New York City Environmental Quality Review Act (CEQR)

Environmental Assessment Statement (EAS)

464 OVINGTON AVENUE REZONING

464 OVINGTON AVENUE

CEQR NUMBER: 24DCP097K
BAY RIDGE, BROOKLYN

Lead Agency:
New York City Department of City Planning (DCP)
120 Broadway, 31st Floor
New York, NY 10271

Prepared By:
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LANGAN

16 February 2024

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City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☒ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* 464 Ovington Avenue

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
24DCP097K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
TBD	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY New York City Department of City Planning			NAME OF APPLICANT Geffen Management LLC c/o Advantage Consulting Group		
NAME OF LEAD AGENCY CONTACT PERSON Stephanie Shellooe Director, Environmental Assessment and Review Division			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Albi Saqe		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 7128 5th Avenue		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 11209
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE (212) 725-2727	EMAIL albi@ advantageconsultgroup.com	

5. *Project Description*

The Applicant, Geffen Management LLC, seeks approval of two discretionary land use actions from the City Planning Commission (CPC) to allow the development of a multifamily residential building at 464 Ovington Avenue (Block 5892, Lot 38, "Projected Development Site 1") in the Bay Ridge neighborhood of Community District 10, Brooklyn (see EAS Figures 1 and 2). The Proposed Actions include:

1. A zoning map amendment to rezone the area bound by the centerline of Ovington Avenue to the north, a line 100 feet west of Fifth Avenue to the east, a line 100 feet north of 72nd Street to the south, and a line 200 feet east of Fourth Avenue to the west (the "Proposed Rezoning Area") from an R3X district in the Special Bay Ridge District (BR) to an R6A (BR) district; and
2. A zoning text amendment to modify the New York City Zoning Resolution (ZR) Appendix F to designate the Proposed Rezoning Area as a Mandatory Inclusionary Housing (MIH) area.

The Proposed Actions would allow the Applicant to develop the "Proposed Development" on Projected Development Site 1. The site would be developed with a 42,996-gsf residential building with 40 dwelling units (DUs) and 18 below-grade accessory parking spaces. The Proposed Development would rise eight stories to a roof height of 85 feet.

Pursuant to the MIH program, the Proposed Development would be required to dedicate a minimum of 20 percent of new DUs as permanently affordable. The Applicant is proposing MIH Option 1, which requires a minimum of 25 percent of new units be made available to households earning an average of 60 percent of the Area Median Income (AMI).

Lot 32 ("Projected Development Site 2") is a 9,259-sf vacant lot that is not owned by the Applicant and is currently for sale. This vacant lot meets the definition of a "projected development site" because it is a readily developable vacant site, and its zoning capacity would be increased with the proposed rezoning. The EAS assumes that Project Development Site 2 would be developed based on worst-case conditions. If developed, Projected Development Site 2 would be developed with a 42,996-gsf residential building that would contain 40 DUs, 18 below-grade accessory parking spaces, and rise to a height of 85 feet and eight stories.

Project Location

BOROUGH	COMMUNITY DISTRICT(S)	STREET ADDRESS
Brooklyn	10	464 Ovington Avenue
TAX BLOCK(S) AND LOT(S)		ZIP CODE
Block 5892, Lots 24, 29, 32, 35, 38, 41, and 7501		11209

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Proposed Rezoning Area is bound by the centerline of Ovington Avenue to the north, a line 100 feet west of Fifth Avenue to the east, a line 100 feet north of 72nd Street to the south, and a line 200 feet east of Fourth Avenue to the west.

The Project Site is generally bound by Ovington Avenue to the north, Lot 41 to the east, Lots 66 through 68 to the south, and Lot 35 to the west.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY	ZONING SECTIONAL MAP NUMBER
R3X (BR)	22a

6. *Required Actions or Approvals* (check all that apply)

***City Planning Commission*:** ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

- ☐ CITY MAP AMENDMENT
- ☒ ZONING MAP AMENDMENT
- ☒ ZONING TEXT AMENDMENT
- ☐ SITE SELECTION—PUBLIC FACILITY
- ☐ HOUSING PLAN & PROJECT
- ☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
- ☐ ZONING CERTIFICATION
- ☐ ZONING AUTHORIZATION
- ☐ ACQUISITION—REAL PROPERTY
- ☐ DISPOSITION—REAL PROPERTY
- ☐ OTHER, explain:
- ☐ CONCESSION
- ☐ UDAAP
- ☐ REVOCABLE CONSENT
- ☐ FRANCHISE

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION R3X (BR) to R6A (BR); ZR Appendix F

***Board of Standards and Appeals*:** ☐ YES ☒ NO

- ☐ VARIANCE (use)
- ☐ VARIANCE (bulk)
- ☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO ☐ Cogeneration Facility ☐ Title V Permit

Other City Approvals Subject to CEQR (check all that apply)

- ☐ LEGISLATION
- ☐ RULEMAKING
- ☐ CONSTRUCTION OF PUBLIC FACILITIES
- ☐ 384(b)(4) APPROVAL
- ☐ OTHER, explain:
- ☐ FUNDING OF CONSTRUCTION, specify:
- ☐ POLICY OR PLAN, specify:
- ☐ FUNDING OF PROGRAMS, specify:
- ☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)

- ☒ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
- ☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
- ☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

7. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

- ☒ SITE LOCATION MAP
- ☒ TAX MAP
- ☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP
- ☒ ZONING MAP
- ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
- ☒ SANBORN OR OTHER LAND USE MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.):
~75,000

Waterbody area (sq. ft) and type:
N/A

Roads, buildings, and other paved surfaces (sq. ft.):
~45,000

Other, describe (sq. ft.):
~30,000 landscaping

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 85,992 gsf

NUMBER OF BUILDINGS: 2

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 42,996 gsf

HEIGHT OF EACH BUILDING (ft.):

Up to 85 feet + 10ft-tall mech. bulkhead

NUMBER OF STORIES OF EACH BUILDING:

Up to 8 stories

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO

If "yes," specify: The total square feet owned or controlled by the applicant: 9,261 sf

The total square feet not owned or controlled by the applicant:

~75,000 sf [Proposed Rezoning Area] - 9,261 sf [Applicant-owned Area] = ~65,739 sf

Projected Development Site 2 (Lot 32): 9,261 sf

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO

If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: 18,518 sq. ft. (width x length)

VOLUME OF DISTURBANCE:

~18,518 sf x 15 ft = 277,770 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: ~277,770 sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	PDS1: 42,996 PDS2: 42,996 Total: 85,992	0	0	0
Type (*e.g.,* retail, office, school)	PDS1: 40 DU PDS2: 40 DU 80 units	0	0	0

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 201 NUMBER OF ADDITIONAL WORKERS: 4

Provide a brief explanation of how these numbers were determined: Based on 2020 census data, the average household size of a renter-occupied unit is 2.58 for Brooklyn Community District 10. Employment estimated based on 3 employees per 1,000 sf of retail and community facility, 1 per 25 DU, and 1 per 50 parking spaces.

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☒ NO

If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational):

2027 (Proposed Development); 2030 (Proposed Actions)

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: Up to 24

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Up to two years for demolition and construction for each development site.

10. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: School, house of worship, aged care facility.

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. See Attachment A.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Early Childhood Programs:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Would the project generate more than 200 additional residents or 500 additional employees?	☒	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		

	YES	NO
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Protection Plan Project Tracking Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure?	☐	☒
(c) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(d) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in the Hazardous Materials Appendix (including nonconforming uses)?	☐	☒
(e) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(f) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(g) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(h) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(i) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: See Attachment G, "Hazardous Materials"	☐	☒
(j) Based on the Phase I Assessment, is a Phase II Investigation needed?	☐	☒
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater	☐	☒

	YES	NO
Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?		
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 80 DUs x 41 lbs/DU = 3,280 lbs per week		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 77,284 gsf x 126.7 MBtu/res gsf = 9,791,883 MBtu per annum		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop, or Citywide Ferry Service landing?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) See Attachment H.	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☐	☒
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		

	YES	NO
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. See Attachment J, "Neighborhood Character"		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☒	☐
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☒	☐
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. See Attachment K, "Construction"		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	DATE
Max Stember-Young	16 February 2024

SIGNATURE

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	NO
Land Use, Zoning, and Public Policy	☐	☐
Socioeconomic Conditions	☐	☐
Community Facilities and Services	☐	☐
Open Space	☐	☐
Shadows	☐	☐
Historic and Cultural Resources	☐	☐
Urban Design/Visual Resources	☐	☐
Natural Resources	☐	☐
Hazardous Materials	☐	☐
Water and Sewer Infrastructure	☐	☐
Solid Waste and Sanitation Services	☐	☐
Energy	☐	☐
Transportation	☐	☐
Air Quality	☐	☐
Greenhouse Gas Emissions	☐	☐
Noise	☐	☐
Public Health	☐	☐
Neighborhood Character	☐	☐
Construction	☐	☐

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☐ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☐ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

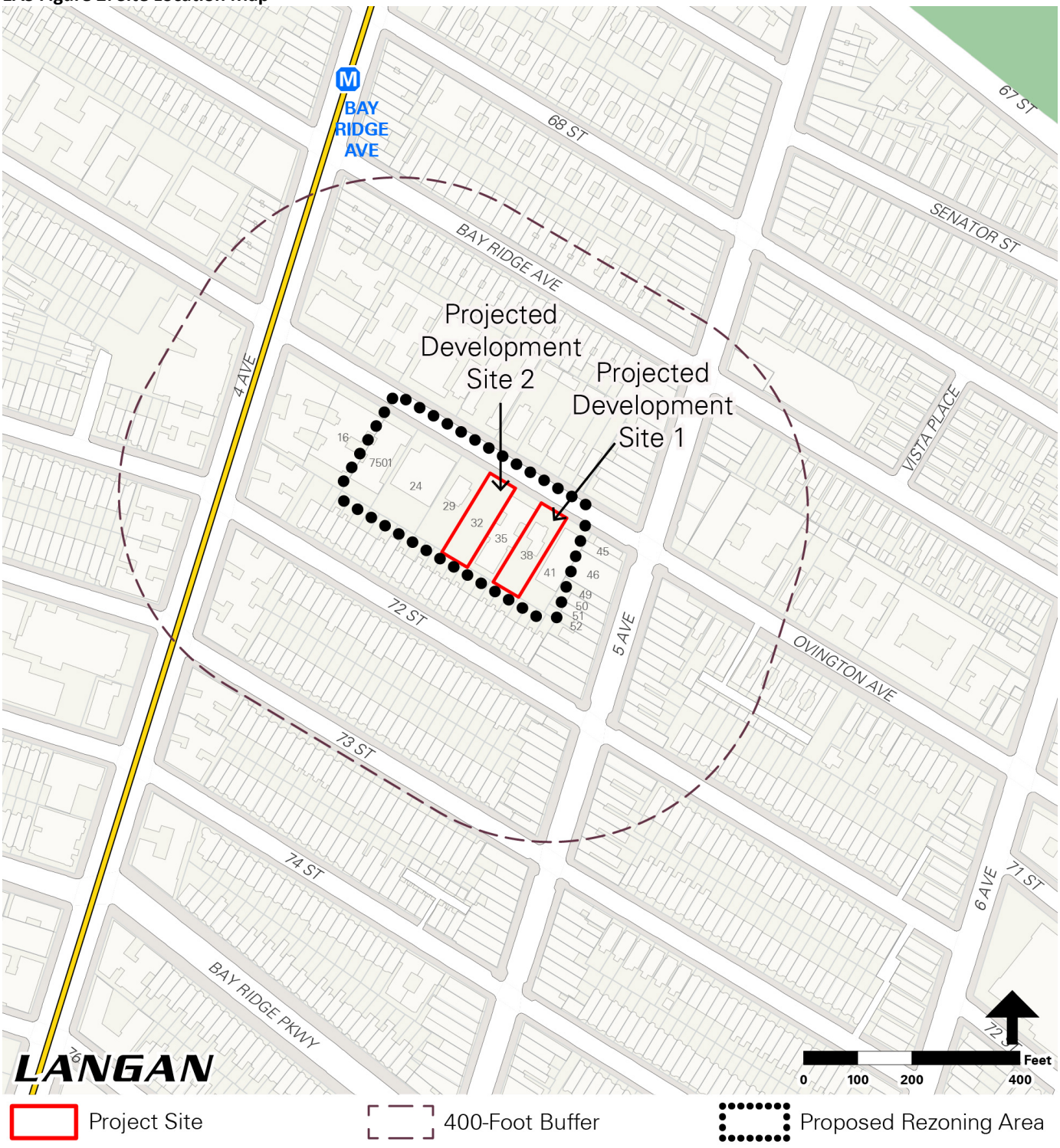
The above determination is based on information contained in this EAS, which finds that the proposed project:

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

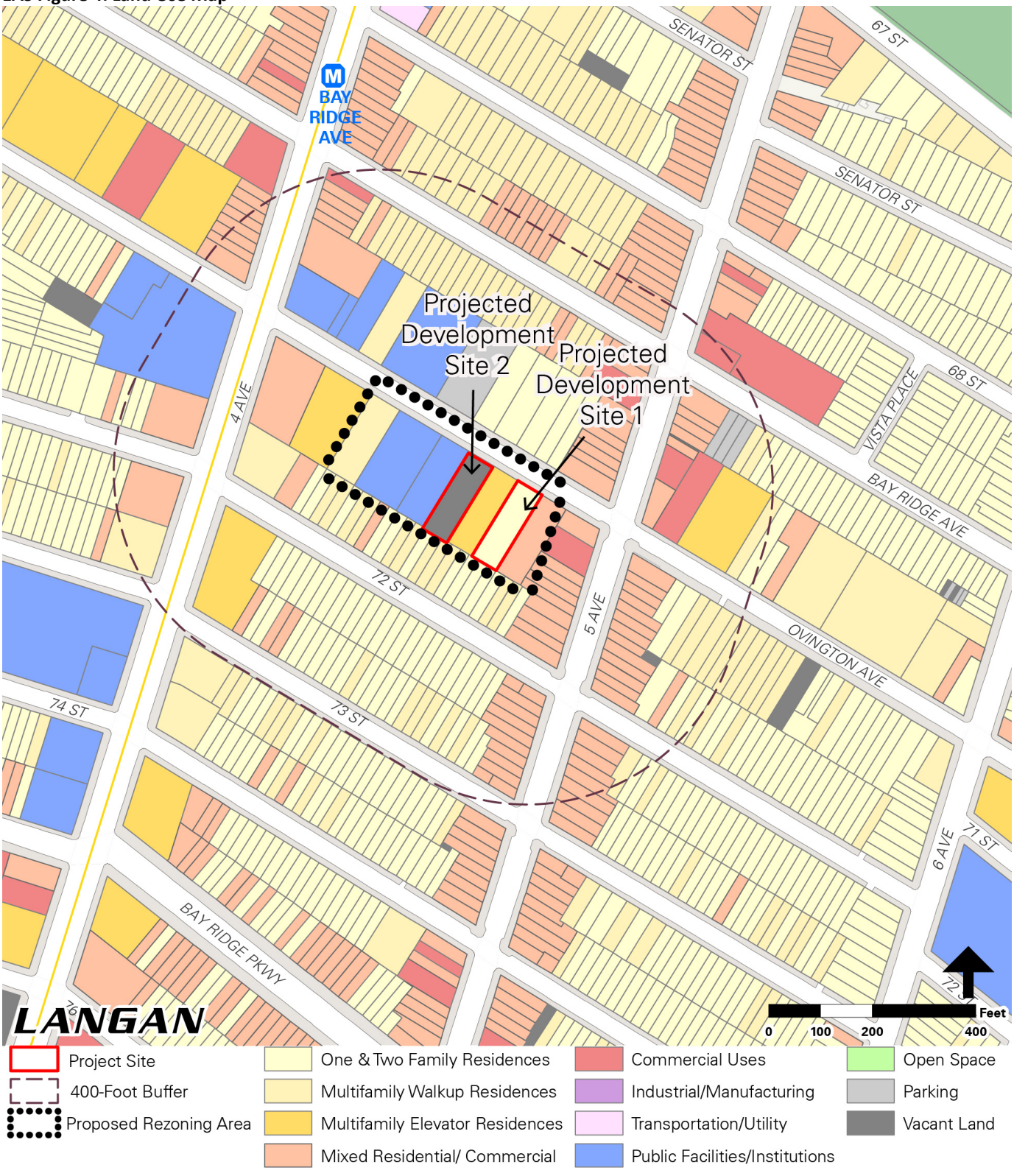
EAS Figure 1: Regional Location Map

EAS Figure 2: Site Location Map

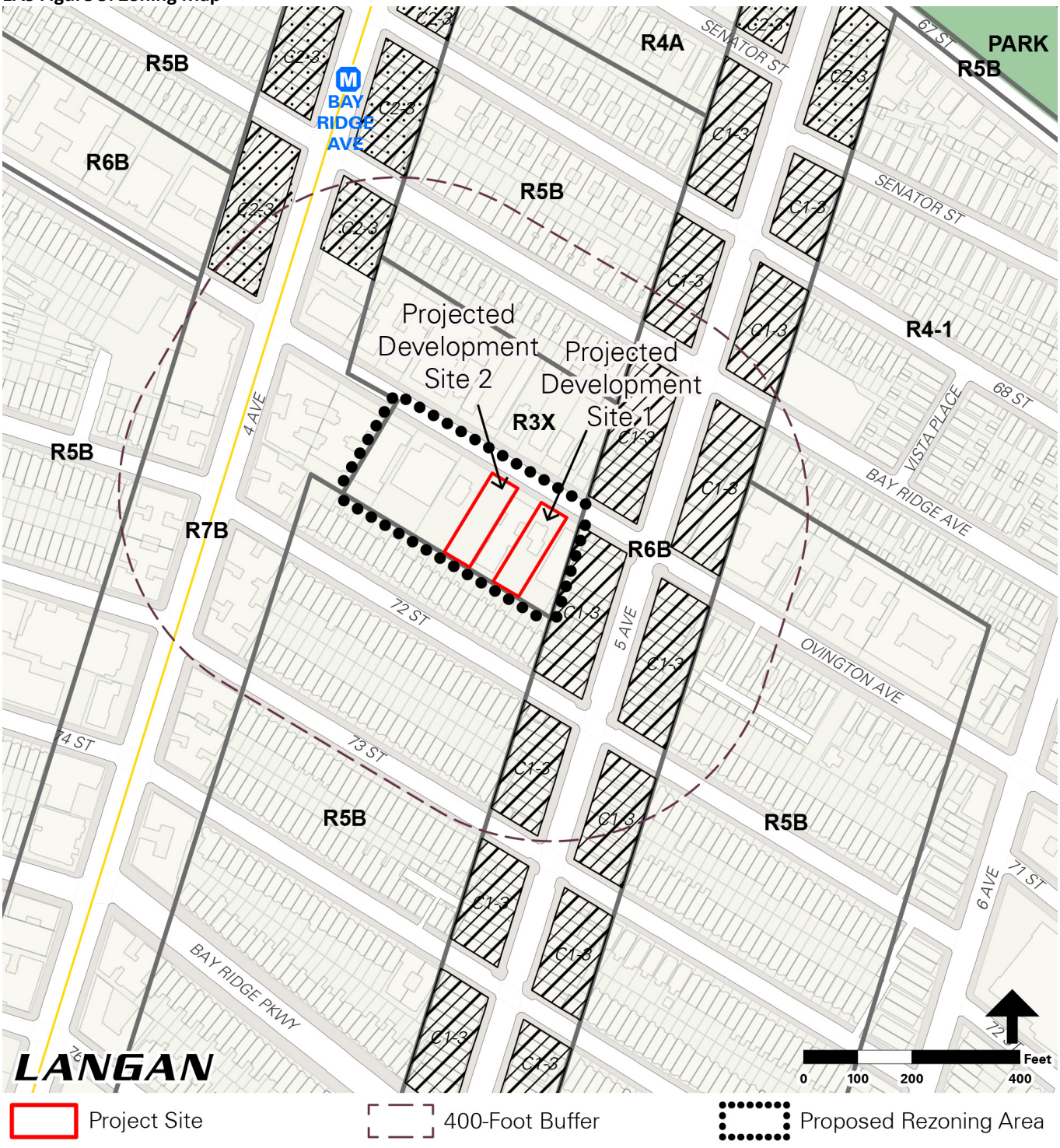


EAS Figure 3: Tax Map

EAS Figure 4: Land Use Map



EAS Figure 5: Zoning Map



EAS Figure 6: Aerial Photograph Map

EAS Photograph 1

Captured: 17 March 2023

View west along Ovington Avenue. The Project Site (Projected Development Site 1) is a two-story detached one-family residence situated between two multifamily residential buildings that rise three and five stories.

EAS Photograph 2

Captured: 17 March 2023

View south towards the Project Site along Ovington Avenue. The Project Site is setback from the street and adjacent to two multi-faimly residential buildings.

EAS Photograph 3

Captured: 17 March 2023

View southeast towards Lot 32 (Projected Development Site 2), which is currently a vacant lot.

A PROJECT DESCRIPTION

A1 Introduction

The Applicant, Geffen Management LLC, seeks approval of two discretionary land use actions from the City Planning Commission (CPC) to allow the development of a multifamily residential building at 464 Ovington Avenue (Block 5892, Lot 38, "Projected Development Site 1") in the Bay Ridge neighborhood of Community District 10, Brooklyn (see EAS Figures 1 and 2). The Proposed Actions include:

1. A zoning map amendment to rezone the area bound by the centerline of Ovington Avenue to the north, a line 100 feet west of Fifth Avenue to the east, a line 100 feet north of 72nd Street to the south, and a line 200 feet east of Fourth Avenue to the west (the "Proposed Rezoning Area") from an R3X district in the Special Bay Ridge District (BR) to an R6A (BR) district; and
2. A zoning text amendment to modify the New York City Zoning Resolution (ZR) Appendix F to designate the Proposed Rezoning Area as a Mandatory Inclusionary Housing (MIH) area.

The "Proposed Rezoning Area" is in an existing R3X (BR) zoning district and encompasses the entirety of the Project Site and Lots 24, 29, 32, 35, 41, and 7501 of Brooklyn Block 5892. It also includes portions of Lots 49, 50, 51, and 52; however, the Proposed Actions would have an immaterial effect on these lots because of the provisions of Zoning Resolution (ZR) Article VII, Chapter 7 (Special Provisions for Zoning Lots Divided by District Boundaries).

Lot 38 ("Projected Development Site 1") is the only lot in the Proposed Rezoning Area that is in the Applicant's control. The Proposed Actions would allow the Applicant to develop the "Proposed Development," a 42,996-gsf residential building with 40 dwelling units (DUs) and 18 below-grade accessory parking spaces. The Proposed Development would rise eight stories to a roof height of 85 feet. Illustrative architectural plans for the Proposed Development are provided in Appendix A.

Pursuant to the MIH program, the Proposed Development would be required to dedicate a minimum of 20 percent of new DUs as permanently affordable. The Applicant is proposing to map MIH Option 1, which requires a minimum of 25 percent of new units be made available to households earning an average of 60 percent of the Area Median Income (AMI).

A2 Proposed Rezoning Area and Project Site

Proposed Rezoning Area

The "Proposed Rezoning Area" is located on the northern midblock portion of Block 5892 along Ovington Avenue, a 60-foot-wide street. Specifically, the Proposed Rezoning is bound by Ovington Avenue to the north, a line 100 feet west of Fifth Avenue to the east, a line 100 feet north of 72nd Street to the south, and a line 200 feet east of Fourth Avenue to the west. The Proposed Rezoning Area contains the one- and two-family residence, two multifamily buildings, a mixed-use residential and medical office building, a vacant lot, and the two buildings that comprise Lutheran Elementary School. The Project Area consists of Block 5892, Lots, 24, 29, 32, 35, 38, 41, 7501 and p/o 16, 49, 50, 51 and 52.

Project Site (Projected Development Site 1)

Projected Development Site 1 is a 9,261-sf interior zoning lot developed with a 3,006-gross-square-foot (gsf) two-family, two-story residence that was built in 1899. The lot has approximately 54 feet of street frontage along Ovington Avenue and has a depth of about 170 feet. It is generally bound by Ovington Avenue to the north, Lot 41 to the east, Lots 66 through 68 to the south, and Lot 35 to the west.

A review of past actions by the City Planning Commission (CPC) and the NYC Board of Standards and Appeals found no past site-specific discretionary land use approvals applicable to the Projected Development Site 1. Per historical Sanborn Fire Insurance maps, aerial photographs, and historical United States Geological Survey maps, Projected Development Site 1 has been developed since at least 1905 with a two-story residence. In 1969, an accessory two-car garage was developed in the southwestern part of the site.

Projected Development Site 1 is accessed from Ovington Avenue, a one-way westbound 60-foot-wide mapped street, defined as a "narrow" street by the ZR. Ovington Avenue has one travel lane and two parking lanes. Sidewalks line both sides of the street on the block. The street is classified by the New York State Department of Transportation as a local urban street between Fourth and Fifth avenues.

Projected Development Site 2

Lot 32 ("Projected Development Site 2") at 456 Ovington Avenue is bound by Ovington Avenue to the north, Lot 35 to the east, Lots 71 through 73 to the south, and Lot 29 to the west. It is not owned by the Applicant but is listed for sale. In 2016, the lot became vacant after a single-family house and garage were demolished.

The vacant lot meets the definition of a "projected development site" because it is a readily developable vacant site, and its zoning capacity would be increased with the proposed rezoning. Projected Development Site 2 has the same configuration as

Projected Development Site 1 – a 9,259-sf interior lot with about 54 feet of street frontage along Ovington Avenue and a depth of about 170 feet.

Other Lots

Projected development sites 1 and 2 are separated by Lot 35, which contains a five-story, 45-unit, 32,130-gsf co-operative residential building that was constructed in 1950. The multifamily use does not comply with the current R3X zoning, which only allows one- and two-family residences and community facilities as-of-right. The building height also does not comply with the maximum allowable height of 35 feet in an R3X district.

Lots 24 and 29 are part of the Evangelical Lutheran Bethlehem Congregation (Lutheran Elementary School), which is a long-standing institutional use that has been operating as a privately-owned school since 1957.

Lot 41 is a mixed-use residential and community facility building constructed in 2000 that has medical offices at the ground floor and 12 residential units above. Lot 7501 is a 12-DU walk-up co-operative condo building that was built in 2000. Like Lot 35, the building is a non-compliant use.

The Proposed Rezoning Area is served by the New York City Transit (NYCT) R subway line at the Bay Ridge Avenue station (approximately 0.17 miles northwest of Projected Development Site 1, at the intersection of Fourth and Bay Ridge avenues). NYCT bus lines also serve the area, including the B64 that runs west along Ovington Avenue and the B37 runs that north and south along Third Avenue. The Project Site is 0.86 miles east of the Bay Ridge Ferry Terminal, which is served by the South Brooklyn route of the Citywide Ferry Service.

The Proposed Rezoning Area is in an area of minimal flood hazard on both the adopted (FIRM) and Preliminary (pFIRM) flood insurance rate maps published by the Federal Emergency Management Agency (FEMA). The Environmental Resource Mapper maintained by the New York State Department of Environmental Conservation (NYSDEC) shows that the Proposed Rezoning Area is located outside state-regulated wetlands and wetland-adjacent areas. The mapper also shows the site is outside an area of rare plants and animals.

None of the buildings in the Proposed Rezoning Area are noted as listed or eligible for listing on the State/National Register (S/NR) of historic places on the Cultural Resource Information System (CRIS) maintained by the New York State Historic Preservation Office (SHPO). The Proposed Rezoning Area is not in an area denoted by SHPO as an archaeological buffer area – areas proximate to known or suspected archeological resources. In a letter dated 31 August 2023, the New York City Landmarks Preservation Commission (LPC) determined that the Project Site has no potential to contain architectural or archaeological historic resources (see LPC correspondence in Appendix B).

The surrounding area is predominantly residential, with one- and two-family residences, multifamily buildings, and mixed-use residential and commercial buildings between the avenues. To the east and west, mixed-use residential and commercial buildings generally front along the avenues. The surrounding area's community facility uses include a public school (Public School K231), a private school (Bethlehem Lutheran), a senior care center, and a house of worship.

Proposed Rezoning Area History

The Proposed Rezoning Area was originally mapped as an R5 district in 1961. In 1978, an R6 (BR) district was mapped across the Proposed Rezoning Area. In 2005, an R3X (BR) district was mapped across the Proposed Rezoning Area as part of the Bay Ridge Rezoning (05DCP023K); this 2005 rezoning created new non-compliances in the Proposed Rezoning Area related to use (multifamily) and bulk.

A3 Proposed Actions

As described above, the Applicant seeks two discretionary land use actions to redevelop Projected Development Site 1: a zoning map amendment to rezone the Proposed Rezoning Area from an R3X (BR) district to an R6A (BR) district and a zoning text amendment to modify ZR Appendix F to map the Proposed Rezoning Area as an MIH area. The Applicant proposes to map MIH "Options" 1 and 2.[1]

R6A districts are medium-density contextual residential districts, which allow residential (Use Groups 1 and 2) and community facility (Use Groups 3 and 4) uses as-of-right up to the maximum floor area ratios (FARs) of 3.6 and 3.0. In R6A districts, new buildings must comply with the Quality Housing height and setback regulations. Accordingly, the base heights for new buildings in the Proposed Rezoning Area would be between 40 and 65 feet, with a maximum building height (excluding bulkhead and other permitted obstructions) of 85 feet. Along narrow streets such as Ovington Avenue, a 15-foot setback is required above a height of 65 feet. Above this height, a building may rise to its maximum permitted roof height of 85 feet. Permitted obstructions such as parapets and mechanical bulkheads are allowed above the maximum building height. Accessory parking would be required at a rate of one space per four (25 percent) of income-restricted housing units (IRHU), and one space per two units of other housing types.

The Proposed Actions are classified as "Unlisted" discretionary actions pursuant to Part 617 of the New York Codes, Rules, and Regulations. Unlisted actions require an environmental review per the State Environmental Quality Review Act (SEQRA) to enable the lead agency to make an informed decision regarding the potential consequences of approving discretionary land use actions. For the Proposed Actions, the NYC Department of City Planning (DCP) is the Lead Agency on behalf of the CPC. For projects requesting discretionary actions from a New York City agency, an environmental review is conducted pursuant to City Environmental Quality Review (CEQR), which is New York City's local implementation of SEQRA.

A4 Proposed Development

The Proposed Actions would allow the Applicant to develop Projected Development Site 1 with the Proposed Development, an eight-story, 42,996-gsf, 40-unit residential building with 18 accessory below-grade parking spaces.

[1] The MIH program requires areas rezoned for residential growth must include 20 to 30 percent permanently affordable apartments in new developments. MIH Option 1 requires 25 percent of new housing be set aside for households earning an average of 60 percent of the Area Median Income (AMI). MIH Option 2 requires a minimum of 30 percent of new housing be set aside for households earning an average of 80 percent of the AMI. HPD's Inclusionary Housing Program: https://www.nyc.gov/site/hpd/services-and-information/inclusionary-housing.page

The Proposed Development would be set back approximately 15 feet from Ovington Avenue and contain landscaping in the front yard. The ground floor would contain a mailroom, gym, and entrance vestibule. Residential units would be on the ground through eighth floors. The building's base would rise to a height of up to 65 feet before a 5-foot setback; above a height of 65 feet, the building would be set back from the street by at least 15 feet, as required by ZR 23-662.

A 15-foot-wide, two-way driveway would provide vehicular access between Ovington Avenue and the 4,354-gsf of proposed cellar parking. This driveway would be accessed by an 18-foot-wide curb cut (15-foot-wide driveway plus two 1.5-foot-wide splays on either side) (see Figure A-1).

Figure A-1: Floor Plan for Projected Development Site 1

Source: Fontan Architecture
See Appendix A for enlarged drawings.

A5 Purpose and Need

Lots 35, 41, and 7501 contain multifamily buildings that do not conform to the use and bulk regulations of the Proposed Rezoning Area's existing R3X (BR) zoning. For residential developments, R3X allows only one- and two-family detached residences up to a height of 35 feet. The multifamily buildings in the Proposed Rezoning Area extend up to 5-and-a-half stories. Some of these multifamily buildings exceed a height of 35 feet, the maximum roof height for residential buildings in R3X districts. Additionally, public policies such as *OneNYC 2050* and *Housing New York 2.0* identify a critical need for housing, including affordable options within New York City.

The Proposed Actions are needed to reduce the noncompliance (or to bring into conformance) existing multifamily buildings in the Proposed Rezoning Area and to allow new multifamily buildings on the two projected development sites, including the Applicant's Proposed Development. The project-generated development would be multifamily buildings of similar scale to other multifamily buildings within the Proposed Rezoning Area, and would introduce approximately 80 DUs, a minimum of 20 percent of which would be permanently affordable. The project would also introduce additional housing options – including affordable options – thereby furthering the goals of *OneNYC 2050* and *Housing New York 2.0*.

A6 Analysis Framework

The 2021 *CEQR Technical Manual* will serve as guidance on the methodologies to evaluate whether the Proposed Actions have the potential to result in significant adverse impacts, as defined in the *CEQR Technical Manual*. Consistent with the guidelines set forth in the *CEQR Technical Manual,* existing conditions will be described. Conditions will then be forecast to the future analysis year absent the Proposed Actions (the "No-Action Condition"). The "With-Action Condition" assumes that the Proposed Actions would be adopted, and the Projected Developments would be complete and fully occupied by the analysis (build) year.

The With-Action Condition will be compared to the No-Action Condition to determine whether the incremental effects of the Proposed Actions have the potential to result in significant adverse impacts, as defined in the *CEQR Technical Manual* (and pursuant to both Title 62 of the Rules of the City of New York and Part 617 of the New York Codes, Rules, and Regulations). Collectively, the existing, No-Action, and With-Action conditions are referred to as the Reasonable Worst-Case Development Scenario (RWCDS). The RWCDS table established for this project is provided in Appendix C.

No-Action Condition

In the No-Action Condition, Projected Development Site 1 would remain a two-story, two-family 3,006-gsf residence.

Projected Development Site 2 is vacant and readily developable. However, to provide a worst-case condition for CEQR purposes, it was assumed that this site would remain a vacant 9,259-sf lot. The lot has remained vacant for over seven years and no new building applications have been submitted since the . In the No-Action Condition, existing conditions would continue and there would be no new residential development in the Proposed Rezoning Area.

With-Action Condition

In the With-Action Condition, Projected Development Site 1 would be developed with the Proposed Development, a 42,996-gsf, eight-story multifamily residential building. The Proposed Development would contain 40 DUs (38,642 gsf) – including 12 affordable DUs – and 18 parking spaces (4,354 gsf) below-grade.

Projected Development Site 2 is not under control of the Applicant but could reasonably be developed with the Proposed Actions. Under worst-case conditions, Projected Development Site 2 would also be developed with a 42,996-gsf residential building that

would contain 40 DUs and rise eight stories to a roof height of 85 feet. Including a 10-foot-tall mechanical bulkhead, the building would rise to a height of up to 95 feet. Like Projected Development Site 1, Projected Development Site 2 would contain 18 accessory parking spaces below-grade and contain 40 DUs and 12 affordable units.

The floor area by use for the With-Action Condition is shown in Table A-1.

Table A-1: Proposed Development – Gross Floor Area by Use

Projected	GSF by Use			Other Attributes				
Development Site	Residential	Parking	Total	Height (ft)*	DUs	Market-Rate	Affordable	Parking Spaces
1	38,642	4,354	42,996	85	40	28	12	18
2	38,642	4,354	42,996	85	40	28	12	18
TOTAL	**77,284**	**8,708**	**85,992**	**85**	**80**	**56**	**24**	**36**

* The building height excludes the mechanical bulkheads, which could be up to 10 feet tall.
Parking spaces are accessory to the residential use.

Increment

Compared to the No-Action Condition, the With-Action Condition would result in the development of two new buildings and an increment of 78 DUs. The increment by use for Projected Development Sites 1 and 2 established in the RWCDS is shown in Table A-2.

Table A-2: Project Increment by Use

Condition	DUs	Accessory Parking Spaces	Residential gsf	Total gsf
No-Action	2	0	3,006	3,006
With-Action	80	36	77,284	77,284
Increment	**78**	**36**	**74,278**	**74,278**

Analysis (Build) Year

The analysis year established for this project is 2030, the year when new development generated by the Proposed Actions would be complete and fully occupied. Assuming the proposed rezoning would take two years to be approved (including approximately seven months for ULURP), approximately six months for construction documentation, and up to two years for demolition, construction, and tenanting, the Proposed Development would be constructed and fully operational on Projected Development Site 1 in 2027.

Allowing for additional time to construct Projected Development Site 2 (estimated six months of pre-construction documentation and 12 months of construction), the build year for the Proposed Actions is 2030.

B LAND USE, ZONING, AND PUBLIC POLICY

B1 Introduction

A land use, zoning, and public policy assessment analyzes a project's compatibility and consistency with the land use patterns and development trends in the area and determines whether a project would generate land use changes. Similarly, the analysis considers the project's compliance with, and effect on, the area's zoning and other applicable public policies. This analysis follows the guidelines set forth in the 2021 *CEQR Technical Manual.*

The Applicant, Geffen Management LLC, seeks approval of two discretionary land use actions from the City Planning Commission (CPC) to allow the development of a multifamily residential building at 464 Ovington Avenue (Block 5892, Lot 38, "Projected Development Site 1") in the Bay Ridge neighborhood of Community District 10, Brooklyn. The Proposed Actions include:

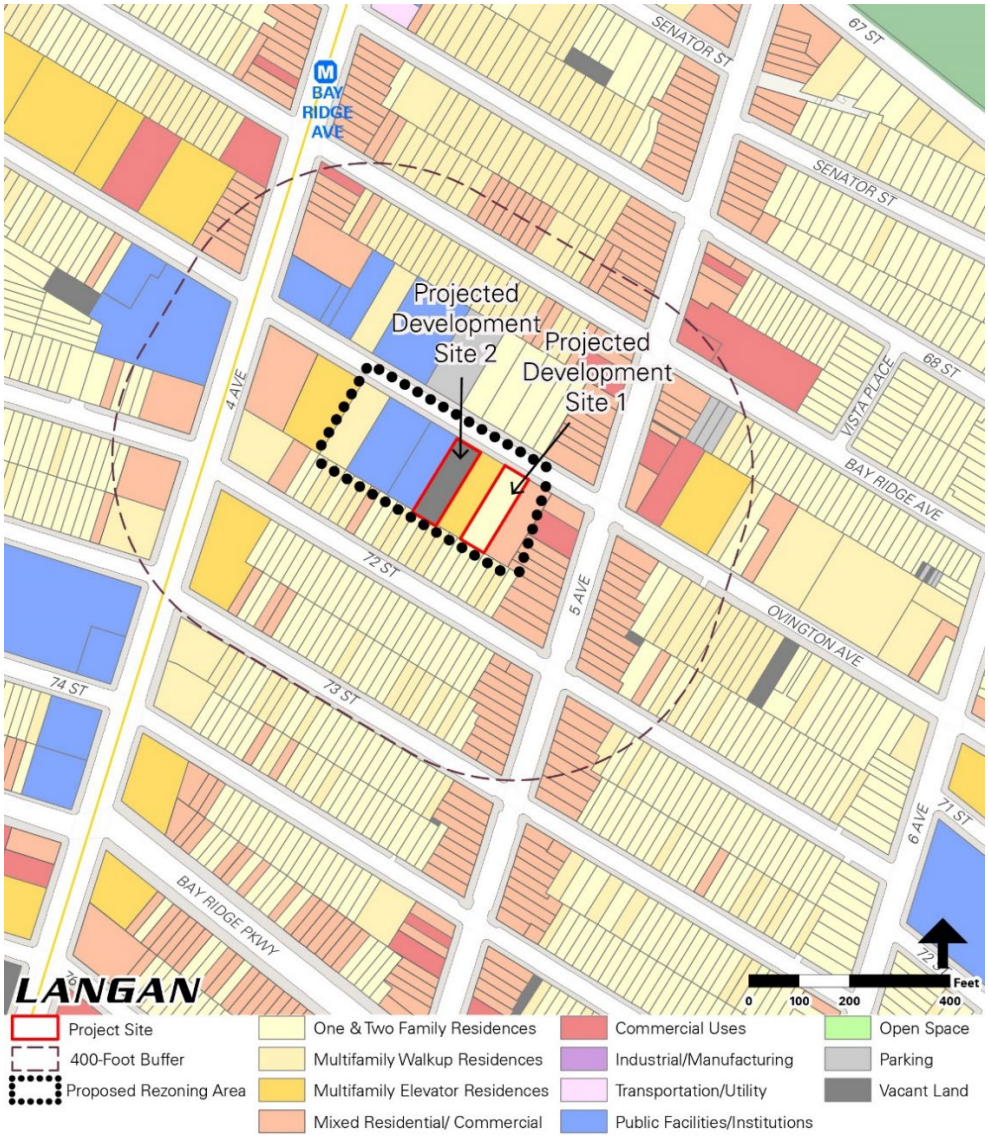
1. A zoning map amendment to rezone the area bound by the centerline of Ovington Avenue to the north, a line 100 feet west of Fifth Avenue to the east, a line 100 feet north of 72nd Street to the south, and a line 200 feet east of Fourth Avenue to the west (the "Proposed Rezoning Area") from an R3X district in the Special Bay Ridge District (BR) to an R6A (BR) district; and
2. A zoning text amendment to modify the New York City Zoning Resolution (ZR) Appendix F to designate the Proposed Rezoning Area as a Mandatory Inclusionary Housing (MIH) area. The Applicant proposed to map MIH options 1 and 2.

The Proposed Actions would allow the Applicant to develop the "Proposed Development" on Projected Development Site 1. The site would be demolished and redeveloped with a 42,996-gsf residential building with 40 DUs and 18 below-grade accessory parking spaces. The Proposed Development would rise eight stories to a roof height of 85 feet.

Lot 38 ("Projected Development Site 2") is not under control of the Applicant but could reasonably be developed with the Proposed Actions. The RWCDS assumed that the Proposed Actions are likely to result in Projected Development Site 2 being developed

with a 42,996-gsf residential building that would contain 40 DUs and 18 accessory below-grade parking spaces. Figure B-1 shows the projected development sites and the surrounding land uses.

Figure B-1: Land Use Map



B2 Methodology

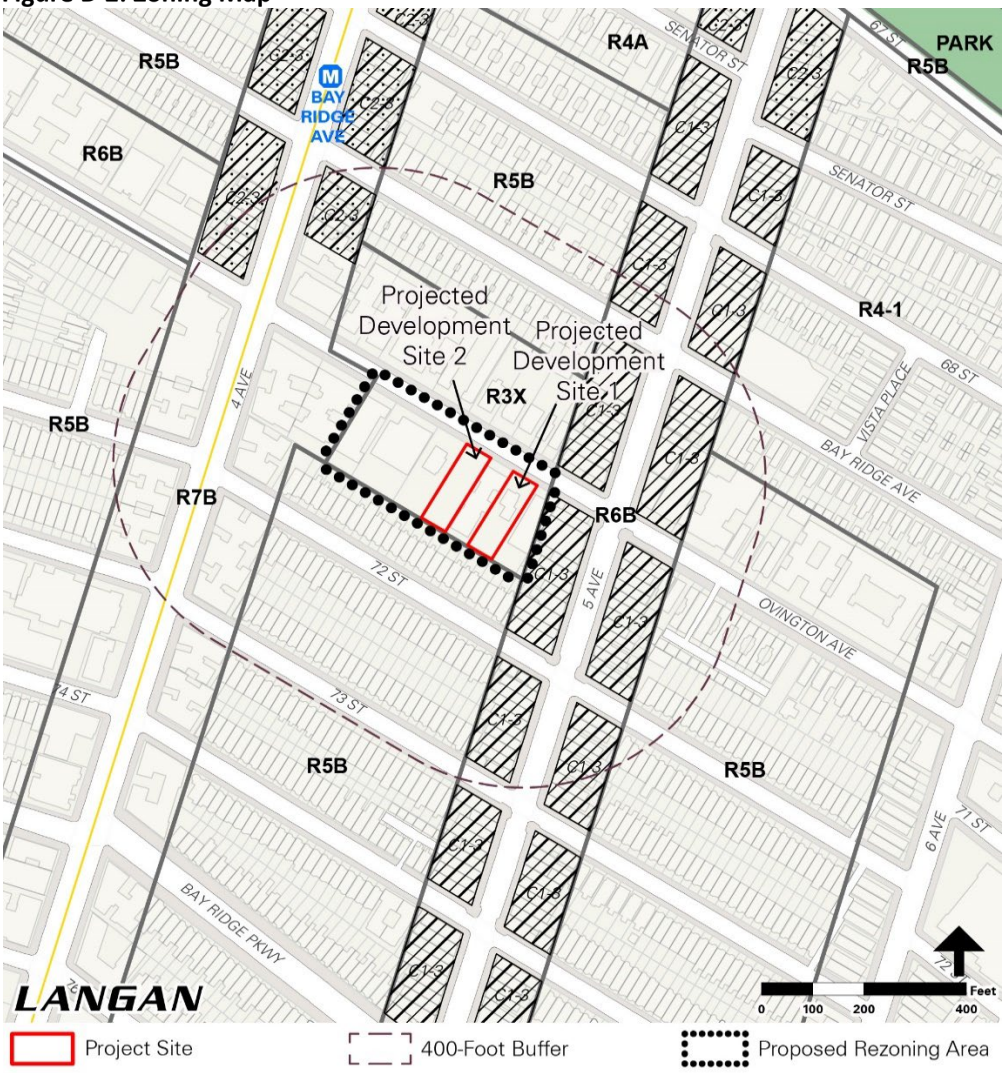
The Proposed Actions include discretionary land use actions, and therefore a preliminary land use, zoning, and public policy assessment is warranted. This land use, zoning, and public policy assessment follows the guidance set forth in the *CEQR Technical Manual*. The analysis assesses the Proposed Actions' consistency with local land use patterns and development trends, zoning regulations, and applicable polices.

Existing conditions within the Study Area were identified through field reconnaissance and research using available resources such as the Department of City Planning's (DCP) Zoning

Application Portal (ZAP), Primary Land Use Tax Lot Output (PLUTO™) data files, DCP's Zoning and Land Use Map (ZoLa), the NYC Mayor's Office of Environmental Coordination's (MOEC) CEQR Access, and the NYC Department of Finance's Automated City Register Information System (ACRIS), and the Brooklyn Community District 10 website. Relevant public policy documents were also reviewed to identify and describe existing public policies that have the potential to affect both the Proposed Rezoning Area and Study Area.

The land use, zoning, and public policy assessment uses a 400-foot radius around the Proposed Rezoning Area (the "Study Area," see Figure B-2). The tax lots within this radius are shown in EAS Figure 3.

Figure B-2: Zoning Map



Impact Criteria

The *CEQR Technical Manual* indicates that a significant adverse impact may occur if a proposed project would introduce a land use that is incompatible in the context of noise, air quality, socioeconomic conditions, or neighborhood character. A significant adverse

impact may also occur if a project would conflict with public policies or if the project would result in significant material changes to existing regulations or policy.

B3 Land Use and Zoning

Existing Conditions

Proposed Rezoning Area

The "Proposed Rezoning Area" is bound by the centerline of Ovington Avenue to the north, a line 100 feet west of Fifth Avenue to the east, a line 100 feet north of 72nd Street to the south, and a line 200 feet east of Fourth Avenue to the west. The Proposed Rezoning Area encompasses the entirety of projected development sites and Lots 24, 29, 35, 41, and 7501 of Brooklyn Block 5892. The Proposed Rezoning Area also includes portions of Lots 49, 50, 51, and 52; however, the Proposed Actions would have an immaterial effect on these lots because of the split-lot provisions of Zoning Resolution (ZR) Article VII, Chapter 7. Projected Development Site 1 is the only property in the Proposed Rezoning Area that is under the Applicant's control.

Projected Development Site 1 (Lot 38) is a 9,261-square-foot (sf) interior lot developed with a 3,006-gsf, two-family, two-story residence that was built in 1899. The site has about 54 feet of street frontage along Ovington Avenue, a 60-foot-wide mapped "narrow" street. The residence is setback about 30 feet from Ovington Avenue and is set back about 80 feet from the rear lot line. The lot has a depth of about 170 feet.

Lots 24 and 29 are part of the Evangelical Lutheran Bethlehem Congregation (Lutheran Elementary School), which has been operating as a private school since 1957. Lot 24 contains a 15,960-gsf two-story building, and Lot 29 contains a 3,750-gsf one-story building. The buildings on Lots 24 and 29 were both built in 1931 and are setback from the streetline. Lot 35 is improved with a 32,130-gsf, five-story, 45-DU multifamily elevator co-operative that was constructed in 1950. Lot 41 is a mixed-use residential and community facility building that was constructed in 2000. It has medical offices at the ground floor and 12 residential units above. Lot 7501 is a 12-DU walk-up co-operative condo that was built in 2000.

The Proposed Rezoning Area is served by the New York City Transit (NYCT) R subway line at the Bay Ridge Avenue station (approximately 0.17 miles northwest of Projected Development Site 1, at the intersection of Fourth and Bay Ridge avenues). The B64 bus runs west along Ovington Avenue and the B37 bus runs that north and south along Third Avenue. The projected development sites are 0.86 miles east of the Bay Ridge Ferry Terminal, which is served by the South Brooklyn route of the Citywide Ferry Service.

The Proposed Rezoning Area is in a R3X residential district within the Special Bay Ridge District (BR). R3X districts are lower-density contextual residential districts, which permits only one- and two-family detached homes on lots that are at least 35 feet wide. These districts allow a residential floor area ratio (FAR) of 0.5, plus an attic allowance of up to 20 percent. The perimeter wall in a R3X district may rise to 21 feet before the building must be set back up to a maximum building height of 35 feet.

Study Area

The Study Area comprises a mix of multifamily residential buildings, commercial uses, mixed-use buildings, community facility uses, public facilities, parking, and vacant land. North of the Proposed Rezoning Area are institutional uses including Bethlehem Lutheran Church, P.S./I.S. 30 Annex, and the St. Nicholas Home for the Aged. Commercial uses and mixed-use buildings generally comprise the east and west edges of the Study Area along Fourth and Fifth avenues. Along Fifth Avenue, mixed-use buildings with ground floor commercial space rise to two and three stories. The multifamily elevator buildings that front along Fifth Avenue and rise between four and six stories. The midblocks between Fourth and Fifth avenues generally are improved with pre-war one- and two-family residences that are intermixed with multifamily walkups that rise between two and three stories.

The northeast portion of the Study Area includes an R4-1 zoning district. Midblock between Fifth and Sixth avenues, this district extends from the south side of Bay Ridge Avenue in the south to 67th Street in the north. R4-1 districts are low density contextual residential districts that allow residential uses (Use Groups 1 and 2) and community facilities (Use Groups 3 and 4) at a maximum floor area ratio (FAR) of 0.75 and 2.0, respectively. The maximum permissible roof height in an R4-1 district is 35 feet for residential uses. Residential buildings must provide a minimum 10-foot-deep front yard and may have a perimeter wall up to 25 feet tall. Above a height of 25 feet, buildings are subject to setback regulations guided by a sky exposure plane. Accessory parking is required at a rate of one space per dwelling unit.

R5B residential districts are located midblock between the avenues in the Study Area's north, south, and east. R5B districts are contextual districts that allow detached, semi-detached, and multifamily residences as-of-right. The maximum permissible FAR for this district is 1.35. Buildings are allowed a roof height of up to 33 feet. Above a height of 30 feet, buildings are subject to setback regulations guided by a sky exposure plane. Residential uses must have a minimum 5-foot-deep front yard and a minimum 30-foot-deep rear yard. Accessory parking is required at a rate of two spaces per three dwelling units.

An R6B residential district is mapped along Fifth Avenue east of the Proposed Rezoning Area. R6B districts are contextual districts that typically produce traditional rowhouses, although multifamily buildings are allowed as-of-right. Residential uses must have a minimum rear yard of 30 feet. At the street line, the building's base may rise to a height between 30 and 40 feet before a required setback. R6B districts allow for a maximum roof height of up to 55 feet. Parking is typically required at a rate of one space per two dwelling units.

R7B districts are mapped along Fourth Avenue west of the Proposed Rezoning Area. R7B districts are contextual districts similar to R6B districts but allow for a higher FAR of 3.0. The district allows multifamily buildings as-of-right. Residential uses must have a minimum rear yard of 30 feet and a base height between 40 and 65 feet before a required setback. R7B districts allow for a maximum base height of 75 feet. Parking is typically required at a rate of one space per two dwelling units.

A C2-3 commercial overlay is mapped along Fourth Avenue northwest of the Proposed Rezoning Area, and a C2-3 commercial overlay is mapped along Fifth Avenue east of the Proposed Rezoning Area. C1-3 and C2-3 overlay districts are local retail and service districts that allow commercial uses (Use Groups 5 and 6) at an FAR of 1.0 when mapped

in an R1 through R5 districts, and 2.0 when mapped in R6 through R10 districts. In mixed-use buildings, commercial uses must be located below residential uses and are limited to the first or second floor. Both C1-3 and C2-3 districts are typically mapped at a depth of 150 feet and require one accessory parking space at a rate of one space per 400 square feet for general retail uses, although waivers are available for smaller commercial spaces.

No-Action Condition

Proposed Rezoning Area

In the No-Action Condition, Projected Development Site 1 would remain a two-story, two-family 3,006-gsf residence, and Projected Development Site 2 would remain a vacant 9,259-sf lot. In the No-Action Condition, there would be no new development in the Proposed Rezoning Area, and the existing conditions would continue.

Study Area

A review of new building applications and the New York City (NYC) Zoning Application Portal (ZAP) within 400 feet of the Proposed Rezoning Area indicate there are no projects that would be developed independent of the Proposed Actions by the 2030 Analysis Year.

With-Action Condition

Proposed Rezoning Area

In the With-Action Condition, the Proposed Actions would be adopted. The Proposed Rezoning Area would be mapped as an MIH area and rezoned to an R6A (BR) zoning district. With the Proposed Actions, the Proposed Development would be developed on Projected Development Site 1, which would include a 42,996-gsf, eight-story multifamily building. The development would contain 40 DUs, including 12 affordable DUs, and 18 parking spaces below-grade.

The Proposed Development would be setback approximately 15 feet from Ovington Avenue and contain landscaping in the front yard. A 15-foot-wide driveway with two 1.5-foot-wide splays on either side would be developed along Ovington Avenue and connect to a ramp that provides vehicular access to the building's cellar parking. The ground floor would contain a mailroom, gym, and entrance vestibule. Residential units would be on the ground through eighth floors.

Projected Development Site 2 is not under control of the Applicant but could reasonably be developed with the Proposed Actions. Under wort-case conditions, Projected Development Site 2 would also be developed with a 42,996-gsf residential building that would rise eight stories to a roof height of 85 feet. Including a 10-foot-tall mechanical bulkhead (a permitted obstruction), the building would rise to a height of up to 95 feet. Like Projected Development Site 1, Projected Development Site 2 would contain 18 accessory parking spaces below-grade and contain 40 DUs and 12 affordable units.

The proposed R6A district is a medium-density contextual residential district, which permits residential (Use Groups 1 and 2), and community facility (Use Groups 3 and 4) uses at a maximum FAR of 3.6 and 3.0. In R6A districts, buildings must comply with the Quality Housing bulk regulations. Accordingly, the base heights in R6A districts must be between 40 and 65 feet, with a maximum roof height (excluding bulkhead and other permitted obstructions) of 85 feet. Above the base height, a setback must be provided

before the building may rise to the maximum roof height of 85 feet. Ovington Avenue is mapped to a width of 60 feet and is a narrow street, and a 15-foot setback is required from the street above the building's base. In R6A districts, accessory parking is required a rate of one space per 50 percent of the number of market-rate dwelling units and 25 percent of income-restricted housing units (IRHU). Parking is not allowed in the front yard.

Lots 35, 41, and 7501 contain multifamily buildings that do not conform to the use and bulk regulations of the Proposed Rezoning Area's existing R3X (BR) zoning. For residential developments, R3X allows only one- and two-family detached residences up to a height of 35 feet. The multifamily buildings in the Proposed Rezoning Area extend up to a height of approximately 58 feet (5-and-a-half stories). The Proposed Actions would reduce the noncompliance – or bring into conformance – these existing multifamily buildings in the Proposed Rezoning Area.

Study Area

Similar to the No-Action Condition, in the With-Action Condition, no new buildings would be constructed in the Study Area independent of the Proposed Actions by the 2030 Analysis Year.

Land Use and Zoning Conclusion

The Proposed Actions would be similar to the zoning in the surrounding area and would permit the same uses that are already allowed within the Study Area. The Proposed Development would be a multifamily residential building of similar scale to other multifamily buildings within the Study Area. The Proposed Actions would reduce – or bring into conformance – the existing nonconforming uses and residential bulk in the Proposed Rezoning Area. Accordingly, the Proposed Actions would not result in any significant adverse land use and zoning impacts and no further analysis is warranted.

B4 Public Policy

Per the *CEQR Technical Manual*, a proposed project within areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy, requires an analysis of public policies that pertain to the study area. If the proposed action could potentially alter or conflict with identified policies, a detailed assessment should be conducted; otherwise, no further analysis of public policy is necessary.

OneNYC 2050

OneNYC 2050, originally released as *PlaNYC* in 2007, is a policy document designed to address New York City's long-term challenges, including accommodating a projected population of more than 9 million residents by 2050, decreasing reliance on fossil fuels, encouraging new modes of transportation, increasing neighborhood safety, providing better access to education, and replacing aging infrastructure. *OneNYC 2050* builds upon *PlaNYC* and focuses on eight goals and 30 initiatives. The eight goals are: "vibrant democracy;" "an inclusive economy;" "thriving neighborhoods;" "healthy lives;" "equity and excellence in education;" "a livable climate;" "efficient mobility;" and "modern

infrastructure." The goals applicable to the Proposed Actions include "An Inclusive Economy" and "Thriving Neighborhoods."

An Inclusive Economy (Volume 3)

Initiative 5 of 30: Grow the Economy with Good-Paying Jobs and Prepare New Yorkers to Fill Them.

An inclusive economy means protecting core industries essential to maintaining our leading role in the global economy, focusing on growing sectors that create good-paying jobs, and supporting emerging industries. Small businesses are essential to both the local economy and the character of our neighborhoods, providing opportunities for individuals to strengthen their own economic security and employ members of their communities.

The Proposed Actions are projected to result in the development of up to two new residential buildings. Construction on Projected Development Site 1 would temporarily employ construction workers and trade professionals during the construction period. The project-generated development would also generate additional demands for employment during its operational phase; these demands would be typical of residential buildings, such as building maintenance. In the operational phase, the Proposed Development is anticipated to generate approximately four employees over the No-Action Condition.

Thriving Neighborhoods (Volume 4)

Initiative 9 of 30: Ensure all New Yorkers have access to safe, secure, and affordable housing.

It is critically important to capitalize on opportunities for housing wherever large, appropriately located, underutilized parcels of land present an opportunity. Sites in all five boroughs include obsolete facilities; large, low-rise commercial sites; and even infrastructure that can support overbuilds, such as rail yards and tracks.

The Proposed Actions would allow the development of 40 DUs on Projected Development Site 1. Based on the Applicant's proposal to comply with MIH Option 1, a minimum of 25 percent (12 DUs) would be made available to households earning an average of 60 percent of the Area Median Income (AMI); under MIH Option 2, a minimum of 30 percent of the project-generated DUs would be made available to households earning an average of 80 percent of the AMI.

Housing New York 2.0

Housing New York 2.0 is an extended plan to the City's comprehensive housing development policy. It includes a primary goal of building or preserving 200,000 units of high-quality affordable housing by 2022 and 300,000 homes by 2026. *Housing New York 2.0* builds on the foundation laid through Housing New York: A Five-Borough, Ten-Year Plan, and was developed in conjunction with the New York City Department of Housing and Preservation (HPD) to create housing opportunities for New Yorkers with a range of incomes, while fostering vibrant and diverse neighborhoods. Framed by the policy goals and objectives in Housing New York, the City Council adopted an amendment to the ZR to establish the MIH program on March 22, 2016. The MIH text amendment requires that a

percent of new housing be permanently affordable when an increase in permissible residential floor area is requested via discretionary land use action (i.e., an upzoning).

The primary components of *Housing New York 2.0* include the Mandatory Inclusionary Housing program, which requires areas rezoned for residential growth must include a minimum of 20 to 30 percent of dwelling units be affordable in new developments.

The Proposed Actions would allow development that would support the policies and goals of *Housing New York 2.0*. The Proposed Actions would create approximately 40 dwelling units on Projected Development Site 1, 12 of which would be permanently affordable units. Including Projected Development Site 2, the Proposed Actions would generate about 80 DUs of housing, including 24 permanently affordable DUs. The Proposed Actions would therefore provide the Bay Ridge neighborhood with new permanently affordable housing, which would support the City's effort to increase the overall supply of affordable housing.

Public Policy Conclusion

The Proposed Actions would allow the development of residential building with 40 dwelling units, in which at least 25 percent would be affordable to households earning an average of 60 percent of the AMI. Based on the above information, the Proposed Actions would support the *OneNYC 2050* goals of an inclusive economy and thriving neighborhoods by creating temporary construction jobs and new employment opportunities. Additionally, through the creation of affordable housing the Proposed Actions would support *Housing New York 2.0*. Therefore, the Proposed Actions would not result in a significant adverse public policy impact and no further analysis is warranted.

C OPEN SPACE

C1 Introduction

This chapter assesses the potential of the Proposed Actions to result in a significant adverse impact on open space resources. Per the 2021 *CEQR Technical Manual,* an open space assessment determines whether a proposed project would have a direct impact resulting from the elimination or alteration of open space or whether a project would have an indirect impact resulting from burdening available open space by the introduction of a new residential or worker population. The *CEQR Technical Manual* defines open space as publicly or privately owned land that is publicly accessible and available for leisure, play, or sport, or is set aside for the protection or enhancement of the natural environment. In addition to the analysis provided in this section, Attachment D, "Shadows," provides an assessment of the Proposed Actions' potential shadow effects on open space resources.

In the With-Action Condition, the existing two-family residence on Projected Development Site 1 (Lot 38) would be demolished and new 40-dwelling unit (DU) buildings would be constructed on Projected Development Sites 1 and 2 (Lot 32). The project's 78 incremental DUs would result in 201 residents and four employees over the No-Action Condition. Because the Proposed Actions would result in more than 200 incremental residents, a residential indirect effect assessment was warranted based on CEQR screening criteria. Based on the number of incremental employees, a non-residential indirect effects assessment was not warranted.

C2 Methodology

Direct Effects

A proposed project would directly affect an open space resource if it would encroach upon, limit public access to, or cause a loss of public open space. Direct effects may also occur if the resource would be so changed that the open space no longer serves the same user population, or if a proposed project would result in increased noise or air pollutant

emissions, odor, or shadows that would temporarily or permanently affect the usefulness of a public open space.

The Proposed Actions would not directly displace an open space. As detailed in Attachment D, "Shadows," Attachment H, "Air Quality," and Attachment I, "Noise." The Proposed Actions would not result in noise, air pollutant emissions, odors, or shadows that would directly affect the usefulness of a public open space.

Indirect Effects

Open space can be indirectly affected by a proposed action if a project would add sufficient population, either residential or non-residential, to substantively diminish the capacity of open space in the area to serve the future population. An assessment is conducted if a proposed project would generate more than 200 residents or 500 employees.

Pursuant to *CEQR Technical Manual* guidelines, the residential open space analysis is based on the incremental change resulting from the Proposed Actions. The With-Action Condition would result in an additional 201 residents and 4 employees over the No-Action Condition. Because the Proposed Actions would result in more than 200 incremental residents, an indirect open space assessment was warranted for the residential population. An assessment of indirect effects from a non-residential population is not warranted because the 4 project-generated employees would be fewer than the CEQR screening criteria of 500 or more incremental employees.

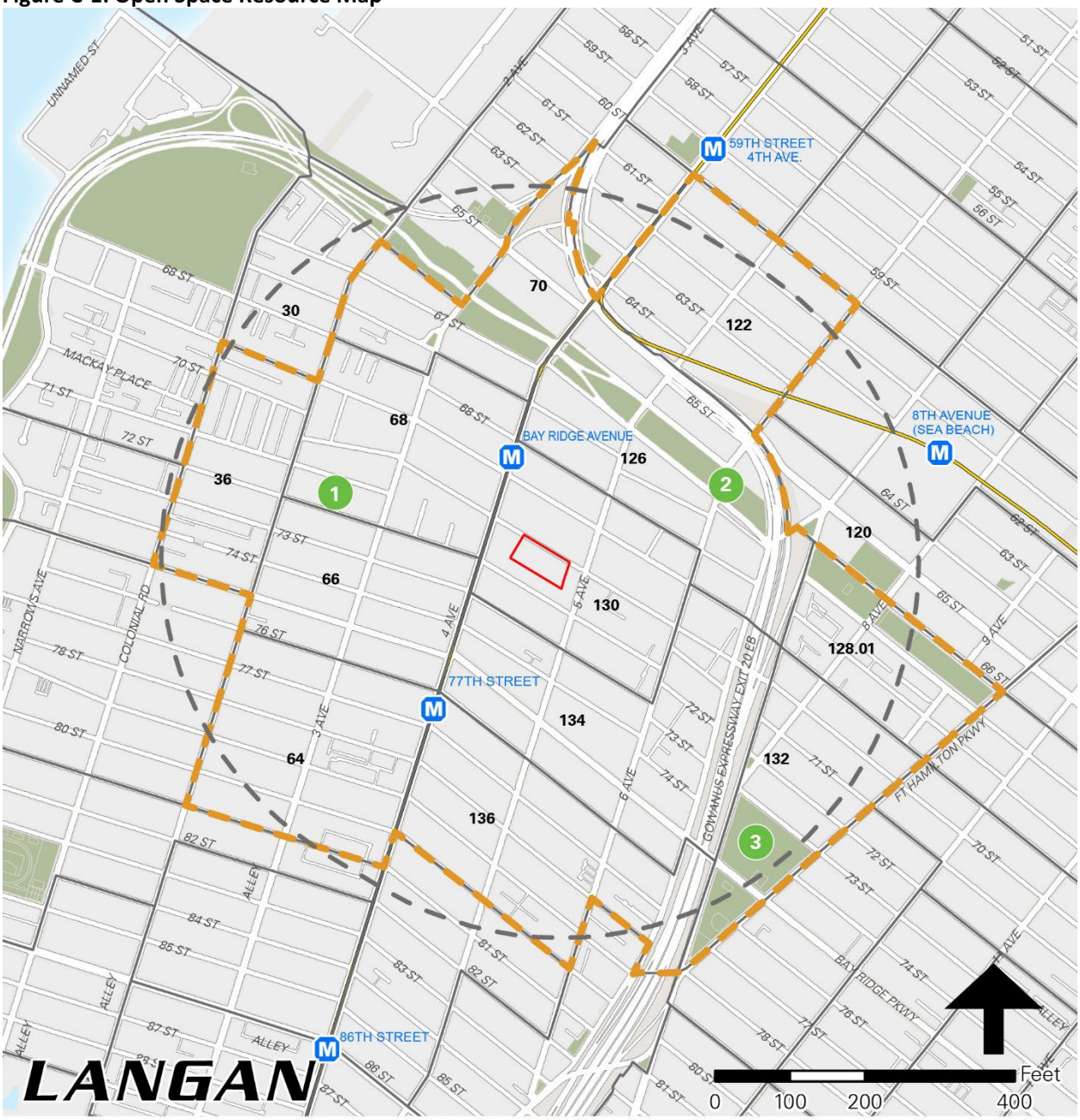
Study Area

The *CEQR Technical Manual* states that the first step to assess potential open space effects from a project-generated population is to define the study area for the population that would be generated by a proposed project – in this case a residential population. Per the *CEQR Technical Manual*, an open space study area is defined by a reasonable walking distance that users would travel to reach local open space and recreation areas – typically a 0.5-mile radius for projects that require a residential indirect open space assessment. Therefore, consistent with the guidelines in the *CEQR Technical Manual,* a 0.5-mile radius was used to determine the census tracts that have more than 50 percent of their areas within a 0.5-mile of the Proposed Rezoning Area.

The Study Area shown in Figure C-1 includes Brooklyn 2020 Census Tracts 36, 64, 66, 68, 70, 122, 126, 128.01, 130, 132, 134, and 136, the tracts with at least 50 percent of their areas within the 0.5-mile boundary.

Information on publicly accessible open space resources within the Open Space Study Area, including names and acreages, were found on the New York City Department of Parks and Recreation's (NYC Parks) website.

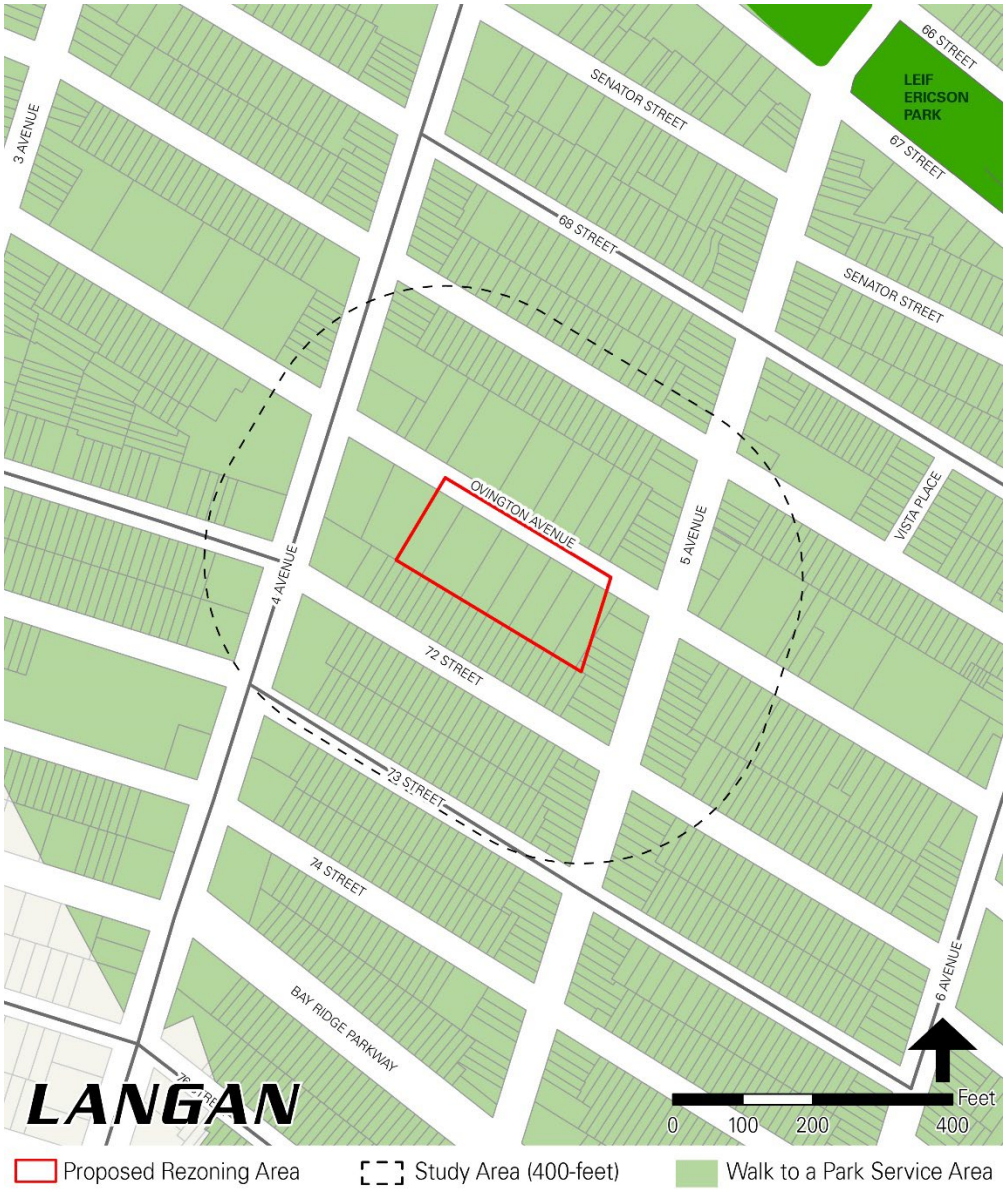
Figure C-1: Open Space Resource Map



Walk to a Park Service Area

The *CEQR Technical Manual* requires that a preliminary open space analysis to identify whether the affected area is located within a "Walk to a Park Service Area" – areas defined by the *CEQR Technical Manual* that are within walking distance of a park. Affected areas that are located outside of a Walk to Park Service Area – known as walk gap areas – require a detailed analysis to identify whether the projected development further exacerbates a condition of residents living in areas of the city with inadequate park access. The Proposed Rezoning Area is located within a Walk to a Park Service Area, as shown in Figure C-2.

Figure C-2: Walk to a Park Service Area



Passive and Active Open Space

The *CEQR Technical Manual* classifies open space resources as having either passive or active open space. Open space that is used for sports, exercise, or active play is classified as "active open space." Active open space may consist of recreational facilities such as playgrounds, fields (baseball, soccer, football, track), courts (basketball, handball, tennis), outdoor fitness equipment, pools, greenways, and esplanades (running, biking, rollerblading, or other active recreation), multi-purpose areas (open lawns and paved areas for active recreation, such as running games, informal ballgames, skipping rope, etc.), and shore public walkways.

Open space that is used for relaxation, such as sitting or strolling, is classified as "passive open space." Passive open space may include plazas, beach seating, picnic areas, esplanades (sitting, strolling), greenways, walking paths, lawns reserved for passive use, gardens, and publicly accessible natural areas used for activities such as strolling, dog walking, or bird watching.

Open Space Ratio

An open space ratio (OSR) is the acreage of open space per 1,000 residents. Because local OSRs vary widely in New York City, as a planning goal, an OSR of 2.5 acres per 1,000 residents represents an area well-served by open space. This ratio is consequently used as an optimal benchmark for residential populations.

If a preliminary analysis indicates that the OSR would increase or remain substantially the same in the With-Action Condition compared to the No-Action Condition, no further analysis of open space is warranted. If there is a decrease in the OSR that approaches or exceeds five percent, it is generally considered to be a substantial change that warrants more detailed analysis. For projects in study areas where the OSR is not near the City's optimal 2.5 OSR, the percentage decrease in OSR is weighted against how the OSR of the study area compares to the City's optimal OSR. If a project results in a percentage change greater than the OSR guideline in Table C-1, then a detailed analysis may be warranted.

Table C-1: Preliminary Assessment – Guidance for Percentage Change in Open Space Ratio

Open Space Ratio Range	Percentage Change in Open Space Ratio
2.01 to 2.50* or greater	5%
1.51 to 2.00	4%
1.01 to 1.50	3%
0.51 to 1.00	2%
0.50 or Less	1%

*2.5 is the OSR planning goal in NYC. Source: *CEQR Technical Manual* Table 7-1.

Impact Criteria

The Proposed Actions would not directly displace an open space. Per the *CEQR Technical Manual*, an indirect significant adverse open space impact may occur if a project would reduce the open space ratio by more than the general guidelines for the open space percentage change shown in Table C-1 or if qualitative factors – such as shadows or noise – would result in a significant and adverse physical effect on open space.

C3 Assessment

Existing Conditions

Inventory of Publicly Accessible Open Spaces

The publicly accessible open spaces in the Study Area are Leif Ericson Park, P.S. 102 Playground, and McKinley Park. The Study Area's three resources total 25.80 acres of publicly accessible open space. The Study Area contains both passive and active recreational space (Table C-2).

Table C-2: Open Space Resources

Map No.	Open Space Resource	Owner/ Agency	Amenities	Acres	Passive		Active		Category
					Acres	%	Acres	%	
1	Leif Ericson Park	DPR	Basketball courts, public restrooms, dog-friendly areas, baseball fields, tennis courts, fitness equipment, pickleball courts, playgrounds, and spray showers	16.80	1.68	10	15.12	90	Active/ Passive
2	P.S. 102 Playground	DPR/ DOE	Running track and playground	0.75	0	0	0.75	100	Active
3	McKinley Park	DPR	Dog-friendly areas, fitness equipment, playgrounds, public restrooms, spray showers, tennis courts and wi-fi hotspots	8.25	2.06	25	6.19	75	Active/ Passive
			Total	**25.80**	**3.74**	**15%**	**22.06**	**85%**	

Leif Ericson Park is a 16.80-acre neighborhood park on 66th Street between Fourth Avenue and Fort Hamilton Parkway. The playground contains baseball fields, basketball courts, dog-friendly areas, fitness equipment, pickleball courts, playgrounds, public restrooms, spray showers and tennis courts.

P.S. 102 Playground is a 0.75-acre school playground on 71st Street between Ridge Boulevard and Third Avenue. The playground contains a running track field and open space for children to play.

McKinley Park is an 8.25-acre neighborhood park on 73rd Street between Seventh Avenue and Fort Hamilton Parkway. The park contains dog-friendly areas, fitness equipment, playgrounds, public restrooms, spray showers, tennis courts and wi-fi hotspots.

OSR in the Study Area

Data derived from the 2020 Census indicates the Study Area has a residential population of 47,182 people.[2] Table C-3 shows there is 25.80 acres of open space within the Study Area, including 3.74 acres of passive space and 22.06 acres of active space. Accordingly, the Study Area has an open space ratio of 0.547 acres per 1,000 residents, which includes a passive OSR of 0.079 and an active OSR of 0.467 acres per 1,000 residents.

[2] Residential population data within the Study Area per the 2020 Census.

Table C-3: Adequacy of Open Space Resources – Existing Conditions

	Open Space Acreage			OSR per 1,000 Residents			*CEQR Technical Manual* Guidelines		
Pop.	**Total**	**Passive**	**Active**	**Total**	**Passive**	**Active**	**Total**	**Passive**	**Active**
47,182	25.80	3.74	22.06	0.547	0.079	0.467	2.50	0.50	2.00

No-Action Condition

In the No-Action Condition, the Proposed Rezoning Area would remain as the existing conditions. No projects were found within 400 feet of the Proposed Rezoning Area that would be built absent the Proposed Actions ("No-Build" projects). With 25.80 acres of open space in the No-Action Condition in the Study Area, the No-Action Study Area OSR would remain the same as the existing conditions.

Table C-4: Adequacy of Open Space Resources – No-Action Condition

	Open Space Acreage			OSR per 1,000 Residents			*CEQR Technical Manual* Guidelines		
Pop.	**Total**	**Passive**	**Active**	**Total**	**Passive**	**Active**	**Total**	**Passive**	**Active**
47,182	25.80	3.74	22.06	0.547	0.079	0.467	2.50	0.50	2.00

Table C-4 shows that the No-Action Condition's overall OSR would continue to be below the optimal 2.5 acres per 1,000 residents' guideline set forth in the *CEQR Technical Manual*. With a passive OSR of 0.079, the passive OSR would be approximately 16 percent of the *CEQR Technical Manual* guideline of the recommended 0.5 acres per 1,000 residents. The No-Action active OSR of 0.467 approximately would be approximately 23 percent of the *CEQR Technical Manual* guideline of the recommended 2.0 acres per 1,000 residents. With a No-Action OSR between 0.5 and 1.0 acres, a detailed open space analysis would be warranted if the OSR decreases between the No-Action and With-Action conditions by more than two percent, as described in the *CEQR Technical Manual* and as summarized in Table C-1.

With-Action Condition

Proposed Rezoning Area

The With-Action Condition would introduce two new multifamily residential buildings across Projected Development Sites 1 and 2 that would collectively contain 80 dwelling units. These 80 DUs would introduce 201 additional residents to the Study Area over the No-Action Condition.[3] Table C-5 shows the change in residential OSR in the Study Area with the addition of 201 incremental residents.

[3] The Project Area is in Brooklyn Community District 10, which has an average household size of a renter-occupied unit of 2.58, based on the 2020 Census.

Table C-5: Percent Change in Open Space Ratio

Residential Population	Type	Acreage	OSR[1]	OSR Planning Goal
No-Action Condition				
47,182	Active	22.06	0.467	2.00
	Passive	3.74	0.079	0.50
	Total	**25.8**	**0.547**	**2.50**
With-Action Condition				
47,383	Active	22.06	0.466	2.00
	Passive	3.74	0.079	0.50
	Total	**25.8**	**0.544**	**2.50**
Increment				
201	Active	0.00	-0.0020	
	Passive	0.00	-0.0003	
	Total	**0.00**	**-0.0023**	
Percent Change				
	Active (%)	0.00	-0.424	
	Passive (%)	0.00	-0.424	
	Total (%)	**0.00**	**-0.424**	

[1] Open Space Ratio = Acres of Open Space/ residential population * 1,000.
Note: Numbers are rounded to the nearest one thousandth or ten thousandth and may not add due to rounding.

Based on the With-Action Condition population of 47,383 residents in the Study Area, the OSR in the With-Action Condition would be 0.544 acres per 1,000 residents, which would be 22 percent of the City's planning goal of 2.5 acres per 1,000 residents. The With-Action Condition would result in an active open space ratio of 0.466 acres per 1,000 residents, which would continue to be below the City's planning goal of 2.0 acres of active open space per 1,000 residents. The passive open space ratio would be 0.079 acres per 1,000 residents in the With-Action Condition and continue to be less than the City's planning goal of 0.5 acres of passive open space per 1,000 residents.

Because the OSR would not decrease by more than the *CEQR Technical Manual* threshold of two percent, the Proposed Actions do not warrant a detailed analysis and would not result in a significant adverse open space impact.

C4 Conclusion

The Proposed Actions would not result in a significant adverse open space impact. The Proposed Actions would not result in a direct effect to an open space resource.

A preliminary indirect open space analysis found that 201 project-generated residents would reduce the No-Action OSR of 0.547 by 0.424 percent to an OSR of 0.544. In the With-Action Condition, the Study Area's overall OSR would be 0.544 acres per 1,000 residents. The Proposed Actions would reduce the Study Area's OSR by less than two percent. Therefore, the Proposed Actions would not result in a significant adverse open space impact, and no further analysis is warranted.

D SHADOWS

D1 Introduction

A CEQR shadow assessment is warranted when a proposed project would result in a new structure 50 feet or taller or is adjacent to a sunlight-sensitive resource. "Incremental shadow" occurs when a shadow from a proposed project would be cast on a publicly accessible open space, historic landscape, or other historic resource that relies on sunlight for its enjoyment by the public, or its architectural and historic integrity (e.g., stained glass windows). A significant adverse shadows impact may occur if incremental shadow falls on a natural feature and adversely affects its use or landscaping and vegetation. Shadows on features such as city streets, sidewalks, buildings, and privately-owned open space, or that occur within 1.5 hours of sunrise or sunset, generally are not considered significant by CEQR.

In the With-Action Condition, Projected Development Site 1 would be developed with a 42,996-gsf, eight-story multifamily residential building. The development would contain 40 DUs, including 12 affordable DUs, and 18 parking spaces below-grade. Projected Development Site 2 is not under control of the Applicant but could reasonably be developed with the Proposed Actions. Under wort-case conditions, Projected Development Site 2 would also be developed with a 42,996-gsf residential building that would contain 40 DUs and rise eight stories to a height of 85 feet (plus a 10-foot-tall mechanical bulkhead). This shadows analysis considers the shadowing effects of a building that maximizes the allowable height of the R6A district – a 95-foot-tall (85-foot roof height plus a 10-foot-tall mechanical bulkhead) building on both projected development sites.

D2 Methodology

The Proposed Actions are projected to result in two new structures that would be taller than 50 feet. Therefore, this analysis includes a preliminary assessment per *CEQR Technical Manual* guidelines to determine whether shadows resulting from the Proposed Development could reach a sunlight-sensitive resource.

Study Area

The Proposed Action would allow buildings with a bulkhead height of up to 95 feet; therefore, a Study Area of 409 feet – 4.3 times the 95-foot maximum building height – was established around the Project Site. The Study Area is generally bound by Bay Ridge Avenue to the north, 73rd Street to the south, Fifth Avenue to the east, and Fourth Avenue to the west.

Tier 1 and Tier 2 Screening

A CEQR Tier 1 screening assessment identifies a study area based on the With-Action building height and the longest shadow a structure can cast, which in New York City is 4.3 times its height. If a sunlight-sensitive resource is in the study area, a Tier 2 screening assessment is warranted.

Because of the path the sun travels across the sky in the northern hemisphere, shadow can only be cast between -108 and +108 degrees from true north in New York City. If the Tier 2 screening shows that the sunlight-sensitive resources are within an angle of 108 degrees from true north at a development site's southern-most point. If a sunlight-sensitive resource is in the study area and within 108 degrees of the southern-most point of project-generated development, a Tier 3 screening assessment is typically required. For this project, a Tier 3 screening was not required.

Impact Criteria

Per the *CEQR Technical Manual*, a significant adverse shadow impact occurs when the incremental shadow from a proposed project falls on a sunlight-sensitive resource or feature and reduces its direct sunlight exposure; determining whether this impact is significant or not depends on the extent and duration of the incremental shadow and the specific context in which the impact occurs. The determination of significance of shadow impacts on a sunlight-sensitive resource is based on the information resulting from the detailed shadow analysis describing the extent and duration of incremental shadows and an analysis of the resource's sensitivity to reduced sunlight.

D3 Preliminary Assessment

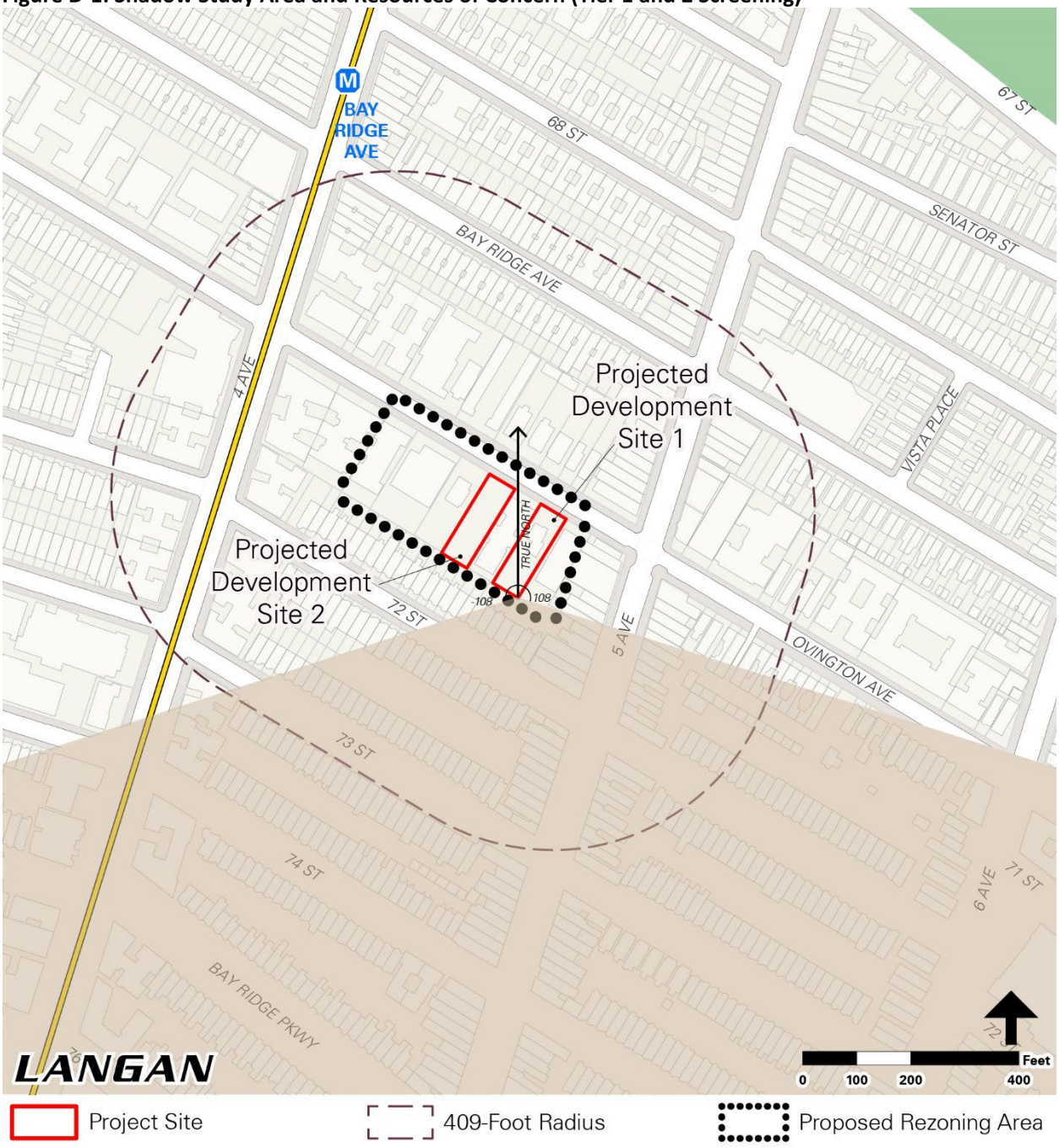
Tier 1 Screening

The Tier 1 screening in Figure D-1 shows there are no sunlight sensitive resources of concern within the Study Area. Because there are no sunlight-sensitive resources within the Study Area, a Tier 2 analysis was not warranted.

D4 Conclusion

The Tier 1 screening shows there are no sunlight-sensitive resources in the Study Area that could be shaded by the Proposed Development. Therefore, the Proposed Actions do not have the potential to result in a significant adverse shadows impact, and no further analysis is warranted.

Figure D-1: Shadow Study Area and Resources of Concern (Tier 1 and 2 Screening)



E HISTORIC AND CULTURAL RESOURCES

E1 Introduction

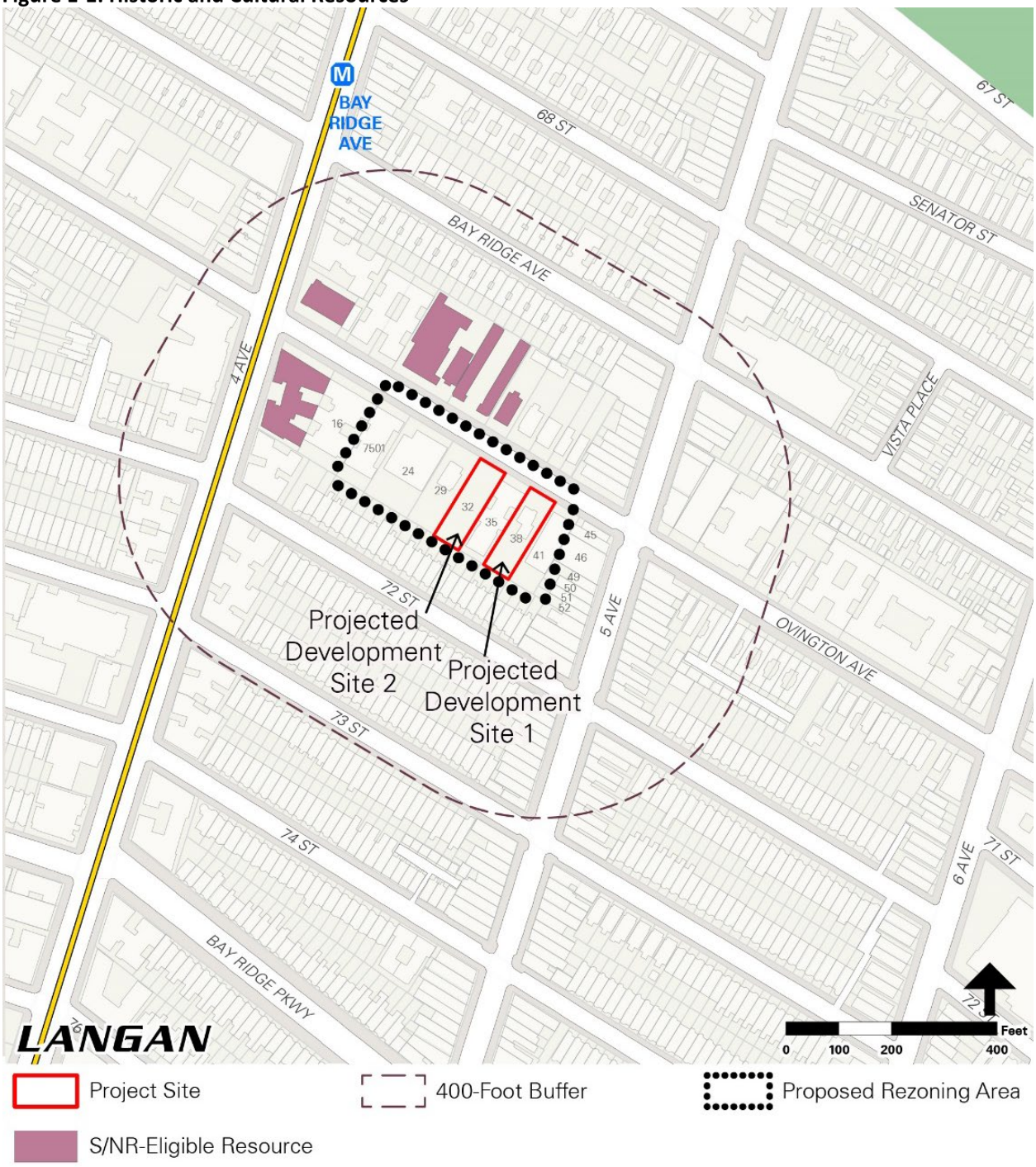
Historic and cultural resources include both architectural and archaeological resources. Archaeological resources include physical remains – usually subsurface – such as burials, foundations, artifacts, wells, or privies of the prehistoric, Native American, or historic periods. Architectural resources generally include historically important buildings, structures, objects, sites, and districts including:

- buildings and properties designated as a New York City Landmark (NYCL) or historic district by the New York City Landmarks Preservation Commission (LPC), or buildings and properties calendared for NYCL consideration;
- properties listed on the State/National Register of Historic Places (S/NR) or contained within a district listed on or formally determined eligible for S/NR listing;
- properties recommended by the New York State Board for listing on the S/NR, National Historic Landmarks (NHL) designated by the U.S. Secretary of the Interior; and
- properties not identified by one of the programs listed above, but that meet New York State Historic Preservation Office (SHPO) eligibility requirements.

E2 Methodology

LPC correspondence from 23 August 2023 indicates the Project Site does not contain archeological resources or historic or cultural resources (see Appendix A). To assess the potential impacts of the Proposed Actions on historic resources, historic resources within 400 feet of the Proposed Rezoning Area (the "Study Area") were inventoried using the SHPO's Cultural Resource Information System (CRIS) database and LPC's Discover NYC Landmarks online map. Per CRIS and NYC Discover Landmarks, six architectural resources are in the Study Area. Figure E-1 shows the Study Area.

Figure E-1: Historic and Cultural Resources



Direct Effects

Per the *CEQR Technical Manual*, direct effects on architectural resources occur when a project results in new construction, demolition, or significant physical alteration to a historic resource.

Indirect Effects

Per the *CEQR Technical Manual*, a project may result in an adverse indirect effect on a historic resource when it affects the visual context and if the change is likely to alter or eliminate the significant characteristics that make the resource historically important. Indirect effects include introduction of incompatible visual elements to a resource's setting, project-generated shadows, or other effects on historic resources in a study area once construction is completed.

Impact Criteria

A significant adverse historic and cultural impact may result from temporary (i.e., related to the construction process) or permanent (i.e., related to the long-term or permanent result of the proposed project or construction project) activities. To determine whether a project would result in a significant adverse impact, the *CEQR Technical Manual* asks, "if not for this project, would there be an impact on historic resources?" The manual also indicates that the lead agency should consult with LPC when making this determination.

E3 Assessment

Existing Conditions

Per CRIS and NYC Discover Landmarks, six architectural resources are in the Study Area. All six resources are eligible for listing on the state or national registers of historic places (S/NR). These resources include:

- Bethlehem Lutheran Church at 401 Ovington Avenue;
- Former St Nicholas Home at 437 Ovington Avenue;
- Former Nurses' Home at 439 Ovington Avenue;
- The garages at 443 Ovington Avenue;
- The Italian Renaissance Revival House at 457 Ovington Avenue; and
- The apartment building at 7101 Fourth Avenue.

Bethlehem Lutheran Church (S/NR-04701.025365)

Photograph E-1: Bethlehem Lutheran Church

Captured: 17 March 2023

Photograph E-1 shows Bethlehem Lutheran Church, an S/NR-eligible resource within the Study Area, which is located at 401 Ovington Avenue. Bethlehem Lutheran Church meets Criterion C for inclusion on the National Register as an excellent example of the late-Gothic style designed by the prominent Brooklyn architecture firm Koch & Wagner. The church was built in two phases with the basement and adjacent rectory constructed between 1922 and 1923, followed by the church between 1929 and 1930.[4] The church is faced in brick with decorative terra cotta detailing.

The primary entrance on Fourth Avenue is accessed by a wide stair and contains paired wood doors that are set within a terra cotta surround that extends to the second story where it contains a pointed arch opalescent glass window, which are hand-painted and depict religious iconography.

Attached to the east end of the church is a two-story rectory that has modest design with an end gable extending above the slate roof. The rectory has brick cladding and limestone detailing that are consistent with the church.

[4] New York State Office of Parks, Recreation and Historic Preservation Resource Evaluation, Bethlehem Lutheran Church (437 Fourth Avenue), USN: 04701.025365, Date: 2/22/23.

Former St Nicholas Home (S/NR- 04701.025362)

Photograph E-2: Former St. Nicholas Home

Captured: 17 March 2023

The Former St. Nicholas Home at 437 Ovington Avenue – shown in Photograph E-2 –has been vacant since 2021. This resource is considered significant under Criterion A in the area of healthcare. It is a representative example of an early twentieth century small community hospital. Originally known as the Bay Ridge Sanitarium, it was designed by the architecture firm Koch & Wagner and built in 1927. When it opened, the Sanitarium contained 90 beds and had 25 staff members and surgeons. It was renovated and enlarged in 1930 to accommodate additional beds. By the early 1940s, the name of the facility was changed to Bay Ridge Hospital. Following a change of ownership, the Bay Ridge Hospital became the St. Nicholas Home for the Aged in the 1960s.[5]

The five-story building has an irregular footprint that includes a one-story L-shaped addition that extends around the facade of the building's first floor projecting east wing and recessed wing to the west. The building also has one-story portions that extend from the rear of the building to the north. The projecting east wing is set back from the sidewalk by approximately 16 feet. The one-story addition has a flat roof, is faced in stucco, and has rectangular window openings. It contains the primary entrance, which is set within a stuccoed surround with engaged pilasters. The primary entrance is accessed by a brick stair and a ramp due to the change in elevation from the sidewalk. Like the one-story addition, the five-story building is faced in white stucco and has rectangular window openings, with five window bays on the southern projecting wing and four window bays on the southern recessed wing.

[5] New York State Office of Parks, Recreation and Historic Preservation Resource Evaluation, Former St. Nicholas Home (437 Ovington Avenue), USN: 04701.025362, Date: 2/22/23.

Former Nurses' Home (S/NR- 04701.025363)

Photograph E-3: Former Nurses' Home

Source: SHPO CRIS, 14 July 2023

The Former Nurses' Home – shown in Photograph E-3 – is a two-and-a-half story nurses' home located at 439 Ovington Avenue. The nurses' home shares the same lot as the former St. Nicholas Home located at 437 Ovington Avenue.

The nurses' home was historically owned by the Bay Ridge Sanitarium (later known as the Bay Ridge Hospital, and most recently known as the St. Nicholas Home), and was used to house nurses that worked at the hospital. The house was built between 1906 and 1926.

Due to a change in elevation between the sidewalk and the house, there is a high brick retaining wall at the sidewalk that includes a set of brick stairs leading to a ramp and an additional set of stairs providing access to the house's primary entrance. The entrance is set within a small front porch that is flanked by two window openings. The second floor has two widely spaced rectangular window openings. A grouping of three window openings is at the top floor below a hipped gable. Dormers and a chimney project above the roof to the east and west.

The house has been altered with non-original vinyl siding and window sash. The access ramp is a later addition.[6]

[6] New York State Office of Parks, Recreation and Historic Preservation Resource Evaluation, Former Nurses' Home (439 Ovington Avenue), USN: 04701.025363, Date: 2/03/23.

Garages (S/NR- 04701.025364)

Photograph E-4: Garages

Captured: 17 March 2023

The Former St. Nicholas Home Garages – shown in Photograph E-4 – are one-story paired parking garages and courtyard at 443 Ovington Avenue, which are locally significant under Criterion C in the area of architecture as a rare building type in New York City[7]. A permit was filed with the NYC Department of Buildings in April 1916 by the property owner and president of the Constant Motor Service Corporation, Arthur D. Constant, to build "29 small buildings 10 feet by 20 feet to be used as private garages…rented to owners of private cars."

The garages opened in September 1917 and were advertised in the Brooklyn Daily Eagle as the "most modern system of individual automobile storage." The street frontage of the garages includes paired one-story brick facades with wood infilled window openings. A roll down metal gate is at the entrance and chain-link fencing tops the lower portions of the brick walls. The garages remained in use until 2021, when the St. Nicholas Home closed.

[7] New York State Office of Parks, Recreation and Historic Preservation Resource Evaluation, Garages (437 Ovington Avenue), USN: 04701.025364, Date: 2/22/23.

Italian Renaissance Revival House (S/NR- 04701.018684)

Photograph E-5: Italian Renaissance Revival House

Captured via Google Street View in June 2022; accessed 13 July 2023.

The Italian Renaissance Revival House[8] at 457 Ovington Avenue – shown in Photograph E-5 – is a Renaissance Revival style mansion with Moorish Revival style influence. There are two one-story garage structures next to it on a shared tax lot. Both the house and garages were built between 1913 and 1914.

The house was owned from 1914 to 1918 by William Beckham, its builder, and was possibly designed by Eisenla & Carlson Architects, a firm that did a lot of work in Brooklyn. The building is considered locally significant under Criterion C and is considered a representative example of the hybridization of styles which was typical of the period.

Built of brick, the mansion is remarkably intact and features an asymmetrical four bay wide façade with projecting roof cornice resting on foliate brackets. Below the cornice is a row of small, corbelled arches, often seen in Moorish Revival architecture. The façade also features limestone details such as Ionic columns, keystones, and widow surrounds. The roof is red barrel tile. Additionally, the house is considered one of the most distinguished buildings discovered by the reconnaissance survey.

[8] New York State Office of Parks, Recreation and Historic Preservation Resource Evaluation, Italian Renaissance Revival House (457 Ovington Avenue), USN: 04701.018684, Date: 03/27/15.

Apartment Building (S/NR- 04701.025366)

Photograph E-6: Apartment Building

Captured: 17 March 2023

The Apartment Building at 7101 Fourth Avenue – shown in Photograph E-6 – meets Criterion C in the area of architecture as an example of Depression-era apartment design in the Bay Ridge neighborhood of Brooklyn[9]. The large, six-story Tudor Revival style apartment building was designed by the Cohen Brothers, an architectural firm. The Cohen Brothers specialized in the design of apartment homes in the Flatbush area in 1910 and remained in operation through the early 1950s, drawing from historical sources such as the architecture of England or the Mediterranean world.

The Apartment Building occupies the southeast corner of Fourth and Ovington avenues and has a crenelated corner tower with steeply pitched gable projecting above the angled roof, along with two turrets at the roofline at the primary entrance on Fourth Avenue. The primary entrance is accessed from a deeply recessed courtyard. The door surround has limestone detailing; pointed arched window openings also open into the courtyard that have stained glass transoms. The building is faced in dark brown brick, with patterning that provides decorative detailing, along with woodwork at the upper floors that contrasts the brickwork.

No-Action Condition

In the No-Action Condition, existing conditions would continue in the Proposed Rezoning Area and the Study Area. Projected Development Site 1 would remain a two-story, 3,006-

[9] New York State Office of Parks, Recreation and Historic Preservation Resource Evaluation, Apartment Building (7101 Fourth Avenue), USN: 04701.025366, Date: 2/22/23.

gsf residential building, and Projected Development Site 2 would remain a vacant 9,259-sf lot.

With-Action Condition

Direct Effects

In the With-Action Condition, the Applicant would construct a 42,996-gsf, eight-story multifamily residential building with 40 DUs and 18 accessory below-grade parking spaces. Projected Development Site 2 is not under control of the Applicant but could also reasonably be developed with the Proposed Actions. The RWCDS assumed that Projected Development Site 2 would also be developed with a 42,996-gsf residential building that would contain 40 DUs and 18 accessory below-grade parking spaces.

Per LPC correspondence provided in Appendix A, neither of the two projected development sites contain a historical resource. Therefore, the Proposed Actions have no potential to result in direct impacts to historic resources.

Indirect Effects

Like the No-Action Condition, the historic resources in the Study Area would remain as existing conditions. The Proposed Actions would develop an eight-story multifamily residential building, which would not significantly alter the historic context of the Study Area. The contextual effects of the project-generated development on the two projected development sites would be typical of new development in highly urbanized areas. Views of the historic resources would continue to be available from publicly accessible areas, including the surrounding street network along Fourth and Ovington avenues.

E4 Conclusion

Per LPC, the development sites contain no historic resources. Therefore, the Proposed Actions would not directly impact a historic and cultural resource.

The Proposed Actions would allow two new one eight-story multifamily buildings within 400 feet of the Study Area's six historic resources. Existing views of the historic resources would not be affected from publicly accessible viewing locations along Fourth and Ovington avenues; however, the viewing context would be changed by introducing new buildings within the Ovington Avenue streetscape.

The resulting contextual changes would be typical of new development in highly urbanized areas and would not alter the historical significance of the Study Area's historic and cultural resources. Accordingly, the Proposed Actions would not have the potential to result in significant adverse historic and cultural resource impacts and further assessment is not warranted.

F URBAN DESIGN AND VISUAL RESOURCES

F1 Introduction

This section assesses the potential for the Proposed Actions to result in significant adverse urban design and visual resources impacts. Per the *CEQR Technical Manual*, a preliminary assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from street level, a physical alteration beyond that allowed by the existing zoning. Such alterations may include modification of yard, height, and setback requirements. Projects that result in an increase in built floor area beyond what would be allowed as-of-right or in the No-Action Condition also warrant analysis. A detailed analysis may be warranted for projects that would result in substantial alterations to the streetscape of the neighborhood by noticeably changing the scale of buildings.

The Proposed Rezoning Area is bound by Ovington Avenue to the north, a line 100 feet west of Fifth Avenue to the east, a line 100 feet north of 72nd Street to the south, and a line 200 feet east of Fourth Avenue to the west. A R3X (BR) zoning district encompasses the entirety of the Project Site and Lots 24, 29, 32, 35, 41, and 7501 of Brooklyn Block 5892. The Proposed Rezoning Area also includes portions of Lots 49, 50, 51, and 52; however, the Proposed Actions would have an immaterial effect on these lots. Lot 38 is the only property in the Proposed Rezoning Area that is under the Applicant's control.

In the No-Action Condition, Projected Development Site 1 would remain a two-story, two-family 3,006-gsf residence, and Projected Development Site 2 would remain a vacant 9,259-sf lot. In the No-Action Condition, there would be no new residential development in the Proposed Rezoning Area, including affordable DUs.

In the With-Action Condition, the Applicant would construct the Proposed Development, a 42,996-gsf, eight-story multifamily residential building on Projected Development Site 1. The building would contain 40 DUs and 18 below-grade parking spaces. Projected Development Site 2 is not under control of the Applicant but could reasonably be developed with the Proposed Actions. The RWCDS assumed that Projected Development Site 2 would also be developed with a 42,996-gsf residential building that would contain 40 DUs and rise eight stories to a roof height of 85 feet. Including a 10-foot-tall mechanical

bulkhead, the building would rise to a height of up to 95 feet. Like Projected Development Site 1, Projected Development Site 2 would contain 40 DUs and 18 accessory below-grade parking spaces.

F2 Methodology

Based on the guidelines and definitions in the *CEQR Technical Manual*, this assessment of urban design and visual resources considers the Proposed Actions' potential effect on the following elements:

- **Streets** refers to the arrangement and orientation of streets (the "street grid") that defines the location and flow of activity in an area, sets street views, and creates the blocks on which buildings and open spaces are organized. Streetscape elements are physical features that make up a streetscape, such as building street walls, building entrances, building fenestration, sidewalks, street trees, street furniture, and other permanent fixtures, including plantings, streetlights, fire hydrants, curb cuts, or newsstands that are critical to making a successful streetscape.
- **Buildings** support the street grid and the streetscape by conveying a sense of the overall form and design of a block or a larger area. A building's street wall forms the most common backdrop for public space and includes a building's size, shape, setbacks, lot coverage, and placement on the zoning lot and block. Active uses and pedestrian and vehicular entrances all play major roles in the vitality of the streetscape.
- **Visual Resources** are the connections from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources.
- **Open Space** includes public and private areas such as parks, yards, parking lots, and privately-owned public spaces.
- **Natural Features** include vegetation, geologic, topographic, and aquatic features that may help define the overall visual character of the area.
- **Wind** is channelized pressure from between tall buildings and downwashed wind pressure from parallel tall buildings may cause winds that affect pedestrian comfort and safety.

The Proposed Actions would not result in parallel tall buildings and therefore a wind analysis is not warranted. The Proposed Actions would allow two buildings up to 85 feet tall, or 8 stories. The Proposed Actions would modify the permissible zoning envelope within the Proposed Rezoning Area; therefore, a preliminary urban design and visual resources analysis was warranted.

Study Area

Per the guidelines set forth in the *CEQR Technical Manual*, the study area for an urban design assessment is generally consistent with that used for the land use analysis (a 400-foot study area). The Proposed Actions are limited to an interior portion of one tax block and is projected to result in new development on two tax lots. Therefore, this urban design and visual resources assessment focuses on a 400-foot study area around the

Proposed Rezoning Area. The Study Area is generally bound by Ovington Avenue to the north, Fourth Avenue to the west, Fifth Avenue to the east, and 72 Street to the south.

Impact Criteria

Per the *CEQR Technical Manual*, whether a project could result in a significant adverse urban design impact requires consideration of the degree to which a project would result in a change to the built environment's arrangement, appearance, or functionality and whether the change would negatively affect a pedestrian's experience of the area. One consideration is a project's context; for example, the scale and use of surrounding buildings. However, matching context is not necessarily the sole benchmark for measuring urban design impacts.

Key considerations whether a project could affect a visual resource may include:

- whether the project obstructs important visual resources and whether such obstruction would be permanent, seasonal, or temporary;
- how many viewers would be affected;
- whether the view is unique or do similar views exist; or
- whether the visual resource can be seen from many other locations.

F3 Existing Conditions

Development Site and Rezoning Area

The Proposed Rezoning Area contains one tax block and two lots (Block 5892 Lots 38 and 32) and is bounded by Ovington Avenue on the north, Fourth Avenue to the west, Fifth Avenue to the east, and 72 Street to the south.

Projected Development Site 1 is a 9,261-sf interior lot with about 54 feet of street frontage along Ovington Avenue and a depth of about 170 feet. The lot is generally bound by Ovington Avenue to the north, Lot 41 to the east, Lots 66 through 68 to the south, and Lot 35 to the west. The site is improved with a 3,006-gross-square-foot (gsf) two-family, two-story residence that was built in 1899. The residence is setback about 30 feet from Ovington Avenue and is set back about 80 feet from the rear lot line. A two-car accessory garage is of about 500 gsf is located behind the residence.

Projected Development Site 2 is a 9,259-sf interior lot with about 54 feet of street frontage along Ovington Avenue. The lot is about 170 feet deep.

Study Area

Existing conditions in the Study Area are shown in Photographs G-1 through G-13, and

Figure F-1 shows the location of these photographs in the Study Area.

Figure F-1: Urban Design Photograph Location Map

Photograph F-1[10]

View south across Ovington Avenue to Projected Development Site 1. 460 Ovington Avenue is shown on the right (5-story residential building), and 474 Ovington Avenue (3-story mixed-use residential and community facility building).

Photograph F-2

View southwest across Ovington Avenue towards Projected Development Site 1. 460 Ovington Ave is shown in the right of the frame and 474 Ovington is shown in the left of the frame.

Photograph F-3

View west across Fifth Avenue and along Ovington Avenue towards the Projected Development Site 1.

Photograph F-4

View south from Ovington Avenue to Projected Development Site 1. The site contains a 2-story, two-family residence.

Photograph F-5

View southwest across Ovington Avenue from the southeast corner of its intersection Fourth Avenue. The apartment is a visual resource because it is eligible for listing on the S/NR.

Photograph F-6

View west across Ovington Avenue towards 420 Ovington Avenue, a 6-story multifamily building that abuts the Proposed Rezoning Area. 428 Ovington – shown in the far left of the frame – is in the Proposed Rezoning Area.

[10] All photos captured on March 17, 2023.

Fourth and Fifth Avenues are the main throughfare through the Study Area. The east-west oriented streets are more local and residential streets. Ovington Avenue is a 60-foot-wide east-west oriented street. Between Fourth and Fifth avenues, the street fronts on one- and two-family residences, multifamily residences, mixed-use buildings, a commercial establishment, and institutional uses. On the north side of the street on this block are three S/NR-eligible sites that are associated with the former St. Nicholas Home. The Bethlehem Lutheran Church is on the north side of Ovington Avenue, at its intersection with Fourth Avenue. Ovington Avenue is configured with one lane of westbound vehicular traffic and parking on either side of the street.

In the east, Fifth Avenue is an 82-foot-wide two-way north-south oriented street. The buildings that front along Fifth Avenue in the Study Area are mostly three-story mixed-use buildings that have residential units above ground floor retail. The street is improved with one vehicular travel lane in each direction and parking on both sides of the street.

72nd Street is a 60-foot-wide east-west oriented street that allows one-way eastbound vehicular traffic. Between Fourth and Fifth avenues, the street fronts along attached rowhouses that contain up to three families. The street is one-way for eastbound traffic. It has one vehicular travel lane, a bike lane, and parking on both sides of the street.

In the west, Fourth Avenue is a 100-foot-wide north-south oriented street with two-way vehicular traffic. Uses along Fourth Avenue are predominately multifamily buildings and institutional uses, including P.S./I.S. 30. The street has two travel lanes in each direction and one parking lane on both sides of the street.

F4 No-Action Condition

In the No-Action Condition, existing conditions would remain. Projected Development Site 1 would remain a two-story, two-family 3,006-gsf residence. Projected Development Site 2 would remain a vacant 9,259-sf lot. In the No-Action Condition, there would be no new residential development would occur in the Proposed Rezoning Area. The street grid would not be modified, and views of the Study Area's visual resources would continue to be available from publicly accessible locations such as Ovington and Fourth avenues. The conditions shown in Photograph F-1 through Photograph F-6 would continue.

F5 With-Action Condition

Rezoning Area/Development Site

In the With-Action Condition, Projected Development Site 1 would be developed with the Proposed Development, a 42,996-gsf, eight-story multifamily building. The building would contain 40 DU and 18 below-grade parking spaces.

Projected Development Site 2 is not under control of the Applicant but could reasonably be developed with the Proposed Actions. Under wort-case conditions, the RWCDS assumed that Projected Development Site 2 would also be developed with a 42,996-gsf residential building that would rise eight stories to a roof height of 85 feet. Including a 10-foot-tall mechanical bulkhead, the building would rise to a height of up to 95 feet. Like Projected Development Site 1, Projected Development Site 2 would contain 40 DUs and 18 accessory below-grade parking spaces. Figure F-2 through Figure F-4 represent how views may change between the No-Action and With-Action conditions.

Figure F-2: View Across Ovington Avenue (Photograph F-1)

No-Action Condition

With-Action Condition

In the With-Action Condition, the Proposed Development would be developed on Projected Development Site 1. The eight-story building would be located between 460 Ovington Avenue and 474 Ovington Avenue along Ovington Avenue. The Proposed Development would be set back about 15 feet from Ovington Avenue to match the front set back of 460 Ovington Avenue (right of frame).

Figure F-3: View Southwest Across Ovington Avenue (Photograph F-2)

No-Action Condition

With-Action Condition

In the With-Action Condition, the existing two-family residence on the Project Site would be demolished and the Applicant would construct the Proposed Development. Projected Development Site 2 – shown in the right of the frame in yellow – would be developed with an 8-story building.

Figure F-4: View South Along Ovington Avenue (Photograph F-3)

No-Action Condition

With-Action Condition

Captured: 17 March 2023

Study Area

In the With-Action Condition, there would be no modifications to urban design and visual resources beyond the two development sites. These two projected developments would not obstruct publicly accessible views of a visual resource in the Study Area. The Proposed Actions do not proposed changes to the street grid network, which would continue to provide views of the Study Area's visual resources. Therefore, changes to views of the visual resources in the Study Area would be contextual that are typical of new development in urban areas such as Bay Ridge.

The Proposed Actions would introduce two buildings slightly taller than the tallest building in the Proposed Rezoning Area, the five-story residential building at 460 Ovington Avenue. The Study Area has no uniform urban design pattern and the introduction of two new eight-story buildings on the underdeveloped portions of the Proposed Rezoning Area would not significantly alter the urban design of the Study Area.

F6 Conclusion

In the No-Action Condition, the existing conditions would remain; Projected Development Site 1 would remain a two-story, two-family residence, and Projected Development Site 2 would remain a vacant lot. In the No-Action Condition, no new development would occur in the Proposed Rezoning Area.

In the With-Action Condition, Projected Development Site 1 would be developed with the Proposed Development, a 42,996-gsf, eight-story multifamily residential building. The building would contain 40 DUs and 18 below-grade parking spaces. The Proposed Development would be setback approximately 15 feet with from Ovington Avenue. The front yard would contain landscaping. A 15-foot-wide driveway with two 1.5-foot-wide splays on either side would be developed along Ovington Avenue and connect to a ramp that provides vehicular access to the building's below-grade parking.

Including Projected Development Site 2, the Proposed Actions are projected to result in two new eight-story multifamily buildings in the underused portions of the Proposed Rezoning Area.

Typical of new development in mature urban areas, the Proposed Development would have the potential to alter the viewing context of visual resources in the Study Area. Being in a mature, dense urban area with a no uniform urban design pattern, the project-generated contextual viewing changes would be typical of new development in urban areas. Close up views of the resources themselves from the Study Area's street network would be unaffected.

Overall, the urban design and visual resources effects of the Proposed Development would be typical of new residential development in mature urban areas. The Proposed Actions would improve the overall urban design conditions of the Study Area by allowing construction of two new buildings built up to the street line. Accordingly, the Proposed Development would not result in a significant adverse urban design and visual resources impact, and no further analysis is warranted.

G HAZARDOUS MATERIALS

G1 Introduction

The *CEQR Technical Manual* defines hazardous materials as substances that pose a threat to human health or the environment. Substances of concern include, but are not limited to, heavy metals, volatile organic compounds (VOCs) (including petroleum constituents and chlorinated solvents), semi-volatile organic compounds (SVOCs), methane, polychlorinated biphenyls (PCBs), and hazardous wastes (defined as substances that are chemically active, ignitable, corrosive, or toxic).

The New York City Department of Environmental Protection (DEP) often works with the lead agency during the CEQR process to provide technical review and recommendations relating to hazardous materials. When the review identifies the need for long-term measures to be incorporated after CEQR (prior to or during development), the lead agency, in coordination with DEP, determines whether an institutional control may be placed on the affected site.

G2 Methodology

Per to the guidelines of the *CEQR Technical Manual*, the first step to evaluate the potential presence of hazardous materials on an Applicant-controlled development site is to conduct a Phase I Environmental Site Assessment (ESA). The Proposed Actions would affect Brooklyn Block 5892, Lot 38, "Projected Development Site 1", which is bounded by Ovington Avenue to the north, 72nd Street to the south, Fourth Avenue to the west and Fifth Avenue to the east.

The objective of a Phase I ESA is to identify the presence or likely presence, use, or release of hazardous substances or petroleum products, as defined in American Society for Testing and Materials International (ASTM) E1527-13 (Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process) as a Recognized Environmental Condition (REC). A Phase I ESA also identifies any historical recognized environmental concerns (HREC). An HREC is defined by ASTM E1527-13 as a

past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls. A Phase I ESA also identifies Business Environmental Risks (BER), defined as a risk that can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of a commercial real estate parcel not necessarily limited to those environmental issues required to be investigated in this practice. Non-ASTM considerations are an environmental issue or condition at a property that parties may wish to assess in connection with commercial real estate, which are outside the scope of ASTM E1527-13. Typically, a Phase I ESA qualitatively evaluates environmental conditions within a project area.

This hazardous materials assessment summarizes the findings of ESAs available for the LSGD Site. The LSGD Site is under the control of the Applicant and the information in the most recent Phase I ESA is summarized in this assessment.

Impact Criteria

Per the *CEQR Technical Manual*, a significant hazardous materials impact may occur when hazardous materials exist on a site and an action would increase pathways to their exposure to humans and the environment, or if an action would introduce new activities or processes that use hazardous materials. Potential routes of exposure to hazardous materials can include direct contact, such as contact between contaminated soil and skin (dermal contact), breathing of VOCs or chemicals associated with suspended soil particles (inhalation), or swallowing soil or water (ingestion).

Conditions of contamination that are generally not considered significant adverse impacts include when:

- Hazardous materials exceed the concentrations of "Class GA" (as defined by the New York State Department of Environmental Conservation [NYSDEC]) in groundwater, unless there is a potential route of exposure through drinking water, vapor intrusion into buildings or structures, or groundwater recharge to surface waters, or a proposed project involves impacts associated with dewatering;
- Certain hazardous materials – particularly when asbestos or lead – are present and compliance with underlying regulations would preclude significant impacts; and
- If an institutional control related to hazardous materials (such as an E-Designation or restrictive declaration) has been imposed on a development site or will be imposed on the site as part of the project. In these instances, compliance with the terms and conditions of the institutional control may preclude the potential for significant adverse impacts.

Per the *CEQR Technical Manual,* public health may also be threatened when soil vapors migrate through the subsurface or along preferential pathways (such as a building foundation, utility conduit, or duct) and accumulate beneath a concrete slab or inside a basement, resulting in an explosive, oxygen-deficient, or hazardous atmosphere.

G3 Existing Conditions

Project Site (Projected Development Site 1)

Phase I ESA (February 2023)

The Phase I ESA for the Project Site was conducted in accordance with the ASTM Practice E1527-13 and the U.S. Environmental Protection Agency's All Appropriate Inquiry Rule. There were no RECs, HRECs, CRECs or BERs identified on the Project Site.

As part of the Phase I ESA, information was obtained from the "User" (as defined in ASTM E1527-13). Reasonable ascertainable information and environmental data for the Project Site were reviewed, along with maps and records maintained by the federal, state, and local regulatory agencies. Persons knowledgeable about the Project Site were interviewed, and a site reconnaissance was conducted.

The Project Site is bound by: Ovington Avenue followed by one- and two-family buildings to the north; mixed residential and commercial buildings followed by Fifth Avenue to the east; one- and two-family buildings followed by Fourth Avenue to the south and west.

A regulatory database search was provided by EDR, which identified a list of sites on select federal and state standard-source environmental databases within the approximate search radius specified by ASTM E-1527-13. The Project Site was not listed in the environmental databases. Although adjoining and surrounding properties were listed in multiple databases (including but not limited to, petroleum bulk storage (PBS) aboveground storage tank (AST), NY DRYCLEANERS, Historical Auto Stations, and Historical Cleaners), the database listings are not indicative of RECs based on regulatory status, nature of the incident, distance and topographic gradient in relation to the Project Site, or a lack of violations.

FOIA requests were submitted on February 3, 2023, to NYCDEP and NYSDEC who responded on February 7, 2023, that no records are available for the Project Site. A record search was conducted through the NYC Department of Buildings online query system in which the historical uses and classifications of the Project Site are not indicative of a REC.

The adjoining properties consist of commercial and residential buildings. The surrounding properties include residential, commercial, institutional buildings, as well as several dry-cleaning facilities. Based on distance or hydraulic relation to the Project Site, the dry-cleaning facilities are not considered a REC. No evidence of spills or releases directing impacting the subsurface was observed at the Project Site. Evidence of PBS at the Project Site and the adjoining property was observed; however, based on condition and lack of violations, the PBS is not anticipated to have impacted groundwater or soil vapor at the Project Site.

Projected Development Site 2

The Applicant does not control Projected Development Site 2, and Phase I ESA was not prepared for this site. Without a Phase I ESA, it is not known whether contamination may exist on this site, and more work is required to determine the nature and extent of the site's potential to have contamination.

G4 No-Action Condition

In the No-Action Condition, the existing conditions would continue. Projected Development Site 1 would continue to be a two-story, two-family residence. Projected Development Site 2 could continue to be a vacant lot.

G5 With-Action Condition

Project Site (Projected Development Site 1)

The Phase I ESA identified no RECs, CRECs, HRECs, or BERs on Projected Development Site 1. Based on the absence of RECs, CRECs, HRECs, or BERs, there is little or no likelihood of contamination on Projected Development Site 1. Project-generated demolition, excavation, and construction would comply with underlying regulations applicable to hazardous materials. Therefore, no significant adverse impacts would result from the Proposed Actions, and no further investigation is warranted.

Projected Development Site 2

A Phase I ESA was not conducted for Projected Development Site 2 because it is not under the Applicant's control. Therefore, an E-Designation – an institutional control – would ensure that investigative measures (i.e., a Phase I ESA) would be provided before construction permits are issued for the Projected Development Site 2. If testing reveals unacceptable conditions, the fee owner of Projected Development Site 2 would be required to undertake remedial measures deemed that are appropriate by the NYC Mayor's Office of Environmental Remediation (OER).

To determine if contamination exists and to perform the appropriate remediation, the following tasks must be undertaken by the fee owner of Projected Development Site 2 prior to demolition or disturbance of soil.

Brooklyn Block 5892, Lot 32 (E-XXX)

Task 1

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater, and soil vapor testing protocol. The protocol includes a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum-based contamination and non-petroleum-based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER. If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed. A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

With an E-Designation providing an institution control for Projected Development Site 2, significant adverse hazardous materials impacts would be precluded.

G6 Conclusion

A Phase I ESA prepared in September 2023 for the Project Site identified no RECs, CRECs, HRECs, or BERs. Based on the absence of RECs, CRECs, HRECs, or BERs, there is little or no likelihood of contamination on Projected Development Site 1. Project-generated demolition, excavation, and construction would comply with underlying regulations applicable to hazardous materials.

The Applicant does not control Projected Development Site 2. An E-Designation on Projected Development Site 2 would install an institutional control to preclude significant adverse hazardous materials impacts. The E-Designation would place certain hazardous materials requirements on the property. If unacceptable levels of hazardous materials are present on the site, a remedial action plan would require approval from OER before development can proceed.

With the proposed E-Designation (E-XXX) in place for Projected Development Site 2, the Proposed Actions would not result in significant adverse hazardous materials impacts, and no further analysis is necessary.

H AIR QUALITY

H1 Introduction

Per the *CEQR Technical Manual*, an air quality analysis is conducted to assess the effect of a proposed action on ambient air quality (i.e., the quality of the surrounding air), or effects on a proposed project because of ambient air quality. Air quality can be affected by mobile sources – such as pollutants produced by motor vehicles – or by stationary sources, such as pollutants produced by fixed facilities such as mechanical equipment. An air quality assessment is carried out when actions have the potential to result in significant adverse impacts from mobile or stationary emissions sources.

The Proposed Actions would result in the demolition of the existing two-family two-story-residence on Projected Development Site 1 to allow the construction of an eight-story, 95-foot-tall (85 feet, plus a 10-foot bulkhead), 42,996-gross-square-foot (gsf) building on the Project Site (Projected Development Site 1). The Proposed Actions also projected to result in the development of a second 95-foot-tall, 42,996-gsf multifamily building on Projected Development Site 2. This section evaluates the potential for the Proposed Actions to result in significant adverse air quality impacts.

H2 Methodology

This air quality analysis follows the guidelines set forth in the *CEQR Technical Manual*. For this project, a preliminary screening in the areas of HVAC, industrial source, mobile source, and large or major sources was able to rule out the potential for significant adverse air quality impacts.

Stationary Sources

A stationary source preliminary screening evaluates the potential for a significant adverse air quality impact from the Proposed Development's heating, ventilation, and air

conditioning (HVAC) and hot water systems. Per the *CEQR Technical Manual*, the floor area of the Proposed Development that would be served by the proposed HVAC and hot water (non-parking uses) was identified. The New York City Building Code requires that exhaust stacks release at least three feet above a building's roof height; the stacks were therefore assumed to release three feet above the proposed building's bulkhead. This release height was used to identify buildings of similar or greater height within the Study Area.

Consistent with Building Code, emissions stacks are also required to be at least ten feet from the edge of the roof. To account for this required setback, 10 feet was added to the distance between the proposed building and the nearest building of similar or greater height. The gsf of non-parking uses was plotted against the distance between the nearest receptor of similar or greater height to the project-generated buildings.

The Proposed Actions would allow two buildings – one on the Project Site and one on Projected Development Site 2 – with a roof height of up to 85 feet, the maximum roof height of the zoning district. Assuming emissions would be released 3 feet above a 10-foot-tall mechanical bulkhead above the roof, an emission height of 98 feet was assumed for the stack release height for both buildings. This release height was used to identify buildings of similar or greater height.

The fuel source for the proposed building is not yet known; however, the recent updates to the New York City Energy Conservation Code and Local Law 154 of 2021 highly incentivize the use of electricity as a fuel source in new buildings. To allow a conservative assessment, natural gas was analyzed as a potential fuel source to represent worst-case conditions.

To determine the nearest existing receptors of similar or greater height, the building roof heights in the New York City Department of Information Technology and Telecommunications' NYC Planimetric Database were reviewed. Building heights were also surveyed using available aerial imagery of the surrounding area. Using the data from the Planimetric Database and available aerial imagery, the certificates of occupancy issued by the Department of Buildings (DOB) for the nearest receptors of similar or greater height were reviewed on DOB's Building Information System to confirm building heights. For this project, a 400-foot study area around the Project Site was established for the HVAC preliminary screening.

Industrial Source Analysis

Site reconnaissance did not identify industrial facilities within 400 feet of the Proposed Rezoning Area. Table H-1 shows the sites that have an emissions source registered on DEP's Clean Air Tracking System (CATS).

Table H-1: Clean Air Tracking System (CATS) Search

BI	Lot	Address	Application	Type	Exp. Date
5874	14	6901 FIFTH AVE	CR010616	Boiler	2/16/2025
5910	7	7207 FIFTH AVE	CR028219	Boiler	3/22/2025
5910	3	7219 FIFTH AVENUE	CR055619	Boiler	6/11/2025
5891	48	7002 FOURTH AVENUE	CR066916	Boiler	6/18/2025
5873	89	411 OVINGTON AVENUE	CR139216	Boiler	12/30/2025
5893	2	7129 FIFTH AVENUE	CR440313	Boiler	9/15/2025
5892	35	460 OVINGTON AVENUE	CR787615	Boiler	8/20/2024
5891	48	7002 FOURTH AVENUE	PB002013	Engine	1/31/2025
5910	2	7221 FIFTH AVENUE	CA000596	Boiler	1/16/2026

5892	1	7123 FOURTH AVENUE	CA074679	Boiler	12/5/2024
5891	58	7032 FOURTH AVENUE	CA138487	Boiler	4/1/2026
5892	16	420 OVINGTON AVENUE	CA220383	Boiler	11/1/2025
5892	6	7101 FOURTH AVENUE	CA252883	Boiler	11/1/2025
5909	1	7201 FOURTH AVENUE	CA272082	Boiler	9/7/2025
5872	57	359 OVINGTON AVENUE	CA303084	Boiler	11/13/2023
5873	84	415 OVINGTON AVENUE	CA341384	Boiler	10/31/2023
5908	37	7212 FOURTH AVENUE	CB004312	Boiler	2/14/2024
5873	10	6911 FOURTH AVENUE	CA416384	Boiler	12/4/2023
5908	43	7224 FOURTH AVENUE	CB008212	Boiler	1/17/2024
5864	52	485 BAY RIDGE AVENUE	CB051902	Boiler	4/17/2026
5910	4	7215 FIFTH AVENUE	CB049005	Boiler	4/27/2026
5891	7501	7115 THIRD AVENUE	CB148909	Boiler	11/17/2024
5908	5	7215 THIRD AVENUE	CB109610	Boiler	10/14/2025
5864	32	464 68th STREET	CB186906	Boiler	7/8/2024

Per the *CEQR Technical Manual*, boilers for residential or commercial uses that are registered on CATS do not have the potential to result in significant adverse impacts and therefore do not warrant further analysis. The Study Area's sole industrial permit is for a diesel engine, which does not warrant analysis under CEQR.

The Proposed Actions would not introduce a new industrial air emissions source. Therefore, the Proposed Actions would not result in a significant adverse air quality impact from industrial sources, and further analysis is not warranted.

Large or Major Source

The Proposed Actions would not introduce a large or major emissions source. Existing large or major sources within 1,000 feet of the Proposed Rezoning Area were reviewed using the New York State Department of Conservation's DECInfo Locator online application.

The nearest large or major emissions source to the Proposed Rezoning Area is the Owl Head Wastewater Resource Recovery Facility, which is more than 4,500 feet to the northwest of the Proposed Rezoning Area. An analysis of this facility's emissions is not warranted because it is more than 1,000 feet away from the Proposed Rezoning Area.

The Proposed Actions would not introduce a new large or major source. Therefore, a large or major source assessment is not warranted.

Mobile Source Analysis

The Proposed Actions would generate fewer than 12 incremental heavy-duty diesel vehicle (HDDV) equivalents during peak hours. Therefore, a mobile source assessment for particulate matter 2.5 ($PM_{2.5}$) or particulate matter 10 (PM_{10}) was not warranted.

The Proposed Actions would also generate fewer than 170 peak hour trips a mobile assessment for carbon monoxide emissions was not warranted. Additionally, the Proposed Actions would not introduce a new large parking facility, and therefore an analysis of mobile source emissions from a parking facility was not warranted.

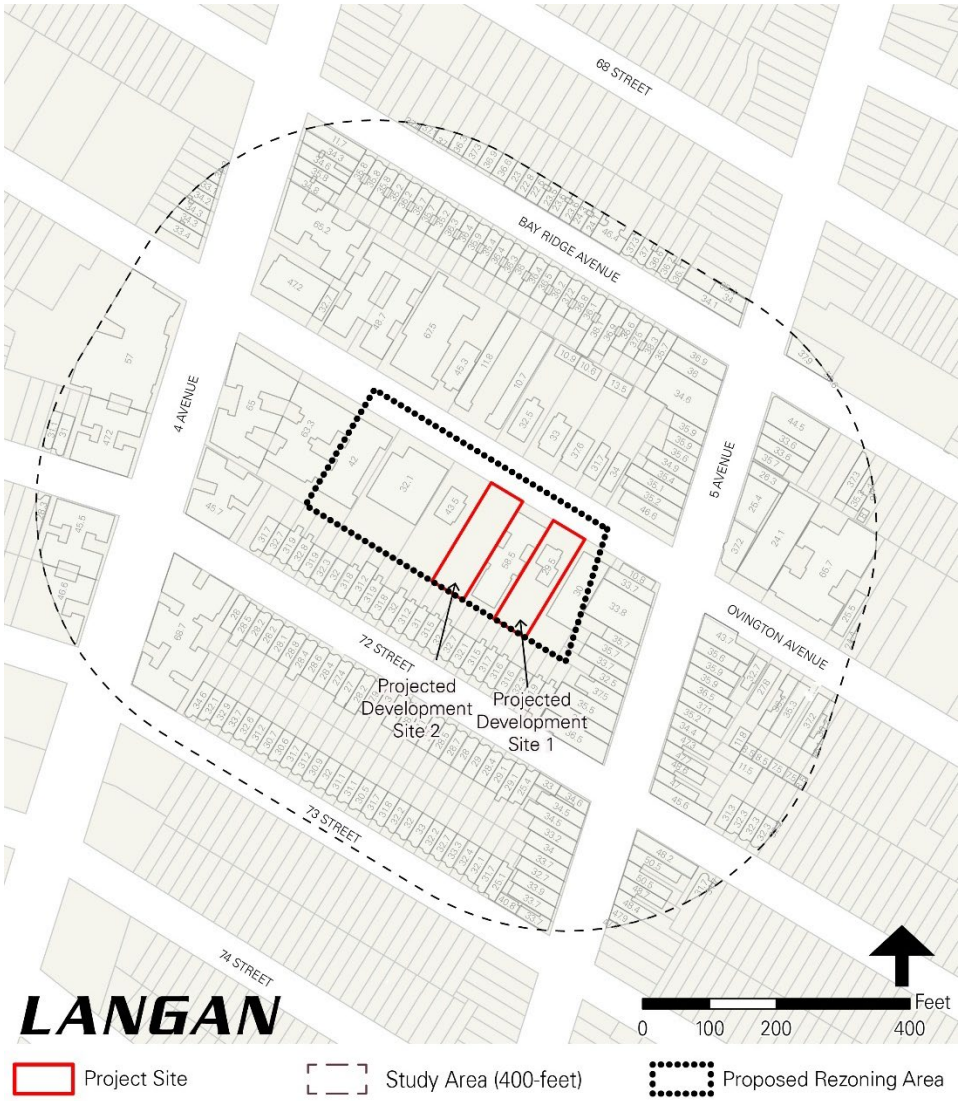
H3 Assessment

Stationary Sources

HVAC Screening Analysis

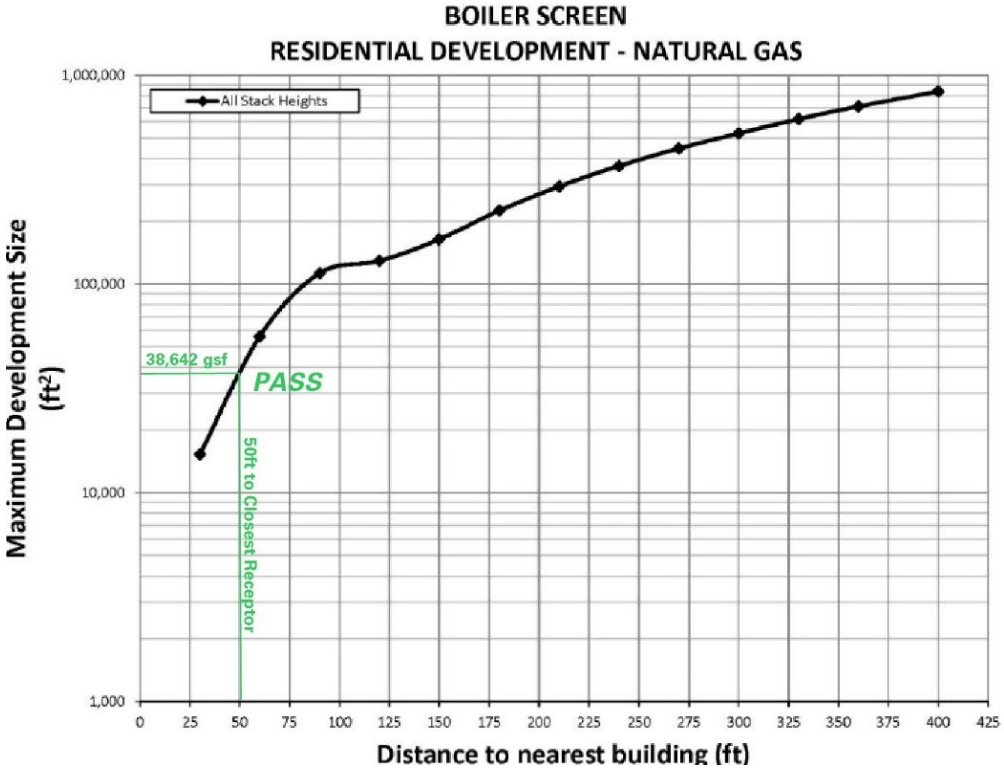
Figure H-1 shows the building heights of existing buildings in the Study Area. In the With-Action Condition, the projected development sites would each be developed with a 42,996-gsf multifamily building that would be served by the building's HVAC and hot water systems. The Study Area contains no buildings that would be of similar or greater height than the assumed emissions height of 98 feet; however, the Proposed Actions would introduce two buildings of similar height, and a project-on-project analysis was warranted. The CEQR natural gas boiler screening is shown in Figure H-2.

Figure H-1: Receptors 98 Feet or Taller Within the Study Area



Lot 35 (460 Ovington Avenue) is a 55-foot-wide tax lot that intervenes between the two projected development sites. Accounting for the required 10-foot setback from the roof edge, the emissions points between the two projected development sites would be at least 65 feet away. As shown in Figure H-2, the Proposed Actions would not result in a significant adverse air quality impact from project-generated stationary sources such as HVAC or hot water systems because the plotted point would fall below the black line.

Figure H-2: NO_2 Boiler Screening for Residential Development – Natural Gas



H4 Conclusion

The Proposed Actions would allow two new multifamily buildings up to 95 feet tall. A preliminary screening was able to rule out significant adverse impacts from industrial, large or major, and mobile sources.

A nomograph screening was performed for project-generated emissions from new HVAC or hot water systems. A review of existing buildings within the Study Area found that there were no buildings of similar or greater height. The nomograph completed to analyze potential project-on-project effects indicates that significant adverse impacts from project-generated emissions would be precluded because of the distance between the two development sites. Therefore, the Proposed Actions would not result in significant adverse air quality impacts, and further assessment is not warranted.

I NOISE

I1 Introduction

Per the *CEQR Technical Manual*, the goal of a CEQR noise assessment is to determine both a proposed project's potential effects on sensitive noise receptors – such as residential, commercial, and institutional facilities and open spaces – and the effects of ambient noise levels on new sensitive uses that are introduced by a proposed project.

If unacceptable noise levels are identified, CEQR requires such impacts to be mitigated or avoided to the greatest extent practicable.

I2 Methodology

The initial impact screening considers whether a project would generate mobile or stationary sources of noise or whether the project would be located in an area with existing high ambient noise levels.

For a mobile source analysis to be warranted, a project must have the potential to affect vehicular traffic noise, aircraft noise, or train noise. An initial noise assessment of a project's effect on vehicular traffic noise is warranted if a proposed project would generate or reroute traffic or introduce a new receptor near a heavily trafficked thoroughfare.

Per the *CEQR Technical Manual*, a mobile source noise assessment is required if a proposed project results in an increase in passenger car equivalent (PCE) values by 100 percent or more, which is the equivalent of a noise increase of 3 dB(A) or more. The Proposed Development would not exceed any of the trip generation thresholds provided in Table 16-1 of the *CEQR Technical Manual*. Therefore, the Proposed Development would generate fewer than 50-peak hour vehicle trips at any intersection and would have nominal effect on the ambient noise conditions and a mobile source noise analysis is not warranted.

A stationary noise source analysis is warranted if:

- A proposed project would cause a substantial stationary source to be operating within 1,500 feet of a receptor and with direct line of sight to that receptor; or
- A project would introduce a receptor in an area with high ambient noise levels resulting from stationary sources, such as manufacturing activities or other loud uses.

The Proposed Actions would introduce new uses sensitive to noise conditions and introduce new mechanical equipment. Therefore, a noise analysis was warranted.

Noise Standards and Criteria

The *CEQR Technical Manual* provides guidance for attenuation values for proposed buildings based on exterior noise levels. Table I-1 shows the recommended noise attenuation values for buildings are designed to maintain interior noise levels of 45 dB(A) or lower for residential uses and 50 dB(A) or lower for commercial uses; these values are determined based on exterior $L_{10(1)}$ noise levels.

Table I-1: Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Acceptable	Marginally Unacceptable				Clearly Unacceptable
Vehicular Traffic	$65 < L_{10} \leq 70$	$70 < L_{10} \leq 73$	$73 < L_{10} \leq 76$	$76 < L_{10} \leq 78$	$78 < L_{10} \leq 80$	$80 < L_{10}$
Attenuation [A]	N/A	(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	$36 + (L_{10} - 80)$ [B] dB(A)

(A) The above composite window-wall attenuation values are for residential dwellings. Retail uses would be 5 dB(A) less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.
(B) Required attenuation values increase by 1 dB(A) increments for L_{10} values greater than 80 dB(A).
Source: *CEQR Technical Manual*

Impact Criteria

During daytime hours (between 7 AM and 10 PM), nuisance levels for noise are generally considered to be more than 45 dB(A) indoors and 70 to 75 dB(A) outdoors. Indoor activities are subject to task interference above this level, and 70 to 75 dB(A) is the level at which speech interference occurs outdoors.

If a project is in an area where the noise levels exceed the marginally acceptable limit, then measures are necessary to attenuate noise to enable an interior noise level to 45 dB(A) or less for residential or community facility uses, or 50 dB(A) or less for commercial office uses.

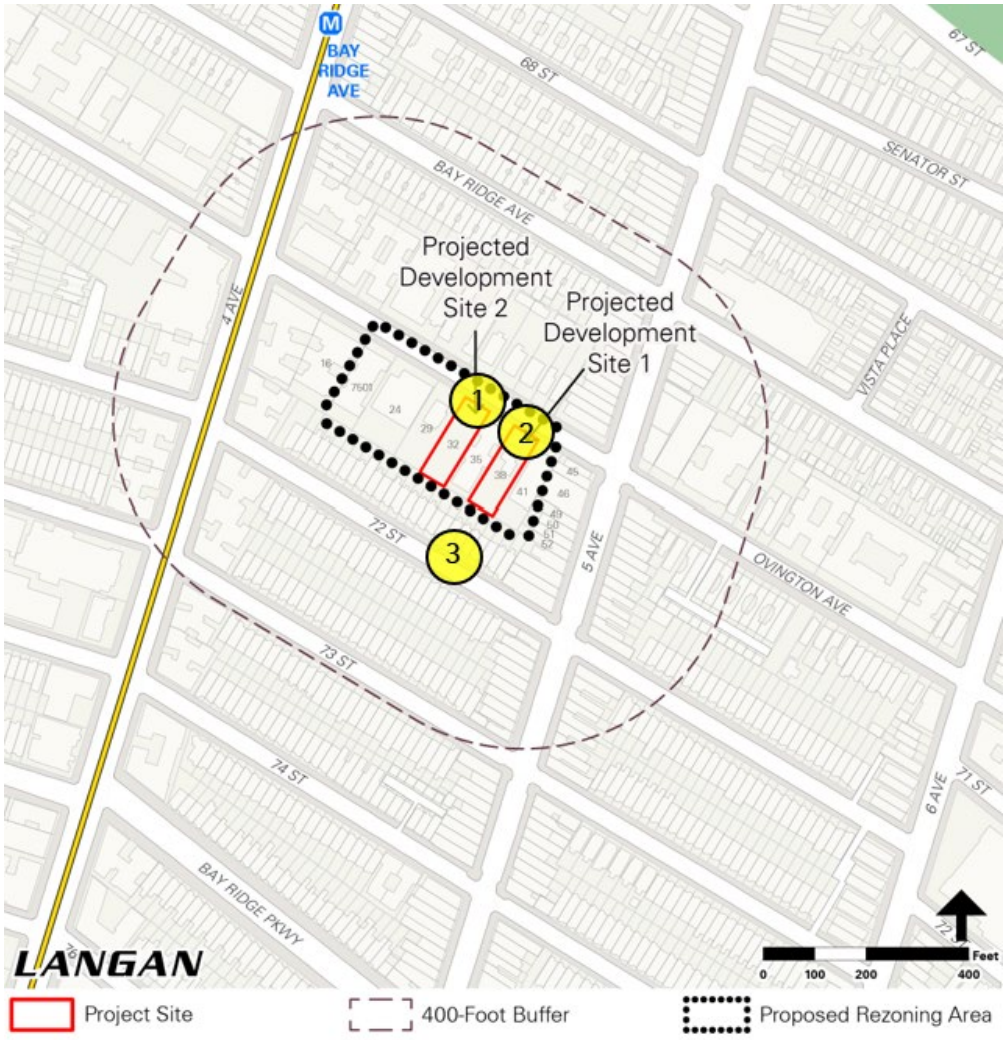
Noise Measurements

Existing noise levels in the Proposed Rezoning Area were measured at three representative locations. The noise survey locations were selected by examining the location of the development sites, and the locations of the dominant sources of vehicular traffic noise. These locations are described in Table I-3 and Figure I-1.

Table I-2: Noise Measurement Locations

Receptor	Location
1	Northeast corner of Projected Development Site 1
2	Southeast corner of Projected Development Site 2
3	On 72nd Street behind the rear yard of Projected Development Site 1

Figure I-1:Noise Measurement Locations Map



These measurement locations collectively represent the worst-case existing noise levels where the Proposed Actions would introduce noise-sensitive receptors, such as residential units or commercial spaces. The measured noise levels were then used to determine minimum window/wall attenuation requirements needed to satisfy CEQR interior noise level criteria.

Noise levels were measured on December 6, 2023 during four peak periods – AM (7:30AM – 9:30 AM), midday (11:30AM – 1:30PM), school dismissal period (2:00PM-4:00PM) and PM (4:00PM – 6:00PM).[11] The school dismissal period was measured to account for the Lutheran Elementary School within the Proposed Rezoning Area. All measurements had a duration of at least 20 minutes.

Measurements were performed using an NTi XL2 sound level meter. During the measurements, the microphone was mounted on a tripod at a height of approximately 5 feet above the street level. Measurements at each location were made on the A-scale (dBA). The data was digitally recorded by the SLMs and displayed at the end of the

[11] Measurements were taken on December 6, 2023.

measurement period in units of dB(A). Measured quantities included L_{eq}, L_{MAX}, L_{10}, L_{50}, and L_{90}. A windscreen was used during all sound measurements except for calibration.

I3 Existing Conditions

The results of the existing noise level measurements are summarized in Table I-3 along with the observed vehicle movements by vehicle classification type observed in each measurement period. The results for Receptor Location 1 represent the hour with the highest measured L_{10} noise level (66.5 dB(A)).

Table I-3: Existing Noise Levels at Receptor Locations and Vehicle Classification Counts

Measurement				Noise Levels					Vehicle Counts by Classification				
#	Location	Day	Time	L_{eq}	L_{MAX}	L_{10}	L_{50}	L_{90}	Motorcycle	Auto	Med. Truck	Heavy Truck	Bus
1	Northeast Corner of Projected Development Site 1	Weekday	AM	61.2	76.1	65.4	56.5	52.8	0	66	1	0	2
			MD	65.8	84.4	66.5	56.9	52.0	2	49	1	0	0
			SD*	68.3	94.2	65.9	60.2	56.3	0	56	0	0	2
			PM	62.4	83.9	64.6	57.6	54.2	2	65	0	0	1
2	Southeast Corner of Projected Development Site 2	Weekday	AM	59.2	75.4	63.4	54.2	49.3	0	55	0	0	0
			MD	62.2	85.6	61.6	55.1	51.7	2	58	0	0	0
			SD*	60.3	82.0	61.6	56.9	55.0	0	61	0	0	1
			PM	57.4	73.8	59.5	54.9	51.7	0	71	0	0	0
3	On 72nd St, behind rear yard of Projected Development Site 1	Weekday	AM	57.3	77.7	59.0	50.9	45.6	0	23	0	0	0
			MD	58.0	71.0	62.7	51.4	47.3	0	39	0	0	0
			SD*	58.9	77.0	61.9	54.6	50.6	1	28	0	0	3
			PM	57.9	72.0	62.5	52.1	48.0	1	43	0	0	0

*SD represents the School Dismissal period.

At all receptor locations, vehicular traffic from the adjacent roadways was the dominant noise source. As defined in the *CEQR Technical Manual*, the existing noise levels at the receptor locations fall within the "marginally acceptable" and "acceptable" categories.

I4 No-Action Condition

In the No-Action Condition, the existing conditions in the Proposed Rezoning Area would continue. There are no known nearby developments that are anticipated to substantively effect the existing ambient noise conditions.

I5 With-Action Condition

As shown in Table I-1, the CEQR Technical Manual has set noise attenuation values for building facades, based on exterior $L_{10(1)}$ noise levels. These recommended noise attenuation values are designed to maintain interior noise levels of 45 dB(A) or less for residential uses, and 50 dB(A) or less for commercial uses.

The Proposed Actions would not exceed the CEQR transportation preliminary screening thresholds of the *CEQR Technical Manual*'s Table 16-1. Under worst-case conditions, the Proposed Actions would generate fewer than 50 peak-hour vehicular trips and would result in a nominal increase in vehicular traffic on the surrounding network. Accordingly, the existing noise conditions would be representative of the With-Action ambient noise conditions. Like the No-Action Condition, noise conditions at the Project Site would

continue to be “marginally acceptable” and “acceptable” per CEQR in the With-Action Condition.

A composite structure’s attenuation is a function of the attenuation provided by each of its component parts and the area making up each part. A building façade typically consists of a wall, glazing, and vents or louvers associated with the building mechanical systems. These component parts vary in area along a building’s façade and have a variety of attenuative properties. With standard construction materials, new development is expected to provide a composite Outdoor-Indoor Transmission Class (OITC) rating of at least 25 dB(A) and would result in an interior noise environment of 45 dB(A) or less for the proposed residential uses during a closed-window condition. Therefore, an E-Designation or other noise control is not required to meet the CEQR requirements for interior noise levels for residential uses.

Mechanical Systems

The design of and specification for building mechanical systems – such as heating, ventilation, and air conditioning (HVAC) – would be designed to meet the applicable noise regulations (including Subchapter 5, §24-227 of the New York City Noise Control Code and the New York City Department of Buildings Mechanical Code). This underlying requirement would ensure that new equipment does not result in any significant increase in ambient noise levels.

I6 Conclusion

Noise measurements indicate that the exterior L_{10} noise conditions at the development sites are projected to remain below 70 dB(A) in the No-Action and With-Action conditions. New development is expected to provide a composite OITC rating of at least 25 dB(A) and would result in an interior noise environment of 45 dB(A) or less for the proposed residential uses. Mechanical equipment would comply with existing underlying requirements such as the New York City Noise Control Code and the New York City Department of Buildings Mechanical Code. As such, a noise E-Designation is not warranted.

J NEIGHBORHOOD CHARACTER

J1 Introduction

This section assesses the potential for the Proposed Actions to effect neighborhood character. As defined in the *CEQR Technical Manual*, neighborhood character is an amalgam of various elements that give a neighborhood its distinct "personality." These elements may include a neighborhood's land use, socioeconomic conditions, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, and noise conditions (collectively, the "contributing technical areas"); however, not all these elements contribute to neighborhood character in all cases.

The Proposed Rezoning Area comprises portions the portion of Brooklyn Block 5892that is bound by Ovington Avenue to the north, a line 100 feet west of Fifth Avenue to the east, a line 100 feet north of 72nd Street to the south, and a line 200 feet east of Fourth Avenue to the west. The Proposed Actions would allow the Applicant to develop the Proposed Development on Projected Development Site 1 (Lot 38). The RWCDS assumed that the Proposed Actions are also likely to result in Projected Development Site 2 (Lot 32) being developed.

J2 Methodology

An assessment of neighborhood character is generally needed when a proposed action has the potential to result in significant adverse impacts to the contributing technical areas. A preliminary neighborhood character assessment determines whether anticipated impacts in contributing technical areas may adversely impact a defining feature of the neighborhood. The preliminary assessment first identifies the defining features and then evaluates whether the proposed project or action has the potential to adversely impact those defining features, either through the potential for a significant adverse impact in a single relevant technical area or a combination of moderate effects in the relevant technical areas. A "moderate" effect is generally defined as being reasonably close to the significant adverse impact threshold for a particular technical analysis area.

Study Area

Per the *CEQR Technical Manual*, the study area for a preliminary assessment of neighborhood character is typically consistent with the study areas in other relevant technical areas assessed, such as land use and urban design. Thus, the neighborhood character Study Area is a 400-foot radius around the Proposed Rezoning Area.

Impact Criteria

The key elements that define neighborhood character, and their relationships to one another, form the basis of determining impact significance. In general, the more uniform and consistent the existing neighborhood character, the more sensitive it is to change. A neighborhood that has a varied context typically can tolerate greater change without experiencing significant impacts. In addition, a significant adverse impact identified in one of the technical areas that may contribute to a neighborhood's character is not automatically equivalent to a significant impact on neighborhood character, but rather serves as an indication that neighborhood character should be examined.

If there is no potential for a proposed project to affect the defining features of neighborhood character, a detailed assessment is not warranted. If the detailed analysis determines that one of the defining features of the neighborhood's character would be significantly affected, then a significant impact may occur.

J3 Existing Conditions

The Proposed Rezoning Area and the Study Area are in the Bay Ridge neighborhood and is characterized. The Study Area is highly urbanized and developed around a street grid. The east-west local streets are generally one-way streets lined with residential or community facility uses. The north-south avenues serve as the Study Area's principal vehicular routes, and these streets contain more activity with uses such as mixed-use residential, commercial, and institutional buildings.

The principal vehicular route through the Study Area is Fourth Avenue, a north-south two-way street for vehicular traffic. The street has two travel lanes and one parking lane for each travel direction. The street is improved with sidewalks on both sides. Uninterrupted active ground-floor uses line the blocks that front along Fourth Avenue. Areas to the east and west of the Proposed Rezoning Area contain a variety of uses, including one- and two-family residences, multifamily walk-up buildings, mixed-use residential and commercial buildings, and community facilities. The Study Area's community facilities include the Mary White Ovington School, Public School 231, and Bethlehem Lutheran Church.

The built environment within the Study Area includes low- to medium-density residential building between two and seven stories. At a height of approximatively 69 feet (excluding bulkhead), the tallest building in the Study Area is 7201 Fourth Avenue, a multifamily elevator building constructed in 1924 that's at the southeast corner of the intersection between Fourth Avenue and 72nd Street.

J4 No-Action Condition

In the No-Action Condition, the existing conditions in the Study Area would continue. The defining features of the neighborhood would continue to be the mixed of one- and two-family residences, multifamily buildings, institutional uses, and mixed-use residential and commercial buildings.

J5 With-Action Condition

Land Use, Zoning, and Public Policy

The Proposed Actions would enable new multifamily residential buildings to be constructed at projected development sites 1 and 2. Multifamily residential buildings are already a use in the Proposed Rezoning Area and the Study Area. The project-generated buildings would be eight-stories tall and have a building roof height of 85 feet (or 95 feet including the bulkhead). The Proposed Actions would also reduce the degree of non-compliance for the existing multifamily buildings in the Proposed Rezoning Area.

While the Study Area contains an R7B district along Fourth Avenue, the proposed zoning map amendment would establish the first R6A district in the Study Area. The nearest R6A districts are mapped along Ridge Boulevard, approximately three blocks to the west of the Proposed Rezoning Area.

The Proposed Actions would enable new affordable housing options in accordance with goals of multiple public policies such as *OneNYC 2050* and *Housing New York 2.0*. Accordingly, the Proposed Actions would not result in a significant adverse neighborhood character impact in the area of land use, zoning and public policy.

Socioeconomic Conditions

The With-Action Condition is projected to generate an additional 4 employees over the No-Action Condition, a nominal number of new employes that would support the project-generated residences. The project-generated employment would not affect the socioeconomic character of the neighborhood.

The Proposed Actions would generate about 201 additional residents over the No-Action Condition, a nominal number of new residents that would not have the potential to significantly affect the socioeconomic conditions of a dense urban neighborhood like Bay Ridge. The Proposed Actions would result in about 80 new residences, of which about 16 would be targeting households earning 80 percent or less of the area median income (AMI); these income-restricted households do not have the potential to significantly affect the socioeconomic conditions of the neighborhood. Accordingly, the Proposed Actions would not result in a significant adverse neighborhood character impact in the area of socioeconomic conditions.

Open Space

The Proposed Actions would not result in a direct effect to a public open space but would result in about 201 additional residents over the No-Action Condition. The project-generated residents are expected to use the Study Area's existing open spaces. The

quantitative analysis found that the project-generated would change the open space ratio in the Study Area by less than 0.5 percent. Therefore, the Proposed Actions would not result in significant adverse open space impacts, and no further analysis is warranted.

Shadows

The Proposed Actions would enable the development of two buildings up to 95 feet tall (85 feet plus a 10-foot-tall mechanical bulkhead). The preliminary shadow assessment shows that incremental shadow does not have the potential to be cast on a sunlight-sensitive resource on any of the four CEQR analysis periods. Accordingly, the Proposed Actions do not have the potential to result in a significant adverse neighborhood character impact in the area of shadows, and no further analysis is warranted.

Historic and Cultural Resources

The Landmarks Protection Commission (LPC) confirmed that there are no architectural or archaeological resources on the development sites and there would be no potential for the Proposed Actions to result in significant adverse impacts to archaeological resources or eligible and/or designated architectural resources.

The Proposed Actions would allow the development of new eight-story multifamily buildings within 400 feet of six historic resources – Bethlehem Lutheran Church, Former St. Nicholas Home, Former Nurses' Home, Garages, Italian Renaissance Revival House, and Apartment Building. Views of the historic resources would not be affected; however, the viewing context would be changed by introducing a new building into the streetscape. The resulting contextual changes would be typical of new development in highly urbanized areas and would not alter the character of the nearby historic and cultural resources. Accordingly, the Proposed Actions would not have the potential to result in significant adverse historic and cultural resource impacts and further assessment is not warranted.

Urban Design and Visual Resources

The Proposed Actions would enable the construction of two new residential buildings in the Proposed Rezoning Area. In the No-Action Condition, Projected Development Site 1 would remain a two-story, two-family residence that would continue to remain set back from the street. Projected Development Site 2 would remain a vacant 9,259-sf lot. In the No-Action Condition, there would be no new residential development in the Proposed Rezoning Area.

In the With-Action Condition, a 42,996-gsf, eight-story multifamily residential building would be constructed on each of the two development sites. Each new multifamily building would contain 40 DUs and 18 parking spaces below-grade. The new buildings would have a roof height of 85 feet (95-foot-tall building including a 10-foot-tall mechanical bulkhead). The new buildings would be set back from Ovington Avenue and contain landscaping in the front yard. A 15-foot-wide driveway with two 1.5-foot-wide splays on either side would be developed along Ovington Avenue and provide vehicular access to the building's cellar parking. Overall, the Proposed Actions would enable underused parts of the Proposed Rezoning Area to be redeveloped.

Typical of new development in mature urban areas, the Proposed Development would have the potential to alter the viewing context of visual resources in the Study Area.

Because the surrounding area is mature, dense urban area with a non-uniform urban design pattern, the change to the contextual views would be negligible. Short-range views of the study area's resources would be unaffected from publicly-accessible locations such as within Ovington Avenue. Overall, the urban design and visual resources effects of the Proposed Development is typical of new residential projects within mature urban areas and would not result in a significant change to the character of the Study Area's urban design and visual resources.

Transportation

The Proposed Actions would not modify the existing patterns of vehicular traffic through the Study Area. While new buildings would generate a nominal amount of additional pedestrian and vehicular traffic, traffic would use existing vehicular routes to access the development sites and Proposed Rezoning Area. Fourth and Fifth avenues would continue to function as the primary streets through the Study Area. Ovington Avenue would continue to function as a local street predominately serving the local residential and community facility uses. Subway and bus connections would continue to be available in the Study Area.

The Proposed Actions do not involve mapping new streets, changing street directions, or other changes to transportation that have the potential to significantly change movement patterns through the Study Area or that would substantially modify the transportation characteristics of the neighborhood. The Proposed Actions would assist to further activate the Study Area with additional pedestrian activity. Accordingly, the Proposed Actions would not significantly affect the neighborhood character of the Study Area in the area of transportation.

Noise

Vehicular traffic is the main contributor to ambient noise levels around the Proposed Rezoning Area. The Proposed Actions would introduce two multifamily buildings midblock on Ovington Avenue between Fourth and Fifth avenues. New mechanical equipment on these buildings would comply with the New York City Noise Code and would not have the potential to significantly change the noise character of the Study Area. Project-generated traffic would travel along the existing street network and not significantly alter traffic volumes or circulation patterns that would significantly affect the noise conditions of the Study Area. Therefore, the Proposed Actions do not have the potential to result in a significant adverse neighborhood character impact in the area of noise.

J6 Conclusion

The Proposed Actions would not generate a significant adverse impact in any of the CEQR technical areas that contribute to neighborhood character. The Study Area has a variety of uses and building types. In addition, the technical areas that contribute to a neighborhood's character would not, either individually or in combination, result in moderate adverse effects on neighborhood character. Therefore, based on the results of the preliminary assessment, there is no potential for the Proposed Actions to result in significant adverse impacts to neighborhood character, and further analysis is not warranted.

K CONSTRUCTION

K1 Introduction

Construction activities, although temporary, have the potential to cause adverse effects on the surroundings. Construction duration – a critical measure to determine a project's potential to result in significant adverse impacts – is categorized as short-term (less than 24 months) and long-term (24 months or more). For construction activities not related to in-ground disturbance, short-term construction generally does not warrant a detailed construction analysis. However, consideration of several factors – including the location and setting of the project in relation to surrounding uses, and the intensity of construction activities – may indicate that a project's construction activities, even if short-term, warrant analysis in additional areas such as transportation, hazardous materials, historic and cultural resources, noise, and air quality.

The Proposed Actions would allow the Applicant to develop a 42,996-gross-square-foot (gsf) residential building with 40 dwelling units (DUs) and 18 below-grade accessory parking spaces on Projected Development Site 1. The Proposed Development would rise eight stories to a roof height of 85 feet, or a building height of 95 feet when including a 10-foot-tall mechanical bulkhead.

While Projected Development Site 2 is not Applicant-owned, the EAS assumes the site will be developed based on worst-case conditions. Projected Development Site 2, if redeveloped, would contain a 42,996-gsf residential building that would contain 40 DUs and rise to a roof height of 85 feet and eight stories. The site would contain 18 below-grade accessory parking spaces.

Construction activities at the two development sites are projected to be classified as "short-term" because both sites are projected to require fewer than 24 months to construct. Construction of the Proposed Development on Projected Development Site 1 is anticipated require up to 15 months. Construction on Projected Development Site 2 is anticipated to require about 12 months, reflecting the vacant nature of the site. Cumulatively, the project-generated construction has the potential to last more than 24 months, and a preliminary construction analysis is warranted.

Proposed Rezoning Area

The Proposed Rezoning Area is bound by Ovington Avenue to the north, a line 100 feet west of Fifth Avenue to the east, a line 100 feet north of 72nd Street to the south, and a line 200 feet east of Fourth Avenue to the west. The Proposed Rezoning Area contains the one- and two-family residence, two multifamily buildings, a mixed-use residential and medical office building, a vacant lot, and the two buildings that comprise Lutheran Elementary School.

K2 Methodology

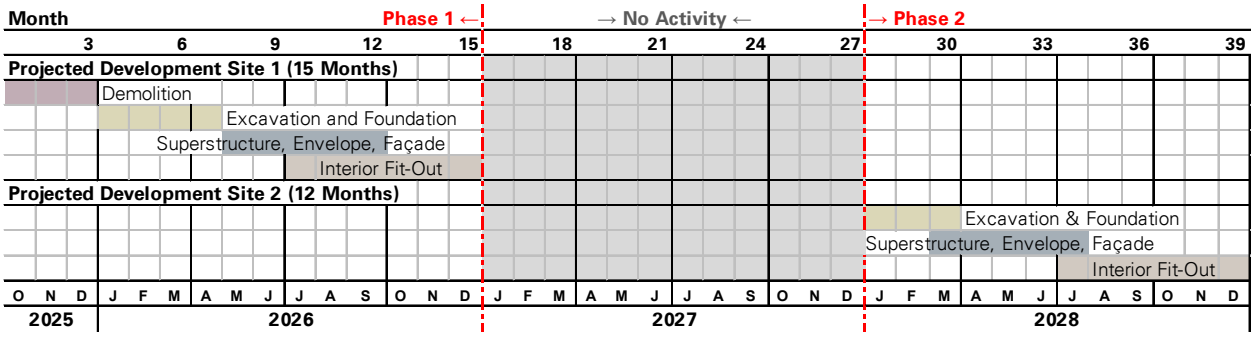
In the No-Action Condition, Projected Development Site 1 would remain a two-story, two-family 3,006-gsf residence, and Projected Development Site 2 would remain a vacant 9,259-sf lot. In the With-Action Condition, the Proposed Development would be developed on Projected Development Site 1. Projected Development Site 2 – which is not under the Applicant's control but is a readily developable vacant site – would also be redeveloped under worst-case conditions.

Construction Timeline

The Applicant would construct the Proposed Development in one phase. For the Proposed Development, the build year – the year that the project would be constructed and fully operational – is early 2027; this timeline assumes that the Proposed Actions are adopted in early 2025, construction would begin in late 2025 (to allow for pre-construction permitting), and construction activities (including demolition) would last about 15 months. The building is projected to be fully tenanted by early 2027.

Projected Development Site 2 is anticipated to have a 12-month construction duration because demolition activities would not be required at this vacant site. Assuming that construction commences on Projected Development Site in late 2028, the building would be complete in late 2029 and fully tenanted in early 2030. Thus, the projected build year for the Proposed Actions is 2029. The illustrative construction timeline is shown in Figure K-1.

Figure K-1: Illustrative Construction Timeline



General Construction Practices

Hours of Work

Construction activities will adhere to New York City laws and regulations, which generally permit construction work to begin at 7:00 AM on weekdays, with workers arriving to prepare work areas between 6:00 AM and 7:00 AM. Construction activities would typically cease around 3:30 PM, but on occasion can be extended to finish specific tasks, such as finishing a concrete pour of a floor deck. In the case of an extended workday, construction activities would continue until about 6:00 PM and would only include the workers involved in the task requiring additional work time.

Occasionally, Saturday or overtime hours may be required to complete time-sensitive tasks. A permit from the Department of Buildings (DOB) and approval of a noise mitigation plan from the NYC Department of Environmental Protection (DEP) may be required for weekend work. The New York City Noise Control Code limits construction to weekdays between the hours of 7:00 AM and 6:00 PM and sets noise limits for specific pieces of construction equipment. Construction activities occurring after hours may be permitted only to accommodate: (i) emergency conditions; (ii) public safety; (iii) construction projects by or on behalf of city agencies; (iv) construction activities with minimal noise impacts; and (v) undue hardship resulting from unique site characteristics, unforeseen conditions, scheduling conflicts, and/or financial considerations. Similar to an extended workday during the week, only the workers and equipment needed to complete the specific task during weekend work are required. The typical weekend workday would be on Saturday from 7:00 AM to 5:00 PM, and the level of activity for any weekend work would be less than a normal workday.

Sidewalk Lanes and Closures

If required, short-term closures of traffic lanes or sidewalks would be coordinated through the Office of Construction Mitigation and Coordination (OCMC) of NYCDOT, which approves all Maintenance and Protection of Traffic (MPT) plans associated with planned sidewalk or lane closures during construction activities. Additionally, coordination with NYCDOT would be necessary to determine the appropriate measures to ensure pedestrian safety surrounding the Development Site.

Depending on the stage of construction, truck movements would generally occur between 6:00 AM and 3:00 PM. No rerouting of traffic is anticipated during construction activities and all moving lanes on streets are expected to be available to traffic at all times. Due to construction activities, there may be temporary closing of some street lanes, on-street parking, or sidewalks, but pedestrian circulation and access would be maintained through the use of a temporary sidewalk or be diverted to walk on the opposite side of the street. Additionally, the use of sidewalk enclosures or sidewalk bridges may be implemented.

Deliveries and Access

The construction site would be fenced off and access would be limited to construction-related activities. Both workers and trucks that are not needed on the construction site would not be granted entry. Additionally, aside from the required workers on site, both security guards and flaggers may be posted as necessary. Security guards may patrol the Development Site after hours and over the weekends to deter unauthorized access. Access points to construction areas would be locked and closed after hours.

Material deliveries to the Development Site would be controlled and scheduled, with both workers and trucks required to pass through security points. Flaggers may be posted at each of the entry gates to assist delivery schedules and provide traffic aid when trucks enter and exit the on-street traffic streams.

Rodent Control

Construction contracts may include provisions for a rodent control program. Before the start of construction, the contractor would survey and bait the appropriate areas and provide for proper site sanitation as necessary. During construction, the contractor would carry out a maintenance program as necessary and signage on all baiting areas would be posted to protect the community along with coordination with appropriate public agencies. Additionally, only Environmental Protection Agency (EPA) and Department of Environmental Conservation (DEC) registered rodenticides would be permitted. A rodent control program would be required to be implemented in a manner that is not hazardous to the general public, domestic animals, and non-target wildlife.

Regulatory Agencies and Oversight

Compliance with New York City construction regulations is required regardless of the length of the construction period. In addition to the regulatory requirements, applicants must coordinate with New York City, New York State, and occasionally federal agencies to ensure that effects of construction are reasonably minimized.

New York City Air Pollution Control Code

All projects, whether or not subject to the requirements of CEQR, are required to comply with the New York City Air Pollution Control Code, which regulates fugitive dust under Section 1402.2-9.11, "Preventing Particulate Matter from Becoming Air-Borne; Spraying of Asbestos Prohibited; Spraying of Insulating Material and Demolition Regulated" (Title 24 of the Administrative Code of the City of New York, Chapter 1, Subchapter 6, Section 24-146).

New York City Asbestos Control Program

The purpose of the New York City Asbestos Control Program is to protect public health and the environment by minimizing the emission of asbestos fibers into the air when buildings or structures with asbestos-containing material are renovated, altered, repaired, or demolished by ensuring that asbestos-containing material is handled appropriately and by individuals qualified to do so. The program includes specific procedures that must be followed to control the handling of asbestos during construction. In instances where demolition of an existing building could result in the release of asbestos, all applicable rules and regulations would be followed.

Required Permits from DOT's Office of Construction Mitigation and Coordination

Before permits can be issued by DOT for general construction activity, sidewalk construction, canopy permits, traffic, bicycle detour, and pedestrian access plans must be approved by the DOT Office of Construction Mitigation and Coordination (OCMC). Among other matters, the OCMC approved pedestrian access plans will identify the extent to which any sidewalks and/or crosswalks would be closed or narrowed to allow for

construction-related activity and describe how pedestrian access to adjacent land uses and intersections will be maintained.

New York City Noise Control Code

The New York City Noise Control Code, as amended by Local Law 113 of 2005, defines "unreasonable and prohibited noise standards and decibel levels" for the City of New York. The New York City Noise Control Code, Section 24-219, contains rules that prescribe "noise mitigation strategies, methods, procedures, and technology that shall be used at construction sites" when certain construction devices or activities occur. Additionally, the New York City Noise Control Code requires construction activities to occur between 7 AM and 6 PM Monday through Friday. Construction activities occurring outside the permitted days/hours would require an After-Hours Variance from the Department of Buildings (DOB).

New York City Procedure for the Avoidance of Damage to Historic Structures

Regulations for the protection of historic structures are found in Technical Policy and Procedure Notice #10/88 *Procedures for the Avoidance of Damage to Historic Structures Resulting from Adjacent Construction When Subject to Controlled Inspection by Section 27-724 and for Any Existing Structure Designated by the Commissioner* issued by DOB. As described in Attachment F, "Historic and Cultural Resources", Thomas Jefferson High School (a S/NR eligible resource) is within 400 feet but beyond 90 feet of the Development Site.

Primary Construction Tasks and Typical Equipment

Demolition

During the demolition stage, construction fencing is typically constructed to secure the site and scaffolding may be constructed to provide protection for pedestrians. Utility connections are shut off, and the buildings are then demolished. The demolished materials would be loaded into on-site debris containers. Once filled, the debris containers would be collected and trucked off-site to onward destinations such as a processing facility or landfill. Truck trips to remove debris would be conducted on an as-needed basis. Equipment typically used during a demolition includes excavators, front end loaders, dozers, dump trucks, and compact excavators. Jackhammers may be used to remove concrete or rock.

Excavation and Foundation

During the excavation and foundation stage, sheeting would be installed to hold back soil around the excavation area. Excavators would then remove soil to the appropriate depth. Below-grade elements and foundations are then constructed.

Typical equipment used during the excavation and foundation stage includes excavators, front end loaders, dozers, impact pile drivers or auger drills, bar benders, gradalls, concrete mixer trucks, and generators. The construction vehicles would generally include dump trucks to remove excavated materials, flatbed trucks to deliver materials, pickup trucks, and concrete mix and pump trucks. These trucks would assist the excavation and foundation process through the removal of excavated soil and demolished materials.

The foundations would not be waterproofed until after excavation is complete, creating the potential for water to accumulate in the excavated area. Water from rain and snow collected in the excavation area during construction would be removed as necessary using a dewatering pump. If dewatering is required, it would be performed in accordance with DEP sewer use requirements. Testing would be required to protect against contaminated groundwater before it can be discharged into the existing sewer system.

Superstructure, Envelope, and Façade

The superstructure of a building includes the structural framework such as beams, slabs, and columns. The core of a building includes elevator shafts, vertical risers (for mechanical, electrical, and plumbing systems), electrical and mechanical rooms, core stairs, and restroom areas. During the stage, electric connections are typically made to utility grid, reducing the reliance on fossil fuels to power construction activities.

During the superstructure stage, a crane typically lifts prefabricated structural components, façade elements, and other large materials into place. These elements are then secured in place by construction crews. For cast-in-place concrete, concrete is delivered to the construction site by mixed trucks and is moved vertically by a concrete pump truck to be cast in place. Once the building façade is installed, the façade acts as a noise attenuation measure from equipment used within the building.

Construction activities during the superstructure, envelope, and façade stage typically involves a crane, hoists, bar benders, welding equipment, concrete mixer and pump trucks, and flatbed trucks. In addition, temporary construction elevators (hoists) would be used for the vertical movement of workers and smaller materials. Pneumatic tools may also be used to affix elements. If a connection to the electric grid is not available, a generator(s) may be used to generate electric power at the construction site.

Interior Fit-Out

This final stage generally includes the installation of elevators, interior partitions, lighting fixtures, interior finishes (such as flooring, painting, cabinetry, etc.), and mechanical and electrical work. Final cleanup, building system (e.g., electrical system, fire alarm, plumbing, etc.) testing, and inspections would also be part of this stage of construction.

Equipment used during the interior fit-out stage generally includes hoists, forklifts, scissor lifts, delivery trucks, and a variety of small hand-held tools. Activities would mostly be limited to the interior of the building and would generally involve less diesel-powered machinery than the prior construction stages. The exterior work is generally completed in a short time frame and is typically limited to installing façade finishes, planting landscaping features, reconstructing the sidewalk, cleaning the exterior of the building, and removing the temporary construction fencing and scaffolding.

The interior fit-out stage typically generates significantly fewer heavy-duty diesel vehicle trips than the excavation and superstructure phases. The use of heavy machinery would also be minimal during this construction stage, thereby limiting the noise and air effects on the surroundings. The noise generated by interior construction activities are generally minimized on the surrounding area by the attenuation provided by the building's façade.

Impact Criteria

Per the *CEQR Technical Manual*, the determination of the significance of construction impacts is based on the same criteria as described for each relevant technical area of the *CEQR Technical Manual*. Although construction is temporary and transient, the affected area, the magnitudes, and the duration of the impacts should be also considered.

K3 No-Action Condition

In the No-Action Condition, the existing conditions would remain, and there would be no construction activities in the Proposed Rezoning Area.

K4 With-Action Condition

In the With-Action Condition, project-generated construction would occur on the projected development sites. Construction at the two development sites would occur independently to each other and are not projected to occur concurrently.

Construction Activities by Stage

Demolition

In the demolition stage, construction fencing would be erected to secure the site. If necessary, scaffolding and netting would be installed. An excavator would be transported to the site. The excavator would be the primary tool used to demolish the elevated components of the existing two-story, two-family residence and the accessory two-car garage on Projected Development Site 1. A bulldozer may be used to demolish structural elements near the ground floor. If needed, jackhammers may be used to remove elements such as existing foundations. Demolition materials would be loaded into dumpsters. When full, these dumpsters would be collected and transported off-site. Demolition activities would occur over about three months.

Projected Development Site 2, if redeveloped, would not require demolition because the site is currently vacant.

Excavation and Foundation

After demolition is complete, the site would be excavated to the appropriate depth generally using excavation equipment such as an excavator. Soil would be held back with appropriate shoring techniques. When ready to be moved off-site, excavated material would be loaded into dump trucks and sent to onwards destinations for processing or disposal.

The foundation type has not yet been selected and is dependent on the geotechnical conditions at each site. If a mat slab foundation is selected, rebar would be placed in the area of the foundation, and concrete would be poured over to create a reinforced concrete slab. If a pile foundation system is selected, piles would be installed either with a pile driver or auger drill.

The excavation and foundation stage is expected to occur for four months at both projected development sites.

Superstructure, Envelope, and Façade

At both projected development sites, the superstructure, envelope, and façade stage would begin after the excavation and foundation stage concludes. The below-grade exterior walls and the building's core would be the first elements constructed. As the building rises above grade, a hoist would be installed to transport construction workers and smaller materials to the upper floors. Load-bearing elements such as columns would be constructed within the footprint of the building at each level. With these structural components in place, the floor slab of the above level would be constructed. After the upper and lower slabs of a floor are constructed, façade elements would be lifted into place by a crane (or similar type of equipment) and affixed to the floor slabs.

The superstructure, envelope, and façade stage is expected to last for about 5 months. As the façade is installed around the building, the façade would provide noise attenuation measures from construction activities that occur within the enclosed portions of the building.

Deliveries would occasionally be made by flatbed trucks to deliver prefabricated materials and rebar. Concrete mixers trucks would deliver fresh concrete to the construction site, and a concrete pump truck would transport the concrete vertically to be cast-in-place. Concrete saws may occasionally be used to shape the concrete as necessary.

Interior and Fit-Out

At both development sites, the interior and fit-our stage would begin during the late stages of the superstructure, envelope, and façade stage. This stage would last for about six months at each projected development site.

Typical activities would include laying floor finishes, placing molding, constructing interior partitions, installing fixtures (such as appliances, cabinets, showers, and doors), and painting. Construction would primarily be conducted with hand tools, and use of heavy machinery would be limited; the interior and fit-out stage would generate significantly fewer heavy-duty diesel vehicle trips compared to the previous construction stages.

After the scaffolding and construction fence is removed, up to two weeks would be needed to reconstruct the sidewalk and street curb. Street trees would then be installed within tree pits and exterior landscaping would be transported to the site and planted. General preparation would include general site preparation, such as cleaning the windows, polishing, installing signage, and placing unaffixed fixtures such as a lobby furniture.

Historic and Cultural Resources

Projected Development Site 2 is with 90 feet of the St. Nicholas garages, a historic resource. If developed, Projected Development Site 2 will be required to comply with Technical Procedural Policy Notice (TPPN) 10/88 *Procedures for the Avoidance of Damage to Historic Structures Resulting from Adjacent Construction When Subject to Controlled Inspection by Section 27-724 and for Any Existing Structure Designated by the Commissioner*. This TPPN requires that a monitoring program be implemented to minimize the potential for damage to historic structures. By adhering to this TPPN, significant adverse impacts to historic resources from project-generated construction would be avoided.

Hazardous Materials

A Phase 1 Environmental Site Assessment found no "Recognized Environmental Conditions" on Projected Development Site 1. Therefore, the site has little or no likelihood of contamination. Excavated materials would be handled and disposed of in accordance with underlying regulations.

If the Proposed Actions are adopted, an E-Designation for hazardous materials would be placed on Projected Development Site 2. The E-Designation would require coordination with the Mayor's Office of Environmental Remediation to satisfy the E-Designation requirements, thereby precluding the potential for significant adverse impacts in the area of hazardous materials on this site, including during construction.

Transportation

Project-generated construction is anticipated be typical of similarly sized multifamily developments in New York City. Construction-generated transportation demands are expected peak between 6 and 7AM, reflecting when construction crews would generally arrive to begin construction activities at 7AM. The peak-hour of construction-generated traffic is likely outside of the surrounding network's AM peak-hour. Similarly, construction crews would typically be expected to leave a construction site between 3 and 4PM, outside of the surrounding network's peak-hour.

If required, traffic, bicycle, and pedestrian access plans must be approved by the Office of Construction Mitigation and Coordination (OCMC) division of the NYC Department of Transportation (DOT). These plans must be approved before a construction permit can be issued for sidewalk construction, construction activity, or canopy permits. These permits provide oversight by NYC DOT for transportation-related construction issues.

Air Quality and Noise

The construction of new multifamily residential buildings is typical in New York City. The Proposed Actions are anticipated to result in the construction of two new multifamily buildings that would be constructed independent of each other and are not projected to be constructed concurrently.

The construction-generated air and noise emissions associated with new construction on the projected development sites would be typical of new multifamily developments of similar size in New York City. Construction on both development sites would be "short-term," as defined in the *CEQR Technical Manual*. Underlying regulations limit construction activities to weekdays, 7AM to 6PM in the absence of an after-hours construction variance from DOB.

Construction would adhere to underlying requirements that pertain to the emissions of air and noise, including NYC Air Pollution Code, the NYC Noise Code, and the NYC Construction Code.

K5 Conclusion

The Proposed Actions would allow the development of two multifamily building across the two projected development sites. No significant adverse construction impacts would

occur in relation to historic and cultural resources, hazardous materials, open space, transportation, air quality, or noise. Construction on both sites would be classified as "short-term" per CEQR.

Typical of new construction projects, air quality and noise emissions would be elevated during certain construction phases, however, the effects would not be atypical compared to other new construction projects in New York City. Construction activities would comply with applicable regulations such as the NYC Air Pollution Code, the NYC Noise Code, and the NYC Construction Code. Regulatory oversight for construction-related transportation changes would be overseen by OCMC.

By adhering to the requirements of proposed E-XXX, significant adverse construction impacts from hazardous materials would be avoided. Additionally, other construction-related effects in the areas of transportation, air quality, and noise effects would not be atypical for new construction in an urban area and would be short-term. Therefore, the Proposed Actions would not result in a significant adverse construction impact, and no further analysis is warranted.

464 Ovington Avenue
Architectural Drawings

Prepared by Fontan Architecture.

LANGAN

464 OVINGTON AVENUE, BROOKLYN, NY 11209

ARCHITECT OF RECORD: JORGE FONTAN AIA

BUILDING INFORMATION	
ADDRESS:	464 Ovington Avenue, Brooklyn, NY 11209
BLOCK:	5892
LOT:	38
BIN NUMBER:	3146603
COMMUNITY BOARD:	310
LANDMARK STATUS:	NO
FIRE DISTRICT:	YES
ZONING DISTRICT:	EXISTING: R3X, BR, PROPOSED: R6A, BR
MAP NUMBER:	22a
OCCUPANCY:	USE GROUP 2
CONSTRUCTION CLASSIFICATION:	PROPOSED 2A
ZONING USE GROUP:	2
FLOOD ZONE:	NO
BUILDING CODE:	2014

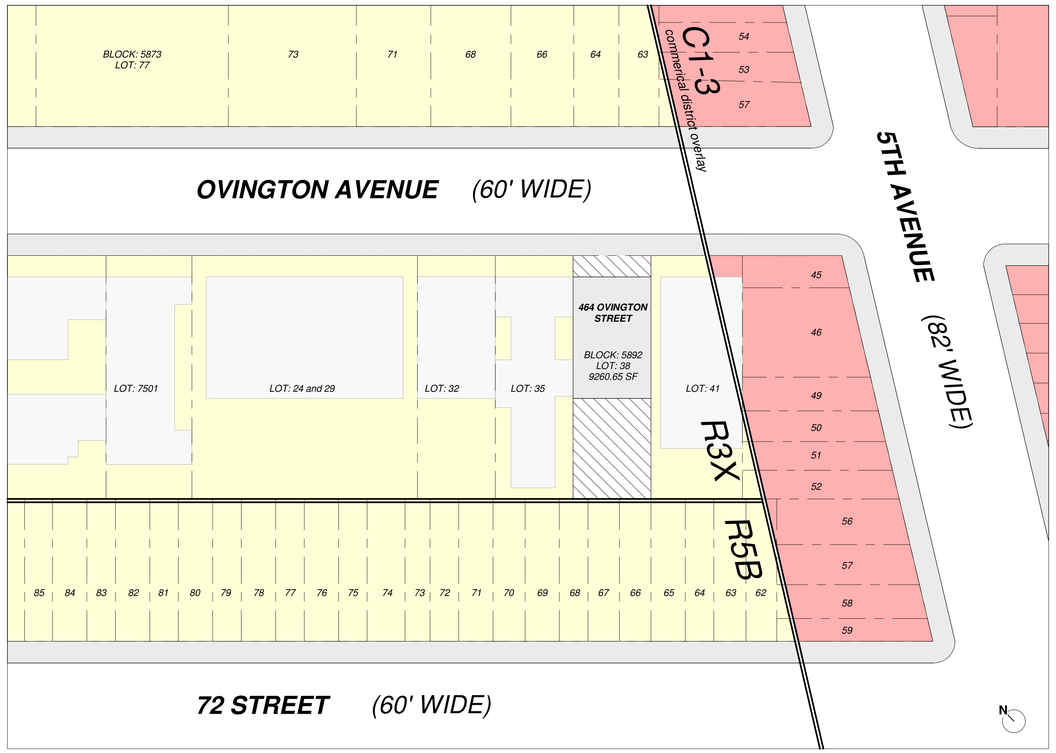
NEW BUILDING SCOPE OF WORK

WE PROPOSE A REZONING TO R6A FROM R3X.

Sheet List

Sheet Number	Sheet Name	Sheet Order
T-100.00	Title Sheet	1
Z-001.00	Site Plan	2
Z-002.00	Zoning Information	3
Z-003.00	Soft Site Analysis	4
A-100.00	Floor Plans	5
A-101.00	Floor Plans	6
A-200.00	Elevations	7
A-300.00	Section	8
A-400.00	Zoning Massing	9

PROPOSED PROJECT AREA



1 Plot Plan
1" = 50'-0"

FONTAN ARCHITECTURE

FONTAN ARCHITECTURE
JORGE FONTAN AIA 212 321 0194
28 W 27TH ST, # 606 NEW YORK, NY 10001
WWW.JORGEFONTAN.COM INFO@JORGEFONTAN.COM

DOB JOB NUMBER

PROJECT NAME
R6A Proposed Rezoning

PROJECT ADDRESS
464 Ovington Avenue,
Brooklyn NY 11209

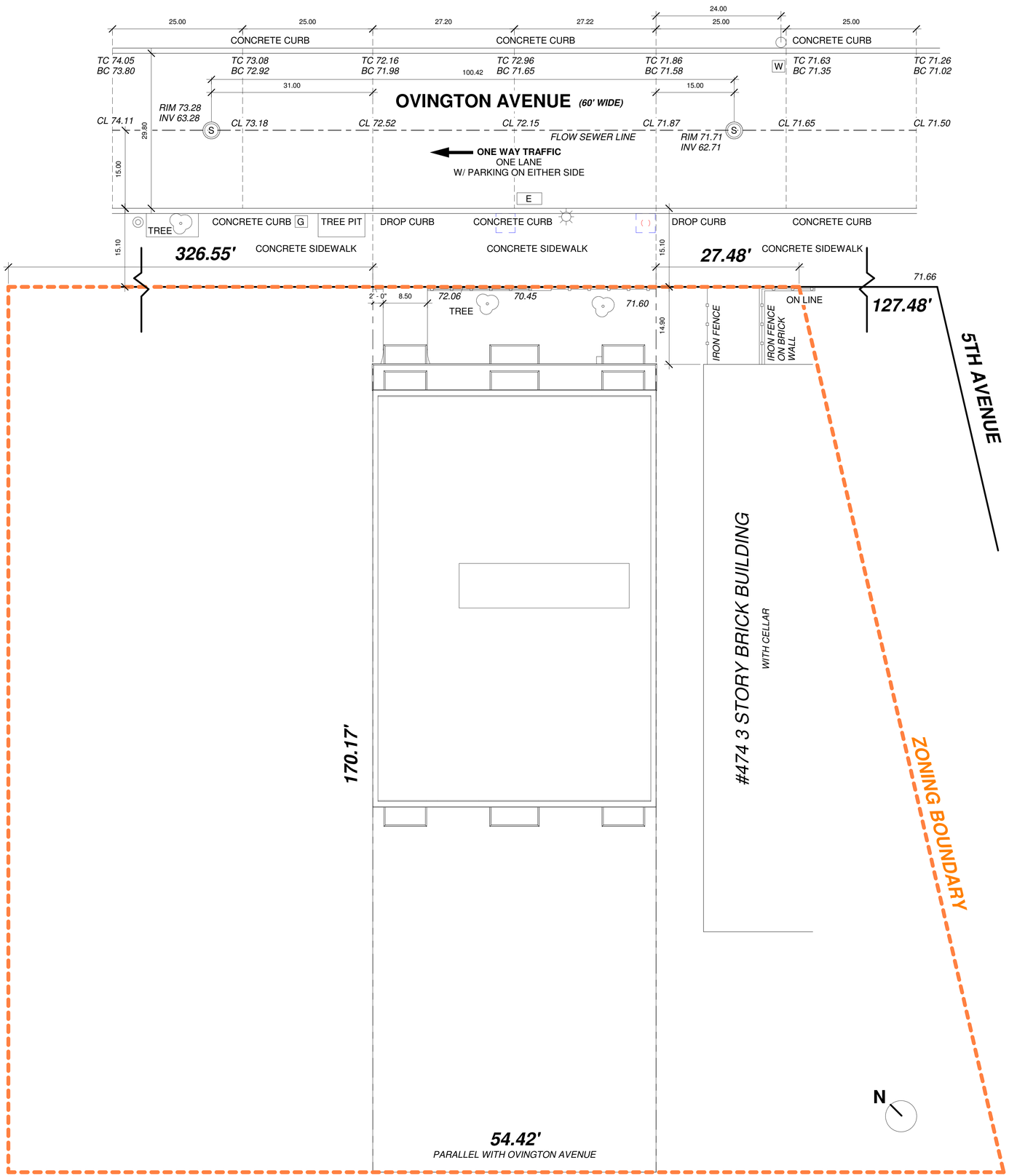
PROPERTY OWNER
.

Title Sheet

SIGN & SEAL

DATE: 05/12/2023
Project number 20220014
Drawn by MTK
Checked by JF

DRAWING NUMBER
T-100.00
of



FONTAN ARCHITECTURE

FONTAN ARCHITECTURE
JORGE FONTAN AIA 212 321 0194
28 W 27TH ST, # 606 NEW YORK, NY 10001
WWW.JORGEFONTAN.COM INFO@JORGEFONTAN.COM

DOB JOB NUMBER

PROJECT NAME
R6A Proposed Rezoning

PROJECT ADDRESS
464 Ovington Avenue,
Brooklyn NY 11209

PROPERTY OWNER
.

Site Plan

SIGN & SEAL

DATE: 05/12/2023
Project number 20220014
Drawn by MTK
Checked by JF

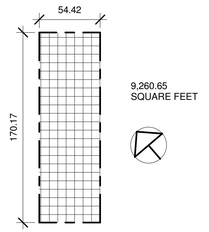
DRAWING NUMBER
Z-001.00
of

ZONING INFORMATION

ADDRESS: 464 Ovington Avenue
Brooklyn, NY 11209

BLOCK: 5892

LOT: 38



ZONING MAP: 22a

ZONE: R6A PROPOSED REZONING REQUEST, SPECIAL BAY RIDGE DISTRICT (BR)

LOT AREA: 9,260.65 SQUARE FEET

USE GROUP: USE GROUP 2

LOT TYPE: INTERIOR

OCCUPANCY: R2

CONSTRUCTION CLASS: II-A NON-COMBUSTIBLE

STORIES: 8

FLOOR AREA TABULATION	ALLOWED REQUIRED	PROPOSED	CHECK
ZR 23-011 QUALITY HOUSING PROGRAM	**QUALITY HOUSING PROGRAM**	**QUALITY HOUSING PROGRAM**	**PROPOSED COMPLIES**
ZR 23-153 MAXIMUM LOT COVERAGE REQUIRED OPEN SPACE FORMULA CALCULATION COVERAGE CALCULATION OPEN SPACE	**MAX LOT COVERAGE 65% REQ OPEN SPACE 35%** COVERAGE X LOT AREA .65 X 9,260.65 = 6,019.42 SF **MAX COVERAGE = 6,019.42 SF** .35 x 9,260.65 = 3,241.23 SF **MIN OPEN SPACE = 3,241.23 SF**	**PROPOSED LOT COVERAGE 50% PROPOSED OPEN SPACE 50%** LOT COVERAGE (4,625.7 SF) ÷ LOT AREA (9,260.65 SF) 4,625.7 ÷ 9,260.65 = 0.5 **LOT COVERAGE PROVIDED = 50%** 4,634.95 ÷ 9,260.65 **OPEN SPACE = 50%**	**PROPOSED COMPLIES PROPOSED COMPLIES**
ZR 23-154 MAXIMUM FLOOR AREA RATIO FOR INCLUSIONARY HOUSING FORMULA CALCULATION ALLOWED FLOOR AREA	**FAR = 3.60** F.A.R x LOT AREA 3.60 X 9,260.65 SF = 33,338.34 SF **MAX FLOOR AREA = 33,338.34 SF**	**PROVIDED FAR = 3.60** **TOTAL AREA = 33,336 SF** 33,336 ÷ 9,260.65 = 3.60 FAR = 3.60	**PROPOSED COMPLIES**
ZR 23-22 MAXIMUM NUMBER OF DWELLING UNITS DU FACTOR OR DENSITY FACTOR ALLOWED FLOOR AREA FORMULA CALCULATION ALLOWED NUMBER OF UNIT	**MAX DWELLING UNITS = 49** DENSITY FACTOR = 680 ALLOWABLE FLOOR AREA = 33,338.34 33,338.34 ÷ 680 = 49 49 UNITS ALLOWED	**40 CLASS A APARTMENTS PROPOSED** **30 MARKET RATE APARTMENTS** **10 (25% OF TOTAL) AFFORDABLE UNITS IN ACCORDANCE WITH THE INCLUSIONARY HOUSING PROGRAM**	**PROPOSED COMPLIES**
ZR 23-32 MINIMUM LOT AREA AND WIDTH MINIMUM LOT AREA MINIMUM LOT WIDTH ATTACHED	**1,700 SF** **18'** **ATTACHED**	**9,260.65 SF** **54.42'** **ATTACHED**	**EXISTING COMPLIES**
ZR 23-47 MINIMUM REQUIRED REAR YARDS	**A REAR YARD WITH A DEPTH OF NOT LESS THAN 30 FEET SHALL BE PROVIDED AT EVERY REAR LOT LINE ON ANY ZONING LOT**	**DEPTH OF REAR YARD PROVIDED: 70.27'**	**PROPOSED COMPLIES**
ZR 23-661A STREET WALL LOCATION	**THE STREET WALL SHALL BE LOCATED NO CLOSER TO THE STREET LINE THAN THE CLOSEST STREET WALL** **ADJACENT STREET WALL IS 14.9'**	**PROVIDED STREET WALL IS 14.9' IN ALIGNMENT WITH THE ADJACENT PROPERTY**	**PROPOSED COMPLIES**
ZR 23-664 MODIFIED HEIGHT AND SETBACK REGULATIONS FOR INCLUSIONARY HOUSING BUILDINGS			
MINIMUM BASE HEIGHT	**MIN BASE HEIGHT = 40' - 0"**	**BASE HEIGHT = 60'- 0"**	**PROPOSED COMPLIES**
MAXIMUM BASE HEIGHT	**MAX BASE HEIGHT = 65'-0"**	**BASE HEIGHT = 60'- 0"**	**PROPOSED COMPLIES**
MAXIMUM BUILDING HEIGHT	**MAX BUILDING HEIGHT = 85'-0" QUALIFYING GROUND FLOOR**	**BUILDING HEIGHT = 85'- 0" QUALIFYING GROUND FLOOR**	**PROPOSED COMPLIES**
MAXIMUM NUMBER OF STORIES	**MAXIMUM NUMBER OF STORIES = 8**	**NUMBER OF STORIES = 8**	**PROPOSED COMPLIES**
ZR 25-23 REQUIREMENTS WHERE GROUP PARKING FACILITIES ARE PROVIDED **ZR 25-251 INCOME-RESTRICTED HOUSING UNITS**	**50% OF TOTAL DWELLING UNITS** **25% PARKING REQUIRED PER MANDATORY INCLUSIONARY HOUSING**	50% OF 30 MARKET RATE APARTMENTS = 15 25% OF 10 AFFORDABLE UNITS IN ACCORDANCE WITH THE INCLUSIONARY HOUSING PROGRAM = 3 **TOTAL PARKING FACILITIES PROVIDED = 18**	**PROPOSED COMPLIES**
ZR 23-03 STREET TREES **ZR 26-41 STREET TREE PLANTING**	**1 PER 25 FEET**	**2 TREES PROVIDED**	**PROPOSED COMPLIES**

ZONING FLOOR TABULATION

Floor Level	Gross Floor Area Residential	Floor Area Deductions	Total Zoning Floor Area
Cellar	4,354 SF	4,354 SF	0 SF
1	4,354 SF	119 SF	4,235 SF
2	4,354 SF	119 SF	4,235 SF
3	4,354 SF	119 SF	4,235 SF
4	4,354 SF	119 SF	4,235 SF
5	4,354 SF	119 SF	4,235 SF
6	4,354 SF	119 SF	4,235 SF
7	4,082 SF	119 SF	3,963 SF
8	4,082 SF	119 SF	3,963 SF
Roof	4,082 SF	4,082 SF	0 SF
Total	38,642 SF	9,388 SF	33,336 SF

ZONING AND DEVELOPMENT ANALYSIS	
Block	5892
Zoning Lot	38
Zoning Map 22a	Brooklyn, NY
Tax Lot 38	9,260.65 SF
Total Lot Area	9,260.65 SF
ZONING AND COMMUNITY DISTRICT	
EXISTING: R3X, BR / PROPOSED: R6A, BR	
Mandatory Inclusionary Housing	
Brooklyn Community District 10	
MANDATORY INCLUSIONARY HOUSING	
25% Affordable	
STREET FRONTAGE	
Ovington Avenue	60' Wide Street
STREET TREES	
1 Per 25 Feet (2) Trees Required	

ZONING ANALYSIS				
ZR Section	Bulk Regulations: Permitted Development Floor Area (Zoning Floor Area)			
	Proposed Use	Permitted FAR	Lot Area	Zoning Floor Area
23-154	Residential	3.60	9,260.65 SF	33,336 SF
ZR Section	Bulk Regulations: Building Height and Setback			
23-661A	Street Wall Location	14.9' In Alignment with the Adjacent Property		
23-664	Minimum Base Height	40' (60' Proposed)		
23-664	Maximum Base Height	65' (60' Proposed)		
23-664	Maximum Building Height	80' (80' Proposed)		
23-664	Maximum No. of Stories	8 (8 Proposed)		
ZR Section	Bulk Regulations: Required Yards			
23-47	Required Rear Yard	Minimum 30' (70.27' Proposed)		
ZR Section	Parking Regulations			
25-23	Required Residential Parking (Market Rate)			50% D.U.'s
	Required Residential Parking Spaces			15 Spaces
	Required Residential Parking (Income Restricted)			25% D.U's
	Required Income Restricted Parking Spaces			3 Spaces

USE REGULATIONS	
Permited Use Groups: 2	
Proposed Occupancy Group: R2	
DENSITY REGULATIONS	
Dwelling Unit (D.U.) Factor	680 SF
Maximum D.U. allowed	49

FONTAN ARCHITECTURE

FONTAN ARCHITECTURE
JORGE FONTAN AIA 212 321 0194
28 W 27TH ST, # 606 NEW YORK, NY 10001
WWW.JORGEFONTAN.COM INFO@JORGEFONTAN.COM

DOB JOB NUMBER

PROJECT NAME
R6A Proposed Rezoning

PROJECT ADDRESS
464 Ovington Avenue,
Brooklyn NY 11209

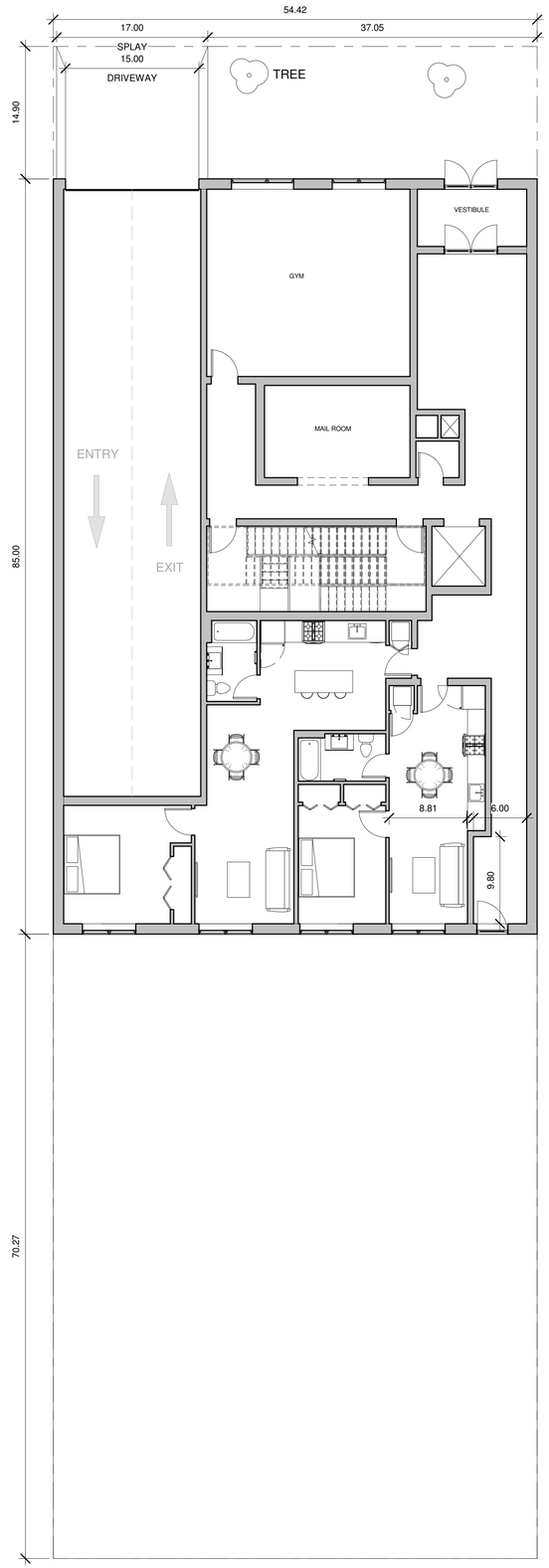
PROPERTY OWNER
.

Zoning Information

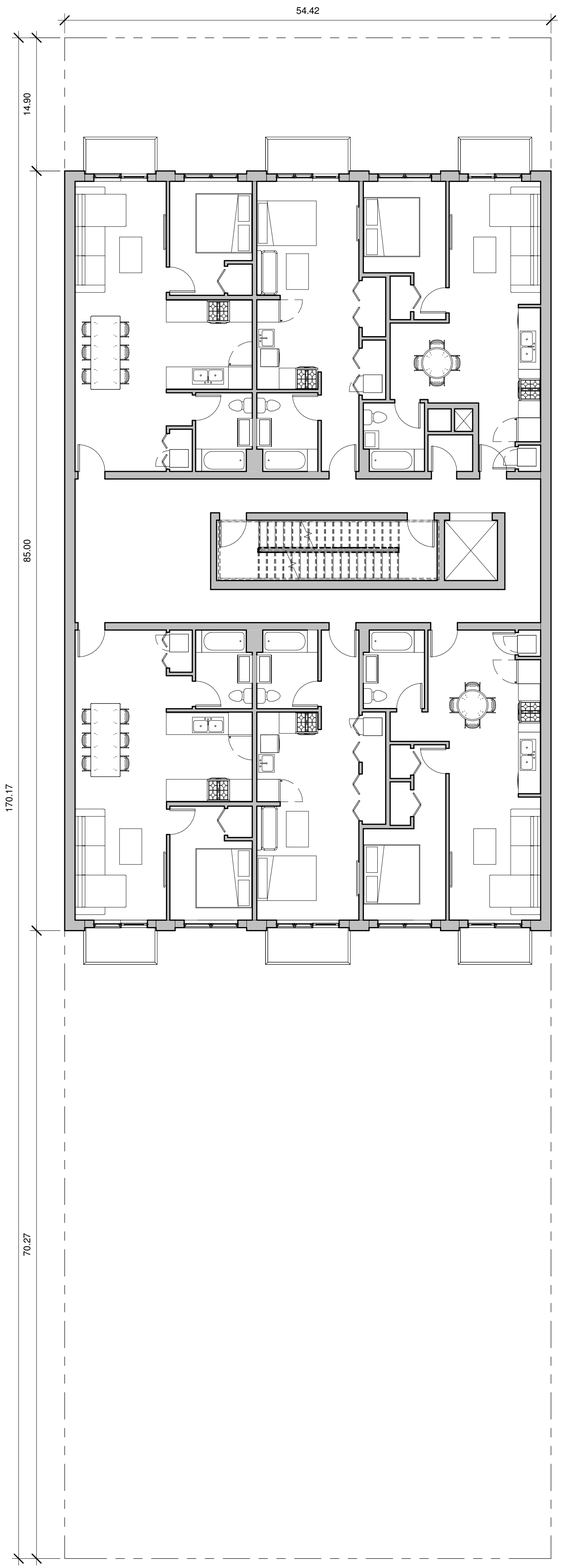
SIGN & SEAL

DATE: 05/12/2023
Project number 20220014
Drawn by MTK
Checked by JF

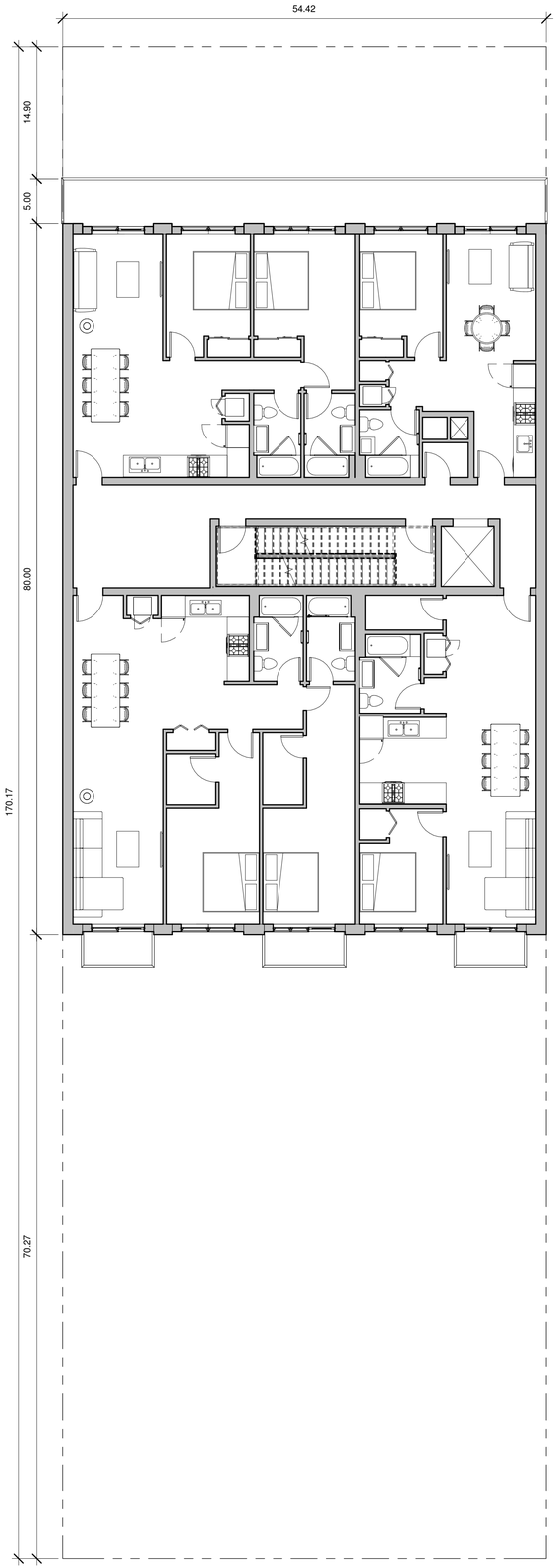
DRAWING NUMBER
Z-002.00
of



1 1st Floor
1/8" = 1'-0"



2 2nd Floor to 6th Floor
1/8" = 1'-0"



3 7th Floor and 8th Floor
1/8" = 1'-0"

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Floor Plans

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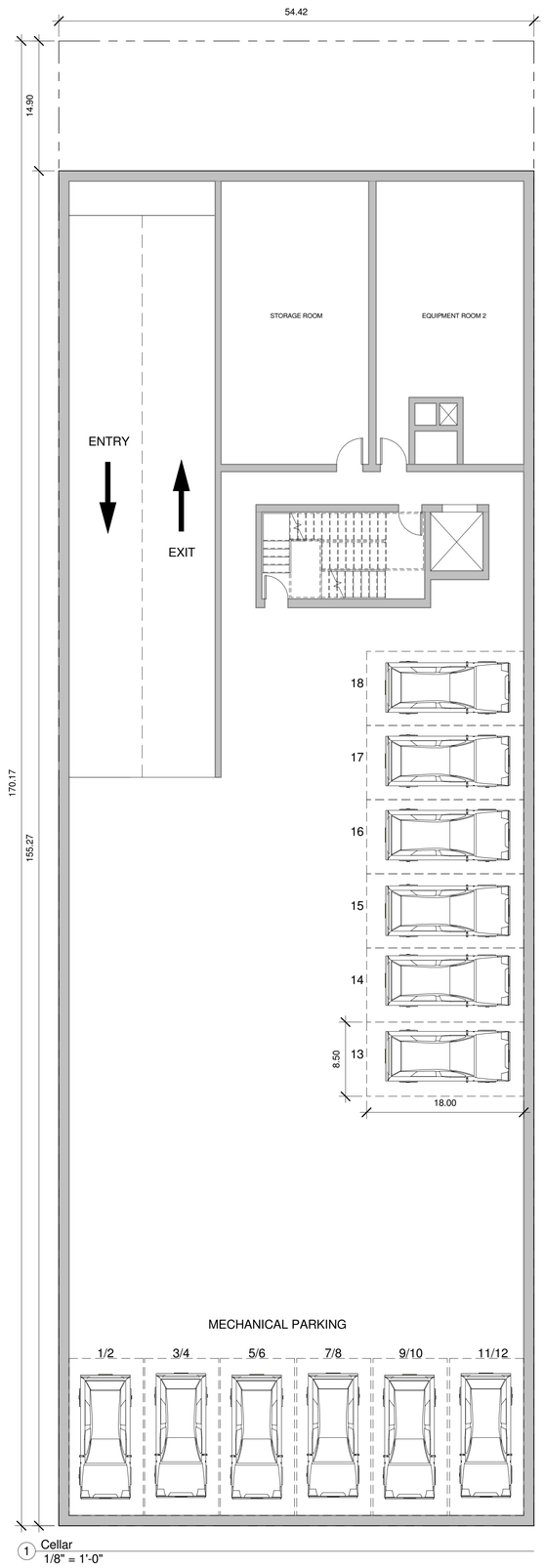
of



1 Cellar
1/8" = 1'-0"

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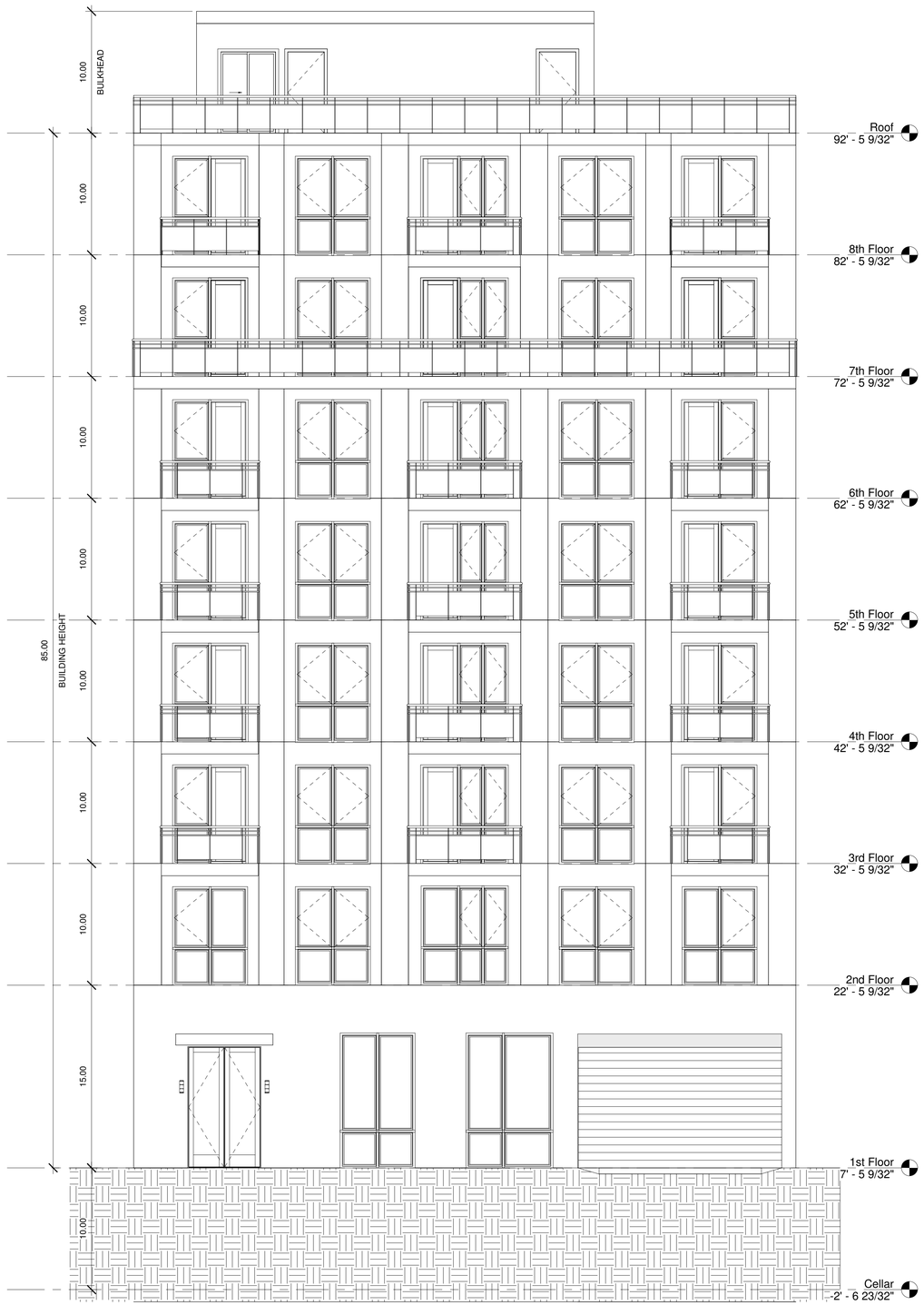
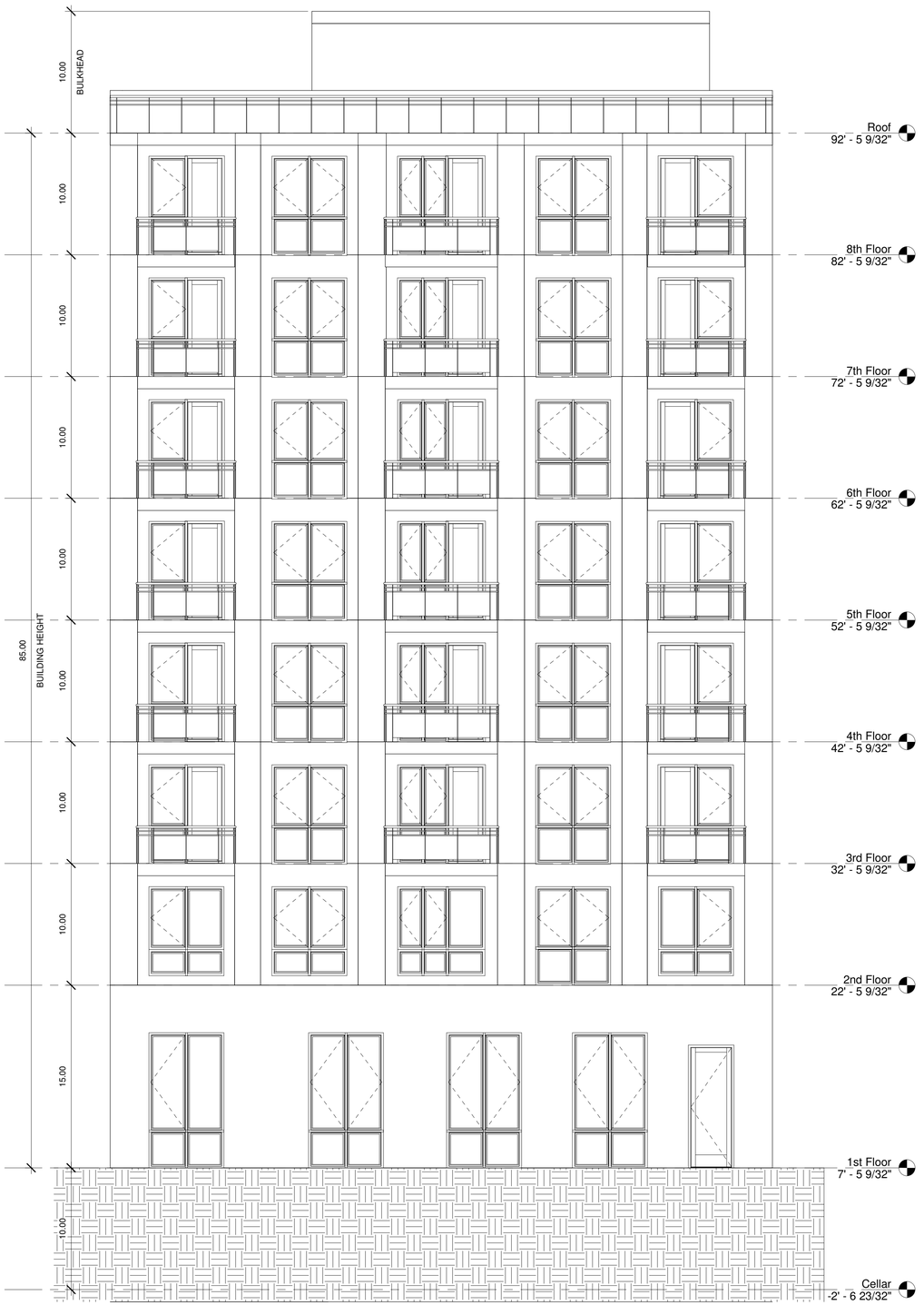


1 Front Facade
3/16" = 1'-0"



2 Rear Facade
3/16" = 1'-0"

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Elevations

SIGN & SEAL

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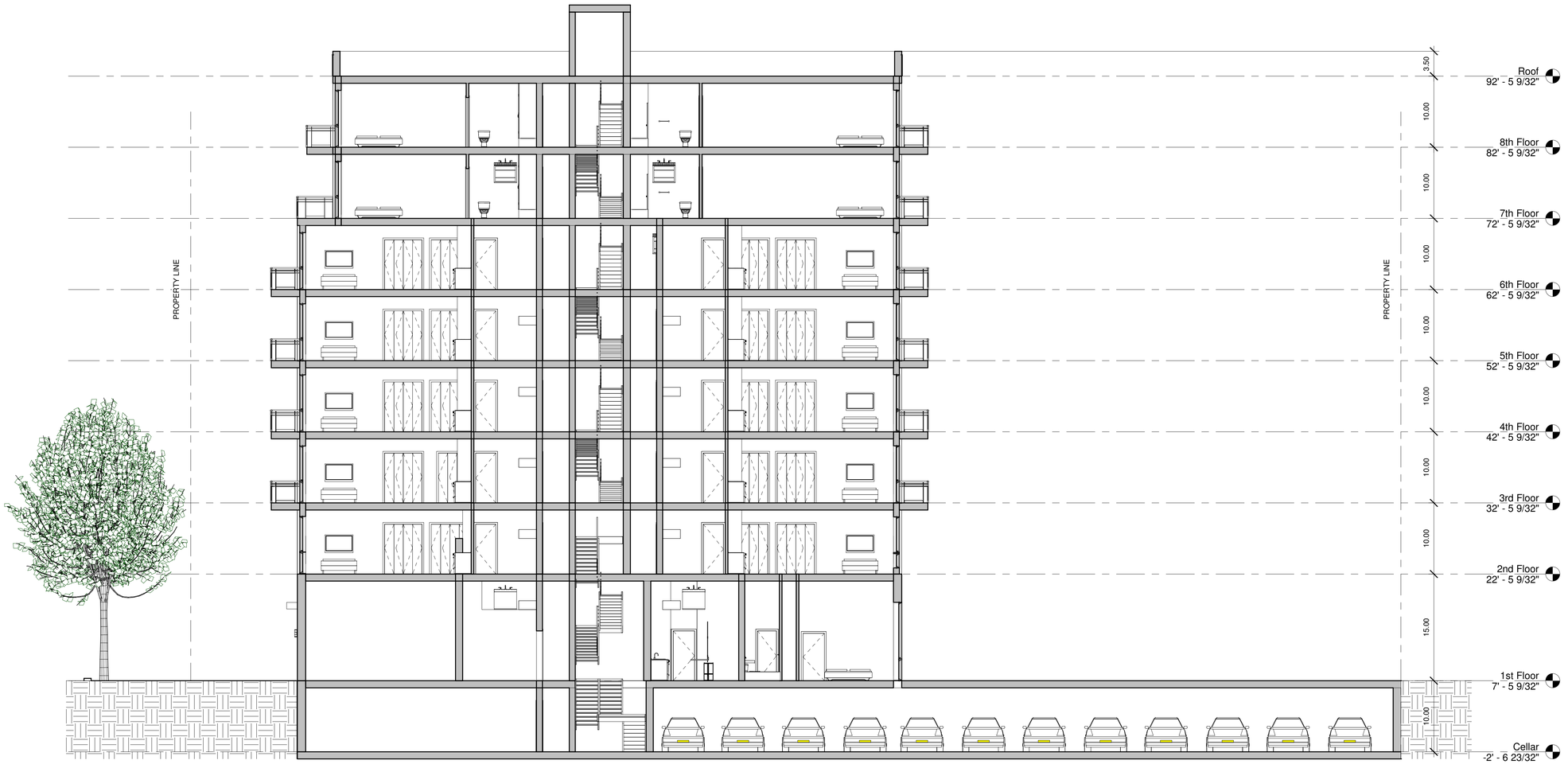
of



1 Section 2
1/8" = 1'-0"

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Section

SIGN & SEAL

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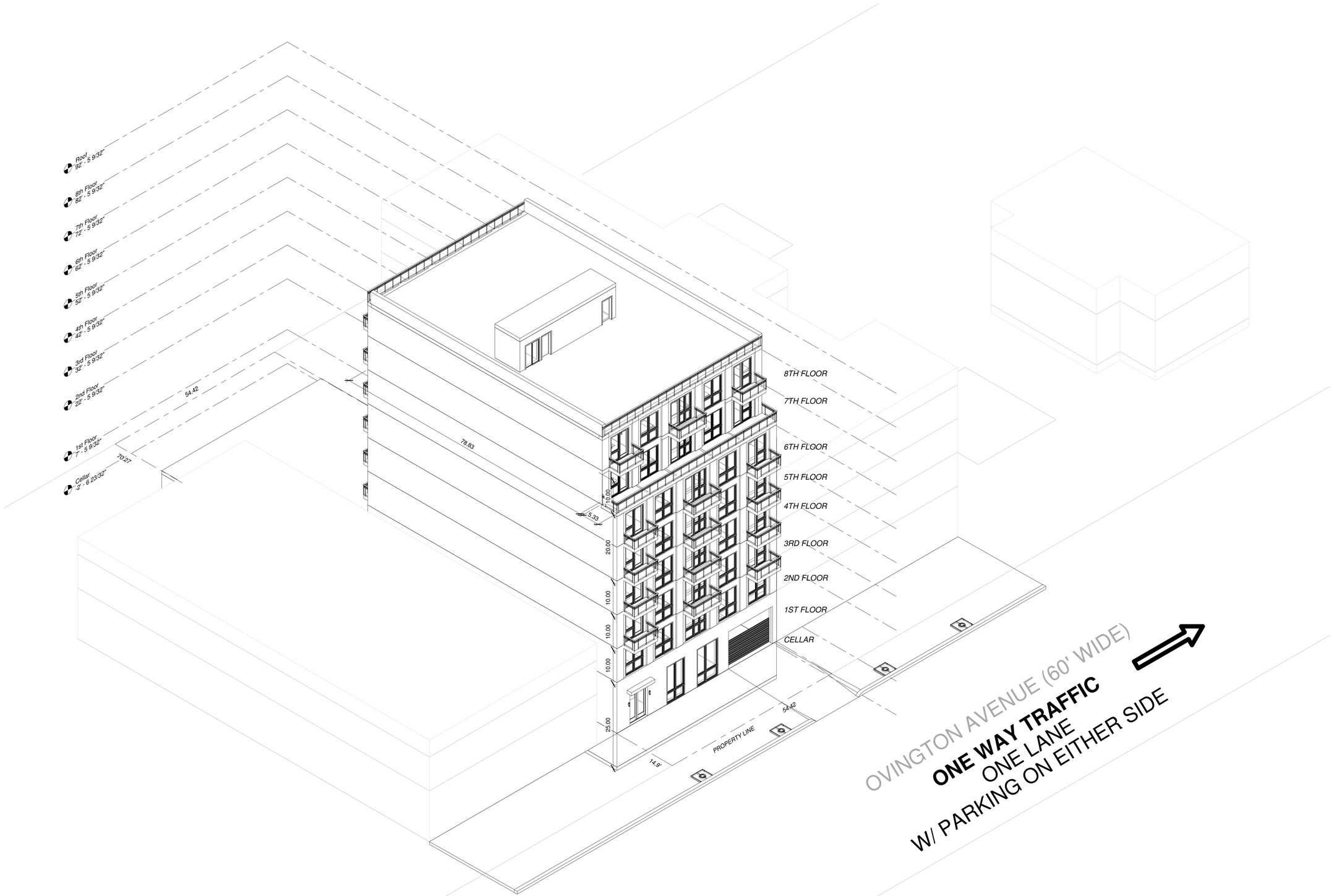
of



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464 Ovington Avenue,
Brooklyn NY 11209

PROPERTY OWNER
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Zoning Massing

SIGN & SEAL

DATE: 05/12/2023
Project number 20220014
Drawn by MTK
Checked by JF

DRAWING NUMBER
A-400.00
of

B

464 Ovington Avenue
LPC Correspondence

LANGAN

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-K
Project: 464 OVINGTON AVENUE
Date Received: 8/23/2023

Properties with no Architectural or Archaeological significance:
1) 456 OVINGTON AVENUE, BBL: 3058920032
2) 464 OVINGTON AVENUE, BBL: 3058920038

Gina Santucci

8/31/2023

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 37141_FSO_DNP_08312023.docx

C

464 Ovington Avenue
RWCDS

LANGAN

Part III - RWCDS Analysis Framework Spreadsheet (Projected Sites)

Existing

	Address	Block	Lot	Lot Size SF	Projected Site Lot Size SF	Existing Zoning	TOTAL FAR		Residential FAR		Commercial FAR		Community Facility FAR		Manufacturing FAR		# of Stories		Height		TOTAL SF		Residential SF		Commercial SF		Community Facility SF		Manufacturing SF		Parking SF	Total DU (Market + Affordable)	Affordable DU	Market-rate DU	Parking		
							Exist.	Max.	Exist.	Max.	Exist.	Max.	Exist.	Max.	Exist.	Max.	Exist.	Max.	Exist.	Max.	GSF	ZSF	GSF	ZSF	GSF	ZSF	GSF	ZSF	GSF	ZSF					Residential	Commercial	Community
Projected Development Site 1	464 Ovington Avenue	5892	38	9,261	9,261	R3X/BR	0.32	0.50	0.32	0.50	0.00	0.00	0.00	1.00	0.00	0.00	2	2	30	35	3,006	3,006	3,006	3,006	0	0	0	0	0	0	0	2	0	2	0	0	0
Projected Development Site 2	456 Ovington Avenue	5892	32	9,259	9,259	R3X/BR	0.00	0.50	0.00	0.50	0.00	0.00	0.00	1.00	0.00	0.00	0	2	0	35	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL				18,520	18,520																3,006	3,006	3,006	3,006	0	0	0	0	0	0	0	2	0	2	0	0	0

No-Action Scenario

	Address	Block	Lot	Lot Size SF	Projected Site Lot Size SF	Existing Zoning	TOTAL FAR		Residential FAR		Commercial FAR		Community Facility FAR		Manufacturing FAR		# of Stories		Height		TOTAL SF		Residential SF		Commercial SF		Community Facility SF		Manufacturing SF		Parking SF	Total DU (Market + Affordable)	Affordable DU	Market-rate DU	Parking		
							Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	GSF	ZSF	GSF	ZSF	GSF	ZSF	GSF	ZSF	GSF	ZSF					Residential	Commercial	Community
Projected Development Site 1	464 Ovington Avenue	5892	38	9,261	9,261	R3X/BR	0.32	0.50	0.32	0.5	0.0	0.0	0.0	1.0	0.0	0.0	2	2	30	35	3,006	3,006	3,006	3,006	0	0	0	0	0	0	0	2	0	2	0	0	0
Projected Development Site 2	456 Ovington Avenue	5892	32	9,259	9,259	R3X/BR	0.00	0.50	0.00	0.50	0.00	0.00	0.00	1.00	0.00	0.00	0	2	0	35	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL				18,520	18,520																3,006	3,006	3,006	3,006	0	0	0	0	0	0	0	2	0	2	0	0	0

With-Action Scenario

	Address	Block	Lot	Lot Size SF	Projected Site Lot Size SF	Existing Zoning	Proposed Zoning	TOTAL FAR		Residential FAR		Commercial FAR		Community Facility FAR		Manufacturing FAR		# of Stories		Height		TOTAL SF		Residential SF		Commercial SF		Community Facility SF		Manufacturing SF		Parking SF	Total DU (Market + Affordable)	Affordable DU (100% per HPD)	Affordable DU (@ 80% AMI)	Market-rate DU	Parking		
								Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	GSF	ZSF	GSF	ZSF	GSF	ZSF	GSF	ZSF	GSF	ZSF						Residential	Commercial	Community
Projected Development Site 1	464 Ovington Avenue	5892	38	9,261	9,261	R3X/BR	R6A/BR	3.60	3.60	3.60	3.60	0.0	0.0	0.0	3.0	0.0	0.0	8	8	85	85	38,642	33,336	38,642	33,336	0	0	0	0	0	0	4,354	40	4	8	28	18	0	0
Projected Development Site 2	456 Ovington Avenue	5892	32	9,259	9,259	R3X/BR		3.60	3.60	3.60	3.60	0.00	0.00	0.00	3.0	0.00	0.00	8	8	85	85	38,642	33,336	38,642	33,336	0	0	0	0	0	0	4,354	40	4	8	28	18	0	0
TOTAL				18,520	18,520																77,284	66,672	77,284	66,672	0	0	0	0	0	0	8,708	80	8	16	56	36	0	0
INCREMENT				0	0			3.28	3.10	3.28	3.10	0.00	0.00	0.00	2.00	0.00	0.00	6	6	55	50	74,278	63,666	74,278	63,666	0	0	0	0	0	0	8,708	78	8	16	54	36	0	0

PD1 GSF DU Factor: 966.05 PD2 GSF DU Factor: 966.05
ZSF DU Factor: 833.4 ZSF DU Factor: 833.4

Other Sites Not Expected To Be Affected By The Proposed Actions

	Address	Block	Lot	Lot Size SF	Projected Site Lot Size SF	Existing Zoning	TOTAL FAR		Residential FAR		Commercial FAR		Community Facility FAR		Manufacturing FAR		# of Stories		Height		TOTAL SF		Residential SF		Commercial SF		Community Facility SF		Manufacturing SF		Rationale for Exclusion
							Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	Prop.	Max.	GSF	ZSF	GSF	ZSF	GSF	ZSF	GSF	ZSF	GSF	ZSF	
Other Site 1																															In this box, please provide a rationale for the exclusion of this "Other" Site. As a general starting point, please refer to the CEQR Tech Manual Analysis Framework (Excluded Sites, Pg. 2-7) at: http://www.nyc.gov/html/oec/downloads/pdf/2014_ceqr_tm/02_Establishing_the_Analysis_Framework_2014.pdf. As a reminder, please also consider neighborhood trends in the surrounding area as these trends often tell us more about which sites (including smaller sites) are likely to be developed once the Proposed Actions are approved.
Other Site 2																															In this box, please provide a rationale for the exclusion of this "Other" Site. As a general starting point, please refer to the CEQR Tech Manual Analysis Framework (Excluded Sites, Pg. 2-7) at: http://www.nyc.gov/html/oec/downloads/pdf/2014_ceqr_tm/02_Establishing_the_Analysis_Framework_2014.pdf. As a reminder, please also consider neighborhood trends in the surrounding area as these trends often tell us more about which sites (including smaller sites) are likely to be developed once the Proposed Actions are approved.
TOTAL				0	0																0	0	0	0	0	0	0	0	0	0	