

Unavoidable significant adverse impacts are defined as those that meet the following two criteria:

- There are no reasonably practicable mitigation measures to eliminate the impacts; and
- There are no reasonable alternatives to the proposed project that would meet the purpose and need of the action, eliminate the impact, and not cause other or similar significant adverse impacts.

As discussed in Chapter 3, “Transportation,” the proposed project would result in significant adverse traffic impacts at a number of locations in the traffic study area. As described in Chapter 8, “Mitigation,” the majority of the intersections that would be impacted could be mitigated with readily implementable traffic improvement measures, such as signal timing changes, parking regulation changes to gain or widen a travel lane at key intersections, lane markings, and signage. 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. As discussed in Chapter 9, “Alternatives,” 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. A theatre of this size would not meet the purpose of the proposed actions, which 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, since a theatre of this size would not accommodate the range of events planned for the theatre, nor would it be economically viable. *