

A. INTRODUCTION

The New York City Department of Housing Preservation and Development (HPD), Gateway Center Properties Phase II, LLC, and Nehemiah Housing Development Fund Co., Inc. (“the applicant”) propose a series of actions to facilitate the modification and continued development of a previously approved mixed-use plan, including an expansion of an existing retail center in the 227-acre Fresh Creek Urban Renewal Area (FCURA) in the Spring Creek section of Brooklyn.

To develop the project, the applicant is proposing amendments to the Fresh Creek Urban Renewal Plan (FCURP) to revise the site plan; and change parcel sizes, permitted uses, density, and height limits. In addition, the applicant proposes amendments to the Zoning Map and City Map to remove and realign streets and remap parks, and seeks special permits for bulk modifications for height and setback and the modification of signs. The proposed plan and map amendments, waivers, and special permits (collectively, “the Proposed Action”) would result in a modified site plan that would facilitate the construction of a mixed-use development with residential and community facility uses, open space, and accessory parking and would allow for expansion of the existing retail center and local retail in the FCURA (collectively, “the Proposed Project”).

In connection with the development of housing in the FCURA, the City of New York would provide for the construction of new streets, parks, water supply, stormwater, and wastewater infrastructure, a public school for intermediate and high school grade levels, and transit (bus layover) facilities. The aforementioned elements of the Proposed Project would be constructed and/or maintained by the New York City Department of Transportation (NYCDOT), New York City Department of Parks and Recreation (DPR), New York City Department of Environmental Protection (NYCDEP), and New York City Department of Education (DOE). The new school would be constructed by the New York City School Construction Authority (SCA); however maintenance of the school would fall under the jurisdiction of DOE. The bus layover facility would be constructed by Gateway Center Properties Phase II, LLC and would be maintained by New York City Transit (NYCT).

The Proposed Action is subject to environmental review pursuant to the New York State Environmental Quality Review Act (SEQRA) and New York City’s Executive Order 91 of 1977 and its amendments establishing the City Environmental Quality Review New York City Environmental Quality Review (CEQR). HPD, as lead agency in this process, has determined that an Environmental Impact Statement (EIS) should be prepared to examine and disclose the potential environmental impacts of the Proposed Action.

HPD issued a Positive Declaration and Draft Scope for the Draft Environmental Impact Statement (DEIS) in February 2007. Following a public review period, HPD issued a Final Scope on April 8, 2008, including responses to public comments. A DEIS was then prepared

consistent with the methodologies set forth in the Final Scope and examined the potential impacts of the Proposed Action consistent with analysis criteria set forth in the *CEQR Technical Manual* (Mayor's Office of Environmental Coordination, 2001). A Notice of Completion for the DEIS was approved by HPD on September 3, 2008, which commenced public review of the DEIS in coordination with public review for the City's Uniform Land Use Review Procedure (ULURP). A joint DEIS and ULURP hearing was held at the New York City Department of City Planning on January 7, 2009, and public comments on the DEIS were accepted until January 20, 2009. This Final Environmental Impact Statement (FEIS) examines the potential impacts of the Proposed Action and responds to pertinent public comments on the DEIS.

This chapter serves as the basis for the environmental analysis in the subsequent chapters of this FEIS. This chapter begins with a historical overview of the FCURA and its current development followed by a description of the Proposed Project for the FCURA, the purpose and need for the Proposed Project, and the actions required to implement the Proposed Project. The final sections of this chapter describe the framework for the analysis presented in this EIS and the environmental review process.

B. BACKGROUND AND DEVELOPMENT HISTORY

As shown in Figure 1-1, the FCURA is located in southeast Brooklyn and is bounded by Hendrix Creek and Schenck Avenue on the west, Flatlands Avenue on the north, Fountain Avenue on the east, and the Shore Parkway on the south. The FCURA is comprised of Block 4443, Lot 1, Block 4444, Lot 1, Block 4445, Lot 1, Block 4446, Lot 1, Block 4447, Lot 1, Block 4448 Lot 1, Block 4449, Lots 1 and 101, Block 4450, Lot 1, Block 4451, Lot 1, Block 4452, Lots 170, 400, 450, 460, 470, 480, 490, 500, 510, 520, 530, 540, 550, 560, 570, 600, 601, 700, 701 and 800, and Block 4586, Lots 1, 300, and 872. It is a 227-acre parcel of land, of which approximately 100 acres have been developed to date.

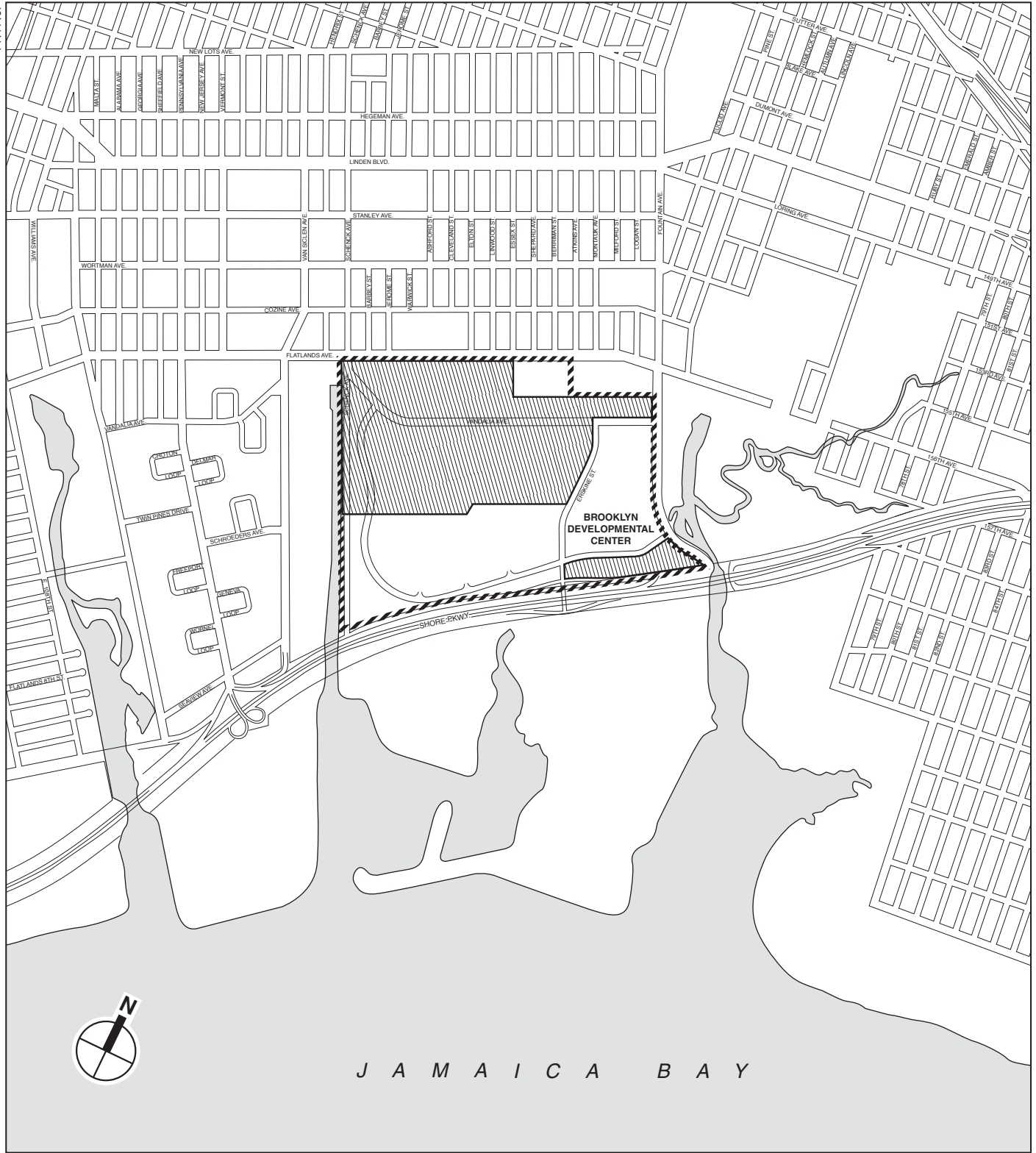
DEVELOPMENT PRIOR TO THE FRESH CREEK URBAN RENEWAL AREA PLAN

The FCURA, part of the New Lots area of Brooklyn, was first inhabited by Dutch settlers in the 17th and 18th centuries and was primarily rural until the 20th century. The portion of New Lots south of Stanley Avenue was predominantly salt meadows and streams or kills (such as Hendrix Creek and Spring Creek). The meadows remained in agricultural use even while the surrounding East New York neighborhoods grew and developed. The transformation of the FCURA began in the 1930s. Most of the Project Site was used as the Milford Street Landfill until 1950, when municipal landfill operations stopped. After its use as a landfill, the Project Site was used for illegal dumping, and prone to fires, odors, and occasional flooding. However, the public sector was instrumental in transforming the adjacent area. Significant developments included the construction of the Shore Parkway to the south in the 1940s and the 26th Ward Water Pollution Control Plant to the west in the 1950s.

CREATION OF THE FRESH CREEK URBAN RENEWAL AREA

In 1967, the City established the FCURA pursuant to Article 15, Section 504 ("the Urban Renewal Law") of the General Municipal Law, and HPD was charged with implementing the provisions of the FCURP. The FCURA governed development within the area bounded by Flatlands Avenue on the north, Fountain Avenue on the east, the Shore Parkway on the south, and Schenck Avenue/Hendrix Creek on the west. The FCURP sought to:

11.19.07



-  Project Site
-  Fresh Creek Urban Renewal Area Boundary

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SCALE

- Eliminate blight and maximize appropriate land use;
- Strengthen the tax base of the city by encouraging development and employment opportunities in the area;
- Provide new housing exhibiting good design in terms of privacy, light, air, and open space;
- Provide convenient community facilities, parks and recreational uses, local and regional commercial uses, and parking; and
- Redevelop the area in a comprehensive manner, removing blight and establishing both a residential and regional commercial character for the area, with appropriate support facilities.

Subsequent to approval of the 1967 FCURP, there was limited development within the FCURA. In 1972, the Brooklyn Developmental Center (Block 4586, p/o Lot 300) and its adjacent streets were constructed on the eastern portion of the FCURA, but the balance of the site remained vacant. In 1982, the FCURP was amended to remove Block 4452, Lot 425. By the mid-1990s the only uses that had been developed within the FCURA were the Brooklyn Developmental Center, the 7.7-acre Thomas Jefferson Athletic Field (Block 4451, Lot 1), and certain streets.

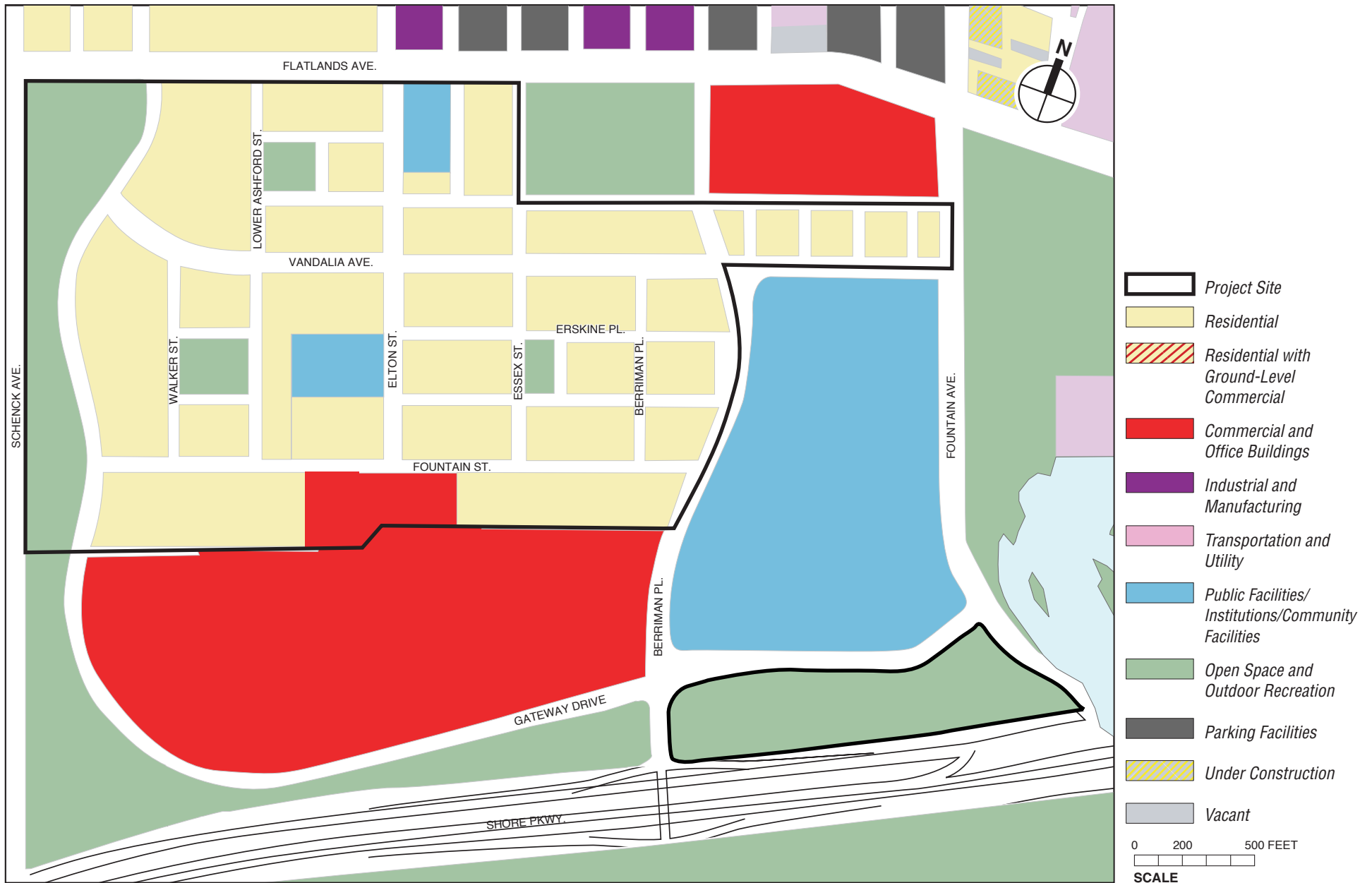
THE 1996 FRESH CREEK URBAN RENEWAL AREA PLAN

In 1996, HPD issued the second amended FCURP along with the *Gateway Estates Final Environmental Impact Statement* ("1996 FEIS"). The purpose of the second amended FCURP was to implement the land use plan conceived in 1967 when the FCURA was established. The second amended FCURP specified a land use plan for the site and development controls in terms of use, density, and bulk. Accordingly, the City mapped streets and public parklands within the FCURA consistent with the second amended FCURP (see Figure 1-2), and approved the following development program ("1996 Plan"):

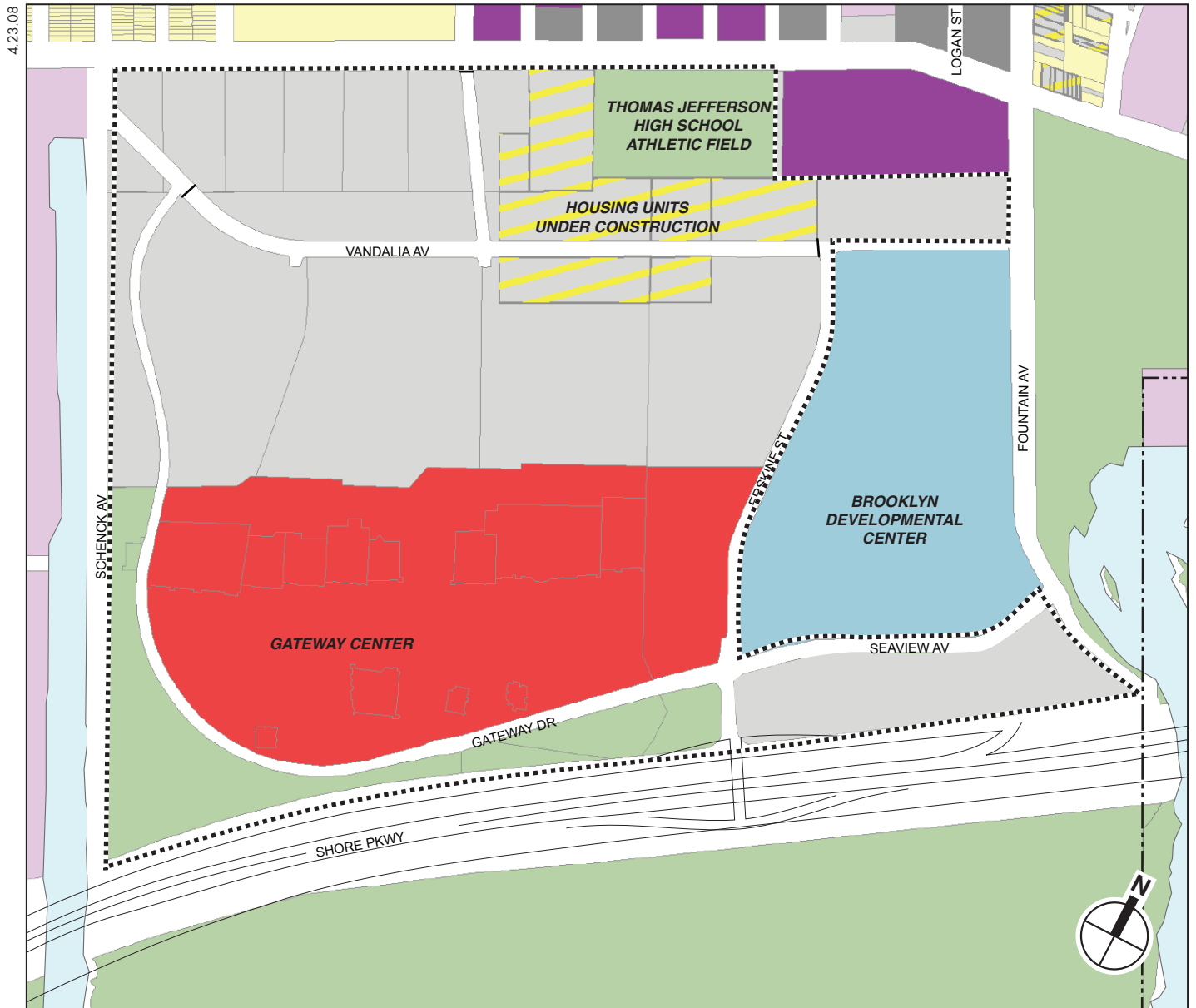
- **Residential:** Up to 2,385 residential units, consisting of up to 200 senior citizen housing units pending U.S. Department of Housing and Urban Development funding, 500 units of Nehemiah housing built by East Brooklyn Congregations, up to 1,475 units for sale or rent to middle-income households, and 125 units to be developed for low- to moderate-income households;
- **Retail:** Approximately 655,000 square feet (sf) of retail comprised of 15,000 sf of neighborhood-oriented retail and a 640,000-square-foot shopping center with 2,685 accessory parking spaces;
- **Community Facilities:** 30,000 sf of community facility space, an elementary and an intermediate school (pending funding), and a 4,000 sf nursery school;
- **Office:** 10,000 sf of professional office space;
- **Public Open Space:** 45.2 acres of new and improved open space, including a 42.1 acre perimeter park and 3.1 acres of interior parks; and
- **Infrastructure:** New and improved infrastructure to support the 1996 Plan, including water mains, sewage disposal, drainage, new streets, and a Shore Parkway interchange.

Presently, approximately 100 acres of the 227-acre FCURA have been or will soon be developed (see Figure 1-3). Existing development within the FCURA includes:

- Gateway Center, a 640,000-square-foot shopping center and its associated parking lot (Block 4452, Lots 450, 460, 470, 480, 490, 500, 510, 520, 530, 540, 550, 560, and 570);



Source: NYC Dept. of Housing Preservation and Development Fresh Creek Urban Renewal Project, Second Amended Urban Renewal Plan, January 1996.



Gateway Estates II

- A 9.7-acre portion of the perimeter park (Block 4452, portions of (p/o) Lots 170 and 570 and Block 4586, p/o Lot 1); and
- The Erskine Street interchange from the Shore Parkway, certain streets, and utility lines.

In addition, Nehemiah Housing Development Fund Co., Inc. is in the process of developing a total of 378 housing units on Block 4449, Lot 101, Block 4450, Lot 1, and Block 4452, Lots 601, 701, and 800; and Block 4586, Lot 872. Of the 378 units, 184 are constructed and in the process of being occupied and 194 are in the advanced planning stage. The remainder of the FCURA is vacant or unimproved.

Implementation of the 1996 Plan required the following mitigation commitments to remediate the significant adverse impacts identified in the 1996 FEIS.

- **Historic Resources:** The 1996 FEIS identified archaeological monitoring during excavation activities to mitigate the impact on potentially sensitive prehistoric and archaeological resources identified within a two-block area north of Vandalia Avenue and west of Elton Street.
- **Natural Resources:** To mitigate the removal of 3.3 acres of wetlands within the FCURA, the 1996 FEIS identified the creation of an equal area of high-quality wetlands north of the Shore Parkway and west of the new Erskine Street interchange. The 1996 FEIS also identified the creation of new high-quality grasslands on a 73-acre island (“White Island”) to mitigate the elimination of 56 acres of high-quality grasslands within the FCURA that served as a natural habitat for bird species.
- **Hazardous Materials:** The 1996 FEIS identified implementation of a Health and Safety Plan (HASP) to mitigate the potential impacts of exposure to hazardous materials during construction. The 1996 FEIS disclosed the presence of methane gas within the FCURA, resulting from its former use as landfill. It identified implementation of a NYCDEP approved methane ventilation system to be installed within new buildings in the FCURA.
- **Traffic:** The 1996 FEIS identified improvements at 10 intersections to mitigate the potential traffic impacts of the 1996 Plan as described below:

At the intersection of Pennsylvania Avenue and Atlantic Avenue, the 1996 FEIS identified a mitigation plan to widen eastbound Atlantic Avenue between Sheffield Avenue and Pennsylvania Avenue, and to remove curbside parking from westbound Atlantic Avenue between New Jersey and Georgia Avenues;

At the intersection of Pennsylvania Avenue and Linden Boulevard, the 1996 FEIS identified a mitigation plan to widen southbound Pennsylvania Avenue and to prohibit parking and standing on this intersection approach; and

The 1996 FEIS identified operational improvements, such as signal timing modifications, traffic lane restriping, and parking regulation modifications, at the intersections of Pennsylvania Avenue and Flatlands Avenue, Pennsylvania Avenue and Clemson Avenue, Pennsylvania Avenue and Liberty Avenue, Pennsylvania Avenue and Fulton Street, Linden Boulevard and Malta Street, Linden Boulevard and Van Siclen Avenue, and Linden Boulevard and Fountain Avenue.

- **Transit:** The 1996 FEIS recommended increased service on the B6 and B13 bus routes to provide increased capacity to accommodate project-generated bus riders.

To date, the following mitigation commitments of the 1996 FEIS have been implemented:

- The creation of approximately 3.5 acres of high-quality wetlands west of the Erskine Street interchange;
- The creation of new high-quality grasslands on the approximately 75-acre White Island is underway as described in more detail below;
- The implementation of a HASP for portions of the FCURA that have been developed since 1996;
- The installation of a DEP-approved methane ventilation system for buildings within the FCURA that have been constructed since 1996;
- Intersection improvements at Pennsylvania Avenue and Atlantic Avenue, and Pennsylvania Avenue and Linden Boulevard; and
- Increased service on the B6 and B13 bus routes.

Under the original project agreements for the Fresh Creek Urban Renewal Area from the 1996 FEIS, the commercial developer, Gateway Housing Development Fund, Inc. was responsible for implementing the White Island Grassland Creation (mitigation) project. At the time the agreements were reached in the mid 1990's, it was believed that the Army Corps of Engineers (ACOE) would be able to provide free, clean sand from one its Rockaway Inlet maintenance dredging cycles and that the entire project could be accomplished at a modest cost.

In 2000, Related Retail, Inc., as successor to Gateway Housing Development Fund, Inc., took steps to implement White Island as required, starting with the hiring of a consultant team to analyze and recommend an implementation plan. From the consultant report, it became clear that White Island would cost more than originally expected and that the technical logistics of getting sand to the island could prove difficult.

In March 2001, the City of New York determined that DPR should be responsible for implementing the White Island project. An amendment to the Land Disposition Agreement was executed, and the developer made a payment to the City in consideration of the City's agreement to assume responsibility for the White Island Grassland Creation project. Capital funds were allocated to DPR based on the cost estimate for White Island at that time. As DPR took steps to advance White Island, several things became clear:

- ACOE is on a 2-year cycle for dredging Rockaway Inlet, meaning one brief window of opportunity for obtaining sand every other year.
- ACOE considers the beneficial reuse of the sand at White Island a low priority relative to other needs such as re-nourishing areas of erosion along Rockaway Beach. Sand will only be available from the ACOE for the White Island project if a sufficient quantity is available from any particular dredge cycle after addressing other priorities first. The purchase of sand from a private vendor must be considered as a secondary option.
- Transportation of the sand to White Island requires a potentially substantial payment to ACOE or its contractor to cover the differential cost relative to a more efficient disposal method.
- The logistics of transporting a vast quantity of sand to White Island will prove quite difficult.

Together, these issues have resulted in delays in DPR's ability to advance White Island. White Island has also faced several budget cuts, all of which have been restored, but at the loss of more time.

As of this date, DPR is funded to advance the White Island project and is taking steps to execute the work on a steady timeline. A design consultant has been hired and the reconnaissance work has commenced on the island. The following timeline describes both recent and pending milestones towards a planned commencement of actual construction in the spring of 2009.

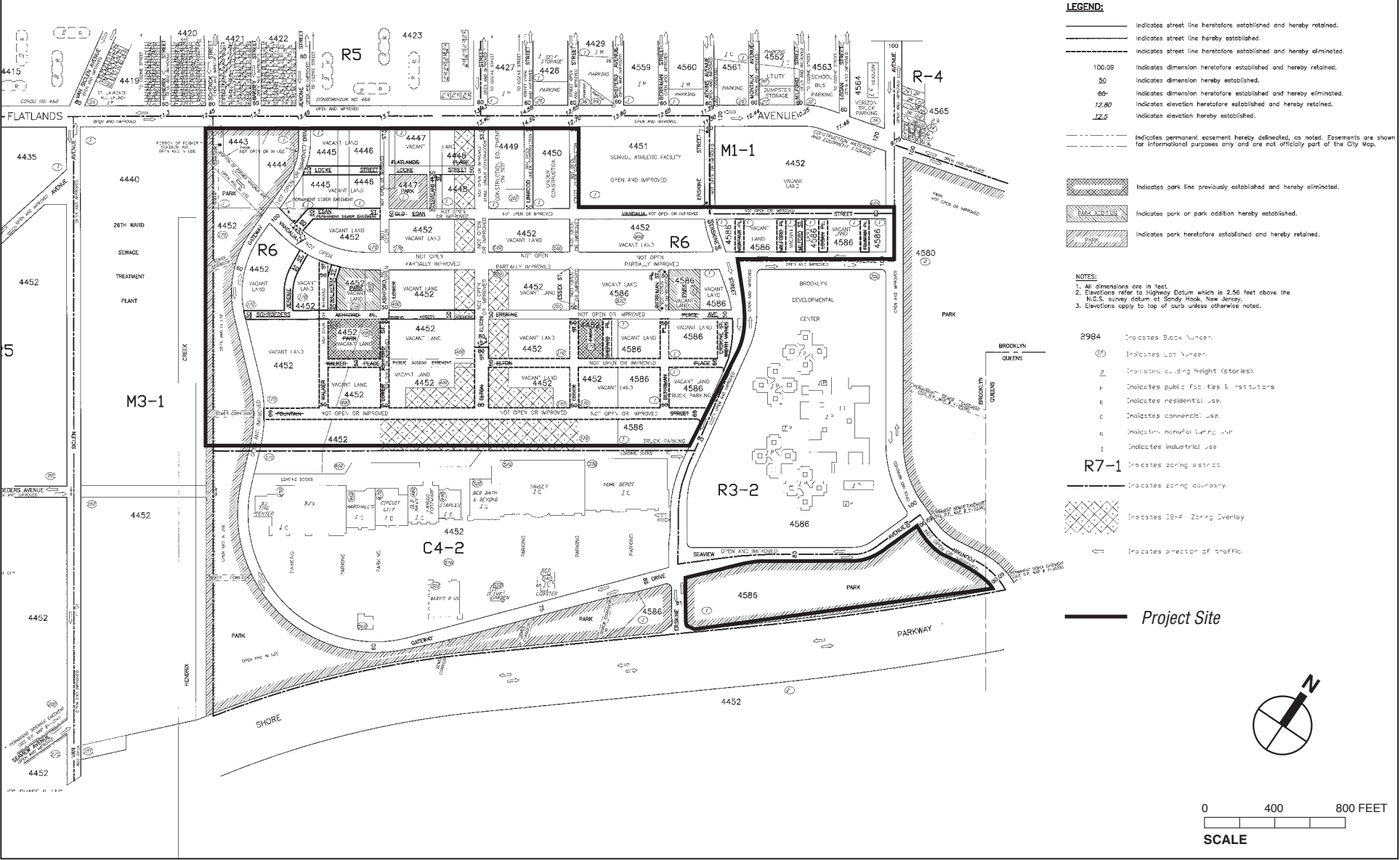
In May 2007, \$15.3 million was transferred into DPR's budget for the reconstruction of White Island. The reconstruction of the island is proceeding forward in three phases.

- The Phase 1 scope of work has begun and includes the applications of herbicide and the cutting/clearing of phragmites, trees and shrubs. This work is limited to the area of White Island that is above the 10 foot contour and when completed will allow for completion of a topographic survey required for construction design. The island will be kept clear of undesired vegetation as required during the design phase. The initial herbicide application was completed in September 2007.
- Phase 2 involves the redesign and reconstruction of the island. The design will address stabilization along the edges of the island which currently has sand bags in place to prevent garbage from migrating into the surrounding creeks. The design will also include the capping of the island with sand and planting with grassland species. The redesign is in preliminary phase and will more rapidly progress when the survey is complete and in response to New York State Department of Environmental Conservation (NYSDEC) comments. Construction is anticipated to begin in winter 2009.
- Phase 3 involves DPR's Natural Resource Group's maintenance and stewardship of White Island and will commence upon completion of restoration activities, which is expected to occur in 2012.

C. DESCRIPTION OF THE PROPOSED PROJECT

The Proposed Project is proposed for the undeveloped portions of the FCURA as well as the area that will be developed as Nehemiah at Spring Creek (collectively, "Project Site"). The Project Site consists of Block 4443, Lot 1, Block 4444, Lot 1, Block 4445, Lot 1, Block 4446, Lot 1, Block 4447, Lot 1, Block 4448, Lot 1, Block 4449, Lots 1 and 101, Block 4450, Lot 1, Block 4452, Lots 400, 600, 601, 700, 701, 800, and p/o 170, and Block 4586, Lot 872 and p/o Lot 1 (see Figure 1-4). The Project Site is city-owned except for a portion that was conveyed to Nehemiah Housing Development Fund Co., Inc. and Block 4452, Lot 400, which is state-owned. Like the 1996 Plan, the Proposed Project would result in mixed-use development within the FCURA, including residential, community facility, and retail uses; public parkland, and new streets and infrastructure. The elements of the Proposed Project are described below.

- **Residential:** Like the 1996 Plan, the Proposed Project comprises up to 2,385 residential units, which include the 184 units that are constructed and in the process of being occupied and the approximately 194 units that are in the advanced planning stages. All of the housing would qualify as affordable units pursuant to public, private, and not-for-profit financing programs.
- **Retail:** Up to 630,000 sf of shopping center with 2,067 accessory parking spaces and up to 68,000 sf of local retail. These new retail uses would be in addition to the 640,000-square-foot shopping center that already exists within the FCURA.



- **Community Facilities:** The Proposed Project would include a 1,226-seat school for intermediate and high school grade levels, a 16,000 square foot day care facility, and 30,000 square feet of an undetermined community/public facility use.
- **Open Space:** 36.5 acres of open space, including 33.2 acres of perimeter park and 3.3 acres of interior parks. With the Proposed Action, two interior parks would be demapped and would be remapped at new locations, and the third park would be developed at the same location identified in the 1996 Plan. The open space would be in addition to the 9.7-acre portion of the perimeter park that has already been completed. Overall, the Proposed Project would result in one acre more of open space (46.2 total acres) than was proposed in the 1996 Plan (45.2 total acres).
- **Infrastructure:** The Proposed Project would include new streets and utilities in the undeveloped portions of the FCURA as well as space within the FCURA for a new bus terminus and taxi/transportation stand.
- **Supportive Housing:** It is anticipated that approximately 70 mentally handicapped individuals would reside within the multiple dwellings proposed for the Elton Street corridor. A not-for-profit organization would be selected by the NYS Office of Mental Health (OMH) to provide appropriate support services, and rental stipends would be provided via OMH funding. Support services would be geared toward placing individuals in specific housing units, provision of case management services and community resources as needed in order to ease integration into permanent housing. It is anticipated that the tenants would reside in units scattered throughout the corridor and would not be concentrated in any particular location.

COMPARISON TO THE 1996 PLAN

Table 1-1 compares the 1996 Plan and the Proposed Project. Compared to the 1996 Plan, the Proposed Project would contain the same number of housing units and a slightly higher acreage of parkland. Both plans also have a day care and an undetermined community/public facility use, and both include new streets and utilities within the FCURA. Whereas the 1996 Plan included an elementary and an intermediate school, the Proposed Project would include a school that would serve intermediate and high school grade levels.

The Proposed Project would result in more retail within the FCURA than was proposed in the 1996 Plan. The 1996 Plan included a 640,000-square-foot shopping center and 15,000 sf of local retail space. As noted above, the shopping center was opened in 2002, but the local retail was not developed. Under the Proposed Project, the existing regional retail use would be expanded from 640,000 sf to approximately 1,270,000 sf. The Proposed Project also includes up to 68,000 sf of local retail use. Therefore, with implementation of the Proposed Project, the FCURA would have a total of up to 1,338,000 sf of retail use compared to 655,000 sf of retail use under the 1996 Plan.

One element of the 1996 Plan, 10,000 sf of professional office space, has not been explicitly programmed in the Proposed Project. However, professional offices (i.e., doctor and dentist offices, real estate and insurances agents, etc.) may occupy a portion of the local retail space. Two elements of the Proposed Project, a bus terminus and a taxi/transportation stand, were not included in the 1996 Plan.

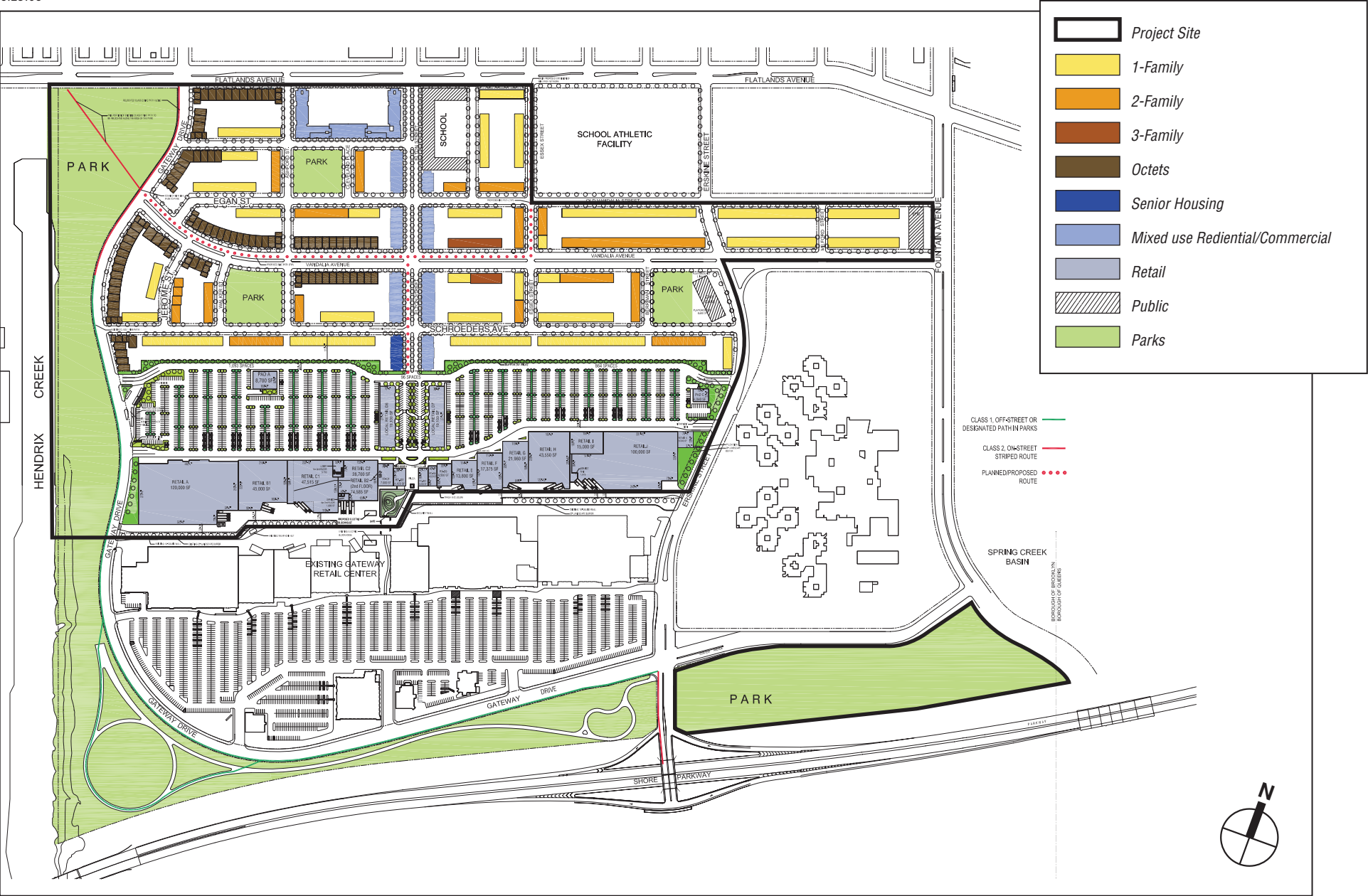
Table 1-1
1996 FEIS Development Plan and the Proposed Project

Use	1996 Plan	Proposed Project	Change in Use (Proposed Project vs. 1996 Plan)
Residential⁵	Up to 2,385 DU	Up to 2,385 DU ⁴	0 DU
Retail			
Destination Retail ⁵	640,000 SF	Up to 1,270,000 SF ¹	+ 630,000 SF
Local Retail ⁵	15,000 SF	Up to 68,000 SF	+ 53,000 SF
Total Retail ⁵	655,000 SF	Up to 1,338,000 SF	+ 683,000 SF
Office⁵	10,000 SF	0 SF	- 10,000 SF
Community/Public Facilities			
Elementary School	1,200 Seats	0 Seats	No change in programming of day care but an increase in size. No change in programming of community/public facility; land was set aside for two schools in the 1996 Plan, but only one school (<u>with intermediate and high school programs</u>) is now proposed
Intermediate School	900 Seats	490 Seats	
High School	0 Seats	736 Seats ²	
Day Care ⁵	4,000 SF	16,000 SF ²	
Community Facility ⁵	30,000 SF	30,000 SF ²	
Open Space	45.2 Acres	46.2 Acres ³	+ 1 Acres
Parking	2,685 Spaces	Approximately 5,767 Spaces	3,082 Spaces
Notes:			
1. Includes 640,000 sf of retail that has already been completed.			
2. Land will be set aside for the proposed community/public facility, <u>intermediate</u> /high school, and day care center.			
3. Includes approximately 9.7 acres of perimeter park that have already been completed.			
4. Includes approximately 378 units that are under construction or are in the advanced planning stages.			
5. Approximate.			

The Proposed Plan would result in the same number of residential units as the 1996 Plan even though it would include a large shopping center and parking lot in areas dedicated to residential use in the 1996 Plan. This would be accomplished because zoning changes would increase allowable residential density along Elton Street and on the parcels south of Flatlands Avenue between Ashford and Elton Streets. Under the Proposed Plan, Elton Street would be developed with six- to eight-story apartment buildings; under the 1996 Plan, Elton Street will be developed with four-story buildings. The parcel along Flatlands Avenue would also be developed with a six- to eight-story apartment building under the Proposed Plan. In addition, octets (8-family dwellings) would be constructed in the western portions of the FCURA along Gateway Drive, Vandalia Avenue, and Flatlands Avenue under the Proposed Plan.

LAND USE PLAN

Figure 1-5 shows the proposed site plan. As shown, new streets would be constructed within the undeveloped portions of the FCURA to subdivide the land into smaller parcels. The new residential, community facility, and local retail uses would be located within the northern portion of the FCURA. The new approximately 630,000-square-foot shopping center would be located immediately north of the existing Gateway Center. A perimeter park would encompass the western and southern boundaries of the FCURA, and new interior parks would be created within the residential portion of the site.



RESIDENTIAL

Like the 1996 Plan, up to 2,385 residential units would be constructed within the FCURA, which includes up to 378 units that are currently under construction or in the advanced planning phase. The plan for the 2,385 units includes a mix of rental and owner-occupied units and a mix of building types. Apartment buildings would be located on the block bounded by Ashford Street, Flatlands Avenue, Elton Street, and Locke Street, and along Elton Street between the shopping center and Locke Street. These buildings would range in height from six to eight stories and would have local retail on all or portions of the ground floors (see Figure 1-6). The parcel on the west side of Elton Street south of Schroeders Avenue would provide for approximately 80 units of senior citizen housing. The blocks east and west of Elton Street would contain a mix of lower density housing, including one-, two-, and three-family structures. There would also be eight-family buildings fronting Gateway Drive, Flatlands Avenue, and Vandalia Avenue. Ground-level, rear parking would be provided for the buildings along Elton Street, a surface lot would be provided for the building on Parcel 4a/4b, and on-street and rear-yard parking would be provided for the remainder of the new residential units.

RETAIL

As described above, the apartment buildings along Elton Street would have local retail uses on their ground floors, which would total up to 68,000 square feet. The Proposed Project also includes an approximately 630,000-square-foot expansion of Gateway Center. The new shopping center would be located immediately north of the existing Gateway Center. The new accessory parking for the shopping center would be located on its north side with access from Gateway Drive, Elton Street, and Erskine Street. Like the existing Gateway Center, the expansion would include a mix of retail uses. The shopping center would also contain one or two satellite buildings that might be occupied by restaurants or small retail stores. In total the existing and expanded Gateway Center would provide for approximately 1,270,000 sf of shopping center use within the FCURA.

Elton Street would serve as a neighborhood commercial street that would link the shopping center with the new residential community (see Figure 1-7). Ground-level retail would line Elton Street between Flatlands Avenue and the shopping center. Elton Street would then cross into the “town center” portion of the shopping center. The town center would be lined with two one-story buildings that would contain small retailers or restaurants. It would have ample pedestrian space and angled parking. The retail buildings within the town center would be a physical buffer between Elton Street and the main parking areas for the shopping center. The southern terminus of Elton Street would be a plaza from which pedestrians could walk to the larger retail stores.

The parking lot for the expanded Gateway Center would be built to comply with the New York City Department of City Planning (DCP) new zoning text amendment imposing design standards for commercial and community facility parking lots. This amendment introduces regulations for landscaping, perimeter screening of lots, and requirements for canopy trees in planting islands within the lots, as well as maximum curb cut widths and maneuverability requirements. These regulations, as implemented in the Gateway Center parking lot, would reduce the urban heat island effect, improve air quality, manage stormwater runoff, improve the aesthetics of parking lots, and improve safety for drivers and pedestrians within the lots.



Elton Street Housing



Nehemiah Housing



Nehemiah Housing



View of Town Center from Elton Street



Town Center



View of Plaza from Town Center

COMMUNITY FACILITIES

The Proposed Project includes three parcels for development as community and or public facilities as follows:

- A 1,226-seat public intermediate/high school would be located on Parcel 14a, which is bounded by Elton Street, Flatlands Avenue, Linwood Street, and Parcels 14b and 14c;
- A day care center would be located on the parcel bounded by Parcel 26b, Egan Street, Erskine Street, and Schroeders Avenue; and
- The site bounded by Parcel 32, Egan Street, Fountain Avenue, and Vandalia Avenue would be set aside for an as yet determined community or public facility use.

OPEN SPACE

The Proposed Project for the FCURA would include 36.5 acres of new public open space, which would comprise a 33.2-acre expansion of the perimeter park and 3.3 acres of new interior parks. This open space would be in addition to the 9.7 acres of the perimeter park that is already built. Overall, the Proposed Project would result in one acre more of open space than was proposed in the 1996 Plan.

Upon completion, the perimeter park would include a bike and pedestrian path, grassy areas for both active and passive recreation, and areas of natural and planted vegetation. Upon completion, the park would total 42.9 acres, 9.7 of which have been developed to date and 33.2 acres that would be implemented under the Proposed Project.

The Proposed Action would permit the development of a total of 3.3 acres of interior parks on three parcels as follows:

- The parcel bounded by Ashford Street, Locke Street, Cleveland Street, and Egan Street;
- The parcel bounded by Vandalia Avenue, Schroeders Avenue, Walker Street, and Ashford Street; and
- The parcel bounded by Vandalia Avenue, Schroeders Avenue, Berriman Street, and Parcel 26a.

The interior parks would include areas of both active recreation (i.e., playgrounds) and passive recreation (i.e., benches and lawns). The City will own and operate these parks.

INFRASTRUCTURE

The Proposed Project would include new streets and sidewalks as well as water, sewer, gas, electric, and other utility lines. The Proposed Project would also include a bus layover and turnaround facility within the parking lot of the expanded shopping center, adjacent to Gateway Drive. The facility would provide space for up to six buses to layover concurrently, and would include a canopy to shelter bus passengers while loading and unloading. This facility would allow NYCT to provide direct and increased bus service within the FCURA.

GREEN DESIGN

The Proposed Project would include several green design elements. The parking lot for the expanded shopping center would be built to comply with DCP's green design standards for parking lots. As part of this compliance, the shopping center and parking lot would be designed

with a stormwater management system utilizing on-site stormwater best management practices (BMPs) to remove pollutants, sediments, and floatables. Stormwater BMPs being considered include pretreatment measures such as vegetated swales and rain gardens to allow some infiltration of stormwater, temporary on-site stormwater storage to detain the runoff and control the rate it is discharged to the storm sewer, catch basins fitted with hydrodynamic devices to remove oil and grit, and hoods to remove floatables. Further, the new shopping center may be constructed with a white roof to reduce cooling costs, and techniques designed to minimize air pollution and noise would be used during construction of the Proposed Project.

CIRCULATION PLAN

Like the 1996 Plan, the Proposed Project would result in the reconfiguration or extension of existing streets and the creation of new streets within the undeveloped portions of the FCURA. Gateway Drive and Erskine Street would be extended north from Vandalia Avenue to Flatlands Avenue and Elton Street would be fully constructed between Flatlands Avenue and the new shopping center. An existing section of Vandalia Avenue between Gateway Drive and Schenck Avenue would be eliminated. Locke Street, Egan Street, and Schroeders Avenue would be built and would provide east-west access through the Project Site. The new north-south streets would include Jerome Street, Walker Street, Ashford Street, Cleveland Street, Linwood Street, Essex Street, Berriman Street, and Milford Street.

Gateway Drive, Erskine Street, and the Erskine Street interchange from the Shore Parkway would serve as the main points of entry to the FCURA for vehicles accessing the shopping center since these streets would serve the parking lot. Elton Street is envisioned as the spine of the development for its new residents and would provide pedestrian access between Flatlands Avenue and the shopping center. Delivery vehicles would approach the site from designated NYCDOT truck routes.

The Proposed Project includes an accessory parking lot for the expanded retail center. There would also be on-street and rear yard parking for the residential buildings, on-street parking for the retail uses that line Elton Street, interior garages for the residential and retail uses on Elton Street, and a surface parking lot on the parcel bounded by Ashford Street, Flatlands Avenue, Elton Street, and Locke Street.

The Proposed Project would also include a bus layover and turnaround facility within the parking lot of the expanded shopping center, adjacent to Gateway Drive. The facility would provide space for up to six buses to layover concurrently, and would include a canopy to shelter bus passengers while loading and unloading. This facility would allow NYCT to provide direct and increased bus service within the FCURA.

PURPOSE AND NEED

The Proposed Project would provide social and economic benefits for the Spring Creek community, the Borough of Brooklyn, and the City, as a whole. The Proposed Project would provide up to 2,385 units of affordable housing on the Project Site, which was a commitment of the 1996 Plan. This housing would add much-needed affordable units to the City's housing supply as compared to today. In accordance with the 1996 Plan, 378 units are complete or are in the design phase, and up to 2,007 additional units are in the planning phase. As part of the Proposal, land would be set aside for community/public facilities, including an intermediate/high school and a day care facility. The Proposed Project would also relocate and expand the mapped but un-built interior parks within the project area to provide a better site plan and allow for the

development of unbuilt portions of perimeter parkland within the northwestern and southeastern portions of the FCURA, which were previously approved but have not yet been developed. The revised site plan would also relocate proposed residential and commercial uses within the FCURA.

In addition to revising the site plan, the Proposed Project would allow for the expansion of the existing retail center and new local retail along Elton Street. This would generate a substantial number of new jobs and would provide for tax revenues.

PROPOSED ACTION

UNIFORM LAND USE REVIEW PROCEDURE ACTIONS

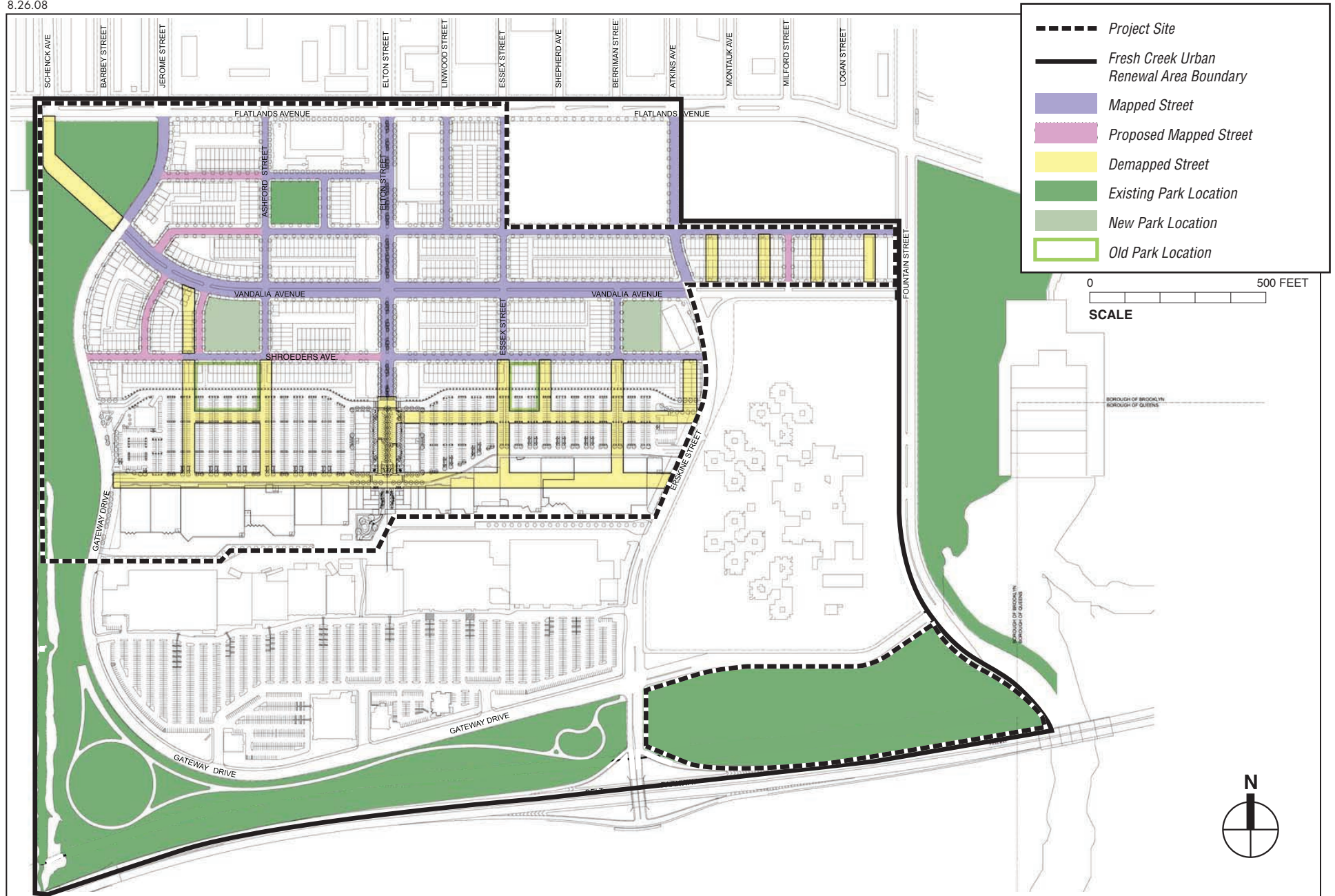
The following discretionary actions, which are subject to New York City's ULURP, are being requested to facilitate the Proposed Action for the FCURA.

- **City Map Amendment:** The applicant is seeking an amendment to the current City Map to eliminate, map, realign, and extend certain streets, and to relocate parklands (see Figure 1-8). The following mapping action is being requested to facilitate the Proposed Project for the FCURA.

The following streets would be eliminated, discontinued and closed:

- Montauk Place between Egan Street (also known as Old Vandalia Street) and Vandalia Avenue;
- Milford Place between Egan Street (also known as Old Vandalia Street) and Vandalia Avenue;
- Logan Place between Egan Street (also known as Old Vandalia Street) and Vandalia Avenue;
- Fountain Place between Egan Street (also known as Old Vandalia Street) and Vandalia Avenue;
- Fountain Street between Gateway Drive and Erskine Street;
- Walker Place between Walker Street and Ashford Street (also known as Lower Ashford Street);
- Elton Place between Elton Street and Erskine Street;
- Walker Street between Fountain Street and Vandalia Avenue;
- Lower Ashford Street between Fountain Street and Schroeders Avenue (also known as Ashford Place);
- Elton Street between Elton Place and Fountain Street;
- Essex Street between Fountain Street and Schroeders Avenue (also known as Erskine Place);
- Berriman Place between Fountain Street and Schroeders Avenue (also known as Erskine Place);
- Erskine Street between Elton Place and Schroeders Avenue (also known as Erskine Place);
- Shepherd Place between Schroeders Avenue (also known as Erskine Place) and Elton Place; and
- Elton Street, from a point 162 feet south of the southerly line of Schroeders Avenue (also known as Erskine Place) to Elton Place.

The following new streets would be laid out on the city map;



- Milford Street between Egan Street (also known as Old Vandalia Street) and Vandalia Avenue.
- Locke Street between Gateway Drive and Ashford Street (also known as Lower Ashford Street);
- Egan Street between Vandalia Avenue and Ashford Street (also known as Lower Ashford Street);
- Jerome Street between Schroeders Avenue (also known as Ashford Place) and Vandalia Avenue;
- Walker Street between Vandalia Avenue and Schroeders Avenue (also known as Ashford Place);
- Schroeders Avenue between Gateway Drive and Walker Street; and
- Schroeders Avenue between Ashford Street (also known as Lower Ashford Street) and Elton Street.

The following established street names on the city map would be changed;

- Flatlands Place between Ashford Street (also known as Lower Ashford Street) and Elton Street would be renamed Locke Street;
- Old Vandalia Street from Ashford Street (also known as Lower Ashford Street) to Fountain Avenue would be renamed Egan Street;
- Cleveland Place from Locke Street (also known as Flatlands Place) to Egan Street (also known as Old Vandalia Street) would be renamed Cleveland Street;
- Lower Ashford Street from Schroeders Avenue (also known as Ashford Place) to Flatlands Avenue would be renamed Ashford Street;
- Ashford Place from Walker Street to Ashford Street (also known as Lower Ashford Street) would be renamed Schroeders Avenue; and
- Erskine Place from Elton Street to Erskine Street would be renamed Schroeders Avenue.

The following parks would be eliminated from the city map:

- The park bounded by Walker Street, Ashford Street (also known as Lower Ashford Street), Schroeders Avenue (also known as Ashford Place) and Walker Place; and
- The park bounded by Essex Street, Shepherd Place, Schroeders Avenue (also known as Erskine Place) and Elton Place.

The following parks would be laid out on the city map:

- A park bounded by Vandalia Avenue, Schroeders Avenue (also known as Ashford Place), Walker Street and Ashford Street (also known as Lower Ashford Street); and
- A park on the easterly side of Berriman Street (also known as Berriman Place) bounded by Vandalia Avenue and Schroeders Avenue (also known as Erskine Place).

The delineation of the following easements would be modified:

- Sewer easement in the bed of the proposed Egan Street (also known as Old Vandalia Street) between Gateway Drive and Ashford Street (also known as Lower Ashford Street) would be eliminated, but the balance of the easement would remain;
- The Public Access Easement in the bed of the proposed Schroeders Avenue (also known as Ashford Place) between Ashford Street (also known as Lower Ashford Street) and Elton Street, would be eliminated; and
- The Public Access Easement located along the extensions of Walker Place and Elton Place between Lower Ashford Street (to be eliminated) and Elton Street (to be eliminated) would be extinguished.

Grades, roadway treatment and block dimensions would be adjusted.

- **Zoning Map Amendment:** The applicant is requesting a zoning map amendment to allow for greater density for certain residential buildings and to provide for a new shopping center (see Figure 1-9). Specifically, the zoning actions would be as follows:
 - Parcels 6b, 7b, 12b, 12d, 19b and 20a: The existing zoning of these parcels is R6 (maximum residential FAR of 2.43) with a C2-4 overlay (maximum commercial FAR of 2.0). The proposed zoning is R7A (maximum residential FAR of 4.0) with a C2-4 overlay (maximum commercial FAR of 2.0).
 - Parcels 4a and 4b: The existing zoning of this parcel is R6 (maximum residential FAR of 2.43) and R6 with a C2-4 overlay (maximum commercial FAR of 2.0). The proposed zoning is R7A (maximum residential FAR of 4.0) with a C2-4 overlay (maximum commercial FAR of 2.0).
 - Parcels 12d, 14c, and 16c: The existing zoning of these parcels is R6. The proposed zoning is R7A (maximum residential FAR of 4.0) with a C2-4 overlay (maximum commercial FAR of 2.0).
 - Parcels 26B and 33: The existing zoning of these parcels is R6. The proposed zoning is R6 (maximum residential FAR of 2.43) with a C2-4 overlay (maximum commercial FAR of 2.0).
 - Shopping Center: The area south of a line approximately 115 feet south of Schroeders Avenue (also known as Ashford Place and Elton Place) is currently zoned R6 (maximum residential FAR of 2.43) and R6 with a C2-4 overlay (maximum commercial FAR of 2.0). The proposed zoning is C4-2 (maximum commercial FAR of 3.4).
- **New York City Planning Commission (CPC) Special Permits:** The applicant will declare a General Large Scale Development for the regional retail center and seek a special permit for the Zoning Resolution of the City of New York (ZR) Section 74-744(c) for modification of sign regulations.
- **Fresh Creek Urban Renewal Plan (FCURP):** The applicant is proposing amendments to the FCURP to change parcel sizes, permitted uses, density, and height limits to reflect the Proposed Project plan.
- **Urban Development Action Area Project (UDAAP) Designation:** The applicant seeks a UDAAP designation for the undeveloped portions of the FCURA north of the proposed shopping center in conjunction with the disposition of the City-owned property to the Nehemiah Housing Development Fund Co., Inc. and to Gateway Center Properties Phase II, LLC for the construction of up to 2,385 units of affordable housing.
- **Disposition of Property:** The applicant seeks the disposition of state- and city-owned land for conveyance to residential developers and Gateway Center Properties, Phase II, LLC and Nehemiah Housing Development Fund, Co., Inc. The disposition includes the following City-owned parcels: Block 4444, p/o Lot 1 south and east of proposed Gateway Drive; Block 4445, Lot 1; Block 4446, Lot 1; Block 4447, p/o Lot 1; Block 4448, Lot 1; Block 4449, p/o Lot 1; Block 4452, Lot 600, Lot 700, and p/o of Lot 170 north of Gateway Center Phase I and east of Gateway Drive; and, Block 4586, p/o Lot 1 north of Gateway Center Phase I and the Brooklyn Developmental Center. The remainder of Block 4444, Lot 1; Block 4452, Lot 170; Block 4586, Lot 1; and all of Block 4443 would remain City-owned and would be developed as parkland. The disposition also includes Block 4452, Lot 400, which is state-owned.

OTHER APPROVALS

- **Coastal Zone Consistency Determination:** The Project Site is within the boundaries of the Coastal Zone and will require a DCP determination of consistency with New York City's Local Waterfront Revitalization Program (LWRP).
- **Financing:** The implementation of the Proposed Action would include applications for financing from various public agencies. Sources may include: the New York City Industrial Development Agency (NYCIDA); the New York City Housing Development Corporation (HDC) Low-Income Marketplace Program that uses corporate reserves, low-income tax credits, and other subsidies to produce housing that is affordable for families earning less than 60 percent of New York City's median income; NYSDEC Brownfields Cleanup Program that provides liability relief and funding for brownfields remediation; and from the Empire State Development Corporation (ESDC). The applicant would also seek tax assistance from the City and the following tax exemptions from ESDC: (1) mortgage recording tax; and (2) sales tax for construction materials. As such, ESDC is an involved agency in the project's environmental review.
- **Permits:** The project requires NYSDEC State Pollutant Discharge Elimination System (SPDES) permits for stormwater discharges associated with construction activities.
- **School Site Plan Approval:** Development of the proposed school would require site plan approval by the Mayor and City Council pursuant to the requirements of the New York City School Construction Authority Act (For more information, see below under section E, "Environmental Review Process"). The SCA would be responsible for the design and construction of the proposed school on Block 4449, Lot 1. Under the terms of its enabling legislation, SCA must comply with SEQRA. Therefore, SCA would undertake appropriate measures to avoid impacts related to hazardous materials, air quality, and noise on the proposed school. For hazardous materials, SCA would undertake additional site-specific investigations to determine the specific measures and engineering controls that would be implemented to avoid hazardous materials impacts.

D. ENVIRONMENTAL ANALYSIS FRAMEWORK

This EIS has been prepared in conformance with all applicable laws and regulations, including Executive Order No. 91, CEQR regulations (dated August 24, 1977). It follows the methodology set forth in the project's Final Scope and uses the guidance of the *CEQR Technical Manual* (2001).

EXISTING CONDITIONS

The existing conditions analysis for this EIS is generally based on field surveys and data collected in the fall of 2006 and spring of 2007. To date, approximately 100 acres of the FCURA have been developed. Existing uses on the site include:

- The Brooklyn Developmental Center (Block 4586, p/o Lot 300);
- The 7.7-acre Thomas Jefferson Athletic Field (Block 4451, Lot 1);
- Gateway Center, a 640,000-square-foot shopping center and its associated parking lot (Block 4452, Lots 450, 460, 470, 480, 490, 500, 510, 520, 530, 540, 550, 560, and 570);
- Nehemiah at Spring Creek, which includes a total of 378 housing units under construction or in the advanced planning stages on Block 4449, Lot 101, Block 4450, Lot 1, and Block

Gateway Estates II

4452, Lots 601, 701, and 800; and Block 4586, Lot 872 (subsequent to publication of the DEIS, 184 units have been constructed and are in the process of being occupied);

- A 9.7-acre portion of perimeter park (Block 4452, p/o Lots 170 and Block 4586, p/o Lot 1);
- Paved streets (Gateway Drive, Erskine Street, Fountain Avenue, Vandalia Avenue, and p/o Elton Street, Linwood Street, Old Vandalia Street, Essex Street, and Erskine Place); and
- The Erskine Street interchange from the Shore Parkway; and
- Subgrade water, sewer, and utility lines.

The remainder of the FCURA is currently vacant and unimproved.

The specific study areas and methodologies for collecting baseline data for each of the technical studies are described in the following chapters of this EIS.

NO BUILD AND BUILD CONDITIONS

The future conditions analysis for the EIS considers two build years—2011 and 2013. The EIS compares the effects of the Proposed Project (also known as the “Build condition”) to a future No Build condition. The future No Build condition accounts for the portions of the 1996 Plan that have not yet been completed but would be absent the Proposed Action.

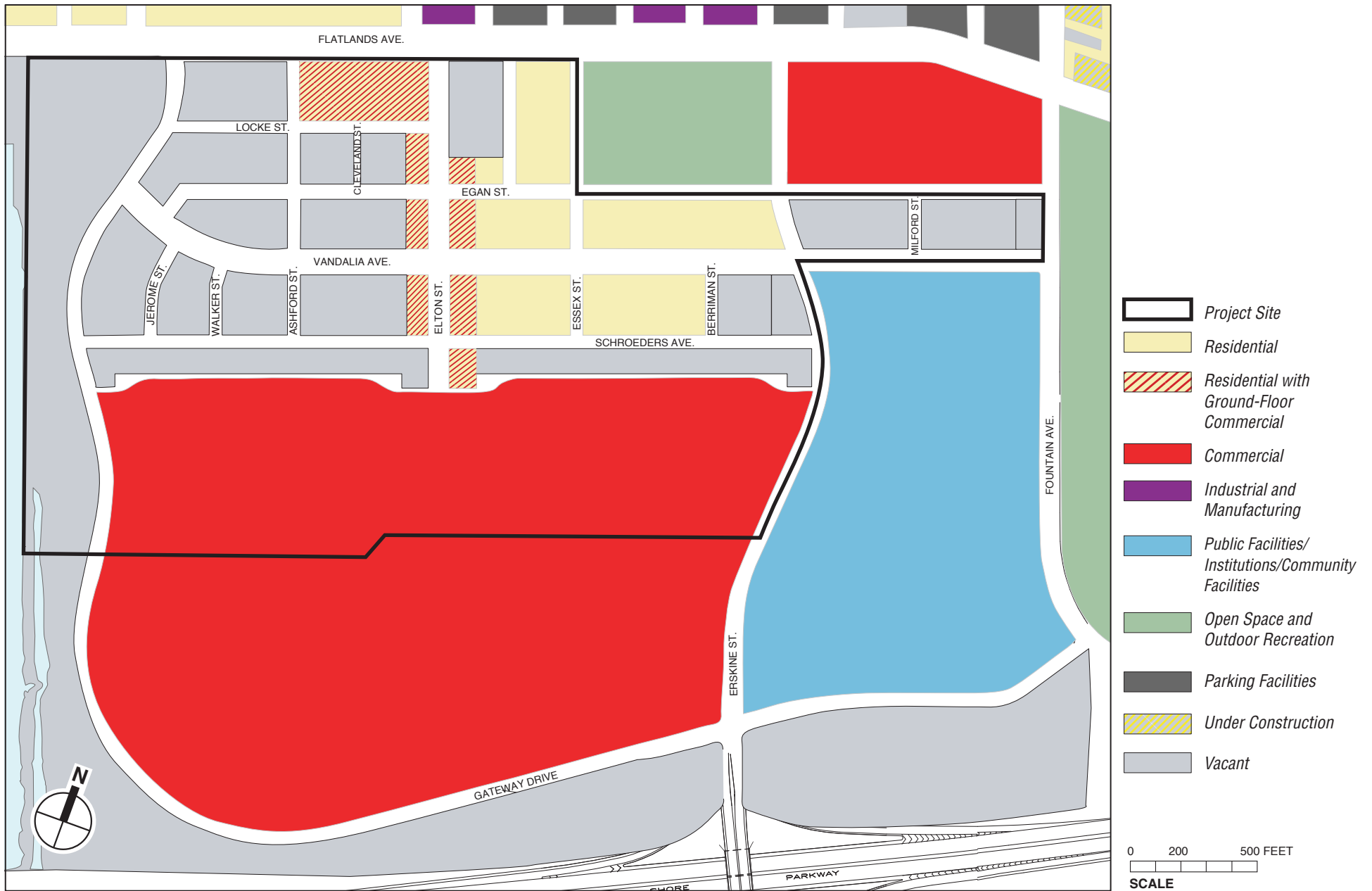
2011 ANALYSIS YEAR

The 2011 No Build condition includes the 378 residential units that are currently or will soon be under construction on the Project Site as well as the existing uses described above. In the 2011 No Build condition, the remainder of the FCURA would continue to be unimproved.

The 2011 Build condition includes the 378 residential units that are currently or soon will be under construction as well as the proposed 649 residential units along Elton Street and Flatlands Avenue. In total, the 2011 Build condition includes 1,027 residential units. The 2011 Build condition also includes the 630,000-square-foot expansion of the retail center and 68,000 square feet of local retail uses within the bases of buildings along Elton Street and Flatlands Avenue. The 2011 Build condition is illustrated in Figure 1-10 and Table 1-2 compares the proposed uses for the 2011 No Build and Build conditions.

Table 1-2
FCURA Development Programs—2011

	No Build (1996 Plan)	Build (Proposed Project)	Increment
Housing (units)*	378 DU	1,027 DU	649 DU
Shopping Center*	0 SF	630,000 SF	630,000 SF
Local Retail	0 SF	68,000 SF	68,000 SF
Office (SF)	0 SF	0 SF	0 SF
Community/Public Facilities			
Elementary School	0 Seats	0 Seats	0 seats
Intermediate School	0 Seats	0 Seats	0 seats
High School	0 Seats	0 Seats	0 Seats
Day care	0 SF	0 SF	0 SF
Community Facility	0 SF	0 SF	0 SF
Open Space*	0 SF	0 SF	0 SF
Note: * Approximate			



2013 ANALYSIS YEAR

For the 2013 No Build condition, the EIS accounts for all of the elements of the 1996 Plan that were not implemented to date (housing units, local retail space, professional office space, community/public facilities, and the as yet undeveloped open space). For the 2013 Build condition, the EIS includes full implementation of the Proposed Project. Table 1-3 shows the development programs for the FCURA that have been assessed for the 2013 No Build and Build conditions. The proposed land uses for the 2013 Build condition are illustrated in Figure 1-11.

Table 1-3
FCURA Development Programs—2013

	No Build (1996 Plan)	Build (Proposed Project)	Increment
Housing (units)*	2,385 DU	2,385 DU	0 DU
Shopping Center**	0 SF	630,000 SF	630,000 SF
Local Retail	15,000 SF	68,000 SF	53,000 SF
Office (SF)	10,000 SF	0 SF	(10,000 SF)
Community/Public Facilities			
Elementary School	1,200 seats	0 Seats	(1,200 Seats)
Intermediate School	1,900 seats	490 Seats	(510 Seats)
High School	0 Seats	736 seats	736 seats
Day care	4,000 SF	16,000 SF	12,000 SF
Community Facility	30,000 SF	30,000 SF	0 SF
Open Space*	35.5 Acres	36.5 Acres	1 Acre
Note: * Approximate			

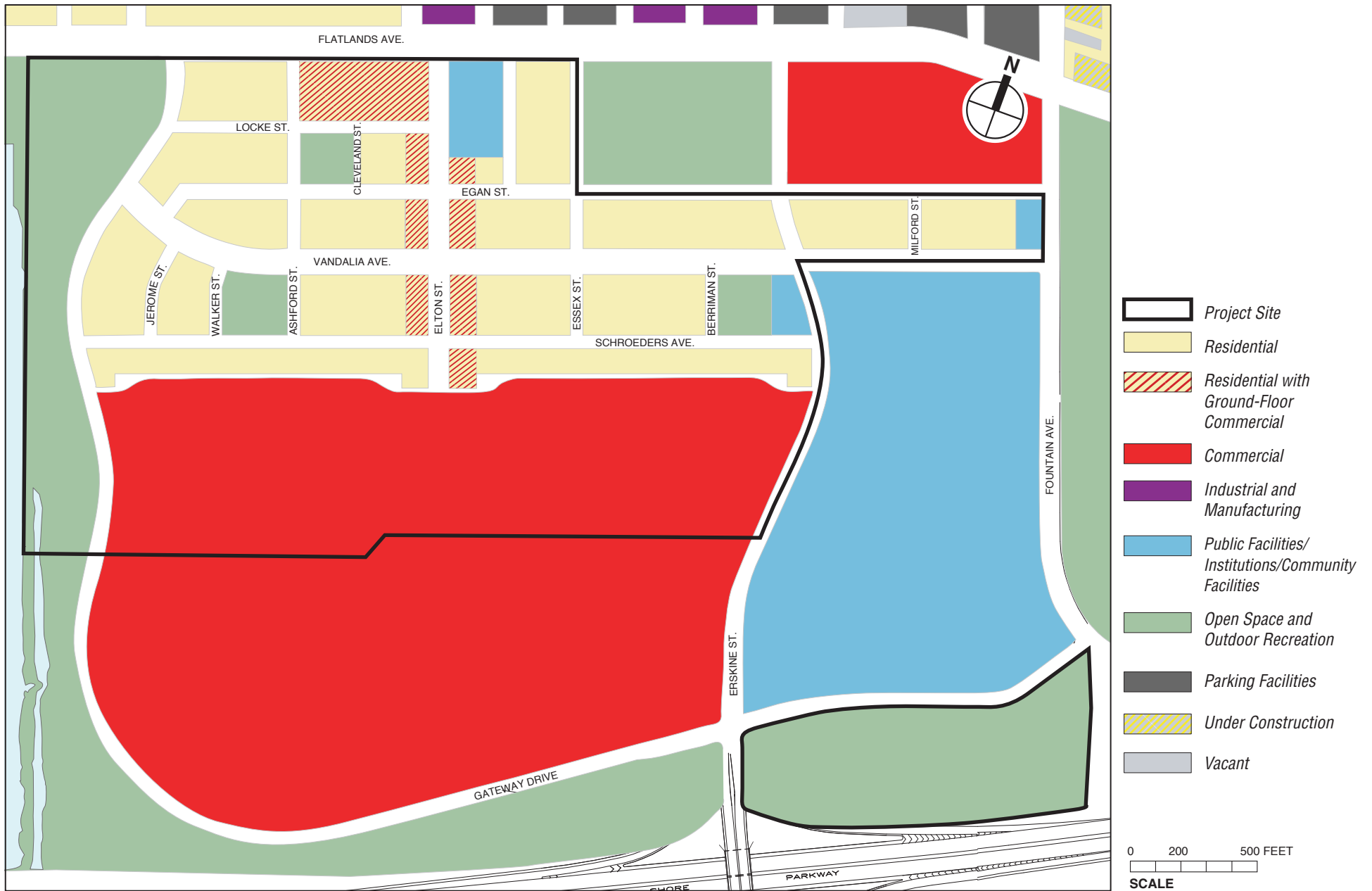
E. ENVIRONMENTAL REVIEW PROCESS

CEQR OVERVIEW

New York City has formulated an environmental review process, CEQR, pursuant to the SEQRA and its implementing regulations (Part 617 of 6 New York Codes, Rules and Regulations). The City's CEQR rules are found in Executive Order 91 of 1977 and subsequent rules and procedures adopted in 1991 (62 Rules of the City of New York, Chapter 5). CEQR's mandate is to ensure that governmental agencies undertaking actions within their discretion take a "hard look" at the environmental consequences of each of those actions so that all potential significant environmental impacts of each action are fully disclosed, alternatives that reduce or eliminate such impacts are considered, and appropriate, practicable measures to reduce or eliminate such impacts are adopted.

The CEQR process provides a mechanism for decision makers to understand the environmental consequences of a proposed action, alternatives to the action, and need for mitigating any significant adverse impacts of the action. CEQR rules guide environmental review through the following steps:

- *Establish a Lead Agency.* Under CEQR, the "lead agency" is the public entity responsible for conducting environmental review. The lead agency is typically the agency with primary responsibility for the Proposed Project.
- *Determine Significance.* The lead agency's first decision is to determine whether the Proposed Project may have a significant impact on the environment. This is based on an



EAS. After review of the EAS, HPD has determined that this Proposed Project could have a significant adverse effect on the environment, requiring an EIS be prepared. Therefore, HPD has issued a Positive Declaration for this project.

- *Scoping.* Once the lead agency has issued a Positive Declaration, it then issues a draft scope of work for the EIS. “Scoping” is the process of establishing the type and extent of the environmental impact analyses to be studied in the EIS. The CEQR scoping process is intended to focus the EIS on those issues that are most pertinent to the proposed action. The process at the same time gives other agencies and the public a voice in framing the final scope of the EIS. During the scoping period, interested and involved agencies and members of the public could review the draft EIS scope, which was issued in February 2007. The public had the opportunity to submit comments in writing to the lead agency or at the public scoping meeting held on March 21, 2007 at Brooklyn Borough Hall. The meeting record remained open until April 4, 2007, at which point the public comment period was closed. The final EIS scope, which was published on August 8, 2008, was reviewed by the lead agency and incorporates all relevant comments made on the draft scope. It revises the extent or methodologies of the studies, as appropriate, in response to comments made during the public comment period. The DEIS was prepared in accordance with the final scope of analysis for the EIS.
- *DEIS.* In accordance with the final scope of work, a DEIS is prepared. The lead agency reviews all aspects of the document and manages the coordinated review of all involved and interested agencies. Once the lead agency is satisfied that the DEIS is complete, it issues a Notice of Completion and circulates the DEIS for public review. When a DEIS is required, it must be certified as complete before the ULURP application can proceed. HPD approved a Notice of Completion for the DEIS on September 3, 2008.
- *Public Review.* Publication of the Notice of Completion of the DEIS starts public review. During this period, which must extend for a minimum of 30 days, the public may review and comment on the DEIS either in writing or at a public hearing. As noted above, when the CEQR process is coordinated with ULURP, the hearings are typically held jointly. The lead agency must publish a notice of the hearing at least 14 days before it takes place, and must accept written comments for at least 10 days following the close of the hearing. All substantive comments become part of the CEQR record and must be summarized and responded to in the FEIS. The public hearing for the DEIS was held on January 7, 2009 at DCP’s Spector Hall.
- *FEIS.* After the close of the public comment period for the DEIS on January 20, 2009, HPD prepared this FEIS. This document must include a summary restatement of each substantive comment made about the DEIS with a response. Once HPD determined that the FEIS was complete, it issued a Notice of Completion and circulated the FEIS.
- *Findings.* The lead agency adopts a formal set of written findings, reflecting its conclusions about the potential significant adverse environmental impacts of the Proposed Project, potential alternatives, and mitigation measures. The findings may not be adopted until at least 10 days after the Notice of Completion has been issued for the FEIS. Once findings are adopted, the lead and involved agencies may take their actions.

COORDINATION WITH OTHER REVIEW PROCESSES

SITE PLAN APPROVAL OF PROPOSED SCHOOL SITE

Development of a new school on Block 4449, Lot 1 by the SCA would require approval of the site plan following the process established by the New York City School Construction Authority Act. That process would require the SCA to provide a site plan and formal notification of the proposed site to the DOE, CPC, and Brooklyn Community Board 5. The community board would be required to hold a public hearing within 30 days of the notification, and would be required to submit written comments within 45 days of the notification. SCA would also accept all comments from the public during the 45-day period. Following completion of the public comment period and consideration of all comments received, SCA may affirm, modify, or withdraw the plan. Following this process, SCA submits the site plan to the Mayor and City Council for consideration and final approval. *