



City Environmental Quality Review ENVIRONMENTAL ASSESSMENT STATEMENT SHORT FORM • FOR UNLISTED ACTIONS ONLY
Please fill out, print and submit to the appropriate agency (see instructions)

PART I: GENERAL INFORMATION

1. Does 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**

2. **Project Name** Oceanview Manor Home for Adults, Inc.

3. **Reference Numbers**

CEQR REFERENCE NUMBER (To Be Assigned by Lead Agency)
11DCP137K

BSA REFERENCE NUMBER (If Applicable)

ULURP REFERENCE NUMBER (If Applicable)

OTHER REFERENCE NUMBER(S) (If Applicable)
(e.g. Legislative Intro, CAPA, etc)

4a. **Lead Agency Information**

NAME OF LEAD AGENCY
NYC Department of City Planning

4b. **Applicant Information**

NAME OF APPLICANT
Oceanview Manor Home for Adults, Inc.

NAME OF LEAD AGENCY CONTACT PERSON
Robert Dobruskin

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON
Hiram A. Rothkrug, EPDSCO

ADDRESS 22 Reade Street

ADDRESS 55 Water Mill Road

CITY New York STATE NY ZIP 10007

CITY Great Neck STATE NY ZIP 11021

TELEPHONE 212-720-3423 FAX 212-720-3495

TELEPHONE 718-343-0026 FAX 516-487-2439

EMAIL ADDRESS rdobrus@planning.nyc.gov

EMAIL ADDRESS hrothkrug@epdsco.com

5. **Project Description:**

See attached Project Description.

6a. **Project Location: Single Site** (for a project at a single site, complete all the information below)

ADDRESS 3010 West 33rd Street

NEIGHBORHOOD NAME Coney Island

TAX BLOCK AND LOT Block 7066, Lot 10

BOROUGH Brooklyn

COMMUNITY DISTRICT 13

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

Southwest corner of Surf Avenue and West 33rd Street

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION IF ANY:

R5

ZONING SECTIONAL MAP NO: 28d

6b. **Project Location: Multiple Sites** (Provide a description of the size of the project area in both City Blocks and Lots. If the project would apply to the entire city or to areas that are so extensive that a site-specific description is not appropriate or practicable, describe the area of the project, including bounding streets, etc.)

7. **REQUIRED ACTIONS OR APPROVALS** (check all that apply)

City Planning Commission: YES NO

Board of Standards and Appeals: YES NO

- CITY MAP AMENDMENT
- ZONING MAP AMENDMENT
- ZONING TEXT AMENDMENT
- UNIFORM LAND USE REVIEW PROCEDURE (ULURP)
- CONCESSION
- UDAAP
- REVOCABLE CONSENT
- ZONING CERTIFICATION
- ZONING AUTHORIZATION
- HOUSING PLAN & PROJECT
- SITE SELECTION — PUBLIC FACILITY
- FRANCHISE
- DISPOSITION — REAL PROPERTY

- SPECIAL PERMIT
- EXPIRATION DATE MONTH DAY YEAR
- VARIANCE (USE)
- VARIANCE (BULK)

ZONING SPECIAL PERMIT, SPECIFY TYPE:

SPECIFY AFFECTED SECTION(S) OF THE ZONING RESOLUTION

- MODIFICATION OF
- RENEWAL OF
- OTHER

ZR 22-13, 24-111, 24-36, & 62-341

Project Description

Oceanview Manor Home for Adults, Inc.

The proposed project is the enlargement and change of use of the existing domiciliary care facility located on the premises. The impetus for the enlargement to the facility is the recent grant by the New York State Department of Health ("DOH"), pursuant to the Assisted Living Program ("ALP"), to allow for an increase of 24 beds from the existing 176 to 200 beds. To accommodate the increased number of residents, an enlargement to the Facility is necessary. Specifically, the proposed enlargement would increase the Facility's floor area by 12,642.2 square feet from 38,234.4 square feet to 50,876.6 square feet. The height of the Facility would not be affected by the proposed enlargement.

This application also seeks to change the use of the Facility from a Use Group 3 "domiciliary care facility" to a Use Group 3 "health-related facility", thus allowing all of its beds to be converted to health-related facility beds. Domiciliary care beds were previously approved by the Department of Health but are now obsolete. The designation was subsequently eliminated from the Zoning Resolution. The proposed enlargement and change of use will not require any significant additions to the supporting services of the neighborhood.

The DOH is the licensing agency for the proposal and must approve the final drawings before construction starts. The DOH is an involved agency as part of an unlisted action. The DOH administratively reviews and approves the construction element of the Assisted Living Program (ALP) application. The home care component of the ALP application, which does not include construction, requires review and approval by the New York State Public Health and Health Planning Council. The ALP is classified under Article 7 of the New York Social Services Law and Article 36 of the New York Public Health Law.

A domiciliary care facility is intended for people who are capable of self-mobilization. A health care facility/health related facility is designed for people who may not be capable of self-mobilization and need assistance with their activities of daily living (ADLs) such as bathing, dressing, eating, etc.

The use of the existing Oceanview Manor Home for Adults would not change under the proposed action. The proposed action would solely entail the expansion of the existing use on the property.

The proposed enlargement and related improvements would be comprised of the following elements:

- The 5-story portion of the facility would be extended approximately 41 feet to align the front and rear facades with the existing building. This enlargement would allow for the provision of the new beds on the third through fifth floors and the addition of needed administrative space on the second floor of the structure.

- Three small 1-story extensions would be made to the first floor of the building to accommodate an enlarged entrance area and recreation room and the provision of new storage and loading space.
- New landscaping would be installed at the perimeter of the parking area, and two new outdoor recreational areas would be provided adjacent to the building. Two additional parking spaces would be provided, for a total of 20 spaces on the lot, as required for the proposed 200 bed facility. The existing 18 space parking lot, accessed from West 33rd Street, would decrease in size to 16 spaces in order to accommodate the proposed building enlargements. A second parking lot containing 4 spaces would be created and accessed from a new 19'-0" curb cut along Surf Avenue at the northwest corner of the site.

The application requests the following four approvals to allow for the proposed enlargement and change of use:

- A City Planning Commission (CPC) Special Permit pursuant to ZR §74-90 to allow Use Group 3 -Health-Related Facility in Brooklyn Community District 13 to facilitate the conversion and enlargement of an existing domiciliary care facility to a Use Group 3 health related facility of approximately 50,876 square feet with 200 beds. The Special Permit is sought to make the proposal eligible for a bulk modification pursuant to ZR §74-902 (see below). The project is eligible for this Special Permit since condition (a) of ZR §22-42 (Certification of Certain Community Facility Uses) is met.
- A CPC Special Permit pursuant to ZR §74-902 to increase the permitted floor area of the proposed enlargement. The Special Permit would modify the requirements of Section 24-111, which states that the maximum permitted FAR of health-related facilities in R5 Districts is 1.27. The proposed FAR for the project is 1.95 for the 50,876 square foot facility (including the enlargement). The Special Permit would allow the maximum permitted Community Facility FAR of 2.00 for R5 Districts pursuant to ZR §24-11 to apply in lieu of the 1.27 FAR currently permitted as-of-right.
- A CPC Special Permit pursuant to ZR §62-836 to modify the yard requirements of ZR §24-36 and the height and setback requirements of ZR §62-341. The Special Permit would modify the yard requirements of ZR §24-36 by allowing a portion of the enlargement to provide a 14-foot rear yard where 30 feet is required. (A portion of the existing building already provides a lesser rear yard.) The Special Permit would also modify the height and setback requirements to allow a portion of the enlargement that is above a height of 35 feet within 25 feet of the streetline.
- A Certification by the Chairperson of the CPC pursuant to ZR §62-811 that the Premises are exempt from the waterfront public access area or visual corridor requirements

pursuant to Sections 62-52 (Applicability of Waterfront Public Access Area Requirements) and 62-51 (Applicability of Visual Corridor Requirements) of the Zoning Resolution.

10. Analysis Year *CEQR Technical Manual Chapter 2*

ANTICIPATED BUILD YEAR (DATE THE PROJECT WOULD BE COMPLETED AND OPERATIONAL): 2013 ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 6 months

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

11. What is the Predominant Land Use in Vicinity of Project? (Check all that apply)

RESIDENTIAL MANUFACTURING COMMERCIAL PARK/FOREST/OPEN SPACE OTHER, Describe: comm facilities; vacant land

PART II: TECHNICAL ANALYSES

INSTRUCTIONS: The questions in the following table refer to the thresholds for each analysis area in the respective chapter of the CEQR Technical Manual.

- 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.
- Often, a 'Yes' answer will result in a preliminary analysis to determine whether further analysis is needed. For each 'Yes' response, consult the relevant chapter of the CEQR Technical Manual for guidance on providing additional analyses (and attach supporting information, if needed) to determine whether detailed analysis is needed. Please note that a 'Yes' answer does not mean that an EIS must be prepared—it often only means that more information is required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant either to provide additional information to support this Short EAS Form or complete a Full EAS Form. For example, if a question is answered 'No,' an agency may request a short explanation for this response. In addition, if a large number of the questions are marked 'Yes,' the lead agency may determine that it is appropriate to require completion of the Full EAS Form.

	YES	NO
1. LAND USE, ZONING AND PUBLIC POLICY: <i>CEQR Technical Manual Chapter 4</i>		
(a) Would the proposed project result in a change in land use or zoning that is different from surrounding land uses and/or zoning? Is there the potential to affect an applicable public policy? If "Yes", complete a preliminary assessment and attach.		✓
(b) Is the project a large, publicly sponsored project? If "Yes", complete a PlaNYC assessment and attach.		✓
(c) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries? If "Yes", complete the <u>Consistency Assessment Form</u> .	✓	
2. SOCIOECONOMIC CONDITIONS: <i>CEQR Technical Manual Chapter 5</i>		
(a) Would the proposed project:		
• Generate a net increase of 200 or more residential units?		✓
• Generate a net increase of 200,000 or more square feet of commercial space?		✓
• Directly displace more than 500 residents?		✓
• Directly displace more than 100 employees?		✓
• Affect conditions in a specific industry?		✓
3. COMMUNITY FACILITIES: <i>CEQR Technical Manual Chapter 6</i>		
(a) Does the proposed project exceed any of the thresholds outlined in <u>Table 6-1 of Chapter 6</u> ?		✓
4. OPEN SPACE: <i>CEQR Technical Manual Chapter 7</i>		
(a) Would the proposed project change or eliminate existing open space?		✓
(b) Is the proposed project within an underserved area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island? If "Yes," would the proposed project generate 50 or more additional residents?		✓
If "Yes," would the proposed project generate 125 or more additional employees?		
(c) Is the proposed project in a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island? If "Yes," would the proposed project generate 300 or more additional residents?		✓
If "Yes," would the proposed project generate 750 or more additional employees?		
(d) If the proposed project is not located in an underserved or well-served area, would the proposed project generate: 200 or more additional residents?		✓
500 additional employees?		✓

	YES	NO
5. SHADOWS: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?		✓
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	✓	
6. HISTORIC AND CULTURAL RESOURCES: CEQR Technical Manual Chapter 9		
(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; is listed or eligible for listing on the New York State or National Register of Historic Places; or is within a designated or eligible New York City, New York State, or National Register Historic District?		✓
If "Yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
7. URBAN DESIGN: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	✓	
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources that is not currently allowed by existing zoning?		✓
8. NATURAL RESOURCES: CEQR Technical Manual Chapter 11		
(a) Is any part of the directly affected area within the Jamaica Bay Watershed? If "Yes," complete the Jamaica Bay Watershed Form.	✓	
(b) Does the proposed project site or a site adjacent to the project contain natural resources as defined in section 100 of Chapter 11? If "Yes," list the resources and attach supporting information on whether the project would affect any of these resources.	✓	
9. HAZARDOUS MATERIALS: CEQR Technical Manual Chapter 12		
(a) Would the project allow commercial or residential use in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?		✓
(b) Does the project site have existing institutional controls (e.g. (E) designations or a Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?		✓
(c) Would the project require soil disturbance in a manufacturing zone or any development on or near a manufacturing zone or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?		✓
(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?		✓
(e) Would the project result in development where underground and/or aboveground storage tanks (e.g. gas stations) are or were on or near the site?		✓
(f) Would the project result in renovation of interior existing space on a site with potential compromised air quality, vapor intrusion from on-site or off-site sources, asbestos, PCBs or lead-based paint?		✓
(g) Would the project result in development on or near a government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, municipal incinerators, coal gasification or gas storage sites, or railroad tracks and rights-of-way?		✓
(h) Has a Phase I Environmental Site Assessment been performed for the site? If "Yes," were RECs identified? Briefly identify:		✓
10. INFRASTRUCTURE: CEQR Technical Manual Chapter 13		
(a) Would the proposed project result in water demand of more than one million gallons per day?		✓
(b) Is the proposed project located in a combined sewer area and result in at least 1,000 residential units or 250,000 SF or more of commercial space in Manhattan or at least 400 residential units or 150,000 SF or more of commercial space in the Bronx, Brooklyn, Staten Island or Queens?		✓
(c) Is the proposed project located in a <u>separately sewered area</u> and result in the same or greater development than that listed in Table 13-1 of Chapter 13?		✓
(d) Would the project involve development on a site five acres or larger where the amount of impervious surface would increase?		✓
(e) Would the project involve development on a site one acre or larger where the amount of impervious surface would increase and is located within the <u>Jamaica Bay Watershed</u> or in certain <u>specific drainage areas</u> including: Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek?		✓
(f) Is the project located in an area that is partially sewered or currently unsewered?		✓
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a WWTP and/or generate contaminated stormwater in a separate storm sewer system?		✓
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?		✓
11. SOLID WASTE AND SANITATION SERVICES: CEQR Technical Manual Chapter 14		
(a) Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?		✓
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?		✓

	YES	NO
12. ENERGY: <i>CEQR Technical Manual Chapter 15</i>		
(a) Would the proposed project affect the transmission or generation of energy?		✓
13. TRANSPORTATION: <i>CEQR Technical Manual Chapter 16</i>		
(a) Would the proposed project exceed any threshold identified in <u>Table 16-1 of Chapter 16</u> ?		✓
(b) If "Yes," conduct the screening analyses, attach appropriate back up data as needed for each stage, and answer the following questions:		
(1) Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour? If "Yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <i>**It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16, "Transportation," for information.</i>		
(2) Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour? If "Yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?		
(3) Would the proposed project result in more than 200 pedestrian trips per project peak hour? If "Yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?		
14. AIR QUALITY: <i>CEQR Technical Manual Chapter 17</i>		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in <u>Section 210 of Chapter 17</u> ?		✓
(b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in <u>Section 220 of Chapter 17</u> ? If "Yes," would the proposed project exceed the thresholds in the Figure 17-3, <u>Stationary Source Screen Graph</u> ? (attach graph as needed)	✓	✓
(c) Does the proposed project involve multiple buildings on the project site?		✓
(d) Does the proposed project require Federal approvals, support, licensing, or permits subject to conformity requirements?		✓
(e) Does the proposed project site have existing institutional controls (e.g. E-designations or a Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?		✓
15. GREENHOUSE GAS EMISSIONS: <i>CEQR Technical Manual Chapter 18</i>		
(a) Is the proposed project a city capital project, a power plant, or would fundamentally change the City's solid waste management system?		✓
(b) If "Yes," would the proposed project require a GHG emissions assessment based on the guidance in <u>Chapter 18</u> ?		
16. NOISE: <i>CEQR Technical Manual Chapter 19</i>		
(a) Would the proposed project generate or reroute vehicular traffic?		✓
(b) Would the proposed project introduce new or additional receptors (see <u>Section 124 of Chapter 19</u>) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?		✓
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?		✓
(d) Does the proposed project site have existing institutional controls (e.g. E-designations or a Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?		✓
17. PUBLIC HEALTH: <i>CEQR Technical Manual Chapter 20</i>		
(a) Would the proposed project warrant a public health assessment based upon the guidance in <u>Chapter 20</u> ?		✓
18. NEIGHBORHOOD CHARACTER: <i>CEQR Technical Manual Chapter 21</i>		
(a) Based upon the analyses conducted for the following technical areas, check yes if any of the following technical areas required 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 If "Yes," explain here why or why not an assessment of neighborhood character is warranted based on the guidance of in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		✓

		YES	NO
19.	CONSTRUCTION IMPACTS: <i>CEQR Technical Manual Chapter 22</i> Would the project's construction activities involve (check all that apply):		
	• Construction activities lasting longer than two years;		✓
	• Construction activities within a Central Business District or along an arterial or major thoroughfare;		✓
	• Require closing, narrowing, or otherwise impeding traffic, transit or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc);		✓
	• Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out;		✓
	• The operation of several pieces of diesel equipment in a single location at peak construction;		✓
	• Closure of community facilities or disruption in its service;		✓
	• Activities within 400 feet of a historic or cultural resource; or		✓
	• Disturbance of a site containing natural resources.		✓

If any boxes are checked, explain why or why not a preliminary construction assessment is warranted based on the guidance of in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.

20. APPLICANT'S CERTIFICATION

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of 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

Environmental Consultant

of

Ocean Manor Home for Adults, Inc.

APPLICANT/SPONSOR

NAME THE ENTITY OR OWNER

the entity which seeks the permits, approvals, funding or other governmental action described in this EAS.

Check if prepared by: APPLICANT/REPRESENTATIVE OR LEAD AGENCY REPRESENTATIVE (FOR CITY-SPONSORED PROJECTS)

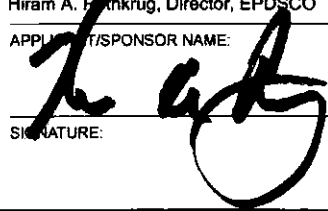
Hiram A. Rothkrug, Director, EPDSCO

APPLICANT/SPONSOR NAME:

LEAD AGENCY REPRESENTATIVE NAME:

SIGNATURE:

DATE:



11/9/12

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 of 1977, as amended) which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant effect on the environment. 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.	Potential Significant Adverse Impact	
	YES	NO
IMPACT CATEGORY		
Land Use, Zoning, and Public Policy		✓
Socioeconomic Conditions		✓
Community Facilities and Services		✓
Open Space		✓
Shadows		✓
Historic and Cultural Resources		✓
Urban Design/Visual Resources		✓
Natural Resources		✓
Hazardous Materials		✓
Water and Sewer Infrastructure		✓
Solid Waste and Sanitation Services		✓
Energy		✓
Transportation		✓
Air Quality		✓
Greenhouse Gas Emissions		✓
Noise		✓
Public Health		✓
Neighborhood Character		✓
Construction Impacts		✓

2. Are there any aspects of the project relevant to the determination 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, explain them and state where, as a result of them, the project may have a significant impact on the environment.

No.

3. LEAD AGENCY CERTIFICATION

Deputy Director, Environmental Assessment and Review Division

TITLE

Celeste Evans

NAME

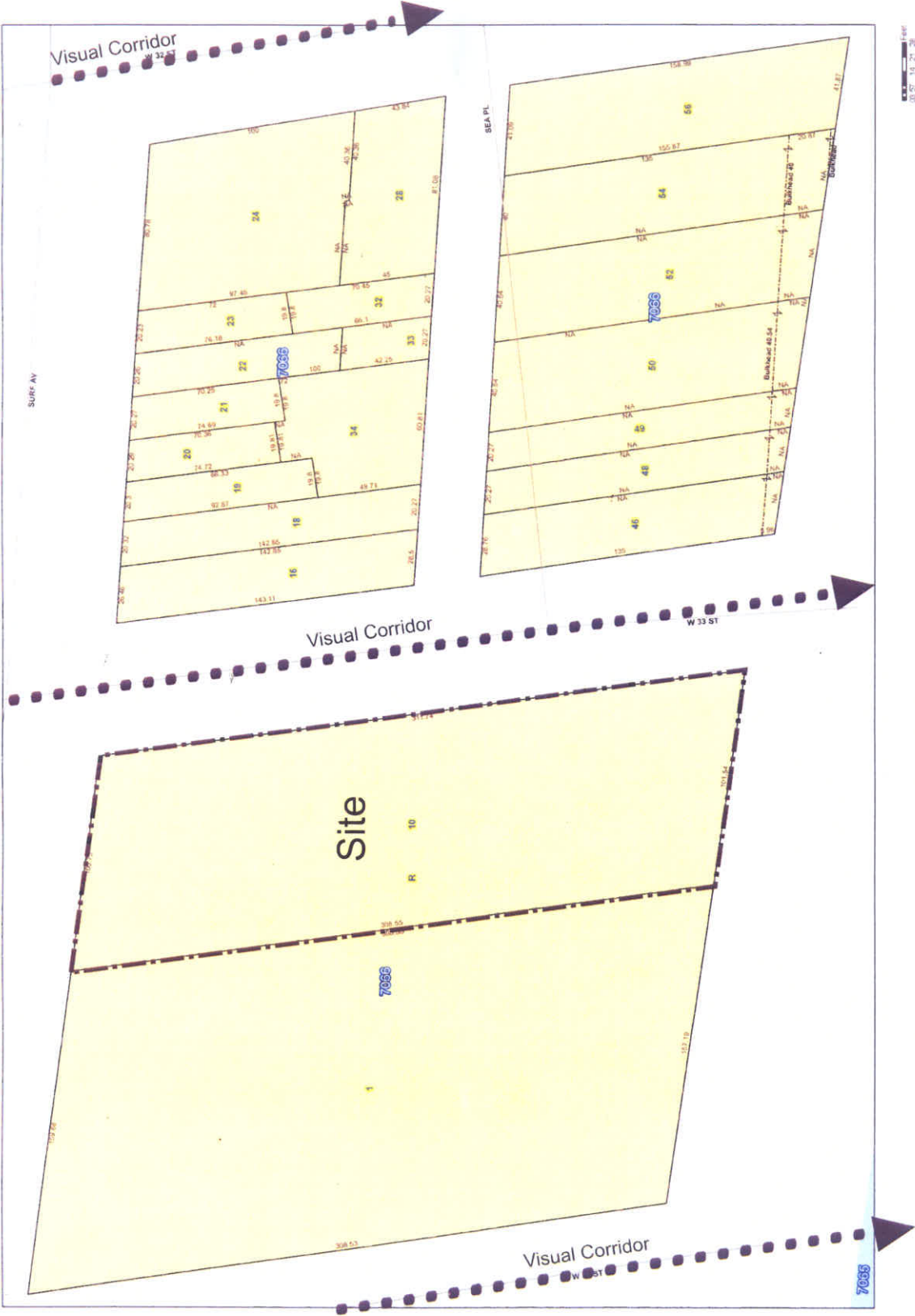
New York City Department of City Planning

LEAD AGENCY



SIGNATURE

11/9/2012






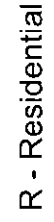
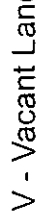


FINANCY
NEW YORK
NORTH STAR
COMMISSIONER
NYC Digital Tax Map
Effective Date 12-07-2008 15:25:15
End Date Current
Brooklyn Block 7066

- Legend
- Streets
 - Miscellaneous Text
 - Possession Hooks
 - Boundary Lines
 - Lot Face Possession Hooks
 - Regular
 - Underwater
 - Tax Lot Polygon
 - Condo Number
 - Tax Block Polygon



Legend

-  Building Footprint
-  Existing Zoning District Boundary
-  Applicant's Property
-  R6A Zoning District
-  Tax Block
-  Street Direction
-  1s Number of Stories
-  400 Ft. Radius
-  Existing Land Uses:
-  R - Residential
-  Pf - Public Facilities & Institutions
-  V - Vacant Land

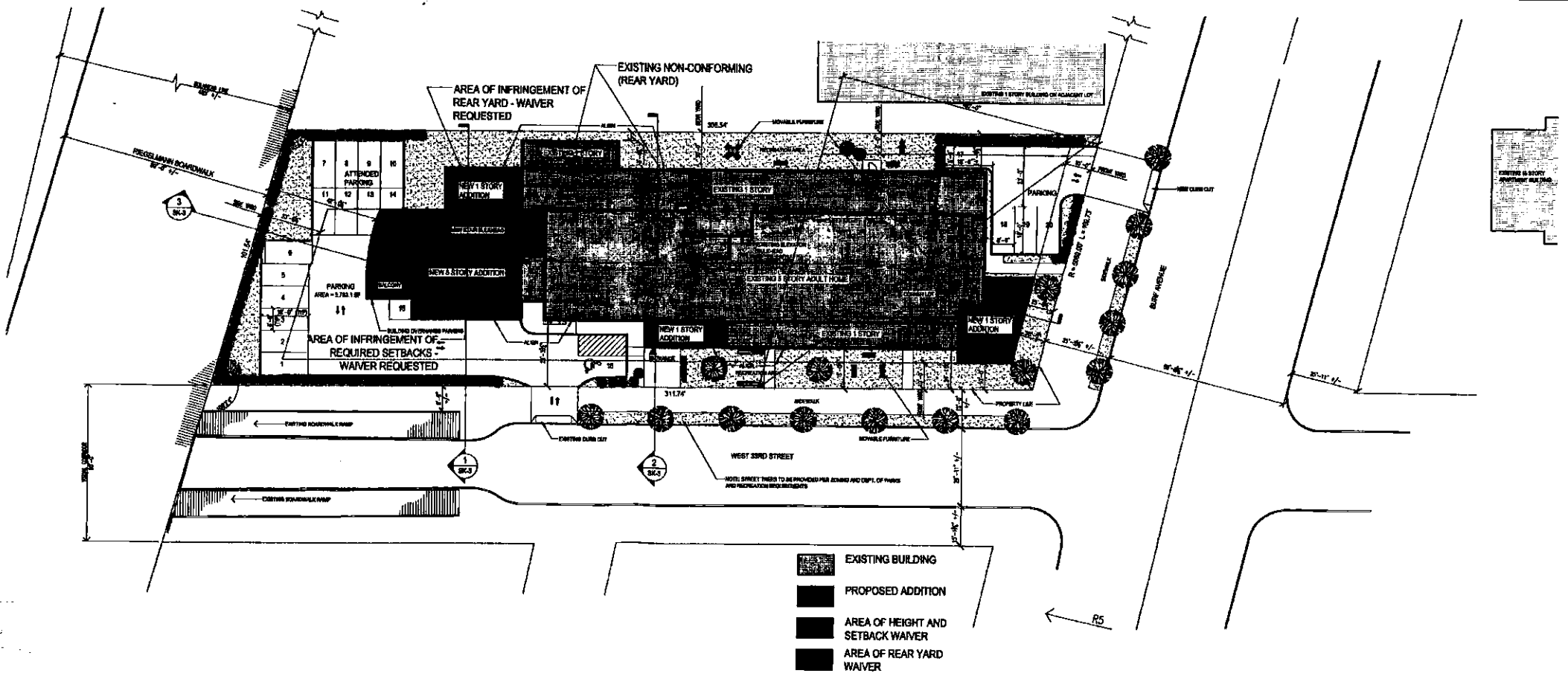


Scale: 1" = 100'

SECTION	ITEM	REQUIRED / PERMITTED	EXISTING	NEW	TOTAL	
22-15	USE GROUP:	USE GROUPS 1, 2, 3 AND 4	USE GROUP 3 - DOMICILIARY CARE FACILITY	USE GROUP 3 - HEALTH RELATED FACILITY	USE GROUP 3 - HEALTH RELATED FACILITY	
22-42	CERTIFICATION OF CERTAIN COMMUNITY FACILITY USES	In all Residential Districts, for any nursing home and health related facilities or development, restoration or change in use of land, the City Planning Commission shall certify to the Department of Buildings, prior to the filing of any plans by the applicant for a building permit for such use, that none of the following conditions apply to the Community District within which such use or development, restoration or change in use of land is to be located: (a) the ratio between the number of beds for such use in existence, under construction or approved for construction by the appropriate Federal or State governmental agency, to the population of the Community District compared to such ratio for other Community Districts shows a relative concentration of facilities covered in this Section in the affected district; or (b) a scarcity of land for general community purposes exists; or (c) the incidence of construction of facilities for the last three years warrants review over these facilities because they threaten to disrupt the land use balance in the community. If the Commission finds that one or more of the conditions set forth in this Section apply to the Community District within which such use or development, restoration or change in use of land is to be located, a special permit pursuant to Section 24-207 shall be required.	USE GROUP 3 - DOMICILIARY CARE FACILITY	USE GROUP 3 - HEALTH RELATED FACILITY	USE GROUP 3 - HEALTH RELATED FACILITY	CPC CERTIFICATION FOR ENLARGEMENT AND CHANGE OF USE IS REQUESTED
74-60	USE AND BULK MODIFICATIONS FOR CERTAIN COMMUNITY FACILITY USES	In all Residential and Commercial Districts except C1 and C2 Districts, which are in the Community Districts within which, pursuant to Section 22-42 (Certification of Certain Community Facility Uses), nursing homes and health-related facilities are not permitted as-of-right, the City Planning Commission may permit the development, restoration or change of use of land involving such nursing homes and health-related facilities where such use is not permitted as-of-right, provided that the Commission finds: (a) that the architectural landscaping treatment and the height of the proposed building containing such use blends harmoniously with the topography of the surrounding area; (b) that the proposed facility will not require any significant additions to the supporting services of the neighborhood or that provision for adequate supporting services has been made; (c) that the street-level parking access to such use is adequate to handle the traffic generated thereby or provision has been made to handle such traffic; (d) that the disadvantages to the community imposed by the concentration of these facilities in the Community District are outweighed by the benefits derived from the proposed use; and (e) that in R1 and R2 Districts, such facilities are not proprietary nursing homes, proprietary health-related facilities or proprietary domiciliary care facilities for adults. The Commission may prescribe appropriate conditions or safeguards to minimize the adverse effect of any use permitted under this Section on the character of the surrounding area. Where such use is authorized by the Commission, it may be eligible for bulk modification, pursuant to the provisions of Sections 24-201 or 24-202.				IF THE COMMISSION FINDS THAT ONE OR MORE OF THE CONDITIONS PERTAINING TO SECTION 22-42 CANNOT BE MET, THEN SPECIAL PERMIT PURSUANT TO SECTION 24-207 IS REQUESTED
22-324 (a) / 24-111 (b)	ALLOWABLE F.A.R.	1.27	38,234.4	12,642.2	50,876.6	FLOOR AREA EXCEEDS BASIC PERMITTED FLOOR AREA; CPC PERMISSION REQUESTED PER 24-202
22-324 (a) / 74-602 / 23-147	ALLOWABLE F.A.R. WITH CPC PERMISSION	1.95	38,234.4	12,642.2	50,876.6	COMPLIES WITH F.A.R. OF 23-147. CPC PERMISSION REQUESTED PER 74-602
22-324 (c)	MAXIMUM LOT COVERAGE WATERFRONT BLOCK	60%	8,786.3 / 30,250.57 = 22.4%	2,263.7 / 30,250.57 = 7.5%	1,080.0 / 30,250.57 = 3.6%	COMPLIES
22-341 / 22-338	HEIGHT AND SETBACKS	any portion of a predominantly community facility building that exceeds a height of 35 feet shall be set back at least 25 feet from a street yard line or street line, where applicable, and no portion of such building shall exceed a height of 60 feet.	REFER TO DRAWINGS - EXISTING NON-COMPLYING	REFER TO DRAWINGS - NON-COMPLYING	REFER TO DRAWINGS - NON-COMPLYING	BULK MODIFICATION (SETBACK) REQUESTED BY CPC SPECIAL PERMIT PER 22-338
22-42 / 22-31	PARKING REQUIRED	1 PER 10 BEDS	178 / 17.8 = 10	24 / 2.4 = 10	200 / 20 = 10	COMPLIES
22-33	YARDS	NON WATERFRONT LOTS ARE PER DISTRICT REGULATIONS	15 PROVIDED - COMPLIES		20 PROVIDED	
22-33 / 24-34	FRONT YARD	10 FT	15'-0" @ W 33 STREET, 25'-8" @ SURF AVENUE	15'-0" @ W 33 STREET, 10'-0" @ SURF AVENUE	15'-0" @ W 33 STREET, 10'-0" @ SURF AVENUE	COMPLIES
22-33 / 24-35	SIDE YARD @ WEST LOT LINE	(1) AT 5 FT OR (2) AT 10% OF STREET WALL WHICHEVER IS GREATER.	STREET WALL = 66'-8" X 10% = 6'-10" 14'-8" REQUIRED - 14'-4" PROVIDED	STREET WALL = 66'-8" X 10% = 6'-10" 14'-8" REQUIRED - 14'-4" PROVIDED	STREET WALL = 66'-8" X 10% = 6'-10" 14'-8" REQUIRED - 14'-4" PROVIDED	COMPLIES
22-33 / 24-36	SIDE YARD @ BOARDWALK	(1) AT 5 FT OR (2) AT 10% OF STREET WALL WHICHEVER IS GREATER.	STREET WALL = 17'-2" X 10% = 1'-7" 12'-4" REQUIRED - 8'-8" PROVIDED	STREET WALL = 34'-0" X 10% = 3'-4" 14'-8" REQUIRED - 12'-1" PROVIDED	STREET WALL = 34'-0" X 10% = 3'-4" 14'-8" REQUIRED - 12'-1" PROVIDED	COMPLIES
22-33 / 24-38	REAR YARD	30 FT	4'-8" PROVIDED EXISTING NON-COMPLYING	14'-0" EXISTING NON-COMPLYING WAIVER REQUESTED	14'-0" AT ADDITION - NON-COMPLYING WAIVER REQUESTED	BULK MODIFICATION (REAR YARD) REQUESTED BY CPC SPECIAL PERMIT PER 22-338

NOTE: BUILDING COMPLIES WITH ALL OTHER ZONING REQUIREMENTS NOT NOTED HERE

ZONING ANALYSIS 1' = 1'-0" 1



OCEANVIEW MANOR HOME FOR ADULTS
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Fax: (212) 691-1111
www.landowandlandow.com

REVISIONS

NO.	DATE	DESCRIPTION
ISSUED	10.4.10	
REVISED	10.20.10	
REVISED	10.25.10	
REVISED	11.18.10	
REVISED	2.1.11	
REVISED	5.12.11	

DRAWING TITLE
ZONING ANALYSIS AND WAIVER PLAN
DRAWING NO.
PROJECT DATE: 1.10.11
PROJECT NO: 076510
PROJECT LOCATION: CONEY ISLAND, NY
© Landow and Landow Architects LLP AIA
NYC DOB NUMBER

Oceanview Manor Home for Adults

3010 West 33rd Street, Coney Island, New York 11224

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mail@landow-architects.com
www.landow-architects.com

SCHEDULE OF DRAWINGS

TITLE SHEET

ARCHITECTURAL

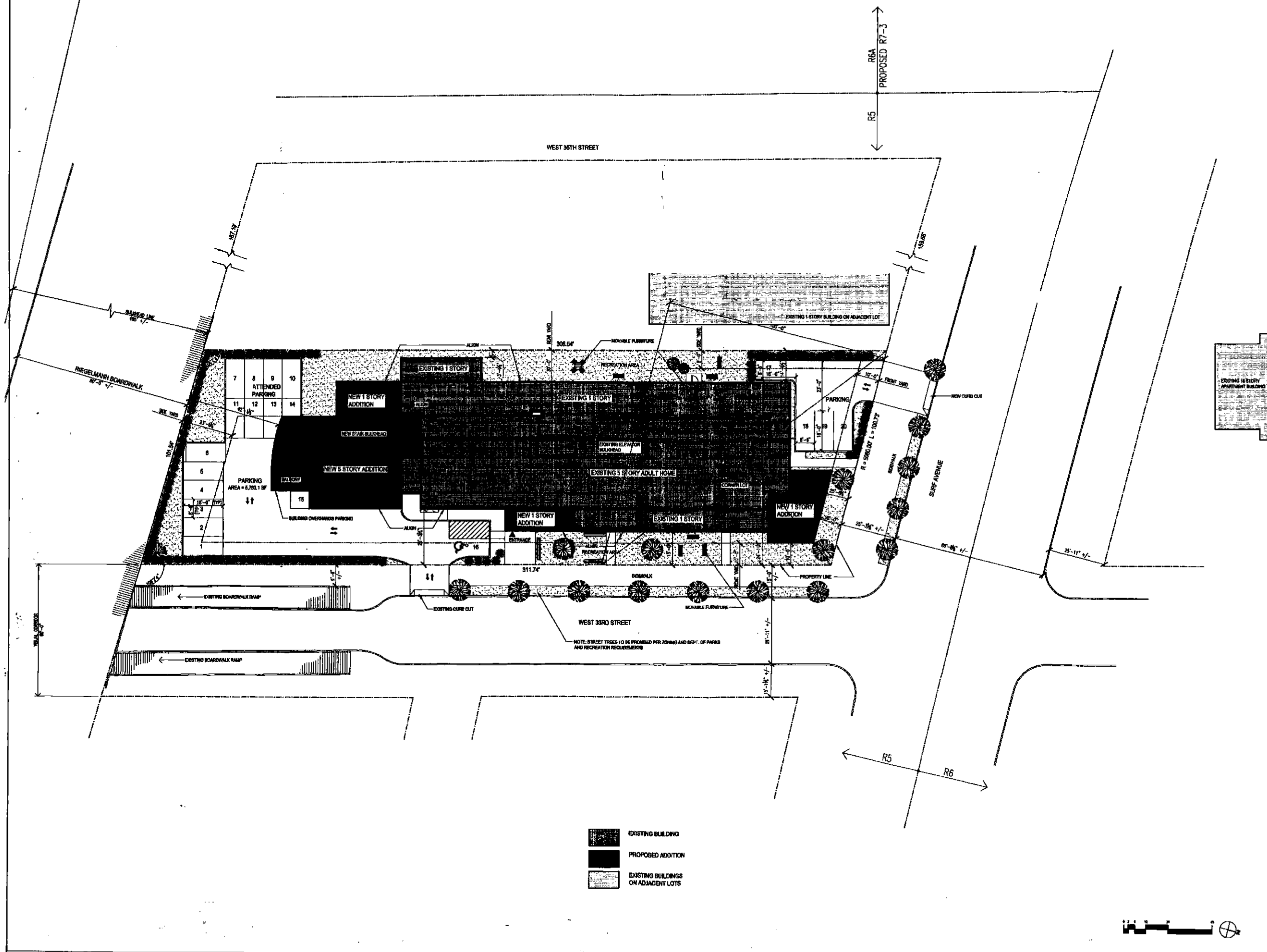
SK-1	SITE PLAN
SK-2	ZONING ANALYSIS AND WAIVER PLAN
SK-3	BUILDING SECTIONS
SK-4	FIRST FLOOR PLAN
SK-5	2ND FLOOR AND TYPICAL FLOOR PLANS
SK-6	ELEVATIONS
SK-7	STREETSCAPES

ISSUED	10.4.10
REVISED	10.26.10
REVISED	10.26.10
REVISED	11.18.10
REVISED	2.1.11
REVISED	5.12.11

OCEANVIEW MANOR HOME FOR ADULTS

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 www.landowengineers.com



As a condition of the preliminary plan, the applicant shall provide for the following:
 1. A site plan showing the proposed building footprint and all other structures to be constructed on the site.
 2. A site plan showing the proposed parking area and all other parking spaces to be constructed on the site.
 3. A site plan showing the proposed landscaping and all other site improvements to be constructed on the site.
 4. A site plan showing the proposed site access and all other site access improvements to be constructed on the site.
 5. A site plan showing the proposed site drainage and all other site drainage improvements to be constructed on the site.
 6. A site plan showing the proposed site utilities and all other site utility improvements to be constructed on the site.
 7. A site plan showing the proposed site security and all other site security improvements to be constructed on the site.
 8. A site plan showing the proposed site safety and all other site safety improvements to be constructed on the site.
 9. A site plan showing the proposed site accessibility and all other site accessibility improvements to be constructed on the site.
 10. A site plan showing the proposed site sustainability and all other site sustainability improvements to be constructed on the site.

REVISIONS		
NO.	DATE	DESCRIPTION
ISSUED	10.4.10	
REVISED	10.20.10	
REVISED	10.26.10	
REVISED	11.16.10	
REVISED	2.1.11	
REVISED	5.12.11	

DRAWING TITLE

SITE PLAN

DRAWING NO.

PROJECT DATE: 10/4/10
 PROJECT NO: 10-0151
 PROJECT LOCATION: COXSACK, NY
 © Landow and Landow Architects LLP AIA
 NYC DOB NUMBER

SITE PLAN 1/16" = 1'-0" 1

ATTACHMENT 2

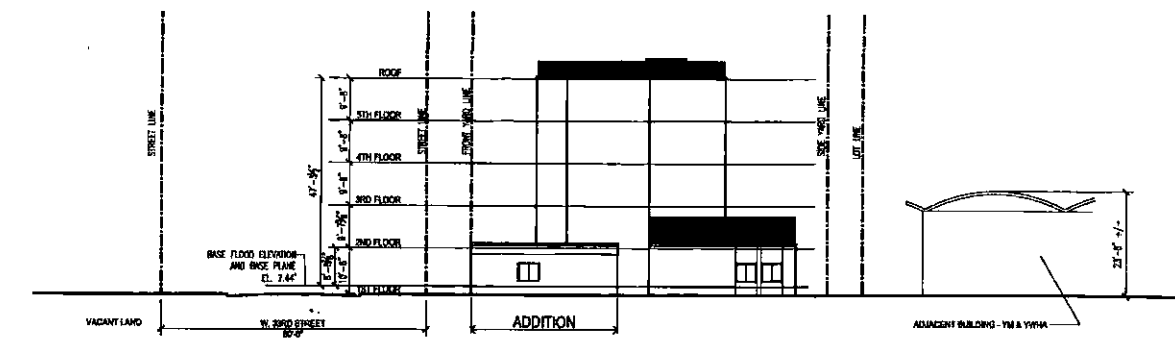
OCEANVIEW
MANOR
HOME FOR
ADULTS

3010 West 53rd Street, Coney Island, NY 11224

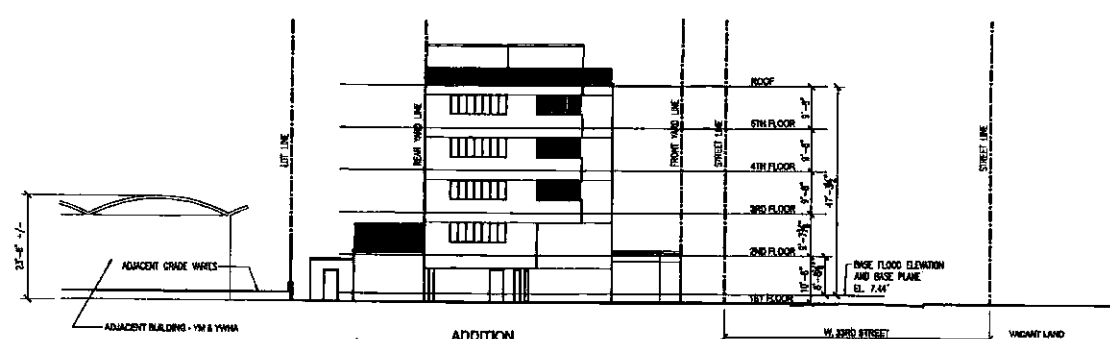
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EAST ELEVATION 1/16" = 1'-0" 1



NORTH ELEVATION 1/16" = 1'-0" 2



SOUTH ELEVATION 1/16" = 1'-0" 3

This is a preliminary drawing. It is not to be used for construction. It is subject to change without notice. The architect shall not be responsible for the accuracy of the information provided by the client. The architect shall not be responsible for the accuracy of the information provided by the client. The architect shall not be responsible for the accuracy of the information provided by the client.

REVISIONS	DATE	NO.
ISSUED	10.4.10	
REVISED	10.20.10	
REVISED	10.23.10	
REVISED	2.1.11	
REVISED	5.12.11	

DRAWING TITLE

ELEVATIONS

DRAWING NO.

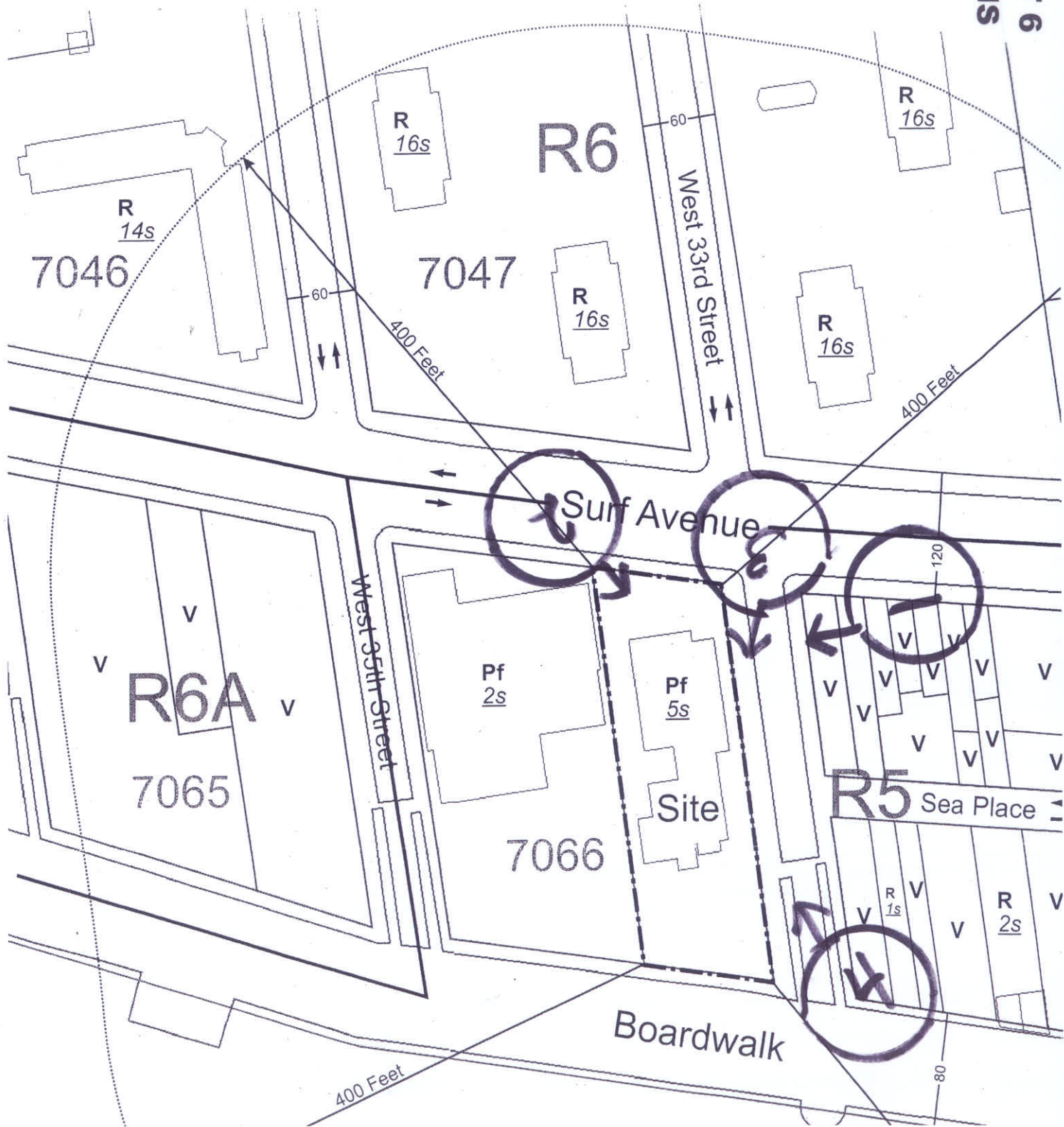
SK-6
PROJECT: 0709.110
PROJECT NO: 273510
PROJECT LOCATION: CONEY ISLAND, NY
© Landow and Landow Architects LLP AIA
NYC DDB NUMBER

ATTACHMENT 6

3010 West 33rd Street, Brooklyn

Block 7066, Lot 10

**ATTACHMENT 6
PHOTOGRAPHS**





2



3



4



OCEANVIEW MANOR HOMES FOR ADULTS

ENVIRONMENTAL ASSESSMENT

INTRODUCTION

Based on the analysis and the screens contained in the Environmental Assessment Statement Short Form, the only analysis areas that require further explanation include land use, zoning, and public policy (including waterfront revitalization), shadows, natural resources, air quality, and noise as further detailed below. The subject heading numbers below correlate with the relevant chapters of the *CEQR Technical Manual*.

4. LAND USE, ZONING AND PUBLIC POLICY

LAND USE

In order to assess the potential for project related impacts, the land use study area has been defined as the area located within a 400-foot radius of the site, which is the area within which the proposed rezoning has the potential to affect land uses or land use trends. The 400-foot radius study area is generally bounded on the north by an area between Surf and Mermaid Avenues, on the south by a sandy beach along the Atlantic Ocean, on the east by West 32nd Street, and on the west by West 35th Street. Various sources have been used to prepare a comprehensive analysis of land use, zoning, and public policy characteristics of the area, including field surveys, studies of the neighborhood, census data, and land use and zoning maps.

Site Description

The project site is identified as Tax Block 7066, Lot 10 occupying approximately 1/3 of Block 7066 along its eastern frontage bordered by Surf Avenue, West 33rd Street, and the Riegelmann Boardwalk (the "Boardwalk") in the Coney Island neighborhood of Brooklyn. The project site totals 30,251 square feet in land area and is developed with a five-story, 38,234.4 square foot domiciliary care facility known as the Oceanview Manor Home for Adults which was constructed in 1977. The facility contains 176 beds plus accessory office space, a kitchen and dining room, a recreation room, and storage and utility rooms. An at-grade parking lot with 18 spaces is located adjacent to the building and is accessed from West 33rd Street.

Existing Conditions

The project site, which totals 30,251 square feet of developed land as described above, occupies the eastern frontage of Block 7066. The site adjoins a parcel developed with a two-story employment center which occupies the remainder of the block along its western frontage. The Boardwalk and a sandy beach adjacent to the Atlantic Ocean border the site to the south. The area within 400 feet to the north of the project site includes Surf Avenue and portions of three blocks developed with several 14- to 16-story 'tower-in-the-park' style residential buildings owned by the NYC Housing Authority. The block immediately to the

west of the project site block is entirely vacant and the block immediately to the east also consists primarily of vacant parcels with the exception of one 1-story residence and one 2-story residence. A 14-story residential tower is located along the eastern edge of the 400-foot radius area across West 32nd Street. A small amount of local retail use exists along the north side of Surf Avenue between West 31st and West 32nd Streets.

Future No-Action Scenario

Absent the action, no additional development would occur on the project site. The undeveloped portions of the property, consisting of grassed areas, would remain undeveloped. Under the property's existing R5 zoning, the project site could be developed to a maximum FAR of 1.95, a maximum permitted building height of 40 feet, a maximum streetwall height before setback of 35 feet, and a minimum open space ratio of 23.1. The property is currently developed to an FAR of 1.26 with a building streetwall height of 49.1 feet. The existing/Future No-Action development on the site is therefore non-compliant with 9.7 feet at the 4th and 5th floor levels of the building within the required setback. It must be noted that upon completion of the building in 1974, it was compliant with the underlying zoning. Thereafter and upon enactment of the special waterfront district, which did not exist at the time of construction, the existing building became legal, non-compliant.

However, an expansion to the existing facility on the project site would require CPC Special Permit approvals pursuant to ZR §74-90, §74-902, and §62-836 as well as a CPC Certification pursuant to ZR §62-811.

Surrounding land uses within the immediate study area are expected to remain largely unchanged by the project build year of 2013. The vacant lots within the 400-foot area surrounding the project site have been undeveloped for many years and due to market conditions anticipated to continue into 2013, it is not anticipated that any new development would occur on these parcels. A rezoning of Block 7065 immediately west of the project site block across West 35th Street from R6A to C2-4/R7-3 was adopted by the City Council on September 8, 2011. This rezoning would allow for the development of the Ocean Dreams mixed-use project. However, it is not anticipated that this project would be completed by the project build year of 2013. Therefore, no significant new development or redevelopment in the area would be expected.

Future With-Action Scenario

The proposed action seeks the granting of three CPC Special Permits and a CPC Certification to allow for a change of use and an expansion of the existing facility on the property as further discussed below.

Approval of the proposed CPC Special Permits and Certification would facilitate the proposed enlargement and change of use of the existing domiciliary care facility located on the premises. The impetus for the enlargement to the facility is the recent grant by the New

York State Department of Health (“DOH”), pursuant to the Assisted Living Program (“ALP”), to allow for an increase of 24 beds from the existing 176 to 200 beds. To accommodate the increased number of residents, an enlargement to the Facility is necessary. Specifically, the proposed enlargement would increase the Facility’s floor area by 12,642.2 square feet from 38,234.4 square feet to 50,876.6 square feet. The height of the Facility would not be affected by the proposed enlargement.

This application also seeks to change the use of the Facility from a Use Group 3 “domiciliary care facility” to a Use Group 3 “health-related facility”, thus allowing all of its beds to be converted to health-related facility beds. Domiciliary care beds were previously approved by the Department of Health but are now obsolete. The designation was subsequently eliminated from the Zoning Resolution. The proposed enlargement and change of use will not require any significant additions to the supporting services of the neighborhood.

The proposed enlargement and related improvements would be comprised of the following elements:

- The 5-story portion of the facility would be extended approximately 41 feet to align the front and rear facades with the existing building. This enlargement would allow for the provision of the new beds on the third through fifth floors and the addition of needed administrative space on the second floor of the structure.
- Three small 1-story extensions would be made to the first floor of the building to accommodate an enlarged entrance area and recreation room, and the provision of new storage and loading space.
- New landscaping would be installed at the perimeter of the parking area, and two new outdoor recreational areas would be provided adjacent to the building. Two additional parking spaces would be provided, for a total of 20 spaces on the lot, as required for the proposed 200 bed facility. The existing 18 space parking lot, accessed from West 33rd Street, would decrease in size to 16 spaces in order to accommodate the proposed building enlargements. A second parking lot containing 4 spaces would be created and accessed from a new 19’-0” curb cut along Surf Avenue at the northwest corner of the site.

The application requests the following four approvals to allow for the proposed enlargement and change of use:

- A City Planning Commission (CPC) Special Permit pursuant to ZR §74-90 to allow Use Group 3 -Health-Related Facility in Brooklyn Community District 13 to facilitate the conversion and enlargement of an existing domiciliary care facility to a Use Group 3 health related facility of approximately 50,876 square feet with 200 beds. The Special Permit is sought to make the proposal eligible for a bulk

modification pursuant to ZR §74-902 (see below). The project is eligible for this Special Permit since condition (a) of ZR §22-42 (Certification of Certain Community Facility Uses) is met.

- A CPC Special Permit pursuant to ZR §74-902 to increase the permitted floor area of the proposed enlargement. The Special Permit would modify the requirements of Section 24-111, which states that the maximum permitted FAR of health-related facilities in R5 Districts is 1.27. The proposed FAR for the project is 1.95 for the 50,876 square foot facility (including the enlargement). The Special Permit would allow the maximum permitted Community Facility FAR of 2.00 for R5 Districts pursuant to ZR §24-11 to apply in lieu of the 1.27 FAR currently permitted as-of-right.
- A CPC Special Permit pursuant to ZR §62-836 to modify the yard requirements of ZR §24-36 and the height and setback requirements of ZR §62-341. The Special Permit would modify the yard requirements of ZR §24-36 by allowing a portion of the enlargement to provide a 14-foot rear yard where 30 feet is required. (A portion of the existing building already provides a lesser rear yard.) The Special Permit would also modify the height and setback requirements to allow a portion of the enlargement that is above a height of 35 feet within 25 feet of the streetline.
- A CPC Certification pursuant to ZR §62-811 that the Premises are exempt from the waterfront public access area or visual corridor requirements pursuant to Sections 62-52 (Applicability of Waterfront Public Access Area Requirements) and 62-51 (Applicability of Visual Corridor Requirements) of the Zoning Resolution.

The requested CPC Special Permits and Certification are necessary in order to allow the proposed development to proceed. The proposed action would meet the findings requirements pursuant to ZR §74-90, §74-902, §62-836, and §62-811 as detailed in the ULURP application filed in connection with this proposal.

The proposed change of use and modest enlargement of the existing facility on the project site would enable the Oceanview Manor Home for Adults to accommodate 24 additional residents. This enlargement has been approved in connection with the recent grant by the NYS Department of Health (NYS DOH), pursuant to the Assisted Living Program, to allow for the proposed increase in the number of beds in the facility.

The NYS DOH is the licensing agency for the proposal and must approve the final drawings before construction starts. The DOH is an involved agency as part of an unlisted action. The DOH administratively reviews and approves the construction element of the Assisted Living Program (ALP) application. The home care component of the ALP application, which does not include construction, requires review and approval by the

New York State Public Health and Health Planning Council. The ALP is classified under Article 7 of the New York Social Services Law and Article 36 of the New York Public Health Law.

A domiciliary care facility is intended for people who are capable of self-mobilization. A health care facility/health related facility is designed for people who may not be capable of self-mobilization and need assistance with their activities of daily living (ADLs) such as bathing, dressing, eating, etc.

The use of the existing Oceanview Manor Home for Adults would not change under the proposed action. The proposed action would solely entail the expansion of the existing use on the property.

The facility would also be improved through the incorporation of needed administrative space, an enlarged entrance area and recreation room, and the provision of new storage and loading space. The exterior portions of the project site would be improved through the installation of new landscaping and two new outdoor recreational areas adjacent to the building. The action would promote the development of the property in a fashion that would be compatible with and beneficial to the adjacent and nearby uses including residential development in the area.

No potentially significant adverse impacts related to land use are expected to occur as a result of the proposed action. Therefore, further analysis of land use is not warranted.

ZONING

Existing Conditions

The project site is currently zoned R5 as is the remainder of the project site block and blocks to the east located south of Surf Avenue within the 400-foot radius area. The project study area to the west of West 35th Street north of Surf Avenue is zoned R6 and R6A. A C1-2 commercial overlay is mapped over the R6 district along the north side of Surf Avenue between West 31st and West 32nd Streets.

Immediately west of the Premises on Block 7065, a Large-Scale General Development and related rezoning known as the "Ocean Dreams" project (ULURP No. C 110058 ZMK and related actions) was approved by the City Planning Commission on August 10, 2011 and was adopted by the City Council on September 8, 2011. The proposal rezoned Tax Block 7065 (which is immediately west of the Premises) from R6A to R7-3 (with portions having a C2-4 commercial overlay), along with a series of Special Permits to allow for height and bulk modifications. The approvals are intended to facilitate the mixed-use development containing up to approximately 416,688 square feet of residential floor area (415 dwelling units are proposed) and up to 24,790 square feet of local retail and service uses.

The R5 zoning district typically produces three-story attached houses and small apartment buildings. R5 districts provide a transition between lower and higher density neighborhoods, and are widely mapped in Queens, Brooklyn, and the Bronx. The R5 zoning district requires a minimum lot size of 3,800 square feet and a minimum lot width of 40 feet for detached, single or two-family units, and a minimum lot size of 1,700 square feet and a minimum lot width of 18 feet for other types of residential developments. The maximum residential FAR in the R5 zone is 1.25 with a maximum lot coverage of 55 percent and a maximum permitted building height of 40 feet. The maximum community facility FAR in the R5 zone is 2.0 or 1.95 for non-profit residences for the elderly. The R5 zoning district regulations also require that one parking space be provided for each dwelling unit or 85 percent of the dwelling units if grouped.

The R6 zoning district is appropriate for medium density housing with typical building heights ranging from three to twelve stories. The R6 zone is common in built-up areas of all the boroughs except Staten Island. The district allows residential FARs ranging from 0.78 to 2.43 and a community facility FAR of up to 4.8. The higher FAR typically produces 12-story residential buildings with increased open space on the lot. Parking is required for 70 percent of the dwelling units in this zone; for 50% of the units for lots less than 10,000 square feet in area; and is waived if 5 or fewer spaces are required. The Quality Housing Program is optional in R6 districts and permits an FAR of up to 3.0 on wide streets outside the Manhattan core. In addition, parking is required for only 50 percent of the dwelling units in a Quality Housing development.

The R6A zoning district is designed to be compatible with existing buildings found in older neighborhoods. The Quality Housing bulk regulations, which are mandatory in R6A districts, typically produce high lot coverage, six- or seven-story apartment buildings set on or near the street line. The R6A zone allows a residential FAR of up to 3.0 and a community facility FAR of up to 3.0. Parking is required for 50 percent of the dwelling units in this zone and is waived if 5 or fewer spaces are required.

The R7 zoning district is a medium density apartment house district. The height factor regulations for R7 districts encourage low apartment buildings on smaller zoning lots, and taller buildings with low lot coverage on larger lots. The Quality Housing program is optional in R7 districts resulting in lower buildings with higher lot coverage. The residential FAR in R7 districts ranges from 0.87 to 3.44 and the open space ratio ranges from 15.5 to 25.5. In the R7 district, a taller building may be obtained by providing more open space. Parking is required for 50 percent of the dwelling units in the R7-1 zone, and for 60 percent of the dwelling units in the R7-2 and R7-3 zones. The R7-3 zone is intended to be mapped within the waterfront area and in the Special Mixed Use Districts.

The C1-2 district is designed to accommodate the retail and personal service shops needed in residential neighborhoods. The maximum commercial FAR for a C1-2 overlay in the R6 zone in which it is mapped in this area is 2.0. Residential uses are permitted within these

overlays with residential bulk being governed by the provisions of the surrounding residential zone. Parking requirements vary by use within the C1-2 zone with one parking space required for each 300 square feet of general retail and ambulatory diagnostic floor area. No loading spaces are required for the first 8,000 square feet of floor area, and one loading berth is required for the next 17,000 square feet of commercial retail floor area.

The C2-4 overlay zoning permits a wide range of local retail service establishments which is intended to serve a wide neighborhood. When mapped in R7 zoning districts, the C2-4 maximum commercial FAR is 2.0 and zoning regulations limit commercial uses to one or two floors.

Future No-Action Scenario

In the future and absent the action, development on the project site would continue to be governed by the provisions of the existing R5 zoning district. As explained in the land use discussion above, absent the action, no additional development would occur on the project site. Any expansion to the existing facility on the project site would require CPC Special Permit approval pursuant to ZR §74-90, §74-902, and §62-836 as well as a CPC Certification pursuant to ZR §62-811.

No rezoning applications are indicated on the DCP website for the project study area, and no BSA variance applications have been identified for the study area by the project build year of 2013.

Future With-Action Scenario

The proposed action would grant CPC Special Permits pursuant to ZR §74-90, §74-902, and §62-836, and a CPC Certification pursuant to ZR §62-811. The underlying R5 zoning of the property would not be changed under the proposed action. The development project associated with the Special Permits and Certification would result in a change in use classification and a modest enlargement to the existing Oceanview Manor Home for Adults facility on the property.

As explained in the land use section above, the proposed CPC approvals would enable the change of use from a domiciliary care facility to a health related facility as well as the modest enlargement of the facility to accommodate 24 additional residents. The additional floor area would also allow for improvements to the functioning of the facility by providing additional space for administrative needs, recreation, storage and loading, and other functions. The exterior portions of the project site would be improved through the installation of new landscaping and two new outdoor recreational areas adjacent to the building. The action would promote the development of the property in a fashion that would be compatible with and beneficial to the adjacent and nearby uses including residential development in the area.

A Special Permit is sought pursuant to ZR §74-90 to make the proposal eligible for a bulk modification pursuant to ZR §74-902. The project is eligible for this Special Permit since condition (a) of ZR §22-42 (Certification of Certain Community Facility Uses) is met. The requested Special Permit pursuant to ZR §74-902 would increase the permitted floor area of the proposed enlargement from 1.27 FAR to 2.00 FAR (per ZR §24-111) and thus permit the enlargement. The enlarged building would fall well below the maximum permitted FAR with the proposed 50,876.6 square feet representing an FAR of 1.68. The CPC Special Permit requested pursuant to ZR §62-836 to modify the applicable yard and height and setback requirements would allow a portion of the enlargement to provide a 14-foot rear yard where 30 feet is required and would also allow a portion of the enlargement that is above a height of 35 feet within 25 feet of the streetline. This would allow for a straight line extension of the existing floor plate, which creates non-compliance at the 4th and 5th floors. Without the requested modification, the floor plate of the facility's extension would need to be impractically modified at the 4th and 5th floors.

The proposed enlargement would be in conformance with the use and all the remaining bulk provisions of the R5 district. The height of the building would not be increased under the action and would remain at 5-stories. The enlargement would comply with the maximum lot coverage and open space requirements as indicated in the zoning analysis included in the ULURP application filed in connection with this proposal. Accessory off-street parking is required for the proposed development at a ratio of one space per 10 beds. The proposed 200 bed facility would therefore require the provision of 20 parking spaces which would be provided for the development.

Relative to waterfront public access and visual corridor provisions of ZR §62-836, the proposed enlargement would not affect waterfront public access or visual corridors. The project site is not a waterfront lot, and public access to the waterfront is available from West 33rd Street and the Boardwalk in front of the site. The proposed enlargement would not obscure visual corridors.

No significant impacts to zoning patterns in the area would be expected. The proposed change of use and the enlargement and associated alterations to the existing development on the project site would meet the required findings of the CPC Special Permits pursuant to ZR §74-90, §74-902, and §62-836, and the CPC Certification per ZR §62-811. The compliance of the proposed development with the required findings is detailed in the ULURP application filed in connection with this proposal.

The proposed change of use and enlargement to the existing facility would be relatively modest and would be in scale with the existing building on the property as well as with surrounding development. The proposed action would therefore 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. The

proposed development would improve the existing facility on the project site and would therefore represent an improvement to the surrounding area.

Potentially significant adverse impacts related to zoning are not expected to occur as a result of the proposed action, and further assessment of zoning is not warranted.

PUBLIC POLICY

Existing Conditions

The Coney Island neighborhood of Brooklyn, which is located in Brooklyn Community District 13, is primarily a residential community including areas of 1- and 2-family homes as well as high-rise multi-family development. The area also includes substantial amounts of open space and vacant land as well as community facilities and commercial uses. According to the 2010 U. S. Census, the population of the area, which includes other residential communities such as Brighton Beach and Seagate, decreased by 1.7 percent from 106,120 people in 2000 to 104,278 in 2010.

In addition to the zoning provisions discussed above, the project site is subject to the provisions of the City's Waterfront Revitalization Program (WRP), as the site and the project study area are located within the City's Coastal Zone Boundary. No other public policies would apply to the proposed action as the project site is not located within the boundaries of any 197-a Community Development Plans or Urban Renewal Area plans, and also is not within a historic district, a critical environmental area, a significant coastal fish and wildlife habitat, a wildlife refuge, or a special natural waterfront area. The surrounding 400-foot radius study area north of Surf Avenue is located within the Coney Island Urban Renewal Area but no other public policies other than zoning and the City's WRP are relevant to this area.

Future No-Action Scenario

In the future, without the action, any development on the project site would continue to be governed by the provisions of the existing R5 zoning district and the City's Waterfront Revitalization Program. No other public policy initiatives would pertain to the project site by the project build year of 2013. The 400-foot study area around the property would also continue to be subject to existing zoning, the WRP, and the provisions of the Coney Island Urban Renewal Plan. No changes are anticipated to the zoning districts and zoning regulations or to any public policy documents relating to the project site or the surrounding 400-foot radius study area by the project build year.

Future With-Action Scenario

No impact to public policies would occur as a result of the proposed action. The proposed change of use and enlargement to the facility and related modifications would comply with the findings required for the CPC Special Permits pursuant to ZR §74-90, §74-902, and §62-836 and the CPC Certification pursuant to ZR §62-811 as explained in detail in the ULURP

application filed in connection with the proposal. The modest enlargement proposed to the existing facility would improve the functioning of the facility while also accommodating 24 new residents. The proposed action would also improve the exterior portions of the project site which would be of benefit to both the facility and the surrounding area.

The proposed work would be sequenced to minimize any impact upon the operation of the existing domiciliary care facility. The most significant work, extending the bulk of the building southward, would be isolated from the existing building. Once this work is complete, newly created space at the second floor would be utilized as the smaller parts of construction are performed one at a time on the first floor. Improvements to the facility's outdoor recreation areas would be similarly sequenced so as not to deprive the residents of access during construction. Finally, the number of residents at the facility would not be increased until all work is completed.

Waterfront Revitalization

The Waterfront Consistency Assessment Form and a narrative explaining how the proposed action would be consistent with WRP policies are attached to this document. The proposed action is consistent with WRP policies, and no potentially significant adverse impacts related to the WRP are anticipated as a result of the proposed action.

The action would be an appropriate development on the project site and would be a positive contribution to Brooklyn Community District 13 and to the surrounding neighborhood. No potentially significant adverse impacts related to public policy are anticipated to occur as a result of the proposed action, and further assessment of public policy is not warranted.

For Internal Use Only:

Date Received: _____

WRP no. 11-075

DOS no. _____

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's designated coastal zone, must be reviewed and assessed for their consistency with the New York City Waterfront Revitalization Program (WRP). The WRP was adopted as a 197-a Plan by the Council of the City of New York on October 13, 1999, and subsequently approved by the New York State Department of State with the concurrence of the United States Department of Commerce pursuant to applicable state and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. As a result of these approvals, state and federal discretionary actions within the city's coastal zone must be consistent to the maximum extent practicable with the WRP policies and the city must be given the opportunity to comment on all state and federal projects within its coastal zone.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, other state agencies or the New York City Department of City Planning in their review of the applicant's certification of consistency.

A. APPLICANT

1. Name: Hiram A. Rothkrug, EPDSCO for Oceanview Manor Home for Adults, Inc.
2. Address: 55 Water Mill Road, Great Neck, NY 11021
3. Telephone: 718-343-0026 Fax: 516-487-2439 E-mail: hrothkrug@epdsco.com
4. Project site owner: Oceanview Manor Home for Adults, Inc.

B. PROPOSED ACTIVITY

1. Brief description of activity:
The proposed project is the change in use classification and enlargement of the existing 38,234.4 square foot Oceanview Manor Home for Adults domiciliary care facility to increase the facility's floor area by 12,642.2 square feet to 50,876.6 square feet and to add 24 beds, thereby increasing the number of beds in the facility from 176 to 200. The proposed enlargement area would be defined as a health related facility and the use classification of the entire facility after enlargement would be changed from a domiciliary care facility to a health related facility.
2. Purpose of activity:
The impetus for the enlargement to the facility is the recent grant by the NYS Department of Health, pursuant to the Assisted Living Program, to allow for the proposed increase in the number of beds.
3. Location of activity: (street address/borough or site description):
3010 West 33rd Street, Brooklyn (Block 7066, Lot 10)

Proposed Activity Cont'd

4. If a federal or state permit or license was issued or is required for the proposed activity, identify the permit type(s), the authorizing agency and provide the application or permit number(s), if known:

The facility is a State licensed domiciliary care facility which has secured the necessary certification from the NYS Department of Health.

5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).

The facility has received a grant from the NYS Department of Health, pursuant to the Assisted Living Program, to allow for the proposed increase in the number of beds.

6. Will the proposed project require the preparation of an environmental impact statement?

Yes _____ No ✓ If yes, identify Lead Agency:

7. Identify city discretionary actions, such as a zoning amendment or adoption of an urban renewal plan, required for the proposed project.

See Attached

C. COASTAL ASSESSMENT

Location Questions:

Yes No

1. Is the project site on the waterfront or at the water's edge?

_____ ✓

2. Does the proposed project require a waterfront site?

_____ ✓

3. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters?

_____ ✓

Policy Questions

Yes No

The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each question indicate the policy or policies addressed by the question. The new Waterfront Revitalization Program offers detailed explanations of the policies, including criteria for consistency determinations.

Check either "Yes" or "No" for each of the following questions. For all "yes" responses, provide an attachment assessing the effects of the proposed activity on the relevant policies or standards. Explain how the action would be consistent with the goals of those policies and standards.

4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under-used waterfront site? (1)

_____ ✓

5. Is the project site appropriate for residential or commercial redevelopment? (1.1)

✓ _____

6. Will the action result in a change in scale or character of a neighborhood? (1.2)

_____ ✓

7. Identify **city** discretionary actions, such as a zoning amendment or adoption of an urban renewal plan, required for the proposed project.

- A City Planning Commission (CPC) Special Permit pursuant to ZR §74-90 to allow Use Group 3 -Health-Related Facility in Brooklyn Community District 13 to facilitate the conversion and enlargement of an existing domiciliary care facility to a Use Group 3 health related facility of approximately 50,876 square feet with 200 beds. The Special Permit is sought to make the proposal eligible for a bulk modification pursuant to ZR §74-902 (see below). The project is eligible for this Special Permit since condition (a) of ZR §22-42 (Certification of Certain Community Facility Uses) is met.
- A CPC Special Permit pursuant to ZR §74-902 to increase the permitted floor area of the proposed enlargement. The Special Permit would modify the requirements of Section 24-111, which states that the maximum permitted FAR of health-related facilities in R5 Districts is 1.27. The proposed FAR for the project is 1.95 for the 50,876 square foot facility (including the enlargement). The Special Permit would allow the maximum permitted Community Facility FAR of 2.00 for R5 Districts pursuant to ZR §24-11 to apply in lieu of the 1.27 FAR currently permitted as-of-right.
- A CPC Special Permit pursuant to ZR §62-836 to modify the yard requirements of ZR §24-36 and the height and setback requirements of ZR §62-341. The Special Permit would modify the yard requirements of ZR §24-36 by allowing a portion of the enlargement to provide a 14-foot rear yard where 30 feet is required. (A portion of the existing building already provides a lesser rear yard.) The Special Permit would also modify the height and setback requirements to allow a portion of the enlargement that is above a height of 35 feet within 25 feet of the streetline.
- A Certification by the Chairperson of the CPC pursuant to ZR §62-811 that the Premises are exempt from the waterfront public access area or visual corridor requirements pursuant to Sections 62-52 (Applicability of Waterfront Public Access Area Requirements) and 62-51 (Applicability of Visual Corridor Requirements) of the Zoning Resolution.

Policy Questions cont'd

Yes No

7. Will the proposed activity require provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (1.3)	_____	✓
8. Is the action located in one of the designated Significant Maritime and Industrial Areas (SMIA): South Bronx, Newtown Creek, Brooklyn Navy Yard, Red Hook, Sunset Park, or Staten Island? (2)	_____	✓
9. Are there any waterfront structures, such as piers, docks, bulkheads or wharves, located on the project sites? (2)	_____	✓
10. Would the action involve the siting or construction of a facility essential to the generation or transmission of energy, or a natural gas facility, or would it develop new energy resources? (2.1)	_____	✓
11. Does the action involve the siting of a working waterfront use outside of a SMIA? (2.2)	_____	✓
12. Does the proposed project involve infrastructure improvement, such as construction or repair of piers, docks, or bulkheads? (2.3, 3.2)	_____	✓
13. Would the action involve mining, dredging, or dredge disposal, or placement of dredged or fill materials in coastal waters? (2.3, 3.1, 4, 5.3, 6.3)	_____	✓
14. Would the action be located in a commercial or recreational boating center, such as City Island, Sheepshead Bay or Great Kills or an area devoted to water-dependent transportation? (3)	_____	✓
15. Would the proposed project have an adverse effect upon the land or water uses within a commercial or recreation boating center or water-dependent transportation center? (3.1)	_____	✓
16. Would the proposed project create any conflicts between commercial and recreational boating? (3.2)	_____	✓
17. Does the proposed project involve any boating activity that would have an impact on the aquatic environment or surrounding land and water uses? (3.3)	_____	✓
18. Is the action located in one of the designated Special Natural Waterfront Areas (SNWA): Long Island Sound- East River, Jamaica Bay, or Northwest Staten Island? (4 and 9.2)	_____	✓
19. Is the project site in or adjacent to a Significant Coastal Fish and Wildlife Habitat? (4.1)	_____	✓
20. Is the site located within or adjacent to a Recognized Ecological Complex: South Shore of Staten Island or Riverdale Natural Area District? (4.1 and 9.2)	_____	✓
21. Would the action involve any activity in or near a tidal or freshwater wetland? (4.2)	_____	✓
22. Does the project site contain a rare ecological community or would the proposed project affect a vulnerable plant, fish, or wildlife species? (4.3)	_____	✓
23. Would the action have any effects on commercial or recreational use of fish resources? (4.4)	_____	✓
24. Would the proposed project in any way affect the water quality classification of nearby waters or be unable to be consistent with that classification? (5)	_____	✓
25. Would the action result in any direct or indirect discharges, including toxins, hazardous substances, or other pollutants, effluent, or waste, into any waterbody? (5.1)	_____	✓
26. Would the action result in the draining of stormwater runoff or sewer overflows into coastal waters? (5.1)	_____	✓
27. Will any activity associated with the project generate nonpoint source pollution? (5.2)	_____	✓
28. Would the action cause violations of the National or State air quality standards? (5.2)	_____	✓

Policy Questions cont'd

	Yes	No
29. Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)	_____	✓ _____
30. Will the project involve the excavation or placing of fill in or near navigable waters, marshes, estuaries, tidal marshes or other wetlands? (5.3)	_____	✓ _____
31. Would the proposed action have any effects on surface or ground water supplies? (5.4)	_____	✓ _____
32. Would the action result in any activities within a federally designated flood hazard area or state-designated erosion hazards area? (6)	✓ _____	_____
33. Would the action result in any construction activities that would lead to erosion? (6)	_____	✓ _____
34. Would the action involve construction or reconstruction of a flood or erosion control structure? (6.1)	_____	✓ _____
35. Would the action involve any new or increased activity on or near any beach, dune, barrier island, or bluff? (6.1)	_____	✓ _____
36. Does the proposed project involve use of public funds for flood prevention or erosion control? (6.2)	_____	✓ _____
37. Would the proposed project affect a non-renewable source of sand ? (6.3)	_____	✓ _____
38. Would the action result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants? (7)	_____	✓ _____
39. Would the action affect any sites that have been used as landfills? (7.1)	_____	✓ _____
40. Would the action result in development of a site that may contain contamination or that has a history of underground fuel tanks, oil spills, or other form or petroleum product use or storage? (7.2)	_____	✓ _____
41. Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (7.3)	_____	✓ _____
42. Would the action result in a reduction of existing or required access to or along coastal waters, public access areas, or public parks or open spaces? (8)	_____	✓ _____
43. Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (8)	✓ _____	_____
44. Would the action result in the provision of open space without provision for its maintenance? (8.1)	_____	✓ _____
45. Would the action result in any development along the shoreline but NOT include new water-enhanced or water-dependent recreational space? (8.2)	_____	✓ _____
46. Will the proposed project impede visual access to coastal lands, waters and open space? (8.3)	_____	✓ _____
47. Does the proposed project involve publicly owned or acquired land that could accommodate waterfront open space or recreation? (8.4)	_____	✓ _____
48. Does the project site involve lands or waters held in public trust by the state or city? (8.5)	_____	✓ _____
49. Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9)	_____	✓ _____
50. Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1)	_____	✓ _____

Policy Questions cont'd

Yes No

51. Would the proposed action have a significant adverse impact on historic, archeological, or cultural resources? (10)

52. Will the proposed activity affect or be located in, on, or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (10)

D. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's Waterfront Revitalization Program, pursuant to the New York State Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If the certification can be made, complete this section.

"The proposed activity complies with New York State's Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent Name: Hiram A. Rothkrug, EPDSCO

Address: 55 Water Mill Road, Great Neck, NY 11021

Telephone 718-343-0026

Applicant/Agent Signature:  Date: 7/31/12

Ocean Manor Home for Adults Enlargement
Explanation of Consistency with Waterfront Policies

1. Policy 1.1: Encourage commercial and residential redevelopment in appropriate coastal zone areas.

The project site is an appropriate location for the proposed development and meets the criteria of Policy 1.1 as described below.

A. Criteria to determine areas appropriate for reuse through public and private actions include: the lack of importance of the location to the continued functioning of the designated Special Natural Waterfront Areas or Significant Maritime and Industrial Areas; the absence of unique or significant natural features or, if present, the potential for compatible development; the presence of substantial vacant or underused land; proximity to residential or commercial uses; the potential for strengthening upland residential or commercial areas and for opening up the waterfront to the public; and the number of jobs potentially displaced balanced against the new opportunities created by redevelopment.

Relative to Policy 1.1 A., the project site is not designated either as a Special Natural Waterfront Area (SNWA) or as a Significant Maritime and Industrial Area (SMIA) nor is it in close proximity to any areas so designated. The project site does not border the shoreline. The project site does not contain any unique and significant natural features. The project site is currently developed with a 5-story, 38,234.4 square foot domiciliary care facility, paved parking areas, and landscaping and is located in an area occupied by residential, community facility, and commercial retail developments as well as vacant lots.

The proposed enlargement area would be defined as a health related facility and the use classification of the entire facility after enlargement would be changed from a domiciliary care facility to a health related facility. The proposed project would add capacity for 24 additional residents in the facility and would provide needed floor area for administrative functions, an enlarged entrance area and recreation room, and new storage and loading space. The project would also improve the site design with the addition of new landscaping and outdoor recreational space. The proposed modest expansion to the facility would therefore add to and strengthen the surrounding residential and retail community. Development of the proposed project would have no impact upon public access to the waterfront as the project site is not located on the waterfront. Public access is and would continue to be available from the Boardwalk and from West 33rd Street which are adjacent to the site. The proposed project is anticipated to result in the generation of approximately 15-20 new jobs.

B. Public actions, such as property disposition, Urban Renewal Plans, and infrastructure provision, should facilitate redevelopment of underused property to promote housing and economic development and enhance the city's tax base.

The proposed project would not involve any of the public actions noted under Policy 1.1 B. and therefore this policy does not apply to the proposed action.

2. Policy 6: Minimize loss of life, structures and natural resources caused by flooding and erosion.

As shown on the Federal Emergency Management Area (FEMA) flood insurance map no. 3604970353F, most of the project site is mapped within the 100-year flood zone (Zone AE – base flood elevations determined). This area is defined as “Special Flood Hazard Areas Subject to Inundation by the 1%

Annual Chance Flood". As defined by FEMA, "the 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. The Base Flood Elevation is the water surface elevation of the 1% annual chance flood." In addition, a portion of the central area of the site is mapped as Zone X which is defined as "Areas of 0.2% annual chance flood; areas of 2% annual flood with average depths of less than 1 foot or with drainage areas less than one square mile; and areas protected by levees from 1% annual chance flood."

A survey conducted of the property indicates that "the property is located in zone AE (base flood El. 10.0-NGVD datum, El. 7.44-Brooklyn datum) as shown on Flood Insurance Rate Map Community Panel number 3604970353F, which bears an effective date of September 5, 2007". The survey also indicates the existing floor elevation is 5.62 Brooklyn datum. This places the existing first floor 1.82 feet below the 10-foot, 100 year flood. The proposed addition would have its first floor at the same elevation, but the first floor would not contain habitable rooms, only areas such as storage and circulation.

The project site is also located in close proximity to a designated coastal erosion hazard area (CEHA) which is mapped along most of the Coney Island Peninsula. The subject property is separated from the CEHA line by the Boardwalk and a sandy beach. The proposed development on the project site would comply with the provisions of the CEHA Act (Environmental Conservation Law, Article 34) as no structures would be built south of the CEHA line. By not developing seaward of the CEHA line, the risk to the development from erosion and flooding hazards would be minimized.

The development plan for the project requires that all construction comply with FEMA A-Zone flood hazard regulations and New York State coastal erosion management regulations under 6NYCRR 505. Thus, the first floor of habitable space in all buildings to be constructed would be required to be at least one foot above the 100 year flood elevation of 10.0 feet NGVD (National Geodetic Vertical Datum). As stated above, the proposed addition would have its first floor at 1.82 feet below the 10-foot, 100 year flood, but the first floor would not contain habitable rooms, only areas such as storage and circulation. The proposed development would exceed all applicable State and Federal standards for the protection of lives and structures in coastal areas.

The areas delineated by the CEHA line also encompass natural protective features identified as near shore areas, beaches, and primary and secondary dunes. The CEHA Act regulations are designed to protect these areas from any activities that could lead to or contribute to their degradation. Setback of the proposed development landward of the beach and the CEHA line would insure that interference with these areas would not occur.

The project site is located within Hurricane Evacuation Zone B. Emergency preparedness plans include the timely notification of peninsula residents to evacuate the area by public transit. The New York City Office of Emergency Management also provides information relating to emergency preparedness for hurricanes and other natural and man-made disasters on its website.

In summary, the proposed project would be developed in accordance with flood and erosion control regulations applicable to the surrounding area. It would have no adverse impact on existing flood and erosion control measures. The proposed action would therefore meet the provisions of Policy 6 to minimize loss of life, structures, and natural resources caused by flooding and erosion.

3. Policy 8: Provide public access to and along New York City's coastal waters.

The project site is adjacent to the landward side of the Riegelmann Boardwalk (the "Boardwalk"), which the City considers to be a public park. The Boardwalk and the adjacent beach area and waterfront are currently physically accessible to the general public from West 33rd Street adjacent to the site. Development of the proposed project would have no impact upon public access to these waterfront features. Physical access to the Boardwalk, beach, and waterfront would continue to be available from West 33rd Street.

Visual access to the waterfront is currently available along the West 33rd Street visual corridor adjacent to the project site. The proposed project would have no impact on this visual corridor.

8. SHADOWS

Introduction

Under CEQR, a shadow is defined as the circumstance in which a building or other built structure blocks the sun from the land. An adverse shadow impact is considered to occur when the shadow from a proposed project falls upon a publicly accessible open space, a historic landscape, or other historic resource if the features that make the resource significant depend on sunlight, or if the shadow falls on an important natural feature and adversely affects its uses or threatens the survival of important vegetation. An adverse impact would occur only if the shadow would fall on a location that would otherwise be in sunlight; the assessment therefore distinguishes between existing shadows and new shadows resulting from a proposed project. Finally, the determination of whether the impact of new shadows on an open space or a natural or historic resource would be significant is dependent on their extent and duration. In general, shadows on City streets and sidewalks or on other buildings are not considered significant under CEQR. In addition, shadows occurring within an hour and a half of sunrise or sunset generally are not considered significant under CEQR.

Tier 1 Assessment

According to the *CEQR Technical Manual*, a shadows assessment is not required unless the project would include a structure or an addition to a structure at least 50 feet in height or if it would contain shorter structures that might cast substantial new shadows on an adjacent park, historic resource, or an important natural resource.

The subject property is located adjacent to the Riegelmann Boardwalk and the Coney Island Beach, which are considered to be public open space and an important natural resource. Other open space areas in the vicinity of the project site include the grounds of the Coney Island Houses and the William O'Dwyer Gardens public housing developments located to the north across Surf Avenue. There are no adjacent or nearby historic resources that could be affected by shadows from the proposed development.

The proposed five-story addition to the building would reach a maximum height of 60 feet above grade level. Based on *CEQR Technical Manual* criteria, the longest shadow that any building would cast during the year (except within an hour and a half of sunrise or sunset which is not deemed to be of concern) is 4.3 times its height. Applying the 4.3 factor to the proposed building addition height of 60 feet would result in a maximum shadow distance of 258 feet. The proposed 5-story area of expansion of the building would be located approximately 42'-1.25" from the Boardwalk, which is 80 feet in width, and 122'-1.25" from the Beach. As shown on the attached Figure SK.11.1, Tier 1 Shadow Assessment, shadows from the 5-story building enlargement could potentially reach the Boardwalk and Beach but would not reach the grounds of the public housing complexes to the north.

Tier 2 Assessment

As shown on the attached Figure SK.11.2, Tier 2 Shadow Assessment, shadows from the 5-story building enlargement would reach only a small area of the Boardwalk to the west of the site. No shadows would reach the Beach. However, as indicated by the note included on this drawing, the waiver request portion of the building addition would not cast any shadows on the Boardwalk as it is located on the opposite of the building. Only the as-of-right portion of the addition would cast a small area of shadow on the Boardwalk to the west of the site.

Conclusion

No shadow impacts from the proposed building enlargement would occur as the waiver request portion of the proposed five-story building addition would not cast any shadows on the Boardwalk. Therefore, the proposed action would not result in any significant shadows impacts, and no further assessment is needed for the project.

9. HISTORIC AND CULTURAL RESOURCES

Upon review, the NYC Landmarks Preservation Commission has determined that no impacts related to Historic Resources would occur, as noted in the attached memo dated October 31, 2011.

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 11DCP137K

Project:

Address: 3301 SURF AVENUE, **BBL:** 3070660010

Date Received: 10/31/2011

-
- No architectural significance**
- No archaeological significance**
- Designated New York City Landmark or Within Designated Historic District**
- Listed on National Register of Historic Places**
- Appears to be eligible for National Register Listing and/or New York City Landmark Designation**
- May be archaeologically significant; requesting additional materials**

Comments:

Gina Santucci

11/22/2011

SIGNATURE

Gina Santucci, Environmental Review Coordinator

DATE

File Name: 27814_FSO_DNP_11042011.doc

10. URBAN DESIGN AND VISUAL RESOURCES

An assessment of urban design is needed when a project may have effects on any of the elements that contribute to the pedestrian experience of public space. A preliminary assessment is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following:

1. Projects that permit the modification of yard, height, and setback requirements;
2. Projects that result in an increase in built floor area beyond what would be allowed 'as-of-right' or in the future without the proposed project.

As the proposed action involves the request for a Special Permit to increase the permitted floor area and to modify the applicable height and setback requirements, a preliminary urban design assessment would be required.

Photographs of the existing conditions on the subject site are attached to this submission. As no changes would occur on the subject property in the future No-Action condition, there would be no effects to urban design or visual resources under this scenario.

Two renderings are attached illustrating the proposed additions to the existing building on the site in the future With-Action condition. These renderings provide a frontal view and a side view of the proposed additions to the building. The 5-story portion of the facility would be extended approximately 41 feet to align the front and rear facades with the existing building and three small 1-story extensions would be made to the first floor of the building. These additions would be in scale with the existing building on the site and would not result in a significant change to the existing pedestrian environment surrounding the subject property.

The defining visual resource in the area of the project site is the Boardwalk and Coney Island Beach located adjacent to the southern end of the property. A visual corridor to these resources exists along West 33rd Street adjacent to the project site. The proposed building additions are relatively small and would have no effect on views to these resources from the adjacent West 33rd Street sidewalk or any other sidewalks in the area. The proposed action would actually improve the appearance of the project site through the installation of new landscaping along the perimeter of the parking area, including in the area of the site adjacent to the Boardwalk.

The proposed action would not partially or totally block a view corridor or a natural or built visual resource that is rare in the area or considered a defining feature of the neighborhood. The project would also not change urban design features so that the context of a natural or built visual resource would be significantly altered. Therefore, a detailed urban design analysis would not be required.

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REVISIONS

DATE

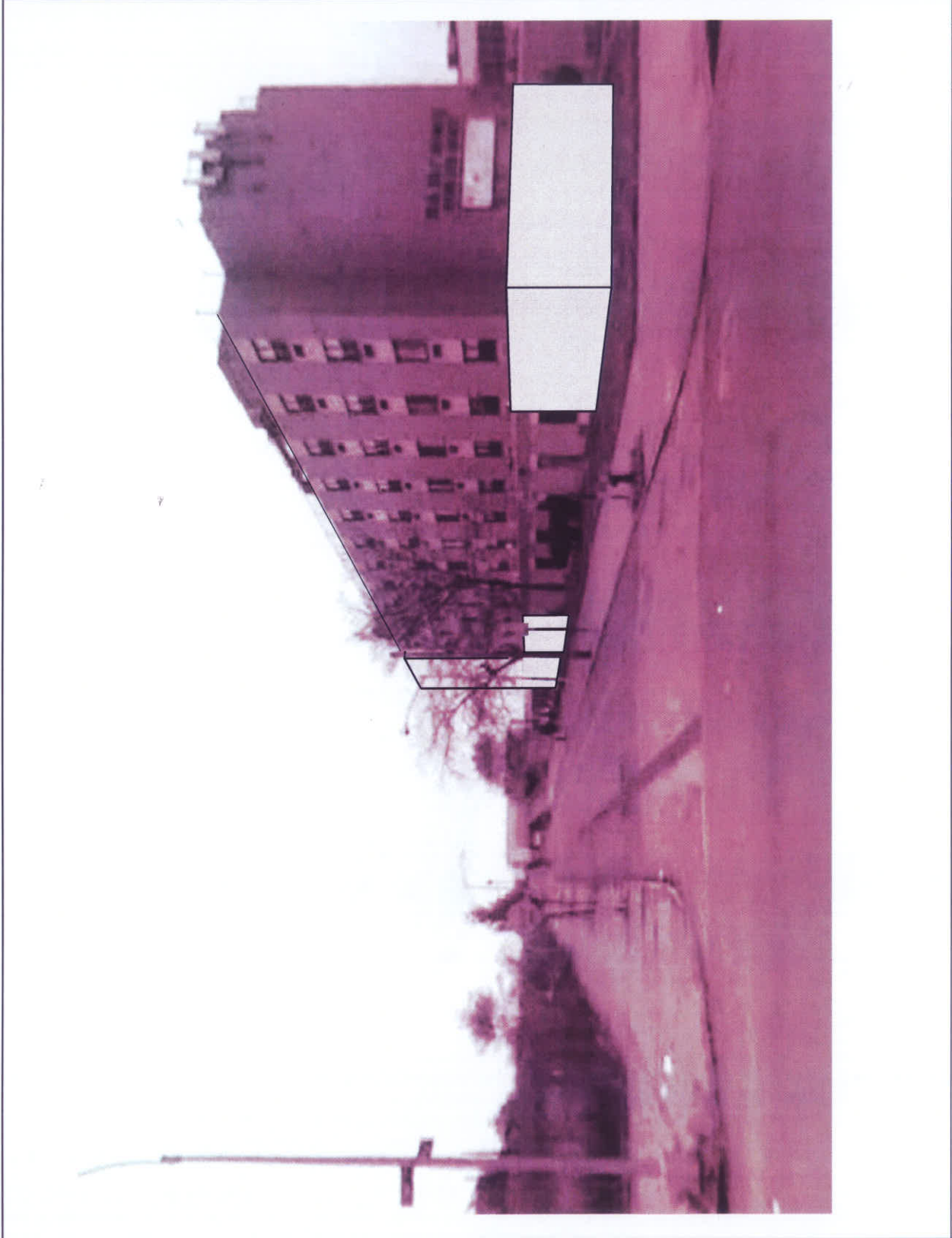
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STREETSCAPE - PROPOSED

1



STREETSCAPE -
PROPOSED

SK-9 prop

PROJECT NUMBER: 110

PROJECT NO.: 273810

PROJECT LOCATION: CROWN HEIGHTS, NY

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NYC DDB NUMBER

11. NATURAL RESOURCES

The project site consists of developed land and is located within a fully developed urban setting bordered by streets and other developed parcels. There are no natural resources on the project site. However, the property is located a short distance from the Coney Island sandy beach which is considered to be an upland natural resource per *CEQR Technical Manual* criteria. The proposed 5-story area of expansion of the building would be located approximately 122'-1.25" from the Coney Island Beach. This beach area is the closest and the only natural resource within 400 feet of the project site. The project site is also located within the Jamaica Bay watershed area.

The Jamaica Bay Watershed Form has been prepared as required and is attached hereto. Due to the relatively small size of the proposed enlargement to the existing building on the site and the limited amount of surface disturbance that would occur, no significant adverse impacts to the Jamaica Bay watershed are anticipated to occur.

Coney Island is a peninsula and Beach on the Atlantic Ocean in southern Brooklyn. Coney Island contains nearly 3 miles of sandy beaches extending between Corbin Place on the east and West 37th Street on the west. The Beach is continuous, and is served for its entire length by the broad Riegelmann Boardwalk. The project site is approximately three blocks from the western end of the Beach. The proposed project would have no physical impacts on the Coney Island Beach and the only potential impact from this project on the Beach is related to shadows as discussed below.

As discussed in the Shadows section above, the proposed 5-story area of expansion of the building would be located approximately 122'-1.25" from the Coney Island Beach. The only potential impact from the proposed development relative to the Beach would result from shadows cast by the 5-story enlargement area. However, as noted above, the waiver request portion of the proposed five-story building addition would not cast any shadows on the Boardwalk. Therefore, no shadows impacts from the proposed building enlargement would occur.

The project site has no built resource that is known to contain or may be used as a habitat by any protected species, and the site contains no subsurface conditions whose disruption might affect a nearby natural resource. Therefore, per Section 100 of the Natural Resources chapter of the *CEQR Technical Manual*, no natural resources assessment would be required.

The proposed development would not result in significant adverse impacts on natural resources based on *CEQR Technical Manual* criteria, and no further assessment is warranted.

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) 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:
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 |
|---------------------------------------|----------------------------------|
| 38,234.4 sf domiciliary care facility | 50,876.6 health related facility |
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. Surface area:		
Roof:	11,533 SF	15,209 SF
Pavement/walkway:	8,967 SF	7,525 SF
Grass/softscape:	9,825 SF	7,517 SF
Other (describe):	0 SF	0 SF

2. **Wetland** (regulated or non-regulated) area and classification:

None	None
------	------

3. **Water surface area:**

None	None
------	------

4. **Stormwater management** (describe):

Existing – how is the site drained?

Storm water runoff drains overland into storm sewers in Surf Avenue.

Proposed – describe, including any infrastructure improvements necessary off-site:

Storm water runoff from the site will continue to drain overland into storm sewers in Surf Avenue. Storm water runoff from the on-site parking areas will first enter catch basins which will direct the runoff to the storm sewers in Surf Avenue.

12. HAZARDOUS MATERIALS

The project site does not exhibit any characteristics that would indicate the potential presence of hazardous materials on the property. The project site is developed with a five-story domiciliary care facility. The property has historically been zoned residential, which does not permit any manufacturing or industrial uses or the storage and use of significant amounts of hazardous materials.

The area surrounding the project site exhibits no characteristics that would indicate the possible presence of hazardous materials that could have migrated onto the subject property. The immediately surrounding area is zoned R5, R6, and R6A. The site adjoins a parcel developed with a two-story employment center building, the Coney Island Boardwalk, and the Atlantic Ocean. The area within 400 feet is primarily developed with large residential apartment buildings.

There is no history of any industrial and/or manufacturing uses ever taking place on the project site. There is no history of any below ground tanks, and no oil staining or other indications of past fuel tanks, spills or leaks have ever been observed or reported.

Therefore, the proposed project would have no significant adverse impacts related to hazardous materials.

17. AIR QUALITY

Based on the responses provided in the EAS Form, the only potential air quality concern from the proposed project would pertain to stationary source air quality impacts. As listed in the *CEQR Technical Manual*, the project would use fossil fuels (fuel oil or natural gas) for heating/hot water, ventilation, and air conditioning systems. The development that would be facilitated by the proposed CPC Special Permits and Certification would consist of a 12,642.2 square foot enlargement to the existing 38,234.4 square foot building on the site.

Enlargements will be made to various portions of the existing building on the site including a 5-story enlargement at its southern end and several 1-story additions to the northern, eastern, and western portions of the building. The building is currently heated by an electric system. This system will be replaced by a boiler to be located on the roof of the structure that would provide heat and hot water for the entire building. It is assumed that this boiler would be located in the center of the roof of the building.

To assess air quality impacts associated with emissions from the project's heating and hot water systems, a screening analysis was performed using the methodology described in the *CEQR Technical Manual*. This methodology determines the threshold of development size below which the action would not have a significant impact.

Impacts from boiler emissions associated with a proposed development are a function of fuel type, stack height, minimum distance from the source to the nearest building of concern, and square footage of the proposed development. The analysis is based on a proposed 5-story, 50,876.6 square foot community facility building, 49.1 feet in height, with an emissions stack height of three feet higher than the building height ($H_s=52.1$ feet was chosen for analysis). The nearest sensitive receptor of the same or greater height than the enlarged building is the 16-story residential structure located across Surf Avenue from the site on Block 7047. This residential building is located approximately 192 feet away from the subject building and approximately 204 feet away from the subject building's stack in the center of the roof of the structure.

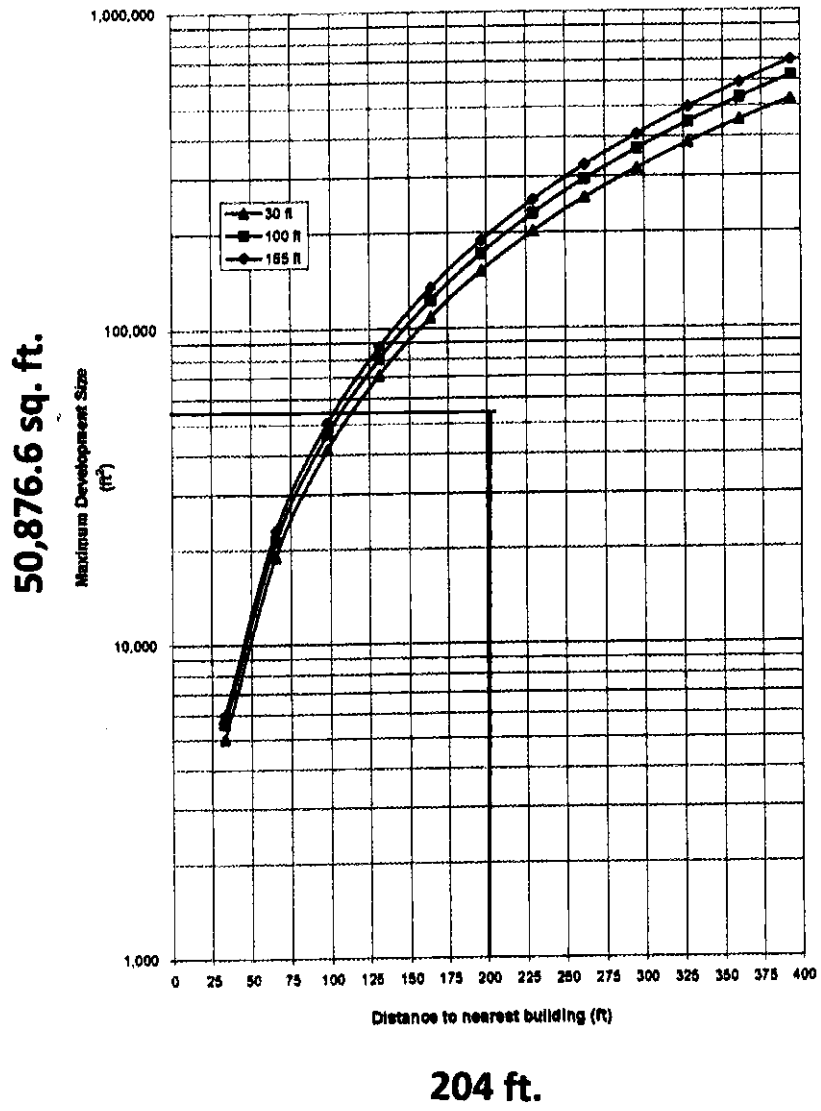
The subject 50,876.6 square foot building including the proposed enlargement area would screen out on the basis of Figure 17-3. As shown on the attached Figure 17-3, at a distance of 204 feet from the stack, the proposed development would need to contain more than 150,000 square feet of floor area to be of concern to the 16-story residential tower. Therefore, the potential for significant adverse impacts due to boiler stack emissions from the proposed 12,642.2 square foot enlargement is unlikely, and a detailed analysis of stationary source impacts is not required.

Potential adverse stationary source air quality impacts from surrounding development on the proposed enlargement area of the subject building must also be considered, especially as related to the residential portion of the enlargement area on floors three through five at

the southern end of the building. The nearest building of concern relative to the residential portion of the proposed enlargement would be the 2-story, 28,480 square foot employment center building located on the adjacent lot to the west. This building is located approximately 88 feet from the proposed enlargement at its closest point and its stack is located approximately 144 feet from the proposed enlargement, assuming that the stack is located in the center of the roof of the 2-story structure. At a distance of 144 feet from the stack, the 2-story structure would need to contain approximately 90,000 square feet of floor area to be of concern to the proposed enlargement. Therefore, the potential for significant adverse impacts due to boiler stack emissions from surrounding development is unlikely, and further analysis of stationary source impacts is not required.

Conditions associated with the project development would not result in any violations of ambient air quality standards. Therefore, the action would not result in any potentially significant adverse air quality impacts, and further assessment is not warranted.

Figure 17-3:
Stationary Source Screen



19. NOISE

Based on the responses provided in the EAS Form, potential noise concerns for the proposed project would only pertain to mobile source noise impacts.

The *CEQR Technical Manual* indicates that an "initial noise assessment may be appropriate if a proposed project would generate any mobile or stationary sources of noise or be located in an area with existing high ambient noise levels." Although the project would generate traffic, peak hour traffic generation from the proposed 12,642.2 square foot building enlargement would be less than 50 vehicle trips. The project would fall below the threshold levels shown in Table 16-1 of the Transportation chapter of the *CEQR Technical Manual* (15,000 gross square feet of additional community facility floor area in Zone 4). In addition, the 24 new residents of the proposed enlargement to the facility would not drive and the projected 15 to 20 new employees would generate well below 50 new peak hour vehicle trips. The proposed project would not cause a significant adverse vehicular noise impact, and therefore, no further vehicular noise analysis is needed.

The proposed project would not generate any stationary sources of noise and the project site is not located in an area with existing high ambient noise levels. Conditions associated with the project development would not result in any violations of noise standards. Therefore, the action would not result in any potentially significant adverse noise impacts, and further assessment is not warranted.