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

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

Part I: GENERAL INFORMATION

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

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

2. *Project Name* 347 Flushing Avenue

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
24DCP111K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
240275ZMK N240276ZRK	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY NYC Department of City Planning			NAME OF APPLICANT Flushing Condo Holdings, LLC		
NAME OF LEAD AGENCY CONTACT PERSON Stephanie Shellooe			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Motty Levy		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 266 Broadway, Suite 301		
CITY New York	STATE NY	ZIP 10271	CITY Brooklyn	STATE NY	ZIP 11211
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE (718) 599-1105 x255	EMAIL motty@empirebrooklyn.com	

5. *Project Description*

Flushing Condo Holdings, LLC ("Applicant") is seeking a zoning map amendment (M1-2 to M1-5 and R7-1/C2-4) of Block 2260, Lots 35 and 7501 ("Rezoning Area") in the Williamsburg neighborhood of Brooklyn Community District 1 (CD 1); and a zoning text amendment pursuant to Appendix F (the "Proposed Actions"), to facilitate the development of an approximately 236,380 gross square feet (gsf) commercial and community facility building with a lower parking requirement and allow an existing residential development to be in conformance with NYC zoning regulations. The proposed M1-5 zoning district would reduce the 313 parking space requirement for the proposed as-of-right eight-story commercial and community facility building on Block 2260, Lot 35 (the "Project Site"). The rezoning of Lot 7501 from M1-2 to R7-1/C2-4 would allow the existing residential development to be in conformance with NYC zoning regulations.

The Proposed Actions would facilitate an approximately 12,890 gsf reduction in parking, an approximately 58,361 gsf reduction in community facility space, and an approximately 71,251 gsf increase in commercial to an existing 236,380 gsf mixed-use building. As a result of the Proposed Actions, the Project Site would total approximately 35,457 gsf for 86 on-site parking spaces in the cellar, approximately 27,013 gsf of supermarket on the ground floor, approximately 80,847 gsf of commercial retail on floors 1-3, approximately 26,901 gsf of community facility (medical office) use on the 4th floor, and approximately 66,163 gsf of commercial office on floors 5-8. The total building area would remain 236,380 gsf.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 1	STREET ADDRESS 347 Flushing Avenue and 760 Kent Avenue
TAX BLOCK(S) AND LOT(S) Block 2260; Lots 35 and 7501		ZIP CODE 11205

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Project Site is generally bounded by Classon Avenue and Brooklyn Queens Expressway to the west, Wallabout Street to the north, Kent Avenue to the east, and Flushing Avenue to the south.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-2	ZONING SECTIONAL MAP NUMBER 12d

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

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

☐ CITY MAP AMENDMENT ☐ ZONING CERTIFICATION ☐ CONCESSION
☒ ZONING MAP AMENDMENT ☐ ZONING AUTHORIZATION ☐ UDAAP
☒ ZONING TEXT AMENDMENT ☐ ACQUISITION—REAL PROPERTY ☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY ☐ DISPOSITION—REAL PROPERTY ☐ FRANCHISE
☐ HOUSING PLAN & PROJECT ☐ OTHER, explain:
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO
☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO ☐ 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:

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

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

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

Physical Setting (both developed and undeveloped areas)
Total directly affected area (sq. ft.): 36,675 Waterbody area (sq. ft) and type:
Roads, buildings, and other paved surfaces (sq. ft.): 36,675 Other, describe (sq. ft.):

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)
SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 236,380.1
NUMBER OF BUILDINGS: 1 GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 236,380.1
HEIGHT OF EACH BUILDING (ft.): 112'-11" NUMBER OF STORIES OF EACH BUILDING: 8

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: 27,883
The total square feet not owned or controlled by the applicant: 8,792

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

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

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	0	174,022	26,900.90	
Type (*e.g.,* retail, office, school)	0 units	Supermarket, Retail, Office	Medical Office	

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

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 0 NUMBER OF ADDITIONAL WORKERS: 120

Provide a brief explanation of how these numbers were determined: Worker Multiplier Source: DCP, Gowanus Neighborhood Rezoning (CEQR #19DCP157K) - It was assumed that the project would produce 1 office worker for every 250 square feet of office use, 1 retail worker for every 875 square feet of destination retail use, 1 per 333 square feet of local retail, and 1 per 450 square feet of medial office use.
No-Action Condition: 380 workers, With-Action Condition: 500 workers

Does the proposed project create new open space? ☒ YES ☐ NO If "yes," specify size of project-created open space: 7,305.5 sq. ft.

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

If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2024

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: Less than 24 months.

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: The construction of the Proposed Project would occur in a single phase over a less than two-year period.

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

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

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(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. See Appendix A		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **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)	☐	☒
○ **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)	☐	☒
○ **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)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the 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?	☐	☒
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		

	YES	NO
(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.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☐	☒
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed 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: Two Underground Storage Tanks (USTs) on site	☒	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed?	☒	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(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 generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 28,083		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 51,219,861.6		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail, 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, or 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) See Figure E-1	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☐	☒
(b) Would the proposed project introduce new or additional receptors (see Section 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?	☐	☒
(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?	☐	☒
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;	☐	☒

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

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	DATE
Kovid Saxena (Sam Schwartz Engineering, D.P.C.)	03/26/2024

SIGNATURE Kovid Saxena

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

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

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

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

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

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

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

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

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

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

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

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

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

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

Reasons Supporting this Determination

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

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

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

Attachment A: Project Description

I. INTRODUCTION

Flushing Condo Holdings LLC (the “Applicant”) is seeking a zoning map amendment (M1-2 to M1-5 and R7-1/C2-4) of Block 2260, Lots 35 and 7501 (the "Rezoning Area") in the Williamsburg neighborhood of Brooklyn Community District 1 (CD 1); and a zoning text amendment pursuant to Appendix F to establish a Mandatory Inclusionary Housing (MIH) area (the "Proposed Actions"), to facilitate an approximately 12,890 gross square feet (gsf) reduction in parking, an approximately 58,361 gsf reduction in community facility space, and an approximately 71,251 gsf increase in commercial use to an existing 236,380 gsf mixed-use building. The proposed M1-5 zoning district would reduce the 313 parking-space requirement for the proposed as-of-right eight-story commercial and community facility building on Block 2260, Lot 35 (the “Project Site”). The rezoning of Lot 7501 from M1-2 to R7-1/C2-4, would allow the existing residential development to be in conformance with NYC zoning regulations.

As a result of the Proposed Actions, the Project Site would total approximately 35,456.9 gsf for 86 attended parking spaces in the cellar, approximately 27,013.2 gsf of supermarket on the ground floor, approximately 80,846 of commercial retail on floors 1-3, approximately 26,900.9 gsf of community facility use on the 4th floor, and approximately 66,162.52 gsf of commercial office on floors 5-8. Recreational space of approximately 7,305.5 gsf would be provided on the roof of the 4th floor. The total building area would remain 236,380 gsf (“Proposed Project”). The Proposed Actions are subject to environmental review pursuant to the State Environmental Quality Review Act (SEQRA) and in conformance with City Environmental Quality Review (CEQR) guidelines and procedures. This attachment establishes the analytical framework for the technical analyses in this Environmental Assessment Statement (EAS). The NYC Department of City Planning (DCP) is the lead agency for this environmental review.

II. DESCRIPTION OF THE SURROUNDING AREA

The Project Site is located in an industrial area within Brooklyn CD 1, which encompasses the neighborhoods of Greenpoint and Williamsburg. The Project Site is generally bounded by Classon Avenue and the Brooklyn Queens Expressway to the west, Wallabout Street to the north, Kent Avenue to the east, and Flushing Avenue to the south (**Figure A-1: Site Location Map**). The surrounding area consists of light manufacturing, warehousing, and office and mixed-use residential developments (**Figure A-3: Land Use Map**). Public transit includes bus routes near the Project Site including the B57 (Gowanus – Maspeth), B48 (Greenpoint – Prospect-Lefferts Gardens) and B62 (Downtown Brooklyn – Long Island City) routes. The G train line can be accessed at the Flushing Avenue Station, 0.6 miles east of the Project Site.

Existing land uses within a 400-foot radius of the Project Site consists primarily of light manufacturing, office, and mixed commercial and residential uses (**Figure A-3: Land Use Map)**, reflective of the M1-2 and R7-1 zoning districts with C1-5 and C2-4 commercial overlays mapped in the neighborhood (**Figure A-4: Zoning Map**). Industrial uses in the Study Area includes a gas station, warehouses, storage, distribution services, and auto repair facilities. In addition, there are two public open spaces within the Study Area.

III. DESCRIPTION OF THE PROPOSED PROJECT AREA/PROJECT SITE

The Project Site is located on Block 2260, Lot 35 (p/k/a Lots 30, 31, 32, 35, and 43) (**Figure A-2: Tax Lot Map**), with a lot area of approximately 27,883 square feet (sf). The Project Site has 323 feet of street frontage on Flushing Avenue and 110 feet of street frontage on Classon Avenue.

Lot 7501, which is part of the Rezoning Area, is constructed in its entirety and has approximately 8,792 gsf of lot area with 88' of street frontage on Flushing Avenue and 125' street frontage on Kent Avenue. There are five six-story residential buildings with a total of 33 dwelling units (DUs) and eight parking spaces permitted under BSA variance.

The Project Site is located within an M1-2 zoning district (**Figure A-4: Zoning Map**). M1-2 districts are light manufacturing districts with mainly two to four-story industrial buildings, with a maximum allowable Floor Area Ratio (FAR) of 2.0 (4.8 for community facility use). Parking requirements include one space per 300 sf.

IV. DESCRIPTION OF THE PROPOSED PROJECT

The Proposed Project is comprised of an eight-story approximately 236,380 commercial and community facility building with approximately 35,456 gsf for 86 attended parking spaces in the cellar, approximately 27,013.2 gsf of supermarket on the ground floor, approximately 80,846 of commercial retail on floors 1-3, approximately 26,900.9 gsf of community facility use on the fourth floor, and approximately 66,162.52 gsf of commercial office on floors 5-8. The proposed M1-5 zoning district would eliminate the 313 parking spaces on the Project Site that is currently required under the existing M1-2 zoning district.

V. ACTION(S) NECESSARY TO FACILITATE THE PROJECT

The Applicant requests approval of the following discretionary actions subject to CEQR:

- Zoning Map Amendment to rezone Lot 35 from M1-2 to M1-5 and rezone Lot 7501 from M1-2 to R7-1/C2-4.
- Zoning Text Amendment to add a new MIH area coterminous with the R7-1/C2-4 Rezoning Area.

The proposed M1-5 zoning district would eliminate the required 313 parking spaces for the proposed as-of-right eight-story approximately 236,380 gross square feet (gsf) commercial and community facility building on Block 2260, Lot 35 ("Proposed Project").

VI. ANALYSIS YEAR

The Proposed Project would be operational and available for occupancy in 2024.

VII. PURPOSE AND NEED OF THE PROPOSED ACTIONS

Under the existing M1-2 zoning district, the Proposed Project would need to provide 313 parking spaces. The Proposed Action to rezone the Project Site to a M1-5 zoning district would eliminate the parking space requirement and allow for reduced parking and commensurately increased floor area for more productive commercial uses. Additionally, the rezoning of Lot 7501 from M1-2 to R7-1/C2-4 would allow the existing residential building, described in Section 3, to conform to underlying zoning requirements.

VIII. KNOWN DEVELOPMENTS WITHIN THE PROJECT VICINTY

Based on active building permits in the area, no known, ongoing, or proposed developments were identified within 400 feet of the Project Site within anticipated completion dates in or prior to the 2024 build year.

IX. NO-ACTION CONDITION

Absent the Proposed Actions (the "No-Action condition"), the as-of-right development would comprise of approximately 26,379 gsf of supermarket, approximately 70,174 gsf of retail space, approximately 6,217.4 gsf of commercial office space, and approximately 85,262.2 gsf of medical office use along with 313 parking spaces as required under the existing M1-2 zoning district.

X. WITH-ACTION CONDITION

In the future with the Proposed Actions (the "With-Action condition"), the Project Site would comprise an eight-story, approximately 236,380 commercial and community facility building with approximately 35,456 gsf for 86 attended parking spaces in the cellar, approximately 27,013.2 gsf of supermarket on the ground floor, approximately 80,846 of commercial retail on floors 1-3, approximately 26,900.9 gsf of community facility use on the 4th floor, and approximately 66,162.52 gsf of commercial office on floors 5-8.

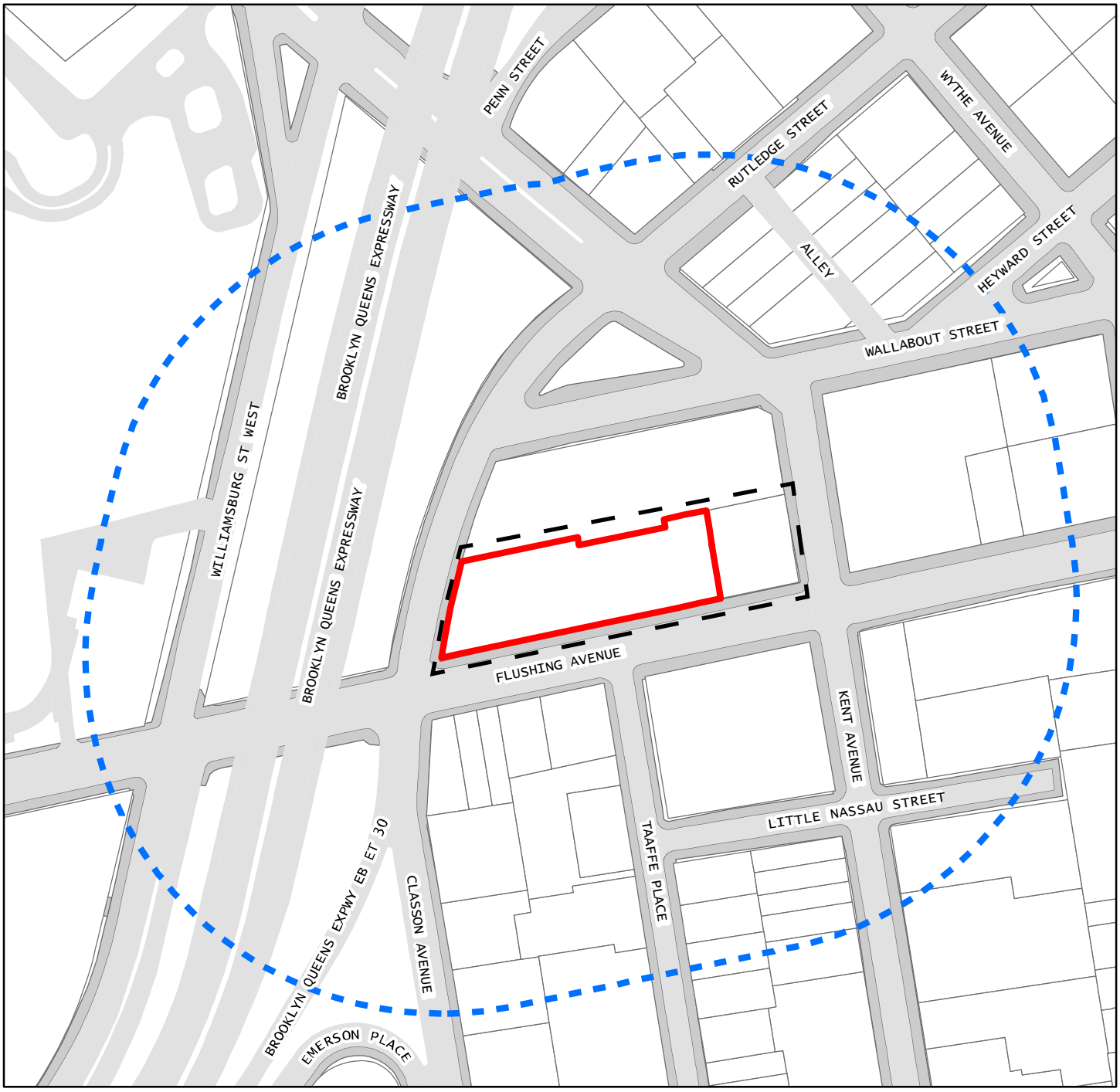
XI. REASONABLE WORST CASE DEVELOPMENT SCENARIO (RWCDS)

The RWCDS establishes the appropriate framework for analysis to allow the lead agency to make reasonable conclusions regarding the likely environmental effects resulting from a Proposed Project. The RWCDS focuses on the incremental potential development that would be permitted on the Project Site between the No-Action and With-Action conditions.

The RWCDS incremental development would consist of a net increase of approximately 634.2 gsf of supermarket use, approximately 10,672 gsf increase in retail use, and approximately 59,945.12 gsf increase in commercial office use from the No-Action Condition. A net decrease of approximately 58,361.3 of community facility (medical office) use and approximately 12,890.02 gsf of parking use from the No-Action Condition can be seen in the RWCDS table below **(Table A-1).**

Table A-1: Increment between No-Action and With-Action Conditions

Land Use	Existing Conditions (gsf)	No-Action Condition (gsf)	With-Action Condition (gsf)	Increment (gsf)
Commercial: Supermarket	0	26,379	27,013.2	634.2
Commercial: Retail	0	70,174	80,846.55	10,672
Commercial: Office	0	6,217.4	66,162.52	59,945.12
Community Facility: Medical Office	0	85,262.2	26,900.9	-58,361.3
Parking	0	48,347	35,456.9	-12,890.02
(no. of accessory spaces)	*0*	*313*	*0*	*-313*
(no. of public spaces)		*0*	*86*	*86*
Total (gsf)	**0**	**236,380.1**	**236,380.1**	**0**



Source: 2023 PLUTO, DCP

0 115 230 460 Feet

Project Site

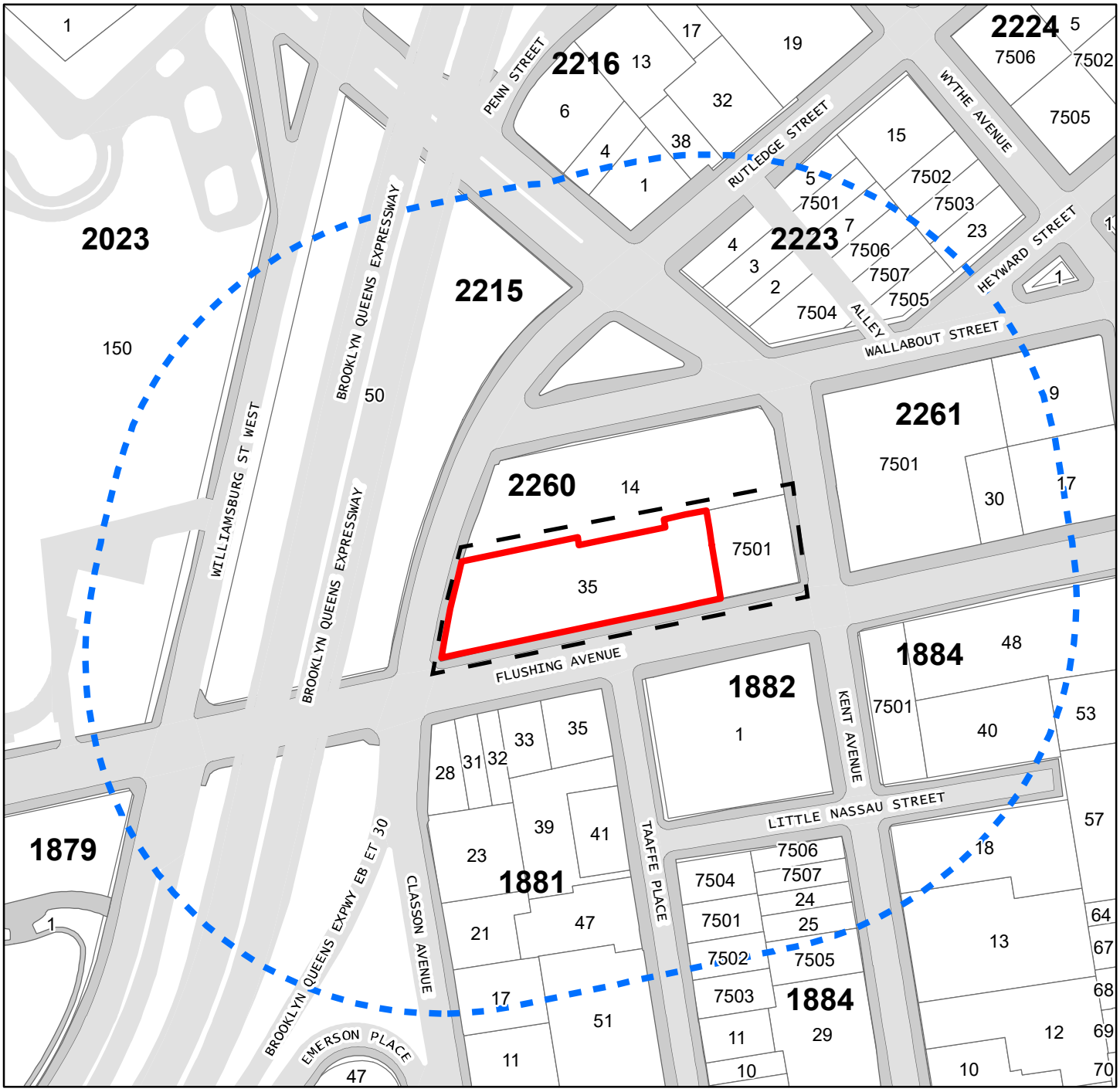
Rezoning Area

400-foot Boundary

SITE LOCATION MAP

Figure A-1

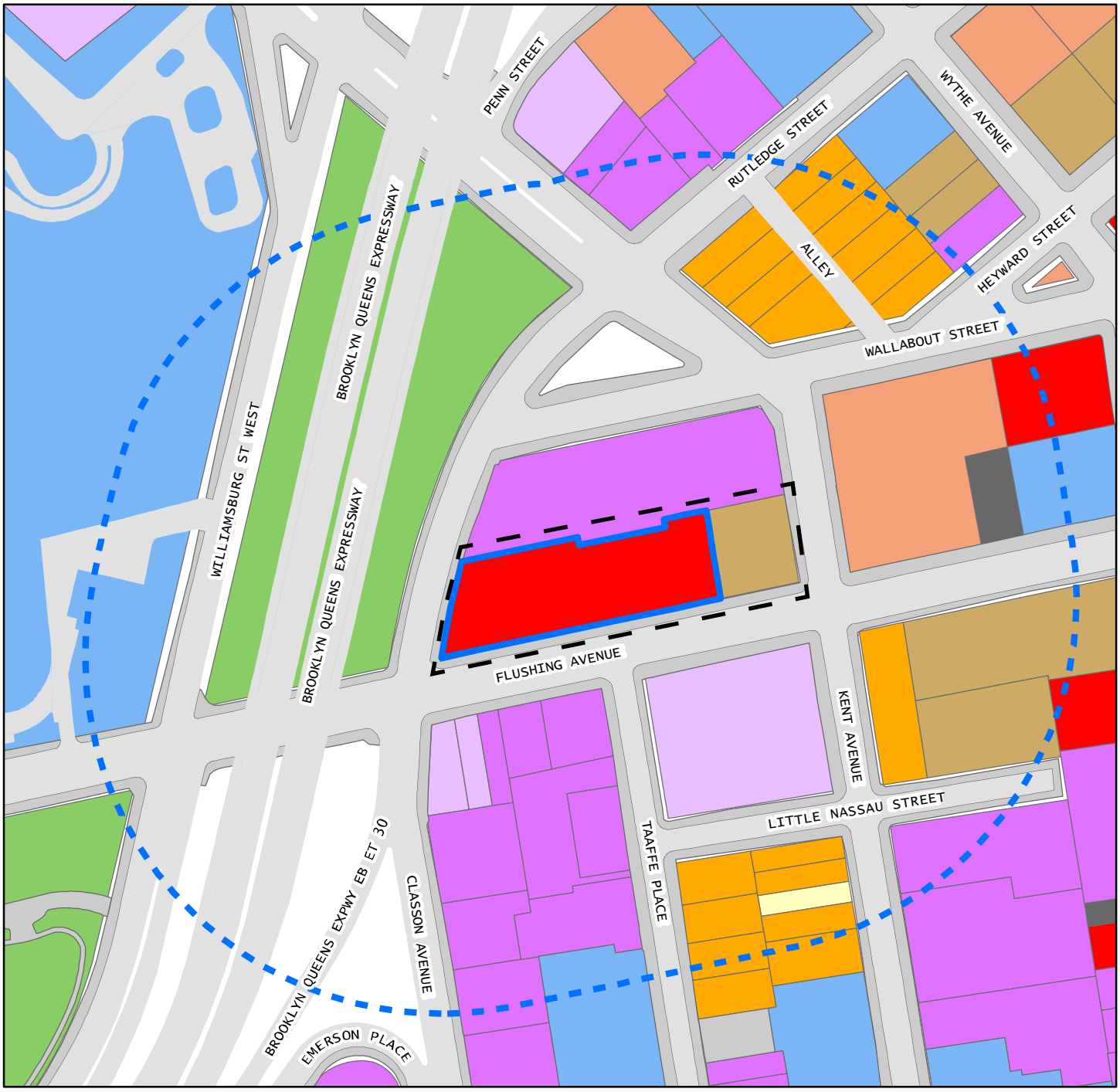
347 Flushing Avenue EAS



TAX MAP

Figure A-2

347 Flushing Avenue EAS



Source: 2023 PLUTO, DCP

Project Site

400-Foot Boundary

Rezoning Area

0 115 230 460 Feet

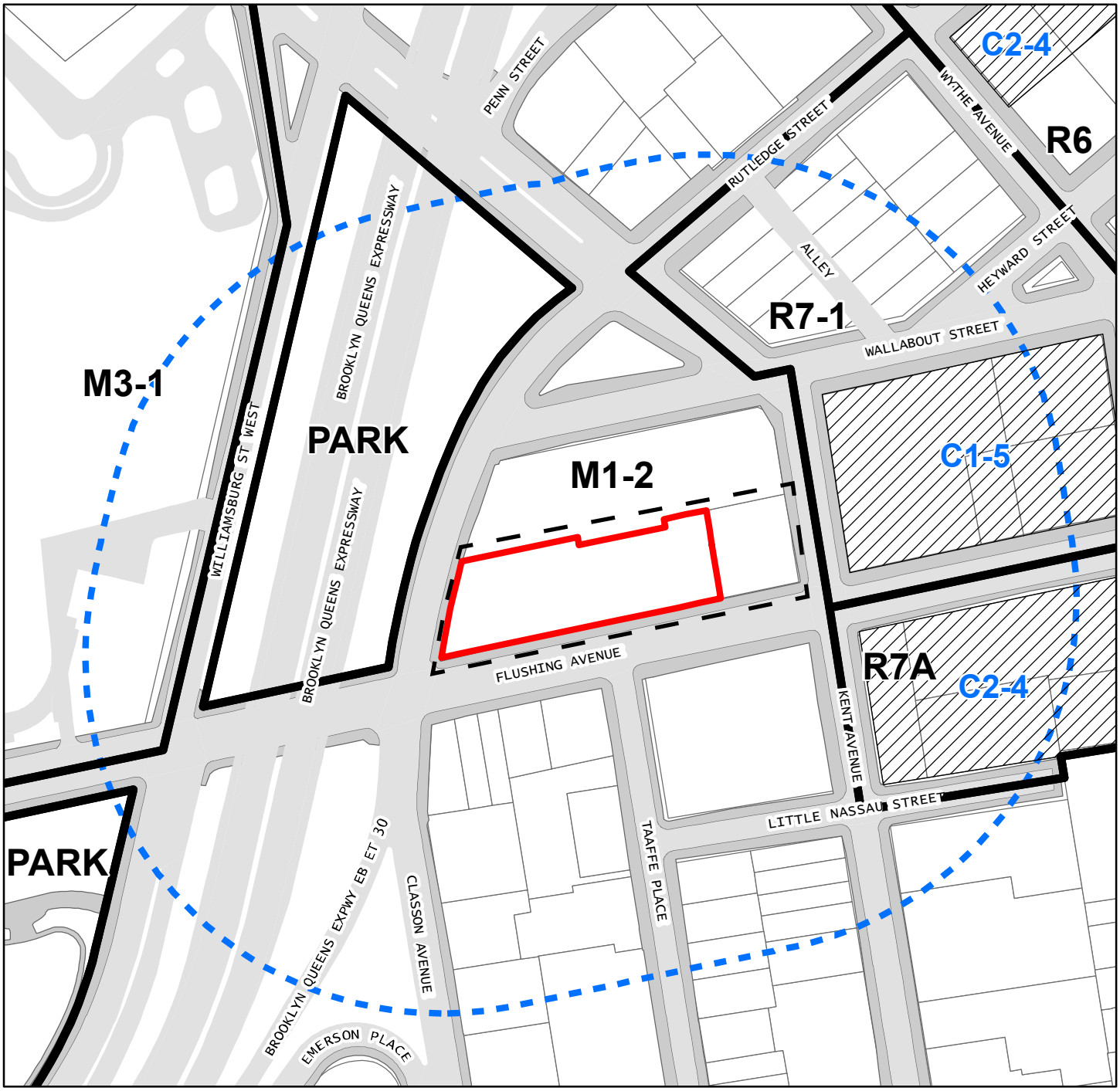
Land use

- One and Two Family Buildings
- Multi-Family Walk-Up Buildings
- Multi-Family Elevator Buildings
- Mixed Residential & Commercial Buildings
- Commercial and Office Buildings
- Industrial and Manufacturing
- Transportation & Utility
- Public Facilities
- Open Space & Outdoor Recreation
- Parking Facilities
- Vacant Land

LAND USE MAP

Figure A-3

347 Flushing Avenue EAS



Source: 2023 PLUTO, DCP

0 115 230 460 Feet

Project Site

400-foot Boundary

Zoning Districts

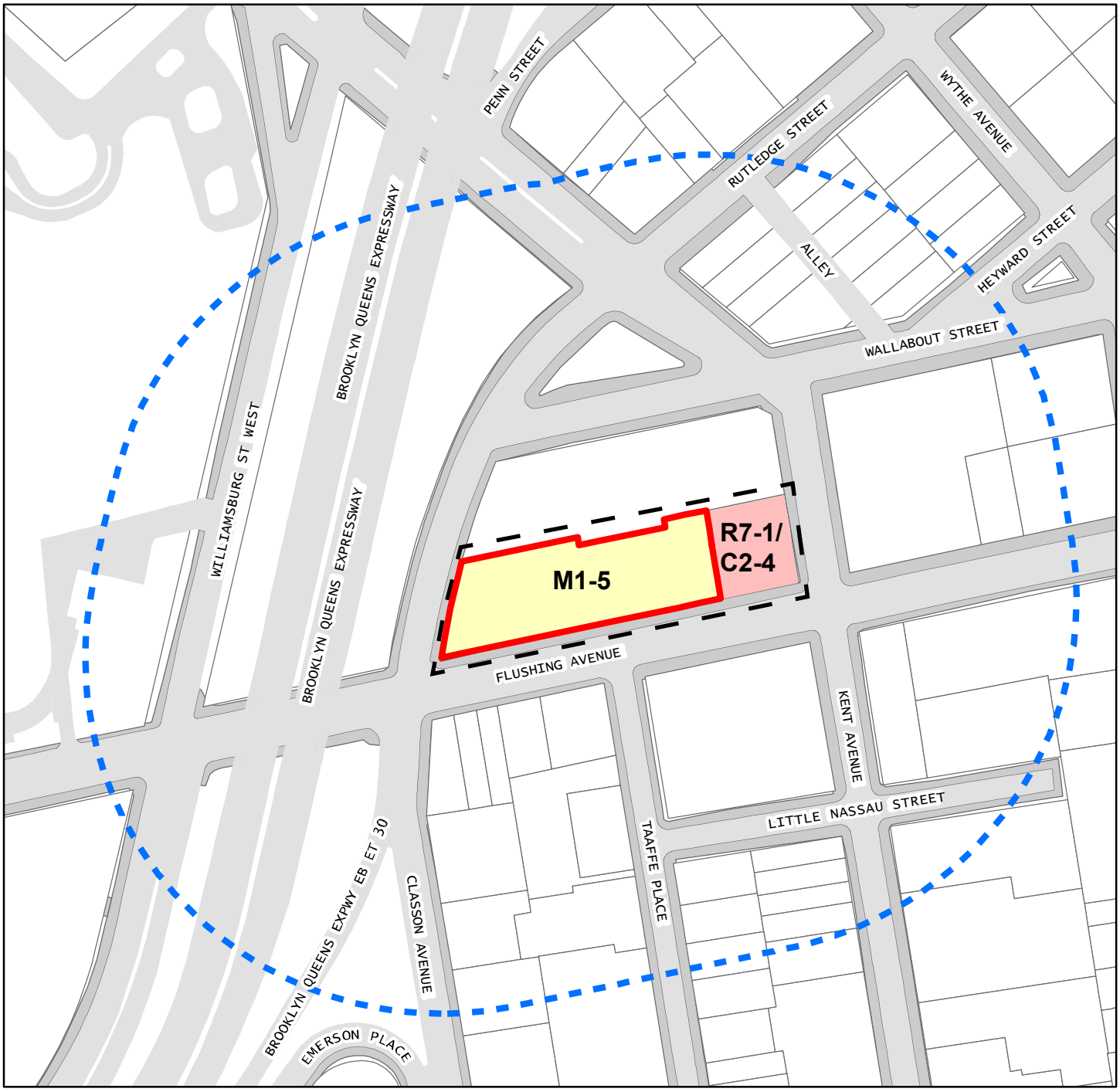
Commercial Overlay Districts

Rezoning Area

EXISTING ZONING MAP

Figure A-4

347 Flushing Avenue EAS



Source: 2023 PLUTO, DCP

0 115 230 460 Feet

Project Site

400-foot Boundary

Block 2260, Lot 7501

Block 2260, Lot 35 (Proposed Project)

Rezoning Area

PROPOSED ZONING MAP

Figure A-5

347 Flushing Avenue EAS



0 115 230 460 Feet

Project Site

400-foot Boundary

Keyed Photograph

Rezoning Area

AERIAL MAP

Figure A-6

347 Flushing Avenue EAS

Photograph 1: *View looking east along Flushing Avenue*



Photograph 2: *View looking west along Flushing Avenue*



Note: Site photos taken July 2023

Figure A-6: Keyed Photographs

Photograph 3: *View looking north along Classon Avenue*



Photograph 4: *View looking south along Classon Avenue*



Figure A-6: Keyed Photographs

Photograph 5: *View looking north along Kent Avenue*



Photograph 6: *View looking south along Kent Avenue*



Figure A-6: Keyed Photographs

Attachment B: Land Use, Zoning, and Public Policy

I. INTRODUCTION

This attachment assesses the potential for significant adverse impacts of the Proposed Project on land use, zoning, and public policy. As described in Section 210 of Chapter 4 of the *City Environmental Quality Review (CEQR) Technical Manual*, the land use, zoning, and public policy assessment evaluates the uses and development trends in the area and considers whether a proposed project is compatible with those conditions or may affect them. Similarly, the assessment considers the project's conformance to, and effect on, the area's zoning and other applicable public policies.

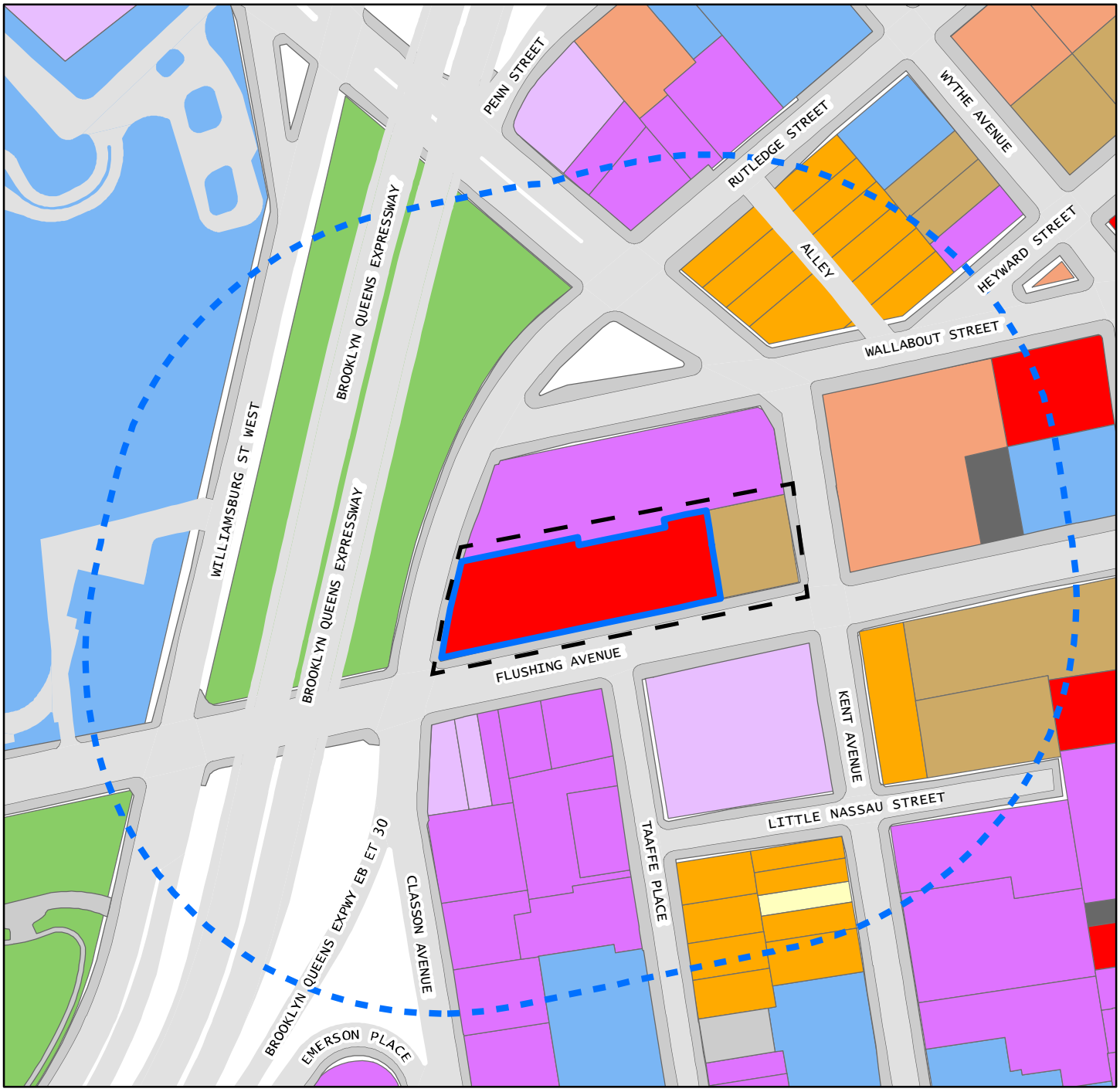
As described in Attachment A, "Project Description," the Proposed Actions would facilitate an approximately 12,890 gross square feet (gsf) reduction in parking, an approximately 58,361 gsf reduction in community facility space, and an approximately 71,251 gsf increase in commercial use to an existing 236,380 gsf mixed-use building on the Project Site (Block 2260, Lot 35). As a result of the Proposed Actions, the Project Site would total approximately 35,456.9 gsf for 86 attended parking spaces in the cellar, approximately 27,013.2 gsf of supermarket on the ground floor, approximately 80,846 of commercial retail on floors 1-3, approximately 26,900.9 gsf of community facility use on the 4th floor, and approximately 66,162.52 gsf of commercial office on floors 5-8. Recreational space of approximately 7,305.5 gsf would be provided on the roof of the 4th floor ("Proposed Project").

CEQR guidelines require that a land use, zoning, and public policy assessment be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project's anticipated effects. This assessment describes existing, future (2024) No-Action and future (2024) With-Action conditions related to land use, zoning, and public policy for the Project Site and for an area within 400 feet of the Project Site (the "Study Area"). Changes in land use and zoning that would occur between the No-Action and With-Action conditions are disclosed.

II. METHODOLOGY

Existing land uses were identified through the NYC Zoning and Land Use (ZoLa) database and PLUTO™ 23v1 shapefiles. NYC Zoning Maps and the Zoning Resolution (ZR) of the City of New York were consulted to describe existing zoning districts in the land use Study Area, which provided the basis for the identification of future No-Action and With-Action conditions. Research was conducted to identify relevant public policies recognized by the NYC Department of City Planning (DCP) and other city agencies.

The appropriate Study Area for land use and zoning is related to the type and size of the proposed project and the location and neighborhood context of the area that could be affected by the proposed project. The impact of the Proposed Actions on land use, zoning, and public policy are addressed for a land use Study Area that extends approximately 400 feet from the boundary of the Project Site and encompasses the area most likely to experience indirect impacts due to the Proposed Project.



Source: 2023 PLUTO, DCP

Project Site

400-Foot Boundary

Rezoning Area

0 115 230 460 Feet

Land use

- One and Two Family Buildings
- Multi-Family Walk-Up Buildings
- Multi-Family Elevator Buildings
- Mixed Residential & Commercial Buildings
- Commercial and Office Buildings
- Industrial and Manufacturing
- Transportation & Utility
- Public Facilities
- Open Space & Outdoor Recreation
- Parking Facilities
- Vacant Land

LAND USE MAP

Figure B-1

347 Flushing Avenue EAS

III. EXISTING CONDITION

Land Use

Project Site

The Project Site is located on Block 2260, Lot 35 (previously known as Lots 30, 31, 32, 35, and 43) (**Figure A-2: Tax Lot Map**), with a lot area of approximately 27,883 square feet (sf). The Project Site has 323 feet of street frontage on Flushing Avenue and 110 feet of street frontage on Classon Avenue.

Lot 7501, which is part of the Rezoning Area, is constructed in its entirety and has approximately 8,792 gsf of lot area with 88' of street frontage on Flushing Avenue and 125' of street frontage on Kent Avenue. Lot 7501 makes up five six-story residential buildings with a total of 33 dwelling units and eight parking spaces.

Study Area

The Study Area extends 400-feet on all sides of the Project Site encompassing portions of the Brooklyn Queens Expressway (BQE) to the west, Kent Avenue, Taaffe Place, Classon Avenue, Wallabout Street, and Rutledge Street. Existing land uses within the 400-foot radius Study Area include, industrial and manufacturing uses, transportation & utility, public facilities, multi-family walk-ups, multi-family elevator buildings, mixed residential and commercial buildings, and commercial and office buildings. One vacant site exists in the Study Area one block east on Flushing Avenue. Yeled V'Yalda Torah Day Care and Viznitz School for Girls is one block east of the site along Franklin Avenue and three open spaces exist within the 400-foot radius including Classon Triangle and Classon Playground to the North and Steuben Playground to the southwest, across the BQE. On the western end of the Study Area is the Naval Cemetery Memorial Park on the eastern most end of the Brooklyn Navy Yard Special Purpose District (**Figure B-1: land Use Map**).

Zoning

Project Site

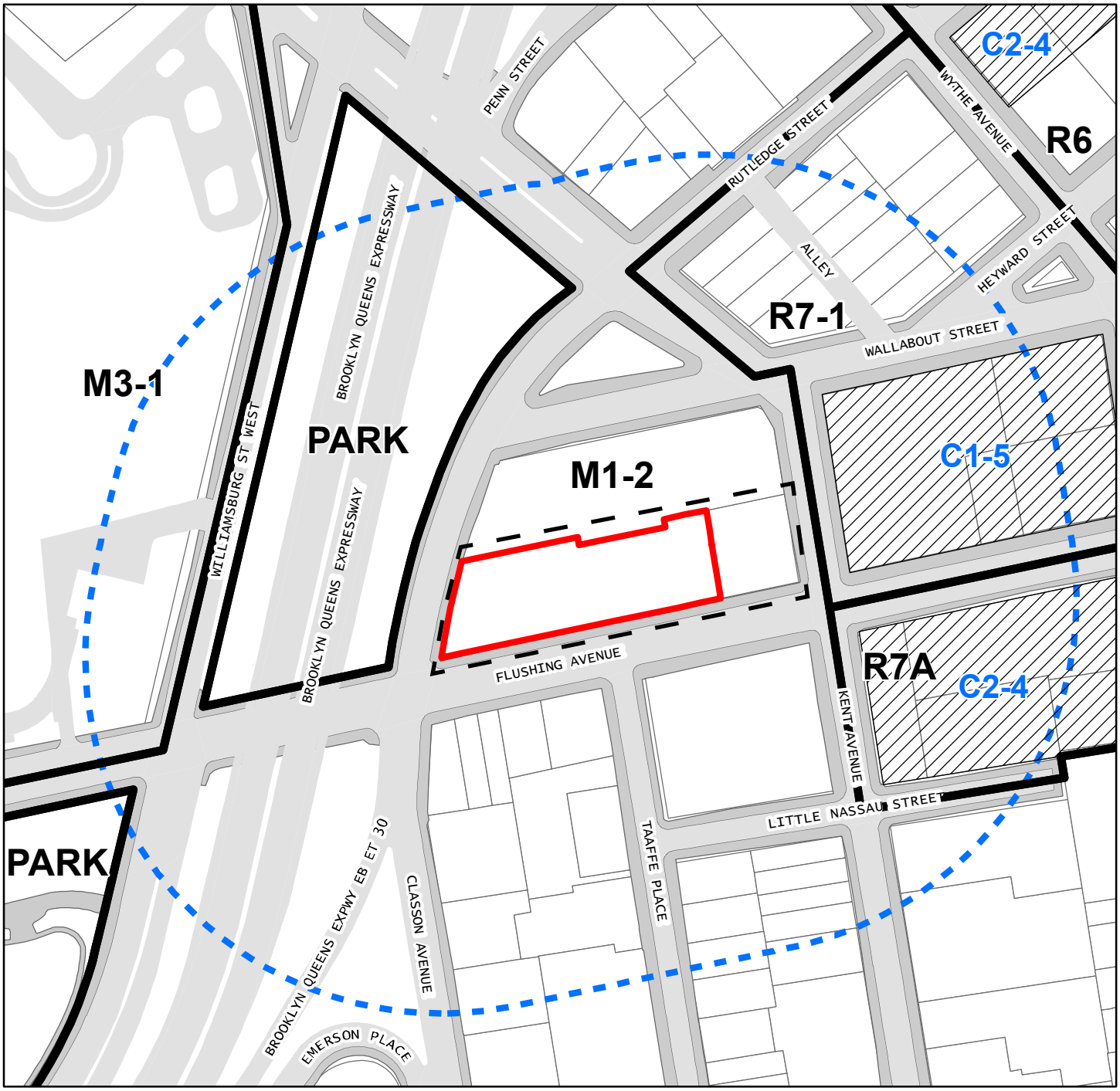
The Project Site is mapped with an M1-2 zoning designation (**Figure B-2 Existing Zoning Map**). M1-2 districts are light manufacturing districts with mainly two to four-story industrial buildings, with a maximum allowable Floor Area Ratio (FAR) of 2.0 (4.8 for community facility use). Parking requirements include one space per 300 sf. Under height factor regulations, building height and setback are governed by a sky exposure plane, which begins 60 feet above the street line.

Study Area

In addition to the M1-2 zoning, the Study Area also includes R7-1/C1-5 to the east of the Affected Area, as well as a site in the south-east of the Study Area zoned R7A/C2-4 with MIH overlay (option 1, option 2, and workforce option). To the west of the Affected Area, the Study Area also includes an M3-1 district.

The allowed floor area (FAR) in R7 districts ranges from 0.87-3.44. The open space ratio (OSR) ranges from 15.5 to 25.5. Under height factor regulations, building height and setback are governed by a sky exposure plane, which begins 60 feet above the street line. R7A districts, which are subject to the contextual Quality Housing regulations, has an allowed maximum floor area (FAR) of 4.0 (4.6 in an inclusionary housing district).

M3 districts are designated for large scale industrial operations that generate noise, traffic, or pollutants. Typically located near the waterfront, M3 districts typically include power plants, waste transfer facilities, and fuel supply depots. The M3 district contained in the western portion of the Study Area is the eastern most end of the Brooklyn Navy Yard special purpose district and contains no active industrial operations.



Source: 2023 PLUTO, DCP

0 115 230 460 Feet

Project Site

400-foot Boundary

Zoning Districts

Commercial Overlay Districts

Rezoning Area

EXISTING ZONING MAP

Figure B-2

347 Flushing Avenue EAS

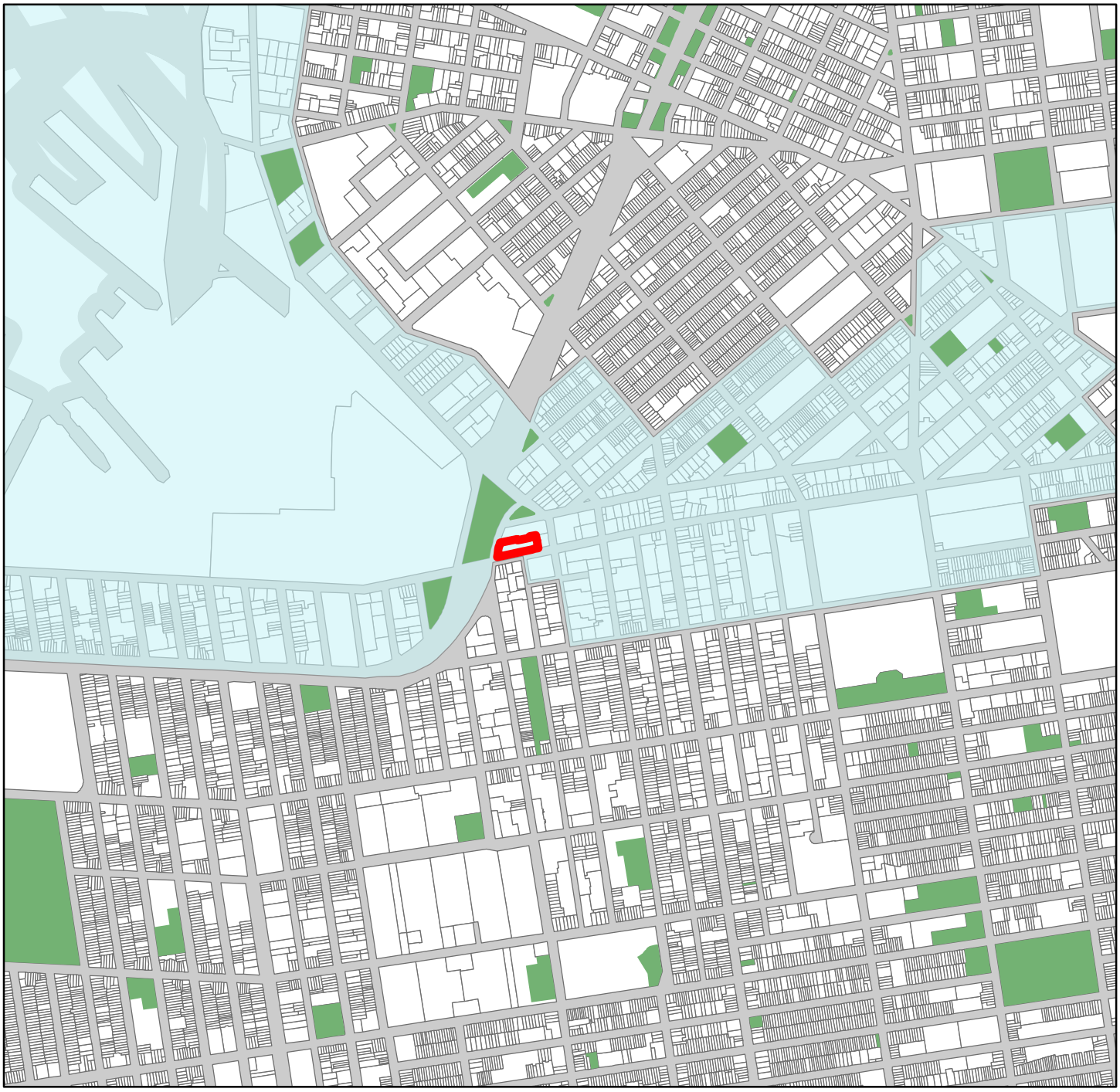
Public Policy

The Project Site area also falls inside the NYC Coastal Zone Boundary within a Federal Emergency Management Agency (FEMA) 0.2% annual change flood plain, and, consequently, is subject to the City's Waterfront Revitalization Program. Neither the Project Site nor land use Study Area are governed by a 197-a Plan.

Waterfront Revitalization Program

The NYC Waterfront Revitalization Program (WRP) is the City's principal Coastal Zone management tool and establishes a broad range of public policies for the City's coastal areas. The guiding principle of the WRP is to maximize the benefits derived from economic development, environmental conservation, and public use of the waterfront, while minimizing the conflicts among these objectives. The WRP was originally adopted by the City of New York in 1982, revised in 2002, and revised once more in 2016. A local waterfront revitalization program, such as NYC's, is subject to approval by the New York State Department of State with the concurrence of the United States Department of Commerce pursuant to applicable state and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the Federal Coastal Zone Management Act. All proposed actions subject to CEQR, Uniform Land Use Review Procedure, or other local, state, or federal agency discretionary actions that are situated within NYC's designated Coastal Zone must be reviewed and assessed for their consistency with the WRP. The Project Site is located within the City's designated Coastal Zone **(B-3 Coastal Zone Boundary Map)**.

Additionally, the WRP sets forth five types of special area designations included in the City's Coastal Zone, such that if a project is located adjacent to or within a special area designation it is subject to conformance with the priority policies associated. These types include Special Natural Waterfront Areas (SNWAs), Significant Maritime and Industrial Areas (SMIAs), the Arthur Kill Ecologically Sensitive Maritime and Industrial Area (ESMIA), Priority Marine Activity Zones (PMAZ), and Recognized Ecological Complexes (RECs). The Brooklyn Navy Yard SMIA is located west of the Project Site but outside the Study Area.



Source: 2023 PLUTO, DCP

0 800 1,600 3,200 Feet

Project Site

NYC Coastal Zone Boundary

COASTAL ZONE BOUNARY MAP

Figure B-3

347 Flushing Ave EAS

IV. FUTURE WITHOUT PROPOSED ACTIONS (NO-ACTION CONDITION)

Land Use

Without the Proposed Actions in place, the Project Site would continue to be developed as-of-right under the existing M1-2 zoning designation with the same proposed land uses.

Project Site

Absent the Proposed Actions (the "No Action condition"), the as-of-right development would comprise of approximately 26,379 gsf of supermarket, approximately 70,174 gsf of retail space, approximately 6,217.4 gsf of commercial office space, and approximately 85,262.2 gsf of medical office use along with approximately 48,347 gsf of parking for 313 parking spaces as required under the existing M1-2 zoning district for a total square footage of 236,380, the same total gsf as the Proposed Project. Lot 7501 would continue as zoning non-conforming.

Study Area

Based on active building permits in the area, no known, ongoing, or proposed developments were identified within 400 feet of the Project Site within anticipated completion dates in or prior to the 2024 build year.

Absent the Proposed Actions, land uses and zoning designations in the Study Area would remain unchanged. Since the Study Area is substantially built-out with manufacturing and residential uses under current zoning, land use patterns would remain unchanged in Study Area. Consequently, the Proposed Actions would not result in a significant adverse impact on land use since it would not affect land uses or development trends in the Study Area.

Zoning

In the No-Action condition, no changes to zoning are expected to occur on the Project Site or in the Study Area. The Project Site would remain in its current M1-2 zoning designation.

Public Policy

Without the Proposed Actions, no changes to zoning or public policy are expected to occur in the Rezoning Area or in the Study Area.

V. FUTURE WITH PROPOSED ACTIONS (WITH-ACTION CONDITION)

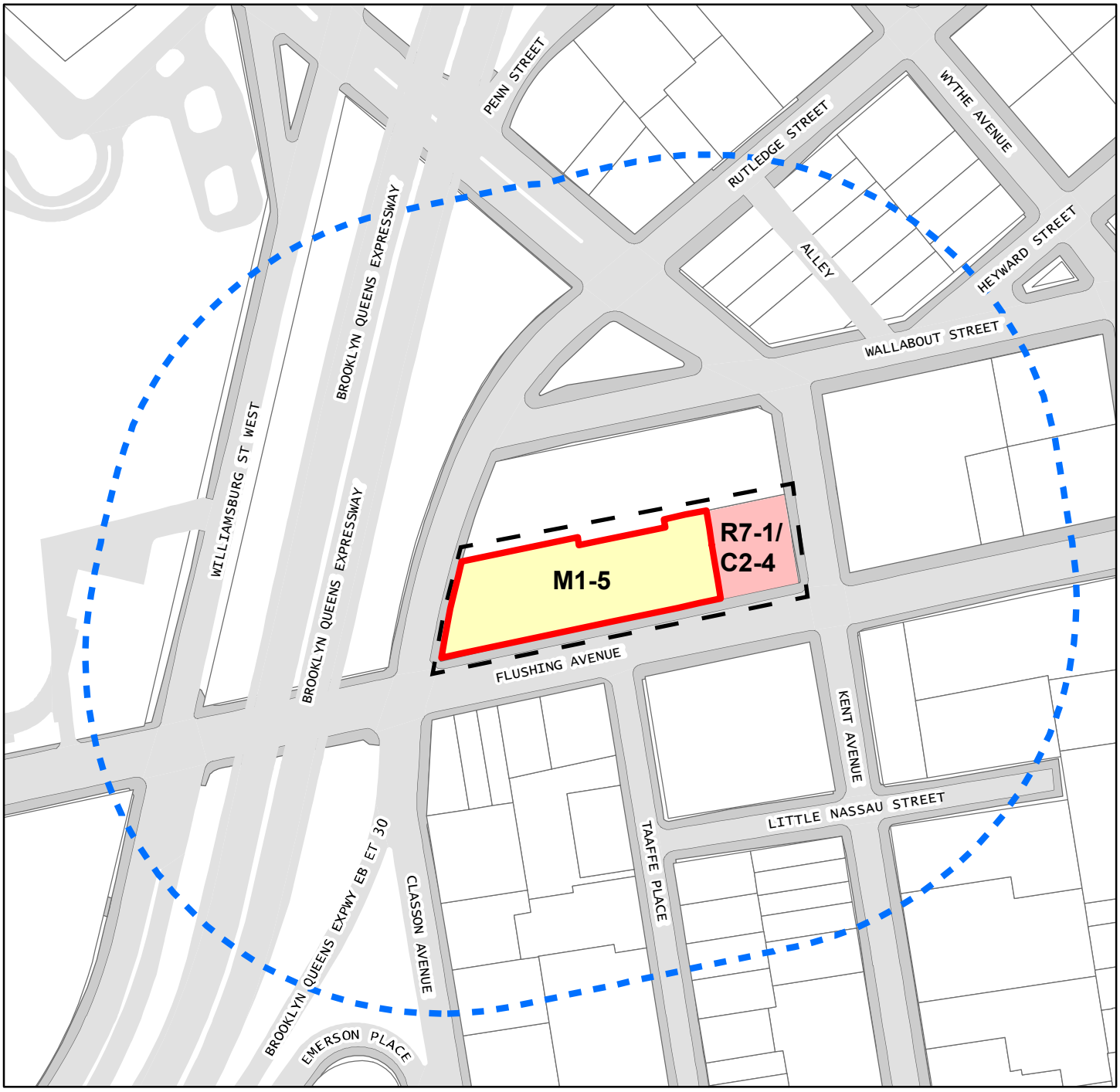
Land Use

Project Site

As described in Attachment A, "Project Description," in the future with the Proposed Actions, the Rezoning Area would be rezoned from M1-2 to M1-5 (Block 2260, Lot 35) and M1-2 to R7-1/C2-4 with MIH (Block 2260, Lot 7501) **(Figure B-4 Proposed Zoning Map)**. The Proposed Project would result in the redevelopment of an approximately 236,380 gross square feet (gsf) building on the Project Site (Block 2260, Lot 35), resulting in approximately 26,901 gsf of community facility space, approximately 174,022 gsf of commercial use comprised of retail, supermarket and office space, and approximately 35,456.9 gsf of 86 attended parking spaces. (**Table B-1: Increment Between No-Action and With-Action Conditions**). The land use of Lot 7501 would remain unchanged as a result of the Proposed Actions.

Table B-1: Increment between No-Action and With-Action Conditions

Land Use	Existing Condition (gsf)	No-Action Condition (gsf)	With-Action Condition (gsf)	Increment (gsf)
Commercial: Supermarket	0	26,379	27,013.2	634.2
Commercial: Retail	0	70,174	80,846.55	10,672
Commercial: Office	0	6,217.4	66,162.52	59,945.12
Community Facility: Medical Office	0	85,262.2	26,900.9	-58,361.3
Parking:	0	48,347	35,456.9	-12,890.1
(no. of accessory spaces)	*0*	*313*	*0*	*-313*
(no. of public spaces)		*0*	*86*	*86*
Total (gsf)	**0**	**236,380.1**	**236,380.1**	**0**



Source: 2023 PLUTO, DCP

0 115 230 460 Feet

Project Site

400-foot Boundary

Block 2260, Lot 7501

Block 2260, Lot 35 (Proposed Project)

Rezoning Area

PROPOSED ZONING MAP

Figure B-4

347 Flushing Avenue EAS

Study Area

Since the Study Area is substantially built-out with manufacturing and residential uses under current zoning, land use patterns would remain unchanged in the Study Area as compared to the No-Action condition. Consequently, the Proposed Actions would not result in a significant adverse impact on land use since it would not affect land uses or development trends in the Study Area.

Zoning

As described in Attachment A, "Project Description," in the future with the Proposed Project, the Project Site would be rezoned from M1-2 to M1-5 (Block 2260, Lot 35) and M1-2 to R7-1/C2-4 with MIH (Block 2260, Lot 7501).

The Project Site is located within an M1-2 zoning district (**Figure B-2: Existing Zoning Map**). M1-2 districts are light manufacturing districts with mainly two to four-story industrial buildings, with a maximum allowable Floor Area Ratio (FAR) of 2.0 (4.8 for community facility use). Parking requirements include one space per 300 sf. The proposed M1-5 district has a maximum allowed FAR of 5.0 (6.5 for community facility use). Compared to the existing zoning, the proposed M1-5 district for Lot 35 would eliminate the parking space requirements and allow for more substantive use of the building floor area. Under height factor regulations, building height and setback are governed by a sky exposure plane, which begins 60 feet above the street line in the existing M1-2 district and 85 feet above the street line in the proposed M1-5 district.

The proposed zoning change for Lot 7501 would change the existing M1-2 zoning to R7-1/C2-4 with MIH. R7 districts have an allowed floor area (FAR) ranging from 0.87-3.44 and an allowed open space ratio (OSR) ranging from 15.5 to 25.5. Under height factor regulations, building height and setback are governed by a sky exposure plane, which begins 60 feet above the street line. C2 commercial overlays are usually mapped within residential districts typically for local retail and service uses within a mixed-use building. Commercial uses are limited to the ground floor and typically include neighborhood grocery stores, restaurants, and beauty parlors. C2 overlays allow for a commercial FAR of 2.0. This zoning change on Lot 7501 would bring it to a conforming use.

Public Policy

WRP Consistency Assessment

The Project Site is located within a FEMA 0.2% annual change floodplain with sections of the Study Area (measured by a 400-foot radius from the Project Site) containing 1% floodplain **(Figure: B-3 Coastal Zone Boundary Map).** Because of these qualifying conditions, a WRP Consistency Assessment Form was completed and attached to measure the project's consistency with WRP policies and goals pursuant to Chapter 4 of Title 62 of the Rules of the City of New York **(Appendix A: WRP Form)**.

The WRP Consistency Assessment Form identifies whether the Proposed Project would "promote" or "hinder" relevant policies and provides a written assessment to determine consistency with each applicable WRP policy. This section provides additional information for policies that the Proposed Project would promote. No WRP policies would be hindered by the Proposed Project.

Policy 1.1: Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.

The Proposed Actions consists of zoning map and text amendments to facilitate the Proposed Project. The Applicant is seeking a zoning map amendment to rezone the Project Site from the existing M1-2 district to an M1-5 district on (Block 2260, Lot 35). The Proposed Actions would facilitate the development of an approximately 236,380 gsf mixed-use commercial and community facility building on Block 2260, Lot 35. Land uses surrounding the area are primarily a variety of residential, manufacturing, and light industrial

uses. The Project Site does not have any unique or significant natural features that would limit its redevelopment; therefore, the Proposed Project would be consistent with Policy 1.1.

Attachment C: Hazardous Materials

I. INTRODUCTION

According to *City Environmental Quality Review (CEQR) Technical Manual* guidelines, a hazardous materials assessment may be necessary when a proposed action could lead to increased exposure of people or the environment to hazardous materials, or whether increased exposure would lead to significant public health impacts or environmental damage. The Proposed Project would require ground disturbance and excavation on the Project Site. This attachment assesses the potential for the presence of hazardous materials in soil, groundwater, and/or soil vapor, and further evaluates the potential for hazardous materials impacts resulting from the Proposed Project during or after construction of the Proposed Project.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate an approximately 12,890 gross square feet (gsf) reduction in parking, an approximately 58,361 gsf reduction in community facility space, and an approximately 71,251 gsf increase in commercial use to an existing 236,380 gsf mixed-use building on the Project Site (Block 2260, Lot 35). As a result of the Proposed Actions, the Project Site would total approximately 35,456.9 gsf for 86 attended parking spaces in the cellar, approximately 27,013.2 gsf of supermarket on the ground floor, approximately 80,846 of commercial retail on floors 1-3, approximately 26,900.9 gsf of community facility use on the 4th floor, and approximately 66,162.52 gsf of commercial office on floors 5-8. Recreational space of approximately 7,305.5 gsf would be provided on the roof of the 4th floor ("Proposed Project"). The Proposed Project is expected to be completed by 2024.

II. METHODOLOGY

The presence or likely presence of any hazardous substance or petroleum products on a site under conditions that indicate an existing release, past release, or a material threat of release of any hazardous substances or petroleum products into structures on the Project Site or into the ground, ground water, or surface water of the Project Site, is known as a Recognized Environmental Condition (REC), as defined by the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments (ESAs). A REC should be disclosed under *CEQR.* According to *CEQR, e*xamples of RECs include contaminants spilling or leaking into the soil or groundwater, dispersed in the soil vapor, suspended in indoor or ambient air, or contained in fugitive dust.

The potential for the Proposed Project to increase the exposure of people or the environment to hazardous materials, resulting in potential significant adverse impacts to public health or the environment, is evaluated based on the findings of the Phase I Environmental Site Assessment (ESA) and Phase II Environmental Site Investigation (ESI):

- *Phase I ESA: 347-359 & 361-363 Flushing Avenue, Brooklyn, NY 11205, Block 2260 Lots 35 & 32*, dated June 11, 2015, prepared by BSD Environmental Group; and,
- *Phase II ESI: 347-359 & 361-363 Flushing Avenue, Brooklyn, NY 11205, Block 2260 Lots 35 & 32,* dated August 23, 2016, prepared by BSD Environmental Group.

Since the preparation of the Phase II ESI, the Project Site was fully improved with a building. The Proposed Actions would redistribute uses within the building and not result in a new building or new ground disturbance. Phase II ESI recommendations were incorporated in the development of the Project Site with the existing building.

III. EXISTING CONDITIONS

The Phase I ESA, conducted prior to the construction of the existing building, identified the following RECs related to the Project Site:

- The New York State Department of Environmental Conservation (NYSDEC) Petroleum Bulk Storage database identified a registered 10,000-gallon #2 fuel oil Underground Storage Tank (UST) documented as tank number 001 and registration number 2-608241 for the property located at 347 Flushing Avenue. The UST is currently active and passed a tank tightness on March 23, 2011.
- Sanborn maps reviewed identified a buried gasoline storage tank for the parcel address as 349-351 Flushing Avenue.
- Color Tex/Dye Namic Inc, a fabric/textile dyeing company that utilized the Project Site for production, warehousing, and shipping, currently occupies the lot as a tenant. Several 55-gallon drums were identified onsite with no labeling.

Based on the findings of the Phase I ESA, a Phase II ESA was prepared. The Phase II ESI determined that the historic usage of the subject property has impacted the subsurface soil quality on the most western section of the Project Site. The Phase II ESI recommended removal of the two buried tanks in accordance with the New York City Fire Department (Fire Code Chapter 34 and R3404-01) and the NYSDEC (6 NYCRR Part 612 & 613) regulations, and removal of historic fill material and its disposal at an approved landfill. The Phase II ESI also recommended remediation of contaminated materials identified on the most western section of the lots in accordance with NYSDEC requirements. Phase II ESI recommendations were incorporated in the development of the Project Site with the existing building.

IV. FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

Without the Proposed Actions (the “No Action Condition”), the existing building on the Project Site would comprise approximately 26,379 gsf of supermarket, approximately 70,174 gsf of retail space, approximately 6,217.4 gsf of commercial office space, approximately 85,262.2 gsf of medical office use, and approximately 48,347 gsf for 313 parking spaces.

V. FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

In the future with the Proposed Actions (the “With-Action condition”), the existing building on the Project Site would be reprogramed to comprise approximately 35,456.9 gsf for 86 attended parking spaces in the cellar, approximately 27,013.2 gsf of supermarket on the ground floor, approximately 80,846 of commercial retail on floors 1-3, approximately 26,900.9 gsf of community facility use on the 4th floor, and approximately 66,162.52 gsf of commercial office on floors 5-8. Recreational space of approximately 7,305.5 gsf would be provided on the roof of the 4th floor.

VI. CONCLUSION

The Phase II ESI recommendations were implemented during the construction of the existing building. No new ground disturbance would occur as part of the Proposed Project. Therefore, the Proposed Project would not result in a significant adverse impact related to hazardous materials.

Attachment D: Transportation

The *CEQR Technical Manual* recommends a two-tier screening procedure for the preparation of a "preliminary analysis" to determine if quantified analyses of transportation conditions are warranted. The preliminary analysis begins with a trip generation analysis ("Level 1") to estimate the volume of person and vehicle trips attributable to the proposed project. If the proposed project is expected to result in fewer than 50 vehicle trips, 50 bus/Citywide Ferry Service trips, and/or 200 subway/rail/pedestrian trips, further quantified analyses are not warranted. When these thresholds are exceeded, detailed trip assignments ("Level 2") are performed to estimate the incremental trips at specific transportation elements and to identify potential locations for further analyses. If the trip assignments show that the proposed project would result in 50 vehicle trips at an intersection, 200 subway or rail trips at a station, 50 bus riders on a route in one direction, 25 passenger ferry trips in one direction on a single route, 50 or more passengers at a ferry landing, or 200 pedestrian trips on a sidewalk segment, street corner, or crosswalk, then further quantified analyses may be warranted to assess the potential for significant adverse impacts on traffic, transit, pedestrians, parking, and street user safety.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate an approximately 12,890 gross square feet (gsf) reduction in parking, an approximately 58,361 gsf reduction in community facility space, and an approximately 71,251 gsf increase in commercial use to an existing 236,380 gsf mixed-use building on the Project Site (Block 2260, Lot 35). As a result of the Proposed Actions, the Project Site would total approximately 35,456.9 gsf for 86 attended parking spaces in the cellar, approximately 27,013.2 gsf of supermarket on the ground floor, approximately 80,846 of commercial retail on floors 1-3, approximately 26,900.9 gsf of community facility use on the 4th floor, and approximately 66,162.52 gsf of commercial office on floors 5-8. Recreational space of approximately 7,305.5 gsf would be provided on the roof of the 4th floor ("Proposed Project"). The Proposed Project would be operational and available for occupancy in 2024.

Based on the results of the Travel Demand Factors (TDF) Memorandum, included as **Appendix B: TDF Memo,** the Proposed Project would not require further analysis for vehicle, transit, or pedestrian trips, and no significant adverse transportation impacts would occur.

Attachment E: Air Quality

An air quality analysis is used to determine whether a proposed project would result in a significant adverse impact on ambient air quality due to pollutant emissions from stationary or mobile sources. It also considers the potential of existing sources of air pollution to result in a significant adverse impact on new populations introduced by a proposed action.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate an approximately 12,890 gross square feet (gsf) reduction in parking, an approximately 58,361 gsf reduction in community facility space, and an approximately 71,251 gsf increase in commercial use to an existing 236,380 gsf mixed-use building on the Project Site (Block 2260, Lot 35). As a result of the Proposed Actions, the Project Site would total approximately 35,456.9 gsf for 86 attended parking spaces in the cellar, approximately 27,013.2 gsf of supermarket on the ground floor, approximately 80,846 of commercial retail on floors 1-3, approximately 26,900.9 gsf of community facility use on the 4th floor, and approximately 66,162.52 gsf of commercial office on floors 5-8. Recreational space of approximately 7,305.5 gsf would be provided on the roof of the 4th floor ("Proposed Project").

Related to mobile source emissions, the Proposed Project would not:

- result in operable windows or air intakes within 200 feet of an atypical roadway;
- generate 170 or more peak hour auto trips;
- divert existing peak hour traffic;
- generate more than 12 peak hour heavy duty diesel vehicles; or
- result in new sensitive uses adjacent to large existing parking facilities or parking garage vents.

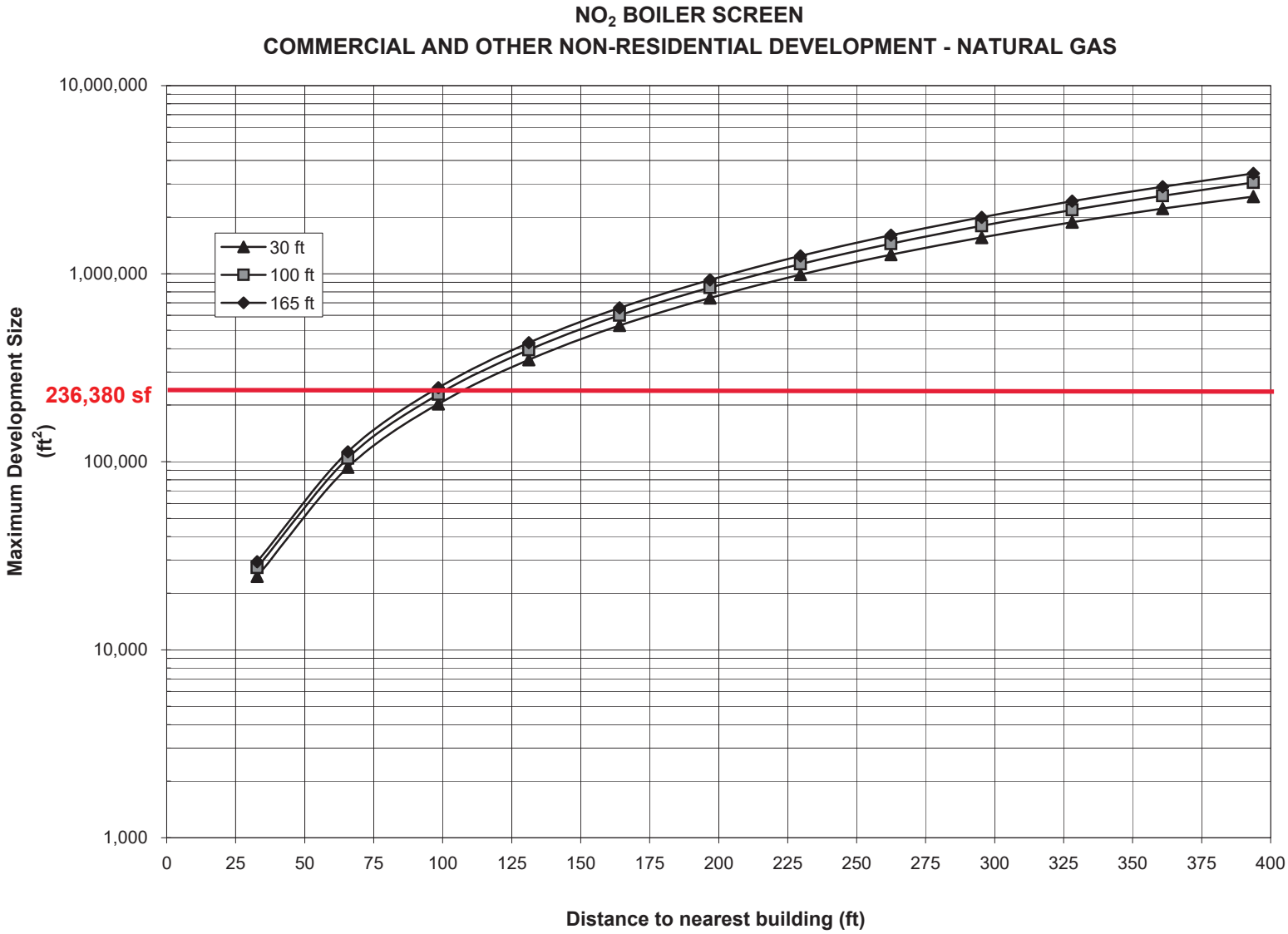
In regard to stationary source emissions, the Proposed Project would not:

- utilize fossil fuels for heating/hot water, ventilation, and air conditioning systems;
- create major or large emission sources;
- result in new sensitive uses located near a major or large emission source;
- result in medical, chemical, or research lab uses;
- result in new uses located near medical; chemical, or research labs;
- result in operation of manufacturing or processing facilities;
- result in new sensitive uses located within 400-feet of manufacturing or processing facilities;
- result in non-point sources that could generate fugitive dust (such as unpaved surfaces and storage piles that could result in fugitive dust);
- result in new uses located near non-point sources that could result in fugitive dust;
- result in uses that would result in potentially significant odors;
- result in new uses located near an odor-producing facility; or
- introduce stationary source emissions to nearby buildings of similar or greater height (see **Figure E-1: Air Quality Nomograph**).

Therefore, no significant adverse impacts to air quality would occur.

Project Site: 347 Flushing Avenue, Brooklyn, NY
Stack Height: 112' 11"
Nearest building of similar or greater distance: 624'
Screen Out: Yes

Figure E-1: Air Quality Nomograph



Appendix A

FOR INTERNAL USE ONLY	WRP No. _____
Date Received: _____	DOS No. _____

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM
Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)* which has been approved as part of the State's Coastal Management Program.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

A. APPLICANT INFORMATION

Name of Applicant: Flushing Condo Holdings

Name of Applicant Representative: Mott Levy

Address: 266 Broadway, Suite 301

Telephone: (718) 599-1105 x255 Email: motty@empirebrooklyn.com

Project site owner (if different than above): _____

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

The Applicant is seeking to rezone Block 2260 Lot 35 from M1-2 to M1-5 and Block 2260, Lot 7501 from M1-2 to R7-1/C2-4 with MIH in Brooklyn Community District 1 (CD 1). The proposed M1-5 zoning district would eliminate the required 313 parking spaces for the proposed as-of-right eight-story commercial and community facility building on Block 2260, Lot 35 ("Proposed Project").The rezoning of Lot 7501 from M1-2 to R7-1/C2-4, would allow the existing residential development to be conforming.

2. Purpose of activity

Under the existing M1-2 zoning district, the Proposed Project would require 313 parking spaces. The Proposed Action to rezone to an M1-5 zoning district would eliminate the parking space requirements and allow for more substantive use of the building floor area. The rezoning of Lot 7501 from M1-2 to R7-1/C2-4, would allow the existing residential development, described in Section 3, to be conforming.

The Proposed Actions would facilitate an approximately 12,890 gross square feet (gsf) reduction in parking, an approximately 58,361 gsf reduction in community facility space, and an approximately 71,251 gsf increase in commercial use to an existing 236,380 gsf mixed-use building.

C. PROJECT LOCATION

Borough: Brooklyn Tax Block/Lot(s): 2260, Lot 35 & 7501

Street Address: 347 Flushing Avenue & 760 Kent Avenue

Name of water body (if located on the waterfront): N/a

D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

City Actions/Approvals/Funding

City Planning Commission ☑ Yes ☐ No

- ☐ City Map Amendment
- ☑ Zoning Map Amendment
- ☑ Zoning Text Amendment
- ☐ Site Selection – Public Facility
- ☐ Housing Plan & Project
- ☐ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____
- ☐ Zoning Certification
- ☐ Zoning Authorizations
- ☐ Acquisition – Real Property
- ☐ Disposition – Real Property
- ☐ Other, explain: _____
- ☐ Concession
- ☐ UDAAP
- ☐ Revocable Consent
- ☐ Franchise

Board of Standards and Appeals ☐ Yes ☑ No

- ☐ Variance (use)
- ☐ Variance (bulk)
- ☐ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

Other City Approvals

- ☐ Legislation
- ☐ Rulemaking
- ☐ Construction of Public Facilities
- ☐ 384 (b) (4) Approval
- ☐ Other, explain: _____
- ☐ Funding for Construction, specify: _____
- ☐ Policy or Plan, specify: _____
- ☐ Funding of Program, specify: _____
- ☐ Permits, specify: _____

State Actions/Approvals/Funding

- ☐ State permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Federal Actions/Approvals/Funding

- ☐ Federal permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Is this being reviewed in conjunction with a Joint Application for Permits? ☐ Yes ☑ No

E. LOCATION QUESTIONS

1. Does the project require a waterfront site? ☐ Yes ☑ No
2. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters? ☐ Yes ☑ No
3. Is the project located on publicly owned land or receiving public assistance? ☐ Yes ☑ No
4. Is the project located within a FEMA 1% annual chance floodplain? *(6.2)* ☐ Yes ☑ No
5. Is the project located within a FEMA 0.2% annual chance floodplain? *(6.2)* ☑ Yes ☐ No
6. Is the project located adjacent to or within a special area designation? *See Maps – Part III of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).* ☐ Yes ☑ No

   ☐ Significant Maritime and Industrial Area (SMIA) (*2.1*)
   ☐ Special Natural Waterfront Area (SNWA) (*4.1*)
   ☐ Priority Maritime Activity Zone (PMAZ) (*3.5*)
   ☐ Recognized Ecological Complex (REC) (*4.4*)
   ☐ West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (*2.2, 4.2*)

F. WRP POLICY ASSESSMENT

Review the project or action for consistency with the WRP policies. For each policy, check Promote, Hinder *or* Not Applicable (N/A). *For more information about consistency review process and determination, see* ***Part I*** *of the NYC Waterfront Revitalization Program. When assessing each policy, review the full policy language, including all sub-policies, contained within* ***Part II*** *of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).*

For those policies checked Promote *or* Hinder, *provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.*

		Promote	Hinder	N/A
1	**Support and facilitate commercial and residential redevelopment in areas well-suited to such development.**	☑	☐	☐
1.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	☑	☐	☐
1.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	☐	☐	☑
1.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	☐	☐	☑
1.4	In areas adjacent to SMIAs, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	☐	☐	☑
1.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	☐	☐	☑

		Promote	Hinder	N/A
2	**Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.**	☐	☐	☑
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	☐	☐	☑
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☑
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.	☐	☐	☑
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	☐	☐	☑
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.	☐	☐	☑
3	**Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.**	☐	☐	☑
3.1.	Support and encourage in-water recreational activities in suitable locations.	☐	☐	☑
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	☐	☐	☑
3.3	Minimize conflicts between recreational boating and commercial ship operations.	☐	☐	☑
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	☐	☐	☑
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.	☐	☐	☑
4	**Protect and restore the quality and function of ecological systems within the New York City coastal area.**	☐	☐	☑
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	☐	☐	☑
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☑
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	☐	☐	☑
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	☐	☐	☑
4.5	Protect and restore tidal and freshwater wetlands.	☐	☐	☑
4.6	In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.	☐	☐	☑
4.7	Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.	☐	☐	☑
4.8	Maintain and protect living aquatic resources.	☐	☐	☑

		Promote	Hinder	N/A
5	**Protect and improve water quality in the New York City coastal area.**	☐	☐	☑
5.1	Manage direct or indirect discharges to waterbodies.	☐	☐	☑
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	☐	☐	☑
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	☐	☐	☑
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	☐	☐	☑
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	☐	☐	☑
6	**Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.**	☐	☐	☑
6.1	Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.	☐	☐	☑
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in *New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms*) into the planning and design of projects in the city's Coastal Zone.	☐	☐	☑
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.	☐	☐	☑
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	☐	☐	☑
7	**Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.**	☐	☐	☑
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	☐	☐	☑
7.2	Prevent and remediate discharge of petroleum products.	☐	☐	☑
7.3	Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.	☐	☐	☑
8	**Provide public access to, from, and along New York City's coastal waters.**	☐	☐	☑
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	☐	☐	☑
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	☐	☐	☑
8.3	Provide visual access to the waterfront where physically practical.	☐	☐	☑
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.	☐	☐	☑

		Promote	Hinder	N/A
8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.	☐	☐	☑
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	☐	☐	☑
9	**Protect scenic resources that contribute to the visual quality of the New York City coastal area.**	☐	☐	☑
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	☐	☐	☑
9.2	Protect and enhance scenic values associated with natural resources.	☐	☐	☑
10	**Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.**	☐	☐	☑
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.	☐	☐	☑
10.2	Protect and preserve archaeological resources and artifacts.	☐	☐	☑

G. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Kovid Saxena

Address: 322 8th Avenue, New York, NY 10001

Telephone: +1 646.801.3984 Email: kovid.saxena@samschwartz.com

Applicant/Agent's Signature: Kovid Saxena

Date: 3/27/24

Appendix B

Sam Schwartz
322 Eighth Avenue, 5th Floor
New York, NY 10001
(212) 598-9010
samschwartz.com

Sam Schwartz
A TYLin Company

Memorandum

To: Ibrahim Jobe, DCP

From: Rachel Beer, PE, PTOE

Date: December 7, 2023

Re: Travel Demand Factors (TDF) Memorandum for 347 Flushing Avenue, Brooklyn, NY

Flushing Condo Holdings LLC (the “Applicant”) is seeking a zoning map amendment affecting Block 2260, Lots 35 and 7501 (the “Rezoning Area"). Lot 35 would be rezoned from M1-2 to M1-5, and Lot 7501 would be rezoned from M1-2 to R7-1/C2-4. The Project Site is located on Block 2260, Lot 35. Lot 7501 comprises an existing condominium building and is not considered a soft site for CEQR analysis purposes.

The Proposed Action is subject to environmental review pursuant to the State Environmental Quality Review Act (SEQRA) in conformance with City Environmental Quality Review (CEQR) guidelines and procedures. The New York City Department of City Planning (DCP) is serving as the CEQR lead agency. The Reasonable Worst Case Development Scenario for the CEQR assessment is noted in Section A of this memorandum.

This Travel Demand Factors Memorandum (“TDF Memo”) estimates the projected trips from the Proposed Project following a two-tiered screening process. The Level 1 screening assessment includes a trip generation analysis to determine whether the Proposed Project would result in more than 50 vehicle trips, 200 subway/rail riders, 50 bus riders, or 200 pedestrian trips in a peak hour. The Level 2 screening is a trip assignment review that identifies intersections with 50 or more vehicle trips, pedestrian elements with 200 or more pedestrian trips, 50 bus trips in a single direction on a single route, or 200 passengers at a subway station or line during any analysis peak hour which would require detailed analyses.

Sam Schwartz
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New York, NY 10001
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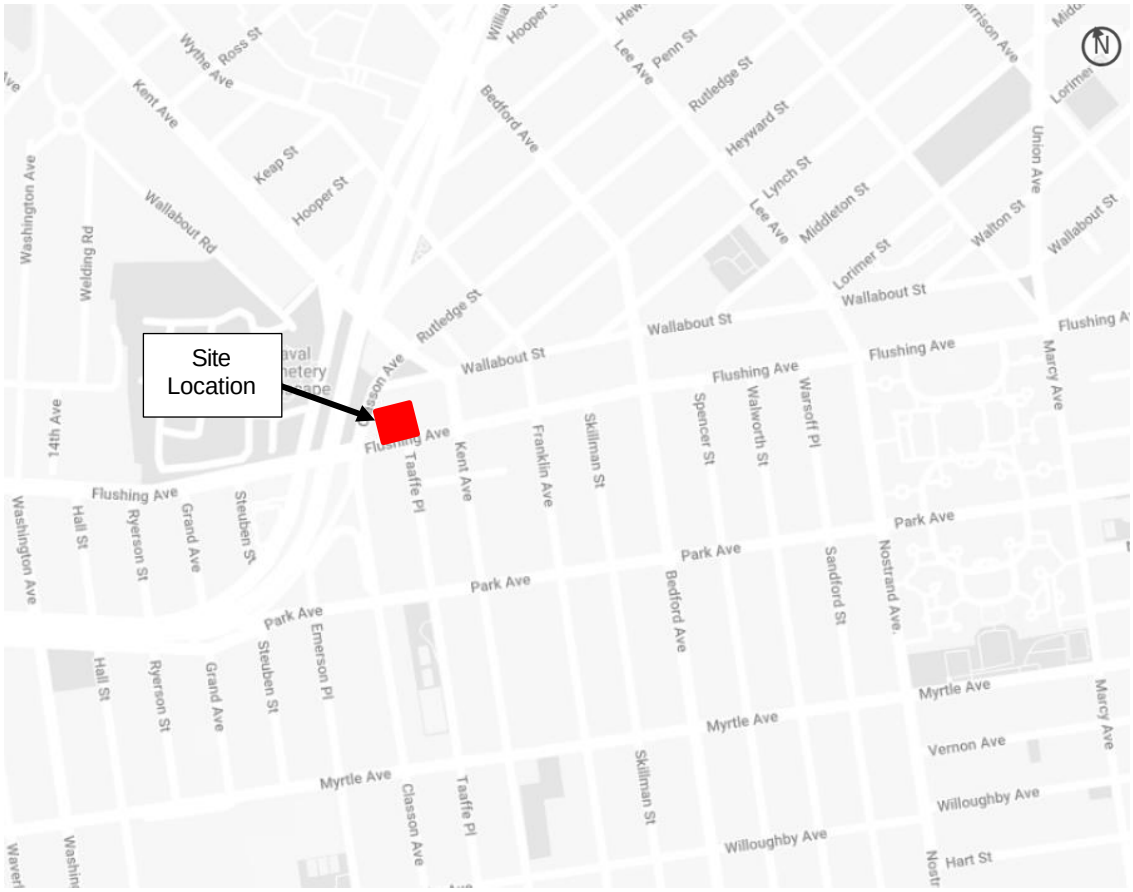
Figure 1: Site Location Map



A. Reasonable Worst-Case Development Scenario Program

The analysis year for the Proposed Project is 2024.

The Reasonable Worst Case Development Scenario (RWCDS) With-Action condition ("Proposed Project") consists of:

- 27,013 gsf of supermarket
- 80,847 gsf of destination retail
- 66,163 gsf of commercial office
- 26,901 gsf of community facility (medical office)
- 86 on-site parking spaces

The RWCDS No-Action condition consists of:

- 26,379 gsf of supermarket
- 70,174 gsf of destination retail
- 6,217 gsf of commercial office
- 85,262 gsf of community facility (medical office)

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- 313 on-site parking spaces

Therefore, the total increment analyzed includes:

- 634 gsf of supermarket
- 10,672 gsf of destination retail
- 59,945 gsf of commercial office
- -58,361 gsf of community facility (medical office)
- A loss of 277 on-site parking spaces

Preliminary Transportation Planning Factors

The transportation planning factors used in forecasting travel demand for the Proposed Project are shown in **Table 1**, and the trip generation results are shown in **Table 2**. Trip generation estimates were prepared for the following critical peak periods:

- Weekday Morning (AM)
- Weekday Midday (MD)
- Weekday Evening (PM)
- Saturday Midday (Sat MD)

The transportation planning factors for each individual use are described below.

Supermarket
The Proposed Project would include an increment of 634 gsf. The daily person trip generation, temporal distribution, modal split and directional distribution rates were obtained from the *2021 City Environmental Quality Review (CEQR) Technical Manual*. The daily truck trip generation rates, vehicle occupancy, truck temporal distribution, and truck directional distribution rates were obtained from *Domino Sugar Rezoning FEIS (2010),* Table 17-11.

Destination Retail
The Proposed Project would include an increment of 10,672 gsf. The daily person trip generation, daily truck trip generation, temporal distribution, truck temporal distribution, directional distribution, and truck directional distribution rates were obtained from the *2021 CEQR Technical Manual*. Modal split and vehicle occupancy rates were obtained from *Admirals Row Plaza FEIS (2010)*, Table 9-16.

Commercial Office
The Proposed Project would include an increment of 59,945 gsf. The daily person trip generation, daily truck trip generation, temporal distribution, truck temporal distribution, directional distribution, and truck directional distribution rates were obtained from the *2021 CEQR Technical Manual*. Modal split and vehicle occupancy rates were calculated from the U.S. Census Bureau, American Community Survey 2012-2016 5-year estimates for A202105 – Mean of Transportation (18) (Workers 16 years and over) for the average of census tracts 191, 531, 533, 535, 537, 539, 543, and 1237 in Kings County, New York. The work-from-home mode split was excluded from the calculations and the Weekday MD/Saturday modal split was based on *East New York Rezoning Proposal FEIS (2016)*, Table 13-8.

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Community Facility - Medical Office

The Proposed Project would include an increment of -58,361 gsf. The daily person trip generation, modal split, temporal distribution, directional distribution, and daily truck directional distribution were obtained from the *2021 CEQR Technical Manual*. Daily truck trip generation, vehicle occupancy, and truck temporal distribution rates were obtained from *East New York Rezoning Proposal FEIS (2016)*, Table 13-8.

Figure 2: Census Tract Map

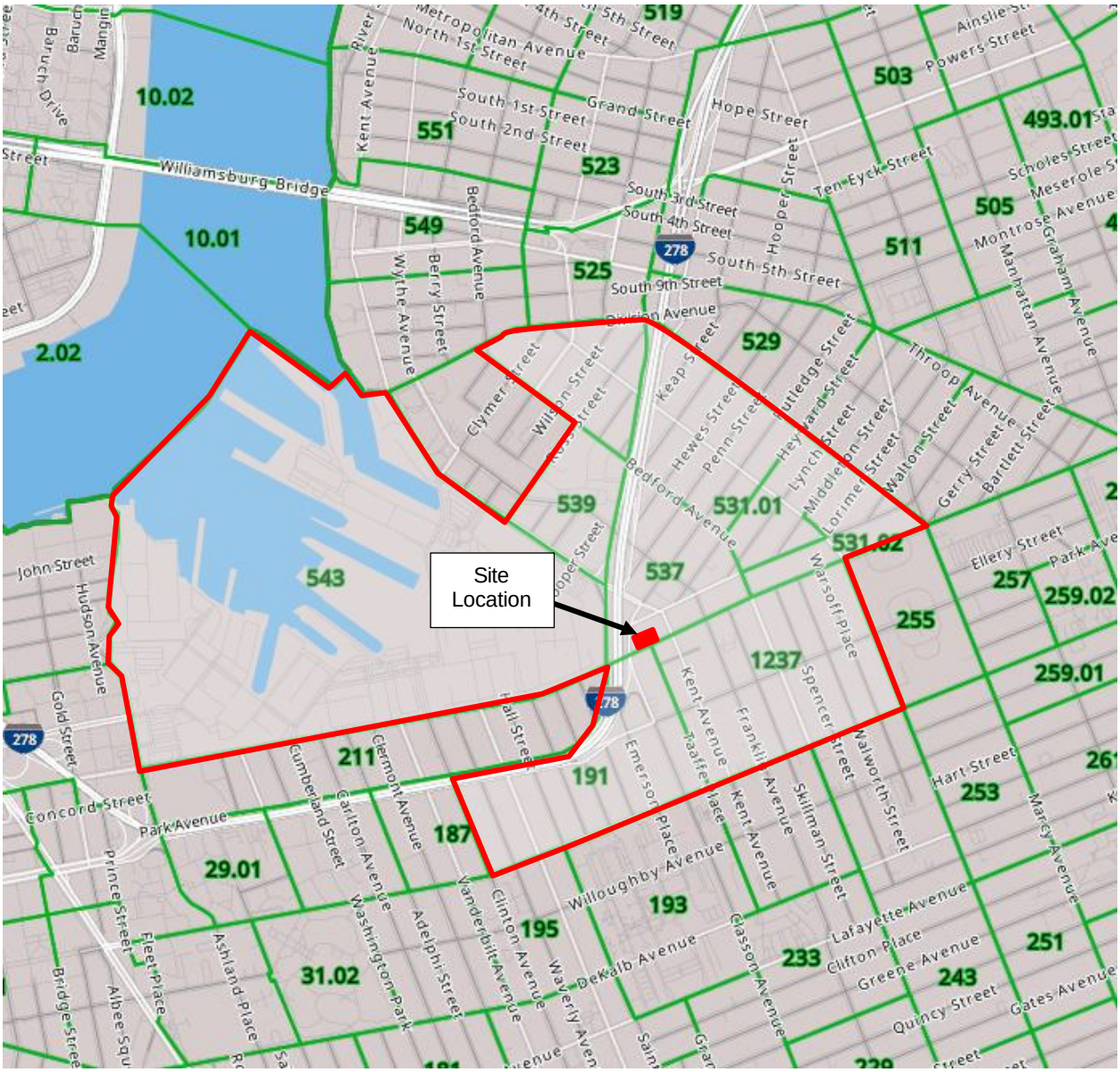

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Table 1: Travel Demand Factors

Trip Generation Assumptions

	Land Use:	Food Store (Supermarket)		Destination Retail		Commercial Office		Community Facility - Medical Office	
Program Size	**Size**	634		10,672		59,945		-58,361	
	Unit	gsf		gsf		gsf		gsf	
Daily Person Trip Generation		(1)		(1)		(1)		(1)	
	Weekday	256.00		78.20		18.00		69.06	
	Saturday	300.00		92.50		3.90		39.00	
	Unit	per 1,000 gsf		per 1,000 gsf		per 1,000 gsf		per 1,000 gsf	
Daily Truck Trip Generation		(4)		(1)		(1)		(3)	
	Weekday	2.14		0.35		0.32		0.29	
	Saturday	0.85		0.04		0.01		0.29	
	Unit	per 1,000 gsf		per 1,000 gsf		per 1,000 gsf		per 1,000 gsf	
Modal Split		**Weekday**	**Saturday**	**Weekday**	**Saturday**	**AM/PM**	**MD/SAT**	**Weekday**	**Saturday**
		(1)		(5)		(2)(3)		(1)	
	Auto	39.0%	39.0%	36.0%	40.0%	32.7%	2.0%	53.0%	53.0%
	Taxi	0.0%	0.0%	1.0%	1.0%	0.4%	3.0%	14.0%	14.0%
	Bus	5.0%	2.0%	27.0%	22.0%	8.2%	6.0%	7.0%	7.0%
	Subway	5.0%	2.0%	13.0%	10.0%	23.5%	6.0%	6.0%	6.0%
	Walk/Bike	51.0%	57.0%	23.0%	27.0%	35.2%	83.0%	20.0%	20.0%
	TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Vehicle Occupancy		(4)		(5)		(2)		(3)	
	Auto	1.29	1.48	2.00	2.70	1.13	1.13	1.50	2.60
	Taxi	1.38	1.38	2.00	2.80	1.13	1.13	1.50	2.60
Linked Trips (1)		0%	0%	0%	0%	0%	0%	0%	0%
Temporal Distribution		(1)		(1)		(1)		(1)	
	AM	4.0%		3.0%		12.4%		11.0%	
	MD	7.0%		9.0%		11.0%		12.6%	
	PM	10.6%		9.0%		10.5%		8.5%	
	Sat MD	9.5%		11.0%		14.1%		16.6%	
Truck Temporal Distribution		(4)		(1)		(1)		(3)	
	AM	12.0%		8.0%		10.0%		3.0%	
	MD	13.0%		11.0%		11.0%		11.0%	
	PM	4.0%		2.0%		2.0%		1.0%	
	Sat MD	9.0%		11.0%		11.0%		0.0%	
		In	**Out**	**In**	**Out**	**In**	**Out**	**In**	**Out**
		(1)		(1)		(1)		(1)	
Directional Distribution	**AM**	51.0%	49.0%	63.0%	37.0%	89.0%	11.0%	62.0%	38.0%
	MD	51.0%	49.0%	53.0%	47.0%	48.0%	52.0%	47.0%	53.0%
	PM	50.0%	50.0%	49.0%	51.0%	17.0%	83.0%	35.0%	65.0%
	Sat MD	50.0%	50.0%	52.0%	48.0%	50.0%	50.0%	49.0%	51.0%
Truck Directional Distribution		(4)		(1)		(1)		(1)	
	AM	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%
	MD	36.0%	64.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%
	PM	67.0%	33.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%
	Sat MD	67.0%	33.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%

Notes

(1) 2021 CEQR Technical Manual, Table 16-2, and Transportation Appendix. Utilized local retail truck trip generation rates and truck temporal distribution for destination retail. Assumed Brooklyn non-transit zone.

(2) U.S. Census Bureau, American Community Survey 2012-2016 5-year estimates for A202105 - Means of Transportation (18) (Workers 16 years and over). Average of Census Tracts 191, 531, 533, 535, 537, 539, 543, and 1237, Kings County, New York. The work-from-home mode split was excluded from the calculations. MD and SAT mode share based on East New York Rezoning Proposal FEIS (2016), Table 13-8 for office land use.

(3) East New York Rezoning Proposal FEIS (2016), Table 13-8.

(4) Domino Sugar Rezoning FEIS (2010), Table 17-11. Utilized commercial office directional distribution for office land use. Utilized retail supermarket truck trip generation rates, truck temporal distribution, truck directional distribution, and directional distribution for the supermarket use. Weekday auto vehicle occupancies for the supermarket use are averages of the AM/MD/PM rates, weighted by the temporal distribution from the 2021 CEQR Technical Manual.

(5) Admirals Row Plaza FEIS (2010), Table 9-16. Utilized specialty retail rates for destination retail.

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Table 2: Project Increment Trip Generation Estimates

Travel Demand Forecast (Person Trips)

		Food Store (Supermarket)		Destination Retail		Commercial Office		Community Facility - Medical Office		TOTAL		
Daily Trips	**Weekday**	162		835		1,079		-4,030		**-1,954**		
	Saturday	190		987		234		-2,276		**-865**		
Peak Hour Trips	**AM**	6		25		134		-443		**-278**		
	MD	11		75		119		-508		**-303**		
	PM	17		75		113		-343		**-138**		
	Sat MD	18		109		33		-378		**-218**		
		In	**Out**	**In**	**Out**	**In**	**Out**	**In**	**Out**	**In**	**Out**	**TOTAL**
AM	**Auto**	1	1	6	3	39	5	-146	-89	**-100**	**-80**	**-180**
	Taxi	0	0	0	0	0	0	-38	-24	**-38**	**-24**	**-62**
	Bus	0	0	4	2	10	1	-19	-12	**-5**	**-9**	**-14**
	Subway	0	0	2	1	28	3	-16	-10	**14**	**-6**	**8**
	Walk/Bike	2	1	4	2	42	5	-55	-34	**-7**	**-26**	**-33**
	Total	3	2	16	8	119	14	-274	-169	**-136**	**-145**	**-281**
MD	**Auto**	2	2	14	13	1	1	-127	-143	**-110**	**-127**	**-237**
	Taxi	0	0	0	0	2	2	-33	-38	**-31**	**-36**	**-67**
	Bus	0	0	11	10	3	4	-17	-19	**-3**	**-5**	**-8**
	Subway	0	0	5	5	3	4	-14	-16	**-6**	**-7**	**-13**
	Walk/Bike	3	3	9	8	47	51	-48	-54	**11**	**8**	**19**
	Total	5	5	39	36	56	62	-239	-270	**-139**	**-167**	**-306**
PM	**Auto**	3	3	13	14	6	31	-64	-118	**-42**	**-70**	**-112**
	Taxi	0	0	0	0	0	0	-17	-31	**-17**	**-31**	**-48**
	Bus	0	0	10	10	2	8	-8	-16	**4**	**2**	**6**
	Subway	0	0	5	5	5	22	-7	-13	**3**	**14**	**17**
	Walk/Bike	4	4	8	9	7	33	-24	-45	**-5**	**1**	**-4**
	Total	7	7	36	38	20	94	-120	-223	**-57**	**-84**	**-141**
Sat MD	**Auto**	4	4	23	21	0	0	-98	-102	**-71**	**-77**	**-148**
	Taxi	0	0	1	1	0	0	-26	-27	**-25**	**-26**	**-51**
	Bus	0	0	12	12	1	1	-13	-13	**0**	**0**	**0**
	Subway	0	0	6	5	1	1	-11	-12	**-4**	**-6**	**-10**
	Walk/Bike	5	5	15	14	14	14	-37	-39	**-3**	**-6**	**-9**
	Total	9	9	57	53	16	16	-185	-193	**-103**	**-115**	**-218**

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Table 2: Project Increment Trip Generation Estimates (Cont.)

Travel Demand Forecast (Vehicle Trips)

Taxi Overlap Rate: 0%		Food Store (Supermarket)		Destination Retail		Commercial Office		Community Facility - Medical Office		TOTAL		
		In	Out	In	Out	In	Out	In	Out	In	Out	TOTAL
AM	**Auto**	1	1	3	2	35	4	-97	-59	**-58**	**-52**	**-110**
	Taxi	0	0	0	0	0	0	-25	-16	-25	-16	-41
	Taxi (Balanced)[1]	0	0	0	0	0	0	-41	-41	**-41**	**-41**	**-82**
	Truck	0	0	0	0	1	1	0	0	**1**	**1**	**2**
	Total	1	1	3	2	36	5	-138	-100	**-98**	**-92**	**-190**
MD	**Auto**	2	2	7	7	1	1	-85	-95	**-75**	**-85**	**-160**
	Taxi	0	0	0	0	2	2	-22	-25	-20	-23	-43
	Taxi (Balanced)[1]	0	0	0	0	4	4	-47	-47	**-43**	**-43**	**-86**
	Truck	0	0	0	0	1	1	-1	-1	**0**	**0**	**0**
	Total	2	2	7	7	6	6	-133	-143	**-118**	**-128**	**-246**
PM	**Auto**	2	2	7	7	5	27	-43	-79	**-29**	**-43**	**-72**
	Taxi	0	0	0	0	0	0	-11	-21	-11	-21	-32
	Taxi (Balanced)[1]	0	0	0	0	0	0	-32	-32	**-32**	**-32**	**-64**
	Truck	0	0	0	0	0	0	0	0	**0**	**0**	**0**
	Total	2	2	7	7	5	27	-75	-111	**-61**	**-75**	**-136**
Sat MD	**Auto**	3	3	9	8	0	0	-38	-39	**-26**	**-28**	**-54**
	Taxi	0	0	0	0	0	0	-10	-10	-10	-10	-20
	Taxi (Balanced)[1]	0	0	0	0	0	0	-20	-20	**-20**	**-20**	**-40**
	Truck	0	0	0	0	0	0	0	0	**0**	**0**	**0**
	Total	3	3	9	8	0	0	-58	-59	**-46**	**-48**	**-94**

Notes
(1) A 0% taxi overlap rate was assumed (i.e., 0% of inbound full taxis are assumed to be available for outbound demand), based on the *CEQR 2021 Technical Manual* .

Travel Demand Forecast (Total Walk Trips)

		Food Store (Supermarket)		Destination Retail		Commercial Office		Community Facility - Medical Office		TOTAL		
		In	Out	In	Out	In	Out	In	Out	In	Out	TOTAL
AM	**Total Walk Trips[1]**	2	1	10	5	80	9	-90	-56	**2**	**-41**	**-39**
MD	**Total Walk Trips[1]**	3	3	25	23	53	59	-79	-89	**2**	**-4**	**-2**
PM	**Total Walk Trips[1]**	4	4	23	24	14	63	-39	-74	**2**	**17**	**19**
Sat MD	**Total Walk Trips[1]**	5	5	33	31	16	16	-61	-64	**-7**	**-12**	**-19**

Notes
(1) Total walk trips includes all trips via transit plus walk only trips.

B. Trip Generation Results

The peak hour trip generation estimates for the Proposed Project are shown in **Table 3**.

Table 3: Project Increment Trip Generation Estimate Summary

Peak Hour	Vehicle (Auto + Taxi + Truck)	Subway	Bus	Walk/Other	Total Pedestrians
Weekday AM	-190	8	-14	-33	-39
Weekday MD	-246	-13	-8	19	-2
Weekday PM	-136	17	6	-4	19
Saturday MD	-94	-10	0	-9	-19

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The results show that the Proposed Project would not generate more than 50 vehicle trips in a peak hour (results in a negative vehicle trip increment for each peak hour). Therefore, in accordance with the *2021 CEQR Technical Manual*, a Level 2 screening for vehicle trips is not warranted.

The results show that the Proposed Project would not generate more than 200 subway trips in a peak hour (a maximum of 17 trips during the Weekday PM peak hour). Therefore, in accordance with the *2021 CEQR Technical Manual*, a Level 2 screening for subway trips is not warranted.

The results show that the Proposed Project would not generate more than 50 bus trips in a peak hour (a maximum of 6 bus trip during the Weekday PM peak hour). Therefore, a Level 2 screening for bus trips is not warranted.

The results show that the Proposed Project would not generate more than 200 total pedestrian trips in a peak hour (a maximum of 19 pedestrian trips during the Weekday PM peak hour). Therefore, a Level 2 screening for pedestrian trips is not warranted.

C. Conclusion

Based on the screening assessment provided above, the Proposed Project would not require further analysis for vehicle, transit, or pedestrian trips, and no significant adverse transportation impacts would occur.

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Appendix A: Hourly Parking Demand

	No-Action		With-Action	
	Weekday	Saturday	Weekday	Saturday
12-1 AM	0	0	0	0
1-2 AM	0	0	1	0
2-3 AM	0	0	1	0
3-4 AM	0	0	1	0
4-5 AM	0	0	1	0
5-6 AM	0	0	2	0
6-7 AM	11	5	10	4
7-8 AM	45	28	42	24
8-9 AM	114	77	106	56
9-10 AM	196	110	174	82
10-11 AM	233	145	204	114
11 AM -12 PM	251	149	220	126
12-1 PM	251	142	215	124
1-2 PM	245	143	221	126
2-3 PM	247	131	215	121
3-4 PM	231	117	190	112
4-5 PM	175	102	160	99
5-6 PM	118	90	115	93
6-7 PM	80	56	83	59
7-8 PM	59	38	67	40
8-9 PM	40	27	47	29
9-10 PM	23	12	27	13
10-11 PM	6	3	9	3
11 PM -12 AM	0	0	0	0