



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

Part I: GENERAL INFORMATION

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

If “yes,” STOP and complete the [FULL EAS FORM](#).

2. Project Name 3133-3135 Emmons Avenue

3. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency) 15DCP156K	BSA REFERENCE NUMBER (if applicable)
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (e.g., legislative intro, CAPA)

4a. Lead Agency Information

NAME OF LEAD AGENCY
 NYC City Planning Commission
 NAME OF LEAD AGENCY CONTACT PERSON
 Robert Dobruskin, Director, EARD

4b. Applicant Information

NAME OF APPLICANT
 STGG Realty LLC
 NAME OF APPLICANT’S REPRESENTATIVE OR CONTACT PERSON
 Hiram A. Rothkrug, EPDSO

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	EMAIL rdobrus@planning.nyc.gov		TELEPHONE 718-343-0026	EMAIL hrothkrug@epdsco.com	

5. Project Description

The Applicant is proposing a zoning text amendment to ZR Art. IX Ch. 4, the Special Sheepshead Bay District (SSBD), to create a new ZR §94-096, providing a special permit to allow lots of at least 10,000 square feet in Area G of the SSBD to be enlarged with commercial office uses of up to 2.0 FAR, to modify the bulk provisions of ZR §33-431 such that commercial use in a commercial overlay district in Area G may rise to 35 feet in height or three stories, and to waive or reduce the parking requirements associated with such enlargements. The text amendment would also modify ZR §§ 94-064, 94-092, and 94-114 to reflect the new special permit. The Applicant is also seeking the new special permit to facilitate the enlargement of an existing building located at 3133-3135 Emmons Avenue from 22,669 gsf to 33,720 gsf, to increase the building's height from 25' to 34' 8", and to reduce the number of accessory off-street parking spaces from 44 to 32.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 15	STREET ADDRESS 3133-3135 Emmons Avenue
TAX BLOCK(S) AND LOT(S) Block 8804, Lot 75		ZIP CODE 11235
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS north side of Emmons Avenue between Coyle Street and Ford Street		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R5/C2-2 in the Special Sheepshead Bay District	ZONING SECTIONAL MAP NUMBER 29a	

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

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

<input type="checkbox"/> CITY MAP AMENDMENT	<input type="checkbox"/> ZONING CERTIFICATION	<input type="checkbox"/> CONCESSION
<input type="checkbox"/> ZONING MAP AMENDMENT	<input type="checkbox"/> ZONING AUTHORIZATION	<input type="checkbox"/> UDAAP
<input checked="" type="checkbox"/> ZONING TEXT AMENDMENT	<input type="checkbox"/> ACQUISITION—REAL PROPERTY	<input type="checkbox"/> REVOCABLE CONSENT
<input type="checkbox"/> SITE SELECTION—PUBLIC FACILITY	<input type="checkbox"/> DISPOSITION—REAL PROPERTY	<input type="checkbox"/> FRANCHISE
<input type="checkbox"/> HOUSING PLAN & PROJECT	<input type="checkbox"/> OTHER, explain:	

SPECIAL PERMIT (if appropriate, specify type: modification; renewal; other); EXPIRATION DATE:
 SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION 94-064, 94-092, 94-114, 94-096

Board of Standards and Appeals: YES NO

VARIANCE (use)

VARIANCE (bulk)
 SPECIAL PERMIT (if appropriate, specify type: modification; renewal; other); EXPIRATION DATE:
 SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Department of Environmental Protection: YES NO If "yes," specify:

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

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

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

PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) LANDMARKS PRESERVATION COMMISSION APPROVAL
 OTHER, explain: building alteration permit

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

7. Site Description: The directly affected area consists of the project site and the area subject to any change in regulatory site controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.
Graphics: The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.

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

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 11,674 Waterbody area (sq. ft) and type:
 Roads, buildings, and other paved surfaces (sq. ft.): 11,674 Other, describe (sq. ft.):

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

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): N/A
 Existing building to remain and be enlarged from 22,669 gsf to 33,720 gsf
 NUMBER OF BUILDINGS: 1 GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 33,720
 HEIGHT OF EACH BUILDING (ft.): 34' 8" NUMBER OF STORIES OF EACH BUILDING: 3

Does the proposed project involve changes in zoning on one or more sites? YES NO
 If "yes," specify: The total square feet owned or controlled by the applicant: 11,674
 The total square feet not owned or controlled by the applicant: 165,000

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? YES NO
 If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):
 AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length) VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)
 AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

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

	Residential	Commercial	Community Facility	Industrial/Manufacturing
Size (in gross sq. ft.)	N/A	33,720	N/A	N/A
Type (e.g., retail, office, school)	units	office for home health care aids		

Does the proposed project increase the population of residents and/or on-site workers? YES NO
 If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 0 NUMBER OF ADDITIONAL WORKERS: 11
 Provide a brief explanation of how these numbers were determined: Tenant states there would be a minimal, if any, increase in workers, so an estimate of one worker per thousand sf of additional floor area is conservative.

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

Has a No-Action scenario been defined for this project that differs from the existing condition? YES NO
 If "yes," see [Chapter 2](#), "Establishing the Analysis Framework" and describe briefly:

9. Analysis Year [CEQR Technical Manual Chapter 2](#)

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2017

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 12

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

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

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. LAND USE, ZONING, AND PUBLIC POLICY: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Is there the potential to affect an applicable public policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If “yes,” to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes,” complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City’s Waterfront Revitalization Program boundaries ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If “yes,” complete the Consistency Assessment Form . Attached		
2. SOCIOECONOMIC CONDITIONS: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
o Generate a net increase of 200 or more residential units?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Generate a net increase of 200,000 or more square feet of commercial space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Directly displace more than 500 residents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Directly displace more than 100 employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Affect conditions in a specific industry?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. COMMUNITY FACILITIES: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Indirect Effects		
o Child Care Centers: Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Libraries: Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Public Schools: Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Health Care Facilities and Fire/Police Protection: Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. OPEN SPACE: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Is the project located within an under-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes,” would the proposed project generate more than 50 additional residents or 125 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
(c) Is the project located within a well-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes,” would the proposed project generate more than 350 additional residents or 750 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
(d) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

	YES	NO
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. SOLID WASTE AND SANITATION SERVICES: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14 , the project's projected operational solid waste generation is estimated to be (pounds per week): 900		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. ENERGY: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15 , the project's projected energy use is estimated to be (annual BTUs): 2,385,573,000		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. TRANSPORTATION: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
o 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 for more information.</i>	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	<input type="checkbox"/>	<input type="checkbox"/>
14. AIR QUALITY: CEQR Technical Manual Chapter 17		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in Chapter 17 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in Chapter 17 ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17 ? (Attach graph as needed)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Does the proposed project involve multiple buildings on the project site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. GREENHOUSE GAS EMISSIONS: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project fundamentally change the City's solid waste management system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18 ?	<input type="checkbox"/>	<input type="checkbox"/>
16. NOISE: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. PUBLIC HEALTH: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality;	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
Hazardous Materials; Noise?		
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20 , "Public Health." Attach a preliminary analysis, if necessary.		
18. NEIGHBORHOOD CHARACTER: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21 , "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. CONSTRUCTION: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o The operation of several pieces of diesel equipment in a single location at peak construction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closure of a community facility or disruption in its services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Activities within 400 feet of a historic or cultural resource?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Disturbance of a site containing or adjacent to a site containing natural resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in 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 the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

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

APPLICANT/REPRESENTATIVE NAME

Hiram A. Rothkrug, EPDSCO

DATE

September 30, 2015

SIGNATURE



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

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

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

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

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

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials?

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

YES NO


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

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

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

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

4. LEAD AGENCY'S CERTIFICATION

TITLE Deputy Director, Environmental Assessment & Review Division	LEAD AGENCY New York City Department of City Planning
NAME Olga Abinader	DATE October 2, 2015
SIGNATURE 	

3133-3135 EMMONS AVENUE

PROJECT DESCRIPTION

PROPOSED ACTION

The Applicant, STGG Realty LLC, is seeking a zoning text amendment to ZR Article IX Chapter 4 (the Special Sheepshead Bay District (SSBD)), in connection with a proposal to enlarge an existing commercial building (Block 8804, Lot 75, the “development site”) by 11,051 gross square feet (gsf). The proposed amendment would affect Area G of the SSBD, located in the Sheepshead Bay neighborhood in Brooklyn Community District 15. Area G (the Project Area), in which the underlying zoning is R5/C2-2, extends for eight blocks along the north side of Emmons Avenue, at depths ranging from 75 to 150 feet and generally roughly coextensive with the depth of the lots fronting on the north side of Emmons Avenue, from Nostrand Avenue on the west to Knapp Street on the east. The Development Site is located on the north side of Emmons Avenue between Coyle Street and Ford Street.

The proposed zoning text amendment would create a new ZR Section 94-096, which would provide for a special permit available only to zoning lots of at least 10,000 square feet located in Area G of the SSBD, and applicable only for enlargements of existing buildings, under which the City Planning Commission may -

- a. Modify the provisions of Section 94-092, which establish maximum permitted floor area ratios (FARs) of 1.25 for residential or community facility uses and 1.00 for commercial uses, by allowing an FAR of up to 2.00 for commercial use, provided that the resulting enlargement will not impair the character of the surrounding area and will not cause undue congestion on local streets or impair pedestrian circulation;
- b. Modify the provisions of Section 33-431(a), under which commercial uses in an R5 district with a C1 or C2 overlay are restricted to buildings or portions of buildings not exceeding the lesser of 30 feet or two stories in height, to allow commercial uses to occupy a building or portion of a building up to the lesser of 35 feet or three stories in height, provided that the enlargement does not deprive surrounding streets and properties of adequate light and air and does not impede views of Sheepshead Bay; and
- c. Waive or reduce the number of accessory off-street parking spaces required by Section 36-21, provided that the number of spaces is sufficient to meet the parking needs of the use or uses occupying the enlarged building.

The text amendment would also modify ZR Sections 94-064, 94-092, and 94-114 to reflect the new special permit.

The Applicant is also seeking the new Section 94-096 special permit to facilitate the proposed project, which is the enlargement of the existing commercial office building that occupies the Development Site (3133-3135 Emmons Avenue, or Block 8804, Lot 75). The enlargement (the proposed Development Site) would increase the building’s floor area from 22,669 gsf to 33,720 gsf and from 12,297 zoning square feet (zsf) to 23,348 zsf. It would increase the building's height from two stories to three stories and from 25' to 34' 8". The alteration would also reduce the number of accessory off-street parking spaces from 44 to 32.

EXISTING CONDITIONS

Development Site

The 11,674 sf midblock Development Site occupies approximately 70 percent of the north blockfront of Emmons Avenue between Coyle and Ford Streets. The property is irregularly shaped, with 140.17 feet of frontage on Emmons Avenue, a 93.83 foot western side lot line that is parallel to Ford Street, a 95 foot rear lot line, and a 117 foot side lot line that slants southeastward from the rear lot line to Emmons Avenue.¹

A commercial building, classified by the Department of Buildings as an office building, fully occupies the entire lot, except for a front setback sufficiently deep to accommodate a handicapped access ramp. The building has one full story (9,900 sf), a 2,477 sf partial second story, and a 10,322 sf cellar. Altogether, the building contains 22,669 gsf and 12,297 zsf. The property's R5/C2-2 zoning permits a maximum commercial FAR of 1.0 and the building is therefore slightly overbuilt with an FAR of 1.053. The building rises 15 feet to the roof of the first story and 25 feet to the roof of the partial second story, which is recessed from the front, eastern, and rear property lines. The pedestrian entrance is on Emmons Avenue, as is a curb cut leading to a garage entrance at the eastern edge of the building. Offices occupy the first and second floors, and a 44-space accessory parking garage occupies the cellar.

The building is occupied by Prime Home Health Services, which provides home care services (general assistance, nursing, nutritional services, and physical and occupational therapy) to clients in New York City, Westchester, and Nassau County. The company currently employs approximately 200 workers, most of whom are home care aides working off-site. The company estimates that approximately 100 workers spend at least part of their work day at the site and that an average of five other persons (doctors, clients, or vendors) visit the site each day.

The garage is managed by the building's owner rather than by the tenant, Prime Home Health Services, which uses only 5 of the 44 parking spaces. Another 15 spaces are rented to nearby residents, and the remaining 24 spaces are unused.

The Development Site is located within the Coastal Zone and within Flood Zone AE, with a Base Flood Elevation (BFE) of 11 above the NAVD, or 3' 8" above the grade of the site. According to the Department of Buildings, Appendix G, Table 5-1, the Flood Resistant Construction Elevation (FRCE) is 4' 8", which becomes the base plane as per zoning, the point above grade upon which a building can be measured from its base to its peak of the proposed height of 34' 8".

Project Area

The Project Area – Area G of the SSBD – consists of the 33 lots fronting on the north side of Emmons Avenue on Blocks 8796, 8797, 8800, 8801, 8804, 8805, 8807 and 8808, located between Nostrand Avenue (to the west) and Knapp Street (to the east), and eight lots to the immediate north that front on Coyle, Bragg, and Brigham Streets. Most of the lots are small; aside from the Development Site, only five of the lots measure at least 10,000 sf. The area includes both residential and commercial uses and various building types: five- and six-story apartment buildings, three- and four-story townhouses, small office buildings, two- and three-story detached homes, single-story commercial and garage buildings, and one-story bungalow style homes.

FARs and building heights vary considerably. For example, the above referenced apartment

¹ These numbers are derived from a survey of the property and are thought to be more accurate than the dimensions shown on the tax map (131.2', 93.87', 95.05', and 116.74').

buildings (located on the north side of Emmons Avenue between Bragg Street and Knapp Street at Block 8807, Lots 135 and 125) are overbuilt relative to the zoning, with FARs of between 3.22 and 4.79 and heights between 60 and 62 feet. At the same time, smaller bungalow-style homes (such as the one at 3103 Emmons Avenue, Block 8801, Lot 74) are underbuilt, with FARs below 0.7 and building heights of 12 to 15 feet.

Adjacent to the west of the Development Site, at 3119 Emmons Avenue (Block 8804, Lot 82), is a two-story mixed use building with residential use above a retail store (currently a convenience store called Bay Side Mini Mart). This building measures 25 feet in height, with nearly full lot coverage, and is therefore noncompliant in terms of FAR.² Adjacent to the east, northeast, and northwest, at 3149 Emmons Avenue (Block 8804, Lot 7507), 2844 Coyle Street (Block 8804, Lot 7501), 2838 Coyle Street (Block 8804 Lot 7502), and 2841 Ford Street (Block 8804, Lot 7503), are a series of three-story semi-detached townhouses, all of which appear to be of nearly identical construction and design, with a 1.25 FAR and a building height of 34 feet.

THE FUTURE WITHOUT THE PROPOSED ACTION

The Applicant has stated that, absent the proposed action, no changes would be made to the existing building on the Development Site, which is already overbuilt relative to the currently applicable R5/C2-2 zoning bulk regulations. No changes are anticipated elsewhere in the Project Area as of the 2017 build year.

PROPOSED PROJECT

In the future with the proposed action, the Applicant would enlarge the existing building per the provisions of the new ZR Section 94-096 special permit. The partial second floor would be enlarged to become a full floor, increasing in floor area from the current 2,477 sf to 10,192 sf, and a 3,307 sf partial third floor would be constructed. The addition would increase the building's floor area by 11,051 gsf, from the current 22,669 gsf to 33,720 gsf, and by 11,051 zsf, from the current 12,297 zsf to 23,348 zsf. The FAR would increase from the current 1.05 to 2.00. The building's base height would increase by 10 feet, from the 15' height of the first story to the 25' height of the second story, and the building height would increase by 9'8", from 25' to 34'8", which would be the height of the partial, recessed third story.

The added floor area would consist of new office and circulation space, allowing for an increase in Prime Home Health Services' activities, so that the firm can add staff and serve more clients. The firm estimates that it would hire 150 more home care aides, increasing its workforce from the current 200 employees to 350 employees. The new employees would work off site, however, and the firm has stated that there would be little or no increase in the number of workers who would spend at least part of their workdays at the site, although the increased floor area would allow the headquarters to serve as a base for a larger staff and would accommodate occasional training sessions. For purposes of the environmental review, it is assumed that the number of daily on-site workers would increase by 11 (from 100 to 111), or by one worker per thousand square feet of new space. The firm has also stated that there would be no increase in the average number of daily visitors who are not employees.

The proposed enlargement to the building and increased floor area will trigger a parking noncompliance. Pursuant to the zoning text, 78 parking spaces would be required. The building also has a certificate of occupancy for 44 accessory parking spaces, which are currently underutilized. Without the proposed zoning special permit authorized by this section, the

² The PLUTO database lists the building's FAR as 0.94. This is apparently in error, given the building's two stories of nearly complete lot coverage.

proposed project would require 78 spaces pursuant to ZR § 36-21. However, the proposed zoning special permit will allow the City Planning Commission to waive 40 required spaces, thereby reducing required parking from 78 to 32 spaces. The proposed 32 off-street parking spaces are more than sufficient to meet the future parking needs of the proposed project.

As part of the building's renovation, 12 of the current 44 parking spaces in the cellar garage would be eliminated. Because only 20 of the spaces are currently used most days (5 by the building's tenant and 15 by neighborhood residents who rent the spaces on a monthly basis) and the proposed building expansion is not expected to increase the demand for parking spaces, the change would reduce the number of generally unused accessory parking spaces by half, from 24 to 12.

As part of the renovation, the Applicant would undertake dry flood proofing measures on the lower level to ensure compliance with the zoning text and Building Code resiliency standards. Since the first floor is currently above the Base Flood Elevation (BFE), only the cellar level requires compliance with Appendix G. The Applicant would locate all mechanicals and electrical equipment on the first floor and higher, which is above the Floor Resistant Construction Elevation (FRCE). Other measures to dry flood proof the building on the cellar level include a proposed aluminum panel FRCE compliant gate at the garage level that would prevent water from entering through the garage door. In the event of a storm, flood resistant aluminum panels would be placed in front of the two exit doors at the cellar level below the BFE.

REASONABLE WORST CASE DEVELOPMENT SCENARIO

The reasonable worst case development scenario (RWCDs) for the future with the proposed action is the proposed project for the Development Site, described above. No property not controlled by the Applicant is expected to be affected by the proposed zoning text change.

The proposed text amendment would create a new special permit that would be available only to zoning lots of at least 10,000 square feet (as of the effective date of the amendment) located in Area G of the SSBD and that would be applicable only for enlargements of existing buildings. Furthermore, because the special permit would enable the City Planning Commission to modify the provisions of Section 94-092, which establish maximum permitted FARs of 1.25 for residential or community facility uses and 1.00 for commercial uses, by allowing an FAR of up to 2.00 for commercial use, only lots with existing FARs of less than 2.00 could utilize the special permit. Finally, the special permit would enable the City Planning Commission to modify the applicable R5/C2 height and setback provisions, under which residential and community facility uses are restricted to buildings not exceeding 35 feet in height and commercial uses are restricted to buildings or portions of buildings not exceeding the lesser of 30 feet or two stories in height, by allowing commercial uses to occupy a building or portion of a building up to the lesser of 35 feet or three stories in height; this limits the availability of the special permit to lots that can accommodate additional commercial floor area within first, second, or third stories under 35 feet in height.

As noted above under Existing Conditions, only five zoning lots in Area G (Non-Applicant owned), other than the Applicant's Development Site, are at least 10,000 square feet in size.

³ The project site is located in Zone 5 of the 2014 *CEQR Technical Manual* Table 16-1, indicating that any office space increment of less than 40,000 gsf would screen out for traffic impacts and no further analysis would be needed. At an increment of 11,051 gsf (from 22,669 EXISTING to 33,720 PROPOSED), the proposed project screens out. The 2014 *CEQR Technical Manual* also indicates that if a project screen out for traffic, it will generally screen for parking. Based on the information presented in the EAS, the proposed elimination of 12 of the 44 existing parking spaces would not result in additional off-site parking demands and therefore no further analysis is needed.

These lots include Block 8808, Lot 59; Block 8807, Lot 125; Block 8805, Lot 7501; Block 8804, Lot 42; and Block 8796, Lot 65. Three of the five zoning lots, including Block 8808, Lot 59; Block 8807, Lot 125; and Block 8796, Lot 65 are substantially overbuilt relative to the zoning, with FARs above 2.00. Another lot, Block 8804, Lot 42, is located only partially in the SSBD, and the portion within the special district measures less than 10,000 square feet. The final lot, Block 8805, Lot 7501, is occupied by a five-story, mixed use condominium building with residential apartments above ground floor commercial space. The lot is developed to an FAR of 1.71 and could theoretically accommodate an additional 5,192 zsf of commercial space under the proposed special permit. The practicality of such an addition is constrained, however, because the building could not be vertically enlarged. Table 1 provides additional details regarding the five zoning lots.

**Table 1
Zoning Lots of at Least 10,000 SF Located Wholly or Partly in Area G of the SSBD**

Property ID (address, block/lot)	Lot Size/ %, sf within SSBD (approximate)	Building Size (zsf)	Description of Existing Development	Existing FAR/Additional FAR, sf permitted
APPLICANT PROPERTY				
3133-3135 Emmons Ave; Blk 8804, Lot 75 (Development Site)	11,674.2 sf/100% or 11,674.2 sf	12,297 sf	Commercial offices	1.053/+0.947, +11,055 commercial sf permitted (1.25 R/2.0 C allowed)
NON-APPLICANT OWNED LOTS				
Over-built lots (FAR in excess of the permitted 1.25 R/ 2.0 C)				
3221 Emmons Ave; Blk 8808, Lot 59	50,000 sf/75% or 37,500 sf	161,000 sf	172 unit multi- family residential	3.22/no additional permitted (1.25 R/2.0 C allowed)
3205 Emmons Ave; Blk 8807, Lot 125	14,600 sf/100% or 14,600 sf	62,000 sf	57 unit multi- family residential	4.25/no additional permitted (1.25 R/2.0 C allowed)
3003 Emmons Ave; Blk 8796, Lot 65	15,462 sf/80% or 12,400 sf	52,881 sf	Hotel, accessory parking	3.42/no additional permitted (1.25 R/2.0 C allowed)
Lots only partially in SSBD (less than 10,000 sf)				
2800 Coyle St; Blk 8804, Lot 42	45,190 sf/5% or 2,300 sf	145,000 sf	157 unit multi- family residential	N/A - lot size within SSBD less than 10,000 sf
Lots with constrained development conditions				
3165 Emmons Ave; Blk 8805, Lot 7501	29,840 sf/60% or 17,900 sf	51,112 sf	43 unit multi- family residential, commercial	1.71/+0.29, +5,192 commercial sf permitted but unlikely (1.25 R/2.0 C allowed)

ANALYSIS FRAMEWORK

The environmental assessments in this EAS are based on the difference between the future no-action and with-action scenarios under the RWCDS. The proposed action would result in the development of an additional 11,051 gsf of office space, a 9'8" increase in building height on the

Development Site, and the elimination of 12 unused and unneeded off-street accessory parking spaces.

PURPOSE AND NEED

The existing building on the Development Site contains the administrative office headquarters of the tenant, Prime Home Health Services. Continuing increases in the elderly population have led to a growing need for home care services. The Applicant seeks to enlarge the existing facility to accommodate the growth of the company and to provide support for home health and casework management. The additional floor area would allow the tenant to increase its staffing from 200 to 350 employees.

REQUIRED APPROVALS

The proposed project would require a zoning text amendment to ZR Article IX Chapter 4 (the Special Sheepshead Bay District (SSBD)), adding a new ZR Section 94-096, which would provide for a new special permit available only within Area G of the SSBD. It would also require the granting of the new special permit to the Applicant. The latter action would be subject to the Uniform Land Use Review Procedure (ULURP).

BUILD YEAR

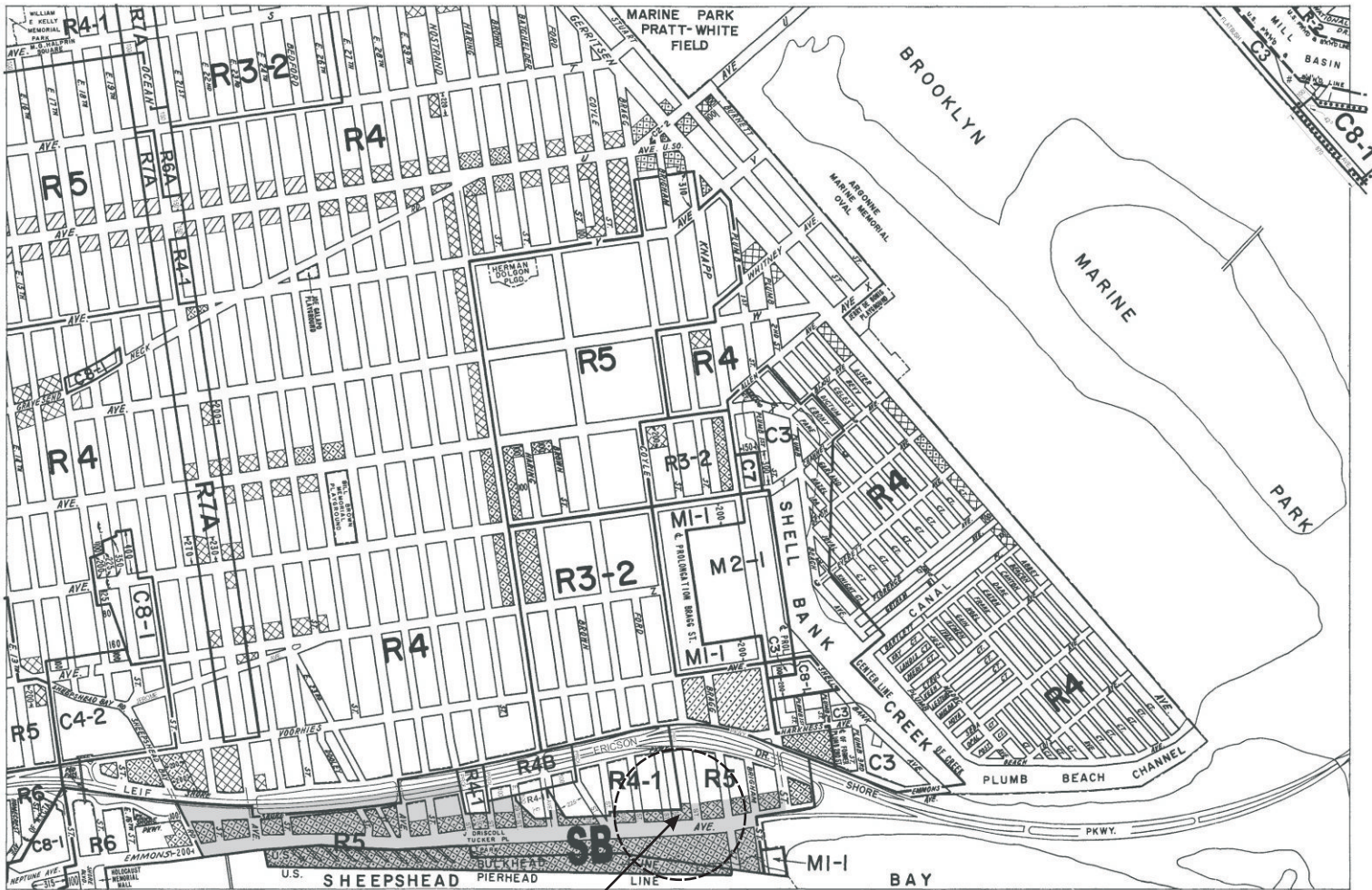
Based on an estimated 12-month approval process and a 12-month construction period, the Build Year is assumed to be 2017.

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the Project Area affected by the proposed land use actions. The increment is the difference between the No-Action and the With-Action conditions.

If your project involves multiple development sites, it is generally appropriate to include total development projections in the table below and attach separate tables outlining the reasonable development scenarios for each site. Applicants may re-use information from this table, in its approved form, within the CEQR Full Form.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Describe type of residential structures				
No. of dwelling units				
No. of low- to moderate-income units				
Gross floor area (sq. ft.)				
Commercial	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type (retail, office, other)	U.G. 6 medical offices	U.G. 6 medical offices	U.G. 6 medical offices	
Gross floor area (sq. ft.)	22,669	22,669	33,720	+ 11,051
Manufacturing/Industrial	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
Other Land Uses	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
PARKING				
Garages	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces	0	0	0	
No. of accessory spaces	44	44	32	-12
Lots	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
ZONING				
Zoning classification	R5/C2-2	R5/C2-2	R5/C2-2	
Maximum amount of floor area that can be developed	11,674 C, 14,593 CF/R	11,674 C, 14,593 CF/R	11,674 C, 14,593 CF/R	
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Resid, comm'l, comm facil; R4-1, R5, C2-2	Resid, comm'l, comm facil; R4-1, R5, C2-2	Resid, comm'l, comm facil; R4-1, R5, C2-2	



Site

ZONING MAP
THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:
The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

- R – RESIDENTIAL DISTRICT
- C – COMMERCIAL DISTRICT
- M – MANUFACTURING DISTRICT
- SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.
- AREA(S) REZONED

Effective Date(s) of Rezoning:
05-15-2012 C 12010B ZMK

Special Requirements:
For a list of lots subject to CEQR environmental requirements, see APPENDIX C.
For a list of lots subject to "D" restrictive declarations, see APPENDIX D.
For Inclusionary Housing designated areas on this map, see APPENDIX F.

MAP KEY

22d	23b	23d
28c	29a	29c
28d	29b	29d

© Copyrighted by the City of New York

ZONING MAP 29a

NOTE: STREETS FOR THE STREET MAP CHANGE C 070512 MMK ARE SHOWN ON THIS MAP PRIOR TO BECOMING EFFECTIVE IN ORDER TO LOCATE ZONING DISTRICT BOUNDARIES.

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.



NYC Digital Tax Map

Effective Date : 03-06-2009 14:48:31
End Date : Current
Brooklyn Block: 8804

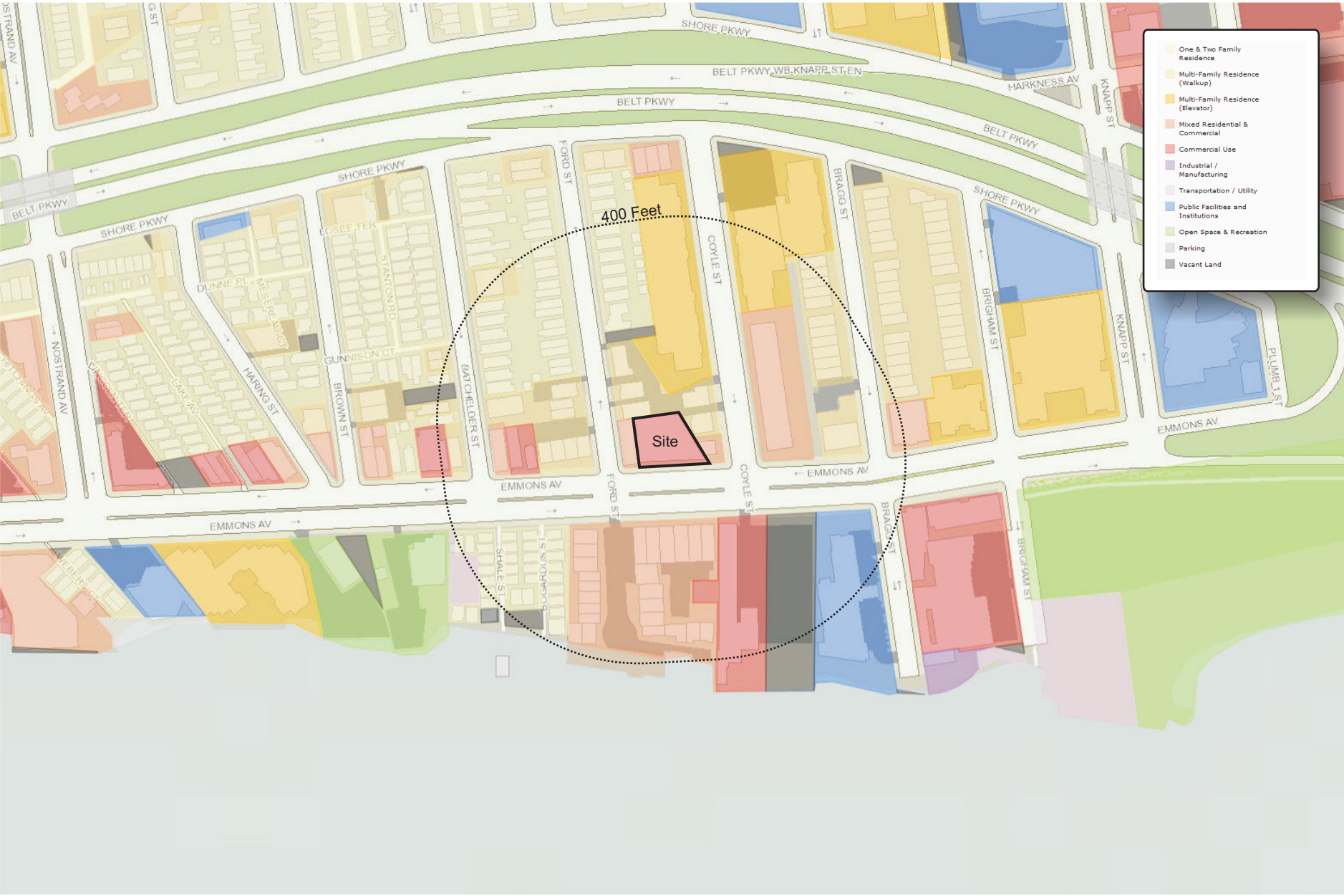
Legend

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



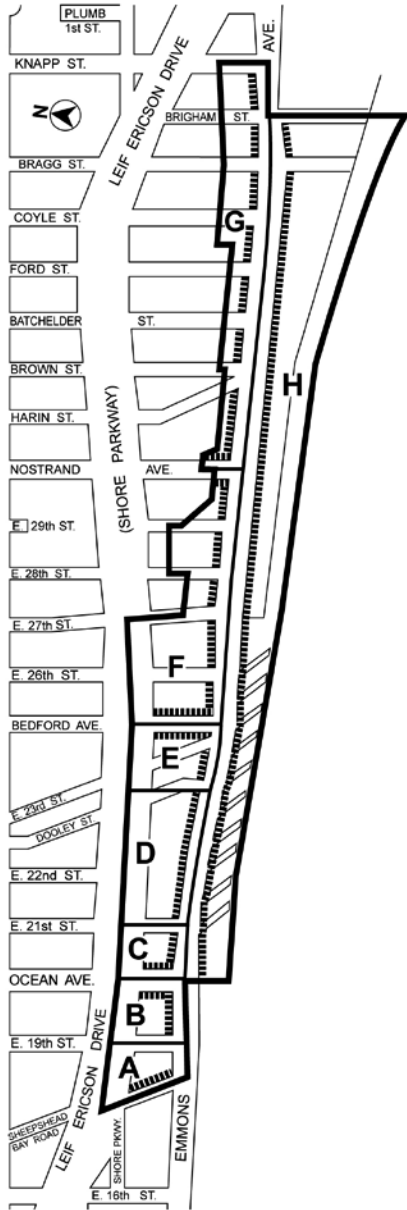






(4/30/08)

Appendix A Special Sheepshead Bay District Map (94A)






— Special Sheepshead Bay District
— Area Boundary

MANDATORY PROVISIONS
Front Setback
Special Plaza Provisions— Areas A, C, and E

Area Map







Project Information

-  600' Buffer
-  Development Site
-  Special Sheepshead Bay District "Area G"


Existing Zoning Districts

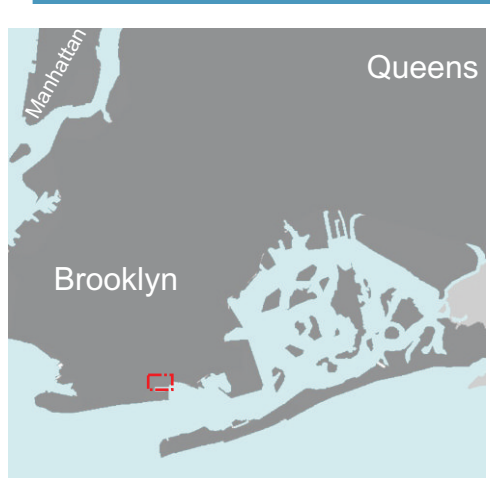
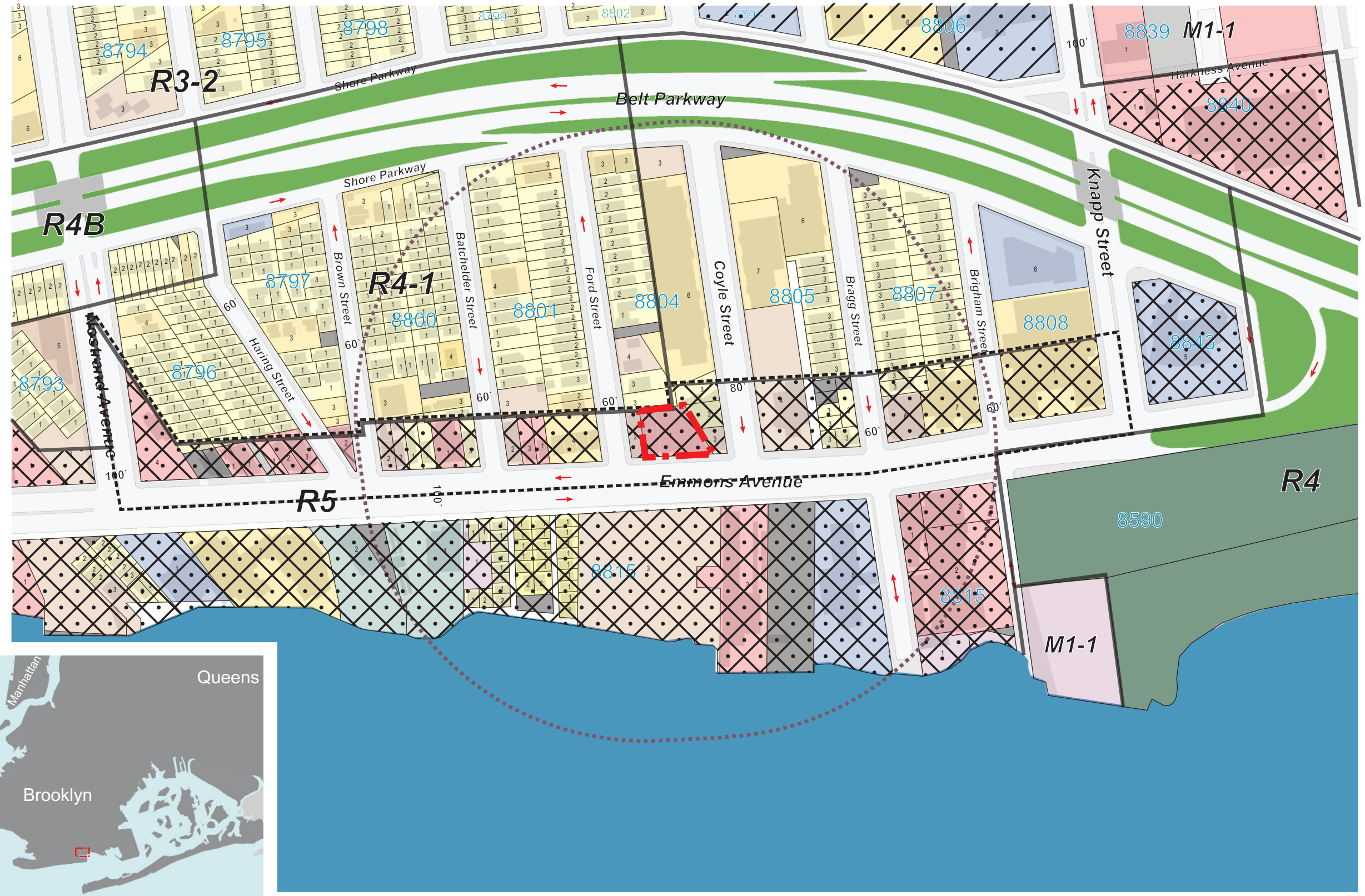


Existing Commercial Overlays

-  C2-1
-  C2-2
-  Subway Entries
-  5037 Block Numbers
-  Property Lines
-  5 Number of Floors

Land Uses

-  One & Two Family Residential Buildings
-  Multi-Family Residential Buildings
-  Mixed Residential & Commercial Buildings
-  Commercial/Office Buildings
-  Industrial/Manufacturing
-  Transportation/Utility
-  Public Facilities & Institutions
-  Open Space
-  Parking Facilities
-  Vacant Land







Illustrative Map

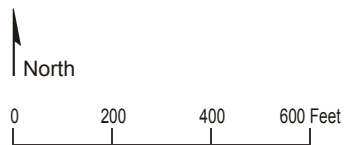
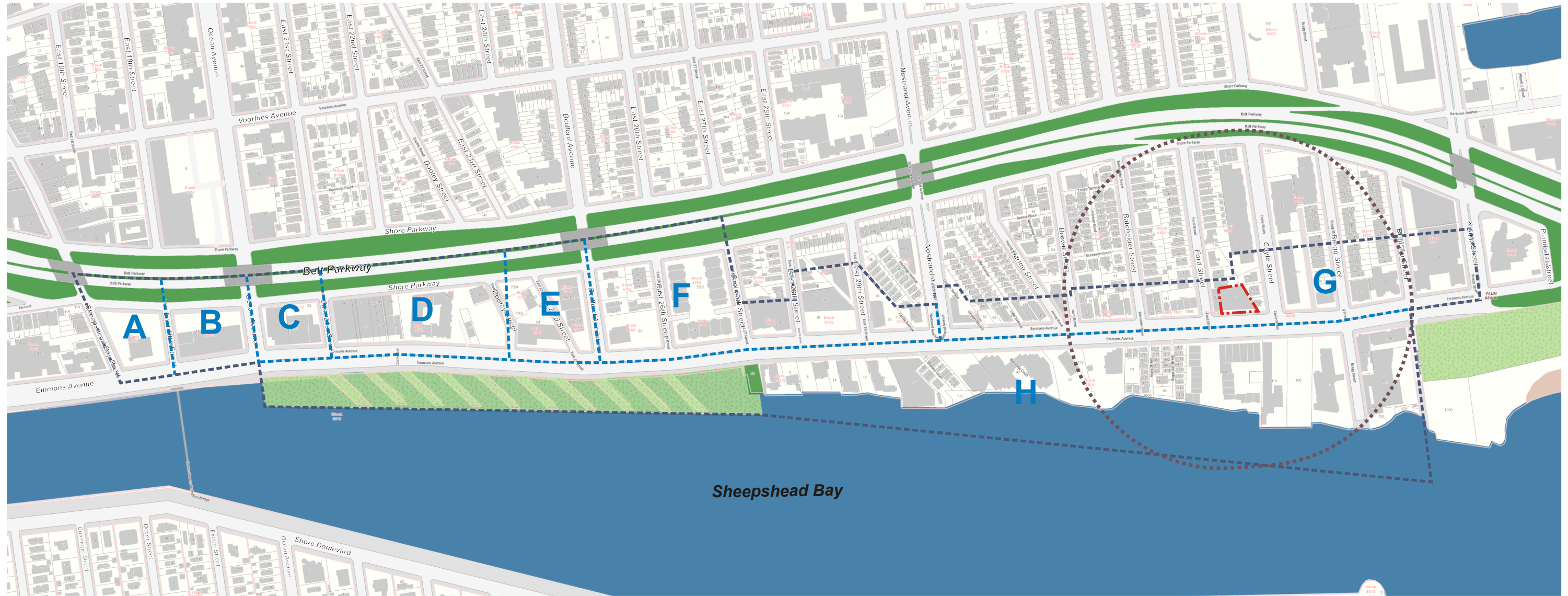
Special Sheepshead Bay District
Zoning Text Amendment

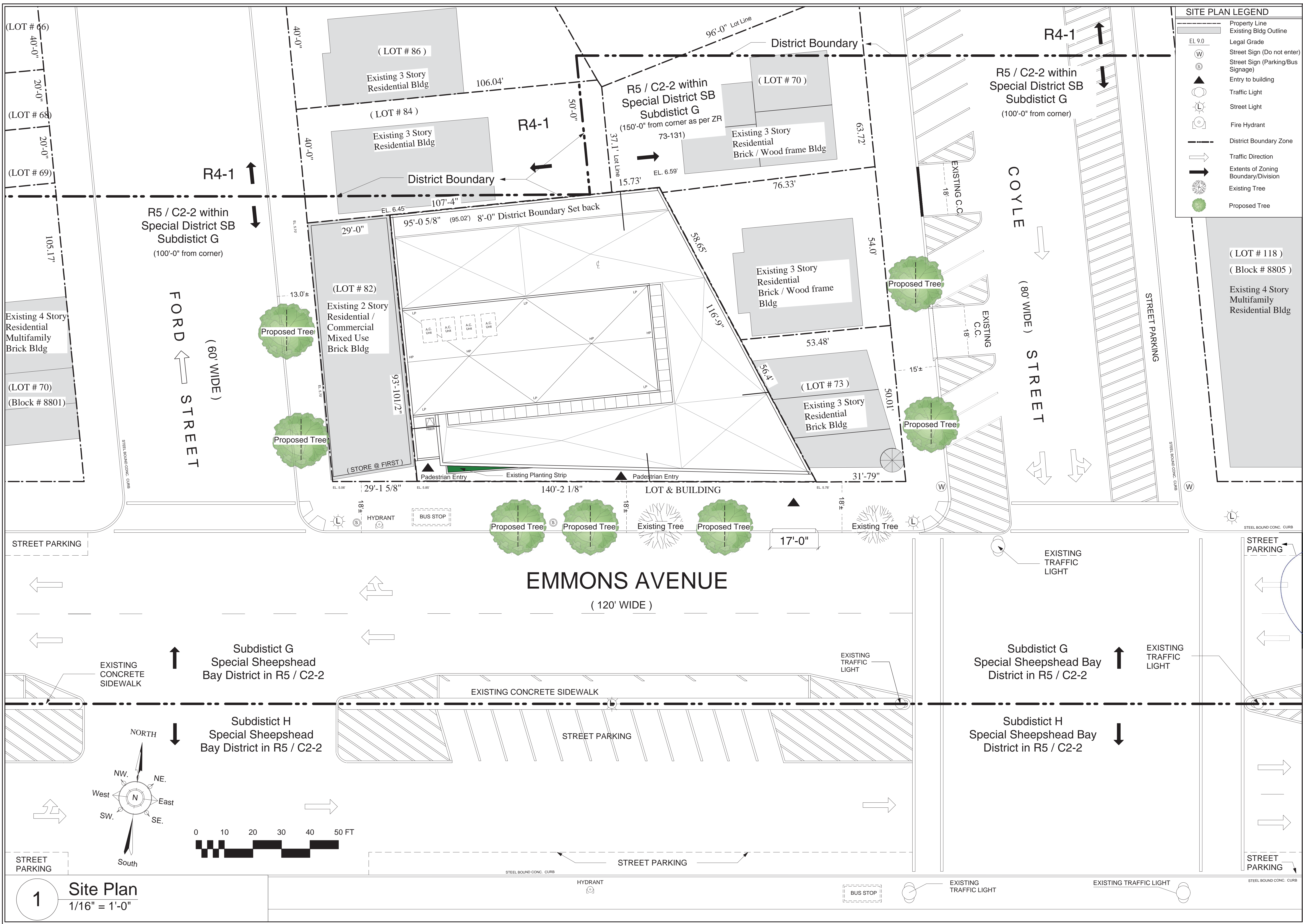
3133 Emmons Avenue
Date: August 6, 2014

Project ID #P2012K0389

Legend

-  600' Buffer
-  Project Area
(Same as Development Site)
-  Special Sheepshead Bay District
-  Area Boundaries





SITE PLAN LEGEND

- Property Line
- Existing Bldg Outline
- Legal Grade
- Street Sign (Do not enter)
- Street Sign (Parking/Bus Signage)
- Entry to building
- Traffic Light
- Street Light
- Fire Hydrant
- District Boundary Zone
- Traffic Direction
- Extents of Zoning Boundary/Division
- Existing Tree
- Proposed Tree

CORPORATE DESIGN OF AMERICA, P.C.

Architecture | Planning | Design
 Robert J. Palermo, RA, AIA
 1816 Voorhies Avenue
 Brooklyn, NY, 11235
 Tel: (718) 332 4119
 Fax: (718) 332 8120
 Office@CDA-NYC.com

REVISIONS

No	Description	Date

Project Title :
Prime Home Health Care Offices

Project Location :
3133 Emmons Avenue

DOB Job Sticker

Robert James Palermo
 NY State License No. 013124

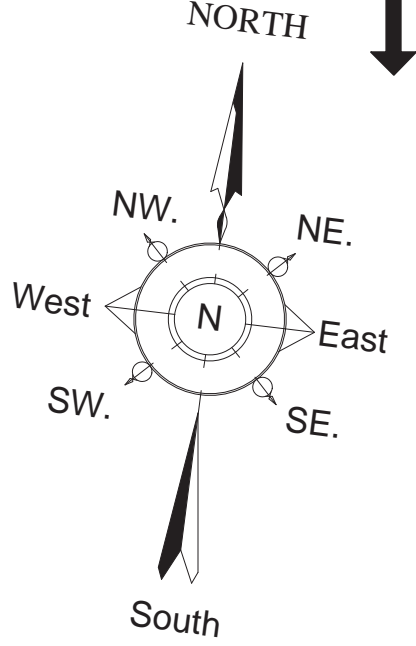
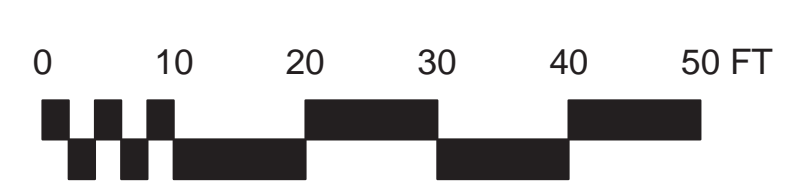
Plan Examiner Stamp

DOB No. :
 Project No. : 19 - 2010
 Date : 4.24.14
 Drawn by : SBD
 Checked by : RP
 Scale : 3/32" = 1'-0"

Sheet Title :
Proposed Site Plan

Sheet No. :
A002.00
 2 of 10

1 Site Plan
 1/16" = 1'-0"





REVISIONS

No	Description	Date

Project Title :
Prime Home Health Care Offices
Project Location :
3133 Emmons Avenue

DOB Job Sticker

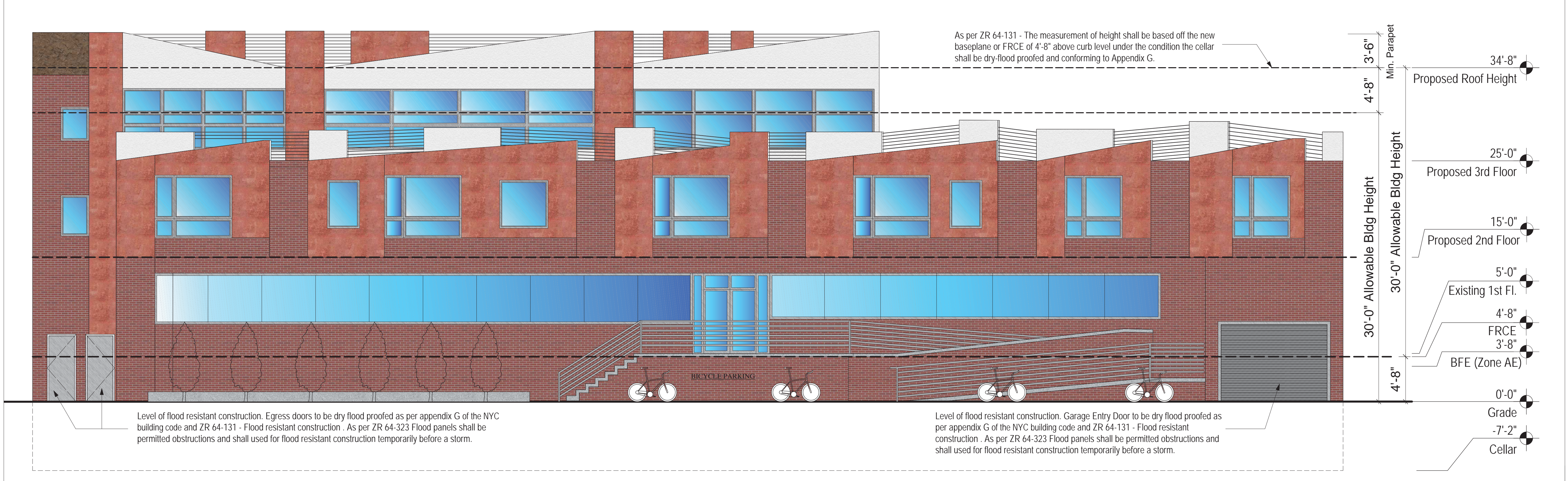


Plan Examiner Stamp

DOB No. :
Project No. : 19 - 2010
Date : 4.24.14
Drawn by : SBD
Checked by : RP
Scale : 1/8" = 1'-0"

Sheet Title :
Proposed Elevations

Sheet No :
A008.00
8 of 10



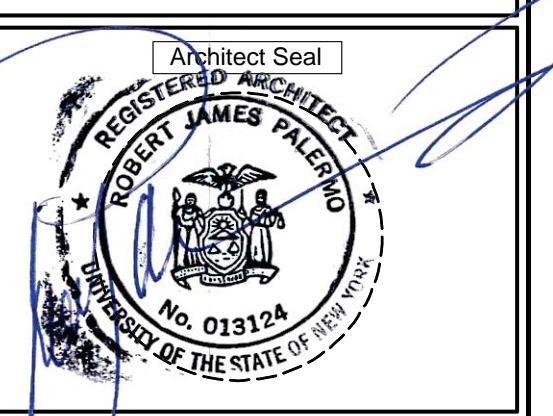
1 Building Elevation
1/8" = 1'-0"



REVISIONS		
No	Description	Date

Project Title :
Prime Home Health Care Offices
 Project Location :
3133 Emmons Avenue

DOB Job Sticker



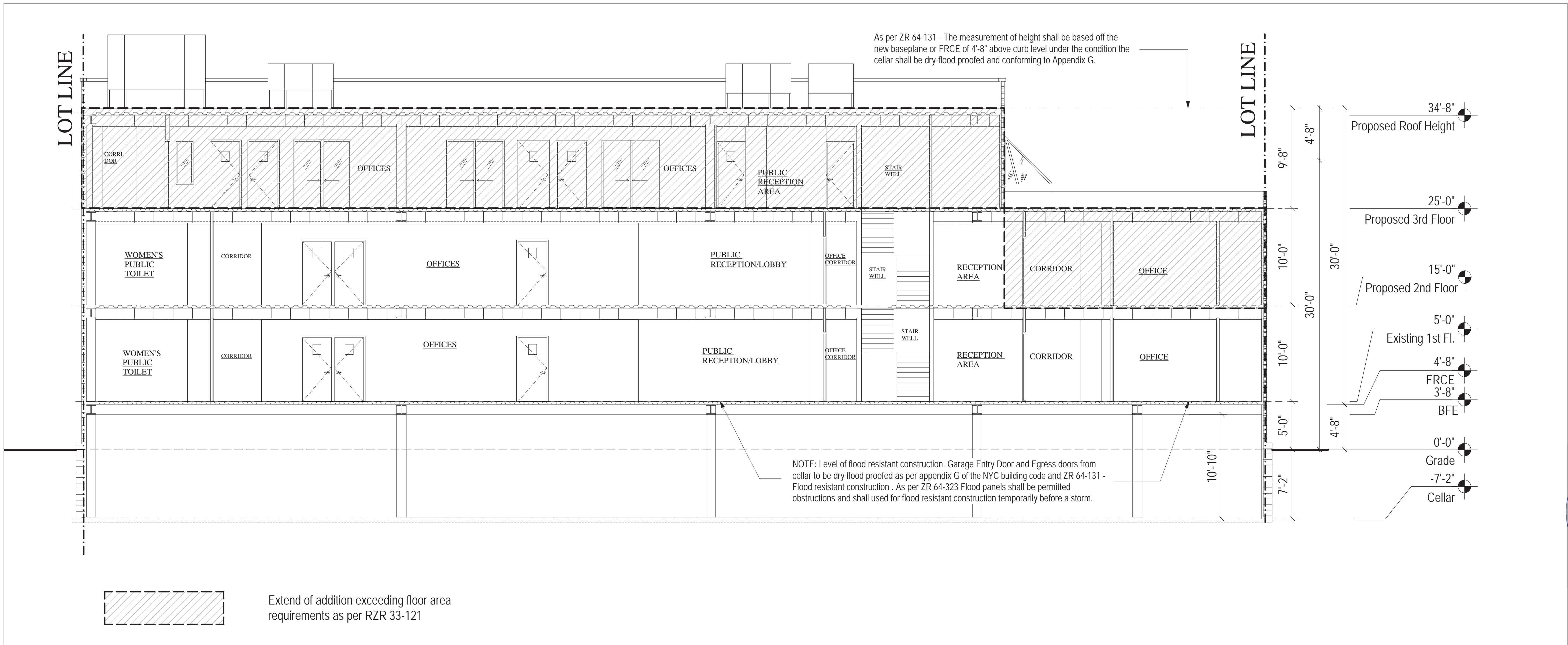
Robert James Palermo
 NY State License
 No. 013124

Plan Examiner Stamp

DOB No. :	
Project No. :	19 - 2010
Date :	4.24.14
Drawn by :	SBD
Checked by :	RP
Scale :	1/8" = 1'-0"

Sheet Title :
Building Section

Sheet No :
A009.00
 9 of 10



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

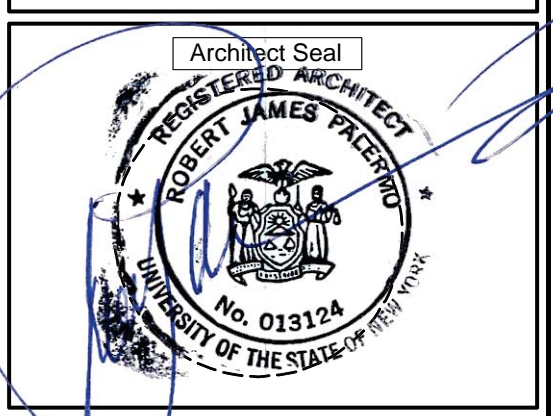


REVISIONS		
No	Description	Date

Project Title :
Prime Home Health Care Offices

Project Location :
3133 Emmons Avenue

DOB Job Sticker



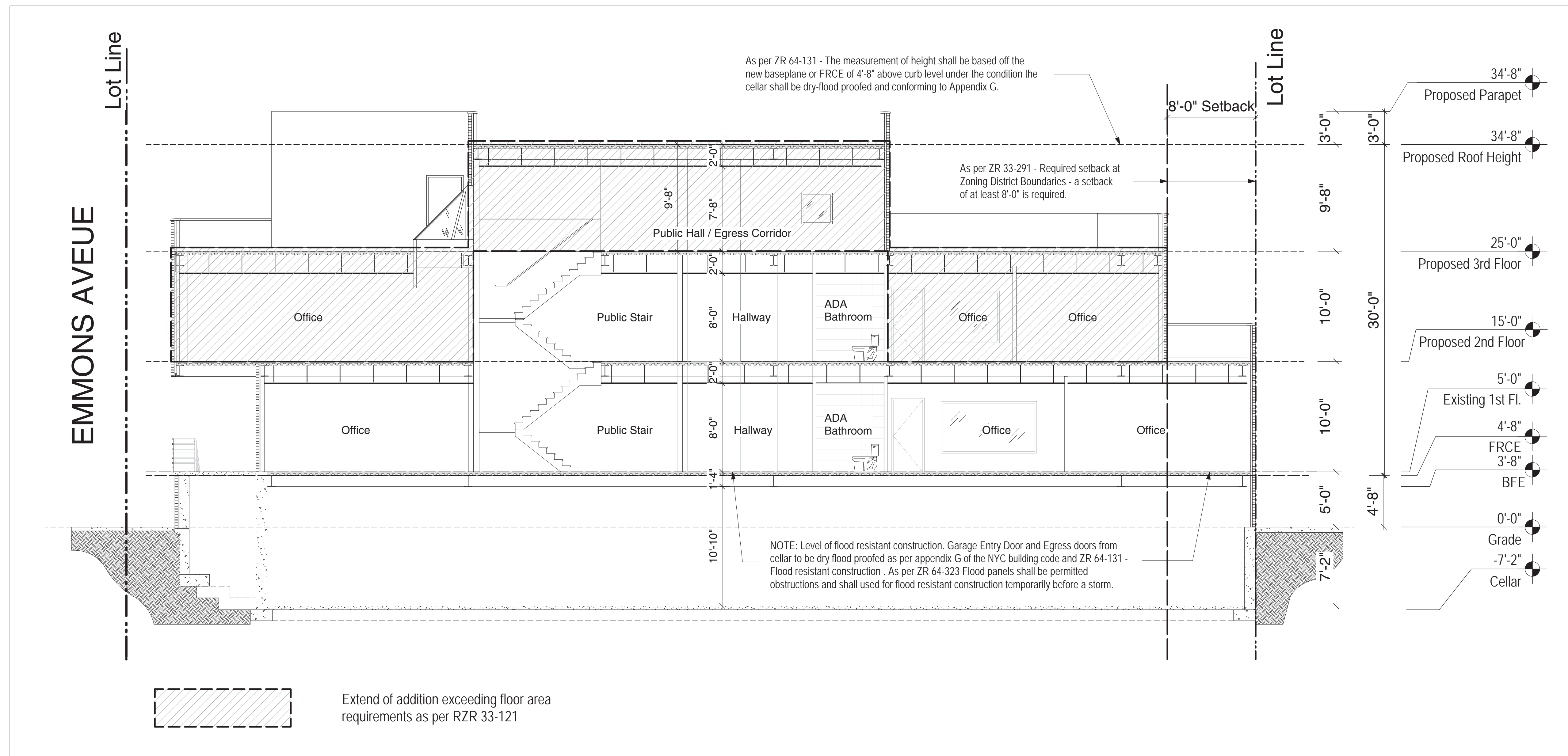
Robert James Palermo
NY State License
No. 013124

Plan Examiner Stamp

DOB No. :
Project No. : 19 - 2010
Date : 4.24.14
Drawn by : SBD
Checked by : RP
Scale : 1/8" = 1'-0"

Sheet Title :
Building Section

Sheet No :
A010.00
10 of 10



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

ENVIRONMENTAL ASSESSMENTS

INTRODUCTION

Based on the criteria in Part II of the Environmental Assessment Statement Short Form, the following technical areas require further analysis: land use, zoning, and public policy; urban design and visual resources; air quality; and noise. These analyses, which follow the guidance in the 2014 *CEQR Technical Manual*, are presented below. The heading numbers correlate with the relevant chapters of the 2014 *CEQR Technical Manual*.

4. LAND USE, ZONING, AND PUBLIC POLICY

Introduction

A land use analysis characterizes the uses and development trends in the area that may be affected by an action and determines whether a proposed project is compatible with those conditions or whether it may adversely affect them. The analysis also considers the proposed project's compliance with, and effect on, the area's zoning and other applicable public policies.

According to the 2014 *CEQR Technical Manual*, a preliminary assessment that includes a basic description of existing and future land uses, as well as basic zoning information, is provided for most projects, regardless of their anticipated effects. Regarding public policy, the 2014 *CEQR Technical Manual* states, "Large, publicly-sponsored projects are assessed for their consistency with PlaNYC¹, the City's sustainability plan." An assessment of an action's consistency with the Waterfront Revitalization Program is required if an action would occur within the designated Coastal Zone. Public policy assessments are also appropriate if an action would occur within an area covered by an Urban Renewal Plan or a 197-A Plan.

A land use and zoning assessment is appropriate for the proposed actions, which are a zoning text amendment and the granting of a special permit, which would result in the development of additional floor area on the Development Site. The proposed project is neither large nor publicly sponsored. No portion of the Project Area is within an urban renewal area or an area covered by a 197-a Plan, but the Project Area is within the Coastal Zone. The preliminary assessment therefore focuses on land use, zoning, and consistency with the Waterfront Revitalization Program.

Study Area

According to the 2014 *CEQR Technical Manual*, the appropriate study area for land use, zoning, and public policy is related to the type and size of the proposed project, as well as the location and context of the area that could be affected by the project. Study area radii vary according to these factors, with suggested study areas ranging from 400 feet for a small project to 0.5 miles for a very large project.

Because of the modest size of the proposed project, the land use, zoning, and public policy assessment for the proposed action considers a study area extending 400 feet

¹ This plan was recently updated and is now titled OneNYC.

around the proposed project area. The study area boundaries are approximately coincident with a line between Emmons Avenue and Shore Parkway to the north, Shore Parkway to the east, Sheepshead Bay to the south, and East 29th Street to the west.

Land Use

Existing Conditions

The 400-foot radius study area includes all or portions of 15 tax blocks, as further described below.

Development Site

The 11,674 sf midblock Development Site at 3133-3135 Emmons Avenue (Block 8804, Lot 75) occupies approximately 70 percent of the north blockfront of Emmons Avenue between Coyle and Ford Streets. The property is irregularly shaped, with 140.17 feet of frontage on Emmons Avenue, a 93 foot western side lot line that is parallel to Ford Street, a 95 foot rear lot line, and a 117 foot side lot line that slants southeastward from the rear lot line to Emmons Avenue.²

A commercial building, classified by the Department of Buildings as an office building, fully occupies the entire lot, except for a front setback sufficiently deep to accommodate a handicapped access ramp. It has a full first floor with 9,900 sf, a 2,477 sf partial second story, and a 10,322 sf cellar. Altogether, the building contains 22,669 gsf and 12,297 zsf. The property's R5/C2-2 zoning permits a maximum commercial FAR of 1.0 and the building is therefore slightly overbuilt with an FAR of 1.053. The building rises 15 feet to the roof of the first story and 25 feet to the roof of the partial second story, which is recessed from the front, eastern, and rear property lines. The pedestrian entrance is on Emmons Avenue, as is a curb cut leading to a garage entrance at the eastern edge of the building. Offices occupy the first and second floors, and a 44-space accessory parking garage occupies the cellar.

The building is occupied by Prime Home Health Services, which provides home care services (general assistance, nursing, nutritional services, and physical and occupational therapy) to clients in New York City, Westchester, and Nassau County. The company currently employs approximately 200 workers, most of whom are home care aides working off-site. The company estimates that approximately 100 workers spend at least part of their work day at the site and that an average of five other persons (doctors, clients, or vendors) visit the site each day.

The garage is managed by the building's owner rather than by the tenant, Prime Home Health Services, which uses only 5 of the 44 parking spaces. Another 15 spaces are rented to nearby residents, and the remaining 24 spaces are unused.

Project Area

The Project Area – Area G of the Special Sheepshead Bay District (SSBD) – consists of the 33 lots fronting on the north side of Emmons Avenue on Blocks 8796, 8797, 8800, 8801, 8804, 8805, 8807 and 8808, located between Nostrand Avenue (to the west) and Knapp

² These numbers are derived from a survey of the property and are thought to be more accurate than the dimensions shown on the tax map (131.2', 93.87', 95.05', and 116.74').

Street (to the east), and eight lots to the immediate north that front on Coyle, Bragg, and Brigham Streets. Most of the lots are small; aside from the Development Site, only five of the lots measure at least 10,000 sf. The area includes both residential and commercial uses and various building types: five- to seven-story apartment buildings, three- and four-story townhouses, small office buildings, two- and three-story detached homes, single-story commercial and garage buildings, and one-story bungalow style homes.

Adjacent to the west of the Development Site, at 3119 Emmons Avenue (Block 8804, Lot 82), is a two-story mixed use building with residential use above a retail store (currently a convenience store called Bay Side Mini Mart). Adjacent to the east, northeast, and northwest, at 3149 Emmons Avenue (Block 8804, Lot 7507), 2844 Coyle Street (Block 8804, Lot 7501), and 2838 Coyle Street (Block 8804 Lot 7502), , and 2841 Ford Street (Block 8804, Lot 7503), are a series of three-story semi-detached townhouses, all of which appear to be of nearly identical construction and design.

To the east of Block 8804, a five-story slab apartment building, with 43 residential units above three ground floor commercial units, extends along the east side of Coyle Street from Emmons Avenue to beyond the Project Area. To its east, along Bragg Street, a three-story residential building occupies the Emmons Avenue frontage, and a smaller three-story residential building is located to its north. On the next block, six- and seven-story apartment buildings front on Emmons Avenue, and to their north three-story residential buildings front on Bragg and Brigham Streets. A seven-story, 172-unit residential apartment building occupies the entire blockfront between Brigham and Knapp Streets, at the eastern end of the Project Area.

Smaller lots and smaller buildings are more typical in the western part of the Project Area. Between Ford and Batchelder Streets, four-story townhouses occupy the eastern half of the block within the Project Area, and smaller residential over commercial buildings occupy the western half. A mix of three-story residential walk-ups, a one-story commercial building, one-family homes, and two-story buildings with residences above commercial units are located between Batchelder and Brown Streets. A two-story residential over commercial building occupies the narrow, triangular end of the block between Brown and Haring Streets. One- to three-story commercial buildings (with medical and dental offices on the upper floors and such occupants as a convenience store, a bait and tackle shop, and adult day care on the ground floors), a 2,400 sf vacant lot (vacant since 2007), and a four-story hotel occupy the Emmons Avenue frontage between Haring Street and Nostrand Avenue.

Study Area

The side streets north of the Project Area are almost completely residential, although a few buildings have ground floor commercial uses. Residential building types vary, however. On Block 8804, on which the Development Site is located, a three-story townhouse, a four-story building with residences above a ground floor commercial use, and two-family homes line Ford Street, and a six-story, 157-unit slab apartment building occupies the Coyle Street frontage. On the block to the east, a seven-story apartment building faces the six-story apartment building on the opposite side of Coyle Street, and along the west side of Bragg Street are three-story residential buildings and a six-story apartment building to their north. On the next block, three-story residential buildings

occupy the east side of Bragg Street and the west side of Brigham Street. A five-story nursing home occupies the northern part of the block between Brigham and Knapp Streets. West of Block 8804, one- and two-family homes prevail along the west side of Ford Street and the east side of Batchelder Street, along with three-story residential walk-ups and townhouses closer to Emmons Avenue. Older bungalows predominate on the blocks between Batchelder Street and Nostrand Avenue, interspersed with a smaller number of newer three-story buildings.

West of the Project Area, on the block between Nostrand Avenue and East 29th Street, a one-story commercial building and a three-story residential over commercial building front on Emmons Avenue, with bungalows to their north. East of the Project Area, on the block between Knapp Street and Shore Parkway, is an assisted living complex.

Land uses are more varied to the south of Emmons Avenue, extending to the shoreline of Sheepshead Bay. At the eastern end of the study area, Brigham Street forms the western boundary of Marine Park, which extends eastward well beyond the study area boundary. A restaurant, a hotel, and a warehouse occupy the block between Brigham and Bragg Streets. West of Bragg Street are an assisted living complex, then a vacant lot (vacant since 2005), and then a hotel. A cluster of two dozen small three-story residential and mixed residential and commercial buildings is located across Emmons Avenue from Block 8804 (where the Development Site is located), and a cluster of bungalows is located to the west of these buildings. Further west are two yacht clubs, then a seven-story apartment building, then a catering hall, which is located across Emmons Avenue from the westernmost part of the Project Area. At the western end of this part of the study area are another cluster of bungalows and La Mer Villas, a gated community of 19 residences in two buildings characterized by stone facades and three high-ceilinged stories, with a private boardwalk and marina.

Future Conditions without the Proposed Action

Absent the proposed action, no changes would be made to the existing building on the Development Site, which is already overbuilt relative to the currently applicable zoning bulk regulations. No changes are anticipated elsewhere in the Project Area or the remainder of the land use study area as of the 2017 build year. Although two vacant lots have been identified, one in the Project Area and one elsewhere in the study area, the lots have been vacant for years, and no development applications have been presented for them.

Future Conditions with the Proposed Action

If the proposed action is taken, the existing building at the Development Site would be vertically enlarged. The partial second floor would be enlarged to become a full floor, increasing in floor area from the current 2,447 sf to 10,191 sf, and a 3,307 sf partial third floor would be constructed. The addition would increase the building's floor area by 11,051 gsf, from the current 22,669 gsf to 33,720 gsf, and by 11,051 zsf, from the current 12,297 zsf to 23,348 zsf. The FAR would increase from the current 1.05 to 2.00. The building's base height would increase by 10 feet, from the 15' height of the first story to the 25' height of the second story, and the building height would increase by 9'8", from 25' to 34'8", which would be the height of the partial, recessed third story.

The added floor area would consist of new office and circulation space, allowing for an increase in Prime Home Health Services' activities, so that the firm can add staff and serve more clients. The firm estimates that it would hire 150 more home care aides, increasing its workforce from the current 200 employees to 350 employees. The new employees would work off site, however, and the firm has stated that there would be little or no increase in the number of workers who would spend at least part of their workdays at the site, although the increased floor area would allow the headquarters to serve as a base for a larger staff and would accommodate occasional training sessions. For purposes of the environmental review, it is assumed that the number of daily on-site workers would increase by 11 (from 100 to 111), or by one worker per thousand square feet of new space. The firm has also stated that there would be no increase in the average number of daily visitors who are not employees.

The proposed enlargement to the building and increased floor area will trigger a parking noncompliance. Pursuant to the zoning text, 78 parking spaces would be required. The building also has a certificate of occupancy for 44 accessory parking spaces, which are currently underutilized. Without the proposed zoning special permit authorized by this section, the proposed project would require 78 spaces pursuant to ZR § 36-21. However, the proposed zoning special permit will allow the City Planning Commission to waive 40 required spaces, thereby reducing required parking from 78 to 32 spaces. The proposed 32 off-street parking spaces are more than sufficient to meet the future parking needs of the proposed project.

As part of the building's renovation, 12 of the current 44 parking spaces in the cellar garage would be eliminated. Because only 20 of the spaces are currently used most days (5 by the building's tenant and 15 by neighborhood residents who rent the spaces on a monthly basis) and the proposed building expansion is not expected to increase the demand for parking spaces, the change would reduce the number of generally unused accessory parking spaces by half, from 24 to 12.

The proposed project would not introduce a new land use. Because the additional employees would mostly work off site providing home care services to the building tenant's clients, with little change to the existing onsite activities or the number of onsite workers or visitors, the project would not substantially alter or intensify the existing use. The proposed action would not have a significant adverse land use impact.

Zoning

Existing Conditions

Development Site

The Development Site is zoned R5/C2-2 within the Special Sheepshead Bay District (SSBD).

Absent the SSBD, the underlying R5/C2-2 district regulations permit residential and community facility uses, and certain commercial uses (including retail and office uses) if and only if combined with a C1 or C2 local commercial overlay, but precludes manufacturing uses. R5/C2-2 ordinarily permits a maximum floor area ratio (FAR) of 1.25 for residential uses, 2.00 for community facility uses, and 1.00 for commercial uses.

For residential uses, buildings are restricted to a base height of 30 feet and a building height of 40 feet; for community facility uses, buildings are restricted to a front wall height of 35 feet and an impenetrable sky exposure plane rising upwards and rearwards at a 45 degree angle from a line 35 feet above the street line; and for commercial uses, buildings are restricted to a height of 30 feet. Accessory off-street parking requirements vary by use; for the use occupying the Development Site, the requirement is one space for each 300 sf of floor area.

The SSBD (designated in 1973) modifies the underlying zoning through a number of provisions within the eight blocks encompassing Area G. First, commercial uses are restricted to those listed in Use Groups 6, 7, 8, 9, and 14. Medical, professional, and other office uses, which include the use to which the Development Site is devoted, are listed in Use Group 6 and are therefore permitted; but other uses otherwise permitted in C2 districts, such as hotels, are not. Second, as noted above, community facility developments or enlargements are restricted to a maximum FAR of 1.25. Third, building height is restricted to 35 feet. Fourth, for any lot fronting on Emmons or Nostrand Avenue, the front of the lot, to a depth of five feet from the street line, must be devoted to a publicly accessible sidewalk extension.

The building that occupies the Development Site does not fully comply with the applicable bulk regulations because it has a FAR of 1.053.

Project Area

The Project Area is zoned R5/C2-2 within the Special Sheepshead Bay District (SSBD). The Project Area is coterminous with Area G of the SSBD.

As is evident from the land use discussion above, the Project Area contains nonconforming uses (such as a hotel) and noncomplying buildings (such as apartment buildings of up to seven stories).

Study Area

The side streets north of the Project Area are divided between an R5 district, mapped to the east of the midpoint between Ford and Coyle Streets, and an R4-1 residential district to the west of that point. The R4-1 district differs from the R5 district principally in that the maximum residential FAR is 0.75 and residential buildings are permitted a maximum perimeter wall height of 25 feet and a maximum building height of 35 feet. The community facility bulk provisions are the same as in R5; but, because this part of the study area is outside the SSBD, the special floor area and height and setback restrictions do not apply. Because a commercial overlay is not mapped within this part of the study area, commercial uses are not permitted.

The block to the east of the Project Area is also outside the SSBD and is mapped R5/C2-2 in its entirety. The block to the west of the Project Area is divided between an R5/C2-2 district within Area F of the SSBD along Emmons Avenue and an R4-1 district further north. The portion of the study area south of Emmons Avenue is mapped with an R5/C2-2 district within Area H of the SSBD.

The principal difference between Areas F, G, and H is that they are subject to different special regulations regarding which commercial uses are permitted. In Area F, only

commercial uses listed in Use Group 6 and those listed in Section 62-211 from Use Groups 6, 7, 9 and 14 shall be allowed within the underlying Commercial Districts. In Area G, only commercial uses listed in Use Groups 6, 7, 8 and 9 and those listed in Section 62-211 from Use Groups 6, 7, 9 and 14 shall be allowed within the underlying Commercial Districts. In Area H, except for uses permitted pursuant to Section 94-063, commercial uses shall be limited to those listed in Section 62-211 from Use Groups 6, 7, 9 and 14 as well as additional uses listed in Section 94-061.

Future Conditions without the Proposed Action

In the absence of the proposed action, no zoning changes are anticipated within the study area.

Future Conditions with the Proposed Action

Proposed Zoning Text Amendment

The proposed zoning text amendment would create a new ZR Section 94-096, which would provide for a special permit available only to zoning lots of at least 10,000 square feet (as of the effective date of the amendment) located in Area G of the SSBD, and applicable only for enlargements of existing buildings, under which the City Planning Commission (CPC) may -

- a. Modify the provisions of Section 94-092, which establish maximum permitted floor area ratios (FARs) of 1.25 for residential or community facility uses and 1.00 for commercial uses, by allowing an FAR of up to 2.00 for commercial use, provided that the resulting enlargement will not impair the character of the surrounding area and will not cause undue congestion on local streets or impair pedestrian circulation;
- b. Modify the provisions of Section 33-431(a), under which commercial uses in an R5 district with a C1 or C2 overlay are restricted to buildings or portions of buildings not exceeding the lesser of 30 feet or two stories in height, to allow commercial uses to occupy a building or portion of a building up to the lesser of 35 feet or three stories in height, provided that the enlargement does not deprive surrounding streets and properties of adequate light and air and does not impede views of Sheepshead Bay; and
- c. Waive or reduce the number of accessory off-street parking spaces required by Section 36-21, provided that the number of spaces is sufficient to meet the parking needs of the use or uses occupying the enlarged building.

The text amendment would also modify ZR Sections 94-064, 94-092, and 94-114 to reflect the new special permit.

The proposed text amendment would have very limited applicability to other sites within Area G. First of all, it would affect zoning regulations applicable to portions of only eight blocks within the city. Even within this very limited area, the new special permit would be available only to zoning lots of at least 10,000 square feet (as of the effective date of the amendment) and would be applicable only for enlargements of existing buildings. Only six lots of that size are located wholly or partly in Area G, and

one of them would not qualify because the portion within the special district measures less than 10,000 square feet. Furthermore, only lots with existing FARs of less than 2.00 could utilize the special permit, and three of the six lots meeting the minimum lot size requirement are overbuilt with FARs exceeding 2.00. Finally, the existing and proposed height limits restrict the availability of the special permit to lots that can accommodate additional commercial floor area within first, second, or third stories under 35 feet in height, and the practicality of doing so is further complicated by the requirement that commercial uses be located in floors below which residences are located. These requirements effectively eliminate one of the two remaining lots of at least 10,000 square feet, which is occupied by a five-story apartment building. More detail about the six lots is provided in Table 4-1. In summary, the proposed project is probably the only project that would ever utilize the proposed special permit.

**Table 4-1
Zoning Lots of at Least 10,000 SF Located Wholly or Partly in Area G of the SSBD**

Property ID (address, block/lot)	Lot Size/ %, sf within SSBD (approximate)	Building Size (zsf)	Description of Existing Development	Existing FAR/Additional FAR, sf permitted
3133-3135 Emmons Ave; Blk 8804, Lot 75 (Development Site)	11,674.2 sf/100% or 11,674.2 sf	12,297 sf	Commercial offices	1.053/+0.947, +11,055 commercial sf permitted (1.25 R/2.0 C allowed)
3221 Emmons Ave; Blk 8808, Lot 59	50,000 sf/75% or 37,500 sf	161,000 sf	172 unit multi- family residential	3.22/no additional permitted (1.25 R/2.0 C allowed)
3205 Emmons Ave; Blk 8807, Lot 125	14,600 sf/100% or 14,600 sf	62,000 sf	57 unit multi- family residential	4.25/no additional permitted (1.25 R/2.0 C allowed)
3165 Emmons Ave; Blk 8805, Lot 7501	29,840 sf/60% or 17,900 sf	51,112 sf	43 unit multi- family residential, commercial	1.71/+0.29, +5,192 commercial sf permitted but unlikely (1.25 R/2.0 C allowed)
2800 Coyle St; Blk 8804, Lot 42	45,190 sf/5% or 2,300 sf	145,000 sf	157 unit multi- family residential	N/A - lot size within SSBD less than 10,000 sf
3003 Emmons Ave; Blk 8796, Lot 65	15,462 sf/80% or 12,400 sf	52,881 sf	Hotel, accessory parking	3.42/no additional permitted (1.25 R/2.0 C allowed)

Even if this were not the case, the implications of the proposed text amendment are modest. It would make available, as a discretionary action, a permit that would increase allowable commercial FAR by up to 1.0 (and only if the CPC determines that the resulting enlargement will not impair the character of the surrounding area and will not cause undue congestion on local streets or impair pedestrian circulation), increase

allowable building height by up to five feet, and waive the requirement to provide accessory off-street parking spaces that the CPC determines would exceed the number needed to meet the needs of the building's users. This would not impair the ability of the Zoning Resolution to regulate development in a way that protects health and safety and the overall wellbeing of the community or the ability of the SSBD provisions to preserve the special character of the Sheepshead Bay neighborhood.

For these reasons, the proposed zoning text amendment would not have a significant adverse zoning impact.

Special Permit for the Proposed Project

The proposed action also includes the granting of the proposed Section 94-096 special permit to the Applicant to facilitate the proposed project. This could happen only if the CPC makes the required findings.

The proposed project would allow Prime Home Health Services to expand its operations, but those operations are the provision of care to homebound clients throughout the city, an activity that occurs offsite. The proposed project is expected to have only a negligible effect on the nature or intensity of the activity onsite or the daily number of workers or visitors arriving at and leaving the site, so it would not impair the character of the area or cause undue congestion. The new third floor roof level would be at approximately the same height as buildings adjacent to the Development Site, and the third floor would be recessed from three of the site's four lot lines and would cover only 32 percent of the second floor roof. The project would not deprive the site's neighbors of light and air. The building occupies a midblock site that is not within any existing view corridor. The number of accessory off-street parking spaces would continue to exceed the number actually used by Prime Home Health Services' employees and visitors. The proposed project would satisfy the required findings and would not cause a significant adverse zoning impact.

Public Policy (Waterfront Revitalization Program)

As is noted above in the introduction to this section, the only public policy consideration pertinent to the proposed action is its consistency with the Waterfront Revitalization Program (WRP) policies (WRP #13-024). The Project Area is within the Coastal Zone, but it is actually more than a block inland, without waterfront access, so only three of the ten WRP policies are relevant to the proposed action.

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

Neither the Development Site nor any other part of the Project Area is within a Special Natural Waterfront Area or Significant Maritime and Industrial Area. The Project Area is in a well developed area devoid of natural features. The Development Site is currently underutilized. The Development Site is already developed with a commercial office building, and it is proximate to numerous other residential and commercial uses and in an area where public facilities and infrastructure are adequate. The proposed action is therefore consistent with Policy 1.1.

2. 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? (Policy 3)

The Project Area is within the Sheepshead Bay neighborhood, but it is physically well separated from the waterfront and cannot support water-dependent uses. Moreover, the Project Area is located not just inland but also several blocks to the east of the Sheepshead Bay piers. The proposed action is therefore consistent with Policy 3.

3. Would the action result in any activities within a federally designated flood hazard area or state-designated erosion hazards area? (Policy 6)

The Development Site is located within the Coastal Zone and within Flood Zone AE, with a Base Flood Elevation (BFE) of 11 above the NAVD, or 3' 8" above the grade of the site. According to the Department of Buildings, Appendix G, Table 5-1, the Flood Resistant Construction Elevation (FRCE) is 4' 8", which becomes the base plane as per zoning, the point above grade upon which a building can be measured from its base to its peak of the proposed height of 34' 8".

As part of the renovation, the Applicant would undertake dry flood proofing measures on the lower level to ensure compliance with the zoning text and Building Code resiliency standards. Since the first floor is currently above the BFE, only the cellar level requires compliance with Appendix G. The Applicant would locate all mechanicals and electrical equipment on the first floor and higher, which is above the FRCE. Other measures to dry flood proof the building on the cellar level include a proposed aluminum panel FRCE compliant gate at the garage level that would prevent water from entering through the garage door. In the event of a storm, flood resistant aluminum panels would be placed in front of the two exit doors at the cellar level below the BFE. The proposed action is therefore consistent with Policy 6.

In summary, the proposed action would be consistent with all applicable WRP policies, and a significant adverse impact regarding public policy is not anticipated.

For Internal Use Only:
Date Received: _____

WRP no. 13-024; Supp - 2 ff 10/21/14
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: STGG Realty LLC (represented by Hiram A. Rothkrug of EPDSCO)
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: STGG Realty LLC

B. PROPOSED ACTIVITY

1. Brief description of activity:
Enlargement of an existing office building with one full story, a partial second floor, and a cellar. The partial second floor would be enlarged to become a full floor, increasing in floor area from the current 2,477 sf to 10,191 sf, and a 3,307 sf partial third floor would be constructed. The addition would increase the building's floor area by 11,051 gsf, from the current 22,669 gsf to 33,720 gsf, and by 11,051 zsf, from the current 12,297 zsf to 23,348 zsf. The building's base height would increase by 10 feet, from the 15' height of the first story to the 25' height of the second story, and the building height would increase by 9'8", from 25' to 34'8", which would be the height of the partial, recessed third story.
2. Purpose of activity:
The existing building on the Development Site contains the administrative office headquarters of the tenant, Prime Home Health Services. Continuing increases in the elderly population have led to a growing need for home care services. The Applicant seeks to enlarge the existing facility to accommodate the growth of the company and to provide support for home health and casework management.
3. Location of activity: (street address/borough or site description):
3133-3135 Emmons Avenue in Brooklyn (Brooklyn Block 8804, Lot 75)

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:

N/A

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

No

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

Yes _____ No ✓ If yes, identify Lead Agency:

An environmental assessment statement has been prepared, with the City Planning Commission as lead agency.

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

Zoning text amendment and granting of a zoning special permit

C. COASTAL ASSESSMENT

Location Questions:

	Yes	No
1. Is the project site on the waterfront or at the water's edge?	_____	<u>✓</u>
2. Does the proposed project require a waterfront site?	_____	<u>✓</u>
3. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters?	_____	<u>✓</u>

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)	_____	<u>✓</u>
5. Is the project site appropriate for residential or commercial redevelopment? (1.1)	<u>✓</u>	_____
6. Will the action result in a change in scale or character of a neighborhood? (1.2)	_____	<u>✓</u>

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, Director, EPDSCO

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

Telephone 718-343-0026

Applicant/Agent Signature: _____ Date: 9/18/15



10. URBAN DESIGN AND VISUAL RESOURCES

Introduction

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.

A preliminary urban design and visual resources assessment is required because the proposed action would include the granting of a zoning special permit that would facilitate a vertical enlargement of the building on the Development Site that would not be feasible under the otherwise applicable bulk regulations. The addition would increase the building's floor area by 11,051 gsf, from the current 22,669 gsf to 33,720 gsf, and by 11,051 zsf, from the current 12,297 zsf to 23,348 zsf. The FAR would increase from the current 1.05 to 2.00. The addition would increase the building's base height by 10 feet, from the 15' height of the first story to the 25' height of the second story, and would increase the maximum building height would by 9'8", from 25' to 34'8", which would be the height of the partial, recessed third story.

Pedestrian Wind Conditions

The 2014 *CEQR Technical Manual* calls for a separate preliminary assessment to determine whether an analysis of pedestrian wind conditions is appropriate, since the construction of large buildings at locations that experience high wind conditions may result in channelization or downwash effects that could affect pedestrian safety.

The proposed zoning text amendment would provide for an increase, by CPC special permit, in the permitted maximum commercial building height of five feet, to 35 feet, which is the same as regulations now permit for residential or community facility buildings. A 35-foot tall building would not be expected to have a significant effect on pedestrian wind conditions. In the case of the proposed project, an existing building would be vertically enlarged so that the street wall height would be 25' (the same as that of the building's neighbor to the west) and a new partial third floor, recessed from the front lot line, would have a height of 34'8" (8 inches taller than the street wall of the building's neighbor to the east). The building spans the full width of its midblock site, without leaving a street wall gap that could channel wind. The proposed enlargement is designed so as not to impair the character of the surrounding area or its future development.

For these reasons, the proposed action would not have a significant adverse impact on pedestrian wind conditions, and a detailed wind conditions assessment is not required.

Existing Conditions

Urban Design

The Project Area is located along the north side of Emmons Avenue within the Sheepshead Bay neighborhood of southern Brooklyn, extending eight blocks from Nostrand Avenue on the west to Knapp Street on the east. It is located along a section of Emmons Avenue that is much different from the better known section to the west, where the avenue abuts the waterfront and is characterized by piers and a waterfront esplanade along its south side and restaurants and other activity generating commercial uses along the north side. The Project Area, in contrast, contains an irregular mix of residential and commercial uses, with the commercial uses as likely to be professional offices or adult day care or convenience stores as restaurants, and the Sheepshead Bay waterfront is approximately 300 feet south of Emmons Avenue.

Topographically, the Project Area and the adjacent side streets to the north are essentially flat.

Emmons Avenue is a broad thoroughfare, with two moving traffic lanes in either direction and two rows of parking in the middle. The side streets that intersect it are narrow. Only two of the streets – Bragg Street and Brigham Street – continue southward beyond Emmons Avenue. (See the aerial photograph in Figure 10-1.)

The Project Area is part of a fully developed urban neighborhood, with very few gaps in the streetscape. The Project Area contains only one small vacant lot. As in most older neighborhoods in New York, buildings are arranged linearly along blockfronts. Otherwise, there is little overall consistency to the development pattern in the area. Building types and uses, building footprint dimensions, and building heights all vary substantially. The area includes five- to seven-story apartment buildings, three- and four-story townhouses, small office buildings, two- and three-story detached homes, single-story commercial and garage buildings, and one-story bungalow style homes. Design styles and façade materials also differ widely. In large part, the pattern reflects the area's development history, which appears to have occurred in waves: wooden bungalows along the side streets and small commercial and mixed use buildings in the early twentieth century, brick apartment buildings in the mid twentieth century, and attached and semi-detached townhouses in the late twentieth and early twenty-first centuries.

In general, smaller lots and buildings prevail in the western part of the area, and larger lots and buildings prevail in the east. On the three most easterly blocks, between Knapp Street and Coyle Street, a total of five buildings occupy the Emmons Avenue blockfronts: three six- and seven-story apartment buildings 60 to 62 feet in height, a five-story apartment building 45 feet in height, and a three-story, 35-foot-tall building. A three-story, 34-foot-tall townhouse occupies the northwest corner of Coyle Street. Next to it is the Development Site, which occupies the midblock between Coyle and Ford Streets. A low-rise office building, with a one-story, 15-foot-tall street wall and an unadorned façade consisting of brown brick surrounding a ribbon of windows, occupies the entire site with the exception of a setback of about five feet from the street line to accommodate a handicapped access ramp and a planting strip. A partial second floor,

recessed from the front, rear, and eastern edges of the building, raises the building height to 25 feet. Next to it, at the corner of Ford Street, is a two-story, 25-foot-tall building with a residential unit above a convenience store. Four attached four-story townhouses, 35 feet tall, occupy the eastern half of the Emmons Avenue block between Ford and Batchelder Streets and the adjacent portion of the Ford Street blockfront. West of that point, the Emmons Avenue frontage is lined mostly with smaller, narrower buildings of one to three stories. Only one taller building, a four-story hotel, is located along Emmons Avenue in the western half of the Project Area. On the side streets north of Emmons Avenue, mostly outside the Project Area, small, densely packed one-story bungalows predominate on the western blocks, between Nostrand Avenue and Batchelder Street, whereas residential buildings of three to seven stories occupy the more easterly blocks.

Although the zoning regulations applicable to the Project Area (Area G of the Special Sheepshead Bay District (SSBD) establish a maximum permitted FAR of 1.25 (1.00 for commercial use) and a maximum building height of 35 feet (30 feet for commercial use), many of the buildings along Emmons Avenue predate the current zoning, and there is considerable noncompliance. Actual FARs range from 0.7 to 4.79, and actual building heights range from 12 to 15 feet in the case of bungalows to 60 and 62 feet in the case of the apartment buildings in the eastern part of the Project Area.

Visual Resources

The one important visual resource in the vicinity of the Project Area is Sheepshead Bay. For various reasons, however – because the shore is approximately 300 feet south of Emmons Avenue, because of the fairly dense and tall development along the south side of Emmons Avenue, because of the paucity in the number of public streets that continue past Emmons Avenue to the shore, and because of uninterrupted street walls along the streets that do continue to the Bayfront – views of the bay are almost nonexistent.

Future Conditions without the Proposed Action

In the absence of the proposed action, no changes that would affect urban design and visual resources are anticipated by the 2017 build year.

Future Conditions with the Proposed Action

The proposed action would include a zoning text amendment that would create a new special permit available only to zoning lots of at least 10,000 square feet (as of the effective date of the amendment) located in Area G of the SSBD, and applicable only for enlargements of existing buildings, under which the City Planning Commission (CPC) may –

- a. Modify the applicable floor area provisions, which establish maximum permitted FARs of 1.25 for residential or community facility uses and 1.00 for commercial uses, by allowing an FAR of up to 2.00 for commercial use, provided that the resulting enlargement will not impair the character of the surrounding area and will not cause undue congestion on local streets or impair pedestrian circulation;
- b. Modify the applicable height and setback provisions, under which commercial uses are restricted to buildings or portions of buildings not exceeding the lesser

of 30 feet or two stories in height, to allow commercial uses to occupy a building or portion of a building up to the lesser of 35 feet or three stories in height, provided that the enlargement does not deprive surrounding streets and properties of adequate light and air and does not impede views of Sheephead Bay; and

- c. Waive or reduce the required number of accessory off-street parking spaces, provided that the number of spaces is sufficient to meet the parking needs of the use or uses occupying the enlarged building.

Because the Development Site is the only lot in Area G that satisfies the minimum lot size requirement, is not already developed at an FAR of 2.00 or more, and can accommodate additional commercial floor area below a height of 35 feet, the proposed project is expected to be the only project that would result from the proposed zoning text amendment.

If the proposed action is taken, the Applicant would enlarge the existing building on the Development Site per the provisions of the new special permit. The partial second floor would be enlarged to become a full floor, covering the entire first floor except for an eight-foot setback along the rear lot line. The floor area of the second floor would increase from the current 2,447 sf to 10,191 sf. Also, a 3,307 sf partial third floor would be constructed. The partial third floor would rise atop 32 percent of the second floor roof and would be set back from the front, eastern, and rear edges of the second floor. The addition would increase the building’s floor area by 11,051 gsf, from the current 22,669 gf to 33,720 gsf, and by 11,051 zsf, from the current 12,297 zsf to 23,348 zsf. The FAR would increase from the current 1.05 to 2.00. The building’s street wall height would increase by 10 feet, from the 15’ height of the first story to the 25’ height of the second story, and the building height would increase by 9’8”, from 25’ to 34’8”, which would be the height of the partial, recessed third story.

Table 10-1 compares the Development Site characteristics under existing, future no-action, and future with-action conditions.

**Table 10-1
Comparison of Existing, No-Action, and With-Action Conditions**

Item	Existing Conditions	No-Action Conditions	With-Action Conditions
Development Scenario	Two-story office building	Two-story office building	Three-story office building
Gross/(Net) Bldg. Floor Area	22,669 gsf/ (12,297 zsf, 1.05 FAR)	22,669 gsf/(12,297 zsf, 1.05 FAR)	33,720 gsf/(23,348 zsf, 2.00 FAR)
Lot Coverage	10,977 sf (94%)	10,977 sf (94%)	10,977 sf (94%)
Building Height/ Street Wall Height	25’/15’	25’/15’	34’8”/25’

With the enlargement, the building’s street wall would align with that of the two-story, 25-foot-tall building to its west and would still be shorter than that of the three-story building to its west. The recessed third floor would rise 9’8” above the rooftop of the adjacent building to the west and would essentially match the height of the adjacent

building to its east. These three buildings comprise the northern Emmons Avenue blockfront between Coyle and Ford Streets. The Development Site building's added height would not adversely affect the appearance of the blockfront or the experience of a pedestrian walking along this part of Emmons Avenue.

The streetscape diagram in Figure 10-2 shows how the new street wall and building heights would fit within the overall Emmons Avenue streetscape in the Project Area. Even with the proposed enlargement, the Development Site building would have one of the lowest Emmons Avenue street walls in the eastern half of the Project Area. Its maximum height of 34'8" would be approximately the same as that of the townhouses on the eastern half of the block between Ford and Batchelder Streets, and all buildings on the three Project Area blockfronts to the east of Coyle Street would be as tall as or taller than the enlarged Development Site building. The proposed project would not alter the scale of development in the Project Area. See Figure 10-3 which provides photographs of the existing site and context compared to views of the site with the proposed project.

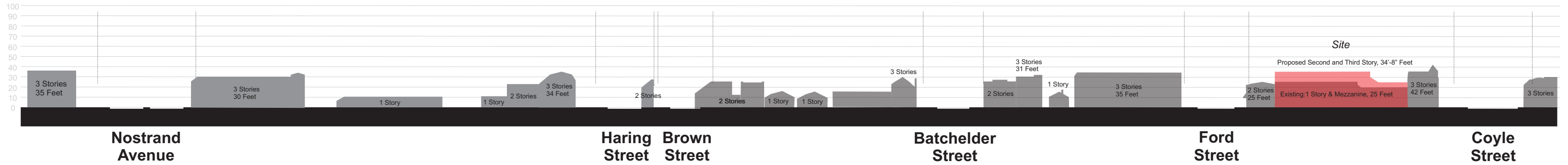
Because of the Development Site's midblock location, the enlarged building would not block any view corridors.

In summary, the proposed action would not result in a significant adverse impact to urban design or visual resources.

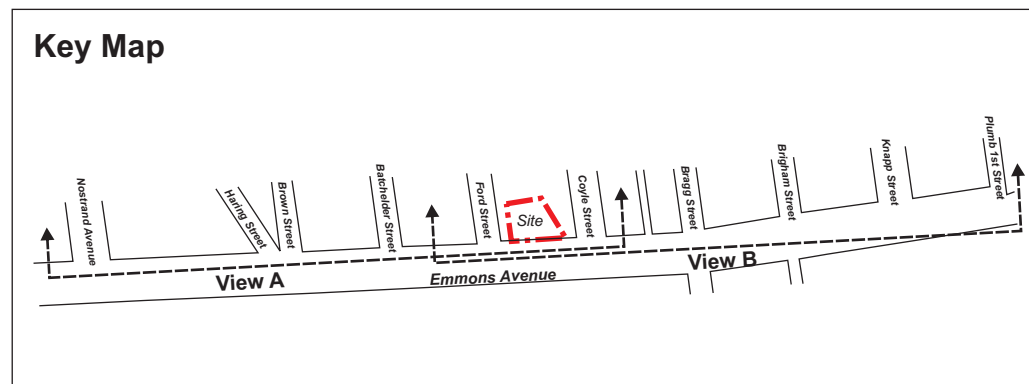
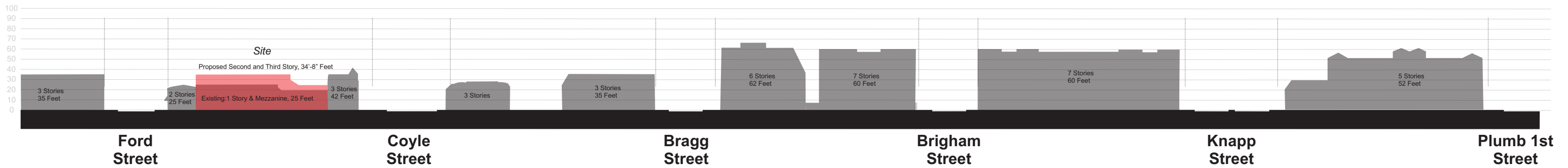


Figure 10-2 | Streetscape Diagram

Emmons Avenue, West of the Site (View A)



Emmons Avenue, East of the Site (View B)



Emmons Avenue facing east toward the Site



Existing Site and Context

Emmons Avenue facing east toward the Site



Proposed Project

Emmons Avenue facing west toward the Site



Existing Site and Context

Emmons Avenue facing west toward the Site



Proposed Project

Figure 10-3a - Easterly View From Emmons Avenue

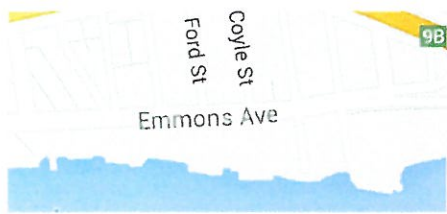
Google Maps Emmons Ave



Image capture: Jan 2013 © 2015 Google

New York

Street View - Jan 2013



17. AIR QUALITY

Introduction

Ambient air quality, or the quality of the surrounding air, may be affected by air pollutants produced by motor vehicles, referred to as "mobile sources;" or by fixed facilities, usually referenced as "stationary sources," or by a combination of both. This section assesses the potential for the proposed action to result in significant mobile source air quality impacts by increasing traffic on nearby streets, and it assesses the action's potential to result in significant adverse stationary source air quality impacts because of exhaust vented from the new buildings' heating, ventilation, and air conditioning (HVAC) systems.

Mobile Source Emissions

The anticipated action-induced development is below the CEQR threshold for a traffic impact assessment (that is, 170 vehicle trips during any one peak hour). It can therefore be assumed that the additional traffic volumes would be too low to cause a significant mobile source air quality impact.

Stationary Source Emissions

Project-Generated Emissions

The 2014 *CEQR Technical Manual* states that the potential for stationary source emissions from heat and hot water systems to have a significant adverse impact on nearby receptors depends on the type of fuel that would be used, the height of the stack venting the emissions, the distance to the nearest building whose height is at least as great as the venting stack height, and the square footage of the development that would be served by the system. The 2014 *CEQR Technical Manual* provides a screening analysis based on these factors, which was utilized to determine the potential for significant impacts from the proposed building's system.

The enlarged building on the Development Site (Block 8804, Lot 75) would contain 33,720 square feet of floor area. It would have a rooftop height of 34'8". The exhaust stack would vent at least three feet above the building's roof. The top of the stack would thus be at a height of about 38 feet. Heat and hot water for the building would be generated by a natural gas fueled system.

The building of equal or greater height that would be closest to the new third floor is the three-story building at 2844 Coyle Street Block 8804, Lot 7501) to the east. At the closest point, the nearest edge of the Development Site building's partial third story would be 30 feet from the nearest wall of that building.

The attached stationary source screen that appears as Figure 17-8 (NO₂ Boiler Screen - Commercial and Other Non-Residential Development - Natural Gas) in the 2014 *CEQR Technical Manual Appendix* was used for the analysis. The 33,720 gsf building was plotted on this graph. As Figure 17-8 shows, exhaust from a building of that size would not have a significant stationary source air quality impact relative to residents in a building approximately 40 feet from the exhaust stack location.

An E designation needs to be placed on the Development Site in order to avoid stationary source air quality impacts from the proposed project on the nearby structure. The language for the E designation is presented below.

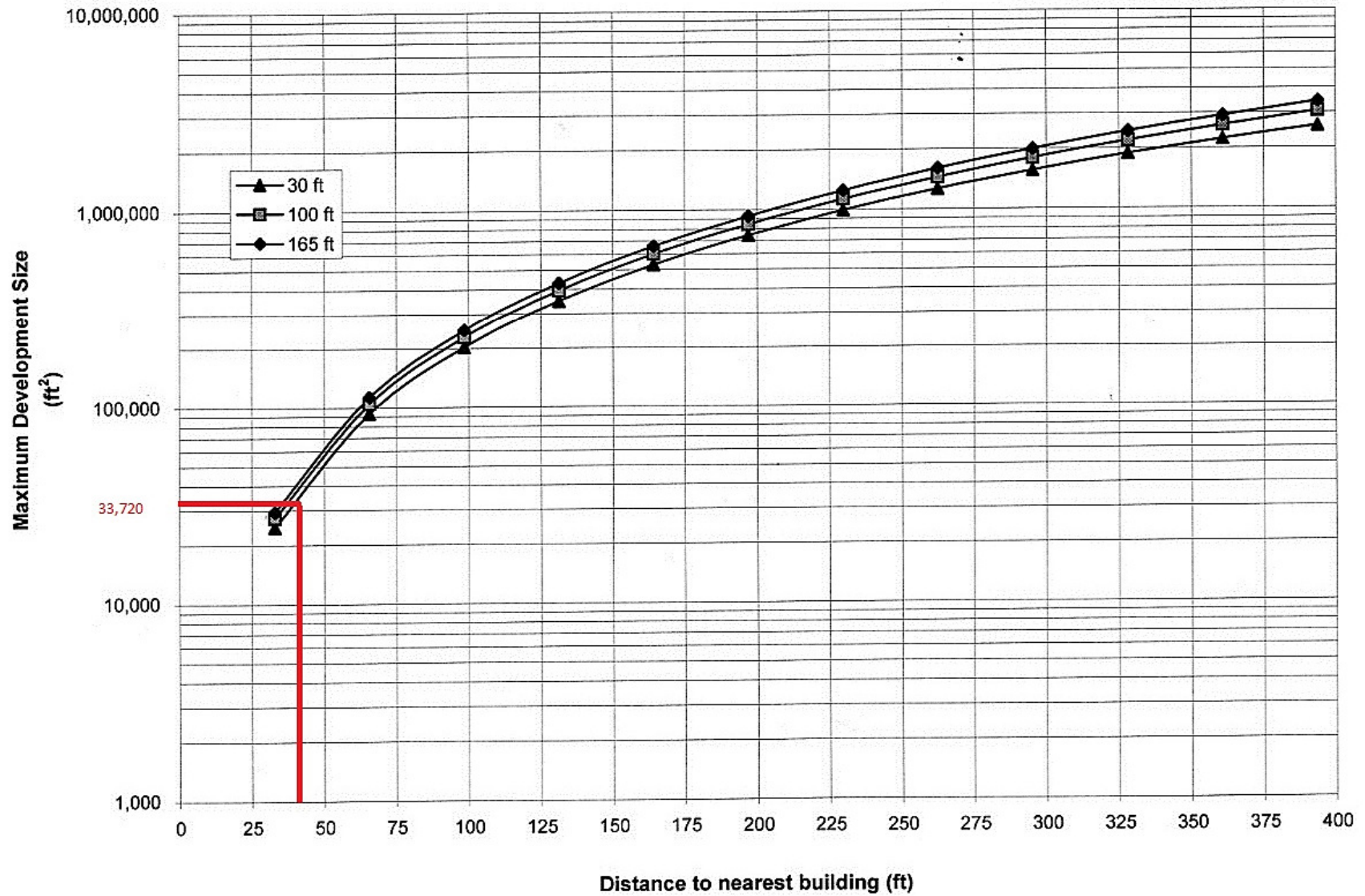
Block 8804, Lot 75:

Any new commercial development on the above-referenced property must ensure that the heating, ventilating, and air conditioning stack(s) are located at least 40 feet from the lot line facing Coyle Street and Shore Parkway and the building must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Conclusion

With the implementation of the above noted E designation, a significant adverse air quality impact from the project would not be anticipated.

FIG App 17-8
NO₂ BOILER SCREEN
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT - NATURAL GAS



19. NOISE

Introduction

Two types of potential noise impacts are considered under CEQR. These are potential mobile source and stationary source noise impacts. Mobile source impacts are those which could result from a proposed project adding a substantial amount of traffic to an area. Potential stationary source noise impacts are considered when a proposed action would cause a stationary noise source to be operating within 1,500 feet of a receptor, with a direct line of sight to that receptor, if the project would include unenclosed mechanical equipment for building ventilation purposes, or if the project would introduce receptors into an area with high ambient noise levels.

Mobile Source

Relative to mobile source impacts, a noise analysis would only be required if a proposed project would at least double existing passenger car equivalent (PCE) traffic volumes along a street on which a sensitive noise receptor (such as a residence, a park, a school, etc.) was located. Residential uses are located along Emmons Avenue which provides vehicular access to the Development Site. Traffic generated by the project along Emmons Avenue would therefore be of concern relative to mobile source noise impacts.

The proposed increase in the subject building's floor area of 11,051 gsf would not be anticipated to double PCE volumes along the relatively heavily trafficked Emmons Avenue. There would be an increase in vehicular traffic along Emmons Avenue resulting from the proposed development, but this increment would be a small portion of total traffic volumes. It should be noted that there would be a minimal, if any, increase in workers on the site as a result of the proposed building enlargement. It is conservatively estimated that one worker per thousand square feet of additional floor area would be generated by the project resulting in a maximum of 11 new workers. There would be no increase in the average number of daily visitors who are not employees. In addition to the residential uses located along Emmons Avenue, numerous commercial retail and restaurant uses are located along this street in the vicinity of the subject site generating substantial traffic volumes from their patrons and employees. PCE values along Emmons Avenue would not be doubled by the increase in peak hour vehicle trips generated by the proposed action, and a detailed mobile source analysis is therefore not warranted.

No significant adverse mobile source noise impacts would be generated by the project.

Stationary Source

The project would not locate a receptor within 1,500 feet of a substantial stationary source noise generator. In addition, the subject building does not now and would not in the future include any unenclosed mechanical equipment for building ventilation purposes. All mechanical equipment is now and would continue to be located either inside the building or enclosed on the roof of the structure. The facility does not now and would not in the future include any active outdoor recreational space that could result in stationary source noise impacts to the surrounding area. The project, being a commercial office use, is not a sensitive receptor for noise analysis purposes.

Therefore, the proposed project would not result in potential stationary source noise impacts to any other buildings in the vicinity of the project site.

Conclusions

A detailed noise analysis is not required for the proposed action as the action would not introduce significant mobile or stationary source noise into the surrounding area. The development would not have any potentially significant adverse mobile or stationary source noise impacts, and further assessment is not warranted.

APPENDIX

**PROPOSED SPECIAL PERMIT TO MODIFY LOCATION OF USES AND PARKING
IN THE SPECIAL SHEEPSHEAD BAY DISTRICT**

August 19, 2015

Matter underlined is new, to be added;

Matter within # # is defined in Section 12-10;

Matter in ~~strikeout~~ is old, to be deleted;

* * * indicates where unchanged text appears in the Zoning Resolution

ARTICLE IX – Special Purpose Districts

Chapter 4 – Special Sheepshead Bay District

* * *

94-064

Supplementary use regulations

The provisions of Article VII, Chapter 3 (Special Permits by the Board of Standards and Appeals), Sections 73-10 through 73-52, relating to modifications of #use#, shall not apply in the Special District, except that Section 73-36 (Physical Culture or Health Establishments) shall be applicable.

* * *

94-09

Special Bulk Regulations

* * *

94-092

Maximum floor area ratio

The permitted basic #floor area ratio# for #residential# or #community facility use# is 1.25 and for #commercial use# is 1.00. The permitted basic #floor area ratio# may be increased on any #zoning lot# by the amount set forth in Section 94-08 (Special Floor Area Bonus Provisions), or through transfer provisions pursuant to Section 94-094 (Authorization provisions for transfer of development rights to receiving lots) or by special permit pursuant to Section 94-096 (Special permit for floor area, location within buildings, building height and related parking modifications within Area G).

* * *

94-096

Special permit for floor area, location within buildings, building height and related parking modifications within Area G

For #enlargements# to #buildings# in Area G, on #zoning lots# with a #lot area# of at least 10,000 square feet and existing on (effective date of amendment), the City Planning Commission may:

- (a) modify the provisions of Section 94-092 (Maximum floor area ratio) to increase the permitted #floor area ratio# for #commercial use# to 2.0 provided that such #enlargement#:
 - (1) is designed so as not to impair the character of the surrounding area or its future development; and
 - (2) will not cause undue congestion on local #streets# or impair pedestrian circulation;
- (b) modify the height provisions of paragraph (a) of Section 33-431 (In C1 or C2 Districts with bulk governed by surrounding Residence District) relating to the requirements in Section 32-42 for location of #uses# within #buildings#, to allow a #commercial building# or portion thereof to exceed 30 feet in height or two #stories#, provided that such #building# shall not exceed a maximum height of 35 feet or three #stories#, whichever is less; and provided that the distribution of the #bulk# permits adequate access of light and air to surrounding #streets# and properties, and does not impair the view of the Bay; and
- (c) waive or reduce the number of #accessory# off-street parking spaces required by Section 36-21 (General Provisions) for such #use#, provided that the applicant has demonstrated that the number of #accessory# off-street parking spaces supplied is sufficient to meet the parking needs of such #use#.

The City Planning Commission may prescribe appropriate additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

* * *

94-11

Special Parking Provisions

* * *

94-114

Exceptions to application of waiver provisions and applicability of special permits related to parking

In areas A, B, C, D, E and F, the provisions of Section 36-23 (Waiver of Requirements for Spaces below Minimum Number) do not apply.

The provisions relating to modifications of #parking# requirements of Article VII, Chapter 3 (Special Permits by the Board of Standards and Appeals) in Sections 73-10 through 73-52, shall not apply in the Special District.

-End Text-

EXISTING TEXT OF THE ZONING RESOLUTION

ARTICLE IX, CHAPTER 4 Special Sheepshead Bay District

* * *

94-064 Supplementary use regulations

The provisions of Article VII, Chapter 3 (Special Permits by the Board of Standards and Appeals), Sections 73-10 through 73-52, shall not apply in the Special District, except that Section 73-36 (Physical Culture or Health Establishments) shall be applicable.

* * *

94-09 Special Bulk Regulations

* * *

94-092 Maximum floor area ratio

The permitted basic #floor area ratio# for #residential# or #community facility use# is 1.25 and for #commercial use# is 1.00. The permitted basic #floor area ratio# may be increased on any #zoning lot# by the amount set forth in Section 94-08 (Special Floor Area Bonus Provisions) or through transfer provisions pursuant to Section 94-094 (Authorization provisions for transfer of development rights to receiving lots).

In Areas A, E and F, the maximum #floor area ratio# for any #residential# or #community facility use# on a #zoning lot# shall in no event be more than 2.00 and for #commercial use# be no more than 1.00.

In Area C, the maximum #floor area ratio# for any #residential# or #community facility use# on a #zoning lot# shall in no event be more than 1.25 and for #commercial use# be more than 1.50. The maximum #floor area# in a #mixed building# within the Special District shall be the maximum #floor area# permitted for either the #residential# portion, the #community facility# portion or the #commercial# portion of such a #building#, whichever permits the greatest amount of #floor area#.

* * *

94-11 Special Parking Provisions

* * *

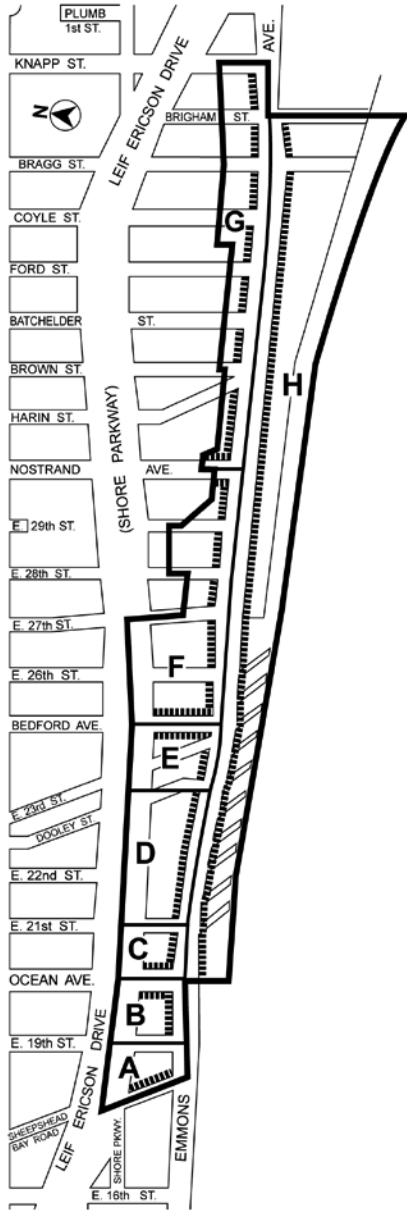
94-114 Exception to application of waiver provisions

In areas A, B, C, D, E and F, the provisions of Section 36-23 (Waiver of Requirements for Spaces below Minimum Number) do not apply.

-End Text-

(4/30/08)

Appendix A Special Sheepshead Bay District Map (94A)



— Special Sheepshead Bay District
— Area Boundary

MANDATORY PROVISIONS

Front Setback

Special Plaza Provisions— Areas A, C, and E