect Expressway Park	Prospect Expressway btwn 6th and 7th Avenues	NYC Parks	0.73	0%	100%	0.00	0.73	Fair	Low	Seating, planted areas, dog run	Adults
J	Slope Park Playground	544 7th Avenue	NYCDOE & NYC Parks	0.69	80%	20%	0.55	0.14	Good	Moderate	Playground, spray shower, restroom, seating, planted beds	Adults and Children
			Qualitative Open Space Total	**3.27**	**17%**	**83%**	**0.55**	**2.72**				

Notes:
[1] See **Figure D-2** for open space resources.
[2] Condition and utilization are based on field observations made in August 2022.
NYC Parks = NYC Department of Parks and Recreation
DOE = NYC Department of Education
DEP = NYC Department of Environmental Protection
Sources: NYC Parks; AKRF field survey, August 2022

ASSESSMENT OF OPEN SPACE ADEQUACY

QUANTITATIVE ASSESSMENT

The ½-mile residential study area has a total open space ratio of 0.31 acres per 1,000 residents, with an active open space ratio of 0.20 acres per 1,000 residents, and a passive open space ratio of 0.16 acres per 1,000 residents (see **Table D-4**). The total open space ratio is lower than the Citywide median of 1.50 acres per 1,000 residents and the City's planning goal of 2.50 acres of total open space. Similarly, the passive open space ratio is lower than the City's planning goal of 2.00 acres per 1,000 residents, and the active open space ratio is lower than the City's planning goal of 0.50 acres per 1,000 residents.

Table D-4
Adequacy of Open Space Resources in the Study Area—
Existing Conditions

		Open Space Acreage			Open Space Ratios per 1,000 Persons			*CEQR Technical Manual* Open Space Guidelines		
	Population	Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
Residents	39,228	12.16	7.81	4.35	0.31	0.20	0.16	2.50	2.00	0.50
Source: 2020 U.S. Census; NYC Parks; AKRF field survey, August 2022										

QUALITATIVE ASSESSMENT

As noted above, the *CEQR Technical Manual* also recommends consideration of qualitative factors in assessing the potential for open space impacts, when warranted. These include the capacity and utilization of open space resources, the connectivity of open space, and the distance to regional parks or other parks just outside the study area.

The study area is located near a regional park that could augment the existing open space in the study area: Prospect Park, which features 526 acres of abundant passive and active open space including a zoo, the first urban-area Audubon Center in the nation, an ice rink, a band shell, a carousel, and dozens of athletic and recreational facilities.

There are four public parks located just outside of the study area boundaries (resources G-J in **Table D-3**), including Gowanus Canal Sponge Park, Gowanus Waterfront Park, Prospect Expressway Park, and Slope Park Playground. Gowanus Canal Sponge Park (0.03 acres) and Gowanus Waterfront Park (0.67 acres) both provide passive waterfront acreage for adults. Slope Park Playground (0.68 acres) provides playground equipment for children as well as seating for adults. Prospect Expressway Park (0.73 acres) provides seating areas for adults as well as a dog run.

The study area open spaces are utilized to varying degrees, with Washington Park experiencing the heaviest utilization. The condition of these open space resources also varies, although most are in good condition or better. Open space resources that are newer or recently rehabilitated tend to be in excellent condition. These include spaces just outside the study area—Gowanus Waterfront Park (moderate utilization) and Gowanus Canal Sponge Park (low utilization)—as well as spaces within the study area: Butterfly Gardens (low utilization) and Ennis Playground (moderate utilization). Most resources within the study area have the capacity for higher utilization.

The study area open spaces, generally local playgrounds and parks, are utilized by children and adults, with teenagers and seniors underrepresented. As noted in **Table D-2**, the study area

includes a higher percentage of working-age adults (ages 20 to 64), as compared with Brooklyn and New York City overall. As indicated in the *CEQR Technical Manual*, adults tend to utilize active recreational amenities (such as handball and basketball courts and sports fields), active individualized amenities such as walking, biking, and jogging as well as passive recreational amenities (such as promenades). Open spaces within and just outside the residential study area include amenities that could be utilized by working-age adults, such as the handball and basketball courts at Washington Park, the boat launch for kayaking at the Gowanus Canal Sponge Park, or even the landscaped promenade with waterfront seating at the Gowanus Waterfront Park (see **Table D-3**).

In addition to parks and playgrounds, the study area features community gardens that provide passive space that primarily caters to adults. The six community gardens (resources A-F in **Table D-3**) within the study area are in good condition and contain a combined 1.15 acres of open space. Although smaller in size than the local parks and playgrounds described above, these resources offer space for contemplative thought and respite with an abundance of landscaping and gardening. These community gardens may be used by residents within the study area. Public access to community gardens is not uniform and the duration and timing of public access varies from garden to garden. Generally, public hours for several days of the week are posted at the entrance to the community garden. While community gardens may be open to the public outside of these posted hours, they are generally locked and inaccessible.

D. THE FUTURE WITHOUT THE PROPOSED ACTIONS

INDIRECT EFFECTS

STUDY AREA POPULATION

There are 22 known development projects within the study area that are expected to be completed by 2025 and that have the potential to generate new residents. These projects are anticipated to include 1,014 DUs. Using an average household size of 2.27 people, an additional 2,302 residents are anticipated to be generated from these development projects. Therefore, the residential population is expected to increase to 41,530 residents in the No Action condition.

STUDY AREA OPEN SPACES

There are no additional open space resource that are anticipated to be available to residents by the 2025 analysis year. Total open space acreage will remain at 12.16 acres, with 7.81 acres of active space and 4.35 acres of passive space in the No Action condition.

ASSESSMENT OF OPEN SPACE ADEQUACY

Quantitative Assessment

As shown in **Table D-5**, the total open space ratio will decrease from existing conditions to 0.29 acres per 1,000 residents in the No Action condition; it will remain below the Citywide median of 1.50 and the City's planning goal of 2.50 acres per 1,000 residents. The active open space ratio will decrease to 0.19 acres per 1,000 residents and remain below the City's goal of 0.50 active acres per 1,000 residents. The passive open space ratio will also decrease to 0.10 acres per 1,000 residents and will remain below the City's goals for passive open space.

Table D-5
Adequacy of Open Space Resources—
No Action Condition

	Population	Open Space Acreage			Open Space Ratios per 1,000 Persons			*CEQR Technical Manual* Open Space Guidelines		
		Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
Residents	41,530	12.16	7.81	4.35	0.29	0.18	0.10	2.50	0.50	2.00
Sources: 2020 U.S. Census, NYC Parks, AKRF field survey, August 2022										

Qualitative Assessment

As noted in the existing conditions assessment above, four public parks located just outside of the study area boundaries and six community gardens are available to residents that are located within the study area; these provide an additional 3.27 acres of passive open space. Prospect Park, which is located approximately one block outside of the study area, also features 526 acres of abundant passive and active open space for local residents.

E. THE FUTURE WITH THE PROPOSED ACTIONS

DIRECT EFFECTS

The Proposed Actions would not result in any direct effects related to encroachments on or loss of open space, or changes in open space such that it no longer serves the same user population, and there are no anticipated direct effects related to air quality or operational noise.

INDIRECT EFFECTS

STUDY AREA POPULATION

In the With Action condition, the Proposed Project would be expected to add approximately 724 new residents to the study area. Therefore, the study area population is expected to increase to a total of 42,254 residents in the With Action condition.

STUDY AREA OPEN SPACES

The Proposed Actions would not result in changes to the amount of publicly accessible open space within the study area.

ASSESSMENT OF OPEN SPACE ADEQUACY

Quantitative Assessment

As shown in **Table D-6**, in the With Action condition, the study area's total open space ratio would be 0.29 acres per 1,000 residents; it would remain below the Citywide median of 1.50 and the City's goal of 2.50 acres per 1,000 residents. The active open space ratio would decrease to 0.18 acres per 1,000 residents and would remain below the City's planning goal of 2.00 active acres per 1,000 residents. The passive open space ratio would be 0.10 acres per 1,000 residents and would remain below the City's goal of 0.50 acres per 1,000 residents for passive open space.

Table D-6
Adequacy of Open Space Resources—With Action Condition

	Population	Open Space Acreage			Open Space Ratios per 1,000 Persons			*CEQR Technical Manual* Open Space Guidelines		
		Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
Residential (1/2-Mile) Study Area										
Residents	42,254	12.16	7.81	4.35	0.29	0.18	0.10	2.50	2.00	0.50
Source: 2020 U.S. Census; NYC Parks; AKRF field survey, August 2022										

Table 7-5 of the *CEQR Technical Manual* indicates that a decrease in the total open space ratio of 1 percent in areas with a total open space ratio range of 0.50 or less, an active open space ratio range between 0.01 and 0.40, and a passive open space ratio range between 0.01 and 0.10, could result in an open space impact. It is important to note that the City's optimal open space ratios and percentage reductions do not constitute an absolute impact threshold; but rather projects are further assessed qualitatively to determine the overall significance of the impact.

The Proposed Actions would result in approximately 1.71, 1.75 and 1.72 percent decreases in the total, active and passive open space ratios, respectively (see **Table D-7**). The total, active and passive open space ratios in the study are currently low and would remain low in the With Action condition. Because the Proposed Project would result in decreases in the open space ratios that are greater than the *CEQR Technical Manual* threshold of 1 percent in an area with an active open space ratio between 0.01 and 0.40, passive open space ratio of 0.01 to 0.10 and total open space ratio of less than 0.5, further qualitative considerations are warranted to determine if the changes in open space ratios would result in a significant adverse impact.

Table D-7
Open Space Ratio Summary

Ratio	*CEQR Technical Manual* Open Space Guideline	Open Space Ratios per 1,000 Persons			Percent Change (With Action)
		Existing	No Action	With Action	
Residential (½-Mile) study area					
Total—Residents	2.50	0.31	0.29	0.29	-1.71%
Active—Residents	2.00	0.20	0.19	0.18	-1.75%
Passive—Residents	0.50	0.16	0.10	0.10	-1.72%
Note: Due to rounding, there is no decrease in the total and passive ratios from No Action to With Action conditions.					

Qualitative Assessment

As described above, the study area is near Prospect Park, a major destination park that could augment the existing open space in the study area. There are numerous recreational facilities within Prospect Park, including several in proximity to the park's entrance at Prospect Park West and 11th Street. These facilities include the Lafayette Memorial, Lena Horne Bandshell (for outdoor summer concerts), the Long Meadow Ballfields (baseball fields), a central running/biking path, lawn and picnicking areas, the Ravine (forested hiking area), the Prospect Park Dog Beach and the Picnic House (event venue). The facilities in Prospect Park provide recreational opportunities for all residents, including older adults.

There are four public parks located just outside of the study area boundaries (resources G-J in **Table D-3**) which are not included in the quantitative assessment but are available to residents in the study area: Gowanus Canal Sponge Park, Gowanus Waterfront Park, Prospect Expressway Park, and Slope Park Playground. Aside from Slope Park Playground, which provides playground equipment for children, these resources provide passive amenities for older adults. In particular,

Gowanus Canal Sponge Park and Gowanus Waterfront Park are in excellent condition and provide for scenic respite and views along the Gowanus Canal. In addition, there are six nearby community gardens that could be used by residents in the study area. Further, most of the existing open space resources within the study area are in good or excellent condition and many are underutilized. It can reasonably be expected that these open spaces could accommodate increased demand from future residential populations in the study area.

The Proposed Project would result in the development of new private open space on the Project Site. Specifically, the outdoor area above the tunnel structure on the western portion of the Project Site would be improved as a private open space for residents. Based on conceptual designs, this space is expected to include walking paths, trees and landscaping, seating areas and a children's playscape (see **Figure D-3**). The private open space area that would be improved with the Proposed Project would total approximately 14,500 square feet sf and would support the demand for recreational space by the residents on the Project Site, including the new residents that would be introduced by the Proposed Project.

In connection with the Gowanus Neighborhood Plan, approximately six acres of new, high quality open space would be created in and adjacent to the study area, including new publicly accessible open space along the Gowanus Canal in the form of a continuous waterfront esplanade.[1] Because the planned open spaces are expected to come online beyond the Proposed Project's 2025 build year, the resources are not included in the inventory of open spaces in the quantitative assessment; however, the planned open spaces would provide amenities for residents in the study area.

The planned Gowanus Canal esplanade would provide an extensive pathway for walking and running activities.[2] The esplanade would generally run from Douglass Street to Huntington Street along the west side of the Canal, and from Degraw Street to 3rd Street on the east side of the Canal. Although detailed plans for the proposed esplanade have not yet been prepared, active features can be part of the design of the future open space, and such features can include fitness equipment and/or court facilities. In addition to the Gowanus Canal esplanade, other planned open spaces include the following:[3]

- 300 Huntington Street—A new waterfront pathway and public space will be created on a site located north of 9th Street between 9th Street and the proposed Waterfront Public Access Areas (WPAAs) to the north. The site is currently controlled by the Metropolitan Transportation Authority (MTA) but will be transferred to the City's jurisdiction. The open space would provide an important connection and needed access to the Gowanus waterfront, expanding the planned waterfront esplanades and parks along the western bank of the Gowanus Canal down to 9th Street, the 9th Street bridge and the Smith-9th Street subway station in order to increase connections for residents, businesses, and public infrastructure.
- Bond Street End Open Space—NYC Parks, in coordination with the New York City Department of Transportation (DOT), will create a new passive waterfront open space at the end of Bond Street with landscaping and green infrastructure.

[1] Gowanus Neighborhood Rezoning and Related Actions FEIS (CEQR No. 19DCP157K)

[2] The pathways associated with private developments sites/WPAAs are not continuous and are interrupted by the Carroll Street, Union Street and 3rd Street Bridges on both sides of the Gowanus Canal.

[3] Gowanus Neighborhood Plan Points of Agreement (https://council.nyc.gov/brad-lander/wp-content/uploads/sites/40/2021/11/Gowanus-POA-2021-11-10-Final-Clean.pdf)



Source: Marvel Architects

On-Site Landscape Plan

- Gowanus Green—The City will provide capital funding to Gowanus Green Partners, the developers of the City-owned Gowanus Green site, for the construction of a new 1.5-acre waterfront park across the street from a proposed mixed-use development along the Gowanus Canal and Smith Street. The new park will be City-owned, and is expected to provide a mix of active and passive uses. The design will also consider water access for recreational uses.
- DEP Open Spaces—In connection with the Gowanus Canal Combined Sewer Overflow (CSO) Facilities Project, DEP will provide open space at the Head-End CSO Site on the Canal (at the northern end of the study area) and a second open space at the Owls Head CSO (adjacent to the Canal within the western portion of the study area) with planned waterfront access.

Overall, these qualitative factors partially offset the expected demand from the new resident population. Although the Proposed Project results in decreases in the open space ratios that are greater than the *CEQR Technical Manual* threshold of 1 percent in an area with an active open space ratio between 0.01 and 0.40, passive open space ratio of 0.01 to 0.10 and total open space ratio of less than 0.5, based on the abundance of qualitative resources, these decreases would not result in a significant adverse indirect impact to open space. ✷

Attachment E: Shadows

A. INTRODUCTION

As described in the EAS, page 1a, "Project Description," the Proposed Actions would facilitate the development of two mixed-use, primarily residential buildings, rising 17 and 19 stories each, with maximum heights including rooftop bulkheads of approximately 201 feet and 225 feet. Following the guidelines of the 2021 *New York City Environmental Quality Review (CEQR) Technical Manual,* this attachment considers the potential for the Proposed Project to cast new shadows on publicly accessible sunlight-sensitive resources, which include parks, plazas, and other open spaces accessible to the public; historic resources with sunlight-sensitive features, such as stained-glass windows or skylights; and natural resources that depend on sunlight.

As presented in detail below, the shadow study concluded that shadows cast by the Proposed Project would not reach any publicly accessible sunlight-sensitive resources.

B. DEFINITIONS AND METHODOLOGY

This analysis has been prepared in accordance with New York City CEQR procedures and follows the guidelines of the *CEQR Technical Manual*.

DEFINITIONS

Incremental shadow is the additional, or new, shadow that a structure resulting from a proposed project would cast on a sunlight-sensitive resource.

Sunlight-sensitive resources of concern are those that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. Such resources generally include the following:

- *Public open space* such as parks, beaches, playgrounds, plazas, schoolyards (if open to the public during non-school hours), greenways, and landscaped medians with seating. Planted areas within unused portions of roadbeds that are part of the Greenstreets program are also considered sunlight-sensitive resources.
- *Features of architectural resources that depend on sunlight for their enjoyment by the public.* Only the sunlight-sensitive features need be considered, as opposed to the entire resource. Such sunlight-sensitive features might include design elements that depend on the contrast between light and dark (e.g., recessed balconies, arcades, deep window reveals); elaborate, highly carved ornamentation; stained glass windows; historic landscapes and scenic landmarks; and features for which the effect of direct sunlight is described as playing a significant role in the structure's importance as a historic landmark.
- *Natural resources* where the introduction of shadows could alter the resource's condition or microclimate. Such resources could include community gardens, surface water bodies, wetlands, and designated resources such as coastal fish and wildlife habitats.

Resources not subject to shadows analyses include the following, for the purposes of CEQR:

- *City streets and sidewalks* (except Greenstreets);
- *Private open space* (e.g., front and back yards, stoops, vacant lots, and any private, non-publicly accessible open space); and
- *Project-generated open space* cannot experience a significant adverse shadow impact from the project, according to CEQR, because without the project the open space would not exist. However, a discussion of how shadows would affect the new space may be warranted.

A significant adverse shadow impact occurs when the incremental shadow added by a proposed project falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources. Each case must be considered on its own merits based on the extent and duration of new shadow and an analysis of the resource's sensitivity to reduced sunlight, and seasonal conditions.

METHODOLOGY

Following the guidelines of the *CEQR Technical Manual*, a preliminary screening assessment must first be conducted to ascertain whether a project's shadow could reach any sunlight-sensitive resources at any time of year. The preliminary screening assessment consists of three tiers of analysis. The first tier determines a simple radius around the proposed building representing the longest shadow that could be cast. If there are sunlight-sensitive resources within this radius, the analysis proceeds to the second tier, which reduces the area that could be affected by project shadow by accounting for the fact that shadows can never be cast between a certain range of angles south of the Project Site due to the path of the sun through the sky at the latitude of New York City.

If the second tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a third tier of screening analysis further refines the area that could be reached by project shadow by looking at specific representative days in each season and determining the maximum extent of shadow over the course of each representative day.

If the third tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a detailed shadow analysis is required to determine the extent and duration of the incremental shadow resulting from the project. Incremental shadows are determined by establishing a baseline condition in the future *without* the Proposed Project (the No Action condition) and comparing it to the future condition *with* the Proposed Project (the With Action condition), thus illustrating the baseline shadows cast by existing (or future No Action) buildings and distinguishing the additional (incremental) shadows cast by a proposed project. The detailed analysis provides the data needed to assess the shadow impacts. The effects of the new shadows on the sunlight-sensitive resources are described, and their degree of significance is considered. The results of the analysis and assessment are documented with graphics, a table of incremental shadow durations, and narrative text.

C. PRELIMINARY SCREENING ASSESSMENT

A base map was developed using Geographic Information Systems (GIS)[1] showing the location of the Project Site and the surrounding street layout and topography (see **Figure E-1**). Mapped

[1] Software: Esri ArcGIS Pro 3.0

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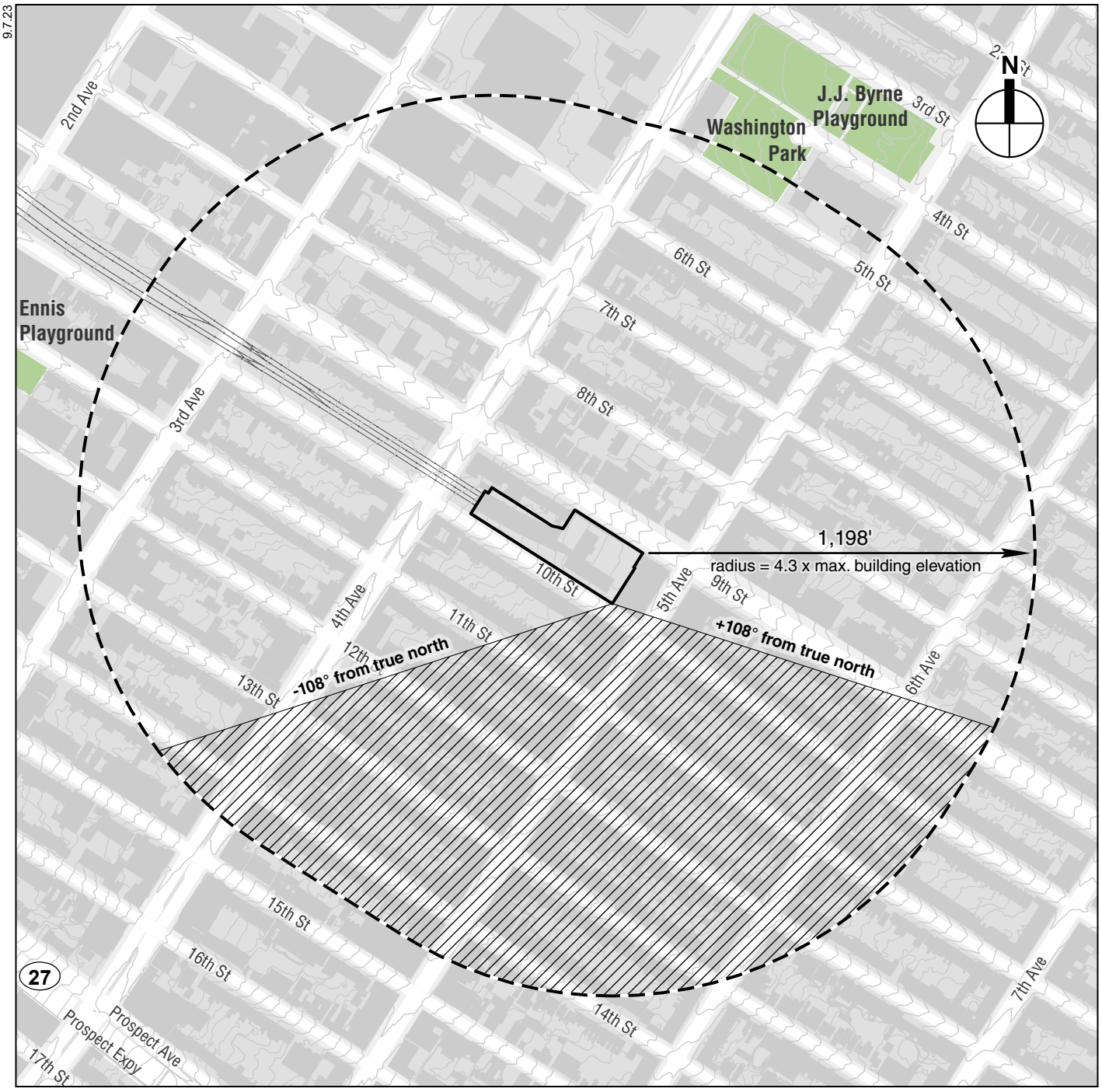

0 1,000 FEET

Project Site

Tier 1: Longest Shadow Study Area Perimeter

Tier 2: Area South of Site That Could Never Be Shaded by Proposed Project

Publicly Accessible Open Space

Historic Resources with Sunlight-Sensitive Features (none located in study area)

Notes:
Maximum proposed building height (including roof bulkhead) = 224.75'.
Maximum proposed building elevation (including roof bulkhead) = 278.5' (referencing North American Vertical Datum of 1988 [NAVD88]).
The Tier 1 elevation-based longest shadow study area represents a highly conservative preliminary study area because it assumes the maximum elevation of the proposed building casting its longest shadow (occurring on December 21) onto a surrounding flat surface at 0' NAVD88, which is approximately mean sea level. See Attachment E, "Shadows," Section C "Tier 1 Screening Assessment" for details.

Tier 1 and Tier 2 Assessments

databases of parks and other public open spaces, City, state, and national historic resources, and natural resources were added to the map.[2] In coordination with the open space, historic and cultural resources, and natural resources assessments presented in other sections of this EAS, potential sunlight-sensitive resources were identified.

TIER 1 SCREENING ASSESSMENT

For the Tier 1 assessment, the longest shadow that the Proposed Project could cast is calculated, and, using this length as the radius, a perimeter is drawn around the Project Site. Anything outside this perimeter representing the longest possible shadow could never be affected by project-generated shadow, while anything inside the perimeter needs additional assessment.

According to the *CEQR Technical Manual*, the longest shadow that a structure can cast at the latitude of New York City occurs on December 21, the winter solstice, at the start of the analysis day (90 minutes after sunrise[3]) and is equal to 4.3 times the height of the structure. Therefore, at a maximum height of 224.75 feet, including rooftop mechanical structures,[4] the Proposed Project could cast a shadow up to 688 feet in length (160×4.3).

However, this calculation assumes that the proposed buildings and the surrounding cityscape are located on a flat base plane that extends throughout the study area, whereas in reality, there is substantial topographic variation. As can be seen in **Figure E-1**, the study area generally slopes up from lower elevations to the west (near the Gowanus Canal and the Upper New York Bay waterfront beyond) to higher elevations to the east (towards Prospect Park). Shadows cast from a location at a higher elevation toward a location at a lower elevation (i.e., "downhill") are longer in horizontal distance than they would be on a flat plane, and vice versa. Therefore, to ensure the most conservative assessment on a two-dimensional map, an elevation-based Tier 1 longest shadow study area was calculated based on the Proposed Project's maximum roof bulkhead elevation (relative to 0' NAVD88,[5] which is approximately sea level, and roughly the average tidal elevation of the nearby Upper New York Bay). The Proposed Project's base plane, from which the 224.75-foot height is measured, was established at 53.75' NAVD88, at a point roughly halfway up the project block between 4th and 5th Avenues. The maximum roof bulkhead elevation is 278.5' NAVD88. Therefore, the Proposed Project could cast a shadow up to approximately 1,198 feet in length (278.5' x 4.3) onto a surrounding surface at elevation 0' NAVD88. Using 1,198 feet as the radius, a perimeter was generated around the Project Site, as shown in **Figure E-1**. This elevation-based Tier 1 study area ensures a highly conservative study area for the preliminary assessment, beyond which no shadows could reach irrespective of topography.

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[2] Data: City, State, and Federal agencies including New York City Parks Department; New York City Department of Information Technology and Telecommunications (DoITT), New York City Department of City Planning, New York City Landmarks Preservation Commission, New York City Department of Transportation, New York State Office of Parks, Recreation, and Historic Preservation, New York State Dept. of Environmental Conservation (NYSDEC), U.S. Fish and Wildlife Service, and others; supplemented by Nearmap hi-resolution imagery, and AKRF site visits.

[3] As explained in more detail below in the "Tier 3 Screening Assessment" section, shadows occurring within 90 minutes of sunrise or sunset are not considered significant under CEQR.

[4] The 9th Street Building's and 10th Street Building's bulkheads may be lower than presented; higher bulkheads are assumed for purposes of a conservative analysis.

[5] North American Vertical Datum of 1988

The Tier 1 assessment showed that 3 publicly accessible sunlight-sensitive resources were located in the longest shadow study area: a portion of Washington Park, located several blocks north of the Project Site, and two historic resources with sunlight-sensitive features located south of the Project Site. Therefore, the next tier of assessment was required.

TIER 2 SCREENING ASSESSMENT

Because of the path that the sun travels across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given Project Site. In New York City this area lies between -108 and +108 degrees from true north. **Figure E-1** illustrates this triangular area south of the Project Site. The complementary area to the north within the longest shadow study area represents the remaining area that could potentially experience new project-generated shadow.

The Tier 2 assessment showed that the portion of Washington Park north of the Project Site is located in the remaining longest-shadow study area and requires further assessment. However, the two historic resources with sunlight-sensitive features identified in the Tier 1 study area are located too far south to be affected by project-generated shadow at any time, and do not require further analysis.

TIER 3 SCREENING ASSESSMENT

The direction and length of shadows vary throughout the course of the day and also differ depending on the season. In order to determine whether project-generated shadow could fall on a sunlight-sensitive resource, three-dimensional computer modeling software[6] is used in the Tier 3 assessment to calculate and display the Proposed Project's shadows on individual representative days of the year. A computer model was developed containing three-dimensional representations of the elements in the base map used in the preceding assessments, the topographic information of the study area, and a reasonable worst-case three-dimensional representation of the Proposed Project.

REPRESENTATIVE DAYS FOR ANALYSIS

Following the guidance of the *CEQR Technical Manual*, shadows on the summer solstice (June 21), winter solstice (December 21) and spring and fall equinoxes (March 21 and September 21, which are approximately the same in terms of shadow patterns) are modeled, to represent the range of shadows over the course of the year. An additional representative day during the growing season is also modeled, generally the day halfway between the summer solstice and the equinoxes, i.e., May 6 or August 6, which have approximately the same shadow patterns.

TIMEFRAME WINDOW OF ANALYSIS

The shadow assessment considers shadows occurring between one and a half hours after sunrise and one and a half hours before sunset. At times earlier or later than this timeframe window of analysis, the sun is down near the horizon and the sun's rays reach the Earth at very tangential angles, diminishing the amount of solar energy and producing shadows that are very long, move fast, and generally blend with other shadows. Consequently, shadows occurring outside the timeframe window of analysis are not considered significant under CEQR, and their assessment is not required.

[6] Bentley MicroStation

TIER 3 SCREENING ASSESSMENT RESULTS

As shown in **Figure E-2**, **t**he Tier 3 assessment showed that shadows from the Proposed Project would not reach Washington Park or any other sunlight-sensitive resource on any representative analysis date, and no further analysis was required.

D. CONCLUSION

A shadows assessment was conducted following *CEQR Technical Manual* methodology. The assessment concluded that no new shadows generated by the Proposed Project would reach any publicly accessible resources. ✷

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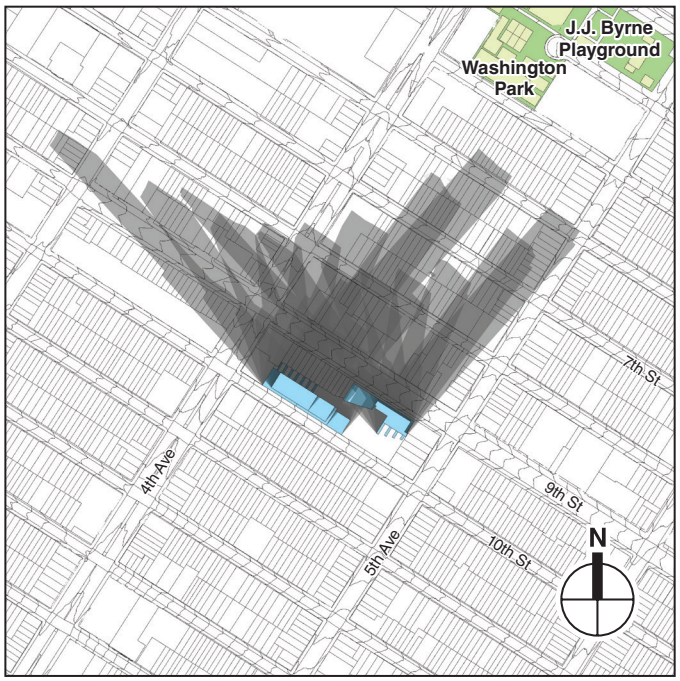
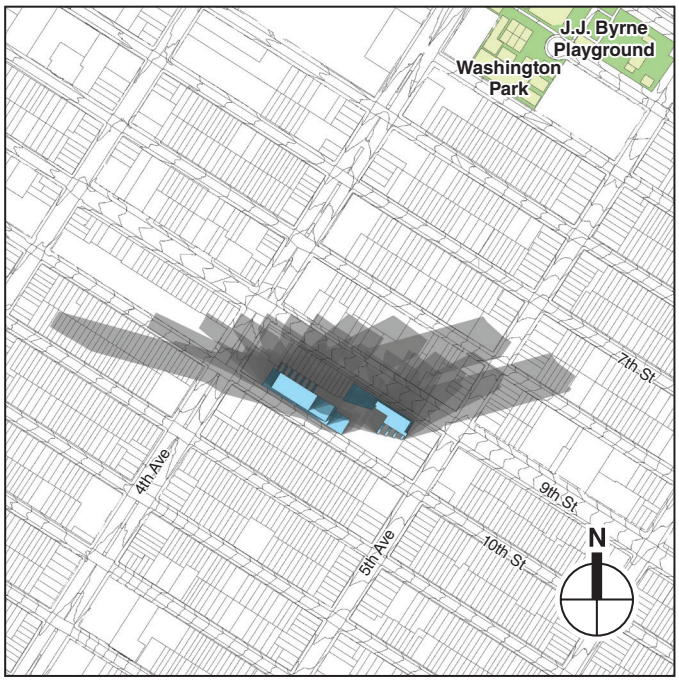
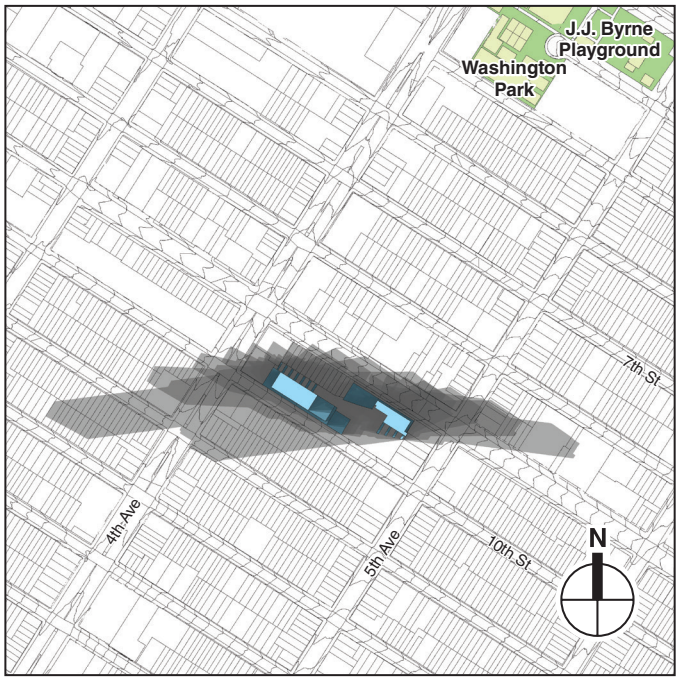


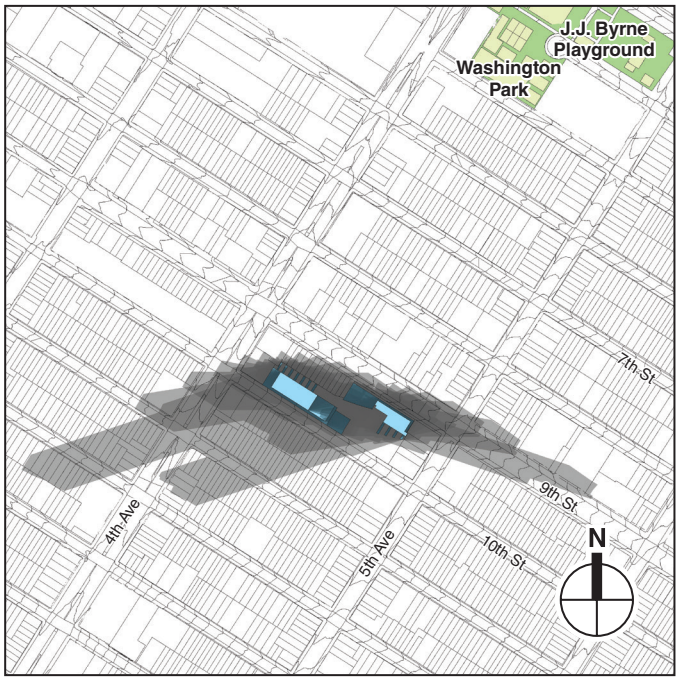
December 21



March 21 / September 21



May 6 / August 6



June 21

Proposed Project

Publicly Accessible Open Space

This figure illustrates the range of shadows that would occur from the proposed building on each of the four representative analysis days. The shadows are shown occurring approximately every 60 minutes from the start of the analysis day (90 minutes after sunrise) to the end of the analysis day (90 minutes before sunset). The Tier 3 assessment does not account for future No Action shadows, and the shadows shown in this figure do not represent incremental shadows. The Tier 3 assessment serves to illustrate the daily path or "sweep" of the proposed building's shadows across the landscape, indicating which resources could potentially be affected on that analysis day, absent intervening or surrounding buildings, by project-generated shadow. Daylight Saving Time was not used, per *CEQR Technical Manual* guidelines.

Tier 3 Assessment

A. INTRODUCTION

This attachment assesses the potential for the proposed 341 10th Street project to affect historic and cultural resources, which include both archaeological and architectural resources. The Project Site is located at 341 10th Street (Block 1010, Lot 26) in the Park Slope neighborhood of Brooklyn, Community District 6 (see **Figure F-1**). As described on Page 1a of the EAS, "Project Description," the Applicant is requesting several discretionary actions, including a zoning map amendment, a zoning text amendment, and special permits (the "Proposed Actions") to facilitate the construction of two mixed-use, primarily residential buildings, rising 17 and 19 stories each, with retail and community facility space on the ground floors and residential space above (the "Proposed Project").

The 2021 *City Environmental Quality Review (CEQR) Technical Manual* recommends that an analysis of archaeological resources be undertaken for actions that would result in any in-ground disturbance. It also recommends that an architectural resources assessment be performed if a proposed action would result in any of the following (even if no known architectural resources are located nearby): new construction; physical alteration of any building; change in scale, visual context, or visual setting of any building, structure, object, or landscape feature; or screening or elimination of publicly accessible views. Since the Proposed Actions may result in some of these conditions, a full analysis for archaeological and architectural resources under CEQR was undertaken.

Absent the Proposed Actions, in the future without the Proposed Project (the No Action condition), the Project Site would not be redeveloped and would remain in its existing condition. The historic and cultural resources analysis presented below compares the No Action condition and the future with the Proposed Project (the "With Action" condition) on the Project Site and in the study area. This assessment concludes that the Proposed Actions would not result in any significant adverse impacts to historic and cultural resources.

B. METHODOLOGY

The study area for archaeological resources is the Project Site itself, representing the area that would be disturbed by the project's construction. Pursuant to CEQR, consultation was initiated with the New York City Landmarks Preservation Commission (LPC) regarding the Proposed Project. In a comment letter dated August 24, 2022, LPC determined that the Project Site has no archaeological significance (see **Appendix A**). As such, no further archaeological analysis is warranted, and the Proposed Project would not result in significant adverse impacts on archaeological resources. The remainder of this assessment, therefore, focuses only on standing structures.

Consistent with the guidance of the *CEQR Technical Manual*, in order to determine whether the Proposed Actions could potentially affect architectural resources, this attachment assesses whether

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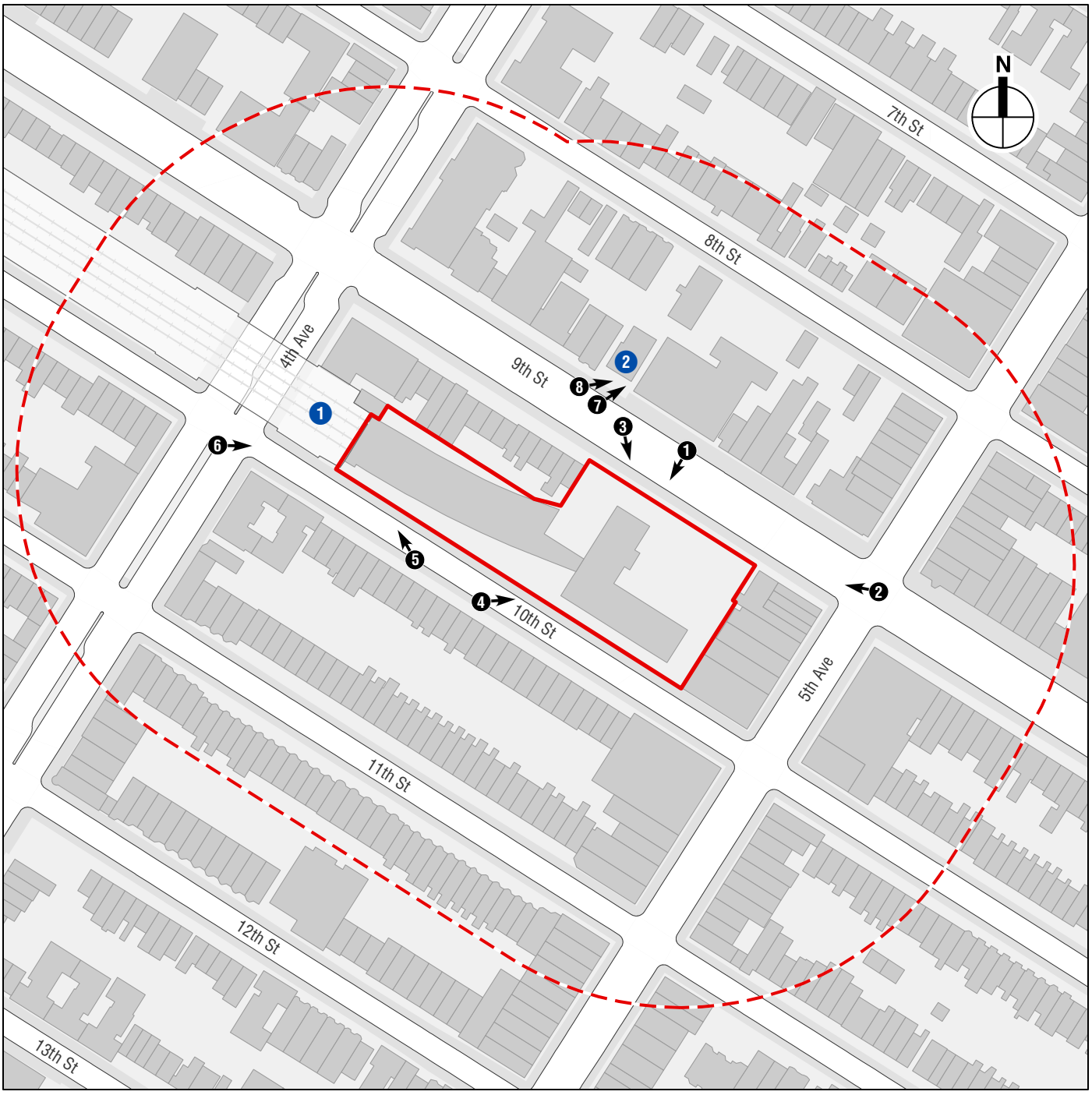


Project Site

Study Area (400-foot perimeter)

Architectural Resource

Photograph View Direction and Reference Number

0 200 FEET

MAP ID	NAME
1	4th Avenue Station of the IND Subway (S/NR-listed)
2	William B Cronyn House, 271 9th Street (S/NR-listed, NYCL)

Architectural Resources

the Proposed Actions would result in a physical change to any resource, a physical change to the setting of any resource (such as context or visual prominence), and, if so, whether the change is likely to alter or eliminate the significant characteristics of the resource that make it important.

Study areas for architectural resources are determined based on the area of potential effect for construction period impacts, as well as the larger area in which there may be visual or contextual impacts. The *CEQR Technical Manual* sets the guidelines for the study area as being typically within an approximately 400-foot radius of the Project Site (see **Figure F-1**). Known architectural resources include National Historic Landmarks (NHLs); State and National Registers of Historic Places (S/NR)-listed or S/NR-eligible properties or properties contained within a S/NR-listed or S/NR-eligible historic district, and properties recommended by the New York State Board for listing on the S/NR; and New York City Landmarks (NYCLs), Interior Landmarks, Scenic Landmarks, and New York City Historic Districts (NYCHDs), properties determined eligible for landmark designation (NYCL-eligible), or calendared for NYCL designation. In addition, a survey of the study area was conducted to identify any previously undesignated properties that appear to meet S/NR or NYCL eligibility criteria ("potential architectural resources").

Impacts on architectural resources can include both direct physical impacts and indirect impacts. Direct impacts include damage from vibration (i.e., from construction blasting or pile driving) and additional damage from adjacent construction that could occur from falling objects, subsidence, collapse, or damage from construction machinery. Adjacent construction is defined as any construction activity that would occur within 90 feet of an architectural resource, as defined in the New York City Department of Buildings (DOB)'s *Technical Policy and Procedure Notice (TPPN) #10/88.*[1] Chapter 33 of the New York City Building Code outlines measures to ensure protection of adjoining property and includes additional safeguards for historic structures located within 90 feet.

Indirect impacts on architectural resources are contextual or visual impacts that could result from project construction or operation. As described in the *CEQR Technical Manual*, indirect impacts could result from blocking significant public views of a resource; isolating a resource from its setting or relationship to the streetscape; altering the setting of a resource; introducing incompatible visual, audible, or atmospheric elements to a resource's setting; or introducing shadows over a historic landscape or an architectural resource with sun-sensitive features that contribute to that resource's significance (e.g., a house of worship with stained-glass windows).

C. EXISTING CONDITIONS

PROJECT SITE

The Project Site is located at 341 10th Street (Block 1010, Lot 26), which is a mid-block and through-block site with frontages on both 9th and 10th Streets. The Project Site contains an approximately 173,000-gross-square-foot (gsf) 12- and 18-story apartment building (up to 176 feet tall) that was constructed in 1968 (see Views 1-4 of **Figures F-2 and F-3**). Although the apartment building meets age criteria, it is not architecturally significant as it does not represent

[1] *TPPN #10/88* was issued by DOB on June 6, 1988, to supplement Building Code regulations with regard to historic structures. *TPPN #10/88* outlines procedures for the avoidance of damage to historic structures that are listed on the NR or NYCLs resulting from adjacent construction, defined as construction within a lateral distance of 90 feet from the historic resource.



View south of the Project Site from 9th Street **1**



View southwest of the Project Site from the corner of 9th Street and 5th Avenue **2**

Photographs of the Project Site



View southeast of the Project Site frontage on 9th Street **3**



View northeast of the Project Site frontage on 10th Street **4**

Photographs of the Project Site

the work of a significant architect or period or type of construction. Therefore, the building does not meet criteria for S/NR listing or NYCL designation.

The Project Site has a substantial change in elevation from west to east on both 9th and 10th Streets. Both street frontages are characterized by a sheer retaining wall that is set back from the sidewalk by narrow grassy areas and surface parking lots. The Project Site's 9th Street frontage includes a one-story parking garage structure that is accessed from an entrance in the western portion of the retaining wall. The northeastern portion of the Project Site contains a surface parking lot that is accessed from 9th Street. Two small surface parking lots are also located along 10th Street adjacent to the retaining wall (see Views 1 to 4 of **Figures F-2 and F-3**).

The Project Site is also developed with an elevated portion of the IND (Independent) subway line. Metropolitan Transportation Administration (MTA) subway tracks run east-west through the western portion of the Project Site, with the tracks transitioning from elevated to below-grade through a tunnel structure that traverses the Project Site. The outdoor area above the tunnel structure is an underused open space that includes trees, plantings, and benches. The subway tracks and tunnel structure do not meet criteria for S/NR listing or NYCL designation. The tunnel structure is not significant as it does not represent the work of a significant engineer or type of construction. Therefore, there are no known or potential architectural resources located in the Project Site

STUDY AREA

KNOWN ARCHITECTURAL RESOURCES

There are two known architectural resources located in the study area (see **Figure F-1**). These resources are listed in **Table F-1**, described below, and shown in **Figures F-4 and F-5**.

Table F-1
Known Architectural Resources in the Study Area[2]

Ref. No.[1]	Name	Address	NYCL	NYCL-eligible	S/NR	S/NR-eligible	Potential Resource
1	4th Avenue-9th Street Station and Viaduct of the IND Subway	North and south sides of 10th Street between 3rd and 4th Avenues			X		
2	William B. Cronyn House	271 9th Street	X		X		

Notes:
NYCL = designated New York City Landmark; NYCL-eligible = determined NYCL-eligible by LPC; S/NR = listed on the New York State and National Registers of Historic Places; S/NR-eligible = determined eligible for listing on the State and National Registers of Historic Places.
[1] Corresponds to **Figure F-1**.

The **4th Avenue-9th Street Station of the IND (Independent) Subway** ("4th Avenue-9th Street Station") (S/NR) is located adjacent to the Project Site, with station entrances on both the east and west sides of 4th Avenue. The station is situated below a viaduct that carries the elevated tracks over 4th Avenue between 9th and 10th Streets (see Views 5 and 6, **Figure F-4**). Constructed in 1933,

[2] The building at 274A 9th Street was identified as S/NR-eligible in the 2021 *Gowanus Neighborhood Rezoning* Final Environmental Impact Statement (FEIS) (CEQR #19DCP157K). Based on additional information provided to OPRHP in August and November 2022 regarding substantial alterations to the building, including interior alterations, OPRHP re-evaluated the building on November 16, 2022 and determined that it is not S/NR-eligible.



View northwest of 4th Avenue-9th Street Station from 10th Street **5**



View northeast of 4th Avenue-9th Street Station from 4th Avenue **6**

Photographs of Known Architectural Resources



View north of William B Cronyn House at 271 9th Street **7**



View north of William B Cronyn House at 271 9th Street **8**

Photographs of Known Architectural Resources

the viaduct has a steel arch and massive brick piers designed in the Art Deco style that flank 4th Avenue, featuring brickwork patterns and decorative exterior wall sconces. The station entry, ticket booth, and stairway are located in the piers on the east and west sides of 4th Avenue, while part of the subway platform is located on the deck of the steel arch viaduct. The station was listed on the S/NR as part of the New York City Transit Authority's Historic Properties Survey in the 1990s.

The **William B. Cronyn House** (S/NR, NYCL) is located at 271 9th Street, approximately 110 feet north of the Project Site across 9th Street (see Views 7 and 8, **Figures F-4 and F-5**). The free-standing three-story house is set back from the sidewalk beyond a small garden. Designed in the French Second Empire style between 1856 and 1857, the house was built by William B. Cronyn, a wealthy Wall Street merchant, at a time when the surrounding area was largely farmland. The building has a brick and wood frame structure clad in stucco, with a mansard roof with dormer windows and is capped by a large cupola with clerestory windows that light the staircase inside. The house exhibits prominent architectural features and intricate ornamentation, including pilasters at the window surrounds, bay windows at the first floor, an entry portico with a bracketed and modillioned cornice, prominent bracketed cornices at the mansard roofline and at the roof of the cupola, iron cresting at the mansard roof and at the bay windows, and a finial capping the cupola.

POTENTIAL ARCHITECTURAL RESOURCES

A survey of the study area was conducted to identify any previously undesignated properties that appear to meet S/NR or NYCL eligibility criteria ("potential architectural resources"). No potential architectural resources were identified in the study area.[3] The study area comprises a mix of older residential buildings with ground floor retail and brick- and brownstone-clad row houses, as well as modern and tall apartment buildings. Older buildings in the study area do not appear to meet S/NR or NYCL eligibility criteria due to alterations, including replacement windows and doors, the removal of iron railings, and modern storefronts.

D. NO ACTION CONDITION

PROJECT SITE

Absent the Proposed Actions, it is assumed that the Proposed Project would not be constructed, and the Project Site would remain as in its current condition.

STUDY AREA

As described in Attachment B, "Land Use, Zoning, and Public Policy," there are no development projects in the study area expected to be completed and in operation by the 2025 analysis year.

In the No Action condition, the status of architectural resources could change. S/NR-eligible properties could be listed on the Registers and potential architectural resources could be determined S/NR-eligible or considered for NYCL designation.

[3] In an LPC comment letter dated September 19, 2019 based on its review of the "Historic and Cultural Resources" chapter of the *Gowanus Neighborhood Rezoning Draft EIS (DEIS*) (CEQR #19DCP157K), LPC determined that the following properties do not appear LPC- or S/NR-eligible: the Holy Family of St. Thomas Aquinas Parish and Parish House at 249-251 9th Street, the tenements at 234-238 8th Street and 240 8th Street, and a potential historic district on 11th Street east of 4th Avenue.

Privately owned properties that are designated NYCLs, are located in NYCHDs, or pending designation as Landmarks are protected under the New York City Landmarks Law, which requires LPC review and approval before any alteration or demolition can occur, regardless of whether the project is publicly or privately funded. Publicly owned resources are also subject to review by LPC before the start of a project. Resources that are only eligible for Landmark designation, however, are not protected under the Landmarks Law.

Architectural resources that are listed on the S/NRs or that have been found eligible for listing are given a measure of protection under Section 106 of the National Historic Preservation Act from the effects of projects sponsored, assisted, or approved by federal agencies. Although preservation is not mandated, federal agencies must attempt to avoid adverse effects on such resources through a notice, review, and consultation process. Properties listed on the Registers are similarly protected against effects resulting from projects sponsored, assisted, or approved by State agencies under the State Historic Preservation Act. However, private owners of properties eligible for, or even listed on, the Registers using private funds can alter or demolish their properties without such a review process.

The New York City Building Code, in Section BC 3309: Protection of Adjoining Property, provides some measures 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. While these regulations serve to protect all structures adjacent to construction areas, they do not afford special consideration for historic structures.

E. WITH ACTION CONDITION

PROJECT SITE

As described in the EAS, "Project Description," the Proposed Project would replace the existing parking areas on the 9th and 10th Street frontages of the Project Site—including the existing one-story parking garage—with two new primarily residential buildings. The 9th Street Building would be a 17-story building with ground floor retail, The building would be oriented with its wide frontage along 9th Street. The 10th Street Building would be 19 stories, with its wide frontage along 10th Street. The existing 12- to 18-story residential building would remain in its current condition. The outdoor area above the tunnel structure on the western portion of the Project Site would be improved to provide private open space for the Project Site's tenants that is expected to include walking paths, trees and landscaping, seating areas, and a children's playscape. The existing surface parking lot on the northeast portion of the Project Site would be reduced in size and access would be reconfigured by constructing a ramp leading to an existing curb cut on 10th Street, along with modifications to or elimination of curb cuts elsewhere on the Project Site. The two new buildings would have minimal cellar space as the buildings would span above the MTA tunnel on steel trusses (see EAS Figures 6 through 8).

As there are no architectural resources on the Project Site, the Proposed Project would not result in any adverse impacts to architectural resources on the Project Site.

STUDY AREA

DIRECT IMPACTS

With the Proposed Project, no architectural resources in the study area would be demolished or altered.

As described above, 4th Avenue-9th Street Station is located within 90 feet of the Project Site. If requested by LPC and/or the MTA, the Applicant would develop and implement a Construction Protection Plan (CPP) to avoid any inadvertent construction-related impacts, including ground-borne vibration, falling debris, and accidental damage from heavy machinery associated with the construction of the new buildings. The CPP would be developed in coordination with LPC and/or the MTA, as appropriate, and implemented in consultation with a licensed professional engineer before any building excavation or construction activities would take place. The CPP would be prepared as set forth in Section 523 of the *CEQR Technical Manual* and in compliance with the procedures included in the DOB's *TPPN #10/88* and LPC's *Guidelines for Construction Adjacent to a Historic Landmark and Protection Programs for Landmark Buildings*. The CPP would describe the measures to be implemented during construction of the Proposed Project to protect the 4th Avenue-9th Street Station, including provisions for pre-construction documentation; monitoring including for cracks and vibration; stop work orders; protection measures for falling objects; and installation of physical protection as appropriate. No other architectural resources in the study area are located within 90 feet of the Project Site.

With the preparation and implementation of a CPP for the 4th Avenue-9th Street Station, the Proposed Project would not be expected to result in any direct impacts to architectural resources in the study area.

INDIRECT IMPACTS

The Proposed Actions' potential to result in indirect, or contextual, impacts was also evaluated. Indirect impacts are defined as those impacts that could result from blocking significant public views of a resource; isolating a resource from its setting or relationship to the streetscape; altering the setting of a resource; introducing incompatible visual, audible, or atmospheric elements to a resource's setting; or introducing shadows over a historic landscape or an architectural resource with sun-sensitive features that contribute to that resource's significance, such as a church with notable stained glass windows. The Proposed Project would not result in any adverse visual or contextual impacts on architectural resources in the study area. The Proposed Project also would not obstruct public views of any architectural resources identified in the study area.

As described above, the 4th Avenue-9th Street Station is located immediately west of the Project Site with large stone piers fronting on the east and west sides of 4th Avenue and 10th Street and an arched viaduct that carries the elevated tracks over 4th Avenue between 9th and 10th Streets. Views to the 4th Avenue-9th Street Station's stone piers and arched viaduct spanning 4th Avenue are available from several vantage points along 4th Avenue and 10th Street. With the Proposed Project, the context of the 4th Avenue Station would be altered with the inclusion of the proposed 9th and 10th Street Buildings immediately to the east. However, the 4th Avenue-9th Street Station is already sited within the context of the 12- and 18-story apartment building on the Project Site and a mix of other larger and smaller buildings on 4th Avenue and 9th and 10th Streets. Therefore, the changes in context that would occur with the Proposed Project would not result in changes to the 4th Avenue-9th Street Station to cause it to become a different visual entity, or isolate it from its setting or visual relationships with the streetscape, or otherwise impact the resource's visual prominence.

The William B. Cronyn House is located at 271 9th Street across 9th Street from the Project Site. Although the architectural resource faces the Project Site, it does not have meaningful visual or contextual relationship to the Project Site. Further, this architectural resource is already located in the context of older and newer buildings, including the 12- and 18-story building on the Project Site.

While the Proposed Project would include two new buildings that would be taller than the architectural resources in the study area, the massing of both the 9th and 10th Street Buildings would be articulated with a lower base at the streetfront that would be compatible with the heights of nearby buildings. The architectural resources in the study area are already located within the context of a variety of building heights, forms, and ages, including the 12- and 18-story apartment building on the Project Site and other nearby newer apartment buildings on 9th Street and 4th Avenue that are also located in the study area. Therefore, the Proposed Project would not adversely impact the setting of architectural resources in the study area.

Overall, the Proposed Actions would not introduce incompatible visual or atmospheric elements to an architectural resource's setting. With the implementation of a CPP for the 4th Avenue-9th Street Station, the Proposed Project would have no significant adverse impacts on historic and cultural resources in the study area. ✷

A. INTRODUCTION

This attachment assesses the potential for the Proposed Actions to affect urban design and visual resources in the study area. As defined in the *2021 City Environmental Quality Review (CEQR) Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space. These components include streets, buildings, visual resources, open spaces, natural resources, and wind. A visual resource can include views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings, and natural resources.

As described in Page 1a, "Project Description," the Project Site is located at 341 10th Street (Block 1010, Lot 26) in the Park Slope neighborhood of Brooklyn, Community District 6 (see **Figures G-1 and G-2**). It is a mid-block and through-block site with frontages on both 9th and 10th Streets. The Proposed Actions include a zoning map amendment, a zoning text amendment, and special permits to establish a Large-Scale General Development (LSGD) and reduce accessory parking requirements. The Proposed Actions would facilitate the construction of two new mixed-use, primarily residential 17- and 19-story buildings on the Project Site, with retail and community facility space on the ground floors and residential space above (the "Proposed Project").

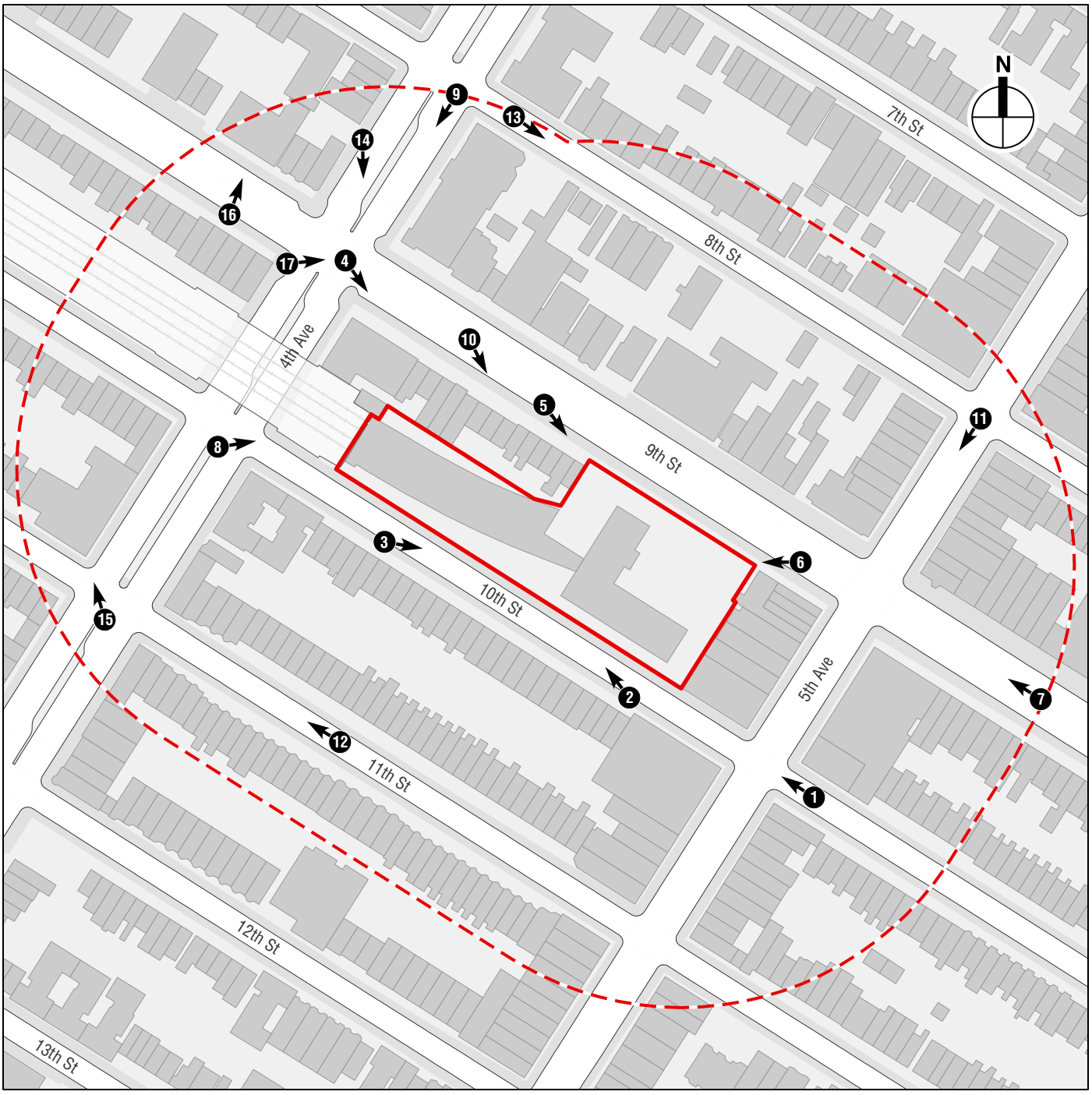
As described below, this preliminary assessment concludes that the Proposed Actions would not result in any significant adverse impacts to urban design and visual resources in the study area. Development facilitated by the Proposed Actions would be compatible with the urban design of the study area and would not adversely impact the pedestrian experience. While the Proposed Actions would result in changes to views of some visual resources, views of those visual resources would remain available from other vantage points within the study area. Therefore, no further analysis of urban design and visual resources is warranted.

B. METHODOLOGY

Based on the *CEQR Technical Manual*, a preliminary assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. Examples include projects that permit the modification of yard, height, and setback requirements, and projects that result in an increase in built floor area beyond what would be allowed "as-of-right" or in the No Action condition. The Proposed Actions would include a rezoning to increase the allowable density on the Project Site, as well as special permits to modify zoning regulations related to base height, maximum building height, setback, rear yard and rear yard equivalent, and parking, to facilitate the development of additional residential, local retail and community facility space on the Project Site, Therefore, the Proposed Project meets the threshold for a preliminary assessment of potential impacts to urban design and visual resources.

According to the *CEQR Technical Manual*, the study area for urban design is the area where a Proposed Project may influence land use patterns and the built environment, and is generally

7.6.23



0 200 FEET

Project Site

Study Area (400-foot perimeter)

1 *Photograph View Direction and Reference Number*



Project Location and Key to Photographs

341 10TH STREET REZONING AND LSGD SPECIAL PERMITS

Figure G-1



Aerial

341 10TH STREET REZONING AND LSGD SPECIAL PERMITS

Figure G-2

consistent with the study area used for the land use, zoning, and public policy analysis. For visual resources, the view corridors within the study area from which such resources are publicly viewable should be identified. In accordance with *CEQR Technical Manual* methodologies, the study area for the urban design and visual resources analysis has been defined as a 400-foot radius around the Project Site, which is consistent with the study area for land use, zoning, and public policy. The urban design and visual resources study area is roughly bounded by 8th Street to the north, 5th Avenue to the east, 11th Street to the south, and 4th Avenue to the west (see **Figures G-1 and G-2**).

The *CEQR Technical Manual* recommends an analysis of pedestrian wind conditions for projects that result in the construction of large buildings at locations that experience high wind conditions (such as along the waterfront, or other location where winds from the waterfront are not attenuated by buildings or natural features), which may result in an exacerbation of wind conditions due to "channelization" or "downwash" effects that may affect pedestrian safety. The Project Site is not located near the waterfront. Therefore, it is not expected that the Proposed Project would result in an exacerbation of wind conditions due to "channelization" or "downwash" effects that may affect pedestrian comfort and safety, and a pedestrian wind analysis is not warranted.

The Project Site and study area are discussed in detail for existing conditions, the future without the Proposed Project (the "No Action" condition), and the future with the Proposed Project (the "With Action" condition).

C. EXISTING CONDITIONS

URBAN DESIGN

PROJECT SITE

The approximately 69,000-square-foot (sf) Project Site is located on Block 1010, Lot 26. It is a mid-block and through-block site with frontages on both 9th and 10th Streets (see **Figures G-1 and G-2**). The Project Site contains an approximately 173,000-gross-square-foot (gsf) 12- and 18-story residential building (approximately 113 and 176 feet tall, respectively) that contains 154 dwelling units. The residential building has two wings that are oriented perpendicular to each other in an L-shape plan. The Project Site also contains a one-story parking garage, and a tunnel structure for the IND subway line (see Views 1 to 8 of **Figures G-3 to G-6**). The Project Site's frontages on 9th and 10th Streets include curb cuts for the on-site parking. The Project Site has a substantial change in elevation from west to east on both 9th and 10th Streets. Both street frontages are characterized by a sheer retaining wall that is set back from the sidewalk by narrow grassy areas and surface parking lots.

The existing residential building's 12-story wing extends along the southern boundary of the Project Site fronting on 10th Street; the 18-story wing is sited with its narrow façade perpendicular to 9th Street and its long façades facing east and west. On 10th Street, the 12-story wing has an approximately 160-foot-long brick-clad street frontage that rises without setbacks and has two bays of balconies at the fourth through 12th floors (see Views 1 to 3 of **Figures G-3 and G-4**). This wing is set back from the sidewalk beyond a narrow-landscaped yard of tall vegetation. The 10th Street wing's main entrance is within a recessed first floor portico. At the first floor, the wing's eastern portion includes a sunken garage bay and a windowless wall that is obscured by vegetation. Also, on 10th Street west of the 12-story wing, the Project Site contains a surface parking lot, with an iron fence with two gates opening to the sidewalk. The surface parking lot has



View northwest toward the Project Site from 10th Street and 5th Avenue, showing the existing 12-story wing **1**



View northwest on 10th Street, including the entrance to the 12-story wing and the surface parking lot **2**

Existing Conditions
Project Site



View northeast on 10th Street, including the surface parking lot and the tunnel structure **3**



View southeast on 9th Street, showing the 18-story wing **4**

Existing Conditions
Project Site



View southeast on 9th Street, showing the parking garage and the 18-story wing **5**

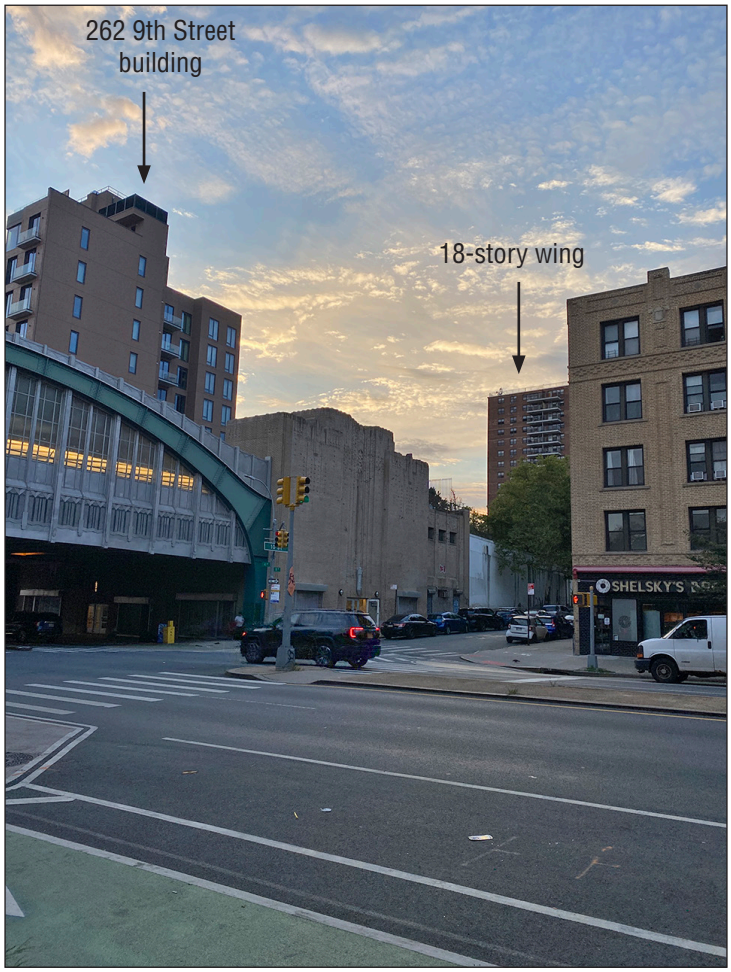


View southwest of the parking lot and sidewalk on 9th Street **6**

Existing Conditions
Project Site
Figure G-5



View west on 9th Street showing a distant view of the Project Site **7**



View northeast toward the Project Site from 4th Avenue and 10th Street with the 4th Avenue-9th Street station in the foreground **8**

Existing Conditions
Project Site

a wedge-shaped plan that tapers to the west, with an approximately 160-foot-long street frontage on 10th Street. Beyond the surface parking lot, the Project Site contains the elevated tunnel structure for the IND subway line that carries MTA subway tracks running east-west through the western portion of the Project Site, with the tracks transitioning from elevated to below-grade. At street level, the tunnel structure has a one-story retaining wall clad in painted stucco and capped with a chain-link fence. The outdoor area above the tunnel structure, which is not visible from street level, is an underused open space in disrepair that includes trees and plantings, some of which are visible from the 10th Street sidewalk.

As noted above, the 18-story wing of the Project Site building is oriented perpendicular to 9th Street (see Views 4 to 8 of **Figures G-4 to G-6**). The tower rises from squared columns set within the rooftop surface parking lot. A deeply recessed entrance on the building's north façade opens onto the surface parking lot. Like the 12-story wing, the tower is clad in brick, has no setbacks, and has balconies affixed to the east and west façades of the upper stories. Also fronting on 9th Street is the one-story parking garage that has an approximately 200-foot-long street frontage with two garage openings. The parking garage is clad in painted stucco, with a flat roof that is used as a surface parking lot. The parking garage is set back behind a narrow grassy area with an iron fence along the 9th Street sidewalk. At the northeast corner of the Project Site is a ramped entrance up to the surface parking lot on the roof of the parking garage.

STUDY AREA

The discussion below focuses first on the study area's urban design—its basic layout and structures—and then describes its visual resources (see **Figures G-1 and G-2**).

Streets

The study area streets form a rectilinear grid pattern of rectangular blocks (see **Figures G-1 and G-2**). The study area contains 60-foot-wide one-way east-west streets, and wider two-way corridors, including 9th Street, 4th Avenue, and 5th Avenue. The streets in the study area are flanked by curbside parking and sidewalks. There are New York City Transit (NYCT) bus routes along 9th Street, 4th Avenue, and 5th Avenue. There are two subway stations in the study area, with entrances on both sides of 4th Avenue. The 9th Street station for the R line has entrances on the north side of 9th Street at 4th Avenue, with stairs down to the below-grade station. The 4th Avenue-9th Street station for the F and G lines has entrances on 4th Avenue between 9th and 10th Streets that open from the station's stone piers flanking 4th Avenue. The two subway stations are connected below grade.

The primary thoroughfares in the study area are 4th Avenue, 9th Street, and 5th Avenue. 4th Avenue is an approximately 120-foot-wide, north-south thoroughfare that runs along the western portion of the study area (see View 9, **Figure G-7**). The traffic lanes are separated by low, concrete medians between each intersection. Parking is located on both sides of the street, with dedicated bike lanes adjacent to the curb, separated from the through-traffic lanes by parking. Ninth Street is an approximately 110-foot-wide east-west corridor that runs through the center of the study area (see View 10, **Figure G-7**). There are dedicated bike lanes on both sides of 9th Street adjacent to the curb, separated from the through-traffic lanes by parking. 5th Avenue is 80 feet wide and has two lanes of parking and shared bike lanes in both directions (see View 11, **Figure G-8**).

Street furniture in the study area includes fire hydrants, trash cans, street signs, mailboxes, bus shelters and bus stop signs, parking meters, and bike racks. Both modern cobra streetlamps and historic replicas of Mast-Arm post streetlamps are located throughout the study area. There are



View south on 4th Avenue from 8th Street, including the 4th Avenue-9th Street station viaduct spanning 4th Avenue **9**



View southeast on 9th Street from near 4th Avenue **10**

Existing Conditions
Study Area



View south on 5th Avenue from 8th Street **11**



View west along 11th Street **12**

Existing Conditions
Study Area

Citibike stations at the northwest corner of 4th Avenue and 9th Street and on the south side of 10th Street west of 5th Avenue, across from the Project Site. Several restaurants on 5th Avenue and 9th Street have outdoor dining structures within the street in front of the businesses. Street trees are located throughout the study area, with more street trees on the residential streets.

Buildings

The study area is primarily characterized by residential and commercial buildings, along with a few institutional buildings and transportation facilities. The residential buildings comprise a mix of older and newer buildings, including residential buildings with ground floor retail on 4th and 5th Avenues and 9th Street. Most older, smaller buildings have low lot coverage and newer buildings are generally larger and taller, occupying all or most of their lots. Commercial buildings are located on 4th and 5th Avenues and 9th Street and have varied heights, ages, and lot coverage, and occupy larger lots. The institutional buildings include a large church that occupies most of its lot and two smaller buildings smaller lots. The transportation facilities—two subway stations—are located on 4th Avenue.

The remainder of the block that contains the Project Site is primarily occupied by three- and four-story older residential buildings that front on 9th Street and 5th Avenue. The residential buildings that front on 9th Street are older attached rowhouses that are set back from the sidewalk by paved or grassy yard areas with high stoops. The rowhouses have small footprints and low lot coverage. The buildings fronting on 5th Avenue include one- to four-story buildings with high lot coverage. The corner of 9th Street is occupied by four one-story commercial buildings; the mid-blockfront contains three three-story older residential buildings with ground floor retail; the corner of 10th Street is a four-story newer building with ground floor retail. The 4th Avenue blockfront is occupied by two structures—the large 11-story residential building at 262 9th Street that was recently completed and the 4th Avenue-9th Street Subway Station entrance and stone pier.

Older, smaller buildings are located throughout the study area, and include residential and commercial buildings. The older residential buildings are generally small, rectangular rowhouses with small footprints and low lot coverage. These buildings are attached, with continuous rows of houses or mixed-use buildings occupying the blockfront between two streets or avenues. The older mixed-use and commercial buildings are generally built to the sidewalk on 4th and 5th Avenues, whereas the older residential buildings are set back from the sidewalk by paved or grassy areas on the east-west residential streets.

5th Avenue is generally characterized by older, smaller residential buildings with ground floor retail. The retail storefronts have awnings above the sidewalk and are clad in brownstone, stucco, or brick, often with billboards or vertical signs affixed to the upper story façades (see View 11, **Figure G-8**).

The east-west streets in the study area generally contain older, smaller residential buildings. Both sides of 11th Street, and the south sides of 9th and 10th Streets are characterized by two-story rowhouses that are generally 20 feet wide and have a raised first floor with a high stoop. The rowhouses are typically set back from the sidewalk beyond an iron fence and paved or grassy yard area (see View 12, **Figures G-8**). 8th Street has a more diverse mix of residential building types and sizes, including rowhouses, four-story tenements, three-story apartment buildings, and a newer five-story condominium (see View 13, **Figure G-9**). A five-story apartment building at 304 10th Street is located across 10th Street from the Project Site. Some free-standing older houses are also located within the study area, including the three-story William B. Cronyn House at 271 9th Street, a historic building that is discussed in Attachment F, "Historic and Cultural Resources."



View east on 8th Street **13**



View of 262 9th Street at the southeast corner of 9th Street and 4th Avenue **14**

Existing Conditions
Study Area
Figure G-9

The newer buildings in the study area are generally larger and taller than the older buildings and occupy all or most of their lots. 5th Avenue contains newer commercial buildings at the corners of 9th, 8th, and 10th Streets. These buildings, which contain commercial uses such as banks and pharmacies, are one to four stories tall and on larger lots than the mid-block buildings. Newer buildings are located in the western portion of the study area or on near 4th Avenue. These newer buildings, which occupy all or most of their lots, are generally larger and taller than the older buildings in the study area. Newer large residential buildings include the 11-story apartment building at 262 9th Street located at the southeast corner of 4th Avenue and 9th Street west of the Project Site, the 12-story apartment building at 237 11th Street on the west side of 4th Avenue southwest of the Project Site, the nine-story condominium building at 229 9th Street west of 4th Avenue northwest of the Project Site (see Views 14 to 16, **Figures G-9 and G-10**). These taller and larger residential buildings were all built within the past ten years and are characterized by a high, 10- or 11-story streetwall that meets the sidewalk, large window openings, and a stepped roofline.

Institutional buildings in the study area include the ca. 1960s one-story brick-faced post office at 275 9th Street, across 9th Street from the Project Site. It is a through-block building with a large, irregular footprint and an approximately 120-foot-long street frontage on 9th Street. The large brick-clad Holy Family St. Thomas Aquinas Parish at 249 9th Street occupies the 4th Avenue blockfront with frontages on 4th Avenue, and 9th and 8th Streets (see View 17, **Figure G-11**), with a primary entrance on 9th Street. The church has several crosses and decorative finials on its steeply pitched roof.

The IND subway viaduct spans over 4th Avenue between 9th and 10th Streets. The viaduct consists of an arched steel bridge raised on brick piers. The associated subway station has entrances on the east and west sides of 4th Avenue that are characterized by masonry cladding and multiple doorways (see View 8 of **Figure G-6**).

Natural Features and Open Space

The topography of the study area slopes slightly down from east to west. Natural features in the study area are limited to street trees, which are more sparse and smaller in size along 4th Avenue; the other streets in the study area, particularly 8th, 10th, and 11th Streets, have more street trees.

VISUAL RESOURCES AND VIEW CORRIDORS

PROJECT SITE

As defined in the *CEQR Technical Manual*, "a visual resource is the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources." As described above, the Project Site building is not architecturally distinguished or significant: while it is visually prominent due to its height, it is not considered a visual resource. Therefore, the Project Site does not contain any visual resources. Long views on 9th Street are available from the adjacent area to the Project Site, although views do not include any notable focus or visual resources. Long views on 10th Street are limited due to dense street trees and the 4th Avenue-9th Street Station's piers and structure extending along 10th Street.



View of 237 11th Street at the northwest corner of 11th Street and 4th Avenue **15**



View of 229 9th Street on the north side of 9th Street, west of 4th Avenue **16**

Existing Conditions
Study Area
Figure G-10



View northeast toward St. Thomas Aquinas Parish at 249 9th Street **17**

Existing Conditions
Study Area
Figure G-11

STUDY AREA

The visually prominent Holy Family St. Thomas Aquinas Parish, at 249 9th Street, is a visual resource in the study area. The tall brick-clad building, with its distinct roofline, is visible in views along 4th Avenue and 9th Street.

Views on narrow cross-streets in the study area are limited by buildings and street trees along these streets. Views west from the north side of 9th Street include the Smith-9th Street Viaduct in the far distance. Views east on 9th Street are long but do not include any notable focus or visual resources. Long views north and south on 5th Avenue are largely obscured by street trees, however, some northward views include a distant view of the residential tower at 664 Pacific Avenue (located adjacent to the Barclays Center). Long views on 4th Avenue are obstructed by the 4th Avenue-9th Street Station's viaduct that spans over 4th Avenue in the center of the study area. However, north of the subway viaduct, northward views on 4th Avenue include the stepped limestone tower of the former Williamsburgh Savings Bank building, at 1 Hanson Place. South of the subway viaduct, southward views on 4th Avenue are limited by a slight turn in the avenue south of 16th Street. There are no notable visual resources in southward views on 4th Avenue.

D. FUTURE WITHOUT THE PROPOSED ACTIONS

PROJECT SITE

In the future without the Proposed Actions (the No Action condition), it is assumed that the existing conditions and uses on the Project Site (described above) will remain, including the residential building, parking, and the tunnel structure.

STUDY AREA

As described in Attachment A, "Land Use, Zoning, and Public Policy," there are no development projects in the study area expected to be completed and in operation by the 2025 analysis year.

E. FUTURE WITH THE PROPOSED ACTIONS

PROJECT SITE

URBAN DESIGN

The Proposed Project would develop two new buildings on the Project Site, with one building fronting on 9th Street (the "9th Street Building") and one building fronting on 10th Street (the "10th Street Building"), which would replace the existing parking lots and parking garage (see EAS Figures 6 through 8 and **Figure G-12**). The existing 12- and 18-story residential building on the Project Site would remain as in existing conditions. The new buildings would be taller and would cover more floor area than the existing residential building on the Project Site (see **Figure G-13**). The 10th Street Building would be a primarily residential 19-story building fronting on 10th Street and the 9th Street Building would be a 17-story building fronting on 9th Street.

With the proposed Action, parking on the Project Site would be reduced from 115 spaces to 39 spaces through the elimination of the parking garage and 10th Street surface parking lot, and a reduction of the parking lot at the northeast corner of the Project Site. A smaller parking lot would be located toward the center of the Project Site which would be accessed by a ramp from the

7.6.23



0 200 FEET

Project Site

Study Area (400-foot perimeter)

1 *Illustrative Rendering View Direction and Reference Number*



Key to Illustrative Renderings

341 10TH STREET REZONING AND LSGD SPECIAL PERMITS

Figure G-12



Source: Marvel Architects

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

No Action Condition **18a**



Source: Marvel Architects

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

With Action Condition **18b**

Illustrative Rendering
View northwest toward the Project Site from
10th Street and 5th Avenue

existing curb cut on 10th Street. The other existing curb cuts on 9th and 10th Streets would be removed as they would no longer be needed.

With the Proposed Actions, the new 17-story, approximately 201-foot-tall (including bulkhead[1]) 9th Street Building would be located at the northeastern portion of the Project Site. The 9th Street Building would have an approximately 140-foot-long frontage on 9th Street, providing a continuous streetwall along the sidewalk with entrances to ground floor retail space and a residential lobby (see EAS Figures 6 through 8 and **Figure G-14**). The building's base would be five and eight stories tall (approximately 88 and 61 feet tall, respectively). The five-story base would be at the western end of the 9th Street frontage, providing a transition to the lower height study area buildings to the west. The upper stories of the new building would be set back from the lower floors to reduce the building's perceived height from 9th Street (see EAS Figures 6 through 8 and **Figure G-15**).

With the Proposed Actions, the new 19-story, approximately 225-foot-tall (including bulkhead) 10th Street Building would be located on 10th Street. The 10th Street Building would have a 260-foot-long frontage along the sidewalk at the western portion of the Project Site's 10th Street frontage (see EAS Figures 6 through 8 and **Figure G-16**). The ground floor would contain entrances to a community facility space and a residential lobby. The building would have an eight-story and a four-story base (approximately 95 and 55 feet tall, respectively) that meets the sidewalk. The shorter base would be approximately 125 feet long and situated at the eastern end of the 10th Street frontage. Above the base, the eastern end of the 10th Street Building would rise to height of 85 feet (100 feet including bulkhead). The central portion of the building would rise 19 stories, with a setback above the 18th story.

The Project Site's 9th Street frontage, immediately west of the 9th Street Building, would be activated with an approximately 102-foot-long, one-story retail space that would maintain a continuous streetwall on the Project Site. Similarly, immediately east of the 10th Street Building would be an approximately 60-foot-long, one-story community facility space that would maintain a continuous street wall on the Project Site's 10th Street frontage. Both one-story structures would abut the existing MTA tunnel structure that extends through the central portion of the Project Site. The area on top of the existing tunnel structure would be improved with private open space for residents (see EAS Figures 6 through 8). According to conceptual designs, this open space is expected to include walking paths, trees and landscaping, seating areas, and a children's playscape.

VISUAL RESOURCES AND VIEW CORRIDORS

There are no visual resources on the Project Site. There are no important view corridors from the Project Site that could be affected by the Proposed Project as existing views on the surrounding streets would remain available. Therefore, the Proposed Actions would not adversely affect any visual resources or view corridors on the Project Site.

[1] The 9th Street Building's and 10th Street Building's bulkheads may be lower than presented; higher bulkheads are assumed for purposes of a conservative analysis.



Source: Marvel Architects

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

No Action Condition **19a**



Source: Marvel Architects

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

With Action Condition **19b**

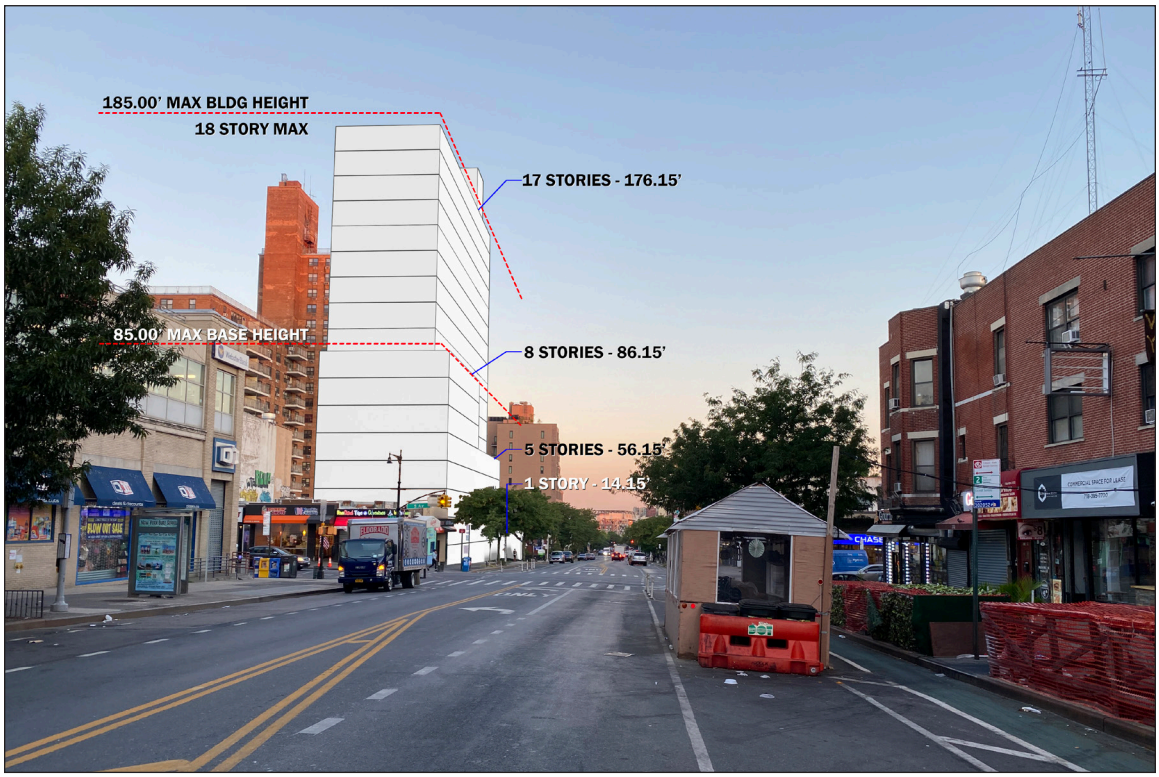
Illustrative Rendering
View southeast on 9th Street



Source: Marvel Architects

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

No Action Condition **20a**



Source: Marvel Architects

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

With Action Condition **20b**

Illustrative Rendering
View west on 9th Street showing
a distant view of the Project Site

STUDY AREA

URBAN DESIGN

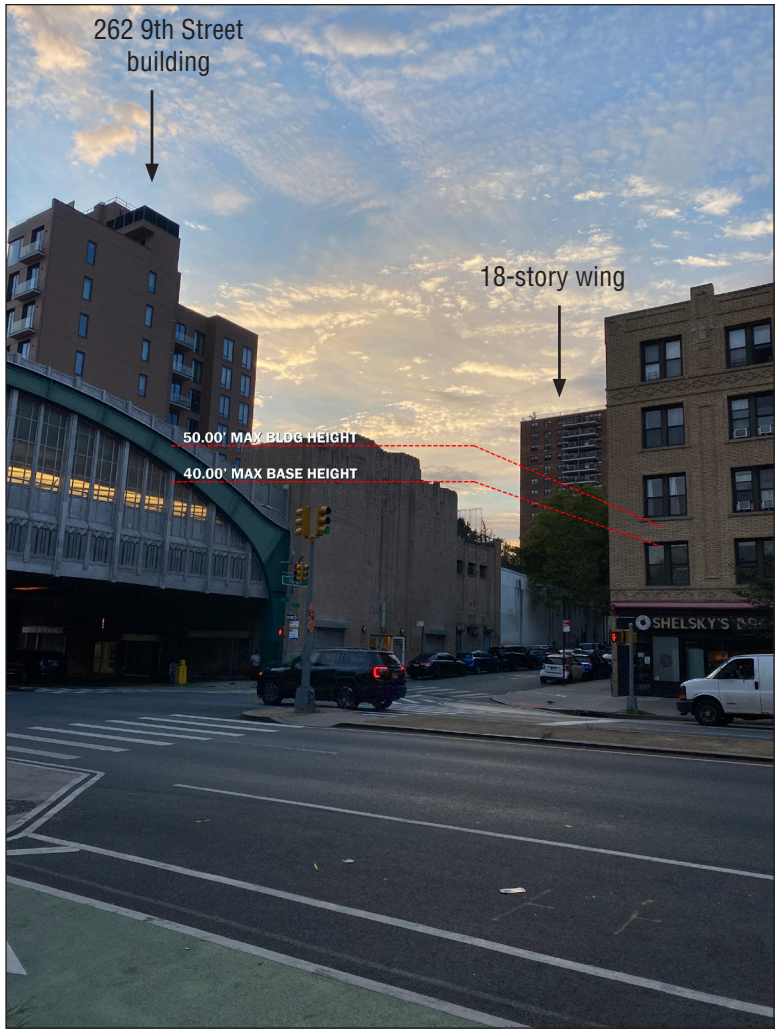
The Proposed Project would be developed on an existing block and therefore would not alter street orientation, street patterns, or block shapes in the study area. In comparison to the No Action condition, the proposed new buildings on the Project Site would have retail and community facility uses, which are consistent with existing uses along 9th Street in the study area. The new buildings would have four- to eight-story bases that would be consistent with the urban design context of the nearby study area.

Although the Proposed Project's new 17- and 19-story buildings would be taller than existing buildings in the study area, the buildings would be designed with setbacks above lower height bases which would be similar in height, massing, and form to nearby study area buildings, including the 11-story building at 262 9th Street that occupies the same block as the Project Site, and the 12-story apartment building at 237 11th Street on the west side of 4th Avenue. These existing buildings, like the Proposed Project, also have large footprints and are located among a mix of smaller and shorter buildings. The 9th Street Building's frontage on 9th Street would be comprise a five- and eight-story base that is comparable to 11-story residential building at 262 9th Street west of the Project Site, as well as the 75-foot-tall Holy Family St. Thomas Aquinas Parish across 9th Street northwest of the Project Site and the four-story buildings along 5th Avenue to the east (see **Figures G-13 and G-14**). The 17-story tower 9th Street Building would be comparable in height and form to the exiting 18-story tower on the Project Site. In addition, the one-story retail structure on 9th Street would be similar in height to the nearby two- and three-story rowhouses on the south side of 9th Street, providing a transition between the shorter buildings in the study area and the taller 9th Street Building.

The 10th Street Building's four-story base would be located mid-block and would abut the one-story community facility structure to the east. The 10th Street Building's lower-height streetwall at the middle of the block would be consistent with the three- and four-story existing rowhouses and five-story apartment buildings across 10th Street from the Project Site. The 10th Street Building's eight-story base would be located at the western end of the block, near the IND subway viaduct and the larger and taller buildings along 4th Avenue. In addition, the stepped form of the 10th Street Building, including the shorter tower at the building's east end, would provide a varied massing that would be consistent with the existing 12- and 18-story building on the Project Site and the existing mix of building heights and sizes in nearby portions of the study area (see EAS Figure 8 and **Figures G-13 and G-16**).

In comparison to the No Action condition, the proposed buildings would add new, active uses to the Project Site and would establish a consistent streetwall on 9th and 10th Streets that would contribute to the pedestrian experience along these streets. The Proposed Project would replace the windowless streetwall of the parking garage along 9th Street with active retail uses, thereby enhancing the pedestrian experience. The Proposed Project would also activate the streetfront on 10th Street by replacing a surface parking lot and windowless retaining wall with a new residential building with activated ground floor uses.

The Proposed Project would be consistent with the urban design character of the study area, which includes a mix of older and newer buildings of different architectural styles, including low-rise, masonry-faced rowhouses; newer and larger mid-rise residential buildings; and brick-faced institutional buildings. Therefore, the proposed changes would not be considered an adverse impact on the pedestrian's experience of the Project Site or the study area.



Source: Marvel Architects

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

No Action Condition **21a**



Source: Marvel Architects

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

With Action Condition **21b**

Illustrative Rendering
View northeast toward the Project Site from 4th Avenue and
10th Street with the 4th Avenue-9th Street station in the foreground

VISUAL RESOURCES AND VIEW CORRIDORS

The Proposed Project would not adversely affect views to the Holy Family St. Thomas Aquinas Parish as this visual resource is located away from the Project Site. Further, views to the church would remain available from existing vantage points. Views along view corridors in the study area also would not be adversely affected by the Proposed Project. Existing views east and west on 9th and 10th Streets would not be obstructed by the Proposed Project.

The view corridors along the study area streets would not be obstructed or obscured by the new development on the Project Site. The view corridors on 4th and 5th Avenues would include the upper portions of the Proposed Project from some vantage points, although the development would not block longer, distant views north and south along these view corridors. Views on 10th Street would continue to be obstructed by street trees, blocking long views of the Proposed Project. Views on 9th Street, including views from the intersections with 4th and 5th Avenues, would include the Proposed Project from a distance, (see **Figures G-14 and G-15**). These corridors are characterized by a mix of uses and buildings. While the view corridors along these streets would change with the Proposed Actions, the change would not be adverse as the Project Site already contains a tall building and the new buildings would be located within the context of this tall building and other nearby tall study area buildings.

F. CONCLUSION

Overall, although the Proposed Actions would result in physical alterations beyond those allowed by existing zoning, the Proposed Actions would not adversely affect urban design features in the study area such that the context of a natural or significant built resource would be adversely altered. The Proposed Actions would have no significant adverse impacts on urban design or visual resources, and would have no significant adverse impacts the pedestrian's experience of these characteristics of the built and natural environment. The Proposed Actions would not adversely impact the vitality, walkability, or visual character of the area. Therefore, no further analysis of urban design and visual resources is warranted. ✷

A. INTRODUCTION

This attachment addresses the potential for the presence of hazardous materials resulting from previous and existing uses both at the Project Site and in the surrounding area, and identifies the potential risks related to the proposed development with respect to any such hazardous materials. The Proposed Actions would result in construction of two new mixed-use buildings along the 9th and 10th Street frontages of the Project Site, in areas that currently contain parking, which would require soil disturbance and excavation. The one-story parking garage which currently adjoins the existing on-site building along 9th Street would first be demolished.

This assessment is based on a *Phase I Environmental Site Assessment* (ESA) prepared by AKRF, Inc. in October 2022. The ESA included the findings of a reconnaissance of the Project Site and an evaluation of readily available historical information including previous environmental studies, selected environmental databases, and electronic records (for the Project Site and in the vicinity) in accordance with American Society for Testing and Materials (ASTM) Standard E1527-13.

B. EXISTING CONDITIONS

SUBSURFACE CONDITIONS

Ground elevation at the Project Site drops from approximately 63 feet above mean sea level at the eastern side of the Project Site, to approximately 45 feet above mean sea level at the western portion of the Project Site, with regional topography similarly sloping down toward the west. Based on U.S. Geological Survey (USGS) mapping, bedrock is expected to be encountered at approximately 250 feet below grade and groundwater is anticipated to be first encountered at approximately 45 to 55 feet below grade, flowing in a westerly direction toward the Gowanus Canal, approximately half a mile away. However, actual groundwater depth and flow direction beneath the Project Site may be affected by past filling, pumping/dewatering of the subway tunnels beneath the Project Site and/or the D/N/R/W subway tunnels under Fourth Avenue (approximately 140 feet to the west), other subsurface openings or obstructions (such as basements), and other factors. Groundwater in Brooklyn is not used as a source of potable water.

PHASE I ESA

The Project Site is located in a primarily residential and commercial area. At the time of the ESA reconnaissance, the Project Site included: a 12- to 18-story apartment building with a cellar; parking at grade and in one-story parking garages; paved and landscaped outdoor areas; and an F/G subway tunnel that continues off-site to the east, connected to off-site elevated tracks to the west. The ESA identified the following, including evidence of Recognized Environmental Conditions (RECs) (the first five bullets). Per the ASTM Standard, RECs indicate *"the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property."*

- Historical land use maps identified a lumber store or warehouse on the northern portion of the Project Site circa 1951–1965. This structure was demolished by 1968. This facility may have used or stored wood treatment chemicals.
- Computerized New York City Buildings Department (DOB) records for the Project Site appeared to note an unregistered fuel oil tank in 2005. It was unclear whether these records referred to the Project Site's 20,000-gallon underground storage tank (UST) closed-in-place in 2005 (discussed below), which was registered with the New York State Department of Environmental Conservation (NYSDEC), or a different unregistered (possibly temporary) tank.
- Historical land use maps indicated that prior to the construction of the existing structures, the Project Site was developed with multiple small residential and commercial structures. These structures may have used fuel oil storage tanks, which may have been removed during demolition and construction of the subway or the existing building, or (if underground) may remain beneath the Project Site.
- Historical land use maps showed an ink factory; a potential furniture factory; an iodine factory; an undertaker; an auto repair shop; and a dry cleaner in close proximity to the Project Site. The undertaker and dry cleaner were observed during the ESA reconnaissance.
- Regulatory listings in the vicinity of the Project Site included a Superfund Enterprise Management System (SEMS)-Archive listing, hazardous waste generators, a NYSDEC Petroleum Bulk Storage (PBS) listing, Registered Dry Cleaners, and Historic Cleaners with some potential to have had releases affecting the Project Site.
- The Project Site was registered in the PBS database with a 20,000-gallon No. 6 fuel oil UST installed in 1968 and closed-in-place in 2005. This tank was associated with closed-status Spill No. 0413183. NYSDEC spill records indicated that the UST failed a tightness test in 2004 due to a "dry leak" with no petroleum release. Subsequent soil sampling confirmed that no petroleum contamination was present. Although it is possible that other undetected releases occurred, the potential for contamination associated with this UST is likely minor based on the soil sampling data, field observations during sampling, and the tank's decommissioning prior to sampling. This tank was located beneath a parking garage on the southern side of the Project Site.
- The Project Site was registered in the PBS database with a 4,000-gallon No. 2 fuel oil aboveground storage tank (AST) installed in 2008, and closed-and-removed in 2017. This tank was reportedly located adjacent to the boiler room, in a room subsequently used as a maintenance workshop. No spills were reported for this AST, and no odors or staining were noted in the maintenance workshop room during the reconnaissance.
- Historical site plans indicated that the Project Site building historically included an incinerator. No incinerator was present at the time of the reconnaissance. Historical on-site waste incineration is not anticipated to have affected the subsurface; any releases are likely to have been contained by the concrete foundation slabs.
- DOB records included a 2004 violation record associated with dumping of various debris (including a refrigerator and building materials) in an on-site side yard. No dumped materials were observed during the reconnaissance.
- Based on its age, the existing Project Site building may contain: polychlorinated biphenyl (PCB)- or mercury-containing equipment; asbestos-containing materials (ACMs); and/or lead-based paint (LBP). Fluorescent light bulbs may also contain mercury.

- The interior of the on-site concrete subway tunnel was not accessible for inspection. The tunnel interior may contain PCB- or mercury-containing equipment, ACMs, and/or LBP.
- Two electrical transformer vaults, which may utilize PCB-containing equipment, were located in sidewalks adjacent to the Project Site. Any discharges within utility vaults are typically contained within the concrete vaulted structure, and no spills with the potential to affect the Project Site have been reported for these vaults.

C. NO ACTION CONDITION

In the future without the Proposed Actions (the "No Action" condition), it is assumed that the Project Site would remain in its current state. Legal requirements, such as those relating to management and disposal of ACM, LBP, and PCBs, would continue to be applicable.

D. WITH ACTION CONDITON

In the future with the Proposed Actions (the "With Action" condition), the one-story parking garage which currently adjoins the existing on-site building along 9th Street would be demolished. Two new mixed-use buildings would then be constructed along the 9th and 10th Street frontages of the Project Site, in areas that currently contain parking, which would require excavation and soil disturbance. Although these activities could temporarily increase pathways for human exposure to any contaminated materials present in the existing parking garage structure or the subsurface, impacts would be avoided by incorporating the following into the proposed redevelopments:

- Demolition would be conducted in compliance with applicable regulatory requirements for disposal of waste, surplus chemical products, ACM, lead-based paint, etc.

  To reduce the potential for adverse impacts associated with the subsurface disturbance resulting from the Proposed Actions, further environmental investigation would be performed at the Project Site. At this time, it is not feasible to complete the investigation prior to the completion of the CEQR review of the Proposed Actions, as the time needed for the investigation, including coordination with the Metropolitan Transportation Authority (MTA) regarding the subway tunnel on the Project Site, would delay the beginning of the Proposed Actions' ULURP review and impact the Proposed Project's completion deadline. A hazardous materials (E) Designation will be assigned to the Project Site and placed on the City's Zoning Map to ensure that the investigation is undertaken. This (E) Designation—E-730—will require the owner of the Project Site to undertake the following, prior to obtaining DOB permits for any new development entailing soil disturbance:

  - Task 1—Sampling Protocol

    The applicant would submit to the New York City Office of Environmental Remediation (OER), for review and approval, a Phase I ESA of the Project Site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples would be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum-based contamination and non-petroleum-based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if

any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples would be provided by OER upon request.

- Task 2—Remediation Determination and Protocol

  A written report with findings and a summary of the data would be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination would be made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

  If remediation is indicated from test results, a proposed remedial action plan (RAP) would be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

  A construction-related health and safety plan (CHASP) would be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

- The measures detailed above may be conducted during or after the completion of City Environmental Quality Review (CEQR). If conducted after the completion of CEQR, these measures will nevertheless be required by the (E) Designation assigned to the Project Site, which prevent DOB from issuing approvals for new development without OER approval.

- Disturbance of the existing closed-in-place UST is not anticipated to be required as part of the Proposed Project and no other tanks are known to be present. Any tanks encountered during redevelopment would be closed and removed, along with any associated contaminated soil, in accordance with the applicable regulatory requirements, including NYSDEC tank registration and (if applicable) spill reporting requirements.
- Applicable regulatory requirements would be followed during implementation of the Proposed Project, e.g., for properly disposing of any trash, excess chemicals, and soil, and for following NYCDEP sewer discharge requirements if dewatering is required.

With these measures included as part of the Proposed Actions, no significant adverse impacts related to hazardous materials would occur either during or following construction at the Project Site. ✷

Attachment I: Transportation

A. INTRODUCTION

This attachment examines the potential effects of the proposed 341 10th Street development (the "Proposed Project") on study area transportation systems. The Project Site at 341 10th Street occupies the majority of the midblock area on the block bounded by 9th Street to the north, 5th Avenue to the east, 10th Street to the south, and 4th Avenue to the west (Block 1010, Lot 26). There are subway tracks that run east-west through the Project Site; these tracks transition from elevated to below-grade through a tunnel structure that traverses the Project Site. The eastern portion of the Project Site contains an 18-story residential building with 154 dwelling units (DUs) that would remain under the With Action condition. There are currently five existing parking lots/garages located within the Project Site with a total of 115 spaces accessory to the residential building: an accessory surface parking lot with 68 spaces located adjacent to the residential building (accessed from 9th Street); a six-space lot and a 19-space lot accessed from 10th Street; a 14-space garage accessed from 9th Street; and an eight-space garage accessed from 10th Street. As part of the Proposed Project, the 14-space garage on 9th Street and the 19-space lot on 10th Street would be eliminated, the accessory surface parking lot would be reduced from 68 to 28 spaces, and the six-space lot on 10th Street would be reduced to include only three spaces.

These changes would allow for the construction of two new mixed-use buildings along 9th Street and 10th Street on portions of the Project Site that currently contain parking. The proposed 17-story mixed-use building on the northern frontage (the "9th Street Building") would include approximately 114 DUs and 6,750 gross square feet (gsf) of local retail space. The proposed 19-story mixed use building on the southern frontage (the "10th Street Building") would include approximately 205 DUs and 4,644 gsf of community facility space, which is conservatively assumed to be medical office. The proposed project would reduce the number of on-site parking spaces from 115 to 39 under the With Action condition for a total reduction of 76 spaces. Absent the Proposed Project, under the No Action condition, the Project Site would remain unchanged from existing conditions. **Table I-1** provides a comparison of the development programs between the existing/No Action and With Action scenarios.

The analyses consider the 2025 analysis year to identify potential impacts, and if warranted, determine project improvement measures that would be appropriate to address those impacts. The travel demand projections, trip assignments, and capacity analysis presented in this attachment were conducted pursuant to the methodologies outlined in the 2021 *City Environmental Quality Review (CEQR) Technical Manual*.

Table I-1
Comparison of Existing/No Action and With Action Development Programs

Components	Existing/No Action	With Action	Increment
Residential (DUs)	154	473	319
Local Retail (gsf)	0	6,750	6,750
Medical Office (gsf)[1]	0	4,644	4,644
Accessory Parking (Spaces)	115	39	-76

Note:
[1] There is currently no planned tenant for the community facility space and therefore is conservatively assumed to be medical office.

B. TRANSPORTATION SCREENING ASSESSMENTS

The *CEQR Technical Manual* identifies procedures for evaluating a proposed project's potential impacts on traffic, transit, ferry, pedestrian, and parking conditions. This methodology begins with the preparation of a trip generation analysis to determine the volume of person and vehicle trips associated with the Proposed Project. The results are then compared with the *CEQR Technical Manual*-specified thresholds (Level 1 screening analysis) to determine whether a Level 2 screening analysis is warranted. If the Proposed Project would result in 50 or more peak hour vehicle trips, 200 or more peak hour transit trips (subway/rail or bus riders), 50 or more peak hour Citywide Ferry Service (CWFS) ferry trips, and/or 200 or more peak hour pedestrian trips, a Level 2 screening analysis is undertaken.

For the Level 2 screening analysis, project generated trips would be assigned to specific intersections, transit routes, ferry routes, and pedestrian elements. If the results of this analysis show that the Proposed Project would generate 50 or more peak hour vehicle trips through an intersection, 50 or more peak hour bus riders on a bus route in a single direction, 200 or more peak hour subway passengers at any given station or on a subway line, 25 or more passenger ferry trips in a single direction on a single route, 50 or more passengers at a ferry landing, or 200 or more peak hour pedestrian trips per pedestrian element, further quantified analyses may be warranted to evaluate the potential for significant adverse traffic, transit, ferry, and pedestrian impacts and parking shortfalls.

LEVEL 1 SCREENING ASSESSMENT

Trip generation factors for the Proposed Project were developed based on information from the *CEQR Technical Manual*, the New York City Department of Transportation (DOT)'s travel demand surveys, U.S. Census Data, and other previously approved EISs, as summarized in **Table I-2**.

RESIDENTIAL

The daily person trip rate and temporal distributions for the residential component are from the *CEQR Technical Manual*. The directional distributions are from the *CEQR Technical Manual* and travel demand surveys conducted by DOT. The modal splits and auto vehicle occupancy are from the U.S. Census ACS 2015-2019 Journey-to-Work (JTW) estimates for Kings County census tracts 117, 121, 137, 139, 141.01, 149.01, 151, and 153. The taxi vehicle occupancy is from the 2021 *Gowanus Neighborhood Rezoning FEIS*. The daily delivery trip rate and temporal and directional distributions are from the *CEQR Technical Manual*.

Table I-2
Travel Demand Factors

Use	Residential				Medical Office				Local Retail			
Total Daily Person Trip	(1) Weekday 8.180 Trips / DU			Saturday 9.080	(1) Weekday 74.60 Trips / KSF			Saturday 37.00	(1) Weekday 329.00 Trips / KSF			Saturday 358.00
	AM	**MD**	**PM**	**Saturday**	**AM**	**MD**	**PM**	**Saturday**	**AM**	**MD**	**PM**	**Saturday**
Temporal	(1)				(1)				(1)			
	9.3%	5.6%	8.5%	8.4%	11.0%	12.6%	8.5%	16.6%	4.8%	8.0%	10.9%	11.7%
Direction	(1)(2)				(1)(2)				(1)(2)			
In	22%	50%	62%	55%	62%	53%	39%	54%	52%	50%	50%	50%
Out	78%	50%	38%	45%	38%	47%	61%	46%	48%	50%	50%	50%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Modal Split	(4)				(2)				(3)			
	AM	**MD**	**PM**	**Saturday**	**AM**	**MD**	**PM**	**Saturday**	**AM**	**MD**	**PM**	**Saturday**
Auto	13.0%	13.0%	13.0%	13.0%	22.0%	22.0%	22.0%	22.0%	11.0%	11.0%	11.0%	11.0%
Taxi	1.0%	1.0%	1.0%	1.0%	4.0%	4.0%	4.0%	4.0%	0.0%	0.0%	0.0%	0.0%
Subway	74.0%	74.0%	74.0%	74.0%	13.0%	13.0%	13.0%	13.0%	3.0%	3.0%	3.0%	3.0%
Railroad	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Bus	1.0%	1.0%	1.0%	1.0%	13.0%	13.0%	13.0%	13.0%	2.0%	2.0%	2.0%	2.0%
Ferry	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Walk	11.0%	11.0%	11.0%	11.0%	48.0%	48.0%	48.0%	48.0%	84.0%	84.0%	84.0%	84.0%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Vehicle Occupancy	(3)(4) Weekday			Saturday	(3) Weekday			Saturday	(3) Weekday			Saturday
Auto	1.11			1.11	1.50			1.50	2.00			2.00
Taxi	1.30			1.82	1.50			1.50	2.00			2.00
Daily Delivery Trip Generation Rate	(1) Weekday 0.06 Delivery Trips / DU			Saturday 0.02	(3) Weekday 0.29 Delivery Trips / KSF			Saturday 0.29	(1) Weekday 0.35 Delivery Trips / KSF			Saturday 0.04
Delivery	**AM**	**MD**	**PM**	**Saturday**	**AM**	**MD**	**PM**	**Saturday**	**AM**	**MD**	**PM**	**Saturday**
Temporal	(1)				(3)				(1)			
	12.0%	9.0%	2.0%	9.0%	3.0%	11.0%	1.0%	0.0%	8.0%	11.0%	2.0%	11.0%
Delivery Direction	(1)				(3)				(1)			
In	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Out	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%	50%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

Sources:
(1) 2021 *CEQR Technical Manual*
(2) Based on NYCDOT's mode choice surveys.
(3) *Gowanus Neighborhood Rezoning FEIS* (2021)
(4) U.S. Census American Community Survey (ACS) 2015–2019 Journey-to-Work Data for Kings County Census tracts 117, 121, 137, 139, 141.01, 149.01, 151, and 153.

LOCAL RETAIL

The daily person trip rate and temporal distributions for the local neighborhood retail components are from the *CEQR Technical Manual*. The directional distributions are from the *CEQR Technical Manual* and travel demand surveys conducted by DOT. The modal splits and vehicle occupancies are from the 2021 *Gowanus Neighborhood Rezoning FEIS*. The daily delivery trip rate and temporal and directional distributions are from the *CEQR Technical Manual*. Per the *CEQR Technical Manual*, a linked trip credit was not applied to the local retail trip generation estimates. However, as part of the Level 2 screening assessment (presented in the section below), it was assumed that 25-percent of the project generated residential pedestrian trips from the 9th Street Building would be linked to the project generated local retail walk-only pedestrian trips.

MEDICAL OFFICE

The daily person trip rate and temporal distributions for the medical office component are from the *CEQR Technical Manual*. The directional distributions are from the *CEQR Technical Manual*

and travel demand surveys conducted by DOT. The modal splits are based on travel demand surveys conducted by DOT. The vehicle occupancies and the daily delivery trip rate and temporal and directional distributions are from the 2021 *Gowanus Neighborhood Rezoning FEIS.*

TRIP GENERATION SUMMARY

As summarized in **Table I-3**, the Projected Project would generate a total of 391, 371, 492, and 555 incremental person trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. Approximately 52, 42, 51, and 56 vehicle trips would be generated during the same respective peak hours.

Table I-3
Trip Generation Summary

Peak Hour	In/Out	Person Trip								Vehicle Trip			
		Auto	Taxi	Subway	Railroad	Ferry	Bus	Walk	Total	Auto	Taxi	Delivery	Total
AM	In	18	2	45	0	0	5	64	134	12	5	1	18
	Out	34	3	144	0	0	5	71	257	28	5	1	34
	Total	52	5	189	0	0	10	135	391	40	10	2	52
Midday	In	24	2	60	0	0	6	94	186	16	4	1	21
	Out	24	2	60	0	0	6	93	185	16	4	1	21
	Total	48	4	120	0	0	12	187	371	32	8	2	42
PM	In	34	1	107	0	0	4	123	269	25	3	0	28
	Out	28	2	68	0	0	5	120	223	20	3	0	23
	Total	62	3	175	0	0	9	243	492	45	6	0	51
Saturday	In	36	2	105	0	0	6	141	290	25	4	0	29
	Out	33	2	87	0	0	6	137	265	23	4	0	27
	Total	69	4	192	0	0	12	278	555	48	8	0	56

Traffic

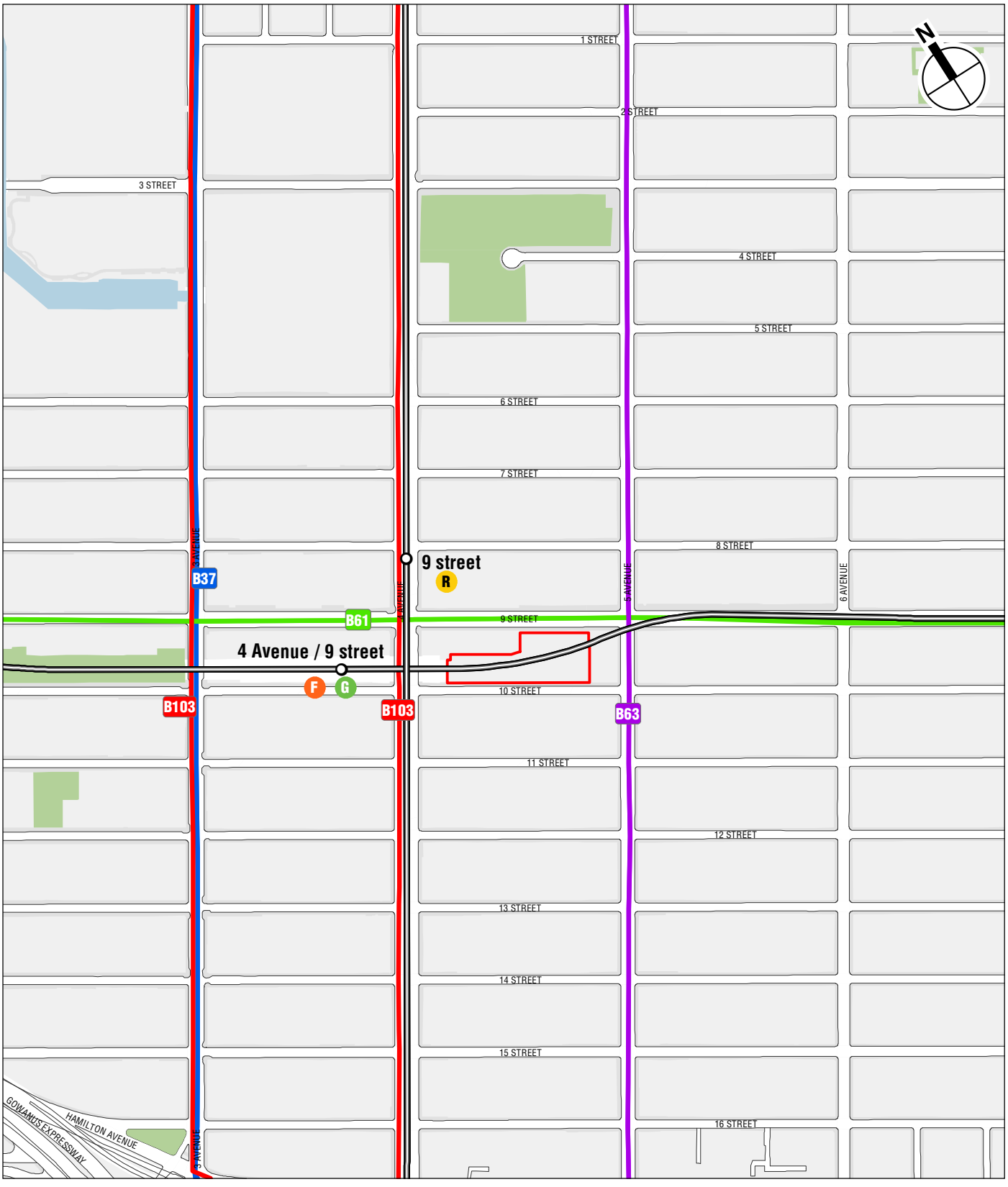
As shown in **Table I-3**, the incremental trips generated by the Proposed Project would be 52, 42, 51, and 56 vehicle trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. Since the incremental vehicle trips would be greater than 50 vehicles during the weekday AM, PM, and Saturday peak hours, a Level 2 screening assessment (presented in the section below) was conducted to determine if a quantified traffic analysis is warranted.

Transit

Public transit options to and from the study area are shown in **Figure I-1**. The Project Site is served by the New York City Transit (NYCT) 4th Avenue/9th Street (F, G, and R trains) Station and the B37, B61, B63, and B103 local bus routes.

As shown in **Table I-3**, the incremental subway trips generated by the Proposed Project would be 189, 120, 175, and 192 person trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. Since these increments do not exceed the *CEQR Technical Manual* analysis threshold of 200, a detailed analysis of subway facilities is not warranted, and the Proposed Project is not expected to result in any significant adverse subway impacts.

Likewise, since the incremental bus trips generated by the Proposed Project—10, 12, 9, and 12 during the weekday AM, midday, PM, and Saturday peak hours, respectively—would be below the *CEQR Technical Manual* analysis threshold, a detailed bus line-haul analysis is not warranted, and the Proposed Project is not expected to result in any significant adverse bus line-haul impacts.



Transit Study Area

341 10TH STREET REZONING AND LSGD SPECIAL PERMITS

Figure I-1

City-wide Ferry Service

The above projections also showed that the Proposed Project would not generate any incremental ferry trips during the weekday AM, midday, PM, and Saturday peak hours. Therefore, a detailed ferry landing or line-haul analysis is not warranted, and the Proposed Project is not expected to result in any significant adverse ferry impacts.

Pedestrians

All incremental person trips generated by the Proposed Project would traverse the pedestrian elements (i.e., sidewalks, corners, and crosswalks) surrounding the Project Site. As shown in **Table I-3**, the incremental pedestrian trips would be greater than 200 during the weekday AM, midday, PM, and Saturday peak hours. A Level 2 screening assessment (presented in the section below) was conducted to determine if there is a need for additional quantified pedestrian analyses.

LEVEL 2 SCREENING ASSESSMENT

As part of the Level 2 screening assessment, project-generated trips were assigned to specific intersections and pedestrian elements near the Project Site. As previously stated, further quantified analyses to assess the potential impacts of the Proposed Project on the transportation system would be warranted if the trip assignments were to identify key intersections incurring 50 or more peak hour vehicle trips or pedestrian elements incurring 200 or more peak hour pedestrian trips.

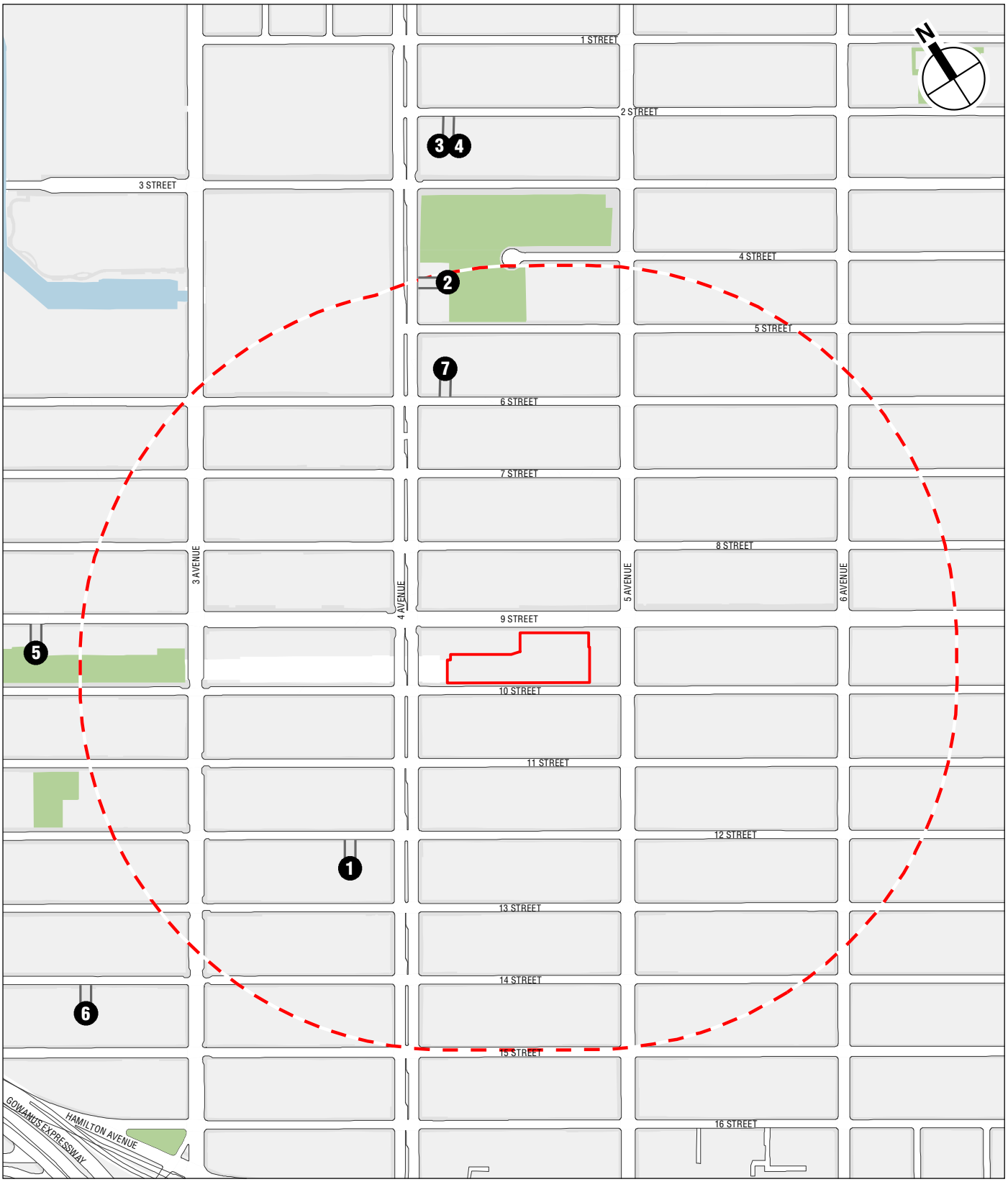
SITE ACCESS AND EGRESS

The residential entrances would be on 9th Street for the 9th Street Building and on 10th Street for the 10th Street Building. The local retail entrance would be on 9th Street and the medical office entrance would be on 10th Street. Delivery trucks would load and unload curbside adjacent to the 9th and 10th Street frontages. As described above, the accessory on-site parking spaces would decrease from 115 to 39 as part of the Proposed Project, with access and egress provided along 10th Street. Since these spaces would continue to be used by existing tenants, all project-generated auto vehicle trips were assigned to off-site parking facilities. As shown in **Table I-4** and **Figure I-2**, there are seven off-street parking facilities located within ¼-mile of the Project Site, with a total capacity of 253 spaces. Project-generated auto trips were assigned to these study area parking facilities based on their available spaces.

Table I-4
Existing Off-Street Parking Supply and Utilization
Approximately ¼-Mile Study Area

Garage #	Name/Address	License Number	Licensed Capacity	Utilization Rate					Utilized Spaces					Available Spaces				
				AM	MD	PM	SAT	ON	AM	MD	PM	SAT	ON	AM	MD	PM	SAT	ON
1	Impark 500 LLC. / 500 4th Avenue	2034912	53	75%	85%	90%	20%	CLD	40	45	48	11	CLD	13	8	5	42	CLD
2	Impark 353 LLC. / 353 4th Avenue	2034905	60	70%	90%	90%	50%	40%	42	54	54	30	24	18	6	6	30	36
3	Impark 302 LLC. / 302 2nd Street	2034864	32	90%	95%	90%	70%	50%	29	30	29	22	16	3	2	3	10	16
4	Impark 302 LLC. / 306 2nd Street	2034863	23	85%	95%	95%	75%	70%	20	22	22	17	16	3	1	1	6	7
5	Park Slope Rental Corp. / 142 9th Street	1073375	18	30%	70%	75%	40%	CLD	5	13	14	7	CLD	13	5	4	11	CLD
6	West 15 Park LLC. / 84 14th Street	2096502	25	80%	95%	90%	70%	40%	20	24	23	18	10	5	1	2	7	15
7	LAZ Parking / 267 6th Street	1474028	42	75%	90%	80%	50%	30%	32	38	34	21	13	10	4	8	21	29
1/4-Mile Area Totals		-	253	74%	89%	89%	50%	43%	188	226	224	126	79	65	27	29	127	103

Notes: MD = Midday; SAT = Saturday; ON = Overnight; CLD = Closed
Sources: Survey conducted by AKRF Inc. June 2022



Off-Street Parking Facilities

TRAFFIC

The most likely travel routes to and from the Project Site, prevailing travel patterns, commuter origin-destination (O-D) summaries from the census data, the configuration of the roadway network, and the anticipated locations of site access and egress were examined to develop trip assignment patterns. Taxi trips were assigned to the various Project Site entrances along 9th Street and 10th Street. All delivery trips were assigned to the 9th and 10th Street curbsides via DOT-designated truck routes. Auto trips were assigned to the various off-street parking facilities located within ¼-mile of the Project Site. Traffic assignments for the various development uses are discussed below.

Residential

The proposed residential use's auto trip assignments were developed based on the 2012-2016 U.S. Census ACS JTW O-D estimates. Many of the residential trips would be traveling to work destinations within the local region of Brooklyn (55 percent), with the remaining trips traveling to Manhattan (21 percent), Queens (7 percent), Long Island (5 percent), Staten Island (4 percent), New Jersey (4 percent), Upstate New York (2 percent) and the Bronx (2 percent). Residential trips would originate from the nearby off-site parking facilities and use the most direct route for travel to their destinations.

Local Retail

The local retail use is expected to serve patrons primarily from the immediate area. Auto trips were generally assigned from local origins within the neighborhood and adjacent residential areas. Approximately 25 percent of vehicle trips would originate from north of the site, 25 percent from south of the site, 25 percent from east of the site, and 25 percent from west of the site. Because nearby on-street parking availability is limited during the study peak periods, these trips were also assigned to the nearby off-street parking facilities.

Medical Office

Similar to the local retail auto trips, the medical office auto trips were assigned from local origins within the neighborhood and adjacent residential areas in the same manner described above. Auto trips were also assigned to the nearby off-street parking facilities.

Summary

Figures I-3 through I-5 and **Table I-5** show the project-generated vehicle trips for the weekday AM, PM, and Saturday peak hours, respectively. As shown, the Proposed Project would generate a maximum of 21 vehicle trips at the intersections of 4th Avenue and 3rd Street during the weekday AM peak hour and at 4th Avenue and 6th Street during the weekday PM and Saturday peak hours; these projected traffic volumes are well below the *CEQR Technical Manual* analysis threshold of 50 or more peak hour vehicle trips. Therefore, a detailed traffic analysis is not warranted, and the Proposed Project is not expected to result in any significant adverse traffic impacts.

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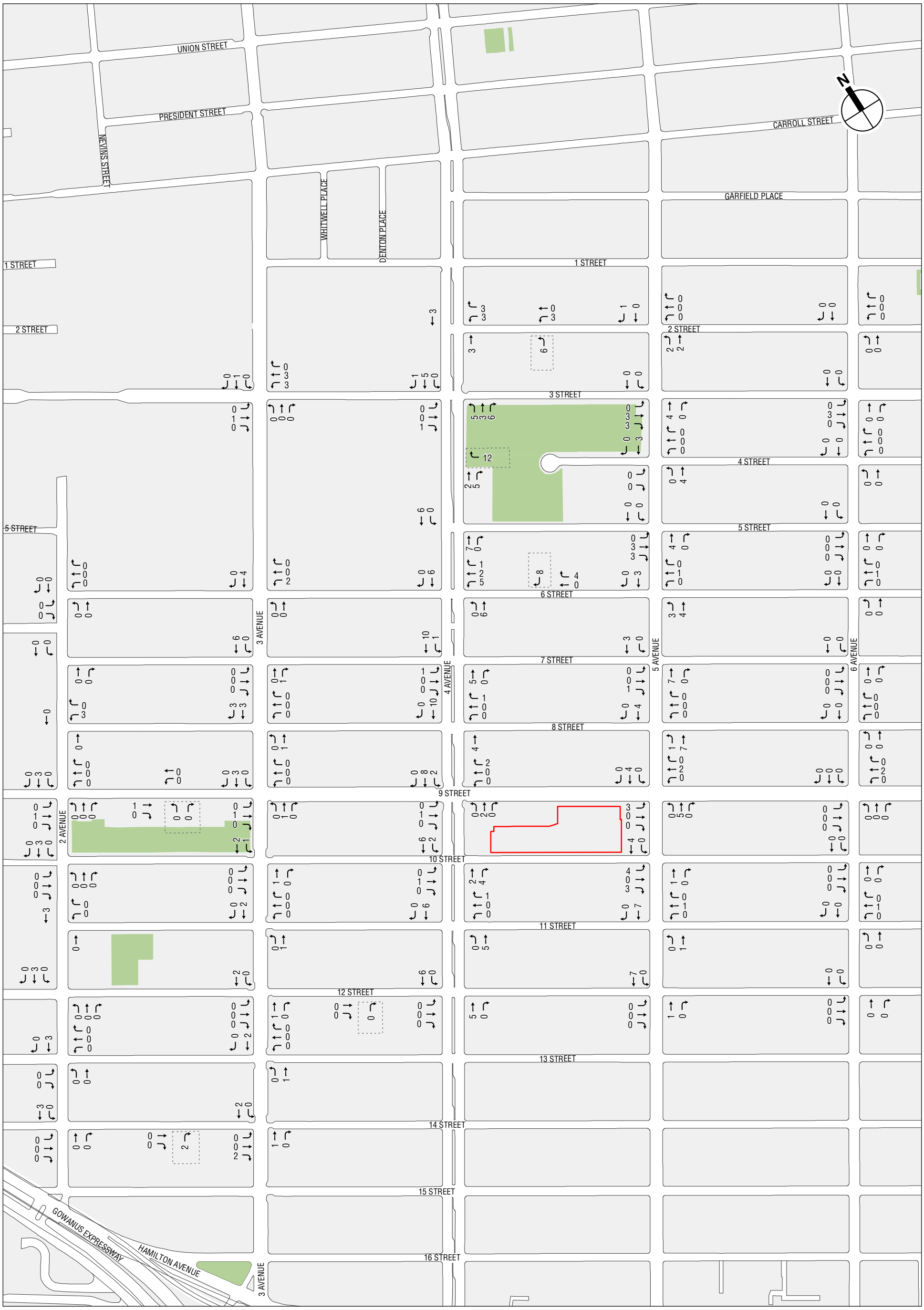
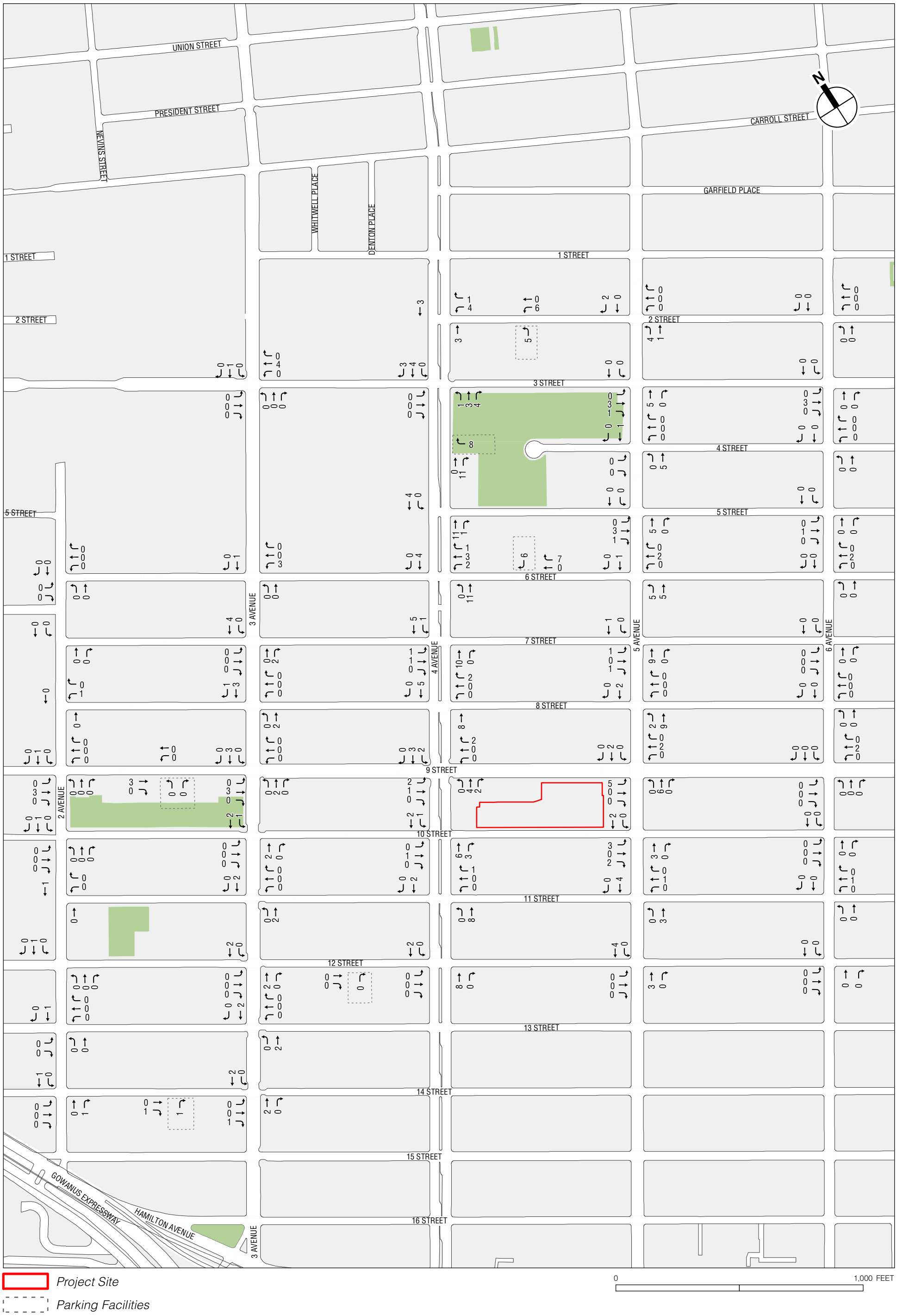
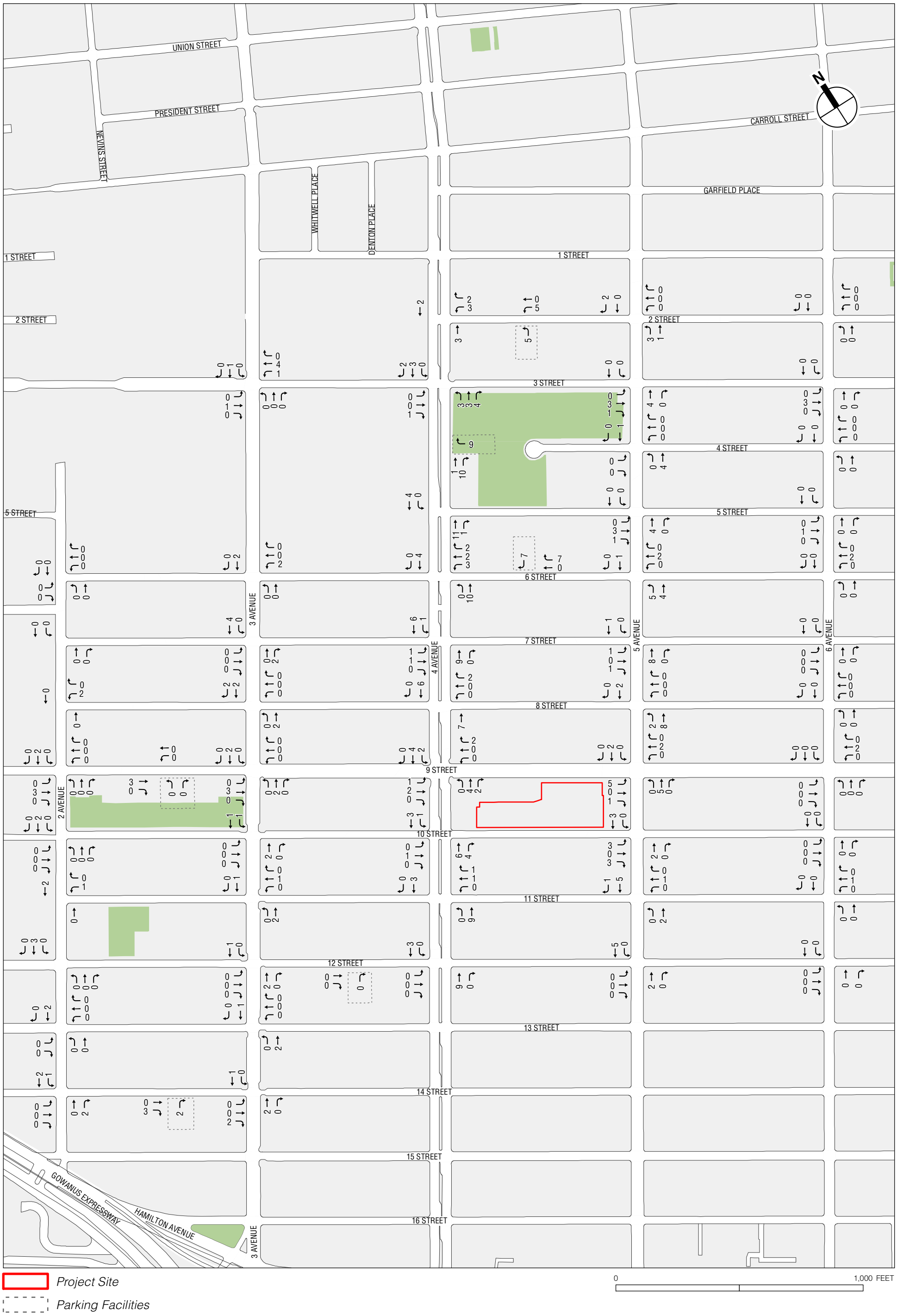


Proposed Project Generated Vehicle Trips
AM Peak Hour



Proposed Project Generated Vehicle Trips
PM Peak Hour



Proposed Project Generated Vehicle Trips
Saturday Peak Hour

Table I-5
Traffic Level 2 Screening Analysis Results

Traffic Intersections	Incremental Vehicle Trips		
	Weekday AM	Weekday PM	Saturday
4th Avenue and 2nd Street	12	11	10
4th Avenue and 3rd Street	21	15	16
4th Avenue and 5th Street	13	16	16
4th Avenue and 6th Street	20	21	21
4th Avenue and 7th Street	17	18	18
4th Avenue and 8th Street	15	15	15
4th Avenue and 9th Street	15	16	17
4th Avenue and 10th Street	15	13	15
4th Avenue and 11th Street	12	11	14
4th Avenue and 12th Street	11	10	12
5th Avenue and 3rd Street	10	9	8
5th Avenue and 6th Street	11	13	12
5th Avenue and 7th Street	11	12	11
5th Avenue and 8th Street	12	13	12
5th Avenue and 9th Street	14	15	15
5th Avenue and 10th Street	12	10	11

Notes: Intersections with fewer than 10 project generated vehicle trips in a peak hour are not presented in this table.

PEDESTRIANS

Level 2 pedestrian trip assignments to area sidewalks, corner reservoirs, and crosswalks were individually developed for all proposed uses, as shown in **Figures I-6 through I-9** and discussed below.

- Auto Trips: Motorists for all uses were assigned to off-site parking facilities identified within ¼-mile of the Project Site.
- Taxi Trips: Taxi patrons are assumed to be dropped off and picked up along the 9th Street and 10th Street frontages adjacent to each entrance.
- City Bus Trips: City bus riders would use buses stopping on 3rd Avenue, 4th Avenue, 5th Avenue, and 9th Street.
- Subway Trips: Subway riders were assigned to the 4th Avenue/9th Street (F, G, and R trains) Station.
- Walk-Only Trips: Walk-only trips were distributed to the surrounding pedestrian facilities (i.e., sidewalks, corners, and crosswalks) based on population density data, U.S. Census JTW O-D data, as well as the land use characteristics of the surrounding neighborhood.

As discussed above, it was assumed that 25-percent of the project generated residential pedestrian trips from the 9th Street Building would be linked to the project generated local retail walk-only pedestrian trips. This linked trip credit resulted in a reduction of approximately 22, 14, 20, and 22 local retail walk-only pedestrians that were assigned to the pedestrian network. These reductions represent approximately 24, 9, 10, and 9 percent of the total local retail walk-only pedestrian trips that would be generated during the weekday AM, midday, PM, and Saturday peak hours, respectively.

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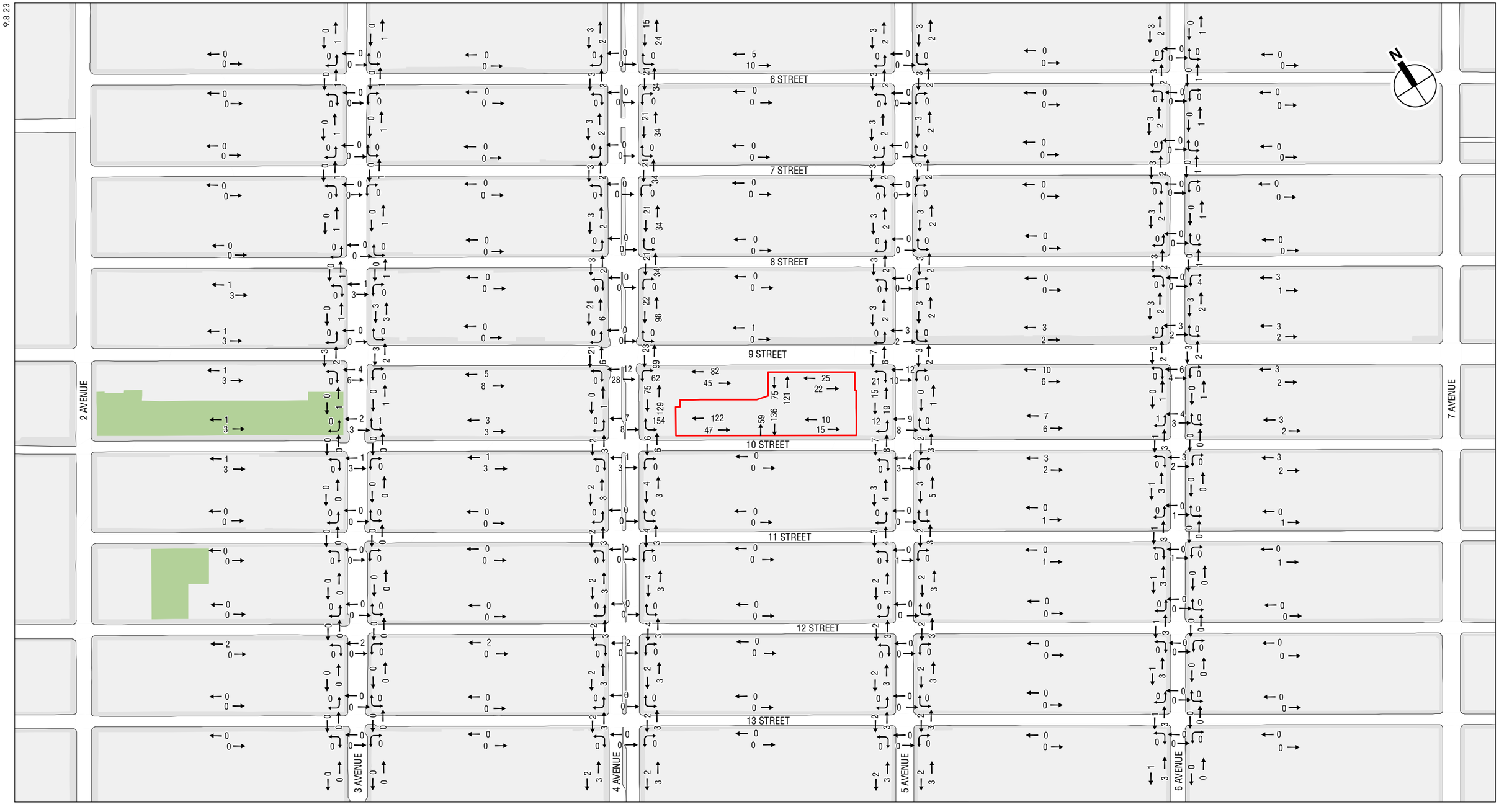

Project Site

0 1,000 FEET

Proposed Project Generated Pedestrian Trips
Weekday AM Peak Hour

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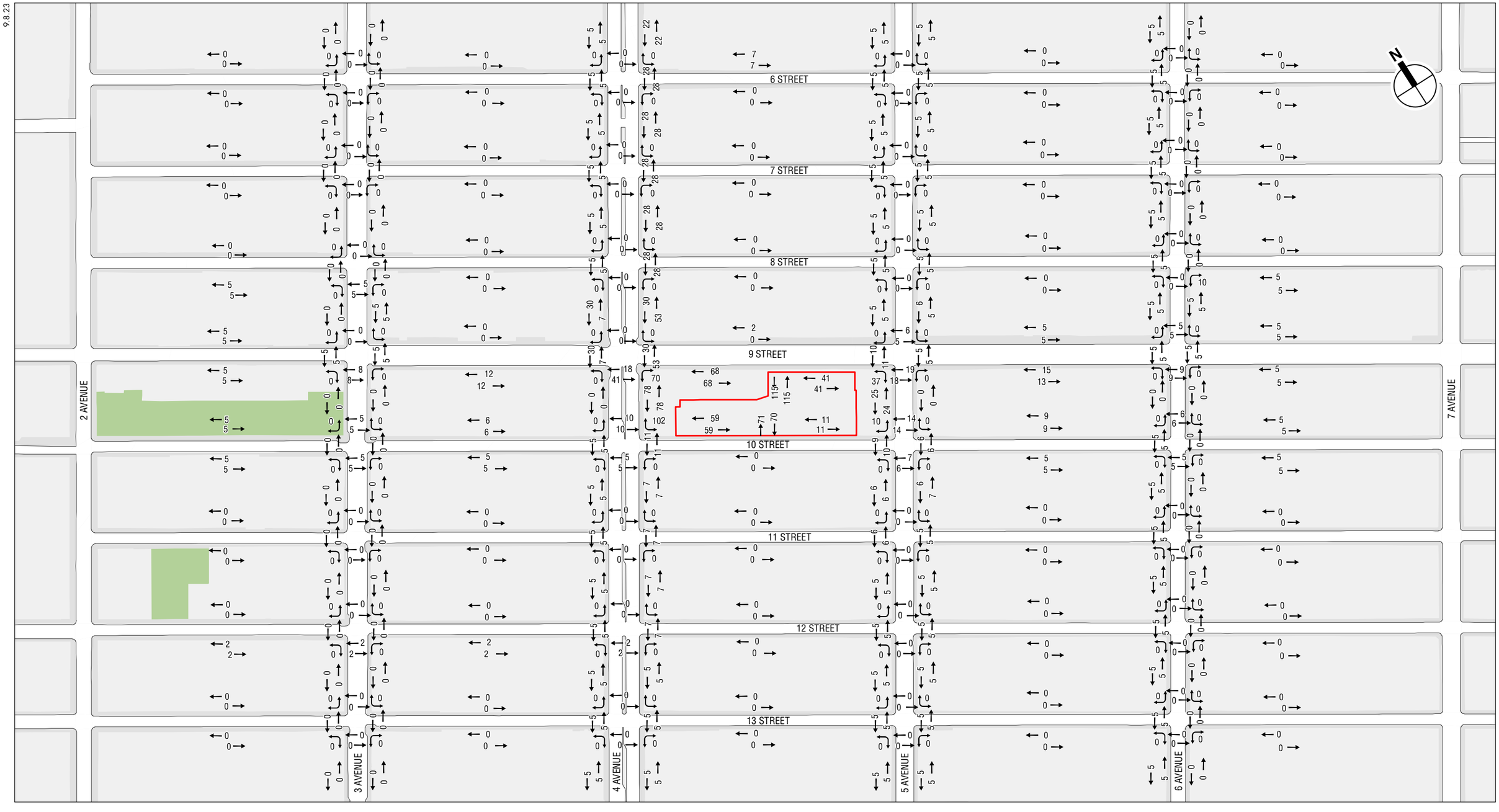

Project Site

0 1,000 FEET

Proposed Project Generated Pedestrian Trips
Weekday Midday Peak Hour

Figure I-7

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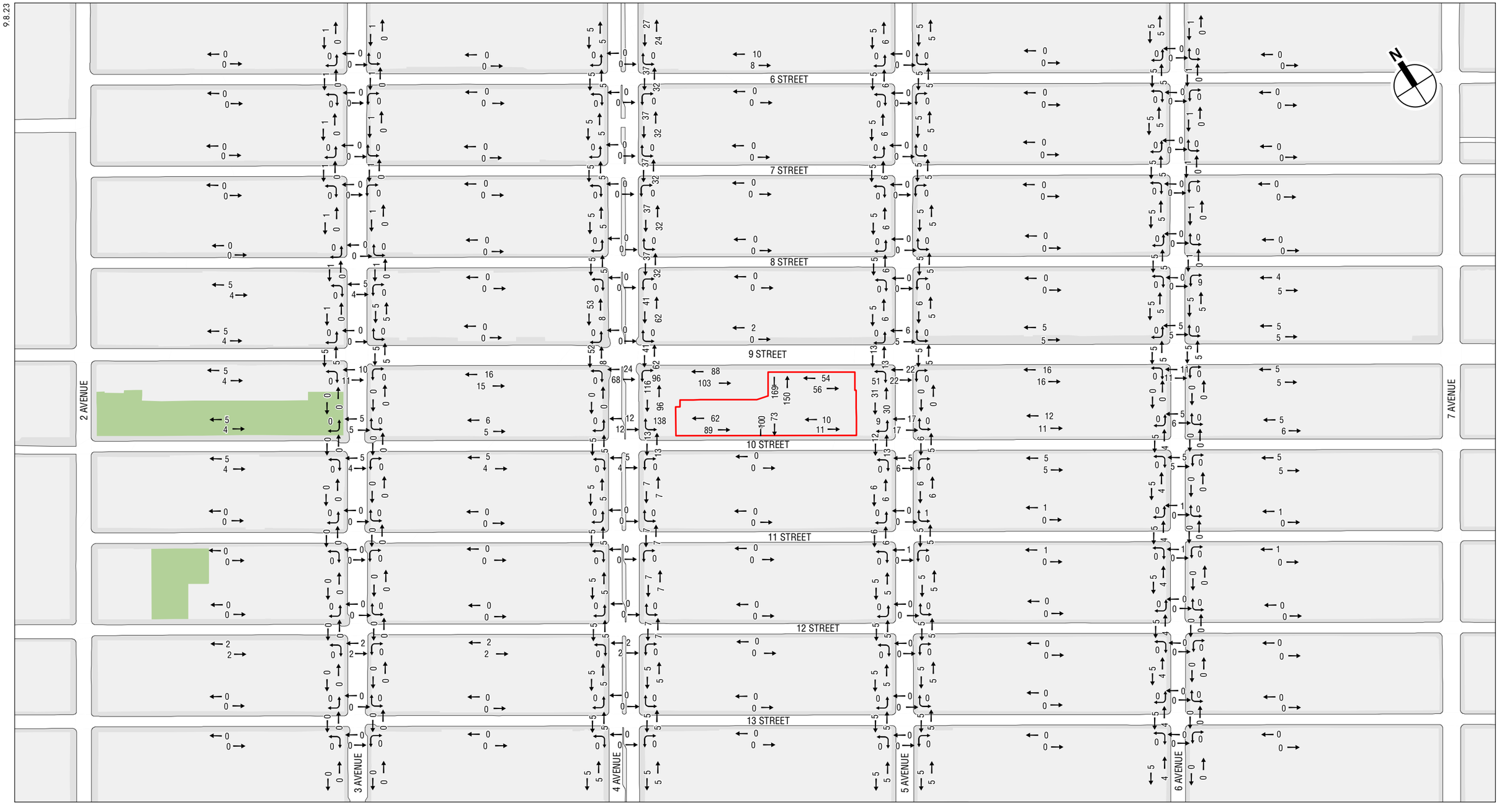

Proposed Project Generated Pedestrian Trips
Weekday PM Peak Hour

Figure I-8

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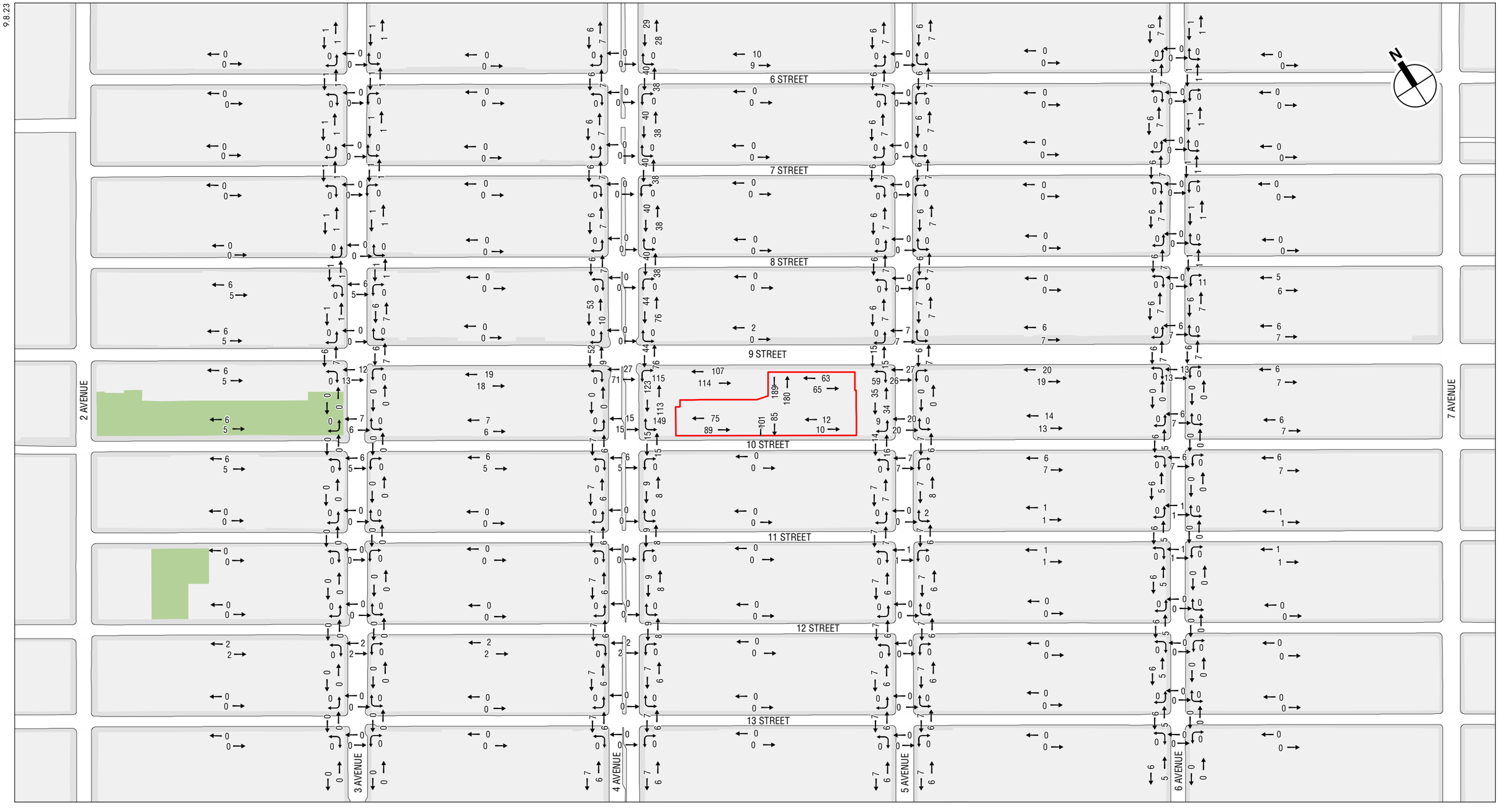

Project Site

0 1,000 FEET

Proposed Project Generated Pedestrian Trips
Saturday Peak Hour

As summarized in **Table I-6**, two sidewalks and two corner reservoirs would incur incremental pedestrian trips exceeding the 200-trip *CEQR Technical Manual* analysis threshold. However, as discussed below in Section D, "Detailed Pedestrian Analysis," per the *CEQR Technical Manual*, an additional linked/pass-by trip credit for the local retail use is permitted based on the existing pedestrian volumes to account for existing pedestrians already on the sidewalk that would stop in the local retail store to be built as part of the Proposed Project. In this case, even though the south sidewalk along 9th Street between 4th Avenue and the 9th Street Building entrance would exceed 200 pedestrians during the Saturday peak hour, a quantified analysis may not be warranted after accounting for this additional linked/pass-by trip credit (to be confirmed in Section D, "Detailed Pedestrian Analysis"). Quantified pedestrian analyses were prepared for the remaining one sidewalk and two corner reservoirs that would incur incremental pedestrian trips exceeding the 200-trip *CEQR Technical Manual* analysis threshold for the weekday AM, midday, PM, and Saturday peak hours.

Table I-6
Pedestrian Level 2 Screening Analysis Results

Pedestrian Elements	Incremental Pedestrian Trips				Analysis Locations
	Weekday				
	AM	Midday	PM	Saturday	
9th Street and 4th Avenue					
East Crosswalk	122	83	103	120	
South Crosswalk	40	59	92	98	
Northeast Corner	122	83	103	120	
Southeast Corner	224	212	291	333	✓
Southwest Corner	67	96	152	159	
East Sidewalk along 4th Avenue between 8th Street and 9th Street	120	83	103	120	
East Sidewalk along 4th Avenue between 9th Street and 10th Street	204	156	212	236	✓
South Sidewalk along 9th Street between 4th Avenue and 9th Street Site Entrance[1]	127	136	191	221	
9th Street and 5th Avenue					
Southwest Corner	56	95	121	142	
South Sidewalk along 9th Street between 5th Avenue and 9th Street Site Entrance	47	82	110	128	
10th Street and 4th Avenue					
Northeast Corner	181	144	188	209	✓
North Sidewalk along 10th Street between 4th Avenue and 10th Street Site Entrance	169	118	151	164	

Notes: ✓ denotes pedestrian elements selected for detailed analysis.
Pedestrian elements with fewer than 100 project-generated pedestrian trips in a peak hour are not presented in this table.
[1] Inclusion of quantified analysis at this location to be confirmed in Section D, "Detailed Pedestrian Analysis," based on existing pedestrian volumes.

PARKING

The *CEQR Technical Manual* states that if a quantified traffic analysis is not required, it is likely that a parking assessment is also not warranted. As discussed above, a quantified traffic analysis is not warranted, and the Proposed Project is not expected to result in any significant adverse traffic impacts. However, since the Proposed Project would reduce the on-site parking capacity by

76 spaces, a quantified parking analysis was prepared to assess if this reduction would result in an off-site parking shortfall.

C. TRANSPORTATION ANALYSIS METHODOLOGIES

PEDESTRIAN OPERATIONS

The adequacy of the study area's sidewalk, crosswalk, and corner capacities in relation to the demand imposed on them is evaluated based on the methodologies presented in the 2010 *Highway Capacity Manual (HCM)*, pursuant to procedures detailed in the *CEQR Technical Manual*.

The primary performance measure for sidewalks and walkways is pedestrian space, expressed as square feet per pedestrian (SFP), which is an indicator of the quality of pedestrian movement and comfort. The calculation of the sidewalk SFP is based on the pedestrian volumes by direction, the effective sidewalk or walkway width, and average walking speed. The SFP forms the basis for a sidewalk Level of Service (LOS) analysis.

Crosswalks and street corners are not easily measured in terms of free pedestrian flow, as they are influenced by the effects of traffic signals. Street corners must be able to provide sufficient space for a mix of standing pedestrians (queued to cross a street) and circulating pedestrians (crossing the street or moving around the corner). The *HCM* methodologies apply a measure of time and space availability based on the area of the corner, the timing of the intersection signal, and the estimated space used by circulating pedestrians.

The total "time-space" available for these activities, expressed in square feet-second, is calculated by multiplying the net area of the corner (in square feet) by the signal's cycle length. The analysis then determines the total circulation time for all pedestrian movements at the corner per signal cycle (expressed as pedestrians per second). The ratio of net time-space divided by the total pedestrian circulation volume per signal cycle provides the LOS measurement of available SFP.

Crosswalk LOS is also a function of time and space. Similar to the street corner analysis, crosswalk conditions are first expressed as a measurement of the available area (the crosswalk width multiplied by the width of the street) and the permitted crossing time. This measure is expressed in square feet-second. The average time required for a pedestrian to cross the street is calculated based on the width of the street and an assumed walking speed. The ratio of time-space available in the crosswalk to the total crosswalk pedestrian occupancy time is the LOS measurement of available square feet per pedestrian. The LOS analysis also accounts for vehicular turning movements that traverse the crosswalk.

The LOS standards for sidewalks, crosswalks, and corner reservoirs are summarized in **Table I-7**. The *CEQR Technical Manual* specifies acceptable mid-LOS D or better (minimum of 31.5 SFP for sidewalks; minimum of 19.5 SFP for crosswalks and corners) in Central Business District (CBD) settings, which include the project study area.

Table I-7
Level of Service Criteria for Pedestrian Elements

LOS	Sidewalks	Corner Reservoirs and Crosswalks
A	≥ 530.1 SFP	≥ 60.1 SFP
B	90.1–530.0 SFP	40.1–60.0 SFP
C	40.1–90.0 SFP	24.1–40.0 SFP
D	23.1–40.0 SFP	15.1–24.0 SFP
E	11.1–23.0 SFP	8.1–15.0 SFP
F	≤ 11.0 SFP	≤ 8.0 SFP

Note: SFP = square feet per pedestrian.
Source: New York City Mayor's Office of Environmental Coordination, *CEQR Technical Manual*.

SIGNIFICANT IMPACT CRITERIA

The determination of significant pedestrian impacts considers the level of predicted decrease in pedestrian space between the No Action and With Action conditions. For different pedestrian elements and area types, the CEQR procedure for impact determination corresponds with various sliding-scale formulas, as further detailed below.

Sidewalks

The determination of significant sidewalk impacts is based on the sliding scale using the following formula: $Y \geq X/9.5 - 0.321$, where Y is the decrease in pedestrian space in SFP and X is the No Action pedestrian space in SFP. Since a decrease in pedestrian space within acceptable levels would not constitute a significant impact, these formulas would apply only if the With Action pedestrian space falls short of LOS C in non-CBD areas or mid-LOS D in CBD areas. **Table I-8** summarizes the sliding scale guidance provided by the *CEQR Technical Manual* for determining potential significant sidewalk impacts.

Corner Reservoirs and Crosswalks

The determination of significant corner and crosswalk impacts is also based on a sliding scale using the following formula: $Y \geq X/9.0 - 0.31$, where Y is the decrease in pedestrian space in SFP and X is the No Action pedestrian space in SFP. Since a decrease in pedestrian space within acceptable levels would not constitute a significant impact, this formula would apply only if the With Action pedestrian space falls short of LOS C in non-CBD areas or mid-LOS D in CBD areas. **Table I-9** summarizes the sliding scale guidance provided by the *CEQR Technical Manual* for determining potential significant corner and crosswalk impacts.

Table I-8
Significant Impact Guidance for Sidewalks

Sliding Scale Formula: $Y \geq X/9.5 - 0.321$			
Non-CBD Areas		**CBD Areas**	
No Action Ped. Space (X, SFP)	**With Action Ped. Space Reduc. (Y, SFP)**	**No Action Ped. Space (X, SFP)**	**With Action Ped. Space Reduc. (Y, SFP)**
43.5 to 44.3	≥ 4.3	–	–
42.5 to 43.4	≥ 4.2	–	–
41.6 to 42.4	≥ 4.1	–	–
40.6 to 41.5	≥ 4.0	–	–
39.7 to 40.5	≥ 3.9	–	–
38.7 to 39.6	≥ 3.8	–	–
37.8 to 38.6	≥ 3.7	–	–
36.8 to 37.7	≥ 3.6	–	–
35.9 to 36.7	≥ 3.5	–	–
34.9 to 35.8	≥ 3.4	–	–
34.0 to 34.8	≥ 3.3	34.0 to 34.6	≥ 3.3
33.0 to 33.9	≥ 3.2	33.0 to 33.9	≥ 3.2
32.1 to 32.9	≥ 3.1	32.1 to 32.9	≥ 3.1
31.1 to 32.0	≥ 3.0	31.1 to 32.0	≥ 3.0
30.2 to 31.0	≥ 2.9	30.2 to 31.0	≥ 2.9
29.2 to 30.1	≥ 2.8	29.2 to 30.1	≥ 2.8
28.3 to 29.1	≥ 2.7	28.3 to 29.1	≥ 2.7
27.3 to 28.2	≥ 2.6	27.3 to 28.2	≥ 2.6
26.4 to 27.2	≥ 2.5	26.4 to 27.2	≥ 2.5
25.4 to 26.3	≥ 2.4	25.4 to 26.3	≥ 2.4
24.5 to 25.3	≥ 2.3	24.5 to 25.3	≥ 2.3
23.5 to 24.4	≥ 2.2	23.5 to 24.4	≥ 2.2
22.6 to 23.4	≥ 2.1	22.6 to 23.4	≥ 2.1
21.6 to 22.5	≥ 2.0	21.6 to 22.5	≥ 2.0
20.7 to 21.5	≥ 1.9	20.7 to 21.5	≥ 1.9
19.7 to 20.6	≥ 1.8	19.7 to 20.6	≥ 1.8
18.8 to 19.6	≥ 1.7	18.8 to 19.6	≥ 1.7
17.8 to 18.7	≥ 1.6	17.8 to 18.7	≥ 1.6
16.9 to 17.7	≥ 1.5	16.9 to 17.7	≥ 1.5
15.9 to 16.8	≥ 1.4	15.9 to 16.8	≥ 1.4
15.0 to 15.8	≥ 1.3	15.0 to 15.8	≥ 1.3
14.0 to 14.9	≥ 1.2	14.0 to 14.9	≥ 1.2
13.1 to 13.9	≥ 1.1	13.1 to 13.9	≥ 1.1
12.1 to 13.0	≥ 1.0	12.1 to 13.0	≥ 1.0
11.2 to 12.0	≥ 0.9	11.2 to 12.0	≥ 0.9
10.2 to 11.1	≥ 0.8	10.2 to 11.1	≥ 0.8
9.3 to 10.1	≥ 0.7	9.3 to 10.1	≥ 0.7
8.3 to 9.2	≥ 0.6	8.3 to 9.2	≥ 0.6
7.4 to 8.2	≥ 0.5	7.4 to 8.2	≥ 0.5
6.4 to 7.3	≥ 0.4	6.4 to 7.3	≥ 0.4
≤ 6.3	≥ 0.3	≤ 6.3	≥ 0.3

Notes:
SFP = square feet per pedestrian; Y = decrease in pedestrian space in SFP; X = No Action pedestrian space in SFP.
Sources:
New York City Mayor's Office of Environmental Coordination, *CEQR Technical Manual*.

Table I-9
Significant Impact Guidance for Corners and Crosswalks

Sliding Scale Formula: $Y \geq X/9.0 - 0.31$			
Non-CBD Areas		CBD Areas	
No Action Pedestrian Space (X, SFP)	With Action Pedestrian Space Reduction (Y, SFP)	No Action Pedestrian Space (X, SFP)	With Action Pedestrian Space Reduction (Y, SFP)
25.8 to 26.5	≥ 2.6	–	–
24.9 to 25.7	≥ 2.5	–	–
24.0 to 24.8	≥ 2.4	–	–
23.1 to 23.9	≥ 2.3	–	–
22.2 to 23.0	≥ 2.2	–	–
21.3 to 22.1	≥ 2.1	21.3 to 21.4	≥ 2.1
20.4 to 21.2	≥ 2.0	20.4 to 21.2	≥ 2.0
19.5 to 20.3	≥ 1.9	19.5 to 20.3	≥ 1.9
18.6 to 19.4	≥ 1.8	18.6 to 19.4	≥ 1.8
17.7 to 18.5	≥ 1.7	17.7 to 18.5	≥ 1.7
16.8 to 17.6	≥ 1.6	16.8 to 17.6	≥ 1.6
15.9 to 16.7	≥ 1.5	15.9 to 16.7	≥ 1.5
15.0 to 15.8	≥ 1.4	15.0 to 15.8	≥ 1.4
14.1 to 14.9	≥ 1.3	14.1 to 14.9	≥ 1.3
13.2 to 14.0	≥ 1.2	13.2 to 14.0	≥ 1.2
12.3 to 13.1	≥ 1.1	12.3 to 13.1	≥ 1.1
11.4 to 12.2	≥ 1.0	11.4 to 12.2	≥ 1.0
10.5 to 11.3	≥ 0.9	10.5 to 11.3	≥ 0.9
9.6 to 10.4	≥ 0.8	9.6 to 10.4	≥ 0.8
8.7 to 9.5	≥ 0.7	8.7 to 9.5	≥ 0.7
7.8 to 8.6	≥ 0.6	7.8 to 8.6	≥ 0.6
6.9 to 7.7	≥ 0.5	6.9 to 7.7	≥ 0.5
6.0 to 6.8	≥ 0.4	6.0 to 6.8	≥ 0.4
5.1 to 5.9	≥ 0.3	5.1 to 5.9	≥ 0.3
≤ 5.0	≥ 0.2	≤ 5.0	≥ 0.2

Notes:
SFP = square feet per pedestrian; Y = decrease in pedestrian space in SFP; X = No Action pedestrian space in SFP.
Sources:
New York City Mayor's Office of Environmental Coordination, *CEQR Technical Manual*.

PARKING CONDITIONS ASSESSMENT

The parking analysis identifies the extent to which on-street and off-street parking is available and utilized under existing and future conditions. It takes into consideration anticipated changes in area parking supply and provides a comparison of parking needs versus availability to determine if a parking shortfall is likely to result from parking displacement attributable to or additional demand generated by a proposed project. Typically, this analysis encompasses a study area within a ¼-mile of the Project Site. If the analysis concludes a shortfall in parking within the ¼-mile study area, the study area could sometimes be extended to a ½-mile to identify additional parking supply.

Under the *CEQR Technical Manual*'s guidance, for proposed projects located in Manhattan or other areas near CBDs (Parking Zones 1 and 2), the inability of the proposed project or the surrounding area to accommodate the projects' future parking demand is considered a parking shortfall, but is not considered significant due to the magnitude of available alternative modes of

transportation. For other areas in New York City, a parking shortfall that exceeds the available on-street and off-street parking spaces within a ¼-mile of the Project Site may be considered significant. Additional factors, such as the availability and extent of transit in the area, proximity of the project to such transit, and patterns of automobile usage by area residents, could be considered to determine the significance of the identified parking shortfall. In some cases, if there is adequate parking supply within ½-mile of the project, the projected parking shortfall may also not necessarily be considered significant. Since the Proposed Project is located within Parking Zone 2, an off-site parking shortfall would not be considered a significant adverse impact.

D. DETAILED PEDESTRIAN ANALYSIS

As described above in Section B, "Transportation Screening Assessments," Level 1 and Level 2 screening analyses were prepared to identify the pedestrian elements potentially warranting a detailed analysis. Based on the assignment of pedestrian trips, one sidewalk and two corner reservoirs were selected for analysis for the weekday AM, midday, PM, and Saturday peak hours. The exclusion of the south sidewalk of 9th Street between 4th Avenue and the 9th Street Building entrance from analysis was verified below based on the level of existing pedestrian volumes on that sidewalk during the Saturday peak hour.

EXISTING CONDITIONS

Pedestrian data were collected in June 2022 in accordance with procedures outlined in the *CEQR Technical Manual* during the weekday hours of 7:00 AM to 10:00 AM, 11:00 AM to 2:00 PM, and 4:00 PM to 7:00 PM and the Saturday hours of 12:00 PM to 5:00 PM.

Due to current COVID-19 pandemic conditions and based on the data collection guidance issued by DOT in October 2020, the 2022 pedestrian data were compared and calibrated against the pre-pandemic data to arrive at appropriate baseline volumes for analysis. Historical 2018 crosswalk data were compared to crosswalk data collected in June 2022 at 4th Avenue and 10th Street and it was determined that the grown 2018 crosswalk volumes were lower than the 2022 collected crosswalk volumes. Therefore, the 2022 collected pedestrian volumes were used as the baseline analysis volumes without adjustment.

Peak hours were determined by comparing rolling hourly averages and the highest 15-minute volumes within the selected peak hours were used to calculate each analysis location's peak hour factor. The existing pedestrian analysis peak hours were determined to be 8:00 AM to 9:00 AM, 12:30 PM to 1:30 PM, and 5:00 PM to 6:00 PM on a weekday, and 2:45 PM to 3:45 PM on a Saturday. The existing peak-hour pedestrian volumes are shown in **Figures I-10 through I-13**.

As discussed above, even though the projected incremental pedestrian volumes on the south sidewalk of 9th Street between 4th Avenue and the 9th Street Building entrance would exceed 200 pedestrians during the Saturday peak hour, a quantified analysis may not be warranted after accounting for the additional linked/pass-by trip credit for existing pedestrians already on the sidewalk that would stop in the proposed local retail store. As shown in Figure **I-13**, there are approximately 259 existing pedestrians on this sidewalk in the Saturday peak hour. Even conservatively assuming only 9 percent of this existing sidewalk volume (23 pedestrians) would be linked/pass-by trips to the local retail frontage, the volume increase associated with the Proposed Project in the Saturday peak hour would be below 200. After accounting for the 25-percent linked trip credit between the residential pedestrian trips and the local retail walk-only trips and the 9-percent linked/pass-by trip credit for existing pedestrians on the sidewalk, the total

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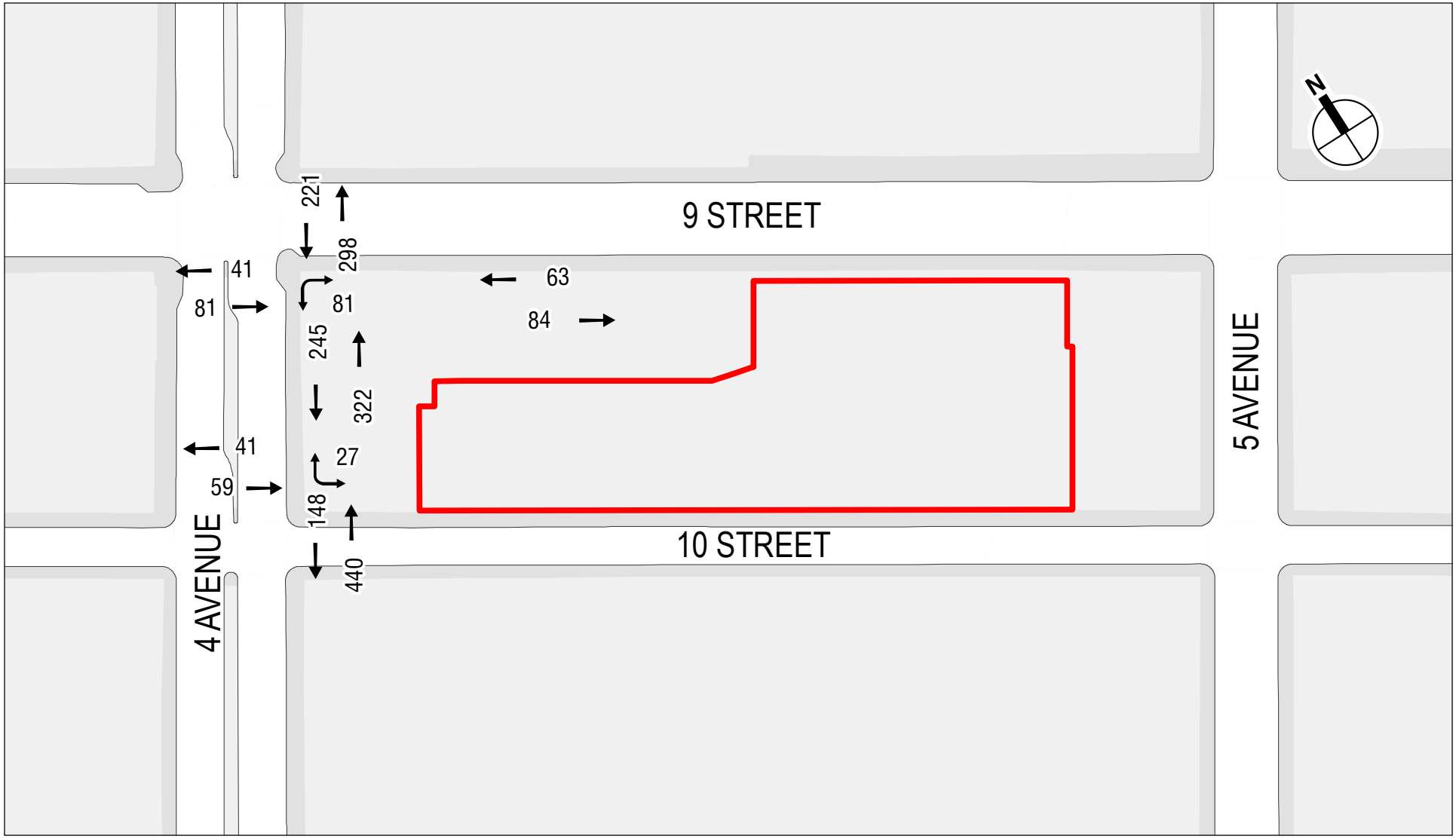

2022 Existing Condition Pedestrian Volumes
Weekday AM Peak Hour

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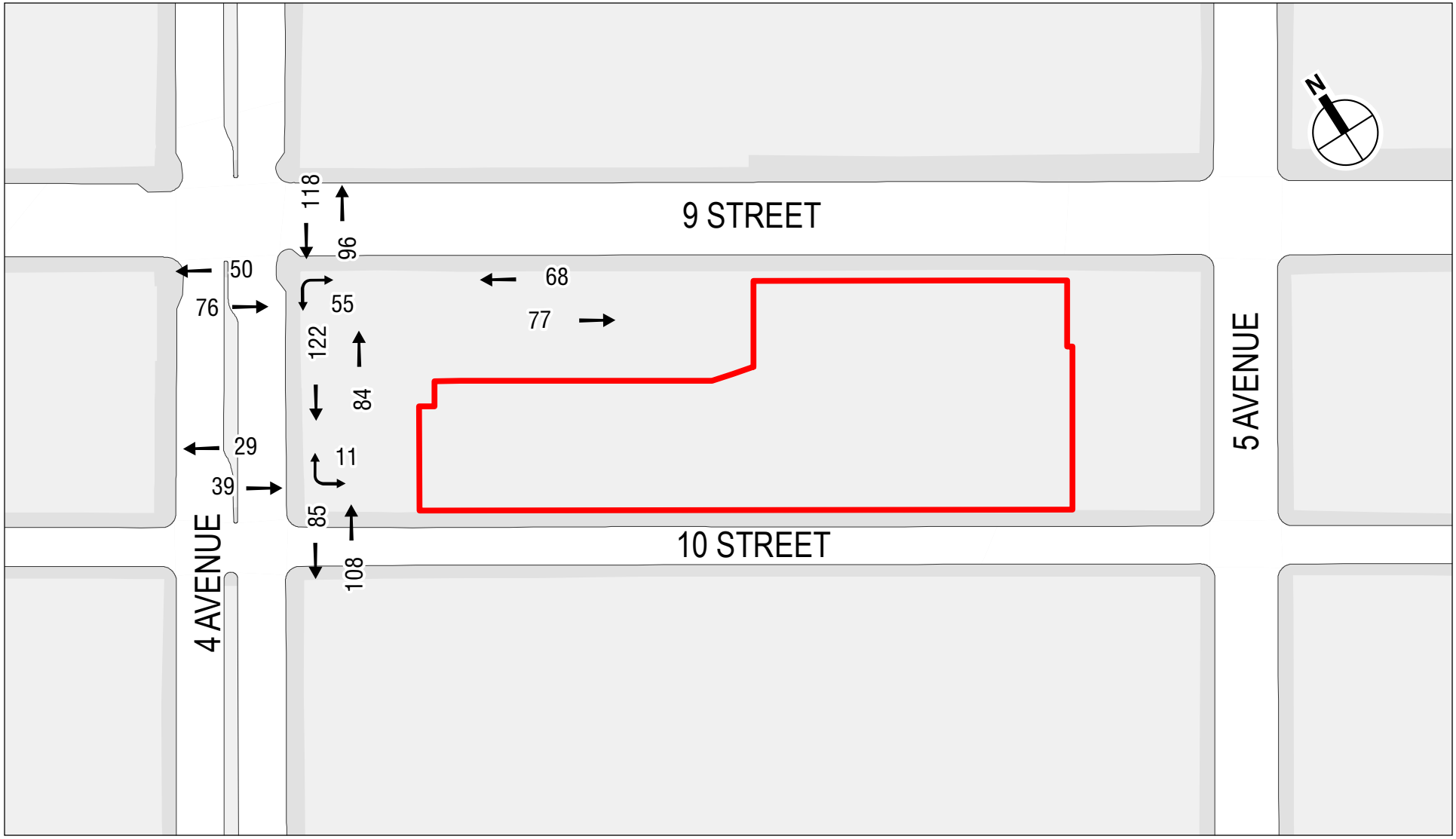

2022 Existing Condition Pedestrian Volumes
Weekday Midday Peak Hour

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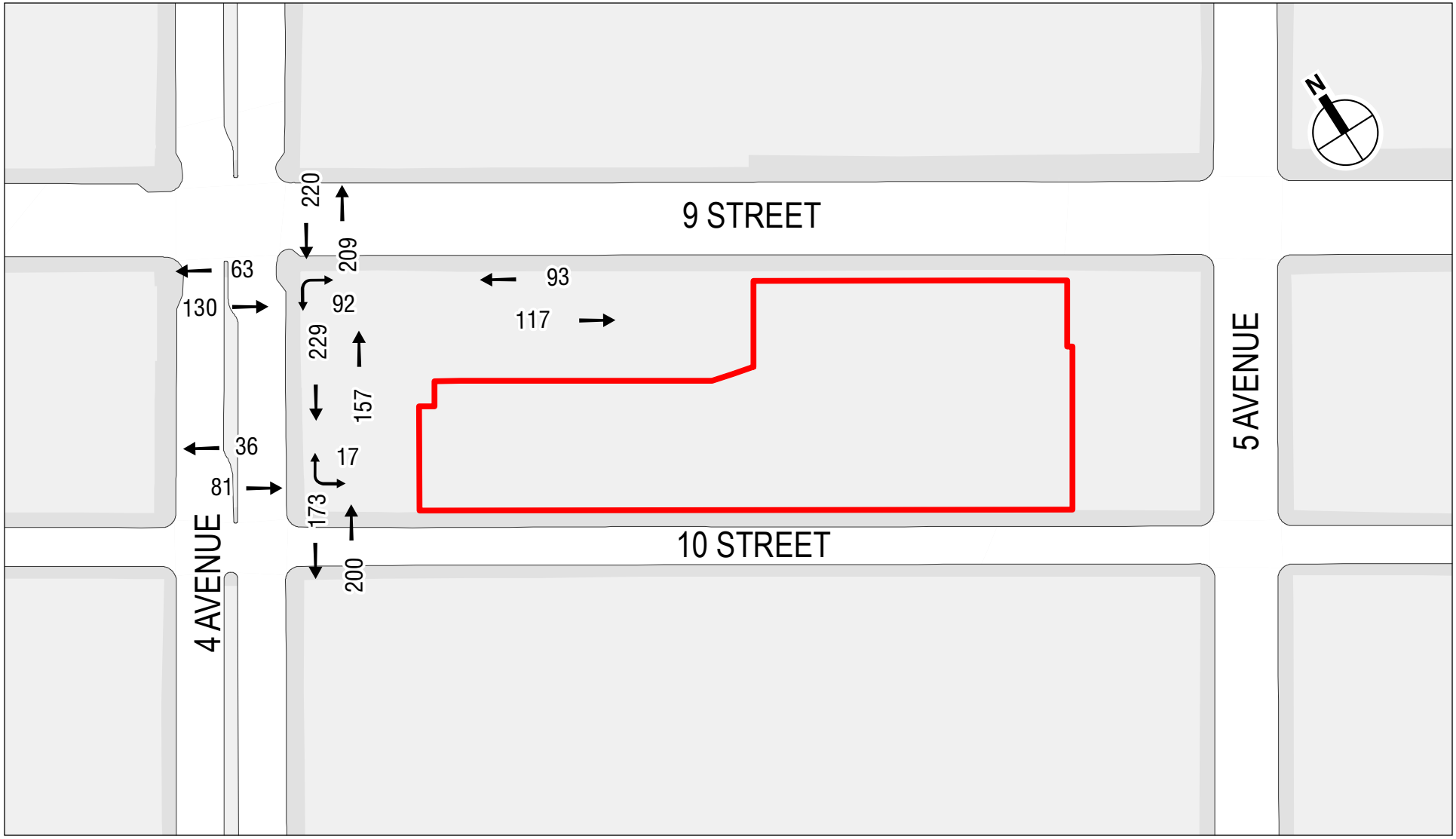

2022 Existing Condition Pedestrian Volumes
Weekday PM Peak Hour

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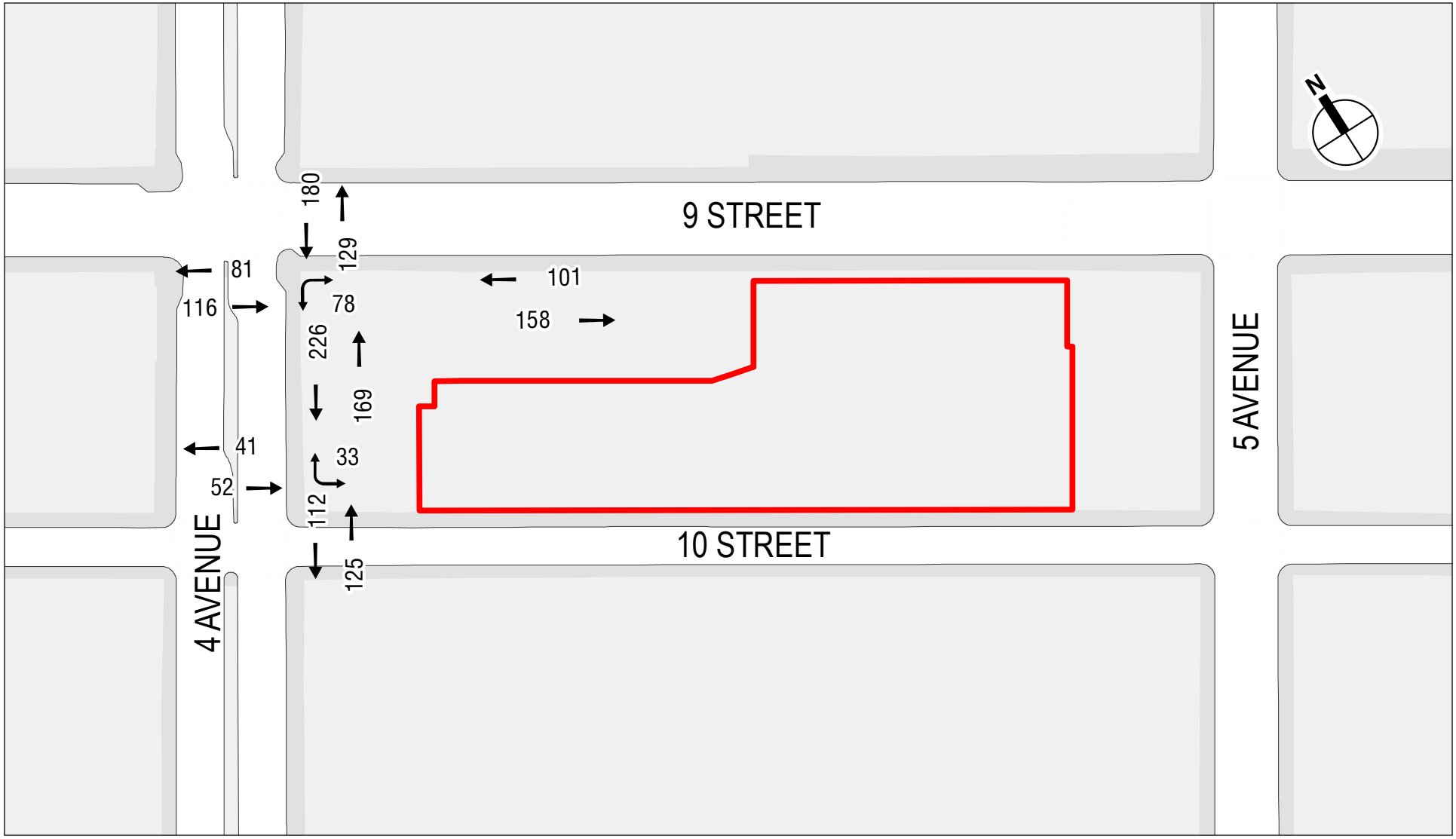

2022 Existing Condition Pedestrian Volumes
Saturday Peak Hour

linked/pass-by trip reductions represent approximately 39, 18, 19, and 19 percent of the total local retail walk-only pedestrian trips that would be generated during the weekday AM, midday, PM, and Saturday peak hours, respectively. These reductions are below the 50-percent maximum linked/pass-by trip linkage credit allowed per the *CEQR Technical Manual*. Therefore, a quantified analysis is not warranted at this sidewalk during any peak hour.

As shown in **Tables I-10 and I-11**, all analysis locations currently operate at favorable LOS A or B.

Table I-10
2022 Existing Conditions: Sidewalk Analysis

Location	Sidewalk	Effective Width (ft)	Two-way Peak Hour Volume	PHF	SFP	LOS
Weekday AM Peak Hour						
4th Avenue between 9th Street and 10th Street	East	7.5	567	0.66	125.8	B
Weekday Midday Peak Hour						
4th Avenue between 9th Street and 10th Street	East	7.5	206	0.78	409.0	B
Weekday PM Peak Hour						
4th Avenue between 9th Street and 10th Street	East	7.5	386	0.86	240.9	B
Saturday Peak Hour						
4th Avenue between 9th Street and 10th Street	East	7.5	395	0.81	221.1	B
Note: SFP = square feet per pedestrian.						

Table I-11
2022 Existing Conditions: Corner Analysis

Location	Corner	Weekday AM Peak Hour		Weekday Midday Peak Hour		Weekday PM Peak Hour		Saturday Peak Hour	
		SFP	LOS	SFP	LOS	SFP	LOS	SFP	LOS
4th Avenue and 9th Street	Southeast	501.6	A	1097.3	A	578.3	A	687.4	A
4th Avenue and 10th Street	Northeast	152.7	A	494.7	A	266.6	A	389.5	A
Note: SFP = square foot per pedestrian									

FUTURE WITHOUT THE PROPOSED PROJECT

The No Action condition was developed by increasing existing (2022) pedestrian levels by the expected growth in overall travel through and within the study area. As per *CEQR Technical Manual* guidelines, an annual background growth rate of 0.5 percent was assumed for the years 2023 through 2025. As detailed in **Table I-12**, five development projects expected to occur in the No Action condition (No Build projects) were identified for the ¼-mile study area. For one of these discrete No Build projects (168 8th Street), person trips were incorporated into the No Action analyses. For the remaining four No Build projects, it was determined that background growth would address the increase in pedestrian levels and/or their project-generated pedestrian trips would not be expected to traverse through the analyzed pedestrian elements. The 2025 No Action pedestrian

volumes for the weekday AM, midday, and PM, and Saturday peak hours are shown in **Figures I-14 through I-17**.

As shown in **Tables I-13 and I-14**, all analysis locations will operate at favorable LOS A or B in the 2025 No Action condition during all analysis peak hours.

Table I-12
No Build Projects Expected to be Complete by 2025

Project No.	Project Name / Address	Development Program	Transportation Assumptions	Status/ Build Year
Development Projects within 1/4-Mile				
1	217 9th Street	13 DUs residential; 3,439 GSF community facility	Included in background growth	2025
2	262 9th Street	63 DUs residential; 4,302 GSF retail; 260 GSF community facility	Included in background growth	2025
3	168 8th Street	180 Pre-Kindergarten Students; 18 Faculty and Staff	Pedestrian increments included from *SCA: 168 8th Street, Brooklyn Tech Memo* (2019)	2025
4	273 14th Street	13 DUs residential	Included in background growth	2025
5	521 3rd Avenue	7,638 GSF retail; 5,563 GSF community facility; 7,638 GSF manufacturing	Trips not expected to traverse study area pedestrian elements	2025

Table I-13
2025 No Action Conditions: Sidewalk Analysis

Location	Sidewalk	Effective Width (ft)	Two-way Peak Hour Volume	PHF	SFP	LOS
Weekday AM Peak Hour						
4th Avenue between 9th Street and 10th Street	East	7.5	589	0.66	121.1	B
Weekday Midday Peak Hour						
4th Avenue between 9th Street and 10th Street	East	7.5	209	0.78	403.1	B
Weekday PM Peak Hour						
4th Avenue between 9th Street and 10th Street	East	7.5	391	0.86	237.8	B
Saturday Peak Hour						
4th Avenue between 9th Street and 10th Street	East	7.5	401	0.81	217.8	B
Note: SFP = square feet per pedestrian.						

Table I-14
2025 No Action Conditions: Corner Analysis

Location	Corner	Weekday AM Peak Hour		Weekday Midday Peak Hour		Weekday PM Peak Hour		Saturday Peak Hour	
		SFP	LOS	SFP	LOS	SFP	LOS	SFP	LOS
4th Avenue and 9th Street	Southeast	477.5	A	1080.5	A	570.2	A	676.9	A
4th Avenue and 10th Street	Northeast	147.7	A	487.5	A	262.3	A	383.1	A
Note: SFP = square foot per pedestrian									

FUTURE WITH THE PROPOSED PROJECT

The hourly incremental pedestrian volumes presented above in Section B, "Level 2 Screening Assessment," were added to the projected 2025 No Action volumes to generate the 2025 With Action pedestrian volumes for analysis (see **Figures I-18 through I-21**). As shown in **Tables**

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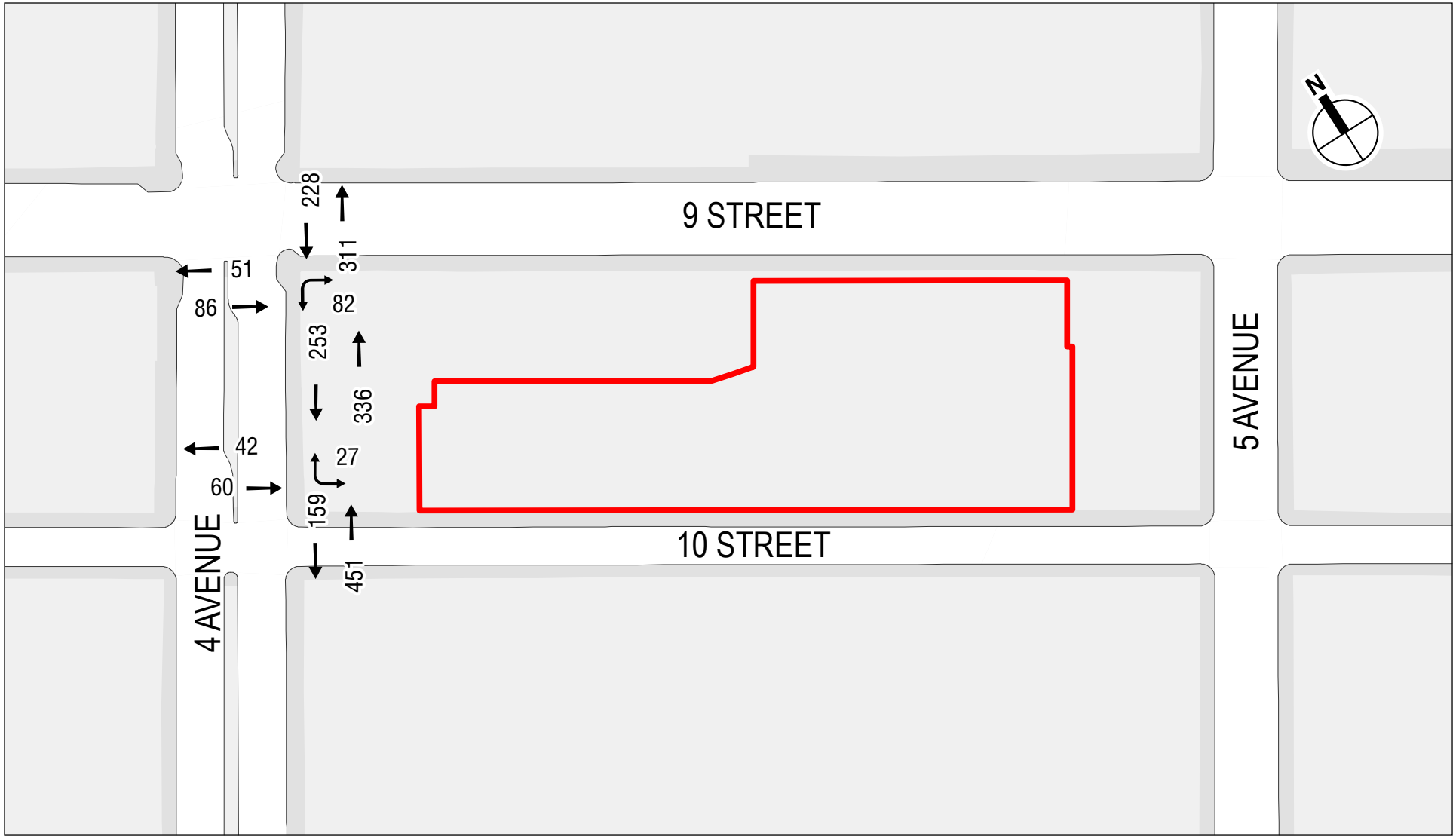

2025 No Action Condition Pedestrian Volumes
Weekday AM Peak Hour

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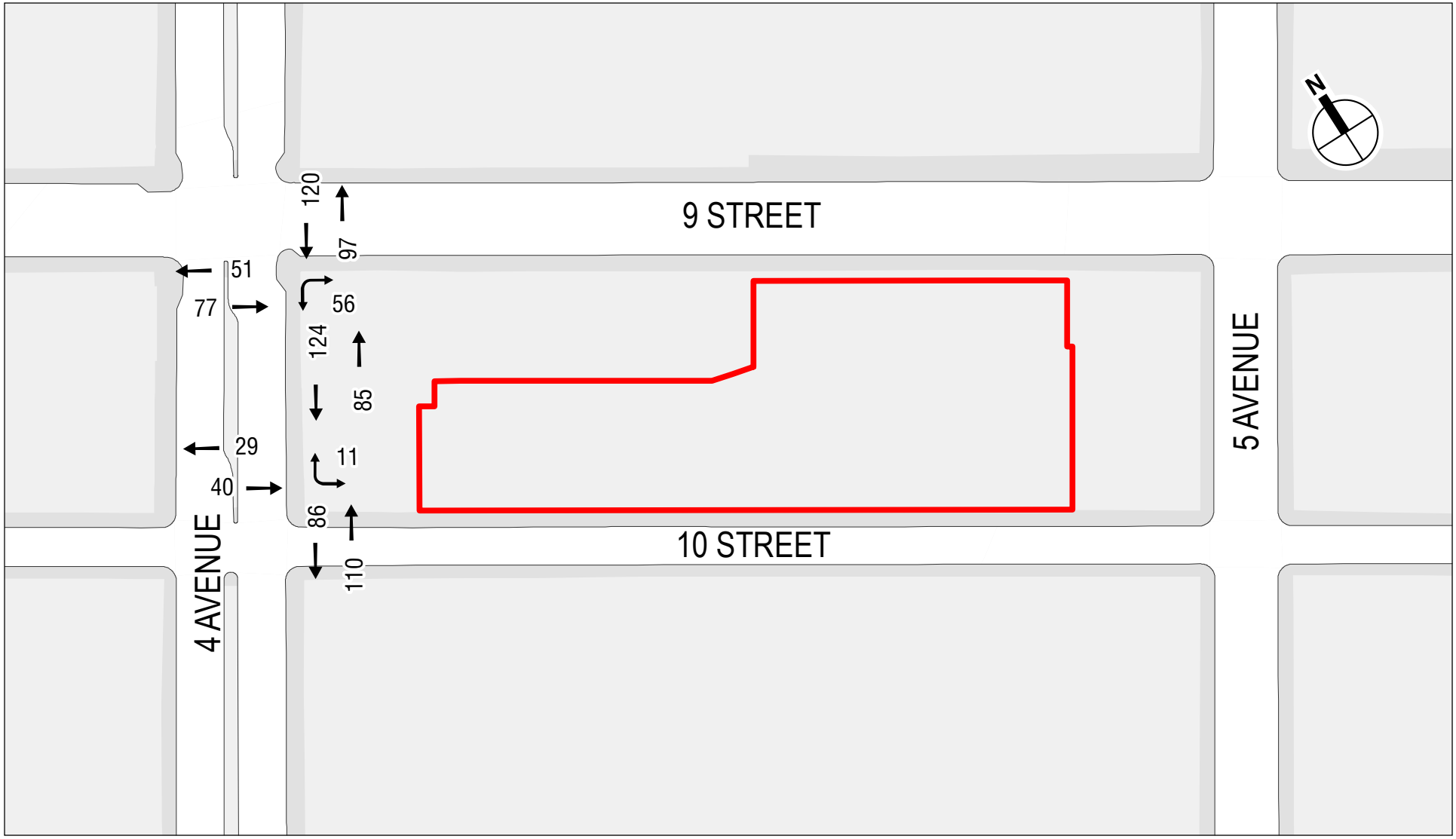

2025 No Action Condition Pedestrian Volumes
Weekday Midday Peak Hour

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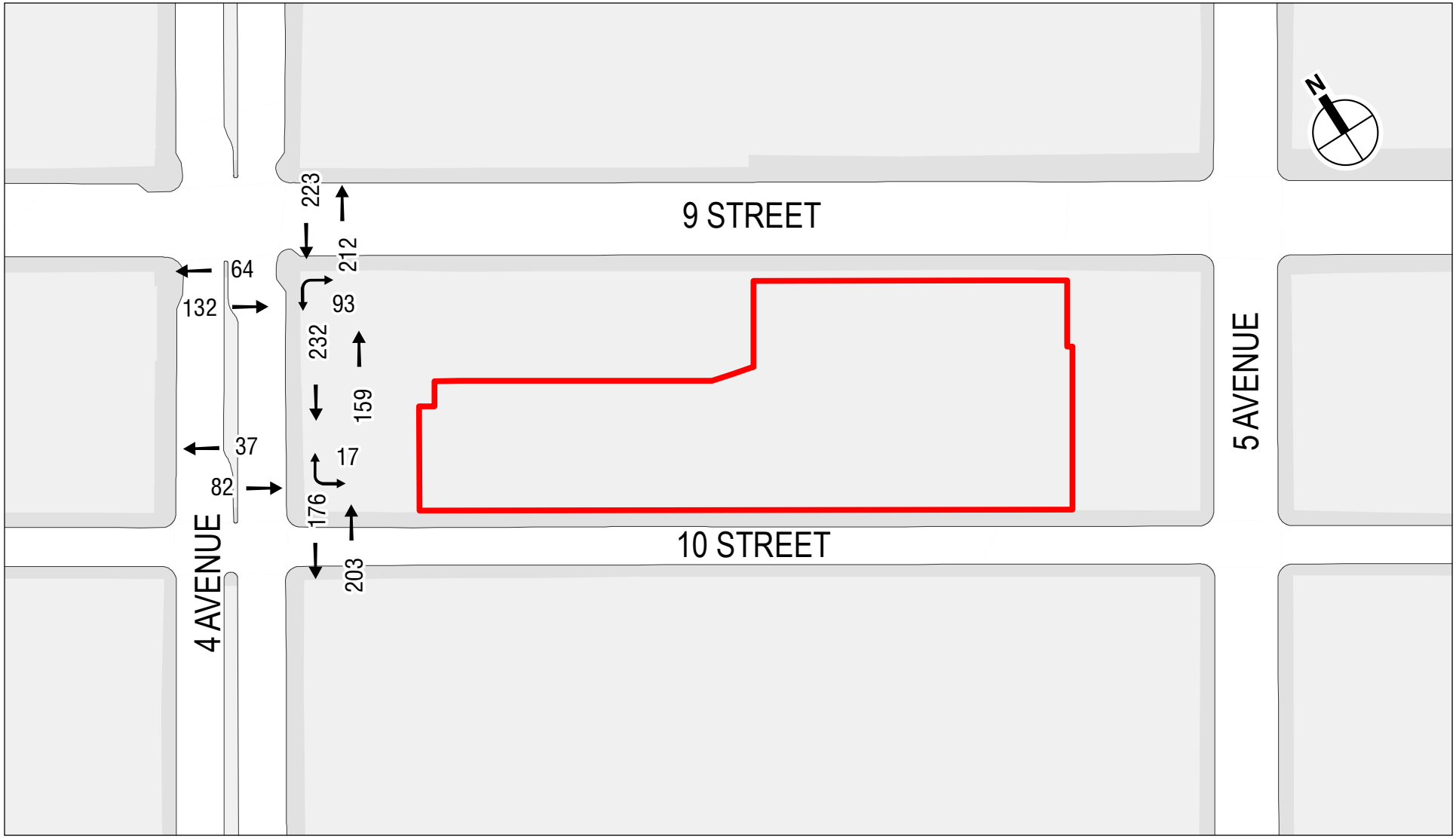

2025 No Action Condition Pedestrian Volumes
Weekday PM Peak Hour

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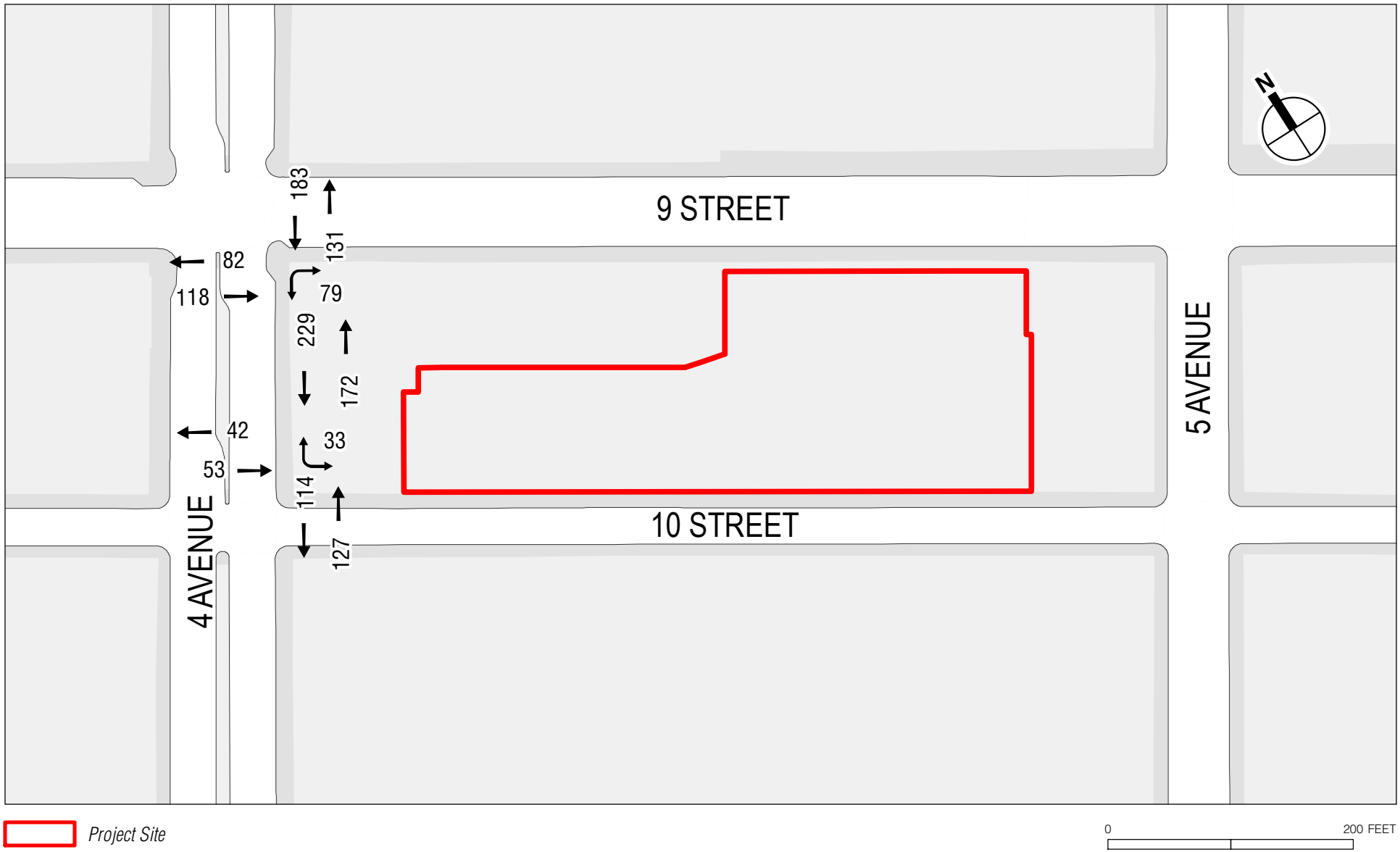

2025 No Action Condition Pedestrian Volumes
Saturday Peak Hour

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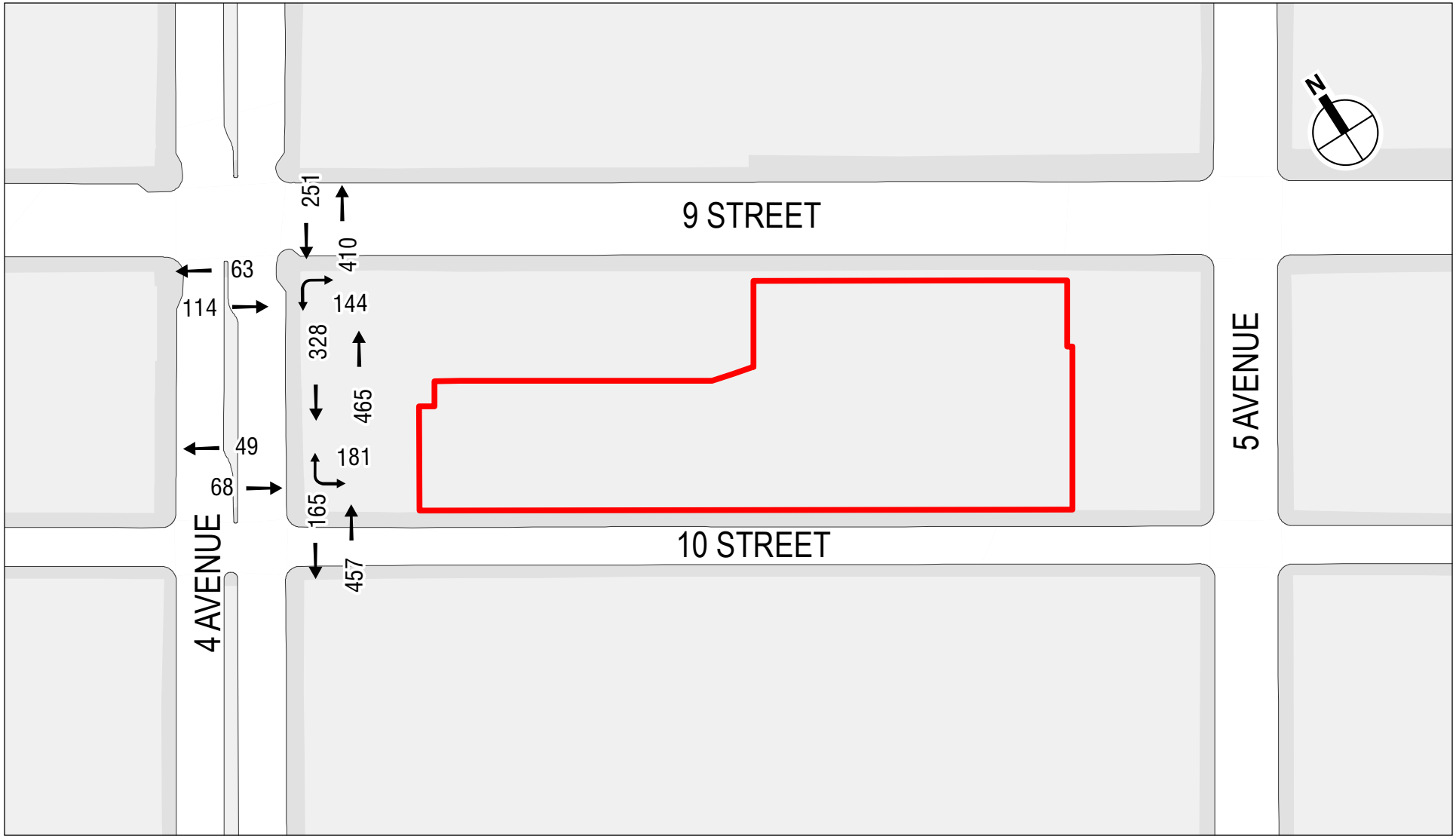

2025 With Action Condition Pedestrian Volumes
Weekday AM Peak Hour

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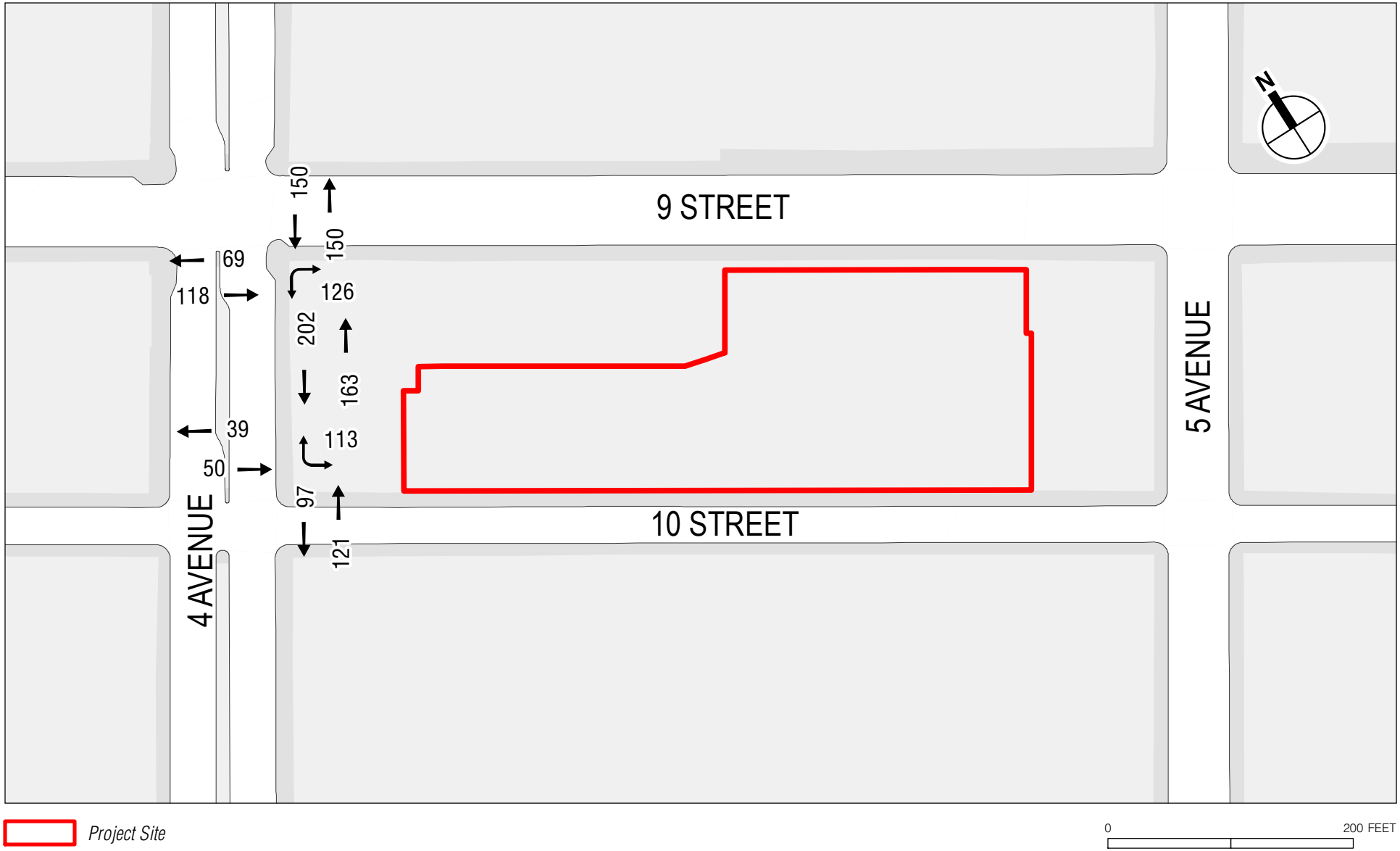

2025 With Action Condition Pedestrian Volumes
Weekday Midday Peak Hour

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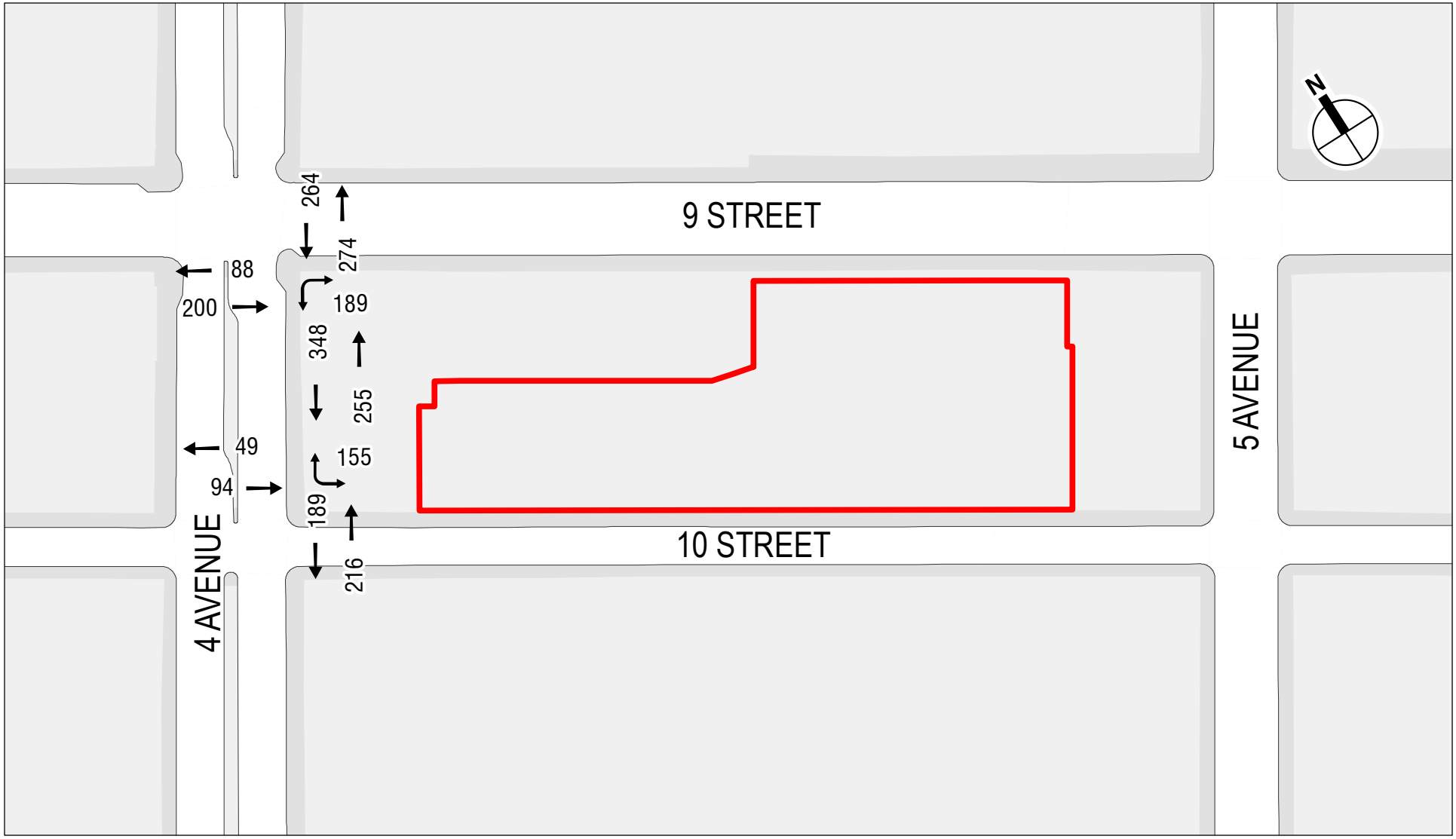

2025 With Action Condition Pedestrian Volumes
Weekday PM Peak Hour

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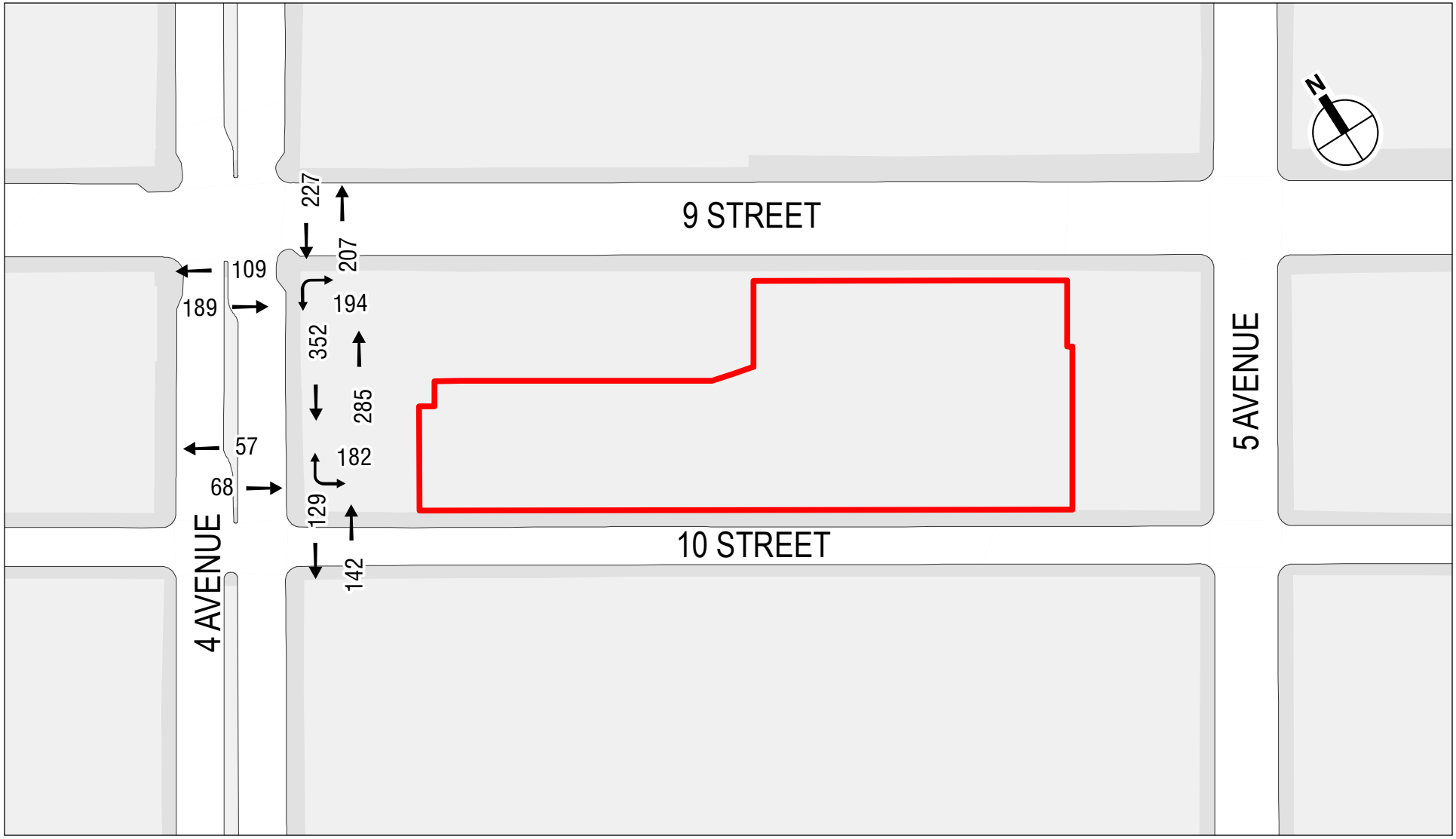


2025 With Action Condition Pedestrian Volumes
Saturday Peak Hour

I-15 and I-16, the analysis locations would operate at acceptable LOS C or better in the 2025 With Action condition during all analysis peak hours. Therefore, the Proposed Project would not result in any significant adverse pedestrian impacts.

Table I-15
2025 With Action Conditions: Sidewalk Analysis

Location	Sidewalk	Effective Width (ft)	Two-way Peak Hour Volume	PHF	SFP	LOS
Weekday AM Peak Hour						
4th Avenue between 9th Street and 10th Street	East	7.5	793	0.66	89.7	C
Weekday Midday Peak Hour						
4th Avenue between 9th Street and 10th Street	East	7.5	365	0.78	230.7	B
Weekday PM Peak Hour						
4th Avenue between 9th Street and 10th Street	East	7.5	603	0.86	154.0	B
Saturday Peak Hour						
4th Avenue between 9th Street and 10th Street	East	7.5	637	0.81	136.9	B
Note: SFP = square feet per pedestrian.						

Table I-16
2025 With Action Conditions: Corner Analysis

Location	Corner	Weekday AM Peak Hour		Weekday Midday Peak Hour		Weekday PM Peak Hour		Saturday Peak Hour	
		SFP	LOS	SFP	LOS	SFP	LOS	SFP	LOS
4th Avenue and 9th Street	Southeast	363.0	A	699.3	A	404.2	A	421.4	A
4th Avenue and 10th Street	Northeast	113.7	A	266.1	A	176.6	A	226.0	A
Note: SFP = square foot per pedestrian									

E. PARKING ASSESSMENT

As discussed above, since the Proposed Project would reduce the on-site parking capacity by 76 spaces, a quantified parking analysis was prepared to assess if this reduction would result in an off-site parking shortfall.

EXISTING CONDITIONS

Inventories of off-street parking facilities within ¼-mile of the Project Site were conducted in June 2022 (see **Table I-4** and **Figure I-2**). The off-street survey provided an inventory of the public parking facilities and their legal capacities and utilization levels. Based on responses provided by parking attendants and visual inspections, where possible, estimates were made on the parking occupancy or utilization at each facility for the weekday AM, midday, PM, Saturday, and overnight time periods.

Within the ¼-mile parking study area, a total of seven public parking facilities were inventoried. The combined capacity of these facilities is 253 parking spaces during the weekday AM, midday, PM, and Saturday peak hours and 182 parking spaces during the overnight peak hour (garages one and five closed overnight). Overall, these facilities were 74, 89, 89, 50, and 43 percent utilized, with 65, 27, 29, 127, and 103 parking spaces available during the weekday AM, midday, PM, Saturday, and overnight time periods, respectively.

FUTURE WITHOUT THE PROPOSED PROJECT

Overall public parking utilization is expected to experience the same annual background growth rate of 0.5 percent for the years 2023 through 2025. Similar to pedestrians, four of the five No Build projects within ¼-mile of the Project Site would generate minimal parking demand which would be addressed by the background growth. The No Build project at 168 8th Street concluded that the parking demand associated with the project would be accommodated via available on-street parking spaces and would not generate additional parking demand to any of the off-street facilities.

As presented in **Table I-17**, the No Action condition public parking utilization is expected to increase to 75, 91, 90, 51, and 44 percent, with 62, 24, 26, 125, and 102 parking spaces available during the weekday AM, midday, PM, Saturday, and overnight time periods, respectively.

Table I-17
Existing and 2025 No Action Parking Supply and Utilization – ¼-Mile

	Weekday AM	Weekday Midday	Weekday PM	Saturday	Overnight
Existing Public Parking Supply	253	253	253	253	182
Existing Public Parking Demand	188	226	224	126	79
Existing Public Parking Utilization	74%	89%	89%	50%	43%
2025 No Action Public Parking Supply Total	253	253	253	253	182
2025 No Action Background Incremental Demand	3	3	3	2	1
2025 No Action Public Parking Demand Total	191	229	227	128	80
2025 No Action Public Parking Utilization	75%	91%	90%	51%	44%
2025 No Action Available Spaces (Shortfall)	62	24	26	125	102

FUTURE WITH THE PROPOSED PROJECT

The weekday and Saturday parking demand projections for the Proposed Project are presented in **Tables I-18 and I-19**, respectively.

As shown in **Table I-20**, accounting for the No Action parking supply and demand utilization, and the parking demand generated by the Proposed Project, the With Action public parking utilization is expected to increase to 126, 128, 132, 97, and 116 percent of the ¼-mile off-street parking capacity during the weekday AM, midday, PM, Saturday, and overnight time periods, respectively. These utilization levels represent parking shortfalls of 65 spaces in the AM peak period, 72 spaces in the midday peak period, 80 spaces in the PM peak period, and 29 spaces in the overnight peak period, with 8 parking spaces available during the Saturday peak period.

Table I-18
Weekday Parking Demand from Proposed Project

Hour	Local Retail	Medical Office	Residential	Total
12 AM–01 AM	0	0	128	128
01 AM–02 AM	0	0	129	129
02 AM–03 AM	0	0	130	130
03 AM–04 AM	0	0	131	131
04 AM–05 AM	0	0	131	131
05 AM–06 AM	0	0	130	130
06 AM–07 AM	0	0	127	127
07 AM–08 AM	0	1	119	120
08 AM–09 AM	0	3	102	105
09 AM–10 AM	0	4	95	99
10 AM–11 AM	0	4	92	96
11 AM–12 PM	0	3	92	95
12 PM–01 PM	0	3	92	95
01 PM–02 PM	0	3	92	95
02 PM–03 PM	0	3	93	96
03 PM–04 PM	0	3	94	97
04 PM–05 PM	0	2	96	98
05 PM–06 PM	0	1	100	101
06 PM–07 PM	0	0	106	106
07 PM–08 PM	0	0	109	109
08 PM–09 PM	0	0	113	113
09 PM–10 PM	0	0	118	118
10 PM–11 PM	0	0	122	122
11 PM–12 AM	0	0	126	126

Table I-19
Saturday Parking Demand from Proposed Project

Hour	Local Retail	Medical Office	Residential	Total
12 AM–01 AM	0	0	126	126
01 AM–02 AM	0	0	128	128
02 AM–03 AM	0	0	130	130
03 AM–04 AM	0	0	131	131
04 AM–05 AM	0	0	131	131
05 AM–06 AM	0	0	131	131
06 AM–07 AM	0	0	130	130
07 AM–08 AM	0	0	127	127
08 AM–09 AM	0	2	123	125
09 AM–10 AM	1	3	117	121
10 AM–11 AM	1	3	113	117
11 AM–12 PM	2	2	110	114
12 PM–01 PM	2	1	108	111
01 PM–02 PM	2	1	107	110
02 PM–03 PM	2	0	107	109
03 PM–04 PM	2	0	107	109
04 PM–05 PM	2	0	110	112
05 PM–06 PM	2	0	112	114
06 PM–07 PM	2	0	114	116
07 PM–08 PM	1	0	115	116
08 PM–09 PM	1	0	118	119
09 PM–10 PM	0	0	121	121
10 PM–11 PM	0	0	123	123
11 PM–12 AM	0	0	124	124

Table I-20
2025 No Action and With Action Parking Supply and Utilization – ¼-Mile

	Weekday AM	Weekday Midday	Weekday PM	Saturday	Overnight
2025 No Action Public Parking Supply	253	253	253	253	182
2025 No Action Public Parking Demand	191	229	227	128	80
2025 No Action Public Parking Utilization	75%	91%	90%	51%	44%
Proposed Project Parking Demand	127	96	106	117	131
Proposed Project Parking Demand Accommodated by Public Parking	127	96	106	117	131
2025 With Action Public Parking Demand Total	318	325	333	245	211
2025 With Action Public Parking Utilization	126%	128%	132%	97%	116%
2025 With Action Available Spaces (Shortfall)	(65)	(72)	(80)	8	(29)

It is expected that excess parking demand resulting from the Proposed Project during the weekday and overnight peak periods would not be considered a significant shortfall or impact, since the Proposed Project is located within Parking Zone 2 (as stated in the *CEQR Technical Manual* and discussed in the above parking analysis methodology). Motorists could choose other modes of transportation (bicycles, subway, bus, walk, or taxi) or find off-street parking beyond a ¼-mile walk from the Project Site.

F. CONCLUSION

As demonstrated above, the Proposed Project would not result in any significant adverse transportation-related impacts. ✷

A. INTRODUCTION

This attachment considers the potential for the Proposed Actions to result in significant adverse noise impacts. The Proposed Actions would facilitate the development of two mixed-use buildings with neighborhood retail and community facility space on the ground floors and residential space above, with a total of 319 dwelling units (DUs), 6,720 gross square feet (gsf) of neighborhood retail space, and 4,600 gsf of community facility space (the "Proposed Project") on the midblock portion of the block bounded by 4th and 5th Avenues and 9th and 10th Streets (Block 1010, Lot 26) in the Park Slope neighborhood of Brooklyn, Community District 6. This attachment considers whether the Proposed Actions would result in increases in noise levels that could have a significant adverse impact on nearby sensitive receptors and also considers the effect of existing and future noise levels on the Proposed Project.

According to the guidelines established in the 2021 *City Environmental Quality Review (CEQR) Technical Manual*, an initial noise impact screening considers whether a proposed action would generate any mobile or stationary source noise or be located in an area with high ambient noise levels. A noise analysis examines an action for its potential effects on sensitive noise receptors, and the effects on the interior noise levels of residential, commercial, and institutional uses.

A mobile source analysis was conducted to determine whether there are any noise-sensitive locations where project-generated traffic would have the potential to result in significant adverse noise impacts. Potential noise effects of the children's playscape that may be part of the outdoor residential amenity space included in the Proposed Project were considered as well. The noise analysis also considered on the level of building attenuations necessary to ensure that interior noise levels within the proposed building would satisfy applicable interior noise criteria.

B. ACOUSTICS FUNDAMENTALS

Sound is a fluctuation in air pressure. Sound pressure levels are measured in units called "decibels" (dB). The particular character of the sound that we hear (e.g., a whistle compared with a diesel engine, for example) is determined by the speed, or "frequency," at which the air pressure fluctuates, or "oscillates." Frequency defines the oscillation of sound pressure in terms of cycles per second. One cycle per second is known as 1 Hertz (Hz). People can hear over a relatively limited range of sound frequencies, generally between 20 Hz and 20,000 Hz, and the human ear does not perceive all frequencies equally well. High frequencies (e.g., a whistle) are more easily discernable and therefore more intrusive than many of the lower frequencies (e.g., the left-most keys on a piano).

"A"-WEIGHTED SOUND LEVEL (DBA)

In order to establish a uniform noise measurement that simulates people's perception of loudness and annoyance, the decibel measurement is weighted to account for those frequencies most audible to the human ear. This is known as the A-weighted sound level, or "dBA," and it is the descriptor of noise levels most often used for community noise. As shown in **Table J-1**, the threshold of human hearing is defined as 0 dBA; very quiet conditions (e.g., a library) are approximately 40

dBA; levels between 50 dBA and 70 dBA define the range of noise levels generated by normal daily activity; levels above 70 dBA would be considered noisy, and then loud, intrusive, and deafening as the scale approaches 130 dBA.

In considering these values, it is important to note that the dBA scale is logarithmic, meaning that each increase of 10 dBA describes a doubling of perceived loudness. Thus, the background noise in an office, at 50 dBA, is perceived as twice as loud as a library at 40 dBA. For most people to perceive an increase in noise, it must be at least 3 dBA. At 5 dBA, the change will be readily noticeable.

Table J-1
Noise Levels of Common Sources

Sound Source	SPL (dBA)
Air Raid Siren at 50 feet	120
Maximum Levels at Rock Concerts (Rear Seats)	110
On Platform by Passing Subway Train	100
On Sidewalk by Passing Heavy Truck or Bus	90
On Sidewalk by Typical Highway	80
On Sidewalk by Passing Automobiles with Mufflers	70
Typical Urban Area	60-70
Typical Suburban Area	50–60
Quiet Suburban Area at Night	40–50
Typical Rural Area at Night	30-40
Isolated Broadcast Studio	20
Audiometric (Hearing Testing) Booth	10
Threshold of Hearing	0
Source: 2021 *CEQR Technical Manual*	

SOUND LEVEL DESCRIPTORS

Because the sound pressure level unit of dBA describes a noise level at just one moment and few noises are constant, other ways of describing noise that fluctuates over extended periods have been developed. One way is to describe the fluctuating sound heard over a specific time period as if it had been a steady, unchanging sound. For this condition, a descriptor called the "equivalent sound level," L_{eq}, can be computed. L_{eq} is the constant sound level that, in a given situation and time period (e.g., 1 hour, denoted by $L_{eq(1)}$, or 24 hours, denoted by $L_{eq(24)}$), conveys the same sound energy as the actual time-varying sound. Statistical sound level descriptors such as L_1, L_{10}, L_{50}, L_{90}, and L_x, are used to indicate noise levels that are exceeded 1, 10, 50, 90, and x percent of the time, respectively.

The relationship between L_{eq} and levels of exceedance is worth noting. Because L_{eq} is defined in energy rather than straight numerical terms, it is not simply related to the levels of exceedance. If the noise fluctuates little, L_{eq} will approximate L_{50} or the median level. If the noise fluctuates broadly, the L_{eq} will be approximately equal to the L_{10} value. If extreme fluctuations are present, the L_{eq} will exceed L_{90} or the background level by 10 or more decibels. Thus, the relationship between L_{eq} and the levels of exceedance will depend on the character of the noise. In community noise measurements, it has been observed that the L_{eq} is generally between L_{10} and L_{50}.

For purposes of the Proposed Actions, the L_{10} descriptor has been selected as the noise descriptor to be used in this noise impact evaluation. The 1-hour L_{10} is the noise descriptor used in the *CEQR Technical Manual* noise exposure guidelines when vehicular traffic is the dominant noise source.

C. NOISE STANDARDS AND CRITERIA

NEW YORK CEQR NOISE CRITERIA

The *CEQR Technical Manual* sets external noise exposure standards; these standards are shown in **Table J-2**. Noise exposure is classified into four categories: acceptable, marginally acceptable, marginally unacceptable, and clearly unacceptable. The noise level specified for outdoor areas requiring serenity and quiet is 55 dBA $L_{10(1)}$.

Table J-2
Noise Exposure Guidelines for Use in City Environmental Impact Review

Receptor Type	Time Period	Acceptable General External Exposure	Airport[3] Exposure	Marginally Acceptable General External Exposure	Airport[3] Exposure	Marginally Unacceptable General External Exposure	Airport[3] Exposure	Clearly Unacceptable General External Exposure	Airport[3] Exposure
Outdoor area requiring serenity and quiet[2]		$L_{10} \leq 55$ dBA	---------- DNL ≤ 60 dBA ----------	**NA**	---------- 60 < DNL ≤ 65 dBA ----------	**NA**	(i) 65 < DNL ≤ 75 dBA	**NA**	---------- 75 dBA < DNL ----------
Hospital, nursing home		$L_{10} \leq 55$ dBA		55 < L_{10} ≤ 65 dBA		65 < L_{10} ≤ 80 dBA		$L_{10} > 80$ dBA	
Residence, residential hotel, or motel	7 AM to 10 PM	$L_{10} \leq 65$ dBA		65 < L_{10} ≤ 70 dBA		70 < L_{10} ≤ 80 dBA		$L_{10} > 80$ dBA	
	10 PM to 7 AM	$L_{10} \leq 55$ dBA		55 < L_{10} ≤ 70 dBA		70 < L_{10} ≤ 80 dBA		$L_{10} > 80$ dBA	
School, museum, library, court, house of worship, transient hotel or motel, public meeting room, auditorium, outpatient public health facility		Same as Residential Day (7 AM–10 PM)		Same as Residential Day (7 AM–10 PM)		Same as Residential Day (7 AM–10 PM)		Same as Residential Day (7 AM–10 PM)	
Commercial or office		Same as Residential Day (7 AM–10 PM)		Same as Residential Day (7 AM–10 PM)		Same as Residential Day (7 AM–10 PM)		Same as Residential Day (7 AM–10PM)	
Industrial, public areas only[4]	Note 4	Note 4		Note 4		Note 4		Note 4	

Notes:
(i) In addition, any new activity shall not increase the ambient noise level by 3 dBA or more.
(ii) *CEQR Technical Manual* noise criteria for train noise are similar to the above aircraft noise standards; the noise category for train noise is found by taking the L_{dn} value for such train noise to be an L_{dn} (L_{dn} contour) value.
[1] Measurements and projections of noise exposures are to be made at appropriate heights above site boundaries as given by American National Standards Institute (ANSI) Standards; all values are for the worst hour in the time period.
[2] Tracts of land where serenity and quiet are extraordinarily important and serve an important public need, and where the preservation of these qualities is essential for the area to serve its intended purpose. Such areas could include amphitheaters, particular parks, or portions of parks, or open spaces dedicated or recognized by appropriate local officials for activities requiring special qualities of serenity and quiet.
[3] One may use Federal Aviation Administration (FAA)-approved L_{dn} contours supplied by the Port Authority of New York and New Jersey, or the noise contours may be computed from the federally approved Integrated Noise Model (INM) Computer Model using flight data supplied by the Port Authority of New York and New Jersey.
[4] External Noise Exposure standards for industrial areas of sounds produced by industrial operations other than operating motor vehicles or other transportation facilities are spelled out in the New York City Zoning Resolution, Sections 42-20 and 42-21. The referenced standards apply to M1, M2, and M3 manufacturing districts and to adjoining residence districts (performance standards are octave band standards).
Source:
New York City Department of Environmental Protection (DEP) (adopted policy 1983).

The *CEQR Technical Manual* defines attenuation requirements for buildings based on exterior noise level (see **Table J-3**). Where vehicular traffic is the dominant noise source, recommended noise attenuation values for buildings are designed to maintain an interior L_{10} noise level of 45 dBA for residential and community facility uses and 50 dBA for commercial office uses. Where rail activity is the dominant noise source, recommended noise attenuation values for buildings are designed to maintain an interior L_{dn} noise level of 40 dBA for residential uses.

Table J-3
Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Vehicular Traffic	$70 < L_{10} \leq 73$	$73 < L_{10} \leq 76$	$76 < L_{10} \leq 78$	$78 < L_{10} \leq 80$	$80 < L_{10}$
Aircraft[A]	$65 < DNL \leq 68$	$68 < DNL \leq 71$	$71 < DNL \leq 73$	$73 < DNL \leq 75$	$75 < DNL$
Train	$65 < L_{dn} \leq 68$	$68 < L_{dn} \leq 71$	$71 < L_{dn} \leq 73$	$73 < L_{dn} \leq 75$	$75 < L_{dn}$
Attenuation[B]	(I) 28 dBA	(II) 31 dBA	(III) 33 dBA	(IV) 35 dBA	See note [C]

Notes:
[A] DNL descriptor based on average values of L_{dn} over a year period.
[B] The above composite window-wall attenuation values are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would be 5 dBA less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.
[C] The required attenuation value is the difference between L_{build} and $L_{interior}$, using the appropriate noise descriptor
Where:
L_{build} is the projected noise level under the build condition rounded up to the whole number
$L_{interior}$ is the designed interior noise level (45 dBA for vehicular noise, 40 dBA for aircraft and train noise)
Source: New York City Department of Environmental Protection.

D. EXISTING NOISE LEVELS

A total of 6 receptor locations adjacent to the Project Site were selected for evaluation of noise attenuation requirements. These locations are detailed below **in Table J-4** and shown in **Figure J-1**.

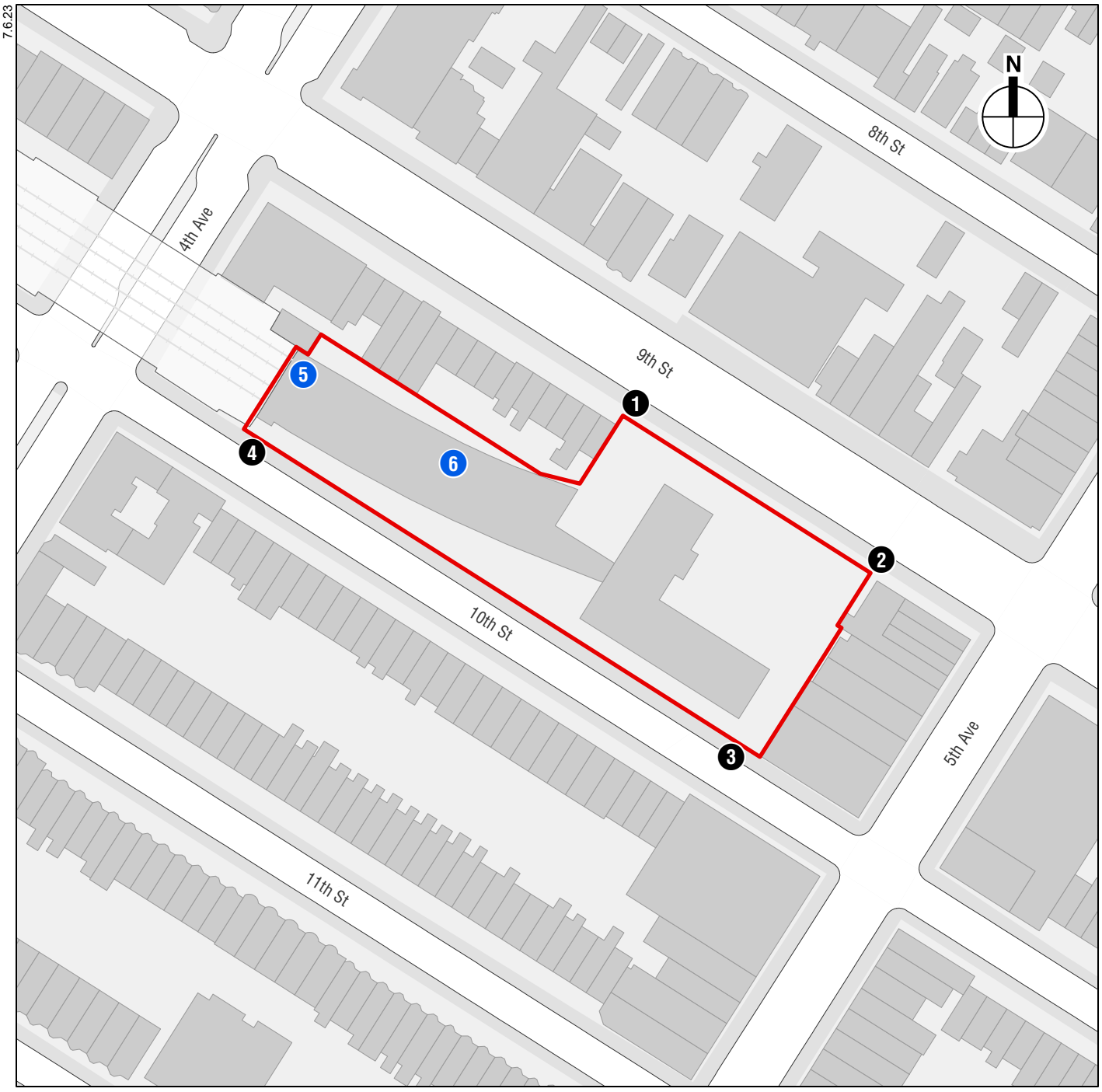
Table J-4
Proposed Noise Measurement Locations

Site	Location	Duration
1	9th Street midblock between 4th and 5th Avenues	20 minutes
2	9th Street at eastern edge of development site	20 minutes
3	10th Street at eastern edge of development site	20 minutes
4	10th Street at western edge of development site	20 minutes
5	On MTA cover above rail, at western edge of development site	24 hours
6	On MTA cover, approximately 145 ft from western edge of development site	60 minutes

At receptor sites 1 through 4 (where traffic is the dominant noise source) 20-minute spot noise measurements were conducted during the typical weekday AM (7:15 AM—9:15 AM), midday (12:00 PM—2:00 PM), PM (4:00 PM—6:00 PM), and Saturday (12:00 PM—2:00 PM) peak periods, approximately 5 feet above grade. At receptor site 5, a 24-hour continuous noise level measurement was conducted atop the MTA cover, approximately 35 feet above grade. At receptor site 6, a 60-minute spot noise measurement was conducted. Measurements at location 6 were conducted atop the MTA cover above the F and G rail lines, approximately 25 feet above grade. Measurements were conducted on November 5th and 9th, 2022, and May 10th and 11th, 2023.

EQUIPMENT USED DURING NOISE MONITORING

Measurements were performed using one Brüel & Kjær Sound Level Meter (SLM) Type 2250, two Brüel & Kjær SLM Type 2270, three Brüel & Kjær 1/2-inch microphone Type 4189, two Brüel & Kjær Sound Level Calibrators Type 4231, and a Larson Davis Type CAL200 calibrator. The SLMs have a valid laboratory calibration within 1 year, as is standard practice. The SLMs are Class 1 instruments according to ANSI Standard S1.4-1983 (R2006). The microphones were mounted on a tripod at a height of approximately 5 feet above the ground and was mounted at least approximately 5 feet away from any large reflecting surfaces. The SLMs were calibrated before and after readings with a Brüel & Kjær Type 4231 Sound Level Calibrator or a Larson Davis Type



Noise Receptor Locations

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Figure J-1

CAL200 calibrator using the appropriate adaptor. Measurements were made on the A-scale (dBA). The data were digitally recorded by the sound level meter and displayed at the end of the measurement period in units of dBA. Measured quantities included L_{eq}, L_1, L_{10}, L_{50}, L_{90}, and 1/3 octave band levels. A windscreen was used during all sound measurements except for calibration. All measurement procedures were based on the guidelines outlined in ANSI Standard S1.13-2005.

NOISE MEASUREMENT RESULTS

The results of the existing noise level measurements are summarized in **Tables J-5** and **J-6**.

Table J-5
Existing Noise Levels at Sites 1-4 (in dBA)

Receptor Site	Measurement Location	Time	L_{eq}	L_1	L_{10}	L_{50}	L_{90}
1	9th Street midblock between 4th and 5th Avenues	AM	65.1	76.0	67.9	61.1	55.2
		MD	63.6	73.1	66.8	60.2	55.1
		PM	63.0	70.6	66.1	60.4	55.0
		Sat.	62.7	72.4	66.0	59.8	55.1
2	9th Street at eastern edge of development site	AM	66.5	75.9	69.3	63.7	59.5
		MD	66.1	76.2	68.6	62.8	58.1
		PM	63.0	71.8	66.1	60.6	57.6
		Sat.	63.6	73.2	65.8	61.1	58.3
3	10th Street at eastern edge of development site	AM	61.2	72.5	63.4	57.2	53.2
		MD	58.9	68.6	61.2	54.9	53.1
		PM	58.9	68.9	62.5	55.3	52.0
		Sat.	59.7	69.0	62.5	57.2	55.0
4	10th Street at western edge of development site	AM	61.7	70.4	64.5	58.5	54.5
		MD	61.7	73.1	64.1	56.4	49.3
		PM	59.7	67.7	63.6	56.7	52.2
		Sat.	59.5	68.9	63.0	56.9	51.7

Note: Measurements were performed by AKRF, Inc. on November 5th and 9th, 2022.

For receptor sites 1 through 4, vehicular traffic on the adjacent and/or nearby roadways was the dominant noise source. Measured levels are relatively low to moderate and reflect the level of vehicular activity on the adjacent roadways. In terms of the CEQR criteria, the existing noise levels at Sites 1 and 2 are in the "marginally acceptable" category and the existing noise levels at Sites 3 and 4 are in the "acceptable" category.

Table J-6
Existing Noise Levels at Sites 5 and 6 (in dBA)

Receptor Site	Measurement Location	Measurement Duration	Measured L_{eq} at 9:00AM
5	On MTA cover above rail, at western edge of development site	24 Hours	66.5
6	On MTA cover, approximately 145 ft from western edge of development site	60 Minutes	55.1

Notes: Measurements conducted by AKRF, Inc. on November 9, 2022 and May 10 and 11, 2023.

For receptor sites 5 and 6, railway was the dominant noise source. Measured levels are moderate and reflect the level of rail activity. Data measured at the 24-hour measurement location (Receptor Site 5) was used in conjunction with the spot measurement (Receptor Site 6) to establish a 24-hour sound level profile at that measurement location. The L_{eq} levels at these locations, based on the measured and projected 24-hour sound level profiles, were used to retrieve the L_{dn} at each receptor site. The results are shown in **Table J-7**.

Table J-7
L_{dn} at Sites 5 and 6 (in dBA)

Receptor Site	Measurement Location	L_{dn}
5	On MTA cover above rail, at western edge of development site	70.4
6	On MTA cover, approximately 145 ft from western edge of development site	59.0
Note: Measurements conducted by AKRF, Inc. on November 9, 2022 and May 10 and 11, 2023.		

In terms of the CEQR criteria, the existing noise levels at Sites 5 and 6 are in the "marginally unacceptable" or "acceptable" category.

E. NOISE PREDICTION METHODOLOGY

GENERAL METHODOLOGY

Future noise levels (including in the future without the Proposed Actions and the future with the Proposed Actions) at the sites where traffic was the dominant source of noise (i.e., Sites 1 through 4) were conservatively estimated using a proportional modeling technique. The proportional modeling technique is an analysis methodology recommended for analysis purposes in the *CEQR Technical Manual*. The selected time periods are when the Proposed Actions would be expected to result in the maximum traffic generation, and therefore result in the maximum potential for significant adverse noise impacts. The proportional modeling used for the noise analysis is described below.

PROPORTIONAL MODELING

Proportional modeling was used to determine locations with the potential for having significant noise impacts. Proportional modeling is one of the techniques recommended in the *CEQR Technical Manual* for mobile source analysis.

Using this technique, the prediction of future noise levels where traffic is the dominant noise source is based on a calculation using measured existing noise levels and predicted changes in traffic volumes to determine No Action condition and With Action condition noise levels. Vehicular traffic volumes are converted into Noise Passenger Car Equivalent (Noise PCE) values, for which one medium-duty truck (having a gross weight between 9,900 and 26,400 pounds) is assumed to generate the noise equivalent of 13 cars, and one heavy-duty truck (having a gross weight of more than 26,400 pounds) is assumed to generate the noise equivalent of 47 cars, and one bus (vehicles designed to carry more than nine passengers) is assumed to generate the noise equivalent of 18 cars. Future noise levels are calculated using the following equation:

$F\ NL - E\ NL = 10 * \log_{10} (F\ PCE / E\ PCE)$

where:

F NL = Future Noise Level

E NL = Existing Noise Level

F PCE = Future Noise PCEs

E PCE = Existing Noise PCEs

Sound levels are measured in decibels and therefore increase logarithmically with sound source strength. In this case, the sound source is traffic volumes measured in Noise PCEs. For example, assume that traffic is the dominant noise source at a particular location. If the existing traffic volume on a street is 100 PCE and if the future traffic volume were increased by 50 PCE to a total

of 150 PCE, the noise level would increase by 1.8 dBA. Similarly, if the future traffic were increased by 100 PCE, or doubled to a total of 200 PCE, the noise level would increase by 3.0 dBA.

PLAYGROUND NOISE

The outdoor area above the tunnel structure on the western portion of the Project Site would be improved with private open space for residents, which, based on conceptual designs, would include a children's playscape. This playscape, being available only to the residents of the residential complex and having no regular programming, is unlikely to be used by as many children or used as frequently as a school playground. Further, since it is a private amenity for the residential complex and is under the control of the residential complex, its noise effects on the buildings within the residential complex (including the two buildings included in the Proposed Project and the existing residential building on the Project Site) could be handled as a matter of internal operations, and there would be an incentive for the management of the complex to avoid adverse noise effects on an ongoing basis. However, the potential noise effects of the playscape on adjacent residences outside the Project Site has been evaluated, using levels measured at school playgrounds as a very conservative representation of potential playscape noise.

At each of the off-site noise receptors having a direct line of sight to the proposed playscape, noise associated with the playscape was estimated using the Early Childhood playground boundary noise level (to conservatively represent children of any age using the playground) and any applicable noise level reduction due to distance.

Table J-8 shows measured maximum hourly playground boundary noise levels. These values are based upon measurements made at a series of New York City school playgrounds for the New York City School Construction Authority (SCA).[1]

Table J-8
Playground Boundary Noise $L_{eq(1)}$ Noise Levels (in dBA)

Early Childhood	Elementary Schools	Intermediate Schools	High Schools
71.5	71.4	71.0	68.2
Source: 2021 *CEQR Technical Manual*			

The noise associated with the potential playscape was estimated using the Early Childhood playground boundary noise level to conservatively represent children of any age using the playscape. At receptors with line of sight to the playscape, cumulative noise levels including contribution from traffic on adjacent roadways and playscape noise was calculated. Since the elevation of the playscape on top of the tunnel cover would be greater than that of the residences along the south side of 9th Street adjacent to the Project Site, these residences would not have line of sight to the playscape and therefore were not included in the playscape noise analysis. As such, the residential building at 275 9th Street represents the nearest noise receptor with potential to experience noise effects from the playscape.

F. THE FUTURE WITH THE PROPOSED ACTIONS

Using the methodology previously described, With Action condition noise levels were calculated at the four mobile source noise analysis. These With Action values are shown in **Table J-9**.

[1] SCA Playground Noise Study, AKRF, Inc., October 23, 1992.

Table J-9
With Action Condition Noise Levels (in dBA)

Receptor	Measurement Location	Time	Existing $L_{eq(1)}$	With Action $L_{eq\ (1)}$	$L_{eq(1)}$ Change	With Action $L_{10(1)}$[A]	L_{dn} (24h)
1	9th Street midblock between 4th and 5th Avenues	AM	65.1	65.3	0.2	68.1	N/A
		MD	63.6	63.6	0.0	66.8	N/A
		PM	63.0	63.1	0.1	66.2	N/A
		Sat.	62.7	62.8	0.1	66.0	N/A
1a[C]	275 9th Street	AM	65.1	65.8	0.7	68.6	N/A
		MD	63.6	64.4	0.8	67.5	N/A
		PM	63.0	63.9	0.9	67.0	N/A
		Sat.	62.7	63.7	0.9	66.9	N/A
2	9th Street at eastern edge of development site	AM	66.5	66.7	0.2	69.4	N/A
		MD	66.1	66.2	0.1	68.7	N/A
		PM	63.0	63.1	0.1	66.2	N/A
		Sat.	63.6	63.7	0.1	65.9	N/A
3	10th Street at eastern edge of development site	AM	61.2	61.3	0.1	63.6	N/A
		MD	58.9	59.3	0.4	61.6	N/A
		PM	58.9	59.1	0.2	62.7	N/A
		Sat.	59.7	60.0	0.3	62.8	N/A
4	10th Street at western edge of development site	AM	61.7	62.0	0.3	64.8	N/A
		MD	61.7	61.8	0.1	64.3	N/A
		PM	59.7	59.8	0.1	63.7	N/A
		Sat.	59.5	59.9	0.4	63.4	N/A
5[D,E]	On MTA cover above rail, at western edge of development site	24-hour	67.4	67.4	0.0	73.2	70.4[B]
6[D,E]	On MTA cover, approximately 145 ft from western edge of development site	24-hour	56.0	67.4	0.0	59.1	59.0[B]

Notes:
[A] Noise levels at all receptor locations were calculated by using proportional modeling.
[B] At these locations where the railway is the dominant source of noise, measured existing noise levels represent noise levels in the With-Action condition because the volume of rail activity would remain approximately constant.
[C] Noise levels at location 1a also include conservatively estimated playscape noise levels.
[D] L_{eq} and L_{10} values are based on the worst-case hourly noise levels within the 24-hour noise profile
[E] Four minute of atypical events (e.g., truck horn honking) excluded.

The maximum increase in $L_{eq(1)}$ noise levels for the With Action condition would be less than 3 dBA at all noise analysis receptors. Changes of this magnitude would be considered imperceptible and not significant according to *CEQR Technical Manual* noise impact criteria.

In terms of CEQR noise exposure guidelines, With Action condition noise levels at receptor locations 1 and 2 are categorized as "marginally acceptable," and receptor locations 3 and 4 are categorized as "acceptable."

G. NOISE ATTENUATION MEASURES

As shown in **Table J-3**, the *CEQR Technical Manual* has set noise attenuation values for buildings based on exterior noise levels. The Proposed Project would be built using standard construction methods. The building façade would be expected to provide composite window/wall attenuation such that interior noise levels would be in the acceptable range for residential, community facility, and/or commercial office uses. Furthermore, because the exterior $L_{10(1h)}$ noise levels at the Project Site as shown in **Table J-9** would be less than 70 dBA at Sites 1, 2, 3, and 4 the *CEQR Technical Manual* does not provide a specific requirement for the level of window/wall attenuation.

Based on the measured L_{10} and $L_{dn(24h)}$ noise level at Site 5, which represents the west façade of the proposed 10th Street Building, of 73.2 dBA and 70.4 dBA, respectively, a minimum of 31 dBA for residential and community facility uses (commercial office uses would require 26 dBA attenuation) window/wall attenuation would be required for the windows along the west façade of the proposed 10th Street Building, as well as 50 feet of the eastern lot line of Lot 1. An alternate means of ventilation is also required. The building attenuation requirements are shown in **Figure J-2**.

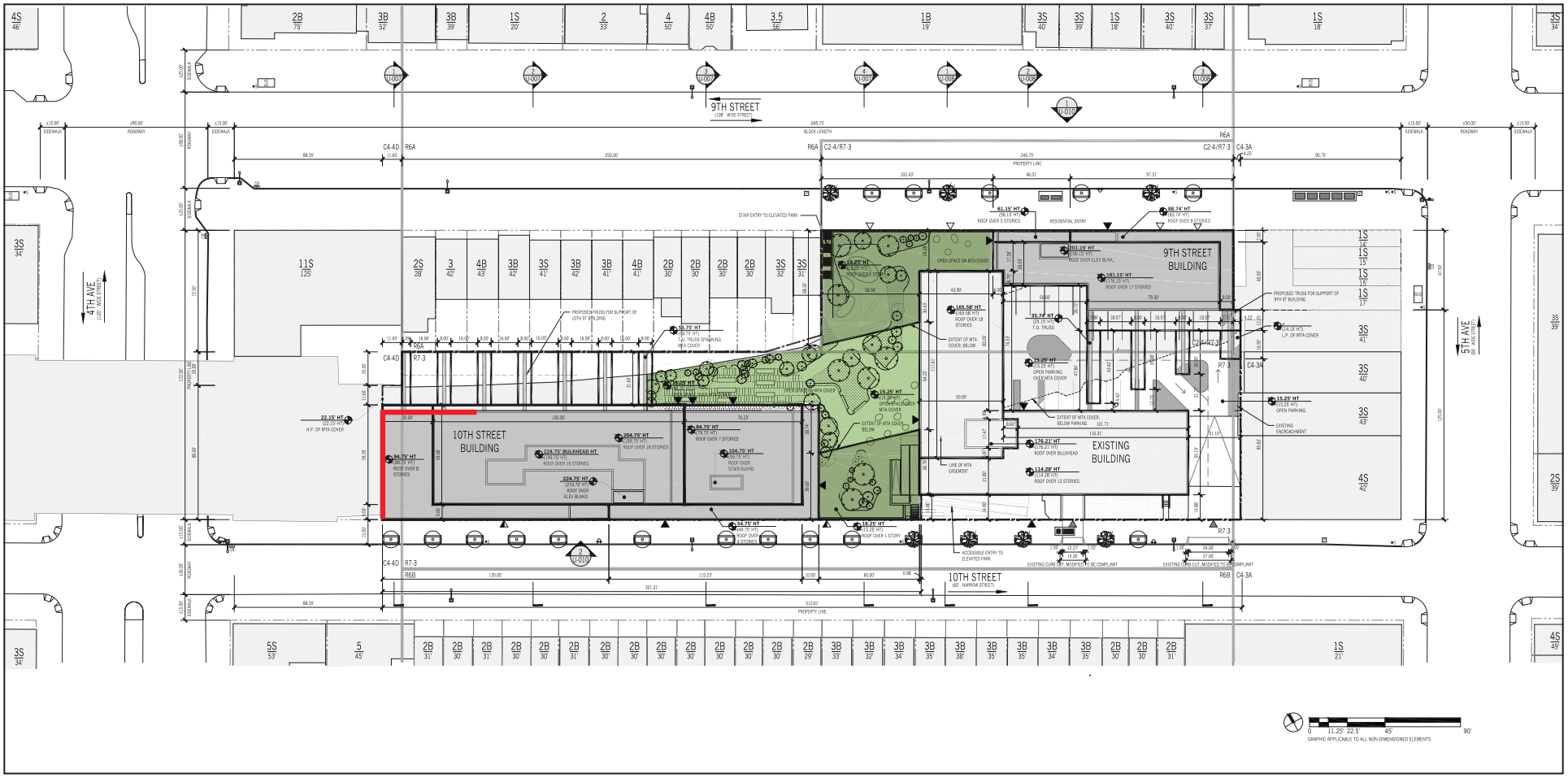
To require attenuation at this portion of the Proposed Project, an (E) Designation (E-730) for noise would be applied, specifying the appropriate amount of window/wall attenuation. The text of the (E) Designation would be as follows:

Block 1010, Lot 26

To ensure an acceptable interior noise environment, future residential/community facility uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on the facades facing 4th Avenue within 50 feet of eastern lot line of Block 1010, Lot 1 and the facades facing 9th Street within 50 feet of eastern lot line of Block 1010, Lot 1 to maintain an interior L_{10} noise level not greater than 45 dBA for community facility uses and interior L_{dn} noise level not greater than 40 dBA for residential uses as illustrated in the EAS. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

H. MECHANICAL SYSTEM

The building mechanical systems (i.e., heating, ventilation, and air conditioning systems) would be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code and the New York City Department of Buildings Code) and to avoid producing levels that would result in any significant increase in ambient noise levels. ✷



31 dBA Attenuation Required

Note: Window/wall attenuation requirements shown are for residential and community facility uses only; commercial office uses would require 5 dBA less attenuation. Attenuation requirements are not applied at retail uses or lobby, corridor, mechanical, or back-of-house areas.

Noise Attenuation Requirements

A. INTRODUCTION

This attachment summarizes the planned construction program for the Proposed Project and assesses the potential for significant adverse impacts during the construction period. The city, state, and federal regulations and policies that govern construction are described, followed by the anticipated construction schedule and the types of activities likely to occur during construction. As described below, construction of the Proposed Project may result in localized, temporary disruptions (as is the case with most construction activity). However, a variety of measures (e.g., noise control, air emissions control, traffic control plans, etc.) would be employed during construction to minimize the effects of construction. With the implementation of these measures, construction of the Proposed Project would not result in significant adverse impacts.

B. GOVERNMENTAL COORDINATION AND OVERSIGHT

Construction oversight involves several city, state, and federal agencies. **Table K-1** lists the primary involved agencies and their areas of responsibility. For projects in New York City, primary construction oversight lies with the New York City Department of Buildings (DOB), which ensures that construction projects meet the requirements of the New York City Building Code and that buildings are structurally, electrically, and mechanically safe. In addition, DOB enforces safety regulations to protect workers and the general public during construction: the areas of oversight include installation and operation of equipment such as cranes, sidewalk sheds, and safety netting and scaffolding. The New York City Department of Environmental Protection (DEP) enforces the New York City Noise Code, reviews and approves any needed Remedial Action Work Plans (RAWPs) and Construction Health and Safety Plans (CHASP), and regulates water disposal into the sewer system as well as abatement of hazardous materials. The City of New York Department of Sanitation (DSNY) has regulatory and enforcement oversight of the storage, transport, and disposal of asbestos waste. The New York City Fire Department (FDNY) has primary oversight of compliance with the New York City Fire Code and the installation of tanks containing flammable materials. The New York City Department of Transportation (DOT)'s Office of Construction Mitigation and Coordination (OCMC) reviews and approves any traffic lane and sidewalk closures. Coordination with the Metropolitan Transit Authority (MTA) is required for construction that would occur in close proximity to subway tunnels. The New York City Landmarks Preservation Commission (LPC) reviews any archaeological testing or monitoring that may be required. LPC also reviews and approves construction protection plans (CPPs) and any monitoring measures necessary to prevent damage to historic structures.

Table K-1
Construction Oversight in New York City

Agency	Areas of Responsibility
New York City	
Department of Buildings	Primary oversight for Building Code and site safety
Department of Environmental Protection	Noise, RAPs/CHASPs, dewatering, hazardous materials abatement
City of New York Department of Sanitation	Storage, transport, and disposal of asbestos waste
Fire Department	Compliance with Fire Code, fuel tank installation
Department of Transportation	Lane and sidewalk closures
Metropolitan Transportation Authority	Construction near tunnel structure
Landmarks Preservation Commission	Historic and archaeological resources
New York State	
Department of Labor	Asbestos Workers
Department of Environmental Conservation	Hazardous materials and fuel/chemical storage tanks
United States	
Environmental Protection Agency	Air emissions, noise, hazardous materials, poisons
Occupational Safety and Health Administration	Worker safety

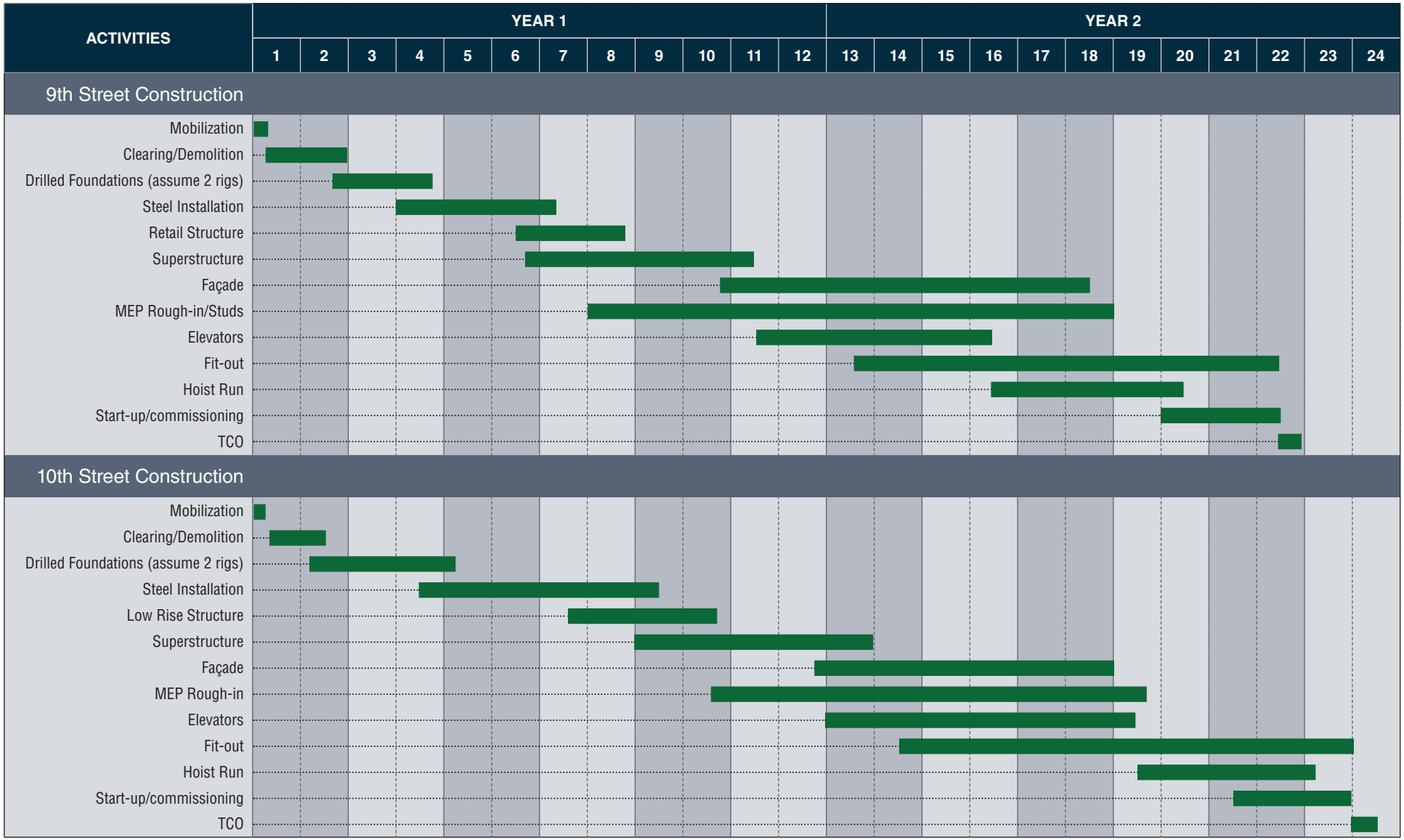
At the state level, the New York State Department of Labor (DOL) licenses asbestos workers. The New York State Department of Environmental Conservation (DEC) regulates disposal of hazardous materials, and construction and operation of bulk petroleum and chemical storage tanks. At the federal level, the U.S. Environmental Protection Agency (EPA) has wide-ranging authority over environmental matters, including air emissions, noise, hazardous materials, and the use of poisons, although much of the responsibility is delegated to the state level. The Occupational Safety and Health Administration (OSHA) sets standards for work site safety and construction equipment.

C. CONSTRUCTION SCHEDULE AND ACTIVITIES

As described in Page 1a, "Project Description," the Proposed Actions would facilitate the development of two new mixed-use buildings along the 9th Street and 10th Street frontages of the Project Site. The new building on 9th Street (the "9th Street Building") would include an approximately 88,042 gsf 17-story structure with retail space and a residential lobby on the ground floor, and dwelling units above. The new building on 10th Street (the "10th Street Building") would include an approximately 194,732 gsf 19-structure with community facility space and a residential lobby on the ground floor, residential amenity space on the second floor, and dwelling units above. The location of each building on opposite ends of the 69,029-sf Project Site allows them to be constructed simultaneously as if they were two separate projects.

Construction for each of the proposed buildings would consist of the following primary construction stages: demolition; excavation and foundation; superstructure; exteriors; and interiors and finishing. As shown in **Figure K-1**, construction of the 9th Street Building and 10th Street Building is expected occur concurrently, and the overall construction duration for the Proposed Project is anticipated to be under 24 months. Therefore, construction of the Proposed Project is considered to be short-term (i.e., less than 2 years) in accordance with the 2021 *City Environmental Quality Review (CEQR) Technical Manual*. The short-term construction duration is possible due to minimal demolition, excavation, prefabrication of key building components, thoughtfully sequenced construction, simplified heating, ventilation, and air conditioning (HVAC) systems, and modular design principals. The currently vacant sites do not require typical ground-

9.7.23



Conceptual Construction Schedule

Figure K-1

up excavation and foundations. Instead, the proposed buildings would be supported by drilled caisson piles and prefabricated steel trusses to lift each building above the MTA tunnel. Two drilling rigs per building (one rig at the street and the other at the rear of building) would allow the prefabricated trusses to be picked into place sequentially—even while pile drilling continues down the site. The structural system would then transition to a cast-in-place concrete superstructure with repetitive floors to quickly top out each building. An all-electric HVAC design utilizing electric packaged terminal air conditioners (PTACs) simplifies mechanical, electric, and plumbing (MEP) scope by reducing need for gas and refrigerant risers. Modular design for façade and apartment interiors further accelerates construction.

Construction activities for the Proposed Project would normally take place between 7:00 AM and 6:00 PM on weekdays, although the delivery or installation of certain critical equipment could occur on weekend days. The permitted hours of construction are regulated DOB and apply to all areas of the City.

D. MEASURES TO REDUCE CONSTRUCTION EFFECTS

Construction intensity for the proposed buildings would be less than typical building construction projects in New York City because of the limited excavation/foundation work, which is generally the most intense construction activities in terms of air pollutant and noise emissions due to the largest number of large non-road diesel equipment such as excavators, pile drivers, loaders that would be employed during those times. The proximity to the MTA tunnel requires the use of drilled piles that are less disruptive to the surrounding neighborhood. Off-site pre-fabrication of elements like steel trusses will further reduce construction intensity.

As is typical for construction projects in New York City, temporary curb-lane and/or sidewalk closures or narrowing may be required. Maintenance and Protection of Traffic (MPT) plans would be developed for such instances and the approval of these plans and implementation of the closures would be coordinated with DOT's OCMC.

During construction of the Proposed Project, all necessary measures would be implemented to ensure adherence to the New York City Air Pollution Control Code to minimize construction-related air and dust emissions. Measures would be taken to reduce air pollutant emissions during construction under the Proposed Actions in accordance with all applicable laws, regulations, and building codes. These required measures would include dust suppression measures as specified in the DEP Construction Dust Rules and truck idling restrictions. In addition, to further reduce air emissions during construction, newer and cleaner equipment (i.e., equipment meeting at least the U.S. Environmental Protection Agency's [EPA] Tier 3 emission standard) would be used.

Construction under the Proposed Actions would be required to follow the requirements of the *New York City Noise Control Code* (also known as Chapter 24 of the *Administrative Code of the City of New York,* or Local Law 113) for construction noise control measures. In terms of source controls (i.e., reducing noise levels at the source or during the most sensitive time periods), the following measures would be implemented in accordance with the *New York City Noise Control Code:*

- Equipment that meets the sound level standards specified in Subchapter 5 of the *New York City Noise Control Code* would be utilized from the start of construction.
- As early in the construction period as logistics would allow, diesel- or gas-powered equipment would be replaced with electrical-powered equipment such as welders, water pumps, bench saws, and table saws (i.e., early electrification) to the extent feasible and practicable. Where

electrical equipment cannot be used, diesel or gas-powered generators and pumps would be located within buildings to the extent feasible and practicable.

- Where feasible and practicable, construction sites would be configured to minimize back-up alarm noise. In addition, all trucks would not be allowed to idle more than 3 minutes at the construction site based upon Title 24, Chapter 1, Subchapter 7, Section 24-163 of the New York City Administrative Code.
- Contractors and subcontractors would be required to properly maintain their equipment and mufflers.

In terms of path controls (e.g., placement of equipment, implementation of barriers or enclosures between equipment and sensitive receptors), the following measures for construction would be implemented:

- Where logistics allow, noisy equipment, such as cranes, concrete pumps, concrete trucks, and delivery trucks, would be located away from and shielded from sensitive receptor locations.
- Noise barriers constructed from plywood or other materials would be utilized to provide shielding (e.g., the construction sites would have a minimum 8-foot-tall barrier around the perimeter).
- As necessary to comply with DEP's *Rules for Citywide Construction Noise Mitigation,*[1] path noise control measures (i.e., portable noise barriers, panels, enclosures, and acoustical tents) would be implemented for certain dominant noise-producing equipment to the extent feasible and practical. The details to construct portable noise barriers, enclosures, tents, etc. are shown in DEP's *Rules for Citywide Construction Noise Mitigation*.

Overall, the duration and severity of potential construction effects would be short-term and adverse effects associated with the proposed construction activities would be minimized through implementation of the measures described above. Accordingly, the Proposed Project would not result in significant adverse impacts during construction, and no further analysis is required. ✷

[1] As found at http://www.nyc.gov/html/dep/pdf/noise_constr_rule.pdf

Appendix A
Historic and Cultural Resources

Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

Project number: LA-CEQR-K (DEPARTMENT OF CITY PLANNING)
Project: 341 10 STREET REZONING
Address: 288 9 STREET BBL: 3010100026
Date Received: 8/19/2022

[X**] No archaeological significance**

Gina Santucci

8/24/2022

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 36575_FSO_DNP_08242022.docx

Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / PRE-CEQR-K
Project: 341 10 STREET
Date Received: 12/2/2022

Properties with no Architectural significance:
1) 249 9 STREET, BBL: 3010040001

Comments: The LPC is in receipt of a request for evaluation for St. Thomas Aquinas Church at the above address. The property is within the study area for the proposed 341 10th St. Rezoning. LPC has not yet received a formal EAS so comments regarding architectural significance only are restricted to this property only at this time.

Gina Santucci

12/2/2022

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 36766_FSO_GS_12022022.docx