



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007

NOTICE OF COMPLETION
FINAL ENVIRONMENTAL IMPACT STATEMENT
for the
The Kings Theatre

Lead Agency: Office of the Deputy Mayor for Economic Development

CEQR Number: 11DME003K

SEQR Classification: Unlisted

Date Issued: April 27, 2011

Location: Block 5132, Lots 17 and 18, and Block 5133, portions of
lots 1, 14 and 50
Community District 14
Borough of Brooklyn

Pursuant to City Environmental Quality Review, Mayoral Executive Order 91 of 1977, as amended, and the City Environmental Quality Review Rules of Procedure found at Title 62, Chapter 5 of the Rules of the City of New York (CEQR), and the State Environmental Quality Review Act, Article 8 of the State Environmental Conservation Law and its implementing regulations found in Part 617 of 6 NYCRR (SEQRA), a Final Environmental Impact Statement (FEIS) has been prepared for the actions described below and is available for public inspection at the offices listed on the last page of this notice. A draft Scope of Work for the EIS was issued and distributed on October 14, 2010 and the Draft EIS (DEIS) for the proposed project was accepted as complete by the lead agency and issued for public review and comment on December 30, 2010. A public hearing on the DEIS was held on January 25, 2011 by the lead

agency at the Brooklyn Public Library Flatbush Branch, 22 Linden Boulevard, Brooklyn, New York. Oral and written comments were accepted at that hearing and throughout the public comment period, which was held open until February 7, 2011.

1. PROJECT DESCRIPTION

The Office of the Deputy Mayor for Economic Development (ODMED), as Lead Agency, and in coordination with the New York City Economic Development Corporation (NYCEDC) and Kings Theatre Redevelopment Company, L.L.C., proposes to obtain land use approvals required to restore and expand a vacant theatre, known as The Kings Theatre, located at 1027 Flatbush Avenue in the Flatbush neighborhood of Brooklyn. The Kings Theatre was originally built in 1929 as a movie theatre; it has been closed since 1977. 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. Other public actions required for the proposed project include Mayoral and Borough Board approval pursuant to Section 384(b)(4) of the City Charter related to the business terms of the proposed disposition of the theatre and street, City capital and other funding (including a New York Economic Development Capital Assistance Program [NYEDCP] Grant, which is processed by the New York State Dormitory Authority State of New York [DASNY] on behalf of the New York State Legislature); and nomination of the Kings Theatre to the State and National Registers (S/NR) of Historic Places.

The FEIS follows the guidance of the 2010 *CEQR Technical Manual*.

PROJECT LOCATION

The project site consists of Block 5132, Lots 17 and 18, where the Kings Theatre is located, and East 22nd Street between Tilden Avenue and Duryea Place (Block 5132, Lots 17 and 18 and a portion of Lot 12, and Block 5133, Lot 55 and a portion of Lots 1 and 50). East 22nd Street is currently a one-way southbound street with one moving lane and parking on both sides of the street. It is a discontinuous street, extending four blocks in the study area, between Tilden Avenue and Clarendon Road.

The site is located in a commercial zoning district (C4-2) surrounded by residential districts.

EXISTING THEATRE

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 existing theatre is approximately 66,230 square feet, including the cellar level. The theatre's principal public entrance and exit is on Flatbush Avenue. The theatre rises to a height of approximately 87 feet.

PROPOSED THEATRE

THEATRE RENOVATION AND EXPANSION

The existing theatre would be stabilized and restored, thereby improving the appearance and condition of this architectural resource. This renovation effort would include retaining the

theatre's historic terra cotta façade as well as its significant public interior spaces, decoration, and finishes. Key historic elements in the plaster and painting, the millwork and ornamental murals and draperies would all be recaptured to revitalize the theatre as a center for the community.

The theatre would also be 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 performances and other presentations can be accommodated. At its current size, the facility lacks the essential attribute necessary for the presentation of modern live performances. The stage is too small and the back-of-house support areas and dressing rooms are lacking. Front-of-house facilities, such as lobbies and lounges for patrons, are also insufficient by today's standards. Thus, this venue would be refitted and restored to fully function as a world-class venue for a wide range of live entertainment, serving both local and touring shows. 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. However, the renovated theatre would maintain a similar seating capacity as the existing theatre by providing 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 principal public entrance and exit to the theatre would remain on Flatbush Avenue, and a landscaped courtyard area, accessed from the theatre's grand lobby, would be provided. New public restroom facilities and new concession areas would be provided. In the auditorium, the orchestra level would be re-graded and the seating layout would be modified to improve sightlines for live entertainment.

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 large-scale live performances, back-of-house support areas (e.g., dressing rooms, audio and lighting rooms), and new loading facilities. The loading facilities would consist of two truck bays sized to accommodate road trucks for touring performances. The new stagehouse and loading area would be located in the roadway of the demapped segment of East 22nd Street.

Restoration of the theatre would involve both the interior and exterior and would be undertaken to meet the Secretary of the Interior's Guidelines for Rehabilitation of Historic Structures. The proposed project would return this vacant cultural facility to productive use. As discussed below (see "Proposed Actions and Approvals"), listing the theatre on the State and National Registers of Historic Places would enable the proposed project to be eligible for tax credits that would finance the restoration of the theatre.

PROPOSED OPERATIONS

The theatre would be used for a wide-ranging mix of live entertainment, including music, dance, cabaret and comedy performances (both local and touring shows). The theatre would also be used for local theatrical and dance groups, conferences, and ceremonies of local importance. The design of the venue would enable it to respond to the demands of the presentation market and to the needs of a diverse community. There would be up to approximately 200 performances in the theatre each year.

Parking for theatre patrons would primarily be accommodated in two nearby parking facilities: a 425-space parking lot across East 22nd Street, behind the theatre, and a 253-space parking deck across Tilden Avenue.

2. PROPOSED ACTIONS AND APPROVALS

HISTORY OF ACTIONS AFFECTING THE PROJECT SITE

In the early 1980s, an Urban Renewal Plan for the Kings/Flatbush Urban Renewal Area, which included the project site, was approved.¹ The Urban Renewal Plan allowed for the acquisition and disposition of the theatre site and of East 22nd Street; permitted commercial use of the theatre site, consistent with applicable zoning; and contemplated the restoration of the theatre.

In the late 1980s, the New York City Economic Development Corporation (EDC), the New York City Department of Housing Preservation and Development (HPD), and the New York City Department of General Services proposed to develop a 654-space public parking lot across East 22nd Street from the theatre. This parking lot was to serve Sears, Roebuck and Co., and other retail establishments in the area and would have encompassed property in Block 5133 and two eliminated streets: specifically, East 22nd Street from Tilden Avenue to Duryea Place and Tilden Avenue from Flatbush Avenue to Bedford Avenue were to be eliminated, discontinued, and closed. This proposed amendment of the City Map (C 861226 MMK) and other related actions, including the grant of a special permit to allow the public parking use and the approval of the site selection and acquisition of private property for use as a parking facility, were approved by the City Planning Commission on September 21, 1992, Cal. No. 2.

The application was subject to review under CEQR, and received a Conditional Negative Declaration (CND) from the New York City Departments of Environmental Protection (DEP) and City Planning (DCP) in January 1990 and again in April 1992 based on an amended project description. The conditions related to minor parking restrictions and signal timing changes to be made in connection with implementation of the proposed street closures.

Prior to the acquisition of private property through the Urban Renewal Plan, land use changes occurred over time and individual private property owners began to make investments in their properties along Tilden Avenue. In light of those investments, the City determined that the acquisition of those properties was not necessary to achieve the goals of the Urban Renewal Plan; and, further, the demapping of Tilden Avenue would have been problematic without the acquisition of those properties, as the private properties used Tilden Avenue for access to the street network. Therefore, the demapping application was never filed and the planned public parking lot was developed in two separate pieces, one north of Tilden Avenue and another directly across the street to the south. As East 22nd Street was included in the same alteration map as Tilden Avenue in the approved 1992 demapping application, the elimination of East 22nd Street was also not finalized. Rather than incorporate East 22nd Street into the parking lot on Block 5133, the area that was still mapped as street was improved as a street.

PROPOSED ACTIONS AND APPROVALS FOR THE CURRENT PROJECT

The proposed project would require the following actions and approvals:

- Modification of an Amendment to the City Map. The proposed project would require the filing of a modification to a previously approved amendment to the City Map so that a portion of East 22nd Street between Tilden Avenue and Duryea Place can be demapped and used to accommodate an expansion of the theatre's stagehouse and loading areas. The filing

¹ Urban Renewal Plan: C800547 HUK, approved by the City Planning Commission on November 24, 1980/Cal. No. 3, and approved by the Board of Estimate on January 16, 1981/Cal No. 8.

of a modification to the amendment to the City Map is a discretionary action subject to the CEQR process and requires approval of the City Planning Commission (CPC) and a referral to the Community Board and Borough President.

- Section 384(b)(4). Approval by the Mayor and the Borough Board pursuant to Section 384(b)(4) of the City Charter of the business terms of the proposed disposition of the theatre and street from the City to EDC and the negotiated disposition of the theatre and street from EDC to the Kings Theatre Redevelopment Company, L.L.C., the developer of the project. This approval is a discretionary action subject to CEQR.
- City Capital and Other Funding. The project requires 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. This, and any other approval related to any additional funding that may become available for the project, is a discretionary action subject to CEQR. In addition, the project is seeking a New York Economic Development Capital Assistance Program (NYEDCP) Grant, which is processed by the New York State Dormitory Authority State of New York (DASNY) on behalf of the New York State Legislature. This is a discretionary action subject to SEQRA.
- Nomination of the Kings Theatre to the State and National Registers (S/NR) of Historic Places. As part of the project, the Kings Theatre would be nominated for listing on the State and National Registers of Historic Places, and the project would seek federal historic tax credits, and potentially New Markets Tax Credits, for the theatre's restoration. The theatre's restoration would be undertaken in consultation with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) and in compliance with the Secretary of the Interior's Standards for Rehabilitation. S/NR nomination and receipt of the federal tax credits are not actions subject to the CEQR process.

PURPOSE AND NEED

Together, the proposed actions would facilitate the restoration, expansion, and modernization of the existing vacant Kings Theatre and would provide a modern facility for the presentation of live performances. A renovated and modernized theatre, with active programming and a range of events, would result in the improvement of this section of Flatbush Avenue. The restored theatre would also serve as a community and City-wide amenity.

3. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

ODMED, lead agency for the proposed project, reviewed information regarding the proposed actions contained in an Environmental Assessment Statement (EAS), dated October 14, 2010, and determined that the proposed project would not have the potential to result in significant adverse impacts in the following areas: land use, zoning, and public policy; socioeconomic conditions; community facilities and services; open space; shadows; urban design and visual resources; natural resources; hazardous materials; water and sewer infrastructure; solid waste and sanitation services; energy; air quality from stationary sources; greenhouse gas emissions; noise from stationary sources; public health; and construction. The lead agency issued a Draft Scope of Work for the EIS on October 14, 2010 and a public scoping meeting was held for the proposed project on November 16, 2010 at 6:00 PM at the Flatbush Brooklyn Public Library (22 Linden Boulevard). No comments were made at the public meeting, and no written comments were received. A public hearing on the DEIS was held on January 25, 2011 by the lead agency at the Brooklyn Public Library Flatbush Branch, 22 Linden Boulevard, Brooklyn, New York. Oral and

written comments were accepted at that hearing and throughout the public comment period, which was held open until February 7, 2011.

Further, as set forth in the EAS and Final Scope of Work, the EIS estimated the number of construction workers and truck deliveries per day in order to confirm whether construction-period worker and truck trips would be substantial enough to adversely affect transportation conditions in the area. Based on this analysis, it was confirmed that construction of the proposed project is not expected to result in any significant adverse impacts to the area's transportation system. For ease of reading, the assessment is explained in Chapter 7, "Construction." Therefore, the FEIS focuses on the project's potential to result in significant adverse impacts related to the following:

- Historic and cultural resources;
- Transportation;
- Air quality from mobile sources;
- Noise from mobile sources; and
- Neighborhood character.

The impact assessments for these subject areas are summarized below.

HISTORIC AND CULTURAL RESOURCES

In a letter dated March 29, 2010, the New York City Landmarks Preservation Commission (LPC) determined that the project site has no archaeological significance; therefore, the proposed project would not affect archaeological resources, and no significant adverse impacts would occur.

All alterations to the Kings Theatre building would be performed as per the Secretary of the Interior's Standards for Rehabilitation in consultation with the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP). The proposed project is contingent on the listing of the property on the State and National Registers of Historic Places and receipt of federal tax credits, as stated in the Interim Agreement between NYCEDC and the project sponsor. Therefore, absent the federal tax credits, the project would not go forward. Compliance with the Secretary of the Interior's Standards as interpreted by OPRHP and the National Park Service, in order to receive the tax credits, would ensure that the proposed project would not adversely affect the Kings Theatre. In comments dated November 3, 2010, LPC has concurred that there would be no significant adverse impacts to the Kings Theatre provided its restoration and rehabilitation is undertaken according to the Secretary of the Interior's Standards in consultation with OPRHP. In a letter dated January 10, 2011, OPRHP generally concluded that restoration of the theatre interior and exterior would be appropriate; OPRHP will continue its review of the proposed restoration program as more details are developed.

The proposed project would also not result in significant adverse impacts on architectural resources surrounding the project site. Impacts on the former Brooklyn Union Gas Company Building and the former Flatbush Savings Bank, located adjacent to the Kings Theatre and the vacant area to be converted into the theatre courtyard, would be avoided with the development and implementation of a Construction Protection Plan (CPP) in consultation with LPC and OPRHP prior to construction. The CPP would describe measures to be taken to avoid adverse physical impacts on such structures, such as ground-borne construction-period vibrations, falling

debris, and damage from heavy machinery. The CPP would follow the requirements established in the DOB's *TPPN #10/88*, concerning procedures for the avoidance of damage to adjacent historic structures from nearby construction. It would also follow the guidelines set forth in Section 523 of the 2010 *CEQR Technical Manual*, including conforming with LPC's *New York City Landmarks Preservation Commission Guidelines for Construction Adjacent to a Historic Landmark and Protection Programs for Landmark Buildings*.

The proposed restoration and reuse of the Kings Theatre would not be expected to adversely affect the context of the former Brooklyn Union Gas Company Building and the former Flatbush Savings Bank or other architectural resources in the study area, as it would result in the renovation and reuse of a large underutilized historic structure.

Overall, the proposed actions would provide for the preservation and restoration of a significant historic structure, while providing a new cultural institution. As such, it is anticipated that the proposed project would have a positive impact on this historic structure, which would benefit the nearby architectural resources. With the preparation and implementation of a CPP for the former Brooklyn Union Gas Company Building and the former Flatbush Savings Bank, the proposed project would not result in adverse impacts on architectural resources.

TRANSPORTATION

The proposed project is expected to generate approximately 922 vehicle trips in the Saturday midday and evening arrival peak hours (770 vehicle trips to the project site and 152 away from the project site), and 1,092 vehicle trips in the Saturday midday departure peak hour (180 vehicle trips to the project site and 912 away from the project site). As part of the proposed project, a portion of the block of East 22nd Street between Tilden Avenue and Duryea Place would be demapped and closed to traffic to accommodate an expansion of the theatre's stagehouse, back-of-house support areas, and loading areas into the street to support live theatre events.

Of the 14 study area intersections analyzed, the proposed project would result in significant traffic impacts at 12 intersections in the Saturday midday arrival peak hour, 13 in the Saturday midday departure peak hour, and 10 in the Saturday evening arrival peak hour. Impacts would be fully mitigated at most of these intersections. During the Saturday midday arrival peak hour, three intersections could only be partially mitigated. During the Saturday midday departure peak hour, two intersections could only be partially mitigated and two intersections would be unmitigatable. During the Saturday evening arrival peak hour, two intersections could only be partially mitigated and two intersections would be unmitigatable. Overall, four of the 14 intersections would either be only partially mitigated or unmitigatable during at least one time period.

The parking demand generated by the proposed project would be fully accommodated by available on-street and off-street parking within the study area. Additionally, the loss of on-street parking spaces that would result from the proposed closure of East 22nd Street would not adversely impact parking conditions.

The proposed project would result in 273 passenger trips by bus and 547 passenger trips by subway during the Saturday midday and evening event arrival peak hours. During the Saturday midday event departure hour, 324 passenger trips by bus and 648 passenger trips by subway would be generated. Bus and subway trips were assigned to the various lines serving the project site. Based on these assignments, it was determined that fewer than 50 bus passenger trips would

be assigned to any single route; therefore, there would be no need for quantitative bus analysis according to CEQR guidelines, and the proposed project would not result in significant adverse bus impacts. As many as 292 subway passenger trips would be assigned to at least one subway line, but since ridership volumes are substantially lower on Saturday as compared to weekdays (approximately 50 percent) at stations serving the project site, there is no potential for impacts at this level of passengers on a Saturday, and no quantitative subway analysis was performed.

Pedestrian volume increases generated by the proposed project consist of project-related walk-only trips as well as walk trips to the site from transit stations, taxi drop-off points and parking spaces. Two key pedestrian locations were analyzed based on the expected walking patterns of these trips. All analyzed crosswalk and corner reservoir areas would operate at acceptable LOS C or better under the proposed project, and would not result in significant adverse pedestrian impacts.

AIR QUALITY

The FEIS examined the potential for mobile source air quality impacts from the proposed actions. Mobile source impacts are those generated by motor vehicles traveling to and from the project site once the project is operational. In addition, an analysis was conducted to evaluate pollutant concentrations from nearby parking facilities that would provide parking for the proposed project. The predicted increments from the parking facilities were added, where appropriate, to the predicted concentrations from the mobile source analysis, to assess the potential for cumulative impacts.

The maximum predicted pollutant concentrations and concentration increments from mobile sources with the proposed actions would be below the corresponding guidance thresholds and ambient air quality standards. Thus, the proposed action would not result in any significant adverse impacts from mobile source emissions. Further, no significant adverse air quality impacts would occur due to the combined effects of nearby parking facilities and on-street mobile sources.

NOISE

The noise analysis in this FEIS focused on whether traffic generated by the proposed project would have the potential to result in significant noise impacts. Based on a screening analysis, it was determined that increases in noise levels would be below the CEQR threshold for a significant adverse impact. Therefore, the proposed project would not result in significant adverse noise impacts from mobile sources.

NEIGHBORHOOD CHARACTER

With the exception of traffic, the proposed actions would not have a significant adverse impact in any of the technical areas that contribute to neighborhood character, including land use, socioeconomic conditions, open space, historic and cultural resources, urban design and visual resources, shadows, and noise. While the proposed project would result in significant adverse traffic impacts at a number of locations in the traffic study area, at the majority of these intersections, readily implementable traffic improvement measures would mitigate these impacts (e.g., signal timing changes, parking regulation changes to gain or widen a travel lane at key intersections, lane markings and signage). Overall, the proposed project would not result in a significant adverse impact on neighborhood character despite increases in traffic. The study area is characterized by Flatbush Avenue, a busy, heavily trafficked commercial corridor, and, as

such, the additional traffic impacts would not adversely affect neighborhood character. Instead, the proposed project would improve neighborhood character by transforming the vacant theatre into an active use, enlivening this area of Flatbush Avenue.

4. MITIGATION

Potential traffic impacts have been identified. Measures are examined to minimize or eliminate the anticipated impacts to the fullest extent practicable. These mitigation measures are discussed below. Areas in which the proposed project would result in significant adverse impacts that cannot be fully mitigated through reasonably practicable measures are discussed in Section 5, “Unavoidable Adverse Impacts.”

As described above and shown in **Table S-1**, the proposed project is expected to result in significant adverse traffic impacts at 12 intersections in the Saturday midday arrival peak hour, 13 in the Saturday midday departure peak hour, and 10 in the Saturday evening arrival peak hour.

**Table S-1
Traffic Impact Mitigation Summary**

Intersections	Saturday Peak Hour		
	Midday Arrival	Midday Departure	Evening Arrival
a. No significant impact	b. 2	c. 1	d. 4
e. Fully mitigated impact	f. 9	g. 9	h. 7
i. Partially mitigated impact	j. 3	k. 2	l. 2
m. Unmitigated impact	n. 0	o. 2	p. 1

Measures are proposed to mitigate these significant adverse traffic impacts and are discussed in detail for each intersection in Chapter 8, “Mitigation.” A range of mitigation measures was proposed in the DEIS to address the significant adverse traffic impacts that would occur during event conditions. The New York City Department of Transportation (NYCDOT) reviewed the transportation and mitigation analyses presented in the DEIS and provided input, including certain modifications, on the mitigation measures to be implemented. The types of mitigation measures presented in the DEIS have not changed in the FEIS with the exception of the addition of signage at one location (Flatbush Avenue and Church Avenue) to provide advance warning of a particular roadway modification. These modifications to traffic mitigation do not affect the conclusions of the DEIS with respect to traffic impacts.

Proposed mitigation measures consist of signal timing changes, parking regulation changes to gain or widen a travel lane at key intersections, lane markings and signage. These measures represent some of the standard traffic capacity improvements that are typically implemented by NYCDOT. Even with these measures, in some cases, project impacts would not be fully mitigated (see Section 5, “Unavoidable Adverse Impacts”).

5. UNAVOIDABLE ADVERSE IMPACTS

As described in Section 4, “Mitigation,” the majority of the intersections that would be impacted could be mitigated with readily implementable traffic improvement measures; however, as described below, in some cases, project impacts would not be fully mitigated.

Specifically, four of the 14 intersections analyzed would have significant adverse traffic impacts that could not be fully mitigated in at least one peak hour, including:

- Flatbush Avenue and Church Avenue (partially mitigated during all three peak hours).
- Bedford Avenue and Linden Boulevard/Caton Avenue (partially mitigated during the Saturday midday arrival peak hour; unmitigated during the Saturday midday departure and evening arrival peak hours).
- Bedford Avenue and Church Avenue (partially mitigated during all three peak hours).
- Flatbush Avenue and Bedford Avenue/Stephens Court (unmitigated during the Saturday midday departure peak hour).

At the partially mitigated locations, significant impacts could be mitigated for at least one (but not all) traffic movements that are significantly impacted. Because these impacts would be partially, not fully, mitigated, they are considered unavoidable adverse impacts.

All unmitigatable and partially mitigated traffic impacts reflect a worst-case condition where a theatre event is sold-out and 84 percent of all patrons arrive in one hour, and 100 percent of all departures leave in one hour. Traffic conditions would be less severe for non-sellout events since fewer patrons would attend.

6. ALTERNATIVES TO THE PROPOSED PROJECT

Two alternatives to the proposed project were considered: a No Action Alternative, which assumes that the proposed actions are not approved and that the theatre remains in its existing conditions (i.e., vacant); and a No Significant Adverse Impact Alternative, which considers a project program that would eliminate the proposed project's unmitigated significant adverse impacts.

NO ACTION ALTERNATIVE

In the No Action Alternative, the proposed project would not be implemented, and the existing vacant Kings Theatre would remain in its current condition. This alternative would not result in the stabilization, restoration, expansion, and reuse of the Kings Theatre as a live entertainment venue and would not return this vacant structure to a vibrant, productive use, as would the proposed project. This alternative would not increase traffic in the neighborhood and would therefore not result in the project's significant adverse traffic impacts; however, the increases in traffic expected with the proposed project would not result in a significant adverse affect on neighborhood character.

NO SIGNIFICANT ADVERSE IMPACT ALTERNATIVE

The proposed project would result in a number of significant adverse traffic impacts, several of which would remain unmitigated. Specifically, four intersections could not be fully mitigated during at least one time period. Therefore, an alternative was developed to explore modifications to the proposed project that would allow for the elimination of these unmitigated impacts. An alternative program which would eliminate all unmitigated traffic impacts would require reducing the project's seating capacity from 3,600 seats to approximately 1,100 seats, a 70 percent reduction in seating capacity. This reduction in seating would decrease the project-generated vehicle trip totals from 922 vehicles under the proposed actions to 308 vehicles during the Saturday midday and evening arrival peak hours, and from 1,092 vehicles under the proposed actions to 364 vehicles during the Saturday midday departure peak hour. Traffic analyses were

performed at critical locations using the trip generation from the reduced program and determined that no significant adverse unmitigated traffic impacts would occur with the reduction to 1,100 seats.

However, the purpose of the proposed actions is to facilitate the restoration, expansion, and modernization of the existing vacant Kings Theatre and provide a modern facility for the presentation of live performances. The renovated and modernized theatre, with active programming and a range of events, is intended to result in the improvement of this section of Flatbush Avenue and to serve as a community and City-wide amenity. A reduction in the number of seats from 3,600 to 1,100 would not be feasible since a theatre of this size would not accommodate the range of events planned for the theatre, nor would it be economically viable.

7. NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

This Notice of Completion for the Final Environmental Impact Statement for the Kings Theatre project has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law.

8. CONTACT OFFICE

Requests for copies of the FEIS should be forwarded to the contact office, listed below.

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The FEIS is also available on the New York City Office of Environmental Coordination website:
<http://www.nyc.gov/oec>



Robert R. Kulikowski, Ph.D.
Assistant to the Mayor
On behalf of the Deputy Mayor
for Economic Development

April 27, 2011
Date