



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

POSITIVE DECLARATION

**NOTICE OF INTENT TO PREPARE A DRAFT ENVIRONMENTAL IMPACT
STATEMENT**

<u>PROJECT:</u> The Kings Theatre Block 5132, Lots 17 and 18 and a portion of Lot 12; Block 5133, Lot 55 and a portion of Lots 1 and 50 Community District 14 Borough of the Brooklyn CEQR: 11DME003K	<u>LEAD AGENCY:</u> Office of the Deputy Mayor for Economic Development 253 Broadway—14th Floor New York, NY 10007
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DATE ISSUED: October 14, 2010

TYPE OF ACTION: Unlisted

NAME, LOCATION, AND DESCRIPTION OF PROPOSAL:

The Kings Theatre
Community District 14, Borough of Brooklyn

The proposed project would restore and expand the currently vacant Kings Theatre located at 1027 Flatbush Avenue in Brooklyn. The existing theatre was designed by C.W. and George Rapp Architects and originally built in 1929 as a motion picture venue with a seating capacity of approximately 3,600. The theatre has been closed since 1977 and has fallen into disrepair. The theatre's principal public entrance and exit is on Flatbush Avenue. The theatre rises to a height of approximately 87 feet. As part of the project, a portion of East 22nd Street between Tilden Avenue and Duryea Place would be demapped to accommodate an expansion of the theatre's stagehouse and loading areas.

The existing theatre would be restored, expanded, and modernized, with the majority of the expansion to occur in the theatre's stagehouse and back-of-house facilities so that live theatrical presentations can be accommodated. The renovation and expansion would result in an increase in the total square footage from 66,230 square feet to approximately 101,970 square feet; the seating capacity would remain similar to the existing theatre with up to approximately 3,600 seats. The theatre's front-of-house facilities (e.g., lobbies and patron lounges) and auditorium would be retained, restored, and modernized. The rear of the theatre—the stagehouse—would be

demolished (to the proscenium), and a new 97-foot-high steel structure would be constructed, providing a stage with the capacity to accommodate live performances, back-of-house support areas (e.g., dressing rooms, audio and lighting rooms), and new loading facilities. The proposed project is expected to be completed by 2014.

The project requires approval from the New York City Planning Commission to modify a previously approved Amendment to the City Map to allow the demapping of a portion of East 22nd Street between Tilden Avenue and Duryea Place, nomination of the Kings Theatre to the State and National Registers (S/NR) of Historic Places, approval by the Mayor and Borough Board pursuant to Section 384(b)(4) of the City Charter and approval by the City's Office of Management and Budget for the grant of approximately \$50 million as is required in capital funds for the restoration of the theatre.

STATEMENT OF SIGNIFICANT EFFECT:

In accordance with Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York (CEQR), the Office of the Deputy Mayor for Economic Development, lead agency for the referenced project, and the New York City Economic Development Corporation, as sponsoring agency, have reviewed information regarding the proposed actions contained in an Environmental Assessment Statement (EAS), dated October 14, 2010 pursuant to Article 8 of the New York State Environmental Conservation Law and 6 NYCRR, Part 617, and has determined that the proposed action may have a significant effect on the quality of the human environment. Accordingly, an Environmental Impact Statement is required to evaluate and disclose the extent to which impacts may occur. The actions, as proposed, may result in significant adverse impacts related to the following:

- 1) Historic Resources.
- 2) Transportation.
- 3) Air quality from mobile sources.
- 4) Noise from mobile sources.
- 5) Neighborhood character.

Statement in Support of Determination:

The above determination is based on a review of the EAS prepared for the action that finds that:

- 1) The proposed actions would result in approximately 101,970 square feet of new uses, and could have significant impacts related to traffic, parking, and pedestrians. Therefore, a detailed transportation analysis will be undertaken.
- 2) The Kings Theatre is eligible to be listed on the State and National Registers of Historic Places, and thus the proposed actions could potentially affect historic resources.
- 3) Due in part to the number of vehicular trips anticipated to be generated by the proposed project, the proposed actions could result in significant mobile source air quality and noise impacts, warranting detailed analyses.

- 4) Given the level of trips generated by the project and the potential for impacts related to transportation and noise and the potential for an impact in these analysis areas, the proposed actions could result in significant impacts to neighborhood character, warranting detailed analyses.
- 5) Based on the screening assessments outlined in the *CEQR Technical Manual*, the following environmental areas would not required detailed analysis: land use, zoning, and public policy; socioeconomic conditions; community facilities and services; open space; shadows; urban design and visual resources; natural resources; water and sewer infrastructure; solid waste and sanitation services; energy; air quality (stationary sources); greenhouse gas emissions; noise (interior noise levels and stationary sources); public health; and construction impacts.

Accordingly, the Office of the Deputy Mayor for Economic Development directs that a Draft Environmental Impact Statement be prepared in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-09 of Executive Order No. 91 of 1977, as amended.

Public Scoping:

Public Scoping is a process whereby the public is invited to comment on the proposed scope of analysis planned for the Draft EIS. A Draft Scope of Work has been prepared outlining the study areas and analysis methodologies proposed for use in the Draft EIS.

The Public Scoping meeting will be held on Tuesday, November 16, 2010 at 6:00 PM at the Flatbush branch of the Brooklyn Public Library, 22 Linden Boulevard, Brooklyn, New York. A copy of the EAS, Positive Declaration, and Draft Scope of Work for the project may be obtained by any member of the public from:

Mayor's Office of Environmental Coordination
253 Broadway – 14th Floor
New York, New York 10007
(212) 788-9956

A copy of these documents may also be downloaded from: www.nyc.gov/oec and www.nycedc.com.

Requests for additional information may be directed to:

New York City Economic Development Corporation
Attn: Rob Holbrook, Senior Planner
110 William Street
New York, New York 10038
(212) 618-3706
rholbrook@nycedc.com

Written comments on the Draft Scope of Work will be accepted until 5:00 PM on Friday, December 3rd, 2010, and may be submitted at the public scoping meeting or to Mr. Rob Holbrook at the above address.

The Positive Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law.



Robert R. Kulikowski, Ph.D.
Assistant to the Mayor



Date