

# ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) AND SUPPLEMENTAL STUDIES TO THE EAS

**Lead Agency:**

Department of City Planning  
120 Broadway, 31<sup>st</sup> Floor  
New York, NY, 10271

**Prepared for:**

Omni Enterprises LLC  
1220 Avenue P  
Brooklyn, NY, 11229

**Prepared by:**

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October 28, 2021

**1220 Avenue P Rezoning**

Brooklyn, NY 11229  
Block 6775, Lots 1, 5, 9, 12, 13, 74,  
and 75

Block 6774, Lots 6, 7, and 9

Brooklyn Community District 15

**CEQR Reference No:**  
**19DCP109K**

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Appendix D – Phase I Environmental Site Assessment



## 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** 1220 Avenue P Rezoning

**3. Reference Numbers**

CEQR REFERENCE NUMBER (to be assigned by lead agency)  
19DCP109K

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)  
210098ZMK and N210099ZRK

OTHER REFERENCE NUMBER(S) (if applicable)  
(e.g., legislative intro, CAPA)

**4a. Lead Agency Information**

NAME OF LEAD AGENCY

Ne York City Department of City Planning

**4b. Applicant Information**

NAME OF APPLICANT

Omni Enterprises, LLC

NAME OF LEAD AGENCY CONTACT PERSON

Olga Abinader, Director of the Environmental Assessment and Review Division

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

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**5. Project Description**

Omni Enterprises, LLC (the “Applicant”), seeks a zoning map amendment to rezone portions of two blocks along Avenue P in the Midwood neighborhood within Brooklyn Community District 15 from an R5B to an R7A zoning district. The proposed rezoning extends the district boundary of an existing R7A zoning district east to include Block 6774, Lots 6, 7, and 9 and Block 6775 Lots 1, 5, 9, 12, 13, 74, and 75 (the “Project Area”). In addition, the Applicant seeks a zoning text amendment to Zoning Resolution (“ZR”) Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Community District 15, Brooklyn to establish the Project Area as a Mandatory Inclusionary Housing (“MIH”) Area.

The Proposed Actions would facilitate the construction an enlargement to the Levit Medical Center Midwood (the “Medical Center”). The proposed Development Site consists of four contiguous tax lots, Block 6775, Lots 9, 12, 13, and 75, that would be developed as a single zoning lot with an area of 10,000 sq. ft. The proposed four- story enlargement would be constructed on Lot 12, which is presently unimproved, and on Lot 13, which contains a two-story building that would be demolished. Lot 75 contains a vacant two-story building that would be demolished to provide six permitted accessory attended parking spaces for the proposed development.

The proposed development is a four-story Use Group 4 enlargement to the Medical Center with approximately 11,240 sq. ft. of additional floor area. The proposed enlargement is situated at the rear of the existing Medical Center building on adjacent tax lots to the south fronting East 13th Street (Block 6775, Lots 12 and 13). Six accessory attended parking spaces would be provided on to the west of the enlargement on East 12th Street (Block 6775, Lot 75). The proposed four-story enlargement has full lot coverage on the first floor as a permitted obstruction and a 32'-0" rear yard above the first floor. Because the proposed enlargement is adjacent to an R5B district, the height of the enlargement will be limited to 55 feet. In order for the enlargement to have floors that line up with the existing building, the proposed enlargement will have a height of 47'-10". The proposed 11,240 sq. ft. of floor area combined with the existing 19,536 sq. ft. on Lot 9 results in 31,696 sq. ft. of Use Group 4 community facility floor area and an FAR of 3.17.



Although, Use Group 4 ambulatory diagnostic or treatment care facilities do not require parking in R7A zoning districts, the Applicant intends to use Block 6775, Lot 14, which is outside the Proposed Project Area and would remain within the existing R5B zoning district, as an attended accessory off-street parking lot in order to meet community parking demands.

**Project Location**

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 15	STREET ADDRESS 1220 Avenue P
TAX BLOCK(S) AND LOT(S) P/O Block 6774 (Lots 6, 7 and 9) and P/O Block 6775 (Lots 1, 5, 9, 12, 13, 74 and 75)		ZIP CODE 11229

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The rezoning area is located along the southern side of Avenue P, between the midblock point of Coney Island Avenue and East 12th Street, and East 13th Street.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R5B	ZONING SECTIONAL MAP NUMBER 22D
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**6. Required Actions or Approvals** (check all that apply)

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

<input type="checkbox"/> CITY MAP AMENDMENT	<input type="checkbox"/> ZONING CERTIFICATION	<input type="checkbox"/> CONCESSION
<input checked="" type="checkbox"/> ZONING MAP AMENDMENT	<input type="checkbox"/> ZONING AUTHORIZATION	<input type="checkbox"/> UDAAP
<input checked="" type="checkbox"/> ZONING TEXT AMENDMENT	<input type="checkbox"/> ACQUISITION—REAL PROPERTY	<input type="checkbox"/> REVOCABLE CONSENT
<input type="checkbox"/> SITE SELECTION—PUBLIC FACILITY	<input type="checkbox"/> DISPOSITION—REAL PROPERTY	<input type="checkbox"/> FRANCHISE
<input type="checkbox"/> HOUSING PLAN & PROJECT	<input type="checkbox"/> OTHER, explain:	
<input type="checkbox"/> SPECIAL PERMIT (if appropriate, specify type: <input type="checkbox"/> modification; <input type="checkbox"/> renewal; <input type="checkbox"/> other); EXPIRATION DATE:		

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

**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 If "yes," specify:**Other City Approvals Subject to CEQR** (check all that apply)

<input type="checkbox"/> LEGISLATION	<input type="checkbox"/> FUNDING OF CONSTRUCTION, specify:
<input type="checkbox"/> RULEMAKING	<input type="checkbox"/> POLICY OR PLAN, specify:
<input type="checkbox"/> CONSTRUCTION OF PUBLIC FACILITIES	<input type="checkbox"/> FUNDING OF PROGRAMS, specify:
<input type="checkbox"/> 384(b)(4) APPROVAL	<input type="checkbox"/> PERMITS, specify:
<input type="checkbox"/> OTHER, explain:	

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

<input type="checkbox"/> PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)	<input type="checkbox"/> LANDMARKS PRESERVATION COMMISSION APPROVAL
<input type="checkbox"/> 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.

<input checked="" type="checkbox"/> SITE LOCATION MAP	<input checked="" type="checkbox"/> ZONING MAP	<input checked="" type="checkbox"/> SANBORN OR OTHER LAND USE MAP
<input checked="" type="checkbox"/> TAX MAP	<input type="checkbox"/> FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	
<input checked="" type="checkbox"/> PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP		

**Physical Setting** (both developed and undeveloped areas)

Total directly affected area (sq. ft.): Approx. 38,000 (Rezoning Area)	Waterbody area (sq. ft) and type: N/A
Roads, buildings, and other paved surfaces (sq. ft.): Approx. 38,000	Other, describe (sq. ft.): N/A

**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): 77,000 gsf

(2 Projected Development Sites)

NUMBER OF BUILDINGS: 2

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): Site 1- 26,400 gsf ,  
Site 2- 50,600 gsf

HEIGHT OF EACH BUILDING (ft.): Projected Site 1-55 Feet,

NUMBER OF STORIES OF EACH BUILDING: 4-Site 1; 9-Site 2

Projected Site 2- 95 Feet

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: 10,000

The total square feet not owned or controlled by the applicant: 28,000

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: 22,000 sq. ft. (width x length)

VOLUME OF DISTURBANCE: TBD cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 22,000 sq. ft. (width x length)

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

	<b>Residential</b>	<b>Commercial</b>	<b>Community Facility</b>	<b>Industrial/Manufacturing</b>
<b>Size</b> (in gross sq. ft.)	50,600		26,400	
<b>Type</b> (e.g., retail, office, school)	50 units		Med. Office	

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

If "yes," please specify:

NUMBER OF ADDITIONAL RESIDENTS: 96

NUMBER OF ADDITIONAL WORKERS: 75

Provide a brief explanation of how these numbers were determined: 3 Medical Office workers per 1000 feet of medical office floor area, 2.44 Persons Per Household in Brooklyn Community District 15

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 ☒ NOIf "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): 2024

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 16-20 Months

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Environmental Review, ULURP, Financing, Design, Construction, Occupation

**10. Predominant Land Use in the Vicinity of the Project** (check all that apply)☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☒ OTHER, specify:

**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
<b>1. LAND USE, ZONING, AND PUBLIC POLICY:</b> <a href="#">CEQR Technical Manual Chapter 4</a>		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Is there the potential to affect an applicable public policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's <a href="#">Waterfront Revitalization Program boundaries</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," complete the <a href="#">Consistency Assessment Form</a> .		
<b>2. SOCIOECONOMIC CONDITIONS:</b> <a href="#">CEQR Technical Manual Chapter 5</a>		
(a) Would the proposed project:		
o Generate a net increase of 200 or more residential units?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Generate a net increase of 200,000 or more square feet of commercial space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Directly displace more than 500 residents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Directly displace more than 100 employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Affect conditions in a specific industry?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>3. COMMUNITY FACILITIES:</b> <a href="#">CEQR Technical Manual Chapter 6</a>		
(a) Direct Effects		
o 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Indirect Effects		
o <b>Child Care Centers:</b> 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 <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o <b>Libraries:</b> 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 <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o <b>Public Schools:</b> 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 <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o <b>Health Care Facilities and Fire/Police Protection:</b> Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>4. OPEN SPACE:</b> <a href="#">CEQR Technical Manual Chapter 7</a>		
(a) Would the proposed project change or eliminate existing open space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Is the project located within an under-served area in the <a href="#">Bronx</a> , <a href="#">Brooklyn</a> , <a href="#">Manhattan</a> , <a href="#">Queens</a> , or <a href="#">Staten Island</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
(c) Is the project located within a well-served area in the <a href="#">Bronx</a> , <a href="#">Brooklyn</a> , <a href="#">Manhattan</a> , <a href="#">Queens</a> , or <a href="#">Staten Island</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
(d) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
<b>5. SHADOWS:</b> <a href="#">CEQR Technical Manual Chapter 8</a>		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>6. HISTORIC AND CULTURAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 9</a>		
(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 <a href="#">GIS System for Archaeology and National Register</a> to confirm)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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.		
<b>7. URBAN DESIGN AND VISUAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 10</a>		
(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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>8. NATURAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 11</a>		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of <a href="#">Chapter 11</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o 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 <a href="#">Jamaica Bay Watershed</a> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," complete the <a href="#">Jamaica Bay Watershed Form</a> , and submit according to its <a href="#">instructions</a> .		
<b>9. HAZARDOUS MATERIALS:</b> <a href="#">CEQR Technical Manual Chapter 12</a>		
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) 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 <a href="#">Appendix 1</a> (including nonconforming uses)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) 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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Has a Phase I Environmental Site Assessment been performed for the site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:		
<b>10. WATER AND SEWER INFRASTRUCTURE:</b> <a href="#">CEQR Technical Manual Chapter 13</a>		
(a) Would the project result in water demand of more than one million gallons per day?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If the proposed project located in a <a href="#">separately sewered area</a> , would it result in the same or greater development than the amounts listed in Table 13-1 in <a href="#">Chapter 13</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If the project is located within the <a href="#">Jamaica Bay Watershed</a> or in certain <a href="#">specific drainage areas</a> , 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

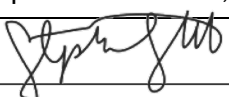
	YES	NO
(f) Would the proposed project be located in an area that is partially sewerred or currently unsewerred?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>11. SOLID WASTE AND SANITATION SERVICES:</b> <a href="#">CEQR Technical Manual Chapter 14</a>		
(a) Using Table 14-1 in <a href="#">Chapter 14</a> , the project's projected operational solid waste generation is estimated to be (pounds per week): 872 pounds per week		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>12. ENERGY:</b> <a href="#">CEQR Technical Manual Chapter 15</a>		
(a) Using energy modeling or Table 15-1 in <a href="#">Chapter 15</a> , the project's projected energy use is estimated to be (annual BTUs): 5,019,450 MBTUs		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input type="checkbox"/>
<b>13. TRANSPORTATION:</b> <a href="#">CEQR Technical Manual Chapter 16</a>		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in <a href="#">Chapter 16</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
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 <a href="#">Chapter 16</a> for more information.	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
<b>14. AIR QUALITY:</b> <a href="#">CEQR Technical Manual Chapter 17</a>		
(a) Mobile Sources: Would the proposed project result in the conditions outlined in Section 210 in <a href="#">Chapter 17</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Stationary Sources: Would the proposed project result in the conditions outlined in Section 220 in <a href="#">Chapter 17</a> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in <a href="#">Chapter 17</a> ? (Attach graph as needed)	<input type="checkbox"/>	<input type="checkbox"/>
(c) Does the proposed project involve multiple buildings on the project site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>15. GREENHOUSE GAS EMISSIONS:</b> <a href="#">CEQR Technical Manual Chapter 18</a>		
(a) Is the proposed project a city capital project or a power generation plant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project fundamentally change the City's solid waste management system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in <a href="#">Chapter 18</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>16. NOISE:</b> <a href="#">CEQR Technical Manual Chapter 19</a>		
(a) Would the proposed project generate or reroute vehicular traffic?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project introduce new or additional receptors (see Section 124 in <a href="#">Chapter 19</a> ) 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		YES	NO
<b>17. PUBLIC HEALTH:</b> <a href="#">CEQR Technical Manual Chapter 20</a>			
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in <a href="#">Chapter 20</a> , "Public Health." Attach a preliminary analysis, if necessary.			
<b>18. NEIGHBORHOOD CHARACTER:</b> <a href="#">CEQR Technical Manual Chapter 21</a>			
(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?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in <a href="#">Chapter 21</a> , "Neighborhood Character." Attach a preliminary analysis, if necessary. Although no detailed analysis was required in the neighborhood character assessment a brief description of neighborhood character is included in the Supplemental Studies to the EAS report.			
<b>19. CONSTRUCTION:</b> <a href="#">CEQR Technical Manual Chapter 22</a>			
(a) Would the project's construction activities involve:			
o Construction activities lasting longer than two years?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
o The operation of several pieces of diesel equipment in a single location at peak construction?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closure of a community facility or disruption in its services?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Activities within 400 feet of a historic or cultural resource?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Disturbance of a site containing or adjacent to a site containing natural resources?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
o 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?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in <a href="#">Chapter 22</a> , "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.			
<b>20. APPLICANT'S CERTIFICATION</b>			
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 Kevin Williams, AICP, PP		DATE 10/28/2021	
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.

<b>1.</b> 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.		<b>Potentially Significant Adverse Impact</b>	
		<b>YES</b>	<b>NO</b>
<b>IMPACT CATEGORY</b>			
Land Use, Zoning, and Public Policy		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socioeconomic Conditions		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Facilities and Services		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Open Space		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shadows		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Historic and Cultural Resources		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Urban Design/Visual Resources		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Natural Resources		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous Materials		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water and Sewer Infrastructure		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solid Waste and Sanitation Services		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Energy		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transportation		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air Quality		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Greenhouse Gas Emissions		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Health		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Neighborhood Character		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction		<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>2.</b> 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?  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.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>3. Check determination to be issued by the lead agency:</b>  <input type="checkbox"/> <b>Positive Declaration:</b> 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 <i>Positive Declaration</i> and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).  <input type="checkbox"/> <b>Conditional Negative Declaration:</b> A <i>Conditional Negative Declaration</i> (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.  <input checked="" type="checkbox"/> <b>Negative Declaration:</b> If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a <i>Negative Declaration</i> . The <i>Negative Declaration</i> may be prepared as a separate document (see <a href="#">template</a> ) or using the embedded Negative Declaration on the next page.			
<b>4. LEAD AGENCY'S CERTIFICATION</b>			
TITLE Deputy Director		LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271   212.720.3328	
NAME Stephanie Shellooe, AICP		DATE October 29, 2021	
SIGNATURE 			

**NEGATIVE DECLARATION****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, the Department of City Planning acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed actions 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 the proposed actions sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.


**Land Use, Zoning, and Public Policy**

A detailed analysis of land use, zoning, and public policy is included in the EAS. The proposed actions are a zoning map amendment from an R5B to an R7A district and a zoning text amendment to Appendix F to map the Project Area as a Mandatory Inclusionary Housing Area to facilitate a new four-story, 14,880 square foot enlargement, in Midwood, Community District 15, Brooklyn. This section of the Brooklyn neighborhood of Midwood is densely developed with nearly all the land being occupied by residential, commercial and office, and public institutional uses. The Proposed Action would represent an expansion of an existing medical office located at 1220 Avenue P and new residential uses along Avenue P. There are multiple medical offices and facilities in the surrounding area 400-Foot Study Area and multiple apartment buildings with similar heights as what is Projected on Development Site 2. Avenue P, a wide 6 -lane street, is suitable for this sort of dense development. Therefore, the Proposed Action is not expected to have an adverse impact on surrounding land use.

**Hazardous Materials, Air Quality, and Noise**

An (E) designation (E-653) related to hazardous materials, air quality, and noise would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

*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). Should you have any questions pertaining to this Negative Declaration, you may contact Katherine Glass at +1 718-780-8271.*

TITLE Deputy Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31 <sup>st</sup> Fl. New York, NY 10271   212.720.3493
NAME Stephanie Shellooe	DATE October 29, 2021
SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Anita Laremont	DATE November 1, 2021
SIGNATURE	



**Project Name: 1220 Avenue P Rezoning**

**CEQR # 19DCP109K**

**SEQRA Classification: Unlisted**

Determination of Significance Appendix

The Proposed Action(s) were determined to have the potential to result in changes to development on the following site(s):

Development Site	Borough	Block and Lot	Applicant-Owned
Projected Development Site 1	Bk	Block 6775, Lots 9, 12, 13, 74, 75	Yes
Projected Development Site 2	Bk	Block 6774 Lots 6, 7, 9	No

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-653**) would be established as part of approval of the proposed actions on **Projected Development Sites 1 and 2** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X
Projected Development Site 2	X	X	X

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Sites 1 and 2** for hazardous materials would apply as follows:

*Task 1-Sampling Protocol*

*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, including 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-Remediation Determination and Protocol*

*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.*

**Project Name: 1220 Avenue P Rezoning**

**CEQR # 19DCP109K**

**SEQRA Classification: Unlisted**

*Air Quality*

The (E) designation requirements for air quality would apply as follows:

***Projected Development Site 1 (Block 6775, Lots 9, 12, 13, 74, and 75):*** Any new residential/commercial development on the above-referenced property must ensure HVAC system and hot water equipment stack(s) is located at the highest tier, at least 58 feet above grade, and a minimum of 50 feet from the property boundary along East 13th Street to avoid any significant adverse air quality impacts.

***Projected Development Site 2 (Block 6774, Lots 6, 7, and 9):*** Any new residential/commercial development on the above-referenced property must ensure HVAC system and hot water equipment stack(s) is located at the highest tier and at least 98 feet above grade to avoid any significant adverse air quality impacts.

*Noise*

The (E) designation requirements for noise would apply as follows:

***Projected Development Sites 1 and 2:*** In order to ensure an acceptable interior noise environment, new residential/community facility development on the above referenced property must provide a closed window condition with a minimum of 28 dB(A) window/wall attenuation in order to maintain an interior noise level of 45 dBA. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided.

Figure 1: Site Location Map

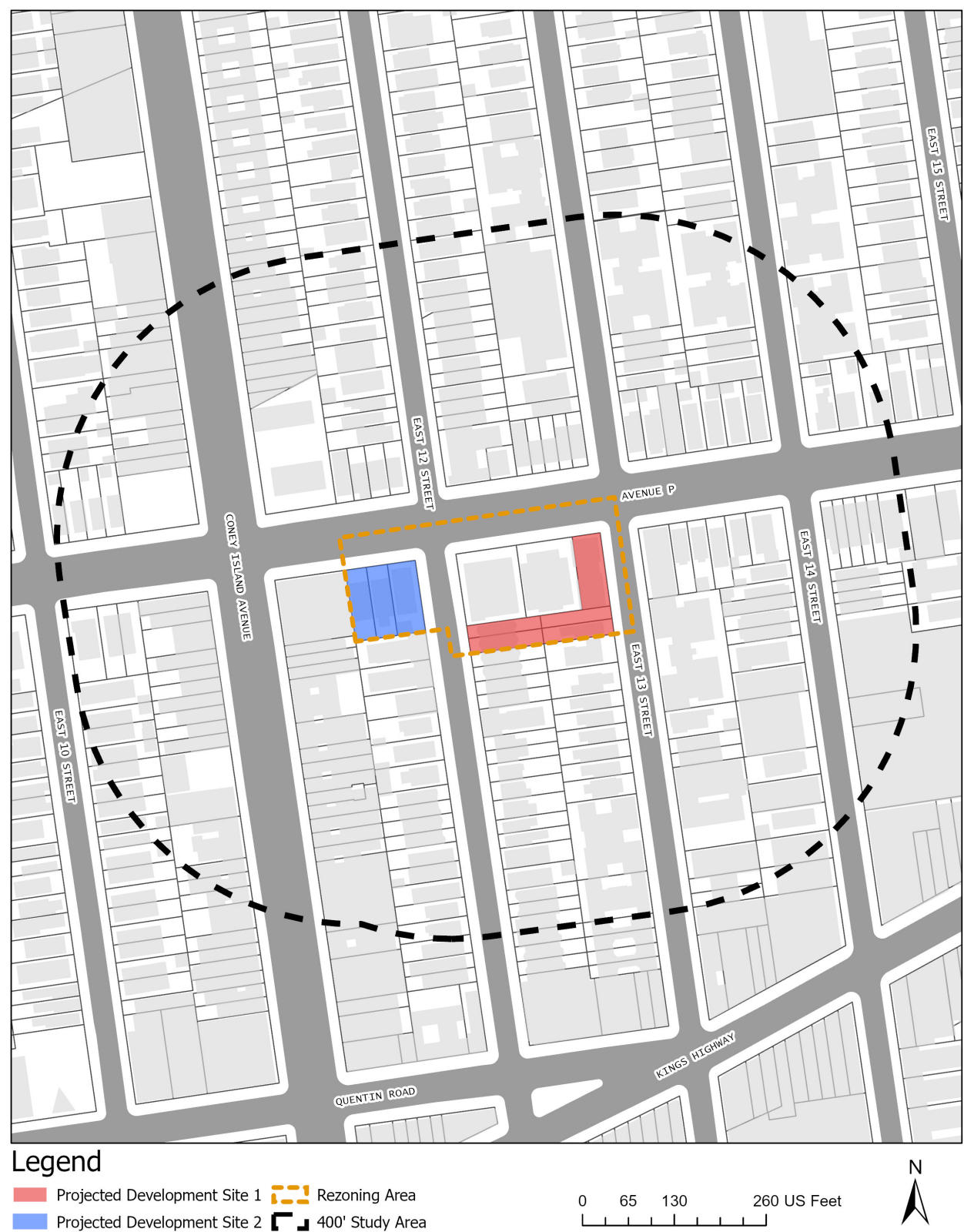


Figure 2: Existing Land Use Map





Figure 3: Zoning Map

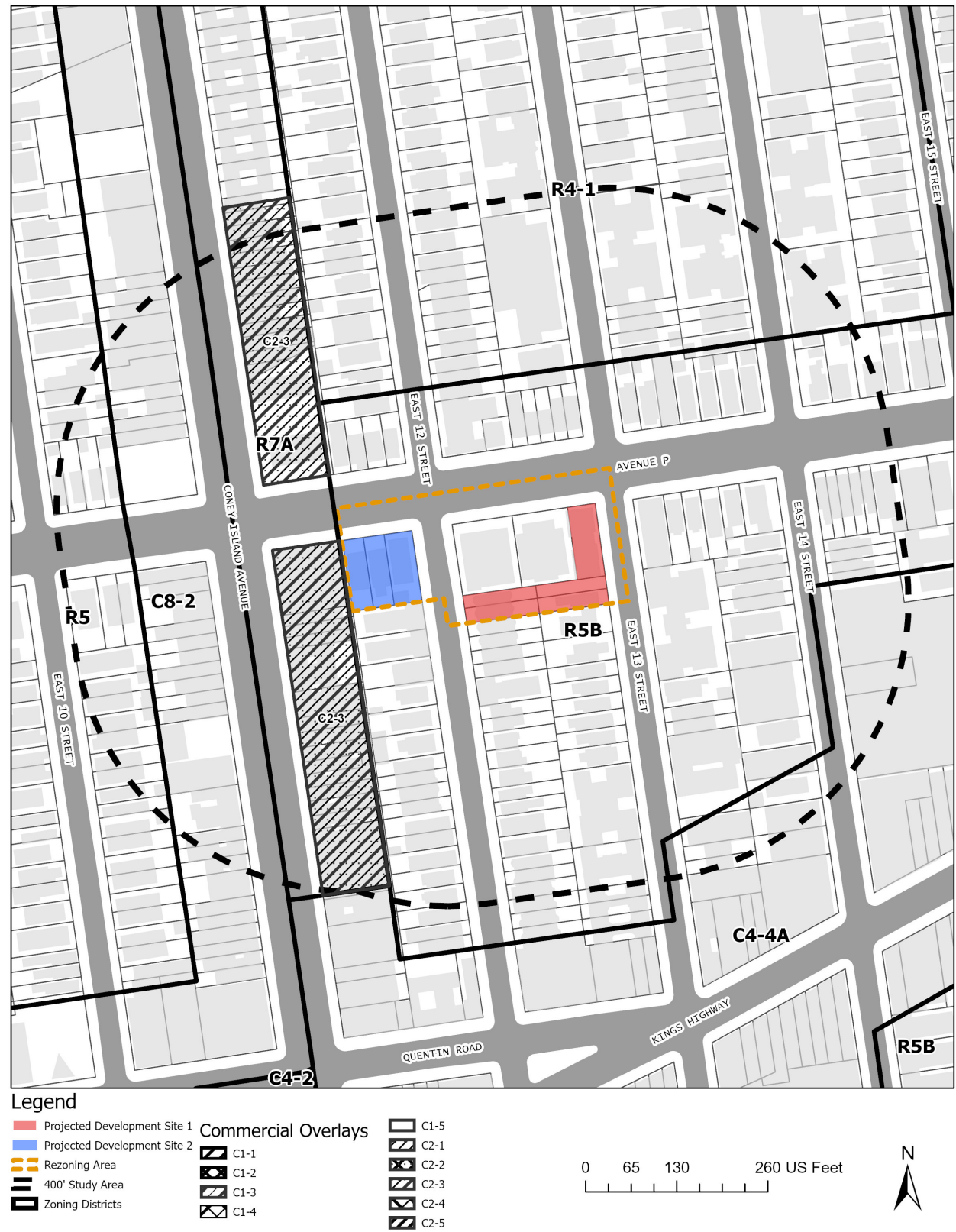


Figure 4: Zoning Map Change

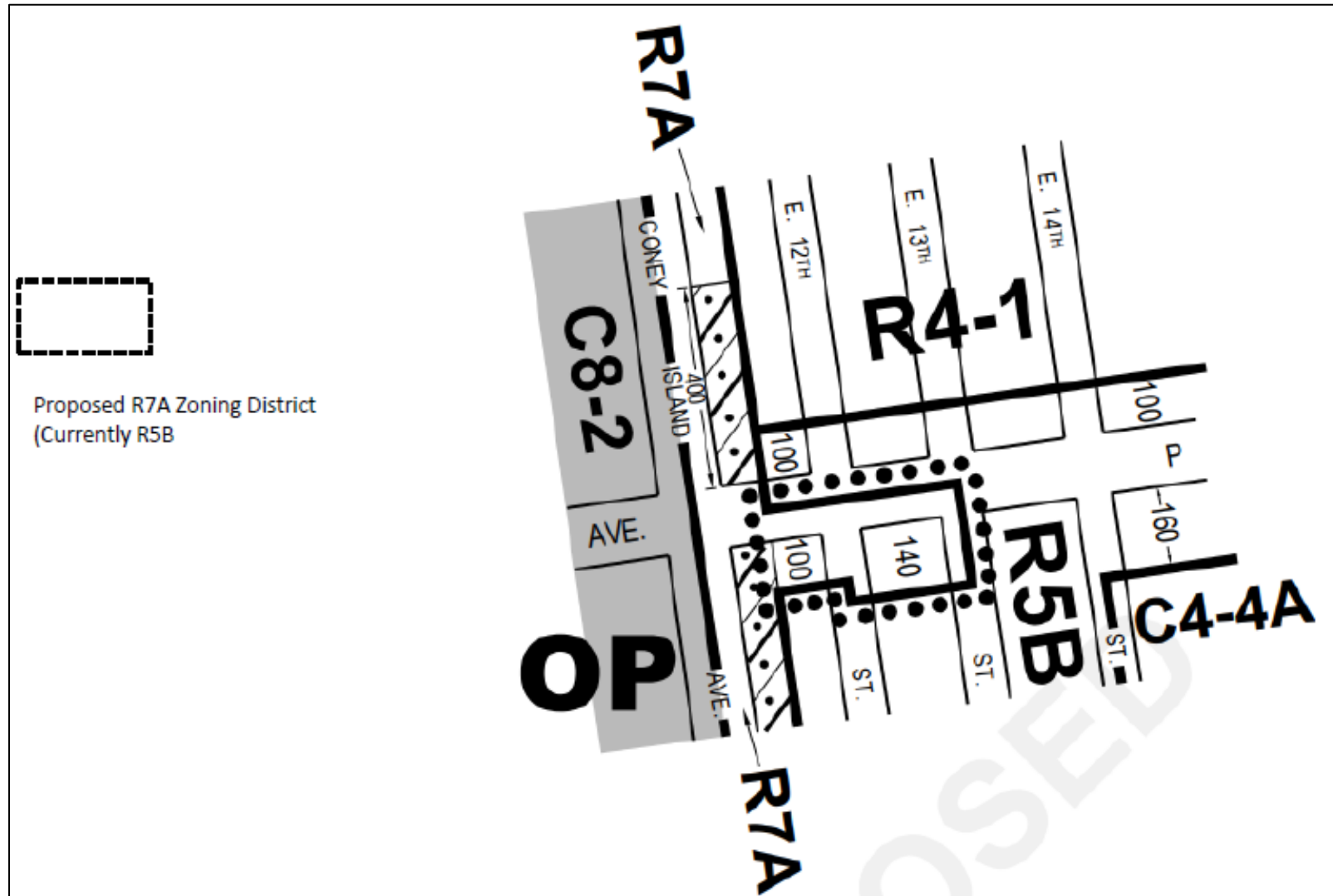


Figure 5: Tax Map





Figure 6-1: Site Photos



Photo 1: View of both Projected Development Site 1 and Projected Development Site 2 from the northeast corner of Coney Island Avenue and Avenue P, facing southeast.



Photo 2: View of Projected Development Site 1 (existing building) from the northeast corner of East 13th Street and Avenue P, facing southwest.

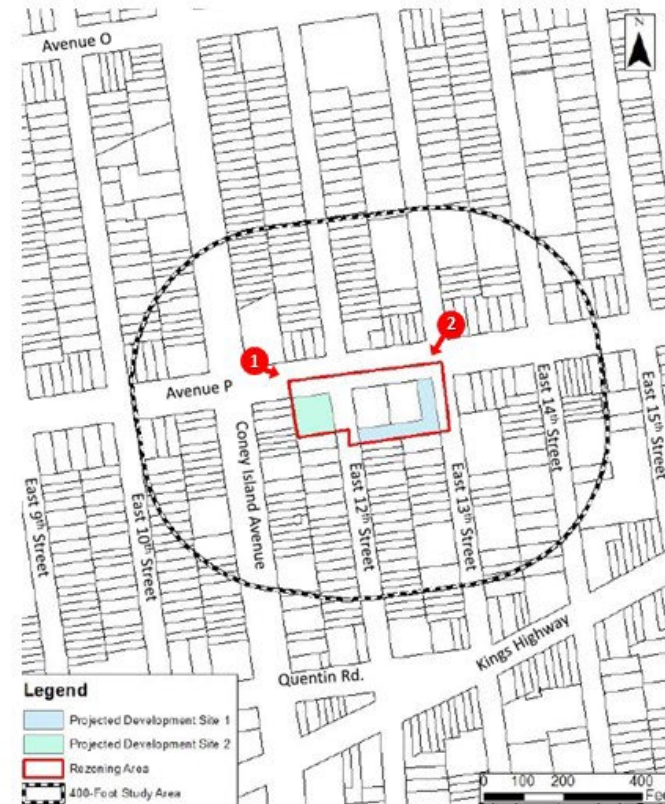




Figure 6-2: Site Photos



Photo 3: Straight-on view of Projected Development Site 1 from the eastern side of East 13<sup>th</sup> Street, facing west.



Photo 4: View of Projected Development Site 1 from the corner of East 12<sup>th</sup> Street and Avenue P, facing southeast.

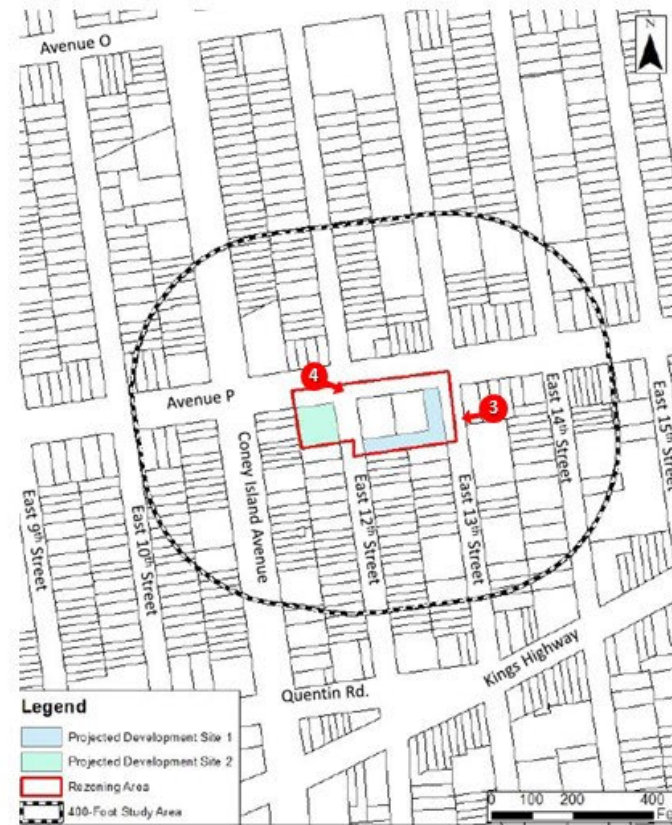


Figure 6-3: Site Photos



Photo 5: View of Projected Development Site 1 and neighboring community facility buildings on Avenue P from the northeast corner of East 12th Street and Avenue P, facing southeast.



Photo 6: View of Projected Development Site 2 from the northeast corner of East 12th Street and Avenue P, facing southwest.

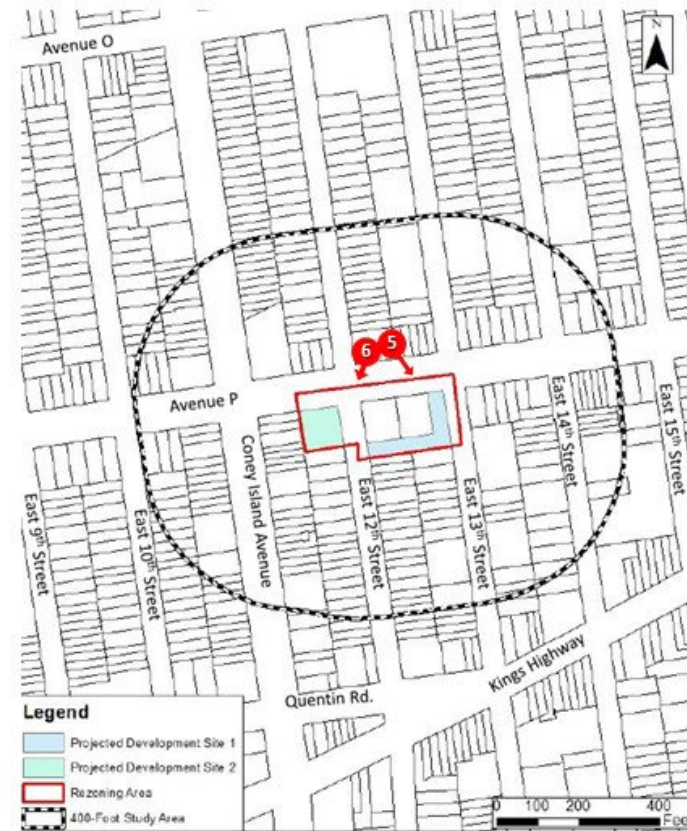




Figure 6-4: Site Photos



Photo 7: Straight-on View of Projected Development Site 2 from the north side of Avenue P between Coney Island Avenue and East 12th Street, facing south.



Photo 8: View of multi-family elevator residential buildings from midblock on East 13th Street, facing south.

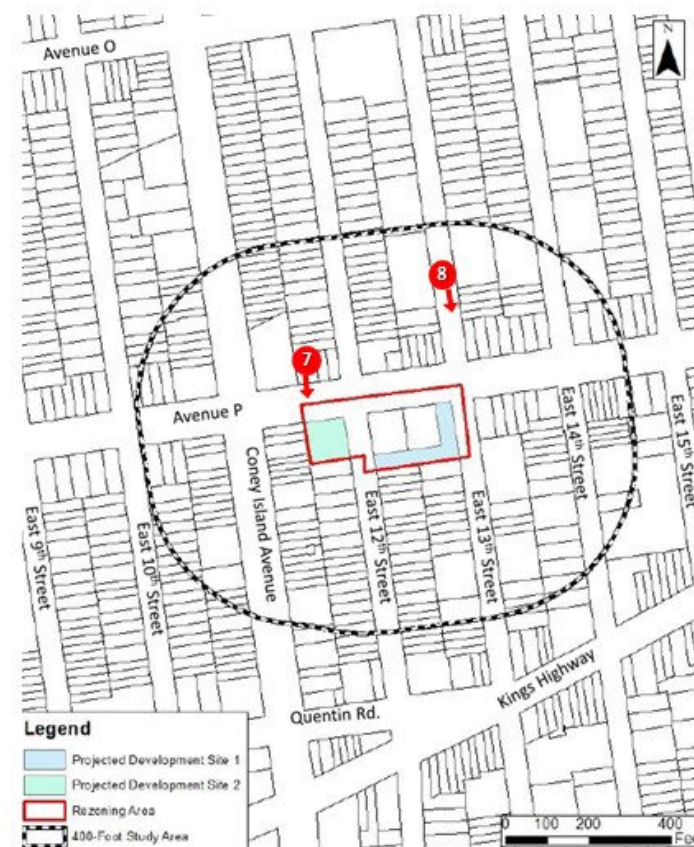


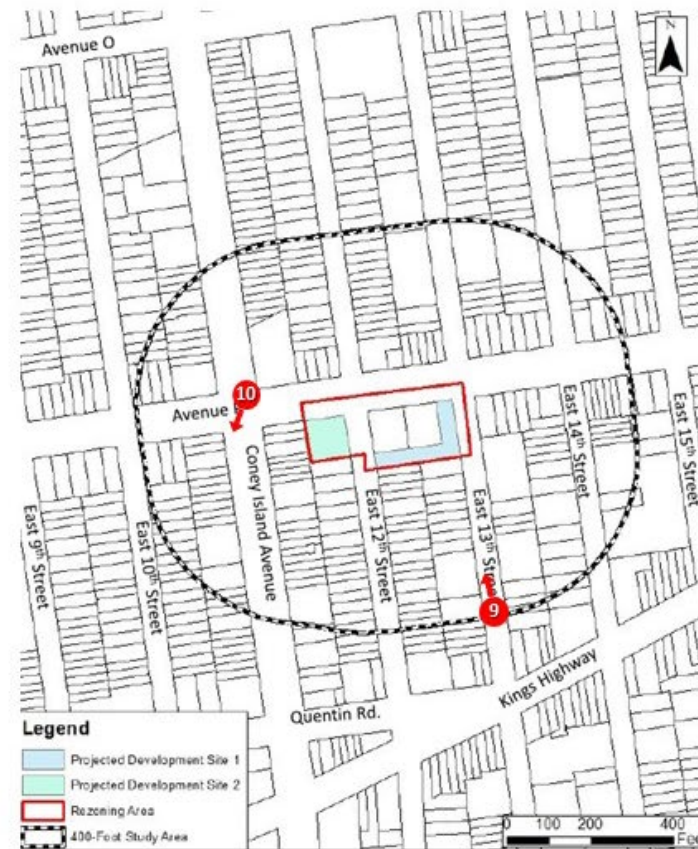
Figure 6-5: Site Photos



Photo 9: View from midblock point on East 13th Street between Avenue P and Kings Highway, facing north.



Photo 10: View of commercial uses on Coney Island Avenue from the southeast corner of Coney Island Avenue and Avenue P, facing southwest.



## **1.0 PROJECT DESCRIPTION**

### **1.1 Introduction**

Omni Enterprises, LLC (the “Applicant”), seeks a zoning map amendment to rezone portions of two blocks along Avenue P in the Midwood neighborhood within Brooklyn Community District 15 from an R5B to an R7A zoning district. The proposed rezoning extends the district boundary of an existing R7A zoning district east to include Block 6774, Lots 6, 7, and 9 and Block 6775 Lots 1, 5, 9, 12, 13, 74, and 75 (the “Project Area”). In addition, the Applicant seeks a zoning text amendment to Zoning Resolution (“ZR”) Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Community District 15, Brooklyn to establish the Project Area as a Mandatory Inclusionary Housing (“MIH”) Area.

The Proposed Actions would facilitate the construction an enlargement to the Levit Medical Center Midwood (the “Medical Center”). The Medical Center is an existing five-story, 19,536 sq. ft. Use Group 4 community facility located at 1220 Avenue P (Block 6775, Lot 9). The proposed development is a four-story Use Group 4 enlargement to the Medical Center with approximately 12,160 sq. ft. of additional floor area. The proposed enlargement is situated at the rear of the existing Medical Center building on adjacent tax lots to the south fronting East 13th Street (Block 6775, Lots 12 and 13). The proposed 12,160 sq. ft. of floor area combined with the existing 19,536 sq. ft. on Lot 9 results in 31,696 sq. ft. of Use Group 4 community facility floor area and an FAR of 3.17.

### **1.2 Project Location and Description of Proposed Development Site**

The proposed Project Area is in the Midwood neighborhood in Brooklyn’s Community District 15. The Project Area is near the southern borders of Community Districts 12 and 14, both of which have district boundaries running along Avenue P. The Project Area consists of 10 tax lots fronting Avenue P, East 12th Street, and East 13th Street. The Project Area is generally bounded by Avenue P to the north, East 13th Street to the east, a line 100-ft. and 140-ft. from Avenue P to the South and a line 100-ft. from Coney Island Avenue to the west. The Project Area consists of Block 6775, Lots 1, 5, 9, 12, 13, 74 and 75; and Block 6774, Lots 6, 7 and 9. The Project Area is approximately 38,000 sq. ft.

The proposed Project Area is located within an R5B zoning district, adjacent to the district boundary of an existing R7A zoning district immediately to the west. The R5B zoning district is generally mapped 100 feet north of Avenue P to the north, approximately 100 feet east of Coney Island Avenue to the west, approximately 100-ft. north of Quentin Road and north of Kings Highway to the south, and East 18th Street to the east. The R7A zoning district to the west of the Project Area is generally mapped along the eastern portion of Coney Island Avenue, portions of which are mapped with a C2-3 commercial overlay.

The proposed Development Site consists of four contiguous tax lots, Block 6775, Lots 9, 12, 13, and 75, that would be developed as a single zoning lot with an area of 10,000 sq. ft. The Development Site has 40-ft. of frontage on Avenue P, 140-ft. of frontage on East 13th Street, and 20-ft. of frontage on East 12th Street. The proposed four- story enlargement would be constructed on Lot 12, which is presently unimproved, and on



Lot 13, which contains a two-story building that would be demolished. Lot 75 contains a vacant two-story building that would be demolished to provide six permitted accessory attended parking spaces for the proposed development.

The proposed Project Area is primarily developed with community facility and residential uses. The properties within the Project Area are developed as follows:

Block 6774, Lot 6 is an approximately 3,000 sq. ft. lot fronting Avenue P. It is improved with a 2.75-story Use Group 2 residential building with three dwelling units.

Block 6774, Lot 7 is an approximately 3,000 sq. ft. lot fronting Avenue P. It is with a 2.75-story Use Group 2 residential building with two dwelling units.

Block 6774, Lot 9 is an approximately 4,000 sq. ft. lot fronting Avenue P. It is improved with a 2.75-story residential building with, according to the Certificate of Occupancy, three Use Group 2 dwelling units and a home occupation medical office on the ground floor.

Block 6775, Lot 1 is an approximately 8,000 sq. ft. lot fronting Avenue P. It is improved with a two-story community facility building owned by the Jewish Center of Kings Highway and occupied by Yeshivat Shaare Torah, a Use Group 3 private religious high school and Use Group 4 house of worship.

Block 6775, Lot 5 is an approximately 8,000 sq. ft. lot fronting Avenue P. It is improved with a two-story building owned and occupied by the Jewish Center of Kings Highway, a Use Group 4 house of worship.

Block 6775, Lot 9 (part of the Development Site) is an approximately 4,000 sq. ft. lot fronting Avenue P. It is improved with a five-story Use Group 4 medical office building, Medical Center, which is controlled by the Applicant. It was constructed in 2000 on an as-of-right basis under the R6 zoning district mapped at that time

Block 6775, Lot 12 (part of the Development Site) is an approximately 2,000 sq. ft. lot fronting East 13th Street. It is unimproved and used as surface parking lot.

Block 6775, Lot 13 (part of the Development Site) is an approximately 2,000 sq. ft. lot fronting East 13th Street. It is improved with a two-story building with one Use Group 2 dwelling unit and an accessory home occupation.

Block 6775, Lot 74 is an approximately 2,000 sq. ft. lot fronting East 12th Street. It is improved with a two-story residential building with two dwelling units.

Block 6775, Lot 75 (part of the Development Site) is an approximately 2,000 sq. ft. lot fronting East 12th Street. It is improved with a two-story building that was previously used as a religious community facility but is currently vacant.

### Description of the Proposed Development Site

The proposed Development Site consists of four contiguous tax lots, Block 6775, Lots 9, 12, 13, and 75, that would be developed as a single zoning lot with an area of 10,000 sq. ft. The Development Site has 40-ft. of frontage on Avenue P, 140-ft. of frontage on East 13th Street, and 20-ft. of frontage on East 12th Street. The proposed four-story enlargement would be constructed on Lot 12, which is presently unimproved, and on Lot 13, which contains a two-story building that would be demolished. Lot 75 contains a vacant two-story building that would be demolished to provide six permitted accessory attended parking spaces for the proposed development. A key to photographs of the site and surrounding area is shown in **Figure 1-5** with the photographs displayed in **Figure 1-6**.

This EAS studies the potential for individual and cumulative environmental impacts related to the Proposed Action occurring in a study area of approximately 400 feet around the Project Area. This study area is generally bound by the midblock point between Avenue P and O to the north, the midblock point between East 14<sup>th</sup> and 15<sup>th</sup> Streets to the east, East 10<sup>th</sup> Street to the west, and Kings Highway to the south.

## **1.3 Purpose and Need of the Proposed Actions**

The actions necessary to facilitate the proposal are: 1) a zoning map amendment to map an R7A zoning district in the Project Area currently zoned as R5B; and 2) a zoning text amendment to ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Community District 15, Brooklyn to establish the Project Area as an MIH Area.

The proposed actions would facilitate the construction of an enlargement to the Levit Medical Center Midwood (the "Medical Center"). The Medical Center is an existing Use Group 4 community facility located at 1220 Avenue P (Block 6775, Lot 9). The proposed development is a new four-story, approximately 11,240 gsf enlargement to the Medical Center. The enlargement would be located immediately south of the Medical Center on adjacent tax lots 12, 13, and 75 on Block 6775 (together with Lot 9, the "Development Site"). Under the existing zoning, the applicant would be unable to construct this expansion at the desired FAR.

## **1.4 Proposed Development**

The proposed development is a four-story Use Group 4 enlargement to the Medical Center with approximately 12,160 sq. ft. of additional floor area. The proposed enlargement is situated at the rear of the existing Medical Center building on adjacent tax lots to the south fronting East 13th Street (Block 6775, Lots 12 and 13). Six accessory attended parking spaces would be provided on to the west of the enlargement on East 12th Street (Block 6775, Lot 75). The proposed four-story enlargement has full lot coverage on the first

floor as a permitted obstruction and a 32'-0" rear yard above the first floor. Because the proposed enlargement is adjacent to an R5B district, the height of the enlargement will be limited to 55 feet. For the enlargement to have floors that line up with the existing building, the proposed enlargement will have a height of 47'-10". The proposed 12,160 sq. ft. of floor area combined with the existing 19,536 sq. ft. on Lot 9 results in 31,696 sq. ft. of Use Group 4 community facility floor area and an FAR of 3.17.

In addition, the Applicant intends to use Block 6775, Lot 14, which is outside the Proposed Project Area and would remain within the existing R5B zoning district, as an attended accessory off-street parking lot for the proposed development. The Applicant controls this lot, which contains a three-story residential building that would be demolished to accommodate parking.

## **1.5 Required Approvals**

The actions necessary to facilitate the proposal are: 1) a zoning map amendment to map an R7A zoning district in the Project Area currently zoned as R5B; and 2) a zoning text amendment to ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Community District 15, Brooklyn to establish the Project Area as an MIH Area.

### **Zoning Map Amendment - R7A from R5B**

While community facility uses are permitted conforming uses in R5B zoning districts, the maximum FAR for community facilities is 2.0. The maximum FAR for community facilities is 4.0 in the proposed R7A zoning district. The proposed zoning map amendment action would facilitate the development of the Site with a community facility use with a FAR of 3.44, below the maximum permitted FAR of 4.0 for a community facility use. Absent the proposed zoning map amendment action, the Applicant would be unable to construct the proposed development under the existing bulk regulations for a community facility in an R5B district. The proposed development is appropriate because it is located an area primarily consisting of community facility uses, including the existing Medical Center and Jewish Center of Kings Highway buildings that comprise the Avenue P blockfront of Block 6775.

### **Mandatory Inclusionary Housing Area Text Amendment**

While the proposed development does not contain any new residential use, the proposed text amendment would require that new residential development within the Project Area be developed in accordance with the MIH program. Under the City's MIH program, certain new residential developments are required to provide a percentage of the residential floor area for affordable units. MIH Option 1 requires at least 25 percent of the residential floor area at an average of 60 percent of the area median income ("AMI"). At least 10 percent of the residential floor area within such MIH development must be affordable at 40 percent AMI. MIH Option 2 requires at least 30 percent of the residential floor area at an average of 80 percent AMI. In addition, the City Council and the City Planning Commission may apply the Deep Affordability Option or the Workforce Option the Project Area.



## Compliance/Conformance with the Proposed Zoning Districts

The proposed project fully complies and conforms with the proposed zoning district. On the Development Site, the proposed building complies with the bulk regulations of the proposed R7A zoning district. Similarly, the proposed community facility use conforms with the use provisions of the proposed R7A zoning district. There are no additional actions needed pursuant to any other City, State, or Federal agency.

### 1.6 Analysis Framework (Reasonable Worst Case Development Scenario)

#### Build Year

Considering the ULURP review and approval process, and assuming a construction period of approximately 16 to 20 months, the build year of the proposed development is 2022. However, given that development is expected on a non-applicant owned Projected Development Site as a result of the rezoning, an analysis year of 2024 will be used to assess the potential for environmental impacts.

The boundaries of the proposed zoning map and text amendments would encompass a portion of Brooklyn Block 6774 (Lots 6, 7 and 9) and Block 6775 (Lots 1, 5, 9, 12, 13, 74 and 75). Additional details on this development can be found in the “With-Action Scenario” section below.

#### Existing Conditions

The Development Site consists of five contiguous tax lots occupied by the existing Medical Center (Block 6775, Lot 9), a surface parking lot (Block 6775, Lot 12), a two-story building with one dwelling unit and an accessory home occupation (Block 6775, Lot 13), a two-story building that was previously used as a religious community facility but is now vacant (Block 6775, Lot 75) and a two-story residential building containing two dwelling units (Block 6775, Lot 74). The Development Site covers a total of approximately 12,000 square feet.

The remaining properties within the Project Area are used as follows. On Block 6774, Lot 6 is improved with a 2.75-story residential building containing 3 dwelling units, Lot 7 is improved with a 2.75-story residential building containing 3 dwelling units and Lot 9 is improved with a 2.75-story mixed-use residential building with a medical office located on the ground floor. On Block 6775, Lot 1 contains a two-story private high school and a house of worship, and Lot 5 contains a two-story house of worship.

#### Factors Determining Projected/Potential Development in the No-Action and With-Action Scenarios

In general, the following factors are considered when evaluating whether some amount of development would likely be constructed by the build year on any nearby site. Known as Soft (or Projected/Potential Development) Sites, the criteria include the following:

- *The uses and bulk allowed:* Buildings built to substantially less than the maximum allowable FAR under the existing zoning are considered “soft” enough such that there would likely be sufficient incentive to develop in the future, depending on other factors specific to the area, listed below; and
- *Size of the development site:* Lots must be large enough to be considered “soft.” Generally, lots with a small lot size are not considered likely to be redeveloped, even if currently built to substantially less than the maximum allowable FAR. A small lot is often defined for this purpose as 5,000 square feet or less, but the lot size criteria is dependent on neighborhood specific trends, and common development sizes in the study area should be examined prior to establishing this criteria.

If sites meet both of the criteria above, then the following factors are considered:

- The amount and type of recent as-of-right development in the area;
- Recent real estate trends in the area;
- Recent and expected future changes in residential population and employment in the study area;
- Government policies or plans, such as a building on site being identified for a landmark designation, that may affect the development potential of a site or sites;
- Site specific conditions that make development difficult; and
- Issues relating to site control or site assemblage that may affect redevelopment potential.

Once sites are considered as development sites, they are divided into two categories – projected development sites and potential development sites. Projected development sites are considered more likely to be developed within analysis period (build year 2024) because of their size (they are either large lots or contiguous small lots in common ownership that together comprise a large site). Potential development sites are less likely to be developed within the analysis period because they are not entirely under common ownership, have an irregular shape or have some combination of these features.

### **Future No-Action Scenario**

The Development Site is in the Midwood neighborhood of Brooklyn, which is densely developed. Except for some minor building rehabilitation, no significant new construction or vacant lots were observed within 400 feet of the Rezoning Area. For purposes of a conservative assessment, the No-Action Scenario is expected to be congruent to the Existing Conditions. With no known plans to develop any of the lots in the Rezoning

Area outside of the Proposed Actions, it is reasonable to assume the No-Action Scenario would be the same as the existing conditions. Therefore, it is assumed that existing conditions would continue in the Future No-Action Scenario.

### **Future With-Action Scenario**

Based on these above criteria, Block 6775, Lots 9, 12, 13, 74 and 75; and Block 6774, Lots 6, 7 and 9 have been identified as Projected Development Sites.

#### Block 6775 Lots 9, 12, 13, 74 and 75 (Projected Development Site 1)

The Projected Development on Site 1, which would be an enlargement to the existing building at 1220 Avenue P on Lot 9, cannot exceed 55 feet since the Site is within 25 feet of an R5B zoning district boundary. As such, the building will have a maximum of four floors. When taking into account additional R7A regulations, such as maximum lot coverage and setback and rear yard minimums, it is unlikely that the applicant would be able to develop a building to the maximum FAR of 4.0 for community facility uses.

Since Lot 9 is already full built out, it is assumed that development would only occur on Lots 12, 13, 74, and 75, and would act as an enlargement to the building on Lot 9.

As such, on combined 8,000 sf lot, it is assumed that the enlargement would have 26,400 gsf (24,000 zsf) of UG 4 community facility floor area, which would be occupied by medical office uses. The building would have a maximum height of 55 feet. No parking is required for a UG 4 community facility in an R7A zoning district. This enlargement would increase the total gross floor area on Projected Development Site 1 to 48,400 gsf.

This does not represent the maximum FAR for community facility use in R7A zoning districts. However, due to R7A zoning regulations, and given the fact that the building would be unable to exceed a height of 55 feet (maximum height in R7A zoning districts is usually 75 feet), it is very likely that the applicant would not be able to construct a fifth floor, therefore, losing 1.0 FAR of available community facility floor area.

#### Block 6774, Lots 6, 7, 9 (Projected Development Site 2)

Under the With-Action Scenario, it is assumed that Block 6774, Lots 6, 7 and 9 would be assembled as one development parcel. On a combined 10,000 sf parcel, it is assumed a new residential building would be constructed. It is assumed that this new building would be constructed to the maximum height and FAR allowed in

As such, on combined 10,000 sf lot, it is assumed that new residential building would have 50,600 gsf (46,000 zsf) of UG 2 residential floor area, containing 50 apartments assuming 1000 sf per dwelling unit, 10 of which would be affordable. The building would have a maximum height of 95 feet. 20 parking spaces would be required for the market rate units in the building which would be located within the cellar of the building.

## Sites Where Development Would Not be Induced or precluded by the Proposed Action

### Block 6775, Lot 1

This parcel is developed with a two-story, approximately 11,200 sf building being utilized as a private religious high school and house of worship. As discussed in the *CEQR Technical Manual*, “long-standing institutional uses with no known development plans” are not considered likely to be redeveloped as a result of the proposed rezoning. According to Department of Buildings (DOB) records, the building was constructed in 1928. Certificates of Occupancy indicate that the building was classified as a house of worship in 1922 and 1954, which is consistent and complementary with its current use. As this represents a long-standing institutional use, it’s assumed that new development would not occur on this site by the 2024 build year.

### Block 6775, Lot 5

This parcel is developed with a two-story, approximately 9,760 sf building being used as a house of worship. As discussed in the *CEQR Technical Manual*, “long-standing institutional uses with no known development plans” are not considered likely to be redeveloped as a result of the proposed rezoning. According to DOB records, the building was constructed in 1928. While no Certificates of Occupancy could be located for this building, it is believed that it has been in use as a house of worship since it was originally constructed. As this represents a long-standing institutional use, it is assumed that new development would not occur on this site by the 2024 build year.

Site data for the lots covered by the proposed Rezoning Area are shown in **Table 1.6-1**

**Table 1.6-1: RWCDs Analysis Framework – Existing, No-Action and With-Action Calculations**

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
<b>Land Use</b>				
<b>Residential</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If "yes," specify the following:				
Describe type of residential structures	UG 2	UG 2	UG 2	
No. of dwelling units	11	11	50	39
No. of low- to moderate-income units	0	0	10	7
Gross floor area (sq. ft.)	13018	13018	50,600	37582
<b>Commercial</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "yes," specify the following:				
Describe type (retail, office, other)	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Manufacturing/Industrial	N/A	N/A	N/A	
If "yes," specify the following:				
Type of Use	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Open storage area (sq. ft.)	N/A	N/A	N/A	
If any enclosed activities, specify:	N/A	N/A	N/A	
<b>Community Facility</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If "yes," specify the following:				
Type of Use	UG2 Medical	UG2 Medical	UG2 Medical	
Gross floor area (sq. ft.)	23389	23389	48400	25011
<b>Vacant Land</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "yes," describe:	4,000	4,000	N/A	-4000
<b>Publicly Accessible Open Space</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "yes," specify type (mapped City, State, or Federal Parkland, wetland-mapped or otherwise known, other):	N/A	N/A	N/A	
Other Land Uses	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "yes," describe:	N/A	N/A	N/A	
<b>Parking</b>				
<b>Garages</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	0	
No. of accessory spaces	N/A	N/A	20	20
Operating hours	N/A	N/A	TBD	
Attended or non-attended	N/A	N/A	TBD	
<b>Lots</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	N/A	
No. of accessory spaces	N/A	N/A	N/A	
Operating hours	N/A	N/A	N/A	
<b>Other (includes street parking)</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "yes," describe:	N/A	N/A	N/A	
<b>Population</b>				

Description of Existing and Proposed Conditions  
\*Only analyzing Projected Sites

Part II - RWCDs Analysis Framework Table

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
<b>Residents</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If "yes," specify number:	26	26	122	96
Briefly explain how the number of residents was calculated:	2.44 Persons Per Household in Brooklyn Community District 15			
<b>Businesses</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If "yes," specify the following:				
No. and type	Community Facility Medical Office	Community Facility Medical Office	Community Facility Medical Office	
No. and type of workers by business	3 Offices,	3 Offices	1 Office	(2 offices)
No. and type of non-residents who are not workers	70 Medical Office Workers	70 Medical Office Workers	144 Medical Office Workers	74
Briefly explain how the number of businesses was calculated:	3 Medical Office workers per 1000 feet of medical office floor area (Community Facility Floor Area)			
<b>Other</b> (students, visitors, concert-goers, etc.)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If any, specify type and number:	N/A	N/A	N/A	
Briefly explain how the number was calculated:				
<b>Zoning</b>				
Zoning classification	R5B	R5B	R7A	R7A, (R5B)
Maximum amount of floor area that can be developed	1.35 FAR Residential, 2.0 FAR Community Facility	1.35 FAR Residential, 2.0 FAR Community Facility	4.6 FAR Residential, 4.0 FAR Community Facility	2.0 FAR Community Facility, 3.25 FAR Residential
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Community Facility, Residential, Mixed Residential and Commercial, Commercial	Community Facility, Residential, Mixed Residential and Commercial, Commercial	Community Facility, Residential, Mixed Residential and Commercial, Commercial	
<p>Attach any additional information that may be needed to describe the project.</p> <p>If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.</p>				

## 2.0 ENVIRONMENTAL REVIEW

The following technical sections are provided as supplemental assessments to the Environmental Assessment Statement (“EAS”) Short Form. Part II: Technical Analyses of the EAS forms a series of technical thresholds for each analysis area in the respective chapter of the CEQR Technical Manual. If the proposed project was demonstrated not to meet or exceed the threshold, the ‘NO’ box in that section was checked; thus, additional analyses were not needed. If the proposed project was expected to meet or exceed the threshold, or if this was not able to be determined, the ‘YES’ box was checked on the EAS Short Form, resulting in a preliminary analysis to determine whether further analyses were needed. For those technical sections, the relevant chapter of the CEQR Technical Manual was consulted for guidance on providing additional analyses (and supporting information, if needed) to determine whether detailed analysis was needed.

A ‘YES’ answer was provided in the following technical analyses areas on the EAS Short Form:

- Land Use, Zoning, and Public Policy
- Shadows
- Historic and Cultural Resources
- Urban Design and Visual Resources
- Natural Resources
- Hazardous Materials
- Transportation
- Air Quality
- Noise
- Neighborhood Character
- Construction

In the following technical sections, where a preliminary or more detailed assessment was necessary, the discussion is divided into Existing Conditions, the Future No-Action Conditions (the Future Without the Proposed Action), and the Future With-Action Conditions (the Future With the Proposed Action).

### 2.1 LAND USE, ZONING, AND PUBLIC POLICY

The *CEQR Technical Manual* recommends procedures for analysis of land use, zoning, and public policy to ascertain the impacts of a project on the Surrounding Area. Land use, zoning, and public policy are described in detail below. This section considers existing conditions, development trends, zoning, and other public policies in relation to the Projected Development Site and the Surrounding Area as well as the larger area in which the Proposed Actions may have an effect. Because the Proposed Action would permit the development of a mixed-use building with a larger bulk and a wider range of uses than what is permitted under the existing zoning regulations, a preliminary assessment of Land Use, Zoning, and Public Policy is provided.



## Methodology

Existing land uses were determined by reference to the New York City Zoning and Land Use (Zola) database and PLUTOTM 20v4 shapefiles. These uses were then confirmed through site visits. The evaluation of lots within the 400-foot Study Area was performed with reference to New York City Zoning Maps and the Zoning Resolution of the City of New York and served as the basis for the zoning evaluation of the Future No Action and Future With-Action Conditions. Public Policy research was performed through an evaluation of the New York City Department of City Planning (NYCDCP) and other city agencies programs and documentation.

### 2.1.1 Land Use

#### Existing Conditions

The *CEQR Technical Manual* recommends a land use; zoning and public policy study area extending 400 feet from the site of a Proposed Action. This study area is generally bound by the midblock point between Avenues P and O to the north, the midblock point between East 14th and 15th Streets to the east, East 10th Street to the west, and Kings Highway to the south (see **Figure 2.1-1**).

A field survey was conducted to determine the existing land use patterns and neighborhood characteristics of the study area. Existing land use immediately surrounding the Project Area include one- and two-family residences, multi-family residential buildings, mixed residential and commercial buildings, public facilities and institutions, and commercial uses. The commercial uses in the vicinity of the Project Area include local retail businesses, restaurants, destination retail (TJ Maxx), office buildings and a fire station. The prevailing built form of the area is a mix of low to midrise non-residential buildings and two- to six-story residential buildings.

The proposed development site consists of four contiguous tax lots located south of Avenue P between East 12<sup>th</sup> and 13<sup>th</sup> Streets, and are occupied by a five-story UG 4 medical office (Block 6775, Lot 9), a surface parking lot (Block 6775, Lot 12), a two-story building with one UG 2 dwelling unit and an accessory home occupation (Block 6775, Lot 13), and a two-story building that was previously in use as a religious community facility but is now vacant (Block 6775, Lot 75). Directly north and west of the proposed development site, the proposed Rezoning Area would extend to include Block 6775, Lots 1, 5, 9 and 74; and Block 6774, Lots 6, 7 and 9. Block 6775, Lot 1 contains a two-story UG 3 private high school and Lot 5 contains a UG 4 house of worship. Block 6775, Lot 74 and Block 6774, Lots 6, 7 and 9 contain two-story one- and two-family residential buildings with two to three dwelling units. Block 6774, Lot 9 also contains a UG 4 medical office on the ground floor.

The western portion of the study area along East 12th and portions of East 13th Street and Avenue P is occupied by stretches of one- and two-family residences. Most of the subject Block 6775, as well as the eastern half of Block 6774 consists of detached and semi-detached one- and two-family residential buildings. The western portion of Block 6774, which is not included in the proposed Rezoning Area, consists primarily of attached and semi-detached commercial buildings, several of which have residential uses above the ground floor. The commercial uses in the



vicinity of the Project Area include local retail businesses on Coney Island Avenue and Quentin Road, a fueling station at the intersection of Coney Island Avenue and Avenue P, and several other retail businesses to the east of East 14th Street. Several professional office buildings and Engine 276 of the New York Fire Department are also located east of the Project Area.

The general mix of land use observed in the study area generally reflects the distribution of land use observed throughout Brooklyn CD 15, which is summarized in **Table 2.1-1**. The most prominent land use within Brooklyn CD 15 is one- to two- family residences, followed by multi-family residences and institutional use.

**Table 2.1-1 Land Use Distribution for Queens Community District 14 (2020)**

LAND USES	PERCENT OF TOTAL
<b>Residential Uses</b>	
1-2 Family	49.34
Multi-Family Elevator Buildings	9.82
Multi-Family Walk-up Buildings	7.87
Mixed Residential/Commercial	4.40
<i>Subtotal of Residential Uses</i>	<i>71.43</i>
<b>Non-Residential Uses</b>	
Commercial/Office	5.36
Industrial	0.43
Transportation/Utility	3.43
Institutions	8.43
Open Space/Recreation	3.57
Parking Facilities	0.62
Vacant Land	6.18
Miscellaneous	0.55
<i>Subtotal of Non-Residential Uses</i>	<i>28.57</i>
<b>TOTAL</b>	<b>100.0</b>

Source: Community District Profiles, New York City Department of City Planning.

**Figure 2.1-1: Area to be Rezoned Overlaid with Existing Land Use Map**



## **Analysis**

### ***Future No-Action Condition***

The Rezoning Area is in the Midwood neighborhood of Brooklyn, which is densely developed. Except for some minor building rehabilitation, no significant new construction or vacant lots were observed within 400 feet of the Rezoning Area. Therefore, it is assumed that existing conditions would continue in the Future No-Action Scenario.

### ***Future With-Action Condition***

Under the Future With-Action Scenario, the proposed rezoning would amend the zoning map to change the existing R5B district to an R7A district, which would facilitate the Applicant's medical office expansion.

The Projected Development on Site 1, which would be an enlargement to the existing building at 1220 Avenue P on Lot 9, cannot exceed 55 feet since the Site is within 25 feet of an R5B zoning district boundary. As such, the building will have a maximum of four floors. When considering additional R7A regulations, such as maximum lot coverage and setback and rear yard minimums, it is unlikely that the applicant would be able to develop a building to the maximum FAR of 4.0 for community facility uses.

Since Lot 9 is already full built out, it is assumed that development would only occur on Lots 12, 13, 74, and 75, and would act as an enlargement to the building on Lot 9.

As such, on combined 8,000 sf lot, it is assumed that the enlargement would have 26,400 gsf (24,000 zsf) of UG 4 community facility floor area, which would be occupied by medical office uses. The building would have a maximum height of 55 feet. No parking is required for a UG 4 community facility in an R7A zoning district. This enlargement would increase the total gross floor area on Projected Development Site 1 to 48,400 gsf.

This does not represent the maximum FAR for community facility use in R7A zoning districts. However, due to R7A zoning regulations, and given the fact that the building would be unable to exceed a height of 55 feet (maximum height in R7A zoning districts is usually 75 feet), it is very likely that the applicant would not be able to construct a fifth floor, therefore, losing 1.0 FAR of available community facility floor area.

Additionally, the mapping of an R7A residential district over the proposed Rezoning Area would give Block 6774, Lots 6, 7 and 9 the potential to be developed to maximum with residential uses. Under the With-Action Scenario, it is assumed that Block 6774, Lots 6, 7 and 9 would be assembled as one development parcel. On a combined 10,000 sf parcel, it is assumed a new residential building would be constructed.

Under the With-Action Scenario, it is assumed that Block 6774, Lots 6, 7 and 9 (Projected Development Site 2) would be assembled as one development parcel. On a combined 10,000 sf parcel, it is assumed a new residential building would be constructed. It is assumed that this new building would be constructed to the maximum height and FAR allowed in R7A districts.

As such, on combined 10,000 sf lot, it is assumed that new residential building would have 50,600 gsf (46,000 zsf) of UG 2 residential floor area, containing 50 apartments assuming 1000 sf per dwelling unit, 10 of which would be affordable. The building would have a maximum height of 95 feet. 20 parking spaces would be required for the market rate units in the building which would be located within the cellar of the building.

This section of the Brooklyn neighborhood of Midwood is densely developed with nearly all the land being occupied by residential, commercial and office, and public institutional uses. The Proposed Action would represent an expansion of an existing medical office located at 1220 Avenue P and new residential uses along Avenue P. There are multiple medical offices and facilities in the surrounding area 400-Foot Study Area and multiple apartment buildings with similar heights as what is Projected on Development Site 2. Avenue P, a wide 6 -lane street, is suitable for this sort of dense development. Therefore, the Proposed Action is not expected to have an adverse impact on surrounding land use.

## **Conclusion**

Based on the analysis above, the Applicant believes that the proposed rezoning would allow for the productive redevelopment of the Rezoning with land uses that are similar to the surrounding area and therefore the Proposed Action would not generate a land use that would be incompatible with surrounding uses. There would be no significant adverse impacts to Land Use as a result of the Proposed Actions, and further analysis is not required.

### **2.1.2 Zoning**

The New York City Zoning Resolution dictates the use, density, and bulk of developments within New York City. Additionally, the Zoning Resolution provides required and permitted accessory parking regulations. The City has three basic zoning district classifications – residential (R), commercial (C), and manufacturing (M). These classifications are further divided into low-, medium-, and high-density districts.

## **Existing Conditions**

Zoning designations within and around the study area are depicted in **Figure 2.1-2**, while **Table 2.1-2** summarizes use, floor area and parking requirements for the zoning districts in the Study Area.

The Project Area is in an R5B zoning district that is mapped generally along 100 feet north of Avenue P to the north, approximately 100 feet west of East 12<sup>th</sup> Street to the west, approximately 100 feet north of Quentin Road and Kings Highway to the south and East 18th Street to the east. R5B districts permit the detached and semi-detached buildings found throughout the study area. However, R5B districts primarily consist of three-story rowhouses and reflect the district's height and setback, front yard and curb cuts regulations that maintain the character of the neighborhood. The maximum FAR for R5B districts is 1.35 with a maximum building height of 33 feet. Parking is required for 66 percent of dwelling units, although parking can be waived



when only one space is required. Additionally, R5B zoning districts require a minimum front yard of 5 feet and a 30-foot rear yard with a maximum lot coverage of 55 percent of the lot.

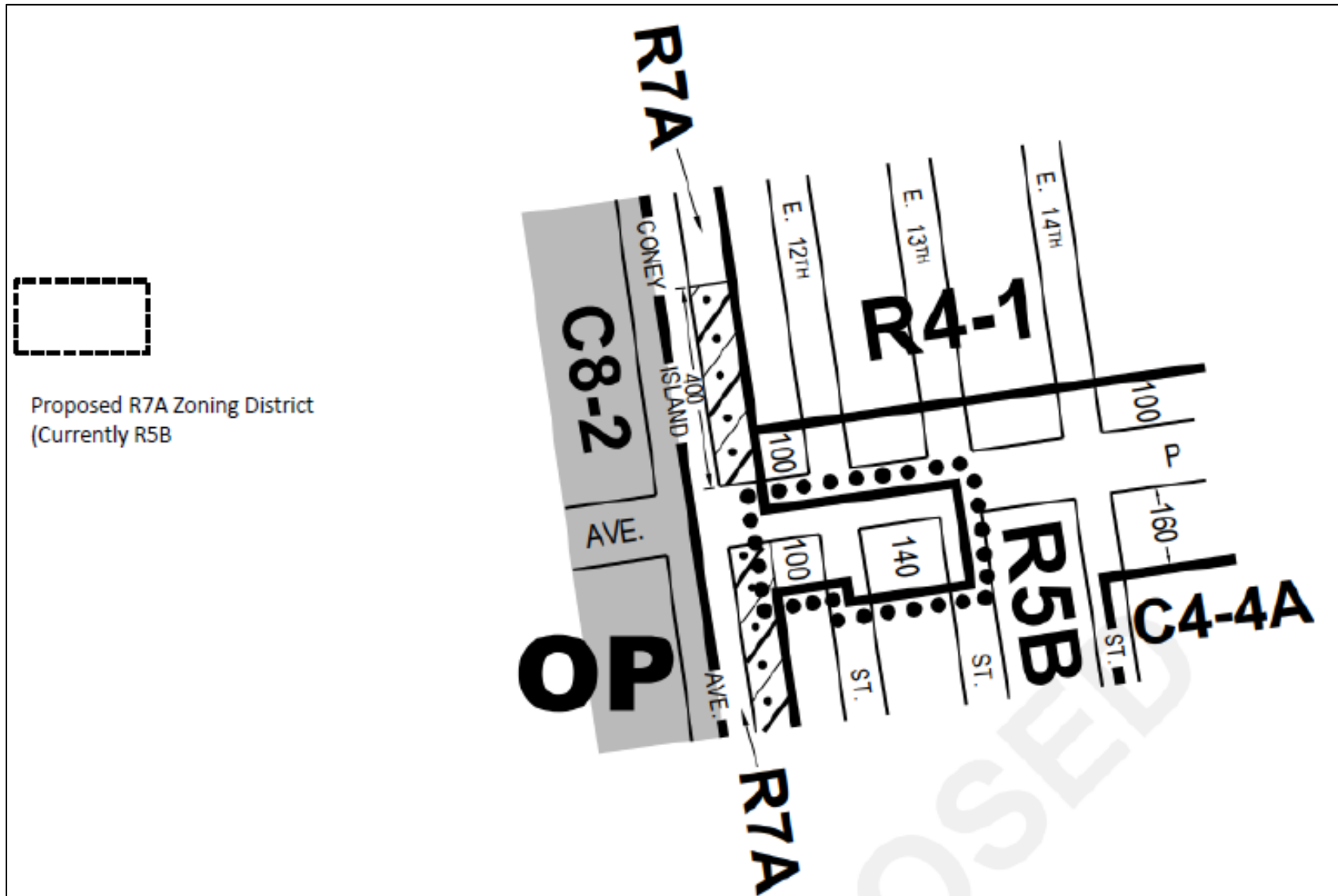
There are additional zoning districts located to the north and south of the Rezoning Area including an R4-1 district and a C4-4A contextual zoning district. R4-1 districts also permit the detached and semi-detached residential buildings found in the rest of the study area. This district has a maximum FAR of 0.75, with a 20 percent attic allowance. The maximum perimeter wall height is 25 feet, allowing building heights to reach a maximum of 35 feet. Off-street parking is required for at least one per dwelling unit on the side or back yards. C4 districts are mapped in regional commercial centers, which serve larger regions and generate more traffic than local retail uses. Commercial uses in this district include specialty and department stores, theaters and office uses. C4-4A districts have a maximum FAR of 4.0 for both commercial and residential uses, which is equivalent to an R7A residential district.

To the west of the Rezoning Area is an R7A zoning district with a C2-3 commercial overlay on the east side of Coney Island Avenue. C2-3 commercial overlays on R7A residential districts have a maximum residential FAR of 4.0 and a maximum commercial FAR of 2.0. Commercial uses within this district include local grocery stores, restaurants, and beauty parlors on the ground floor of residential buildings, which serve local retail needs. The western blockface of Coney Island Avenue, within the vicinity of the study area, is zoned C8-2, which has a maximum FAR of 2.0. C8 districts provide for automotive and other heavy commercial services that require large amounts of land. Housing is not permitted in this district.

The Project Area (Block 6775, Lot 9,12, 13, 75) was included in the 2006 Homecrest Rezoning (C 060129 ZMK), a 70-block rezoning of predominately residential areas bounded by Coney Island Avenue to the west, Kings Highway to the north, Ocean Avenue to the east and Avenue S to the south. The goal of the rezoning was to preserve existing neighborhood scale and character with lower density and contextual zoning districts and create opportunities for new residential development along wide streets like Ocean Avenue and Kings Highway as well as side streets near the Kings Highway subway station. As a result of the Homecrest Rezoning the Medical Center was rezoned from R6 (Community Facility FAR of 4.8) to R5B (Community Facility FAR of 2). In addition, the Project Area is south of the 2006 Midwood Rezoning (C 060130 ZMK), an 80 Block rezoning of predominately residential area bounded by Avenue H on the north, Nostrand Avenue on the east, Avenue P and Kings Highway on the south and Coney Island Avenue on the west. Similar to the Homecrest Rezoning, the goal of the rezoning was to preserve both the existing character of low-density homes and higher density residential buildings while that ensuring future development was contextual.

The proposed Rezoning Area is in the Midwood neighborhood in Brooklyn's Community District 15, and is near the borders of Community Districts 12 and 14, both of which have district boundaries running along Avenue P. The proposed Rezoning Area is also within an area designated for the FRESH Program (discretionary tax incentives area).

**Figure 2.1-2: Zoning of the Affected Area and Zoning Change**



**Table 2.1-2 Summary of Zoning Regulations**

<b>Zoning District</b>	<b>Type and Use Group (UG)</b>	<b>Floor Area Ratio (FAR)</b>	<b>Parking (Required Spaces)</b>
<b>R4-1</b>	Residential UGs 1-4	0.75 FAR – Residential 2.0 FAR for Community Facility	1 per dwelling unit
<b>R5B</b>	Residential UGs 1-4	1.35 FAR – Residential 2.0 FAR for Community Facility	66 percent of dwelling units (waived if only one space is required)
<b>R7A</b>	Residential UGs 1-4	4.0 FAR for Residential (4.6 with MIH) 2.0 FAR for Community Facility	50 percent of dwelling units (30% if zoning lot is 10,000 square feet or less; waved if 15 or fewer spaces are required)
<b>C2-3</b>	Commercial Overlay UGs 1-9 & 14	2.0 FAR – Commercial	Generally, Not Required
<b>C4-4A</b>	Commercial UGs 5, 6, 8-10 & 12	4.0 FAR – Commercial 4.0 FAR – Residential (Increase in FAR with MIH program bonus)	Generally, Not Required
<b>C8-2</b>	Commercial UGs 4-14 & 16	2.0 FAR – Commercial	Varies by Use

**Source:** Zoning Handbook, New York City Department of City Planning

## Analysis

### Future No-Action Condition

In the future without the Proposed Action, zoning changes are not expected to occur in the Project Area or within the surrounding Study Area. Because the Applicant may not construct their desired medical office square footage on Projected Development Site 1 without the proposed zoning map amendment, it is assumed that the Future No-Action Scenario would remain consistent with existing conditions. Therefore, if the mapping of the requested zoning district is not granted, the existing conditions would continue in the Future No-Action Scenario.

### Future With-Action Condition and Conclusion

The Proposed Action would change the existing R5B district to an R7A district over Block 6774, Lots 6, 7 and 9; and Block 6775, Lots 1, 5, 9, 12, 13, 74 and 75. Absent the Proposed Action, the applicant would be unable

to construct the proposed medical office expansion under the existing use, floor area and lot coverage requirements of an R5B district.

The Projected Development on Site 1 (Applicant Site), which would be an enlargement to the existing building at 1220 Avenue P on Lot 9, cannot exceed 55 feet since the Site is within 25 feet of an R5B zoning district boundary. As such, the building will have a maximum of four floors. When considering additional R7A regulations, such as maximum lot coverage and setback and rear yard minimums, it is unlikely that the applicant would be able to develop a building to the maximum FAR of 4.0 for community facility uses.

Since Lot 9 is already full built out, it is assumed that development would only occur on Lots 12, 13, 74, and 75, and would act as an enlargement to the building on Lot 9.

As such, on combined 8,000 sf lot, it is assumed that the enlargement would have 26,400 gsf (24,000 zsf) of UG 4 community facility floor area, which would be occupied by medical office uses. The building would have a maximum height of 55 feet. No parking is required for a UG 4 community facility in R7A zoning. This does not represent the maximum FAR for community facility use in R7A zoning districts. However, due to R7A zoning regulations, and given the fact that the building would be unable to exceed a height of 55 feet (maximum height in R7A zoning districts is usually 75 feet), it is very likely that the applicant would not be able to construct a fifth floor, therefore, losing 1.0 FAR of available community facility floor area. This scenario differs from the Applicant's actual proposal.

Additionally, the mapping of an R7A residential district over the proposed Rezoning Area would give Block 6774, Lots 6, 7 and 9 the potential to be developed to maximum with residential uses. Under the With-Action Scenario, it is assumed that Block 6774, Lots 6, 7 and 9 would be assembled as one development parcel. On a combined 10,000 sf parcel, it is assumed a new residential building would be constructed.

As such, on combined 10,000 sf lot, it is assumed that new residential building would have 50,600 gsf (46,000 zsf) of UG 2 residential floor area, containing 50 apartments assuming 1000 sf per dwelling unit, 10 of which would be affordable. The building would have a maximum height of 95 feet. 20 parking spaces would be required for the market rate units in the building which would be located within the cellar of the building

The Proposed Action would not have a significant impact on the extent of conformity with the current zoning in the surrounding area, and it would not adversely affect the viability of conforming uses on nearby properties. R5B zoning districts have maximum allowable building heights of 33 feet, only 22 feet less than what is being projected on both Projected Development Sites 1 and 2 in the Project Area. Furthermore, approximately 400 feet south of the Rezoning Area lies a C4-4A zoning district, which is the residential equivalent of an R7A zoning district. This demonstrates that the proposed R7A zoning is appropriate for the Project Area. Avenue P, a wide 6 -lane street, is suitable for this sort of dense development. Therefore, significant adverse impacts to zoning are not anticipated and further zoning analysis is not warranted.

### **2.1.3 Public Policy**

The project site is not part of, or subject to, an Urban Renewal Plan (URP), adopted community 197-a Plan, Solid Waste Management Plan, Business Improvement District (BID), Industrial Business Zone (IBZ), or the New York City Landmarks Law. The Proposed Action is also not a large publicly sponsored project, and as such, consistency with the City's *PlaNYC 2030* for sustainability is not warranted. In addition, the Rezoning Area is not located in the Coastal Management Zone; therefore, a consistency review is not warranted. Additionally, the Rezoning Area is not located within New York City's designated coastal zone, and as such, is not subject to review for its consistency with the City's Waterfront Revitalization Program (WRP). Therefore, it is expected that no significant adverse impacts with regards to public policy would occur as a result of the Proposed Actions and no further analysis is required.



## 2.2 SHADOWS

The *CEQR Technical Manual* defines a shadow as the condition that results when a building or other built structure blocks the sunlight that would otherwise directly reach a certain area, space or feature. An incremental shadow is the additional or new shadow that a building or other built structure resulting from a proposed project would cast on a sunlight-sensitive resource during the year. The sunlight-sensitive resources of concern are those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity, including public open space, architectural resources, and natural resources. Shadows can have impacts on publicly accessible open spaces or natural features by adversely affecting their use and important landscaping and vegetation. In general, increases in shadow coverage make parks feel darker and colder, affecting the experience of park patrons. Shadows can also have impacts on historic resources whose features are sunlight-sensitive, such as stained-glass windows, by obscuring the features or details which make the resources significant.

Shadows also vary according to time of day and season. Shadows cast during the morning and evening, when the sun is low in the sky, are longer, while midday shadows are shorter in length. Shadows in winter, when the sun arcs low across the southern sky, are also longer throughout the day than at corresponding times in spring and fall seasons. In summer, the high arc of the sun casts shorter shadows than at any other time of year, and early and late shadows during the summer are cast towards the south than shadows cast in early and late winter months.

The *CEQR Technical Manual* states that a shadow assessment considers projects that result in new shadows long enough to reach a sunlight-sensitive resource. Therefore, a shadow assessment is warranted only if the project would either result in: (a) new structures (or additions to existing structures including the addition of rooftop mechanical equipment) of 50 feet or more; or, (b) be located adjacent to, or across the street from, a sunlight-sensitive resource. However, a project located adjacent to or across the street from a sunlight-sensitive open space resource may not require a detailed shadow assessment if the project's height increase is ten feet or less. Sunlight-sensitive resources of concern are those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity, including public open space, architectural resources, and natural resources. In general, shadows on city streets and sidewalks or on other buildings are not considered significant. Some open spaces also contain facilities that are not sensitive to sunlight. These are usually paved areas such as handball or basketball courts, contain no seating areas and no vegetation, no unusual or historic plantings, or contain only unusual or historic plantings that are shade tolerant. These types of facilities do not need to be analyzed for shadow impacts. It is generally not necessary to assess resources located to the south of projected development sites, as shadows cast by the action-generated development would not be cast in the direction of these resources. Furthermore, shadows occurring within one and one-half hour of sunrise or sunset generally are not considered significant in accordance with the *CEQR Technical Manual*.

The Proposed Action would result in the construction of a new 55-foot 4 medical office building that is assumed to be an expansion of the existing Medical Office at 1220 Avenue P (Projected Site 1). Residential

development on Projected Development Site 2 is also assumed to be constructed up to 95 feet. With regards to Projected Development Site 1, this does not represent the maximum FAR or height for residential or community facility uses in R7A zoning districts. Due to R7A zoning regulations, buildings cannot exceed 55 feet since both Projected Development Sites are within 25 feet of an R5B zoning district boundary.

## **2.2.1 Preliminary Shadow Screening Assessment**

The shadow assessment begins with a preliminary screening assessment to ascertain whether a project's shadow may reach any sunlight-sensitive resources at any time of the year. If the screening assessment does not eliminate this possibility, a detailed shadow analysis is generally warranted in order to determine the extent and duration of the net incremental shadow resulting from the project. The effects of shadows on a sunlight-sensitive resource are site-specific; therefore, as noted in the *CEQR Technical Manual*, the screening assessment and subsequent shadow assessment (if necessary) was performed for the new structure to be built on the project site.

### ***Tier 1 Screening Assessment***

The first step in the preliminary shadow screening assessment is a Tier 1 Screening Assessment. A base map is developed that illustrates the proposed site location in relationship to any sunlight-sensitive resources. The longest shadow study area is then determined, which encompasses the site of the proposed project and a perimeter around the site's boundary with a radius equal to the longest shadow that could be cast by the proposed structure, which is 4.3 times the height of the structure that occurs on December 21<sup>st</sup>, the winter solstice. To find the longest shadow length, the maximum height of the structure (including any rooftop mechanical equipment) is multiplied by the factor of 4.3.

A shadow radius of 4.3 times the maximum height of each Projected Site was calculated, resulting in a maximum shadow radius of approximately 236.5 feet for Projected Development Site 1 and a maximum shadow radius of 408.5 feet for Projected Development Site 2. As shown in **Figure 2.2-1**, the results of the Tier 1 screening assessment show that there are no sunlight sensitive resources within the Tier 1 maximum shadow analysis area. While the buildings at 1202 and 1218 Avenue P are listed on the National Register of Historic Places, they do not contain any sunlight-sensitive features that would receive incremental shadows as a result of the Proposed Action. Therefore, further shadow analyses are not warranted as a result of the Proposed Action and no significant adverse impacts are expected.

Figure 2.2-1 Shadow Analysis: Tier 1 Screening



Legend

- Projected Development Site 1
- Projected Development Site 2
- Longest Shadow Study Area - Projected Development Site 1
- Longest Shadow Study Area - Projected Development Site 2
- 2 ft Elevation Contours
- Sunlight Sensitive Resources



## 2.3 HISTORIC AND CULTURAL RESOURCES

An assessment of historic and cultural resources is usually necessary for projects that are in close proximity to historic or landmark structures or districts, or for projects that require in-ground disturbance, unless such disturbance occurs in an area that has been formerly excavated.

The term “historic resources” defines districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, architectural, and archaeological importance. In assessing both historic and cultural resources, the findings of the appropriate city, state, and federal agencies are consulted. Historic resources include: the New York City Landmarks Preservation Commission (LPC)-designated landmarks, interior landmarks, scenic landmarks, and historic districts; locations being considered for landmark status by the LPC; properties/districts listed on, or formally determined eligible for, inclusion on the State and/or National Register (S/NR) of Historic Places; locations recommended by the New York State Board for Listings on the State and/or National Register of Historic Places and National Historic Landmarks.

### 2.3.1 Architectural Resources

According to *CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the Proposed Action and in the area surrounding identified development sites. The historic resources study area is therefore defined as the project site plus an approximately 400-foot radius around the Proposed Action area.

None of the identified projected development sites are designated local or S/NR historic resources or properties, nor are these sites part of any designated historic district. However, two buildings that are within the Rezoning Area are listed on the National Register of Historic Places. These properties (Block 6775, Lots 1 and 5) are known as the Jewish Center of Kings Highway. The LPC was contacted for their initial review of the project’s potential to impact nearby historic and cultural resources, and a response was received on July 8, 2016, indicating that, with the exception of the Jewish Center of Kings Highway, which is further described below, none of the properties within the Rezoning Area have any architectural significance (see **Appendix B**).

#### **Jewish Center of Kings Highway**

The Jewish Center of Kings Highway (NR No. 09NR06065) is located at 1202-1218 Avenue P, between East 12<sup>th</sup> and 13<sup>th</sup> Streets, in the Midwood neighborhood of Brooklyn. The property includes two buildings, including the synagogue (1212-1218 Avenue P), which was constructed in 1928-30, to designs by architect Maurice Courland. The newer building (1202-1210 Avenue P), to its west, is a contributing school constructed by the congregation in 1949. Today, the Jewish Center of Kings Highway, an early 20<sup>th</sup> century Brooklyn synagogue, continues to function as a synagogue. Its design is typical of 1920s American synagogues, combining classical detailing with Jewish symbols. The post-World War II school has a simplified neo-classical temple front in keeping with the design of the synagogue.

No other historic or architectural resources were identified within the 400-foot study area.

### 2.3.2 Archaeological Resources

Unlike the architectural evaluation of a study area that extends beyond the footprint of a project's block and lot lines, the analysis of potential and/or projected impacts to archaeological resources is controlled by the actual footprint of the limits of soil disturbance. Archeological resources are physical remains, usually subsurface, of the prehistoric and historic periods such as burials, foundations, artifacts, wells, and privies. The *CEQR Technical Manual* requires a detailed evaluation of a project's potential effect on the archeological resources if it would potentially result in an in-ground disturbance to an area not previously excavated.

The existing Rezoning Area has not been recently disturbed and no recent or distant cultural or archaeological significance have been attached to this area. Further, utilizing the NYS Office of Parks, Recreation and Historic Preservation's "Cultural Resource Information System" (CRIS) mapper, the Rezoning Area does not fall within an archaeologically sensitive area. Based on both current and historic photoreconnaissance of the Rezoning Area, there is little potential for impact to any known or unknown resource due to development. The LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on July 6, 2016, indicating that the projected development site has no architectural significance (see **Appendix B**). Therefore, significant adverse impacts to archaeological resources are not expected as a result of the Proposed Action, and further analysis is not warranted.

## 2.4 URBAN DESIGN AND VISUAL RESOURCES

According to the *CEQR Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space. Elements that play an important role in the pedestrian's experience include streets, buildings, visual resources, open space, and natural features, as well as wind as it relates to channelization and downwash pressure from tall buildings.

The *CEQR Technical Manual* notes an urban design assessment considers whether and how a project may change the experience of a pedestrian in the Project Area. The assessment focuses on the components of a proposed project that may have the potential to alter the arrangement, appearance, and functionality of the built environment. In general, an assessment of urban design is needed when the project may have effects on one or more of the elements that contribute to the pedestrian experience (e.g., streets, buildings, visual resources, open space, natural features, wind, etc.). An urban design analysis is not warranted if a proposed project would be constructed within existing zoning envelopes and would not result in physical changes beyond the bulk and form permitted "as-of-right" with the zoning district.

As the Proposed Action would result in the construction of a new building that is not allowed "as-of-right" under the existing zoning, a preliminary analysis was conducted.



### 2.4.1 Preliminary Analysis

As stated in the *CEQR Technical Manual*, the study area for urban design is the area where the project may influence land use patterns and the built environment and is generally consistent with the study area used for the land use analysis (i.e., 400 feet around the project site). The purpose of the preliminary assessment is to determine whether any physical changes proposed by a project may raise the potential to significantly and adversely affect elements of urban design, which would warrant the need for a detailed urban design and visual resources assessment.

#### ***Existing Conditions***

The study area is in the Midwood neighborhood of Brooklyn. A photographic key map is provided in the previously presented **Figure 1-5**; with ground-level photographs of the projected development site and the immediate surrounding area provided in the previously presented **Figure 1-6**.

The architecture throughout the study area is eclectic, with no unity of form to tie the built form together visually. As noted in Section 2.1.1, existing land use immediately surrounding the Project Area include one- and two-family residences, multi-family residential buildings, mixed residential and commercial buildings, public facilities and institutions, and commercial uses. The prevailing built form of the area is a mix of low- to mid-rise non-residential buildings and two-to four-six residential buildings. Businesses line Coney Island Avenue in the in the eastern portion of the study area. This area is mapped as an R7A district with a C2-3 overlay. There are a number of nonconforming office and commercial buildings on East 14<sup>th</sup> Street south of Avenue P within the R5B zoning district. 1220 Avenue P is itself a nonconforming community facility use as well. Most buildings within the study area are arranged regular (parallel) with respect to their lot placement and many of the residential and mixed-use buildings are often attached to one another, as opposed to free-standing detached buildings. Approximately one and a half blocks to the east of the Project Area is elevated “B” and “Q” MTA New York City Transit (NYCT) subway line tracks, with the closest station being Kings Highway, one block east of the study area.

There are few streetscape elements present within the study area and little in the way of visual interest. Most of the streets contain street trees, which are generally located at irregular intervals; however no other notable streetscape elements (e.g. benches) are located within the study area. This particular mostly flat area of Midwood has no vistas, or natural or built features of visual significance.

The street hierarchy of the study area includes several different functional classifications. Avenue P is a wide, six-lane east-west road with one lane of dedicated parking and two lanes of traffic on each side. Avenue P and Coney Island Avenue are classified as “Principal Arterial Other” roadways. All other roadways in the study area are classified as local roads.

***Future No-Action Scenario***

Under the Future No-Action Condition, significant changes to the study area are not expected by the analysis year of 2024. It is expected that while tenants within area office, retail and other buildings may change, the overall use of these buildings within the study area would remain the same, and any physical changes would comply with applicable zoning regulations. No significant changes to the area's urban character are anticipated. No changes to the area's views or are expected.

***Future With-Action Scenario***

According to the *CEQR Technical Manual*, if a preliminary assessment determines that changes to the pedestrian environment are sufficiently significant to require greater explanation and further study, then a detailed urban design and visual resources analysis is appropriate. Detailed analyses are generally appropriate for all area-wide rezoning applications that include an increase in permitted floor area or changes in height and setback requirements, general largescale developments, or projects that would result in substantial changes to the built environment of a historic district, or components of an historic building that contribute to the resource's historic significance. Conditions that merit consideration for further analysis of visual resources include when the project partially or totally blocks a view corridor or a natural or built rare or defining visual resource. Further conditions that merit consideration are when the project changes urban design features so that the context of a natural or built visual resource is altered, such as if a project alters the street grid so that the approach to the resource changes, or if a project changes the scale of surrounding buildings so that the context changes.

Under the Future With-Action Scenario, the proposed rezoning would amend the zoning map to change the existing R5B district to an R7A district, which would facilitate the Applicant's medical office expansion.

The Projected Development on Site 1 (Applicant Site), which would be an enlargement to the existing building at 1220 Avenue P on Lot 9, cannot exceed 55 feet since the Site is within 25 feet of an R5B zoning district boundary. As such, the building will have a maximum of four floors. When considering additional R7A regulations, such as maximum lot coverage and setback and rear yard minimums, it is unlikely that the applicant would be able to develop a building to the maximum FAR of 4.0 for community facility uses.

Since Lot 9 is already full built out, it is assumed that development would only occur on Lots 12, 13, 74, and 75, and would act as an enlargement to the building on Lot 9.

As such, on combined 8,000 sf lot, it is assumed that the enlargement would have 26,400 gsf (24,000 zsf) of UG 4 community facility floor area, which would be occupied by medical office uses. The building would have a maximum height of 55 feet. No parking is required for a UG 4 community facility in R7A zoning.

This does not represent the maximum FAR for community facility use in R7A zoning districts. However, due to R7A zoning regulations, and given the fact that the building would be unable to exceed a height of 55 feet

(maximum height in R7A zoning districts is usually 95 feet), it is very likely that the applicant would not be able to construct a fifth floor, therefore, losing 1.0 FAR of available community facility floor area. This scenario differs from the Applicant's actual proposal.

Additionally, the mapping of an R7A residential district over the proposed Rezoning Area would give Block 6774, Lots 6, 7 and 9 the potential to be developed to maximum with residential uses. Under the With-Action Scenario, it is assumed that Block 6774, Lots 6, 7 and 9 would be assembled as one development parcel. On a combined 10,000 sf parcel, it is assumed a new residential building would be constructed.

Under the With-Action Scenario, it is assumed that Block 6774, Lots 6, 7 and 9 would be assembled as one development parcel. On a combined 10,000 sf parcel, it is assumed a new residential building would be constructed. It is assumed that this new building would be constructed to the maximum height and FAR allowed in

As such, on combined 10,000 sf lot, it is assumed that new residential building would have 50,600 gsf (46,000 zsf) of UG 2 residential floor area, containing 50 apartments assuming 1000 sf per dwelling unit, 10 of which would be affordable. The building would have a maximum height of 95 feet. 20 parking spaces would be required for the market rate units in the building which would be located within the cellar of the building.

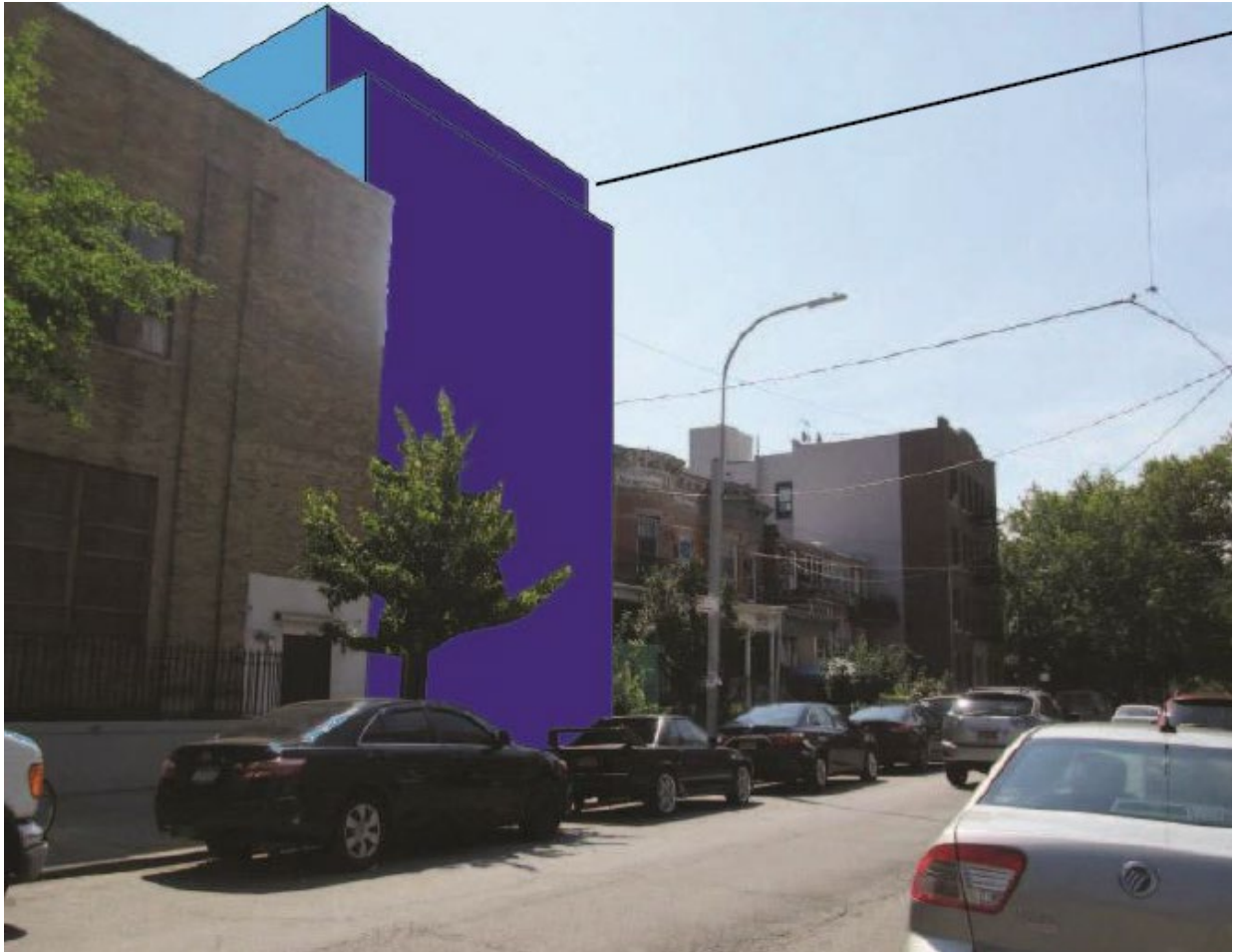
Three-dimensional representations of the Projected Development Sites, overlaid on top of an existing photograph, are provided in **Figures 2.4-1 to 2.4-4**.

While the projected development sites would change views to the sites as witnessed from pedestrians on Avenue P, East 12<sup>th</sup> Street, East 13<sup>th</sup> Street, and other roadways in the area, significant adverse impacts to urban design and visual resources would not occur. The Proposed Action would not result in any conditions that would merit further detailed assessment of urban design and visual resources. Several other mid-rise buildings are found in the Study Area with similar densities and heights. The Proposed Action would also not block any view corridors or views to/from any natural areas with rare or defining features, as the Projected Buildings are contained to the subject sites. The Study Area is generally void of anything particularly aesthetic. Therefore, the Proposed Action is not expected to result in any significant adverse urban design or visual resource related impacts.

**Figure 2.7-1 Future No-Action View – Projected Development Site 1**



**Figure 2.7-2 Future With-Action View – Projected Development Site 1**

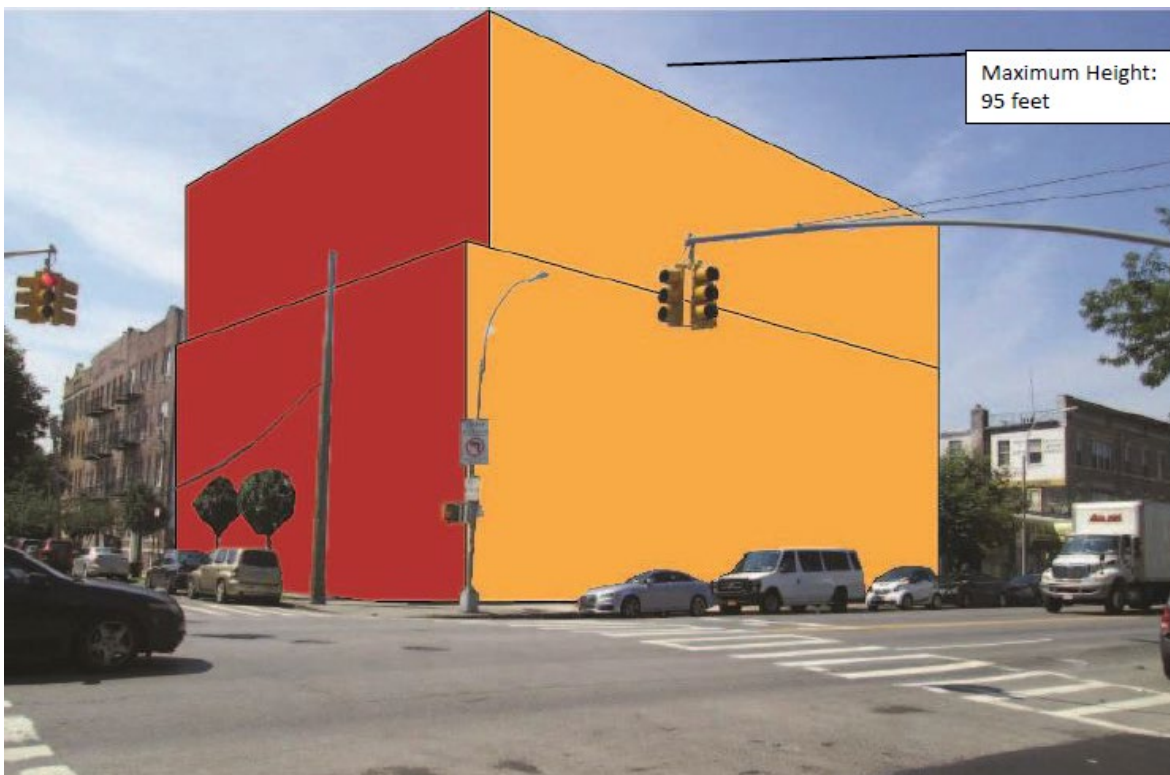




**Figure 2.7-3 Future No-Action View – Projected Development Site 2**



**Figure 2.7-4 Future With-Action View– Projected Development Site**



## 2.5 NATURAL RESOURCES

An assessment of a proposed project's impact on natural resources is typically performed for projects that either would occur on or near natural resources (e.g., wetlands, woodlands, meadows, etc.), or for projects that would result in either the direct or indirect disturbance of such resources. The specific project site is a disturbed urban environment. Since the site is already developed and located in a disturbed urban environment, no natural resource impacts are anticipated.

According to the CEQR Technical Manual, the project site is located within the Jamaica Bay Watershed. As such, the Jamaica Bay Watershed Protection Plan, Project Tracking Form was completed (see **Appendix C**). The Jamaica Bay Watershed Protection Plan, developed pursuant to Local Law 71 of 2005, mandates that the New York City Department of Environmental Protection (DEP) work with the Mayor's Office of Environmental Coordination (MOEC) to review and track proposed development projects in the Jamaica Bay Watershed that are subject to CEQR, in order to monitor growth and trends. If a project is in the Jamaica Bay Watershed, the applicant should complete the Project Tracking Form and submit it to DEP and MOEC. The information in the Form is to be used for tracking purposes only. It is not intended to indicate whether further CEQR analysis is needed or to substitute for the guidance offered in the relevant chapters of the CEQR Technical Manual.

## 2.6 HAZARDOUS MATERIALS

A hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semi-volatile organic compounds (VOCs and SVOCs), methane, polychlorinated biphenyls (PCBs), and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). According to the *CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when: a) hazardous materials exist on a site; and b) action would increase pathways to their exposure; or c) an action would introduce new activities or processes using hazardous materials.

Equity Environmental Engineering, LLC (Equity) was contracted by Omni Enterprises, to perform a Phase I Environmental Site Assessment of the referenced property in accordance with the ASTM International Standard E1527-13, "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. The ASTM International Standard satisfies the requirements of the United States Environmental Protection Agency's (USEPA) All Appropriate Inquiry Standard, 40 CFR Part 312, which is required to qualify for certain landowner liability protections under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The ASTM International Standard constitutes "all appropriate inquiry into previous ownership and uses of the property consistent with good commercial or customary practice." The investigation was conducted to identify Recognized Environmental Conditions (RECs), which are identified as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.

The Phase I consisted of the following components:

1. review of environmental and historical records
2. site reconnaissance
3. interviews
4. report preparation

The environmental assessment is non-invasive and does not include any testing or sampling of materials, such as soil, water, air or building materials. The environmental assessment included a non-invasive (no sampling) evaluation of the potential for asbestos-containing materials, lead-based paint, and lead in drinking water.

The Subject Parcel is identified as 1220 Avenue, Brooklyn, New York 11229. Title to the property is vested in Omni Enterprises. The Subject Property consists of Block 6775 / Lots 9, 12, 13,14, and 75 on the New York City Tax Map. The Subject Parcels are rectangular shaped lots on East 12th and East 13th Streets. The Subject Property is in the Homecrest neighborhood of Brooklyn.

It should be noted that while the Analysis Scenario includes Lot 74 on Block 6775 as part of Projected Development Site 1, the site is not controlled by the applicant and was not accessible during the Site Visit and thus is not analyzed as part of this Phase I ESA.

The Subject Property is in a R5B zoning districts and surrounded by a school, medical facilities, and mixed residential and commercial properties. Although an R5B contextual district permits detached and semi-detached buildings, it is primarily a three-story rowhouse district typical of such neighborhoods as Windsor Terrace and Bay Ridge in Brooklyn. The traditional quality of R5B districts is reflected in the district's height and setback, front yard and curb cuts regulations that maintain the character of the neighborhood.

The Subject Property is currently developed with a medical facility on lot 9 which is approximately twenty three years old, a vacant lot on lot 12, a storage and communication department building (previously a lab for the medical facility) which is approximately one hundred and five years old on lot 13, an unoccupied building under construction which is approximately one hundred years old on lot 14, and an unoccupied building under construction on lot 75 which is approximately ninety five years old.

### **Recognized Environmental Concerns (RECS) and Conclusions**

Equity completed the Phase I of the Subject Property in accordance with the scope and limitations of ASTM International Practice 1527-13. Any exceptions to, or deletions from, this practice are noted in appropriate sections of this report. RECs are defined as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. Controlled Recognized Environmental Condition is a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls). Historical RECs are RECs previously remediated to current unrestricted residential use applicable regulatory standards. De Minimis conditions are those that do not present a threat to human health or the environment and would not be the subject of an enforcement action by a government agency. Data Gaps are a lack of or inability to obtain information required by the practice that affects the ability of the environmental professional to identify RECs despite good faith efforts to gather the information.

#### **A. Recognized Environmental Conditions (RECs)**

No RECs were identified as a result of this assessment.

## **B. Controlled Recognized Environmental Conditions (CRECs)**

No Controlled RECs were identified as a result of this assessment.

## **C. Historical Recognized Environmental Conditions (HRECs)**

No Historic RECs were identified as a result of this assessment.

## **D. Vapor Encroachment Concerns (VECs)**

The EDR Vapor Encroachment database identified multiple VEC (Vapor Encroachment Conditions) of concern within 1/10 of a mile of the Subject Property related to historic dry cleaners and historic auto garages. There are five total historic auto garages ranging from 386 feet from the Subject Property to 523 feet from the Subject Property. Four of the historic auto garages are at a higher elevation. There are also two historic cleaners approximately 500 feet from the Subject Property. One historic cleaner is cross gradient and one is at a lower elevation. Based on these findings, a vapor encroachment condition cannot be ruled out. Details on the VECs can be found in Appendix C.

## **E. De Minimis Conditions**

No, De Minimis Conditions were identified as a result of this assessment

## **F. Data Gaps**

Equity did not identify any significant data gaps that would affect its ability to identify Recognized Environmental Concerns (RECs) associated with the Subject Property.

## **Conclusions**

Equity's review of available information and observations of the subject and surrounding properties indicates that no CRECs, Historical RECs, De Minimis conditions, or Data Gaps were identified as a result of this assessment. However, a VEC condition could not be ruled out.

To preclude the potential for significant adverse impacts, an (E) Designation (E-653) has been assigned to each of the lots included in the proposed Rezoning Area where there would be the projected new ground disturbance. These include three applicant owned properties (Block 6775, Lots 12, 13, and 75) and four non-applicant owned properties (Block 6775, Lot 74 and Block 6774, Lots 6, 7, and 9). It is noted that while Block 6775, Lot 9 (1220 Avenue P) is an applicant owned property within the proposed Rezoning Area, it is already built out with the applicant's existing five-story (plus cellar) medical center and no incremental ground is expected to occur here. E-653 has been assigned to this project: The text for the (E) designations related to hazardous materials is as follows:



### Task 1-Sampling Protocol

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, including 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-Remediation Determination and Protocol

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 DEP 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.

## 2.7 TRANSPORTATION

### 2.7.1 Introduction

Pursuant to CEQR Technical Manual methodology, a transportation assessment may be necessary when a proposed action would alter the transportation network by closing, opening, or realigning an element of the transportation system such as a roadway, pedestrian way, or transit route, or if it would generate new trips on the transportation network. The objective of the transportation analyses is to determine whether a proposed project may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, bicyclists, and vehicles), on- and off-street parking, or goods movement.

#### Methodology

The CEQR Technical Manual states that a preliminary trip generation assessment should be prepared to determine whether a quantified analysis of any technical areas of the transportation system is necessary. Except in unusual circumstances, a further quantified analysis would typically not be needed for a technical area if the proposed development would result in fewer than the following increments:

- 50 peak hour vehicle trips;
- 200 peak hour subway/rail or bus transit riders (or 50 bus trips in a single direction on a single route during a peak hour); or
- 200 peak hour pedestrian trips.

The CEQR Technical Manual also states that if the threshold for traffic is surpassed, a parking assessment may also be warranted. This chapter assesses the potential for project-generated vehicle, transit, and pedestrian trips to affect the local transportation network, as well as an assessment of transportation safety in the study area.

In order to determine the number of trips generated by the Proposed Action, trip generation estimates were prepared for each of the land uses proposed as part of the zoning amendment, namely residential, and local community facility uses. Under the Proposed Action, there would be an incremental increase of approximately 39 new dwelling units and approximately 25,011 square feet of community facility space in the Project Area. (**Table 2.7-1**).

As this combined incremental exceeds the *CEQR Technical Manual* Transportation thresholds for a combination of new dwelling units and new community facility floor area (**Table 16-1 in the CEQR Technical Manual**), a Tier 1 trip generation is required.

**Table 2.7-1- Development under the Proposed Action Scenario**

Block	No-Action		With-Action		Increments	
	DUs	CF	DUs	CF	DUs	CF
Projected Site 1	0	23389	0	48400	0	25011
Projected Site 2	11	0	50	0	39	0
<b>TOTALS =</b>	<b>11</b>	<b>23389</b>	<b>37</b>	<b>48400</b>	<b>39</b>	<b>25001</b>

**Tables 2-7-2** shows the estimated person-trips, for the Proposed Action during the weekday AM, weekday midday, weekday PM, and Saturday midday peak hours, as well as the associated transportation planning assumptions.

### **Tier 1 Trip Generation**

For Tier 1 trip generation, data from CEQR TM, East New York FEIS, ACS 2013-2017, and local retail data provided by NYCDOT was integrated for the traffic generation model. As **Table 2.7- 2** shows, the assumption of the travel factors is determined based on the listed data sources. **Table 2.7- 3** and **Table 2.7- 4** show the person trips, vehicular trips, and pedestrian trips generated from the trip factors in **Table 2.7- 2**.

**Table 2.7- 2: Travel Factors for 1220 Avenue P Rezoning**

	Residential		Medical Office	
Trip Generation	(1)		(4)	
Weekday	8.075		76	
Saturday	9.6		76	
	per DU		per 1,000 sf	
Linked-trip				
Temporal Distribution	(1)		(2)	
AM	10.00%		4.00%	
MD	5.00%		11.00%	
PM	11.00%		12.00%	
Sat MD	8.00%		11.00%	
Modal Splits	(3)		(2)	
Auto	25.23%		30.00%	
Taxi	1.38%		2.00%	
Bus	9.92%		18.00%	
Subway	48.08%		33.00%	
Walk/Other	15.39%		17.00%	
In/Out Splits	In (2)	Out (2)	In (2)	Out (2)
AM	15%	85%	89%	11%
MD	50%	50%	51%	49%
PM	70%	30%	48%	52%
Sat MD	50%	50%	41%	59%
Vehicle Occupancy	AM/PM (3)(2)	MD/Sat (3)(2)	AM/PM (2)	MD/Sat (2)
Auto	1.10	1.10	1.50	2.60
Taxi	1.30	1.30	1.50	2.60
Truck Trip Generation	(1)		(2)	
Weekday	0.06		0.29	
Saturday	0.02		0.29	
Temporal Distribution	(1)		(2)	
AM	12.00%		3.00%	
MD	9.00%		11.00%	
PM	2.00%		1.00%	
Saturday	9.00%		0%	
In/Out Splits	In (1)	Out (1)	In (2)	Out (2)
AM/MD/PM/Sat	50.00%	50.00%	50.00%	50.00%
1 = 2014 CEQR Technical Manual; 2 = East New York FEIS; 3 = ACS Journey To Work (2014-2018, Brooklyn Census Tracts 418, 420, 542, 552, 554, and 556); 4 = DCP Provided Data for Medical Office Use				

**Table 2.7- 3: Estimated Person/Vehicular Trips**

	Residential		Medical Office		Total		
Size (gsf)	39 DU		25,011 gsf				
Peak Hour Trips							
AM	31		76		108		
MD	16		209		225		
PM	35		228		263		
Sat MD	30		209		239		
<u>Person Trips</u>							
AM	In	Out	In	Out	In	Out	In/Out Total
Auto	1	7	20	3	21	9	31
Taxi	0	0	1	0	1	1	2
Bus	0	3	12	2	13	4	17
Subway	2	13	22	3	25	16	40
Walk/Other	1	4	12	1	12	6	18
Total	5	27	68	8	72	35	108
MD	In	Out	In	Out	In	Out	In/Out Total
Auto	2	2	32	31	34	33	67
Taxi	0	0	2	2	2	2	4
Bus	1	1	19	18	20	19	39
Subway	4	4	35	34	39	38	77
Walk/Other	1	1	18	17	19	19	38
Total	8	8	107	102	115	110	225
PM	In	Out	In	Out	In	Out	In/Out Total
Auto	6	3	33	36	39	38	77
Taxi	0	0	2	2	3	3	5
Bus	2	1	20	21	22	22	44
Subway	12	5	36	39	48	44	92
Walk/Other	4	2	19	20	22	22	44
Total	24	10	109	119	134	129	263
Saturday	In	Out	In	Out	In	Out	In/Out Total
Auto	4	4	26	37	29	41	70
Taxi	0	0	2	2	2	3	5
Bus	1	1	15	22	17	24	41
Subway	7	7	28	41	35	48	83
Walk/Other	2	2	15	21	17	23	40
Total	15	15	86	123	101	138	239
<u>Vehicle Trips</u>							
AM	In	Out	In	Out	In	Out	In/Out Total
Auto	1	6	14	2	15	8	22
Taxi	0	0	1	0	1	0	1
Taxi Balanced	0	1	1	1	1	1	2



Truck	0	0	0	0	0	0	1
Total	1	7	14	3	16	10	25
MD	In	Out	In	Out	In	Out	In/Out Total
Auto	2	2	12	12	14	14	28
Taxi	0	0	1	1	1	1	2
Taxi Balanced	0	0	1	1	2	2	3
Truck	0	0	0	0	1	1	1
Total	2	2	14	14	16	16	32
PM	In	Out	In	Out	In	Out	In/Out Total
Auto	6	2	22	24	27	26	54
Taxi	0	0	1	2	2	2	3
Taxi Balanced	1	0	3	3	3	3	6
Truck	0	0	0	0	0	0	0
Total	6	3	25	26	31	29	60
Saturday	In	Out	In	Out	In	Out	In/Out Total
Auto	3	3	10	14	13	18	31
Taxi	0	0	1	1	1	1	2
Taxi Balanced	0	0	1	1	2	2	4
Truck	0	0	0	0	0	0	0
Total	4	4	11	16	15	19	35

**Table 2.7- 4: Estimated Pedestrian Trips**

	Local Retail		Medical		Total		
<u>Pedestrian Trips</u>	In	Out	In	Out	Total In	Total Out	Total In/Out
<b>AM</b>							
Bus	0	3	12	2	13	4	17
Subway	2	13	22	3	25	16	40
Walk/Other	1	4	12	1	12	6	18
<b>Total</b>	<b>3</b>	<b>20</b>	<b>46</b>	<b>6</b>	<b>49</b>	<b>25</b>	<b>75</b>
<b>MD</b>							
Bus	1	1	19	18	20	19	39
Subway	4	4	35	34	39	38	77
Walk/Other	1	1	18	17	19	19	38
<b>Total</b>	<b>6</b>	<b>6</b>	<b>73</b>	<b>70</b>	<b>78</b>	<b>75</b>	<b>154</b>
<b>PM</b>							
Bus	2	1	20	21	22	22	44
Subway	12	5	36	39	48	44	92
Walk/Other	4	2	19	20	22	22	44
<b>Total</b>	<b>18</b>	<b>8</b>	<b>74</b>	<b>81</b>	<b>92</b>	<b>88</b>	<b>181</b>
<b>Saturday</b>							
Bus	1	1	15	22	17	24	41
Subway	7	7	28	41	35	48	83
Walk/Other	2	2	15	21	17	23	40
<b>Total</b>	<b>11</b>	<b>11</b>	<b>58</b>	<b>84</b>	<b>69</b>	<b>95</b>	<b>164</b>

The increments induced by the Proposed Development are calculated through the traffic generation model. As **Table 2.7-5** shows, the number of trips increased wouldn't exceed the CEQR thresholds for further analysis for any element except for Vehicular trips during the PM Peak Hour, where the Proposed Actions would generate 60 projected vehicle trips during the peak hour.

**Table 2.7-5: Traffic Increments of Proposed Development Compared with CEQR Thresholds**

Peak Hour	AM Peak Hour	Midday Peak Hour	PM Peak Hour	Saturday Peak Hour
Total Walk Only Trip-Ends	18	38	44	40
Total Subway Trip-Ends	40	77	92	83
Subway Threshold	200	200	200	200
Total MTA Bus Trip-Ends	17	39	44	41
MTA Bus Threshold	200	200	200	200
Total Pedestrian Trip-Ends	75	154	181	164
Pedestrian Threshold	200	200	200	200
Vehicular Trip-Ends	25	32	60	35
Vehicular Threshold	50	50	50	50

Note: Areas highlighted **orange** denote exceedances to the applicable pedestrian and vehicular **thresholds** per Chapter 16 Section 313 of the 2014 CEQR Technical Manual

#### Vehicle Distribution and Trip Assignments

The vehicle trip distribution pattern for the residential trips was developed based on the most recent ACS journey-to-work census data from for census tracts 418, 420, 542, 552, 554, and 556 provided by the New York City Department of City Planning (NYCDCP). The vehicle trip distribution pattern for community facility trips was based on the most recent ACS reverse journey-to-work data for these same census tracts, provided by NYCDCP.

Based on the estimated vehicle trip generation, and estimated trip distribution patterns, traffic assignments were prepared for the PM Peak hour and the result assignment of the incremental Action-generated turning movement volumes were determined. This information is shown below in and labeled as such in **Figures 2.7-1 to 2.7-8** below.

Figure 2.7-1: PM Inbound Vehicular Assignments- Residential

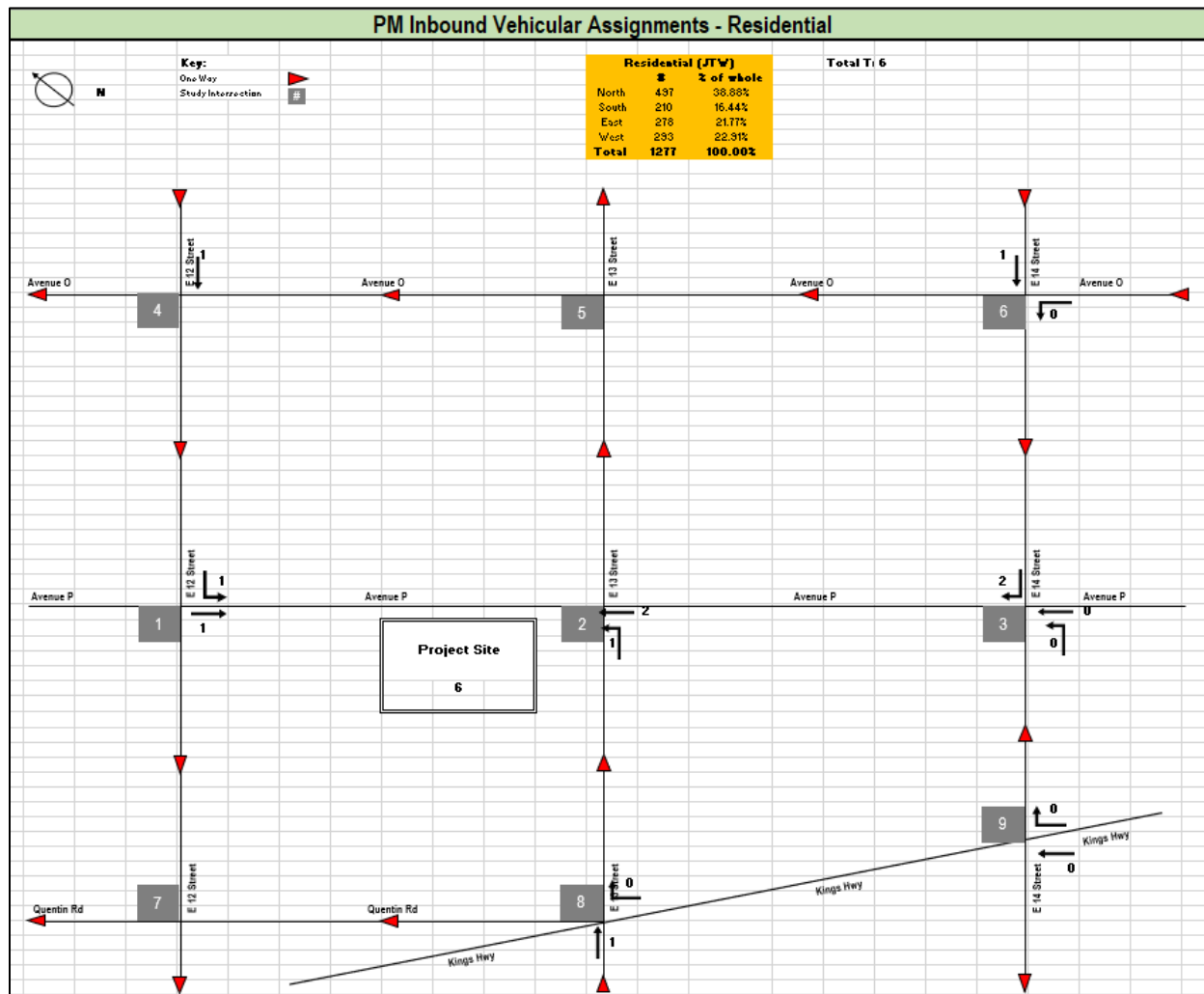


Figure 2.7-2: PM Outbound Vehicular Assignments- Residential

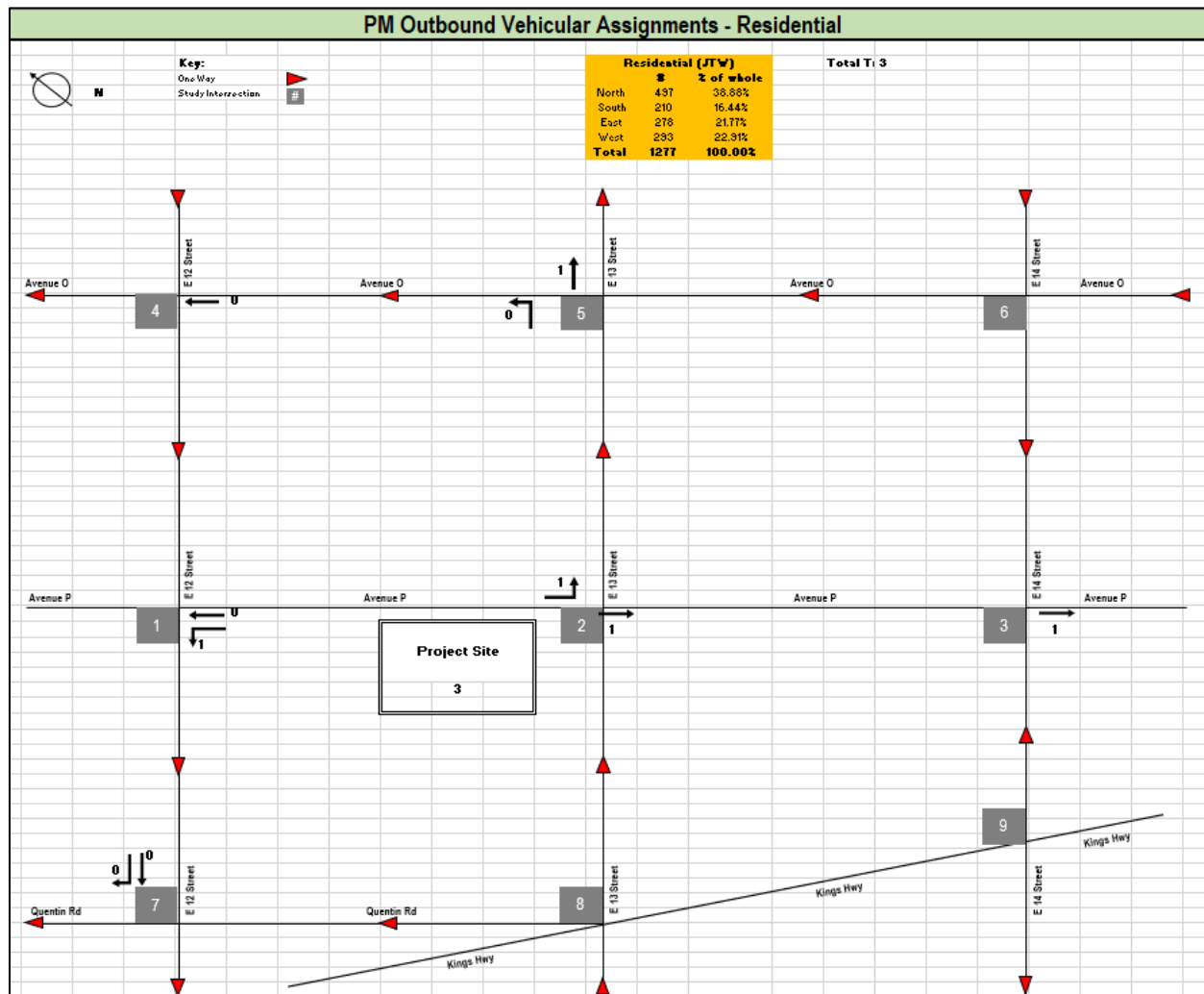




Figure 2.7-3: PM Inbound Vehicular Assignments- Medical Office

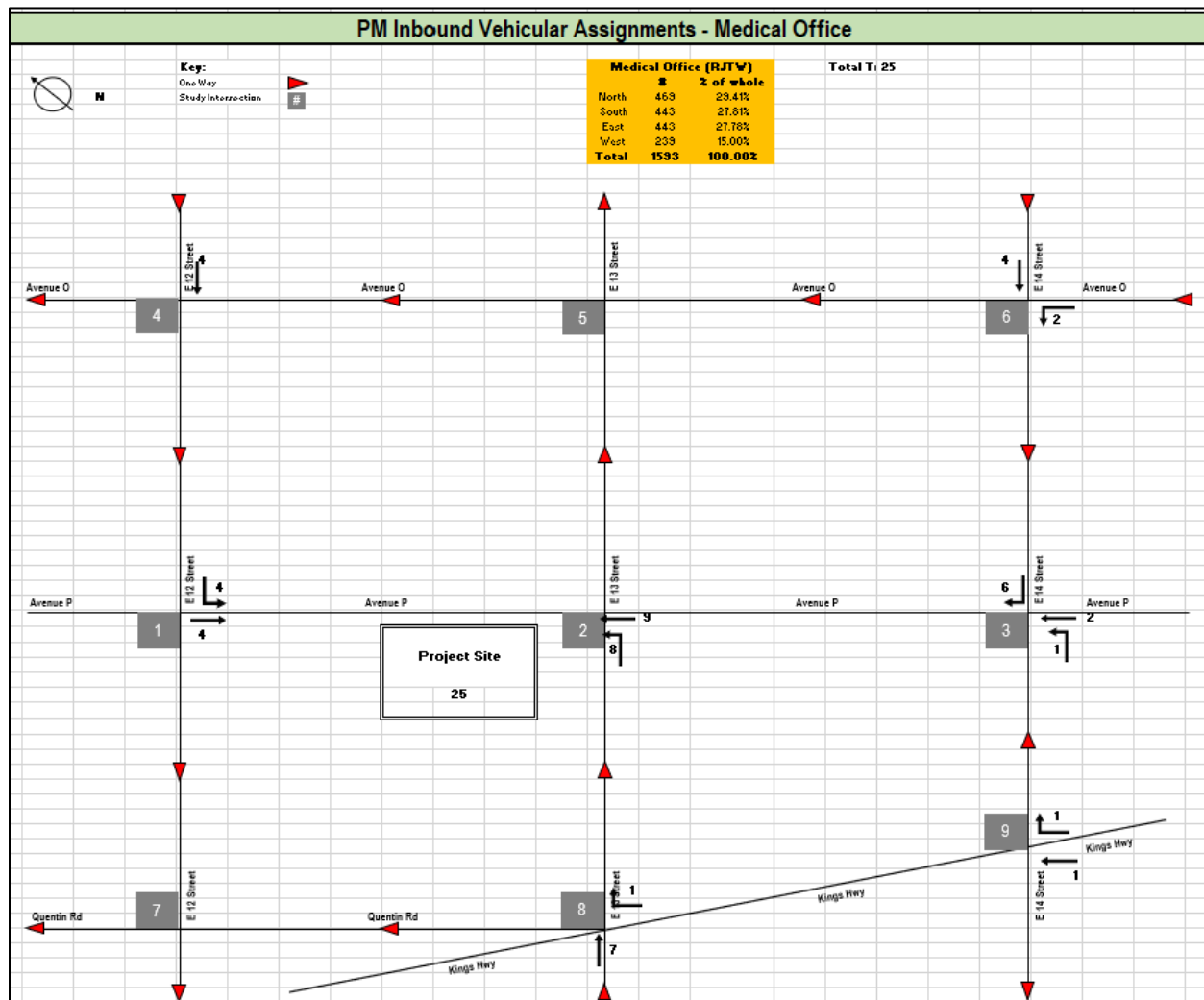


Figure 2.7-4: PM Outbound Vehicular Assignments- Medical Office

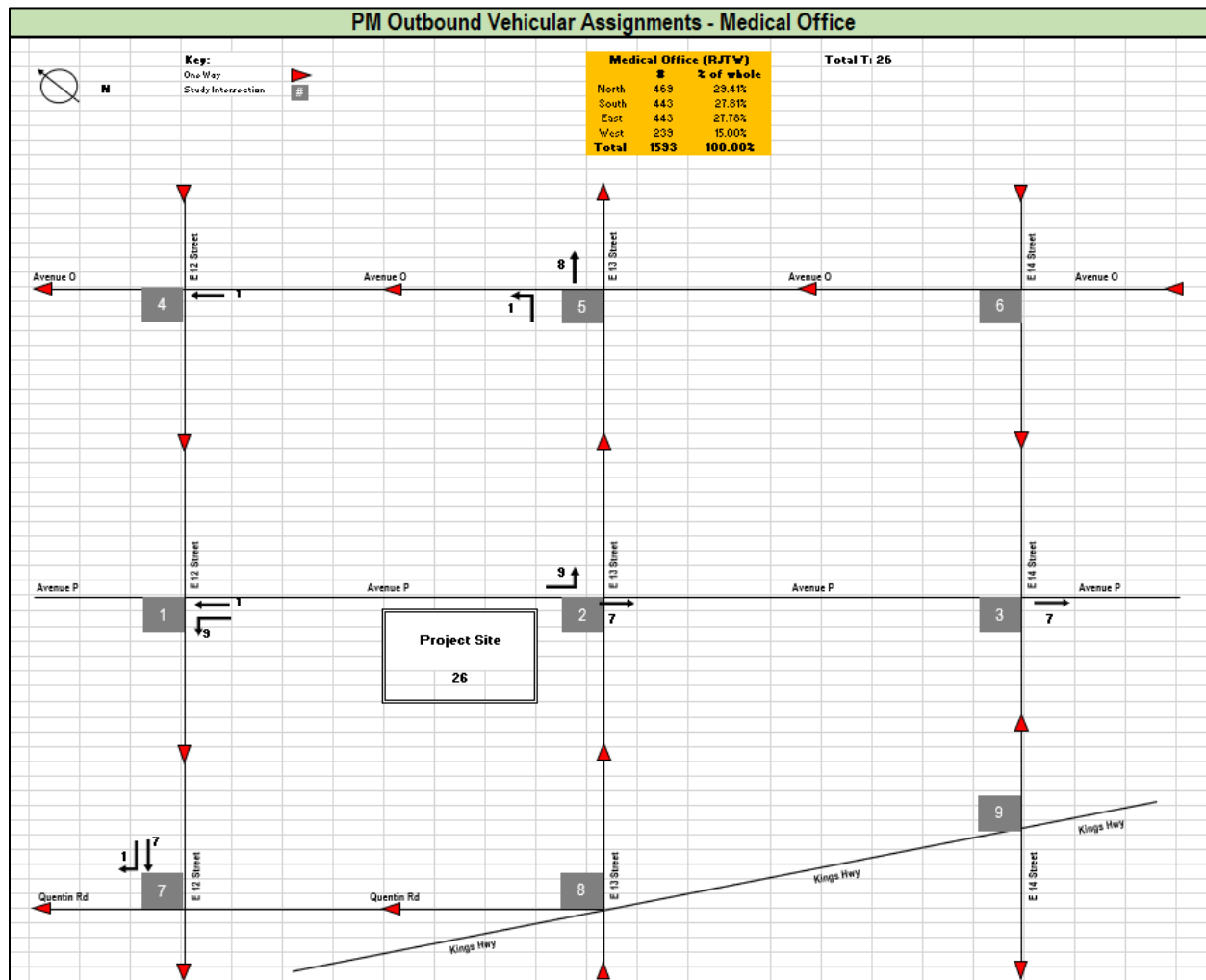


Figure 2.7-5: PM Total Inbound

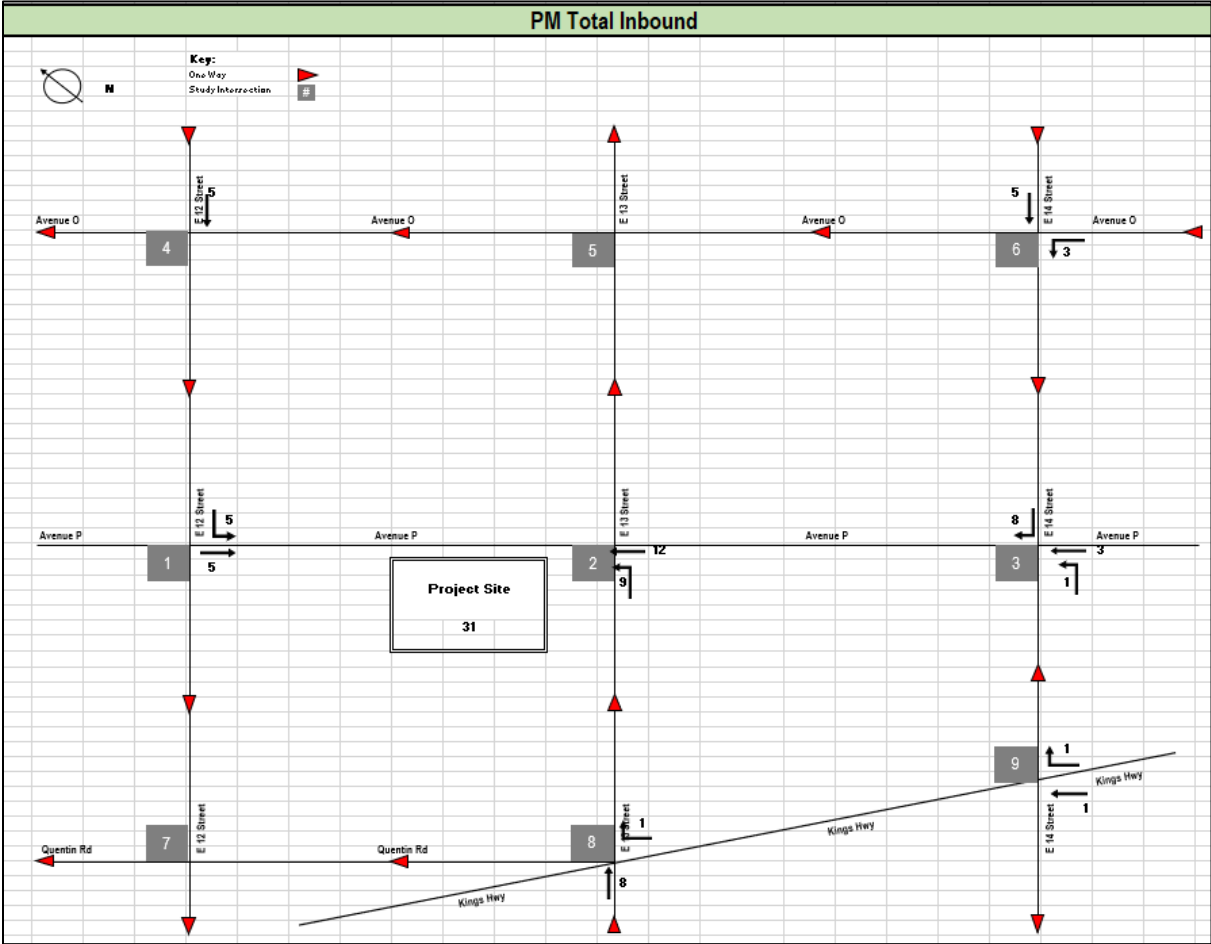


Figure 2.7-6: PM Total Outbound

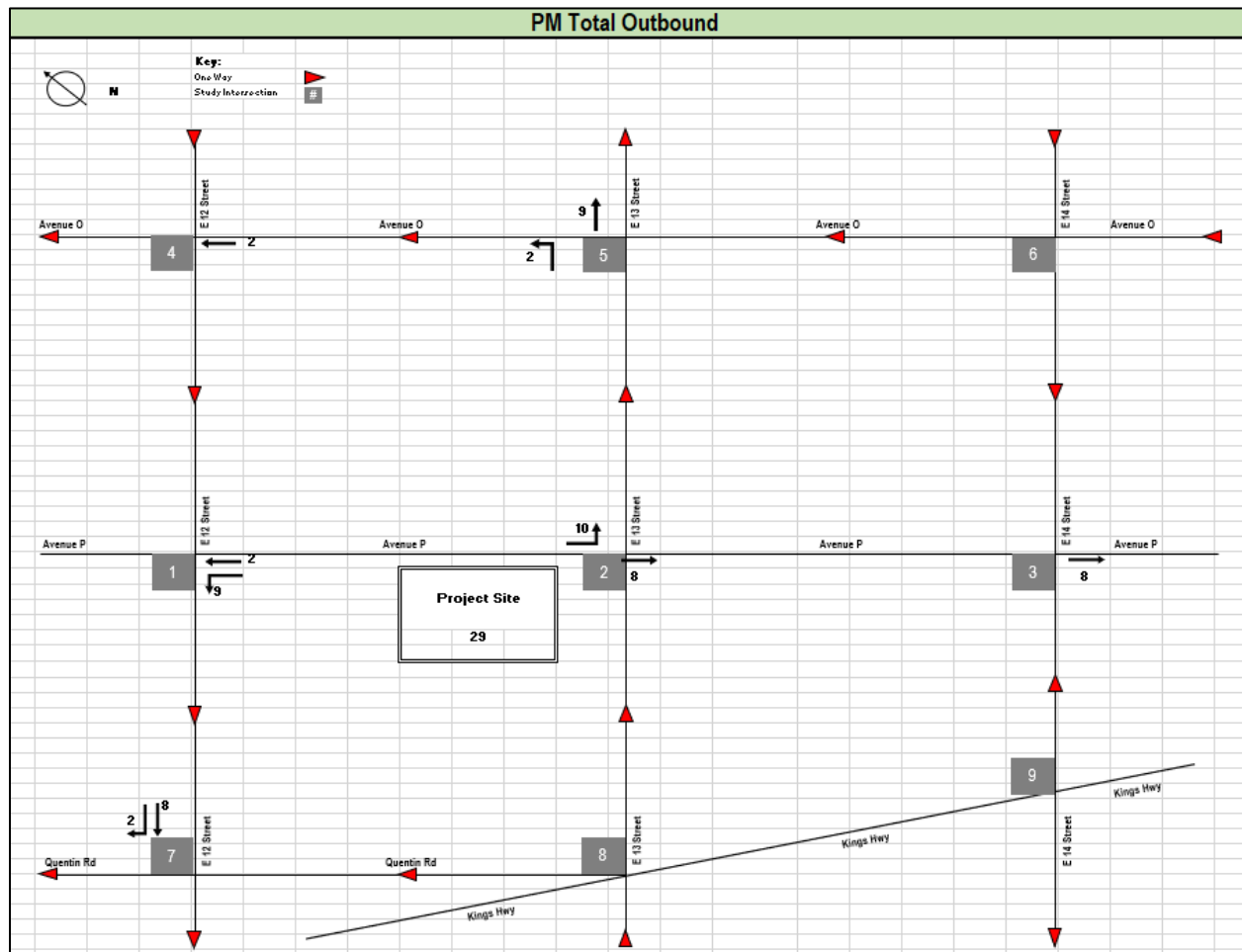


Figure 2.7-7: PM Total

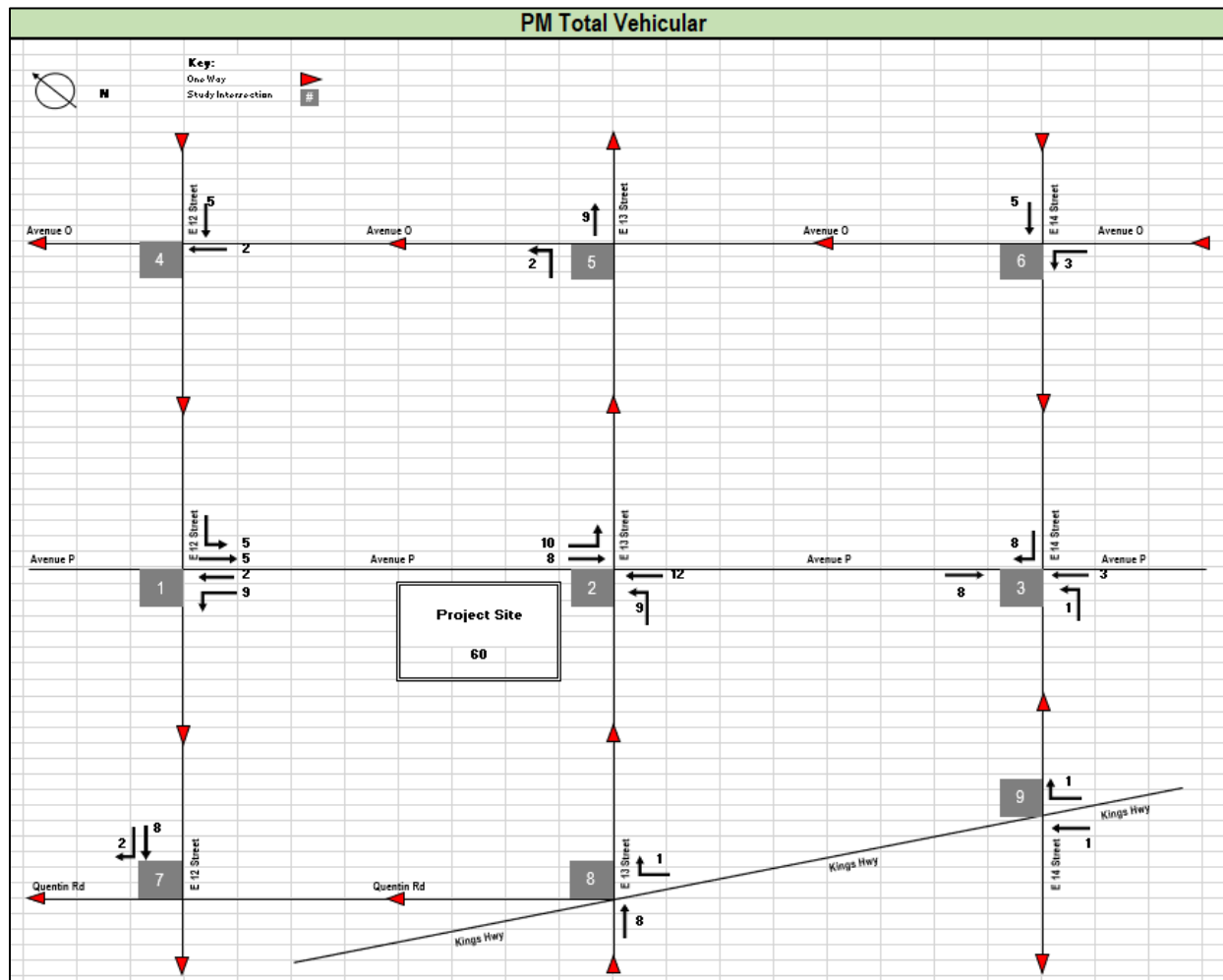
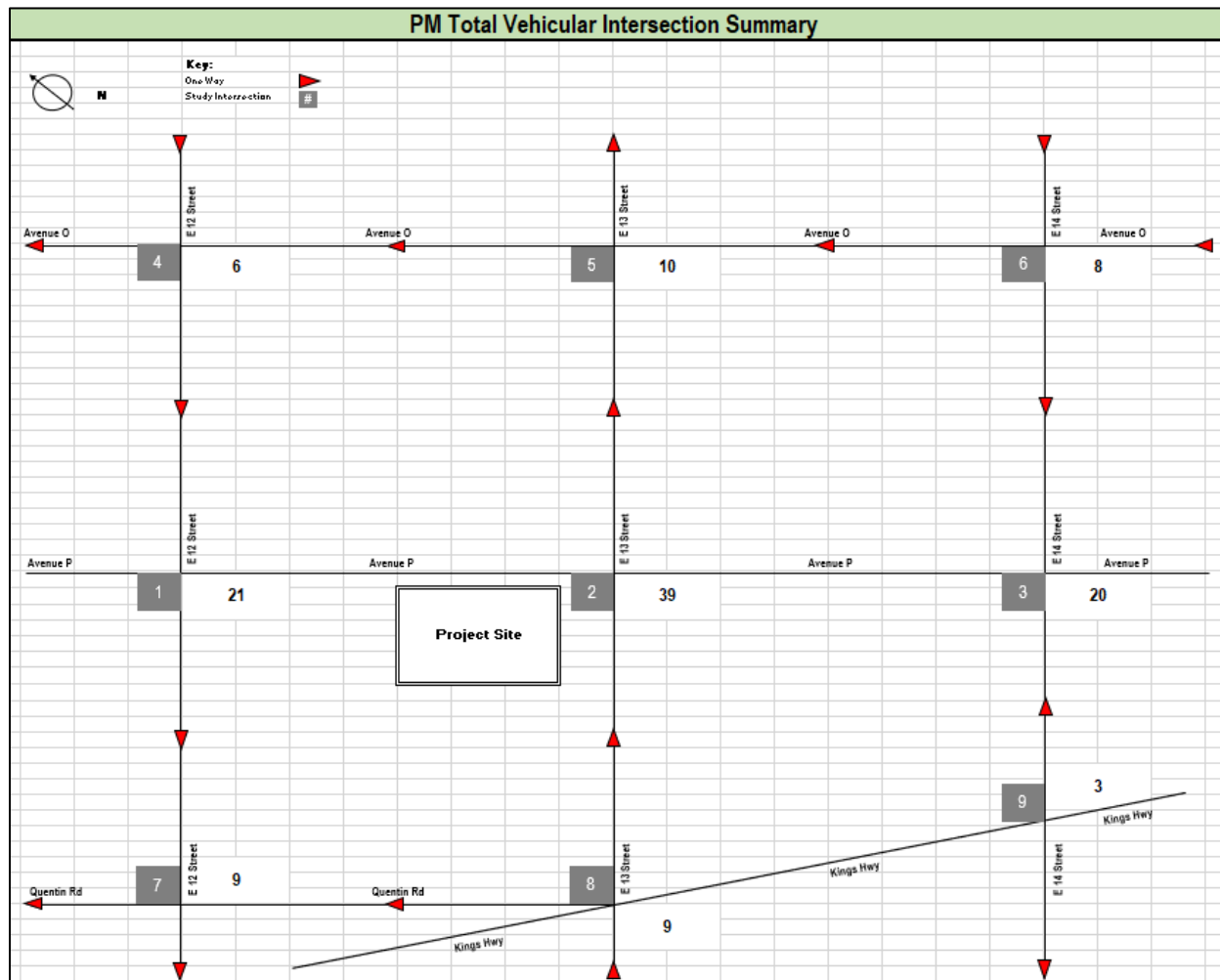


Figure 2.7-8: PM Total Summarized





## **Conclusion**

As shown above, the results of the trip generation assignments indicate that the Proposed Actions will not generate more than 50 vehicle trips through any one intersection during PM peak hours. Therefore, no significant adverse impacts with regards to transportation are expected and no further analysis is required as no transportation elements are expected to be adversely impacted by the proposed actions.

## **2.8 AIR QUALITY**

When assessing the potential for air quality significant impacts, the *CEQR Technical Manual* seeks to determine a Proposed Action's effect on ambient air quality, or the quality of the surrounding air. Ambient air can be affected by motor vehicles, referred to as "mobile sources," or by fixed facilities, referred to as "stationary sources." This can occur during operation and/or construction of a project being proposed. The pollutants of most concern are carbon monoxide, lead, nitrogen dioxide, ozone, relatively coarse inhalable particulates (PM<sub>10</sub>), fine particulate matter (PM<sub>2.5</sub>), and sulfur dioxide. The *CEQR Technical Manual* generally recommends an assessment of the potential impact of mobile sources on air quality when an action increases traffic or causes a redistribution of traffic flows, creates any other mobile sources of pollutants (such as diesel train usage), or adds new uses near mobile sources (e.g., roadways, parking lots, garages). The *CEQR Technical Manual* generally recommends assessments when new stationary sources of pollutants are created, when a new use might be affected by existing stationary sources, or when stationary sources are added near existing sources and the combined dispersion of emissions would impact surrounding areas.

### **2.8.1 Mobile Sources**

According to the *CEQR Technical Manual*, projects, whether site-specific or generic, may result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic; create any other mobile sources of pollutants (such as diesel trains, helicopters etc.); or add new uses near mobile sources (roadways, garages, parking lots, etc.). Projects requiring further assessment include:

- Projects that would result in placement of operable windows, balconies, air intakes or intake vents generally within 200 feet of an atypical source of vehicular pollutants.
- Projects that would result in the creation of a fully or partially covered roadway, would exacerbate traffic conditions on such a roadway, or would add new uses near such a roadway.
- Projects that would generate peak hour auto traffic or divert existing peak hour traffic of 170 or more auto trips in this area of the City.
- Projects that would generate peak hour heavy-duty diesel vehicle traffic or its equivalent in vehicular emissions resulting from 12 or more heavy-duty diesel vehicles (HDDVs) for paved roads with average daily traffic of fewer than 5,000 vehicles, 19 or more HDDVs for collector

roads, 23 or more HDDVs for principal and minor arterials, or 23 or more HDDVs for expressways and limited-access roads.

- Projects that would result in new sensitive uses (e.g., schools or hospitals) adjacent to large existing parking facilities or parking garage exhaust vents.
- Projects that would result in parking facilities or applications requesting the grant of a special permit or authorization for parking facilities; or projects that would result in a sizable number of other mobile sources of pollution (e.g., a heliport or a new railroad terminal).
- Projects that would substantially increase the vehicle miles traveled in a large area.

The Proposed Action would not result in any of the above thresholds being crossed and therefore would not require further mobile source assessment. The Proposed Action would not result in the placement of new operable windows within 200 feet of any atypical vehicular source of pollutants, nor would it result in the creation of a fully or partially covered roadway, generate over 170 or more net new increment auto trips or notable heavy-duty diesel vehicle traffic, place new sensitive uses adjacent to a large parking facility, result in other mobile sources of pollution, or substantially increase vehicle miles traveled.

### 2.8.2 Stationary Sources

According to the *CEQR Technical Manual*, projects may result in stationary source air quality impacts when one or more of the following occurs:

- New stationary sources of pollutants are created (e.g., emission stacks for industrial plants, hospitals, other large institutional uses).
- Certain new uses near existing (or planned future) emissions stacks are introduced that may affect the use.
- Structures near such stacks are introduced so that the structures may change the dispersion of emissions from the stacks so that surrounding uses are affected.
- Fossil fuels (fuel oil or natural gas) for heating/hot water, ventilation, and air conditioning systems are used.
- Large emission sources are created (e.g., solid waste or medical-waste incinerators, cogeneration facilities, asphalt/concrete plants, or power-generating plants, etc.).
- New sensitive uses are located near a large emission source.
- Medical, chemical, or research labs are created or result in new uses being located near them.
- Operation of manufacturing or processing facilities is created.
- New sensitive uses created within 400 feet of manufacturing or processing facilities.
- New uses created within 400 feet of a stack associated with commercial, institutional, or residential developments (and the height of the new structures would be similar to or greater than the height of the emission stack).
- Potentially significant odors are created.

- New uses near an odor-producing facility are created.
- “Non-point” sources that could result in fugitive dust are created.
- New uses near non-point sources are created.
- A generic or programmatic action is introduced that would change or create a stationary source or that would expose new populations to such a stationary source.

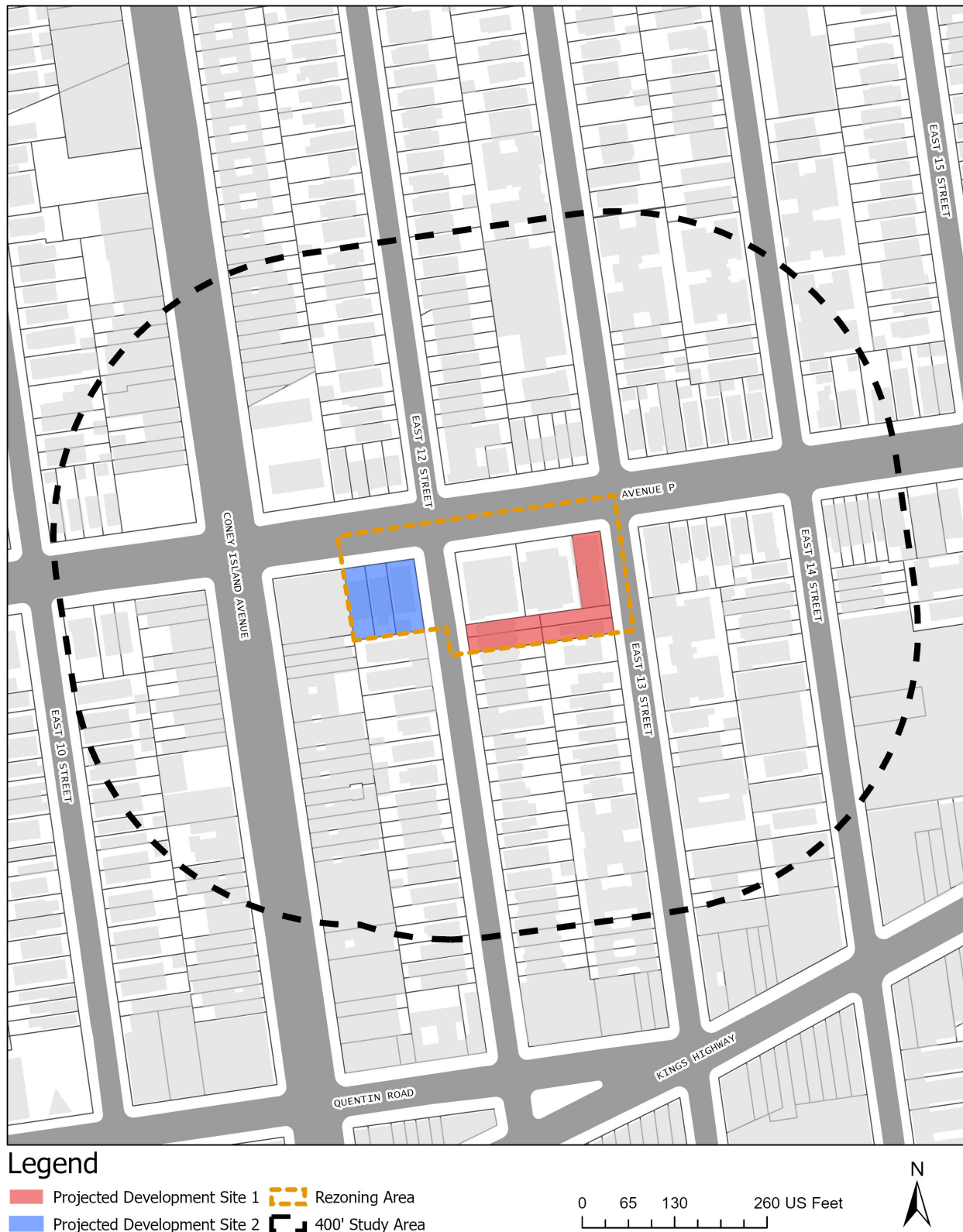
The applicant is seeking a zoning map amendment to rezone portions of two blocks along Avenue P in the Midwood neighborhood within Brooklyn Community District 15 from an R5B to an R7A zoning district. Because the proposed enlargement is adjacent to an R5B district, the height of the enlargement on Projected Development Site 1 will be limited to 55 feet while the height of Projected Development Site 2 would be 95 feet. As shown in **Table 2.8-1**, due to the configuration of the two Projected Development Sites in relation to one another and the difference in respective heights, the following analysis is required.

- 1) HVAC refined “project-on-project” air quality impact analysis including the impact from Projected Site 2 on Projected Site;
- 2) Cumulative air quality impact from the HVAC systems of both Projected Site 1 and Projected Site 2 on existing residential use;

**Table 2.8-1 Reasonable Worst-Case Development Scenario (RWCDs)**

Site No.	Block	Lot	Lot Area (Sq. ft)	Proposed Zoning	Max Allowable (Sq. ft)	Max Allowable Height (ft)
Projected Development Site 1	6675	9,12,13, 75	12,000	R7A	48,400 gsf (22,000 gsf existing and 26,400 gsf addition)	55
Projected Development Site 2	6674	6,7,9	10,000	R7A	50,600 (gsf)	95

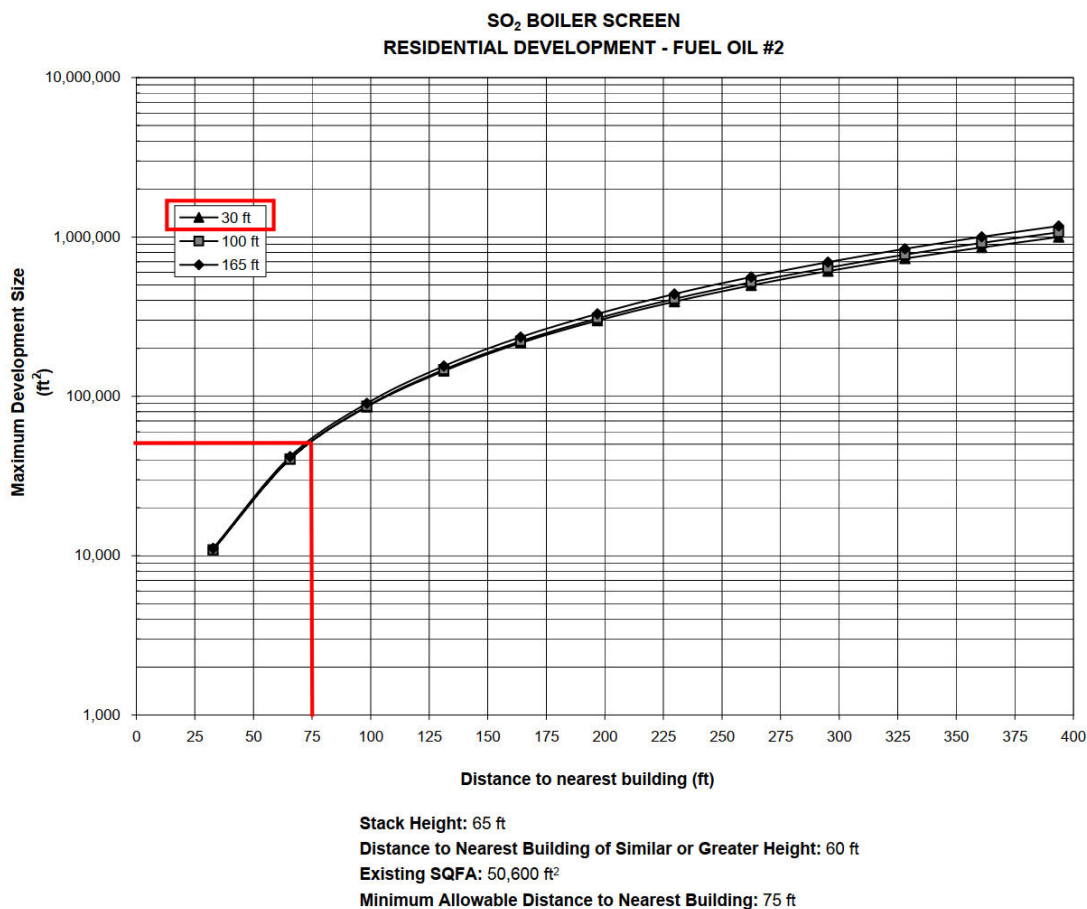
**Figure 2.8-1 1220 Avenue P Rezoning Projected Development Sites and Locations**



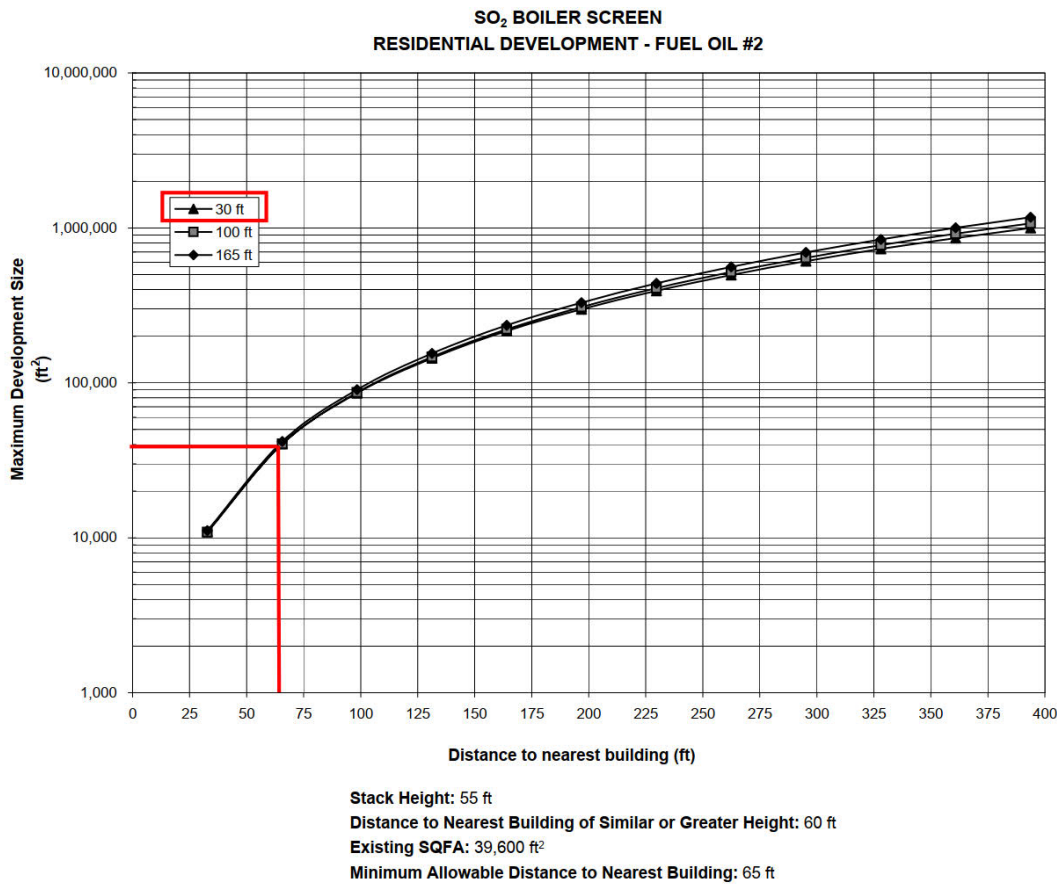
## Methodologies and Assumptions

Potential impacts from HVAC boiler emissions are a function of fuel type, stack height, distance from the source to the nearest receptor (building), and size of floor area in square feet (sq ft) of a proposed development. Floor area is considered an indicator of boiler fuel usage rate. The preliminary screening analysis for heat and hot water systems has been established based on *New York City Environmental Quality Review (CEQR) Technical Manual* Figure 17-3, which defines the screening size of proposed development that is correlated to the distance to the nearest building of a similar or greater height than the stack height of the proposed building(s). Figure 17-3 predicts the threshold of development size below which a project is unlikely to have a significant impact. **Figures 2.8-2 and 2.8-3** below show that both Projected Development Site 1 and Projected Development Site 2 fail the screening.

**Figure 2.8-2 Screening Graph for Projected Site 1**



**Figure 2.8-3 Screening Graph for Projected Site 2**



As indicated in the Illustrative Plans & Renderings drawings, the enlargement portions of Projected Development Site 1 will be attached to the existing part, and stack would be placed on the rooftop of the highest deck (existing part). A refined dispersion modeling analysis approach was implemented using USEPA's AERMOD model in association with most recent five years of metrological data to predict applicable pollutant concentrations from the proposed HVAC systems within the rezoning area, after the proposed development failed the screening mentioned above.

AERMOD is a state-of-the-art dispersion model, applicable to rural and urban areas, flat and complex terrain, surface and elevated releases, and multiple sources (including point, area, and volume sources). AERMOD is a steady-state plume model that incorporates current concepts about flow and dispersion in complex terrain, including updated treatments of the boundary layer theory, understanding of turbulence and dispersion, and includes handling of terrain interactions. The AERMOD model calculates pollutant concentrations from one or more points (e.g., exhaust stacks from the building on project sites) based on hourly meteorological data and has the capability to calculate pollutant concentrations at locations where the plume from the exhaust stack is affected by the aerodynamic wakes and eddies (downwash) produced by nearby structures. The analyses of potential impacts from exhaust stacks were made assuming stack tip downwash, urban dispersion and surface roughness length, and elimination of calms. AERMOD can be run



with and without building downwash (the downwash option accounts for the effects on plume dispersion created by the structure the stack is located on, and other nearby structures).

The refined dispersion modeling analysis was performed for criteria pollutants of PM<sub>2.5</sub>, PM<sub>10</sub>, NO<sub>2</sub> and SO<sub>2</sub> for which the National Ambient Air Quality Standards (NAAQS) have been established, with emission rates for both #2 fuel oil and natural gas. If a source is not in compliance with the NAAQS or PM<sub>2.5</sub> *de minimis* criteria established in the *CEQR Technical Manual*, the stack would then be set back in 5-foot increments until the source met the respective criteria. The meteorological data set used with AERMOD consists of the latest available five consecutive years (2014-2018) of meteorological data: surface data collected at John F. Kennedy International Airport and concurrent upper air data collected at Brookhaven, Suffolk County, New York. The meteorological data set includes wind speeds, wind directions, ambient temperatures, and mixing height data for every hour of a year over five years.

The 1-hour and annual average NO<sub>2</sub> concentration impact from the proposed project's stationary combustion sources were estimated using AERMOD model's Tier 1 approach to start. A Tier 1 approach utilizes a 100% conversion rate of NO<sub>x</sub> to NO<sub>2</sub> for a conservative estimate. If the Tier 1 approach fails, a Tier 2 updated Ambient Ratio Method, referred as "ARM2" would be used. ARM2 does not require additional input data that is subject to case-by-case review and approval. The model execution time for ARM2 is faster than for those more computationally intensive refined methods. The ARM2 method performs better than the old ARM method and is comparable to the more refined EPA modeling methods for 1-hour ambient NO<sub>2</sub> concentrations.

An estimate of the emissions from the HVAC systems was made based on the proposed development size, type of fuel used and type of construction with below fuel consumptions rates applicable for residential developments: 60.3 ft<sup>3</sup>/ft<sup>2</sup>-year and 0.43 gal/ft<sup>2</sup>-year for natural gas and fuel oil, respectively. Short-term fuel consumption rates were based on peak hourly fuel consumption estimates for each HVAC system relevant to individual projected site. It is conservatively assumed that both sites would use No.2 fuel oil as fuel. **Table 2.8-2** presents the HVAC emission rates firing No. 2 fuel oil and stack parameters used in the AERMOD.

**Table 2.8-2 HVAC Emission Rates and Stack Parameters for the Proposed Buildings<sup>1</sup>**

	Projected Site 1	Projected Site 2
<b>Emission Rate (g/s)</b>		
1-Hr NO <sub>x</sub>	1.07E-02	2.28E-02
Annual NO <sub>x</sub>	2.92E-03	6.26E-03
24-Hr PM <sub>2.5</sub>	1.14E-03	2.43E-03
Annual PM <sub>2.5</sub>	3.11E-04	6.67E-04
1-Hr SO <sub>2</sub>	1.52E-02	3.24E-02
Annual SO <sub>2</sub>	4.15E-03	4.15E-03
<b>Stack Parameters</b>		
Stack Height (ft)	58	98
Stack Diameter (ft)	1	1
Exhaust Velocity (m/s)	7.8	7.78

The AERMOD model was used to predict impacts of SO<sub>2</sub>, NO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions over the averaging time corresponding to the NAAQS (**Table 2.8-2**). In addition to the NAAQS, the *de minimis* thresholds for PM<sub>2.5</sub> applicable to the NYC development projects (**Table 2.8-2**) were also used to determine potential PM<sub>2.5</sub> impact significance as below:

- Predicted 24-hour maximum PM<sub>2.5</sub> concentration increase of more than half the difference between the 24-hour background concentration and the 24-hour standard; or
- Predicted annual average PM<sub>2.5</sub> concentration increase greater than 0.3 µg/m<sup>3</sup> at any receptor location.

Based on the NAAQS and PM<sub>2.5</sub> *de minimis* thresholds, the Not-to-Exceed criteria, as shown in **Table 2.8-3**, were further established by subtracting background concentrations collected at Queens College 2 Station from the NAAQS for relevant pollutants. When exceedances of the Not-to-Exceed criteria were predicted, a further analysis or mitigation measures would be warranted to ensure the project compliance of both NAAQS and PM<sub>2.5</sub> *de minimis* thresholds.

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<sup>1</sup> HVAC emission factors for each fuel type were obtained from the EPA *Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume I: Stationary Point and Area Sources*.

**Table 2.8-3 Impact Significance Thresholds<sup>2</sup>**

Pollutant	Averaging Time	NAAQS	Background Concentration	unit	<i>De Minimis</i>	Not-to-Exceed Criteria (ug/m3)
NO <sub>2</sub>	Annual	<b>100</b>	24.24	ug/m3		100*
	1 hour	<b>188</b>	103.30	ug/m3		188*
SO <sub>2</sub>	1 hour	<b>196</b>	17.34	ug/m3		196*
	Annual	<b>80</b>	1.14	ug/m3		150*
PM <sub>2.5</sub>	Annual	<b>12</b>	5.9	ug/m3	<b>0.3</b>	0.3
	24 hours	<b>35</b>	15.10	ug/m3	<b>9.95</b>	9.95

\* Including background concentration.

Impacts concentrations would first be predicted using AERMOD assuming that all HVAC systems are powered by the #2 fuel oil. If exceedances of the Not-to-Exceed criteria were predicted under the #2 fuel oil option, a further modeling analysis under the natural gas option would be warranted.

### **AERMOD Modeling Result**

**Table 2.8-4** summarizes the AERMOD-predicted potential air quality impacts under the #2 fuel oil option from Projected Development Site 2 on Projected Development Site 1. No exceedances of the Not-to-Exceed criteria were predicted from the operation of Projected Development Site 2, resulting in no significant adverse air quality impacts.

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<sup>2</sup> Source: New York State Department of Environmental Conservation Ambient Air Monitoring Networks Region 2 Queens College 2 and PS 314

**Table 2.8-4 Predicted Impact Concentrations from Projected Site 1 on Projected Site 2**

Pollutants	Averaging Time	Not-to-Exceed Criteria (ug/m <sup>3</sup> )	Modeling Result (ug/m <sup>3</sup> )
NO <sub>2</sub>	Annual	100.0	24.75
	1 hour (Tier 1)	188.0	186.57
SO <sub>2</sub>	1 hour	196	133.35
	Annual	80	1.86
PM <sub>2.5</sub>	Annual	0.3	.05
	24 hours	9.95	2.35

**Table 2.8-5** summarizes the AERMOD-predicted potential cumulative air quality impacts from Projected Development Site 1 and 2 on existing residential use. Only one exceedance of the Not-to-Exceed criteria was predicted for 1-hour NO<sub>2</sub> concentrations using Tier 1 method. When using the Tier 2 ARM2 method, the predicted NO<sub>2</sub> concentrations from both Projected Development Sites were below Not-to-Exceed criteria, resulting in no significant adverse air quality impacts.

**Table 2.8-5 Predicted Cumulative Impact Concentrations from Projected Sites**

Pollutants	Averaging Time	Not-to-Exceed Criteria (ug/m <sup>3</sup> )	Modeling Result (ug/m <sup>3</sup> )
NO <sub>2</sub>	Annual	100.0	24.90
	1 hour (Tier 1)	188.0	225.43
	1 hour (Tier 2)	188.0	177.37
SO <sub>2</sub>	1 hour	196	188.53
	Annual	150	2.08
PM <sub>2.5</sub>	Annual	0.3	0.07
	24 hours	9.95	3.22

## Conclusion

Based on the above modeling results and comparisons to the applicable Not-to-Exceed criteria, it was found that, no significant project-on-project or Project-on-existing adverse air quality impacts would occur with E-Designation in place to restrict the stack locations of Projected Development 1. Therefore, no further analysis or mitigation measures are warranted.

## ***Industrial Source Screening***

In accordance with CEQR guidance, a survey of the NYCDEP CAT database was conducted that identified two industrial facilities with expired air toxic operation permits within 400 feet of the projected development:

- Beverly Hills Collision, located at 1912 Coney Island Avenue (Block 6617, Lot 36)
- Aziz Auto Repair & Collision, Inc., located at 1914 Coney Island Ave (Block 6617, Lot 38).

An analysis was conducted to determine whether the toxic air pollutants emitted from these facilities have the potential significantly impact on the proposed developments.

Below are the assumptions that were used to determine a RWCDs pollutant emission rate per the DCP recommendations and the methodologies established for prior studies performed for similar facilities such as the Solow Air Quality Report (07DCP029Q) previously approved by DCP.

- Auto body paint spray booths typically operate from four to eight hours per day and 200 to 250 days per year. Four hours per day was used as a conservative assumption for predicting short term (one-hour average) emission rate.
- Auto paint composition includes solids and volatile organic compounds (VOCs). A gallon of auto paint could weigh from six to 15 pounds (lbs), depending on the ingredients. In this assessment, an average of 10-lb weight was used.
- **Table 2.8-6** shows the percentages by weight of various VOCs (mostly solvents) found in representative auto spray primers and paints. The percentages were obtained from Material Safety Data Sheets (MSDS) for one representative primer and two representative auto paints by major manufacturers. Some compounds are found in both primer and paint, while others are found only in one or the other. Acetone clearly accounts for the largest percentage of the emissions (up to 43%), while the remaining compounds account for 1 to 11 percent of the paints and primers. As a conservative measure, the highest percentage shown for the VOC in **Table 2.8-6** was used resulting in highest potential emissions of individual pollutants.
- In estimating PM emission rate, it is assumed that the paint booth would use an average of two quarts of auto paint per day, or 0.50 gallons (see Solow report). Each gallon of paint weighs 10 lbs with 50 percent of solids. Thus, this paint booth consumes 2.5 lbs of solids daily ( $0.5 \times 10 \times .5$ ). The amount of solids (i.e.,  $PM_{2.5}$ ) emitted into the air depends on the transfer efficiency of the paint gun. EPA's AP-42, Section 4.2.2.8, discusses evaporation losses for automobile and light duty truck surface coating operations. According to AP-42, the average transfer efficiency of solvent borne spray is 40%, which means that 60% of the solids are likely emitted into the air. Although current

technology may achieve a higher transfer efficiency of 80% or more with the use of high-pressure paint guns, the value of 40% transfer efficiency was used for this analysis as a conservative assumption. Therefore, 60% percent of solids, or 1.5 lbs solids per day, are emitted into the air (0.6 x 2.5). According to AP-42, Appendix B.1, 46.7% of total solids were assumed to be PM<sub>10</sub>, and 28.6% of total solids were assumed as PM<sub>2.5</sub>.

**Table 2.8-6 Typical Composition of VOC Emissions from Auto Spray Paint Booths**

Chemical Name	CAS #	Rust-Oleum Primer	Sherwin William Paints		Composition used in this analysis
			Twilight Blue	Black Sunfire	
		Weight % Less Than	% by Weight	% by Weight	% by Weight
1,2,4-Trimethylbenzene	95-63-6				
Acetone*	67-64-1	10	42	43	43
Aliphatic Hydrocarbon	64742-89-8	10			10
Aromatic Petroleum distillates	64742-94-5	5			5
Butane	106-97-8		10	11	11
Ethanol	64-17-5		1	2	2
Ethyl 3-Ethoxypropionate	763-69-9		9	9	9
Ethylbenzene	100-41-4	5			5
Methyl Ethyl Ketone	78-93-3		8	7	8
N-Butyl Acetate	123-86-4	5			5
Propane	74-98-6		10	11	11
Stoddard Solvents	8052-41-3	10			10
Toluene	108-88-3	10	9	8	10
Xylene	1330-20-7	10			10

Based on the assumptions above, hourly and annual emission rates are calculated as shown in **Table 2.8-7**.



**Table 2.8-7 Estimated Emission Rates**

Pollutants	CAS Number	Beverly Hills Collision		Aziz Autobody Repair & Collision	
		Hourly Emission Rate (g/s)	Annual Emission Rate (g/s)	Hourly Emission Rate (g/s)	Annual Emission Rate (g/s)
Acetone	00067-64-1	4.20E-02	4.02E-05	4.20E-02	4.02E-05
Aliphatic Hydrocarbon	64742-89-8	9.77E-03	9.35E-06	9.77E-03	9.35E-06
Aromatic Petroleum distillates	64742-94-5	4.88E-03	4.67E-06	4.88E-03	4.67E-06
Butane	00106-97-8	4.88E-03	4.67E-06	4.88E-03	4.67E-06
Ethanol	00064-17-5	1.07E-02	1.03E-05	1.07E-02	1.03E-05
Ethyl 3-Ethoxypropionate	00763-69-9	1.95E-03	1.87E-06	1.95E-03	1.87E-06
Ethylbenzene	00100-41-4	8.79E-03	8.41E-06	8.79E-03	8.41E-06
Methyl Ethyl Ketone	00078-93-3	4.88E-03	4.67E-06	4.88E-03	4.67E-06
N-Butyl Acetate	00123-86-4	4.88E-03	4.67E-06	4.88E-03	4.67E-06
Propane	00074-98-6	2.93E-02	2.80E-05	2.93E-02	2.80E-05
Stoddard Solvents	08052-41-3	7.81E-03	7.48E-06	7.81E-03	7.48E-06
Toluene	00108-88-3	9.77E-03	9.35E-06	9.77E-03	9.35E-06
Xylene	01330-20-7	1.07E-02	1.03E-05	1.07E-02	1.03E-05
PM <sub>10</sub>	NY075-00-5	2.88E-04	2.67E-05	2.88E-04	2.67E-05
PM <sub>2.5</sub>	NY075-02-5	4.71E-04	4.37E-05	4.71E-04	4.37E-05

Toxic air pollutants can be grouped into two categories: carcinogenic air pollutants, and non-carcinogenic air pollutants. These include hundreds of pollutants, ranging from high to low toxicity. While no federal standards have been promulgated for toxic air pollutants, the US Environmental Protection Agency (EPA) and the New York state Department of Environmental Conservation (NYSDEC) have issued guidelines that establish acceptable ambient levels for these pollutants based on human exposure criteria. All of pollutants listed above are non-carcinogens.

In order to evaluate short-term and annual impacts of the non-carcinogenic toxic air pollutants, the NYSDEC has established short-term ambient guideline concentrations (SGCs) and ambient annual-average-based guideline concentrations (AGCs) for exposure limits. These are maximum allowable 1-hour and annual guideline concentrations, respectively, that are considered acceptable concentrations below which there should be no adverse effects on the health of the general public. DAR-1 SGC and AGC values (as shown in **Table 2.8-8**) were applied to all VOC-based compounds as well as PM<sub>2.5</sub>. Estimated concentrations of PM<sub>2.5</sub> were also compared to the respective 24-hour/annual NAAQS.

Developed ratios of 1-hour and annual concentrations of each pollutant to its respective SGCs or AGCs (e.g., concentration-to-guideline values) were used to determine whether concentration of each pollutant exceeds its applicable guideline value. If no exceedances are found (i.e., ratios are less than 1), no adverse health effects would occur. If concentration of any pollutant exceeds its applicable guideline value (either SGC or AGC), more detailed analysis would be required.

For estimating potential impacts, the *New York City Environmental Quality Review Technical Manual (CEQR Technical Manual)* recommends using a screening procedure for industrial emission sources with toxic air pollutants as a first step in an analysis. This procedure uses pre-tabulated pollutant concentration values based on a generic emission rate of 1 gram per second from Table 17-3, "Industrial Source Screen," of the *CEQR Technical Manual*, for the applicable averaging time periods. This approach, which can be used to estimate maximum short-term (1-hour/24-hour) and annual average concentration values at various distances (from 30 to 400 feet) from an emission source, was used to assess the potential impacts of the emissions from the permitted facility.

The minimum distance from the lot line of closest project site (Block 6774, Lots 6) to the lot line of the spray booth facility on Block 6617, Lot 38 is 368 feet. And the minimum distance from the lot line of closest project site (Block 6774, Lots 6) to the lot line of the spray booth facility on Block 6617, Lot 36 is 378 feet. Conservatively, 365 feet was used for both spray booths in this analysis. At this distance, based on a 1 gram per second emission rate (using Table 17-3), the maximum 1-hour, 24-hour, and annual concentrations were estimated to be 1,528, 434, and 62 ug/m<sup>3</sup>, respectively.

All values obtained from Table 17-3 of the *CEQR Technical Manual* for an emission rate of 1 gram per second were then multiplied by the permitted emission rate of each solvent to estimate actual pollutant concentrations for different time periods, and these concentrations were then compared to the applicable SGC and AGC values.

**Tables 2.8-9 and 2.8-10** present the max estimated cumulative hourly and annual concentration of the pollutant analyzed, and then be compared with applicable SGC and AGC value.

The current (2016) edition of the DAR-1 uses PM<sub>2.5</sub> standards (e.g., the 24-hr National Ambient Air Quality Standard [NAAQS] of 35 ug/m<sup>3</sup> and the annual NAAQS of 12 ug/m<sup>3</sup> as PM<sub>2.5</sub> guideline values, 24-hr NAAQS 150 ug/m<sup>3</sup> as PM<sub>10</sub> guideline value.

**Table 2.8-11** presents the estimated PM<sub>10</sub> 24-hr, and PM<sub>2.5</sub> 24-hr and annual concentration from both spray booths.

**Table 2.8-8 SGC and AGC**

Pollutants	CAS Number	SGC (ug/m3)	AGC (ug/m3)
Acetone	00067-64-1	180000	30000
Aliphatic Hydrocarbon	64742-89-8	-	3200
Aromatic Petroleum distillates	64742-94-5	-	100
Butane	00106-97-8	238000	-
Ethanol	00064-17-5	-	45000
Ethyl 3-Ethoxypropionate	00763-69-9	140	64
Ethylbenzene	00100-41-4	-	1000
Methyl Ethyl Ketone	00078-93-3	13000	5000
N-Butyl Acetate	00123-86-4	95000	17000
Propane	00074-98-6	-	43000
Stoddard Solvents	08052-41-3	-	900
Toluene	00108-88-3	37000	5000
Xylene	01330-20-7	22000	100
PM2.5	NY075-02-5	35	12
PM10	NY075-00-5	150	-

**Table 2.8-9 Max Estimated Hourly Concentration**

Pollutants	CAS Number	Max Estimated Hourly Concentration (ug/m3)	SGC (ug/m3)	ratio
Acetone	00067-64-1	135.67	180,000	7.75E-04
Butane	00106-97-8	15.78	238,000	6.63E-05
Ethyl 3-Ethoxypropionate	00763-69-9	6.31	140	4.51E-02
Methyl Ethyl Ketone	00078-93-3	15.78	13,000	1.21E-03
N-Butyl Acetate	00123-86-4	15.78	95,000	1.66E-04
Toluene	00108-88-3	31.55	37,000	8.53E-04
Xylene	01330-20-7	34.71	22,000	1.58E-03

**Table 2.8-10 Max Estimated Annual Concentration**

Pollutants	CAS Number	Max Estimated Annual Concentration (ug/m3)	AGC (ug/m3)	ratio
Acetone	00067-64-1	5.43E-03	30000	1.40E-04
Aliphatic Hydrocarbon	64742-89-8	1.26E-03	3200	3.05E-04
Aromatic Petroleum distillates	64742-94-5	6.31E-04	100	4.88E-03
Ethanol	00064-17-5	1.39E-03	45000	4.34E-06
Ethyl 3-Ethoxypropionate	00763-69-9	2.52E-04	64	1.37E-02
Ethylbenzene	00100-41-4	1.14E-03	1000	4.88E-04
Methyl Ethyl Ketone	00078-93-3	6.31E-04	5000	1.56E-04
N-Butyl Acetate	00123-86-4	6.31E-04	17000	2.87E-05
Propane	00074-98-6	3.79E-03	43000	2.50E-05
Stoddard Solvents	08052-41-3	1.01E-03	900	1.09E-03
Toluene	00108-88-3	1.26E-03	5000	1.95E-04
Xylene	01330-20-7	1.39E-03	100	9.77E-03

**Table 2.8-11 Estimated PM Concentrations Compared with NAAQS<sup>3</sup>**

	Average Time	Emission Rate (g/s)	Conversion Rate	Estimated Concentration (ug/m3)	Background* Concentration (ug/m3)	Total Concentration (ug/m3)	NAAQS (ug/m3)
PM <sub>10</sub>	24-hr	9.42E-04	434	0.20	28	28.20	150
PM <sub>2.5</sub>	24-hr	5.76E-04	434	0.13	15.1	15.23	35
	annual	5.34E-05	62	1.65E-03	5.9	5.9	12

\* Source: New York State Department of Environmental Conservation Ambient Air Monitoring Networks  
Region 2 P.S. 314

As shown, the 1-hour and annual concentrations estimated for each solvent are less than their respective SGC or AGC values. The estimated concentrations of PM<sub>10</sub> and PM<sub>2.5</sub> are also less than the applicable NAAQS. Therefore, no further detailed analysis is required. The result of this analysis shows that emissions from the industrial facilities located within 400 feet of the project site would not cause a significant air quality impact on the proposed development.

<sup>3</sup> Source: New York State Department of Environmental Conservation Ambient Air Monitoring Networks Region 2 P.S. 314

## E-Designations

To ensure that there are no significant adverse impacts related to emissions from the HVAC systems associated with the With-Action development onto existing or other projected buildings of similar or greater height, certain restrictions would be required regarding fuel type and/or exhaust stack location for some of the development sites. The text of the (E) designation (**E-653**) would be as follows:

- Projected Development Site 1 (Block 6775, Lots 9, 12, 13, 74, and 75) - Any new residential/commercial development on the above-referenced property must ensure HVAC system and hot water equipment stack(s) is located at the highest tier, at least 58 feet above grade, and a minimum of 50 feet from the property boundary along East 13<sup>th</sup> Street to avoid any significant adverse air quality impacts.
- Projected Development Site 2 (Block 6774, Lots 6, 7, and 9) - Any new residential/commercial development on the above-referenced property must ensure HVAC system and hot water equipment stack(s) is located at the highest tier and at least 98 feet above grade to avoid any significant adverse air quality impacts.

## 2.9 NOISE

Noise is defined as any unwanted sound, and sound is defined as any air pressure variation that the human ear can detect. Human beings can detect a large range of sound pressures ranging from 20 to 20 million micropascals, but only these air-pressure variations occurring within a set of frequencies are experienced as sound. Air pressure changes that occur between 20 and 20,000 times a second, stated as units of Hertz (Hz), are registered as sound.

In terms of hearing, humans are less sensitive to low frequencies (<250 Hz) than mid-frequencies (500-1,000 Hz). Humans are most sensitive to frequencies in the 1,000 to 5,000 Hz range. Since ambient noise contains many different frequencies all mixed, measures of human response to noise assign more weight to frequencies in this range. This is known as the A-weighted sound level.

Noise is measured in sound pressure level (SPL), which is converted to a decibel scale. The decibel is a relative measure of the sound level pressure with respect to a standardized reference quantity. Decibels on the A-weighted scale are termed “dB(A).” The A-weighted scale is used for evaluating the effects of noise in the environment because it most closely approximates the response of the human ear. On this scale, the threshold of discomfort is 120 dB(A), and the threshold of pain is about 140 dB(A). **Table 2.9-1** shows the range of noise levels for a variety of indoor and outdoor noise levels.

Because the scale is logarithmic, a relative increase of 10 decibels represents a sound pressure level that is 10 times higher. However, humans do not perceive a 10 dB(A) increase as 10 times louder; they perceive it as twice as loud. The following are typical human perceptions of dB(A) relative to changes in noise level:

- 3 dB(A) change is the threshold of change detectable by the human ear;
- 5 dB(A) change is readily noticeable; and
- 10 dB(A) increase is perceived as a doubling of the noise level.

As a change in land use may result in a change in type and intensity of noise perceived by residents, patrons and employees of a neighborhood, the *CEQR Technical Manual* recommends an analysis of the two principal types of noise sources: mobile sources and stationary sources. Both types of noise sources are examined in the following sections.

### 2.9.1 Mobile Sources

Mobile noise sources are those which move in relation to receptors. The mobile source screening analysis addresses potential noise impacts associated with vehicular traffic generated by the Proposed Action.

According to the *CEQR Technical Manual*, if existing passenger car equivalent (PCE) values are increased by 100 percent or more due to a Proposed Action, a detailed analysis is generally performed. Vehicular traffic studies are



not warranted, as the Proposed Action is not expected to generate over 50 vehicle trips through any local intersection during peak periods.

As discussed in the *CEQR Technical Manual*, if the proposed project is located in an area with high ambient noise levels, which typically include those near heavily traveled thoroughfares or other loud activities, further noise analysis may be warranted to determine the attenuation measures for the project. The proposed development sites are located on the west side of East 13<sup>th</sup> Street just south of Avenue in an area with high ambient noise levels. Although the project is unlikely to generate sufficient traffic volumes to warrant a mobile source analysis, the ambient noise levels were measured to provide an assessment of the potential for traffic noise to have a significant adverse effect on future residents.

The *CEQR Technical Manual* provides noise exposure guidelines in terms of  $L_{eq}$  and  $L_{10}$  for the maximum amount of allowable noise under existing regulations.  $L_{eq}$  is the continuous equivalent sound level. The sound energy from the fluctuating sound pressure levels (SPLs) is averaged over time to create a single number to describe the mean energy or intensity level. High noise levels during a measurement period will have greater effect on the  $L_{eq}$  than low noise levels. The  $L_{eq}$  has an advantage over other descriptors because  $L_{eq}$  values from different noise sources can be added and subtracted to determine cumulative noise levels. In comparison,  $L_{10}$  is the SPL exceeded 10 percent of the time. Similar descriptors include the  $L_{50}$ ,  $L_{01}$ , and  $L_{90}$  values.

Noise measurements were conducted on June 2, 2016. **Figure 2.9-1** indicates locations where noise levels were measured. A Type 2 Larson Davis LxT sound meter with wind shield was used to conduct the noise monitoring. The meter was placed on a tripod at a height of approximately five feet above the ground, away from any other surfaces and was calibrated prior to and following each monitoring session. Levels at the site were measured during the weekday peak hours of 8:00 a.m. to 10:00 a.m.; 12:00 p.m. to 1:00 p.m. and 5:00 p.m. to 6:00 p.m. The results of the noise measurements are summarized in **Table 2.9-2**.

**Table 2.9-1 Sound Pressure Level & Loudness of Typical Noises in Indoor & Outdoor Environments<sup>1</sup>**

Noise Level dB(A)	Subjective Impression	Typical Sources		Relative Loudness (Human Response)
		Outdoor	Indoor	
120-130	Uncomfortably Loud	Air raid siren at 50 feet (threshold of pain)	Oxygen torch	32 times as loud
110-120	Uncomfortably Loud	Turbo-fan aircraft at take-off power at 200 feet	Riveting machine Rock band	16 times as loud
100-110	Uncomfortably Loud	Jackhammer at 3 feet		8 times as loud
90-100	Very Loud	Gas lawn mower at 3 feet Subway train at 30 feet Train whistle at crossing Wood chipper shredding trees Chain saw cutting trees at 10 feet	Newspaper press	4 times as loud
80-90	Very Loud	Passing freight train at 30 feet Steamroller at 30 feet Leaf blower at 5 feet Power lawn mower at 5 feet	Food blender Milling machine Garbage disposal Crowd noise at sports event	2 times as loud
70-80	Moderately Loud	NJ Turnpike at 50 feet Truck idling at 30 feet Traffic in downtown urban area	Loud stereo Vacuum cleaner Food blender	Reference loudness (70 dB(A))
60-70	Moderately Loud	Residential air conditioner at 100 feet Gas lawn mower at 100 feet Waves breaking on beach at 65 feet	Cash register Dishwasher Theater lobby Normal speech at 3 feet	2 times as loud
50-60	Quiet	Large transformers at 100 feet Traffic in suburban area	Living room with TV on Classroom Business office Dehumidifier Normal speech at 10 feet	1/4 as loud
40-50	Quiet	Bird calls Trees rustling Crickets	Folding clothes Using computer	1/8 as loud
30-40	Very quiet		Walking on carpet Clock ticking in adjacent room	1/16 as loud
20-30	Very quiet		Bedroom at night	1/32 as loud
10-20	Extremely quiet		Broadcast and recording studio	
0-10	Threshold of Hearing			

<sup>1</sup> **Sources:** Noise Assessment Guidelines Technical Background, by Theodore J. Schultz, Bolt Beranek and Newman, Inc., prepared for the US Department of Housing and Urban Development, Office of Research and Technology, Washington, D.C., undated; Sandstone Environmental Associates, Inc.; Highway Noise Fundamentals, prepared by the Federal Highway Administration, US Department of Transportation, September 1980; Handbook of Environmental Acoustics, by James P. Cowan, Van Nostrand Reinhold, 1994.

Figure 2.9-1 Noise Monitoring Locations





**Table 2.9-2 Measured Noise Levels (dB(A))**

	Noise Descriptor	AM Peak	Midday	PM Peak
<b>Location L1</b>	L <sub>eq</sub>	70.7	72.7	70.6
	L <sub>5</sub>	75.0	76.0	75.8
	<b>L<sub>10</sub></b>	<b>72.3</b>	<b>73.2</b>	<b>72.5</b>
	L <sub>50</sub>	65.9	65.8	66.6
	L <sub>90</sub>	58.9	59.7	59.8
<b>Location L2</b>	L <sub>eq</sub>	64.5	63.5	63.0
	L <sub>5</sub>	68.0	68.5	68.5
	<b>L<sub>10</sub></b>	<b>65.9</b>	<b>65.4</b>	<b>66.1</b>
	L <sub>50</sub>	59.4	56.7	57.1
	L <sub>90</sub>	54.5	53.5	52.4
<b>Location L3</b>	L <sub>eq</sub>	69.0	68.3	70.1
	L <sub>5</sub>	74.2	72.9	74.5
	<b>L<sub>10</sub></b>	<b>71.8</b>	<b>70.0</b>	<b>72.3</b>
	L <sub>50</sub>	66.3	63.9	65.7
	L <sub>90</sub>	60.9	59.4	60.3

Table 19-2 in the *CEQR Technical Manual* contains noise exposure guidelines. For an outpatient public-health facility, an L<sub>10</sub> of between 65 and 70 dB(A) is identified as a marginally acceptable general external exposure; a L<sub>10</sub> of between 70 and 80 dB(A) is identified as a marginally unacceptable general external exposure. These values are consistent with the daytime noise exposure levels for a residential building. The highest recorded L<sub>10</sub> value at Location 1 was 73.2 during the 12:00-12:22 pm period. According to the *CEQR Technical Manual*, window-wall attenuation of 31 db(A) is recommended.

The highest recorded L<sub>10</sub> value at Location 2 was 66.1 during the 5:47-6:09 pm period. According to the *CEQR Technical Manual*, no window-wall attenuation is recommended. The highest recorded L<sub>10</sub> value at Location 3 was 72.3 during the 5:23-5:45 pm period. According to the *CEQR Technical Manual*, window-wall attenuation of 28 db(A) is recommended.

Based on the noise level measured at three locations, the recommended window-wall attenuation is shown in **Table 2.9-3**.

**Table 2.9-3 Window-Wall Attenuation Values**

Noise Monitoring Location	Block	Lot	Highest Recorded Noise Level (dbA)	Required Window-Wall Attenuation (dbA)
L1	6775	9,12,13	73.2	31 db(A)
L2	6775	74,75	66.1	N/A
L3	6774	6,7,9	72.3	28 db(A)

In order to ensure an acceptable interior noise environment maintaining an interior noise level of 45 dB(A), future residential and community facility uses at the projected development sites must provide a closed window condition with a minimum of 28 dB(A) window/wall attenuation on Block 6774, Lots 6, 7 and 9. This level of attenuation could be achieved with a closed window situation and alternate means of ventilation, such as indoor air conditioning, heat pumps or split systems. To preclude the potential for significant adverse noise impacts, an (E) Designation would be provided for all lots within the Rezoning Area. The text of the (E) designation for would be as follows: E-653 is assigned to this project:

#### Projected Development Site 2

Block 6774, Lots 6, 7 and 9:

*In order to ensure an acceptable interior noise environment, new residential/community facility development on the above referenced property must provide a closed window condition with a minimum of 28 dB(A) window/wall attenuation in order to maintain an interior noise level of 45 dBA. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided.*

With the implementation of this (E) designation, no significant adverse impacts related to noise would occur. Therefore, the action would not result in any potentially significant adverse noise impacts, and further assessment is not warranted.

### **2.9.2 Stationary Sources**

The *CEQR Technical Manual* states that based upon previous studies, unless existing ambient noise levels are very low and/or stationary source levels are very high (and there are no structures that provide shielding), it is unusual for stationary sources to have significant impacts at distances beyond 1,500 feet. A detailed analysis may be appropriate if the proposed project would: cause a substantial stationary source (i.e., unenclosed mechanical equipment for manufacturing or building ventilation purposes, playground, etc.) to be operating within 1,500 feet of a receptor, with a direct line of sight to that receptor; or introduce a receptor in an area with high ambient noise levels resulting from stationary sources, such as unenclosed manufacturing activities or other loud uses. Machinery,

mechanical equipment, heating, ventilating and air-conditioning units, loudspeakers, new loading docks, and other noise associated with building structures may also be considered in a stationary source noise analysis. Impacts may occur when a stationary noise source is near a sensitive receptor and is unenclosed.

The greater project study area includes residential uses with a mix of commercial and community facility uses. No unenclosed stationary noise sources of concern were observed during field inspection. As the Projected Development Sites are not subject to high ambient noise levels from any nearby stationary source, no stationary source noise impacts from surrounding uses are anticipated. Additionally, as the proposed project would not introduce a new stationary noise source, no significant adverse stationary source impacts are anticipated as a result of the Proposed Action and no further analysis is warranted.



## 2.10 NEIGHBORHOOD CHARACTER

As defined by the *CEQR Technical Manual*, neighborhood character is an amalgam of the various elements that give a neighborhood its distinct personality. The elements, when applicable, typically include land use, socioeconomic conditions, open space and shadows, historic and cultural resources, urban design and visual resources, transportation, and noise, as well as any other physical or social characteristics that help to define a community. Not all these elements affect neighborhood character in all cases; a neighborhood usually draws its distinctive character from a few defining features. If a project has the potential to result in any significant adverse impacts on any of the above technical areas, a preliminary assessment of neighborhood character may be appropriate. A significant impact identified in one of these technical areas is not automatically equivalent to a significant impact on neighborhood character; rather, it serves as an indication that neighborhood character should be examined.

In addition, depending on the project, a combination of moderate changes in several of these technical areas may potentially have a significant effect on neighborhood character. As stated in the *CEQR Technical Manual*, a “moderate” effect is generally defined as an effect considered reasonably close to the significant adverse impact threshold for a technical analysis area. When considered together, there are elements that may have the potential to significantly affect neighborhood character. Moderate effects on several elements may affect defining features of a neighborhood and, in turn, a pedestrian’s overall experience. If it is determined that two or more categories may have potential “moderate effects” on the environment, CEQR states that an assessment should be conducted to determine if the proposed project result in a combination of moderate effects to several elements that cumulatively may affect neighborhood character. If a project would result in only slight effects in several analysis categories, further analysis is generally not needed.

This chapter reviews the defining features of the neighborhood and examines the Proposed Action’s potential to affect the neighborhood character of the surrounding study area. The study area is generally coterminous with the study area used for the land use and zoning analysis in Chapter 2.1.

The assessment begins with a review of existing conditions and the neighborhood of the study area. The information is drawn from the preceding sections of this EAS but is presented in a more integrated way. While the other sections present all relevant details about aspects of the environmental setting, the discussion for neighborhood character focuses on a limited number of important features that gives the neighborhood its own sense of place and that distinguish them from other parts of the city. A concise discussion of the changes anticipated by the 2024 analysis year under the Future No-Action Condition is then included. A brief overview of the Proposed Action is presented, along with an analysis of whether any anticipated adverse impacts and moderate adverse effects, regarding the relevant technical CEQR assessment categories for neighborhood character, would adversely affect any of the defining features.

### 2.10.1 Existing Conditions

#### *Land Use, Zoning and Public Policy*

Existing land use immediately surrounding the Project Area include one- and two-family residences, multi-family residential buildings, mixed residential and commercial buildings, public facilities and institutions, and commercial uses. The commercial uses in the vicinity of the Project Area include local retail businesses, restaurants, destination retail (TJ Maxx), office buildings and a fire station.

The Rezoning Area is generally mapped along the south side of Avenue P between East 13<sup>th</sup> Street to the east and the midblock point between East 12<sup>th</sup> Street and Coney Island Avenue to the west in the Midwood neighborhood of Brooklyn, which generally consists of residential buildings, office space, and public facilities. Directly west of the proposed development site are one- and two-family residences on east 12<sup>th</sup> Street. South of the proposed development site are additional one and two family and multi-family walk-up residential uses on East 12<sup>th</sup> Street and East 13<sup>th</sup> Street. Directly east of the proposed development site is a six-story residential building with 65 residential units. North of the Rezoning Area is the Jewish Center of Kings Highway and the Shaul & Mary Tawil Boys High School. Additionally, another medical facility is also north of the Rezoning Area.

The northern portion of the study area consists largely of a mix of one and two family, multi-family walk-up, and multi-family elevator residential uses. There are mixed residential and commercial buildings along this section of Coney Island Avenue. The northwest and northeast corner lots at Coney Island Avenue and Avenue P used to be occupied by a Gulf and Mobil gas station respectively. However, both lots are now vacant and under construction. The southern portion of the study area is comprised primarily of one and two family and multifamily residential uses. The eastern portion of the study area contains buildings that are primarily commercial, residential, or public facilities. Residential uses are sprinkled in along the commercial corridors of East 13<sup>th</sup> Street and east 14<sup>th</sup> Street, which serve as local retail destinations and office space. FDNY Engine 276 is housed on East 14<sup>th</sup> Street just south of Avenue P, adjacent to a New York Sports Club and a TJ Maxx department store, the largest retail store in the study area. The western portion of the study area consists primarily of mixed residential and commercial buildings and office buildings on Coney Island Avenue

The Rezoning Area is located within an R5B District. The predominant zoning districts within 400 feet are R4-1, C4-4A, and R7A with a C2-3 overlay and C8-2. R4-1 districts also permit the detached and semi-detached residential buildings found in the rest of the study area. This district has a maximum FAR of 0.75, with a 20 percent attic allowance. The maximum perimeter wall height is 25 feet, allowing building heights to reach a maximum of 35 feet. Off-street parking is required for at least one per dwelling unit on the side or back yards. C4 districts are mapped in regional commercial centers, which serve larger regions and generate more traffic than local retail uses. Commercial uses in this district include specialty and department stores, theaters and office use. C4-4A districts have a maximum FAR of 4.0 for both commercial and residential uses, which is equivalent to an R7A residential district. C2-3 commercial overlays on R7A residential districts have a maximum residential FAR of 4.0 and a maximum commercial FAR of 2.0. Commercial uses within this district include local grocery stores, restaurants, and beauty parlors on the ground floor of residential buildings, which

serve local retail needs. C8-2 districts have a maximum FAR of 2.0. C8 districts provide for automotive and other heavy commercial services that require large amounts of land. Housing is not permitted in this district.

### ***Transportation***

The street hierarchy of the study area includes several different functional classifications. Avenue P and Coney Island Avenue are classified as “Principal Arterial Other” roadways Avenue P is a major east-west, six lane street, with one lane of parking on each side and two lanes of traffic in each direction. All other roadways in the study area are classified as local roads

### ***Urban Design and Visual Resources***

The architecture throughout the study area is eclectic, with no unity of form to tie the built form together visually. As noted in Section 2.1.1, existing land use immediately surrounding the Project Area include one- and two-family residences, multi-family residential buildings, mixed residential and commercial buildings, public facilities and institutions, and commercial uses. The commercial uses are comprised of, local retail, restaurants, auto body repair shops, and office space. The prevailing built form of the area is a mix of low- to mid-rise non-residential buildings and two-to six-story residential buildings. In the R5B zoning district, adjacent to the proposed development site, the medical office building at 1220 Avenue P is a conforming use. No open space exists within the study area. The Jewish Center of Kings Highway located at 1202-1218 Avenue P has been designated a Historic Place by the United States National Parks Service. The Most buildings within the study area are arranged regular (parallel) with respect to their lot placement and many of the residential and mixed-use buildings are often attached to one another, as opposed to free-standing detached buildings. There are few streetscape elements present within the study area and little in the way of visual interest. Most of the streets contain street trees, which are generally located at irregular intervals; however, no other notable streetscape elements (e.g. benches) are located within the study area.

#### **2.10.2 Future No-Action Scenario**

In the Future No-Action Scenario, the Proposed Action would not occur, and it is expected that the existing uses within the Rezoning Area would remain in their current form.

Significant changes to the study area are not expected by the analysis year of 2024. In the Future No-Action Scenario, it is expected that while tenants within surrounding area buildings may change, the overall use of these buildings would remain the same, and any physical changes would comply with designated zoning regulations and other surrounding districts.

#### **2.10.3 Future With-Action Scenario**

The elements that comprise neighborhood character are reviewed individually below, with a following supporting and cumulative conclusion.

## ***Land Use, Zoning and Public Policy***

According to the *CEQR Technical Manual*, development resulting from a Proposed Action could alter neighborhood character if it introduces new land uses, conflicts with land use policy or other public plans for the area, changes land use character, or generates significant land use impacts.

Under the Future With-Action Scenario, the proposed rezoning would amend the zoning map to change the existing R5B district to an R7A district, which would facilitate the Applicant's medical office expansion.

The Projected Development on Site 1, which would be an enlargement to the existing building at 1220 Avenue P on Lot 9, cannot exceed 55 feet since the Site is within 25 feet of an R5B zoning district boundary. As such, the building will have a maximum of four floors. When taking into account additional R7A regulations, such as maximum lot coverage and setback and rear yard minimums, it is unlikely that the applicant would be able to develop a building to the maximum FAR of 4.0 for community facility uses.

Since Lot 9 is already full built out, it is assumed that development would only occur on Lots 12, 13, 74, and 75, and would act as an enlargement to the building on Lot 9.

As such, on combined 8,000 sf lot, it is assumed that the enlargement would have 26,400 gsf (24,000 zsf) of UG 4 community facility floor area, which would be occupied by medical office uses. The building would have a maximum height of 55 feet. No parking is required for a UG 4 community facility in an R7A zoning district. This enlargement would increase the total gross floor area on Projected Development Site 1 to 48,400 gsf.

This does not represent the maximum FAR for community facility use in R7A zoning districts. However, due to R7A zoning regulations, and given the fact that the building would be unable to exceed a height of 55 feet (maximum height in R7A zoning districts is usually 75 feet), it is very likely that the applicant would not be able to construct a fifth floor, therefore, losing 1.0 FAR of available community facility floor area.

Additionally, the mapping of an R7A residential district over the proposed Rezoning Area would give Block 6774, Lots 6, 7 and 9 the potential to be developed to maximum with residential uses. Under the With-Action Scenario, it is assumed that Block 6774, Lots 6, 7 and 9 would be assembled as one development parcel. On a combined 10,000 sf parcel, it is assumed a new residential building would be constructed.

Under the With-Action Scenario, it is assumed that Block 6774, Lots 6, 7 and 9 (Projected Development Site 2) would be assembled as one development parcel. On a combined 10,000 sf parcel, it is assumed a new residential building would be constructed. It is assumed that this new building would be constructed to the maximum height and FAR allowed in

As such, on combined 10,000 sf lot, it is assumed that new residential building would have 50,600 gsf (46,000 zsf) of UG 2 residential floor area, containing 50 apartments assuming 1000 sf per dwelling unit, 10 of which

would be affordable. The building would have a maximum height of 95 feet. 20 parking spaces would be required for the market rate units in the building which would be located within the cellar of the building.

This section of the Brooklyn neighborhood of Midwood is densely developed with nearly all the land being occupied by residential, commercial and office, and public institutional uses. The Proposed Action would represent an expansion of an existing medical office located at 1220 Avenue P and new residential uses along Avenue P. There are multiple medical offices and facilities in the surrounding area 400-Foot Study Area and multiple apartment buildings with similar heights as what is Projected on Development Site 2. Avenue P, a wide 6-lane street, is suitable for this sort of dense development. Therefore, the Proposed Action is not expected to have an adverse impact on surrounding land use. The Proposed Action would not have a significant impact on the extent of conformity with the current zoning in the surrounding area, and it would not adversely affect the viability of conforming uses on nearby properties. R5B zoning districts have maximum allowable building heights of 33 feet, only 22 feet less than what is being projected on both Projected Development Sites 1 and 2 in the Project Area. Furthermore, approximately 400 feet south of the Rezoning Area lies a C4-4A zoning district, which is the residential equivalent of an R7A zoning district. This demonstrates that the proposed R7A zoning is appropriate for the Project Area. Avenue P, a wide 6-lane street, is suitable for this sort of dense development. Therefore, significant adverse impacts to zoning are not anticipated and further zoning analysis is not warranted.

### ***Historic and Cultural Resources***

According to CEQR, when an action results in substantial direct changes to a historic or cultural resource or substantial changes to public views of a resource, or when a historic or cultural resource analysis identifies a significant impact in this category, there is a potential to affect neighborhood character.

The project site is not a designated local LPC or S/NR historic resource or property, nor is the site part of any designated historic district. The LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on July 8, 2016, indicating that the projected development sites have no architectural or archaeological significance. While the two properties at Block 6775, Lots 1 and 5 are S/NR listed, no development plans at these properties are currently known. Should the property owners pursue the redevelopment of either property, the appropriate consultation with SHPO is assumed to occur. Therefore, significant adverse impacts to these resources are not expected as a result of the Proposed Action and further analysis is not warranted.

### ***Urban Design and Visual Resources***

According to the *CEQR Technical Manual*, in developed areas, urban design changes have the potential to affect neighborhood character by introducing substantially different building bulk, form, size, scale, or arrangement. Urban design changes may also affect block forms, street patterns, or street hierarchies, as well as streetscape elements such as street walls, landscaping, curb cuts, and loading docks. Visual resource changes could affect neighborhood character if they directly alter key visual features such as unique and important public view corridors and vistas or block public visual access to such features.

The Proposed Action would not diminish or disturb the existing aesthetic continuity, pedestrian features of the community or neighborhood, and as the Proposed Action would not block any view corridors or views to/from any natural areas with rare or defining features, nor would the Proposed Action impact a historical or culturally sensitive community features, the Proposed Action is not expected to result in any significant adverse urban design. Visual resource changes would also not occur, as the Proposed Action would not directly alter any key visual features, such as unique and important public view corridors and vistas or block public visual access to such features.

### **Shadows**

According to CEQR, when shadows from a proposed project fall on a sunlight-sensitive resource and substantially reduce or completely eliminate direct sunlight exposure such that the public's use of the resource is significantly altered or the viability of vegetation or other resources is threatened, there is a potential to affect neighborhood character.

A shadow radius of 4.3 times the maximum height of each Projected Site was calculated, resulting in a maximum shadow radius of approximately 236.5 feet for Projected Development Site 1 and a maximum shadow radius of 408.5 feet for Projected Development Site 2. As shown in **Figure 2.2-1**, the results of the Tier 1 screening assessment show that there are no sunlight sensitive resources within the Tier 1 maximum shadow analysis area. While the buildings at 1202 and 1218 Avenue P are listed on the National Register of Historic Places, they do not contain any sunlight-sensitive features that would receive incremental shadows as a result of the Proposed Action. Therefore, further shadow analyses are not warranted as a result of the Proposed Action and no significant adverse impacts are expected.

### **Noise**

According to the *CEQR Technical Manual*, for an action to affect neighborhood character with respect to noise, it would need to result in a significant adverse noise impact and a change in acceptability categories.

As demonstrated in Section 2.7, the maximum  $L_{10}$  measured within the Rezoning Area was 73.2 dB(A) during the midday period. Therefore, the noise at the project site falls within the "Marginally Unacceptable" range. The Proposed Action would not result in a change of acceptability categories, as it would not introduce any notable mobile or stationary sources or noise, and as such, the Proposed Action would not affect neighborhood character with respect to noise.

### **Conclusions**

Of the relevant technical areas specified in the *CEQR Technical Manual* that comprise neighborhood character, the Proposed Action would not cause significant adverse impacts regarding any of them. Moderate adverse effects that would potentially impact such a defining feature, either singly or in combination, have



also not been identified for more than one technical area. Therefore, as the Proposed Action would not have a significant adverse neighborhood character impact and would not result in any significant adverse impact to a defining feature of the neighborhood, further analysis is not necessary.

## 2.11 CONSTRUCTION

Construction, although temporary, can result in disruptive and noticeable effects on a Proposed Rezoning Area. A determination of the significance of construction and the need for mitigation is based on the duration and magnitude of these effects. Construction is typically of greatest importance when it could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise patterns and air quality conditions. All analyses were undertaken in accordance with the guidelines contained in the CEQR Technical Manual.

The Proposed Action involves a rezoning in the Midwood section of Brooklyn. In addition to the Projected Development Site controlled by the applicant, there is one other Projected Development Site in the Rezoning Area. While the duration of construction on the applicant's site is expected to last approximately 20 months, the remaining Projected Development Site is anticipated to be developed in the two years following the adoption of the proposed rezoning.

As construction induced by the Proposed Action would be gradual, potential impacts would be minimal and, as discussed below, not expected to have any significant adverse impacts. The following is a brief discussion of the effects associated with construction related activities on traffic, air quality, noise, historical resources and hazardous materials resulting from the construction of the projected development sites.

### **Effect of Construction on Traffic Network**

The Proposed Action would result in new development, over a four-year period, on up to two Projected Development Sites. These developments would replace existing uses on each site. During construction, the sites would generate trips from workers traveling to and from the construction sites, and from the movement of materials and equipment.

Given typical construction hours of 7:00 AM to 4:00 PM, worker trips would be concentrated in off-peak hours typically, before both the AM and PM peak commuter periods. Truck movements typically would be spread throughout the day on weekdays and would generally occur between the hours of 7:00 AM and 4:30 PM. Traffic generated by construction workers and construction truck traffic would not represent a substantial increment during the area's peak travel periods.

Construction activities may result in short-term disruption of both traffic and pedestrian movements at the development sites. This would occur primarily due to the temporary loss of curbside lanes from the staging of equipment and the movement of materials to and from the site. Additionally, construction would result in the temporary closing of sidewalks adjacent to the site at times. These conditions would not lead to significant adverse effects on traffic and transportation conditions.

## **Effect of Construction on Air Quality**

Possible impacts on local air quality during construction induced by the Proposed Action include fugitive dust (particulate) emission from land clearing operation and demolition as well as mobile source emissions (hydrocarbons, nitrogen oxide, and carbon monoxide) generated by construction equipment and vehicles.

Fugitive dust emissions from land clearing operations can occur from excavation, hauling, dumping, spreading, grading, compaction, wind erosion, and traffic over unpaved areas. Actual quantities of emissions depend on the extent and nature of the clearing operations, the type of equipment employed, the physical characteristics of the underlying soil, the speed at which construction vehicles are operated, and the type of fugitive dust control methods employed. Much of the fugitive dust generated by construction activities would be of a short-term duration and relatively contained within a proposed site, not significantly impacting nearby buildings or residents. All appropriate fugitive dust control measures – including watering of exposed areas and dust covers for trucks – would be employed during construction of the development sites. Therefore, the fugitive source emissions generated by the Proposed Action would not be significant.

Mobile source emissions may result from the operation of construction equipment, trucks delivering materials and removing debris, workers' private vehicles, or occasional disruptions in traffic near the construction site. As the number of construction-related vehicle trips generated by the Proposed Action would be relatively small and the emissions from such vehicles as well as construction equipment would occur over a gradual period and be dispersed throughout the proposed Rezoning Area, the mobile source emissions generated by the Proposed Action would not be significant. Overall, the Proposed Action would not have the potential to result in significant adverse air quality impacts.

## **Effect of Construction on Noise**

Noise and vibration from construction equipment operation and noise from construction workers' vehicles and delivery vehicles traveling to and from the construction sites can affect community noise levels. The level of impact of these noise sources depends on the noise characteristics of the equipment and activities involved the construction schedule, and the location of potentially sensitive noise receptors.

Noise and vibration levels at a given location are dependent on the kind and number of pieces of construction equipment being operated, as well as the distance of the location from the construction site and the types of structures, if any, between the location and the noise source. Noise levels caused by construction activities can vary widely, depending on the phase of construction (e.g. demolition, land clearing and excavation, foundation, erection of structure, construction of exterior walls) and the specific task being undertaken.

Construction noise associated with the Proposed Actions are expected to be similar to noise generated by other residential construction projects in the city. Increased noise level caused by construction activities can be expected to be more significant during early excavation phases of construction and would be of relatively

short duration. Increases in noise levels caused by delivery trucks and other construction vehicles would not be significant.

Construction noise is regulated by the New York City Noise Control Code and by the Environmental Protection Agency noise emission standards for construction equipment. These local and federal requirements mandate that certain classifications of construction equipment and motor vehicles meet specified noise emissions standards; that, except under exceptional circumstances, construction activities be limited to weekdays between the hours of 7:00 AM and 6:00 PM; and that construction material be handled and transported in such a manner as not to create unnecessary noise. In addition, whenever possible, appropriate low noise emission level equipment and operational procedures can be utilized to minimize noise and its effect on adjacent uses. These regulations would be followed in such a manner that no significant adverse noise impacts would be expected to result from the Proposed Action.

#### Effect of Construction on Historic and Cultural Resources

The Projected Development Sites would be subject to New York City Department of Building (NYCDOB) controls, as there are two S/NR registered buildings located within Rezoning Area (see Section 2.3). There are two mechanisms to protect buildings in New York City from potential indirect damage caused by construction activities. All buildings are provided some protection from accidental damage through NYCDOB controls that govern the protection of adjacent properties from construction activities under Building Code Section 27-166 (C26-112.4). For all construction work, this building code protects buildings by requiring that all lots, buildings, and service facilities adjacent to foundation and earthwork areas be protected and supported in accordance with the requirements of Building Construction Subchapter 7 and Building Code Subchapters 11 and 19.

The second protective measure applies to designated NYCL and S/NR-listed historic buildings and districts. For these structures, the NYCDOB's Technical Policy and Procedure Notice (TPPN) No. 10/88 applies. TPPN 10/88 supplements the standard building protections afforded by the Building Code C26-112.4 by requiring a monitoring program to reduce the likelihood of construction damage to adjacent LPC-designated or S/NR-listed resources within 90 feet of construction activity, and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

According to the CEQR Technical Manual, construction impacts may occur on historic and cultural resources if in-ground disturbances or vibrations associated with project construction could undermine the foundation or structural integrity of nearby resources. As all construction activities would be subject to NYCDOB protective measures, significant adverse impacts to historic resources from construction-related activities would not occur and further assessment is not warranted.

#### Effect of Construction on Hazardous Materials

The Proposed Action would result in new development in the Rezoning Area. However, since the proposed development would not result in any development that was historically a manufacturing area nor near an

existing manufacturing area, no further analysis was required, and such no significant adverse impacts are expected regarding construction's effects on hazardous materials.

## **Conclusion**

Construction-related activities are not expected to have any significant adverse impacts on traffic, air quality, noise, historic resources, or hazardous materials conditions as a result of the Proposed Action.

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*Appendix A: Site Plans*

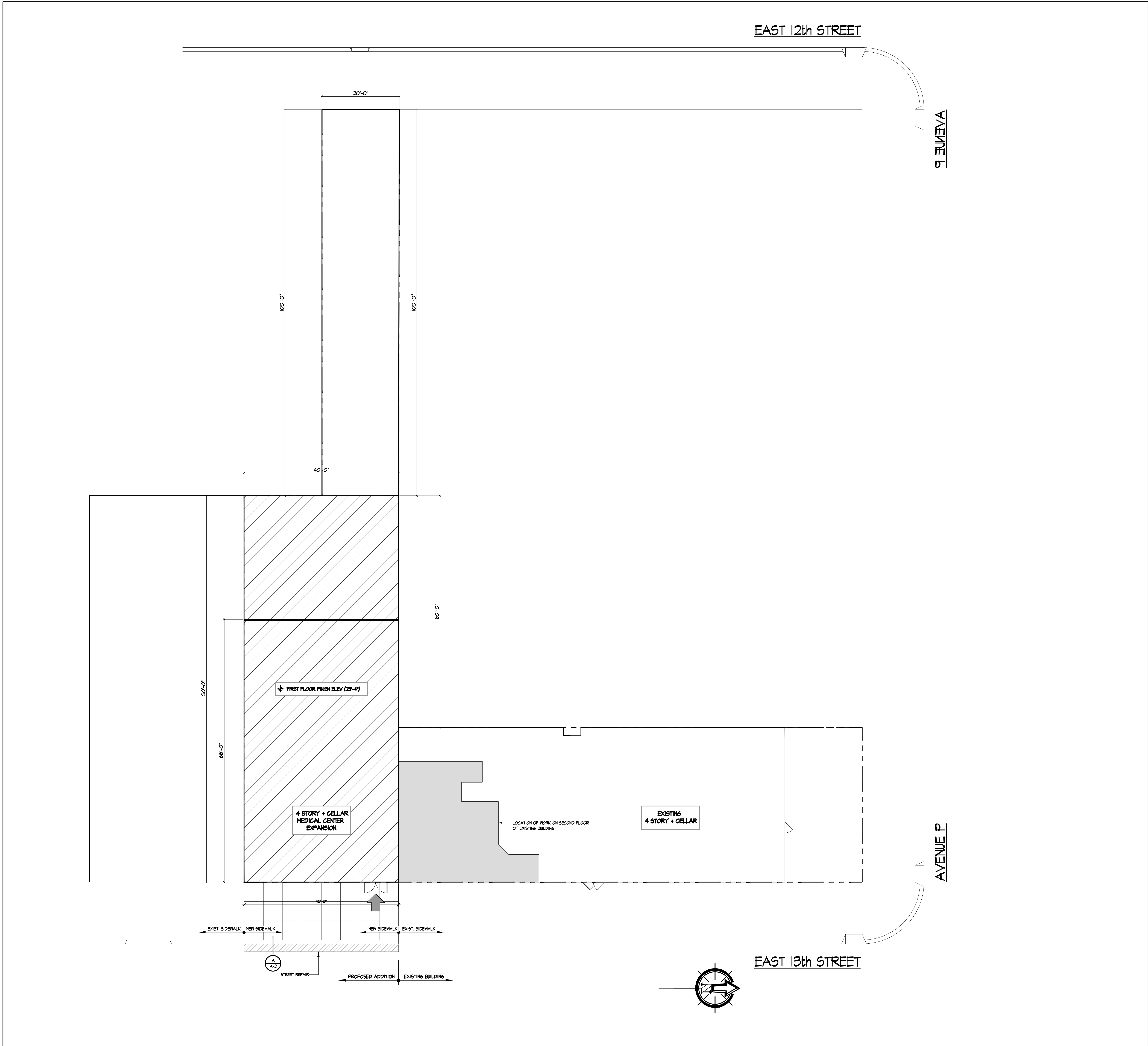
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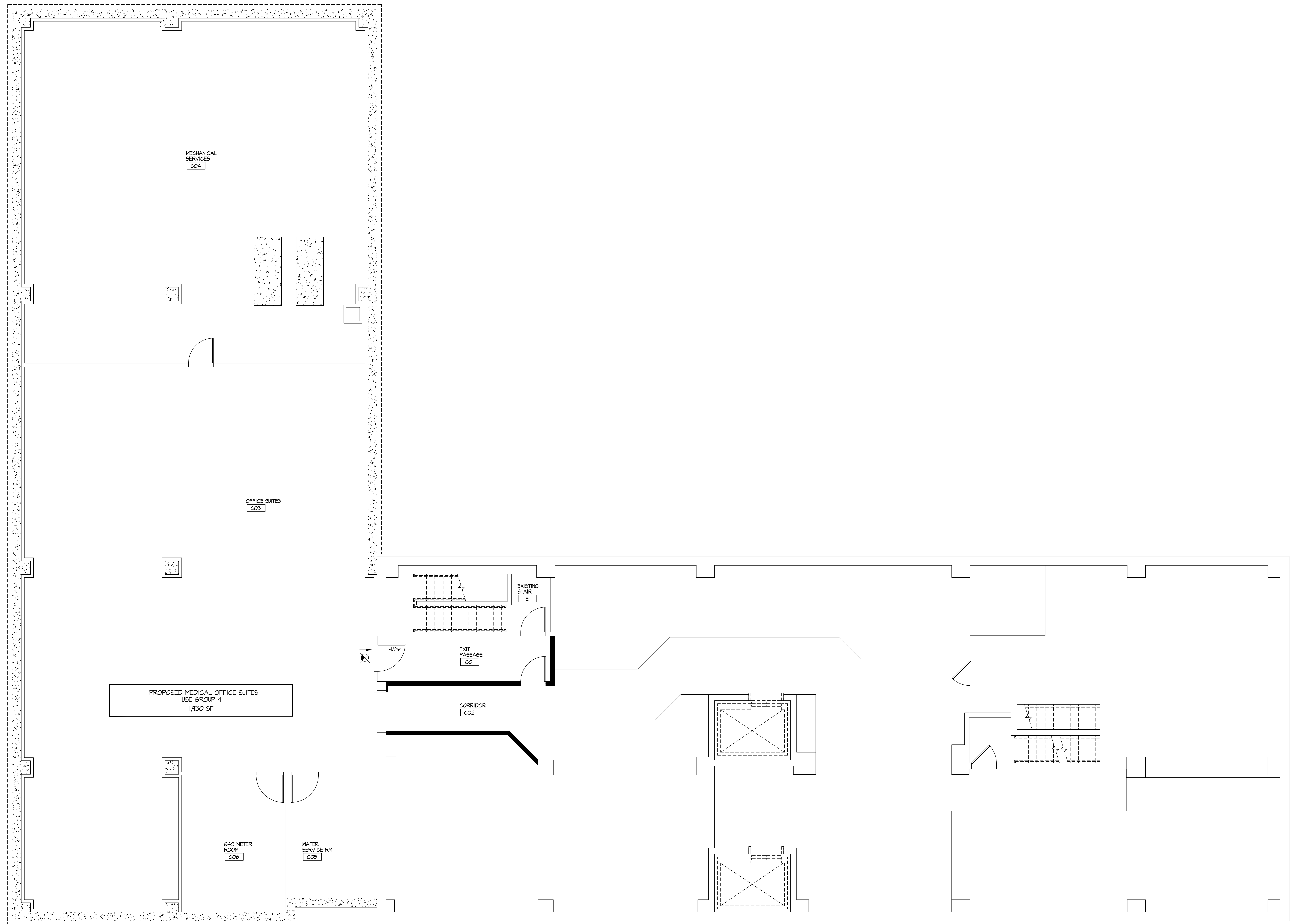
## ZONING INFORMATION

				STRUCTURAL ENGINEER YURY MAENITSKY STRUCTURAL ENGINEER (212) 621-1244 BROOKLYN, N.Y. 11234 (718) 377-0288		TITLE SHEET EXPANSION OF D&T CENTER 1220 AVENUE F BROOKLYN, NEW YORK		DRAWING NO. of	
				MECHANICAL ENGINEER MOTTIGLA RINI CONSULTING ENGINEERS 36 WEST 25th STREET NEW YORK, NY 10010 (212) 621-7899		James H. Tarjeson RA Terjeson Associates Architects		DATE 10/20/2017 SCALE 1/4"=1'-0"	
DATE		DESCRIPTION		BY	REV			PROJECT NO. 1925	

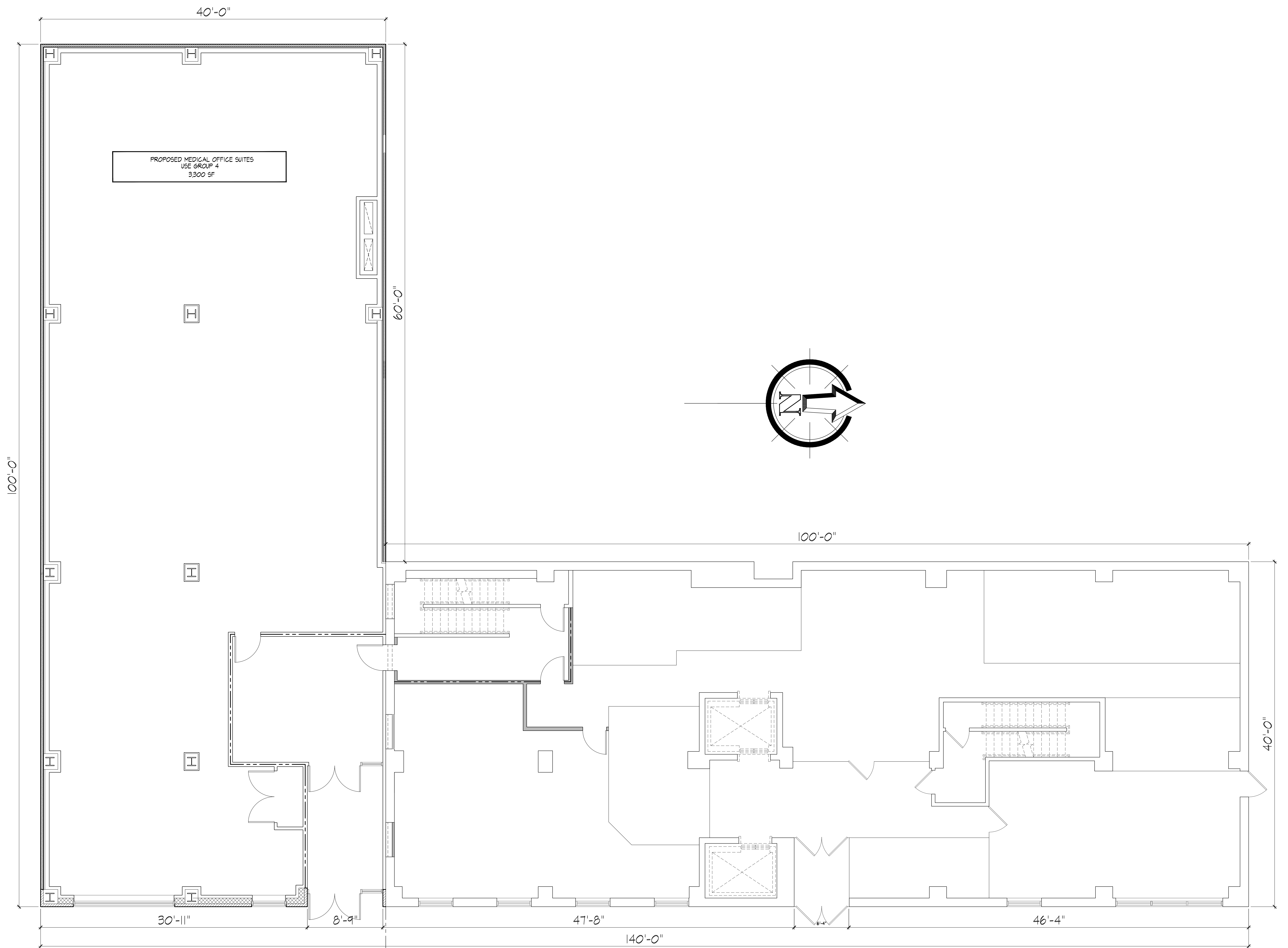
LEGEND	
SYMBOL	DESCRIPTION
---	ZONING LOT LINE



				STRUCTURAL ENGINEER YURY MARINYANSKY STRUCTURAL ENGINEERS (212) 621-1248 BROOKLYN, N.Y. 11234 (T18) 977-2258	SITE PLAN AND DETAILS		DRAWING NO 2 of		
				MECHANICAL ENGINEER WITTOLA RINI CONSULTING ENGINEERS 36 WEST 25th STREET NEW YORK, NY 10010 (212) 621-1248	EXPANSION OF D & T CENTER 1220 AVENUE P BROOKLYN, NEW YORK		A-2		
				Terjesen Associates Architects		James H. Terjesen RA		DATE 10.29.2017	PROJECT NO. 1925
				545 8th Avenue-17th Floor, New York, NY 10018 212/294-1822 FAX 212/294-5932				SCALE 1/4"=1'-0"	
02/14/03	COORDINATION REVISIONS	M.S.	02						
02/06/03	COORDINATION REVISIONS	M.S.	01						
DATE	DESCRIPTION	BY	REV						



				STRUCTURAL ENGINEER YURY MARINYANSKY STRUCTURAL ENGINEERS (212) 621-1249 BROOKLYN, N.Y. 11234 (T18) 977-2250		CELLAR FLOOR PLAN EXPANSION OF D&T CENTER 1220 AVENUE P BROOKLYN, NEW YORK		DRAWING NO 3 of A-3	
				MECHANICAL ENGINEER VITTOLIA RINI CONSULTING ENGINEERS 56 WEST 25TH STREET NEW YORK, NY 10010 (212) 621-1249		Terjesen Associates Architects James H. Terjesen RA 545 8th Avenue-17th Floor, New York, NY 10018 212/294-8222 FAX 212/294-8932		DATE 10.20.2017	PROJECT NO. 1925
02/14/03	COORDINATION REVISIONS	M.S.	02					SCALE 1/4"=1'-0"	
02/06/03	COORDINATION REVISIONS	M.S.	01						
DATE	DESCRIPTION	BY	REV						



← PROPOSED  
CONSTRUCTION

● EXISTING  
CONSTRUCTION

→

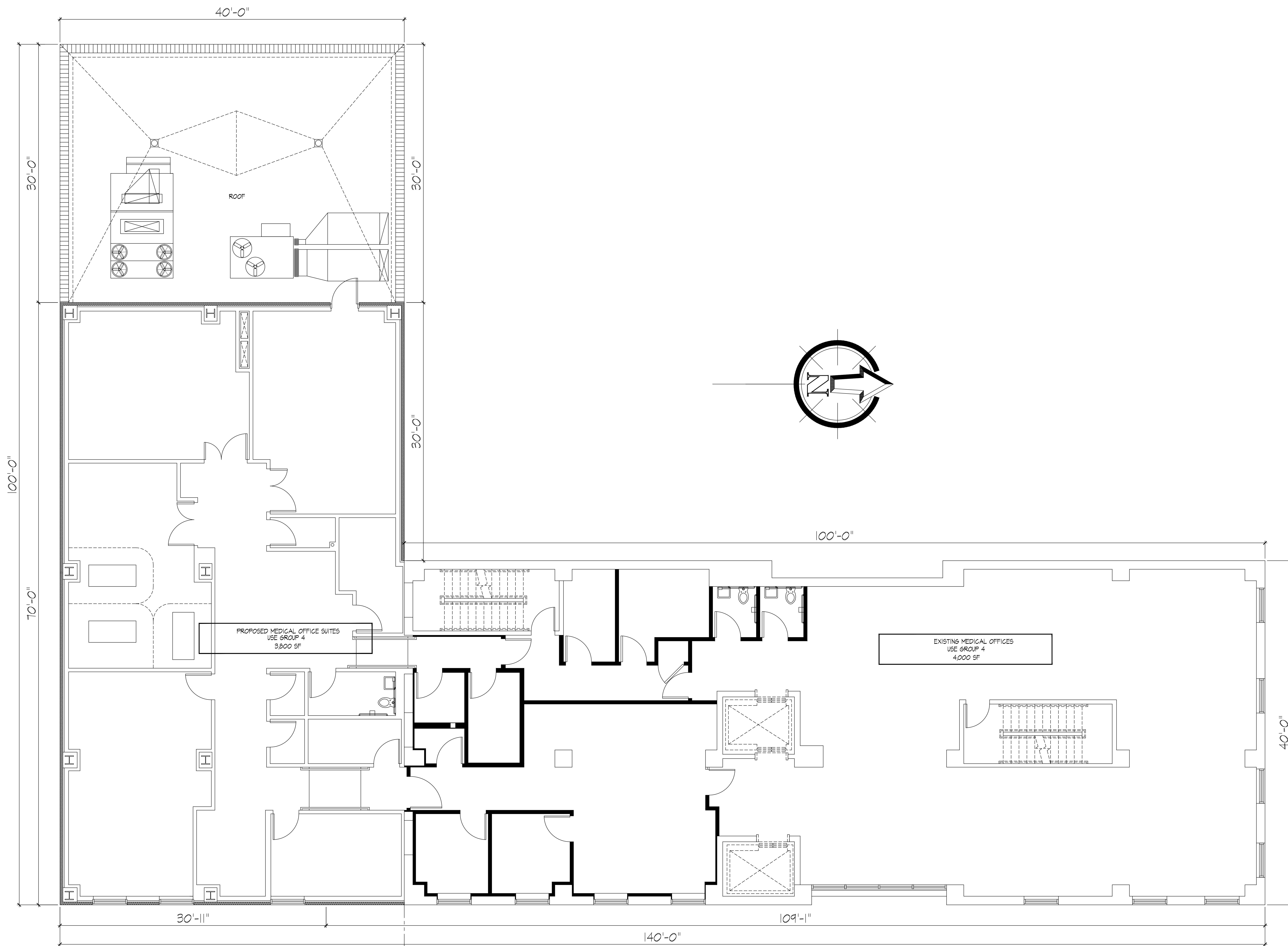
DATE	DESCRIPTION	BY	REV
02/14/03	COORDINATION REVISIONS	M.S.	02
02/06/03	COORDINATION REVISIONS	M.S.	01

STRUCTURAL ENGINEER  
YURY MARINYANSKY  
STRUCTURAL ENGINEERS  
(212) 627-1244  
BROOKLYN, N.Y. 11234  
(718) 971-2250

MECHANICAL ENGINEER  
VITTORIA RINI  
CONSULTING ENGINEERS  
56 WEST 25TH STREET  
NEW YORK, NY 10010  
(212) 627-1244

**FIRST FLOOR PLAN**  
**EXPANSION OF D&T CENTER**  
**1220 AVENUE P BROOKLYN, NEW YORK**  
**Terjesen Associates Architects**  
545 8th Avenue-17th Floor, New York, NY 10018 212/294-1522 FAX 212/294-552

DRAWING NO 4 of  
**A-4**  
DATE 10.29.2017  
SCALE 1/4"=1'-0"  
PROJECT NO 1925



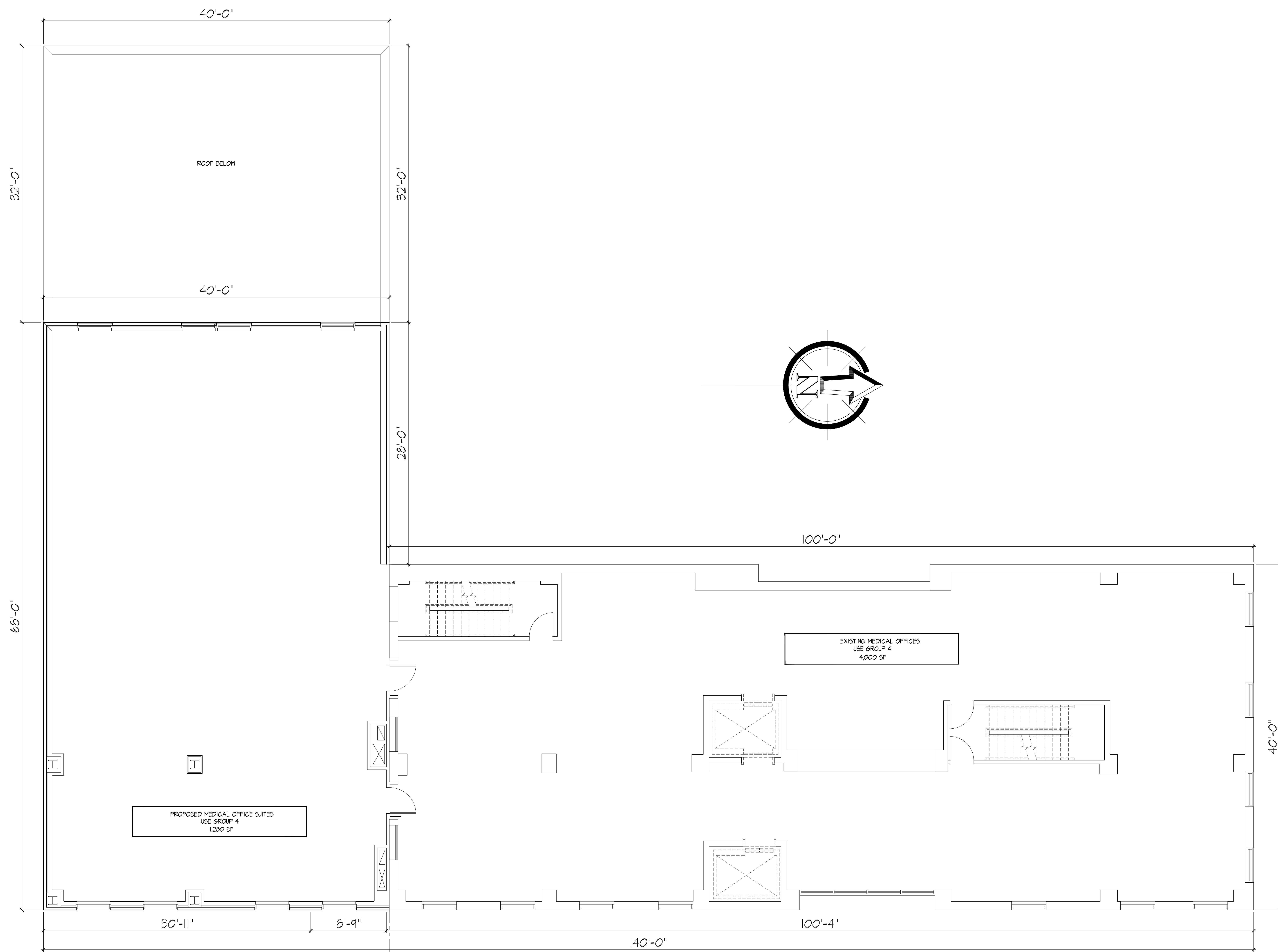
← PROPOSED CONSTRUCTION • EXISTING CONSTRUCTION →

02/14/03	COORDINATION REVISIONS	M.S.	02
02/06/03	COORDINATION REVISIONS	M.S.	01
DATE	DESCRIPTION	BY	REV

STRUCTURAL ENGINEER  
YURY MARINYANSKY  
STRUCTURAL ENGINEERS  
(212) 621-1249  
BROOKLYN, N.Y. 11234  
(718) 971-2250  
MECHANICAL ENGINEER  
VITTOLIA RINI  
CONSULTING ENGINEERS  
56 WEST 25TH STREET  
NEW YORK, NY 10010  
(212) 621-1249

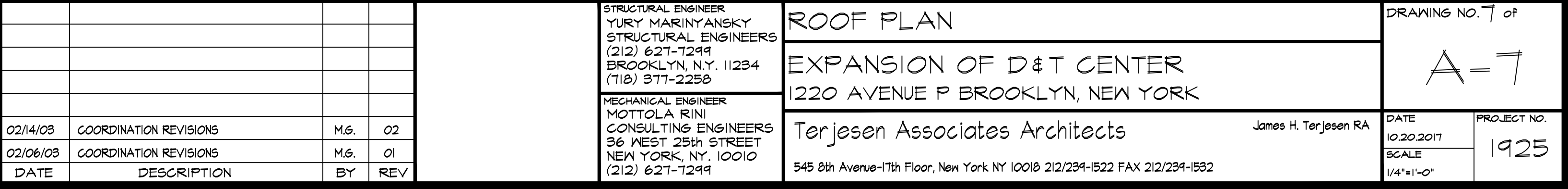
**SECOND FLOOR PLAN**  
**EXPANSION OF D&T CENTER**  
**1220 AVENUE P BROOKLYN, NEW YORK**  
Terjesen Associates Architects  
James H. Terjesen RA  
545 8th Avenue-17th Floor, New York, NY 10018 212/294-8222 FAX 212/294-8932

DRAWING NO 5 of  
**A-5**  
DATE 10.20.2017  
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PROJECT NO. 1925

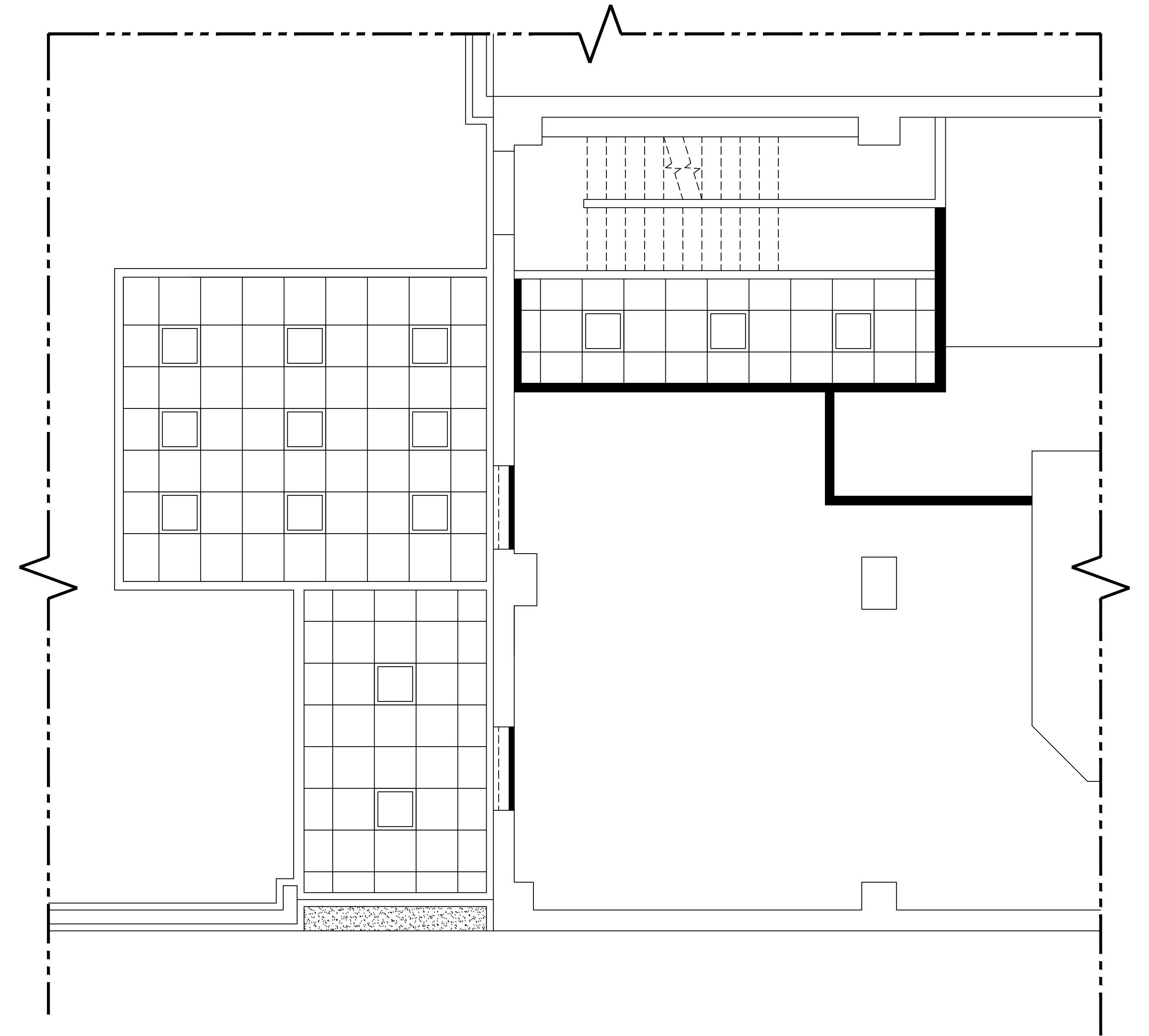
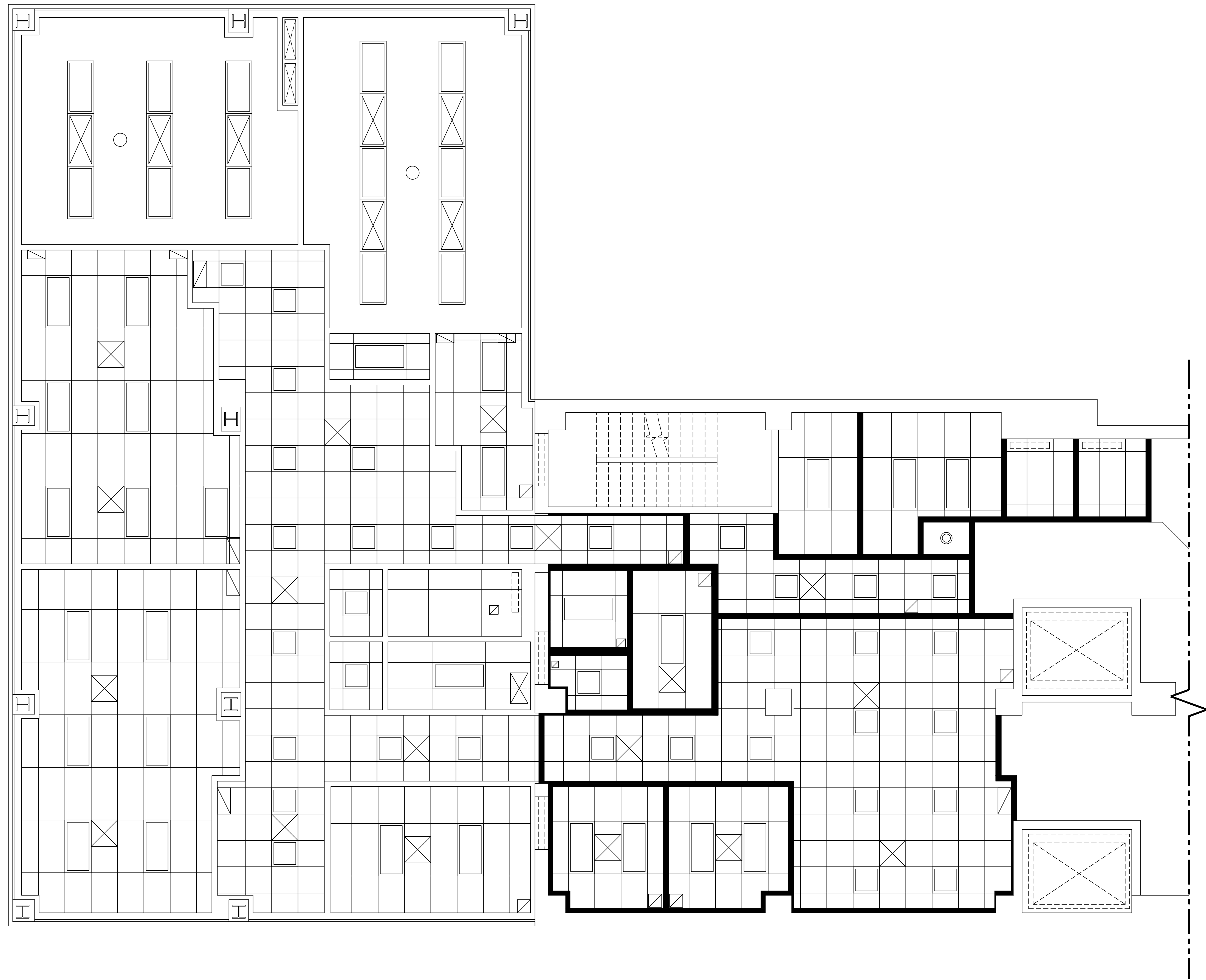


								3rd & 4th FLOOR PLAN		DRAWING NO 6 of	
								EXPANSION OF D&T CENTER		A-6	
								1220 AVENUE P BROOKLYN, NEW YORK		DATE 10/20/2007	
								Terjesen Associates Architects		PROJECT NO 1925	
								545 8th Avenue-17th Floor, New York, NY 10018 212/294-1522 FAX 212/294-1532		SCALE 1/4"=1'-0"	
02/14/03		COORDINATION REVISIONS		M.S.		02					
02/06/03		COORDINATION REVISIONS		M.S.		01					
DATE		DESCRIPTION		BY		REV					

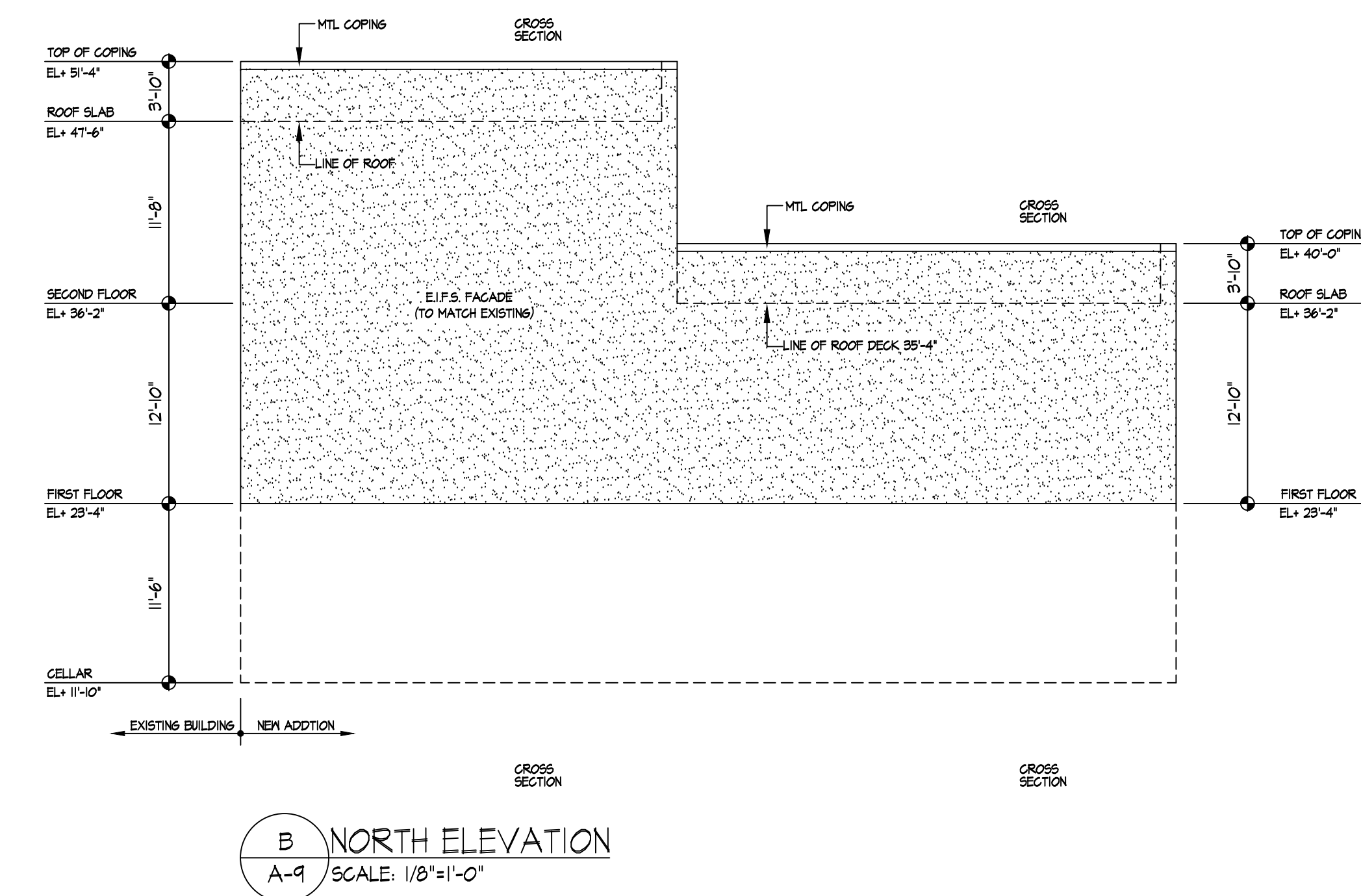
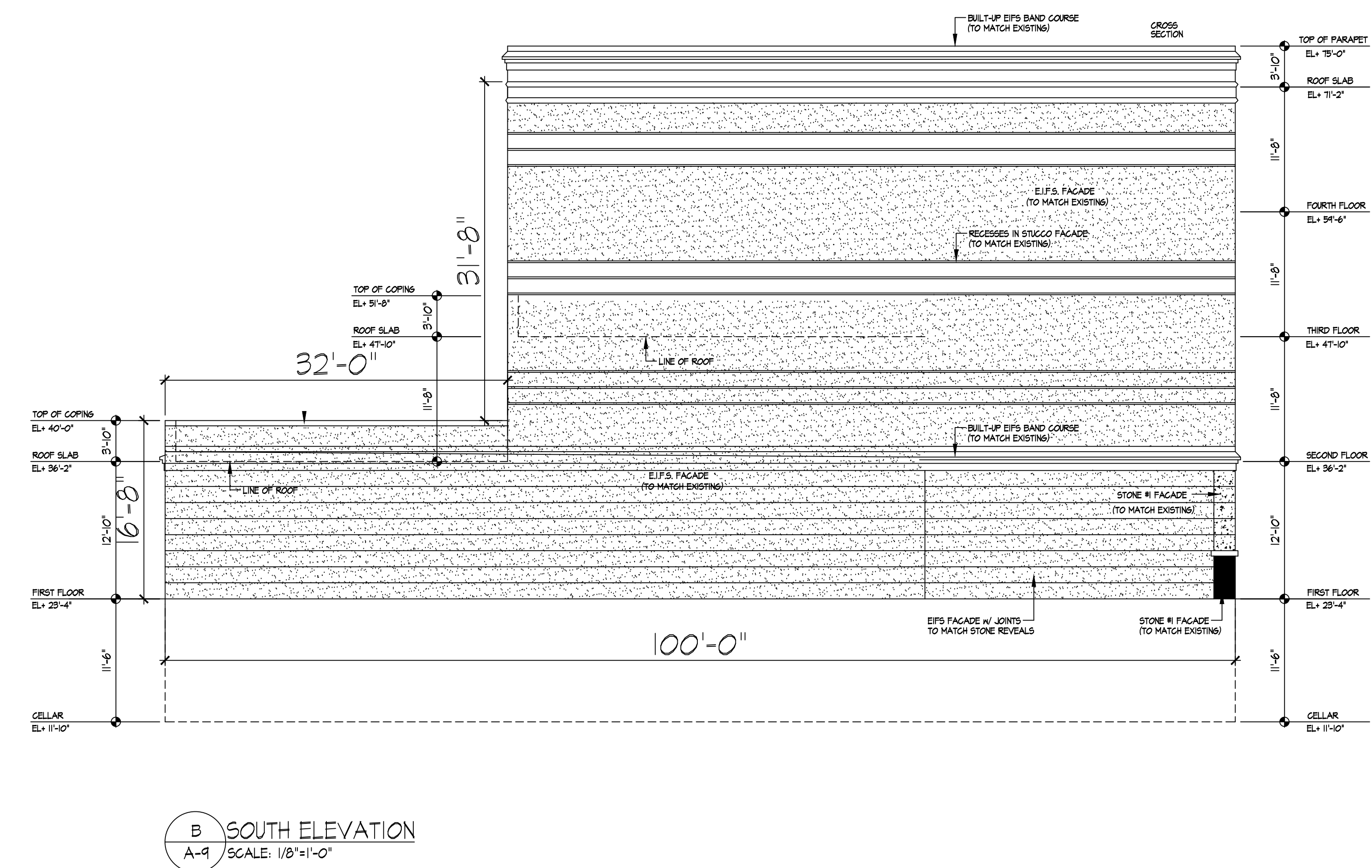
STRUCTURAL ENGINEER		YURY MARINYANSKY	
STRUCTURAL ENGINEERS		(212) 621-1248	
BROOKLYN, N.Y. 11234		(718) 371-2250	
MECHANICAL ENGINEER		VITTORIA RINI	
CONSULTING ENGINEERS		56 WEST 25th STREET	
NEW YORK, NY 10010		(212) 621-1248	



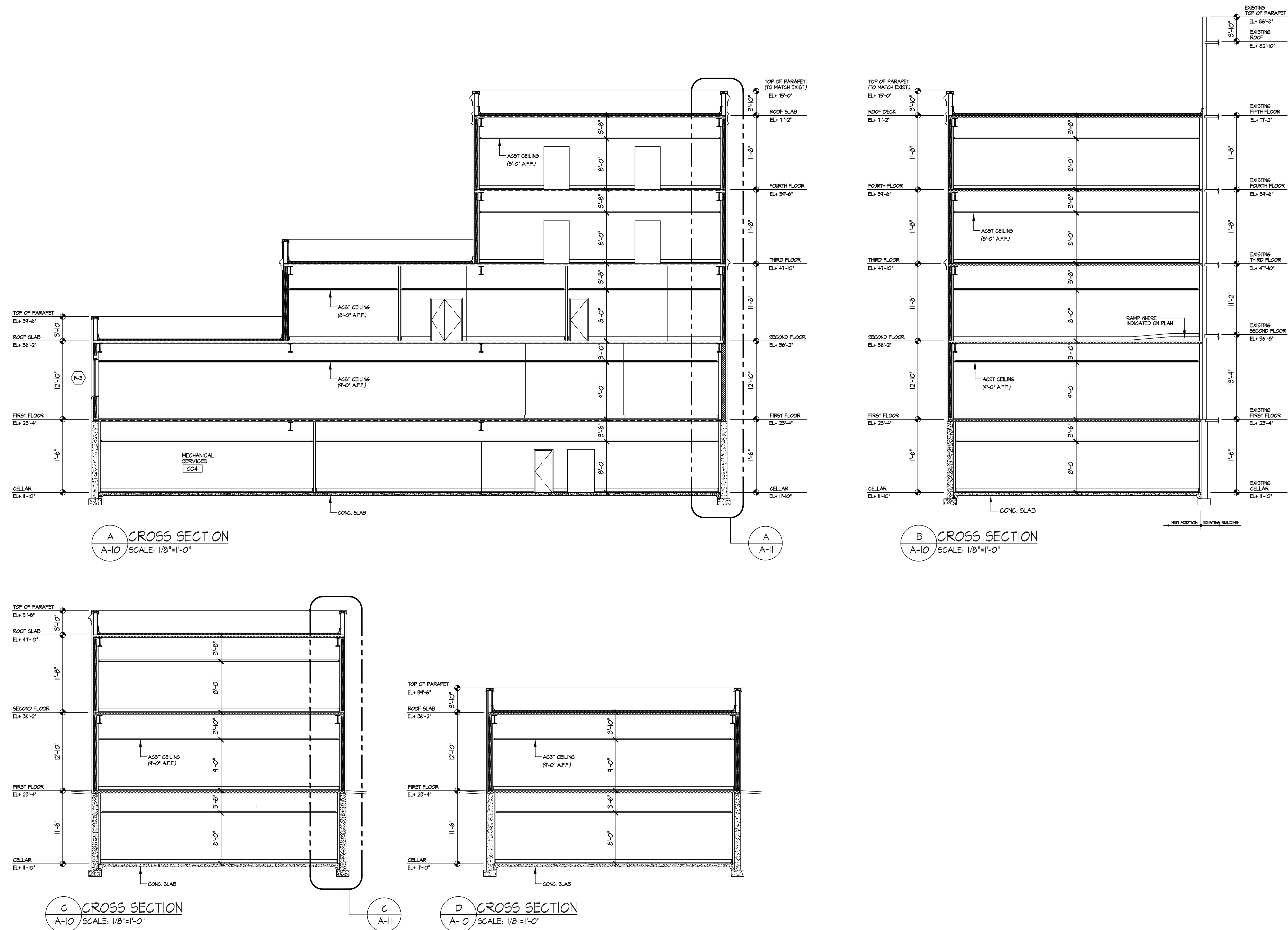




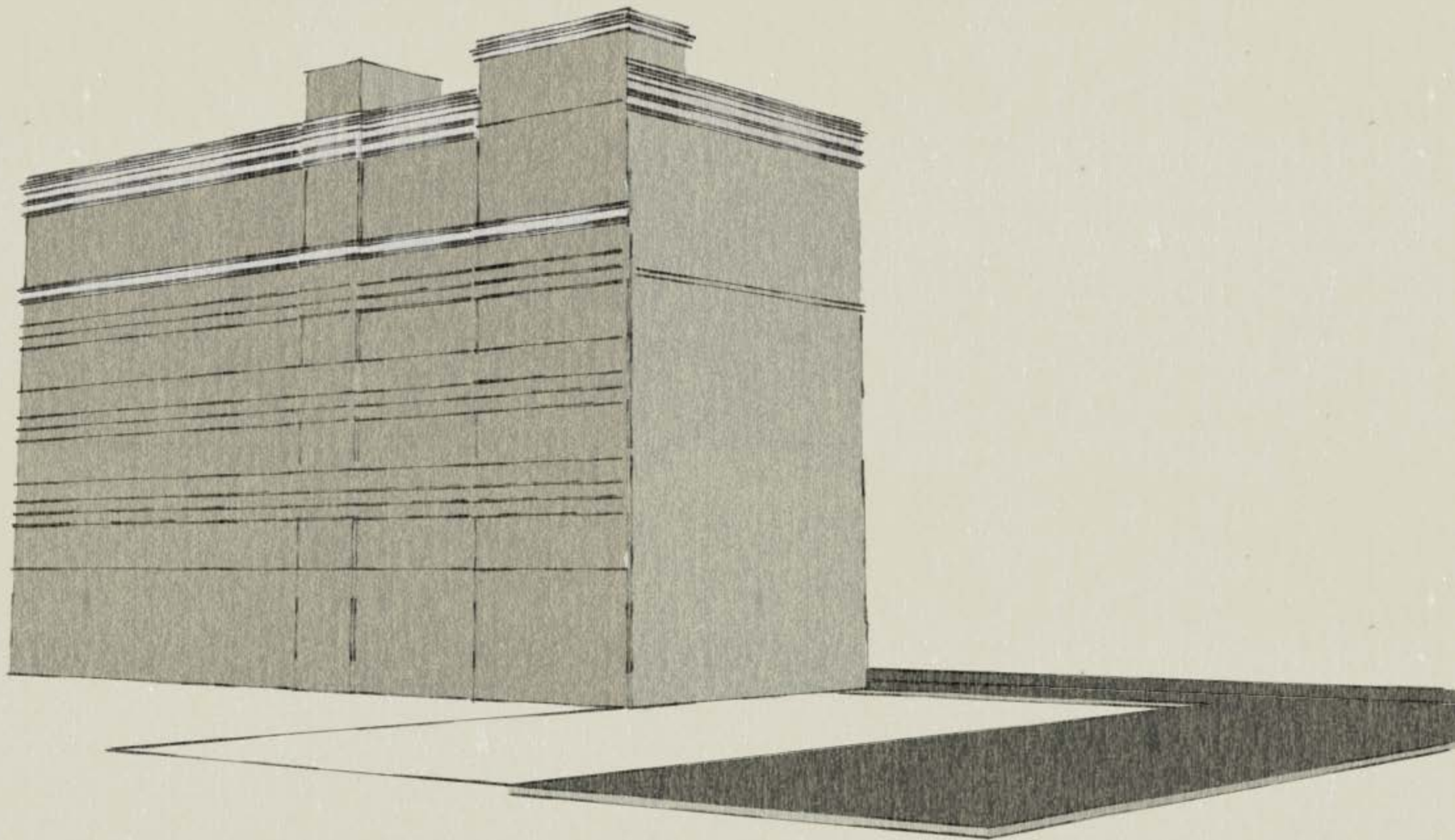
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				MECHANICAL ENGINEER VITTORIA RINI CONSULTING ENGINEERS 56 WEST 25TH STREET NEW YORK, NY 10010 (212) 621-1249		EXPANSION OF D&T CENTER 1220 AVENUE P BROOKLYN, NEW YORK		A-8	
02/14/03	COORDINATION REVISIONS	M.S.	02					DATE	PROJECT NO.
02/06/03	COORDINATION REVISIONS	M.S.	01					10.20.2017	1925
DATE	DESCRIPTION	BY	REV					SCALE	
								1/4"=1'-0"	
								Terjesen Associates Architects James H. Terjesen RA 545 8th Avenue-17th Floor, New York, NY 10018 212/294-8222 FAX 212/294-8932	



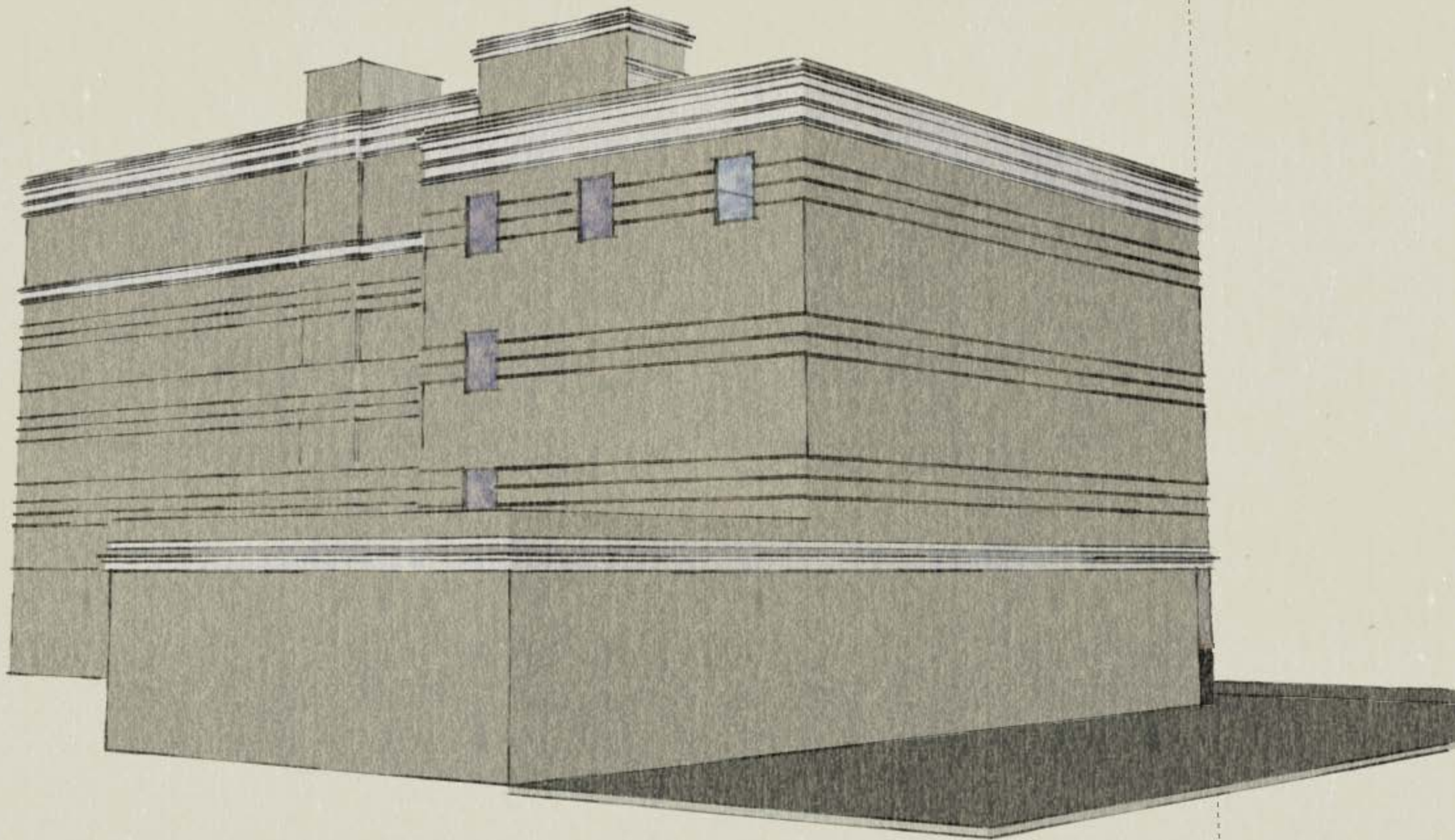
				STRUCTURAL ENGINEER YURY MARINYANSKY STRUCTURAL ENGINEERS (212) 621-1244 BROOKLYN, N.Y. 11224 (718) 811-2250		EXTERIOR ELEVATIONS  EXPANSION OF D & T CENTER 1220 AVENUE P BROOKLYN, NEW YORK  Terjesen Associates Architects  James H. Terjesen RA  DATE 10.20.2017 SCALE 1/4"=1'-0"		DRAWING NO. 9 of 9  PROJECT NO. 1925	
				MECHANICAL ENGINEER MOTIGOLA RINI CONSULTING ENGINEERS 56 WEST 25th STREET NEW YORK, NY 10010 (212) 621-1244		545 8th Avenue 17th Floor, New York, NY 10018 212/234-1522 FAX 212/234-1552			
DATE	DESCRIPTION	BY	REV						

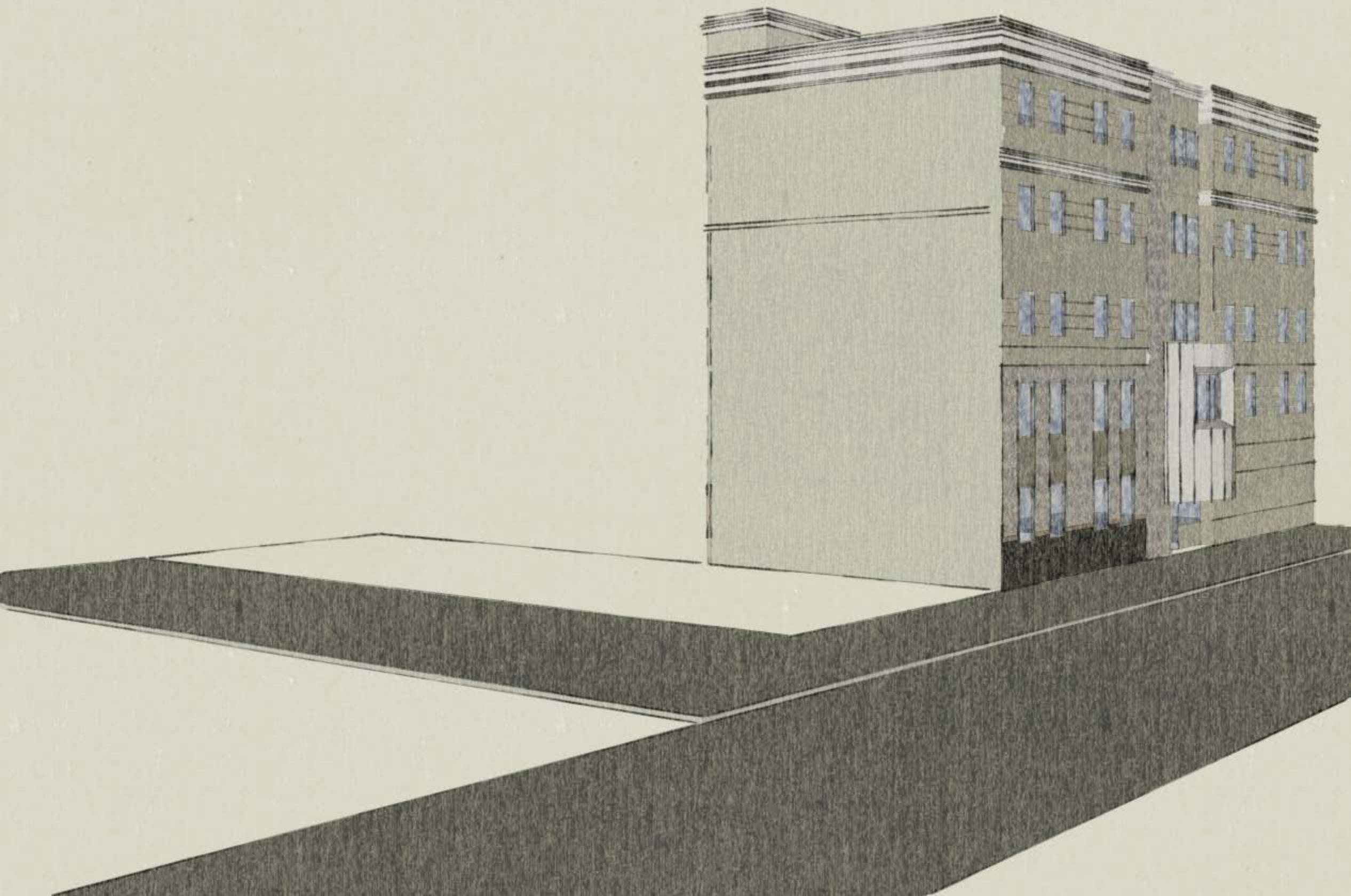


				STRUCTURAL ENGINEER YURY MARINYANSKY STRUCTURAL ENGINEERS (212) 627-1249 BROOKLYN, N.Y. 11254 (718) 377-2250		CROSS SECTIONS EXPANSION OF D&T CENTER 1220 AVENUE P BROOKLYN, NEW YORK		DRAWING NO. 101  A=10	
				MECHANICAL ENGINEER WITTOLA RINI CONSULTING ENGINEERS 56 WEST 25th STREET NEW YORK, NY 10010 (212) 627-1249		Terjesen Associates Architects		James H. Terjesen RA	
						545 8th Avenue-17th Floor, New York, NY 10018 212/294-8222 FAX 212/294-8932		DATE 10.20.2017	
								PROJECT NO. 1925	
								SCALE 1/4"=1'-0"	
02/14/03	COORDINATION REVISIONS	M.S.	02						
02/06/03	COORDINATION REVISIONS	M.S.	01						
DATE	DESCRIPTION	BY	REV						

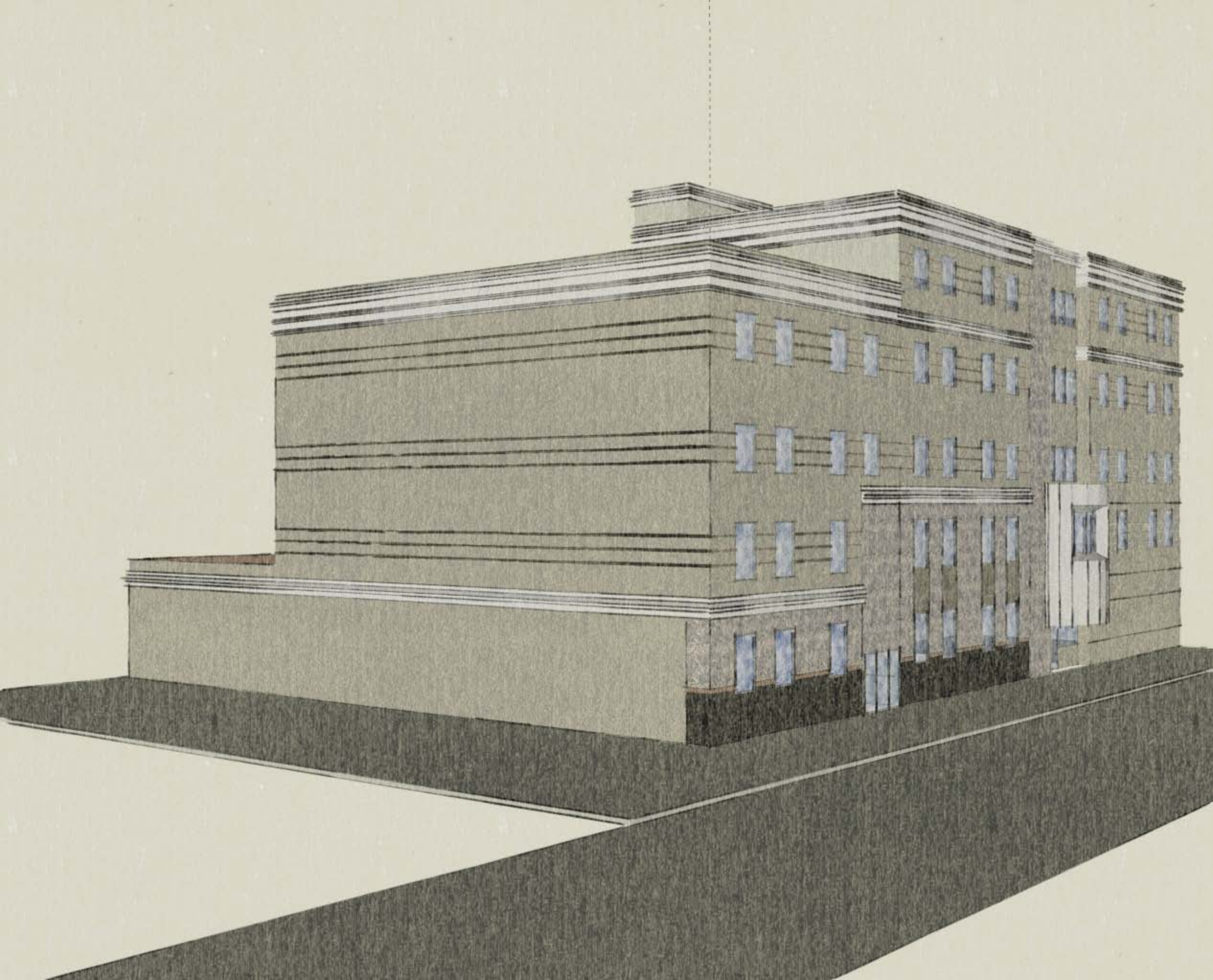














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*Appendix B: LPC Correspondence*

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## **ENVIRONMENTAL REVIEW**

**Project number:** DEPARTMENT OF CITY PLANNING / LA-CEQR-K  
**Project:** 1220 AVENUE P REZONING  
**Date received:** 6/22/2016

**Comments:** as indicated below. Properties that are individually LPC designated or in LPC historic districts require permits from the LPC Preservation department. Properties that are S/NR listed or S/NR eligible require consultation with SHPO if there are State or Federal permits or funding required as part of the action.

---

**Properties with no Architectural or Archaeological significance:**

- 1) ADDRESS: 1220 Avenue P, BBL: 3067750009
- 2) ADDRESS: 1614 East 13th Street, BBL: 3067750012
- 3) ADDRESS: 1616 East 13th Street, BBL: 3067750013
- 4) ADDRESS: 1615 East 12th Street, BBL: 3067750074
- 5) ADDRESS: 1613 East 12th Street, BBL: 3067750075
- 6) ADDRESS: 1114 Avenue P, BBL: 3067740006
- 7) ADDRESS: 1118 Avenue P, BBL: 3067740007
- 8) ADDRESS: 1122 Avenue P, BBL: 3067740009

**Properties with Architectural significance and No Archaeological significance:**

- 1) ADDRESS: 1202 Avenue P, BBL: 3067750001, LPC FINDINGS: NO INTEREST, STATE/NATIONAL REGISTER FINDINGS: PROPERTY NATIONAL REGISTER LISTED
- 2) ADDRESS: 1218 Avenue P, BBL: 3067750005, LPC FINDINGS: NO INTEREST, STATE/NATIONAL REGISTER FINDINGS: PROPERTY NATIONAL REGISTER LISTED

No development is expected on these NR listed properties as a result of this action. Should the scope of the project change and these properties will be disturbed, consultation with LPC is required.



7/6/2016

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SIGNATURE  
Gina Santucci, Environmental Review Coordinator

DATE

**File Name:** 31591\_FSO\_GS\_07062016.doc

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*Appendix C: Jamaica Bay Watershed Protection Form*

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## Jamaica Bay Watershed Protection Plan Project Tracking Form

The Jamaica Bay Watershed Protection Plan, developed pursuant to Local Law 71 of 2005, mandates that the New York City Department of Environmental Protection (DEP) work with the Mayor's Office of Environmental Coordination (MOEC) to review and track proposed development projects in the Jamaica Bay Watershed ([http://www.nyc.gov/html/oec/downloads/pdf/ceqr/Jamaica\\_Bay\\_Watershed\\_Map.jpg](http://www.nyc.gov/html/oec/downloads/pdf/ceqr/Jamaica_Bay_Watershed_Map.jpg)) that are subject to CEQR in order to monitor growth and trends. If a project is located in the Jamaica Bay Watershed, (the applicant should complete this form and submit it to DEP and MOEC. This form must be updated with any project modifications and resubmitted to DEP and MOEC.

*The information below will be used for tracking purposes only. It is not intended to indicate whether further CEQR analysis is needed to substitute for the guidance offered in the relevant chapters of the CEQR Technical Manual.*

### A. GENERAL PROJECT INFORMATION

1. CEQR Number:  1a. Modification ☐
2. Project Name:
3. Project Description:
 

Omni Enterprises, LLC (the "Applicant"), seeks a zoning map amendment to rezone portions of two blocks along Avenue P in the Midwood neighborhood within Brooklyn Community District 15 from an R5B to an R7A zoning district to facilitate the construction of 14,880 sq feet of new medical office space.
4. Project Sponsor:
5. Required approvals:
6. Project schedule (build year and construction schedule):

### B. PROJECT LOCATION:

1. Street address:
2. Tax block(s):  Tax Lot(s):
3. Identify existing land use and zoning on the project site:
4. Identify proposed land use and zoning on the project site:
5. Identify land use of adjacent sites (include any open space):
6. Describe existing density on the project site and the proposed density:
 

Existing Condition	Proposed Condition
parking and 1,759 gsf of mixed res & CF	4.0 FAR
7. Is project within 100 or 500 year floodplain (specify)? ☐ 100 Year ☐ 500 Year ☒ No

### C. GROUND AND GROUNDWATER

1. Total area of in-ground disturbance, if any (in square feet):
2. Will soil be removed (if so, what is the volume in cubic yards)?
3. Subsurface soil classification:  
(per the New York City Soil and Water Conservation Board):
4. If project would change site grade, provide land contours (**attach** map showing existing in 1' contours and proposed in 1' contours).
5. Will groundwater be used (list volumes/rates)? ☐ Yes ☒ No  
Volumes:  Rates:
6. Will project involve dewatering (list volumes/rates)? ☐ Yes ☒ No  
Volumes:  Rates:
7. Describe site elevation above seasonal high groundwater:

### D. HABITAT

1. Will vegetation be removed, particularly native vegetation? ☐ Yes ☒ No  
If YES,
  - **Attach** a detailed list (species, size and location on site) of vegetation to be removed (including trees >2" caliper, shrubs, understory planting and groundcover).
  - **List** species to remain on site.
  - **Provide** a detailed list (species and sizes) of proposed landscape restoration plan (including any wetland restoration plans).
2. Is the site used or inhabited by any rare, threatened or endangered species? ☐ Yes ☒ No
3. Will the project affect habitat characteristics? ☐ Yes ☒ No  
If YES, describe existing wildlife use and habitat classification using "Ecological Communities of New York State." at <http://www.dec.ny.gov/animals/29392.html>.
4. Will pesticides, rodenticides or herbicides be used during construction? ☐ Yes ☒ No  
If YES, estimate quantity, area and duration of application.
5. Will additional lighting be installed? ☐ Yes ☒ No  
If YES and near existing open space or natural areas, what measures would be taken to reduce light penetration into these areas?

## E. SURFACE COVERAGE AND CHARACTERISTICS

(describe the following for both the existing and proposed condition):

	Existing Condition	Proposed Condition
1. <b>Surface area:</b>		
Roof:	N/A	Approx 4,000 gsf
Pavement/walkway:	N/A	N/A
Grass/softscape:	N/A	N/A
Other (describe):	N/A	N/A
2. <b>Wetland</b> (regulated or non-regulated) area and classification:	N/A	N/A
3. <b>Water surface area:</b>	N/A	N/A
4. <b>Stormwater management</b> (describe):		
Existing – how is the site drained?	Site drains into adjacent sewer system to the Jamaica WWTP	
Proposed – describe, including any infrastructure improvements necessary off-site:	No related infrastructure changes are proposed	

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*Appendix D: Phase I ESA*

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# PHASE I ENVIRONMENTAL SITE ASSESSMENT

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**1220 Avenue P  
Brooklyn, New York 11229**

**July 2020**

Prepared for:

**Omni Enterprises  
1220 Avenue P  
Brooklyn, New York 11229**

---

Prepared by:

**EQUITY ENVIRONMENTAL ENGINEERING, LLC**



**500 International Drive, Suite 150  
Mount Olive, New Jersey 07828  
(973) 527-7451**

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# **PHASE I ENVIRONMENTAL SITE ASSESSMENT**

**1220 Avenue P  
Brooklyn, New York 11229**

**July 2020**

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**PHASE I ENVIRONMENTAL SITE ASSESSMENT**

**1220 Avenue P  
Brooklyn, New York 11229**

**July 2020**

**EXECUTIVE SUMMARY**

Equity Environmental Engineering, LLC (Equity) was retained by Omni Enterprises to conduct a Phase I Environmental Site Assessment (Phase I) to identify Recognized Environmental Conditions (RECs) associated with current and prior site use at the property identified as 1220 Avenue P, Brooklyn, New York, 11229. Equity conducted the assessment in accordance with the requirements of ASTM International Standard E1527-13, “Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process” and good professional practices.

**Site Overview**

The Subject Property is as follows:

Property Designation	1220 Avenue P
Property Addresses	1220 Avenue P, Brooklyn, New York 11229 1613 East 12 <sup>th</sup> Street, Brooklyn, New York 11229 1614 East 13 <sup>th</sup> Street, Brooklyn, New York 11229 1616 East 13 <sup>th</sup> Street, Brooklyn, New York 11229 1620 East 13 <sup>th</sup> Street, Brooklyn, New York 11229
Parcel ID	Block 6775/ Lots 9,12,13, 14, and 75
Parcel Size	Lot 9: 4,000 square Feet Lot 12: 2,000 square Feet Lot 13: 2,000 square Feet Lot 14: 4,000 square Feet Lot 75: 2,000 square Feet
Number of Buildings	Lot 9: One (1) Lot 12: No building Lot 13: One (1) Lot 14: One (1) Lot 75: One (1)
Number of Stories	Lot 9: Five (5) Lot 12: No building Lot 13: Three (3) Lot 14: Three (3) Lot 75: Two (2)
Finished Area (SF)	Lot 9: 22,000 square feet Lot 12: No building Lot 13: 1,759 square feet Lot 14: 2,432 square feet

	Lot 75: 2,000 square feet
Date Constructed	Lot 9: 1997 Lot 12: N/A Lot 13: 1915 Lot 14: 1920 Lot 75: 1925
Construction Type	Lot 9: Concrete and marble Lot 12: No building Lot 13: Wood framing and brick and mortar Lot 14: Wood framing and brick and mortar Lot 75: Wood framing and brick and mortar
Property Usage	Lot 9: 1997 Lot 12: No building, parking area Lot 13: 1915 Lot 14: 1920 Lot 75: 1925
Inspection Date	Friday July 17, 2020
Weather Conditions	Sunny 80 Degrees Fahrenheit
Site Contact/Title	Josef Kossov / Medical Director
Site Contact Phone	917-825-0743

## Definitions

The ASTM International Phase I Standard defines environmental conditions as follows:

- **Recognized Environmental Conditions (RECs)**

The term “Recognized Environmental Condition” means the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.

- **Controlled Recognized Environmental Conditions (CRECs)**

The term “Controlled Recognized Environmental Condition” is a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

- **Historical Recognized Environmental Conditions (HRECs)**

The term “Historical Recognized Environmental Condition” is 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 residential use criteria established by a regulatory authority, without subjecting the property to any required controls, such as property use restrictions or activity and use limitations (AULs, which include both institutional controls and engineering controls).

- **Vapor Encroachment Conditions (VECs)**

The term “Vapor Encroachment Condition” is a condition where the presence or likely presence of chemicals of concern vapors in the subsurface of the target property caused by the release of vapors from contaminated soil and/or groundwater either on or near the target property.

- **De Minimis Conditions**

The term “De Minimis Condition” is a condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.

- **Data Gaps**

The term “Data Gap” is a lack of or inability to obtain information required by this practice despite good faith efforts by the environmental professional to gather such information. Data gaps may result from incompleteness in any of the activities required by this practice, including, but not limited to site reconnaissance (for example, an inability to conduct the site visit), and interviews (for example, an inability to interview the key site manager, regulatory officials, etc.).

- **Non-Scope Considerations**

Consideration of business environmental risk issues some of which are identified in Section 13 and Appendix XI of ASTM International E1528-14e1 (e.g., asbestos, ecological resources, mold, radon, wetlands, regulatory compliance et. Al.).

## **Findings**

The following environmental conditions were identified:

**A. Recognized Environmental Conditions (RECs)**

No RECs were identified as a result of this assessment.

**B. Controlled Recognized Environmental Conditions (CRECs)**

No Controlled RECs were identified as a result of this assessment.

**C. Historical Recognized Environmental Conditions (HRECs)**

No Historic RECs were identified as a result of this assessment.

**D. Vapor Encroachment Conditions (VECs)**

The EDR Vapor Encroachment database identified multiple VEC (Vapor Encroachment Conditions) of concern within 1/10 of a mile of the Subject Property related to historic dry cleaners and historic auto garages. There are five total historic auto garages ranging from 386 feet from the Subject Property to 523 feet from the Subject Property. Four of the historic auto garages are at a higher elevation. There are also two historic cleaners approximately 500 feet from the Subject Property. One historic cleaner is cross gradient and one is at a lower elevation. Based on these findings, a vapor encroachment condition cannot be ruled out. Details on the VECs can be found in Appendix C.

**E. De Minimis Conditions**

No De Minimis Conditions were identified as a result of this assessment.

**F. Data Gaps**

Equity did not identify any significant data gaps that would affect its ability to identify RECs associated with the Subject Property.

**Conclusions**

Equity's review of available information and observations of the subject and surrounding properties indicates that no RECs, CRECs, Historical RECs, De Minimis conditions, or Data Gaps were identified as a result of this assessment. However, a VEC condition could not be ruled out.



## **PHASE I ENVIRONMENTAL SITE ASSESSMENT**

**1220 Avenue P  
Brooklyn, New York 11229**

**July 2020**

### **I. INTRODUCTION**

#### **A. Purpose**

Equity Environmental Engineering, LLC (Equity) was contracted by Omni Enterprises, to perform a Phase I Environmental Site Assessment of the referenced property in accordance with the ASTM International Standard E1527-13, “Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. The ASTM International Standard satisfies the requirements of the United States Environmental Protection Agency’s (USEPA) All Appropriate Inquiry Standard, 40 CFR Part 312, which is required to qualify for certain landowner liability protections under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The ASTM International Standard constitutes “all appropriate inquiry into previous ownership and uses of the property consistent with good commercial or customary practice.” The investigation was conducted to identify Recognized Environmental Conditions (RECs), which are identified as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.

It is Equity’s understanding that the Phase I is being conducted for environmental support services for the proposed development at 1220 Avenue P, Brooklyn, New York, which includes tax Block 6775/Lots 9, 12, 13, 14, and 75.

#### **B. Scope-of-Services**

The Phase I consisted of the following components:

1. review of environmental and historical records
2. site reconnaissance
3. interviews
4. report preparation

The environmental assessment is non-invasive and does not include any testing or sampling of materials, such as soil, water, air or building materials. The environmental assessment included a non-invasive (no sampling) evaluation of the potential for asbestos-containing materials, lead-based paint, and lead in drinking water.

### **C. Significant Assumptions, Limitations and Exceptions**

Unless noted, Equity assumes that the information obtained through the records review, site inspection, and interviews is correct. Equity does not warrant the accuracy of this information or warrant that any RECs that were not identified through the Phase I process do not exist on the property. RECs do not include De Minimis conditions that do not present a threat to human health or the environment, and that would not be subject to an enforcement action by government agencies.

### **D. Special Terms and Conditions**

No Special Terms or Conditions apply to this project.

### **E. Reliance**

This report is for the use and benefit of Omni Enterprises and any of their respective affiliates, agents and advisors.

## **II. SITE DESCRIPTION**

### **A. Location and Description**

The Subject Parcel is identified as 1220 Avenue, Brooklyn, New York 11229. Title to the property is vested in Omni Enterprises. The Subject Property consists of Block 6775 / Lots 9, 12, 13,14, and 75 on the New York City Tax Map. The Subject Parcels are rectangular shaped lots on East 12<sup>th</sup> and East 13<sup>th</sup> Streets . The Subject Property is located in the Homecrest neighborhood of Brooklyn.

A USGS Site Location Map and Site Boundary Map are included as Figures 1 and 2 and Appendix A.

### **B. Site and Vicinity Characteristics**

The Subject Property is located in a R5B zoning districts and surrounded by a school, medical facilities, and mixed residential and commercial properties. Although an R5B contextual district permits detached and semi-detached buildings, it is primarily a three-story rowhouse district typical of such neighborhoods as Windsor Terrace and Bay Ridge in Brooklyn. The traditional quality of R5B districts is reflected in the district's height and setback, front yard and curb cuts regulations that maintain the character of the neighborhood.

### **C. Current Use of the Property**

The Subject Property is currently developed with a medical facility on lot 9 which is approximately twenty three years old, a vacant lot on lot 12, a storage and communication department building (previously a lab for the medical facility) which is approximately one hundred and five years old on lot 13, an unoccupied building under construction which is

approximately one hundred years old on lot 14, and an unoccupied building under construction on lot 75 which is approximately ninety five years old.

#### **D. Description of Structures, Improvements and Utilities**

The medical facility on lot 9 which is constructed of concrete and granite. The storage and communication department building on lot 13 is constructed of brick and mortar. The unoccupied building under construction on lot 14 is constructed of brick and mortar. The unoccupied building under construction on lot 75 is constructed of brick and mortar.

Utilities at the property include the following:

1. Electricity

Electricity is provided by the Consolidated Edison of New York (Con Edison) for all buildings on the Subject Property. There are no emergency generators located on the Subject Property.

2. Water

Potable water is supplied by the City of New York. No groundwater drinking wells were reported or identified as a result of this assessment.

3. Sewers

Sanitary wastewater is discharged to the City of New York sewer system.

4. Heat

All buildings on the Subject property are heated by natural gas fired boilers.

#### **E. Current Uses of Adjoining Properties**

The following sites adjoin the parcel:

- North – Residential, commercial (medical facility), and a church
- East – A School (Jewish Center of Kings Highway)
- South – Residential
- West – Residential and Commercial (medical facility)

### **III. USER-PROVIDED INFORMATION**

The ASTM International Standard defines the “User” as the person on whose behalf the Phase I is being conducted. The ASTM International Standard requires the User to provide site information for the Phase I. ESI was provided with the following information.

- No environmental liens (i.e., legal, deed notice) or Activity and Use Limitations (i.e., engineering controls, etc.) were identified.
- No specialized knowledge or commonly known information regarding current or historical hazardous material use on the Subject Property or adjoining properties, which would be considered a REC, were identified.
- There were no indications that the fair market value of the property was reduced due to environmental concerns.

#### IV. RECORDS REVIEW

##### A. Standard Environmental Record Sources

EDR Lightbox was contracted by Equity to prepare an environmental database survey for the subject site and surrounding areas. A copy of the EDR report, which summarizes the environmental concerns presented by nearby sites, is attached as Appendix C. The listing of a site on any of these databases is, in itself, not indicative of an existing environmental concern. Distance, geology, and groundwater flow gradient are the factors that determine the importance of a listed site to the soil and groundwater quality on the Subject Property. Equity has relied on distance from the listed site and topographical gradient to judge whether that site has the potential to affect the Subject Property.

According to the EDR environmental database search, the Target Property was not identified on any of the databases. The surrounding properties were identified in the federal and state databases within a one-mile search radius of the Subject Property and are identified as follow:

Database	Target Property	0-1/8 Mile	1/8 – 1/4 Mile	1/4 – 1/2 Mile	1/2 – 1 Mile
RCRA-LQG	0	1	6	-	-
RCRA-SQG	0	0	1	-	-
RCRA-VSQG	0	0	1	-	-
RCRA-NonGen/NLR	0	30	48	-	-
EDR Historic Auto	0	5	-	-	-
NY Spills	0	20	-	-	-
NY Manifest	0	34	55	-	-
NY Drycleaners	0	2	5	-	-
NJ Manifest	0	11	14	-	-
NY AST	0	11	30	-	-
NY UST	0	6	10	-	-
NY E Designation	0	6	-	-	-
NY L Tanks	0	6	6	27	-
PA Manifest	0	1	1	-	-
NY VCP	0	2	0	2	-
NY SHWS	0	0	0	1	0

Additional information regarding each of the individual properties identified in the databases listed above is provided in **Appendix C**.

## **B. Orphans Summary**

The EDR Orphan Summary lists twenty (20) properties that were included in certain federal or state environmental databases but were reported by EDR to be unmapped due to insufficient address information. The listing of orphan sites within the database search was reviewed, cross-referencing available address information with facility names. Upon review, it was determined that no orphan site appear to be associated with the subject or adjoining properties. Additional information regarding the EDR Orphan Summary Report can be found in **Appendix C**.

## **C. City Environmental Quality Review “E” Designation**

A copy of the EDR report, includes City Planning Commission approved amendments to the New York City Zoning Map - which may include environmental designations of certain tax lots that have physical or historical evidence of uses related to hazardous materials. The “E” designations shown on the zoning maps function as indicators of the environmental review that must be conducted when the lots are developed in accordance with the regulations of the rezoned district. The City Planning Commission’s rezoning actions, including environmental designations, were made effective upon the City Council’s approval of the Zoning Map Amendment. Based upon a review of the NYCDEP “E” Designation database, on July 20, 2020, an E Designation was not identified on the Subject Property.

## **D. Physical Setting Source**

The Subject Property is located in Brooklyn, New York, and surrounded by a school, medical facilities, and mixed residential and commercial properties. The ground surface at the site is predominantly level. Ground cover consists primarily of concrete sidewalk and the buildings. The Subject Property is accessed from the north east via Avenue P, the east via East 13<sup>th</sup> Street, and the west via East 12<sup>th</sup> Street. Based on a review of the 2013 USGS Brooklyn, 7.5-minute topographic map for the area, groundwater is inferred to flow to the south east toward Shell Bank Creek.

Based on the soil survey maps published by the USDA Soil Conservation Service (1994) and information provided in the EDR Report, the subsurface soils expected at the site include Urban Land, which is variable in texture and does not qualify as hydric soil. Urban land soils are those which have lost original characteristics due to human activity (construction, development, demolition, debris, etc.). The geologic age identification of the rock at the Subject Property is of the Cenozoic Era, Quaternary System, Pleistocene Series, (Code Qp). No settling ponds, lagoons, surface impoundments, wetlands or natural catch basins were observed on the Subject Property during this investigation.

## E. Historical Use Information on the Property

The historical sources reviewed indicate that the property was developed in the 1920's. Copies are provided in **Appendix D**.

### 1. Sanborn Fire Insurance Maps

Equity reviewed digital Sanborn Fire Insurance Maps ranging from 1896 to 2005 provided by EDR, Inc. Copies are provided in Appendix D.

Year	Subject Property	Surrounding Area
1906	The Subject Property is undeveloped.	The surrounding area is developed with residential dwelling units, and undeveloped lots.
1930	Lots 9, 12, 13, 14, and 75 are developed with residential dwelling units. Lot 9 contains an automobile garage.	The surrounding area is developed with residential dwelling units, commercial buildings, a school, a church, store fronts, auto repair garages.
1950	Lots 9, 12, 13, 14, and 75 are developed with residential dwelling units. Lot 9 contains an automobile garage.	The surrounding area is developed with residential dwelling units, commercial buildings, a school, a church, medical facilities, store fronts, auto repair garages, an upholstery storage facility, a mattress store, and a theater.
1969, 1977, 1979, 1980, 1981, 1983, 1986, 1987, 1989, 1990, 1992, 1995, 1996	Lots 9, 12, 13, 14, and 75 are developed with residential dwelling units. Lot 9 contains an automobile garage.	The surrounding area is developed with residential dwelling units, commercial buildings, a school, a church, medical facilities, a filling station, auto repair garages, a paint manufacturer, a woodworking facility, and offices.
2001, 2002, 2003, 2004, 2005, 2006, 2007	Lot 9 is developed with a medical facility and lots 12, 13, 14, and 75 are developed with residential dwelling units.	The surrounding area is developed with residential dwelling units, commercial buildings, a school, a church, medical facilities, a filling station, auto repair garages, and offices.



2. USGS Topographic Maps

Equity reviewed a total of nine (9) historical Topographic Maps from 1897 to 2013 provided by EDR, Inc. No discernable information could be obtained from these maps. Copies are provided in **Appendix E**.

3. Historic Aerial Photographs

Equity reviewed a total of thirteen (13) aerial photographs spanning 1924 to 2017. The Subject Property depicted in aerials from 1924 to 2017 are consistent with the other historical sources reviewed. Copies are provided in **Appendix F**.

4. City Directory

Equity reviewed local city directory listings provided by EDR, Inc. for the subject and adjacent properties ranging from 1920 through 2017. The area is characterized primarily by residential, public facilities, and commercial listings. The City Directory report is included in **Appendix G**.

The Subject Property's city directory listings for 1220 Avenue P (Lot 9) were characterized by a medical facility in 1994, 1999, 2004, 2005, 2009, 2014, and 2017. a stationary store in 1927, and residential in 1934, 1940, 1945, 1960, 1965, 1970, 1973, 1976, and 1992. Listing for 1613 east 12<sup>th</sup> Street (Lot 75) was residential in 2000. Listings for lots 12, 13, and 14 were not provided.

5. Regulatory File Review

Equity reviewed title information for the Subject Property contained in the New York City Zola database. Title to the property is vested in JLS Designs. The Subject Property is identified as Block 6775/Lots 9, 12, 13, 14, and 75.

According to the New York City Department of Buildings (DOB) website twelve complaints, thirty nine violations, thirty seven jobs, and twenty eight actions have been identified at 1220 Avenue P. The complaints are in relation the elevator, plumbing, permitting, and construction. Three violations remain active and are in relation to the elevator. The jobs are in relation to post approval amendments, renovations, fire alarm modifications, sprinklers, and additions. The actions are in relation to an elevator application and certification of occupancy.

According to the New York City Department of Buildings (DOB) website, three complaints, four violations, one job, and one action have been identified at 1614 East 13<sup>th</sup> Street. The complaints are in relation to permitting and renovations. The violations are in relation to permitting and construction. The job is in relation to building codes. The action is in relation to construction.

According to the New York City Department of Buildings (DOB) website, four complaints, one violation, and three jobs have been identified at 1616 East 13<sup>th</sup> Street. The complaints are in relation to building conversions and permitting. The violation

is in relation to construction. The jobs are in relation to the boiler, plumbing, and a post approval amendment.

According to the New York City Department of Buildings (DOB) website, four complaints, two violations, five jobs, and thirteen actions have been identified at 1620 East 13<sup>th</sup> Street. The complaints are in relation to permitting, lighting, and building conversions. The violations are in relation to construction, and failure to correct a hazardous violation. The jobs are in relation to construction fencing, change of use on first floor of building, washing machine replacement, and renovations. The actions are in relation to alterations, a building notice, plumbing, and sprinklers.

According to the New York City Department of Buildings (DOB) website, one complaint and six jobs have been identified at 1613 East 12<sup>th</sup> Street. The complaint is in relation to permitting. The jobs are in relation to a post approval amendment, installation of a hot water heater, boiler, and meters, construction fencing, and renovations.

Equity submitted a Freedom of Information Law (FOIL) request to the New York City Department of Environmental Protection (NYCDEP) on July 17, 2020. A response was unavailable prior to the completion of this report. In the event records of environmental concern are identified this report will be amended and stakeholders will be notified.

Regulatory records are included in **Appendix H**.

6. Prior Environmental Assessments and Reports

Equity was not provided with any prior environmental assessments or reports.

**F. Historical Use Information on Adjoining Properties**

The following information summarizes the historical use of properties adjoining the site based on a review of the Sanborn Fire Insurance Maps and Historic Aerial Photographs.

- North – Residential, commercial (medical facility), and a church
- East – A School (Jewish Center of Kings Highway)
- South – Residential
- West – Residential and Commercial (medical facility)

**V. SITE RECONNAISSANCE**

**A. Methodology and Limiting Conditions**

Faron Moser, Senior Project Scientist at Equity Environmental, conducted the Phase I site inspection on July 17, 2020. A site representative, Mr. Josef Kossov who is the medical director, lead the walkthrough of the building.

No limiting conditions such as weather or inaccessible areas were encountered during the completion of this assessment.

## **B. On-Site Operations/Manufacturing**

1220 Avenue P (Block 6775, Lot 9) is developed with a medical facility consisting of five stories and a basement. The basement is used as a female health clinic and contains gas meters, an operational sump, an air compressor in the pump ejector utility room, ultrasound and cat scan equipment, exam rooms, and a reception area. The first through fourth floor are of a similar layout and contain exam rooms, a kitchen, bathrooms, a reception area, and nurse stations. The fifth floor is for ambulatory admittance only and contains offices, exam rooms, bathrooms, a kitchen, and an admin area. The roof contains an elevator room, a boiler room, an air conditioning unit, two hot water tanks.

1614 East 13<sup>th</sup> Street (Block 6775, Lot 12) is an undeveloped lot used for parking.

1616 East 13<sup>th</sup> Street (Block 6775, Lot 13) is developed with a storage and communication department building for the medical facility located at 1220 Avenue P consisting of three stories. This building was previously used for a lab for the medical facility. The basement contains a hot water heater and a natural gas fired boiler. The first through third floor contains an office, a bathroom, and is used as storage.

1620 East 13<sup>th</sup> Street (Block 6775, Lot 14) is developed with an unoccupied three-story building that is currently under construction and has been inhabited with pigeons. No USTs, ASTs, or boilers exist in the building.

1613 East 13<sup>th</sup> Street (Block 6775, Lot 75) is developed with an unoccupied two-story building that is currently under construction and is used for the storage of building materials. No services are currently connected to the building. No USTs, ASTs, or boilers exist in the building.

Photographs of the building's interiors and exteriors are provided in **Appendix B**.

## **C. Chemical and Petroleum Use and Storage (USTs, ASTs, and Containers)**

Three fifty-five-gallon drums and three five-gallon buckets containing hydraulic fluid for the elevator were observed in the elevator mechanic room on the roof of 1220 Avenue P (Block 6775, Lot 9). No staining or leaking was observed around the drums or buckets. No other chemicals, petroleum products, USTs, ASTs, or containers were observed during the site reconnaissance. Other Lots?

## **D. Solid and Hazardous Waste**

The solid waste generated on of the lots is disposed of via the New York City Department of Sanitation trash removal services.

## **E. Releases or Spills**

A small amount of hydraulic oil was observed in the elevator mechanical room on the roof of 1220 Avenue P (Block 6775, Lot 9). Absorbent pads were in place to prevent the spreading of the hydraulic oil. Because of the small amount of oil and the absorbent pads in place, this spill is not considered a REC. No other releases or spills were observed during the site reconnaissance.

## **F. Groundwater Wells**

No potable, production, irrigation or monitoring wells were observed or determined through the assessment.

## **G. Surface Water, Stormwater Drainage and Wastewater Discharge**

Five roof drains exist at 1220 Avenue P (Block 6775, Lot 9). They are assumed to discharge to the New York City sewer system.

## **H. Wetlands**

Equity reviewed National Wetland Inventory maps included as a layer within the EDR Radius Map Report. No wetlands were identified within the Subject Property. The report is provided in **Appendix C**.

## **I. Polychlorinated Biphenyls (PCBs)**

No equipment likely to contain PCBs were observed during the site reconnaissance.

## **J. Drains and Sumps**

One floor drain was observed at 1220 Avenue P (Block 6775, Lot 9) in the boiler room located on the roof. One operational sump was also observed in the basement of 1220 Avenue P (Block 6775, Lot 9). A drain was also observed in the concrete parking area of 1614 13<sup>th</sup> Street (Block 6775, Lot 12). All drains are assumed to discharge into the New York City sewer system. No other drains were observed during the site reconnaissance.

## **K. Vapor Migration/Encroachment**

A Vapor Encroachment Screening in accordance with ASTM International E2600-15 was performed by Equity. The EDR Vapor Encroachment database identified multiple VEC (Vapor Encroachment Conditions) of concern within 1/10 of a mile of the Subject Property related to historic dry cleaners and historic auto garages. There are five total historic auto garages ranging from 386 feet from the Subject Property to 523 feet from the Subject Property. Four of the historic auto garages are at a higher elevation. There are also two historic cleaners approximately 500 feet from the Subject Property. One historic cleaner is cross gradient and one is at a lower elevation. Based on these findings, a vapor encroachment condition cannot be ruled out. Details on the VECs can be found in Appendix C.

## **L. Other Environmental Considerations**

### *Asbestos Containing Materials*

The EPA banned several types of asbestos in the late 1970s, but its use continued in some building applications through the 1980s. Asbestos was not observed during the site reconnaissance.

### *Drinking-Water*

Potable water is supplied by the City of New York. A drinking water assessment was not performed as part of this study.

### *Lead-Based Paint*

In 1978, EPA banned the manufacture and use of lead-based paint and lead-based paint products. A lead-based paint study was not performed as part of this study.

### *Mold*

Mold was observed on the second floor, third floor, and attic of 1620 Est 13<sup>th</sup> Street (Block 6775, Lot 14).

## **M. Off-Site Concerns**

There were no offsite concerns.

## **VI. INTERVIEWS**

As part of the Phase I for the Subject Property, Equity interviewed Mr. Josef Kossav, the Medical Director during the site reconnaissance. Mr. Kossav indicated he was not aware of any previous environmental or maintenance issues related to the Subject Property.

## **VII. RECOGNIZED ENVIRONMENTAL CONDITIONS (RECs)**

Equity completed the Phase I of the Subject Property in accordance with the scope and limitations of ASTM International Practice 1527-13. Any exceptions to, or deletions from, this practice are noted in appropriate sections of this report. RECs are defined as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. Controlled Recognized Environmental Condition is a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use

limitations, institutional controls, or engineering controls). Historical RECs are RECs previously remediated to current unrestricted residential use applicable regulatory standards. De Minimis conditions are those that do not present a threat to human health or the environment and would not be the subject of an enforcement action by a government agency. Data Gaps are a lack of or inability to obtain information required by the practice that affects the ability of the environmental professional to identify RECs despite good faith efforts to gather the information.

**A. Recognized Environmental Conditions (RECs)**

No RECs were identified as a result of this assessment.

**B. Controlled Recognized Environmental Conditions (CRECs)**

No Controlled RECs were identified as a result of this assessment.

**C. Historical Recognized Environmental Conditions (HRECs)**

No Historic RECs were identified as a result of this assessment.

**D. Vapor Encroachment Concerns (VECs)**

The EDR Vapor Encroachment database identified multiple VEC (Vapor Encroachment Conditions) of concern within 1/10 of a mile of the Subject Property related to historic dry cleaners and historic auto garages. There are five total historic auto garages ranging from 386 feet from the Subject Property to 523 feet from the Subject Property. Four of the historic auto garages are at a higher elevation. There are also two historic cleaners approximately 500 feet from the Subject Property. One historic cleaner is cross gradient and one is at a lower elevation. Based on these findings, a vapor encroachment condition cannot be ruled out. Details on the VECs can be found in Appendix C.

**E. De Minimis Conditions**

No, De Minimis Conditions were identified as a result of this assessment.

**F. Data Gaps**

Equity did not identify any significant data gaps that would affect its ability to identify Recognized Environmental Concerns (RECs) associated with the Subject Property.

**Conclusions**

Equity's review of available information and observations of the subject and surrounding properties indicates that no CRECs, Historical RECs, De Minimis conditions, or Data Gaps were identified as a result of this assessment. However, a VEC condition could not be ruled out.

**IX. DEVIATIONS**

Equity did not deviate from the scope of service outlined in Section I of this report.



## **X. REFERENCES**

The following references were used in the preparation of this report:

1. EDR Environmental Databases
2. Sanborn Fire Insurance Maps
3. Aerial Photographs
4. City Directory
5. Historical Topographic Maps
6. City Databases
7. New York City Department of Buildings Website
8. New York City Zola Database

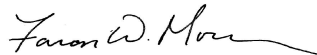
## **XI. SIGNATURE(S) OF ENVIRONMENTAL PROFESSIONALS**

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional, as defined in the USEPA All Appropriate Inquiry Standard, 40 CFR, Part 312.10. We have the specific qualifications based on education, training, and experiences to assess a property of the nature, history, and setting of the Subject Property. We have developed and performed all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR, Part 312.

**Assessor:**



Faron Moser  
Senior Project Scientist



**Assessor:**

John Vrabel  
Project Scientist



**Environmental Professional:**

Robert Jackson  
Managing Director, P.E.

## **XII. QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS**

Qualifications of the Environmental Professionals are provided in **Appendix I**.

**APPENDIX E**  
**HOMECREST REZONING**

## Homecrest Rezoning - Approved!

### Overview

#### Overview



Apartment Buildings on  
Ocean Avenue



Detached houses on  
Avenue S

The Department of City Planning proposes zoning map changes for approximately 70 blocks within the Homecrest neighborhood of Brooklyn's Community District 15. The area proposed for rezoning is predominantly residential and is bounded mainly by Coney Island Avenue on the west, Kings Highway on the north, Ocean Avenue on the east and Avenue S on the south. The study area also includes both sides of Ocean Avenue extending south to Voorhies Avenue as well as the south side of Kings Highway between Ocean and Nostrand avenues.

The area is characterized by two- and three-story residences, with corridors of apartment houses on Ocean Avenue, East 12th and East 13th Streets and parts of Kings Highway. An express stop on the B and Q lines is located on Kings Highway at East 16th Street. Commercial activity is concentrated on Kings Highway and parts of Ocean Avenue.

While the area was mainly built up by WWII, small-scale construction continued into the 1980s -- mostly groups of three- or four-family semi-detached houses with ground floor garages. More recent new construction has included out-of-scale apartment buildings up to seven stories high on predominantly low-rise blocks, made possible by the existing R6 zoning which permits increased floor area when community facility uses, such as medical offices, are part of the development.

The proposed rezoning would preserve the existing neighborhood scale and character with lower density and contextual zoning districts. The proposal preserves residential development options on selected wide streets with existing apartment buildings -- Ocean Avenue and Kings Highway -- and side streets near the subway station.

#### Public Review

On September 26th, 2005, the Department of City Planning certified the proposed application for Homecrest as complete, commencing the public [Uniform Land Use Review Procedure](#). Community Board 15 voted on October 11th, 2005, to recommend approval of the proposal with conditions. Following the Community Board's review period, the Brooklyn Borough President recommended approval of the application on November 10th, 2005 with conditions. The City Planning Commission held a public hearing on the application on November 16th, 2005, and approved the application on January 11th, 2006 with modifications. These modifications included approving R6A zoning along both sides of Ocean Avenue south of Avenue S and north of Avenue U instead of the originally proposed R4-1 zoning and approving R5B zoning along both sides of East 19th street, north of Avenue R instead of the originally proposed R4-1 zoning. These modifications respond to comments made during the public review process including recommendations made by the Borough President. [Read the CPC report.](#)

[View a color map illustrating the proposed zoning map change as modified January 11th, 2006.](#)

On February 15, 2006, the City Council adopted the zoning map change which is now in effect.

For more information, contact the Brooklyn Office of the Department of City Planning, (718) 780-8280.

## Homecrest Rezoning - Approved!

### Existing Context and Zoning



Semi-detached houses on Ocean Avenue



Detached houses on Ocean Avenue



Apartments above retail on Kings highway

#### Existing Context and Zoning

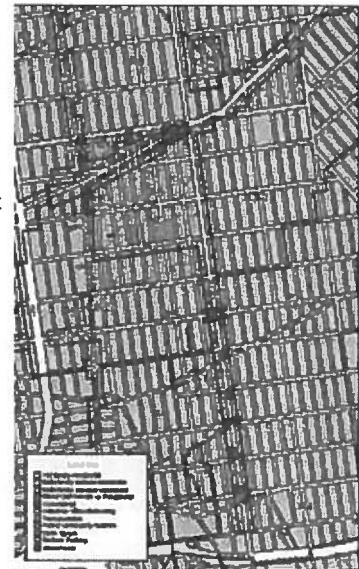
Housing on side streets in the study area is predominantly low-rise and low-density, while there are large apartment buildings along Ocean Avenue, Kings Highway and East 12th to East 14th Street between Kings Highway and Avenue R.

Most of the rezoning area is zoned **R6**, a residential district with a maximum residential floor area ratio (FAR) of 2.43 and community facility FAR of 4.8. (See Existing Zoning and Land Use Map.) R6 is a height factor district which has no height limits. Many of the buildings constructed recently in the neighborhood include both residential and community facility uses, enabling them to exceed the permitted residential FAR.

A **C4-2** commercial zoning district, on Kings Highway between Coney Island Avenue and East 18th Street, allows commercial buildings containing retail and office uses of up to 3.4 FAR and residential buildings with a maximum FAR of 2.43. Maximum community facility FAR is 4.8 and there is no height limit.

Two areas on Coney Island Avenue between Avenue R and Avenue P are zoned **C8-2**. The C8-2 district allows commercial buildings of up to 2.0 FAR and community facility buildings of up to 4.8 FAR with no height limit. The C8-2 zoning allows a variety of retail and service uses as well as automotive service facilities, lumber yards and other heavy commercial uses. Residences are not permitted in C8 districts.

**C1-2, C1-3, C2-2 and C2-3** commercial overlays, allowing residential, commercial and community facility uses, are mapped at a number of major intersections along Ocean Avenue and between East 18th Street and Ocean Avenue along Kings Highway. The C1 district allows small-scale retail and service shops needed in residential neighborhoods. The C2 district allows a slightly broader range of service uses including small appliance repair and upholstery shops. In R6 districts commercial uses have a maximum FAR of 2.0 but are limited to ground floor locations in mixed residential/commercial buildings.



Existing Zoning and Land Use Map

[View a larger image](#)

## Homecrest Rezoning - Approved!

### Proposed Zoning



Out-of-context building on Ocean Avenue



Out-of-context building on Ocean Avenue



Out-of-context building on East 19th Street

### Proposed Zoning

The proposed zoning would:

- Reinforce established built contexts and prevent out-of-character development.
- Limit the height of new developments in the predominantly low-rise blocks to 35 feet to maintain the low-rise character.
- Along Ocean Avenue and Kings Highway, where there is an existing street wall, six-story apartment house character, limit the height of new development to 80 feet with a maximum street wall of 65 feet.
- Allow construction of new apartment buildings, limited to a height of 80 feet, on two blocks along Coney Island Avenue, north and south of Kings Highway.
- Prevent out-of-scale development by rezoning to contextual districts that eliminate the FAR "bonus" for buildings with community facilities.

The proposed zoning districts are:

**R4-1:** An R4-1 district is proposed for approximately 30% of the rezoning area (31 full or partial blocks now zoned R6) where either semi-detached or detached housing is the predominant type (such as Avenue S between East 12th Street and East 19th Street and three blockfronts on Ocean Avenue).

R4-1 – a low-density residential district -- allows only detached and semi-detached one- and two-family houses with a maximum FAR of 0.9, a maximum perimeter wall height of 21 feet and a maximum building height of 35 feet.

Two side yards are required if the houses are detached and one if the houses are semi-detached. One off-street parking space is required for each unit. Community facilities in R4-1 districts have a maximum FAR of 2.0


**R5B:** All or parts of 20 blocks in the existing R6 district, where semi-detached and attached housing predominate or there is a mix of housing types (e.g., north and south of Avenue R from East 12th Street to East 15th Street), would be rezoned to R5B, a lower density residential district usually typified by attached row houses. R5B allows detached, semi-detached and attached houses with an FAR of 1.35 (2.0 for community facilities), a maximum street wall height of 30 feet and a maximum building height of 33 feet. One parking space is required for each unit or 66% of the units if grouped. Parking in front of buildings is not permitted.

**R7A:** All or parts of 47 blocks are proposed to be rezoned from R6 to R7A, including Kings Highway from East 18th Street to Nostrand Avenue, much of Ocean Avenue from Kings Highway to Voorhies Avenue, and parts of three blocks between East 12th and 14th streets. In addition, two blockfronts on



Proposed Zoning and Land Use Map as of September 26th, 2005  
[View a larger image](#)

Coney Island Avenue would be rezoned from C8-2 to R7A. These are mostly wide streets with a predominant character of apartment houses. R7A is a medium-density contextual residential district with a maximum FAR of 4.0 for residential and community facility uses, a maximum street wall height of 65 feet before setback and a maximum building height of 80 feet. Parking is required for half the units. The Quality Housing program is mandatory.

 Modified Proposed Zoning Map  
as of January 11th, 2006

**C4-4A:** Proposed for Kings Highway between Coney Island Avenue and East 18th Street on parts of 15 blocks, a C4-4A district would replace the C4-2 district, imposing an 80-foot height limit for all new construction. C4-4A is a medium-density contextual commercial district which allows residential, commercial and community facility buildings with a maximum FAR of 4.0 , a maximum street wall height of 60 feet and a maximum building height of 80 feet .


#### **Commercial Overlay Changes**

The current C1-3 commercial overlay along Kings Highway between Ocean Avenue and East 18th Street would be changed to a C2-3 district and reduced in depth from 150 feet to 100 feet. New C2-3 commercial overlays are proposed for the two blockfronts along Coney Island Avenue proposed to be rezoned from C8-2 to R7A and where there are existing commercial uses. Commercial overlays in the proposed R5B district have a commercial FAR of 1.0. In the proposed R7A, overlays have a commercial FAR of 2.0.



## Related Notes

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-  Items accompanied by this symbol require the [free Adobe Acrobat Reader](#).
- Brief explanations of terms in *green italics* can be viewed by [visiting glossary page](#). Words and phrases followed by an asterisk (\*) are defined terms in the Zoning Resolution, primarily in Section 12-10. Consult the Zoning Resolution for the official and legally binding definitions of these words and phrases.