



DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Joseph B. Rose, *Director*
Department of City Planning

**NOTICE OF COMPLETION OF
THE FINAL ENVIRONMENTAL IMPACT STATEMENT**

March 16, 2001

Flushing Bedford Rezoning

CEQR No. 00DCP015K
ULURP Nos. 000109 ZMK, 000110 ZRK
SEQRA No. P2-610000-88
SEQRA Classification: Type I

Lead Agency

New York City Planning Commission
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Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Final Environmental Impact Statement (FEIS) has been prepared for the action described below. Copies of the FEIS are available for public inspection at the office of the undersigned. The proposal involves actions by the City Planning Commission and Council of the City of New York pursuant to Uniform Land Use Review Procedures (ULURP). A public hearing on the Draft Environmental Impact Statement (DEIS) was held on January 31, 2001. Written comments on the DEIS were requested and were received by the Lead Agency until the 10th calendar day following the close of the public hearing. This FEIS incorporates responses to the public comments received on the DEIS and additional analysis conducted subsequent to the completion of the DEIS.

DESCRIPTION OF THE PROPOSED ACTION

The Department of City Planning (DCP) is proposing an amendment to the zoning map to change M1-2 and M3-1 zoning districts to R7-1 and M1-1 and M1-2 zoning districts to M1-2 /R7-1, for 15 blocks in the Flushing Avenue and Bedford Avenue area of Community Districts 1 and 3, Brooklyn. In addition, DCP is also proposing a text amendment pursuant to Zoning Resolution Section 123-90, to establish a new Special Mixed-Use District, MX-4: Flushing/Bedford. As a result of the proposed action, it is anticipated that approximately 1,224

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dwelling units would be developed on about 44 sites within the rezoning area over a ten-year period. It is also projected that an additional 30,000 square feet of currently vacant local retail space could be reactivated at various sites on Myrtle Avenue, immediately outside of the rezoning area.

As described in greater detail in the hazardous materials and noise chapters of this document, the proposed rezoning includes the mapping of an Environmental (E) designation for hazardous materials and noise issues on several parcels within the area proposed for rezoning. A complete listing of the affected parcels is presented in each of the chapters. As part of the proposed rezoning, an (E) designation would be placed on the amended zoning map to denote certain parcels where mitigation measures for hazardous materials and noise effects would be required. The (E) designation would ensure that hazardous materials and noise impacts would not occur on those sites should they be redeveloped.

Purpose and Need

In December 1995, the Department of City Planning (DCP) issued a technical memorandum entitled the *Williamsburg Community District 1 Rezoning Study* for manufacturing areas in Community District 1, which identified 22 sub-areas for further study. The Flushing/Bedford area was analyzed as part of the 1995 rezoning study. It consisted of areas formerly known as subareas 20, 21 and 22, located north and south of Flushing Avenue, the boundary between Community Districts 1 and 3 in Brooklyn.

The Flushing/Bedford area, although zoned for manufacturing uses, contains a mix of residential uses, vacant land, open uses, auto-related uses, and commercial and industrial buildings. The rezoning area has experienced a significant decline in industrial activity over the last four decades resulting in an increase in auto related uses, junk yards and vacant land. Study findings indicate that over the last two decades, there has been a substantial growth in the residential population in the surrounding areas, resulting in a housing shortfall and increasing demand for new dwelling units. Since the mid 1980's there has been a marked increase in residential development, especially in the area north of Flushing Avenue. Although the existing manufacturing zoning does not permit as-of-right residential development, in recent years there has been new residential development in the area north of Flushing Avenue pursuant to zoning variances granted by the Board of Standards and Appeals (BSA). In 1996 and 1998, two rezoning applications were approved changing the designation of a three block area immediately north of the rezoning area from manufacturing to residential. The presence of vacant and underutilized land, coupled with the increasing demand for housing in the adjacent communities, presents an opportunity for new residential development in this part of Brooklyn.

The existing M1-1 and M1-2 zoning districts permit light manufacturing, commercial and limited retail uses. One small block within the rezoning area is currently zoned M3-1, which permits heavy manufacturing. In the proposed R7 district north of Flushing Avenue, the proposed action would provide opportunities for new residential development on vacant and under- utilized

parcels, bring existing non-conforming residential uses into conformance, and would allow for their enlargement. In the proposed mixed use zone [M1-2 /R7-1 (MX-4)] south of Flushing Avenue, the proposal would allow for the continued presence and expansion of commercial and manufacturing uses, permit the introduction of new commercial and manufacturing uses, and allow the residential re-use of underutilized and vacant land. In general, the action would provide the land use controls necessary for appropriate residential development and the continued presence of viable manufacturing uses.

Required Approvals

The proposed zoning map amendment and zoning text amendment require approvals by the City Planning Commission and City Council pursuant to Section 200, Section 201, and Section 197-d of the New York City Charter. Both actions are subject to CEQR. The zoning map amendment is subject to the city's Uniform Land Use Review Procedure (ULURP). The text amendment is a non-ULURP action, but is subject to review by the City Planning Commission and City Council as noted above.

DEVELOPMENT SCENARIO

A reasonable worst case development scenario has been analyzed for the build year of 2009. According to this analysis up to 1,224 new dwelling units are projected in the rezoning area by the build year 2009, and approximately 30,000 square feet of currently vacant retail space along Myrtle Avenue, immediately adjacent to the rezoning area, would be re-occupied. No new community facility building is expected to be developed as a result of this action, although small community rooms or houses of worship may be included in the basements of some of the projected residential development.

The development scenario identified 39 projected development sites which could generate 1,064 dwelling units under the proposed action, by the build year 2009. In addition, 37 potential development sites were also identified. Projected development sites are those sites most likely to be developed by the build year. Potential development sites are those sites which fall within development scenario guidelines, but are considered less likely to be developed than the projected development sites. While development is not projected to occur on the potential sites within the foreseeable future, in order to be conservative and to provide a degree of flexibility in identifying future development patterns, the analysis added 160 projected dwelling units from 5 potential sites, bringing the projected residential development count from 1,064 to 1,224 units. Consistent with conservative assessment of action induced development, it was assumed that development sites which were the subject of pending applications for zoning variances at the Board of Standards and Appeals (BSA) would proceed as-of-right under the proposed action. The BSA recently approved four project sites for residential development totaling 140 units. The proposed action projected a total of 148 residential units on those sites. To ensure a conservative analysis, the four sites remain part of the density related impact review and analysis.

New residential construction is expected to consist of 5 to 7 story buildings; average household size is projected as 4.3 persons per residential unit; and the average dwelling unit size is assumed to be 1,200 square feet, given the large dwelling units currently being built in the Williamsburg area. It is anticipated that developers would use proposed Unified Bulk Program Quality Housing Provisions for R7A and R7B (4.0 FAR on wide avenues and 3.50 FAR on narrow streets, respectively).

PROBABLE IMPACTS OF THE PROPOSED ACTION

Land Use, Zoning, and Public Policy

The proposed action would not result in significant adverse impacts to land use, zoning, or public policy. Overall, the proposed action is expected to result in changes that would have beneficial effects with respect to these issues.

Land Use

Historically, the proposed rezoning area contained a mix of residential, commercial and manufacturing uses. Over the last four decades, manufacturing uses have declined in this area, leaving behind many vacant and underutilized buildings and parcels of land. At the same time, the residential population has been rising, creating a greater demand for housing. It is anticipated that the action would induce up to 1,224 new dwelling units in the primary study area and approximately 30,000 square feet of additional local retail space in nearby commercial areas within a ten year period (build year 2009).

The proposed rezoning is expected to result in housing production in an area that has been experiencing a steady rise in population and housing demand by providing options available to property owners in their development of vacant and underutilized land and buildings. A new mixed-use district would allow new residential opportunities without burdening industrial uses with non-conforming status. In general, the proposed action would enable new residential development, the conformance of existing residential uses, and protection for industrial uses in the mixed use district, while providing appropriate land use, zoning controls, and necessary environmental safeguards.

Zoning

The fifteen blocks of the primary study area are proposed to be rezoned. Nine of the blocks are located north of Flushing Avenue in Community District 1; eight of them are zoned M1-2 for light manufacturing and industrial uses and one small triangular block is zoned M3-1 for heavy manufacturing. The remaining six blocks, located south of Flushing Avenue, are in Community District 3. Three of these blocks are in an M1-2 district and three are in an M1-1 district.

M1-1 and M1-2 are light manufacturing districts mapped in industrial areas which permit a range of industrial and commercial uses and are subject to strict performance standards. Residential uses are not permitted in M districts, and some community facilities are permitted in M1 districts

with a special permit. The maximum floor area ratio permitted in an M1-1 district is 1.0 and in an M1-2 district is 2.0. The M3-1 district is for heavy manufacturing uses that generate noise, traffic, and pollutants such as chemical and power plants and foundries.

The proposed rezoning action in the primary study area would change the zoning from M1-1, M1-2 and M3-1 to R7-1 and M1-2/R7-1. The new zoning districts would permit the construction of new as-of-right residential development. It is anticipated that the proposed zoning changes would induce the development of 1,224 new housing units in the primary study area. Existing residences would become conforming uses.

The six blocks south of Flushing Avenue in Community District 3 are proposed to be rezoned to a mixed-use district M1-2/R7-1. A text amendment to Zoning Resolution (ZR) Section 123-90 would allow for the creation of the new special mixed use district, Flushing/Bedford "MX-4". Within the new MX-4 district, residential uses would generally be governed by the bulk provisions of the R7-1 residence district, while community facility uses would be subject to the FAR of the R7-1 residence district and the other bulk regulations of the M1-2 district. Commercial and manufacturing uses would be governed by the bulk provisions of the M1-2 district. In addition, Use Group 18 uses would not be permitted, except for breweries with less than 10,000 square feet of floor area; and three Use Group 16 uses: animal pounds, crematoriums, and public transit yards would also be prohibited.

Public Policy

In 1995, the Department of City Planning issued a technical memorandum entitled the *Williamsburg Community District 1 Rezoning Study* for manufacturing areas in Community District 1, which identified 22 sub-areas for further study- 21 study areas were located in Community District 1 and one in Community District 3. The stated goals of this study were to provide increased opportunities for new housing construction on vacant and underutilized properties in appropriate locations while preserving the manufacturing zoning in areas where industrial uses are prevalent. The proposed rezoning area was formerly known as subareas 20, 21 and 22, in the 1995 document.

The proposed zoning change would accommodate the growing need for the housing in the area while preserving industrial and commercial uses in the proposed mixed use district.

Socioeconomic Conditions

Under CEQR, the principal issues of concern with respect to socioeconomic conditions are: direct (or primary) residential displacement; direct (or primary) business and institutional displacement; indirect (or secondary) residential displacement; indirect (or secondary) business and institutional displacement; and effects on specific industries. In the socioeconomic conditions chapter, preliminary assessments are presented for primary residential displacement, primary business and institutional displacement, secondary business and institutional

displacement, and displacement or other effects on specific industries. The conclusion drawn from each of these assessments is that the proposed action would not result in significant adverse impacts, and that detailed assessments are therefore not warranted.

A detailed analysis is presented for secondary residential displacement. The conclusion drawn from this analysis is that the proposed rezoning may result in secondary residential displacement pressures in the rezoning area and its immediate vicinity. Depending on various factors, including the timing and location of new development during the course of the ten-year build-out period, these pressures could affect as many as several hundred low-income households. Predictions as to how the local real estate market would respond to the introduction of a large number of new housing units into the area and which new residential developments would lead to the indirect displacement of existing area residents are imprecise, and it is possible that secondary residential displacement may not occur to the extent projected. Nonetheless, to ensure a reasonable, conservative analysis, the potential for secondary displacement pressures has been identified as a significant adverse impact. Measures that would partially mitigate the impact are described below in the section on Mitigation.

The analysis also concludes that the proposal could result in beneficial socioeconomic impacts. By adding approximately 1,224 new dwelling units to the housing stock of the Flushing Bedford area, the proposed rezoning would provide new housing opportunities for area residents. By reactivating approximately 30,000 square feet of currently vacant retail space along the Myrtle Avenue and Bedford Avenue corridor, the proposal could provide new job opportunities for the local community. Additionally, by redeveloping many of the area's vacant and underutilized sites, the proposed rezoning could help strengthen socioeconomic conditions in the area, reaffirming the residential character of the proposed R7 district north of Flushing Avenue, and stabilizing the mixed residential and industrial character of the proposed mixed-use district south of Flushing Avenue. Overall, these changes are expected to improve housing and job conditions in the area and result in beneficial impacts.

Community Facilities and Services

The proposed action would not result in significant adverse impacts to community facilities and services. Overall increases in residential and worker populations generated by anticipated development with the proposed action could be accommodated by the study area's schools, fire and police protection, libraries, and health care facilities. No new community facility building is expected to be developed as a result of this action. Small community rooms or houses of worship may be included in the basements of some of the projected residential development.

Open Space

The proposed action would not result in direct open space impacts, but could result in significant, adverse unmitigated indirect open space impacts. The proposed action would not have a direct impact on open space facilities, as projected and potential development sites do not include public or private open spaces and there is no elimination, or alteration of any existing open space. However, the proposed action could result in an indirect impact on open space by increasing the existing deficiency in open space. Currently, the study area contains 0.323 acres of open space per thousand residents, which is well below the city median of 1.5 acres per thousand residents and DCP's goal of 2.5 acres per thousand. In the future without the action, the open space ratio would decrease to 0.295 acres per thousand. In the future with the action, the residential and worker populations generated by the proposed action would further reduce the open space ratio to 0.280 acres per 1,000 residents. This change to the existing deficiency is considered to be a significant adverse impact. Since no new open space resources which could mitigate the impact could be identified, the impact is considered an unmitigated impact.

Shadows

The proposed action is not expected to result in significant adverse shadow impacts. Based on the development scenario projections, the proposed action could result in new shadows in Middleton Park, a 1.1 acre Department of Parks and Recreation park facility adjacent to the rezoning area. The longest shadows will occur in winter and early spring. Although the days are shortest in the December to March period, park usage is also at its lowest level, particularly in the early morning hours. In addition, there are minimal shadows in the summer months when the park usage is at its highest. As a result of the screening analysis, it has been determined that there is no substantial reduction in sunlight to sun-sensitive uses or features and no substantial reduction in the usability of the open space. Therefore, the shadows are not considered to be a significant adverse impact.

Historic Resources

The proposed action could result in significant, adverse unmitigated impacts to archeological resources. The proposal would not result in significant impacts to architectural resources.

Archeological Resources

The proposed action may result in new in-ground disturbance which could adversely affect 19th century remains. Based on a documentary search of lots within the rezoning area, 9 projected development sites and 9 potential development sites may be archaeologically sensitive for 19th century remains. On these parcels, residential development occurred before the availability of sewer or water services. It is therefore likely that the dwellings were equipped with cisterns and privies. Action-induced development on these parcels would be unlikely to disturb

archaeological resources, should they exist, within the required 30-foot rear yard portions of the sites. However, development within the remaining portions of the development sites might disturb resources, should they exist in those locations.. This would constitute a significant adverse impact. No mitigation measures are feasible, because the 9 projected sites and 9 potential sites in question are privately-owned. Private ownership of the land would prevent the City from conducting or requiring a boring program to test for potential archaeological remains, or from mandating the preservation or documentation of such remains, should they exist.

Architectural Resources

No historic architectural resources would be affected by the proposed action. New construction on the projected and potential development sites would not physically alter, or result in construction impacts that would significantly affect any architectural resources within 400 feet of the rezoning area.

Urban Design/Visual Resources

The proposed action is not expected to result in any of the conditions that would typically trigger the need for a detailed assessment of the urban design and visual resource impacts. The rezoning area is characterized by a mix of residential uses, vacant land, open uses, auto related uses, commercial, and industrial buildings and has experienced a gradual loss of industrial activity resulting in several vacant and underutilized lots. Although the existing manufacturing zoning does not permit as-of-right residential development, in recent years there has been new residential development in the area north of Flushing Avenue pursuant to BSA variances. The proposed action would induce new development in the areas to be rezoned R7-1 and M1-2/R7-1 (MX-4). New residential development projected to occur as a result of the proposed action would be built on the projected development sites, which include individual and adjacent vacant lots, vacant residential buildings, auto-related uses (open, garages and buildings), and underbuilt industrial and residential structures.

Hazardous Materials

The proposed action would not result in significant adverse hazardous materials impacts. Based upon the development scenario, 76 development sites (projected and potential) consisting of 179 lots were identified for future residential use. The analysis has identified 49 development sites encompassing 111 lots whose past or present use suggest that they may contain petroleum or non-petroleum based hazardous materials contamination. To ensure that the proposed action would not result in significant, adverse hazardous materials impacts, (E) designations would be mapped on these sites as part of the proposed action. Of the 111 lots where (E) designations would be mapped, there is the potential for *petroleum-based* contamination of soil and/or ground water from historic or current conditions on 37 lots, the potential for *non-petroleum* contamination on 59 lots, and 15 lots contain the potential for *both petroleum and non-petroleum*

based materials. The following sites would receive an (E) zoning designation:

Sites receiving (E) Designations for potential contamination of soil and groundwater by existing or past leakage of <u>petroleum</u> products from underground storage tanks					
Projected Development Sites			Potential Development Sites		
Block #	Lot #	Site #	Block #	Lot #	Site #
886	80	20	1715	24	57**
1715	12,13,14,15,16,17,18,19	21	1715	30	58
1715	1	23	1734	33	70
1885	15	17	1734	47	72**
1900	3,5,6,7	27**	1734	59,60,61,62	74
1900	19	29**	1734	67,68	75
1900	61	31	1734	70	76
2239	8	1	1886	40	55
2264	7, 8, 9	8	1886	71,72	56
			2263	8	45
			2264	42	50
Sites Receiving (E) Designations for Potential Contamination of Soil and Groundwater by Existing or Past Leakage of <u>Non-petroleum</u> Hazardous Materials					
Projected Development Sites			Potential Development Sites		
Block #	Lot #	Site #	Block #	Lot #	Site #
1734	7	35**	1734	19	68
1734	53,54,55	36	1900	24	66
1734	22,23,24,25,26,27,28,29, 30	39	2223	15	40
1899	36,37,39,40,41,44,45,46, 47,48,49,50,51,52,53, 54,55,56	26	2223	23	42
1900	20,21,22,23	29**	2235	1	44
1900	42,43,44	30**	2240	1	47**

1900	14,15,16,17,18	32	2264	29	49
2262	38	5	2264	59	51**
2262	44	6			
2264	33	9			
2264	46,47,48,49,50	10			
Sites Receiving (E) Designations for Potential Contamination of Soil and Groundwater by Existing or Past Leakage of Both <u>Petroleum</u> and <u>Non-petroleum</u> Hazardous Materials					
Projected Development Sites			Potential Development Sites		
Block #	Lot #	Site #	Block #	Lot #	Site #
1735	5	34	1734	10	68**
1885	41	16	1734	31	69
1899	59	24	1734	36	71
1900	53	28	1900	9	63
			1900	10	64
			1900	11	65
			1900	31	67
			2262	1,4,7,48	43

*BSA Approved Application

**Site appears in more than one category

The text of the (E) designation is presented in its entirety in the hazardous materials chapter. The (E) designation ensures that sampling and remediation take place where hazardous material contamination may exist. It requires the fee owner to conduct a testing and sampling protocol, and remediation (where appropriate) to the satisfaction of the New York City Department of Environmental Protection (NYCDEP) before the issuance of a permit by the Department of Buildings. The environmental requirements for the (E) designation also include a mandatory construction-related health and safety plan, which must also be approved by the NYCDEP.

Infrastructure, Solid Waste and Sanitation Services

The proposed actions and anticipated development are not expected to significantly add to the current demands on the water supply, sewage treatment and solid waste disposal systems servicing the area. Consequently, the proposed action would not significantly affect the

infrastructure systems servicing the area, or result in significant adverse impacts.

Neighborhood Character

As defined in the *CEQR Technical Manual*, neighborhood character is an amalgam of the various elements that give neighborhoods their distinct "personality." These elements are land use, urban design, visual resources, historic resources, socioeconomic conditions, traffic, and noise, which are considered individually in other sections of the DEIS. For neighborhood character, CEQR considers how those elements combine to create the context and feeling of a neighborhood, and how an action would affect that context.

The proposed action would substantially alter neighborhood character, but these changes would be largely beneficial, and would not result in significant adverse neighborhood character impacts. The proposed action would permit the transformation of the rezoning area into a largely residential community, although active industry would likely continue to be a strong presence, particularly in the portion of the rezoning area proposed for a mixed-use designation where such uses could continue to locate and expand. As described in the Projected Development section of this EIS, up to 1,224 new dwelling units could be constructed on primary vacant and underutilized properties. The area would feel more like a vibrant residential community, with increased pedestrian traffic, and mid-rise apartment buildings constituting a dominant building type. The hierarchy of streets and the nature of vehicular traffic would not be altered by new development. No architectural resources would be adversely affected by the proposed action. Noise levels would remain typical of a busy urban area with significant vehicular traffic. Socioeconomic conditions would change as the area receives a significant new residential population on sites currently occupied by low-intensity industrial uses. New residents would likely have higher average income than current residents.

Overall, the proposed action would alter neighborhood character in beneficial ways, by permitting new moderate-density development on sites which are currently vacant, underutilized and rundown. This would improve the area's visual character and permit the creation of a vibrant residential and mixed-use community which would increase private investment in the area and support nearby retail areas.

Energy

The proposed action would not result in significant adverse energy impacts. Energy systems serving the rezoning area would be capable of meeting the small increase in demand that would be generated by the anticipated development. All new structures requiring heating and cooling systems are subject to the New York State Energy Conservation Code (effective January 1, 1979) which codifies state and city energy policies.

Traffic and Transportation

The proposed action would result in significant adverse traffic and bus impacts, but no impacts to parking, subways, or pedestrians. Mitigation measures for the traffic impacts are discussed below in the mitigation section. For reasons explained in the analysis, project-sponsored mitigation measures are not needed for the bus impacts.

Anticipated development from the proposed rezoning is projected to generate 291, 156, and 345 net vehicle trips in the AM, Midday, and PM peak hours, respectively. These trips would result in increases in traffic volumes at a number of study area intersections. Street capacities, for the most part, would be sufficient to accommodate these increases. However, based on CEQR Technical Manual standards, the increases in traffic would cause significant impacts at the following locations during the peak hours indicated:

Signalized Intersections

The proposed action would be expected to result in traffic impacts at six signalized intersections.

Flushing Avenue and Williamsburg Place would remain at Level of Service (LOS) F during AM peak (delay increasing from 73.8 seconds to 106.2 seconds). During the Midday Peak, the LOS would also remain at F (delay increases from 81.4 seconds to 95.9 seconds). In the PM peak hour the delay at the same approach would increase from 73.7 seconds to 110 seconds (LOS F under both conditions).

Flushing Avenue and Franklin Avenue, westbound approach, would be impacted in the Midday and PM. , the LOS remains at F (delay increases from 62.8 seconds to 103.4 seconds), and in the PM, the LOS remains at D (delay increases from 26.1 seconds to 33.7 seconds).

Flushing Avenue and Nostrand Avenue, eastbound approach, would also remain at LOS F in the Midday (delay increases from 45.3 seconds to 50.5 seconds).

Franklin Avenue and Park Avenue, westbound approach, becomes impacted in all peak hours. In the AM peak, the LOS remains at F (delay increasing from 66.1 seconds to 75.1 seconds). In the Midday, the delay increases from LOS E (48.8 seconds) to LOS F (62.4 seconds). In the PM, the eastbound and westbound approaches would be impacted. The eastbound approach would be remain LOS D (delay increasing from 31 seconds to 36.4 seconds) and the westbound approach would remain at LOS E (the delay increasing from 43.1 seconds to 48 seconds).

Bedford Avenue and Park Avenue, eastbound approach, would be impacted in all peak hours. The LOS would worsen from LOS D to LOS E (delay increasing from 33.1 seconds to 42.5 seconds) in the AM, from LOS D to LOS E (delay increasing from 33.7 seconds to 41.6 seconds) in the Midday and, in the PM, the LOS would remain at LOS F (delay increasing from 94.2 seconds to 125.6 seconds).

Myrtle Avenue and Bedford Avenue, westbound approach, would remain at LOS E (delay would increase from 50.7 seconds to 59.8 seconds) in the AM peak hour.

Unsignalized Intersections

Three unsignalized intersections would be impacted.

Park Avenue and Skillman Street, northbound approach, during the AM peak hour the LOS would worsen from D to E (delay increasing from 22.2 seconds to 30.1 seconds). During the PM peak hour the LOS would remain at D (delay increasing from 20.8 seconds to 28.7 seconds).

Myrtle Avenue and Skillman Street, northbound approach, would remain at LOS D (delay increasing from 20.3 seconds to 26.4 seconds) in the PM peak hour.

Wythe Avenue and Wallabout Street, westbound approach, would remain at LOS E (delay increasing from 34.3 seconds to 41.4 seconds).

These significantly impacted approaches could be mitigated by retiming traffic signals and/or changing the on-street parking regulations to allow for extra moving lanes (see "Mitigation" section below).

Traffic conditions during an interim analysis year of 2004 were analyzed to determine whether any significant impacts would occur prior to the full build-out in 2009. Significant impacts would occur at four locations in 2004 requiring mitigation prior to the full build-out year of 2009.

The intersection of Flushing Avenue and Williamsburg Place would be at LOS F, the delay increasing from 73.8 seconds to 88.7 seconds in the AM. In the Midday, the delay increases from 81.4 seconds to 88.6 seconds, and in the PM, the delay increases from 73.7 seconds to 96.0 seconds.

The Park Avenue and Franklin Avenue intersection would be impacted at the westbound approach during the AM and Midday peak hours. The delay would increase from 66.1 to 70.6 seconds in the AM, both at LOS F. Midday, the delay would increase from 48.8 seconds to 55.2 seconds, the LOS remains at E.

The Flushing Avenue and Franklin Avenue intersection is only impacted during the Midday peak hour in 2004. The westbound approach would have an increase in delay from 62.8 seconds to 90.7 seconds, with an LOS F under both conditions.

At Park Avenue and Bedford Avenue, the delay at the eastbound approach would increase from 94.2 seconds to 111.0 seconds in the PM peak hour. The LOS would be F under both conditions.

The remaining intersections that are impacted in 2009 would not be impacted during 2004.

Parking

The study area contains only on-street parking; there are no off-street public parking facilities in the study area. On-street parking capacity is approximately 1,007 spaces at midday and 1,011 spaces overnight, and is generally permitted along most roadways in the study area in accordance with parking regulations and space constraints. Current parking utilization pattern peaks are at approximately 70 percent during the midday (12 to 2 PM) time period, and falls to approximately 43 percent during the night (8 to 9 PM) time period. The overnight parking utilization, which is when the demand for parking by the new residents would be greatest, is estimated to be approximately 36 percent, yielding 647 available spaces out of 1,011 total curbside parking spaces. The total increase in midday parking demand due to the proposed project would be 92 vehicles with the utilization increasing to 90%, and the overnight demand would increase by 368 vehicles (utilization increasing from 54% to 90%). There would be 97 available parking spaces in the midday and 98 spaces overnight. Therefore, no significant adverse parking impacts are expected to result from project implementation.

Subway

The proposed rezoning area is located within a short walking distance of two subway stations on the IND G crosstown line, Flushing Avenue and Myrtle-Willoughby Avenues. These two stations, which are approximately one-third of a mile apart, are lightly used. In terms of annual subway registrations (1997), of the 425 station complexes in the NYC Transit subway system, Myrtle-Willoughby Avenues ranked 339 and Flushing Avenue ranked 392. The proposed project is expected to generate 334 subway trips in the AM and 394 subway trips in the PM. In the AM peak hour, 194 project trips are expected to use the Flushing Avenue station, and 140 people in the new dwelling units would use the Myrtle-Willoughby Avenues station. In the PM peak hour, the number of people using the Flushing Avenue station would increase by 229, and the number of people using the Myrtle-Willoughby Avenues station would increase by 165. All station elements will continue to operate at LOS A, therefore, the proposed action would not result in any significant impacts on the subway facilities.

Buses

The proposed actions would add a total of approximately 334 and 394 trips to local bus routes serving the area during the AM and PM peak hours, respectively. These incremental bus trips were distributed to the five bus lines that travel through the area evenly. The Traffic and Transportation section shows there would be impacts on the B54 bus route in the AM and PM peak hours, and the B57 route during the PM peak hour. As standard practice, New York City Transit continuously monitors bus transit ridership in peak and off-peak periods and adjusts frequency of service to comply with their service standards. Therefore, no project-sponsored mitigation is required for the proposed project.

Pedestrians

Due to a low level of pedestrian activity in the study area there is substantial maneuverability available to pedestrians. Hence, pedestrian studies did not appear warranted and were not conducted. Significant adverse impacts are not anticipated.

Air Quality

The proposed action would not result in significant adverse mobile source or stationary source air quality impacts.

To assess the effect of project related traffic on air quality, carbon monoxide concentrations with the proposed project were determined at three analysis intersections: Flushing Avenue/BQE On/Off Ramps/Williamsburg Place; Flushing Avenue and Bedford Avenue; and Flushing Avenue and Franklin Avenue. Based on those measurements, the proposed actions would not result in either violations of the carbon monoxide standards or exceedances of the de minimus criteria.

Stationary sources of air pollution were also assessed to determine the effects of the proposed actions. Development associated with the proposed actions would not cause any significant stationary source impacts from the on-site heating, ventilation, or air conditioning systems.

Noise

The proposed action would not result in significant adverse mobile source or stationary source noise impacts. Project-generated traffic would not significantly increase noise levels. However, the proposal would result in the placement of sensitive receptors (residents) in areas with high levels of existing ambient noise. To preclude the potential for significant adverse impacts, (E) designations for noise, which would require window/wall attenuation and alternate means of ventilation, have been incorporated into the proposed action. The (E) designation would ensure that interior noise levels do not exceed 45 dB(A). The (E) designations would be placed on the zoning map and would be binding on all future development on the affected blocks and lots. The text of the (E) designation is presented in the noise chapter.

The (E) designations for noise would be placed on the following sites:

Sites Receiving (E) Designations Requiring 30 dBA of Noise Attenuation							
Projected Development Sites				Potential Development Sites			
Block #	Lot #	Site #	Noise Receptor	Block #	Lot #	Site #	Noise Receptor
2239	8	1	R2	2239	20	46	R2
2264	4	15	R10	2240	1,6	47	R2
				2240	9	48	R2
Sites Receiving (E) Designations Requiring 35 dBA of Noise Attenuation							
Projected Development Sites				Potential Development Sites			
Block #	Lot #	Site #	Noise Receptor	Block #	Lot #	Site #	Noise Receptor
2262	20,22	3	R7	2223	15	40	R1
2262	30,32	4	R7	2223	19	41	R1
2262	38	5	R7	2223	23	42	R1
2262	44	6	R7	2235	1	44	R7
2264	44	14	R9	2262	1,4,7,4 8	43	R7
2264	46,47,48 49,50	10	R9	2263	8	45	R7
2264	54,55	11	R9	2264	42	50	R9
2264	61	12	R9	2264	57,59	51	R8
				2264	1	52	R8

*BSA Approved Application

To ensure an acceptable interior noise environment, future residential uses would be required to provide a closed window condition with a minimum of either 30 or 35 dB(A) window/wall attenuation, as described in Table O-6 in the FEIS, to maintain an interior noise level of 45 dB(A). To maintain a closed window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation include, but is not limited to, central air conditioning or

air conditioning sleeves containing air conditions, or U.S. Department of Housing and Urban Development (HUD) approved fans.

In addition to the sites noted above, several development sites are located within the proposed mixed-use district. The mixed-use district regulations require noise attenuation that would ensure that the sites would not be subject to excessive levels of noise. (E) designations would therefore not be needed for these sites.

Construction Impacts

As with all construction projects, new development which might occur as a result of the proposed actions would cause increases in traffic, fugitive dust, emissions from equipment and vehicles, and noise. However, although these construction conditions may be a source of annoyance, they would be temporary. Fiscal benefits during construction activity would include jobs and direct and indirect economic activity.

ALTERNATIVES TO THE PROPOSED ACTION

No Action Alternative

In the no action scenario this area would continue to be designated for manufacturing uses, which would not permit the vacant and underutilized land in the area to be redeveloped for residential uses. The development of new manufacturing is unlikely within the foreseeable future.

Under the No Action Alternative, new residential projects under development would be completed and occupied. Existing manufacturing zoning would stay in place. Sites that are presently vacant or underutilized could be the subject of additional variance requests.

Under the no action alternative, the significant adverse secondary residential displacement impacts that could result from the proposed action would not occur. Many of the measures that could partly mitigate the impacts (e.g., the development of new housing as a result of City and private initiatives), however, would occur absent the proposed action.

The increase projected in the residential population under the No Action Alternative would place very little additional demand on the open space resources or existing community facilities in the study area including, public schools, hospitals, public libraries, day care centers, police and fire protection and therefore would not substantially exacerbate the existing conditions.

The no action alternative would not result in shadow impacts or historic resource impacts. Existing urban design conditions are generally expected to remain. The area is generally

expected to remain characterized by a mix of land uses, including auto-related and light industrial uses at low density, vacant sites and open uses including junk yards, accessory vehicle storage and residences.

Under the no action alternative, hazardous materials issues similar to those identified in the existing condition analysis would remain.

Under the no action alternative, the minimal effects generated by the proposed action with respect to the city's water supply, treatment of wastewater, and management of storm water, solid waste and sanitation services would not occur. Also, the minor increases in energy consumption that would result from action-induced development would not occur.

Under the no-action alternative, construction activities associated with action-induced development would not occur. Overall, developments resulting from as-of-right development of commercial and industrial buildings and some residential development as a result of BSA variances would occur at less bulk and density than development under the proposed action, lessening the duration of construction projects and therefore the potential for impacts.

Under the no-action alternative, the resultant project traffic impacts (six intersections, four signalized and two un-signalized in the weekday AM and PM peak hours, and five signalized intersections in the weekday midday peak hour) would not occur. The no-action alternative would have adequate on-and off-street parking and would result in any significant adverse impacts to the subway or pedestrian systems.

The no-action alternative was analyzed for year 2009 for three selected intersections in the air quality section of the EAS. The highest 8-hr CO (Carbon Monoxide) concentration is 7.2 ppm during the afternoon peak hour at Flushing Avenue/BQE On-/Off Ramps/Williamsburg Place with no violation of the 9 ppm threshold and no air quality impacts are expected. The highest no-build noise increment is 0.8 dBA at Receptor 4 (Spencer Street between Park Avenue and Myrtle Street) during the morning peak hour. This increment is well below threshold at which noise impacts could occur.

R6 and M1-2/R6 Alternative

An alternative proposal which would rezone the primary study area from M1-1, M1-2 and M3-1 to R6 north of Flushing Avenue and M1-2/R6 south of Flushing Avenue has been analyzed, producing similar, but less dense, development than the proposed action. The R6 alternative would result in 36 projected development sites (three less than the proposed action) with 688 new dwelling units (based on the maximum FAR's permitted under Quality Housing provisions). In addition, thirty-seven potential development sites were identified which, though less likely to be developed than the projected sites, would become developable under the proposed action. Due to the large number of sites available to accommodate induced development, and to provide

a conservative assessment of the potential for density-related environmental impacts, the overall magnitude of development which was assessed was increased by fifteen percent (104 dwelling units). This results in total development projection of 792 dwelling units.

This alternative would have similar effects as the proposed action on land use, zoning, and public policy, although the beneficial effects with respect to land use would be somewhat less.

This alternative would result in the same general socioeconomic effects as the proposed action, although the effects would be somewhat diminished due to the lesser amount of projected residential development. Under this scenario, 432 fewer units of new housing would be added to the rezoning area. The beneficial socioeconomic impacts that an increased housing supply could produce would therefore be less compared to the effects of the proposed action. The effects of the alternative on secondary residential displacement would also be weaker compared to those of the proposed action, but would still be considered significant and adverse. The measures that would partially mitigate displacement impacts of the proposed action would also partially mitigate the impacts of this alternative.

Existing conditions in the open space study area are highly deficient in active and open space resources. The overall effects of this alternative on open space resources would generally be the similar, although slightly lower than the effects of the proposed action. Under this alternative, the proposed action and its impact on open space would constitute an unmitigated adverse impact.

The projected population increase in the R6 and M1-2/R6 alternative is lower than in the proposed action and would place a lesser demand on community facilities and services.

Under the R6 and M1-2/R6 alternative, building heights are projected to be below 50 feet and therefore no shadow impact is anticipated.

Like the proposed action, this alternative would not result in significant adverse impacts to architectural resources.

The effects of the alternative on archaeological resources would be the same as those of the proposed action. The alternative could result in significant adverse unmitigated impacts on the same sites as the proposed action.

Similar to the proposed action, the R6 and M1-2/R6 alternative could result in the construction of larger structures and different building types than characterize the subarea or are permitted by existing zoning. Although the projected development under this alternative would be 40 to 50 feet in height as compared to 50 to 70 feet in the proposed action, the urban design effect of this alternative are not substantially different from those of the proposed action. The R6 and R6/M1-2 alternative would permit the development of many new residential buildings on currently vacant or underutilized properties, although at slightly less bulk than the proposed action. Active

industry would likely continue to be a strong presence within the mixed use zoning district.

The effects of the R6 and M1-2/R6 alternative with respect to hazardous material issues is expected to be identical to those of the proposed action. Under this alternative, however, an (E) designation would not be needed for Block 1743, Lot 7, which is not anticipated for development under the R6 development scenario.

Under the R6 and M1-2/R6 alternative, development would occur at less bulk and density than with the action-induced development. The effects with respect to the city's water supply, treatment of wastewater, management of stormwater, solid waste and sanitation services would be somewhat less than the action-induced development, and would not result in significant adverse impacts. Likewise, under the R6 and M1-2/R6 alternative energy consumption would be somewhat less than the action induced development, resulting in no adverse impacts.

Under the R6 and M1-2/R6 alternative, development would occur at less bulk and density than with the action-induced development, with fewer development sites. Like the proposed action, construction impacts are not expected.

This alternative would generate approximately two-thirds of the vehicular trips generated by the proposed project and would have similar, but lesser impacts to those locations with the proposed project. This alternative would have significant traffic impacts at the following intersections: Flushing Avenue/Williamsburg Place (AM, midday and PM peak hours), Park /Franklin Avenues (AM and midday peak hours), Park/Bedford Avenues (AM, midday and PM peak hours), Flushing/Franklin Avenues (midday peak hour), Myrtle/Bedford Avenues (AM peak hour) and for un-signalized intersections, Park Avenue/ Skillman Street (AM and PM peak hours), Myrtle Avenue /Skillman Street (PM peak hour) and Wallabout Street/Wythe Avenue (AM peak hour). The intersections with significant traffic impacts would be mitigated with similar, but smaller mitigation measures, as the proposed action.

Neither the R6 and M1-2/R6 alternative nor the proposed action would result in any significant adverse impacts to the parking, subway or pedestrian systems. The proposed project's impacts on the westbound B54 bus in the AM peak hour would not occur under the R6 and M1-2/R6 alternative, however, during the PM peak hour, the eastbound B54 and B57 buses would continue to operate with a smaller capacity deficit than the proposed project.

Like the proposed action, the R6 and M1-2/R6 alternative would not result in mobile source air quality impacts. With respect to stationary source emissions, the effects of the alternative would be slightly different due to the reduced density and lower building heights, but like the proposed action would not result in significant adverse impacts.

Since the R6 and M1-2/R6 alternative Scenario would generate less traffic, the noise increase during this alternative would be lower than the proposed action.

Under the R6 and M1-2/R6 Alternative Scenario, (E) designations for noise would be required on three fewer sites compared to the proposed action. Under the R6 alternative, the three sites (15, 33 and 35) are no longer identified for development.

No Impact Alternative

It is the City's practice to include whenever feasible, a "No-Impact" alternative that avoids, without the need for mitigation, all significant environmental impacts of the proposed action. It was determined, after analysis, that there is no such No-Impact alternative that is consistent with City policies.

MITIGATION

Socioeconomic Conditions – Secondary Residential Displacement

Subsequent to the issuance of the DEIS, the Department has developed additional mitigation measures to address the potential for secondary residential displacement impacts. In response to comments received on the DEIS, and in consultation with the New York City Department of Housing Preservation and Development (HPD), a group of interrelated measures have been identified that would provide additional partial mitigation of this impact.

The DEIS identified an extensive amount of existing government-assisted housing in Community Districts 1 and 3 which provides an existing resource for the population of the rezoning area potentially subject to displacement pressures. (See Appendix C.) The DEIS also described the planned construction of over 3,500 new publicly assisted units of housing in the two community planning districts over the analysis period. The purpose of the additional mitigation measures described below is to provide potentially affected residents with enhanced opportunities to obtain low-income housing resources; to expand the range of housing resources available to them; to ensure that they are able to access these resources with the assistance of a community-based provider; and to establish a monitoring mechanism which will ensure a continuing City attention to issues of secondary displacement. The new measures are as follows:

Enhanced and Expanded Community Preference: Under current program design, 30% of all new housing units in HPD projects to be located in Community District Boards 1 and 3 are set aside for residents of those Community Districts, thereby already giving residents potentially affected by secondary displacement a preferential access to such units. Under the proposed mitigation developed in consultation with HPD, residents within the census tracts of the secondary displacement area (Blocks 2241, 2245, 2249, 2265, 2268, 2232, 2236, 2240, 2244, 2248, 2264, 2231, 2235, 2239, 2263, 2262, 2223, 2216, 2260, 261, 1882, 1883, 1884, 1885, 1886, 1715, 1716, 1897, 1898, 1899, 1900, 1734, 1735, 1913, 1914, 1750, 1751, 1752, 1753)

would receive expanded eligibility for the 30% community district residency preference for any low income housing project developed by HPD for which they qualify, in Brooklyn Community District Boards 1, 2 and 3. To illustrate: a resident of Community District 3 within these census tracts would enjoy the preference with respect to new low-income units to be located not just in Community District 3, but Community Districts 1 and 2 as well. In addition, the Community Preference concept would be expanded to include not just newly constructed units, but also units in existing HPD housing which become available through vacancy turnover. It is estimated that residents within the census tracts for the secondary displacement area would thereby enjoy a preference with respect to approximately 1,090 units over a ten-year period, as set forth in Table V.A-6.

Neighborhood Preservation Services: HPD will contract with a locally-based not-for-profit entity with experience and expertise in affordable housing services to provide neighborhood residents with services to link them with HPD housing resources and to identify potential relocation resources for the displaced tenants. In particular, the contractor will familiarize residents with the Enhanced and Expanded Community Preference and assist them in participating in that system. The contract would commence in 2002.

Secondary Displacement Task Force: HPD and the Department of City Planning will form a Flushing-Bedford Secondary Displacement Task Force to monitor any secondary displacement on an on-going basis and make recommendations to the Mayor for further measures, as needed. The Task Force would include local representation and would allow the City to adjust its response to any secondary displacement effects, as they occur. The Task Force would continue in existence for ten years, unless its members submit to the Mayor a report determining that secondary displacement effects are not occurring and that there is no reasonable likelihood that they will occur.

Traffic and Transportation

The proposed project is expected to result in traffic impacts at four signalized intersections under 2004 build conditions, six signalized, and three unsignalized intersections in the full build-out year of 2009. The proposed mitigation measures would attempt to return the impacted locations' LOS to acceptable mid-LOS D, or to the conditions without the proposed project (No Build) or better. The following summarizes the proposed mitigation measures at each impacted intersection, and shows that all impacts are mitigated.

2004 Build Conditions:

Flushing Avenue at Williamsburg Place: This intersection would require signal timing changes and a parking prohibition. The transfer of two (2) seconds of green time from southbound Williamsburg Place to east and westbound Flushing Avenue in the AM peak hour, and prohibiting parking on Williamsburg Place within 150 feet of the intersection to allow a left/through lane, a through lane, and a right turn lane. The Midday and PM peak hour

mitigation measures would require the transfer of one (1) second, and three (3) seconds, respectively, from Williamsburg Place to Flushing Avenue with the same parking prohibitions as in the AM. This mitigation measure would reduce the AM westbound left turn delay from 88.7 seconds (V/C = 1.098) under 2004 Build conditions to 72.6 seconds (V/C = 1.062) with mitigation. In the Midday, the westbound left turn delay would be reduced from 88.6 seconds (V/C=1.112) under 2004 Build conditions to 76.4 seconds (V/C = 1.086) with mitigation. The mitigation measure would reduce the PM westbound left turn delay from 96.0 seconds (V/C = 1.114) to 71.5 seconds (V/C = 1.060). The LOS would remain at F in all peak hours; however, all impacts due to the project in 2004 would be eliminated.

Flushing Avenue at Franklin Avenue: The mitigation measure at this intersection during the Midday would require a reallocation of two (2) seconds of green time from southbound Franklin Avenue to east/west Flushing Avenue. The delay would be decreased from 90.7 seconds (V/C = 1.118 and LOS F) under 2004 Build conditions to 56.1 seconds (V/C = 1.036 and LOS E) with this mitigation measure, eliminating the impacts.

Park Avenue at Franklin Avenue: This intersection would be mitigated with a transfer of one (1) second of green time from southbound Franklin Avenue to eastbound/westbound Park Avenue during the AM and Midday peak hours. The delay at the westbound approach would be reduced from 70.6 seconds (V/C = 1.076) under 2004 Build conditions to 61.5 seconds (V/C = 1.053) under 2004 mitigation conditions in the AM, with the LOS remaining at F, and the delay would be reduced from 55.2 seconds (V/C = 1.017) under 2004 Build conditions to 45.1 seconds (V/C = 0.981) after mitigation in the Midday (with the LOS remaining at E).

Park Avenue at Bedford Avenue: This intersection would require the transfer of two (2) seconds from northbound Bedford Avenue to Park Avenue (east-west) to be fully mitigated in the PM peak hour in 2004. The delay on the eastbound approach would be reduced from 111.0 seconds (V/C = 1.135, and LOS F) to 87.2 seconds (V/C = 1.087, and LOS F) with mitigation in 2004.

2009 Build Conditions

SIGNALIZED INTERSECTIONS

Flushing Avenue at Williamsburg Place: Mitigation measures would include the parking prohibition on the southbound Williamsburg Place for 150 feet to allow three lanes-through-left, through and right lanes for all peak hours, as also proposed for mitigation for interim 2004 build year. Total of four (4) seconds of green time (including two seconds for interim 2004) would have to be reallocated from southbound Williamsburg Place to eastbound/westbound Flushing Avenue in the AM peak hour. The Midday peak hour would require the reallocation of two (2) second of green time (including one second for interim 2004) from Williamsburg Place to Flushing Avenue, and the PM peak hour would require four (4) seconds of green time (including three seconds for interim 2004) be reallocated from Williamsburg Place to Flushing Avenue.

The effect of this mitigation would be a reduction in the AM westbound left turn delay on Flushing Avenue from 106.2 seconds (V/C = 1.135 and LOS F) under 2009 Build conditions to 71.4 seconds (V/C = 1.062, and LOS F) after mitigation. The Midday peak hour westbound left turn delay would be reduced from 95.9 seconds (V/C = 1.127, and LOS F) under 2009 Build conditions to 72.0 seconds (V/C = 1.077, and LOS F) under mitigation. The PM westbound left turn delay would decrease from 110 seconds (V/C = 1.142, and LOS F) to 73.7 seconds (V/C = 1.068, and LOS F).

Flushing Avenue at Franklin Avenue: Mitigation at this location would require the reallocation of three (3) seconds of green time (including two seconds for interim 2004) in the Midday and one (4) seconds of green time in the PM from southbound Franklin Avenue to eastbound/westbound Flushing Avenue. The result of these changes would be the westbound delay decreasing from 103.4 seconds (V/C = 1.154, and LOS F) to 55.6 seconds (V/C = 1.036, and LOS E) in the Midday and from 33.7 seconds (V/C = 0.902, and LOS D) to 31.5 seconds (V/C = 0.886, and LOS D) in the PM, thereby eliminating the impacts.

Flushing Avenue at Nostrand Avenue: Reallocation of one (1) second of green time from southbound Nostrand Avenue to eastbound/westbound Flushing Avenue would mitigate this intersection in the Midday. The delay decreases from 50.5 seconds (V/C = 1.015, and LOS E) under 2009 Build conditions at the eastbound approach to 43.8 seconds (V/C = 0.992, and LOS E) after mitigation.

Park Avenue at Franklin Avenue: Transferring one (1) second of green time (same for interim 2004) from southbound Franklin Avenue to eastbound/westbound Park Avenue would mitigate this intersection in the AM peak hour. In the Midday peak hour, a two (2) seconds of green time (including one second for interim 2004) transfer from southbound Franklin Avenue to eastbound/westbound Park Avenue would mitigate the impacts. Also during the PM peak hour, a two (2) seconds of green time transferring from southbound Franklin Avenue to eastbound/westbound Park Avenue would mitigate the impacts. The results are that in the AM peak hour, the delay at the westbound approach would decrease from 75.1 seconds (V/C = 1.087, and LOS F) under Build conditions to 65.8 seconds (V/C = 1.065, and LOS F) under 2009 Build conditions with mitigation, in the Midday the delay would decrease from 62.4 seconds (V/C = 1.040, and LOS F) to 41.5 seconds (V/C = 0.968, and LOS E), and in the PM the delay would decrease from 48 seconds (V/C = 0.996, and LOS E) to 37.7 seconds (V/C = 0.956, and LOS D). And the delay at the eastbound approach would decrease from 36.4 seconds (V/C = 0.945, and LOS D) to 29.7 seconds (V/C = 0.907, and LOS D) in the PM. Impacts would be eliminated with the changes.

Park Avenue at Bedford Avenue: At this intersection, mitigation would call for a reallocation of four (4) seconds of green time from northbound Bedford Avenue to east and westbound Park Avenue, in the AM, two (2) seconds of green time in the Midday, and three (3) seconds of green time (including two seconds for interim 2004) in the PM peak hour. These mitigation measures would result in a reduction of the eastbound AM delay on Park Avenue from 42.5 seconds (V/C

= 0.905, and LOS E) to 31.6 seconds (V/C = 0.822, LOS D), the eastbound Midday delay would be reduced from 41.6 seconds (V/C = 0.941, LOS E) to 32.2 seconds (V/C = 0.886, LOS D), and the eastbound PM delay would be reduced from 125.6 seconds (V/C = 1.162, LOS F) to 87.3 seconds (V/C = 1.089, and LOS F). Impacts would be eliminated with the changes.

Myrtle Avenue at Bedford Avenue: At this intersection, the mitigation would involve a signal timing adjustment resulting in the reallocation of two (2) seconds of green time from the northbound Bedford Avenue to the eastbound/westbound Myrtle Avenue during the AM peak hour. This mitigation would reduce the westbound delay from 59.8 seconds (V/C = 1.036, and LOS E) to 48.9 seconds (V/C = 1.001, and LOS E), eliminating the traffic impacts.

UNSIGNALIZED INTERSECTIONS

Park Avenue at Skillman Street: Mitigation at this unsignalized intersection would call for the parking prohibition on the northbound Skillman Street for 150 feet on the western curb to allow a marked left turn lane from northbound to westbound Park Avenue. The delay would then be decreased at the northbound approach in the AM from 30.1 seconds (LOS E) to 24.5 seconds (LOS D) on the left turn movement and 14.8 seconds (LOS C) on the through/right turn movement with the total northbound approach delay being at 18.8 seconds (LOS C). In the PM, the delay would be decreased from 28.7 seconds (LOS D) to 21.2 seconds (LOS D) for the left turn movement and 16.5 seconds (LOS C) for the through/right turn movement with the total northbound approach delay being at 18.1 seconds (LOS C). A traffic signal would not be warranted as a mitigation measure for this intersection, since the proposed day-lighting would eliminate traffic impacts at this intersection.

Myrtle Avenue at Skillman Street: Mitigation at this unsignalized intersection would also call for the parking prohibiting on the northbound Skillman Street for 150 feet on the western curb to allow a dedicated left turn lane from northbound Skillman Street to westbound Myrtle Avenue. The delay would then be decreased at the northbound approach in the PM from 26.4 seconds (LOS D) to 21.6 seconds (LOS D) on the left turn movement and 17.3 seconds (LOS C) on the through/right turn movement with the total northbound approach delay being at 18.7 seconds (LOS C). A traffic signal would not be warranted as a mitigation measure for this intersection, since the proposed day-lighting would eliminate traffic impacts at this intersection.

Wallabout Street at Wythe Avenue: At this unsignalized intersection, the proposed mitigation measure would involve adding a traffic signal. The delay at the westbound approach in the AM would be decreased from 41.4 seconds (LOS E) to 32.1 seconds (V/C = 0.931, and LOS D). The proposed traffic signal would mitigate the traffic impact during the AM peak hour, in addition to improving the level of service during the other peak hours. The traffic signal would be warranted as a mitigation measure for this intersection.

Supplemental air quality analysis were prepared to support the proposed traffic mitigation

measures. Based on the result of these analysis, the proposed project's mitigation measures would not result in air quality impacts. Carbon monoxide (CO) concentrations with the proposed mitigation for the predicted significant traffic impacts indicate that the maximum predicted 1- and 8- hour averages at the analyzed locations were well below the corresponding standards. All the maximum predicted 8-hour CO concentrations with the proposed mitigation measures would be below the applicable National Ambient Air Quality Standards (NAAQS). Therefore, the proposed action with the proposed traffic mitigation would not result in any significant air quality analysis from mobile sources.

UNMITIGATED ADVERSE IMPACTS

Open Space

The proposed action would increase existing and projected open space deficiencies in the open space study area, resulting in significant, adverse indirect open space impacts. Currently, the open space study area contains 0.323 acres of open space per thousand residents, which is well below the city median of 1.5 acres per thousand residents and DCP's goal of 2.5 acres per thousand. In the future without the action, the open space ratio would decrease to 0.295 acres per thousand. In the future with the action, the residential population generated by the proposed action would further reduce the open space ratio to 0.280 acres per 1,000 residents. The decrease in open space availability would constitute a significant adverse impact.

The study area's open space resources are extremely limited. Given the size of the current and projected open space shortfall, the creation of new on-site or public open space would not significantly improve the open space ratio or eliminate the open space impact. In order to achieve the goal of providing 2.5 acres of open space per 1,000 residents, approximately 233 acres of new open space, consisting of 185 acres of passive space and 48 acres of active open space, would need to be added to the study area in the future with the proposed action.

The Department of Parks and Recreation has funded plans to improve several existing open spaces in the study area. These improvements are expected to occur in the future without the proposed action. At this time, there are no additional measures identified that would improve open space conditions in the study area or eliminate action-induced impacts. However, the Department of City Planning has agreed to continue to work with the Department of Parks and Recreation to identify future potential improvements to open space resources in the study area.

Historic Resources – Archaeology

There is a potential for disturbance of archaeological resources on any of the nine projected development sites and nine potential development sites which may be sensitive for nineteenth century archaeological resources. Archaeological resources within the required rear yard

portions of development sites would likely remain undisturbed. However, resources within portions of the development sites where new construction could occur might be destroyed by action-induced development, which would constitute a significant adverse impact. No mitigation measures are feasible, however, because the area to be rezoned is privately-owned, which prevents the City from conducting or requiring an archaeological testing program.

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