DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Daniel R. Garodnick, *Director*
Department of City Planning

June 16, 2023

NOTICE OF COMPLETION AND NOTICE OF AVAILABILITY OF A FINAL ENVIRONMENTAL IMPACT STATEMENT

1160 Flushing Avenue Rezoning

Project Identification
CEQR No. 21DCP199K
ULURP Nos. C210314ZMK

Lead Agency
City Planning Commission
120 Broadway, 31st Floor
New York, New York 10271

SEQRA Classification: Type I

Contact Person
Stephanie Shellooe, AICP, Director (212) 720-3328
Environmental Assessment and Review Division
New York City Department of City Planning

Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Final Environmental Impact Statement (FEIS) has been prepared for the action described below. Copies of the FEIS are available for public inspection at the office of the undersigned as well as online via the 1160 Flushing project page on ZAP: https://zap.planning.nyc.gov/projects/2020K0289. To view the 1160 Flushing FEIS and Appendix, navigate to the project page in ZAP and select Public Documents, then "FEIS_21DCP199K". The proposal involves actions by the City Planning Commission (CPC) and the New York City Council pursuant to Uniform Land Use Review Procedure (ULURP). A public hearing on the DEIS was held on May 24, 2023, in conjunction with the City Planning Commission's citywide public hearing pursuant to ULURP. Written comments on the DEIS were requested and considered by the Lead Agency through 5:00 PM, June 5, 2023. The FEIS incorporates responses to the public comments received on the DEIS and additional analysis conducted subsequent to the completion of the DEIS.

A. INTRODUCTION

The Environmental Impact Statement (EIS) considers the discretionary action requested by 1160 Flushing Avenue LLC, the Applicant, that would facilitate the construction of a new, mixed-use development comprising approximately 238,104 gross square feet (gsf) in total (the "Proposed Project"). The Proposed Project would be constructed at 1160 Flushing Avenue (Block 3167, Lots 18 and 24), a 37,928-sf, rectangular-shaped site with frontages on Flushing Avenue and Jefferson Street in the Bushwick

neighborhood of Brooklyn Community District (CD) 4 ("Projected Development Site 1").

The Applicant seeks City Planning Commission ("CPC") approval for a zoning map amendment that would rezone Block 3167, Lots 12 (p/o), 18, 24, 26, 29, and 40 (the "Proposed Rezoning Area" or "Project Area") from a M1-1 district to a M1-5 district (the "Proposed Action"). The Proposed Action will undergo coordinated review under City Environmental Quality Review ("CEQR"), with the New York City Department of City Planning (DCP) serving on behalf of the CPC as lead agency.

The Proposed Action would facilitate the demolition of the existing single-story building on Projected Development Site 1 and the construction of the Proposed Project. As stated above, Lots 18 and 24 are owned and controlled by the Applicant and comprise Projected Development Site 1; Lots 12, 26, 29, and 40 are not owned or controlled by the Applicant. The Proposed Project would consist of a single-story building and a nine-story building separated by a pedestrian alleyway. The single-story structure and first two floors and cellar floor of the nine-story building would contain a combined total of approximately 75,586 gsf (36,730 zoning square feet (zsf)) of retail uses (0.97 FAR); the second and third floors of the proposed nine-story building would contain approximately 40,732 gsf (37,846 zsf) of light industrial uses (1.0 FAR); and the remaining floors (three through nine) of the proposed nine-story building would contain approximately 121,786 gsf (114,983 zsf) of commercial office uses (3.03 FAR). Three loading bays would be provided with a single curb cut along Flushing Avenue to satisfy the M1-5 zoning requirements associated with the proposed office, retail, and light industrial uses; no accessory parking spaces would be required under the proposed M1-5 zoning district. In total, the Proposed Project would contain approximately 238,104 gsf (189,559 zsf) of new development.

In the future with the Proposed Action, it is assumed that the proposed zoning map amendment would be approved, allowing the Applicant to construct the Proposed Project at Projected Development Site 1 (Lots 18 and 24). However, as the proposed M1-5 zoning district permits a maximum floor area ratio (FAR) of 6.5 for community facility uses, the reasonable worst-case development scenario (RWCDS) for Projected Development Site 1 assumes an additional 1.5 FAR of community facility (medical office) uses. As such, for conservative analysis purposes, it is assumed that Projected Development Site 1 could accommodate up to approximately 75,586 gsf (36,730 zsf) of retail uses, approximately 40,732 gsf (37,846 zsf) of light industrial uses, approximately 121,786 (114,983 zsf) of commercial office uses, and approximately 59,973 gsf (56,975 zsf) of community facility (medical office) uses (the "RWCDS"). In total, the RWCDS for Projected Development Site 1 would comprise approximately 298,077 gsf (246,534 zsf) of new development (6.5 FAR).

In addition, it is assumed that Lots 29 and 40 (both of which are non-Applicant-owned) would each be redeveloped in the future with approval of the Proposed Action as well. It is anticipated that Lot 29 would be redeveloped with a six-story, 5.0 FAR predominantly commercial office building with ground-floor retail uses comprising approximately 79,821 gsf of office space and 16,730 gsf of retail space ("Projected Development Site 2"), and Lot 40 would be redeveloped with a five-story, 5.0 FAR predominantly commercial office building with ground-floor retail uses comprising approximately 32,547 gsf of office space and 6,250 gsf of retail space ("Projected Development Site 3"). As a result, the total With-Action development scenario for the Project Area would include approximately 234,154 gsf of commercial office uses, 98,566 gsf of retail uses, 40,732 gsf of light industrial uses, and 59,973 gsf of community facility (medical office) uses, thus representing the RWCDS for the Project Area under the Proposed Action.

It is expected that all three projected development sites would be constructed and fully operational by the end of 2027. Without discretionary approval, it is anticipated that the on-site conditions would remain unchanged from existing conditions, with exception to Projected Development Site 1 which is expected to be converted and reoccupied with commercial retail uses.

B. EXISTING CONDITIONS

Description of the Project Area

The Project Area encompasses Block 3167, Lots 12 (p/o), 18, 24, 26, 29, and 40 in the Bushwick neighborhood of Brooklyn CD 4. Block 3167 is bordered by Flushing Avenue to the west, Wyckoff Avenue to the north, Jefferson Street to the east, and Irving Avenue to the south. Lots 18 and 24 are owned and controlled by the Applicant and comprise Projected Development Site 1. Projected Development Site 1 encompasses a total of approximately 37,928 sf of lot area and has approximately 221-feet 6-inches of frontage on Flushing Avenue and approximately 216 feet of frontage on Jefferson Street. The Project Area totals approximately 79,833 sf of lot area and has approximately 493 feet of frontage on Flushing Avenue, 146 feet of frontage on Wyckoff Avenue, and 485 feet of frontage on Jefferson Street. The Proposed Rezoning Area would be mapped approximately 250 feet north of Irving Avenue between Flushing Avenue and Jefferson Street. A discussion of each of the Project Area lots is provided below.

Applicant-owned Site ("Projected Development Site 1")

As described above the Applicant-owned site, or Projected Development Site 1, is comprised of Brooklyn Block 3167, Lots 18 and 24. Lots 18 and 24 are currently occupied by one single-story vacant industrial (warehouse) building, and are currently zoned M1-1 with a maximum permitted commercial/industrial FAR of 1.0. While the existing building on Lots 18 and 24 is currently vacant (0.0 FAR), the building contains approximately 30,388 sf of former warehouse floor area (0.80 FAR). Lot 24 also contains a small portion of vacant, underdeveloped land on the northernmost portion of the lot, totaling approximately 3,750 sf.

Remainder of the Project Area (Lots 12 (p/o), 26, 29, 40)

Lot 12
Lot 12 is a 19,265-sf, non-Applicant-owned lot currently zoned M1-1 with a maximum permitted commercial/industrial FAR of 1.0. Lot 12 is currently occupied by a one-story lumber yard building and contains approximately 19,874 gsf of industrial uses (0.98 FAR). An approximately four-foot-wide, 725-sf portion (less than four percent) of Lot 12 is located within the Proposed Rezoning Area.

Lot 26
Lot 26 is a 15,200-sf, non-Applicant-owned lot currently zoned M1-1 with a maximum permitted commercial/industrial FAR of 1.0. Lot 26 is currently occupied by a three-story warehouse building containing approximately 45,780 gsf of industrial uses (2.87 FAR), making the building noncompliant under existing zoning. All of Lot 26 is located within the Proposed Rezoning Area.

Lot 29
Lot 29 is an 18,530-sf, non-Applicant-owned lot currently zoned M1-1 with a maximum permitted commercial/industrial FAR of 1.0. Lot 29 is currently occupied by a single-story building that, according to New York City Department of Buildings (DOB) records, is currently undergoing a conversion from industrial (warehouse) uses to commercial retail uses (DOB job no. 340525300), which will result in a building containing approximately 20,475 gsf of commercial retail space on a 18,530-sf lot (1.05 FAR). All of Lot 29 is located within the Proposed Rezoning Area.

Lot 40
Lot 40 is a 7,450-sf, non-Applicant-owned lot currently zoned M1-1 with a maximum permitted commercial/industrial FAR of 1.0. Lot 40 is currently occupied by a single-story warehouse building containing approximately 7,613 gsf of industrial uses on a 7,450-sf lot (0.97 FAR). In addition, a small, northeastern portion of Lot 40 is encumbered by a Real Estate of Utility Companies (REUC) easement due to the location of street stairs serving the L-line's Jefferson Street Station. All of Lot 40 is located within the Proposed Rezoning Area.

Zoning

The Project Area is zoned M1-1, which is the original zoning designation from the 1961 Zoning Resolution. M1-1 is a light manufacturing/industrial district that has performance standards and may serve as industrial front yards or buffers to adjacent residential and commercial zoning districts. High performance industrial uses are allowed, as well as a range of commercial uses. Pursuant to the recently-approved M1 Hotel Text Amendment, hotels are only permitted by special permit. Additional Use Group 4 community facilities are allowed in M1 districts by special permit. Residential development is generally not allowed in M1 districts. M1-1 districts have a maximum FAR of 1.0 for manufacturing and commercial uses and 2.4 for community facility uses (Use Group 4, only). Buildings in M1-1 districts are governed by the sky exposure plane, which begins 30 feet above the street line. Within M1-1 districts, off-street parking is required and varies by use.

C. DESCRIPTION OF THE PROPOSED ACTION

Zoning Map Amendment

The proposed zoning map amendment, which would rezone the Project Area from M1-1 to M1-5, would increase the maximum permitted FAR from 2.4 to 6.5, allowing for additional development of commercial, light industrial, and/or community facility uses than could be provided under existing conditions, in addition to reducing the loading dock and accessory parking requirements. While the Project Area under an M1-5 district would still be governed by the sky-exposure plane as under the existing M1-1 zoning, the additional permitted density under the M1-5 district would result in larger building envelopes to accommodate the increase in permitted commercial, light industrial, and community facility uses. The Proposed Rezoning Area would be mapped 250 feet north of Irving Avenue between Flushing Avenue and Jefferson Street, and its boundaries would extend approximately 493 feet along Flushing Avenue, 146 feet along Wyckoff Avenue, and 485 feet along Jefferson Street.

In conjunction with the Proposed Action, an E-designation (E-674) will be recorded on Projected Development Sites 1, 2 and 3 (Block 3167, Lots 18, 24, 29 and 40) to preclude significant adverse impacts related to air quality, noise and hazardous materials. In addition, a Restrictive Declaration will be recorded, in conjunction with the project approvals, to codify transportation (traffic and pedestrian) Project Components Related to the Environment (PCREs) and Mitigation commitments made in the EIS related to the environmental review.

D. PURPOSE AND NEED FOR THE PROPOSED ACTION

In recent years, the population of North Brooklyn and the demand for workspace has increased substantially. Between 2010 and 2016, job growth in North Brooklyn increased by as much as 42 percent. However, despite the growing investment momentum and demand for commercial space, there has been limited new construction in the area.[1] As a result of the increase in demand, the growth of the new economy in North Brooklyn is constrained, with a commercial/office vacancy rate of only two percent in Brooklyn as of 2015. In North Brooklyn, due to underlying density and parking zoning constraints, M1-1 and M1-2 districts, which are envisioned to employ many local workers, are often being used for warehousing and freight distribution where average employment is often less than one job per 2,500 sf. Frequently, as is the case for the Project Area, the narrow streets of these districts are not appropriate for the large trucks associated with heavy industrial uses, and the small footprint buildings are unsuited for the high-cube mechanized warehouses of today. While warehousing and freight distribution facilities can serve as appropriate uses in certain sections of North Brooklyn, transit accessible areas, such as the Project Area, are better served by high-density commercial office and retail uses. The proposed M1-5 zoning district would allow for the development of commercial uses at higher densities and would create

[1] *North Brooklyn Industry & Innovation Plan* (2018), New York City Department of City Planning.

opportunities for nearby schools, community groups and growing tech businesses to engage with one another.

Specifically, the proposed zoning map amendment would facilitate the development of new office and retail space in the Project Area by increasing the buildable commercial FAR from 1.0 to 5.0. Introducing additional commercial office space on Flushing Avenue would address a borough-wide need for more commercial office space, particularly for technology, advertising, media, and information ("TAMI") firms. The Proposed Action would result in new Class A office space that could accommodate a wide variety of tenants, including TAMI firms, generating new employment opportunities in the Project Area. The proposed M1-5 zoning would also help preserve essential light industrial uses within the Project Area, as the Applicant is committed to providing approximately 1.00 FAR (approximately 40,732 gsf) of light industrial uses (Use Groups 11, 16, 17) at Projected Development Site 1. As such, the Applicant has partnered with Evergreen, a local organization that organizes and supports manufacturing, creative production and industrial service businesses in North Brooklyn. The proposed retail uses that would be facilitated by the Proposed Action would serve to improve the pedestrian environment along this portion of Flushing Avenue and Jefferson Street, as well the accompanying project-generated pedestrian areas, with active ground floor uses, thus activating the streetscape surrounding and within the Project Area. Further, the proposed commercial office and light industrial development would align with the goals of the New York Works policy, which is a series of 25 initiatives to spur 100,000 jobs over the coming decade. Specifically, the plan calls for the need to bring jobs closer to where New Yorkers live to reduce commuting times and minimize the strain on the transit network.

The proposed M1-5 zoning district would also eliminate any requirements for accessory on-site parking at the Applicant-owned site and within the Project Area. As the Project Area is within a transit zone and contains the Canarsie-bound entrances to the Jefferson Street subway station, providing service along the L-line (Manhattan-bound entrances are located directly adjacent the Project Area across Wyckoff Avenue), the Proposed Action would encourage and support transit-oriented development within the Project Area in an appropriate area of Brooklyn, and would therefore support the goals of OneNYC in facilitating greater opportunities for transit-oriented growth throughout the city. Additionally, with the onset of the COVID-19 pandemic, the Proposed Action and resultant RWCDS would further support the growing need to promote livable and walkable mixed-use neighborhoods with work spaces within close proximity to residential communities.

E. DESCRIPTION OF THE PROPOSED PROJECT

In the future with the Proposed Action, the Applicant proposes to demolish the existing single-story building on Projected Development Site 1 in order to facilitate a new mixed-use development spread between two buildings on a single zoning lot (the "Proposed Project"). The Proposed Project would consist of a single-story building and a nine-story building separated by a pedestrian alleyway. The single-story structure and first two floors and cellar floor of the nine-story building would contain a combined total of approximately 75,586 gsf (36,730 zsf) of retail uses (0.97 FAR); the second and third floors of the proposed nine-story building would contain approximately 40,732 gsf (37,846 zsf) of light industrial uses (1.0 FAR)[2]; and the remaining floors (three through nine) of the proposed nine-story building would contain approximately 121,786 gsf (114,983 zsf) of commercial office uses (3.03 FAR).

[2] While the future tenant(s) to utilize the proposed industrial space(s) are not known at this time, these spaces are intended to be occupied by uses similar to those identified in the approved applications for IBIA development projects located at 25 Kent Avenue (CEQR No: 16DCP065K; ULURP Nos: C 160124 ZSK; C 160125 ZSK; N 160126 ZRK), 103 North 13th Street (CEQR No: 18DCP182K, ULURP Nos: N 190083 ZRK; C 190084 ZSK; C 190085 ZSK), and 1 Wythe Avenue (CEQR No: 21DCP075K, ULURP Nos: 210272ZSK; N210273ZRK), all of which allocated a portion of their floor area to accommodate light industrial/manufacturing uses pursuant to IBIA regulations. For conservative analysis purposes, the analysis presented in EIS Chapter 5, "Air Quality," assumes these light manufacturing uses to include Commercial Art & Woodworking, Jewelry Manufacturing, Printing, Commercial Art & Graphic Design, and Baking (refer to EIS Table 5-14).

The Proposed Project would also create up to 0.11 acres of private open space areas located within the pedestrian alleyway,[3] as well as approximately 0.33 acres of outdoor office amenity space located at the Proposed Project's second- and fourth-floor terraces. The proposed retail spaces located on the ground floor and cellar would accommodate multiple retail tenants and would be accessed from the building's pedestrian alley, Flushing Avenue, and Jefferson Street frontages. Additionally, within the nine-story building, each of the retail spaces would provide internal connections via the commercial lobby. Three loading bays would be provided with a single curb cut along Flushing Avenue to satisfy the M1-5 zoning requirements associated with the proposed office, retail, and industrial uses; no accessory parking spaces would be required under the proposed M1-5 zoning district. In total, the Proposed Project would contain approximately 238,104 gsf (189,559 zsf) of new development (5.0 FAR).

F. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW

Analysis Year

Accounting for the ULURP approval timeline and based on the Proposed Project's anticipated 22-month construction timeline, it is assumed that full build-out of the Proposed Project would occur by early 2025. Additionally, as noted above and described in greater detail below, two additional projected development sites (Lots 29 and Lot 40) have been identified in the Project Area that could be developed as a result of the Proposed Action. However, as described below, no formal redevelopment plans exist for the non-Applicant-owned sites. Nonetheless, the two sites meet the CEQR soft site criteria and, as such, are anticipated to be redeveloped by 2027. This analysis year reflects a reasonable estimate of the time needed for developers to demolish the existing structures on Lots 29 and 40, design the two projects, obtain design approvals, and construct the projects (a total of approximately five years). Accordingly, the EIS will use a 2027 analysis year. As all developments facilitated by the Proposed Action are expected to be operational in 2027, its environmental setting is not the current environment, but the future environment. Therefore, the technical analyses assess current conditions and forecast these conditions to the analysis year of 2027 for the purposes of determining potential impacts.

Reasonable Worst-Case Development Scenario (RWCDS)

In order to assess the possible effects of the Proposed Action, a RWCDS for the Project Area was established for both Future No-Action and Future With-Action conditions. The incremental difference between the Future No-Action and Future With-Action conditions will serve as the basis of the impact category analyses.

Development Site Criteria

Pursuant to the *2021 CEQR Technical Manual*, several factors were considered in projecting the amount and timing of new development on the non-applicant owned lots within the Project Area. These include known development proposals, past development trends, and the development site criteria described below. The first step in establishing the RWCDS was to identify those sites where new development could reasonably occur.

According to the *CEQR Technical Manual* the following factors, commonly referred to as "soft site criteria," are generally considered when evaluating whether some amount of development would likely be constructed by the build year as a result of the Proposed Action:

[3] In the *1160 Flushing Avenue Rezoning Environmental Assessment Statement (EAS)* released on May 23, 2022, the proposed 0.11-acre pedestrian alley to be introduced at Projected Development Site 1 was previously defined as a 'publicly accessible area' and was thus studied as such; particularly in Attachment F, "Open Space,", the 0.11-acre space was included in the quantitative open space analysis. However, as described above, the proposed pedestrian alley has since been refined to serve as a 'private open space' that will be open to the public during normal operating hours. As such, this EIS assesses the pedestrian alley as a private open space, and thus is no longer included in the quantitative open space analysis presented in Chapter 3, "Open Space."

- The uses and bulk allowed: Lots located in areas where changes in use would be permitted and/or contain buildings built to substantially less than the maximum allowable FAR under the existing zoning are considered "soft" enough such that there would likely be sufficient incentive to develop in the future, depending on other factors specific to the area (e.g., the amount and type of recent as-of-right development in the area, recent real estate trends, site specific conditions that make development difficult, and issues relating to site control or site assemblage that may affect redevelopment potential); and

- Size of the development site: Lots must be large enough to be considered "soft." Generally, lots with a small lot size are not considered likely to be redeveloped, even if currently built to substantially less than the maximum allowable FAR. A small lot is often defined for this purpose as 5,000 sf or less, but the lot size criteria is dependent on neighborhood specific trends, and common development sizes in the study area should be examined prior to establishing these criteria.

However, the following uses and types of building that meet the soft site criteria are typically excluded from development scenarios because they are unlikely to be redeveloped as a result of a proposed project:

- Full block and newly constructed buildings with utility uses, as these uses are often difficult to relocate;

- Lots where construction is actively occurring, or has recently been completed, as well as lots with recent alterations that would have required substantial capital investment, unless recently constructed or altered lots were built to less than or equal to half of the maximum allowable FAR under the proposed zoning;

- Lots whose location or irregular shape would preclude or greatly limit future as-of-right development. Generally, development on irregular lots does not produce marketable floor space;

- Long-standing institutional uses with no known development plans; or

- Residential building with six or more units constructed before 1974. These buildings are likely to be rent-stabilized and difficult to legally demolish due to tenant re-location requirements.

Projected Development Site 1

In the future with the Proposed Action, it is assumed that the proposed zoning map amendment would be approved, allowing the Applicant to redevelop Projected Development Site 1 (Block 3167, Lots 18 and 24). However, as the proposed M1-5 zoning district permits a maximum community facility FAR of 6.5, the reasonable worst-case development scenario for the Applicant's Development Site maximizes the permitted FAR with an additional 1.5 FAR of community facility (medical office) uses over the Proposed Project (5.0 FAR) for conservative analysis purposes. As such, for reasonable worst-case analysis purposes, it is assumed that Projected Development Site 1 would accommodate approximately 75,586 gsf (36,730 zsf) of retail uses, approximately 40,732 gsf (37,846 zsf) of light industrial uses, approximately 121,786 gsf (114,983 zsf) of commercial office uses, and approximately 59,973 gsf (56,975 zsf) of community facility (medical office) uses (the "RWCDS"). Similar to the Proposed Project, the RWCDS would require three loading bays, which would be accommodated by a single curb cut along Flushing Avenue, and would not contain any accessory parking spaces. In total, the RWCDS for Projected Development Site 1 would contain approximately 298,077 gsf (246,534 zsf) of new development (6.5 FAR).

Remainder of the Project Area

In addition to the Applicant's property, the Project Area also includes the entirety of three privately-owned tax lots that are not controlled by the Applicant (Lots 26, 29, and 40), and an approximately four foot portion of the privately-owned Lot 12.

Lot 29 has a total lot area of 18,530 sf and a built FAR of 1.05, which represents 105 percent of the existing permitted commercial FAR and 21 percent of the proposed M1-5 district's maximum permitted commercial FAR. Lot 40 has a total area of 7,450 sf and a built FAR of 0.97, which represents 97 percent of the existing permitted commercial FAR and 19 percent of the proposed M1-5 district's maximum permitted commercial FAR. As Lots 29 and 40 both meet several criteria for being considered "soft sites," for RWCDS purposes, it is assumed that both Lots 29 and 40 (or "Projected Development Site 2" and "Projected Development Site 3," respectively) would each be redeveloped as a result of the Proposed Action.

As Lot 26 has an existing built FAR of 2.87, which represents 287 percent of the maximum permitted commercial/industrial uses under the existing M1-1 zoning (and therefore, is considered non-compliant under existing conditions) and 57.4 percent of the maximum permitted commercial/industrial uses under the proposed M1-5 zoning, it is unlikely that Lot 26 would be redeveloped in the future with the Proposed Action as the site does not meet CEQR's "soft-site" criteria. Therefore, Lot 26 is not considered a projected development site.

Additionally, as the proposed M1-5 zoning district would only extend four feet from the eastern edge of Lot 12, and thus, would not exceed 25 feet, the proposed M1-5 zoning district would not apply to Lot 12 (pursuant to ZR Section 77-211), it is unlikely that Lot 12 would be redeveloped as a result of the Proposed Action as the site does not meet CEQR "soft site" criteria. Therefore, Lot 12 is not considered a projected development site.

The Future without the Proposed Action (No-Action)

In the future without the Proposed Action, it is assumed that while no new construction would be planned for the Applicant-owned Projected Development Site 1, the currently vacant, approximately 30,388 sf former industrial building on Lots 18 and 24 would be converted and reoccupied with commercial retail uses in the No-Action condition. As a result, the Projected Development Site 1 would be occupied by approximately 31,907 gsf (30,388 zsf) of commercial retail uses on a 37,928-sf lot (0.80 FAR). No other changes to the remaining Project Area lots are anticipated in the future without the Proposed Action.

The Future with the Proposed Action (With-Action)

In the 2027 future with the Proposed Action (the With-Action scenario), the proposed zoning map amendment would be approved, allowing the Applicant to construct the Proposed Project (5.0 FAR) at Projected Development Site 1. However, as discussed above, it is conservatively assumed that the Proposed Action would result in the development of a new mixed-use building with a built FAR of up to 6.5.

In addition, it is assumed that Projected Development Site 2 (Lot 29) and Projected Development Site 3 (Lot 40) would each be redeveloped in the 2027 With-Action scenario. It is anticipated that Projected Development Site 2 would be redeveloped with a six-story, 5.0 FAR predominantly commercial office building with ground-floor retail uses comprising approximately 79,821 gsf of office space and 16,730 gsf of retail space, and Projected Development Site 3 would be redeveloped with a five-story, 5.0 FAR predominantly commercial office building with ground-floor retail uses comprising approximately 32,547 gsf of office space and 6,250 gsf of retail space. As a result, the total With-Action development scenario for the Project Area would include approximately 234,154 gsf of commercial office uses, 98,566 gsf of retail uses, 40,732 gsf of light industrial uses, and 59,973 gsf of community facility (medical office) uses, thus representing the RWCDS for the Project Area under the Proposed Action.

Possible Effects of the Proposed Action

Table 1 below provides a comparison of the 2027 No-Action and With-Action scenarios for Projected Development Sites 1, 2, and 3 identified for analysis purposes. As shown in the table, the incremental

(net) change that would result from the Proposed Action is the addition of 234,154 gsf of commercial office uses, 46,184 gsf of local retail uses, 59,973 gsf of community facility (medical office) uses, and 33,119 gsf of light industrial uses. Using standard ratios for estimating employment, **Table 1** estimates that the incremental change in workers that would result from the Proposed Action is the addition of 1,305 workers.

TABLE 1
Comparison of 2027 RWCDS No-Action and With-Action Scenarios for Projected Development Sites 1, 2, and 3

Use	No-Action Scenario	With-Action Scenario	Increment
Commercial	52,382 gsf	332,720 gsf	**+280,338 gsf**
Office	--	234,154 gsf	**+234,154 gsf**
Retail	52,382 gsf	98,566 gsf	**+46,184 gsf**
Community Facility (Medical Office)	--	59,973 gsf	**+59,973 gsf**
Light Industrial	7,613 gsf	40,732 gsf	**+33,119 gsf**
Population/Employment[1]	**No-Action Scenario**	**With-Action Scenario**	**Increment**
Workers	183 workers	1,488 workers	**1,305 workers**

Notes:
[1] Estimate of workers is based on standard rates and are as follows: 1 worker per 300 sf retail space; 4 workers per 1,000 sf of office space; 1 worker per 1,000 sf of light industrial spaces; and 3 workers per 1,000 sf of community facility (medical office) space.

City Environmental Quality Review (CEQR)

CEQR is a process by which agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment. The City of New York established CEQR regulations in accordance with the New York State Environmental Quality Review Act (SEQRA). Pursuant to the SEQRA (Article 8 of the Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City has established rules for its own environmental quality review in Executive Order 91 of 1977, as amended, and 62 RCNY Chapter 5, the Rules of Procedure for CEQR. The environmental review process provides a means for decision-makers to systematically consider environmental effects along with other aspects of project planning and design, to propose reasonable alternatives, and to identify, and when practicable mitigate, significant adverse environmental effects. CEQR rules guide environmental review, as follows:

- *Establish a Lead Agency*. Under CEQR, the "lead agency" is the public entity responsible for conducting environmental review. In accordance with CEQR rules (62 RCNY §5-03), DCP, acting on behalf of the CPC, is serving as the CEQR lead agency for environmental review and will coordinate the review of the Proposed Action, with the NYCIDA acting as an involved agency.

- *Environmental Review and Determination of Significance*. The lead agency determines whether the proposed action(s) may have a significant impact on the environmental. To do so, DCP, in this case, evaluated an Environmental Assessment Statement (EAS) dated May 23, 2022 for the Proposed Action. Based on information contained in the 1160 Flushing Avenue Rezoning EAS, and as the Proposed Action is classified as a "Type I Action," DCP determined that the Proposed Action may have a significant adverse impact on the environment, as defined by statute, and issued a Positive Declaration on May 23, 2022, requiring that an EIS be prepared in conformance with all applicable laws and regulations.

- *Scoping*. Along with its issuance of a Positive Declaration, DCP issued a Draft Scope of Work for the EIS, dated May 23, 2022, marking the beginning of the comment period on the Draft Scope. "Scoping," or creating the scope of work, is the process of identifying the environmental impact analysis areas, the methodologies to be used, the key issues to be studied, and creating an opportunity for others to comment on the intended effort. CEQR requires a public scoping meeting as part of the process. A public scoping meeting was held on June 23, 2022, at 2:00 PM, online via Zoom. The public review period for agencies and the public to review and comment on the Draft Scope of Work was open through 5:00 PM on July 5, 2022. Modifications to the Draft Scope of Work for the project's EIS were made as a result of public and interested agency input during the scoping process.

A Final Scope of Work document for the Proposed Action was issued on February 10, 2023.

- *Draft Environmental Impact Statement (DEIS)*. The DEIS was prepared in accordance with the Final Scope of Work, and followed the methodologies and criteria for determining significant adverse impacts in the *CEQR Technical Manual*. The lead agency reviewed all aspects of the document, calling on other City and state agencies to participate where the agency's expertise is relevant. Once the lead agency is satisfied that the DEIS is complete, it issues a Notice of Completion and circulates the DEIS for public review. The DEIS was deemed complete and the Notice of Completion was issued on February 10, 2023.

- *Public Review*. Publication of the DEIS and issuance of the Notice of Completion signal the start of the public review period. During this time, which must extend for a minimum of 30 days, the public had the opportunity to review and comment on the DEIS either in writing or at a public hearing convened for the purpose of receiving such comments. When the CEQR process is coordinated with another City process that requires a public hearing, such as ULURP, the hearings may be held jointly. CPC held a joint ULURP/CEQR public hearing on May 24, 2023 at 10:00 AM, which was held with both in-person and remote options, to continue to provide robust public participation. The lead agency published a notice of the hearing in AM Metro New York on May 8, 2023, and in the City Record and the Environmental Notice Bulletin on May 9, 2023. Written comments on the DEIS were accepted through 5:00 PM on June 5, 2023. All substantive comments received at the hearing have become part of the CEQR record and have been summarized and responded to in the Final Environmental Impact Statement (FEIS).

- *Final Environmental Impact Statement (FEIS)*. After the close of the public comment period for the DEIS, the FEIS is prepared. The FEIS must incorporate relevant comments on the DEIS, either in a separate chapter or in changes to the body of the text, graphics and tables. Once the lead agency determines the FEIS is complete, it issues a Notice of Completion and circulates the FEIS. DCP issued a Notice of Completion and circulated the FEIS on June 16, 2023.

- *Findings*. To document that the responsible public decision-makers have taken a hard look at the environmental consequences of a proposed project, any agency taking a discretionary action regarding a project must adopt a formal set of written findings, reflecting its conclusions about the significant adverse environmental impacts of the project, potential alternatives, and potential mitigation measures. The findings may not be adopted until ten (10) days after the Notice of Completion has been issued for the FEIS. Once findings are adopted, the lead and involved agencies may take their actions (or take "no action"). This means that the CPC must wait at least ten days after the FEIS is complete to take action on a given application.

G. PROBABLE IMPACTS OF THE PROPOSED ACTION

Land Use, Zoning, and Public Policy

No significant adverse impacts on land use, zoning, or public policy are anticipated in the future with the Proposed Action in the primary or secondary study areas in the 2027 analysis year. The Proposed Action would not directly displace any land uses so as to adversely affect surrounding land uses, nor generate land uses that would be incompatible with land uses, zoning, or public policy in the secondary study area. The Proposed Action would allow several new developments containing a mix of commercial office, light industrial/manufacturing, and/or local retail uses in an area where there is a strong demand for these particular uses that is well-served by infrastructure and public transportation. Additionally, the Proposed Project would support light industrial/manufacturing uses in the North Brooklyn Industrial Business Zone (the "North Brooklyn IBZ"). As there are currently limited retail uses within the 400-foot study area, the Proposed Action would also introduce ground-floor local retail uses on the projected development sites in an area that does not have an abundance of local retail uses.

The Proposed Project would be built at a density and bulk compatible with neighboring recently planned

projects, including 25 Stewart Avenue adjacent to the Project Area. As such, the Proposed Action would result in development that, in addition to being appropriate for the area, would complement and improve the diverse land use character of the secondary study area.

Approval of the zoning map amendment would help to create opportunities for retail, office, and community facility (medical office) uses that have limited siting opportunities, and maintain and expand the light industrial and manufacturing character of the East Williamsburg and Bushwick neighborhoods while allowing a mix of other complementary uses that are permitted within the proposed M1-5 zoning district. As such, the Proposed Action is not anticipated to result in significant adverse land use or zoning impacts.

Finally, as indicated below, the assessment provided herein found that the Proposed Action and resultant RWCDS would be consistent with all applicable policies. The Proposed Action and resultant RWCDS would also be consistent with the public policies outlined in *OneNYC* and *New York Works*, which seek to diversify the City's economic base and increase middle-class employment in the City. Therefore, the Proposed Project would not conflict with any applicable public policies.

Open Space

A detailed open space analysis was conducted and determined that the Proposed Action would not result in significant adverse open space impacts. According to the CEQR Technical Manual, a proposed action may result in a significant impact on open space resources if (a) there would be direct displacement or alteration of existing open space within the study area that would have a significant adverse effect on existing users; or (b) it would reduce the open space ratio and consequently result in the overburdening of existing facilities or further exacerbating a deficiency in open space.

Direct Effects

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

Indirect Effects

As described in the CEQR Technical Manual, open space can be indirectly affected by a proposed action if it would add enough population, either residential or non-residential, to noticeably diminish the capacity of open space in the area to serve the future population. Typically, an assessment of indirect effects is conducted when a project would introduce more than 200 residents and 500 workers to an area. As the Proposed Action is expected to introduce approximately 1,305 workers under the RWCDS, compared to the No-Action condition, a detailed open space analysis for a non-residential (0.25-mile) study area was conducted, pursuant to *CEQR Technical Manual* guidance. The *CEQR Technical Manual* indicates that a significant adverse open space impact may occur if a proposed action would reduce the open space ratio by more than five percent in areas that are currently below the City's median Community District open space ratio of 1.5 acres per 1,000 residents. In areas that are extremely lacking in open space, a reduction of as little as one percent may be considered significant, depending on the area of the City. Conversely, in areas that are within a Walk to a Park Service Area, a greater percentage of change (more than five percent) may be tolerated. These reductions may result in the overburdening of existing facilities or further exacerbating a deficiency in open space. An open space impact assessment also considers qualitative factors.

In the future with the Proposed Action, the passive open space ratio within the non-residential (0.25-mile) study area would decrease by more than five percent from the No-Action condition (a 12.61 percent reduction) but would remain above the City's planning guideline of 0.15 acres per 1,000 non-residents, at 0.332 acres per 1,000 non-residents. Additionally, the residential population in the 0.25-mile open space study area would not experience any reductions in the total, active, or passive open space ratios between

No-Action and With-Action conditions. In addition, the Project Area is located within a Walk to a Park Service Area and, therefore, is not located within a walk gap area (i.e., an area of the City that is not within a walking distance to a park). As such, workers in the 0.25-mile study area would continue to have access to passive open space resources, and there would be no significant adverse impact on open space in the defined study area as a result of the Proposed Action. Furthermore, although the Proposed Action is expected to increase the demand for passive open space for the daytime population in the study area, that demand could be partially absorbed by the at-grade, 0.11-acre private open space that would be provided on Projected Development Site 1 in the future with the Proposed Action, as well as the approximately 0.33 acres of private outdoor office amenity space located on the Proposed Project's second- and fourth-floor terraces. Therefore, the Proposed Action would not result in any significant adverse indirect impacts to study area open space resources, and further analysis is not warranted.

Transportation

The Proposed Action would result in significant adverse transportation impacts related to traffic and pedestrians, as detailed below. Potential mitigation measures are described in the Mitigation section below.

Traffic

The Proposed Action is expected to result in net incremental increases in peak hour vehicle trips by approximately 343, 206, 334, and 266 trips in the weekday AM, midday, PM, and Saturday peak hours, respectively. Traffic conditions were evaluated for the weekday AM (7:30-8:30 AM), midday (1:00-2:00 PM) and PM (4:00-5:00 PM) peak hours, and Saturday (2:00-3:00 PM) peak hours at 10 intersections (seven signalized and three unsignalized[4]) in the traffic study area where additional traffic resulting from the Proposed Action would exceed the 50-trips/hour *CEQR Technical Manual* analysis threshold. The traffic impact analysis indicates the potential for significant adverse impacts at seven intersections (six signalized and one unsignalized) during one or more analyzed peak hours. Significant adverse impacts were identified at 10 lane groups at six intersections in the weekday AM peak hour, eight lane groups at five intersections in the midday, 19 lane groups at seven intersections in the PM, and four lane groups at three intersections in the Saturday peak hour. The "Mitigation" section below discusses potential measures to mitigate these significant adverse traffic impacts.

Transit

Subway
Subway Stations

The Proposed Action would generate a net increment of approximately 255 and 237 new subway trips during the weekday AM and PM commuter peak hours. The analysis of subway station conditions focuses on New York City Transit (NYCT)'s Jefferson Street (L) station as incremental demand from the Proposed Action would exceed the 200-trips/hour *CEQR Technical Manual* analysis threshold at this station in the weekday AM and PM peak hours. In the future with the Proposed Action, those stairs and fare arrays that would be used by project-generated demand are expected to operate at an acceptable level of service (LOS) B or better in both the AM and PM peak hours and would therefore not be significantly adversely impacted by the Proposed Action based on *CEQR Technical Manual* criteria.

[4] The intersection of Flushing Avenue and Stewart Avenue is currently unsignalized. However, as detailed in the Restrictive Declaration, the Applicant has committed to performing a signal warrant study to assess the installation of a signal at the intersection of Flushing Avenue and Stewart Avenue. As described in the Restrictive Declaration, all costs associated with the design and installation of the approved traffic control device, street lighting, geometric modifications, traffic signs, and pavement markings removals/installations will be funded by the Applicant. Therefore, the intersection was analyzed as unsignalized under Existing and No-Action conditions, and, as a preliminary signal warrant study showed that a signal would be warranted in the future with the Proposed Actions, the intersection was analyzed as signalized under With-Action conditions.

Subway line haul

The vicinity of the Project Area is primarily served by one NYCT subway route – L trains operating on the Canarsie Line. The peak direction of travel along the L train route is typically Manhattan-bound (northbound) in the AM and Brooklyn-bound (southbound) in the PM. The Proposed Action would generate a net increment of approximately 69 Manhattan-bound trips along the L subway route during the weekday AM peak hour, and approximately 71 Brooklyn-bound trips during the weekday PM peak hour. In addition, the Proposed Action would generate a net increment of approximately 186 Brooklyn-bound trips long the L subway route during the weekday AM peak hour, and approximately 166 trips Manhattan-bound trips during the weekday PM peak hour. Therefore, it is anticipated that the Proposed Actions would not generate the *CEQR Technical Manual* threshold of 200 or more incremental subway trips along the L subway route in any one direction during the AM and PM peak hours. As such, an analysis of subway line haul conditions is not warranted as impacts are not expected.

Bus

Four NYCT local bus routes—the B38, B38 LTD, B57 and B60—operate within ¼-mile of the Project Area. It is estimated that the Proposed Action would generate a net combined total of approximately 139 and 128 incremental bus trips on these routes during the weekday AM and PM peak hours, respectively. As the number of incremental trips in one direction on any one of these routes would not exceed the 50-trip *CEQR Technical Manual* analysis threshold, the Proposed Action is not expected to result in significant adverse impacts to local bus service.

Pedestrians

The Proposed Action and associated RWCDS is expected to generate approximately 714 incremental walk-only trips in the weekday AM peak hour, 1,290 in the weekday midday peak hour, 1,108 in the weekday PM peak hour, and 1,511 in the Saturday peak hour. Persons walking to and from nearby parking facilities, subway station entrances and bus stops would add approximately 719, 447, 708, and 530 incremental pedestrian trips to sidewalks and crosswalks in the vicinity of the Project Area during the weekday AM, midday and PM peak hours, and Saturday peak hour, respectively. Pedestrian conditions were evaluated during the weekday AM (7:00-8:00 AM), midday (12:45-1:45 PM), PM (4:00-5:00 PM), and Saturday (1:15-2:15 PM) peak hours at a total of 14 pedestrian elements (five sidewalks, four crosswalks and five corner areas) where new trips generated by the Proposed Action are expected to exceed the 200-trip/hour *CEQR Technical Manual* analysis threshold. These elements are primarily located along Flushing Avenue in the immediate proximity of the Project Area. In the Future with the Proposed Action, all analyzed sidewalks and corners would continue to operate at an acceptable LOS C or better during each analyzed peak hour; however, one analyzed crosswalk would be considered significantly adversely impacted in one or more peak hour as a result of the Proposed Action. Potential measures to mitigate these significant adverse pedestrian impacts are discussed in the "Mitigation" section below.

Street User Safety

Under *CEQR Technical Manual* guidance, an evaluation of vehicular and pedestrian safety is needed for locations within the traffic and pedestrian study areas that have been identified as high crash locations. These are defined as a Vision Zero priority intersection or where five or more pedestrian/bicyclist injury crashes have occurred in any consecutive 12 months of the most recent three-year period for which data are available. In addition, any location along a Vision Zero priority corridor with three or more pedestrian/bicyclist injury crashes in any consecutive 12 months of the most recent 3-year period for which data is available should be identified as a high crash location.[5] The Vision Zero Brooklyn

[5] Vision Zero seeks to eliminate all deaths from traffic crashes regardless of whether on foot, bicycle, or inside of a motor vehicle. Vision Zero corridors and intersections are identified as locations that disproportionately account for pedestrian fatalities and severe injuries, thus prioritizing them for safety interventions.

Pedestrian Safety Action Plan, released in 2015 and updated in 2019, identified Flushing Avenue, to the north of the Project Area, as a Priority Corridor.

Crash data for intersections in the traffic and pedestrian study areas were obtained from the New York City Department of Transportation (DOT) for the three-year reporting period between January 1, 2017, and December 31, 2019 (the most recent period for which data were available for all locations). The data quantify the total number of crashes as well as the total number of crashes involving injuries to pedestrians or bicyclists. During the three-year reporting period, a total of 339 crashes and 40 pedestrian/bicyclist-related injury crashes occurred at analyzed study area intersections. None of these crashes involved fatalities. Based on these criteria, the analyzed intersection of Flushing Avenue and Knickerbocker Avenue was classified as a high crash location.

Flushing Avenue and Knickerbocker Avenue

In 2017, one pedestrian crash and zero bicycle-related crashes occurred at this intersection. A total of two pedestrian crashes and zero bicycle-related crashes occurred at this intersection in 2018, and three pedestrian and one bicycle-related crashes occurred at this intersection in 2019. This intersection is signalized and includes pedestrian signals with countdown clocks. There are north, south, east, and west crosswalks striped at this intersection. In addition, there is a conventional bicycle lane located along Knickerbocker Avenue, to the south of Flushing Avenue, and a protected bicycle lane located along Morgan Avenue, to the north of Flushing Avenue. Flushing Avenue is a NYCDOT designated local truck routes. This intersection is expected to experience minimal increases in project generated pedestrian trips as a majority of pedestrian trips would be concentrated adjacent to the Proposed Project and along the routes to/from the Jefferson Street subway station.

Lastly, no intersections within the traffic and pedestrian study areas are located within a designated Senior Pedestrian Focus Area (SPFA), which were identified by NYCDOT based on the density of senior pedestrian (age 65+) crashes resulting in fatalities or severe injuries in a five-year period, as well as variables such as senior trip generators, concentrations of senior centers, and senior housing locations.

Parking

The parking analysis documents changes in parking supply and utilization within a study area extending ½-mile from the Project Area. Within this study area there are a total of two off-street public parking garages. Under the Proposed Action, no existing on-street or off-street public parking would be displaced, and it is anticipated that no accessory parking would be provided on the Projected Development Site 1. Based on anticipated changes in parking demand during the 2020 to 2027 period, it is estimated that in the future with the Proposed Action there would be a deficit of approximately 285 spaces of on-street and off-street public parking capacity within ¼-mile of the Project Area in the weekday midday period. Additionally, within ½-mile of the Project Area, it is estimated that in the future with the Proposed Action there would be a deficit of approximately 35 spaces of on-street and off-street public parking capacity in the weekday midday period. While some drivers destined for the vicinity of the Project Area would potentially have to travel a greater distance to find available parking in the weekday midday, this shortfall would not be considered a significant adverse impact due to the availability of alternative modes of transportation in the surrounding area. Therefore, the Proposed Action is not expected to result in significant adverse parking impacts during the weekday midday peak period.

Air Quality

The Proposed Action would not result in significant adverse impacts related to air quality. The air quality analysis determined that both the Proposed Action's effects on ambient air quality and the effects of ambient air quality on the projected development sites would not result in significant adverse air quality impacts. A summary of the analysis is presented below.

The analysis for the projected development sites' heating/hot water, ventilation, and air conditioning (HVAC) systems included a screening analysis for Projected Development Site 1 stack emissions, a

detailed air dispersion analysis for Projected Development Sites 2 and 3 (cumulative analysis), and a detailed air dispersion analysis for Projected Development Site 3 stack emissions. There are no buildings similar or greater in height than Projected Development Site 1 in the 400-foot study area surrounding the Project Area, and as such, a detailed air dispersion analysis was not required (Projected Development Site 1 screened out). The detailed air dispersion analysis of Projected Development Sites 2 and 3 (cumulative analysis) on the nearest building of similar or greater height (Projected Development Site 1) required a stack setback distance for Projected Development Site 3. The detailed air dispersion analysis for Projected Development Site 3 on Projected Development Site 2 required stack setback distance, use of natural gas in the HVAC equipment, and that the HVAC system be equipped with low-nitrogen oxide (NOx) burners. The control measures for each Projected Development Site are specified in the (E) Designation (E-674) language.

Projected Development Site 1 could potently include operation(s) of manufacturing processing facilities, occupying at most 40,732 gsf. A detailed analysis was conducted for land uses within 400 feet of the Projected Development Site 1. The analysis showed that potential air toxics emissions from the industrial/manufacturing uses introduced by the project would not result in significant adverse air quality impacts. The air toxics concentrations would not exceed the Annual and Short-Term Guideline Concentrations (AGCs and SGCs, respectively) or the cumulative risk assessment, and criteria pollutants concentrations would be within the National Air Quality Standard (NAAQS) and/or the city de minimis.

The transportation trip-assignment analysis showed that no intersections would exceed the threshold of 170 vehicular trips (condition outlined in Sections 210 of Chapter 17 of the *CEQR Technical Manual*). Therefore, no carbon monoxide (CO) detailed analysis is required. The screening analysis for the generate peak hour heavy-duty diesel vehicles (HDDVs) traffic or its equivalent in vehicular emissions, depending on the type of road, showed exceedance at the intersections of Irving Avenue and Jefferson Street and the intersection of Irving Avenue and Troutman Street. A detailed air dispersion analysis of particulate matter with a diameter smaller than 2.5 microns (PM2.5) was conducted for the intersection of Irving Avenue and Jefferson Street, the most effected intersection. The air dispersion analysis showed that the increment between the future with-action to the no-action PM2.5 concentrations would not exceed the de minimis design values. Therefore, no significant adverse air quality impacts are expected at intersections effected by the project-generated traffic. In addition, the Proposed Action would include no accessory parking spaces. Therefore, the Proposed Action parking facilities screened out, and no detailed air quality garage analysis is required.

The silk screen facility Inkz Print Shop, a manufacturing or processing facility, is located in the 400 feet area surrounding the Project Area. Therefore, an air toxics air dispersion analysis was conducted for the facility. The industrial source analysis showed that the air toxics emissions from the silk screen facility would not result in significant adverse air quality impacts at the developments associated with the Proposed Actions. The air toxics concentrations would not exceed the AGCs and SGCs, and the cumulative inhalation excess cancer risk or the cumulative hazardous quotient threshold criterions would not be exceeded.

There are no Title V facilities nor Air State facilities (major or large sources) in the 1,000 feet study area surrounding the development sites. Therefore, a major/large source analysis was not required.

Noise

The Proposed Action would not result in significant adverse impacts related to noise. An analysis was conducted to determine whether traffic generated by the Proposed Actions would have the potential to result in significant adverse noise impacts on existing sensitive receptors, and to determine the level of building attenuation necessary to ensure that interior noise levels for the projected development sites satisfy applicable interior noise criteria. Analysis of mechanical equipment is not warranted because such mechanical equipment would be designed to meet all applicable noise regulations and, therefore, would not result in adverse noise impacts.

Noise from the increased traffic volumes generated by the Proposed Action and resultant RWCDS would not cause significant adverse noise impacts as the relative increase in noise levels would fall below the

applicable *CEQR Technical Manual* significant adverse impact threshold (3.0 dBA).

Based on the calculated With-Action L10 noise levels, the following composite window/wall attenuations were determined for future community facility uses as well as commercial office uses at the projected development sites:

- A minimum of 28 dBA composite window/wall attenuation must be provided on all facades facing Flushing Avenue and all facades facing Wyckoff Avenue and Irving Avenue within 50 feet of Flushing Avenue to maintain an interior noise level not greater than 45 dBA for community facility uses or not greater than 50 dBA for commercial office uses at Projected Development Site 1.

- A minimum of 31 dBA composite window/wall attenuation must be provided on all facades facing Wyckoff Avenue and all facades facing Flushing Avenue and Jefferson Street within 50 feet of Wyckoff Avenue, and a minimum of 28 dBA composite window/wall attenuation on all facades facing Flushing Avenue beyond 50 feet of Wyckoff Avenue and all facades facing Irving Avenue within 50 feet of Flushing Avenue to maintain an interior noise level not greater than 45 dBA for community facility uses or not greater than 50 dBA for commercial office uses at Projected Development Site 2.

- A minimum of 31 dBA composite window/wall attenuation must be provided on all facades facing Wyckoff Avenue and all facades facing Flushing Avenue and Jefferson Street within 50 feet of Wyckoff Avenue to maintain an interior noise level not greater than 45 dBA for community facility uses or not greater than 50 dBA for commercial office uses at Projected Development Site 3.

- No special attenuation measures beyond standard construction practices would be required for community facility uses or commercial office uses on any other frontages within the Project Area.

The composite window/wall noise attenuations described above would be required through the assignment of an (E) designation (E-674). With implementation of the attenuation levels outlined above, the projected development sites would provide sufficient attenuation to achieve *the CEQR Technical Manual* interior noise level guidelines. Therefore, the Proposed Action would not result in any significant adverse impacts related to noise attenuation.

Public Health

The Proposed Action would not result in significant adverse public health impacts. As described in the relevant analyses of the EIS, the Proposed Action would not have the potential for unmitigated significant adverse impacts in any of the technical areas related to public health (hazardous materials, water quality, air quality, or noise). Water and sewer infrastructure and hazardous materials impact assessments were performed for the Proposed Action and presented in the *1160 Flushing Avenue Rezoning EAS* (2022). As discussed in Attachment B, "Supplemental Screening," and Attachment H, "Water and Sewer Infrastructure," of the EAS, the Proposed Action would not result in any significant adverse impacts related to hazardous materials and water and sewer infrastructure. Further, the Proposed Action would not result in any significant adverse impacts related to air quality or noise. In conjunction with the Proposed Action, an E-designation (E-674) will be recorded on Projected Development Sites 1, 2, and 3 (Block 3167, Lots 18, 24, 29 and 40) to preclude significant adverse impacts related to air quality, noise and hazardous materials. As such, the Proposed Action would not have the potential for significant adverse impacts related to public health, and, pursuant to *CEQR Technical Manual* guidance, a public health assessment is not warranted.

Neighborhood Character

The Proposed Actions would not result in significant adverse impacts related to neighborhood character. The neighborhood character of the study area is defined by a few key components, including its mix of land uses and building types, open space resources, vacant buildings and industrial land. As described in the EIS or the 1160 Flushing Avenue Rezoning EAS (2022), the Proposed Action would not result in

significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; open space; urban design and visual resources; shadows; and noise. The significant adverse transportation impacts that have been preliminarily identified and described in the transportation analysis would not affect any defining feature of neighborhood character, nor would a combination of moderately adverse effects affect such a defining feature.

The Proposed Action would facilitate the development of a mix of commercial office and local retail, light industrial/manufacturing, and community facility uses that would be consistent with the mixed-use character of the surrounding neighborhood. Underutilized and vacant land would be redeveloped at a scale and density that is compatible with neighboring recently planned projects, including 25 Stewart Avenue adjacent to the Project Area. In addition, the proposed commercial, light industrial, and community facility uses would be consistent with and directly support the public policies outlined in *OneNYC* and *New York Works*, which seek to diversify the City's economic base and increase middle-class employment in the City.

As shown by preliminary analyses, while the Proposed Action would result in increased transportation activities and significant adverse transportation impacts, the resulting conditions would be similar to those seen in the study area and would not result in levels of activity or service conditions that would be out of character with the surrounding neighborhood, which is already characterized by moderate vehicle and pedestrian volumes. Thus, the changes in transportation due to the Proposed Action would not result in significant adverse impacts on neighborhood character.

H. MITIGATION

The Proposed Action has the potential to result in significant adverse impacts to transportation (traffic and pedestrians). Potential mitigation measures for these technical areas are identified below.

Transportation
Traffic

The Proposed Action would result in significant adverse impacts at seven study area intersections during one or more analyzed peak hours during the weekday AM, weekday midday, weekday PM, and Saturday midday peak hours. Implementation of traffic engineering improvements, such as signal timing changes would provide mitigation for several of the anticipated traffic impacts. If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative mitigation measure will be identified, if possible. In the absence of the application of mitigation measures, the impacts would remain unmitigated.

The types of mitigation measures proposed herein are standard measures that are routinely identified by the City and considered feasible for implementation. **Table 2** summarizes the recommended mitigation measures for each of the intersections with significant adverse traffic impacts during the weekday AM, midday, PM, and Saturday peak hours. Implementation of the recommended traffic engineering improvements is subject to review and approval by DOT, and is described further in the Restrictive Declaration. In the absence of the application of mitigation measures, the impacts would remain unmitigated.

TABLE 2
Proposed Traffic Mitigation Measures

Intersection	Signal Phase	No Action Signal Timing (Seconds) (1) AM	MD	PM	SAT	Proposed Signal Timing (Seconds) (1) AM	MD	PM	SAT	Recommended Mitigation
Flushing Avenue &	EB/WB	46	46	46	46	49	49	50	47	- Transfer 3s of green time from NB to EB/WB in AM and midday.
Wykoff Avenue	NB	44	44	44	44	41	41	40	43	- Transfer 4s and 1s of green time from NB to EB/WB in PM and
Flushing Avenue &	EB/WB (Flushing Av)	39	39	39	39	39	39	39	39	Unmitigatable
Melrose Street &										
Irving Avenue	EB/WB (Melrose Av)	27	27	27	27	27	27	27	27	
	SB	24	24	24	24	24	24	24	24	
Flushing Avenue &	EB/WB	45	45	45	45	50	50	50	45	Unmitigatable
Knickerbocker Avenue	NB	35	35	35	35	40	40	40	35	
Flushing Avenue &	EB/WB	52	52	52	52	52	52	52	52	Unmitigatable
Morgan Avenue &	PED	7	7	7	7	7	7	7	7	
Wilson Avenue	NB/SB	31	31	31	31	31	31	31	31	
Troutman St &	WB	24	24	24	24	24	24	24	24	Unmitigatable
Irving Ave	SB	36	36	36	36	36	36	36	36	
Troutman St &	WB	27	27	27	27	26	27	27	27	- Transfer 1s of green time from WB to NB in AM.
Knickerbocker Ave	NB	33	33	33	33	34	33	33	33	
Jefferson St &	EB/WB									Unmitigatable
Irving Ave	PED	**Unsignalized**				**Unsignalized**				
	SB									

Notes: (1) Signal timings shown indicate green plus yellow (including all red) for each phase.

Assuming all the proposed mitigation measures were implemented, **Table 3** shows that significant adverse impacts would be fully mitigated at two lane groups in the weekday AM peak hour, one lane group in the midday peak hour, two lane groups in the weekday PM peak hour, and one lane group in the Saturday peak hour. Impacts would be fully mitigated at one intersection during the weekday AM, PM, and Saturday peak hours. During the weekday midday peak hour, none of the impacted intersections would be fully mitigated. **Table 4** provides a more detailed summary of the intersections and lane groups that would have unmitigated significant adverse traffic impacts. In total, impacts to one or more lane groups would remain unmitigated in one or more peak hours at seven intersections.

TABLE 3
Summary of Lane Groups/Intersections with Significant Adverse Traffic Impacts

Peak Hour	Lane Groups/ Intersections Analyzed	Lane Groups/ Intersections With No Significant Impacts	Lane Groups/ Intersections With Significant Impacts	Mitigated Lane Groups/ Intersections	Unmitigated Lane Groups/ Intersections
Weekday	37/10	27/4	10/6	2/1	8/5
Weekday	37/10	29/5	8/5	1/0	7/5
Weekday	37/10	18/3	19/7	2/1	17/6
Saturday	37/10	33/7	4/3	1/1	3/2

TABLE 4
Lane Groups With Unmitigated Significant Adverse Traffic Impacts

	Peak Hour			
	Weekday AM	**Weekday Midday**	**Weekday PM**	**Saturday**
Signalized Intersections				
Flushing Avenue & Wyckoff Avenue	EB-TR	EB-TR	-	-
Flushing Avenue & Melrose Street & Irving Avenue & Thames Street & Varick Avenue	Flushing EB-LT, Flushing WB-LT, Varick SB-TR	Flushing EB-LT, Flushing WB-LT, Varick SB-TR	Flushing EB-LT Flushing EB-R, Flushing WB-LT, Melrose WB-LT, Flushing SB-LTR, Melrose SB-LTR, Varick SB-TR	Flushing SB-LTR, Varick SB-TR
Flushing Avenue & Knickerbocker Avenue	WB-TR	EB-LT	EB-LT, WB-TR	-
Flushing Avenue & Morgan Avenue & Wilson Avenue	WB-LTR, SB-LTR	EB-LTR	EB-LTR, WB-LTR, SB-LTR	-
Troutman Street & Irving Avenue	-	-	WB-LT, SB-TR	-
Troutman Street & Knickerbocker Avenue	-	-	WB-TR, NB-LT	-
Unsignalized Intersections				
Jefferson Street & Irving Avenue	EB-TR	EB-TR	EB-TR	EB-TR
Notes: NB—northbound, SB—southbound, EB—eastbound, WB—westbound L—left-turn, T—through, R—right-turn				

Proposed Schedule for Traffic Mitigation Measures

Subject to the approval of DOT, the traffic mitigation measures would be implemented to mitigate the significant adverse traffic impacts resulting from full build-out of the Projected Development Sites in 2027. As discussed above, construction of the Proposed Project would occur over an approximately 22-month period and it is assumed that full build-out of the Proposed Project would occur by 2025. Additionally, as noted above and described in greater detail below, two additional projected development sites (Lots 29 and Lot 40) have been identified in the Project Area that could be developed as a result of the Proposed Action. However, as described below, no formal redevelopment plans exist for the non-Applicant-owned sites. Nonetheless, the two sites meet the CEQR soft site criteria and, as such, are anticipated to be redeveloped by 2027. As such, all developments facilitated by the Proposed Action are expected to be operational in 2027.

In order to determine whether the implementation of some or all of the traffic mitigation measures would be warranted in 2025 and/or 2027, the Applicant will commit, in consultation with DOT and DCP, to undertake a transportation monitoring program (TMP). The focus of this TMP was explored further by the Applicant in consultation with DOT and DCP between DEIS and FEIS, and is described in further detail in the Restrictive Declaration. A report summarizing the findings of the TMP would be submitted to DOT and DCP along with relevant backup data, and will be used by DOT as the basis for directing implementation of the proposed mitigation measures. The TMP scope of work would be submitted for DOT and DCP review and approval prior to implementation. The Applicant would be responsible for all costs associated with the TMP and any proposed traffic improvement/mitigation measures, and would submit all required drawings for such measures to DOT for review and approval.

Pedestrians

Incremental demand from the Proposed Action would result in significant adverse impacts to one crosswalk in one or more peak hours. There would be no significant adverse impacts to analyzed sidewalks and corner areas in any period. Widening the impacted crosswalk by 4.5 feet would fully

mitigate the significant crosswalk impacts. Implementation of the proposed mitigation measures would be subject to review and approval by DOT, as is described further in the Restrictive Declaration. If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative mitigation measure will be identified, if possible. In the absence of the application of mitigation measures, the impacts would remain unmitigated.

Additionally, proposed traffic mitigation measures (discussed previously) would potentially affect pedestrian conditions at a total of two corners and two crosswalks in one or more peak hours. The recommended traffic mitigation measure at Flushing Avenue and Wyckoff Avenue would consist of signal timing adjustments to transfer green time from the northbound phase to the eastbound/westbound phase in each analyzed peak hour (refer to **Table 2**).

As shown in **Table 5**, with the implementation of the proposed signal timing adjustment at the Flushing Avenue and Wyckoff Avenue intersection, the south and west crosswalk would continue to operate at LOS C or better during each analyzed peak hour. In addition, as shown in **Table 6**, the southeast and southwest corners at the Flushing Avenue and Wyckoff Avenue intersection would continue to operate at LOS B or better during each analyzed peak hour with the implementation of the proposed traffic mitigation.

TABLE 5
Effects of Traffic Mitigation on Crosswalks

		With-Action Condition								Action-with-Mitigation								
		Average Pedestrian Space (ft^2/ped)				Level of Service				Average Pedestrian Space (ft^2/ped)				Level of Service				
Intersection	Crosswalk	AM	MD	PM	SAT	AM	MD	PM	SAT	AM	MD	PM	SAT	AM	MD	PM	SAT	Proposed Traffic Mitigation
Flushing Ave @ Wyckoff Ave	South	50.6	53.2	31.5	37.1	B	B	C	C	56.4	59.5	36.2	38.3	B	B	C	C	- Transfer 3s of green time from NB to EB/WB in AM and midday. - Transfer 4s and 1s of green time from NB to EB/WB in PM and Saturday.
	West	92.6	67.9	66.5	40.4	A	A	A	B	82.5	60.7	57.1	38.9	A	A	B	C	

Notes: Includes proposed signal timing changes outlined in **Table 2**.

TABLE 6
Effects of Traffic Mitigation on Corners

		With-Action Condition								Action-with-Mitigation								
		Average Pedestrian Space (ft^2/ped)				Level of Service				Average Pedestrian Space (ft^2/ped)				Level of Service				
Intersection	Corner	AM	MD	PM	SAT	AM	MD	PM	SAT	AM	MD	PM	SAT	AM	MD	PM	SAT	Proposed Traffic Mitigation
Flushing Ave @ Wyckoff Ave	SE	156.5	187.4	113.8	115.3	A	A	A	A	156.8	187.7	114.3	115.5	A	A	A	A	- Transfer 3s of green time from NB to EB/WB in AM and midday. - Transfer 4s and 1s of green time from NB to EB/WB in PM and Saturday.
	SW	105.0	98.5	69.8	58.7	A	A	A	B	105.2	98.6	70.4	58.8	A	A	A	B	

Notes: Includes proposed signal timing changes outlined in **Table 2**.

Proposed Schedule for Pedestrian Mitigation Measures

Subject to the approval of DOT, the pedestrian mitigation measures would be implemented to mitigate the significant adverse crosswalk impacts resulting from the full build-out of the Projected Development Sites in 2027. As previously mentioned, construction of the Proposed Project would occur over an approximately 22-month period and it is assumed that full build-out of the Proposed Project would occur by 2025. In addition, Projected Development Sites 2 and 3 are anticipated to be redeveloped by 2027. As such, it is possible that the crosswalk impacts could occur prior to full build-out in 2027.

Based on the anticipated construction schedule discussed above, 200 or more incremental pedestrian trips generated by the Proposed Action would potentially occur on the impacted crosswalk beginning in 2025 upon completion of the Proposed Project. At this earlier point in time, implementation of the mitigation

measures developed for full build-out of the Proposed Actions in 2027 would be considered to address the potential significant adverse pedestrian impacts.

I. ALTERNATIVES

Alternatives selected for consideration in an environmental impact statement are generally those that are feasible and have the potential to reduce, eliminate, or avoid significant adverse impacts of a proposed project while meeting some or all of the goals and objectives of this project. The purpose of an analysis of alternatives to a proposed project is to provide the decision makers with the opportunity to consider practicable alternatives that are consistent with the project's purpose, and that could potentially reduce or eliminate significant adverse environmental impacts identified in the EIS. Two alternatives to the Proposed Project were considered: (1) a No-Action Alternative, which contemplates a new as-of-right development is anticipated to be developed pursuant to existing M1-1 zoning at the Projected Development Sites; and (2) a No Unmitigated Significant Adverse Impacts Alternative, which considers a development scenario that would not result in any identified significant unmitigated adverse impacts.

No-Action Alternative

The No-Action Alternative examines future conditions on Projected Development Sites 1 through 3,but assumes the absence of the Proposed Action (i.e., the proposed zoning map amendment would not be adopted). Under the No-Action Alternative by 2027, it is anticipated the currently vacant, approximately 30,388 gsf former industrial building on Lots 18 and 24 would be converted and reoccupied with commercial retail uses pursuant to the existing M1-1 zoning. No other changes to the remaining Project Area lots are anticipated in the No-Action Alternative. The technical chapters of the EIS have described the No-Action Alternative as "the Future Without the Proposed Action."

The significant adverse impacts related to transportation anticipated for the Proposed Action would not occur under the No-Action Alternative. However, the No-Action Alternative would not meet the goals of the Proposed Project. The benefits expected to result from the Proposed Project as intended by the Applicant – including the creation of new, Class A office space targeting TAMI firms within a transit-rich area, promoting livable and walkable mixed-use neighborhoods with work spaces within close proximity to nearby residential communities – would not be realized under this alternative, and the No-Action Alternative would fall short of the objectives of the Proposed Action.

No Unmitigated Significant Adverse Impacts Alternative

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Project are changed specifically to avoid the unmitigated significant adverse impacts associated with the Proposed Action. There is the potential for the Proposed Action to result in unmitigated significant adverse impacts related to transportation. Overall, in order to eliminate all unmitigated significant adverse impacts, the RWCDS would have to be modified to a point where the principal goals and objectives would not be realized.

J. UNAVOIDABLE ADVERSE IMPACTS

As described in the "Mitigation" section, the Proposed Actions would result in significant adverse impacts with respect to transportation (traffic and pedestrians). To the extent practicable, mitigation has been proposed for the identified significant adverse impacts. However, in some instances (a) no practicable mitigation was identified to fully mitigate significant adverse impacts, and (b) there are no reasonable alternatives to the Proposed Action that would meet their purpose and need, eliminate their impacts, and not cause other or similar significant adverse impacts.

Transportation
Traffic

The Proposed Action would result in significant adverse traffic impacts at eight intersections (six signalized and two unsignalized) during one or more analyzed peak hours. The traffic impact analysis indicates that during the AM peak hour, a total of 10 lane groups at six intersections are expected to be significantly adversely impacted. A total of eight lane groups at five intersections are expected to be significantly adversely impacted in the weekday midday peak hour. During the weekday PM peak hour, a total of 19 lane groups at seven intersections are expected to be significantly adversely impacted. A total of four lane groups at three intersections are expected to be significantly adversely impacts in the Saturday midday peak hour. As discussed in "Mitigation," implementation of traffic engineering improvements such as signal timing changes would fully mitigate the significant adverse impacts to two lane groups in the weekday AM peak hour, one lane group in the midday peak hour, two lane groups in the weekday PM peak hour, and one lane group in the Saturday peak hour. Impacts would be fully mitigated at one intersection during the AM, PM, and Saturday peak hours. During the weekday midday peak hour, none of the impacted intersections would be fully mitigated. As shown in **Table 4**, no practicable mitigation was identified for the impacts to one or more lane groups in one or more peak hours at seven intersections. Consequently, these impacts would constitute unavoidable significant adverse traffic impacts as a result of the Proposed Action.

Implementation of the recommended traffic engineering improvements is subject to review and approval by DOT. If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure may be identified. In the absence of the application of mitigation measures, the impacts would also remain unmitigated and would also constitute unavoidable adverse traffic impacts as a result of the Proposed Action.

Pedestrians

The Proposed Action would result in a significant adverse impact to the south crosswalk at the Flushing Avenue and Irving Avenue intersection in the weekday PM and Saturday peak hours. The impacted crosswalk would fully mitigated with a 4.5-foot widening (to a total of 17.9 feet in width). Implementation of the proposed mitigation measures would be subject to review and approval by DOT. Absent the implementation of the identified mitigation measure, or if the proposed mitigation measure is determined to be infeasible by DOT and no other potential mitigation measures are identified in its place thereafter, the Proposed Action would result in unmitigated significant adverse pedestrian impacts and would be considered unavoidable.

K. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS

The Proposed Action would result in more intensive land uses within the Project Area; however, it is not anticipated that the Proposed Action would generate significant secondary impacts resulting in substantial new development in nearby areas. The Proposed Action would improve existing infrastructure in and around the Project Area, including constructing a new pedestrian alleyway that would provide a new connection between Flushing Avenue and Jefferson Street, improving existing roadways and sidewalks, and developing new private open space areas. However, the study area is sufficiently well-developed such that improvements associated with the Proposed Action would not induce additional notable growth outside of the Project Area.

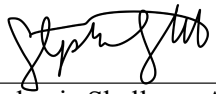
Overall, the Proposed Action is not expected to induce any significant additional growth beyond that identified and analyzed in this EIS.

L. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

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

The Project Area does not possess any natural resource values and is currently occupied by a mixture of vacant and active industrial (warehouse) and retail buildings. Although the Proposed Action would result in an increase in office, retail, and community facility land uses and private open space areas, the Proposed Action would constitute an irreversible and irretrievable commitment of the Project Area as a land resource, thereby rendering land use for other purposes infeasible, at least in the near term.

These commitments of resources and materials are weighed against the Proposed Action's goals of transforming a largely underutilized site into a new enlivened mixed-use development, while providing new private open space areas and transportation and infrastructure improvements that would serve both the existing residential and worker populations and new workers from the Proposed Action.



Stephanie Shellooe, AICP, Director
Environmental Assessment and Review Division
New York City Department of City Planning

Cc:
Daniel R. Garodnick, Chair
City Planning Commissioners
Antonio Reynoso, Brooklyn Borough President
Brooklyn Community Board 4, Chair
Brooklyn Community Board 4, District Manager
Perris Straughter, City Council
Hilary Semel, OEC
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