962-972 FRANKLIN AVENUE REZONING
Chapter 9: Neighborhood Character

A. INTRODUCTION

This chapter assesses the Proposed Project's potential effects on neighborhood character. As defined in the *2021 City Environmental Quality Review* (CEQR) *Technical Manual*, neighborhood character is an amalgam of various elements that give a neighborhood its distinct "personality." These elements may include a neighborhood's land use, socioeconomic, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, and/or noise conditions; but not all of these elements contribute to neighborhood character in all cases. For a proposed project, a neighborhood character assessment under CEQR first identifies the defining features of the neighborhood and then evaluates whether the project has the potential to affect these defining features, either through the potential for a significant adverse impact or a combination of moderate effects in relevant technical analysis areas. Thus, to determine the effects of a proposed project on neighborhood character, the salient features of neighborhood character are considered together. According to the *CEQR Technical Manual*, neighborhood character impacts are rare, and it would be unusual that, in the absence of a significant adverse impact in any of the relevant technical areas, a combination of moderate effects to the neighborhood would result in an impact to neighborhood character. Moreover, a significant adverse impact identified in one of the technical areas that contribute to a neighborhood's character is not automatically equivalent to a significant adverse impact on neighborhood character, but, rather, serves as an indication that neighborhood character should be examined.

As outlined in **Chapter 1, "Project Description,"** the reasonable worst-case development scenario (RWCDS) anticipates that the Proposed Project would be comprised of approximately 475 dwelling units (DUs), 119 of which would be permanently affordable pursuant to MIH, and approximately 8,128 gsf of ground floor local retail uses. Parking for approximately 20 percent of all market-rate DUs would be located in the ground- and cellar-levels of the Proposed Project.

This chapter includes a preliminary assessment of neighborhood character, which was prepared in conformance with the *CEQR Technical Manual*. This chapter describes the defining features of the existing neighborhood character and considers the potential effects of the Proposed Project on these defining features. This assessment relies on the technical analyses presented in other chapters of this EIS.

B. PRINCIPAL CONCLUSIONS

The Proposed Actions would not result in significant adverse impacts related to neighborhood character. The neighborhood character of the study area is defined by a few key components, including its mix of land uses and building types, an abundance of open space resources, large public facilities and institutions, and the MTA's open subway cut that serves the Franklin Avenue subway shuttle extending north-south through the area. As described elsewhere in this EIS, the Proposed Project would not result in significant adverse impacts in the areas of land use, zoning, and public policy; the Environmental Assessment Statement (EAS) determined that the Proposed Actions would not result in impacts to socioeconomic conditions; historic and cultural resources; transportation; or noise. The shadows impacts on the open

space and natural resources at Brooklyn Botanic Garden and the open space resources at Jackie Robinson Playground described in **Chapter 4, "Shadows,"** would not affect any defining feature of neighborhood character, nor would a combination of moderately adverse effects affect such a defining feature.

The Proposed Project would facilitate the development of a mixed-use building with residential and local retail uses that would be consistent with the mixed-use character of the surrounding neighborhood. Vacant and underutilized land would be redeveloped at a scale and density that is compatible with the built character of the surrounding area. In addition, the 119 DUs of affordable housing would help to ensure that a considerable portion of the new households would have incomes that would more closely reflect existing incomes in the study area and help ensure that the neighborhoods continue to serve diverse housing needs.

As discussed in **Chapter 4, "Shadows,"** incremental shadows from the Proposed Project would result in significant adverse impacts to the Brooklyn Botanic Garden and Jackie Robinson Playground. The Brooklyn Botanic Garden is an open space resource that is fenced off from the surrounding neighborhood, with limited hours of access, and requires a fee during most hours for admission. As such, although it is an important public facility, it is not integrated into the urban fabric of the neighborhood or a defining feature of neighborhood character. Other shadow impacts as a result of the Proposed Actions would be limited to Jackie Robinson Playground which is one of many open space resources in the neighborhood. Impacts to this open space would not alter the character of the neighborhood.

While the Proposed Project would result in increased transportation activities, the resulting conditions would be similar to those seen in the study area and would not result in levels of activity or service conditions that would be out of character with the surrounding neighborhood, which is already characterized by moderate vehicle and pedestrian volumes. Thus, the changes in transportation due to the Proposed Project would not result in significant adverse impacts on neighborhood character. In addition, while incremental vehicle volumes introduced as a result of the Proposed Project would increase noise levels adjacent to the Proposed Development Site, the increases would not be perceptible to individuals (i.e., would be less than 3 dBA) and would, therefore, not alter the character of the surrounding neighborhood.

C. METHODOLOGY

According to the *CEQR Technical Manual*, an assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in any of the following technical areas: land use, socioeconomic conditions, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, or noise. The *CEQR Technical Manual* states that, even if a proposed project does not have the potential to result in a significant adverse impact in any specific technical area(s), an assessment of neighborhood character may be required if the project would result in a combination of moderate effects to several elements that may cumulatively affect neighborhood character. A "moderate" effect is generally defined as an effect considered reasonably close to the significant adverse impact threshold for a particular technical analysis area.

A preliminary assessment of neighborhood character determines whether changes expected in other technical analysis areas may affect a defining feature of neighborhood character. The key elements that define neighborhood character, and their relationships to one another, form the basis of determining impact significance; in general, the more uniform and consistent the existing neighborhood context, the more sensitive it is to change. A neighborhood that has a more varied context is typically able to tolerate

greater change without experiencing significant adverse impacts. If there is no potential for a proposed project to affect the defining features of neighborhood character, a detailed assessment is not warranted.

Study Area

According to the *CEQR Technical Manual*, the study area for a preliminary assessment of neighborhood character is typically consistent with the study areas in the relevant technical areas assessed under CEQR that contribute to the defining features of the neighborhood. Therefore, the study area for this analysis is the same as that used for the analysis of land use, zoning, and public policy, which extends quarter-mile from the Project Area's boundaries generally extending from lots fronting President Street to the north, Ludlam Place to the east, Lincoln Road to the south, and Prospect Park's East Drive to the west

D. PRELIMINARY ASSESSMENT

Defining Features

The Project Area is located within the southwestern portion of Crown Heights. The neighborhood character of the study area is defined by a few key components, including its mix of land uses and building types, an abundance of open space resources, large public facilities and institutions, and the MTA's open subway cut that serves the Franklin Avenue subway shuttle extending north-south through the area.

As presented in **Chapter 2, "Land Use, Zoning, and Public Policy,"** the area surrounding the Project Area is characterized by a mix of residential, commercial, industrial/manufacturing, and public facilities and institutions. These uses are not evenly distributed throughout the secondary study area and the neighborhood character varies widely. Areas immediately to the north, northeast, south, and west of the Project Area are predominantly residential and are characterized by a mixture of one- and two-family buildings (7.4 percent of floor area in the secondary study area); multi-family walkup buildings (12.4 percent of floor area); and multi-family elevator buildings (48.9 percent of floor area), including the 33-story Tivoli Towers (49-57 Crown Street) to the north and the seven 25-story Ebbets Field Houses apartment buildings (1720 Bedford Avenue) to the east of the Project Area. Overall, the quarter-mile study area is predominately comprised of residential floor area (67.1 percent of buildings in the secondary study area) with several institutions/public facilities (12.9 percent of floor area) and mixed commercial and residential buildings (11.2 percent of floor area in the secondary study area). Additionally, industrial and manufacturing buildings comprise approximately 4.2 percent of the floor area and 3.9 percent of lot area in the secondary study area. The approximate quarter-mile radius around the Project Area also accommodates smaller amounts of commercial/office space (3.4 percent of the total floor area), open space facilities (0.9 percent of the total floor area and 35 percent of total lot area), and parking facilities (two percent of the total lot area).

Local community facility/institutional uses include: P.S. 241 Emma L. Johnston (976 President Street), P.S. 375 Jackie Robinson School/M.S. 352 Ebbets Field (46 McKeever Place) and the City University of New York's (CUNY's) Medgar Evers College campus (1637 Bedford Avenue). There are also several large open space resources within the secondary study area. A portion of Prospect Park, including the Prospect Park Zoo (450 Flatbush Avenue), is located in the southwestern section of the quarter-mile study area. A majority of the Brooklyn Botanic Garden is also located within the quarter-mile study area, to the west of the Project Area. To the northwest of the Project Area is the 1.36-acre Dr. Ronald McNair Park, bounded by Eastern Parkway, Classon Avenue, and Washington Avenue. Finally, an open subway cut for the MTA

Franklin Avenue Shuttle right-of-way extends north-south through the quarter-mile study area and the Project Area also includes a portion of the subway shuttle right-of-way.

This area of Crown Heights is a culturally dynamic community but, like many New York City neighborhoods, faces various challenges, with many residents in need of affordable housing, economic opportunities, and community facilities and services. Community Board 9 identified affordable housing, infrastructure resiliency, and youth and children's services as the three most pressing issues facing in the Community Board in their FY2024 *Statement of Community District Needs and Community Board Budget Requests*.

The Project Area is located in an area that is well-served by public open space. The abundance of open space resources in the Project Area is a defining feature of the neighborhood's character. Open space resources within the approximately half-mile study area include the 1-acre Jackie Robinson Playground, the 1.36-acre Dr. Ronald McNair Park, the 0.29-acre Dodger Playground, a 134.8-acre portion of Prospect Park (excluding the Prospect Park Zoo as an admission fee is charged), a 7.22-acre portion of Mount Prospect Park, and a 6.26-acre portion of the Eastern Parkway greenspace. The Brooklyn Botanic Garden is another large open space that is located in close proximity to the Project Area. NYC DCP as lead agency in consultation with the NYC Department of Parks and Recreation determined that it should be included in the quantitative open space assessment because it has regular hours that are free to the public, although most opening periods an entrance fee is charged.

The proposed With-Action building on the Proposed Development Site would be constructed on an existing block and would not entail any significant adverse impacts to Urban Design, including block shapes, street pattern and hierarchy, topography, open space, or natural features in the Project Area or secondary study area. The Proposed Actions would not create land uses or structures that would be substantially incompatible with existing and emerging character of the surrounding area. As detailed in Chapter 1, the Proposed Actions, including the establishment of a MIH area in the Project Area, would permit the development of more residential space on the Proposed Development Site than the No-Action condition, including approximately 475 units of affordable housing, of which 119 units would be permanently affordable pursuant to MIH. The Proposed Project is anticipated to satisfy some of the existing demand for affordable and market-rate units in the Crown Heights neighborhood.

The character of the study area, like that of many neighborhoods in New York City, is, in part, defined by the levels of pedestrian activity that exist. Foot traffic in the immediate vicinity of the project site is moderate, especially along Franklin Avenue south of Crown Street. This is due in part to the presence of the currently vacant 46 Crown Street (construction of a mixed-use development is planned for this site and is anticipated to begin in 2023), the parking lot located on the east side of Franklin Avenue between Crown Street and Montgomery Street, the low pedestrian demand associated with the current on-site use, and the general lack of mixed-use buildings with ground-floor retail or other pedestrian-oriented uses along this portion of Franklin Avenue. Vehicular activity is concentrated along Franklin Avenue and Washington Avenue and is much lighter along Montgomery Street.

Based on field measurements and noise monitoring, the Project Area is located in an area with moderate ambient noise levels. As noted in **Attachment H, "Noise,"** of the Environmental Assessment Statement (EAS), noise levels along Franklin Avenue were within the CEQR "Marginally Acceptable" noise exposure category. The noise levels in proximity to the Proposed Development Site are typical of many neighborhoods in New York City and are not a defining feature of the neighborhood.

Assessment of the Potential to Affect the Defining Features of the Neighborhood

The sections below discuss potential changes resulting from the Proposed Project in the following technical areas that are considered in the neighborhood character assessment pursuant to the *CEQR Technical Manual*: land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; and noise. The assessment uses the findings from the respective chapters of this EIS and the EAS to identify whether the Proposed Project would result in any significant adverse impacts or moderate adverse effects in these technical areas and whether any such changes would have the potential to affect the defining features of neighborhood character. As described below, defining features of the study area neighborhood would not be affected either through the potential of any significant adverse impacts or a combination of moderate effects in these technical areas.

Land Use, Zoning, and Public Policy

Defining features of the neighborhood would not be adversely affected due to potential effects of the Proposed Project on land use, zoning, and public policy, either singularly or in combination with potential impacts in other relevant technical areas discussed in this section. The Proposed Project would facilitate the development of a mixed-use development project with residential and local retail uses that would be consistent with the mix of existing uses in the neighborhood. While changes in land use and zoning would occur, with proposed residential and local retail uses would replace a one-story warehouse and a vacant lot, the Proposed Actions would facilitate the development of a residential development that would be comprised of affordable residential units under the City's MIH program. The proposed residential and local retail uses would be comparable to existing and planned developments in Crown Heights, and would directly support several major City policies aimed at increasing supply of affordable housing in New York City. The Proposed Actions would facilitate the mixed-use development in an area well-served by mass transit.

As described in **Chapter 2, "Land Use, Zoning, and Public Policy,"** no significant adverse impacts related to land use, zoning, or public policy would occur in the future with the Proposed Actions. The Proposed Project would not directly displace any land uses so as to adversely affect surrounding land uses, nor would it generate land uses that would be incompatible with land uses, zoning, or public policies in the surrounding area. The Proposed Project would not result in land uses that conflict with surrounding land uses or public policies applicable to the Proposed Development Site or the secondary study area.

Socioeconomic Conditions

Defining features of the neighborhood would not be adversely affected due to potential effects of the Proposed Project on socioeconomic conditions, either singularly or in combination with potential impacts in other relevant technical areas discussed in this section. As discussed in **Attachment C, "Socioeconomic Conditions,"** of the EAS, the Proposed Actions would not result in significant adverse socioeconomic impacts.

The Proposed Project would introduce a mixed-income residential population whose average income would be higher than the overall average income in the half-mile socioeconomic conditions study area, but similar to the average income of the new population expected to reside in the area in the future without the Proposed Actions. The affordable housing units added by the Proposed Project would maintain a diverse demographic composition within the study area and would not alter the character of the neighborhood.

Open Space

Defining features of the neighborhood would not be adversely affected due to potential effects of the Proposed Project on publicly accessible open space, either singularly or in combination with potential impacts in other relevant technical areas discussed in this section. As discussed in **Chapter 4, "Shadows,"** incremental shadows from the Proposed Project would constitute a significant adverse impact on Brooklyn Botanic Garden and Jackie Robinson Playground (see discussion below under "Shadows" concerning the Neighborhood Character effects of project-generated shadows). No open space would be displaced as a result of the Proposed Actions. The Proposed Project would not affect any particular user group (e.g., children, teenagers, adults, senior citizens), nor would it introduce a population with any unusual characteristics.

As described in **Chapter 3, "Open Space,"** the Proposed Project would result in reductions to open space ratios in the surrounding area. However, the anticipated reductions would not be expected to result in a significant adverse impact on the character of the neighborhood, of which open space is one of the defining features.

Shadows

Defining features of the neighborhood would not be adversely affected due to potential shadow effects of the Proposed Project, either singularly or in combination with potential impacts in other relevant technical areas discussed in this section. As discussed in **Chapter 4, "Shadows,"** the incremental shadows from the Proposed Project would result in incremental shadow coverage on area open space resources. All open spaces would continue to receive a minimum of six hours of direct sunlight throughout the growing season. However, as described in **Chapter 5, "Natural Resources,"** portions of the Brooklyn Botanic Garden would experience significant adverse impacts as a result of the shading that would result from the Proposed Project due to the highly sensitive character of plants grown there.

Though impacts would result on the Brooklyn Botanic Garden and Jackie Robinson Playground from incremental shading from the Proposed Project, the Brooklyn Botanic Garden is an open space resource that is fenced off from the surrounding neighborhood, with limited hours of access, and requires a fee during most hours for admission. As such, although it is an important public facility, it is not integrated into the urban fabric of the neighborhood. For example, as its free hours are limited (currently weekdays during winters), local residents cannot visit the area at will for activities such as jogging or dog walking as is the case for typical public streets and parks. Other shadow impacts as a result of the Proposed Actions would be limited to Jackie Robinson Playground which is one of many open space resources in the neighborhood. Impacts to this open space would not alter the character of the neighborhood.

Urban Design and Visual Resources

Defining features of the neighborhood would not be adversely affected due to potential effects of the Proposed Project on urban design and visual resources, either singularly or in combination with potential impacts in other relevant technical areas discussed in this section. Approval of the Proposed Actions would facilitate the development of a 14-story 145-foot-tall building (not including mechanical bulkheads) and would be developed in an area where the tallest existing buildings are the 33-story (315 feet tall) Tivoli Towers and the 25-story (211 feet tall) Ebbets Field Houses. Compared to the future without the Proposed Project, the visual appearance, and thus the pedestrian experience of the area, would be similar. Both the as-of-right development and Proposed Project would create contextual buildings built to the lot line The study area includes several contextual developments that create a unified street wall along Franklin

Avenue. The Proposed Actions would not create land uses or structures that would be substantially incompatible with existing and emerging character of the surrounding area. The study area also includes buildings of similar heights including buildings recently completed and buildings to be completed by the 2027 build year. These include 1 Sullivan Place (120-feet tall) located on the same block, and 109 Montgomery Street (119-feet tall) located directly to the north of the Project Area. As such, the Proposed Actions and subsequent development would not represent an adverse impact on urban design or visual resources.

As noted above, the neighborhood's character is partially defined by its mix of land uses and building types, by the abundance of open space resources, by the large public facilities and institutions, and by the presence of the MTA's open subway cut that serves the Franklin Avenue subway shuttle extending north-south through the area. The Proposed Project would introduce one new predominantly residential 14-story building. The Proposed Project would be a contextual development similar to other recent developments in the study area. The area is also experiencing new development in recent years with the completion of a 12-story building at 109-111 Montgomery Street and with a recent rezoning of portions of three blocks directly north of the Project Area from R6 to R8X with a C2-4 commercial overlay and plans for two new 16-story buildings and a third projected development site that could also be developed with a 16-story building. This recent development has already begun a transformation of the area from a location that had low-slung commercial laundry buildings, a former NYBG warehouse and research facility, and an underutilized property near the Project Area, to an area that will be home to new 12- and 16-story buildings in a few short years. The contextual Proposed Project would be consistent with buildings within the surrounding area and what is permitted under zoning districts nearby.

Transportation

Defining features of the neighborhood would not be adversely affected due to potential effects of the Proposed Project on transportation, either singularly or in combination with potential impacts in other relevant technical areas discussed in this section. As described in **Attachment F, "Transportation,"** of the EAS, the Proposed Project would not result in significant adverse traffic, pedestrian, subway, bus, or parking impacts.

As noted above, the character of the study area, like that of many neighborhoods in New York City, is, in part, defined by the levels of pedestrian activity that exist. While the Proposed Project would result in increases to pedestrian volumes, sidewalks in the surrounding area have sufficient capacity to absorb new pedestrian users. The introduction of new vehicle volumes would also not represent a significant adverse impact on the character of the neighborhood. Therefore, no significant adverse impacts to neighborhood character would result.

Noise

Defining features of the neighborhood would not be adversely affected due to potential noise effects of the Proposed Project, either singularly or in combination with potential impacts in other relevant technical areas discussed in this section. As described in **Attachment H, "Noise,"** of the EAS, the Proposed Project would not result in significant adverse noise impacts.

The noise levels in proximity to the project site are typical of many neighborhoods in New York City and would remain so in the With-Action condition; noise is not a defining feature of the neighborhood, and the incremental increase in noise levels resulting from the Proposed Project would not constitute a significant adverse impact on neighborhood character.