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

1220 Avenue P Rezoning

1220 Avenue P
Brooklyn, NY

CEQR No.: 17DCP204K

Prepared for:
Omni Enterprises, LLC
1220 Avenue P
Brooklyn, NY 11229

Prepared by:
AECOM USA, Inc.
125 Broad Street
New York, NY 10004

AECOM Project No. 60438126

September **1, 2017**

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

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

Part I: GENERAL INFORMATION

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

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

2. *Project Name* 1220 Avenue P Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
17DCP204K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
170390 ZMK and N170391 ZRK	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
New York City Department of City Planning			Omni Enterprises, LLC		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Robert Dobruskin			Frank St. Jacques, Sheldon Lobel, PC		
ADDRESS 120 Broadway			ADDRESS 18 East 41st Street		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10017
TELEPHONE (212) 720-3423	EMAIL rdobrus@planning.nyc.gov		TELEPHONE (212) 725-2727	EMAIL fstjacques@sheldonlobelpc.com	

5. *Project Description*

The Applicant, Omni Enterprises LLC, seeks a zoning map amendment to rezone portions of two blocks along Avenue P from R5B to an R7A zoning district within in the Homecrest neighborhood in Brooklyn, Community District 15. In addition, because the proposed zoning map amendment would permit additional residential floor area, the applicant seeks a zoning text amendment to designate the Project Area as a Mandatory Inclusionary Housing ("MIH") Area. The proposed actions would facilitate an enlargement to the NYU Langone Levit Medical Center. The Medical Center is an existing five-story, 19,536 square foot community facility located at 1220 Avenue P (Block 6775, Lot 9). The proposed development is a new five-story, approximately 14,880 square foot enlargement to the Medical Center. The enlargement would be located immediately south of the Medical Center (Block 6775, lots 12, 13, 75). The proposed enlargement would result in a 34,416 square foot Medical Center.

Project Location

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

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

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R5B | ZONING SECTIONAL MAP NUMBER 22D

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

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

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☒ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

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

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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

☐ VARIANCE (use)

☐ VARIANCE (bulk)

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

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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

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

☐ LEGISLATION

☐ RULEMAKING

☐ CONSTRUCTION OF PUBLIC FACILITIES

☐ 384(b)(4) APPROVAL

☐ OTHER, explain:

☐ FUNDING OF CONSTRUCTION, specify:

☐ POLICY OR PLAN, specify:

☐ FUNDING OF PROGRAMS, specify:

☐ PERMITS, specify:

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

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)

☐ LANDMARKS PRESERVATION COMMISSION APPROVAL

☐ OTHER, explain:

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

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

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

☒ SITE LOCATION MAP ☒ 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.): Approx. 38,000 (rezoning area)

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

Roads, buildings, and other paved surfaces (sq. ft.): Approx. 38,000

Other, describe (sq. ft.): N/A

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

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 79,200

24,000 (Applicant); 55,200 (Projected development)

NUMBER OF BUILDINGS: 2

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 48,000 (Block 6775, Lots 9, 12, 13, 74 and 75); 46,000 (Block 6774, Lots 6, 7 and 9)

HEIGHT OF EACH BUILDING (ft.): Appx. 80 feet

NUMBER OF STORIES OF EACH BUILDING: Approx. 10

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

If "yes," specify: The total square feet owned or controlled by the applicant: 10,000

The total square feet non-applicant owned area: 28,000

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

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

AREA OF TEMPORARY DISTURBANCE: TBD sq. ft. (width x length)

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

AREA OF PERMANENT DISTURBANCE: TBD 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.)	45,000	0	49,000	0
Type (*e.g.,* retail, office, school)	50 units		UG 4 medical office	

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

If "yes," please specify:

NUMBER OF ADDITIONAL RESIDENTS: Approx 135

NUMBER OF ADDITIONAL WORKERS: Approx 45

Provide a brief explanation of how these numbers were determined: Residents based on average household size (2.65) in proximate census tracts for the incremental dwelling unit count (50); 3 employees per 1,000 sf of community facility, based on

incremental floor area

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): 2020

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 16-20

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: institutional use

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

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☐	☒
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **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)	☐	☒
○ **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)	☐	☒
○ **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)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☐
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒
5. *SHADOWS*: CEQR Technical Manual Chapter 8		

	YES	NO
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☒	☐
○ If "yes," complete the Jamaica Bay Watershed Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) 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?	☐	☒
(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)?	☐	☒
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(e) Would the project result in development 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)?	☐	☒
(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?	☐	☒
(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?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☐	☒
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒

	YES	NO
(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?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 936		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 6,016,800 MBtu's		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☐	☒
(b) Would the proposed project introduce new or additional receptors (see Section 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?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒

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

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	DATE
Max Meltzer	09/01/17

SIGNATURE 

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

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

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

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

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

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

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

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

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

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

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

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

TITLE	LEAD AGENCY
Deputy Director, EARD	NYC Department of City Planning
NAME	DATE
Olga Abinader	September 1, 2017

SIGNATURE

AECOM Environment

Prepared for:
Omni Enterprises LLC
1220 Avenue P
Brooklyn, NY 11229

Prepared by:
AECOM
125 Broad Street
New York, NY 10004

1220 Avenue P Rezoning

Supplemental Studies to the Environmental Assessment Statement

September 1st, 2017

Proposed Development Site:

1220 Avenue P
Brooklyn, NY 11229

Prepared for:

Omni Enterprises, LLC
1220 Avenue P
Brooklyn, NY 11229

Prepared by:

AECOM
125 Broad Street
New York, NY 10004

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Appendices

1.0 PROPOSED ACTION

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

The proposed actions would facilitate the enlargement of the NYU Langone Levit Medical Center - Midwood (the "Medical Center"). The Medical Center is an existing five-story, 19,536 zoning square foot (zsf) (22,000 gsf) Use Group (UG) 4 community facility located at 1220 Avenue P on Block 6775, Lot 9. The proposed development entails the construction of a new five-story, approximately 14,880 sf enlargement to the Medical Center. The enlargement will be located immediately south of the Medical Center on Block 6775, Lots 12, 13, and 75 (together with Lot 9, the "Development Site"). The proposed development will result in an enlarged Medical Center building containing 34,416 zsf of floor area and a floor area ratio ("FAR") of 3.44, which is permitted in an R7A district.

1.1 Project Location

The Project Area is located in the Midwood neighborhood of Brooklyn's Community District 15 (**Figure 1**) and encompasses a portion of Brooklyn Block 6774 (Lots 6, 7 and 9) and Block 6775 (Lots 1, 5, 9, 12, 13, 74 and 75). The Development Site consists of five contiguous tax lots (Block 6775, Lots 9, 12, 13, 74 and 75) that are proposed to be developed as a single zoning lot with an area of 10,000 sf (**Figure 2**). The proposed five-story enlargement would be constructed on Lot 12, which is presently unimproved, and on Lot 13, which contains a two-story building controlled by the Applicant, which would be demolished. Lot 75, which is also controlled by the Applicant, contains a vacant two-story building that would be demolished to provide six accessory parking spaces for users of the proposed building. A key to photographs of the site and surrounding area is shown in **Figure 3** with the photographs displayed in **Figure 4**.

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

1.2 Required Approvals

The proposed zoning map amendment is a discretionary public action which is subject to the City Environmental Quality Review (CEQR) as an Unlisted Action. Through CEQR, agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment. The proposed zoning map and text amendment are also discretionary public actions which are subject to public comment under the Uniform Land Use Review Procedure (ULURP). The ULURP process was established to assure adequate opportunity for public review of proposed actions. ULURP dictates that every project be presented at four levels: the Community Board; the Borough President; the City Planning Commission; and, in some cases the City Council. The procedures mandate time limits for each stage to ensure a maximum review period of seven months.

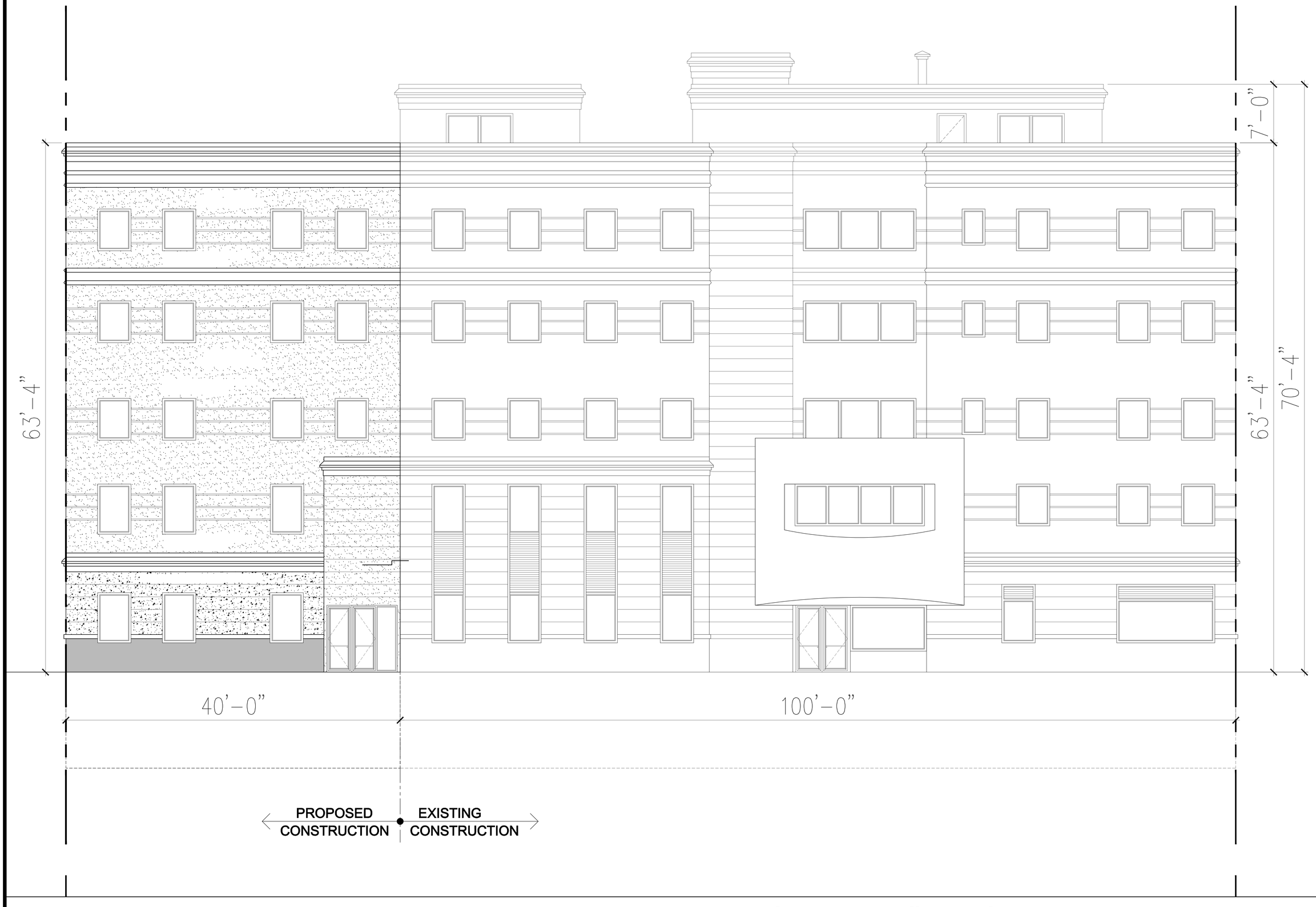

Figure A- Applicant Plans

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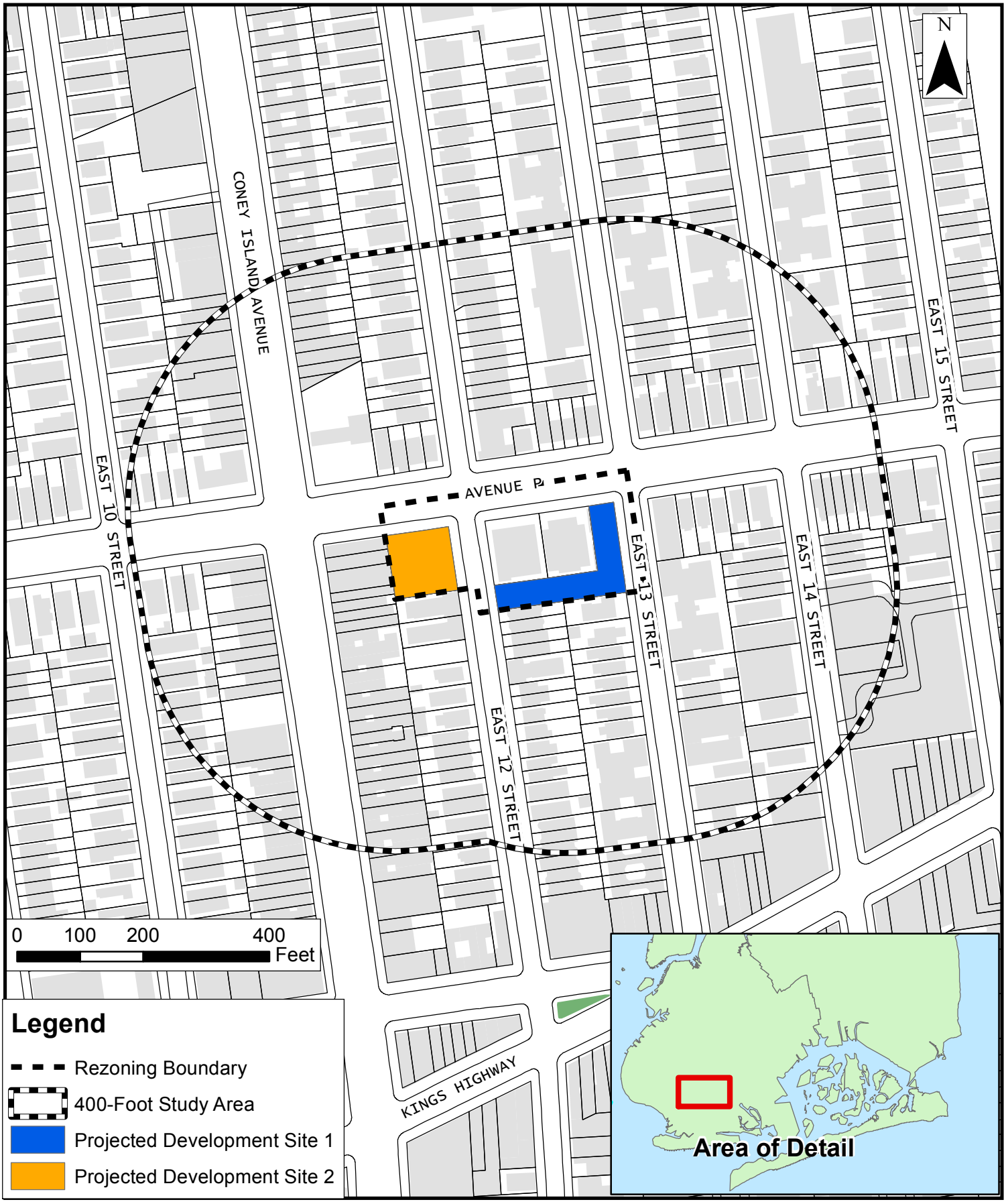

1220 Avenue P Rezoning
Brooklyn, NY

Figure 1 - Project Site Location

1220 Avenue P Rezoning
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Figure 2 – Tax Map

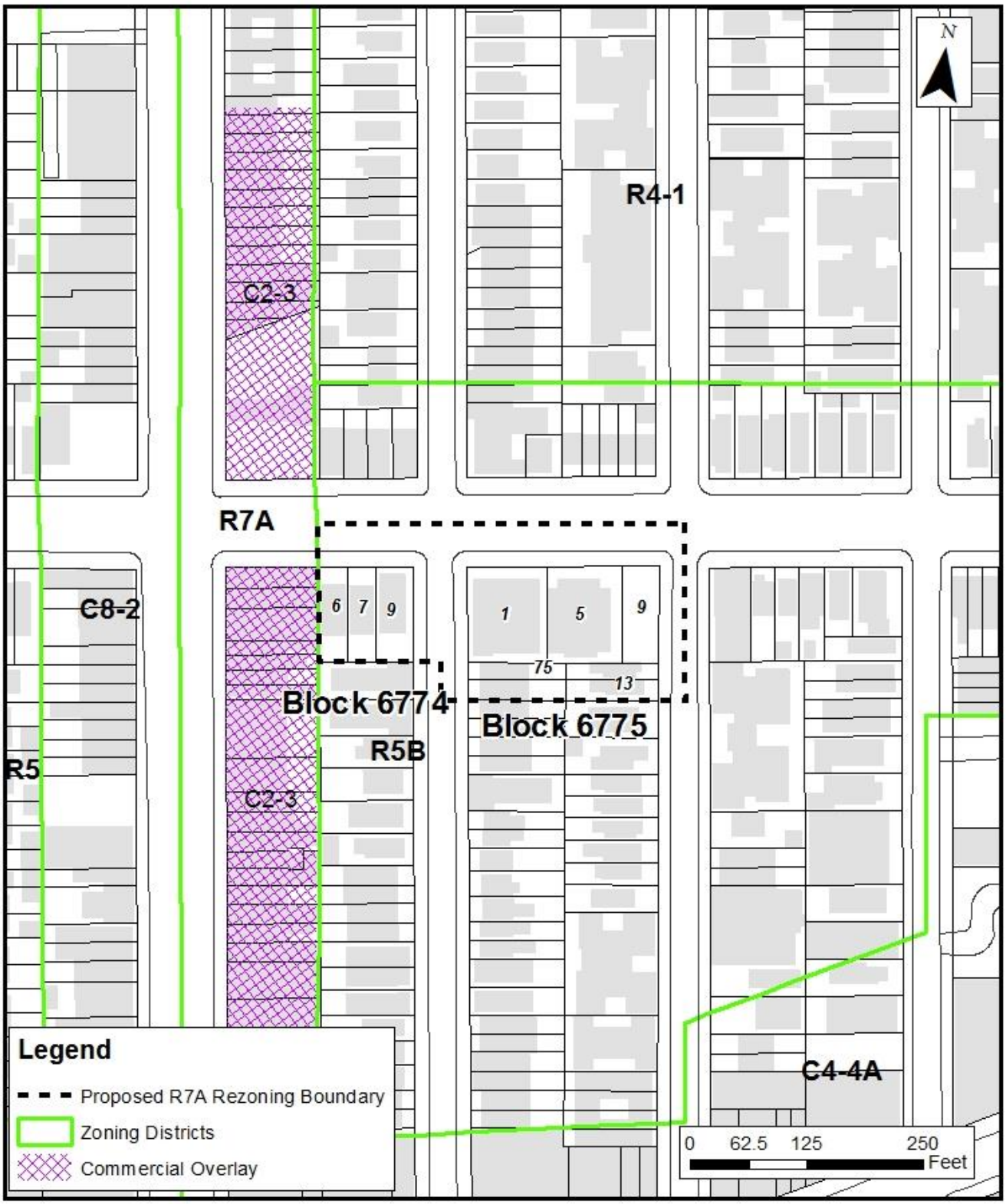

Figure 2a - Tax Map with Existing and Proposed Zoning Districts

1220 Avenue P Rezoning
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Figure 3 – Photograph Key Map

Figure 4 Photographs of the Site and Surrounding Area

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

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

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

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

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

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

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

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

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

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

1.3 Analysis Framework (Reasonable Worst Case Development Scenario)

Build Year

Considering the ULURP review and approval process, and assuming a construction period of approximately 16 to 20 months, the build year of the proposed development is 2019. However, given that development is expected on the projected development site as a result of the rezoning, an analysis year of 2020 will be used to assess the potential for environmental impacts.

Purpose and Need of the Proposed Actions

While community facility uses are permitted as-of-right in an R5B zoning district, they are governed by a maximum Floor Area Ratio (FAR) of 2.0. The proposed R7A zoning district would permit the Applicant to develop the site with community facility uses that would allow a maximum 4.0 FAR for a community facility. Absent the proposed actions, the Applicant would be unable to construct the proposed development under the existing Use Group restrictions for a community facility in an R5B district.

Development Sites

The boundaries of the proposed zoning map and text amendments would encompass a portion of Brooklyn Block 6774 (Lots 6, 7 and 9) and Block 6775 (Lots 1, 5, 9, 12, 13, 74 and 75).

The expected with-action development on these sites is as follows. Additional details on this development can be found in the “With-Action Scenario” section below.

Projected Development Sites

- Site 1: Block 6775, Lots 9, 12, 13, 74 and 75
- Site 2: Block 6774, Lots 6, 7 and 9

Existing Conditions

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

The remaining properties within the Project Area are used as follows. On Block 6774, Lot 6 is improved with a 2.75-story residential building containing 3 dwelling units, Lot 7 is improved with a 2.75-story residential building containing 3 dwelling units and Lot 9 is improved with a 2.75-story mixed-use residential building with a medical office located on the ground floor.

On Block 6775, Lot 1 contains a two-story private high school and a house of worship, and Lot 5 contains a two-story house of worship.

Future No-Action Scenario

The Development Site is located in the Midwood neighborhood of Brooklyn, which is densely developed. With the exception of some minor building rehabilitation, no significant new construction or vacant lots were observed within 600 feet of the Development Site. Therefore it is assumed that existing conditions would continue in the Future No-Action Scenario.

Under the Future No-Action Scenario, Block 6775, Lot 1 would remain improved with a two-story, approximately 11,200 square foot building located at 1202 Avenue P. This represents a built FAR of approximately 1.4, The owner of this building is the Jewish Center of Kings Highway, and the occupant is Yeshivat Shaare Torah, which is a UG 3 private high school and UG 4 house of worship. Block 6775, Lot 5 would be consistent with its existing condition, which is a two-story, approximately 9,760 square foot building at 1218 Avenue P. On an 8,000 square foot lot, this represents a built FAR of approximately 1.2. The owner and occupant of this building is Jewish Center of Kings Highway, which is a UG 4 house of worship. Block 6775, Lot 9 would remain improved with a five-story UG 4 medical office. At 19,536 zoning square feet of floor area, this represents a built FAR of 4.9. Lot 12 of the proposed development site las a lot area of 2,000 square feet and is presently unimproved. In the future without the proposed actions, it is assumed that this lot would not be redeveloped and would remain unimproved. Lot 13 of the proposed development site has a lot area of 2,000 square feet and is improved with a 1,759 square foot, two-story building with one UG 2 dwelling unit and an accessory home occupation. Lot 13 contains a built FAR of 0.9, and the building and uses on this parcel would remain unchanged under the no-action scenario. Lot 75 of the proposed development site has a lot area of 2,000 square feet and is presently improved with a vacant two-story building containing approximately 2,000 square feet of floor area. Lot 75 contains a built FAR of 1.0. In the interest of a conservative analysis, it is assumed that this building would remain vacant under the future no-action scenario. Lot 74, which is not under the applicant's control, has a lot area of 2,000 square feet and is improved with a two-story residential building with two dwelling units and a built FAR of 1.1. In the future no-action scenario, it is assumed that this building would remain consistent with its current built form.

Block 6774, Lot 6 has a lot area of 3,000 square feet and is improved with a UG 2 residential building with three dwelling units and approximately 3,174 square feet of floor area. This represents a built FAR of approximately 1.1. In the future no-action scenario, it is assumed this building would remain consistent with its existing condition. Block 6774, Lot 7 has a lot area of 3,000 square feet and is improved with a UG 2 residential building with two dwelling units and approximately 3,700 square feet of floor area. This represents a built FAR of 1.2. In the future no-action scenario, it is assumed this building would remain consistent with its existing condition. Block 6774, Lot 9 has a lot area of 4,000 square feet and is improved with a 2.75-story mixed-use residential building with three UG 2 dwelling units and a UG 4 medical office on the ground floor. At approximately 3,630 square feet of floor area, it is built to approximately 0.9 FAR. In the future no-action scenario, it is assumed this building would remain consistent with its existing conditions.

Future With-Action Scenario

Under the Future With-Action Scenario, the proposed rezoning would amend the zoning map to change the existing R5B district to an R7A district, which would facilitate the Applicant's medical office expansion with the development of a five-story medical office building containing approximately 14,880 sf on Block 6775, Lots 9, 12 and 13. Attended accessory parking for this community facility would be included on Lot 75. However, in order to present a conservative assessment, the Future With-Action Scenario assumes that the Development Site (Block 6775, Lots 9, 12, 13 and 75) would be constructed to the maximum community facility floor area allowed in an R7A zoning district. This scenario also assumes that Block 6775, Lot 74 would be added to the assemblage in order to attain additional floor area. This scenario differs from the Applicant's actual proposal.

The remaining development sites are divided into two categories - projected development sites and potential development sites. Projected development sites are considered more likely to be developed within analysis period (build year 2020) because of their size (they are either large lots or contiguous small lots in common ownership that together comprise a large site). Potential development sites are less likely to be developed within the analysis period because they are not entirely under common ownership, represent specific neighborhood trends, have an irregular shape or have some combination of these features. To present a conservative assessment, the Future With-Action Scenario assumes that these sites would be constructed to the maximum floor area allowed under ZQA/MIH regulations for an R7A zoning district, assuming the 25 percent affordable housing option.

Based on these criteria, Block 6775, Lots 9, 12, 13, 74 and 75; and Block 6774, Lots 6, 7 and 9 have been identified as projected development sites. Block 6775, Lots 1 and 5 have been identified as potential development sites.

Projected Development Sites

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

Under the Future With-Action Scenario, it is assumed that Block 6775, Lots 9, 12, 13, 74 and 75 would be developed as a single zoning lot to the maximum FAR of 4.0 for a community facility. On a combined 12,000 sf lot, it is assumed that the proposed actions would result in approximately 60,000 gsf of community facility floor area (48,000 zsf). No parking is required for a UG 4 community facility in an R7A zoning district.

The development generated by the proposed actions would contain no residential uses. Therefore, the RWCDS memo does not provide a development assessment scenario based on the Mandatory Inclusionary Housing (MIH) and Zoning for Quality and Affordability (ZQA) regulations for the proposed development site.

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

Under the With-Action Scenario, it is assumed that Block 6774, Lots 6, 7 and 9 would be assembled as one development parcel to the maximum FAR of 4.6, pursuant to ZQA/MIH. On a combined 10,000 square-foot lot, it is assumed that the proposed actions would result in approximately 45,000 gross square feet of residential floor area, and 10,000 gsf of cellar floor area. The existing community facility (medical office) on Lot 9 is assumed to remain under the With-Action condition, resulting in approximately 1,000 gross square feet of community facility floor area on this projected development site. The With-Action Scenario would result in a total of approximately 56,000 gsf of total floor area (46,000 zsf) on Projected Site 2.

Estimating 900 square feet per dwelling unit, it is assumed 50 residential units would be constructed on-site. Under the 25 percent MIH option, the proposed rezoning would result in the creation of approximately 13 affordable units with incomes averaging 60 percent of the area median income (AMI).

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

Block 6775, Lot 1

This parcel is developed with a two-story, approximately 11,200 sf building being utilized as a private religious high school and house of worship. As discussed in the *CEQR Technical Manual,* “long-standing institutional uses with no known development plans” are not considered likely to be redeveloped as a result of the proposed rezoning. According to Department of Buildings (DOB) records, the building was constructed in 1928. Certificates of Occupancy indicate that the building was classified as a house of worship in 1922 and 1954, which is consistent and complementary with its current use. As this represents a long-standing institutional use, it is assumed that new development would not occur on this site by the 2019 build year.

Block 6775, Lot 5

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

originally constructed. As this represents a long-standing institutional use, it is assumed that new development would not occur on this site by the 2019 build year.

Site data for the lots covered by the proposed zoning area are shown in **Table 1**.

Table 1 Projected Development Under the Proposed Rezoning (Projected Development Sites)

Block	Lot	Lot Area	Existing Zoning	Existing FAR	Proposed Zoning	Projected Res. sf	Projected CF sf	Projected CF FAR	DUs
6775	9	12,000	R5B	0.74	R7A	0	60,000 gsf	4.0	0
6775	12								
6775	13								
6775	75								
6775	74								
6774	6	10,000	R5B	1.06	R7A	45,000 gsf	1,000 gsf	4.6	50
6774	7		R5B	1.23	R7A				
6774	9		R5B	0.91	R7A				
					Total	***45,000***	***61,000***		***50***

2.0 ENVIRONMENTAL REVIEW

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

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

- Shadows
- Historic and Cultural Resources
- Urban Design and Visual Resources
- Natural Resources
- Air Quality
- Noise
- Construction

In addition, although the proposed action did not require a 'YES' answer on the EAS Short Form, preliminary assessments were included to provide additional background information for the following technical analysis areas:

- Land Use, Zoning and Public Policy
- Neighborhood Character

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

2.1 LAND USE, ZONING AND PUBLIC POLICY

The *CEQR Technical Manual* recommends procedures for analysis of land use, zoning and public policy to ascertain the impacts of a project on the surrounding area. Land use, zoning and public policy are described in detail below.

2.1.1 Land Use

The *CEQR Technical Manual* defines land use as the activity that is occurring on the land and within the structures that occupy it. Types of land use can include single- and multi-family residential, commercial (retail and office), community facility/institutional and industrial/manufacturing uses, as well as vacant land and public parks (open recreational space). The 2014 *CEQR Technical Manual* recommends that a proposed action be assessed in relation to land use, zoning, and public policy. For each of these areas, a determination is made of the potential for significant impact by the proposed action. If the action does have a potentially significant impact, appropriate analytical steps are taken to evaluate the nature of the impact, possible alternatives and possible mitigation.

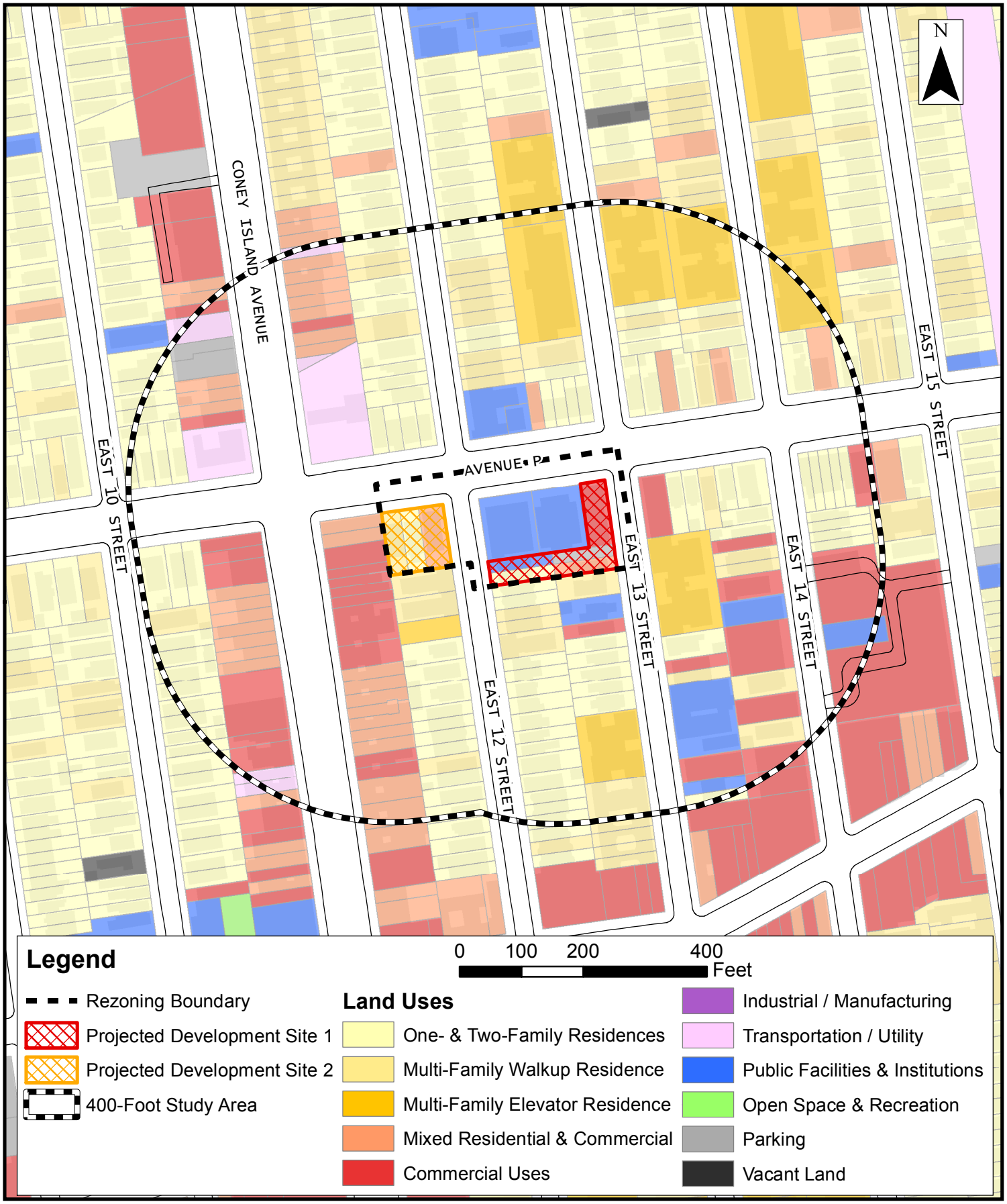
Existing Conditions

The *CEQR Technical Manual* recommends a land use; zoning and public policy study area extending 400 feet from the site of a proposed action. This study area is generally bound by the midblock point between Avenues P and O to the north, the midblock point between East 14th and 15th Streets to the east, East 10th Street to the west, and Kings Highway to the south (see **Figure 5**).

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

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

The western portion of the study area along East 12th and portions of East 13th Street and Avenue P is occupied by stretches of one and two family residences. The majority of the subject Block 6775, as well as the eastern half of Block 6774 consists of detached and semi-detached one and two family residential buildings. The western portion of Block 6774, which is not included in the proposed rezoning area, consists primarily of attached and semi-detached commercial buildings, several of which have residential uses above the ground floor. The commercial uses in the vicinity of the project area include local retail businesses on Coney Island Avenue and Quentin Road, a fueling station at the intersection of Coney Island Avenue and Avenue P, and several other retail businesses to the east on East 14th Street. Several professional office buildings and Engine 276 of the New York Fire Department are also located east of the project area.



1220 Avenue P Rezoning
Brooklyn, NY

Figure 5 - Land Use Map

The general mix of land use observed in the study area generally reflects the distribution of land use observed throughout Brooklyn CD 15, which is summarized in **Table 2**. The most prominent land use within Brooklyn CD 15 is one- to two- family residences, followed by multi-family residences and institutional use.

Table 2 2014 Land Use Distribution - Brooklyn Community District 15

LAND USES	PERCENT OF TOTAL
Residential Uses	
1-2 Family	50.6
Multi-Family	17.8
Mixed Residential/Commercial	3.6
Subtotal of Residential Uses	*72*
Non-Residential Uses	
Commercial/Office	6.3
Industrial	0.4
Transportation/Utility	2.5
Institutions	8.2
Open Space/Recreation	2.6
Parking Facilities	0.9
Vacant Land	6.5
Miscellaneous	0.5
Subtotal of Non-Residential Uses	*27.9*
TOTAL	**100.0**

Source: *Community District Profiles, New York City Department of City Planning.*
Note: Percentages may not add up to 100.0 percent due to rounding.

Future No-Action Scenario

The Development Site is located in the Midwood neighborhood of Brooklyn, which is densely developed. With the exception of some minor building rehabilitation, no significant new construction or vacant lots were observed within 600 feet of the Development Site. Therefore it is assumed that existing conditions would continue in the Future No-Action Scenario.

Future With-Action Scenario

Under the Future With-Action Scenario, the proposed rezoning would amend the zoning map to change the existing R5B district to an R7A district, which would facilitate the Applicant's medical office expansion with the development of a five-story medical office building containing approximately 14,880 sf on Block 6775, Lots 9, 12 and 13. Attended accessory parking for this community facility would be included on Lot 75. However, in order to present a conservative assessment, the Future With-Action Scenario assumes that the Development Site (Block 6775, Lots 9, 12, 13 and 75) would be constructed to the maximum community facility floor area allowed in an R7A zoning district. This scenario also assumes that Block 6775, Lot 74 would be added to the assemblage in order to attain additional floor area. This scenario differs from the Applicant's actual proposal.

Additionally, the mapping of an R7A residential district over the proposed rezoning area would give Block 6774, Lots 6, 7 and 9 the potential to be developed to maximum FAR, pusuant to ZQA/MIH.

This section of the Brooklyn neighborhood of Midwood is densely developed with nearly all of the land being occupied by residential, commercial and office, and public institutional uses. The proposed action would represent an expansion of an existing medical office located at 1220 Avenue P. There are multiple medical offices and facilities in the surrounding area. Therefore, the proposed action is not expected to have an adverse impact on surrounding land use.

2.1.2 Zoning

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

Existing Conditions

Zoning designations within and around the study area are depicted in **Figure 6**, while **Table 3** summarizes use, floor area and parking requirements for the zoning districts in the study area.

The proposed development site and the proposed rezoning area are located in an R5B zoning district that is mapped generally along 100 feet north of Avenue P to the north, approximately 100 feet west of East 12th Street to the west, approximately 100 feet north of Quentin Road and Kings Highway to the south and East 18th Street to the east. R5B districts permit the detached and semi-detached buildings found throughout the study area. However, R5B districts primarily consist of three-story rowhouses and reflect the district's height and setback, front yard and curb cuts regulations that maintain the character of the neighborhood. The maximum FAR for R5B districts is 1.35 with a maximum building height of 33 feet. Parking is required for 66 percent of dwelling units, although parking can be waived when only one space is required. Additionally, R5B zoning districts require a minimum front yard of 5 feet and a 30 foot rear yard with a maximum lot coverage of 55 percent of the lot.

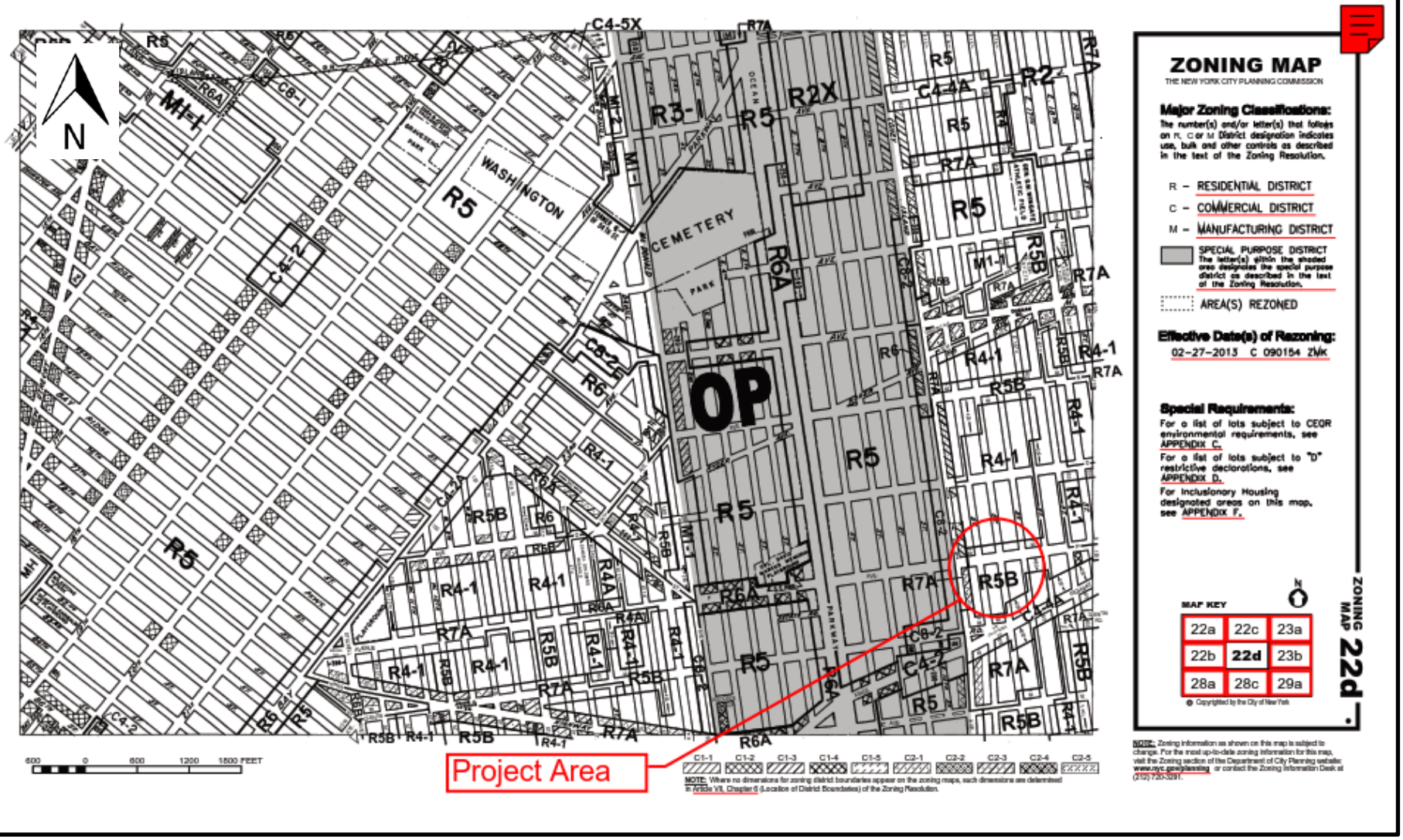
There are additional zoning districts located to the north and south of the rezoning area including an R4-1 district and a C4-4A contextual zoning district. R4-1 districts also permit the detached and semi-detached residential buildings found in the rest of the study area. This district has a maximum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

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

The Project Area (Block 6775, Lot 9,12, 13, 75) was included in the 2006 Homecrest Rezoning (C 060129 ZMK), a 70 block rezoning of predominately residential areas bounded by Coney Island Avenue to the west, Kings Highway to the north, Ocean Avenue to the east and Avenue S to the south. The goal of the rezoning was to preserve existing neighborhood scale and character with lower density and contextual zoning districts, and create opportunities for new residential development along wide streets like Ocean Avenue and Kings Highway as well as side streets near the Kings Highway subway station. As a result of the Homecrest Rezoning the Medical Center was rezoned from R6 (Community Facility FAR of 4.8) to

R5B (Community Facility FAR of 2). In addition, the Project Area is south of the 2006 Midwood Rezoning (C 060130 ZMK) , a 80 Block rezoning of predominately residential area bounded by Avenue H on the north, Nostrand Avenue on the east, Avenue P and Kings Highway on the south and Coney Island Avenue on the west. Similarly to the Homecrest Rezoning, the goal of the rezoning was to preserve both the existing character of low density homes and higher density residential buildings while that ensuring future development was contextual.

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



1220 Avenue P Rezoning
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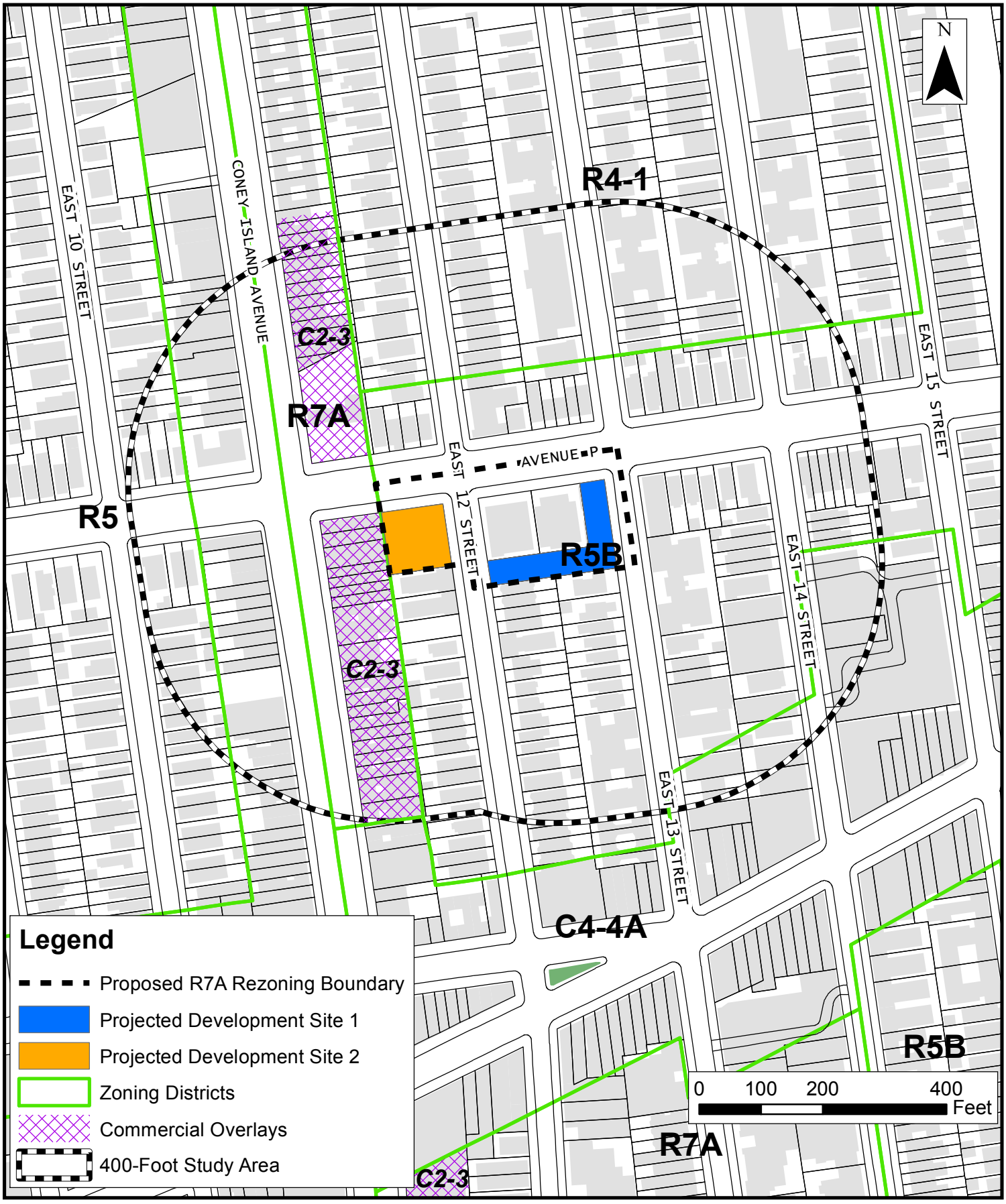
Figure 6 – Zoning Map



1220 Avenue P Rezoning
Brooklyn, NY

Figure 6a - Existing and Proposed Zoning Boundaries

Future No-Action Scenario

In the future without the proposed action, zoning changes are not expected to occur on the project site or within the surrounding study area. Because the Applicant may not construct any new residential square footage on the project site without the proposed zoning map amendment, it is assumed that the Future No-Action Scenario would remain consistent with existing conditions. Therefore, if the mapping of the requested R5B zoning district is not granted, the existing conditions would continue in the future no-action scenario.

Table 3 Summary of Zoning Regulations

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

Source: Zoning Handbook, New York City Department of City Planning, January 2006.

Future With-Action Scenario

The proposed action would change the existing R5B district to an R7A district over Block 6774, Lots 6, 7 and 9; and Block 6775, Lots 1, 5, 9, 12, 13, 74 and 75. Absent the proposed action, the applicant would be unable to construct the proposed five-story medical office expansion under the existing use, floor area and lot coverage requirements of an R5B district. The Future-With Action Scenario would result in the applicant being able to add an expansion to the existing medical facility with a maximum of 60,000 gsf of medical facility floor area.

The proposed action would not have a significant impact on the extent of conformity with the current zoning in the surrounding area, and it would not adversely affect the viability of conforming uses on nearby properties. Significant adverse impacts to zoning are not anticipated and further zoning analysis is not warranted.

2.1.3 Public Policy

The project site is not part of, or subject to, an Urban Renewal Plan (URP), adopted community 197-a Plan, Solid Waste Management Plan, Business Improvement District (BID), Industrial Business Zone (IBZ), or the New York City Landmarks Law. The proposed action is also not a large publically sponsored project, and as such, consistency with the City's *PlaNYC 2030* for sustainability is not warranted. In addition, the rezoning area is not located in the Coastal Management Zone; therefore a consistency review is not warranted. Additionally, the rezoning area is not located within New York City's designated coastal zone, and as such, is not subject to review for its consistency with the City's Waterfront Revitalization Program (WRP).

2.2 SHADOWS

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

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

The *CEQR Technical Manual* states that a shadow assessment considers projects that result in new shadows long enough to reach a sunlight-sensitive resource. Therefore, a shadow assessment is warranted only if the project would either result in: (a) new structures (or additions to existing structures including the addition of rooftop mechanical equipment) of 50 feet or more; or, (b) be located adjacent to, or across the street from, a sunlight-sensitive resource. However, a project located adjacent to or across the street from a sunlight-sensitive open space resource may not require a detailed shadow assessment if the project's height increase is ten feet or less.

Sunlight-sensitive resources of concern are those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity, including public open space, architectural resources and natural resources. In general, shadows on city streets and sidewalks or on other buildings are not considered significant. Some open spaces also contain facilities that are not sensitive to sunlight. These are usually paved areas such as handball or basketball courts, contain no seating areas and no vegetation, no unusual or historic plantings, or contain only unusual or historic plantings that are shade tolerant. These types of facilities do not need to be analyzed for shadow impacts. Additionally, it is generally not necessary to assess resources located to the south of projected development sites, as shadows cast by the action-generated development would not be cast in the direction of these resources. Furthermore, shadows occurring within one and one-half hour of sunrise or sunset generally are not considered significant in accordance with the *CEQR Technical Manual*.

The proposed action would result in the construction of a new five-story Use Group 4 medical office building that is assumed to be up to 85 feet in height (Projected Development Site 1). Residential development on Projected Development Site 3 is also assumed to be constructed up to 105 feet, which is the maximum height allowed for a residential building under ZQA. Construction up to 105 feet in height was also contemplated for Potential Development Site 1. Consequently, further shadow screening assessments were performed.

2.2.1 Preliminary Shadow Screening Assessment

The shadow assessment begins with a preliminary screening assessment to ascertain whether a project's shadow may reach any sunlight-sensitive resources at any time of the year. If the screening assessment

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

Tier 1 and 2 Screening Assessments

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

A shadow radius of 4.3 times the maximum height of each Projected and Potential Development Site was calculated, resulting in a maximum shadow radius of approximately 451 feet. As shown in **Figure 7**, the results of the Tier 1 screening assessment show that there are no sunlight sensitive resources within the Tier 1 maximum shadow analysis area. While the buildings at 1202 and 1218 Avenue P are listed on the National Register of Historic Places, they do not contain any sunlight-sensitive features that would receive incremental shadows as a result of the proposed action. Therefore, further shadow analyses are not warranted as a result of the proposed action.

2.3 HISTORIC AND CULTURAL RESOURCES

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

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

2.3.1 Architectural Resources

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

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

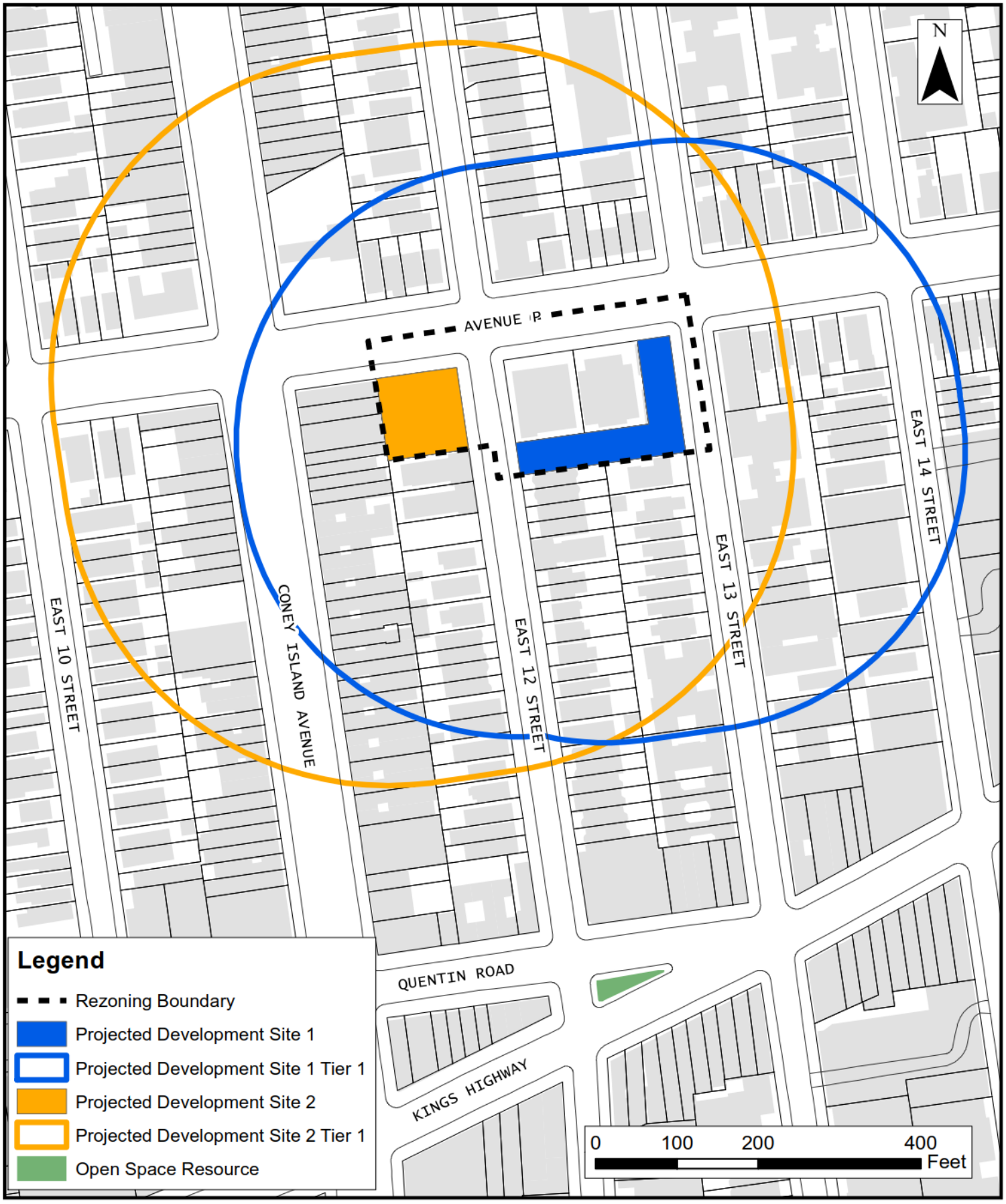


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Figure 7 – Shadow Analysis: Tier 1 Screening

Jewish Center of Kings Highway

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

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

2.3.2 Archaeological Resources

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

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

2.4 URBAN DESIGN AND VISUAL RESOURCES

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

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

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

2.4.1 Preliminary Analysis

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

Existing Conditions

The study area is located in the Midwood neighborhood of Brooklyn. A photographic key map is provided in the previously presented **Figure 3**; with ground-level photographs of the projected development site and the immediate surrounding area provided in the previously presented Figure 4.

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

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

The street hierarchy of the study area includes several different functional classifications. Avenue P and Coney Island Avenue are classified as “Principal Arterial Other” roadways. All other roadways in the study area are classified as local roads.

Future No-Action Scenario

Under the Future No-Action Condition, significant changes to the study area are not expected by the analysis year of 2020. It is expected that while tenants within area office, retail and other buildings may change, the overall use of these buildings within the study area would remain the same, and any physical changes would comply with applicable zoning regulations. No significant changes to the area’s urban character are anticipated. No changes to the area’s views or are expected.

Future With-Action Scenario

According to the *CEQR Technical Manual*, if a preliminary assessment determines that changes to the pedestrian environment are sufficiently significant to require greater explanation and further study, then a detailed urban design and visual resources analysis is appropriate. Detailed analyses are generally appropriate for all area-wide rezoning applications that include an increase in permitted floor area or changes in height and setback requirements, general large scale developments, or projects that would result in substantial changes to the built environment of a historic district, or components of an historic building that contribute to the resource’s historic significance. Conditions that merit consideration for further analysis of visual resources include when the project partially or totally blocks a view corridor or a

natural or built rare or defining visual resource. Further conditions that merit consideration are when the project changes urban design features so that the context of a natural or built visual resource is altered, such as if a project alters the street grid so that the approach to the resource changes, or if a project changes the scale of surrounding buildings so that the context changes.

The proposed development site consists of five contiguous lots on Brooklyn Block 6775. Lot 9 is a 4,000 sf lot that contains the current medical center, Lot 12 is a 2,000 sf lot that is presently unimproved. Lot 13 is a 2,000 sf lot improved with a 1,759 gsf mixed residential and commercial office building. This building is three stories in height and currently contains one dwelling unit. Lot 74 is a 2,000 sf lot improved with a two-story 2,144 gsf building containing two dwelling units. Lot 75 is a 2,000 sf lot presently improved with a vacant two-story 2,000 gsf former house of worship.

Under the Future With-Action Scenario, the proposed rezoning would amend the zoning map to change the existing R5B district to an R7A district. It is assumed that Block 6775, Lots 9, 12, 13, 74 and 75 would be developed to the maximum FAR of 4.0 for Community Facility in an R7A district.

Three-dimensional representations of the projected development sites, overlaid on top of an existing photograph, are provided in **Figures 8a-8f**.

While the projected development sites would change views to the sites as witnessed from pedestrians on Avenue P, East 12th Street, East 13th Street, and other roadways in the area, significant adverse impacts to urban design and visual resources would not occur. The proposed action would not result in any conditions that would merit further detailed assessment of urban design and visual resources. Several other mid-rise buildings are found in the surrounding area. The proposed action would also not block any view corridors or views to/from any natural areas with rare or defining features, as the proposed building is contained to the subject site, and would not intrude or impose into the Backyard Garden or the Harold Ickes Playground. Therefore, the proposed action is not expected to result in any significant adverse urban design or visual resource related impacts.

View of Projected Development Site 1 from East 13th Street, facing west.

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Figure 8a
Projected Site 1
Existing Conditions

View of Projected Development Site 1 from East 13th Street, facing west.

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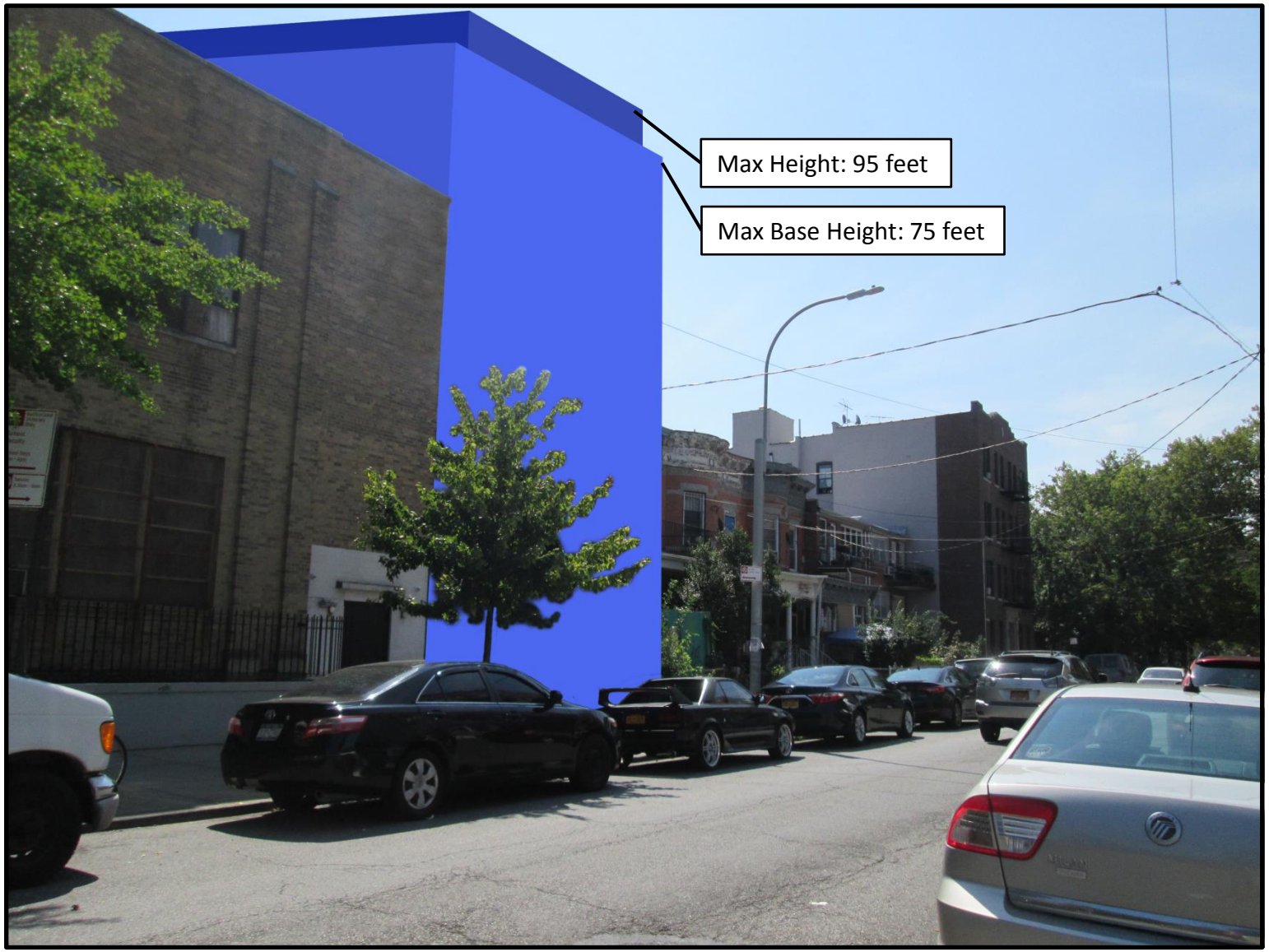
Figure 8b
Projected Site 1
With-Action Conditions

View of Projected Development Site 1 from East 12th Street, facing east.

1220 Avenue P Rezoning
Brooklyn, NY

Figure 8c
Projected Site 1
Existing Conditions



View of Projected Development Site 1 from East 12th Street, facing east.

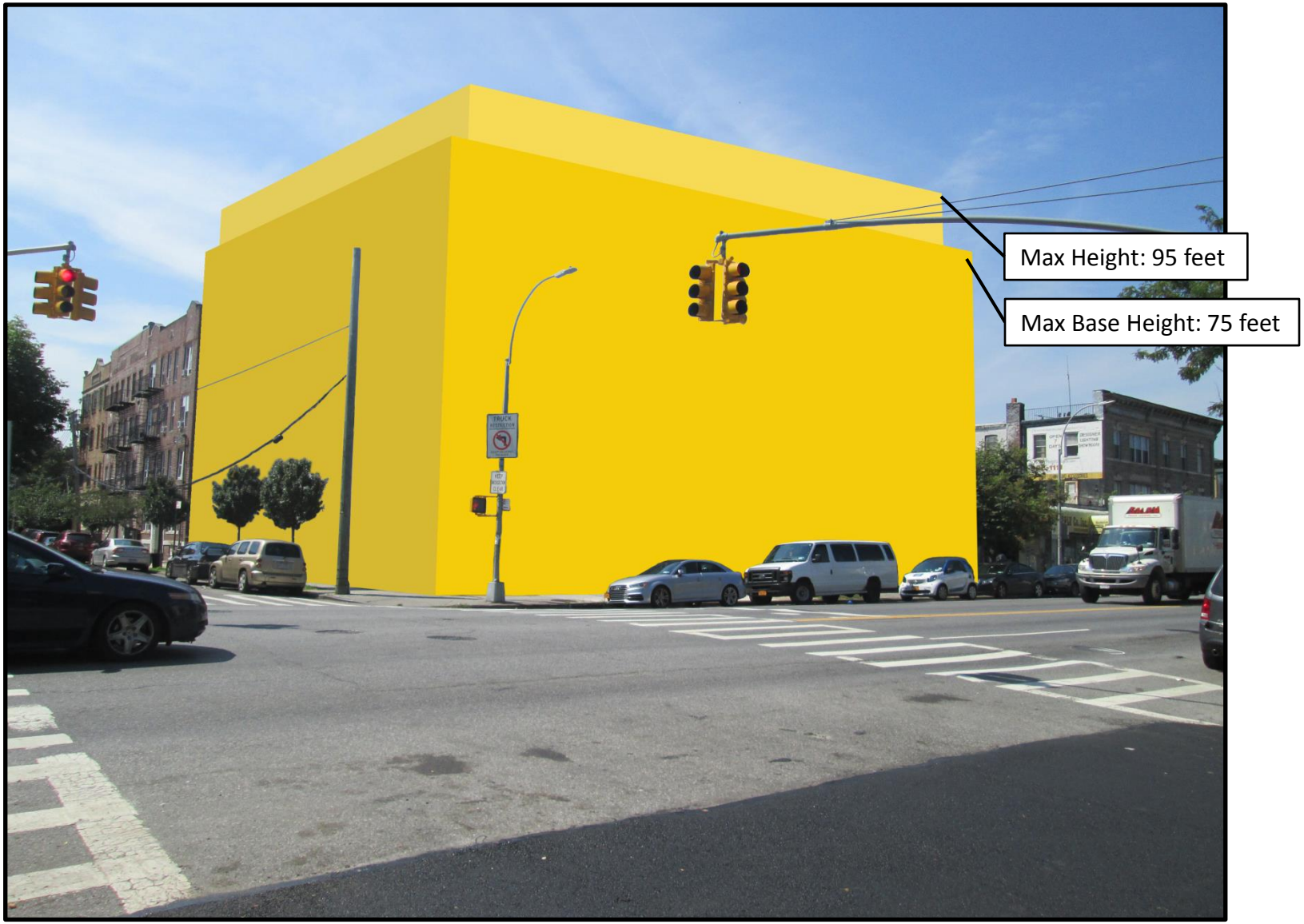
1220 Avenue P Rezoning
Brooklyn, NY

Figure 8d
Projected Site 1
With-Action Conditions

View of Projected Development Site 2 from Avenue P, facing south.

1220 Avenue P Rezoning
Brooklyn, NY

Figure 8e
Projected Site 1
Existing Conditions



View of Projected Development Site 2 from Avenue P, facing south.

1220 Avenue P Rezoning
Brooklyn, NY

Figure 8f
Projected Site 1
With-Action Conditions

2.5 NATURAL RESOURCES

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

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

2.6 HAZARDOUS MATERIALS

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

No Phase I ESA was performed for this project because it has been a historically residential neighborhood and no industrial and manufacturing uses occur within approximately one mile of the project site.

However, to preclude the potential for significant adverse impacts, an (E) Designation would be provided for all lots included in all projected development sites, including the applicant site (Block 6775, Lots 9, 12, 13, 74 and 75), and Projected Site 2 (Block 6774, Lot 6, 7, and 9), E-444 has been assigned to this project. The text of the (E) designation for would be as follows:

The text for the (E) designations related to hazardous materials is as follows:

Task 1-Sampling Protocol

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

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving

such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

2.7 AIR QUALITY

When assessing the potential for air quality significant impacts, the *CEQR Technical Manual* seeks to determine a proposed action's effect on ambient air quality, or the quality of the surrounding air. Ambient air can be affected by motor vehicles, referred to as "mobile sources," or by fixed facilities, referred to as "stationary sources." This can occur during operation and/or construction of a project being proposed. The pollutants of most concern are carbon monoxide, lead, nitrogen dioxide, ozone, relatively coarse inhalable particulates (PM_{10}), fine particulate matter ($PM_{2.5}$), and sulfur dioxide.

The *CEQR Technical Manual* generally recommends an assessment of the potential impact of mobile sources on air quality when an action increases traffic or causes a redistribution of traffic flows, creates any other mobile sources of pollutants (such as diesel train usage), or adds new uses near mobile sources (e.g., roadways, parking lots, garages). The *CEQR Technical Manual* generally recommends assessments when new stationary sources of pollutants are created, when a new use might be affected by existing stationary sources, or when stationary sources are added near existing sources and the combined dispersion of emissions would impact surrounding areas.

2.7.1 Mobile Sources

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

- Projects that would result in placement of operable windows, balconies, air intakes or intake vents generally within 200 feet of an atypical source of vehicular pollutants.
- Projects that would result in the creation of a fully or partially covered roadway, would exacerbate traffic conditions on such a roadway, or would add new uses near such a roadway.
- Projects that would generate peak hour auto traffic or divert existing peak hour traffic of 170 or more auto trips in this area of the City.
- Projects that would generate peak hour heavy-duty diesel vehicle traffic or its equivalent in vehicular emissions resulting from 12 or more heavy-duty diesel vehicles (HDDVs) for paved roads with average daily traffic of fewer than 5,000 vehicles, 19 or more HDDVs for collector roads, 23 or more HDDVs for principal and minor arterials, or 23 or more HDDVs for expressways and limited-access roads.
- Projects that would result in new sensitive uses (e.g., schools or hospitals) adjacent to large existing parking facilities or parking garage exhaust vents.
- Projects that would result in parking facilities or applications requesting the grant of a special permit or authorization for parking facilities; or projects that would result in a

sizable number of other mobile sources of pollution (e.g., a heliport or a new railroad terminal).
- Projects that would substantially increase the vehicle miles traveled in a large area.

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

2.7.2 Stationary Sources

According to the *CEQR Technical Manual*, projects may result in stationary source air quality impacts when one or more of the following occurs:
- New stationary sources of pollutants are created (e.g., emission stacks for industrial plants, hospitals, other large institutional uses).
- Certain new uses near existing (or planned future) emissions stacks are introduced that may affect the use.
- Structures near such stacks are introduced so that the structures may change the dispersion of emissions from the stacks so that surrounding uses are affected.
- Fossil fuels (fuel oil or natural gas) for heating/hot water, ventilation, and air conditioning systems are used.
- Large emission sources are created (e.g., solid waste or medical-waste incinerators, cogeneration facilities, asphalt/concrete plants, or power-generating plants, etc.).
- New sensitive uses are located near a large emission source.
- Medical, chemical, or research labs are created or result in new uses being located near them.
- Operation of manufacturing or processing facilities is created.
- New sensitive uses created within 400 feet of manufacturing or processing facilities.
- New uses created within 400 feet of a stack associated with commercial, institutional, or residential developments (and the height of the new structures would be similar to or greater than the height of the emission stack).
- Potentially significant odors are created.
- New uses near an odor-producing facility are created.
- “Non-point” sources that could result in fugitive dust are created.
- New uses near non-point sources are created.
- A generic or programmatic action is introduced that would change or create a stationary source or that would expose new populations to such a stationary source.

HVAC Screening
Impacts from boiler emissions at the project site are a function of fuel type, stack height, minimum distance from the source to the nearest building, and square footage of the development. The stack height and development size of the proposed development sites were plotted on the graph for commercial or other non-residential development, and residential developments provided in the air quality appendices of the CEQR Technical Manual, as shown in Figures 1 and 2. These figures indicate that the minimum distance between the proposed development sites and buildings of a similar or greater height in order to avoid a potential air quality impact. According to the RWCDS, the HVAC system of expansion portion of community facility building would be connected to existing stack. Therefore, 60,000 gross square feet of community facility and 56,000 gross square feet of residential development were used in Figures 1 and 2. It is found that the minimum distance to avoid potential air quality impact for Site 1 and 2 are 60 feet and 80 feet. With (e) designations in place, the operations of the proposed buildings are not expected to result in any stationary source air quality impacts. Therefore, no further analysis is required.

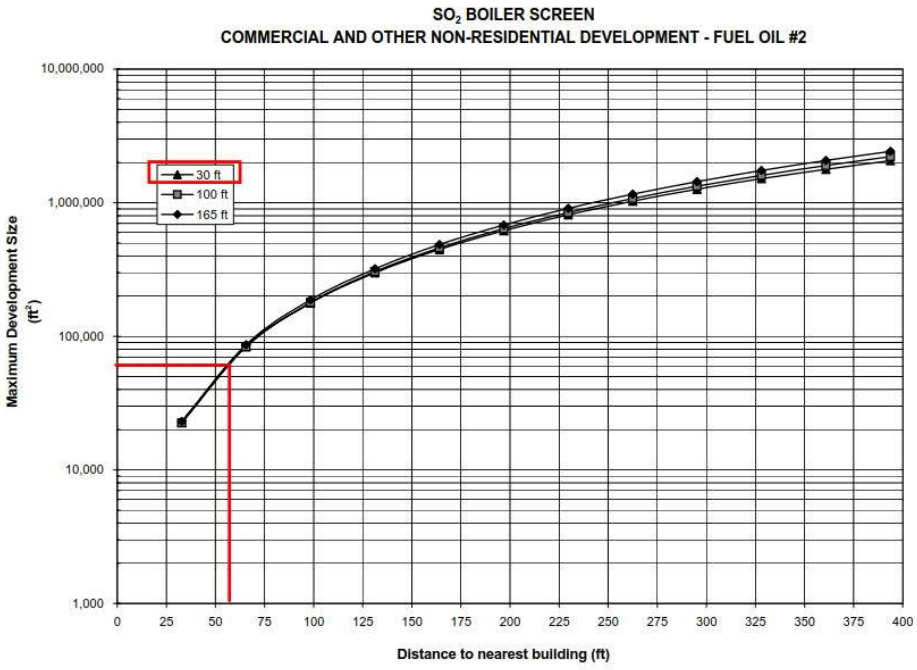


Figure 9 HVAC Screening for Site 1

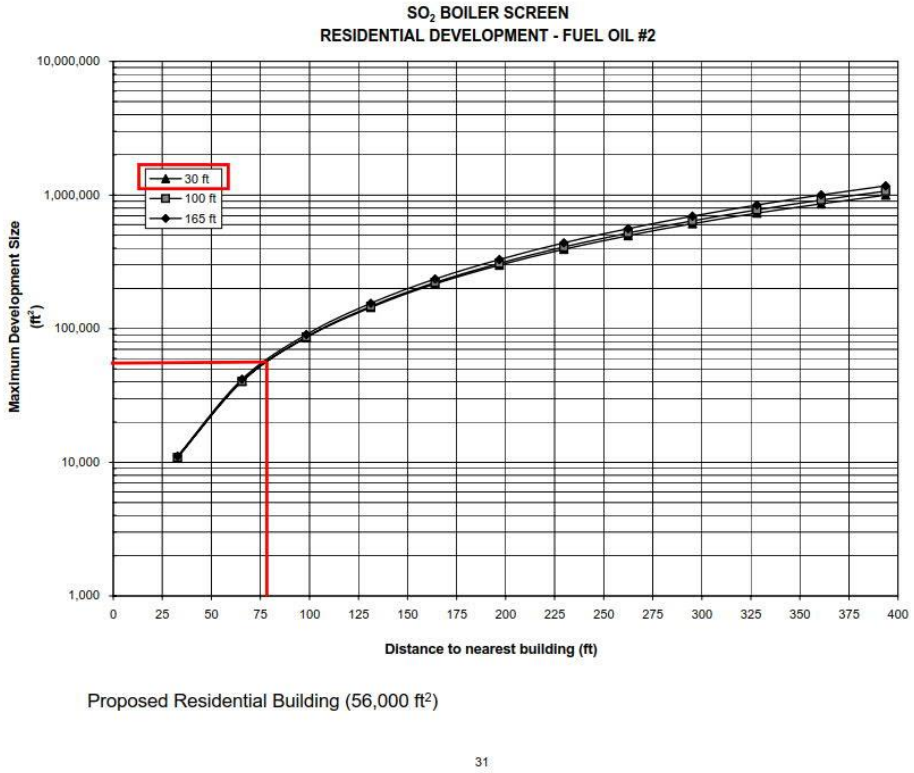


Figure 9a HVAC Screening for Site 2

(E) Designations:

Projected Development Site 1

Block 6775 Lot 9, 12, 13, 74 and 75
Any community facility expansion or development on the above referenced property must exclusively use natural gas as the type of fuel for the heating, ventilating and air conditioning (HVAC) systems, and ensure that any expansion will utilize the existing HVAC system on Block 6775, Lot 9 and that HVAC stack is at least 73 feet above grade to avoid any potential significant air quality impacts.

Projected Development Site 2
Block 6774, Lot 6, 7 and 9
Any new residential/community facility development on the above referenced property must ensure that the HVAC stack is located at the height highest tier or at least 98 feet above grade

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

- Beverly Hills Collision, located at 1912 Coney Island Avenue (Block 6617, Lot 36)

- Adams Auto Repair & Collision, Inc., located at 1914 Coney Island Ave (Block 6617, Lot 38).

An analysis was conducted to determine whether the toxic air pollutants emitted from these facilities have the potential significantly impact on the proposed developments.
Below assumptions were used to determine a reasonable worst-case pollutant emission rate per the DCP recommendations and the methodologies established for prior studies performed for similar facilities such as the Solow Air Quality Report (07DCP029Q) approved by the DCP in the past.

- Auto body paint spray booths typically operate from four to eight hours per day and 200 to 250 days per year. Four hours per day was used as a conservative assumption for predicting short term (one-hour average) emission rate.

- Auto paint composition includes solids and volatile organic compounds (VOCs). A gallon of auto paint could weigh from six to 15 pounds (lbs), depending on the ingredients. In this assessment, an average of 10-lb weight was used.

- **Table 4** shows the percentages by weight of various VOCs (mostly solvents) found in representative auto spray primers and paints. The percentages were obtained from Material Safety Data Sheets (MSDS) for one representative primer and two representative auto paints by major manufacturers. Some compounds are found in both primer and paint, while others are found only in one or the other. Acetone clearly accounts for the largest percentage of the emissions (up to 43%), while the remaining compounds account for 1 to 11 percent of the paints and primers. As a conservative measure, the highest percentage shown for the VOC in Table 1 was used resulting in highest potential emissions of individual pollutants.

- In estimating PM emission rate, it is assumed that the paint booth would use an average of two quarts of auto paint per day, or 0.50 gallons (see Solow report). Each gallon of paint weighs 10 lbs with 50 percent of solids. Thus, this paint booth consumes 2.5 lbs of solids on a daily basis (0.5 x 10 x .5). The amount of solids (i.e., $PM_{2.5}$) emitted into the air depends on the transfer efficiency of the paint gun. EPA's AP-42, Section 4.2.2.8, discusses evaporation losses for automobile and light duty truck surface coating operations. According to AP-42, the average transfer efficiency of solvent borne spray is 40%, which means that 60% of the solids are likely emitted into the air. Although current technology may achieve a higher transfer efficiency of 80% or more with the use of high-pressure paint guns, the value of 40% transfer efficiency was used for this analysis as a conservative assumption. Therefore, 60% percent of solids, or 1.5 lbs solids per day, are emitted into the air (0.6 x 2.5). According to *AP-42, Appendix B.1*, 46.7% of total solids were assumed to be PM_{10}, and 28.6% of total solids were assumed as $PM_{2.5}$.

Table 4 Typical Composition of VOC Emissions from Auto Spray Paint Booths

Chemical Name	CAS #	Rust-Oleum Primer	Sherwin William Paints		Composition used in this analysis
			Twilight Blue	Black Sunfire	
		Weight % Less Than	% by Weight	% by Weight	% by Weight
1,2,4-Trimethylbenzene	95-63-6	10	42	43	43
Acetone*	67-64-1				10
Aliphatic Hydrocarbon	64742-89-8	10			5
Aromatic Petroleum distillates	64742-94-5	5			11
Butane	106-97-8		10	11	2
Ethanol	64-17-5		1	2	9
Ethyl 3-Ethoxyproprioanate	763-69-9		9	9	

Ethylbenzene	100-41-4	5			5
Methyl Ethyl Ketone	78-93-3		8	7	8
N-Butyl Acetate	123-86-4	5			5
Propane	74-98-6		10	11	11
Stoddard Solvents	8052-41-3	10			10
Toluene	108-88-3	10	9	8	10
Xylene	1330-20-7	10			10

Based on the assumptions presented above, hourly and annual emission rates are calculated as shown in **Table 5**.

Table 5 Estimated Emission Rates

Pollutants	CAS Number	Hourly Emission Rate (g/s)	Annual Emission Rate (g/s)
Acetone	00067-64-1	0.0677	0.0339
Aliphatic Hydrocarbon	64742-89-8	0.0158	0.0079
Aromatic Petroleum distillates	64742-94-5	0.0079	0.0039
Butane	00106-97-8	0.0173	0.0087
Ethanol	00064-17-5	0.0032	0.0016
Ethyl 3-Ethoxyproprioanate	00763-69-9	0.0142	0.0071
Ethylbenzene	00100-41-4	0.0079	0.0039
Methyl Ethyl Ketone	00078-93-3	0.0126	0.0063
N-Butyl Acetate	00123-86-4	0.0079	0.0039
Propane	00074-98-6	0.0173	0.0087
Stoddard Solvents	08052-41-3	0.0158	0.0079
Toluene	00108-88-3	0.0158	0.0079
Xylene	01330-20-7	0.0158	0.0079
PM_{10}	NY075-00-5	0.0306	0.0153
$PM_{2.5}$	NY075-02-5	0.0135	0.0068

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

In order to evaluate short-term and annual impacts of the non-carcinogenic toxic air pollutants, the NYSDEC has established short-term ambient guideline concentrations (SGCs) and ambient annual-average-based guideline concentrations (AGCs) for exposure limits. These are maximum allowable 1-hour and annual guideline concentrations, respectively, that are considered acceptable concentrations below which there should be no adverse effects on the health of the general public. DAR-1 SGC and

AGC values (as shown in **Table 6**) were applied to all VOC-based compounds as well as $PM_{2.5}$. Estimated concentrations of $PM_{2.5}$ were also compared to the respective 24-hour/annual NAAQS.

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

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

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

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

Tables 7 and 8 present the max estimated hourly and annual concentration of the pollutant analyzed, and then be compared with applicable SGC and AGC value.

The current (2016) edition of the DAR-1 uses PM2.5 standards (e.g., the 24-hr National Ambient Air Quality Standard [NAAQS] of 35 ug/m^3 and the annual NAAQS of 12 ug/m^3 as $PM_{2.5}$ guideline values, 24-hr NAAQS 150 ug/m^3 as PM_{10} guideline value.

Table 9 presents the estimated PM_{10} 24-hr, and PM2.5 24-hr and annual concentration from both spray booths.

Table 6 SGC and AGC

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

Table 7 Max Estimated Hourly Concentration

Pollutants	CAS Number	Max Estimated Hourly Concentration (ug/m3)	SGC (ug/m3)	ratio
Acetone	00067-64-1	207.0	180,000	1.15E-03
Butane	00106-97-8	52.9	238,000	2.22E-04
Ethyl 3-Ethoxyproprioanate	00763-69-9	43.3	140	3.09E-01
Methyl Ethyl Ketone	00078-93-3	38.5	13,000	2.96E-03
N-Butyl Acetate	00123-86-4	24.1	95,000	2.53E-04
Toluene	00108-88-3	48.1	37,000	1.30E-03
Xylene	01330-20-7	48.1	22,000	2.19E-03

Table 8 Max Estimated Annual Concentration

Pollutants	CAS Number	Max Estimated Annual Concentration (ug/m3)	AGC (ug/m3)	ratio
Acetone	00067-64-1	4.20	30000	1.40E-04
Aliphatic Hydrocarbon	64742-89-8	0.98	3200	3.05E-04
Aromatic Petroleum distillates	64742-94-5	0.49	100	4.88E-03
Ethanol	00064-17-5	0.20	45000	4.34E-06
Ethyl 3-Ethoxyproprioanate	00763-69-9	0.88	64	1.37E-02
Ethylbenzene	00100-41-4	0.49	1000	4.88E-04
Methyl Ethyl Ketone	00078-93-3	0.78	5000	1.56E-04
N-Butyl Acetate	00123-86-4	0.49	17000	2.87E-05
Propane	00074-98-6	1.07	43000	2.50E-05
Stoddard Solvents	08052-41-3	0.98	900	1.09E-03
Toluene	00108-88-3	0.98	5000	1.95E-04
Xylene	01330-20-7	0.98	100	9.77E-03

Table 9 Estimated PM Concentrations Compared with NAAQS

	Average Time	Emission Rate (g/s)	Conversion Rate	Estimated Concentration (ug/m3)	Background* Concentration (ug/m3)	Total Concentration (ug/m3)	NAAQS (ug/m3)

PM_{10}	24-hr	3.06E-02	434	26.54	48	74.5	150
$PM_{2.5}$	24-hr	6.76E-03	434	5.86	16.7	22.6	35
	annual	3.38E-03	62	0.42	7.1	7.5	12

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

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

2.8 NOISE

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

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

Noise is measured in sound pressure level (SPL), which is converted to a decibel scale. The decibel is a relative measure of the sound level pressure with respect to a standardized reference quantity. Decibels on the A-weighted scale are termed “dB(A).” The A-weighted scale is used for evaluating the effects of noise in the environment because it most closely approximates the response of the human ear. On this scale, the threshold of discomfort is 120 dB(A), and the threshold of pain is about 140 dB(A). **Table 5** shows the range of noise levels for a variety of indoor and outdoor noise levels.

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

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

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

2.8.1 Mobile Sources

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

According to the *CEQR Technical Manual*, if existing passenger car equivalent (PCE) values are increased by 100 percent or more due to a proposed action, a detailed analysis is generally performed. Vehicular traffic studies are not warranted, as the proposed action is not expected to generate over 50 vehicle trips through any local intersection during peak periods.

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

The *CEQR Technical Manual* provides noise exposure guidelines in terms of L_{eq} and L_{10} for the maximum amount of allowable noise under existing regulations. L_{eq} is the continuous equivalent sound level. The sound energy from the fluctuating sound pressure levels (SPLs) is averaged over time to create a single

Table 10 Sound Pressure Level & Loudness of Typical Noises in Indoor & Outdoor Environments

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

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

number to describe the mean energy or intensity level. High noise levels during a measurement period will have greater effect on the L_{eq} than low noise levels. The L_{eq} has an advantage over other descriptors because L_{eq} values from different noise sources can be added and subtracted to determine cumulative noise levels. In comparison, L_{10} is the SPL exceeded 10 percent of the time. Similar descriptors include the L_{50}, L_{01}, and L_{90} values.

Noise measurements were conducted on June 2, 2016. **Figure 10** indicates locations where noise levels were measured. A Type 2 Larson Davis LxT sound meter with wind shield was used to conduct the noise monitoring. The meter was placed on a tripod at a height of approximately five feet above the ground, away from any other surfaces and was calibrated prior to and following each monitoring session. Levels at the site were measured during the weekday peak hours of 8:00 a.m. to 10:00 a.m.; 12:00 p.m. to 1:00 p.m. and 5:00 p.m. to 6:00 p.m. The results of the noise measurements are summarized in **Table 11**.

Figure 10 Noise Monitoring Locations

Table 11 Measured Noise Levels (dB(A))

	Noise Descriptor	AM Peak	Midday	PM Peak
Location L1	L_{eq}	70.7	72.7	70.6
	L_5	75.0	76.0	75.8
	L_{10}	**72.3**	**73.2**	**72.5**
	L_{50}	65.9	65.8	66.6
	L_{90}	58.9	59.7	59.8
Location L2	L_{eq}	64.5	63.5	63.0
	L_5	68.0	68.5	68.5
	L_{10}	**65.9**	**65.4**	**66.1**
	L_{50}	59.4	56.7	57.1
	L_{90}	54.5	53.5	52.4
Location L3	L_{eq}	69.0	68.3	70.1
	L_5	74.2	72.9	74.5
	L_{10}	**71.8**	**70.0**	**72.3**
	L_{50}	66.3	63.9	65.7
	L_{90}	60.9	59.4	60.3

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

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

Based on the noise level measured at three locations, the recommended window-wall attenuation is shown in **Table 12**.

Table 12 Window-Wall Attenuation Values

Block	Lot	Highest Recorded Noise Level (dbA)	Required Window-Wall Attenuation (dbA)
6774	6	72.3	28
	7		
	9		
6775	74	66.1	N/A
	75		

In order to ensure an acceptable interior noise environment maintaining an interior noise level of 45 dB(A), future residential and community facility uses at the projected development sites must provide a closed window

condition with a minimum of 28 dB(A) window/wall attenuation on Block 6774, Lots 6, 7 and 9. This level of attenuation could be achieved with a closed window situation and alternate means of ventilation, such as indoor air conditioning, heat pumps or split systems. To preclude the potential for significant adverse noise impacts, an (E) Designation would be provided for all lots within the rezoning area. The text of the (E) designation for would be as follows:

Projected Development Site 2

Block 6774, Lots 6, 7 and 9:

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

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

2.8.2 Stationary Sources

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

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

2.9 NEIGHBORHOOD CHARACTER

As defined by the *CEQR Technical Manual*, neighborhood character is considered to be an amalgam of the various elements that give a neighborhood its distinct personality. The elements, when applicable, typically include land use, socioeconomic conditions, open space and shadows, historic and cultural resources, urban design and visual resources, transportation, and noise, as well as any other physical or social characteristics that help to define a community. Not all of these elements affect neighborhood character in all cases; a neighborhood usually draws its distinctive character from a few defining features.

If a project has the potential to result in any significant adverse impacts on any of the above technical areas, a preliminary assessment of neighborhood character may be appropriate. A significant impact identified in one of these technical areas is not automatically equivalent to a significant impact on neighborhood character; rather, it serves as an indication that neighborhood character should be examined.

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

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

The assessment begins with a review of existing conditions and the neighborhood of the study area. The information is drawn from the preceding sections of this EAS, but is presented in a more integrated way. While the other sections present all relevant details about particular aspects of the environmental setting, the discussion for neighborhood character focuses on a limited number of important features that gives the neighborhood its own sense of place and that distinguish them from other parts of the city. A concise discussion of the changes anticipated by the 2020 analysis year under the Future No-Action Condition is then included. A brief overview of the Proposed Action is then presented, along with an analysis of whether any anticipated significant adverse impacts and moderate adverse effects, regarding the relevant technical CEQR assessment categories for neighborhood character, would adversely affect any of the defining features.

2.9.1 Existing Conditions

Land Use, Zoning and Public Policy

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

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

The northern portion of the study area consists largely of a mix of one and two family, multi-family walk-up, and multi-family elevator residential uses. There are mixed residential and commercial buildings along this section of Coney Island Avenue. The northwest and northeast corner lots at Coney Island Avenue and Avenue P used to be occupied by a Gulf and Mobil gas station respectively. However, both lots are now vacant and under construction. The southern portion of the study area is comprised primarily of one and two family and multifamily residential uses.

The eastern portion of the study area contains buildings that are primarily commercial, residential, or public facilities. Residential uses are sprinkled in along the commercial corridors of East 13th Street and east 14th

Street, which serve as local retail destinations and office space. FDNY Engine 276 is housed on East 14th Street just south of Avenue P, adjacent to a New York Sports Club and a TJ Maxx department store, the largest retail store in the study area. The western portion of the study area consists primarily of mixed residential and commercial buildings and office buildings on Coney Island Avenue

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

C2-3 commercial overlays on R7A residential districts have a maximum residential FAR of 4.0 and a maximum commercial FAR of 2.0. Commercial uses within this district include local grocery stores, restaurants and beauty parlors on the ground floor of residential buildings, which serve local retail needs. C8-2 districts have a maximum FAR of 2.0. C8 districts provide for automotive and other heavy commercial services that require large amounts of land. Housing is not permitted in this district.

Transportation

The street hierarchy of the study area includes several different functional classifications. Avenue P and Coney Island Avenue are classified as “Principal Arterial Other” roadways. All other roadways in the study area are classified as local roads.

Urban Design and Visual Resources

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

There are few streetscape elements present within the study area and little in the way of visual interest. Most of the streets contain street trees, which are generally located at irregular intervals; however no other notable streetscape elements (e.g. benches) are located within the study area.

2.9.2 Future No-Action Scenario

In the Future No-Action Scenario, the proposed action would not occur, and it is expected that the existing uses within the rezoning area would remain in their current form.

Significant changes to the study area are not expected by the analysis year of 2020. In the Future No-Action Scenario, it is expected that while tenants within surrounding area buildings may change, the overall use of these buildings would remain the same, and any physical changes would comply with designated zoning regulations and other surrounding districts.

2.9.3 Future With-Action Scenario

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

Land Use, Zoning and Public Policy

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

In the Future With-Action scenario, the proposed rezoning would amend the zoning map to change the existing R5B district to an R7A district. On the proposed development site (Block 6775, Lots 9, 12, 13, 74 and 75) this action would facilitate a reasonable worst-case development scenario with a maximum building height of 80 feet and a maximum developable community facility floor area of 48,000 sf. No parking is required for UG 4 Community Faclity development. One additional lot is projected to be developed as a result of the proposed action.The additional Projected Development Site is Block 6774, Lots 6, 7 and 9. Under this analysis the site is projected to be developed to the maximum FAR of 4.6, pursuant to ZQA/MIH in an R7A district. On a 10,000 square-foot lot, it is assume that the projected development would result in apporximately 46,000 sf of residential floor area. Estimating approximately 900 square feet per dwelling unit, it is assumed that 50 residential units wold be constructed. Under the 25 percent MIH option, the proposed rezoning would result in the creation of approximately13 units affordable to families with incomes averaging 60 percent of the area median income (AMI).

In the Future With-Action Scenario, residential and mixed-use residential and commercial buildings would be demolished to accommodate new construction. The Future With-Action Scenario would result in the loss of 440 sf of commercial/office space currently on Block 6775, Lot 13.

Recent years have seen some commercial, and community facility development in the general area. The proposed action would reinforce this trend toward a more active residential mixed-use neighborhood, which is common in the residential areas surrounding the rezoning area. The proposed action is therefore not expected to have any adverse impact on surrounding land use.

Historic and Cultural Resources

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

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

Urban Design and Visual Resources

According to the *CEQR Technical Manual*, in developed areas, urban design changes have the potential to affect neighborhood character by introducing substantially different building bulk, form, size, scale, or arrangement. Urban design changes may also affect block forms, street patterns, or street hierarchies, as well as streetscape elements such as street walls, landscaping, curb cuts, and loading docks. Visual

resource changes could affect neighborhood character if they directly alter key visual features such as unique and important public view corridors and vistas, or block public visual access to such features.

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

Shadows

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

As noted in **Section 2.2**, a shadow radius of 4.3 times the maximum height of the Projected and Potential Development Sites was performed, resulting in shadow radius of a maximum of 451 feet. The results of the Tier 1 screening assessment indicate that no incremental shadows generated by the Projected or Potential Development Sites would be cast on any sunlight sensitive resources. As such, according to the *CEQR Technical Manual*, further shadow analysis is not recommended. No other open space or cultural and historic resources are located within the potential shadow radius.

Transportation

According to CEQR, changes in traffic and pedestrian conditions can affect neighborhood character in a number of ways. For traffic to have an effect on neighborhood character, it must be a contributing element to the character of the neighborhood (either by its absence or its presence), and it must change substantially as a result of the action. According to the *CEQR Technical Manual*, such substantial traffic changes can include: changes in level of service (LOS) to C or below; change in traffic patterns; change in roadway classifications; change in vehicle mixes, substantial increase in traffic volumes on residential streets; or significant traffic impacts, as identified in the technical traffic analysis. Regarding pedestrians, when a proposed project would result in substantially different pedestrian activity and circulation, it has the potential to affect neighborhood character.

The proposed action would not lead to an increase of 50 or more vehicle trips at any one intersection in the vicinity of the projected development sites. Therefore, the proposed action would not lead to any significant adverse traffic impacts. Additionally, the proposed action would not lead to an increase of 200 or more transit trips. Therefore, the proposed action would not lead to any significant adverse subway or bus impacts.

Noise

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

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

Conclusions

Of the relevant technical areas specified in the *CEQR Technical Manual* that comprise neighborhood character, the proposed action would not cause significant adverse impacts with regard to any of them. Moderate adverse effects that would potentially impact such a defining feature, either singly or in combination, have also not been identified for more than one technical area. Therefore, as the proposed action would not have a significant adverse neighborhood character impact and would not result in a significant adverse impact to a defining feature of the neighborhood, further analysis is not necessary.

2.10 CONSTRUCTION

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

The proposed action involves a rezoning in the Midwood section of Brooklyn. In addition to the three proposed development sites controlled by the applicant, there is one projected development site in the rezoning area, as well as five potential development sites which are not under the applicants' control. While the duration of construction on the applicant's site is expected to last approximately 16-20 months, the remaining projected development site is anticipated to be developed in the four years following the adoption of the proposed rezoning.

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

Effect of Construction on Traffic

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

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

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

Effect of Construction on Air Quality

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

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

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

Effect of Construction on Noise

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

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

Construction noise associated with the proposed action is expected to be similar to noise generated by other residential construction projects in the city. Increased noise level caused by construction activities can be expected to be more significant during early excavation phases of construction and would be of relatively short duration. Increases in noise levels caused by delivery trucks and other construction vehicles would not be significant.

Construction noise is regulated by the *New York City Noise Control Code* and by the Environmental Protection Agency noise emission standards for construction equipment. These local and federal requirements mandate that certain classifications of construction equipment and motor vehicles meet specified noise emissions standards; that, except under exceptional circumstances, construction activities be limited to weekdays between the hours of 7:00 AM and 6:00 PM; and that construction material be handled and transported in such a manner as not to create unnecessary noise. In addition, whenever possible, appropriate low noise emission level equipment and operational procedures can be utilized to minimize noise and its effect on adjacent uses.

Thus, while there may be short periods of time when noise is greater than the Noise Control Code, these regulations would be followed in such a matter that no significant adverse noise impacts would be expected to result from the proposed action.

Effect of Construction on Historic Resources

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

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

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

Effect of Construction on Hazardous Materials

The proposed action would result in new development in the rezoning area. However, since the proposed development would not result in in any development that was historically a manufacturing area nor near an existing manufacturing area, not further analysis was required and such no significant adverse impacts are expected in regards to construction's effects on hazardous materials.

Conclusion

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

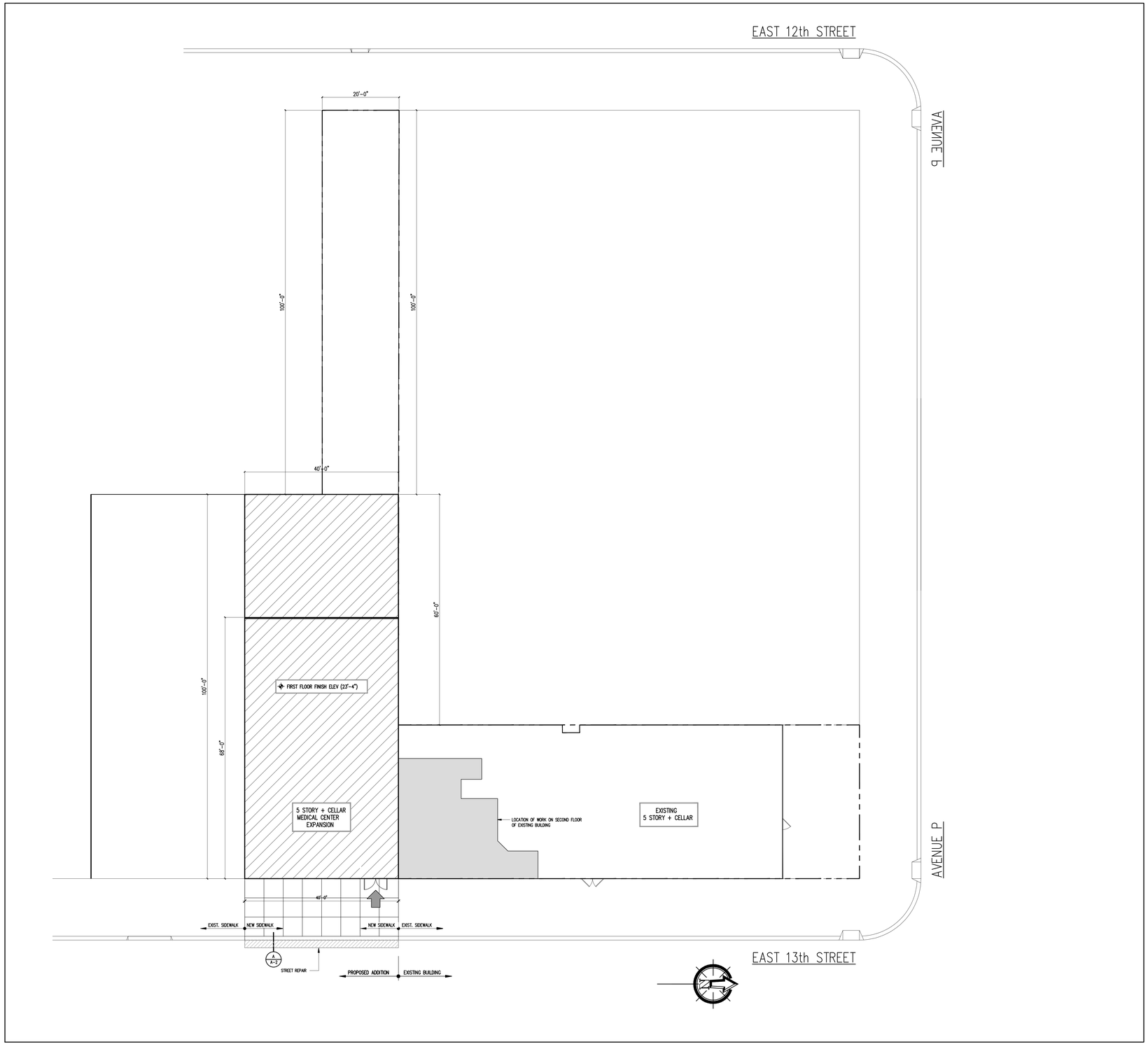
APPENDICES

APPENDIX A

SITE PLAN AND ARCHITECT PLANS

SITE PLAN

LEGEND	
SYMBOL	DESCRIPTION
— — — —	ZONING LOT LINE



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

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SITE PLAN AND DETAILS

EXPANSION OF D&T CENTER
1220 AVENUE P BROOKLYN, NEW YORK

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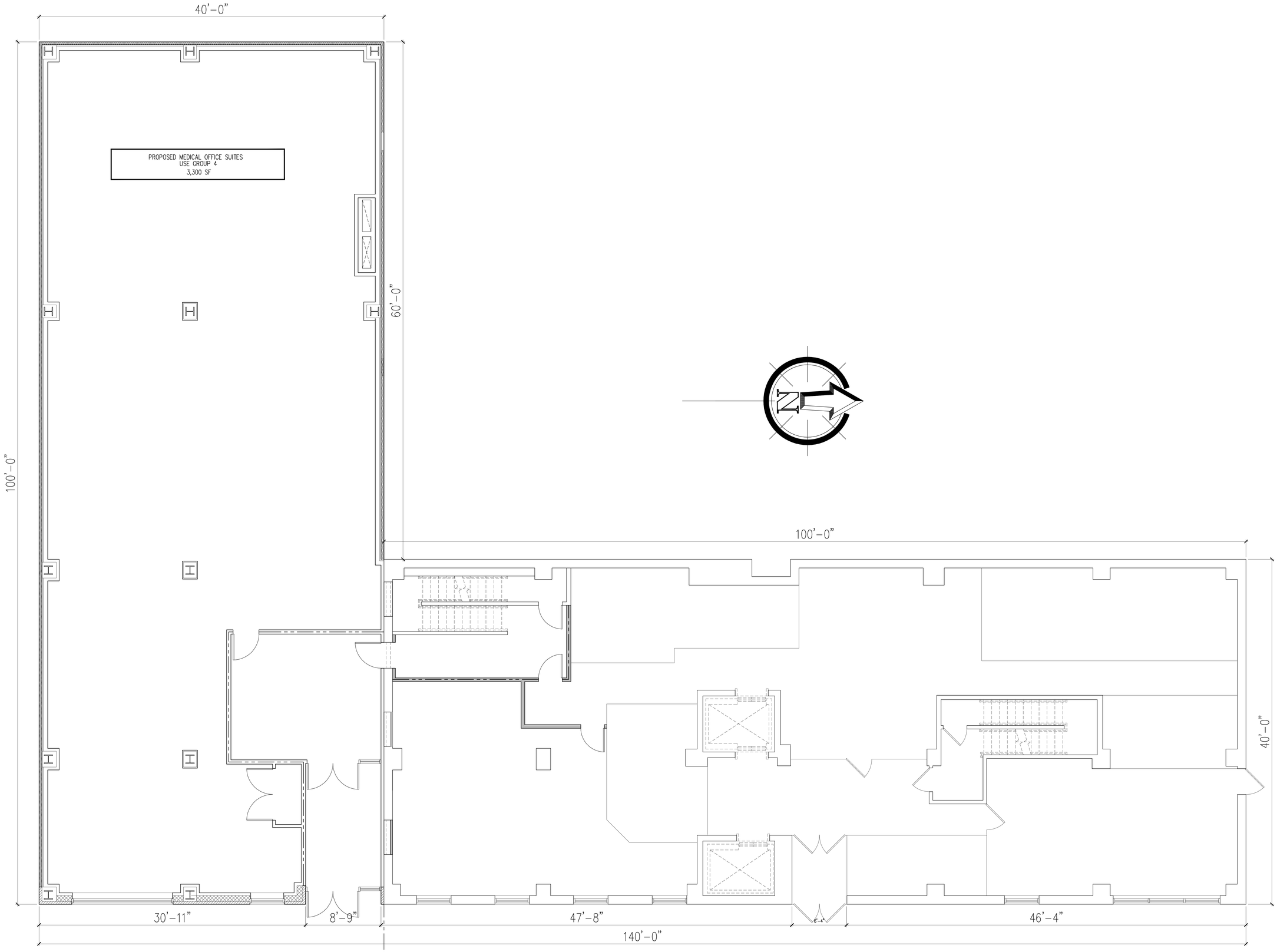
DRAWING NO. 2 of A-2

DATE 01/06/2003

SCALE 1/4"=1'-0"

PROJECT NO. 1925



PROPOSED CONSTRUCTION | **EXISTING CONSTRUCTION**

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

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FIRST FLOOR PLAN

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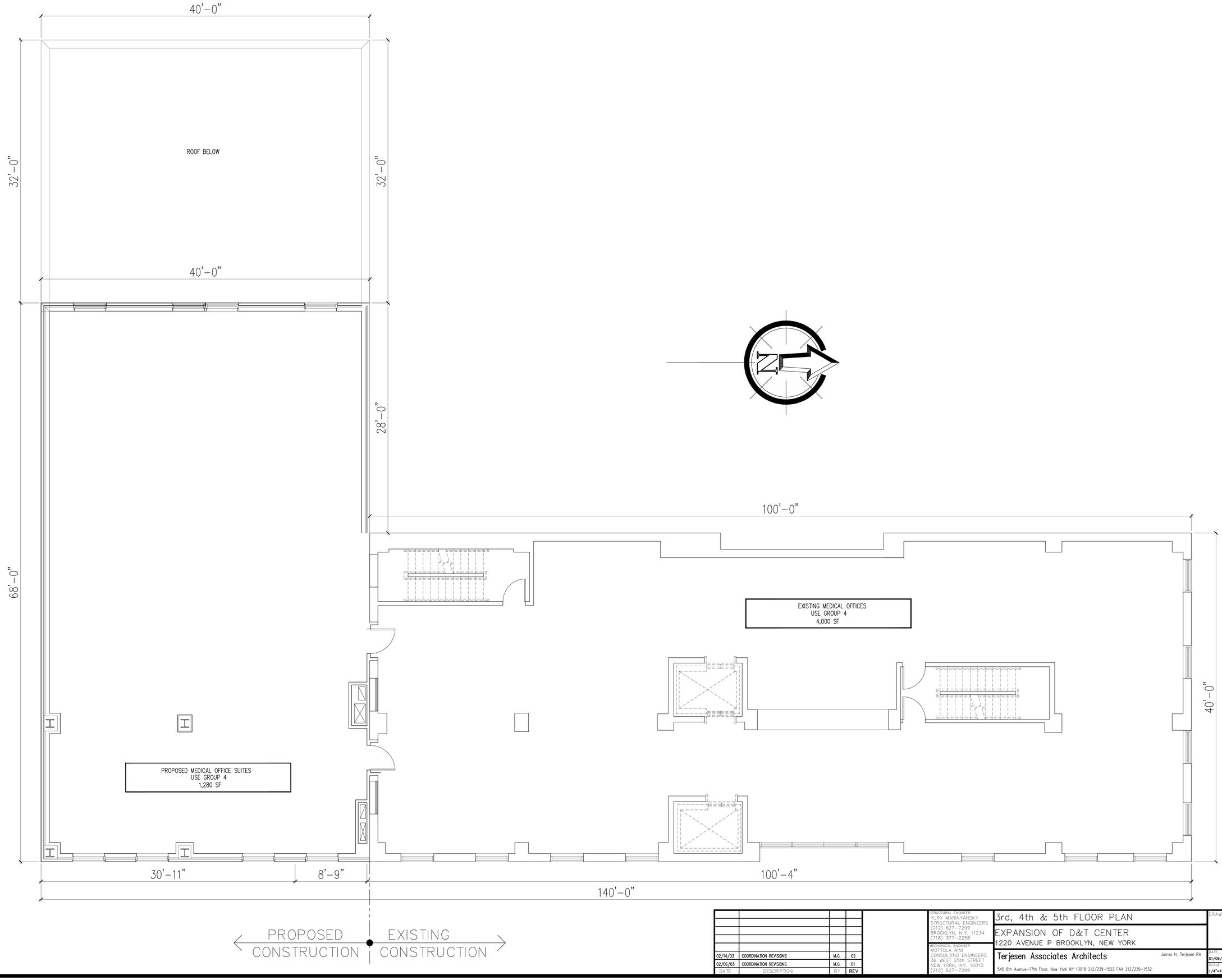
DRAWING NO. 4 of
A-4

DATE 11-26-2015
SCALE 1/4"=1'-0"
PROJECT NO. 1925



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

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3rd, 4th & 5th FLOOR PLAN

EXPANSION OF D&T CENTER
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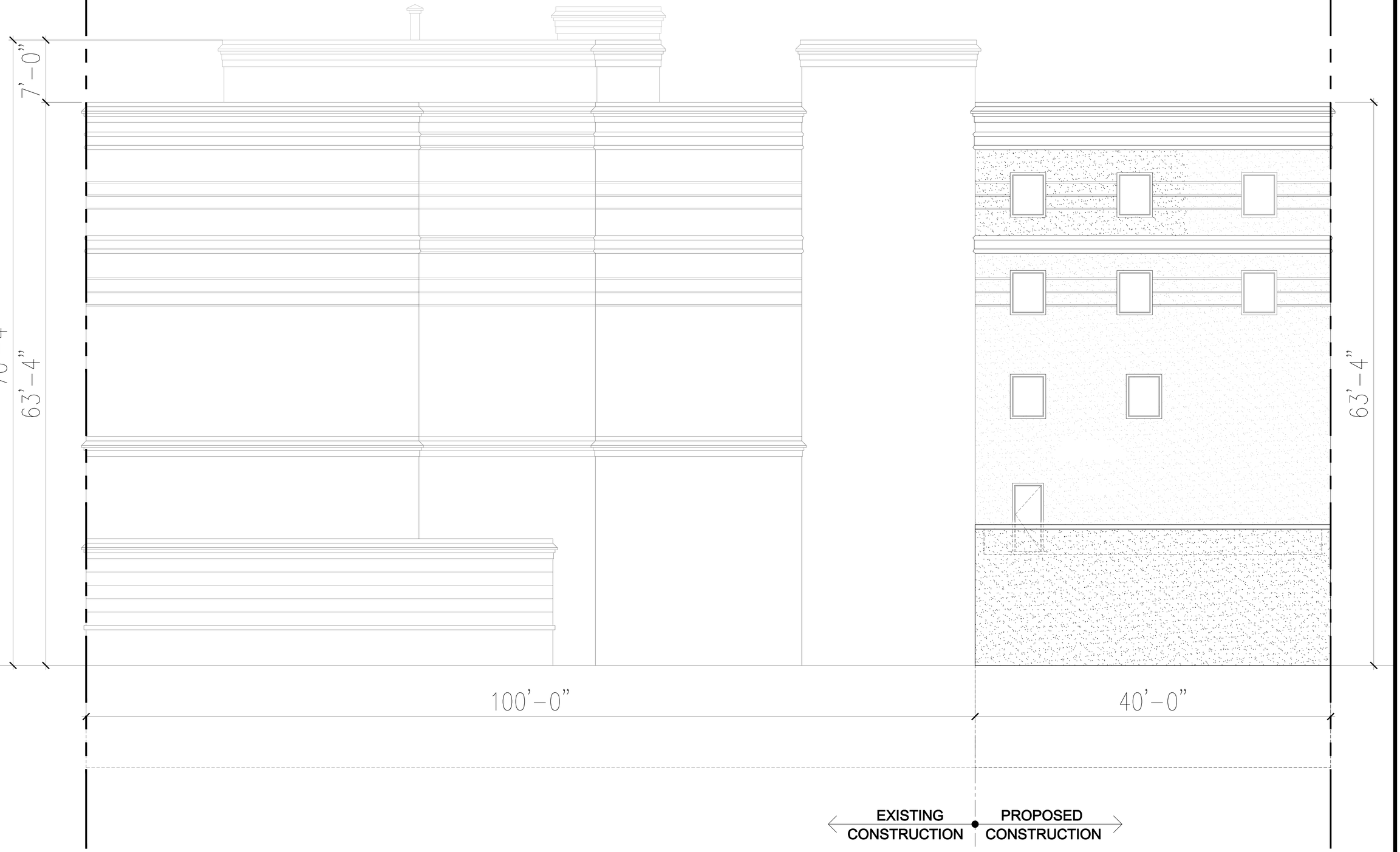
DRAWING NO. 6 of A-6

DATE 01/06/2003

SCALE 1/4"=1'-0"

PROJECT NO. 1925



DATE	DESCRIPTION	BY	REV

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EXTERIOR ELEVATIONS

EXPANSION OF D&T CENTER
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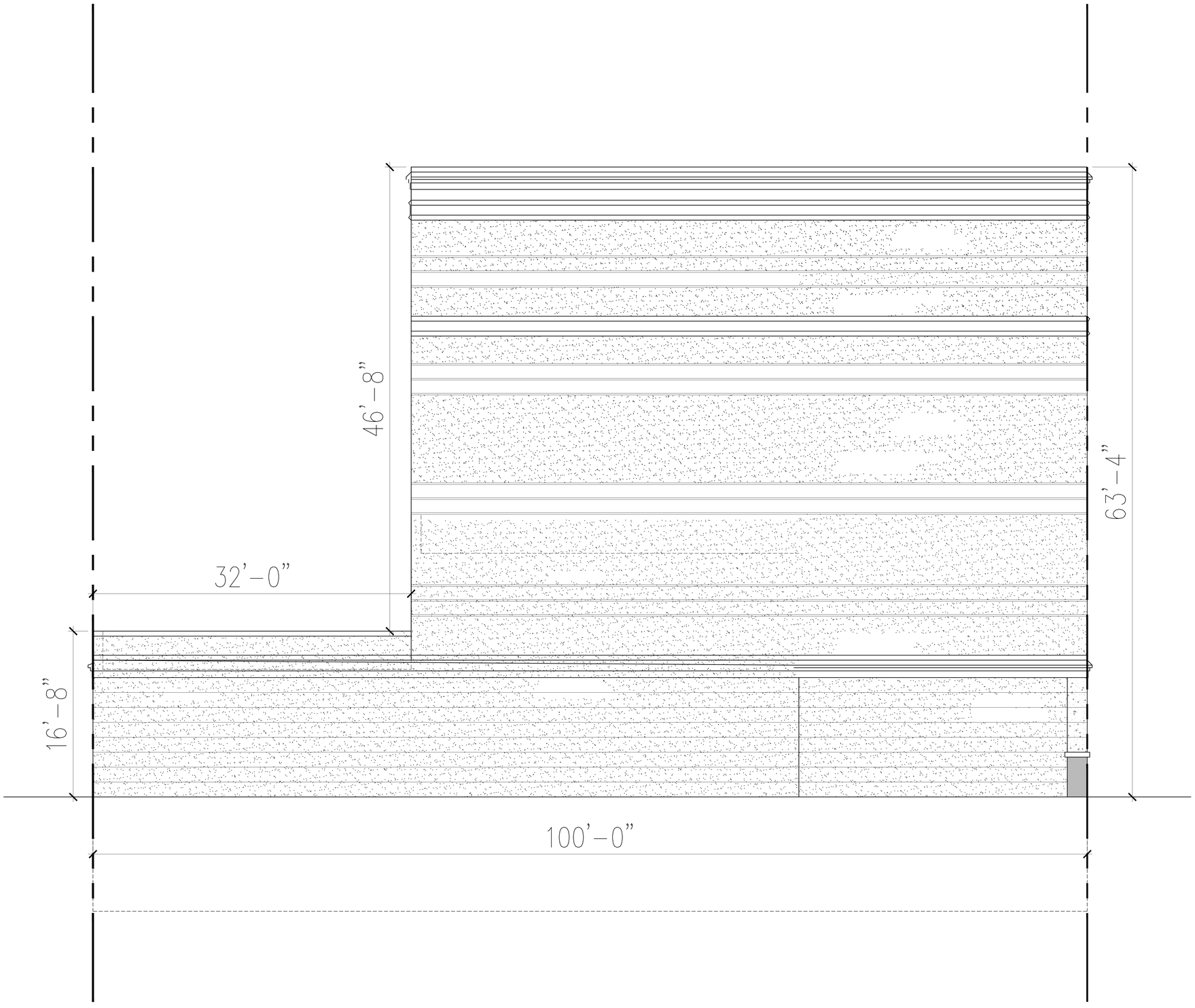
DRAWING NO. 9 of
A-11

DATE 01/06/2003
SCALE 1/4"=1'-0"
PROJECT NO. 1925



DATE	DESCRIPTION	BY	REV

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EXTERIOR ELEVATIONS

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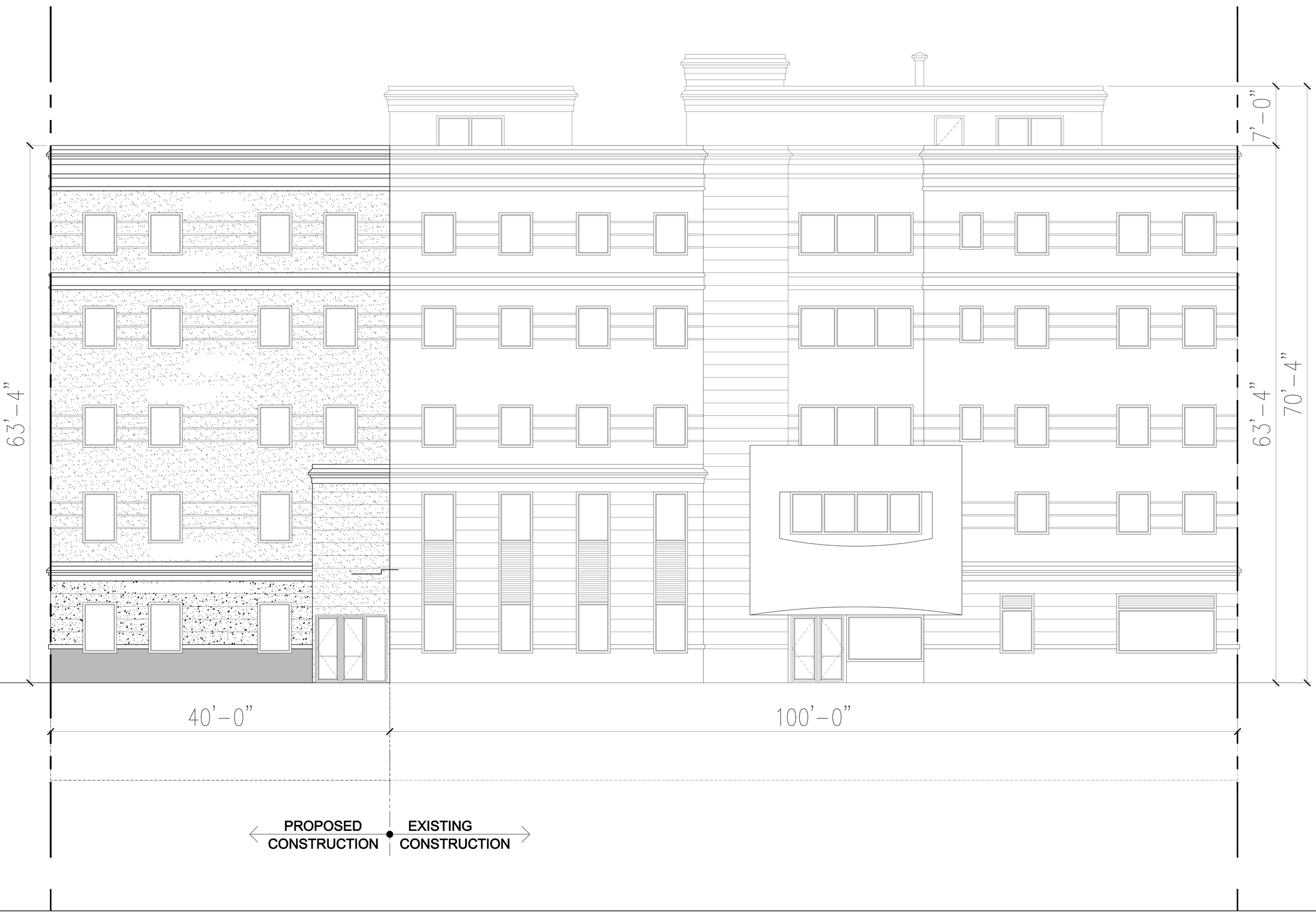
DRAWING NO. 9 of
A-10

DATE 01/06/2003
SCALE 1/4"=1'-0"
PROJECT NO. 1925



DATE	DESCRIPTION	BY	REV

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EXTERIOR ELEVATIONS

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DRAWING NO. 9 of
A-9

DATE 01/06/2003
SCALE 1/4"=1'-0"
PROJECT NO. 1925

APPENDIX B

LPC CORRESPONDENCE

Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

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

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

Properties with no Architectural or Archaeological significance:

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

Properties with Architectural significance and No Archaeological significance:

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

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

Gina Santucci 7/6/2016

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 31591_FSO_GS_07062016.doc

APPENDIX C

JAMAICA BAY WATERSHED PROTECTION PLAN PROJECT TRACKING FORM

Print Form

Jamaica Bay Watershed Protection Plan
Project Tracking Form

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

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

A. GENERAL PROJECT INFORMATION

1. CEQR Number: 17DCP204K 1a. Modification ☐
2. Project Name: 1220 Avenue P
3. Project Description:

The applicant seeks a zoning map amendment to rezone portions of Brooklyn Blocks 6774 and 6775 from an R5B District to an R7A District to facilitate the construction of a five-story building with approx. 14,880 zoning square feet of UG 4 (medical office) community facility floor area at 1220 Ave. P.

4. Project Sponsor: Omni Enterprises LLC
5. Required approvals: ULURP
6. Project schedule (build year and construction schedule): 2020

B. PROJECT LOCATION:

1. Street address: 1614 East 13th Street, Brooklyn, NY, 11229
2. Tax block(s): 6775 and 6774 Tax Lot(s): 12, 13, 74, 75, and 6, 7, and 9
3. Identify existing land use and zoning on the project site: Surface Parking, Mixed Residential and Com
4. Identify proposed land use and zoning on the project site: Community Facility (medical office) R7A
5. Identify land use of adjacent sites (include any open space): Res., Mixed Res. and Commercial, Park
6. Describe existing density on the project site and the proposed density:

Existing Condition	Proposed Condition
parking, 1,759 gsf of Mixed Res. and Co	14,880 ZSF of Use Group 4 (medical office) community facility

7. Is project within 100 or 500 year floodplain (specify)? ☐ 100 Year ☐ 500 Year ☐ No

C. GROUND AND GROUNDWATER

1. Total area of in-ground disturbance, if any (in square feet): 4,000 Square Feet
2. Will soil be removed (if so, what is the volume in cubic yards)? Yes (TBD)
3. Subsurface soil classification:
   (per the New York City Soil and Water Conservation Board): N/A (Urban)
4. If project would change site grade, provide land contours (**attach** map showing existing in 1' contours and proposed in 1' contours).
5. Will groundwater be used (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: N/A Rates: N/A
6. Will project involve dewatering (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: N/A Rates: N/A
7. Describe site elevation above seasonal high groundwater:

   N/A

D. HABITAT

1. Will vegetation be removed, particularly native vegetation? ☐ **Yes** ☒ **No**

   If YES,
   - **Attach** a detailed list (species, size and location on site) of vegetation to be removed (including trees >2" caliper, shrubs, understory planting and groundcover).
   - **List** species to remain on site.
   - **Provide** a detailed list (species and sizes) of proposed landscape restoration plan (including any wetland restoration plans).
2. Is the site used or inhabited by any rare, threatened or endangered species? ☐ **Yes** ☒ **No**
3. Will the project affect habitat characteristics? ☐ **Yes** ☒ **No**

   If YES, describe existing wildlife use and habitat classification using "Ecological Communities of New York State." at http://www.dec.ny.gov/animals/29392.html.
4. Will pesticides, rodenticides or herbicides be used during construction? ☐ **Yes** ☒ **No**

   If YES, estimate quantity, area and duration of application.
5. Will additional lighting be installed? ☐ **Yes** ☒ **No**

   If YES and near existing open space or natural areas, what measures would be taken to reduce light penetration into these areas?

E. SURFACE COVERAGE AND CHARACTERISTICS

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

	Existing Condition	Proposed Condition
1. ***Surface area:***		
Roof:	N/A	Approx. 4,000 Square Feet
Pavement/walkway:	N/A	N/A
Grass/softscape:	N/A	N/A
Other (describe):	N/A	N/A
2. ***Wetland*** (regulated or non-regulated) area and classification:	N/A	N/A
3. ***Water surface area:***	N/A	N/A

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

Existing – how is the site drained?

Site drains into adjacent sewer system to the Jamaica WWTP.

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

No related infrastructure changes are proposed.

About AECOM
AECOM (NYSE: ACM) is a global provider of professional technical and management support services to a broad range of markets, including transportation, facilities, environmental and energy. With approximately 95,000 employees around the world, AECOM is a leader in all of the key markets that it serves. AECOM provides a blend of global reach, local knowledge, innovation, and technical excellence in delivering solutions that enhance and sustain the world's built, natural, and social environments.

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