Section 3.13: Neighborhood Character-Brooklyn

A. INTRODUCTION

This section assesses the proposed project's potential effects on neighborhood character. As defined in the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, neighborhood character is an amalgam of various elements that give a neighborhood its distinct "personality." These elements may include a neighborhood's land use, socioeconomic conditions, open space, shadows, historic and cultural resources, urban design and visual resources, transportation, and/or noise conditions, but not all of these elements contribute to neighborhood character in every case.

Under CEQR, an analysis of neighborhood character identifies the defining features of the neighborhood and then evaluates whether a proposed project has the potential to affect the defining features, either through the potential for a significant adverse impact or a combination of moderate effects in relevant technical analysis areas. To determine the effects of a proposed project on neighborhood character, the defining features of neighborhood character are considered together. According to the *CEQR Technical Manual*, neighborhood character impacts are rare, and it would be unusual that, in the absence of a significant adverse impact in any of the relevant technical areas, a combination of moderate effects to the neighborhood would have the potential to result in an impact to neighborhood character. Moreover, a significant adverse impact identified in one of the technical areas that contributes to a neighborhood's character does not necessarily constitute a significant impact on neighborhood character, but rather serves as an indication that neighborhood character should be examined.

As described in Chapter 1, "Project Description," with the proposed project, the City would establish a system of four new modern borough-based detention facilities to house a total population of approximately 5,000 people. One facility will be located in each of the Bronx, Brooklyn, Manhattan, and Queens. The Brooklyn Site is located at 275 Atlantic Avenue (Block 175, Lot 1) in the Downtown Brooklyn neighborhood of Brooklyn Community District 2. The proposed project would replace the existing Brooklyn Detention Complex with a new detention facility containing approximately 1,190,000 gross square feet (gsf) of above-grade floor area, including approximately 1,437 beds for people in detention; support space; and community facility and/or retail space.

This section includes a preliminary assessment of neighborhood character, which was prepared in conformance with the *CEQR Technical Manual*, and describes the defining features of the existing neighborhood character and considers the potential effects of the proposed actions on these defining features. This assessment relies on the technical analyses presented in other sections of this EIS.

PRINCIPAL CONCLUSIONS

The proposed detention facility would introduce a new building form into the study area. However, it would not significantly affect any of the defining features of the neighborhood. There would be no significant adverse impacts to land use, zoning, and public policy, socioeconomic conditions,

open space, shadows, and noise. While there would be significant adverse impacts to historic and cultural resources and transportation, the *CEQR Technical Manual* states that a significant adverse impact in one of the technical areas that contribute to neighborhood character is not automatically equivalent to a significant adverse impact on neighborhood character. Therefore these alone or in combination with other moderate effects would not constitute neighborhood character impacts as proposed changes would be limited to the area immediately surrounding the site, the impacts to historic and cultural resources would not adversely affect a defining feature of the neighborhood, and low levels of vehicular traffic are not defining features of the neighborhood.

B. METHODOLOGY

According to the *CEQR Technical Manual*, an assessment of neighborhood character is generally needed when a proposed action has the potential to result in significant adverse impacts in any of the following technical areas: land use, socioeconomic conditions, open space, shadows, historic and cultural resources, urban design and visual resources, transportation, or noise. The *CEQR Technical Manual* states that even if a proposed action does not have the potential to result in significant adverse impacts in any specific technical area(s), an assessment of neighborhood character may be required if the project would have the potential to result in a combination of moderate effects to several elements that may cumulatively affect neighborhood character. A "moderate" effect is generally defined as an effect considered reasonably close to the significant adverse impact threshold for a particular technical analysis area. The study area for the preliminary assessment of neighborhood character is defined as the area within ¼ mile of the project site, as shown in **Figure 3.13-1**, which is generally consistent with the study areas used for the technical areas that contribute to the defining elements of the neighborhood.

A preliminary assessment of neighborhood character determines whether changes expected in other technical analysis areas may affect a defining feature of neighborhood character. The preliminary assessment first identifies the defining features of the existing neighborhood character and then evaluates whether the proposed project or action has the potential to affect those defining features, either through the potential for a significant adverse impact or a combination of moderate effects in the relevant technical areas. The key elements that define neighborhood character, and their relationships to one another, form the basis of determining impact significance; in general, the more uniform and consistent the existing neighborhood context, the more sensitive it is to change. A neighborhood that has a more varied context is typically able to tolerate greater change without experiencing significant impacts.

If there is no potential for the proposed project or action to affect the defining features of neighborhood character, a detailed assessment is not warranted.

C. PRELIMINARY ASSESSMENT

DEFINING FEATURES

PROJECT SITE

The Brooklyn Site currently contains the Brooklyn Detention Complex, its defining feature. It consists of a 14-story building, occupying the entirety of the block bounded by Atlantic Avenue, Smith Street, State Street, and Boerum Place, and was constructed ca. 1954–1956. The base is clad in polished stone, and is articulated with large square openings that contain rows of small, square, tinted windows. The upper portion of the building is clad in gray brick and is rectangular in plan with projecting bays centered on the north and south façades. There are 815 beds for those

2/7/2019

Project Site Boundary

Proposed Demapped Area

Study Area Boundary (1/4-mile boundary)

0 1,000 FEET

Neighborhood Character Study Area
Brooklyn Site - 275 Atlantic Avenue

BOROUGH-BASED NYC JAIL SYSTEM

Figure 3.13-1

undergoing the intake process or awaiting trial in Brooklyn or Staten Island courts. A tunnel below State Street connects the project site to the Brooklyn Central Courts Building at 120 Schermerhorn Street.

STUDY AREA

Land uses in the study area include a mix of residential and commercial uses, characterized by the medium-density residential neighborhoods of Cobble Hill and Boerum Hill to the south of the project site, along with the higher-density commercial neighborhood of Downtown Brooklyn to the north of the project site. Atlantic Avenue serves as the primary arterial road in the study area, providing access to the project site while also serving as a buffer from the residential neighborhoods to the south. Local retail uses are located throughout the study area, primarily along Court Street, Smith Street, Fulton Street, and Atlantic Avenue. Public institutional uses are also predominately located north of the study area, and include the Brooklyn Central Courts Building at the corner of State and Smith Streets, and the New York City Housing Court at the corner of Smith and Livingston Streets.

Urban design in the area is characterized primarily by a mixture of building types and sizes, including high-rise apartment buildings, institutional and civic buildings, one- and two-family residences, and mixed-use buildings with ground-floor commercial space. Lower-density residential buildings primarily characterize the southern portion of the study area, while high-rise municipal, office, and apartment buildings tend to be located in the northern portion of the study area. The change in density is apparent on north-south streets such as Smith Street and Boerum Place, where the buildings are typically larger north of Atlantic Avenue within the Special Downtown Brooklyn District (SDBD), which establishes special height, setback, and urban design guidelines to promote and support the continued growth of Downtown Brooklyn.

North of Atlantic Avenue, buildings are typically over five stories tall with streetwalls that meet the sidewalk and that are at least 100 feet long. Boerum Place is lined with tall stone and brick buildings, with a focus on civic and mixed uses, including the 17-story mixed-use building at 110 Livingston Street, and the 20-story Brooklyn Law School student dormitory at 205 State Street. South of Atlantic Avenue, the urban design differs, with residential buildings that typically do not exceed five stories. South of Atlantic Avenue, the Boerum Hill neighborhood primarily includes three- to five-story residential buildings, such as older row houses with bowed façades.

Over approximately the past 20 years, the study area has seen substantial real estate investment including new office development, luxury residential, commercial retail, and hotels. Directly to the east of the project site across Smith Street are two new luxury hotels, the NU Hotel and Hilton Brooklyn. To the south, across Atlantic Avenue, new commercial development includes a variety of large national retail brands and to the west across Boerum Place, new mixed-use development includes retail and luxury residences.

Open space uses in the study area include 124 Livingston Street, which contains a privately owned public space on its grounds, located to the north of the project site between Livingston, Smith, and Schermerhorn Streets and Boerum Place; the P.S. 261 schoolyard located southeast of the project site and bounded by Pacific, Dean, Smith, and Hoyt Streets; and Wilbur A. Levin Plaza, a passive space located on the grounds of the Brooklyn Law School between Joralemon Street, Boerum Place, Livingston Street, and Court Street.

Four known architectural resources are within the historic and cultural resources study area: Friends Meeting House and School, located on the southeastern corner of Schermerhorn Street and Boerum Place; Brooklyn Central Courthouse, located on the eastern edge of the block

bounded by Schermerhorn Street to the north, Smith Street to the east, State Street to the south, and Boerum Place to the west; State Street Houses, located at 290-312 State Street; and a section of the Atlantic Avenue Historic District, located along Atlantic Avenue roughly between Smith and Nevins Streets.

Within the study area, the Brooklyn site is accessible via five subway stations and ten subway lines. In addition to subways, there are 13 different Metropolitan Transportation Authority public bus routes with stops within or near the study area of the Brooklyn site. The street network in the study area is generally setup in a grid with roads in successive alternative directions. Major corridors include Atlantic Avenue, Boerum Place, and Smith Street, which provide access to the Brooklyn-Queens Expressway and Brooklyn Bridge. The area has high levels of pedestrian and vehicular activity. With regard to noise, noise levels at the site generally within the "marginally unacceptable" or "marginally acceptable" range.

Overall, the neighborhood character immediately surrounding the Brooklyn site is defined by its location between the downtown core of Brooklyn north of Atlantic Avenue and residential neighborhoods south of Atlantic Avenue and the correspondingly high levels of vehicular and pedestrian activity. Public institutional uses (such as Kings Country Criminal Court at the corner of State and Smith Streets, and the New York City Housing Court at the corner of Smith and Livingston Streets) and the concentration of taller civic and mixed-use buildings to the north of Atlantic Avenue, along with smaller-scale residential rowhouses and apartment buildings to the south, and a concentration of local retail spaces throughout the area further define the neighborhood character.

ASSESSMENT OF THE POTENTIAL TO AFFECT THE DEFINING FEATURES OF THE NEIGHBORHOOD

The sections below discuss potential changes resulting from the proposed actions in the following technical areas that are considered in the neighborhood character assessment pursuant to the *CEQR Technical Manual*: land use, zoning, and public policy; socioeconomic conditions; open space; shadows; historic and cultural resources; urban design and visual resources; transportation; and noise. The assessment uses the findings from the respective sections of this EIS to identify whether the proposed actions would have the potential to result in any significant adverse impacts or moderate adverse effects in these technical areas and whether any such changes would have the potential to affect the defining features of neighborhood character. As described below, defining features of the study area's neighborhood character would not be affected either through the potential of any significant adverse impact or in combination with any other moderate effects in the relevant technical areas.

LAND USE, ZONING, AND PUBLIC POLICY

Defining features of the neighborhood would not be adversely affected due to potential effects of the proposed actions on land use, zoning, and public policy, either individually, or in combination with potential impacts in other relevant technical areas discussed in this section.

As described in Section 3.1, "Land Use, Zoning, and Public Policy-Brooklyn," no potential for significant adverse impacts related to land use, zoning, or public policy would occur in the future with the proposed project. The proposed project would introduce a new, larger detention facility to the project site than would exist in the No Action condition. The proposed project would be supportive of and compatible with existing institutional civic uses to the north, especially the Kings County Criminal Court, immediately to the north of the project site. In addition, the scale and density of the proposed project would be in keeping with the high-density commercial and

residential uses throughout the northern portion of the study area and Downtown Brooklyn. In addition, the special permit would apply only to the detention facility on the project site and would not adversely affect zoning within the study area. The proposed project would also be supportive of public policies, including the goals of *Smaller, Safer, Fairer*.

SOCIOECONOMIC CONDITIONS

Defining features of the neighborhood would not be adversely affected due to potential effects of the proposed actions on socioeconomic conditions, either singularly, or in combination with potential impacts in other relevant technical areas discussed in this section and in Section 3.2, "Socioeconomic Conditions-Brooklyn."

The proposed project would not have the potential to result in any direct residential displacement or business displacement, as the project site does not contain any residential units or private businesses. Since the proposed project would not introduce any residential dwelling units or substantial new commercial development, it would not have the potential to result in any significant adverse impacts due to indirect residential displacement. In addition, as the proposed project is a replacement of the existing detention facility use, the economic activities associated with the proposed project would be similar to those found in the future without the proposed project. The proposed project would not substantially change business conditions within the socioeconomic study area.

OPEN SPACE

Defining features of the neighborhood would not be adversely affected due to potential effects of the proposed actions on publicly accessible open space, either singularly, or in combination with potential impacts in other relevant technical areas discussed in this section.

The proposed project would not alter or eliminate any public open space resources on the project site. In addition, based on the analyses provided in Brooklyn Site Sections 3.4, "Shadows," 3.10, "Air Quality," 3.11, "Noise," and 3.14, "Construction," study area open spaces would not experience project-related significant adverse shadows, air quality, or noise impacts. Therefore, the proposed project would not have the potential to result in significant adverse impacts related to direct effects on open space.

Currently the passive open space ratio in the study area for non-residential users is below the City's guidelines as indicated in the *CEQR Technical Manual*, and would remain below the guidelines in both the No Action and With Action conditions. Though the proposed project would have the potential to result in a decrease in the passive open space ratio of more than 5 percent compared with the No Action condition, the resources located within the study area are not currently overburdened by the existing populations using them, as the open spaces have moderate rates of utilization. Several additional open space resources near the project site but outside the study area would further offset the effects of new non-residents. Furthermore, the open space demand of workers and visitors introduced by the proposed project would likely be less than projected due to facility security and strict staff schedules, and because the proposed project would provide on-site recreational spaces for facility staff.

SHADOWS

The proposed project would have the potential to result in incremental shadow on three nearby plazas, one park, and two historic buildings with sunlight-sensitive features. For all but one of those resources, the incremental shadow would occur in only one of the four seasons. In no case

would the incremental shadow have the potential to result in significant adverse impacts to either the use or appreciation or the vegetation of any of the affected resources.

HISTORIC AND CULTURAL RESOURCES

Defining features of the neighborhood would not be adversely affected due to potential effects of the proposed actions on historic and cultural resources, either singularly or in combination with potential impacts in other relevant technical areas.

There are four known architectural resources and two potential architectural resources in the study area. The Brooklyn Central Courthouse, a known architectural resource, is located within 90 feet of the proposed project. Construction-related activities to demolish the existing detention facility on the project site and construct the proposed project could have the potential to result in inadvertent adverse direct impacts to the Brooklyn Central Courthouse. Therefore, to avoid inadvertent construction-related impacts to this architectural resource, a Construction Protection Plan (CPP) would be prepared in consultation with the New York City Landmarks Preservation Commission and implemented in coordination with a licensed professional engineer. The Brooklyn Central Courthouse would also be directly affected through the potential construction of new pedestrian bridges or tunnels from 275 Atlantic Street to the courthouse. Construction of a new pedestrian bridge would constitute a direct significant adverse impact to the Brooklyn Central Courthouse. However, this façade of the Brooklyn Central Courthouse is not a defining feature of the neighborhood, and the Courthouse would remain visually prominent along Smith and Schermerhorn Streets with the development of the proposed project. Therefore, the construction of the pedestrian bridge would not have the potential to result in significant adverse impacts to neighborhood character.

The proposed project would not have the potential to result in any indirect impacts on known and potential architectural resources. No known or potential architectural resources have sunlight-dependent features that would be impacted by the proposed project, and the proposed project would not significantly impact publicly accessible views to, or significantly alter, the historic setting of the known and potential architectural resources located in the study area.

There would not be any anticipated impacts to neighborhood character as a result of potential effects on historic and cultural resources.

URBAN DESIGN AND VISUAL RESOURCES

Defining features of the neighborhood would not be adversely affected due to potential effects of the proposed actions on urban design and visual resources, either singularly, or in combination with potential impacts in other relevant technical areas discussed in this section.

The proposed detention facility would be taller than many of the existing buildings in the study area, though it would fit within the densely developed Downtown Brooklyn setting and is located within the SDBD. The northern portion of the study area contains multiple buildings that are over 200 feet in height and several that are taller, including buildings over 300 feet tall, and the planned approximately 591-foot tall building at 11 Hoyt Street which would be considerably taller than the proposed project. Additionally, the existing facility is already fairly tall at 206 feet and the proposed additional height would have limited additional impact on the current pedestrian experience. The building's massing with a tower set on a base would be consistent with the existing urban design of the project site and would be consistent with the design of other more recently constructed buildings in the study area.

The study area is developed with a variety of buildings of different ages, designs, and cladding, including on Atlantic Avenue where there are more recently constructed buildings clad in glass curtain walls and brick mixed-use buildings with retail storefronts, and the proposed detention facility would fit into this varied urban design context. The proposed detention facility's base is anticipated to be clad in stone and would be compatible with the institutional buildings in the area, including the Brooklyn Central Courthouse located immediately north of the project site. An activated ground floor, with multiple entries and uses that would include retail or community facilities would enliven the pedestrian experience and fit in with the busy Atlantic Avenue street corridor.

The proposed project would result in the removal of the "Justice Mandala" mural on the north façade of the building. However, the "Justice Mandala" mural is not considered to be a defining feature of the neighborhood as a whole, and therefore this would not constitute a neighborhood character impact.

TRANSPORTATION

Defining features of the neighborhood would not be adversely affected due to potential effects of the proposed project on transportation, either singularly, or in combination with potential impacts in other relevant technical areas discussed in this section. The proposed project would not have the potential to result in significant adverse impacts to transit.

The proposed project would have the potential to result in potential significant adverse traffic impacts at 10 study area intersections during one or more analyzed peak hours. Implementation of signal timing changes are being proposed and would provide mitigation for some of the anticipated traffic impacts subject to review and approval by the New York City Department of Transportation (DOT).

The impacted intersections are detailed further in Section 3.9, "Transportation-Brooklyn." Overall, the changes in traffic due to the proposed project would not have the potential to result in significant adverse impacts on neighborhood character.

NOISE

The defining features of the neighborhood would not be adversely affected due to potential noise effects of the proposed actions, either singularly, or in combination with potential impacts in other relevant technical areas. The analysis presented in Section 3.11, "Noise-Brooklyn," finds that the proposed actions would not have the potential to result in any significant adverse noise impacts at nearby noise receptors. The proposed project would not generate sufficient traffic to have the potential to cause a significant mobile source noise impact. It is assumed that the proposed buildings' mechanical systems (i.e., heating, ventilation, and air conditioning [HVAC] systems) would be designed to meet all applicable noise regulations and to avoid producing levels that would have the potential to result in any significant increase in ambient noise levels. In addition, a recreational yard analysis was conducted based on proposed rooftop recreation yards for the proposed detention facility. The proposed project would incorporate measures to avoid potential noise impacts from recreation yards on nearby sensitive receptors. Therefore, the proposed project would not have the potential to result in any significant adverse noise impacts related to building mechanical equipment (stationary sources). As a result, there would be no noise-related impacts on neighborhood character. ✷