Atlantic Avenue Mixed-Use Plan

~~Draft~~ Final Scope of Work for an Environmental Impact Statement

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A. INTRODUCTION

The New York City Department of City Planning (DCP), together with New York City Department of Housing Preservation and Development (HPD) and ~~other partner agencies~~, Department of Citywide Administrative Services (DCAS), is proposing a series of land use actions, including zoning map amendments, acquisition, disposition of City-owned property and Urban Development Action Area Project (UDAAP), and zoning text amendments (including establishing a new Special District and Mandatory Inclusionary Housing [MIH]) (collectively, the "Proposed Actions") that would facilitate the implementation of a ~~multi-year planning process conducted~~neighborhood land-use plan along Atlantic Avenue in Prospect Heights, northwestern Crown Heights, and southern Bedford Stuyvesant in partnership with elected officials, City agencies, community boards, and local stakeholders.

The Proposed Actions would affect an approximately ~~20~~21-block area, primarily along Atlantic Avenue in Brooklyn Community Districts 3 and 8, and generally bounded by Vanderbilt Avenue to the west, Nostrand Avenue to the east, Herkimer Street to the north, and Bergen Street to the south. In addition, the Proposed Actions would affect ~~a~~ two, separate, non-contiguous ~~area~~areas located on a portion of two blocks ~~in Prospect Heights~~ bounded by:

- 6th Avenue to the west, Carlton Avenue to the east, Dean Street to the north, and St. Marks and Flatbush Avenues to the south.
- Halsey Street to the north, Macon Street to the south, Nostrand Avenue to the west and Marcy Avenue to the east.

In response to the comments received on the Draft Scope of Work, two additional development sites (Projected Development Sites #53 and #55) have been included in environmental analysis to account for development that could be facilitated by future discretionary actions not subject to the current ULURP application associated with the Proposed Actions. These two separate, non-contiguous sites in CDs 2 and 8 are on a portion of two blocks bounded by: Fulton Street to the north, Atlantic Avenue to the south, Carlton Avenue to the west and Clermont Avenue to the east. Prospect Place to the north, Park Place to the south, New York Avenue to the west and Brooklyn Avenue to the east.

The Proposed Actions are intended to reinvigorate portions of the 120-foot wide Atlantic Avenue thoroughfare and surrounding blocks and help mitigate the regional housing crisis by allowing the development of new housing, including affordable housing, and facilitating economic opportunity and the growth of local services and jobs in an area that has excellent public transit access and is near the major employment hubs of Downtown Brooklyn and Lower Manhattan. These actions will also be reinforced by investments into local community resources and the public realm to improve sustainability, safety, mobility, and neighborhood connectivity. The Proposed Actions seek to accomplish the following land use objectives:

- Implement community-identified priorities for housing, services, and job growth, and reinforce proposed investments into community amenities and the streetscape.
- Allow for new housing where appropriate and require permanently affordable housing in new residential developments.
- Reinforce the area as a local job hub that serves surrounding neighborhoods and new residents, and promotes a walk-to-work environment.

- Ensure the area evolves into a mixed-use neighborhood that supports new housing and space for local retail, community facilities and services, and commercial and light industrial uses.
- Encourage the investment in, and expansion of, loft-style buildings to help the growth of job-dense uses in appropriate locations.
- Strengthen the quality of the Atlantic Avenue streetscape, improve safety along the corridor and at key intersections, enhance the pedestrian experience along the sidewalk, and find opportunities for publicly accessible open space for existing and future residents.
- Support active ground floor uses along key corridors, including Atlantic Avenue, Grand Avenue, Classon Avenue, and Bedford Avenue.
- Create special zoning rules to improve urban design and accommodate unique development conditions.

Related to the objectives above, the Proposed Actions also seek to facilitate the following redevelopments of public- and nonprofit-owned lots:

- Dean Park Edge: One 11-story new construction mixed-use building containing approximately 151 affordable senior rental units, one additional unit for a superintendent, approximately 2,780 square feet of community facility space on the ground floor. The proposed development will be developed on five underutilized City-owned lots within the Prospects Heights neighborhood of Brooklyn's Community District 8, located at 542 Dean Street (Block 1136, Lots 29, 32, 33, 34, 35) ("Projected Development Site 46").
- Bergen Green: One 11-story new construction mixed-use building containing approximately 111 affordable rental units, one additional unit for a superintendent, approximately 5,323 square feet of community facility space on the ground floor, and approximately 23 parking spaces for HPD operations on one underutilized City-owned site within the Prospects Heights neighborhood of Brooklyn's Community District 8, located at 516 Bergen Street (Block 1143, Lot 25) ("Projected Development Site 47").
- 457 Nostrand Avenue (Department of Education): One 13-story new construction mixed-use building containing approximately ~~130~~ 200 affordable rental units[1], one additional unit for a superintendent, approximately 18,034 square feet of community facility space on the ground floor on one underutilized City-owned site within the Bedford-Stuyvesant neighborhood of Brooklyn's Community District 3, located at 457 Nostrand Avenue (Block 1844, Lot 1) ("Projected Development Site 54").
- 1134 Pacific Street (Acacia Network): One 11-story new construction mixed-use building containing approximately 119 affordable rental units, one additional unit for a superintendent, approximately 2,479 square feet of community facility space on the ground floor on three underutilized formerly City-owned sites within the Prospects Heights neighborhood of Brooklyn's

[1] For a conservative analysis the RWCDS assumes 279 affordable DUs at 457 Nostrand Avenue, based on total available floor area and unit size assumptions. As noted, current DOE/HPD plans assume 200 affordable DUs would be built on Projected Development Site 54.

Community District 8, located at 1134-1142 Pacific Street (Block 1205, Lots 11, 14, 111) ("Projected Development Site 48").

- 1110 Atlantic Avenue (New York City Transit): One new construction mixed-use building ranging in height from 10 to 19 stories and containing approximately 200 affordable rental units and approximately 21,000 square feet of commercial space on the ground floor of an underutilized City-owned site within the Prospect Heights neighborhood of Brooklyn's District 8, located at 1110 Atlantic Avenue (Block 1126, Lot 32) ("Project Development Site 45").

Atlantic Avenue serves as one of the City's major thoroughfares, spanning across several neighborhoods from Brooklyn's waterfront to Jamaica, Queens. During the late 19th century, a freight and passenger rail line ran at-grade along Atlantic Avenue, leading to many industrial, distribution-based businesses flourishing along the corridor and surrounding blocks, intermingling with the existing rowhouses and apartment buildings. In the early 1900s, the rail line was moved below grade and began operating as passenger-only service for the Long Island Rail Road (LIRR). Concurrently with the rapid growth of the automobile and suburbanization of Long Island, portions of Atlantic Avenue in Central Brooklyn evolved into an auto-centric corridor with gas stations, vehicle repair shops, warehouses, and distribution centers. In 1961, the area was mapped with an M1-1 zoning district, codifying the area as a low-rise, auto-oriented corridor into law. Due to the M1-1's low allowable densities and heights, high off-street parking and loading requirements, and use limitations, this zoning contributed to disinvestment in the area by encouraging the devaluation and demolition of pre-zoning rowhouses and apartment buildings, banning development of any new housing, and significantly constraining the growth of commercial and industrial businesses. Today, the area consists of vacant and underutilized lots, as well as single-story warehouses and auto-related uses.

In contrast, the areas immediately surrounding the M1-1 zoning district are mainly built up and thriving with residential and other types of uses. Housing demand has soared in Crown Heights, Prospect Heights, Clinton Hill, Bedford Stuyvesant, and other neighborhoods surrounding Atlantic Avenue, which benefit from strong access to public transit and major employment hubs, such as Downtown Brooklyn and Lower Manhattan. To prevent new, potentially out-of-context development, large swaths of these neighborhoods have been mapped with contextual zoning districts and designated as historic districts by the Landmarks Preservation Commission (LPC), limiting capacity for new housing and placing increasing pressure on industrial-zoned parts of Atlantic Avenue to accommodate growth. ~~In response to growing development interest following the approval of the 2013 Crown Heights West Rezoning, Community Board 8 spearheaded a planning process for an M1-1 zoned area in northwestern Crown Heights called M-Crown ("Manufacturing, Commercial, Residential Opportunities for a Working Neighborhood") with a vision for new affordable housing and job-generating uses.~~

Following the 2013 area-wide rezoning of Crown Heights West, Brooklyn CB 8 formed a land use sub-committee called M-CROWN with the aim of establishing a shared vision for housing and job growth along a section of Atlantic Avenue. In 2015, CB 8 adopted their first Resolution requesting the City rezone the M-CROWN geography to support new mixed-income housing and living-wage jobs, envisioning expanded industrial uses and restrictions on retail, nightlife, and eating and drinking establishments.

Since 2016, DCP has been engaged with Community Board 8 and began a study in collaboration with board members, residents and property owners, and other stakeholders. In 2018, DCP released a land use framework, which built upon Community Board 8's goals and set forth a vision with individual sub-areas that has subsequently been used as a tool to guide private rezoning applications. In spring 2022, DCP began work to advance an area-wide plan for Atlantic Avenue in response to a request from elected officials, local organization and community board leaders, and various stakeholders. In October 2022, an outreach and

engagement process was launched by elected officials, DCP, and partnering agencies, known as the Atlantic Avenue Mixed-Use Plan, culminating in a community priorities report in July 2023 which included recommendations for land use changes, public realm improvements, and other community-based priorities.

An overview of the area subject to the Proposed Actions (also referred to as the Project Area or Rezoning Area), the purpose and need for the Proposed Actions, and their specific components are discussed below. Appendix 1 of the Environmental Assessment Statement (EAS) includes a full list of the blocks and lots that would be affected by the Proposed Actions.

B. REQUIRED APPROVALS

The Proposed Actions include discretionary actions that are subject to review under the Uniform Land Use Review Procedure (ULURP), Section 200 of the City Charter, and City Environmental Quality Review (CEQR) process, as follows:

- **Zoning Map Amendment** to:
  - Rezone portions of existing M1-1, C6-2A, C6-3A, C6-3X, M1-4/R7A, R7A/C2-4, R7D/C2-4~~, C6-2A~~, R6B, and R6A districts to R7A, R7D, C6-3A, M1-~~4~~1A/R6B, M1-~~4~~2A/R6A, M1-~~4~~3A/R7D, M1-~~5~~4A/R9A, C4-3A, C4-5D, and M1-~~4~~-3A districts and C2-4 commercial overlays.
- **Zoning Text Amendments** to:
  - Establish the Special Atlantic Avenue Mixed-Use District largely coterminous with the Rezoning Area. The proposed special purpose district will include modifications to underlying use, bulk, parking and loading, and streetscape regulations. The proposed special district will include requirements and incentives related to active ground floor uses and job-generating uses and establish controls for building articulation and streetscape improvements along key corridors.
  - Modify Appendix F for the purpose of establishing proposed R7A, R7D, C6-3A, M1-~~4~~1A/R6B, M1-~~4~~2A/R6A, M1-~~4~~3A/R7D, M1-~~5~~4A/R9A, C4-3A, ~~and~~ C4-5D, and R7-2 as MIH areas, applying the MIH program to require a share of new housing to be permanently affordable where significant new housing capacity would be created.
- **Designation of an Urban Development Action Area ("UDAA")**, ~~project a~~Approval of an Urban Development Action Area Project ("UDAAP"), ~~and acquisition~~Acquisition, and/~~or~~ ~~disposition~~ Disposition of the City-owned ~~property within the Project Area.~~Properties
- **Site Selection and/or Acquisition**, ~~related to the potential acquisition of land by the City for the purpose of establishing publicly accessible open space.~~
  - Designation of an UDAAs, project approval of an UDAAP, and disposition of the City-owned property for two parcels owned and managed by HPD on Block 1136 (Lots 29, 32, 33, 34, and 35) and Block 1143 (Lot 25). HPD seeks to ~~rezone and~~ designate a UDAAP for the purpose of disposition and development of affordable housing for older adults and families, as well as to provide on-site services and amenities for residents and other community facility uses.
  - Acquisition and disposition actions related to the property for Block 1205, Lots 11, 14, and 111; Acquisition and disposition of City-owned property at Block 1126, Lot 32; acquisition

of City-owned property at Block 1143, Lot 25, and disposition of City-owned property at Block 1844, Lot 1.

- In addition to these land use actions, ~~the proposed project for Block 1205, Lots 11, 14, and 111 could seek an~~potential Article XI disposition, tax exemption, and HPD financing for one or more sites to facilitate the development of affordable housing

CITY ENVIRONMENTAL QUALITY REVIEW AND SCOPING

The Proposed Actions are classified as Type 1, as defined under 6 New York Codes, Rules and Regulations (NYCRR) 617.4 and 43 Rules of the City of New York (RCNY) 6-15, subject to environmental review in accordance with CEQR guidelines. An EAS was completed on September 15, 2023. A Positive Declaration, issued on September 15, 2023, established that the Proposed Actions may have a significant adverse impact on the environment, thus warranting the preparation of an Environmental Impact Statement (EIS). DCP will be acting as lead agency on behalf of City Planning Commission (CPC) and will conduct a coordinated environmental review.

The City Environmental Quality Review (CEQR) scoping process is intended to focus the EIS on those issues that are most pertinent to the Proposed Actions. The process allows other agencies and the public a voice in framing the scope of the EIS. The scoping document sets forth the analyses and methodologies that will be used to prepare the EIS. During the period for scoping, those interested in reviewing the Draft Scope may do so and give their comments to the lead agency. Therefore, in accordance with the City and State environmental review regulations and methodologies, the Draft Scope of Work to prepare the EIS was issued on September 15, 2023. The public, interested agencies, Brooklyn Community Boards (CB) 3 and 8, and elected officials, wereare invited to comment on the Draft Scope, either in writing or orally, at a public scoping meeting ~~to be~~ held on October 17, 2023, starting at 2:00 PM. Instructions on how to view and participate, as well as materials relating to the meeting, ~~will be~~were available at the DCP Scoping Documents webpage (https://www.nyc.gov/site/planning/applicants/scoping-documents.page) and NYC Engage website (https://www1.nyc.gov/site/nycengage/index.page) in advance of the meeting. To continue to allow for broad public participation options, DCP ~~will hold~~held the public scoping meeting remotely.

Comments received during the Draft Scope's public meeting and written comments received up to 10days after the meeting until 5:00 PM on October 27, 2023, ~~will be~~were considered and incorporated as appropriate into this~~the~~ Final Scope of Work (Final Scope). The lead agency ~~will oversee~~oversaw preparation of the Final Scope, which ~~will~~ incorporates all relevant comments on the Draft Scope and revises the extent or methodologies of the studies, as appropriate, in response to comments made during the scoping process and to include any other necessary changes to the scope of work for the EIS. The written comments received are included in Appendix I. The Draft EIS (DEIS) will be prepared in accordance with this~~the~~ Final Scope.

Once the lead agency is satisfied that the DEIS is complete, the document will be made available for public review and comment. A public hearing will be held on the DEIS in conjunction with the CPC hearing on the land use applications to afford all interested parties the opportunity to submit oral and written comments. The record will remain open for 10 days after the public hearing to allow additional written comments on the DEIS. At the close of the public review period, a Final EIS (FEIS) will be prepared that will respond to all substantive comments on the DEIS, along with any revisions to the technical analyses necessary to respond to those comments. The decision-makers will then use the FEIS to evaluate CEQR findings, which address project impacts and proposed mitigation measures, in deciding whether to approve the requested discretionary actions, with or without modifications.

C. BACKGROUND TO THE PROPOSED ACTIONS

COMMUNITY ENGAGEMENT AND INTERAGENCY PARTICIPATION

Following the 2013 area-wide rezoning of Crown Heights West, Brooklyn CB 8 formed a land use sub-committee called M-CROWN (an acronym for "Manufacturing, Commercial, Residential Opportunities for a Working Neighborhood") with the aim of establishing a shared vision for housing and job growth along a section of Atlantic Avenue. In 2015, CB 8 adopted a Resolution to rezone the M-CROWN geography with a vision of mixed-income housing and job-generating industrial uses with use limitations on retail and eating and drinking establishments.

In 2016, DCP began engaging with CB 8 on a land use study, encompassing the M1-1 zoning district that extends from Vanderbilt Avenue on the west to Nostrand Avenue on the east. Due to the similar conditions across both sides of the corridor, DCP added an M1-1 area on the north side of Atlantic Avenue within Community District ~~-~~(CD) 3 to this study. In 2018, DCP released a land use framework as part of its study with the goal of reaching consensus on a shared vision for growth and to help guide private rezoning applications. As part of the framework, the following three sub-areas were identified:

- Atlantic Avenue Mixed-Use Sub-Area: Support growth of a major corridor with a high-density mix of commercial and residential uses.
- Western Mid-Block Mixed-Use Sub-Area: Encourage moderate density, mixed-use development with greater density along the north/south avenues.
- Eastern Mid-Block Commercial and Industrial Sub-Areas: Maintain and support clusters of industrial and commercial uses.

~~Since the release of the land use framework, seven land use applications have been approved within the Project Area, which are summarized in Section D.~~ Following additional outreach between DCP and CB 8, in 2019 CB 8 adopted a revised Resolution, building on the 2018 DCP framework with recommendations to incentivize a mix of light-industrial and community facility uses, and formally presented the framework to CB 3 in 2019. In 2020 and 2021, DCP continued to engage with CB 8 and CB 3, holding discussions on a variety of urban design ~~and~~ issues along with demographic and population trends. ~~Additionally, starting in 2019, DCP shared the framework with CD 3 leadership with a focus on the portions within their district. In 2020, DCP continued to engage with CB 3 on urban design discussions.~~

In April 2022, in response to a letter requesting a City-sponsored neighborhood plan from elected officials, CBs 3 and 8, and local organizations, the City began efforts to advance a neighborhood plan. During the summer and fall of 2022, DCP worked with key stakeholders to formulate an outreach plan to better understand priorities for land use, affordable housing, and capital investments among residents and businesses, many of whom had not been engaged with past M-CROWN planning efforts. ~~As part of~~To facilitate the ~~outreach planning, an~~expanded engagement initiative, a consultant was selected and on-boarded through a request for proposals (RFP) process~~.~~ And several city agencies formally joined the planning efforts, including HPD, the Department of Small Business Services (SBS), and the Economic Development Corporation (EDC). To distinguish ~~the current~~this expanded engagement process from past M-CROWN ~~engagement~~work, the new outreach and planning process was renamed the Atlantic Avenue Mixed-Use Plan (AAMUP).

In December 2022, a steering committee, consisting of local council members, community boards, and representatives from community-based organizations and advocacy groups, was formed to provide oversight and guidance of the outreach process. In January 2023, the new outreach process kicked off with

a virtual workshop to introduce ~~the new engagement process~~AAMUP and hear initial feedback from community members. During winter and spring 2023, a series of public engagement meetings were convened to develop a detailed set of goals and priorities for the plan, including two open-house-style community planning workshops, nine topic-based working groups meetings, and monthly steering committee meetings.

In an effort to allow community members to engage with City agencies on specific planning topics and generate community-driven priorities for the plan, three working groups were formed on the topics of (1) Streetscape, Physical Infrastructure, and Open Space, (2) Economic Development, Human Capital, and Services, and (3) Land Use, Density, and Housing – each of which met three times for a total of nine working group meetings. Every working group meeting consisted of a mix of presentations, interactive activities, and break-out group discussions led by the engagement consultant and in close coordination with the steering committee, DCP, Council Member Crystal Hudson, and the City Council's Planning and Land Use Division. Several City agencies also participated in and supported the engagement process, including the Department of Housing, Preservation, and Development (HPD), Department of Transportation (NYCDOT), Department of Parks and Recreation (DPR), Department of Small Business Services (SBS), and the New York City Economic Development Corporation (EDC).

Following the public community planning workshops and working group meetings, opportunity statements, goals, and priorities that emerged from the outreach process were compiled into a final engagement report, the AAMUP Community Vision and Priorities report, which was released in August 2023. As part of the AAMUP Community Vision and Priorities report, six community-based priorities were identified, which will inform future land use actions and actions taken by the City to provide services and undertake capital investment projects that support the plan's goals.

Concurrently with DCP's work to develop the land-use framework and neighborhood plan that would eventually become the AAMUP proposal, HPD issued the Minority/Women-Owned Business Enterprises (M/WBE) Request for Proposals (RFP) Round 2 on April 22, 2021, to develop high-quality, sustainable mixed-use affordable housing developments on two underutilized City-owned sites in Prospect Heights, Brooklyn: Site A 542 Dean Street (Development Site 1) and Site B 516 Bergen Street (Development Site 2). The RFP is part of HPD's initiative to build opportunity among minority- and women-owned developers, and address demonstrated disparities in M/WBE participation in affordable housing development. The RFP followed community outreach held between 2020 and 2021 that included a series of public workshops, community surveys and stakeholder meetings to identify priorities and goals for the site that were compiled into a Community Visioning Report. Three main priorities included in the Community Visioning Report were open public space, neighborhood amenities and contextual building design. The Round 2 M/WBE RFP intended for the development of affordable senior housing and publicly accessible open space adjacent to Dean Playground at Site A 542 Dean Street. This commitment is part of the Seniors First initiative, which is a three-pronged strategy aimed at making more homes accessible to seniors and people with disabilities, as well as building new 100 percent affordable senior developments on public and private sites. The Proposed Developments were designated in August 2023 (Site A) and January 2024 (Site B) and reflect the City's affordable housing goals, as well as input and feedback received during community engagement.

D. ATLANTIC AVENUE MIXED-USE PLAN AREA HISTORY

PROJECT AREA HISTORY

Early inhabitants of the Project Area included the Lenape indigenous people. The area was mostly forested, hilly, and unpopulated until the establishment of the Village of New Bedford in the 17th century as part of

a grant from New Amsterdam Governor Pieter Stuyvesant. The area would later become part of the Village of Brooklyn and in 1674 was transferred from Dutch to British rule. During European colonization, many areas were de-forested and became farmland. In the 19th century, the area experienced rapid urbanization due to the layout of a new street grid, technological advances in rail transportation and construction, and the development of Prospect Park.

During the late 19th century, Atlantic Avenue had an at-grade freight and passenger rail connecting Brooklyn's industrial waterfront with the farms of Long Island, fueling Brooklyn's rapid development, and leading to industrial, distribution-based businesses concentrating along the corridor and surrounding blocks. In the early 1900s, the rail line was moved below grade and began operating as passenger-only service for the LIRR. As Long Island suburbanized amidst the rapid growth of the automobile, Atlantic Avenue evolved into an auto-centric corridor with gas stations, vehicle repair shops, warehouses, and distribution centers. In 1961, M1-1 zoning was mapped along the corridor to limit new housing and promote suburban-style industrial and commercial uses, reinforcing the character of low-rise, auto-oriented uses, devaluing the existing rowhouses and apartment buildings by designating their use as non-conforming with zoning, and precluding any new residential development, conversions, or expansions.

Due to the M1-1 zoning's stringent restrictions on use, limitations on density and height, and high parking requirements, coupled with periods of disinvestment, portions of Atlantic Avenue have experienced minimal new development. The area is presently characterized by a mix of vacant lots, open storage, self-storage, auto-oriented uses, and high lot coverage, loft-style industrial buildings, some of which have been adaptively reused for offices, art studios, and retail uses. Meanwhile, much of the residential neighborhoods surrounding Atlantic Avenue – Crown Heights, Prospect Heights, Clinton Hill, and Bedford Stuyvesant – have undergone rapid socioeconomic changes. Though rich in public transit and located near major job centers like Downtown Brooklyn and Lower Manhattan, these neighborhoods were "contextually" rezoned and mapped with historic districts, preserving their existing built character and limiting new housing development. As housing demand in these inner-ring neighborhoods grew and attracted higher-income residents, many low- and moderate-income residents have faced rising rents and displacement pressure. Simultaneously, the population of Black residents within the surrounding neighborhoods have declined, while the population of White and Asian residents has grown substantially.

NEIGHBORHOOD CONTEXT

The Project Area is located primarily in northwestern Crown Heights and situated at the nexus of Crown Heights, Bedford Stuyvesant, Clinton Hill, and Prospect Heights. Surrounding neighborhoods consist mainly of low-rise residential areas with retail and services concentrated on Fulton Street to the north and several north-south corridors that overlap with the Project Area. Following the establishment of Prospect Park and the expansion of the subway station during the late 19th century and early 20th century, these neighborhoods experienced a rapid population boom with the construction of row-house style homes and small- and medium-sized apartment buildings.

The area surrounding the Project Area is well-served by public transit. The A and C subway lines run along Fulton Street, two blocks north of the Project Area, with access at the Clinton-Washington, Franklin Avenue, and Nostrand Avenue stations. The Franklin Avenue shuttle, a two-car subway connecting the neighborhoods of Bedford Stuyvesant with Prospect Lefferts Gardens in Central Brooklyn, runs north-south directly through the Project Area with stations two blocks from the Project Area at Franklin Avenue and Park Place. Within the Project Area the elevated train runs over Atlantic Avenue, Pacific Street, Dean Street and Bergen Street. Additionally, three blocks to the west of the Project Area is Atlantic Terminal, a multi-modal transit hub with access to ten subway lines and the LIRR, and less than a half mile to the south of

the Project Area is the Franklin Avenue station at Eastern Parkway, which provides access to the 2, 3, 4, and 5 subway lines. Less than one block outside the Project Area, at the intersection of Atlantic Avenue and Nostrand Avenue, is a newly renovated LIRR station, which provides regional access to Atlantic Terminal, East New York, and various stations in Queens and Long Island. Several bus lines run within a quarter mile of the Project Area, including the B25, B26, B45, B44, B48, B49, ~~and~~ B65, and B69, as well as the B44 Select Bus Service.

The surrounding area has been subject to a few DCP-sponsored area-wide rezonings, which were mapped at the request of local Community Boards with the primary goal of preserving the neighborhood character and encouraging growth along key corridors. These include a 53-block rezoning of Prospect Heights in 1993 (C 930430 ZMK), a 99-block rezoning of Fort-Greene-Clinton Hill in 2007 (C 070430 ZMK, N 070431 ZRY), and 206-block rezoning of Bedford Stuyvesant South in 2007 (C 070447 ZMK, N 070448 ZRY), and a 55-block rezoning of Crown Heights West in 2013 (C 130213 ZMK, N 130212 ZRK). In connection with these rezonings, R6B districts were extensively mapped along mid-blocks to maintain the low-rise, row-house-style character, while orienting moderate density growth along corridors, some of which were mapped and designated as voluntary Inclusionary Housing areas to incentivize affordable housing within new developments. Within a few blocks surrounding the Project Area, area-wide rezonings have encouraged modest growth in certain geographies. The Fort-Greene-Clinton Hill Rezoning changed the zoning on the northern frontage of Atlantic Avenue between Vanderbilt Avenue and Classon Avenue from M1-1 to R7A/C2-4, while the Crown Heights West Rezoning changed the zoning from R6 to R7A along blocks to the south of the Project Area between Classon Avenue and Franklin Avenue. Further, the Fort-Greene-Clinton Hill and Bedford Stuyvesant South rezonings mapped R7A/C2-4, R7D/C2-4, and C4-5D districts along Fulton Street.

Three blocks west of the Project Area is Atlantic Terminal, a multi-modal transit hub and gateway to Downtown Brooklyn, a high-density neighborhood that serves as a Central Business District serving the entire City and was subject to an area-wide rezoning in 2004 (C 040171 ZMK) to promote commercial and residential growth. ~~Several~~ Three LPC-designated historic districts are located within a few blocks from the Project Area~~, including the~~ (Prospect Heights District, Crown Heights North ~~I and II Historic Districts~~District, and Bedford District), and several other Historic Districts are located within a one-mile radius of the Project Area, including Fort Greene, Clinton Hill ~~Districts, and Bedford Historic Districts. Individual LPC landmarks within the Project Area include the Bedford Atlantic Armory (23rd Regiment Armory) and St. Bartholomew's Church~~, Stuyvesant Heights, and Crown Heights North I and II.

Immediately surrounding the Project Area are two Historic Districts designated by LPC. In 1977, LPC designated the 23rd Regiment Armory as a New York City Landmark. Referred to as the Bedford Atlantic Armory, the building was constructed in 1895 to store arms and military equipment, train soldiers, and provide services to veterans of the Civil War. Resembling a brick fortress, a prominent feature is the round crenellated tower, which rises to a height of 136 feet. Currently, the building is occupied by a homeless shelter for men operated by the Department of Homeless Services (DHS) and used for temporary storage. In 1974, LPC designated St. Bartholomew's Church as a New York City Landmark, located partially within the Project Area at 1227 Pacific Street. Built in 1890, St. Bartholomew's Church is a Queen Anne-style structure featuring a square tower and belfry, as well as a stained-glass window by Tiffany Studios, dating from 1932. In 1986, the Imperial Apartments as a New York City Landmark, located approximately one block to the south of the Project Area at 1198 Pacific Street. Built in 1892 and inspired by French Renaissance chateaux, the Imperial Apartments are clad with Roman brick and terra-cotta. In 1983, LPC designated Girls High School at 457 Nostrand Avenue as a New York City Landmark, which is currently

occupied by the Adult Learning Center. Erected in 1885 with a combination of Victorian Gothic and French Second Empire styles, Girl's High School was one of the first public secondary schools in New York City.

~~To~~ Directly to the west of the Project Area is Pacific Park, a multi-phased development project led by the Empire State Development Corporation (ESD) that spans five blocks and 22 acres. As originally envisioned, Pacific Park would include 6,430 residential units, 35 percent of which would be income-restricted, approximately 750,000 gross square feet of office, retail, and hotel space, 8 acres of ~~with over six thousand units,~~ new publicly accessible open space, community facilities, ~~offices, and retail space, including~~ and the 18,000 seat Barclays Center ~~arena~~Arena. Pacific Park, formerly known as Atlantic Yards, is subject to a General Project Plan (GPP) that was approved in 2006 and has since been amended to accommodate updates to the proposal. As of ~~June 2023~~summer 2024, ~~the approximately 18,000 seat Barclays Center Arena and eight mixed-use residential buildings have been completed, totaling approximately 3,000,000 square feet and~~ 3,212 units out of the expected 6,430 units have been completed, including, ~~of which~~ 1,374 ~~are affordable~~income-restricted units, leaving approximately 3,218 units including 876 income-restricted units to be completed during the second phase of construction. In addition, approximately 91,000 square feet of retail space has been completed on the ground floor of the new residential buildings, with the remaining commercial and hotel space yet to be constructed, and a new school opened on the Pacific Park site in September 2024.

Over the past few decades, the surrounding neighborhoods have experienced major demographic and population changes. Within Census Tracts overlapping within a quarter mile of the Project Area, from 2000 to 2020 the Black population declined from 71,930 to 39,342, while the White Non-Hispanic increased from 14,534 to 49,349. During this period, the population increased by 15% from 103,138 to 119,021, which also coincided with a rise in median household incomes, educational attainment, and households with non-family members or roommates. Underscoring these demographic shifts are broader local and citywide trends and issues. Demand to live in the surrounding neighborhoods remains consistently strong, while existing zoning, historic districts, and a limited number of development sites has constrained the ability to accommodate growth and placed increasing pressure on the existing housing stock. Due to the rise in demand, many owners decided to sell their homes and move, while many renters, particularly low-income populations living in unregulated housing, struggle to afford to live in the neighborhood and relocate when faced with the rising cost of living, tenant harassment, and a lack of nearby affordable housing opportunities.

PROJECT AREA

The Proposed Actions would affect an approximately ~~20~~21-block, 72.5-acre area primarily along Atlantic Avenue in the neighborhoods of northwest Crown Heights and southern Bedford Stuyvesant ~~of,~~ Brooklyn, ~~Community District~~CD's 8 ~~3 and~~and 8, respectively. The Project Area is generally bounded by Vanderbilt Avenue to the west, Nostrand Avenue to the east, Herkimer Street to the north, and Bergen Street to the south. In addition, the Proposed Actions would affect a separate, non-contiguous area located on a portion of two blocks in Prospect Heights and one block in Beford-Stuyvesant~~bounded by :~~

- 6th Avenue to the west, ~~Clinton~~ Carlton Avenue to the east, Dean Street to the north, and St. Marks and Flatbush Avenues to the south.
- Halsey Street to the north, Macon Street to the south, Nostrand Avenue to the west and Marcy Avenue to the east.

Atlantic Avenue is a prominent east-west corridor that extends the entire length of the Project Area. Other secondary corridors running north-south within the Project Area are Vanderbilt Avenue, Grand Avenue,

Classon Avenue, Franklin Avenue, Bedford Avenue, and Nostrand Avenue. The Project Area consists of ~~distinct~~ commercial, mixed-use, and non-residential sub-areas with varying building typologies. The Bedford Atlantic Armory (23rd Regiment Armory) and St. Bartholemew's Church, two LPC-designated Landmarks, ~~are located within~~along with the Bedford Historic District, directly overlap with the Project Area, while a portion of the Project Area is adjacent to the Prospect Heights Historic District.

ATLANTIC AVENUE

Atlantic Avenue is a 120-foot-wide corridor that runs east-west and traverses several neighborhoods, connecting Brooklyn's East River waterfront with Jamaica, Queens. Within ~~the Project Area~~central Brooklyn, Atlantic Avenue is a DOT-designated through truck route with four to six lanes of traffic and narrow sidewalks, passing through the Project Area for six blocks or approximately 5,100 feet. The LIRR Atlantic Branch is buried below the center median unite it rises above grade level. The LIRR Atlantic Branch is buried below the center median until it rises above grade east of Bedford Avenue to a height of 14 feet, with a vehicle clearance of 11.5 feet; below the elevated portion the street is either unused or for left-turning vehicle lanes. The design and surrounding land uses contributes to a high-speed auto-oriented character, resulting in ~~which contributes to an auto-oriented character with~~ unsafe conditions for pedestrians and bicyclists, especially those crossing the avenue to access nearby A/C subway stations ~~two blocks to the north~~ along Fulton Street, the Franklin Ave shuttle, or the LIRR Nostrand station. The Franklin Avenue Shuttle crosses Atlantic Avenue above-grade approximately 150- to 200-feet west of Franklin Avenue and at a vehicle clearance of 16 feet 9 inches.

Historically, a freight rail line ran above-grade, leading to the growth and concentration of industrial uses along Atlantic Avenue that benefitted from the movement of goods and materials. In the early 1900s, the freight rail line was discontinued and the passenger ~~only service was~~ line was electrified and moved below-grade ~~west of~~between Flatbush Avenue and Bedford Avenue, still operating today as the LIRR Atlantic Branch ~~in what continues to operate as the LIRR~~. ~~As automobile usage became prominent, gas stations, auto-body repair shops, garages, and showrooms proliferated along Atlantic Avenue. Currently, the corridor is primarily characterized by a mix of uses including building supply, open storage, warehouse, self-storage, vehicle parking, and non-conforming residential uses, which existed prior to the mapping of M1-1 zoning in 1961. Between Franklin Avenue and Classon Avenue are two lots owned and operated by the Metropolitan Transportation Authority (MTA), which are occupied by a cable storage and repair facility (Block 1126, Lot 32) and open vehicle storage (Block 1126, Lot 57).~~ With the freight rail closed and with more road dedicated to vehicles and trucks, auto-related businesses flourished along Atlantic Avenue including gas stations, auto repair and service stations, garages and showrooms, and warehouse and distribution use. While the area was initially mapped as an "unrestricted" zone in 1916, allowing a mix of residential, galvanizing the trend of auto-related uses and encouraging disinvestment in the existing residential building stock. Over the next 40 years, Atlantic Avenue became an auto-service corridor and through-route for drivers and freight trucks moving between Queens and Brooklyn. Made up of warehouses, car washes, auto shops and gas stations, fast food drive-thru's, self-storage, and parking, the area became a barrier for surrounding area residents. Though some non-conforming residential uses survived the years, new investment mostly came in the conversion of former industrial-loft buildings converting into restaurant supply stores, retail, nightlife, and self-storage.

The MTA operates two lots along the south side of Atlantic Avenue near the corner of Franklin Avenue (Block 1126, lots 32 and 57). Lot 32 is 25,749 square feet and is owned by the City, occupied by the MTA under a master lease, and is improved with an MTA cable storage and repair facility. Lot 57 is 30,230 square feet, is owned in fee by the MTA, and is used for open vehicle storage.

The New York City Department of Parks and Recreation operates two public open spaces in the Project Area. Lowry Triangle (Block 1123), located south of Atlantic Avenue, bounded by Underhill Avenue to the west, Pacific Street to the south, and Washington Avenue to the east, is ~~the only public open space (owned and operated by New York City Department of Parks and Recreation) in the Project Area~~a 9,455 square foot plaza with passive uses. Dean Playground (Block 1136, Lot 15), located on the block bound by Dean Street to the north, Carlton Avenue to the east, Bergen Street to the south, and Sixth Avenue to the west, is a 55,725 square foot space with active uses including playgrounds and sports fields.

NORTH-SOUTH CORRIDORS

There are several corridors running north-south that overlap with the Project Area. Within the Project Area, these corridors contain a mix of automotive repair shops, gas stations, warehouses, eating and drinking establishments, open storage and parking, and vacant lots. On the westernmost portion of the Project Area is Vanderbilt Avenue, a 100-foot-wide street that serves as a local retail and service-based corridor for the Prospect Heights neighborhood. One block to the east is Underhill Avenue, which terminates at Atlantic Avenue, and Washington Avenue, an 80-foot-wide street with retail uses that serves as a connection to the Clinton-Washington Avenue subway station, providing access to the C subway line. Further to the east are Grand Avenue and Classon Avenue, both 70 feet in width, which are primarily residential with pockets of commercial and community facility uses. Franklin Avenue, a 70-foot-wide corridor, and Nostrand Avenue, an 80-foot-wide corridor, serve as neighborhood-based commercial thoroughfares and in close proximity to subway stations two blocks to the north along Fulton Street. Bedford Avenue, an 80-foot-wide street, serves as another important connection with a bicycle lane and the B44 Select Bus Service.

INTERIOR BLOCKS

The interior mid-blocks located north and south of Atlantic Avenue cover the streets running east-west—Bergen Street, Dean Street, Pacific Street, and Herkimer Place—and are categorized under three sub-areas: the western mid-blocks between Grand Avenue and Classon Avenue, the eastern mid-blocks between Classon Avenue and Franklin Avenue, and Herkimer Place further to the east between Atlantic Avenue and Nostrand Avenue. Bergen Street, Dean Street, and Pacific Street are 70 feet in width, while Herkimer Place is 50 feet wide.

The western mid-blocks are characterized by a large swath of underutilized lots that are either vacant or used for warehousing, open storage, and vehicular or truck parking, along with clusters of pre-existing, non-conforming residential uses. The eastern mid-blocks are characterized by one- and two-story warehouses, along with multi-story, loft-style buildings, some of which have been adaptively reused and converted to office, art studios, community facilities, and light industrial uses, such as the former Studebaker automotive showroom at 1000 Dean Street or the facility operated by the Greenpoint Manufacturing Design Center (GMDC) at 1102 Atlantic Avenue. Herkimer Place is characterized by a cluster of one- to two-story warehouse buildings that are used for storage or occupied by building contractors.

Along Pacific Street between Franklin and Bedford Avenues is Development Site 4, an approximately 19,200 square foot site consisting of three formerly City-owned lots (Block 1205, Lots 11, 14, 111). The site contains a vacant building. Development Site 4 received disposition approval in 1987 (Council Resolution No. XX) to facilitate a rehabilitation project for affordable housing. The deed was subsequently transferred to Peter Young Shelter Services, Inc. in December 2001 and Acacia Network Housing, Inc. in December 2015. A portion of the Disposition Area includes the formerly rehabilitated affordable housing building but has been vacant since XX. To facilitate the Proposed Development, the City will reacquire and

reconvey the Development Site 4 pursuant to ULURP with approval for a new construction multifamily affordable rental project.

HPD-OWNED PARCELS ON DEAN AND BERGEN STREETS AND SURROUNDING BLOCKS

In addition to the areas described above, the Project Area encompasses portions of two blocks located approximately three blocks to the southwest in Prospect Heights. This area consists primarily of two parcels of land owned by the City of New York and under the jurisdiction of the Department of Housing Preservation, and Development (HPD) within a block of each other that comprise two non-contiguous development sites, as well as adjacent lots that would also be subject to a proposed zoning map amendment and zoning text amendment related to the mapping of MIH.

The first HPD site ~~under HPD jurisdiction~~ is 542 Dean Street (~~HPD Site 1~~Projected Development Site 46), an approximately 17,144 ~~square feet~~sf site located on the south side of Dean Street between 6th Avenue and Carlton Avenue, consisting of five vacant underutilized City-owned interior lots (Block 1136, Lots 29, 32, 33, 34, 35) currently used by HPD for parking City vehicles. Land uses near Projected Development Site ~~1~~ 46 include the Dean Playground, three to five-story residential and mixed-use buildings with ground floor commercial uses, and a City-owned fire station (Engine 219, Ladder 105) operated by the Fire Department of New York City (FDNY).

The second HPD site ~~under HPD jurisdiction~~ is 516~~2~~ Bergen Street (~~HPD Site 2~~Projected Development Site 47), an approximately ~~17,050 square foot~~17,051-sf interior lot (Block 1143, Lot 25) improved with a two-story ~~garage~~building located on the south side of Bergen Street between 6th Avenue and Carlton Avenue and a portion of the site is currently used by HPD for parking vehicles. Land uses near ~~Site 2~~516~~2~~ Bergen Street consist of two-story commercial buildings, a church and parking lot, a nine-story warehouse, a three-story, multi-family walk-up building, and a two- story, two-family home across the street from the Dean Playground.

In 2020, HPD announced plans to redevelop the sites for new affordable housing and community amenities including publicly accessible open space as part of a Request for Proposals (RFP) process for Minority/Women-Owned Business Enterprises (M/WBE) certified developers. Following a public engagement process to better understand community priorities for future development, on April 22, 2021, HPD released a Community Visioning Report and issued an RFP to begin soliciting proposals. In August 2023, HPD announced the designation of a development team for a ~~city~~City-owned site at 542 Dean Street ~~(HPD Site 1)~~, while ~~proposals to develop the second site at 512 Bergen Street (HPD Site 2) are currently under review~~516 Bergen Street was designated in January 2024.

DEPARTMENT OF EDUCATION (DOE) PARCEL

The Project Area also encompasses a parcel (Development Site 3) owned by the Department of Education (DOE at 457 Nostrand Avenue. Development Site 3 is approximately 60,000 square feet and consists of one City-owned corner lot (Block 1844, Lot 1) at the intersection of Nostrand Avenue and Halsey Street. Nostrand Avenue is a 70-foot wide street and Halsey Street is a 70-foot wide street. The western portion of the development site is home to the Girls High School, constructed from 1885 to 1886, designed by James W. Naughton, and designated as a landmark by the LPC in 1984 (N 840014HKK, LP-1246). The Girls School was designed in a combination of the Victorian Gothic and Second Empire styles, the oldest remaining high school in the city designed as such. The building is currently under the Department of Education (DOE) jurisdiction and occupied by the Brooklyn Adult Learning Center. The eastern portion of the development site consists of a 30,000 square foot parking lot managed by DOT. Development Site 3 is located within the Bedford Historic District, designated by the New York City Landmarks Preservation

Committee (LPC) on December 8, 2015 (LP-2514). The Bedford Historic District comprises of more than 800 buildings throughout the Bedford-Stuyvesant neighborhood constructed between 1870 and 1900. The neighborhood consists of distinguished row houses as well as two of the city's most significant school buildings.

PREVIOUS PLANNING EFFORTS AND PAST ACTIONS

Over the last ten years, Community Boards 3 and 8 have engaged with DCP to develop a vision for housing and job growth for the Atlantic Avenue Mixed-Use Plan (AAMUP) Study Area, which was a process spearheaded by Community Board 8 as part of M-CROWN. Furthermore, several past actions have been taken by DCP and others within the Project Area and its immediate surroundings.

~~PACIFIC PARK (FORMERLY KNOWN AS ATLANTIC YARDS)~~

~~Directly to the west of the Project Area is Pacific Park, a multi-phased development project led by the Empire State Development Corporation (ESD) that spans five blocks and 22 acres with over six thousand units, new publicly accessible open space, community facilities, offices, and retail space, including the 18,000 seat Barclays Center arena. Pacific Park, formerly known as Atlantic Yards, is subject to a General Project Plan (GPP) that was approved in 2006 and has since been amended to accommodate updates to the proposal. Located directly southwest of the Project Area is the Pacific Park site known as 550 Vanderbilt Avenue, a 17-story mixed-use building with 278 condominium units constructed in 2017. Pacific Park sites directly to the west of the Project Area along Atlantic Avenue are slated for a future development phase.~~

HISTORIC DISTRICTS AND LANDMARKS

~~Immediately surrounding the Project Area are two Historic Districts designated by LPC. In 1977, LPC designated the 23rd Regiment Armory as a New York City Landmark. Referred to as the Bedford Atlantic Armory, the building was constructed in 1895 to store arms and military equipment, train soldiers, and provide services to veterans of the Civil War. Resembling a brick fortress, a prominent feature is the round crenellated tower, which rises to a height of 136 feet. Currently, the building is occupied by a homeless shelter for men operated by the Department of Homeless Services (DHS) and used for temporary storage. In 1974, LPC designated St. Bartholomew's Church as a New York City Landmark, located partially within the Project Area at 1227 Pacific Street. Built in 1890, St. Bartholomew's Church is a Queen Anne-style structure featuring a square tower and belfry, as well as a stained-glass window by Tiffany Studios, dating from 1932. In 1986, the Imperial Apartments as a New York City Landmark, located approximately one block to the south of the Project Area at 1198 Pacific Street. Built in 1892 and inspired by French Renaissance chateaux, the Imperial Apartments are clad with Roman brick and terra-cotta.~~

In 2007, LPC designated the Crown Heights North Historic District, located directly south and southwest of the Project Area running along Dean Street east of Bedford Avenue. It includes approximately 470 buildings that were constructed between the 1850s and the 1930s and designed in styles ranging from the Romanesque Revival and Queen Anne to Georgian and Renaissance Revival. In 2009, LPC designated the Prospect Heights Historic District, which is located directly south of the Project Area along Vanderbilt Avenue and east of the Project Area along Dean Street, adjacent to the HPD-owned parcel at 542 Dean Street. The Prospect Heights Historic District includes 850 buildings designed in the Italianate, neo-Grec, Queen Anne, Romanesque and Renaissance Revivals styles.

AREA-WIDE REZONINGS

Much of the area surrounding the Project Area has been subject to area-wide rezonings sponsored by DCP at the request of local Community Boards, including a include a 53-block rezoning of Prospect Heights in 1993 (C 930430 ZMK), a 99-block rezoning of Fort-Greene-Clinton Hill in 2077 (C 070430 ZMK, N 070431 ZRY), and 206-block rezoning of Bedford Stuyvesant South in 2007 (C 070447 ZMK, N 070448 ZRY), and a 55-block rezoning of Crown Heights West in 2013 (C 130213 ZMK, N 130212 ZRK). The primary objective of these rezonings was to protect and maintain the low-rise, row-house-style neighborhood character from out-of-context development. Specific corridors, such as Fulton Street, Atlantic Avenue, and Franklin Avenue, were mapped with R7A or R7D residential districts to encourage moderate growth and incentivize affordable housing within new developments in conjunction with the mapping of voluntary Inclusionary Housing areas. Specifically, the Fort-Greene-Clinton Hill Rezoning changed the zoning on the northern frontage of Atlantic Avenue between Vanderbilt Avenue and Classon Avenue from M1-1 to R7A/C2-4, while the Crown Heights West Rezoning changed the zoning from R6 to R7A along blocks to the south of the Project Area between Classon Avenue and Franklin Avenue. Along Fulton Street, one block to the north of the Project Area, the Fort-Greene-Clinton Hill and Bedford Stuyvesant South Rezonings mapped R7A/C2-4, R7D/C2-4, and C4-5D.

470 VANDERBILT AVENUE (2009)

Located across the street from the Project Area, 470 Vanderbilt Avenue was an application (C 090441 ZMK, N 090442 ZRK, C 090443 ZSK) by Atara Vanderbilt, LLC for a CPC special permit related to a Large Scale General Development (LSGD), a zoning text amendment to map an Inclusionary Housing area, and zoning map amendment from an M1-1 district and an R6/C2-3 district to a C6-3A district located on an entire block bounded by Atlantic Avenue to the south, Fulton Street to the north, Clermont Avenue to the west, and Vanderbilt Avenue to the east. The application sought to facilitate the development of a new mixed-use building containing 376 dwelling units (DU), 32,358 square feet of ground floor retail space, and the reuse and expansion of an existing 565,700 square foot loft building for commercial uses. The application was approved by the New York City Council on September 30, 2009.

1350 BEDFORD AVENUE REZONING (2017)

Located approximately one block from the Project Area, 1350 Bedford Avenue Rezoning was an application (C 170070 ZMK, N 170071 ZRK) by Bedford Arms, LLC for a zoning map amendment from R6A to R7D and a zoning text amendment to map an MIH area. The application sought to facilitate the development of a nine-story residential development with 94 affordable DU. The application was approved by the New York City Council on July 20, 2017. Additionally, this development was granted a special permit by the New York City Board of Standards and Appeals (BSA) in 2016 (2016-4333-BZ) to permit the reduction of 35 accessory off-street parking spaces.

809 ATLANTIC AVENUE REZONING (2019)

Located across the street from the Project Area, 809 Atlantic Avenue Rezoning was an application (C 190071 ZMK, C 190072 ZSK, C 190073 ZSK, N 190074 ZRK) by y 550 Clinton Partners LLC and 539 Vanderbilt Partners LLC for two CPC special permits to modify bulk regulations in relation to a nearby LPC-designated Landmark and waive off-street residential parking requirements, a zoning text amendment to map an MIH area, and a zoning map amendment to change R7A/C2-4, R7A and R6A districts to an R9/C2-5 district and to change an R7A/C2-4 district to an R6A district along the northern frontage of Atlantic Avenue between Vanderbilt Avenue and Clinton Avenue. The application sought to facilitate the

development of a 29-story, 237,000-square-foot mixed-use development with retail, office and 286 residential units. The application was approved by the New York City Council on April 9, 2019.

M-CROWN

Following the 2013 area-wide rezoning of Crown Heights West, Brooklyn CB 8 formed a land use sub-committee called M-CROWN (an acronym for "Manufacturing, Commercial, Residential Opportunities for a Working Neighborhood") to shape a vision for mixed income housing and job growth along Atlantic Avenue and neighboring blocks zoned M1-1. In 2015, CB 8 adopted a Resolution to rezone M-CROWN with a set of proposed use and bulk regulations that included mandates for affordable housing and certain light industrial and community facility uses, as well as use limitations on retail and eating and drinking establishments.

In 2016, DCP began engaging with CB 8 to undertake a land use study, which would include the M1-1 zoning district that extends from Vanderbilt Avenue on the west to Nostrand Avenue on the east. Due to the similar conditions across both sides of the corridor, DCP added a contiguous M1-1 area located on the northern side of Atlantic Avenue within Community District 3 and subsequently began holding meetings with Community Board 3 to understand their priorities. After an existing conditions analysis, in 2018 DCP released a land use framework and held additional meetings with the Community Boards to develop consensus around future growth within the Study Area and serve as a guide for owners and developers wishing to advance private rezoning applications. Since the release of the framework, seven private rezoning applications have approved by the CPC and City Council, which are summarized below.

1010 PACIFIC STREET (2019)

1010 Pacific Street (C 180042 ZMK, N 180043 ZRK) was an application by 1010 Pacific Street LLC to rezone the southeastern frontage of Pacific Street between Grand Avenue and Classon Avenue from M1-1 to R7D/C2-4, which was modified by the CPC to R7A/C2-4. The applicant also sought a zoning text amendment to designate an MIH area. The application sought to facilitate the development of an 11-story mixed-use building with approximately 154 units and ground floor retail and art studio space, however after approval the property was sold to a new owner and was recently developed as a residential building with 175 units. The application was approved by the NYC City Council on November 8, 2019.

1050 PACIFIC STREET (2019)

1050 Pacific Street (C 160175 ZMK, N 160176 ZRK) was an application by 1050 Pacific Street LLC to rezone the eastern frontage of Classon Avenue between Pacific Street and Dean Street, along with mid-block portions further to the west, from M1-1 to M1-4/R7A. The applicant also sought a zoning text amendment to designate an MX and MIH area. The application sought to facilitate the development of an eight-story mixed use building with approximately 103 units and ground floor commercial spaces. The application was approved by the NYC City Council on November 8, 2019.

GRAND AVENUE AND PACIFIC STREET (2020)

Grand Avenue and Pacific Street (C 190256 ZMK, N 190257 ZRK) was an application by EMP Capital LLC to rezone the northeastern and southeastern corners of Grand Avenue and Pacific Street from M1-1 to R7D/C2-4. The applicant also sought a zoning text amendment to designate an MIH area. The application sought to facilitate the development of a nine-story mixed-use building with approximately 68 units and ground floor commercial and community facility spaces. The application was approved by the NYC City

Council on August 27, 2020, which modified the rezoning in a portion of the Project Area, located on the southeastern corner of Grand Avenue and Pacific Street, from R7D/C2-4 to R7A/C2-4.

840 ATLANTIC AVENUE (2021)

840 Atlantic Avenue (C 210249 ZMK, N 210250 ZRK) was an application by Vanderbilt Atlantic Holdings LLC to rezone the western frontage of Vanderbilt Avenue between Atlantic Avenue and Pacific Street from M1-1 and R6B to C6-3X. The applicant also sought a zoning text amendment to designate an MIH area and provide street wall flexibility along Atlantic Avenue. The application sought to facilitate the development of an 18-story mixed-use building with approximately 316 units and two floors of commercial and community facility spaces. The application was approved by the NYC City Council on September 23, 2021, which modified the rezoning in a portion of the Project Area from C6-3X to C6-3A and C6-2A.

1045 ATLANTIC AVENUE (2021)

1045 Atlantic Avenue Rezoning (C 210276 ZMK, N 210277 ZRK) was an application by Atlantic Brooklyn LLC to rezone a mid-block frontage of Atlantic Avenue between Classon Avenue and Franklin Avenue from M1-1 to C6-3A. The applicant also sought a zoning text amendment to designate an MIH area and provide street wall flexibility along Atlantic Avenue. The application sought to facilitate the development of a 17-story mixed-use building with approximately 426 units and two floors of commercial and community facility spaces. The application was approved by the NYC City Council on November 23, 2021.

870-888 ATLANTIC AVENUE REZONING (2022)

870-888 Atlantic Avenue Rezoning (C 210335 ZMK, N 210336 ZRK C 210260 ZSK) was an application by Y & T Development LLC to rezone a mid-block frontage of Atlantic Avenue between Vanderbilt Avenue and Underhill Avenue from M1-1 to C6-3A. The applicant also sought a zoning text amendment to designate an MIH area and provide street wall flexibility along Atlantic Avenue, as well as a CPC special permit to reduce the number of required off-street parking spaces accessory to the residential units. The application sought to facilitate the development of a 17-story mixed-use building with approximately 228 units and ground floor and cellar commercial and community facility spaces. The application was approved by the NYC City Council on April 28, 2022.

1034-1042 ATLANTIC AVENUE REZONING (2022)

1034-1042 Atlantic Avenue (C 210386 ZMK, C 210379 ZSK, N 210387 ZRK) was an application by EMP Capital Group to rezone the eastern side of Classon Avenue between Atlantic Avenue and Pacific Street, consisting of rezoning the Atlantic Avenue frontage from M1-1 to C6-3A and the Pacific Street frontage from M1-1 to R7A/C2-4. The applicant also sought a zoning text amendment to designate an MIH area and provide street wall flexibility along Atlantic Avenue, as well as a CPC special permit to reduce the number of required off-street parking spaces accessory to the residential units. The application sought to facilitate the development of a 17-story mixed-use building with approximately 210 units and ground floor and cellar commercial and community facility spaces. The application was approved by the NYC City Council on April 28, 2022, which modified the rezoning to remove the eastern portion of the Project Area fronting Classon Avenue.

962 PACIFIC STREET REZONING (2023)

962 Pacific Street Rezoning is an application (C 230157 ZMK, N 230158 ZRK, C 230159 ZSK) by HSN Realty Corp to rezone a mid-block frontage of Pacific Street from M1-1 to M1-4/R7A. The applicant also seeks a zoning text amendment to designate an MIH and MX area, as well as a CPC special permit to reduce

the number of required off-street parking spaces accessory to the residential units. The application seeks to facilitate the development of a nine-story mixed-use building with approximately 150 units with ground floor commercial and community facility spaces. The project was certified on July 24, 2023, by the CPC and in public review.

BSA APPLICATIONS

In the past 20 years, there have been several applications approved by the BSA within the Project Area, consisting primarily of variances to allow residential use within the M1-1 zoning district. These include variances to permit a four-story residential building with 31 DU at 799-805 Bergen Street (165-05-BZ), a four-story residential building at 871 Bergen Street (278-06-BZ), a five-story residential building at 887 Bergen Street (79-06-BZ), a four-story residential building at 583 Franklin Avenue (98-08-BZ), the residential conversion of an existing factory building at 964 Dean Street (311-12-BZ), and two three-story single-family residences at 10 Underhill Avenue (221-14-BZ).

In addition, the BSA granted a special permit to allow a reduction in required parking in connection with change of use from Use Group (UG) 16 to UG 6 in an existing building at 915 Dean Street in 2010 (112-10-BZ). Further, a Common Law Vesting application was filed in 2022 requesting that the BSA determine that the property owner at 35 Herkimer Place secured a vested right to complete construction of a development of a hotel prior to the adoption of a citywide zoning text amendment (2022-60-A).

E. EXISTING ZONING

The Project Area includes the northwest portion of Community District 8 and a southern portion of Community Districts 2 and 3~~, bordering Community District 2 to the north and west~~. Much of the area's zoning has not been modified since 1961; however, there have been private applications have changed the zoning within the area, as described in the previous section.

The Project Area is comprised of M1-1, C6-2A, C6-3X, C6-3A, M1-4/R7A, R7D/C2-4, R7A/C2-4, R6B, and R6A districts. Commercial districts mapped as overlays include C2-4 (see **Figure 1**). Existing zoning districts are discussed below.

M1-1

M1-1 zoning districts are mapped across most of the Project Area in an area generally bounded by Vanderbilt Avenue to the west, Nostrand Avenue to the east, Atlantic Avenue to the north, and Bergen Street to the south.

The M1-1 zoning district has a floor area ratio (FAR) of 1.0 for industrial and commercial uses and 2.4 for community facility uses. M1-1 districts also permit community facility uses at a maximum FAR of 2.4. M1-1 districts have a base height limit of 30 feet, above which a structure must fit within a sloping sky exposure plane. One parking space is generally required for every 300 square feet of commercial and for every 1,000 square feet of industrial. No new residential uses are permitted.

Land uses permitted to be located within the M1-1 districts include vacant land, open storage, parking garages, warehousing and distribution, building supply and various light industrial uses, gas stations and automotive repair businesses, self-storage, commercial offices, hotels, retail, non-conforming residential uses, and fitness facilities. A few community facility uses such as medical office and houses of worship are also located within the M1-1 district.

C6-3X

A C6-3X zoning district is mapped at the southwestern corner of Vanderbilt Avenue and Atlantic Avenue, which was mapped in connection with the 840 Atlantic Avenue private application approved in 2021 and described in the prior section.

C6-3X is a high density contextual commercial zoning district with an R9X residential district equivalent. When mapped in conjunction with Inclusionary Housing areas, C6-3X zoning districts allow residential uses up to 9.7 FAR, community facility uses up to 9.0 FAR, and commercial uses up to 6.0 FAR. Base heights are permitted to be between 60 and 145 feet on narrow streets and between 105 and 145 feet on, or within 100 feet of, wide streets. Above the base heights, a 15-foot setback is required along narrow streets and a 10-foot setback is required along wide streets. Building heights are allowed up to a maximum of 190 feet (19 stories) along a narrow street or 200 feet (20 stories) along a wide street, which may increase by 5 feet if a Qualifying Ground Floor is provided.[2]

The C6-3X zoning district permits a range of non-residential uses and allows multiple stories of commercial uses, including retail, offices, and service-based uses. Off-street parking is generally required for 40 percent of the market-rate dwelling units and optional for income-restricted units within the Transit Zone.

C6-3A

A C6-3A zoning district is mapped in three non-contiguous areas at the northeastern corner of Vanderbilt Avenue and Pacific Street, along Atlantic Avenue between Vanderbilt Avenue and Underhill Avenue, and along Atlantic Avenue between Classon Avenue and Grand Avenue. The C6-3A districts were mapped in connection with the 840 Atlantic Avenue (2021), 870-888 Atlantic Avenue (2022), and 1034-1042 Atlantic Avenue (2022) private applications, as described in the prior section.

C6-3A is a high density contextual commercial zoning district with an R9A residential district equivalent. When mapped in conjunction with Inclusionary Housing areas, C6-3A zoning districts allow residential uses up to 8.5 FAR, community facility uses up to 7.5 FAR, and commercial uses up to 6.0 FAR. Base heights are permitted to be between 60 and 125 feet. Above the base height, a 15-foot setback is required along narrow streets and a 10-foot setback is required along wide streets. Building heights are allowed up to a maximum of 160 feet (16 stories) along a narrow street or 170 feet (17 stories) along a wide street, which may be increased by 5 feet if a Qualifying Ground Floor is provided.[3]

The C6-3A zoning district permits a range of non-residential uses and allows multiple stories of commercial uses, including retail, offices, and service-based uses. Off-street parking is generally required for 40 percent of the market-rate dwelling units and optional for income-restricted units within the Transit Zone.

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[2] If the City of Yes for Housing Opportunity text amendment, which was referred into public review on April 29, 2024, is adopted as currently proposed by the Department of City Planning, C6-3X districts on wide streets would allow up to 10.8 FAR and a maximum height of 215 feet. Parking would no longer be required.

[3] If the City of Yes for Housing Opportunity text amendment, which was referred into public review on April 29, 2024, is adopted as currently proposed by the Department of City Planning, C6-3A districts on wide streets would allow up to 9.0 FAR and a maximum height of 185 feet. Parking would no longer be required.

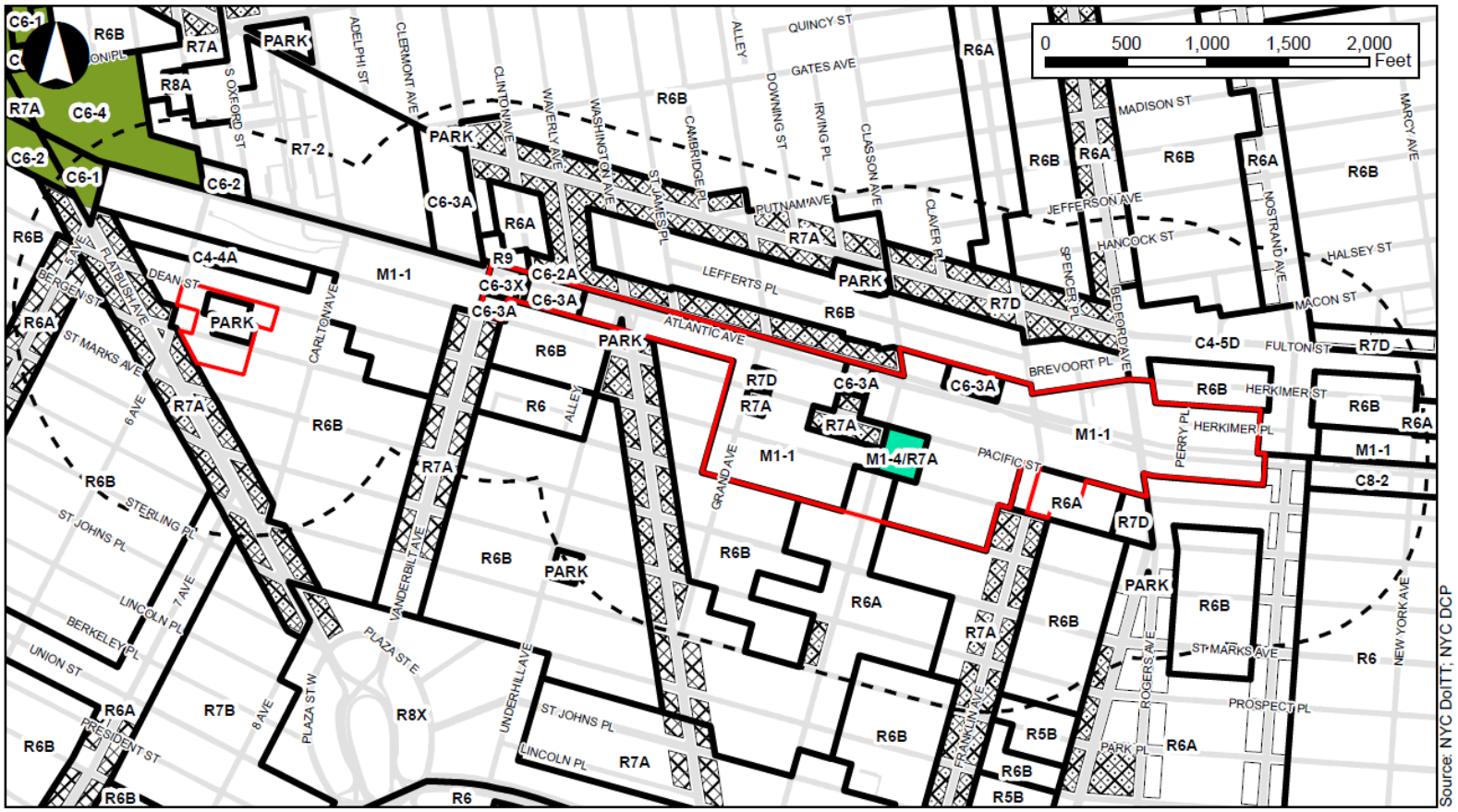
C6-2A

C6-2A is mapped on a 50-foot-wide sliver portion of Atlantic Avenue from a distance of 150 feet to 200 feet east of Vanderbilt Avenue. The C6-2A district was mapped in connection with the 840 Atlantic Avenue private application approved in 2021, as described in the prior section.

C6-2A is a high density contextual commercial zoning district with an R8A residential district equivalent. When mapped in conjunction with Inclusionary Housing areas, C6-2A zoning districts allow residential uses up to 7.2 FAR, community facility uses up to 6.5 FAR, and commercial uses up to 6.0 FAR. Base heights are permitted to be between 60 and 105 feet. Above the base heights, a 15-foot setback is required along narrow streets and a 10-foot setback is required along wide streets. Building heights are allowed up to a maximum of 140 feet (14 stories), which may increase by 5 feet if a Qualifying Ground Floor is provided.

The C6-2A zoning district permits a range of non-residential uses and allows multiple stories of commercial uses, including retail, offices, and service-based uses. Off-street parking is generally required for 40 percent of the market-rate dwelling units and optional for income-restricted units within the Transit Zone.

Figure 1: Existing Zoning



Atlantic Avenue Mixed-Use Plan **Figure 1 Existing Zoning**

R7D/C2-4

R7D/C2-4 is mapped at the northeastern corner of Grand Avenue and Pacific Street. The R7D/C2-4 district contains a mixed-use building under construction. This district was mapped in connection with the Grand Avenue and Pacific Street private application approved in 2020, as described in the prior section.

R7D is a medium-density contextual district that, when mapped concurrently with an Inclusionary Housing area and C2-4 overlay, allows residential uses up to 5.6 FAR, community facility uses up to 4.2 FAR, and commercial use up to 2.0 FAR. Base heights are permitted to be between 60 and 95 feet, above which a 15-foot setback is required along a narrow street. Building height can reach a maximum of 110 feet (11 stories) or 115 feet with a Qualifying Ground Floor. Off-street parking is generally required for 50 percent of the market-rate dwelling units and optional for income-restricted units within the Transit Zone. A C2-4 commercial overlay is paired with the R7D zoning district, allowing a range of local retail and service-based uses, such as grocery stores, beauty salons, offices, and repair shops~~.~~, as well as small-scale entertainment and production uses. Parking requirements vary by use.[4].

R7A/C2-4

R7A/C2-4 is mapped in two non-contiguous areas, including at the southeastern corner of Grand Avenue and Pacific Street and along the north and south block frontages along Pacific Street between Grand Avenue and Classon Avenue. The R7A/C2-4 districts contain a residential building under construction, a self-storage facility, a warehouse, and non-conforming residential uses. These districts were mapped in connection with the Grand Avenue and Pacific Street and 1034-1042 Atlantic Avenue private applications, which were approved in 2020 and 2021, respectively, as described in the prior section.

R7A is a medium-density contextual district that, when mapped concurrently with an Inclusionary Housing area and C2-4 overlay, allows residential uses up to 4.6 FAR, community facility uses up to 4.0 FAR, and commercial use up to 2.0 FAR. Base heights are permitted to be between 40 and 75 feet, above which a 15-foot setback is required along a narrow street. Building height can reach a maximum of 90 feet (nine stories) or 95 feet with a Qualifying Ground Floor. Off-street parking is generally required for 50 percent of the market-rate dwelling units and optional for income-restricted units within the Transit Zone. A C2-4 commercial overlay is paired with the R7A zoning district, allowing a range of local retail and service-based uses, such as grocery stores, beauty salons, offices, and repair shops, as well as small-scale entertainment and production uses. Parking requirements vary by use.[5]

M1-4/R7A

M1-4/R7A is mapped along the western portion of a block bounded by Classon Avenue to the west, Franklin Avenue to the east, Pacific Street to the north, and Dean Street to the south. M1-4/R7A was mapped in

[4] If the City of Yes for Housing Opportunity text amendment, which was referred into public review on April 29, 2024, is adopted as currently proposed by the Department of City Planning, R7D districts would allow up to 5.6 FAR and a maximum height of 125 feet. Parking would no longer be required.

[5] If the City of Yes for Housing Opportunity text amendment, which was referred into public review on April 29, 2024, is adopted as currently proposed by the Department of City Planning, R7A districts would allow up to 5.0 FAR and a maximum height of 115 feet. Parking would no longer be required.

connection with the 1050 Pacific Street private application approved in 2019, as described in the prior section.

M1-4/R7A is a Mixed Use (MX) zoning district that pairs M1-4, a manufacturing district that supports a mix of low-rise commercial and industrial uses, with R7A, a medium density contextual residential district. Mixed Use zoning districts also have special regulations that enable residential and certain industrial uses to be located either side by side or within the same building. When mapped jointly with Inclusionary Housing areas, M1-4/R7A zoning districts allow industrial uses up to a maximum of 2.0 FAR, community facility uses up to a maximum of 4.0 FAR, and residential uses up to a maximum of 4.6 FAR. Base heights are permitted to be between 40 and 85 feet, after which buildings must setback either 10 feet on a wide street or 15 feet on a narrow street. The maximum height of buildings is 90 feet (9 stories), which may increase by 5 feet with a Qualifying Ground Floor. Off-street parking is generally required for 50 percent of the dwelling units and optional for income-restricted units in the Transit Zone.

R6B

R6B is mapped on mid-blocks portions of ~~an area~~two areas, the first of which is bounded by 6th Avenue to the west, Carlton Avenue to the east, Dean Street to the north, and St. Marks and Flatbush Avenues to the south~~. This area is~~, , and the second of which is bounded by Halsey Street to the north, Macon Street to the south, Nostrand Avenue to the west, and Marcy Avenue to the east. These areas are primarily characterized by two- to five-story one-and two-family homes and walk-up apartment buildings, as well as a parking lot and storage facility owned and operated by the New York City Department of Housing Preservation and Development (HPD).

R6B is a medium-density contextual district that allows residential and community facility uses up to 2.0 FAR outside of Inclusionary Housing areas. Base heights are permitted to be between 30 and 40 feet, above which a 15-foot setback is required along a narrow street or 10 feet along a wide street. Building height may reach a maximum of 55 feet (five stories) when providing a Qualifying Ground Floor. Off-street parking is generally required for 50 percent of the market-rate dwelling units and optional for income-restricted units within the Transit Zone.[6]

R6A

R6A is mapped along the frontages of Classon Avenue between Bergen Street and Dean Street, and Nostrand Avenue between Halsey Street and Macon Street, within an area characterized by three- to five-story walk-up apartment buildings, some of which are occupied by ground floor retail uses.

R6A is a medium-density contextual district that allows residential and community facility uses up to 3.0 FAR. Base heights are permitted to be between 40 and 60 feet, above which a 15-foot setback is required along a narrow street or 10 feet along a wide street. Building height may reach a maximum of 85 feet (eight stories) when providing a Qualifying Ground Floor. Off-street parking is generally required for 50 percent of the market-rate dwelling units and optional for income-restricted units within the Transit Zone.[7]

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[6] If the City of Yes for Housing Opportunity text amendment, which was referred into public review on April 29, 2024, is adopted as currently proposed by the Department of City Planning, R6B districts would allow up to 2.4 FAR and a maximum height of 65 feet. Parking would no longer be required.

[7] If the City of Yes for Housing Opportunity text amendment, which was referred into public review on April 29, 2024, is adopted as currently proposed by the Department of City Planning, R6A districts would allow up to 3.9 FAR and a maximum height of 95 feet. Parking would no longer be required.

F. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

GENERAL

- The Proposed Actions would support the community-based goals of re-envisioning an industrially zoned area to spur the growth of jobs and housing, driven by approximately ten years of outreach and engagement with local Community Boards, elected officials, nonprofits, advocacy groups, residents, businesses, property owners, and various stakeholders.
- The existing M1-1 zoning has not been changed in 1961 and reflects eras when Atlantic Avenue served as a freight rail line during the 19th century and later as a suburban-style, auto-centric corridor with repair shops, gas stations, garages, and other low density uses. M1-1 zoning permits an FAR of only 1.0, requires substantial amounts of off-street parking, and does not allow new residential, all of which inhibit growth within the area. Since 1961, few if any new development has occurred, with the exception of single-story warehouses and automotive uses. Meanwhile many non-conforming residential buildings have been demolished due to the restrictive nature of the zoning and prolonged disinvestment.
- Over the past two decades, the demand for housing has skyrocketed within the surrounding neighborhoods, occurring in tandem with population and demographic shifts, such as a large reduction in the Black non-Hispanic population and simultaneous rise in the White non-Hispanic and Asian populations, as well as sharp increases in household income and educational attainment, according to Census-based data.
- Within the neighborhoods Crown Heights, Prospect Heights, Clinton Hill, and Bedford Stuyvesant, the ability to accommodate new housing, especially affordable housing for a range of incomes, has not kept pace with demand, leading to tremendous pressure on the existing housing stock with tenants particularly vulnerable to landlord harassment, rising rents, and involuntary displacement. These neighborhoods have also been subject to area-wide rezonings – Prospect Heights in 1993, Fort Greene/Clinton Hill and Bedford Stuyvesant South in 2007, and Crown Heights West in 2013—that largely preserved the neighborhood character and limiting growth to modest levels along specific corridors, such as Fulton Street, Atlantic Avenue, and Franklin Avenue. Moreover, the presence of LPC-designated historic districts in Prospect Heights, Fort Greene/Clinton Hill, Crown Heights North, and Bedford Stuyvesant have further hampered growth.
- Although certain long-term development projects, such as the nearby Pacific Park (formerly known as Atlantic Yards) development, have produced a few thousand units with forthcoming phases at varying construction timelines, the need for new housing continues unabated. The Proposed Actions would help address the severe shortage of both market-rate and affordable housing, ushering in both housing and a mix of local services and job-generating uses.
- The Proposed Actions would implement the objectives set forth in the M-CROWN planning effort, spearheaded by Community Board 8 and culminating in multiple CB Resolutions and a 2018 DCP framework, which has been used as a tool to guide the review and approval of seven subsequent private applications.
- During the winter and spring of 2023, DCP, local Council Members, and a facilitation consultant jointly led an outreach process as part of the Atlantic Avenue Mixed-Use Plan, involving nine topic-based working group meetings, three community planning workshops, and steering committee

meetings. The Proposed Actions would advance the vision and priorities established in the AAMUP Community Vision and Priorities released in the summer of 2023.

- The Proposed Actions would update the zoning in an approximately 20-block area primarily along Atlantic Avenue and neighboring blocks, allowing for growth and development in appropriate locations. Also, although not part of the proposed land use and zoning actions, a coordinated plan would call for strategic improvements to infrastructure and services, such as streetscape and pedestrian safety improvements along Atlantic Avenue, and investments in parks, affordable housing and various services and programs, among other elements.
- The Proposed Actions would facilitate an area-wide rezoning that would increase density in a transit-rich area accessible to both the local subway system and regional rail (LIRR) within a short commuting distance from Central Business Districts, such as Downtown Brooklyn and Lower Manhattan. In light of the combined goals of encouraging the growth of housing and jobs, density would be provided to facilitate both new housing and allow multiple floors of non-residential uses.
- The Proposed Actions would orient density in a manner that directs the highest density along Atlantic Avenue, a 120-foot-wide corridor providing access to light and air, while medium density zoning districts would be mapped on portions beyond 100 feet of Atlantic Avenue based on the narrower width of streets and mid-block, side street conditions.
- The Proposed Actions would implement zoning districts with height limits, requiring new developments to be developed under Quality Housing regulations resulting in better urban design while providing much needed housing and non-residential spaces. Building heights and setbacks would be higher along Atlantic Avenue, based on the wide nature of the street, while building height would step down along the north-south avenues – Grand Avenue, Bedford Avenue, and Classon Avenue—and then lower further on the mid-block, side streets.
- The Proposed Actions would foster a vibrant mix of uses with active ground floors along Atlantic Avenue, Bedford Avenue, Classon Avenue, and Grand Avenue, in tandem with incentives for non-residential uses in mid-block areas and the pairing of residential with manufacturing districts that encourages the creation of new space for jobs through the adaptive reuse of existing buildings and new, loft-style buildings.
- The Proposed Actions would apply the MIH program, which would require the inclusion of permanently affordable housing in new developments, expansions, or conversions.
- Without an area-wide rezoning, it is likely that some property owners would continue to seek private applications that updates the zoning in a piecemeal, incremental manner, lacking the depth of a holistic plan or the ability to apply special zoning regulations. New development and conversions would occur and shaped by the 2018 framework, but without the benefit of a coordinated, overarching plan with infrastructure improvements and other investments.
- Without an area-wide rezoning, limited change would occur in the industrially zoned areas, exacerbating the lack of housing within the surrounding neighborhoods, especially for lower incomes populations.

HOUSING

- The Project Area is well-situated to accommodate housing growth, located a few blocks from multiple transit lines and the regional LIRR rail that provide access to the City's central

employment hubs of Downtown Brooklyn and Lower Manhattan. Additionally, the area is close to schools, major parks, and institutions – including Prospect Park, the Brooklyn Museum, and the Brooklyn Botanic Garden – as well as local commercial corridors – such as Fulton Street, Vanderbilt Avenue, Washington Avenue, Franklin Avenue, and Nostrand Avenue – that can help meet retail and service needs of new residents.

- Despite the strong access to public transit and services, both the Project Area and surrounding neighborhoods have experienced limited growth due to a combination the current M1-1 zoning prohibiting new residential, the mapping of several area-wide rezonings in the immediate neighborhoods that protected the neighborhood character with limited opportunities for growth, and the designation of Historic Districts that added further barriers for new, as-of-right development and expansions.
- New development within the surrounding area has been concentrated along certain corridors, such as Franklin Avenue, Atlantic Avenue, and Fulton Street, in addition to sites that were part of recently approved private applications. The most prominent development project within the surrounding area is Pacific Park (formerly Atlantic Yards), a state-led, multi-phased development that was approved as part of a General Project Plan (GPP) in 2006 and subsequent amendments and will consist of more than 6,000 dwelling units when fully built out. Although Pacific Park and surrounding developments have been an integral source of housing production, these developments are not enough to meet the urgent demand for housing and increase the overall supply of both market-rate and affordable housing.
- With the Proposed Actions, a substantial amount of new housing will be built, oriented along a major corridor in close proximity to services and jobs, while providing permanent affordable housing through the mapping of MIH areas and the disposition of City-owned sites that can be developed with 100% affordable housing for families, older adults, and the formerly homeless.
- The Proposed Actions will facilitate the disposition of two City-owned sites on Dean Street and Bergen Streets currently owned by the Department of Housing Preservation and Development (HPD). These sites were subject to an RFP process and community visioning process, resulting in the selection and designation of two development proposals for fully affordable projects that serve older adults and families, in conjunction with on-site services and community facilities on the ground floor that complement the housing above.
- Specifically, the Proposed Actions would create opportunities for new housing along major corridors including Atlantic Avenue, a 120-foot-wide street; north-south avenues of Grand Avenue, Bedford Avenue, and Classon Avenue; and mid-block side streets of Bergen Street, Dean Street, and Herkimer Place.
- With the Proposed Actions, more new housing with permanently affordable housing would be created, which would increase the supply of housing overall and lessen the already high pressure on rents.

INDUSTRIALLY AND COMMERCIALLY ZONED AREAS

- The areas zoned M1-1 – a low density Manufacturing District that allows commercial and industrial uses and no new residential uses – has been in place since 1961. Prior to 1961, these areas contained a greater presence of residential uses, many of which have been demolished due to disinvestment.

- The areas zoned for industrial and commercial uses cover many blocks that contain a mix of industrial and commercial buildings but also residential homes that predate the zoning. The combination of outdated zoning—with its tight restrictions on uses, floor area, and parking—coupled with broader economic conditions, has resulted in few new buildings constructed within the proposed Project Area.
- Except for a few automotive related and building supply businesses, few properties have been redeveloped since 1961. Large swaths of land sit vacant or underutilized, serving as open storage, garages, or warehouses that contain few jobs. Over the past two decades, a handful of multi-story, loft-style buildings, which are currently non-complying with zoning, have been repurposed for offices, artist studios, medical offices, and light industrial uses.
- The existing zoning has not kept up with economic changes. Industrial areas, including the proposed Project Area, do not have zoning in place that matches the needs of existing businesses and has discouraged new development and the creation of residential and commercial spaces that would complement and support the growth of surrounding institutions.
- Without the Proposed Actions, underutilized sites in industrially and commercially zone areas will remain underdeveloped and underutilized, resulting in a lost opportunity for creation of new housing and space for jobs in the context of a housing shortage and rising housing prices.
- Absent the Proposed Actions, it is likely that a few property owners would seek discretionary actions to alleviate zoning challenges that exist today. Therefore, it is likely that limited new development may occur, albeit in a piecemeal fashion and without the benefit of a holistic plan.

JOBS AND NON-RESIDENTIAL USES

- The Proposed Actions would help foster a new vision of housing and job growth. Specifically, they would support new space for jobs in various geographies of the Project Area and promote existing clusters of businesses, reinforcing the area's characteristics as a local job hub where residents in the surrounding neighborhoods can walk or bike to work.
- By increasing density of all types of non-residential uses – commercial, industrial, and community facilities – the Proposed Actions would allow multiple floors of space for jobs with a range of options, such as ground floor retail or light industrial with either residential or offices above. Moreover, residential districts would be paired with manufacturing districts, allowing for flexibility to locate a diverse mix of uses either in the same building or side by side. A new contextual envelope to help match the loft-style building form that can accommodate high floor to ceiling heights and large floor plates.
- Along Atlantic Avenue and the north-south corridors of Bedford Avenue, Classon Avenue, and Grand Avenue where additional activity and foot traffic is anticipated due to its higher level of density, the Proposed Actions would require active ground floors guaranteeing that the spaces provide a source of jobs, while mandating glazing and transparency of frontages, which would enhance the streetscape for residents, businesses, visitors, and shoppers.
- The Proposed Actions would also include an area for only non-residential uses by mapping a manufacturing district that permits increased density, eliminates the off-street parking and modifies loading requirements, and creates flexibility in the bulk envelope to permit loft-style buildings with high floor to ceiling heights that maximize opportunities for light and air.

URBAN DESIGN

- Today, Atlantic Avenue functions as an auto-centric corridor with a harsh, uninviting streetscape with few trees, narrow sidewalks, and unsafe conditions for pedestrians and bicyclists that, in combination of these characteristics, acts as a physical barrier between the neighborhoods to the north (Clinton Hill and Bedford Stuyvesant) and south (Prospect Heights and Crown Heights).
- As a designated through truck route with three lanes of traffic in both directions and inadequate pedestrian islands or bulb outs, walking along and crossing Atlantic Avenue is often difficult and unsafe, detracting from the pedestrian-friendly streets nearby.
- The Proposed Actions would support the redevelopment of lots along Atlantic Avenue and nearby corridors within the Project Area with new housing and space for jobs, bringing new vibrancy and activity along the corridors, coupled with special zoning regulations along Atlantic Avenue that would require active ground floors and wider sidewalks by setting back buildings.
- The Proposed Actions would map zoning districts with appropriate height and setback regulations based with the tallest buildings concentrated along Atlantic Avenue due its 120-foot-wide width, which provides more opportunity for light and air. Mid-blocks and side streets would have lower buildings and base heights in response to the narrower street width of 70 feet.
- The Proposed Actions would complement a broader redesign of Atlantic Avenue being explored by the New York City Department of Transportation (DOT). These public realm improvements may include, but are not limited to, sidewalk widenings, landscaped medians, bulb-outs and pedestrian islands at key intersections, lighting, rain gardens or bioswales, and other road-based improvements.
- In the absence of the Proposed Actions, the Atlantic Avenue corridor would remain an auto-oriented thoroughfare and private applications would continue piecemeal, lacking special zoning regulations to enhance the streetscape that would take place under an area-wide rezoning and a holistic plan in coordination with agency partners.

G. DESCRIPTION OF PROPOSED ACTIONS

The Proposed Actions would facilitate development generally consistent with the ~~vision and~~ goals of ~~a multi-year planning process conducted along Atlantic Avenue in northwestern Crown Heights and southern Bedford Stuyvesant in partnership with elected officials, city agencies, community boards, and local stakeholders~~the AAMUP study and outreach processes by allowing for housing growth with required, permanently affordable housing~~, strengthening~~ near public transit, enlivening corridors with active ground floor uses and streetscape improvements, and ~~promoting~~ incentivizing increased job ~~growth in existing clusters of non-residential uses~~ densities to foster a walk-to-work neighborhood. To accomplish these goals, DCP is proposing zoning text amendments, zoning map amendments, disposition and acquisition of property by the City, and UDAAP designations.

The Proposed Actions would affect an approximately ~~20~~21-block area in Community Districts 3 and 8, including several frontages along Atlantic Avenue generally bounded by Vanderbilt Avenue to the west, Nostrand Avenue to the east, Herkimer Street to the north, and Bergen Street to the south. In addition, the Proposed Actions would affect two,~~a~~ separate, non-contiguous areas ~~located~~ on a portion of two blocks ~~in Prospect Heights~~ bounded ~~by~~ by:

- 6th Avenue to the west, Carlton Avenue to the east, Dean Street to the north, and St. Marks and Flatbush Avenues to the south.
- Halsey Street to the North, Macon Street to the south, Nostrand Avenue to the west and Marcy Avenue to the east.

As discussed in detail below, the Proposed Actions consist of:

- **Zoning Map Amendment** to:
  - Rezone portions of existing M1-1, C6-~~3A~~2A, C6-3X, M1-4/R7A, R7A/C2-4, R7D/C2-4, ~~C6-2A, R6B~~, and R6A districts to R7A, R7D, C6-3A, M1-~~4~~1A/R6B, M1-~~4~~2A/R6A, M1-~~4~~3A/R7D, M1-~~5~~4A/R9A, C4-3A, C4-5D, R7-2, and M1-~~4~~-3A districts and C2-4 commercial overlays.
  - Map the Special Atlantic Avenue Mixed Use District, largely coterminous with the Rezoning Area
- **Zoning Text Amendment** to:
  - Establish the Special Atlantic Avenue Mixed Use District largely coterminous with the Rezoning Area. The proposed special purpose district will include modifications to underlying use, bulk, parking 2and loading, and streetscape regulations. The proposed special district will include requirements and incentives related to active ground floor uses and job-generating uses and establish controls for building articulation and streetscape improvements along key corridors.
  - Modify Appendix F for the purpose of establishing proposed R7A, R7D, C6-3A, M1-5/R9A, M1-4/R6B, M1-4/R6A, M1-4/R7D, C4-4A, and C4-5D as MIH areas, applying the MIH program to require a share of new housing to be permanently affordable where significant new housing capacity would be created.
- **Designation of an Urban Development Action Area ("UDAA")**, ~~project a~~**Approval of an Urban Development Action Area Project ("UDAAP")**, and ~~**acquisition**~~ **Acquisition** and/~~or disposition~~ **Disposition of the City-owned ~~property~~ properties**.
  - Designation of UDAAs, project approval of an UDAAP, and disposition of the City-owned property for two parcels owned and managed by HPD on Block 1136 (Lots 29, 32, 33, 34, and 35) and Block 1143 (Lot 25). HPD seeks to designate a UDAAP for the purpose of disposition and development of affordable housing for older adults and families, as well as to provide on-site services and amenities for residents and other community facility uses.
  - Acquisition and disposition actions related to the property for Block 1205, Lots 11, 14, and 111; Acquisition and disposition of City-owned property at Block 1126, Lot 32; acquisition of City-owned property at Block 1143, Lot 25, and disposition of City-owned property at Block 1844, Lot 1.
  - In addition to these land use actions, potential Article XI disposition, tax exemption, and HPD financing for one or more sites to facilitate the development of affordable housing.

- ~~Designation of UDAAs and approval of UDAAPs and disposition of the City-owned property for two parcels owned by the City of New York and managed by HPD on Block 1136 (Lots 29, 32, 33, 34, and 35) and Block 1143 (Lot 25).~~
- ~~Acquisition of property by the City – the City proposes to reacquire a portion of the Projected Development Site 47 (Block 1143, Lot 25) for replacement parking by HPD.~~
- ~~Acquisition and disposition of the formerly City-owned property for Block 1205, Lots 11, 14, and 111.~~
- ~~Disposition of City-owned property for Block 1844, Lot 1 will be conveyed to developers selected by HPD.~~
- ~~Disposition of City-owned property located at Block 1126, Lot 32 will be conveyed to developers selected by HPD.~~
- ~~In addition to these land use actions, the proposed project for Block 1205, Lots 11, 14, and 111 could seek an Article XI to facilitate the development of affordable housing.~~

- ~~**Site Selection and/or Acquisition**, related to the potential acquisition of land by the City for the purpose of establishing publicly accessible open space.~~

PROPOSED ZONING MAP CHANGES

PROPOSED M1-4<u>1A</u>/R6B (EXISTING M1-1 DISTRICT)

M1-~~4~~<u>1A</u>/R6B zoning districts are proposed to cover one partial block in one area:

- *An area roughly bounded by Herkimer Place to the south, Herkimer Street to the north, Bedford Avenue to the west, and Nostrand Avenue to the east, and generally with frontage on Herkimer Place.*

M1-4<u>1A</u>/R6B is a mixed-use district that pairs M1-4<u>1A</u>, a manufacturing district that supports a mix of low-rise commercial and industrial uses, with R6B, a medium-density contextual residential district that would allow residential uses and community facility uses and is designed to produce Quality Housing buildings. Mixed Use zoning districts also have special regulations that enable residential and certain industrial uses to be located either side by side or within the same building. R6B districts permit a maximum residential FAR of 2.4, when mapped with inclusionary housing, an FAR for commercial and industrial uses up to ~~3.0~~2.0, and an FAR for community facility up to ~~3.0~~2.0. For mixed-use buildings combining residential and non-residential uses, the total FAR would be 3.0. Where inclusionary housing is mapped and on narrow streets, R6B districts permit maximum street wall height of 45 feet, above which the building must be set back, may rise to a maximum height of 65 feet, and have a maximum of 6 stories. All buildings would be allowed a more flexible envelope with a maximum street wall height of 65 feet and a maximum building height of 95 feet. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Like other residential districts, the R6B district requires a 30 feet rear yard for residential portions of any building. Off-street parking would be optional for residential uses.

PROPOSED M1-4/R6A (EXISTING M1-1, M1-4/R7A, AND R7A/C2-4 DISTRICTS)

M1-4/R6A zoning districts are proposed to cover seven partial blocks in two areas:

- *An area roughly bounded by Bergen Street to the south, Atlantic Avenue to the north, Grand Avenue to the west, and Classon Avenue to the east, and generally within the mid-blocks beyond 100 feet of the avenues.*
- *An area roughly bounded by Bergen Street to the south, Atlantic Avenue to the north, Classon Avenue to the west, and Bedford Avenue to the east, and generally on mid-blocks beyond 100 feet of Classon Avenue and with frontage on Franklin Avenue between Atlantic Avenue and Pacific Street.*

M1-4/R6A is a mixed-use district that pairs M1-4, a manufacturing district that supports a mix of commercial and industrial uses, with R6A, a medium-density contextual residential district that would allow residential uses and community facility uses and is designed to produce Quality Housing buildings. Mixed Use zoning districts also have special regulations that enable residential and certain industrial uses to be located either side by side or within the same building. R6A districts permit a maximum residential FAR of 3.9, when mapped with inclusionary housing, an FAR for commercial and industrial uses up to 4.0, and an FAR for community facility up to ~~4.0~~3.0 with a maximum base and building height of 65 and 954 feet, respectively. For mixed-use buildings combining residential and non-residential uses, the total FAR would be 5.0. Buildings within the M1-4/R6A areas would be allowed a bulk envelope with a maximum street wall height of 95 feet and a maximum building height of 125 feet. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Like other residential districts, the R6A district requires a 30 feet rear yard for residential portions of any building. Off-street parking would be optional for residential uses.

PROPOSED R7A (EXISTING R6A DISTRICT)

R7A districts are proposed for approximately one partial block in one area:

- *An area roughly bounded by Dean Street to the south, Pacific Street to the north, Franklin Avenue to the west, and Bedford Avenue to the east, and generally on the northeast frontage of the block.*

R7A is a medium-density contextual residential district that would allow residential uses of all types and community facility uses and is designed to produce Quality Housing buildings. R7A districts permit a maximum residential FAR of 5.0, when mapped with inclusionary housing, and an FAR for community facility up to 4.0. Where inclusionary housing is mapped and on narrow streets, R7A districts permit a maximum street wall height of 85 feet,2 above which the building must be set back, may rise to a maximum height of 115 feet, and have a maximum of 11 stories. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Like other residential districts, the R7A district requires a 30 feet rear yard for residential portions of any building. Off-street parking would be optional for residential uses.

PROPOSED C4-3A (EXISTING M1-1 DISTRICT)

C4-3A districts are proposed for approximately two partial blocks in one area:

- *An area roughly bounded by Brevoort Place to the north, Atlantic Avenue to the south, Franklin Avenue to the west, and Bedford Avenue to the east, and with frontage generally along Bedford Place beyond 100 feet of Atlantic Avenue.*

C4-3A is a medium-density commercial district that allows a range of commercial uses as well as residential and community facility uses. C4-3A districts permit a maximum commercial FAR of 3.40 and a community facility FAR of 3.0. C4-3A districts permit, as-of-right, retail and commercial uses in Use Groups 5, 6, 8, 9, 10, and 12. These use groups include retail, offices, business services, larger retail establishments such

as department stores, and some entertainment uses. For C4-3A districts, the residential district equivalent is an R6A district. As a result, any residences within the C4-3A district must comply with the R6A bulk regulations and, where inclusionary housing is mapped, with the mandatory affordable housing requirements pursuant to the MIH program. C4-3A districts permit a maximum residential FAR of 3.9, when mapped with inclusionary housing. Where inclusionary housing is mapped and on narrow streets, C4-3A districts permit a maximum street wall height of 65 feet, above which the building must be set back, may rise to a maximum height of 95 feet, and have a maximum of nine stories. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Off-street parking would be optional for residential uses.

PROPOSED R7D (EXISTING R6B DISTRICT)

R7D districts are proposed for approximately two partial blocks in one area:

- *An area roughly bounded by 6th Avenue to the west, Carlton Avenue to the east, Dean Street to the north, and St. Marks and Flatbush Avenues to the south.*

R7D is a medium-density contextual residential district that would allow residential uses of all types and community facility uses and is designed to produce Quality Housing buildings. R7D districts permit a maximum residential FAR of 5.6, when mapped with inclusionary housing, and an FAR for community facility up to 4.2. Where inclusionary housing is mapped and on narrow streets, R7D districts permit a maximum street wall height of 95 feet, above which the building must be set back, may rise to a maximum height of 125 feet, and have a maximum of 12 stories. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Like other residential districts, the R7D district requires a 30 feet rear yard for residential portions of any building. Off-street parking would be optional for residential uses.

PROPOSED C4-5D (EXISTING M1-1 DISTRICT)

C4-5D districts are proposed for approximately two partial blocks in one area:

- *An area roughly bounded by Brevoort Place and Herkimer Street to the north, Atlantic Avenue to the south, Bedford Place to the west, and Perry Place and Nostrand Avenue to the east, and with frontage generally along Bedford Avenue 100 feet north of Atlantic Avenue.*

C4-5D is a medium-density commercial district that allows a range of commercial uses as well as residential and community facility uses. C4-5D districts permit a maximum commercial FAR of 4.2 and a community facility FAR of 4.2. C4-5D districts permit, as-of-right, retail and commercial uses in Use Groups 5, 6, 8, 9, 10, and 12. These use groups include retail, offices, business services, larger retail establishments such as department stores, and some entertainment uses. For C4-5D districts, the residential district equivalent is an R7D district. As a result, any residences within the C4-5D district must comply with the R7D bulk regulations and, where inclusionary housing is mapped, with the mandatory affordable housing requirements pursuant to the MIH program. C4-5D districts permit a maximum residential FAR of 5.6, when mapped with inclusionary housing. Where inclusionary housing is mapped and on narrow streets, C4-5D districts permit a maximum street wall height of 95 feet, above which the building must be set back, may rise to a maximum height of 125 feet, and have a maximum of 12 stories. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Off-street parking would be optional for residential uses.

PROPOSED M1-4~~3~~A/R7D (EXISTING M1-1 AND R7A/C2-4 DISTRICTS)

M1-4~~3~~A/R7D districts are proposed for approximately nine partial blocks in two areas:

- *An area roughly bounded by Washington Avenue to the west, Classon Avenue to the east, Atlantic Avenue to the north, and Bergen Street to the south, generally located along the frontage of Grand Avenue between Atlantic Avenue and Bergen Street to a depth of 100 feet from Grand Avenue.*
- *An area roughly bounded by Grand Avenue to the west, Franklin Avenue to the east, Atlantic 2Avenue to the north, and Bergen Street to the south, generally located along the frontage of Classon Avenue between Atlantic Avenue and Bergen Street to a depth of 100 feet from Classon Avenue.*

~~R7D/M1-4~~M1-3A/R7D is a mixed-use district that pairs M1-~~4~~3A, a manufacturing district that supports a mix of commercial and industrial uses, with R7D, a medium-density contextual residential district that would allow residential uses and community facility uses and is designed to produce Quality Housing buildings. Mixed Use zoning districts also have special regulations that enable residential and certain industrial uses to be located either side by side or within the same building. R7D districts permit a maximum residential FAR of 5.6, when mapped with inclusionary housing, an FAR for commercial and industrial uses up to 4.0, and an FAR for community facility up to 4.2. Where inclusionary housing is mapped and on narrow streets, R7D districts permit maximum street wall height of 95 feet, above which the building must be set back, may rise to a maximum height of 125 feet, and have a maximum of 12 stories. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Like other residential districts, the R7D district requires a 30 feet rear yard for residential portions of any building. Off-street parking would be optional for residential uses.

PROPOSED M1-~~5~~4A/R9A (EXISTING M1-1 DISTRICT)

M1-~~5~~4A/R9A districts are proposed for approximately one partial block in one area:

- *An area roughly bounded by Classon Avenue to the west, Franklin Avenue to the east, Atlantic Avenue to the north, and Pacific Street to the south, generally located along the southern frontage of Atlantic Avenue to a depth of 100 feet.*

M1-~~5~~4A/R9A is a mixed-use district that pairs M1-~~5~~4A, a manufacturing district that supports a mix of commercial and industrial uses, with R9A, a high-density contextual residential district that would allow residential uses and community facility uses and is designed to produce Quality Housing buildings. Mixed Use zoning districts also have special regulations that enable residential and certain industrial uses to be located either side by side or within the same building. M1-~~5~~4A/R9A districts permit a maximum residential FAR of 9.0, when mapped with inclusionary housing, an FAR for commercial and industrial uses up to 5.0, and an FAR for community facility up to 7.5. Where inclusionary housing is mapped, R9A districts permit maximum street wall height of 135 feet, above which the building must be set back, may rise to a maximum height of 185 feet, and have a maximum of 18 stories. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Like other residential districts, the R9A district requires a 30 feet rear yard for residential portions of any building. Off-street parking would be optional for residential uses.

PROPOSED C6-3A (EXISTING M1-1 AND C6-2A DISTRICTS)

C6-3A districts are proposed for approximately 10 partial blocks in one area:

- *An area roughly bounded by Vanderbilt Avenue to the west, Nostrand Avenue to the east, Atlantic Avenue, Brevoort Place, and Herkimer Street to the north, and Pacific Street to the south, and with frontage generally along Atlantic to a depth of 100 feet.*

C6-3A is a high-density commercial district that allows a range of commercial uses as well as residential and community facility uses. C6-3A districts permit a maximum commercial FAR of 6.0 and a community facility FAR of 7.5. C6-3A districts permit, as-of-right, retail, and commercial uses in Use Groups 5, 6, 8, 9, 10, and 12. These use groups include retail, offices, business services, larger retail establishments such as department stores, and some entertainment uses. For C6-3A districts, the residential district equivalent is an R9A district. As a result, any residences within the C6-3A district must comply with the R9A bulk regulations and, where inclusionary housing is mapped, with the mandatory affordable housing requirements pursuant to the MIH program. C6-3A districts permit a maximum residential FAR of 9.0, when mapped with inclusionary housing. Where inclusionary housing is mapped and on narrow streets, C6-3A districts permit a maximum street wall height of 135 feet, above which the building must be set back, may rise to a maximum height of 185 feet, and have a maximum of 18 stories. A building setback of 10 feet is required on wide streets and 15 feet on narrow street. Off-street parking would be optional for residential uses.

PROPOSED R7-2 (EXISTING R6A AND R6B DISTRICTS)

R7-2 districts are proposed for approximately one block in one area:

- *An area roughly bounded by Halsey Street to the north, Macon Street to the south, Nostrand Avenue to the west and Marcy Avenue to the east, and with frontage along the entire western portion of the block.*

R7-2 is a medium-density non-contextual residential district that would allow residential uses of all types and community facility uses. R7-2 districts permit a maximum residential FAR of 4.6 when mapped with inclusionary housing and a maximum FAR for community facility up to 6.5. Where inclusionary housing is mapped, R7-2 districts permit a maximum street wall height of 75 feet, above which the building must be set back, may rise to a maximum height of 135 feet, and have a maximum of 13 stories. A building setback of 10 feet on wide streets and of 15 feet on narrow streets is required. Like other residential districts, R7-2 districts require a 30 feet rear yard for residential portions of any building. Off-street parking is required for 50 percent of the dwelling units in the building. For income-restricted housing units (IRHU), there are no parking spaces required inside the Transit Zone.

PROPOSED M1-~~4~~ 3A (EXISTING M1-1 DISTRICT)

M1-~~4~~ 3A districts are proposed for approximately one partial blocks in one area:

- *An area roughly bounded by Franklin Avenue to the west, Bedford Avenue to the east, Atlantic Avenue, to the north, and Pacific Street to the south.*

M1-~~4~~ 3A is a manufacturing districts that allows a range of commercial, industrial, and community facility uses. M1-4 districts permit a maximum FAR of 4.0 for commercial and industrial uses and a maximum FAR of 4.8 for community facility uses. Buildings may rise to a maximum base height of 95 feet and a maximum building height of 125 feet.

PROPOSED C2-4 COMMERCIAL OVERLAY

C2-4 commercial overlays are proposed to be mapped over portions of an existing R6A district and proposed R7A district. The proposed rezoning would establish a new C2-4 overlay along the east and west frontages of Classon Avenue between Dean Street and Bergen Street where a C1-3 overlay was mapped prior to the approval of the 2013 Crown Heights West Rezoning. In addition, a C2-4 overlay would be

established in a proposed R7A district on the eastern frontage of Franklin Avenue between Dean Street and Pacific Street. A C2-4 overlay will be paired with the R6A and R7A districts in order to bring existing ground floor commercial uses into conformance with zoning and allow additional commercial uses to occupy space and expand. The affected areas are as follows:

- Portions of two blocks bounded by Dean Street to the north, Bergen Street to the south, Grand Avenue to the west, and Franklin Avenue to the east, along the east and west frontages of Classon Avenue between Bergen Street and Dean Street to a depth of 100 feet.
- Portion of one block bounded by Pacific Street to the north, Dean Street to the south, Franklin Avenue to the west, and Bedford Avenue to the east.

C2-4 commercial overlays allow for up to 2.0 FAR of local retail uses in stand-alone commercial buildings or on the ground-floor of mixed-use buildings. C2-4 allows uses listed in Use Groups 1-9 and 14, which include a wide range of ~~conventional~~ neighborhood commercial uses including retail and services, ~~along with some repair and~~as well as small-scale entertainment and production uses. For general commercial uses, as listed in PRC-B, one off-street parking space is required for every 1,000 square feet of floor area.

SPECIAL ATLANTIC AVENUE MIXED USE DISTRICT

A special purpose district known as the Special Atlantic Avenue Mixed Use District would be mapped largely coterminous with the Project Area. The proposed special purpose district is described in more detail below as part of the related action to amend the zoning text and establish the proposed special purpose district.

PROPOSED ZONING TEXT AMENDMENTS

The Department of City Planning proposes a series of text amendments to facilitate the land use objectives and the Atlantic Avenue Mixed-Use Plan. The following is a list and description of the proposes text amendments:

SPECIAL ATLANTIC AVENUE MIXED USE DISTRICT

A special purpose district known as the Special Atlantic Avenue Mixed Use District would be mapped largely coterminous with the Project Area. The proposed special purpose district would establish a framework around Atlantic Avenue and neighboring blocks, to

- promote the growth of housing and employment centers around transit and foster an adequate range of services and amenities for residents, workers, and visitors;
- ensure a lively and attractive streetscape along Atlantic Avenue and other major corridors; and
- support a mix of residential, commercial, community facility, and light industrial uses.

To achieve this, a series of modifications to a range of underlying zoning provisions are proposed, as follows:

Use Regulations

To create an attractive and pedestrian-friendly environment, provide space for jobs, and enhance activity along major corridors, the special purpose district would require non-residential uses along the ground floors to a depth of 30 feet. This requirement would serve to foster an active street frontage with glazing and transparency for businesses that occupy space in new developments. Absent the modification,

residential uses could be located at the ground floor, which would be an undesirable location for those living on such a busy thoroughfare. In paired industrial/residential districts where light industrial and residential uses are located in the same or adjacent buildings, the Special District would require the submission of a Restrictive Declaration to allow flexibility for the uses to coexist while protecting residents from air contaminants, odors, vibrations, or noise associated with the industrial use. These regulations would be modeled after those implemented in the 803 Rockaway Avenue rezoning (200056ZMK, N200057ZRK).

Further, the modification would also prevent blank wall conditions for non-residential uses, which can result in an unattractive streetscape condition. Atlantic Avenue and Bedford Avenue would be designated as Tier C frontages pursuant to the recently adopted City of Yes for Economic Opportunity text amendment, and north/south corridors Grand Avenue and Classon Avenue would be designated as Tier B frontages but would still be required to provide nonresidential ground floor uses.

As part of the special purpose district, manufacturing districts would be paired with residential districts in a few locations. Such a pairing of zoning districts typically necessitates a designation of a Special Mixed Use (MX) District. Rather than being a separate, individually designated MX district, these districts and their mixed-use regulations would be incorporated into the proposed special purpose district. In addition~~,~~ ~~M1-4/R6A~~M1-1A/R6B and M1-2A/R6A districts would include a floor area incentive of approximately 0.6 and 1.1 FAR, respectively, to encourage the development of mixed-use buildings with non-residential ground floors, as well as greater flexibility in the bulk envelope. The special purpose district would also update previously approved MX districts that overlap with the Project Area.

Streetscape and Bulk Regulations

To enhance the streetscape experience for pedestrians and ensure there is sufficient space for various users of the sidewalk, the special purpose district would require the street wall of new developments to setback ~~approximately five feet from the property line along major corridors, such as~~ such that the Atlantic ~~Avenue~~ and Bedford Avenues is 20 feet, unless the required setback is more than 5 feet. As such, the width of sidewalks would increase to widths of between 15 to 20 feet. Without the special purpose district, the underlying zoning would require a development's street wall to locate at the street line. The special purpose district would also update previously approved street wall location regulations that apply along the portion of Atlantic Avenue and surrounding streets overlapping with the Project Area.

In addition, due to block frontages along Atlantic Avenue being 800 feet in length, new developments with more than 100 feet of frontage will be required to provide recesses, projections or other features that articulate the façade. In the absence of the special purpose district, larger developments with frontage along Atlantic Avenue ~~would~~ could have a sheer, continuous wall up to the minimum base height with minimal articulation~~, resulting in a poor streetscape condition~~.

~~With~~ Within the special purpose district, ~~certain~~ two manufacturing districts paired with residential districts would modify underlying bulk regulations to allow for taller mixed-use buildings or standalone non-residential buildings, as well as allow more flexibility for rear yard obstructions to better support two floors of non-residential uses. M1-1A/R6B would allow a maximum FAR of 3.0, maximum base height of 65 feet, and maximum building height of 95 feet for mixed-use buildings (versus an FAR of 2.4, base height of 45 feet, and maximum height of 65 feet for residential-only buildings). M1-2A/R6A would allow a maximum FAR of 5.0, maximum base height of 95 feet, and maximum building height of 125 feet for mixed-use buildings (versus an FAR of 3.9, base height of 65 feet, and maximum height of 95 feet for residential-only buildings). Additionally, to accommodate the future development near the Franklin Avenue shuttle, including on a parcel of land (Block 1126, Lots 32 and 57) owned and operated by MTA, the special

purpose district would modify bulk regulations to allow greater flexibility in the bulk envelope on these irregular and uniquely dimensioned sites.

Additionally, with the special purpose district, certain commercial districts would modify underlying bulk regulations on lots with no rear yards. To accommodate the unique conditions along Herkimer Place and Atlantic Avenue, the special purpose district would modify bulk regulations to ensure a majority of the bulk on future developments be anchored towards Atlantic Avenue, allowing a transition in height to the North. In the absence of the special purpose district, the bulk could be shifted to Herkimer Place creating a stark difference in height and density transitions to the North.

Lastly, the proposed special purpose district would create a CPC authorization to enable the traditional public plaza bonus available in high-density non-contextual districts to zoning lots greater than 25,000 square feet in contextual Commercial Districts and MX pairs with a residential equivalent of an R9A or R9X District. In conjunction with the FAR increase, an applicant could modify building certain plaza regulations to better adapt the design requirements to the unique character of the area or could modify certain bulk parameters so long as height modifications did not exceed 25% of the district's height. This authorization would enable new publicly accessible open spaces in a neighborhood that lacks adequate access to open space and has an existing walk-to-a-park gap.

Open Space Incentive

In order to create opportunities for publicly accessible open space, the special district would include a CPC authorization to allow developments in R9 equivalent districts to access the ZRs floor area bonus for on-site public plazas. The underlying public plaza program (Section 37-70) allows bonuses at these densities but not in AAMUPs specific zoning districts which have street wall and maximum building height requirements. The typical 20 percent maximum bonus would apply, and the bonus ratio would be 4:1, like in equivalent zoning districts (C6-3). The authorization would be available for zoning lots greater than 25,000 square feet and would allow modification of street wall and maximum height requirements to accommodate the plaza and bonus floor area. In addition, the authorization would allow modifications to the plaza design requirements to encourage spaces that reflect the mixed-use character of the area.

Parking and Loading Requirements

With the special purpose district~~,~~ and in alignment with the City of Yes for Housing Opportunity text amendment, no off-street parking would be required for residential uses ~~would be waived based on the area's excellent access to public transit, as well as~~ to support a vision of a growth where residents and workers walk, bicycle, or use public transit as their primary modes of transportation. Moreover, off-street parking can pose constraints on development, expansions, and conversions, both financially and physically, as parking spaces compete for non-residential space on the ground floor and greatly add to the costs of a development, especially if parking is built below grade in cellar levels. ~~Additionally, loading requirements will be modified to allow additional flexibility for non-residential uses.~~

MANDATORY INCLUSIONARY HOUSING

Amendment to Appendix F adding the proposed R7A, R7D, C6-3A, M1-~~4~~1A/R6B, M1-~~4~~2A/R6A, M1-~~4~~3A/R7D, M1-~~5~~4A/R9A, C4-3A, C6-3X, and C4-5D districts to the list and maps of Mandatory Inclusionary Housing Areas.

The proposed R6A, R7A, R7D, C6-3A, M1-1A/ R6B, M1-~~4~~2AA/R6A, M1-~~4~~3A/R7D, M1-~~5~~4A/R9A, C4-3A, C6-3X, and C4-5D zoning districts would be mapped as Mandatory Inclusionary Housing Areas setting mandatory affordable housing requirements pursuant to the MIH program to require a share of new housing

to be permanently affordable where significant new housing capacity would be created. The proposed MIH areas would also consolidate maps from previously approved private applications within the Project Area.

The MIH program requires permanently affordable housing within new residential developments, enlargements, and conversions from non-residential to residential use within the mapped "Mandatory Inclusionary Housing Areas" (MIH Areas). The program requires permanently affordable housing set asides for all developments over 10 units or 12,500 zoning square feet within the MIH Areas or, as an additional option for developments below 25 units and 25,000 sf, a payment into an Affordable Housing Fund.

The MIH program includes two primary options that pair set-aside percentages with different affordability levels to reach a range of low and moderate incomes while accounting for the financial feasibility tradeoff inherent between income levels and size of the affordable set-aside. Option 1 requires 25 percent of residential floor area to be for affordable housing units for households with incomes averaging 60 percent of the Area Median Income (AMI). Option 1 also includes a requirement that 10 percent of residential floor area be affordable at 40 percent of AMI. Option 2 requires 30 percent of residential floor area to be for affordable to households with an average of 80 percent of AMI. Additionally, an Option 3 could also be applied in conjunction with Options 1 or 2. Option 3, also known as the "Deep Affordability" option, requires that 20 percent of the residential floor area be affordable to residents at 40 percent AMI. Unlike the standard MIH program where Option 3 must be mapped in conjunction with Option 1 or 2, in the AAMUP Special District Option 3 would be permissible as a standalone option. The City Council and CPC could apply an additional Option 4, known as the "Workforce" option, for markets where moderate- or middle-income development is marginally financially feasible without subsidy. This requires a 30% set-aside at AMIs averaging 115% and does not allow public funding.

DESIGNATION OF AN URBAN DEVELOPMENT ACTION AREA (UDAA) AND URBAN DEVELOPMENT ACTION PROJECT (UDAAP) AND DISPOSITION OF CITY OWNED LAND

The Proposed Actions include a Designation of ~~an Urban Development Action Area ("~~UDAA~~s")~~, project approval of ~~an Urban Development Action Area Project ("~~UDAAP~~s")~~, and disposition of the City-owned property for two parcels owned and managed by ~~the New York City Department of Housing, Preservation and Development (~~HPD~~)~~ on Block 1136 (Lots 29, 32, 33, 34, and 35) and Block 1143 (Lot 25). These sites were subject an RFP process and community visioning process, as described in a prior section. HPD seeks to rezone and designate a UDAAP for the purpose of disposition and development of affordable housing for older adults and families, as well as to provide on-site services and amenities for residents and other community facility uses.

The Proposed Actions also include acquisition, ~~UDAA, UDAAP,~~ and disposition of the City-owned property for Block 1205, Lots 11, 14, and 111. In addition to these land use actions, the proposed project for Block 1205, Lots 11, 14, and 111 could seek an Article XI to facilitate the development of affordable housing.

~~DISPOSITION OF CITY-OWNED LAND, SITE SELECTION AND/OR ACQUISITION~~

The Proposed Actions may include a disposition of City-owned property within the Project Area. Redevelopment of the property could include renovation and/or development of housing and/or commercial use.

~~The Proposed Actions may include a site selection and/or acquisition of private property, greater than 5,000 sf, within the 0.5-mile radius (as shown in **Figure 2**) of the Project Area for use as publicly accessible open space or recreation.~~

H. FRAMEWORK FOR ENVIRONMENTAL REVIEW

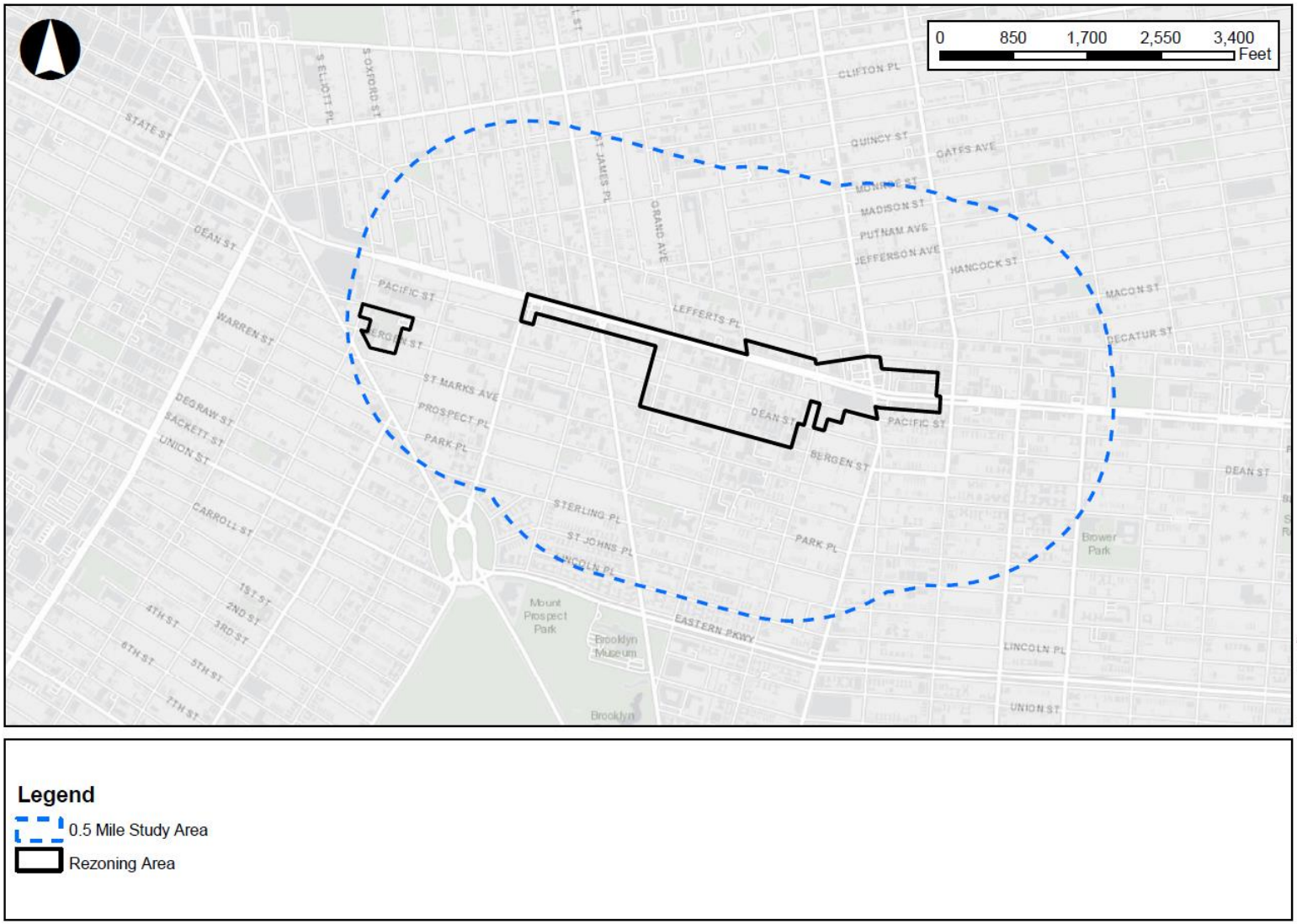
REASONABLE WORST-CASE DEVELOPMENT SCENARIO (RWCDS)

In order to assess the possible impacts of the Proposed Actions, a reasonable worst-case development scenario (RWCDS) was developed for both the current (Future No-Action) and proposed zoning (Future With-Action) conditions for a ten-year period (build year 2034). The incremental difference between the Future No-Action and Future With-Action conditions will serve as the basis for the impact analyses of the Environmental Impact Statement (EIS). A ten-year period typically represents the amount of time developers would act on the proposed action for an area-wide rezoning not associated with a specific development.

To determine the Future With-Action and No-Action conditions, standard methodologies have been used following the *CEQR Technical Manual* guidelines employing reasonable assumptions. These methodologies have been used to identify the amount and location of future development.

In projecting the amount and location of new development, several factors have been considered in identifying likely development sites; including known development proposals, past and current development trends, and the development site criteria described below. Generally, for area-wide rezonings that create a broad range of development opportunities, new development can be expected to occur on selected, rather than all, sites within the Rezoning Area. The first step in establishing the development scenario for the Proposed Actions was to identify those sites where new development could be reasonably expected to occur.

Figure 2: Study Area



Atlantic Avenue Mixed-Use Plan

Figure 2
0.5 Mile Study Area

DEVELOPMENT SITE CRITERIA

Development sites were initially identified based on the following criteria:

- Lots located in areas where changes in use would be permitted.
- Lots located in areas where a substantial increase in permitted FAR is proposed; And lots with a total size of 5,000 sf or larger (may include potential assemblages totaling 5,000 sf, respectively, if assemblage seems probable); unless the site is underutilized, per the definition below; or
- Lots constructed to less than or equal to half of the maximum allowable FAR under the relevant zoning (see Table 1 for more information), or occupied by a vacant building; and
    - Lots between 2,000 to 5,000 sf if considered underutilized; and
    - Underutilized lots which are defined as vacant, occupied by a vacant building, a building with only a single occupied floor, or lots constructed to less than or equal to half of the maximum allowable FAR under the relevant zoning; Lots located in areas where changes in use would be permitted.

Certain lots that meet these criteria have been excluded from the scenario based on the following conditions because they are very unlikely to be redeveloped as a result of the proposed rezoning.

- Lots where construction activity is occurring or has recently been completed.
- Long-standing institutional uses, such as schools (public and private), municipal libraries, government offices, and large medical centers in control of their sites, with no known development plans. These facilities may meet the development site criteria, because they are built to less than half of the permitted floor area under the current zoning and are on larger lots. However, these facilities have not been redeveloped or expanded despite the ability to do so, and it is extremely unlikely that the increment of additional FAR permitted under the proposed zoning would induce redevelopment or expansion of these structures. Additionally, for government-owned properties, development and/or sale of these lots may require discretionary actions from the pertinent government agency.
- Multi-unit buildings (i.e., existing individual buildings with six or more residential units) built before 1974 are unlikely to be redeveloped as they may contain rent stabilized units. Buildings with rent-stabilized units are difficult to legally demolish due to tenant re-location requirements. Unless there are known redevelopment plans (throughout the public review process or otherwise), these buildings are generally excluded from the analysis framework.
- Certain large commercial or industrial structures, such as multi-story non-residential buildings, sites owned and operated by major national corporations. Although these sites may meet the criteria for being built to less than half of the proposed permitted floor area, some of them are unlikely to be redeveloped due to their current or potential profitability, the cost of demolition and redevelopment, and their location.
- Certain active uses which would have difficulty relocating to other areas because of citywide restrictions on the location of said uses, such as heavily used gas stations with critical locations.

- Lots whose location, highly irregular shape, or highly irregular topography would preclude or greatly limit future as of right development, including lots split by disparate zoning districts. Generally, development on highly irregular lots does not produce marketable floor space.
- Lots utilized for public transportation and/or public utilities.

PROJECTED AND POTENTIAL DEVELOPMENT SITES

To produce a reasonable, conservative estimate of future growth, the development sites have been divided into two categories: projected development sites and potential development sites. The projected development sites are considered more likely to be developed within the ten-year analysis period for the Proposed Actions (i.e., by the analysis year 2034) while potential sites are considered less likely to be developed over the approximately ten-year analysis period. Potential development sites were identified based on the following criteria:

- Lots whose slightly irregular shapes, topographies, or encumbrances would make development more difficult.
- Lots with 4 or more commercial tenants, which are less likely to redevelop in the foreseeable future.
- Active businesses, which may provide unique services or are prominent, successful neighborhood businesses or organizations unlikely to move.

Based on the above criteria, 70~~67~~ development sites (~~51~~ 54 projected and 16 potential) have been identified in the Rezoning Area. These projected and potential development sites are depicted in **Figure 3** and the detailed RWCDS tables provided in Appendix A identify the uses expected to occur on each of these sites under No-Action and With-Action conditions.

The EIS ~~will assess~~assesses both density-related and site-specific potential impacts from development on all projected development sites. Density-related impacts are dependent on the amount and type of development projected on a site and the resulting impacts on traffic, air quality, community facilities, and open space.

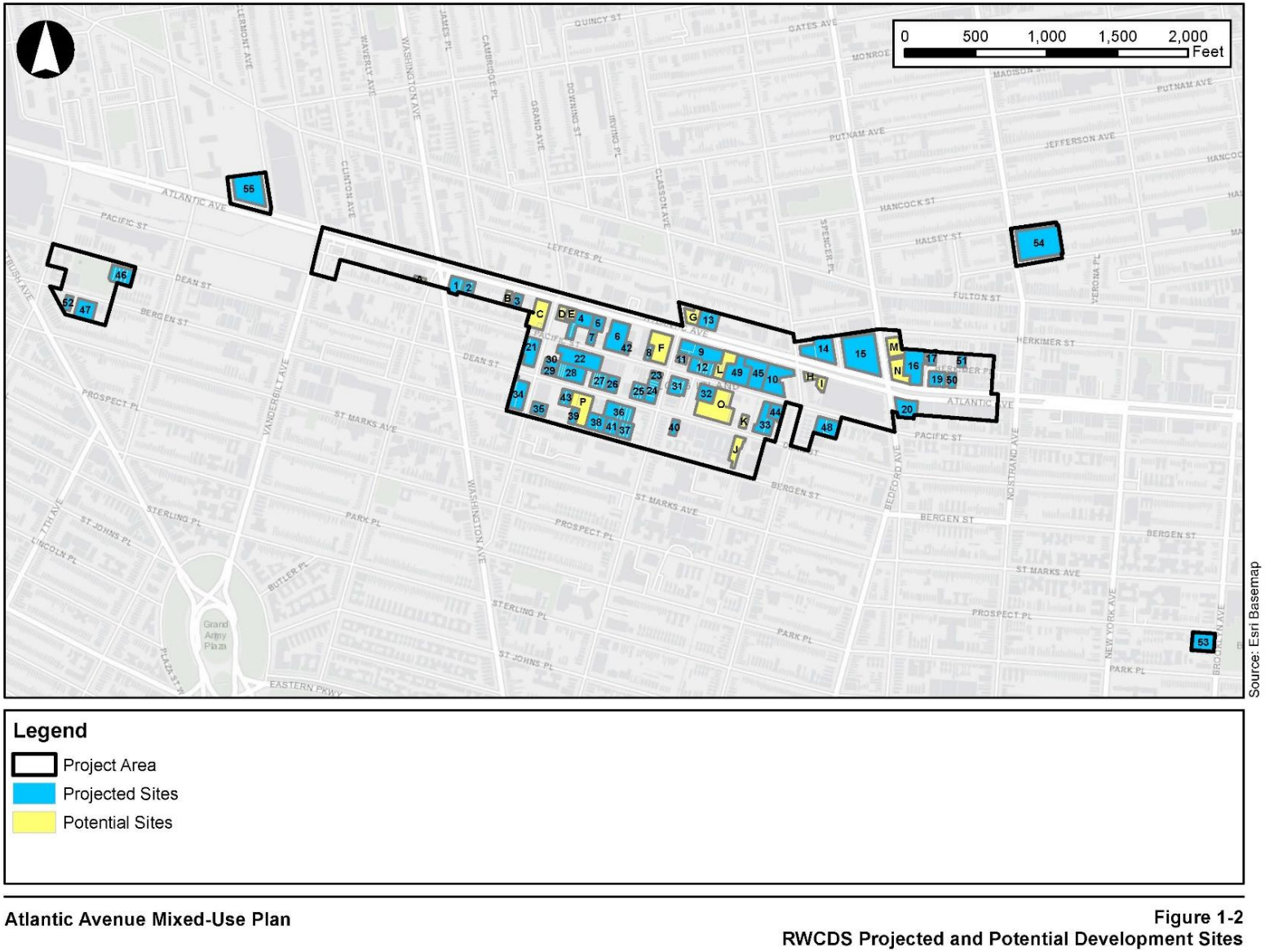
Site-specific impacts relate to individual site conditions and are not dependent on the density of projected development. Site-specific impacts include potential noise impacts from development, the effects on historic resources, and the possible presence of hazardous materials. Development is not anticipated on the potential development sites in the foreseeable future. Therefore, these sites have not been included in the density-related impact assessments. However, review of site-specific impacts for these sites will be conducted to ensure a conservative analysis.

CONCEPTUAL ANALYSIS

Under the State Environmental Quality Review Act (SEQRA), a conceptual analysis is warranted if a Proposed Action creates new discretionary actions that are broadly applicable even when projects seeking those actions will trigger a future, separate environmental review. It is the lead agency's responsibility to consider all possible environmental impact of the new discretionary actions at the time it creates them. The Proposed Actions would create a new discretionary action; an authorization for floor area bonus and height modification with the provision of publicly accessible open space, for the City Planning Commission to consider. A Conceptual analysis will be provided to understand how the new discretionary actions could be used in the future and to generically assess the potential environmental impacts that could result. However,

all potential significant adverse impacts related to these future discretionary actions would be disclosed through environmental review at the time of the application.

Figure 3: Projected and Potential Development Sites



Atlantic Avenue Mixed-Use Plan

Figure 1-2
RWCDS Projected and Potential Development Sites

DEVELOPMENT SCENARIO PARAMETERS

DWELLING UNIT FACTOR

The number of projected dwelling units in residential use buildings is determined by dividing the total amount of residential floor area by 850 and rounding to the nearest whole number.

FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

In the future without the Proposed Actions (No-Action condition), the identified projected development sites are assumed to either remain unchanged from existing conditions or become occupied by uses that are as-of-right under existing zoning and reflect current trends if they are vacant, occupied by vacant buildings, or occupied by low intensity uses that are deemed likely to support more active uses. **Table 1** shows the No-Action Conditions for the projected development sites.

As shown in **Table 1** below, it is anticipated that, in the future without the Proposed Actions, there would be a total of approximately 781,480~~597,515~~ sf of built floor area on the 54~~51~~ projected development sites. Under the RWCDS, the total No-Action development would comprise approximately 114,957~~165,973~~ sf of residential floor area (approximately 136~~175~~ DU, 31-37 Affordable DUs pursuant to MIH at locations where MIH is currently mapped), 57,818~~66,937~~ sf of local retail uses, 22,648 sf of office and other commercial uses, 81,000 sf of automotive related uses, 237,371 sf of industrial uses, 267,686~~23,586~~ sf of community facility uses, and 52,309~~64,944~~ sf of parking (209~~319~~ accessory parking spaces). The estimated population under the No-Action condition would include a total of approximately 333~~420~~ residents and 740~~527~~ workers on these projected development sites.

FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

The Proposed Actions would allow for the development of new uses and higher densities at the projected and potential development sites. As shown in **Table 1**, under the RWCDS, the total development expected to occur on the 54~~51~~ projected development sites under the With-Action condition which would consist of approximately 6,665,448~~5,511,773~~ sf of floor area, including 5,321,642~~4,382,630~~ sf of residential floor area (approximately 5,279~~4,283~~ DU, 25-30% of units would ~~a substantial proportion of which are expected to~~ be affordable pursuant to MIH with additional affordable housing to be provided pursuant to other~~and~~ City-based programs), 344,325~~368,408~~ sf of local retail uses, 50,410~~56,686~~ sf of destination retail uses, 472,574~~534,542~~ sf of office and other commercial uses, 77,095~~48,114~~ sf of industrial uses, and 389,402~~121,393~~ sf of community facility uses, as well as no accessory parking spaces. The estimated population under the With-Action condition would include a total of approximately 12,933~~10,279~~ residents and 3,559~~3,524~~ workers on these projected development sites. The projected incremental (net) change between the No-Action and With-Action conditions that would result from the Proposed Actions would be an increase of 5,206,685~~4,216,657~~ sf of residential floor area (5,143~~4,108~~ DU), 286,507~~301,471~~ sf of local retail space, 50,410~~56,686~~ sf of destination retail space, 449,926~~511,894~~ sf of office space and other commercial uses, 121,716~~97,807~~ sf of community facility space, a net reduction of 209~~319~~ accessory parking spaces, and a net decrease of 160,276~~189,257~~ sf of industrial and 81,000 sf of automotive related uses on the projected development sites.

Based on 2020 Census data, the average household size for residential units in Brooklyn Community District 3 and Brooklyn Community District 8 is 2.4.[8] Based on this ratio and standard ratios for estimating

[8] The average household size is for CD 3 is 2.56 and for CD 8 is 2.30.

employment for commercial, community facility and industrial uses, **Table 1** also provides an estimate of the number of residents and workers on the ~~51~~ 54 project development sites in the No-Action and With-Action conditions. As indicated in the table, under the RWCDS, the Proposed Actions would result in a net increment of 12,600~~9,859~~ residents and 2,819~~2,998~~ workers.

A total of 16 sites were considered less likely to be developed within the foreseeable future and were thus considered potential development sites (see Appendix A). As noted earlier, the potential sites are deemed less likely to be developed because they did not closely meet the criteria listed above. However, as discussed above, the analysis recognized that several potential development sites could be developed under the Proposed Actions in lieu of one or more of the projected sites in accommodating the development anticipated in the RWCDS. The potential development sites are therefore also analyzed in the EIS for site-specific effects.

As such, the EIS will analyze the projected development sites for all technical areas of concern and also evaluate the effects of the potential developments for site-specific effects such as archaeology, shadows, hazardous materials, stationary air quality, and noise.

Table 1: 2034 RWCDS No-Action and With-Action Land Uses

Land Use	No-Action Condition	With-Action Condition	Increment
Residential			
Total Residential	**114,957~~165,973~~ sf 136~~175~~ DUs**	**5,321,642~~4,382,630~~ sf 5,279~~4,283~~ DUs**	**5,206,685~~4,216,657~~ sf 5,143~~4,108~~ DUs**
Commercial			
Local Retail	57,818~~66,937~~ sf	344,325~~368,408~~ sf	286,507~~301,471~~ sf
Destination Retail	0 sf	50,410~~56,686~~ sf	50,410~~56,686~~ sf
Office & Other Commercial	22,648 sf	472,574~~534,542~~ sf	449,926~~511,894~~ sf
Automotive Related	81,000 sf	0 sf	(81,000 sf)
Total Commercial	**161,466~~170,585~~ sf**	**867,309~~959,636~~ sf**	**705,843~~789,051~~ sf**
Industrial			
Warehouse	92,583 sf	0 sf	(92,583 sf)
Other Industrial	144,788 sf	77,095~~48,114~~ sf	(67,693~~96,674~~ sf)
Total Industrial	**237,371 sf**	**77,095~~48,114~~ sf**	**-160,276~~189,257~~ sf**
Community Facility			
Medical Office	0 sf	48,548~~48,763~~ sf	48,548~~48,763~~ sf
Other	267,686~~23,586~~ sf	340,854~~72,630~~ sf	73,168~~49,044~~ sf
Total Community Facility[3]	**267,686~~23,586~~ sf**	**389,402~~121,393~~ sf**	**121,716~~97,807~~ sf**
Total Floor Area	**781,480~~597,515~~ sf**	**6,665,448~~5,511,773~~ sf**	**5,883,968~~4,914,258~~ sf**
Parking	**~~64,944~~52,309 sf**	0 sf	(52,309**~~64,944 sf~~**)
Parking Spaces	209~~319~~	0	(319)
Population			
Residents [1]	333~~420~~	12,933~~10,279~~	12,600~~9,859~~
Workers [2]	740~~527~~	~~3,524~~3,559	2,819~~2,998~~

Notes:

[1] Assuming an average occupancy of ~~2.40~~2.45 persons per household based on the average household size within both Community District 3 and Community District 8 (2020 Decennial Census).

[2] Estimate of workers based as follows: 1 employee per 250 sf of office; 1 employee per 875 sf destination retail; 1 employee per 400 sf of local retail; 1 employee per 25 DU; 1 employee per 1,000 sf of industrial/auto; 1 employee per 15,000 sf of warehouse; 1 employee per 400 sf medical office space; 1 employee per 1,000 sf of other community facility space; and 1 employee per 50 parking spaces.

3 Includes Sites 53 and 55, which are not subject to the ULURP land use application, which collectively accounts for 589 DUs and 85,089 sf of community facility uses.

I. DRAFT EIS SCOPE OF WORK

An Environmental Impact Statement (EIS) will be prepared for the Proposed Actions that will analyze all technical areas of concern. The EIS will be prepared in conformance with all applicable laws and regulations, including the State Environmental Quality Review Act (SEQRA) (Article 8 of the New York State Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City Executive Order No. 91 of 1977, as amended, and the Rules of Procedure for CEQR, found at Title 62, Chapter 5 of the Rules of the City of New York.

The EIS will follow the guidance of the *CEQR Technical Manual* and will:

- Describe the Proposed Actions and their environmental setting;
- Provide a statement of the environmental impacts of the Proposed Actions, including short- and long-term effects and typical associated environmental effects;
- Identify any adverse environmental effects that cannot be avoided if the Proposed Actions are implemented;
- Discuss the social and economic impacts of the Proposed Actions;
- Discuss alternatives to the Proposed Actions and the comparable impacts and effects of such alternatives;
- Identify irreversible and irretrievable commitments of resources that would be involved in the Proposed Actions, should they be implemented;
- Describe mitigation measures proposed to eliminate or minimize any significant adverse environmental impacts;
- Describe the growth-inducing aspects of the Proposed Actions, where applicable and significant;
- Discuss the effects of the Proposed Actions on the use and conservation of energy resources, where applicable and significant; and
- Provide a list of underlying studies, reports, or other information obtained and considered in preparing the EIS.

The EIS will analyze the projected development sites for all technical areas of concern and evaluate the effects of the potential development sites for site-specific effects such as archaeology, shadows, hazardous materials, air quality, and noise. The various technical areas to be included in the EIS, as well as their respective tasks and methodologies, are described below.

TASK 1. PROJECT DESCRIPTION AND ANALYTIC FRAMEWORK

This chapter will introduce the reader to the Proposed Actions and provide the project data that are used to assess impacts. The chapter will contain a brief description of the uses in the Affected Area; the RWCDS; a discussion of the approvals required and procedures to be followed; and a description of the No-Action condition. The chapter will explain the ULURP, zoning text amendment, and zoning map amendment processes, their timing, and hearings before the Community Board, the Borough President's Office, the CPC, and the New York City Council. The role of the EIS as a full disclosure document to aid in decision-making will be identified.

The RWCDS serves as the analysis framework and will be discussed in the first chapter of the EIS and will set the regulatory context for the EIS (e.g., ULURP and CEQR—their timing, public review, hearings), and then explain the basic approach to the technical chapters—that each chapter will address existing conditions, a future analysis year without the Proposed Actions, and a future analysis year with the Proposed Actions. The text will identify any significant adverse environmental impacts, comparing the With-Action condition to the No-Action condition, and propose mitigation for the identified significant adverse environmental impacts. Finally, the text will consider practicable alternatives that meet the goals of the Proposed Actions but reduce or eliminate identified impacts. As part of this discussion, the rationale for the future analysis year will be presented. In addition, this chapter will present an analysis year and construction scenario for the RWCDS.

TASK 2. LAND USE, ZONING, AND PUBLIC POLICY

A land use analysis characterizes the uses and development trends in the area that may be affected by a proposed action, describes the public policies that guide development in the area, and determines whether an action is compatible with those conditions or whether it may affect them. The analysis also considers the action's compliance with, and effect on, the area's zoning and other applicable public policies. Even when there is little potential for an action to be inconsistent with or affect land use, zoning, or public policy, a description of these issues is appropriate to establish conditions and provide information for use in other technical areas.

This chapter will analyze the potential impacts of the Proposed Actions on land use, zoning, and public policy pursuant to the methodologies presented in the 2021 *CEQR Technical Manual*. Specifically, it will:

- Describe land uses, zoning, and relevant public policies in the study areas, including Housing New York, Vision Zero, Where We Live NYC, the Food Retail Expansion to Support Health (FRESH) Program, applicable business improvement districts (BIDs), and OneNYC, the City's sustainability plan.
- Identify, describe, and graphically portray predominant land use patterns for the study areas based on field surveys and prior studies. Describe land use trends and recent development activity in the 0.25-mile study area and identify major factors influencing land use trends.
- Describe and map existing zoning and recent zoning changes in the study areas.
- Prepare a list of known developments in the study areas that are expected to be complete and operational by the 2034 analysis year and that may influence land use trends. Also, identify known pending zoning actions or other public policy actions that could affect land use patterns and trends in the study areas. Based on these planned projects and initiatives, assess land use and zoning conditions in the future without the Proposed Actions (No-Action condition).
- Describe the Proposed Actions and provide an assessment of the compatibility and impacts of the Proposed Actions and resultant RWCDS (With-Action condition) on land use and land use trends, zoning, and public policy. The proposed disposition of real property will also be described and assessed for compatibility and potential effects on land use, zoning, and public policy.
- Assess the Proposed Actions' conformity with City goals. Because the directly affected area is not within the boundaries of the City's Coastal Zone, an assessment of the Proposed Actions' consistency with the City's Waterfront Revitalization Program is not required.

- If necessary, identify mitigation measures to avoid or reduce potential significant adverse land use, zoning, and/or public policy impacts.

TASK 3. SOCIOECONOMIC CONDITIONS

The socioeconomic character of an area (e.g., population, housing, and economic activity) will be described. Socioeconomic changes may occur when a proposed action directly or indirectly affects any of these elements. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area. This chapter will assess the Proposed Actions' potential effects on the socioeconomic character of the study area, which is expected to conform to the 0.25-mile land use study area described in Task 2.

The socioeconomic study area boundaries are expected to be similar to those of the land use study area and will depend on the size and characteristics of the RWCDS associated with the Proposed Actions. The Proposed Actions are expected to increase the number of residential units in the area, including affordable units. The socioeconomic assessment will assess the potential to change socioeconomic character relative to the study area population; therefore, the scale of the relative change is typically represented as a percent increase in population (i.e., a proposed action that would result in a relatively large increase in population is expected to affect a larger study area). Consistent with the *CEQR Technical Manual*, the socioeconomic study area will be expanded to a ½-mile radius if it is determined that the RWCDS associated with the Proposed Actions would increase the population by 5 percent relative to the expected population in a ¼-mile study area under the No-Action condition.

The five principal issues of concern with respect to socioeconomic conditions are whether a proposed action would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; and (5) adverse effects on specific industries, pursuant to the *CEQR Technical Manual*.

The assessment of the five areas of concern will begin with a preliminary assessment to determine whether a detailed analysis is necessary, in conformance with the *CEQR Technical Manual* guidelines. Detailed analyses will be conducted for those areas in which the preliminary assessment cannot definitively rule out the potential for significant adverse impacts. The detailed assessments will be framed in the context of existing conditions and evaluations of the Future No-Action and With-Action conditions, including any population and employment changes anticipated to occur by the analysis year of the Proposed Actions.

DIRECT RESIDENTIAL DISPLACEMENT

The chapter will assess the Proposed Actions to identify whether there is the potential for direct displacement of more than 500 residents, a threshold above which direct residential displacements could alter the socioeconomic characteristics of a neighborhood and could result in significant adverse impacts, according to the *CEQR Technical Manual*. The EIS will disclose the number of residential units and estimated number of residents to be directly displaced by the Proposed Actions and will determine the amount of displacement relative to the study area population.

DIRECT BUSINESS DISPLACEMENT

For direct business displacement, the type and extent of businesses and workers to be directly displaced by the RWCDS associated with the Proposed Actions will be disclosed. If an action would directly displace more than 100 employees, a preliminary assessment of direct business displacement is appropriate,

according to the *CEQR Technical Manual*. The Proposed Actions have the potential to exceed the *CEQR Technical Manual* analysis threshold of 100 displaced employees; therefore, a preliminary assessment will be provided in the EIS pursuant to CEQR guidelines.

The analysis of direct business and institutional displacement will estimate the number of employees and the number and types of businesses that would be directly displaced by the Proposed Actions and characterize the economic profile of the study area using current employment and business data from the New York State Department of Labor or U.S. Census Bureau. This information will be used to address the following CEQR criteria for determining the potential for significant adverse impacts: (1) whether the businesses to be displaced provide products or services essential to the local economy that would no longer be available in its "trade area" to local residents or businesses due to the difficulty of either relocating the businesses or establishing new, comparable businesses; and (2) whether a category of businesses is the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it.

INDIRECT RESIDENTIAL DISPLACEMENT

Indirect residential displacement is the involuntary displacement of residents that results from a change in socioeconomic conditions created by a proposed action. Indirect residential displacement could occur if a proposed action either introduces a trend or accelerates a trend of changing socioeconomic conditions that may potentially displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change, according to the *CEQR Technical Manual*. To assess this potential impact, the *CEQR Technical Manual* seeks to answer a series of threshold questions in terms of whether the project substantially alters the demographic character of an area through population change or introduction of more costly housing.

The indirect residential displacement analysis will use the most recent available U.S. Census data, New York City Department of Finance's Real Property Assessment Data (RPAD) database, and current real estate market data to present demographic and residential market trends and conditions for the study area. The presentation of study area characteristics will include population estimates, housing tenure and vacancy status, median value and rents, estimates of the number of housing units not subject to rent protection, and median household income. The preliminary assessment will carry out the following step-by-step evaluation, pursuant to *CEQR Technical Manual* guidelines:

> **Step 1:** Determine if the Proposed Actions would add substantial new population with different income as compared with the income of the study area population. If the expected average incomes of the new population would be similar to the average incomes of the study area populations, no further analysis is necessary. If the expected average incomes of the new population would exceed the average incomes of the study area populations, then Step 2 of the analysis will be conducted.
>
> **Step 2:** Determine if the Proposed Actions' population is large enough to affect real estate market conditions in the study area. If the population increase may potentially affect real estate market conditions, then Step 3 will be conducted.
>
> **Step 3:** Determine whether the study area has already experienced a readily observable trend toward increasing rents and the likely effect of the action on such trends and whether the study area potentially contains a population at risk of indirect displacement resulting from rent increases due to changes in the real estate market caused by the new population.

A detailed analysis, if warranted, will use more in-depth demographic analysis and field surveys to characterize existing conditions of residents and housing, identify populations at risk of displacement,

assess current and future socioeconomic trends that may affect these populations, and examine the effects of the Proposed Actions on prevailing socioeconomic trends and, thus, impacts on the identified populations at risk.

INDIRECT BUSINESS DISPLACEMENT

The indirect business displacement analysis determines whether the Proposed Actions may introduce trends that make it difficult for those businesses that provide products or services essential to the local economy, or those subject to regulations or publicly adopted plans to preserve, enhance, or otherwise protect them, to remain in the area. The purpose of the preliminary assessment is to determine whether a proposed action has potential to introduce such a trend. The Proposed Actions could introduce more than 200,000 sf of new commercial uses to the area, which is the CEQR threshold for "substantial" new development, which would warrant a preliminary assessment. The preliminary assessment will entail the following subtasks:

- Identify and characterize conditions and trends in employment and businesses within the study area. This analysis will be based on field surveys, employment data from the New York State Department of Labor and/or U.S. Census Bureau, and discussions with real estate brokers.
- Determine whether the Proposed Actions would introduce enough of a new economic activity to alter existing economic patterns.
- Determine whether the Proposed Actions would add to the concentration of a particular sector of the local economy enough to alter or accelerate an ongoing trend to alter existing economic patterns.
- Determine whether the Proposed Actions would directly displace uses of any type that directly support businesses in the area or bring people to the area that form a customer base for local businesses.
- Determine whether the Proposed Actions would directly or indirectly displace residents, workers, or visitors who form the customer base of existing businesses in the area.

If the preliminary assessment determines that the Proposed Actions could introduce trends that make it difficult for businesses that are essential to the local economy to remain in the area, a detailed analysis will be conducted. The detailed analysis will determine whether the Proposed Actions would increase property values and thus increase rents for a potentially vulnerable category of business and whether relocation opportunities exist for those businesses, following the *CEQR Technical Manual* guidelines.

An assessment of the indirect business displacement due to market saturation will be conducted to assess whether the Proposed Actions would exceed the CEQR threshold.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

The analyses of direct business displacement will provide sufficient information to determine whether the Proposed Actions could have any adverse effects on a specific industry, compared with the future without the Proposed Actions. The analysis will determine:

- Whether the Proposed Actions would significantly affect business conditions in any industry or category of businesses within or outside the study area.
- Whether the Proposed Actions would substantially reduce employment or impair viability in a specific industry or category of businesses.

TASK 4. COMMUNITY FACILITIES AND SERVICES

This chapter will identify whether the Proposed Actions would displace any existing community facilities or services or affect the physical operations of or access to and from any police or fire stations, or health care facilities. If not, then an analysis of direct impacts on community facilities and services is not warranted. If so, then a detailed analysis of direct impacts on community facilities and services will be performed.

Pursuant to *CEQR Technical Manual* guidelines, the elementary and middle school analysis would be conducted at a sub-district level, and the high school analysis will be conducted at a borough-wide level. If an action introduces fewer than 50 elementary and middle school age children, or 150 high school students, an assessment of school facilities is not warranted. According to the *CEQR Technical Manual* guidelines, in School Districts 13 and 17, the 50-student threshold for analysis of elementary/middle school capacity is achieved if an action introduces at least 786 and 459 residential units, respectively; the threshold for analysis of high school capacity is 3,000 residential units. If the project increment associated with the rezoning exceeds the CEQR analysis thresholds for elementary, middle, and high schools, then a detailed analysis of schools is warranted.

- The analysis would be conducted pursuant to the guidelines in the CEQR Technical Manual. Public elementary and intermediate schools serving the study area will be identified and located. Existing capacity, enrollment, and utilization data will be provided for the current (or most recent) school year, noting any specific shortages of school capacity. Similar data will be provided for Brooklyn high schools, in accordance with CEQR Technical Manual guidelines.

- Conditions that would exist under the No-Action condition for the study area will be identified, taking into consideration projected changes in future enrollments, including those associated with other developments in the affected sub-districts using the New York City School Construction Authority's (SCA) Projected New Housing Starts. Plans to alter school capacity, either through administrative actions on the part of the Department of Education (DOE) or as a result of the construction of new school space prior to the 2034 analysis year, will also be identified and incorporated into the analyses. Planned new capacity projects from DOE's 2020–2024 Five Year Capital Plan will not be included in the quantitative analysis unless the projects have commenced site preparation and/or construction. These projects may, however, be included in a qualitative discussion. The capacity of transportable classrooms, mini-schools, and annexes will not be included in the future conditions analysis.

- Future conditions with the Proposed Actions will be analyzed, adding students likely to be generated per the RWCDS to the projections for the future No-Action condition. Impacts will be assessed based on the difference between the future With-Action projections and the future No-Action projections (at the sub-district level for elementary and intermediate schools and at the borough level for high schools) for enrollment, capacity, and utilization in 2034.

- A determination of whether the Proposed Actions would result in significant adverse impacts to elementary, intermediate, and/or high schools will be made. A significant adverse impact to elementary and intermediate schools may result, warranting consideration of mitigation, if the Proposed Actions would result in: (1) a utilization rate of the elementary and/or intermediate schools in the sub-district study area that is equal to or greater than 100 percent in the With-Action condition; and (2) 100 or more new students generated from the Proposed Actions past the 100 percent utilization rate.

- A significant adverse impact to high schools may result, warranting consideration of mitigation, if the Proposed Actions would result in: (1) a utilization rate of high schools in the borough-wide study area that is equal to or greater than 100 percent under the With-Action condition; and (2) an increase of five percentage points or more in the utilization rate between the No-Action and With-Action conditions. If impacts are identified, mitigation will be developed in consultation with SCA and DOE. The number of school seats needed to mitigate any identified impacts, as well as the timing when impacts would occur, will be provided.

If an action introduces 20 or more children under age five eligible for publicly funded early childhood programs, an assessment of these services is warranted. According to *CEQR Technical Manual* guidelines, in Brooklyn, this threshold is achieved if an action introduces at least 110 affordable housing units. If the proposed rezoning exceeds this threshold, then an analysis of public funded early childhood programs is warranted.

- Existing publicly funded early childhood programs within approximately 1.5 miles of the Rezoning Area will be identified. Each facility will be described in terms of its location, number of slots (capacity), enrollment, and utilization in consultation with DOE.

- For the No-Action condition, information will be obtained for any changes planned for early childhood programs or facilities in the study area, including the closing or expansion of existing facilities and the establishment of new facilities. Any expected increase in the population of children under age six within the eligibility income limitations, using the No-Action RWCDS, will be discussed as potential additional demand, and the potential effect of any population increases on demand for early childhood programs in the study area will be assessed. The available capacity or resulting deficiency in slots and the utilization rate for the study area will be calculated for the No-Action condition.

- The potential effects of the additional eligible children resulting from the Proposed Actions will be assessed by comparing the estimated net demand over capacity under the With-Action condition to a net demand over capacity under the No-Action condition.

- A determination of whether the Proposed Actions would result in significant adverse impacts to early childcare programs will be made. A significant adverse impact may result, warranting consideration of mitigation, if the Proposed Actions would result in both of the following: (1) a collective utilization rate of early childhood programs in the study area that is greater than 100 percent in the With-Action condition; and (2) an increase of 5 percent or more in the collective utilization rate of early childhood programs in the study area between the No-Action condition and the With-Action condition.

- A qualitative discussion of the existence of Universal 3-K and Pre-K can accompany the early childhood program analysis. Universal 3-K and Pre-K provide limited hours and a limited school year compared to early childhood programs and are thus not a direct replacement for such programs. However, they do expand access to education for 3-4 year-old children and may alleviate some demand from families residing in low- and low/middle-income units who do not require the extended programming.

According to *CEQR Technical Manual* guidelines, an analysis of library services is warranted if an action introduces a large residential population (i.e., greater than a 5 percent increase in housing units served) to a library branch. If the proposed rezoning exceeds this threshold, then an analysis of libraries is warranted.

- The local public library branch(es) serving the study area within approximately ¾-mile of the Rezoning Area, which is the distance that one might be expected to travel for such services, will be identified and presented on a map.
- Existing libraries within the study area and their respective information services and user populations will be described. Information regarding services provided by branch(es) within the study area will include holdings and other relevant existing conditions. Details on library operations will be based on publicly available information and/or consultation with Brooklyn Public Library officials. If applicable, holdings per resident may be estimated to provide a quantitative gauge of available resources in the applicable branch libraries to form a baseline for the analysis.
- For the No-Action condition, projections of population change in the study area and information on any planned changes in library services or facilities will be described, and the effects of these changes on library services will be assessed. Using the information gathered for existing conditions, holdings per resident in the No-Action condition will be estimated.
- The effects additional population resulting from the Proposed Actions on the library's ability to provide information services to its users will be assessed. Holdings per resident in the With-Action condition will be estimated and compared to the No-Action holdings estimate.
- If the Proposed Actions would increase a branch library's 0.75-mile study area population by 5 percent or more over No-Action levels, and it is determined, in consultation with the Brooklyn Public Library, that this increase would impair the delivery of library services in the study area, a significant adverse impact may occur, warranting consideration of mitigation.

TASK 5. OPEN SPACE

Per the *CEQR Technical Manual*, an assessment of potential effects on open space resources is typically required if a proposed development has the potential to result in either direct or indirect effects on open spaces. Direct effects may occur when a proposed development encroaches on, or causes a loss of, open space. Indirect effects may occur when the population generated by the Proposed Development overtaxes the capacity of existing open spaces so that their service to the future population of the affected area would be substantially or noticeably diminished.

The open space analysis will involve the following:

- Reviewing the project to determine if it is located within a Walk to a Park Service Area, which describes areas that are within a walking distance of a park.
- Identifying a study area comprising those 2020 census tracts with 50 percent or more of their area within 0.5 mile of the Rezoning Area.
- Inventorying the open space resources in the Open Space Study Area. This will include NYC Parks-operated parks, privately owned public spaces (POPS), and publicly accessible open areas on private properties.
- Determining the Existing, No-Action, and With-Action populations in the Open Space Study Area using the population reported in the 2017–2021 American Community Survey and adjusted using standard background growth rates.

- Calculated the study area's open space ratio (OSR)—the acreage of open space per 1,000 residents— for the Existing, No-Action, and With-Action conditions.
- Describing the study area population by age group as reported in the 2020 U.S. Census.
- Describing the availability and quality of open space for various age groups.

If the project would result in a significant adverse open space impact (i.e., would result in conflicts in open space use or result in a user group being underserved), the EIS would investigate measures to avoid, minimize, or mitigate adverse impacts on open space.

TASK 6. SHADOWS

A shadows analysis assesses whether new structures resulting from a proposed action would cast shadows on sunlight-sensitive publicly accessible resources or other resources of concern and considers the significance of their impact. This chapter will examine the Proposed Actions' potential for significant and adverse shadow impacts pursuant to *CEQR Technical Manual* criteria. Generally, an analysis is conducted if an action would result in new structures or additions to buildings resulting in structures taller than 50 feet that could cast shadows on important natural features, community gardens, publicly accessible open space, or on historic features that are dependent on sunlight. New construction or building additions resulting in incremental height changes of less than 50 feet can also potentially result in shadow impacts if they are located adjacent to, or across the street from, a sunlight-sensitive resource.

The Proposed Actions would permit development of buildings taller r than 50 feet and therefore have the potential to result in shadow impacts. The EIS will assess the RWCDS for potential shadowing effects of new developments at both the projected and potential development sites on sunlight-sensitive uses and disclose the range of shadow impacts, if any, which are likely to result from the Proposed Actions. The shadows analysis in the EIS will follow CEQR methodology and include the following tasks:

- Preparing a preliminary shadows screening assessment to ascertain whether the projected and potential developments' shadows may reach any sunlight-sensitive resources at any time of year.
    - A Tier 1 Screening Assessment will be conducted to determine the longest shadow study area for the projected and potential developments, which is defined as 4.3 times the height of a structure (the longest shadow that would occur on December 21, the winter solstice), pursuant to the CEQR Technical Manual. A base map that illustrates the locations of the projected and potential developments in relation to the sunlight-sensitive resources will be developed.
    - A Tier 2 Screening Assessment will be conducted if any portion of a sunlight-sensitive resource lies within the longest shadow study area. The Tier 2 assessment will determine the triangular area that cannot be shaded by the projected and potential developments, which in New York City is the area that lies between -108 and +108 degrees from true north.
    - If any portion of a sunlight-sensitive resource is within the area that could be shaded by the projected or potential developments, a Tier 3 Screening Assessment will be conducted. The Tier 3 Screening Assessment will determine if shadows resulting from the projected and potential developments can reach a sunlight-sensitive resource through the use of three-dimensional computer modeling software with the capacity to accurately calculate shadow patterns. The model will include a three-dimensional representation of the sunlight-

sensitive resource(s), a three-dimensional representation of the projected and potential development sites identified in the RWCDS, and a three-dimensional representation of the topographical information within the area to determine the extent and duration of new shadows that would be cast on sunlight-sensitive resources as a result of the Proposed Actions.

- Providing a detailed analysis of potential shadow impacts on publicly accessible open spaces or sunlight-sensitive historic resources, if the screening analysis does not rule out the possibility that action-generated shadows would reach any sunlight-sensitive resources resulting from development in the RWCDS (both projected and potential development sites). The detailed shadow analysis will establish a baseline condition (No-Action), which will be compared to the future condition resulting from the Proposed Actions (With-Action) to illustrate the shadows cast by existing or future buildings and distinguish the additional (incremental) shadow cast by the projected and potential developments. The detailed analysis will include the following tasks:
    - The analysis will be documented with graphics comparing shadows resulting from the No-Action condition with shadows resulting from the Proposed Actions, with incremental shadows highlighted in a contrasting color.
    - A summary table listing the entry and exit times and total duration of incremental shadows on each applicable representative day for each affected resource will be provided.
    - The significance of any shadow impacts on sunlight-sensitive resources will be assessed.

TASK 7. HISTORIC AND CULTURAL RESOURCES

Historic resources are identified as districts; buildings; structures; sites; and objects of historical, aesthetic, cultural, and archaeological importance in the *CEQR Technical Manual.* This includes designated New York City Landmarks; properties calendared for consideration as landmarks by the New York City LPC; properties listed in the State/National Register of Historic Places (S/NR) or contained within a district listed on or formally determined eligible for S/NR listing; properties recommended by the New York State Board for Listing in the S/NR; National Historic Landmarks; and properties not identified by one of the programs listed above, but that meet their eligibility requirements. The Proposed Actions would induce development that could result in new in-ground disturbance and construction of a building type(s) that could compromise the historic context of the area; therefore, they have the potential affect archaeological and architectural resources.

Impacts on historic resources are considered on the affected site and in the area surrounding identified development sites. According to the guidance provided in the *CEQR Technical Manual*, the historic resources study area is defined as the directly affected area (i.e., the proposed Rezoning Area), plus a 400-foot radius, . Archaeological resources are considered only for projected and potential development sites where new in-ground disturbance would occur compared to the No-Action condition. Impacts to historic resources may result from both temporary (e.g., related to the construction process) and permanent (e.g., related to the long-term or permanent result of the proposed project or construction project) activities.

This chapter will include an overview of the study area's history and land development. Subtasks will include:

- Researching and describing land use in the study area.

- Identifying, in consultation with LPC, those areas thought to be potentially archaeologically sensitive.
- Identifying projected and potential development sites where new in-ground disturbance is expected to occur as a result of the Proposed Actions.
- Preparing a Phase 1A Archaeological Documentary Report for projected, identifying potential developments sites as archaeologically sensitive where new in-ground disturbance is expected to occur as a result of the Proposed Actions, and submitting the report to LPC for review. The Phase 1A will evaluate archaeological resources within each of the development sites of concern, documenting the site history, its development and use, and the potential to host significant archaeological resources. The EIS will summarize the results of the Phase IA report. For preliminary budgeting purposes, it is assumed that Phase 1A reports will be required for five locations.
- Identifying, mapping, and describing known and eligible architectural resources in the study area in consultation with LPC.

Probable impacts of the developments resulting from the Proposed Actions on architectural resources will be assessed. The assessment would address the following: (a) would there be a physical change to the property; or (b) would there be a physical change to its setting, such as context or visual prominence (i.e., indirect impacts), and, if so, is the change likely to alter or eliminate the significant characteristics of the resource that make it important.

TASK 8. URBAN DESIGN AND VISUAL RESOURCES

Urban design is the totality of components that may affect a pedestrian's experience of public space. Visual resources are defined by the *CEQR Technical Manual* as the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources. An assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. When an action would potentially obstruct view corridors, compete with icons in the skyline, or result in substantial alterations to the streetscape of the neighborhood by noticeably changing the scale of buildings, a more detailed analysis of urban design and visual resources would be appropriate.

The Proposed Actions would map new zoning districts and allow higher density within the Project Area; therefore, a preliminary assessment of urban design and visual resources will be provided in the EIS. The *CEQR Technical Manual* also recommends an analysis of pedestrian wind conditions for projects that result in the construction of large buildings at locations that experience high wind conditions (such as the waterfront), which exacerbate wind conditions due to "channelization" or "downwash" effects that may affect pedestrian safety. Based on the Proposed Actions and the location of the Project Area, it is assumed that an analysis of pedestrian wind conditions is not warranted.

The study area for urban design is the area where the project may influence land use patterns, the built environment, and pedestrian's experiences in the public realm surrounding the Project Area. It is generally consistent with the study area used for the land use analysis (delineated by a ¼-mile radius from the Project Area). For visual resources, the view corridors within the study area from which such resources are publicly viewable will be identified. The preliminary assessment will be based on *CEQR Technical Manual* methodologies and consist of the following:

- Describing the urban design and visual resources of the directly affected area and adjacent study area based on field visits and using text, photographs, aerial views, area maps (including those showing existing view corridors and access to visual resources), and other graphic materials, as necessary, to identify critical features, and describe use, bulk, form, and scale of elements of the built and natural landscape throughout the study area.
- Describing, in coordination with Task 2, Land Use, the changes expected in the urban design and visual character of the study area due to known development projects that would occur in the future No-Action condition.
- Describing potential changes that could occur in the urban design character of the study area as a result of the Proposed Actions. For the projected and potential development sites, the analysis will focus on general building types for the sites that are assumed for development, as well as elements such as street wall height, setback, and building envelope. Photographs and/or other graphic material will be used, where applicable, to assess the potential effects on urban design and visual resources, including views of/to resources of visual or historic significance.

A detailed analysis in accordance with *CEQR Technical Manual* guidance will be prepared, if warranted, based on the preliminary assessment. Examples of projects that may require a detailed analysis are those that would make substantial alterations to the streetscape of a neighborhood by noticeably changing the scale of buildings, potentially obstructing view corridors, or competing with icons in the skyline, as described in the *CEQR Technical Manual*. The detailed analysis would describe the projected and potential development sites and the urban design and visual resources of the surrounding area. The analysis would describe the potential changes that could occur to urban design and visual resources in the future with the Proposed Actions , comparing these changes to the future without the Proposed Actions, focusing on the changes that could negatively affect a pedestrian's experience of the area. If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

TASK 9. HAZARDOUS MATERIALS

A hazardous materials assessment determines whether a proposed action may increase the exposure of people or the environment to hazardous materials, and, if so, whether this increased exposure would result in potential significant public health or environmental impacts. The potential for significant impacts related to hazardous materials can occur when: (a) elevated levels of hazardous materials exist on a site, and the project would increase pathways to human or environmental exposures; (b) a project would introduce new activities or processes using hazardous materials, and the risk of human or environmental exposure is increased; or (c) the project would introduce a population to potential human or environmental exposure from off-site sources.

The hazardous materials assessment will determine which, if any, of the Proposed Actions' projected and potential development sites may have been adversely affected by present or historical uses at or adjacent to the sites. The Proposed Actions include an area-wide rezoning, as such, a preliminary screening assessment will be conducted for the projected and potential development sites to determine which sites warrant an institutional control, such as an (E) designation, in accordance with the *CEQR Technical Manual*, Section 11-15 (Environmental Requirements) of the Zoning Resolution of the City of New York and Chapter 24 of Title 15 of the Rules of the City of New York governing the placement of (E) designations.

The hazardous materials assessment will include the following tasks:

- Performing exterior site inspections of each parcel to identify any possible monitoring wells, vent pipes, and/or manufacturing/commercial/industrial uses that could indicate environmental impact.
- Reviewing existing information sources such as Sanborn Fire Insurance Maps and City directories for the projected and potential development sites and the surrounding area to develop a profile of the historical uses of properties.
- Reviewing and evaluating relevant existing data to assess the potential for environmental concerns on the subject sites.
- Preparing a summary of findings and conclusions for inclusion in the EIS to determine where (E) designations may be appropriate.

TASK 10. WATER AND SEWER INFRASTRUCTURE

This chapter of the EIS will assess the Proposed Actions' potential effects on the water, wastewater, and stormwater infrastructure. The water and sewer infrastructure assessment determines whether a proposed action may adversely affect the City's water distribution or sewer system and, if so, assesses the effects of such actions to determine whether their impact is significant. The *CEQR Technical Manual* outlines thresholds for analysis of an action's water demand and its generation of wastewater and stormwater. An analysis of water supply is warranted if the RWCDS associated with a proposed action is likely to result in a water demand of more than 1 million gallons per day (gpd) compared to No-Action conditions. A preliminary assessment of the Proposed Actions' effects on wastewater and stormwater infrastructure will also be conducted if the RWCDS for the Proposed Actions would result in the development of more than 400 dwelling units, which is the *CEQR Technical Manual* threshold for analysis. The water and sewer infrastructure analysis will consider the potential for significant adverse impacts resulting from the RWCDS for the Proposed Actions. The New York City Department of Environmental Protection (DEP) will be consulted in preparation of this assessment.

WATER SUPPLY

The analysis of the water supply will:

- Describe the existing water distribution system serving the Rezoning Area based on information obtained from DEP's Bureau of Water Supply and Wastewater Collection.
- Estimate the existing water demand generated on the projected development sites.
- Project water demand generated by the projected development sites identified in the RWCDS for future No-Action and With-Action conditions.
- Assess the effects of the incremental demand on the City's water supply system to determine if there would be impacts to water supply or pressure. The incremental water demand will be the difference between the water demand on the projected development sites under the With-Action condition and the demand under the No-Action condition.

WASTEWATER AND STORMWATER INFRASTRUCTURE

The wastewater and stormwater infrastructure analysis will:

- Establish the appropriate study area for the assessment in accordance with the guidelines of the *CEQR Technical Manual* and in consultation with DEP. The Proposed Actions' directly affected area is located within the service area of the Red Hook Wastewater Treatment Plant (WWTP).
- Describe the existing stormwater drainage system and surfaces (pervious or impervious) on the projected development sites~~,~~ and estimate the amount of stormwater generated on those sites using DEP's volume calculation worksheet.
- Describe the existing sewer system serving the Rezoning Area based on records obtained from DEP. The existing flows to the Red Hook WWTP, which serves the directly affected area, will be obtained for the latest 12-month period, and the average dry weather monthly flow will be presented.
- Describe any changes to the stormwater drainage plan, sewer system, and surface area expected in the future without the Proposed Actions, as warranted.
- Assess future stormwater generation from the projected development sites to determine the Proposed Actions' potential to result in impacts. Changes to the projected development sites' surface area will be described, runoff coefficients and runoff for each surface type/area will be presented, and volume and peak discharge rates from the sites will be determined based on the DEP volume calculation worksheet.
- Estimate sanitary sewage generation for the projected development sites identified in the RWCDS. The effects of the incremental demand on the system will be assessed to determine if there will be any impact on operations of the Red Hook WWTP.

A more detailed assessment may be required if increased sanitary or stormwater discharges from the RWCDS associated with the Proposed Actions are predicted to affect the capacity of portions of the existing sewer system, exacerbate combined sewer overflow volumes/frequencies, or contribute greater pollutant loadings in stormwater discharged to receiving water bodies. The scope of a more detailed analysis, if necessary, will be developed based on conclusions from the preliminary infrastructure assessment and coordinated with DEP.

TASK 11. SOLID WASTE AND SANITATION SERVICES

A solid waste assessment determines whether an action has the potential to cause a substantial increase in solid waste production that may overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan or with State policy related to the City's integrated solid waste management system. The Proposed Actions would induce new development that would require sanitation services. If a project's generation of solid waste under the With-Action condition would not exceed 50 tons per week, it may be assumed that there would be sufficient public or private carting and transfer station capacity in the metropolitan area to absorb the increment, and further analysis generally would not be required, according to the *CEQR Technical Manual*. However, if the Proposed Actions would result in a net increase of more than 50 tons per week, compared to No-Action conditions, then an assessment of solid waste and sanitation services is warranted. This chapter will provide an estimate of the additional solid waste expected to be generated by the projected development sites under the RWCDS and assesses its effects on the City's solid waste and sanitation services. This assessment will:

- Describe existing and future New York City solid waste disposal practices.

- Estimate solid waste generation by the RWCDS projected development sites for existing, No-Action, and With-Action conditions.
- Assess the impacts of the Proposed Actions' solid waste generation (projected developments) on the City's collection needs and disposal capacity. The Proposed Actions' consistency with the City's Solid Waste Management Plan will also be assessed.

TASK 12. ENERGY

An EIS must discuss the effects of a proposed action on the use and conservation of energy, if applicable and significant, in accordance with CEQR. In most cases, an action does not need a detailed energy assessment, but its operational energy is projected. A detailed energy assessment is limited to actions that may significantly affect the transmission or generation of energy. For other actions, in lieu of a detailed assessment, the estimated amount of energy that would be consumed annually as a result of the day-to-day operation of the buildings and uses resulting from an action is disclosed, as recommended in the *CEQR Technical Manual*.

An analysis of the anticipated additional demand from the Proposed Actions' RWCDS will be provided in the EIS. The EIS will disclose the projected amount of energy consumption during long-term operation resulting from the Proposed Actions, which will be estimated based on the average and annual whole-building energy use rates for New York City (per Table 15-1 of the *CEQR Technical Manual*). If warranted, the Mayor's Office of Climate and Environmental Justice and/or the power utility serving the area (Con Edison of New York) will be consulted.

TASK 13. TRANSPORTATION

The objective of a transportation analysis is to determine whether a proposed action may have a significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, the safety of all roadway users (pedestrians, bicyclists and motorists), on- and off-street parking, or goods movement. The Proposed Actions are expected to induce new residential, commercial, community facility, and industrial development, which would generate additional vehicular travel and demand for parking, as well as additional subway and bus riders and pedestrian traffic. These new trips could affect the area's transportation systems. Therefore, the transportation studies will be a key focus of the EIS.

TRAVEL DEMAND AND SCREENING ASSESSMENT

A detailed travel demand forecast will be prepared for the RWCDS using standard sources, including the *CEQR Technical Manual*, U.S. Census Bureau data, previously approved studies, and other references. The travel demand forecast (a Level 1 screening assessment) will summarize the travel demand by peak hour, mode of travel, as well as person and vehicle trips. The travel demand forecast will also identify the number of peak hour person trips made by transit and the numbers of pedestrian trips traversing the area's sidewalks, corner areas, and crosswalks. The results of this forecast are summarized in a Transportation Planning Factors and Travel Demand Forecast (TPF/TDF) technical memorandum. In addition to the travel demand forecast, detailed vehicle, pedestrian, and transit trip assignments (a Level 2 screening assessment) will be prepared to validate the intersections and pedestrian/transit elements selected for quantified analysis.

TRAFFIC

The EIS will provide a detailed traffic analysis focusing on those peak hours and street network intersections where the highest concentrations of action-generated demand would occur. ~~The peak hours for~~Based on the analysis ~~will be selected, and the specific intersections to be included in the traffic study area will be~~

~~determined based on the assignment of project-generated traffic and the guidelines presented in~~ the *CEQR Technical Manual* threshold of 50 total vehicle trips during the weekday AM and PM peak hours (which are typical peak periods for commuter travel demand) and the weekday midday and Saturday midday peak hours (which are typical peak periods for retail demand), all of these periods will therefore be included in the analysis of traffic conditions..

In consultation with DCP and New York City Department of Transportation (NYCDOT), a total of 30 representative intersections most likely to be used by concentrations of action-generated vehicles traveling to and from the projected development sites were selected for detailed analysis based on the assignments of net incremental traffic, the locations of existing bottlenecks, and prevailing travel patterns in the study area. The locations of these intersections are presented in the TPF/TDF Technical Memorandum in Appendix B. The following outlines the anticipated scope of work for conducting a traffic impact analysis for the Proposed Actions' RWCDS:

- Select peak hours for analysis and define a traffic study area consisting of intersections to be analyzed within and in proximity to the Rezoning Area and along key routes leading to and from the Rezoning Area.

- Conduct a count program for traffic analysis locations that includes a mix of automatic traffic recorder (ATR) machine counts and intersection turning movement counts, along with vehicle classification counts and travel time studies (speed runs) as support data for air quality and noise analyses. Per *CEQR Technical Manual* guidance, turning movement count data will be collected at each analyzed intersection during the weekday and Saturday peak hours and will be supplemented by nine days of continuous ATR counts. Vehicle classification count data will be collected during each peak hour at several representative intersections along each of the principal corridors in the study area. The turning movement counts, vehicle classification counts, and travel time studies will be conducted concurrently with the ATR counts. Where applicable, available information from recent studies in the vicinity of the study area will be compiled, including data from agencies such as the New York City Department of Transportation (NYCDOT) and DCP.

- Inventory physical data at each of the analysis intersections, including street widths, number of traffic lanes and lane widths, pavement markings, turn prohibitions, bicycle routes, and curbside parking regulations. Signal phasing and timing data for each signalized intersection included in the analysis will be obtained from NYCDOT.

- Determine existing traffic operating characteristics at each analysis intersection including capacities; volume-to-capacity (v/c) ratios; average vehicle delays; and levels of service (LOS) per lane group, per intersection approach, and per overall intersection. This analysis will be conducted using the 2000 Highway Capacity Manual methodology with the latest approved Highway Capacity Software.

- Based on available sources, U.S. Census Bureau data, and standard references including the *CEQR Technical Manual*, estimate the travel demand from projected development sites in the future without the Proposed Actions (the No-Action condition), as well as the demand from other major developments planned in the vicinity of the study area by the analysis year. This will include total daily and peak hour person and vehicular trips, and the distribution of trips by auto, taxi, and other modes. A truck trip generation forecast will also be prepared based on data from the *CEQR Technical Manual* and previous relevant studies. Mitigation measures accepted for all No-Action

projects as well as other NYCDOT initiatives, if any, will be included in the future No-Action network, as applicable.

- Compute the future No-Action traffic volumes based on approved background traffic growth rates for the study area (0.25 percent per year for years one through five, 0.125 percent for years six and beyond, per *CEQR Technical Manual* guidance) and demand from major development projects expected to be completed in the future without the Proposed Actions. Incorporate any planned changes to the roadway system anticipated by the analysis year and determine the No-Action v/c ratios, delays, and LOS at analyzed intersections.

- Based on available sources, U.S. Census Bureau data, and standard references including the *CEQR Technical Manual*, develop a travel demand forecast for projected development sites based on the net change in uses compared to the No-Action condition as defined in the RWCDS. Determine the net change in vehicle trips expected to be generated by projected development sites under the Proposed Actions as described in the Draft TPF technical memorandum (Appendix B) and approved by DCP in consultation with NYCDOT. Assign the net action~~project~~-generated trips in each analysis period to likely approach and departure routes and prepare traffic volume networks for the future with the Proposed Actions condition for each analyzed peak hour.

- Determine the v/c ratios, delays, and LOS at analyzed intersections for the With-Action condition and identify significant adverse traffic impacts in accordance with *CEQR Technical Manual* criteria.

- Identify and evaluate potential traffic mitigation measures, as appropriate, for all significantly impacted locations in the study area in consultation with the lead agency and NYCDOT. Potential traffic mitigation could include both operational and physical measures such as changes to lane striping, curbside parking regulations and traffic signal timing and phasing, roadway widening, and the installation of new traffic signals. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

TRANSIT

Detailed transit analyses are generally not required if a proposed action is projected to result in fewer than 200 peak hour rail or bus transit trips according to the general thresholds used by MTA and specified in the *CEQR Technical Manual*. If a proposed action would result in 50 or more bus trips being assigned to a single bus line (in one direction), or if it would result in an increase of 200 or more trips at a single subway station or on a single subway line, a detailed bus or subway analysis would be warranted. Transit analyses (both subway and bus) examine conditions during the weekday AM and PM commuter periods, as it is during these times that overall transit demand (and the potential for significant adverse impacts) is typically greatest.

~~The~~As summarized in the TPF/TDF Technical Memorandum included in Appendix B, the Proposed Actions' RWCDS ~~is expected to~~would generate a net increase of more than 200 additional subway trips and bus trips in one or more peak hours and would therefore require detailed transit analyses based on *CEQR Technical Manual* criteria.

Subway

Action-generated trips could use nearby subway stations. Transit analyses typically focus on the weekday AM and PM commuter peak hours when overall demand on the subway and bus systems is usually highest. As discussed in the TPF/TDF Technical Memorandum included in Appendix B, incremental demand from

the Proposed Actions is expected to exceed the 200-trip CEQR Technical Manual analysis threshold in one or both peak hours at the following three subway stations, Franklin Avenue, Nostrand Avenue, and the Clinton-Washington Avenue stations, and these facilities will be analyzed in the EIS. The detailed transit analyses will include the following subtasks:

- Identify for analysis those subway stations expected to be used by 200 or more action-generated trips in one or more peak hours. At each of these stations, analyze those key circulation elements including stairways and fare entrance control elements expected to be used by ~~significant concentrations of~~ action-generated demand in the weekday AM and PM peak hours.
- ~~Count existing weekday~~Conduct AM and PM peak hour ~~demand~~counts at analyzed subway station elements and determine existing v/c ratios and LOS based on *CEQR Technical Manual* ~~criteria~~guidance.
- Determine volumes and conditions at analyzed subway station elements in the future without the Proposed Actions using approved background growth rates and accounting for any trips expected to be generated by No-Action development on projected development sites and by~~or~~ other major projects in the vicinity of the study area.
- Add action-generated demand to the No-Action volumes at analyzed subway station elements and determine AM and PM peak hour volumes and conditions in the future with the Proposed Actions.
- Identify potential significant adverse impacts at subway station stairways and fare control elements based on *CEQR Technical Manual* impact criteria.
- Assess subway line haul conditions because the Proposed Actions are expected to generate 200 or more new subway trips in one direction on one or more of the of the multiple subway routes serving the area.
- Identify mitigation needs and potential subway station improvements, as appropriate, in conjunction with the lead agency and NYC Transit. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

Bus

The neighborhood is served by several local bus routes operated by NYC Transit that connect the area with other parts of Brooklyn. A detailed analysis of bus conditions is generally not required if a proposed action is projected to result in fewer than 50 peak hour trips being assigned to a single bus route (in one direction) based on the general thresholds used by the MTA and specified in the *CEQR Technical Manual*. Incremental person-trips by bus generated by the Proposed Actions would likely exceed 50 peak hour trips in one direction on one or more of the routes serving the Project Area; therefore, the EIS will include a quantitative analysis of local bus conditions. For that analysis, trips will be assigned to each route based on proximity to the projected development sites and current ridership patterns. The analysis will include documenting existing peak hour bus service levels and maximum load point ridership, determining conditions in the future No-Action condition, and assessing the effects of new action-generated peak hour trips. Bus transit mitigation, if warranted, will be identified in consultation with the lead agency and the MTA.

PEDESTRIANS

Projected pedestrian volumes of less than 200 persons per hour at any pedestrian element (sidewalks, corner areas, and crosswalks) would not typically be considered a significant impact because the level of increase

would not generally be noticeable and therefore would not require further analysis under *CEQR Technical Manual* criteria. ~~A preliminary assessment will be conducted to determine if~~ As discussed in the TPF/TDF Technical Memorandum included in Appendix B, based on the level of new pedestrian demand generated by the Proposed Actions' RWCDS, it is anticipated that action-generated pedestrian trips would exceed the 200-trip *CEQR Technical Manual* analysis threshold at one or more locations in one or more peak hours. A detailed pedestrian analysis focusing on weekday AM, midday, and PM and Saturday midday peak hours will therefore be prepared for the EIS.

As discussed in the TPF/TDF Technical Memorandum included in Appendix B, a total of 172 representative pedestrian elements where new action-generated trips are expected to be most concentrated were selected for analysis in consultation with DCP and NYCDOT. These elements include a total of 62 sidewalks, 40 crosswalks, and 70 corner areas. ~~The specific pedestrian facilities to be analyzed will be determined based on the guidelines presented in the *CEQR Technical Manual*, in consultation with the lead agency and NYCDOT.~~ Pedestrian counts will be conducted at each analysis location and used to determine existing levels of service. No-Action and With-Action pedestrian volumes and levels of service will be determined based on approved background growth rates, trips expected to be generated by No-Action development on projected development sites and other major projects in the vicinity of the study area, and action-generated demand. The analysis will evaluate the potential for incremental demand from the Proposed Actions to result in significant adverse impacts based on current *CEQR Technical Manual* criteria. Potential measures to mitigate any significant adverse pedestrian impacts will be identified and evaluated, as warranted, in consultation with the lead agency and NYCDOT.

VEHICULAR AND PEDESTRIAN SAFETY

As discussed in the TPF/TDF Technical Memorandum included in Appendix B, d~~D~~ata on traffic accidents involving pedestrians and/or cyclists at study area intersections was~~will be~~ obtained from NYCDOT for the most recent three-year period available. The ~~se~~ data was~~will be~~ analyzed to determine if any of the studied locations may be classified (based on *CEQR Technical Manual* criteria) as high-crash locations. ~~and~~ For selected high crash locations, the EIS will explore and identify crash trends to determine whether vehicle and/or pedestrian trips would further impact safety, existing unsafe conditions could adversely impact the flow of the projected new trips and/or any street network changes resulting from the Proposed Actions could~~would~~ adversely affect vehicular and pedestrian safety in the area. In addition, any Senior Pedestrian Focus Areas, Vision Zero Corridors/Intersections, and/or Truck Safety Corridors as defined in the 2021 *CEQR Technical Manual* will be identified. If any high-crash locations are identified, feasible improvement measures will be explored to alleviate potential safety issues. The selected analysis locations will be based on consultation with NYCDCP and NYCDOT.

PARKING

Parking demand from commercial (non-restaurant) uses typically peaks in the midday period and declines during the afternoon and evening. By contrast, residential demand typically peaks in the overnight period.

Should the on-site required accessory parking for projected development sites not be sufficient to accommodate overall incremental demand, detailed existing on-street and off-street parking inventories will be conducted for the weekday overnight period (when residential parking demand typically peaks) and the weekday midday period (when parking in a business area is frequently at peak occupancy) to document existing supply and demand for each period. The parking analyses will document changes in the parking utilization in proximity to projected development sites under the No-Action and With-Action conditions based on accepted background growth rates and projected demand from No-Action and With-Action

development on projected development sites and other major projects in the vicinity of the study area. Parking utilization within the Rezoning Area, as well as within 0.25 miles of the Rezoning Area, will be analyzed.

Parking demand generated by the projected residential component of the Proposed Actions' RWCDS will be forecasted based on automotive ownership data for the Project Area and the surrounding area. Parking demand from all other uses will be derived from the forecasts of daily automotive trips generated by these uses. Future parking demand will account for net reductions in demand associated with the projected development sites' No-Action land uses displaced under the Proposed Actions.

The forecast for the ~~of~~ new parking supply under the RWCDS will be based on the net change in parking spaces on projected development sites. ~~Pursuant to MIH regulations~~In accordance with zoning requirements for affordable DUs, it is assumed that no accessory parking would be provided for affordable units developed in the With-Action condition. Future supply will also account for accessory parking spaces associated with the With-Action non-residential~~commercial~~ uses, which have lower commercial demand in the overnight hours.

TASK 14. AIR QUALITY

CEQR Technical Manual criteria require an air quality assessment for actions that can result in significant air quality impacts. There are mobile source impacts that could arise when an action increases or causes a redistribution of traffic, creates any other mobile sources of pollutants, or adds new uses near existing mobile sources. There are mobile source impacts that could be produced by parking facilities, parking lots, or garages. Stationary source impacts could occur with actions that create new stationary sources or pollutants such as emission stacks from industrial plants, hospitals, or other large institutional uses, or a building's boilers, that can affect surrounding uses; or when uses are added near existing or planned future emission stacks, and the emissions from the stacks affect these new uses, or when structures are added near such stacks, and those structures change the dispersion of emissions from stacks so that they begin to affect surrounding uses.

MOBILE SOURCE ANALYSIS

The increased traffic associated with the RWCDS projected development sites could affect local air quality levels, and emissions generated by increased traffic at congested intersections could significantly affect air quality levels at nearby sensitive land uses. Carbon monoxide (CO) and particulate matter (PM) are the primary pollutants of concern for microscale mobile source air quality analyses, including assessments of roadways intersections and parking garages. Trips generated by the Proposed Actions could exceed the *CEQR Technical Manual* CO analysis screening threshold of 170 vehicles in a peak hour at a number of locations throughout the study area. In addition, the projected number of heavy-duty trucks or equivalent vehicles will likely exceed the applicable fine particulate matter ($PM_{2.5}$) screening thresholds in the *CEQR Technical Manual*. Therefore, a microscale analysis of CO and PM mobile source emissions at affected intersections is warranted.

The specific work program for the mobile source air quality study will include the following tasks:

- Compiling existing ambient air quality data for the study area (published by the New York State Department of Environmental Conservation [NYSDEC]) for the analysis of existing and future conditions.

- Selecting critical intersection locations exceeding the CEQR screening thresholds outlined above, representing locations with the worst potential total and incremental pollution impacts, based on data obtained from the traffic analysis (Task 13, Transportation). At each intersection, multiple receptor sites will be analyzed in accordance with CEQR guidelines.

- Using the United States Environmental Protection Agency's (EPA's) AERMOD model to predict changes in CO and maximum changes in $PM_{2.5}$ concentrations, with five years of meteorological data from LaGuardia Airport and concurrent upper air data from Brookhaven, New York, for the simulation program.

- Computing vehicular cruise and idle emissions for the dispersions modeling using EPA's MOVES model. Factors for re-suspended road dust emissions will be based on *CEQR Technical Manual* guidance and the EPA procedure defined in AP-42.

- Calculating the one-hour and eight-hour average CO concentrations at each mobile source microscale receptor site for each applicable peak period for the existing, No-Action, and With-Action conditions; and calculating the maximum 24-hour and annual average $PM_{2.5}$ concentrations for the No-Action and With-Action conditions.

- Performing an analysis of CO and PM emissions for the parking facilities that would have the greatest potential for impact on air quality. The analysis will use the procedures outlined in the *CEQR Technical Manual* for assessing potential impacts from parking facilities. Cumulative impacts from on-street sources and emissions from parking garages will be calculated, where appropriate.

- Comparing future pollutant levels with and without the Proposed Actions with the CO National Ambient Air Quality Standards (NAAQS) and the City's CO and $PM_{2.5}$ de minimis guidance criteria to determine the impacts of the Proposed Actions.

- Determining the consistency of the Proposed Actions with the strategies contained in the State Implementation Plan (SIP) for the area. At any receptor sites where violations of standards occur, analyses will be performed to determine what mitigation measures would be required to attain standards.

STATIONARY SOURCE ANALYSIS

The stationary source air quality analysis will determine the effects of emissions from projected and potential development sites' fossil-fuel fired heating and hot water systems to significantly impact existing land uses or to significantly impact any of the other projected or potential development sites (i.e., project-on-project impacts). In addition, because portions of the Rezoning Area are located within or near manufacturing zoned districts, an analysis of emissions from industrial sources must be performed, examining large and major sources of emissions within 1,000 feet of the study area, as per the C*EQR Technical Manual*.

Heat and Hot Water Systems Analysis

- Perform a screening level analysis following the procedures outlined in the *CEQR Technical Manual*. The purpose of the screening level analysis is to determine the potential for air quality impacts from heating and hot water systems of the projected and potential development sites.

- Perform a refined modeling analysis for that development site using the AERMOD model if the screen analysis for any site demonstrates a potential for air quality impacts. For this analysis, five recent years of meteorological data from LaGuardia Airport and concurrent upper air data from Brookhaven, New York, will be used for the simulation program. Concentrations of nitrogen dioxide (NO_2), sulfur dioxide (SO_2), and particulate matter (PM_{10} and $PM_{2.5}$) will be determined at off-site receptors sites, as well as on projected and potential development site receptors. Predicted values will be compared with NAAQS and other relevant standards. If warranted by the analysis, requirements related to fuel type and/or exhaust stack locations will be memorialized by (E) designations (or land disposition restriction for the City-owned parcel) placed on the blocks and lots pursuant to Section 11-15 of the New York City Zoning Resolution and the (E) Rules, as referenced above in the Hazardous Materials section.

- Perform a cumulative impact analysis for development sites with similar height located in close proximity to one another (i.e., site clusters). Impacts will be determined using the EPA AERSCREEN model. In the event that violations of standards are predicted, measures to reduce pollutant levels to within standards will be examined.

Industrial Source Analysis

- Perform a field survey to identify processing or manufacturing facilities within 400 feet of the projected and potential development sites. A copy of the air permits for each of these facilities will be requested from DEP's Bureau of Environmental Compliance. A review of NYSDEC Title V permits and the EPA Envirofacts database will also be performed to identify any federal- or state-permitted facilities within 1,000 feet of the development sites.

- Consider facilities with sources of emissions located within 400 feet of the projected or potential development sites for analysis.

- Perform the industrial sources analysis for potential development sites with identified industrial sources of air emissions assuming that development does take place, as well as assuming that it does not take place.

- Perform a cumulative impact analysis for multiple sources that emit the same air contaminant. Predicted concentrations of these compounds will be compared to NYDEC DAR-1 guideline values for short-term (SGC) and annual (AGC) averaging periods. In the event that violations of standards are predicted, measures to reduce pollutant levels to within standards will be examined.

- Determine the potential cumulative impacts of multiple air contaminants based on the EPA's Hazard Index Approach for non-carcinogenic compounds and using the EPA's Unit Risk Factors for carcinogenic compounds. Both methods are based on equations that use EPA health risk information (established for individual compounds with known health effects) to determine the level of health risk posed by specific ambient concentrations of that compound. The derived values of health risk are additive and can be used to determine the total risk posed by multiple air contaminants.

Large and Major Source Analysis

- Perform an analysis of existing large and major sources of emissions (such as sources having federal and state permits) identified within 1,000 feet of the development sites to assess the potential effects of the projected and potential development sites. Predicted criteria pollutant

concentrations will be predicted using the AERMOD model compared with NAAQS for NO_2, SO_2, and PM_{10}, as well as applicable criteria for $PM_{2.5}$.

TASK 15. GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Increased greenhouse (GHG) emissions are changing the global climate, which is predicted to lead to wide-ranging effects on the environment, including rising sea levels, increases in temperature, and changes in precipitation levels. Although climate change is occurring on a global scale, environmental effects are also likely to be felt at the local level. The RWCDS associated with the Proposed Actions is expected to exceed the 350,000-sf development threshold; therefore, GHG emissions generated by the Proposed Actions will be quantified and assessed for their consistency with the City's established GHG reduction goal as part of the EIS in accordance with the *CEQR Technical Manual*. The assessment will examine GHG emissions from the Proposed Actions' operations, mobile sources, and construction, as outlined below.

- Sources of GHG from the development projected as part of the Proposed Actions will be identified. The pollutants for analysis will be discussed, as well as various City, state, and federal goals, policies, regulations, standards, and benchmarks for GHG emissions.
- Fuel consumption will be estimated for the projected developments based on the calculations of energy use estimated as part of Task 12, Energy.
- GHG emissions associated with the action-related traffic will be estimated for the Proposed Actions using data from Task 13, Transportation. A calculation of vehicle miles traveled (VMT) will be prepared.
- A qualitative discussion of stationary and mobile sources of GHG emissions will be provided in conjunction with a discussion of goals for reducing GHG emissions to determine if the Proposed Actions are consistent with GHG reduction goals, including building efficient buildings, using clean power, transit-oriented development and sustainable transportation, reducing construction operations emissions, and using building materials with low carbon intensity.

TASK 16. NOISE

The noise analysis, as prescribed by the *CEQR Technical Manual*, will examine both the Proposed Actions' potential effects on sensitive noise receptors (including residences, health care facilities, schools, open space) and the potential noise exposure at new sensitive uses introduced by the actions. If significant adverse impacts are identified, CEQR requires such impacts to be mitigated or avoided to the greatest extent practicable. The Proposed Actions would result in new residential, commercial, community facility, and industrial development and also would alter traffic conditions in the area. These development changes are likely to affect noise, which is a general term used to describe unwanted sound.

It is assumed that outdoor mechanical equipment would be designed to meet applicable regulations, which are more stringent than *CEQR Technical Manual* impact criteria. Consequently, no detailed analysis of potential noise impacts due to outdoor mechanical equipment will be performed. The noise analysis will examine the level of building attenuation necessary to meet CEQR interior noise level requirements. The following tasks will be performed in compliance with *CEQR Technical Manual* guidelines:

- Conduct a screening analysis, based on the traffic studies conducted for Task 13, Transportation, to determine whether there are any locations where there is the potential for the RWCDS associated with the Proposed Actions to result in significant noise impacts (i.e., doubling Noise Passenger Car Equivalents) due to action-generated traffic.

- Select noise survey locations to represent sites of future sensitive uses in the RWCDS With-Action condition. These noise survey locations will be placed in areas to be analyzed for building attenuation and would focus on areas of potentially high ambient noise where residential uses are proposed.
- Conduct noise measurements at the identified locations during typical weekday AM, midday, and PM peak periods (coinciding with the traffic peak periods). Noise measurements will be recorded in conformance with *CEQR Technical Manual* procedures and will be measured in units of "A" weighted decibel scale (dBA) as well as one-third octave bands. The measured noise level descriptors will include equivalent noise level (Leq), maximum level (Lmax), minimum level (Lmin), and statistical percentile levels such as L10, L50, and L90. A summary table of existing measured noise levels will be provided as part of the EIS.
- Estimate future No-Action and With-Action noise levels, following procedures outlines in the *CEQR Technical Manual* for assessing mobile source noise impacts, at the noise receptor locations based on acoustical fundaments. All projections will be made with the Leq noise descriptor.
- Determine the level of building attenuation necessary to satisfy CEQR requirements (a function of the exterior noise levels) based on the highest L10 noise level estimated at each monitoring site. The building attenuation requirements will be memorialized by (E) designations placed on the blocks and lots requiring specific levels of attenuation pursuant to Section 11-15 of the New York City Zoning Resolution and the (E) Rules, as referenced above in the Hazardous Materials section. The EIS would include (E) designation language describing the requirements for each of the blocks and lots to which they would apply.
- Perform a detailed mobile source noise analysis at any location where the results of the screening analysis indicate that sensitive receptors would experience a doubling of traffic between the Future No-Action and Future With-Action conditions, in compliance with *CEQR Technical Manual* guidelines.

TASK 17. PUBLIC HEALTH

Public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability, and premature death; and reducing inequalities in health status, as defined in the *CEQR Technical Manual*. The goal of CEQR with respect to public health is to determine whether adverse impacts on public health may occur as a result of a proposed project, and to identify measures to mitigate such effects.

A public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, hazardous materials, or noise, according to the *CEQR Technical Manual*. If unmitigated significant adverse impacts are identified for the Proposed Actions in any of these technical areas and DCP determines that a public health assessment is warranted, an analysis will be provided for the specific technical area or areas.

TASK 18. NEIGHBORHOOD CHARACTER

The character of a neighborhood is established by numerous factors, including land use patterns, the scale of its development, the design of its buildings, the presence of notable landmarks, and a variety of other physical features that include traffic and pedestrian patterns, noise, etc. The Proposed Actions have the

potential to alter certain elements contributing to the affected area's neighborhood character. Therefore, a neighborhood character analysis will be provided in the EIS.

A preliminary assessment of neighborhood character will be provided in the EIS to determine whether changes expected in other technical analysis areas—land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; transportation; and noise—may affect a defining feature of neighborhood character. The preliminary assessment will:

- Identify the defining features of the existing neighborhood character.
- Summarize changes in the character of the neighborhood that can be expected in the future With-Action condition and compare to the future No-Action condition.
- Evaluate whether the Proposed Actions have the potential to affect these defining features, either through the potential for a significant adverse impact or a combination of moderate effects in the relevant technical areas.

If the preliminary assessment determines that the Proposed Actions could affect the defining features of neighborhood character, a detailed analysis will be conducted in accordance with the *CEQR Technical Manual*.

TASK 19. CONSTRUCTION

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as on people passing through the area. The construction assessment will focus on areas where construction activities may pose specific environmental problems. According to the *CEQR Technical Manual*, a large-scale development project with an overall construction period lasting longer than two years and is near sensitive receptors (i.e., residences, open spaces) should undergo a construction impact assessment. The construction impact assessment will evaluate the duration and severity of the disruption or inconvenience to nearby sensitive receptors and will be based on a conceptual construction schedule (to be provided by DCP) with anticipated RWCDS construction times for each of the projected development sites.

Technical areas to be assessed include the following:

TRANSPORTATION SYSTEMS

The assessment will be based on the guidelines presented in the *CEQR Technical Manual* and will qualitatively consider losses in lanes, sidewalks, and other transportation services on the adjacent streets during the various phases of construction and identify the increase in vehicle trips from construction workers and equipment. A travel demand forecast for the RWCDS peak construction period will be prepared and compared to the travel demand forecast for the With-Action condition.

AIR QUALITY

A detailed dispersion analysis of construction sources will be performed to determine the potential for air quality impacts on sensitive receptor locations. Air pollutant sources include combustion exhaust associated with non-road construction engines (e.g., cranes, excavators) and trucks operating on-site, construction-generated traffic on local roadways, as well as on-site activities that generate fugitive dust (e.g., excavation, demolition). The pollutants of concern include CO, PM, and NO_2. The potential for significant impacts will be determined by comparing model-predicted total concentrations to the NAAQS, or by comparing the predicted increase in concentrations to applicable guidance thresholds. The air quality analysis will also

include a discussion of the strategies to reduce project-related air pollutant emissions associated with construction activities.

NOISE AND VIBRATION

A quantitative construction noise analysis will be prepared to examine potential noise impacts due to construction-related stationary and mobile sources. Existing noise levels will be determined by noise measurements performed at various at-grade receptor locations throughout the study area. During representative worst-case time periods, noise levels due to construction activities at projected development sites will be predicted for each sensitive receptor. Based on the results of the construction noise analysis, if necessary, the feasibility, practicability, and effectiveness of implementing measures to mitigate significant construction noise impacts will be examined. Construction activities have the potential to result in vibration levels that may result in structural or architectural damage, and/or annoyance or interference with vibration-sensitive activities. A construction vibration assessment will be performed. This assessment will determine critical distances at which various pieces of equipment may cause damage or annoyance to nearby buildings based on the type of equipment, the building construction, and applicable vibration level criteria. Should it be necessary for certain construction equipment to be located closer to a building than its critical distance, vibration mitigation options will be proposed.

OTHER TECHNICAL AREAS

As appropriate, other areas of environmental assessment—such as historic resources, hazardous materials, socioeconomic conditions, and neighborhood character—will be analyzed for potential construction-related impacts. In accordance with *CEQR Technical Manual* guidelines, the construction analysis will include an assessment of whether construction of the projected development sites would physically impact, or inhibit access to, adjacent land uses, including community facilities.

TASK 20. MITIGATION

Where significant adverse impacts have been identified in Tasks 2 through 19, measures to mitigate those impacts will be described. The chapter will also consider when mitigation measures will need to be implemented. These measures will be developed and coordinated with the responsible City and state agencies, as necessary, including LPC, NYCDOT, and DEP. Where impacts cannot be fully mitigated, they will be described as unavoidable adverse impacts.

TASK 21. ALTERNATIVES

The purpose of an Alternatives chapter in an EIS is to examine development options that would tend to reduce action-related impacts. The alternatives will be better defined once the full extent of the Proposed Actions' impacts have been identified. Typically for area-wide actions such as the Proposed Actions, the alternatives will include a no-action alternative, a no impact or no unmitigated significant adverse impact alternative, and a lesser density alternative. A lesser density alternative would be pursued only if it is found to have the potential to reduce the impacts of the Proposed Actions while, to some extent, still meeting the actions' stated purpose and need. The alternatives analysis will be qualitative, except in those technical areas where significant adverse impacts for the Proposed Actions have been identified. The level of analysis provided will depend on an assessment of project impacts determined by the analysis connected with the appropriate tasks.

TASK 22. SUMMARY EIS CHAPTERS

The EIS will include the following three summary chapters, where appropriate to the Proposed Action, in accordance with CEQR guidelines:

Unavoidable Adverse Impacts: which summarizes any significant adverse impacts that are unavoidable if the Proposed Actions are implemented regardless of the mitigation employed (or if mitigation is not feasible).

Growth-Inducing Aspects of the Proposed Action: which generally refer to "secondary" impacts of the Proposed Actions that trigger further development.

Irreversible and Irretrievable Commitments of Resources: which summarizes the Proposed Actions and its impact in terms of the loss of environmental resources (loss of vegetation, use of fossil fuels and materials for construction, etc.), both in the immediate future and in the long term.

TASK 23. EXECUTIVE SUMMARY

The executive summary will use relevant material from the body of the EIS to describe the Proposed Actions, their environmental impacts, measures to mitigate those impacts, and alternatives to the Proposed Actions. The executive summary will be written in enough detail to facilitate drafting of a notice of completion by the lead agency.

APPENDIX A:
REASONABLE WORST CASE DEVELOPMENT SCENARIO TABLES

APPENDIX B:
DRAFT TRANSPORTATION PLANNING FACTORS AND TRAVEL DEMAND FORECAST MEMORANDUM

APPENDIX C:
AIR QUALITY ANALYSIS METHODOLOGY MEMORANDUM

APPENDIX D:
NOISE ANALYSIS METHODOLOGY MEMORANDUM

APPENDIX E:
DEVELOMPENT SITE DESCRIPTIONS