

A. INTRODUCTION

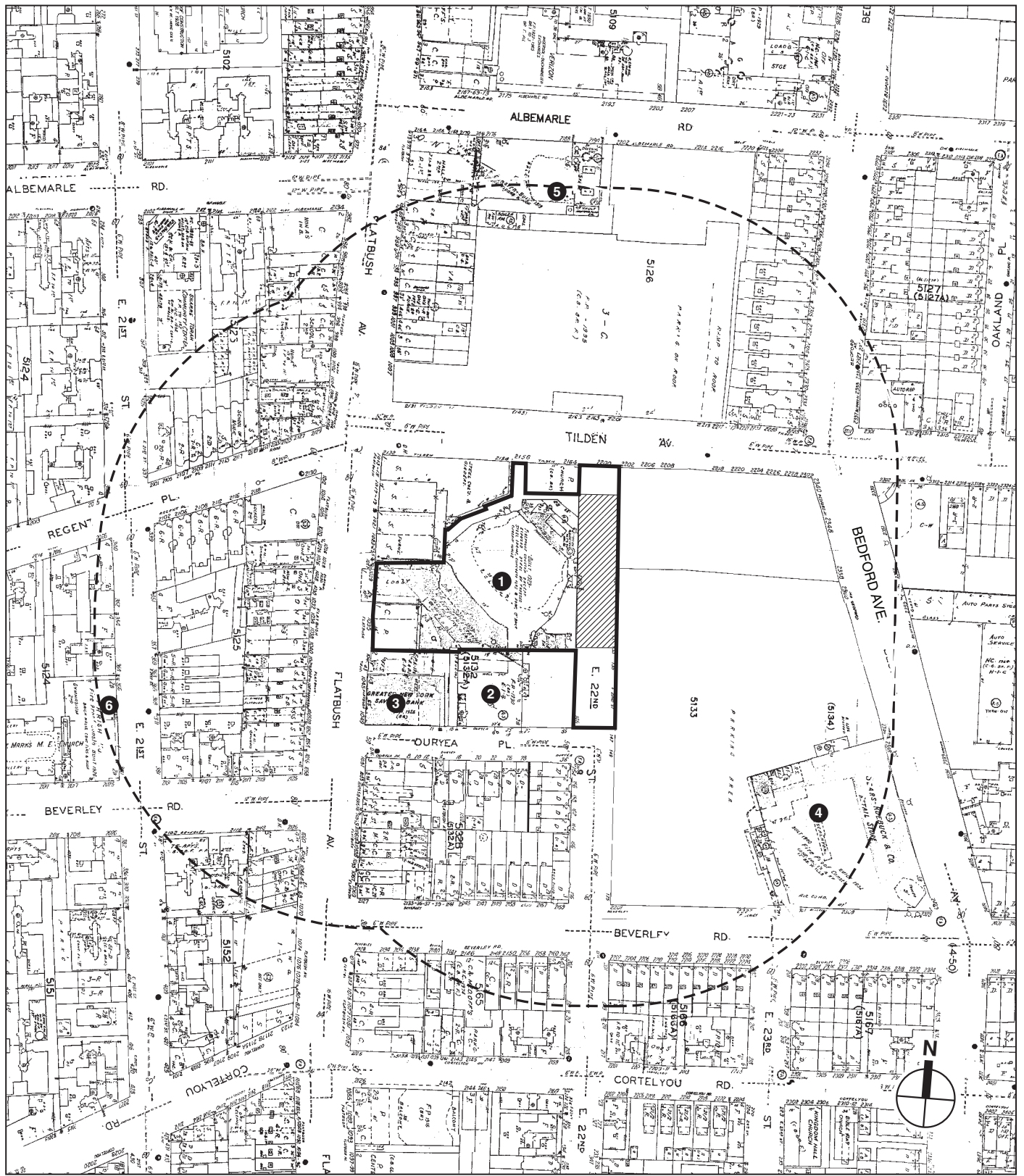
This attachment considers the potential for the proposed project to affect historic resources. The project site is occupied by the vacant former Loews Kings Theatre at 1027 Flatbush Avenue and the East 22nd Street roadbed between Duryea Place and Tilden Avenue, in the Flatbush neighborhood of Brooklyn. The proposed project would involve the restoration of the Kings Theatre and modernization of its front-of-house, stagehouse, loading, and support facilities to provide a modern facility for the presentation of live performances. The proposed project would be undertaken to meet the Secretary of the Interior's Guidelines for Rehabilitation of Historic Structures.

Historic resources include both archaeological and architectural resources. The study area for archaeological resources would be the area disturbed for project construction, the project site itself. In a letter dated March 29, 2010, the New York City Landmarks Preservation Commission (LPC) determined that the project site has no archaeological significance (see **Appendix A**). Therefore, this historic resources assessment analyzes standing structures only.

In general, potential impacts to architectural resources can include both direct physical impacts and indirect, contextual impacts. Direct impacts include demolition of a resource and alterations to a resource that cause it to become a different visual entity. A resource could also be damaged from vibration (i.e., from construction blasting or pile driving), and additional damage from adjacent construction could occur from falling objects, subsidence, collapse, or damage from construction machinery. Adjacent construction is defined as any construction activity that would occur within 90 feet of an architectural resource, as defined in the New York City Department of Buildings (DOB) *Technical Policy and Procedure Notice* (TPPN) #10/88.¹ Contextual impacts can include the isolation of a property from its surrounding environment, or the introduction of visual, audible, or atmospheric elements that are out of character with a property or that alter its setting. The study area for architectural resources is, therefore, larger than the archaeological resources study area to account for any potential impacts that may occur where proposed construction activities could physically alter architectural resources or be close enough to them to potentially cause physical damage or visual or contextual impacts.

Following the guidelines of the 2010 *City Environmental Quality Review (CEQR) Technical Manual*, the architectural resources study area for this project is defined as being within an approximately 400-foot radius of the project site (see **Figure 2-1**). Within the study area, architectural resources that were analyzed include National Historic Landmarks (NHL), State

¹ TPPN #10/88 was issued by DOB on June 6, 1988, to supplement Building Code regulations with regard to historic structures. TPPN #10/88 outlines procedures for the avoidance of damage to historic structures resulting from adjacent construction, defined as construction within a lateral distance of 90 feet from the historic resource.



- Project Site/ Loews Kings Theatre
- Area to be Demapped
- Study Area Boundary (400-Foot Perimeter)
- 1 Architectural Resources

0 200 400 FEET
SCALE

Architectural Resources
Figure 2-1

and National Register (S/NR)-listed properties or properties determined eligible for such listing (S/NR-eligible), New York City Landmarks (NYCLs) and Historic Districts, and properties determined eligible for landmark status (“known architectural resources”). Additionally, a survey was conducted to identify any previously undesignated properties that appear to meet S/NR or NYCL eligibility criteria (“potential architectural resources”). LPC and the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) made determinations of eligibility for these properties.

The project is seeking federal historic tax credits, thereby ensuring that the proposed repair and alterations to the Kings Theatre would be undertaken in consultation with OPRHP and in compliance with the Secretary of the Interior’s Standards for Rehabilitation, as described below. Overall, the proposed renovation and reuse of the Kings Theatre would improve the appearance and condition of this architectural resource. The proposed project would stabilize, restore, and reuse the Kings Theatre and return this vacant cultural facility to productive use, enlivening both the project site and adjacent areas, including other nearby architectural resources. The demapping of East 22nd Street would somewhat alter the context of the Kings Theatre as the proposed back-of-house addition would extend into a surrounding roadbed, however, this change would occur at the rear of the theatre, and would not affect the principal Flatbush Avenue façade and its context with other structures along this avenue. The proposed project is contingent on the listing of the property on the S/NR and receipt of federal tax credits, as stated in the Interim Agreement between NYCEDC and the project sponsor; therefore, compliance with the Secretary of the Interior’s Standards as interpreted by OPRHP and the National Park Service, which is necessary to receive the tax credits, would ensure that the proposed project would not adversely affect the Kings Theatre. LPC has concurred with this assessment (See **Appendix A**).

As described below, architectural resources identified within 90 feet of the project site would be protected during construction by a Construction Protection Plan (CPP). The CPP would be developed in consultation with LPC and OPRHP to protect such resources from inadvertent construction-related impacts.

B. EXISTING CONDITIONS

PROJECT SITE

The project site is occupied by one known architectural resource, the Kings Theatre. In comments dated November 3, 2010, LPC identified the Kings Theatre as appearing S/NR-eligible and also as appearing NYCL eligible (exterior only). OPRHP determined that the Kings Theatre meets criteria for listing on the S/NR on December 17, 2010.¹ There are no other structures, and thus no other potential architectural resources, on the project site.

The former **Loews Kings Theatre** was built in 1929 as a movie theatre for the Allied Owner’s Corporation, one of five Loews theatres constructed in the metropolitan area.² Designed in the French Renaissance Revival style by C.W. and George Rapp, Architects, the theatre is a three-story (approximately 82-foot-tall) structure that is positioned on the site at a 45 degree angle to

¹ The Kings Theatre had previously been informally determined S/NR eligible by OPRHP based on a site visit conducted by staff in 2008.

² Feasibility Study for the Former Loews Kings Theatre prepared by Lee-Saltzman Architects, January 9, 2008.

the street grid, with its principal façade and entrance on Flatbush Avenue. The theatre's Flatbush Avenue façade is clad in elaborate glazed terra cotta (see Photo 1A of **Figure 2-2**). The interior, containing large lobby, lounge, seating, and other accessory areas, is lavishly decorated with classical ornament. The ceilings in the entry, lobby and auditorium areas are vaulted with French Baroque paintings. Balconies, columns, wall surfaces, and hallway ceilings are clad in marble, gold leaf, and walnut paneling (see Photo 1B of **Figure 2-2** and Photos 1C and 1D of **Figure 2-3**). The interior surfaces, including paint and plaster are in disrepair (see Photo 1E of **Figure 2-4**). Most of its significant interior features and ornament have been retained. In addition to the wall and ceiling surfaces described above, these include the wrought iron stair and balcony railings, and glass light pendants in the lobby areas. In some areas, such as the bathroom lounge areas, fixtures, including lighting, counters, and mirrors, have been lost through theft and vandalism.

STUDY AREA

ARCHITECTURAL RESOURCES

As shown in **Table 2-1**, 11 potential architectural resources were identified in the study area.¹ These include five individual properties and several groupings of rowhouses and multi-family dwellings throughout the study area dating to the early 20th century. In LPC's November 3, 2010 comment letter, LPC determined that of these 11 properties, three appeared S/NR eligible: the former Flatbush Savings Bank, the Sears Department Store, and the former Albemarle Theatre and two appeared NYCL eligible: the former Flatbush Savings Bank and the Sears Department Store. In a resource evaluation prepared by OPRHP on December 17, 2010, OPRHP found that five of the 11 properties met criteria for S/NR listing (see **Appendix A**). These properties are described below, mapped on Figure 2-1, with photographs provided in **Figures 2-4 through 2-6**.

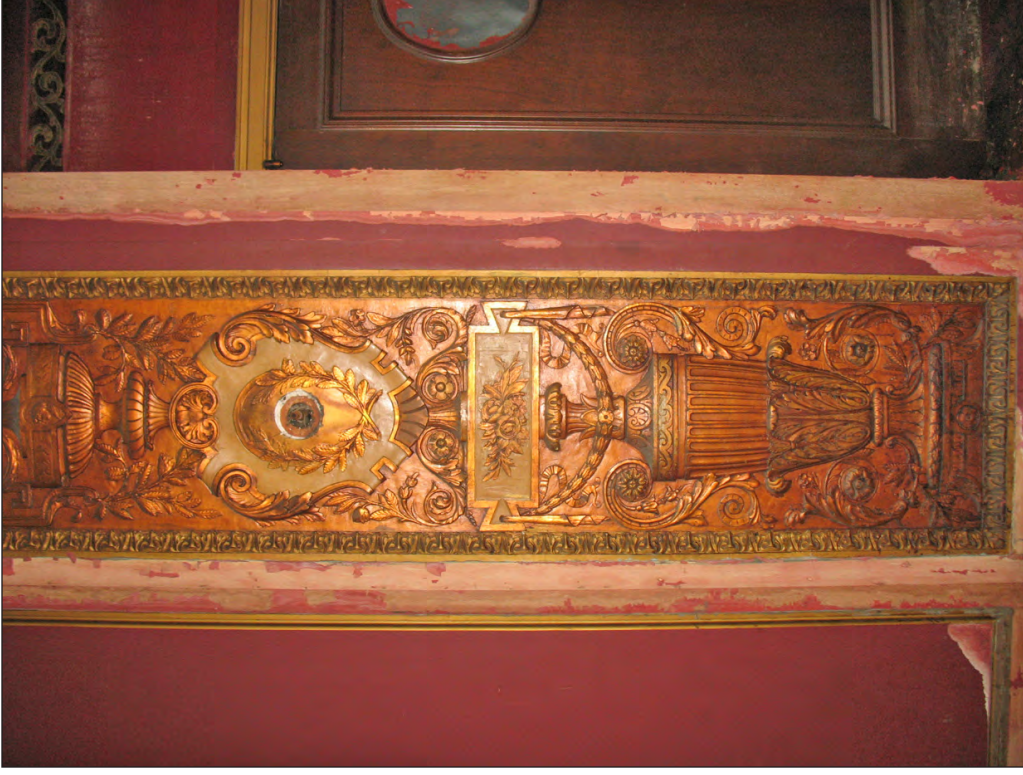
South of, and adjacent to, the Loews Kings Theatre is the former **Brooklyn Union Gas Company Building** at 19 Duryea Place (S/NR-eligible, see Photo 2 of **Figure 2-4**). This two-story, classically designed, brick and stone-clad building was built by the Flatbush Gas Company, a subsidiary of the Brooklyn Union Gas Company, in 1930. It served as their Flatbush branch sales office. The building is clad in red brick with large window bays at the ground floor. These windows contain the original decorative metal transoms. These windows are separated by paired fluted stone pilasters, which support a Doric stone cornice that extends across the façade between the first and second stories. The entrance, centrally located on the façade, is surmounted by a broken stone pediment, framing a decorative shield. The windows at the second storey are grouped in two's and threes, and appear to contain modern aluminum sash windows. A bracketed cornice extends below the parapet. The building recently housed the Loehmann's Department Store, and is currently occupied by the Federation Employment and Guidance Service (FEGS) Yatzkan Center.

Also adjacent to the Loews Kings Theatre is the former **Flatbush Savings Bank** (S/NR-eligible, NYCL-eligible) at the northeast corner of Flatbush Avenue and Duryea Place (see Photo 3 of **Figure 2-5**). The Flatbush Avenue Savings Bank built the one- to-three story bank building in 1927. The Renaissance Revival style building features a polished granite base with limestone

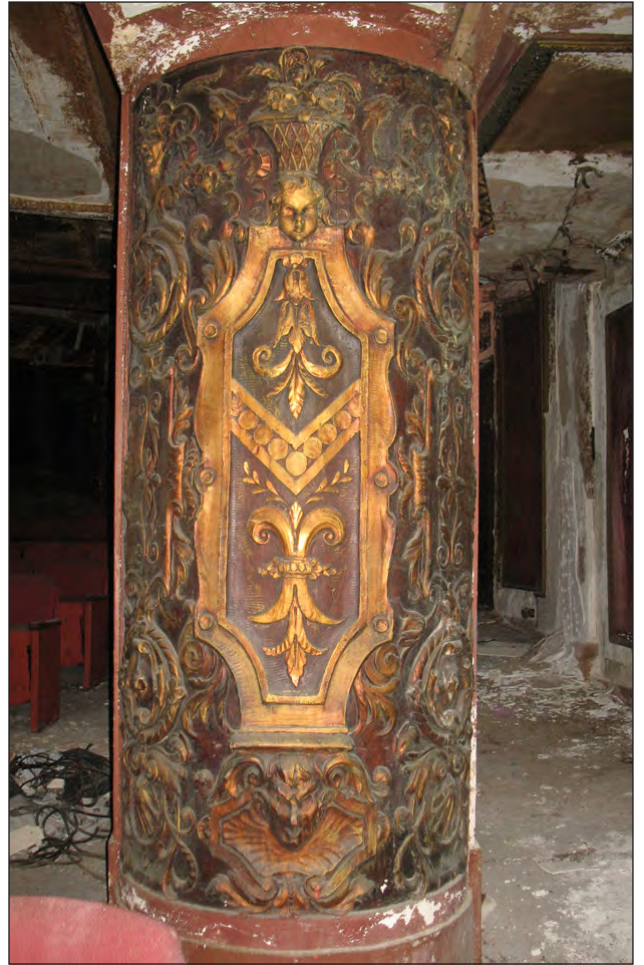
¹ Prior to the architectural resources survey undertaken as part of this EIS, no known architectural resources had been identified in the study area.



Kings Theatre façade, Flatbush Avenue 1a



Kings Theatre, decorative hallway panel 1b



Kings Theatre, Auditorium column **1c**



Kings Theatre, Auditorium alcove **1d**



Kings Theatre, Auditorium 1e



Former Brooklyn Union Gas Company, 19 Duryea Place 2



Former Flatbush Savings Bank, 1045-1049 Flatbush Avenue

3



Sears Department Store, 2301-2329 Beverly Road

4



Former Albemarle Theater, 977 Flatbush Avenue 5



Adams Memorial Hall, 2017 Beverly Road 6

facades. The Flatbush Avenue façade is detailed with ashlar rustication, with 45-foot-tall Corinthian columns at the corners. The main entrance is centrally located on the façade within a double height limestone arch. The entrance is set within a pedimented granite surround. Above this is a large arched window. Flanking the window are carved stone medallions that symbolize the successive stages of training, industry, thrift and success. The Duryea Place façade features three large round arched openings. At ground level, these openings each contain three rectilinear windows; two smaller windows flank a larger window. At the second story there are large arched windows. At either end of the façade are two medallions, similar to those on the Flatbush Avenue façade. The building is surmounted by a modillioned stone cornice. In 1946, the bank building was expanded through a two-story, 50-foot-wide addition to the north of the building. This addition is also clad in granite and rusticated limestone, and has a secondary entrance with Automated Teller Machines (ATMs). The bank building and addition are presently occupied by an Astoria Federal Savings and Loan bank branch.

Table 2-1
Architectural Resources on the Project Site and in the Study Area

Map Ref No.*	Property Name	Address	Date Built	S/NR-eligible	NYCL-eligible
1	Kings Theatre	1027 Flatbush Avenue	1929	YES	YES
2	Former Brooklyn Union Gas Company	19 Duryea Place	193-	YES	NO
3	Former Flatbush Savings Bank	1045-1049 Flatbush Avenue	1927	YES	YES
4	Sears Department Store	2301-2329 Beverly Road	1932	YES	YES
5	Former Albemarle Theatre	977 Flatbush Avenue	1920	YES	NO
6	Adams Memorial Hall	2017 Beverly Road	1926	YES	NO
N/A	Six residential buildings	14-28 Duryea Place	By 1905	NO	NO
N/A	Five rowhouses	154-164 East 22nd Street	By 1929	NO	NO
N/A	Ten rowhouses	2202-2230 Beverly Road	By 1905	NO	NO
N/A	Nine residential buildings	2312-2338 Bedford Avenue	By 1929	NO	NO
N/A	Six rowhouses	2107-2119 Regent Place	By 1929	NO	NO
N/A	Five residential buildings	2102-2116 Regent Place	By 1929	NO	NO
Notes: * Corresponds to Figure 2-1. Determinations of S/NR and NYCL eligibility made by LPC on November 3, 2010 and determinations of S/NR eligibility made by OPRHP on December 17, 2010.					

At the northwest corner of Bedford Avenue and Beverly Road is the **Sears Department Store** (S/NR-eligible, NYCL-eligible, see Photo 4 of **Figure 2-5**). This Sears retail branch was built in 1932 as one of the first three stores built by the Sears, Roebuck & Co. in the New York metropolitan area and the first Sears retail store built in New York City. Two other stores were built at the same time, one in Hackensack, NJ, still extant, and the other also in New Jersey in Union City, which has been demolished. All three stores were designed by Nimmons, Carr & Wright in a similar Art Moderne-Art Deco style. The Sears Store is clad in limestone and has a prominent chamfered corner tower at the intersection of Bedford Avenue and Beverly Road; at the top of the tower on all four facades stylized lettering reads “Sears Roebuck and Co.” The base, or ground floor of the building, is windowless. At the upper stories, vertical piers separate narrow bays filled with decorative panels. The store was designed with entrances on both Bedford Avenue and Beverly Road; the Bedford Avenue entrance has been sealed. Above these entrances is etched “Sears Roebuck and Company.” The upper stories above the entrances are distinguished by fluted limestone piers separating bays that contain decorative panels and carved stone spandrels. In 1936, Sears built a community auditorium at the top floor of the building. Opened by Mrs. Fiorello H. LaGuardia, the mayor’s wife, the auditorium had 650 seats and the auditorium was designed to be used for free by any community, philanthropic, or church

organizations in Flatbush and other parts of Brooklyn. In 1940, the building was expanded to the north and west. This addition is of the same height as the original store and of a plain design. The Sears Department Store tower is prominently visible on Bedford Avenue and in views west on Beverly Road.

At the southeast corner of Flatbush Avenue and Albemarle Road is the former **Albemarle Theatre** (S/NR-eligible, see Photo 5 of **Figure 2-6**). Designed by Harrison G. Wiseman, the movie theatre opened in 1920. The building's principal façade faces Flatbush Avenue. It is designed with a central pedimented bay that is clad in terra cotta. This bay has a large arched window with a decorative metal railing at the third story, with flanking rectangular windows. The windows are separated by double height pilasters. The pediment is ornamented with a shield and swag motif. The flanking building bays are clad in red brick and contain rectangular windows with terra cotta surrounds. The second and third storey windows are divided by decorative terra cotta panels. At each corner of the building is a double height terra cotta pilaster, and the building is capped by a Doric terra cotta cornice. Along Albemarle Road near Flatbush Avenue, the second and third stories are of a similar architectural character and with similar ornament as the Flatbush Avenue façade. Moving east on Albermarle Road, a portion of the original building has had its second and third storey windows sealed. The remainder of this façade is a plain brick façade. The building was damaged by fire in 1984. It was subsequently purchased by the Jehovah's Witnesses and presently serves as their Kingdom Hall. The building has been altered at ground level, with the majority of ground floor openings sealed with the exception of the entrances on Flatbush Avenue and Albemarle Road. The original marquee has been removed, as has the large vertically oriented neon "Albemarle" sign which extended along the building on Flatbush Avenue. In addition, with the exception of the arched section of the central third storey window on Flatbush Avenue, the original multi-pane double hung windows have been replaced with modern aluminum replacements.

At the west end of the study area, at the northwest corner of Beverly Road and East 21st Street is St. Marks' Methodist Church's **Adams Memorial Hall** (S/NR-eligible, see Photo 6 of **Figure 2-6**). This building, designed in the Gothic Revival style, was built in 1926 as a church house and community center. It is adjacent to St. Mark's Methodist Church, an early 20th century stone-clad structure at the corner of Ocean Avenue and Beverly Road. Adams Memorial Hall also houses a gymnasium on the second floor. The building is clad in brown and buff colored brick, with double height pointed arch window openings. Between the second and third storey windows are decorative stone panels. The building has a stone water table, and the parapet is crenellated with stone coping. The entrance to the gymnasium is on East 21st Street, and is set within a pointed arched stone surround. There are two entrances to the parish house/community center on Beverly Road, which are also pointed arched openings.

C. THE FUTURE WITHOUT THE PROPOSED ACTIONS

Absent the proposed actions, the Kings Theatre would be expected to remain in its current condition as a vacant building and the portions of East 22nd Street would not be demapped. The Theatre could deteriorate and its condition could worsen as it would continue to remain vacant.

OTHER FUTURE PROJECTS

There are no known development projects in the architectural resources study area that are expected to be completed by 2014.

The status of architectural resources could change in the future without the proposed project. Properties identified above could be determined eligible or listed on the S/NR, or properties could be calendared for a designation hearing. Changes to the potential architectural resources identified above or to their settings could occur irrespective of the proposed project. Future projects could also affect the settings of architectural resources. It is possible that some architectural resources in the study area could deteriorate, while others could be restored. In addition, future projects could accidentally damage architectural resources through adjacent construction.

Historic resources that are listed on the S/NR or that have been found eligible for listing are given a measure of protection under Section 106 of the National Historic Preservation Act from the effects of projects sponsored, assisted, or approved by federal agencies. Although preservation is not mandated, federal agencies must attempt to avoid adverse effects on such resources through a notice, review, and consultation process. Properties listed on the Registers are similarly protected against effects resulting from projects sponsored, assisted, or approved by State agencies under State Historic Preservation Act (SHPA). However, private owners of properties eligible for, or even listed on, the Registers using private funds can alter or demolish their properties without such a review process. Privately owned properties that are NYCLs, in New York City Historic Districts, or pending designation as NYCLs are protected under the New York City Landmarks Law, which requires LPC review and approval before any alteration or demolition permits can be issued, regardless of whether the project is publicly or privately funded. Publicly owned resources are also subject to review by LPC before the start of a project. However, LPC's role in projects sponsored by other City or State agencies generally is advisory only.

The New York City Building Code provides some measures of protection for all properties against accidental damage from adjacent construction, however, these regulations do not afford special consideration for historic structures.

D. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

PROJECT SITE

The proposed actions would result in the stabilization, restoration, and reuse of the Kings Theatre as a live entertainment venue, thereby returning this vacant structure to a vibrant, productive use. The reuse of the building would involve exterior and interior alterations. This includes the cleaning and restoration of the exterior of the theatre. In addition, the vacant parcel south of the theatre, with an approximately 65-foot frontage on Flatbush Avenue, would be converted into a landscaped courtyard, with access provided to it from the theatre's lobby.

Interior alterations would include the cleaning and restoration of the ceiling, wall and floor surfaces in the theatre's front-of-house facilities. In addition, the auditorium floor would be regraded for better site lines and new seating installed. New restroom and concession facilities would be provided.

The rear of the theatre, which contains its back stage and supporting back-of-house facilities, would be demolished commencing behind the theatre's proscenium arch. A new, 97-foot-tall steel framed structure would be constructed to provide a stage with a capacity to accommodate live performances and with sufficient back-of-stage support areas, such as dressing rooms and loading facilities. This new structure—approximately the same height as the existing theatre—

and loading areas, would extend into the demapped roadbed of East 22nd Street. The back-of-house addition could be clad in masonry, to be designed to distinguish it from the original historic structure, in consultation with OPRHP. As described above, the existing rear of the theatre consists of a largely unfenestrated blank brick façade.

All alterations would be performed as per the Secretary of the Interior's Standards for Rehabilitation in consultation with OPRHP. The proposed project is contingent on the listing of the property on the S/NR 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. 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.¹

STUDY AREA

As described above, two known architectural resources, the former Flatbush Savings Bank and the former Brooklyn Union Gas Company Building, are adjacent to the Kings Theatre. The former Flatbush Savings Bank is also located adjacent to the vacant area to be converted into the theatre courtyard. The former Brooklyn Union Gas Company Building is also located within 90 feet of the East 22nd Street demapping, in the location where the new back-of-house structure would be constructed. As these architectural resources are located within 90 feet of the project site, the proposed project would develop and implement 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. As described above, 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 this and the other architectural resources in the study area, as it would result in the renovation and reuse of a large underutilized historic structure.

The proposed exterior alterations to the theatre, including the removal of the existing backstage and back-of-house facilities, and construction of new facilities, would be reviewed by OPRHP. This would ensure the design of a structure that is compatible and appropriate to the historic theatre. This new structure would extend into East 22nd Street. The demapping and construction of the new back-of-house addition would not adversely impact the context of the Brooklyn Union Gas Company, the Flatbush Savings Bank, the Sears Department Store, the Albemarle Theatre, and St. Marks' Methodist Church's Adams Memorial Hall. The former Brooklyn Union

¹ LPC comments dated November 3, 2010. OPRHP will be providing comments on the project's potential impacts on historic and cultural resources between publication of the DEIS and FEIS.

Gas Company Building faces south onto Duryea Place, and a vacant parcel intervenes between this building and the East 22nd Street roadbed. East of East 22nd Street is a large paved parking lot, and there is no meaningful visual relationship between the former Brooklyn Union Gas Company Building and this parking lot. The other architectural resources are located at too great a distance, or with buildings intervening between them and the East 22nd Street portion of the project site, to be adversely affected by the construction of the new back-of-house structure.

At 97 feet tall, the new structure would be taller than most of the two-to-four story architectural resources, but not substantially different from the height of the existing Kings Theatre structure. The new structure would be of a lesser height than the Sears Department Store corner tower, which extends significantly above the 50-foot-tall building. The prominent views of the tower on Bedford Avenue and Beverly Road would be unaffected by the proposed project.

The proposed actions would provide for the preservation and restoration of a significant historic structure, while providing a new cultural institution, in the heart of Brooklyn. As such, it is anticipated that the proposed project would have a positive impact on this historic structure, which would benefit the nearby potential architectural resources. With the preparation and implementation of a Construction Protection Plan for any S/NR and/or NYCL-eligible properties located within 90 feet of project construction, the proposed project would not be expected to result in adverse impacts on any historic or cultural resources. *