equity environmental engineering

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1421 86th Street Rezoning

Environmental Assessment Statement

Address: 1421 86th Street, Brooklyn, New York 11228

Block 6340, Lots 1, 60, and 66

CEQR Reference Number: 23DCP024K

Lead Agency:
Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Prepared for:
Romantique Double Diamond, Inc.

Prepared by:
Equity Environmental Engineering, LLC

Date Submitted:
February 2, 2023

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Appendices:

EAS SHORT FORM

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* 1421 86th Street Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
23DCP024K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
230018ZMK; N230019ZRK	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY New York City Department of City Planning (NYCDCP)			NAME OF APPLICANT Romantique Double Diamond Inc.		
NAME OF LEAD AGENCY CONTACT PERSON Stephanie Shellooe, Director, NYCDCP Environmental Assessment Review Devision			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Amber Kartalyan, Equity Environmental Engineering LLC		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 500 International Drive, Suite 150		
CITY New York	STATE NY	ZIP 10271	CITY Mount Olive	STATE NJ	ZIP 07828
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 973-527-7451	EMAIL amber.kartalyan@equityenvironmental.com	

5. *Project Description*

The "Applicant," Romantique Double Diamond Inc., seeks a Zoning Map Amendment affecting a portion of Block 6340 in the Dyker Heights neighborhood of Brooklyn Community District 11. The "Affected Area" consists of Block 6340, Lots 1, 60, and 66, a 36,000-square-foot (sf) rectangular area bounded by 86th Street to the south; 14th Avenue to the west; a line parallel to and 360 feet from 14th Avenue to the east; and a line parallel to and 100 feet from 86th Street to the north. The proposed Zoning Map Amendment would rezone the entirety of the Affected Area from an R4 / C2-2 zoning district to an R7A / C2-4 zoning district. The Applicant is also proposing a Zoning Text Amendment to Appendix F of the New York City Zoning Resolution to add a Mandatory Inclusionary Housing (MIH) area coterminous with the Affected Area. The Zoning Map Amendment and Zoning Text Amendment constitute the "Proposed Actions."

The Proposed Project consists of redevelopment of the Applicant's site (Block 6340, Lot 66) with a 67,160-gross-square-foot (gsf) or 45,010 zoning square foot (zsf), 95-foot-tall, nine-story plus cellar mixed-use commercial and residential building with an overall floor area ratio (FAR) of 4.50. The ground floor would feature a 1,566 gsf (1,519 zsf) commercial retail space (0.15 commercial FAR) along with a residential lobby, recreation area and one (1) residential dwelling unit. The second through ninth floors would contain 56 dwelling units. Overall, there would be a total of 65,594 gsf or 43,491 zsf of residential floor area (4.35 residential FAR) and 57 dwelling units within the building, of which 25%-30% (15-18 units) would be set aside as permanently affordable units for households with income averaging 60%-80% AMI depending on the selected MIH Option. The Proposed Project would contain a total of 25 enclosed vehicular parking spaces located in the cellar level and accessed via bidirectional ramp on the eastern portion of the site from a curb cut along 86th Street. The Applicant intends to pursue MIH Option 2; under this option, approximately 18 of the 57 proposed residential dwelling units would be set aside at or below 80% area median income (AMI), which would make up 30% of the total residential units provided on the Development Site.

According to the guidance of the 2021 CEQR Technical Manual, some discretionary actions (i.e., rezonings) may permit a range of possible development outcomes, even where the actions are sought to facilitate a specific development. From the range of possible scenarios that are considered reasonable and likely, the scenario with the worst environmental

consequences is chosen for analysis purposes. This scenario is identified the Reasonable Worst-Case Development Scenario (RWCDS), the use of which ensures that, regardless of which scenario actually occurs, its impacts would be no worse than those considered in the environmental review. This environmental assessment statement examines, compares, and analyzes the incremental differences of development that could occur in the future without the proposed actions (No-Action Scenario) versus the future with the proposed action (With-Action Scenario).

Under RWCDS, Projected Development Site 1 (Applicant-Owned Block 6340, Lot 66) would be redeveloped with a 67,682 gross square foot (4.52 FAR), nine-story plus cellar mixed-use commercial and residential building with 1,834 gsf (0.18 FAR) of commercial retail space, 57,618 gsf (4.34 FAR) of residential floor area, and 8,230 gsf of parking space. There would be 62 dwelling units, 25-30% (16-19 units) of which would be affordable pursuant to MIH at an average of 60-80% AMI depending on the Option selected. Projected Development Site 1 would contain a total of 26 enclosed vehicular parking spaces located in the cellar level and accessed via ramp on the eastern portion of the site from a curb cut along 86th Street.

Projected Development Site 2 (Block 6340, Lot 60) would be redeveloped with a new 68,970 gsf (4.60 FAR), nine-story, 95-foot-tall, mixed-use residential and commercial building with 5,350 gsf (0.42 FAR) of commercial retail floor area, 55,220 gsf (4.18 FAR) of residential floor area, and 8,400 gsf of parking space. The building would consist of 59 dwelling units, 25-30% (15-18 units) of which would be affordable pursuant to MIH at an average of 60-80% AMI depending on the option selected. Twenty-four enclosed parking spaces would be provided in the cellar level of the building.

The RWCDS also considers one Potential Development Site (Potential Development Site 1) on Block 6340, Lot 1, which could be redeveloped with an 80,581 gsf (4.6 FAR) mixed-use residential and ground floor commercial building with a height of 95 feet over 9 stories. There would be a total of 74 dwelling units, 25-30% (19-23 units) of which would be affordable pursuant to MIH at an average of 60-80% AMI depending on the Option selected. Per the guidance of the CEQR Technical Manual, Potential Development Site 1 is not considered in the analysis of any density-related impact categories (such as open space and traffic).

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 11	STREET ADDRESS 1401 - 1435 86th Street
TAX BLOCK(S) AND LOT(S) Brooklyn Block 6340, Lots 1, 60, and 66		ZIP CODE 11288

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS 86th Street to the south; 14th Avenue to the west; a line parallel to and 360 feet from 14th Avenue to the east; and a line parallel to and 100 feet from 86th Street to the north.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R4 / C2-2	ZONING SECTIONAL MAP NUMBER 22b

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 Zoning Text Amendment to Appendix F to add a Mandatory Inclusionary Housing (MIH) area coterminous with the Affected Area

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 ☐ Cogeneration Facility ☐ Title V Permit

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.): 36,000
Waterbody area (sq. ft) and type: 0
Roads, buildings, and other paved surfaces (sq. ft.): 36,000
Other, describe (sq. ft.): 0

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): 67,682 (Projected Site 1), 68,970 (Projected Site 2) - Total 136,652
NUMBER OF BUILDINGS: 2
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 67,682 (Projected Site 1), 68,970 (Projected Site 2) - Total 136,652
HEIGHT OF EACH BUILDING (ft.): 95' (105' w/ Bulkhead)
NUMBER OF STORIES OF EACH BUILDING: 9

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: 10,000
The total square feet not owned or controlled by the applicant: 26,000

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: 22,000 sq. ft. (width x length)
VOLUME OF DISTURBANCE: 220,000 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 22,000 sq. ft. (width x length)

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

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	112,838	7,184		
Type (*e.g.,* retail, office, school)	121 units	Ground floor Commercial Retail		

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO
If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 356 NUMBER OF ADDITIONAL WORKERS: -32
Provide a brief explanation of how these numbers were determined: Based on a factor of 1 employee per 250 sf of Medical Office Space, 1 employee per 333.3 sf of commercial retail space, and 1 employee per 25 dwelling units and an average of 2.94 persons per household (based on 2020 Decennial Census Data for Brooklyn Census Tract 170, in which the Applicant's site is located)

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): 2025

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: Construction of the Projected Development Sites 1 and 2 and Potential Development Site 1 (including financing, design, construction, and occupancy) is projected to take up to 23 months, resulting in a Project Build Year of 2025.		
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO		IF MULTIPLE PHASES, HOW MANY?
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:		
10. *Predominant Land Use in the Vicinity of the Project* (check all that apply) ☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☒ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:		

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(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		
○ **Early Childhood Programs:** 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)	☐	☒
○ **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)	☐	☒
○ **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)	☐	☒
○ **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 project change or eliminate existing open space?	☐	☒
(b) Would the project generate more than 200 additional residents or 500 additional employees?	☒	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☒	☐
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		

	YES	NO
(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. See Section 2.4 of the attached report		
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 Protection Plan Project Tracking 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) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure?	☐	☒
(c) 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?	☐	☒
(d) 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 the Hazardous Materials Appendix (including nonconforming uses)?	☒	☐
(e) 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?	☒	☐
(f) 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)?	☐	☒
(g) 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?	☐	☒
(h) 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?	☐	☒
(i) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☒	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed? See Section 2.6 of the attached report	☒	☐
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): 4,961		
○ 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): 15,850,474		
(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, bus trips, or 50 Citywide Ferry Service ferry 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), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☐
○ 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, or Citywide Ferry Service landing?	☐	☐
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) See Section 2.7	☒	☐
(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 114 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;	☒	☐

	YES	NO
Hazardous Materials; Noise?		

(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. The Proposed Actions do not have the potential for significant adverse impacts in the technical areas above as noted in the attached Supplemental Analyses. In addition, the project would not result in the combination of moderate adverse impacts in the technical areas to have the potential to significantly affect public health. Therefore, an assessment of public health is not warranted.

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. See Section 2.9 of the attached 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.

See Section 2.10 of the attached report

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
Amber Kartalyan	January 30, 2023

SIGNATURE Amber Kartalyan

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).

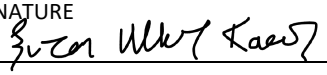
☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. 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, Environmental Assessment and Review Division	City Planning Commission
NAME	DATE
Evren Ulker-Kacar, AICP	February 24, 2023

SIGNATURE



NEGATIVE DECLARATION

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed actions would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission (CPC) would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The applicant, Romantique Double Diamond Inc., proposes a zoning map amendment to rezone Brooklyn Block 6340, Lots 1, 60, and 66 (the "proposed rezoning area") from an R4/C2-2 zoning district to an R7A/C2-4 zoning district; and a zoning text amendment to establish an MIH area coterminous with the proposed rezoning area (collectively, the "Proposed Actions") in the Dyker Heights neighborhood of Brooklyn Community District 11. The Proposed Actions would facilitate the development of a nine-story (95'), 67,160 gross square foot (gsf) mixed commercial and residential building (the "proposed project") containing 1,566 gsf of ground-floor local retail use; 57 dwelling units, of which 25-30% (15-18 units) would be affordable pursuant to MIH; as well as 25 accessory parking spaces in the cellar-level, on the applicant-owned property located at 1421 86th Street (Lot 66, "Projected Development Site 1"). The future With-Action scenario analyzed in the EAS conservatively assumes a slightly larger mixed-use building (67,682 gsf) on Projected Development Site 1 that includes 62 dwelling units (including 16-19 units); and also considers the redevelopment of Projected Development Site 2 (Lot 60) with a 68,970 gsf nine-story, 95-foot-tall, mixed residential and commercial building with 59 units (including 18-18 affordable), as well as one potential development site (Lot 1) that is less likely to be redeveloped in the With-Action scenario. The Proposed Actions are anticipated to result in the development of mixed commercial and residential buildings that are relatively larger (with respect to bulk and height) than surrounding buildings; however, the proposed uses and density would not be incompatible with existing development along 86th Street, a wide street with numerous commercial uses. The proposed rezoning would facilitate the introduction of more than 120 dwelling units including over 30 permanently affordable units pursuant to MIH. As such, the Proposed Actions would be consistent with relevant public policies including the City's Housing New York 2.0 plan. The analysis concludes that no significant adverse impacts are anticipated for land use, zoning, and public policy, and no further analysis is warranted.

Shadows

A detailed analysis related to shadows is included in the EAS. Using a worst-case building height of 105' for the projected and potential development sites (building height of 95' plus 10' allowance for the mechanical bulkhead), the shadows screening assessment identified one sunlight-sensitive open space resource within the shadow study area: Dyker Beach Park, a 216.66-acre, publicly accessible open space. The detailed shadows analysis results indicate that the proposed buildings would cast incremental shadows on a relatively small portion of the park on the May 6/August 6 analysis day for 1 hour, and on the June 21st analysis day for 1 hour and 34 minutes. The analysis findings demonstrate that in the With-Action scenario, vegetation in the affected portion of the park would continue to receive adequate sunlight for a minimum of six to eight hours from March through October, and that the usability and viability of Dyker Beach Park, with respect to the survival of vegetation and the enjoyment of public recreation areas, would not be impaired as a result of project-generated incremental shadows. Therefore, the analysis concludes that no significant adverse shadow impacts are anticipated, and no further analysis is warranted.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-707) related to hazardous materials, air quality, and noise would be established as part of the approval of the Proposed Actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the Proposed Actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Stacey Barron, AICP at (212) 720-3419.

Project Name: 1421 86th Street Rezoning
CEQR # 23DCP024K
SEQRA Classification: Unlisted

TITLE Deputy Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3493
NAME Evren Ulker-Kacar, AICP	DATE 2/24/2023
SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 2/27/2023
SIGNATURE	

Project Name: 1421 86th Street Rezoning
CEQR # 23DCP024K
SEQRA Classification: Unlisted

Determination of Significance Appendix

The Proposed Actions were determined to have the potential to result in changes to development on the following sites:

Development Site	Borough	Block and Lot
Projected Development Site 1	Brooklyn	Block 6340, Lot 66
Projected Development Site 2	Brooklyn	Block 6340, Lot 60
Potential Development Site 1	Brooklyn	Block 6340, Lot 1

(E) Designation Requirements

To ensure that the Proposed Actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-707**) would be established as part of approval of the Proposed Actions on **Projected Development Sites 1 and 2 and Potential Development Site 1** as described below:

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

Hazardous Materials

The (E) designation requirements applicable to on **Projected Development Site 1 (Block 6340, Lot 66) and Projected Development Site 2 (Block 6340, Lot 60), and Potential Development Site 1 (Block 6340, Lot 1)** for hazardous materials would apply as follows:

Task 1-Sampling Protocol
The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol
A written report with findings and a summary of the data must 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.

Air Quality

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

Projected Development Site 1 (Block 6340, Lot 66): *Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s), ensure that the stack is located at the building's highest level or at least 103 feet above grade, and that the stack is located at least 20 feet from the western lot line facing 14th Avenue to avoid any potential significant adverse air quality impacts.*

Projected Development Site 2 (Block 6340, Lot 60): *Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s), ensure that the stack is located at the building's highest level or at least 100 feet above grade, and that the stack is located at least 70 feet from the western lot line facing 14th Avenue to avoid any potential significant adverse air quality impacts.*

Potential Development Site 1 (Block 6340, Lot 1): *Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s), ensure that the stack is located at the building's highest level or at least 100 feet above grade, and that the stack is located at least 70 feet from the eastern lot line facing 15th Avenue to avoid any potential significant adverse air quality impacts.*

Noise

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

Projected Development Site 1 (Block 6340, Lot 66), Projected Development Site 2 (Block 6340, Lot 60), and Potential Development Site 1 (Block 6340, Lot 1): *In order to ensure an acceptable interior noise environment, future residential and commercial office uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on building facades facing 86th Street and the building facades facing 14th Avenue and 15th Avenue within 50 feet of 86th Street to maintain an interior noise level not greater than 45 dB(A) for residential use or not greater than 50 dB(A) for commercial office use. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*

Figure 1.1-1: Site Location Map

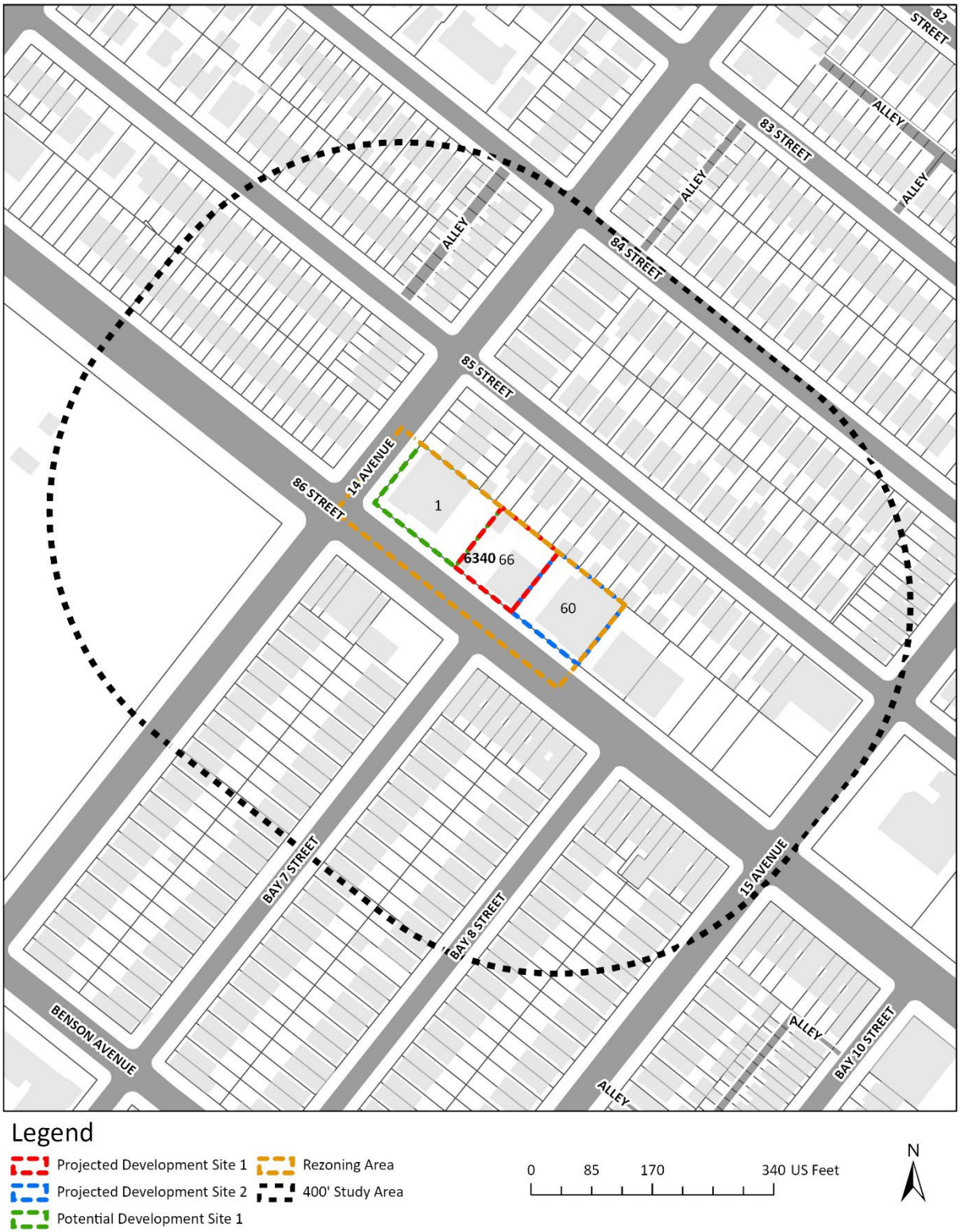


Figure 1.1-2: Existing Land Use Map

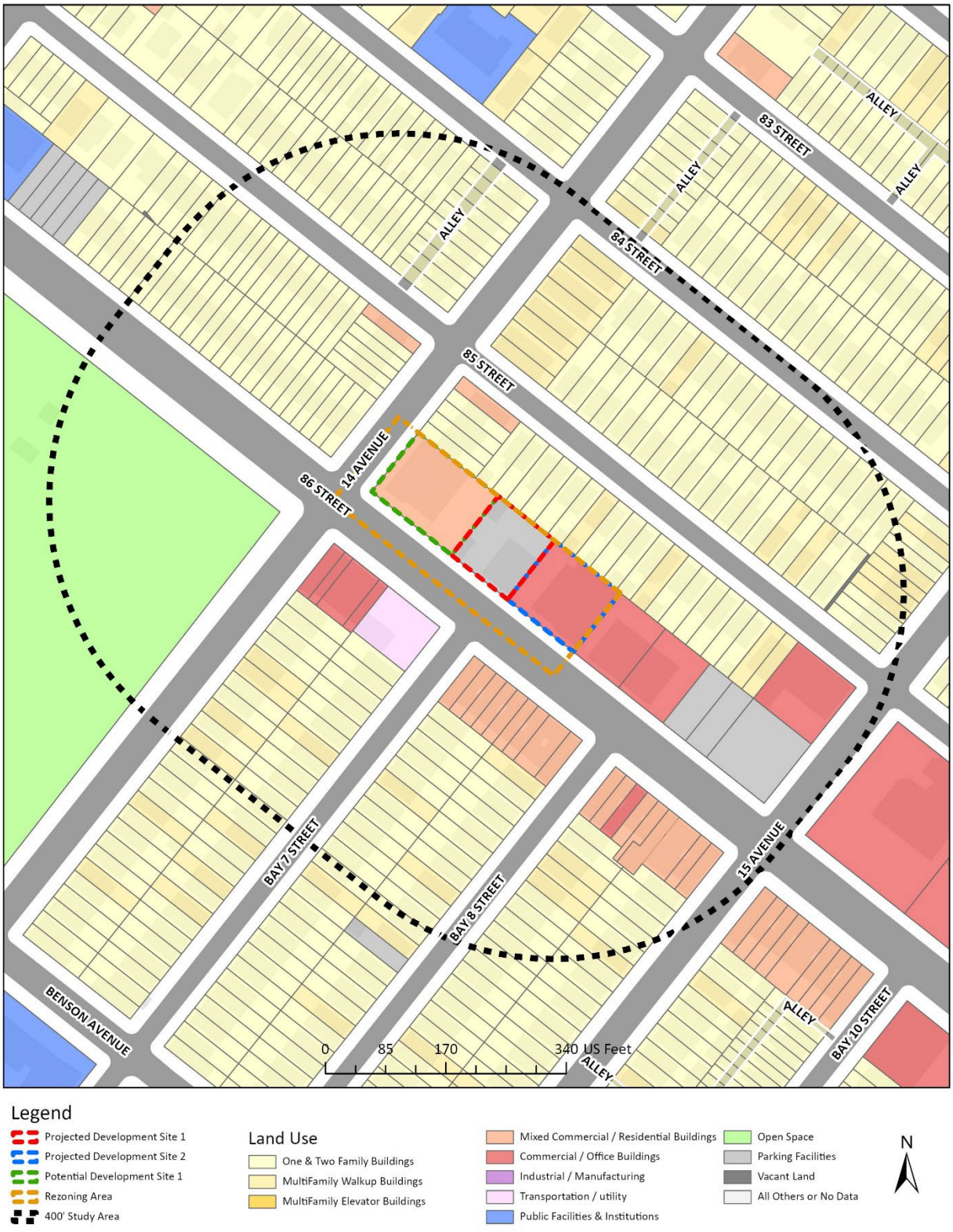


Figure 1.1-3: Zoning Sectional Map

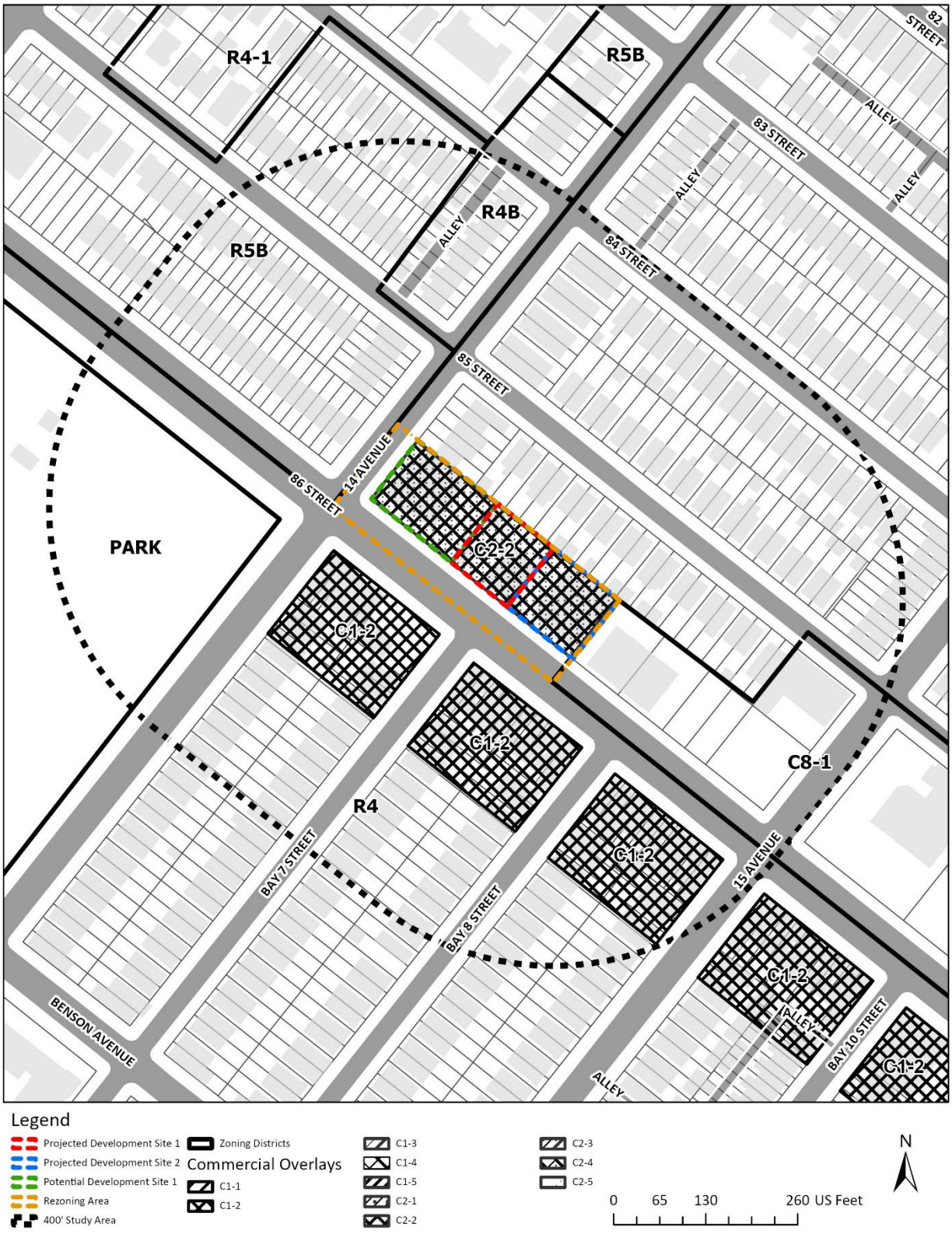


Figure 1.1-4: Zoning Change Map

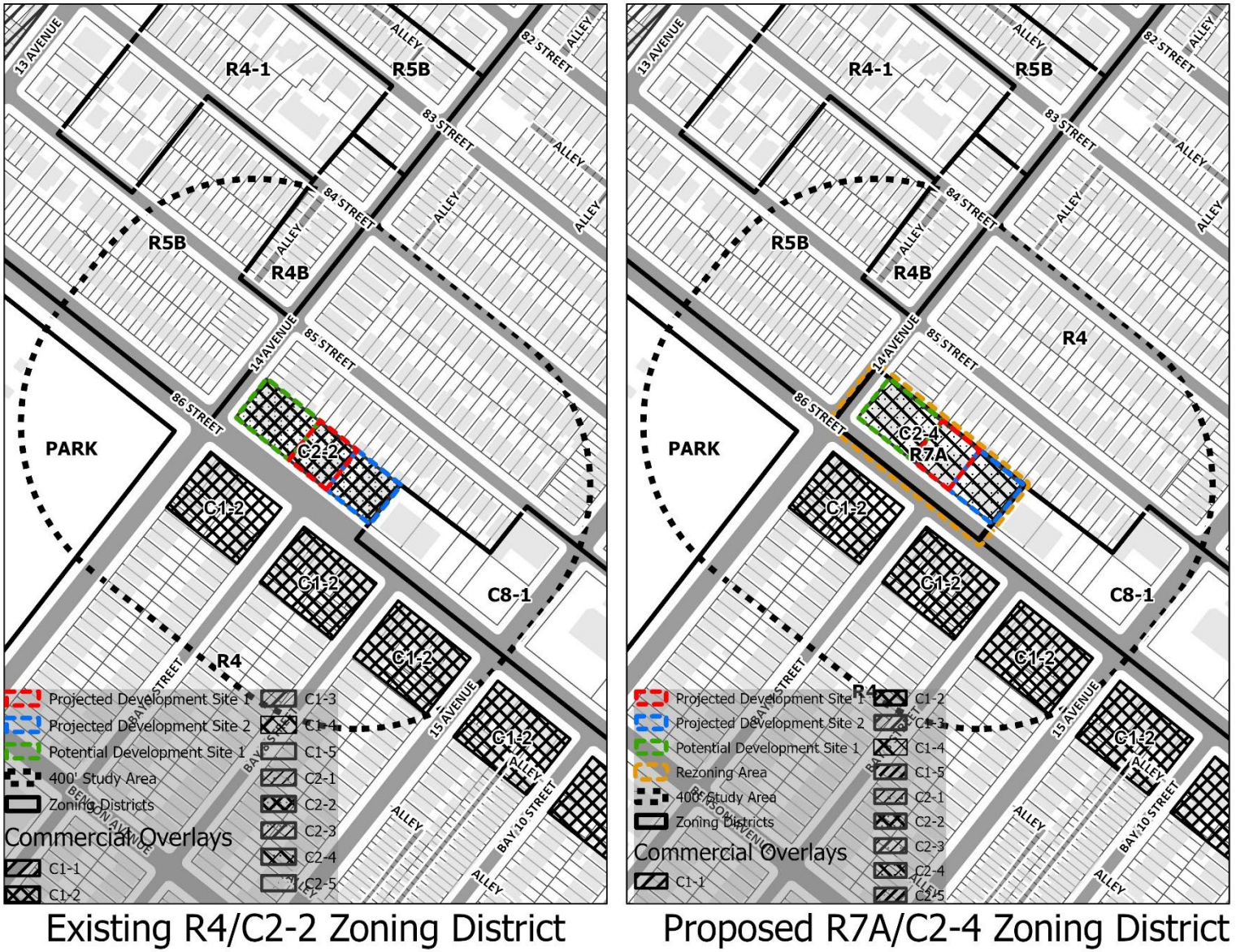


Figure 1.1-5: Tax Map

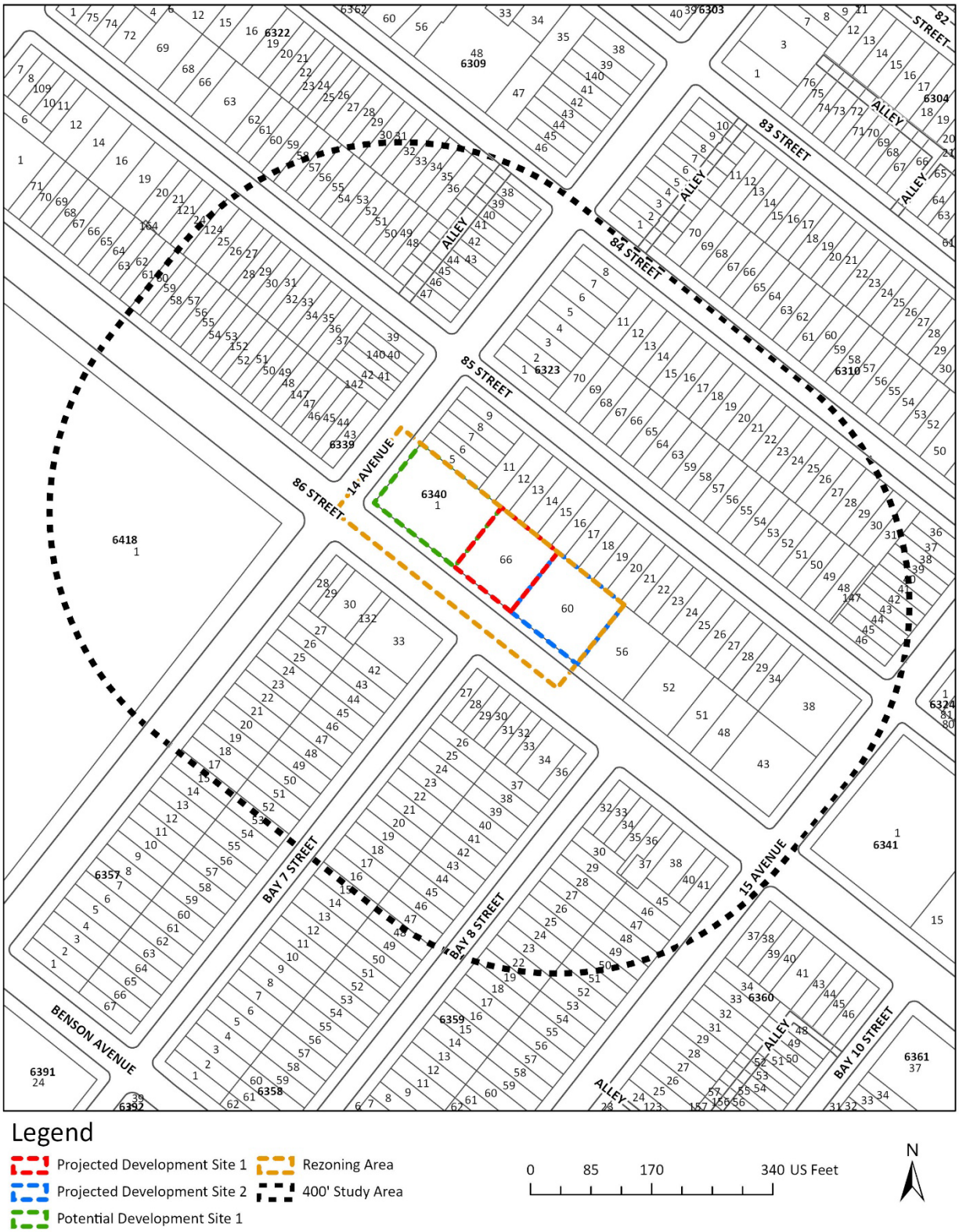


Figure 1.1-6: Site Photos

1 View of Potential Development Site 1, faving northeast from the intersection of 14th Avenue and 86th Street

Affected Area Photographs with Photo Key

2 View of Potential Development Site 1, facing east from 14th Avenue

3 View of Potential Development Site 1, facing north from 86th Street

Figure 1.1-6: Site Photos (Continued)

4 View of Projected Development Site 1, facing northeast from 86th Street

Affected Area Photographs with Photo Key

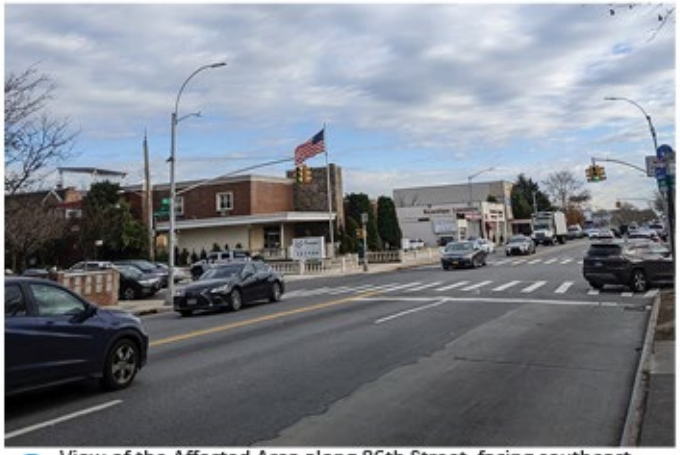
5 View of Projected Development Site 1, facing north from 86th Street

6 View of Projected Development Site 2, facing northeast from 86th Street

Figure 1.1-6: Site Photos (Continued)

7 View of Projected Development Site 2, facing north from 86th Street

Affected Area Photographs with Photo



8 View of the Affected Area along 86th Street, facing southeast from Dyker Beach Park

9 View of the Affected Area along 86th Street, facing northwest from the intersection of 86th Street and Bay 8t Street

1 Project Description

1.1 Introduction

The "Applicant," Romantique Double Diamond Inc., seeks a Zoning Map Amendment affecting a portion of Block 6340 in the Dyker Heights neighborhood of Brooklyn Community District 11. The "Affected Area" consists of Block 6340, Lots 1, 60, and 66, a 36,000-square-foot [-sf] rectangular area bounded by 86th Street to the south; 14th Avenue to the west; a line parallel to and 360 feet from 14th Avenue to the east; and a line parallel to and 100 feet from 86th Street to the north. The proposed Zoning Map Amendment would rezone the entirety of the Affected Area from an R4 / C2-2 zoning district to an R7A / C2-4 zoning district. The Applicant is also proposing a Zoning Text Amendment to Appendix F of the New York City Zoning Resolution to add a Mandatory Inclusionary Housing (MIH) area coterminous with the Affected Area. The Zoning Map Amendment and Zoning Text Amendment constitute the "Proposed Actions."

The Proposed Actions would facilitate a proposal by the Applicant to redevelop 1421 86th Street located on Block 6340, Lot 66 (the "Development Site," or "Projected Site 1"). The "Proposed Project" involves the demolition of an existing one-story, 4,910-sf commercial building and the construction of a 67,160 gross-square-foot (gsf) or 45,010 zoning-square-foot (zsf), 95-foot-tall, nine-story plus cellar mixed-use commercial and residential building with an overall floor area ratio (FAR) of 4.50 on the Development Site. As proposed by the Applicant, the ground floor would feature a 1,566 gsf (1,519 zsf) commercial retail space (0.15 commercial FAR) along with a residential lobby, recreation area, and one (1) residential dwelling unit. The second through ninth floors would contain 56 dwelling units. Overall, the proposed development would include a total of 65,549 gsf or 43,491 zsf of residential floor area (4.35 residential FAR) and 57 dwelling units, of which 25%-30% (15-18 units) would be set aside as permanently affordable units for households with income averaging 60%-80% AMI depending on the selected MIH Option. The Proposed Project would also contain a total of 25 enclosed vehicular parking spaces located in the cellar level and accessed via a bidirectional ramp on the eastern portion of the site from a curb cut along 86th Street. The Applicant intends to pursue MIH Option 2; under this option, approximately 18 of the 57 proposed residential dwelling units would be set aside for families earning at or below 80% of the area median income (AMI), which would make up 30% of the total residential units provided on the Development Site.

The Proposed Actions are discretionary approvals subject to environmental review. The New York City (NYC) Department of City Planning (DCP) is the lead agency on behalf of the NYC City Planning Commission (CPC) for this project's environmental review under the guidance of the City Environmental Quality Review (CEQR) Act of New York City.

1.2 Background and Site History

The Affected Area is located at the southwestern corner of the Dyker Heights neighborhood in southern Brooklyn, cater-corner to Dyker Beach Park. The current R4 zoning district mapped along the north side of 86th Street between 14th Avenue and 15th Avenue is a legacy of 1961 zoning regulations. A 2015 Certificate of Occupancy (CO) exists for Lot 66 (the Applicant's Development Site), that indicates the use of the Development Site as an automobile rental establishment and accessory storage garage (New York City Use Groups 8 and 16, respectively). A 1960 CO for Lot 1 permits that lot's use as a funeral parlor (Use Group 7) with accessory dwelling unit; a 1999 CO for Lot 60 permits medical office use (New York City Use Group 6).

In July 2007, the New York City Planning Commission (CPC) approved the Dyker Heights – Fort Hamilton Rezoning (CEQR No. 07DCP054K, ULURP No. 070387ZMK), affecting the area adjacent and to the southwest of the Affected Area to the west. The Dyker Heights – Fort Hamilton Rezoning encompassed approximately 160 blocks in the Dyker Heights and Fort Hamilton neighborhoods in Brooklyn, Community District 10. The general goals of this prior rezoning proposal included the following:

- Preservation of neighborhood scale and character through the mapping of lower density and contextual zoning districts for the mid-blocks to recognize the existing detached, semi-detached and small rowhouse character of these areas;
- Reinforcement of the existing commercial corridors and encourage mid-rise mixed retail/residential buildings;
- Limiting the maximum floor area for community facility uses (without tax-exempt status) located within residential buildings in the proposed one- and two-family and R5B zoning districts; and
- Identifying limited opportunities for new commercial and residential development.

No recent small-scale rezonings initiated by private-sector applicants were identified in the vicinity of the Affected Area.

1.3 Description of the Surrounding Area

The Affected Area is located within the Dyker Heights neighborhood of Brooklyn, Community District 11, bounded by 86th Street to the south; and 14th Avenue to the west; a line parallel to and 360 feet from 14th Avenue to the east; and a line parallel to and 100 feet from 86th Street to the north. 86th Street is a northwest-southeast, 100-foot-wide, right-of-way classified as a "Principal Arterial Road – Other" pursuant to New York State Department of Transportation (NYSDOT) roadway classification data, with two moving lanes of traffic in each direction and curbside parking. 14th Avenue is a northeast-southwest, 80-foot-wide, right-of-way with one lane

of traffic in each direction and curbside parking, classified as a "Minor Arterial" road pursuant to NYSDOT data.

The land use character within a 400-foot radius of the Affected Area (the "Surrounding Area") primarily consists of one- and two-family residential, multi-family residential, mixed-use residential and ground floor commercial, open space, commercial, and parking facility land uses. Specifically, the 86th Street corridor is defined by mixed-use residential with ground floor commercial, and parking facility uses east of 14th Avenue (ranging in height from one to two stories), with one- and two-family residential uses along the north side of the 86th Street Corridor west of 14th Avenue (all of which are two stories in height). Open space and recreational uses, in the form of the 216.66-acre Dyker Beach Park, define the area south of 86th Street west of 14th Avenue. The park includes a variety of recreational amenities such as baseball fields, basketball courts, bocce courts, football fields, golf courses, handball courts, playgrounds, soccer fields, spray showers, and tennis courts. Beyond the 86th Street corridor, the Surrounding Area is defined exclusively by residential land uses, primarily one- and two-family residential land uses interspersed with multi-family residential land uses (virtually all of which are two-stories in height).

The overall built form in the Surrounding Area varies by use and generally consists of low-rise residential and commercial buildings, including two- to three-story residential buildings in the areas beyond the 86th Street corridor that create a continuous street wall (see **Figure 2.5-2** through **Figure 2.5-7**, Photograph Nos. 1, 3-13, 16-20, and 23) and low-rise, one- to two-story commercial buildings (with occasional second-floor residences) along the 86th Street corridor interspersed with surface parking uses that creates an inconsistent street wall along either side of the street (see **Figure 2.5-2** through **Figure 2.5-7,** Photograph Nos. 2, 14, 15, 21, 22, and 24).

The Affected Area is situated within a mapped R4 zoning district that generally extends north and south within the Surrounding Area, with a C2-2 commercial overlay district mapped along the north side of 86th Street. A C1-2 commercial overlay district is mapped along the south side of 86th Street within the R4 zoning district.

A C8-1 zoning district is mapped in the eastern portion of the Surrounding Area, extending along 86th Street from the eastern boundary of the Affected Area to the midblock between 16th Avenue and 17th Avenue, which permits automotive and other heavy commercial services that often require large amounts of land, bridging commercial and manufacturing uses. R4B and R5B zoning districts are mapped in the western and northwestern portions of the Surrounding Area, west of 14th Avenue; it is noted that these zoning districts were mapped in July 2007 as part of the Dyker Heights – Fort Hamilton Rezoning described above.

The Affected Area is well-served by public transit. The 18th Avenue subway station with D Train service is located approximately 0.55 miles east of the Affected Area at the intersection of 18th Avenue and 85th Street. Three bus lines service the Affected Area and Surrounding Area, including the B1, B64, and Bx28. The B1 bus, which connects Manhattan Beach / Kingsborough

Community College and Bay Ridge, runs along 86 Street within the Surrounding Area, with two stops along the south side of 86th Street and one stop along the north side of 86th Street. Within the surrounding area, the B64 (connecting Bay Ridge and Coney Island) runs along 14th Avenue, and the B1 (connecting Bay Ridge and Manhattan Beach) runs along 86th Street.

1.4 Description of the Affected Area

The Applicant-Owned Development Site

The Applicant-owned Development Site is located at 1421 86th Street (Block 6340, Lot 66) and is an interior lot with 100 feet of frontage along 86th Street and a 100-foot lot depth, with a total area of 10,000 sf. The Development Site is improved with a one-story, 4,910-sf commercial building (0.49 commercial FAR), occupied by a commercial limousine rental company (Romantique Double Diamon Limousines). The western portion of the site is used for auto sales. Two curb cuts along 86th Street are used to enter and exit the site.

Non-Applicant Controlled Sites

The Affected Area features two other lots, both of which are independently owned. Neither site is controlled by the Applicant. Their existing conditions are described below.

Lot 1 is a 14,000-sf corner lot improved with a two-story mixed commercial and residential building containing a ground-floor funeral home (Scarpaci Funeral Home) and a 2nd-floor apartment. The building's size is 15,360-sf commercial building (1.1 FAR). The property is accessed via one curb cut along 86th Street and features approximately ten off-street uncovered parking spaces. Lot 1 has 140 feet of frontage along 86th Street and 100 feet of frontage along 14th Avenue.

Lot 60 is a 12,000-sf interior lot with 120 feet of frontage along 86th Street, improved with a two-story medical office building (Dyker Heights Medical Associates), approximately 11,290 sf in total floor area (0.94 commercial FAR). The property is accessed via one curb cut along 86th Street and features approximately seven off-street uncovered parking spaces located on a side yard to the west of the building.

1.5 Description of the Proposed Project

The Proposed Project involves the demolition of the existing commercial use on the Development Site and its redevelopment with a 67,160-gross-square-foot (gsf), 95-foot-tall, nine-story plus cellar mixed-use commercial and residential building with an overall floor area ratio (FAR) of 4.50 on the Development Site. As proposed by the Applicant, the ground floor would feature a 1,566 gsf (1,519 zsf) commercial retail space (0.15 commercial FAR) along with a residential lobby, recreation area, and one (1) residential dwelling unit. The second through ninth floors would contain 56 dwelling units. Overall, the proposed development would include a total of 65,549 gsf or 43,491 zsf of residential floor area (4.35 residential FAR) and 57 dwelling units, of which 25%-

30% (15-18 units) would be set aside as permanently affordable units for households with income averaging 60%-80% AMI, depending on the MIH Option selected. The Proposed Project would also contain a total of 25 enclosed vehicular parking spaces located in the cellar level and accessed via a bidirectional ramp on the eastern portion of the site from a curb cut along 86th Street. The Applicant intends to pursue MIH Option 2; under this option, approximately 18 of the 57 proposed residential dwelling units would be set aside for families earning at or below 80% of the area median income (AMI), which would make up 30% of the total residential units provided on the Development Site.

1.6 Actions Necessary to Facilitate the Project

The discretionary actions necessary to facilitate the construction of the Proposed Project include:

(1) A Zoning Map Amendment from an existing R4 / C2-2 zoning district to an R7A / C2-4 zoning district at Brooklyn Tax Block 6340, Lots 1, 60, and 66 (i.e., the Affected Area); and

(2) A Zoning Text Amendment to modify ZR §23-933, Appendix F to designate the newly mapped R7A / C2-4 zoning district within the Rezoning Area as an MIH-designated area.

1.7 Purpose and Need

This Applicant seeks to rezone the Affected Area from an R4/C2-2 zoning district to an R7A/C2-4 zoning district. In addition, the Applicant seeks a zoning map amendment to designate the newly mapped R7A / C2-4 zoning district within the Affected Area as an MIH-designated area. The Applicant seeks to redevelop Projected Development Site 1 with a building that would be compatible with the mixed-use commercial and residential uses prevalent in the Surrounding Area (along both sides of the 86th Street Corridor east of 14th Avenue). The current R4/C2-2 zoning mapped along the north side of 86th Street between 14th Avenue and 15th Avenues is a legacy of 1961 zoning regulations. It does not reflect the built conditions within the Affected Area.

The existing C2-2 commercial overlay was designed to accommodate the auto-centric commercial uses typical of the late 1950s and early 1960s, and reflects a historic parking requirement of 1 parking space per every 300 sq ft of commercial floor area. C2-2 overlays are typically mapped at a depth of 150’ from the street, allowing commercial lots to accommodate surface parking for retail customers without sacrificing ground floor space. This commercial overlay is inappropriate as the existing 100’ deep lots are not sufficiently deep to accommodate surface parking without sacrificing ground floor space to accommodate the parking. The proposed C2-4 overlay would require only 1 per 1,000 sq ft, more appropriately reflecting today’s retail environment. In recent years, C2-4 commercial overlays have been consistently mapped as overlay districts together with rezoning to middle-density residential districts, as they are better suited for walkable retail corridors, such as the Affected Area, and encourage continuous retail frontages and a more pleasant pedestrian experience.

Even if redevelopment were feasible under existing zoning, new construction within the existing R4/C2-2 zoning district would not facilitate the development of much-needed affordable housing within the Dyker Heights neighborhood and would provide a housing typology incompatible with 86th Street's commercial character at this location. An R7A zoning district is a middle-density district that maximizes housing production, including affordable housing, while remaining sympathetic to neighborhood scale. R7A zoning districts are frequently mapped at locations where middle-density housing is needed, even when adjoining or nearby middle-density districts have a lower permitted maximum FAR and heights. The proposed R7A/C2-4 zoning district with mandatory inclusionary housing would facilitate new residential development at a bulk of 4.6 FAR and require a setback at a height no higher than 75 feet, limiting the overall height to 95 feet along 86th Street, which is 100 feet wide.

The proposed R7A/C2-4 zoning district would increase the maximum permitted residential floor area ratio from 0.90 to 4.60 over the site currently zoned R4/C2-2 while increasing the permitted height by six stories. Accordingly, the Applicant believes that the Proposed Actions would facilitate more appropriate parking requirements for today's retail environment and redevelopment at a height, scale, and bulk appropriate for the 86th Street corridor, which is considered a wide street with abundant commercial uses.

1.8 Analysis Framework

The analysis framework compares the incremental difference between future development under the Proposed Actions (the Future With-Action Scenario) and the development that could occur under the existing zoning absent the Proposed Actions (the Future No-Action Scenario) by the build year specified below.

This EAS studies the potential for individual and cumulative environmental impacts related to the Proposed Actions occurring in a study area of approximately 400 feet around the Affected Area.

Reasonable Worst-Case Development Scenario

According to the guidance of the *2021 CEQR Technical Manual*, some discretionary actions (i.e., rezonings) may permit a range of possible development outcomes, even where the actions are sought to facilitate a specific development. From the range of possible scenarios that are considered reasonable and likely, the scenario with the worst environmental consequences is chosen for analysis purposes. This scenario is identified the Reasonable Worst-Case Development Scenario (RWCDS), the use of which ensures that, regardless of which scenario actually occurs, its impacts would be no worse than those considered in the environmental review. This environmental assessment statement examines, compares, and analyzes the incremental differences of development that could occur in the future without the proposed actions (No-Action Scenario) versus the future with the proposed action (With-Action Scenario).

The *CEQR Technical Manual* categorizes soft sites as either "projected" or "potential" development sites. Projected development sites are defined as those sites that are more likely to be developed as a result of a proposed action. Potential sites are defined as sites that could be developed but have been determined to have less development potential than the projected development sites, based on observed historic and current market conditions, location, site configuration, proximity to transit, infrastructure and other facilities, and other factors that affect the likelihood that they would be developed under a proposed action. Projected development sites are analyzed for both site-specific and density-related effects, whereas potential development sites are only analyzed for site-specific effects.

Pursuant to *2021 CEQR Technical Manual* methodology, sites may be considered 'soft' if they are built to substantially less than the maximum permitted floor area ratio and are of a sufficient size or could be assembled into a parcel of sufficient size, to support a feasible development. Sites that have recently been developed or redeveloped are considered less likely to be soft, due to the significant recent investment in the current use.

Future Without the Proposed Actions (No-Action Condition)

Absent the Proposed Actions, it is assumed that the Affected Area's existing R4 / C2-2 zoning would remain. Land uses in the Affected Area have not changed for several decades under this current zoning, so it is assumed that no new development would occur in the foreseeable future if this zoning remains in place (i.e., the Future No-Action Condition).

Future with the Proposed Actions (With-Action Condition)

Projected Development Site 1 (Block 6340, Lot 66; the Applicant-owned Project Site)

For analysis purposes, the Future With-Action Condition assumes that the Applicant-owned Projected Development Site 1 would be redeveloped with a 67,682 gross square foot (gsf), nine-story plus cellar mixed-use commercial and residential building with an overall FAR of 4.52. The ground floor would feature 1,834 gsf of commercial retail space (0.18 commercial FAR) and 2,919 gsf of residential floor area utilized for lobby space, recreation rooms, and one (1) residential dwelling unit. The second through ninth floors would total 54,699 gsf of residential floor area, featuring 61 dwelling units. There would be a total of 57,618 gsf of residential floor area (4.34 residential FAR) within the building including 62 dwelling units (930 GSF per dwelling unit), 25-30% (16-19 units) of which would be affordable pursuant to MIH at an average of 60-80% AMI depending on the Option selected. Households eligible for publicly funded child care are those at or below 200% Federal Poverty Line, or approximately 80% AMI. Therefore, for the purposes of Early Childhood Programs analysis, 20% (13 units) of residential floor area is assumed to be affordable at or below 80% AMI. Projected Development Site 1 would contain a total of 26 enclosed vehicular parking spaces located in the cellar level and accessed via ramp on the eastern portion of the site from a curb cut along 86th Street.

The Applicant's Proposed Project is assumed to resemble the Future With-Action Condition in terms of bulk, height, and uses (1,834 sf of Use Group [UG] 6 commercial uses and 57,618 sf of residential uses) for Projected Development Site 1. For the purposes of presenting a conservative analysis, a 10-foot-tall bulkhead is assumed, with the development built at 65% lot coverage and a building setback above 75 feet with a permitted dormer obstruction.

Projected Development Site 2 (Block 6340, Lot 60; Non-Applicant-Owned)

For analysis purposes, in the Future With-Action Condition, Projected Development Site 2 is projected to be redeveloped with a new nine-story, 95-foot-tall mixed-use residential and commercial building that would contain approximately 68,970 gsf of total floor area and an overall FAR of 4.6. The building would contain 55,220 gsf of residential floor area (4.18 residential FAR), including lobby space on the ground floor and 59 dwelling units throughout the second through ninth floors of the building. The ground floor of the building would also feature 5,350 gsf of commercial retail floor area (0.42 FAR). There would be a total of 59 dwelling units (935 GSF per dwelling unit), 25-30% (15-18 units) of which would be affordable pursuant to MIH at an average of 60-80% AMI depending on the Option selected. Households eligible for publicly funded child care are those at or below 200% Federal Poverty Line, or approximately 80% AMI. Therefore, for the purposes of Early Childhood Programs analysis, 20% (12 units) of residential floor area is assumed to be affordable at or below 80% AMI. Twenty-four enclosed parking spaces would be provided in the cellar level of the building, totaling 8,400 sf of floor area.

Projected Development Site 2 is assumed to maximize development within the new zoning district and provide ground floor commercial space to meet the qualifying ground floor requirement and to provide a conservative build scenario. For analysis purposes, the new dwelling units are assumed to have an average size of 1,000 sf. Similar to Projected Development Site 1, a building with a 10-foot-tall bulkhead, 65 percent lot coverage, and a building setback above 75 feet with permitted dormer obstruction is conservatively considered.

Potential Development Site 1 (Block 6340, Lot 1; Non-Applicant-Owned)

One Potential Development Site, which has less redevelopment potential than the Projected Development Sites in the future with the Proposed Actions, is identified for the purposes of presenting a conservative analysis. It is assumed that Potential Development Site 1 (Block 6340; Lot 1) could be redeveloped with an 80,581 gsf (4.6 FAR) mixed-use residential and ground floor commercial building with a height of 95 feet over 9 stories. The building would feature 62,918 gsf of total residential floor area (4.10 residential FAR), including ground floor residential lobby space and 74 residential dwelling units on the building's second through ninth floors. The ground floor of the building would also feature 7,300 gsf of commercial retail floor area (0.50 commercial FAR). There would be a total of 74 dwelling units, 25-30% (19-23 units) of which would be affordable pursuant to MIH at an average of 60-80% AMI depending on the Option selected. Households eligible for publicly funded child care are those at or below 200% Federal Poverty Line, or approximately 80% AMI. Therefore, for the purposes of Early Childhood Programs

analysis, 20% (15 units) of residential floor area is assumed to be affordable at or below 80% AMI. Twenty-six enclosed parking spaces would be provided in the cellar level of the building, totaling 10,363 gsf of floor area.

As noted in **Section 1.4**, Lot 1 is a 14,000-sf corner lot that is improved with a 15,360-sf mixed commercial and residential building occupied by an active funeral home business with an upstairs apartment, constructed in 1960 and utilized as a funeral home since with several renovations undertaken at the building since 2007 (pursuant to NYC Department of Building [DOB] Building Information System [BIS] records). As the site is occupied by an active business and there have been recent renovations to the existing building, redevelopment of the site by the build year is unlikely. Based on the foregoing, Lot 1 is assumed to be a potential development site for conservative analysis purposes. All of the Projected and Potential Development Sites are shown in **Figure 1.1-1**.

Per the guidance of the *CEQR Technical Manual*, Potential Development Site 1 is not considered in the analysis of any density-related impact categories (such as open space and traffic).

Accounting for Projected Development Site 1 and 2, the RWCDS incremental development would consist of 121 dwelling units—96 market rate and 25 affordable. The net residential square footage increase would be 112,838 gsf; the net commercial square footage increment would be 2,274 gsf. A net loss of 11,290 gsf of community facility space would also be realized from the No-Action Condition to the With-Action Condition increment. Further, an increase of 50 residential parking spaces would result in the With-Action Condition compared to the No-Action Condition to accommodate the future residential parking demands. The 50 parking spaces would represent a loss of 12 commercial parking spaces and 7 community facility parking spaces.

The RWCDS Existing, No-Action, and With-Action Conditions at the Projected Development Sites are shown below in **Table 1.8-1**. The RWCDS increment of Analysis on the Projected Development Sites within the Affected Area are presented in **Table 1.8-2**.

Build Year

It is assumed that approval of the Proposed Actions and completion of the Uniform Land Use Review Procedure (ULURP) is anticipated to take place by December 2023. Construction of the Projected Development Sites 1 and 2 (including financing, design, construction, and occupancy) is projected to take up to 23 months, resulting in a Project Build Year of 2025.

Table 1.8-1: RWCDS Analysis Framework - Existing, No-Action, and With-Action Conditions at Projected Development Sites 1 and 2

Site Info				Existing Condition							
Site ID	**Block**	**Lot**	**Lot Area (sf)**	**Zoning**	**MF (gsf)**	**Com (gsf)**	**CF (gsf)**	**Res (gsf)**	**Total (gsf)**	**Affordable DUs****	**Total DUs**
Projected Development Site 1	6340	66	10,000	R4 / C2-2	0	4,910	0	0	4,910	0	0
Projected Development Site 2	6340	60	12,000	R4 / C2-2	0	0	11,290	0	11,290	0	0
TOTAL:	**-**	**-**	**22,000**	**-**	**0**	**4,910**	**11,290**	**0**	**16,300**	**0**	**0**
Site Info				**Future No-Action Condition**							
Site ID	**Block**	**Lot**	**Lot Area (sf)**	**Zoning**	**MF (gsf)**	**Com (gsf)**	**CF (gsf)**	**Res (gsf)**	**Total (gsf)**	**Affordable DUs****	**Total DUs**
Projected Development Site 1	6340	66	10,000	R4 / C2-2	0	4,910	0	0	4,910	0	0
Projected Development Site 2	6340	60	12,000	R4 / C2-2	0	0	11,290	0	11,290	0	0
TOTAL:	**-**	**-**	**22,000**	**-**	**0**	**4,910**	**11,290**	**0**	**16,300**	**0**	**0**
Site Info				**Future With-Action Condition**							
Site ID	**Block**	**Lot**	**Lot Area (sf)**	**Zoning**	**MF (gsf)**	**Com (gsf)**	**CF (gsf)**	**Res (gsf)**	**Total (gsf)**	**Affordable DUs****	**Total DUs**
Projected Development Site 1	6340	66	10,000	R7A / C2-4	0	1,834	0	57,618	67,682*	13	62
Projected Development Site 2	6340	60	12,000	R7A / C2-4	0	5,350	0	55,220	68,970*	12	59
TOTAL:	**-**	**-**	**22,000**	**-**	**0**	**7,184**	**0**	**112,838**	**136,652**	**25**	**121**

Notes: DU – Dwelling Units; Res – Residential; MF – Manufacturing; Com – Commercial; CF – Community Facility; gsf – Gross Square Feet; sf – Square feet

*Includes parking floor area

** 20% of residential units affordable at or below 80% AMI

Table 1.8-2: RWCDS Incremental Analysis Table

Use	No-Action Condition	With-Action Condition	Incremental Change
Commercial SF	4,910	7,184	+2,274
Manufacturing SF	0	0	0 (No Change)
Community Facility SF	11,290	0	-11,290
Residential SF	0	112,838	+112,838
Total SF	16,200	136,652	+120,452
Residential DUs	0	121	+121
Residents[1]	0	356	+356
Workers[2]	59	27	-32

1: Assumes an average household size of 2.94 persons in Brooklyn Community District 11, based on the 2020 United States Decennial Census data

2: Assumes 1 employee per 250 sf of Medical Office Space, 1 employee per 333.3 sf of commercial retail space, and 1 employee per 25 dwelling units

2 Environmental Review

The following technical sections are provided as supplemental assessments to the Environmental Assessment Statement ("EAS") CEQR Short Form, Part II: Technical Analyses. Part II of the CEQR Short Form identifies a series of thresholds for each impact category identified in the *2021 CEQR Technical Manual*. If the Proposed Project is demonstrated not to meet or exceed a specific impact category threshold in the CEQR Short Form, Part II, then the 'NO' box has been selected and analyses for those impact categories are not warranted. On the other hand, if the Proposed Project is anticipated to meet or exceed a relevant Part II impact category threshold, the 'YES' box is checked on the Short Form, Part II section and a preliminary analysis has been prepared. The EAS Short Form, Part II, identifies a 'YES' response for the following impact categories:

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

For the above impact categories where a 'YES' response has been selected, the relevant chapter of the *2021 CEQR Technical Manual* has been consulted for analysis guidance and in order to determine if a preliminary or a detailed analysis is warranted. The sections that follow present the relevant analyses as per the guidance of the *2021 CEQR Technical Manual.*

2.1 Land Use, Zoning, and Public Policy

The *2021 CEQR Technical Manual* recommends procedures for the analysis of land use, zoning and public policy to ascertain the impacts of a project on the Surrounding Area. Land use, zoning, and public policy are described in detail below. This section considers existing conditions, development trends, and zoning and other public policies in relation to the Affected Area and the Surrounding Area as well as the larger area in which the Proposed Actions may have an effect. Because the Proposed Actions would permit the development of multi-family residential uses with a larger bulk than what is currently permitted a preliminary assessment of Land Use, Zoning, and Public Policy is provided.

Methodology

Existing land uses were determined by reference to the New York City Zoning and Land Use (Zola) database and PLUTOTM 21v4 shapefiles. These uses were then confirmed through site visits. The evaluation of lots within the 400-foot Surrounding Area was performed with reference to New York City Zoning Maps and the Zoning Resolution of the City of New York and served as the basis for the zoning evaluation of the Future No-Action and Future With-Action Conditions. Public Policy research was performed through an evaluation of NYCDCP and other city agencies programs and documentation.

2.1.1 Land Use

The *2021 CEQR Technical Manual* suggests that a land use, zoning, and public policy study area should generally extend 400 feet from the Affected Area ("the Surrounding Area"). Existing land uses within approximately 400 feet of the Affected Area are presented in **Figure 1.1-2**.

Existing Conditions

Land Use Study Area

As illustrated in **Figure 1.1-2** and described in **Section 1.3**, the Surrounding Area is characterized by commercial, mixed-use multi-family residential with ground floor commercial, and parking facility land uses along the 86th Street corridor east of 14th Avenue, open space and recreation uses at the southwest portion of the Surrounding Area, with predominantly single-family residential uses interspersed with multi-family residential uses characterizing the remainder of the Surrounding Area. The majority of buildings within the study area are two stories in height with several one- and three-story buildings interspersed. The 86th Street corridor serves as a primary commercial and transportation corridor with two lanes of traffic in each direction. The northeast portion of Dyker Beach Park characterizes the Surrounding Area to the southwest, a park facility owned and operated by the New York City Department of Parks and Recreation (NYCDPR); the portion of Dyker Beach Park within the Surrounding Area includes playground facilities, passive recreation areas, and athletic courts.

Affected Area

As previously discussed, the Affected Area is comprised of the three lots, all of which are considered separate development sites, described below.

The Applicant-owned Projected Development Site 1 is located at 1421 86th Street (Block 6340, Lot 66) and is an interior lot with 100 feet of frontage along 86th Street and a 100-foot lot depth, with a total area of 10,000 sf. The Development Site is improved with a one-story, 4,910-sf commercial building (0.49 commercial FAR), occupied by a commercial limousine rental company (Romantique Double Diamon Limousines). The western portion of the site is used for auto sales. Two curb cuts along 86th Street are used to enter and exit the site.

Projected Development Site 2 (Block 6340, Lot 60, non-Applicant-owned) Lot 60 is a 12,000-sf interior lot with 120 feet of frontage along 86th Street, improved with a two-story commercial medical office building (Dyker Heights Medical Associates), approximately 11,290 sf in total commercial floor area (0.94 commercial FAR). The property is accessed via one curb cut along 86th Street and features approximately seven off-street uncovered parking spaces.

Potential Development Site 1 (Block 6340, Lot 1, non-Applicant-owned) is a 14,000-sf corner lot, with 140 feet of frontage along 86th Street and 100 feet of frontage along 14th Avenue, improved with a two-story 15,360-sf funeral home with upstairs apartment (Scarpaci Funeral Home) (1.1 FAR). The property is accessed via one curb cut along 86th Street and features approximately ten off-street open parking spaces.

Future No-Action Condition

Land Use Study Area

Based on a review of the NYC Active Major Construction (AMC)[1] and Zoning Application Portal (ZAP)[2] databases on January 12, 2022, there is no known development projects within the Surrounding Area that are expected to be complete by the 2025 Build Year. Accordingly, existing land uses are anticipated to remain equivalent to Existing Conditions under the Future No-Action Condition.

Affected Area

Within the Affected Area, existing conditions are expected to remain in the No-Action Condition.

[1] https://nycdob.github.io/DOB_Dashboards/layouts/two-and-one/Active_ConstructionTM_withGraphs, Accessed January 12, 2021
[2] https://zap.planning.nyc.gov/projects, Accessed December 21, 2021

Future With-Action Condition

Land Use Study Area

Land use and development patterns in the study area are anticipated to remain unchanged in the future with the Proposed Actions. Any new development in the Surrounding Area would be constructed in accordance with the underlying zoning regulations.

Affected Area

Projected Development Site 1 (Block 6340, Lot 66)

Under the With-Action Condition, the Applicant-owned Projected Development Site 1 would be redeveloped with a 67,682-gsf, nine-story plus cellar mixed-use commercial and residential building as described previously.

Land uses at Projected Development Site 1 would therefore transition from a commercial automobile livery company to mixed-use multi-family residential with ground floor commercial retail uses under the With-Action Condition.

Projected Development Site 2 (Block 6340, Lot 60)

Projected Development Site 2 would be redeveloped with a new nine-story, 95-foot-tall mixed-use residential and commercial building that would contain approximately 68,970 gsf and an overall FAR of 4.6, as described previously.

Land uses at Projected Development Site 2 would therefore transition from commercial medical offices to mixed-use multi-family residential with ground floor commercial retail uses under the With-Action Condition.

Potential Development Site 1 (Block 6340, Lot 1)

Potential Development Site 1 could potentially be redeveloped with an 80,581 gsf (4.6 FAR) mixed-use residential and ground floor commercial building with a height of 95 feet over 9 stories, as described previously.

Land uses at Potential Development Site 1 could therefore potentially transition from a commercial funeral home with one second-floor dwelling unit to mixed-use multi-family residential with ground floor commercial retail uses under the With-Action Condition.

Conclusion

The Applicant believes that the density and uses permitted under the Proposed Actions would be appropriate along the 86th Street corridor in this portion of the Dyker Heights neighborhood. Also in the Applicant's opinion, the Proposed Actions would not be incompatible with surrounding uses, which are predominantly residential with commercial uses along the 86th Street Corridor, and would not alter or accelerate development patterns in the area. Therefore,

there would be no adverse impacts to land use as a result of the Proposed Actions, and further analysis is not required.

2.1.2 Zoning

The *2021 CEQR Technical Manual* suggests that a zoning study area should extend 400 feet from the Affected Area. The proposed zoning map amendment would affect the following lots: Block 6340, Lots 1, 60, and 66 from R4 / C2-2 to R7A / C2-4. Existing zoning districts within approximately 400 feet of the Affected Area are illustrated in **Figure 1.1-3**.

Existing Conditions

Zoning Study Area

Zoning districts within the Surrounding Area include the R4 district mapped north, northeast, and south of the Rezoning Area (with those southern areas fronting along 86th Street featuring a C2-1 commercial overlay), the C8-1 zoning district adjacent to the east along 86th Street, an R5B district to the west, and an R4B district to the northwest, as described below and indicated in **Table 2.1-1**.

R4 Zoning District

The R4 zoning district is a low- to mid-density residential zoning district that permits all types of housing, usually producing buildings with three stories. Specifically, R4 zoning districts permit Use Groups 1 through 4 (which includes all residential and community facility use groups). The minimum lot area and lot width ranges from 1,700 sf and 18 feet, respectively (for single- and two-family semi-detached and attached housing and multi-family housing) to 3,800 sf and 40 feet, respectively (for single- and two-family detached housing). The minimum front and rear yard requirements are 10 feet and 30 feet, respectively, while side yard requirements range from a minimum of 5 feet to a combined maximum of 16 feet. The maximum FAR for residential uses and lot coverage permitted within R4 districts is 0.75 and 45 percent, respectively (community facility uses have a maximum permitted FAR of up to 2.0 within R4 districts). Buildings have a maximum required perimeter wall of 25 feet and building height of 35 feet. Parking is required for 100 percent of market rate units and 50 percent of all income restricted housing units. C2-1 commercial overlay districts, when mapped in conjunction with R4 districts, permit a ground floor commercial FAR of 1.0 and feature a parking requirement of 1 space per 150 sf of commercial floor area.

R4B Zoning District

The R4B zoning district is a contextual zoning district often mapped in neighborhoods characterized by one- or two-story rowhouses. The R4B zoning district permits all residential and community facility Use Groups (i.e., 1 through 4). The minimum lot area and lot width ranges from 1,700 sf and 18 feet, respectively (for single- and two-family semi-detached and attached housing) to 2,375 sf and 25 feet, respectively (for single- and two-family detached and zero lot

line housing). The minimum front and rear yard requirements are 5 feet and 30 feet respectively, while side yard requirements range from 0 feet to 8 feet total dependent on housing type. Minimum lot coverage is 55 percent while the maximum residential FAR is 0.90 (community facilities are permitted up to a FAR of 2.0 in R4B districts). The maximum permitted building height is 24 feet. Parking is required for 100 percent of market rate units and 50 percent of all income-restricted housing units. As a contextual zoning district, the area, bulk, setback, and frontage regulations of the district are designed to produce buildings consistent with existing neighborhood character.

R5B Zoning District

R5B zoning districts are contextual zoning districts mapped in neighborhoods characterized by three-story row houses. The R5B zoning district permits all residential and community facility Use Groups (i.e., 1 through 4). The minimum lot area and lot width ranges from 1,700 sf and 18 feet, respectively (for all multi-family housing types and single- and two-family semi-detached and attached housing types) to 2,375 sf and 25 feet, respectively (for single- and two-family detached and zero lot line housing). The minimum front and rear yard requirements are 5 feet and 30 feet respectively, while side yard requirements range from 0 feet to 8 feet total dependent on housing type. Minimum lot coverage is 55 percent while maximum residential FAR is 1.35 (community facilities are permitted up to a FAR of 2.0 in R5B districts). Buildings have a maximum required street wall of 30 feet and a maximum permitted building height of 33 feet. Parking is required for 66 percent of market rate units and 42.5 percent of all income-restricted housing units. As a contextual zoning district, the area, bulk, setback, and frontage regulations of the district are designed to produce buildings consistent with existing neighborhood character.

C8-1 Zoning District

C8 districts, which bridge commercial and manufacturing uses, provide for automotive and other heavy commercial services, which often require large amounts of land. They are mapped mainly along major traffic arteries where concentrations of automotive uses have developed. C8-1 districts are typically found in Staten Island, southern Brooklyn, and eastern Queens. C8-1 zoning districts permit Use Groups 4 (community facilities), 5 through 14 (retail and commercial use groups), and 16 (general service). C8-1 districts permit commercial FARs of 1.0 (up to 2.4 FAR for community facility uses) and require 1 parking space per 300 sf of floor area. The C8-1 district has no residential zoning district equivalent.

It is noted that in the mapped R4B and R5B zoning districts within the Surrounding Area were implemented as part of the larger Dyker Heights – Fort Hamilton Rezoning, approved in July 2007 (CEQR No. 07DCP054K, ULURP No. 070387ZMK). The Dyker Heights – Fort Hamilton Rezoning encompassed approximately 160 blocks in the Dyker Heights and Fort Hamilton neighborhoods in Brooklyn Community District 10, implementing lower density contextual districts to preserve the existing character of these neighborhoods, as well as directing new moderate density residential development to appropriately dense commercial and mixed-use corridors in the area.

Affected Area

The Affected Area is within a mapped R4 zoning district (described above) with a C2-2 commercial overlay. Within the R4 zoning district, C2-2 commercial overlays permit a maximum ground floor commercial FAR of 1.0 have a requirement of one (1) parking space per 300 sf of commercial floor area.

Table 2.1-1: Zoning Districts in the Surrounding Area[3]

Zoning District	Type and Use Group(s)	Floor Area Ratio (FAR)	Parking
R4 (C2-1 commercial overlay)	Low Density Residential w/ Commercial Overlay UGs 1-9, 14	Residential: 0.90 Commercial: 1.0 Community Facility: 2.00	100% Market Rate 50% IRHU 1 per 150 sf of commercial floor area
R4 (C2-2 commercial overlay)	Low Density Residential w/ Commercial Overlay UGs 1-9, 14	Residential: 0.90 Commercial: 1.0 Community Facility: 2.00	100% Market Rate 50% IRHU 1 per 300 sf of commercial floor area
R4B	Contextual Medium Density Residential UGs 1-4	Residential: 0.90 Community Facility: 2.0	100% Market Rate 50% IRHU
R5B	Contextual Medium Density Residential UGs 1-4	Residential: 1.35 Community Facility: 2.0	66% Market Rate 42.5% IRHU
C8-1	Large, Heavy Commercial UGs 4-14, 16	Commercial: Community Facility:	1 per 300 sf of commercial floor area

Future No-Action Condition

Zoning Study Area and Affected Area

Based on a review of the NYCZAP[4] database on December 20, 2021, there are no proposed rezonings within the Surrounding Area that are expected to be completed by the 2025 Build Year, such that no changes to zoning are anticipated to occur in the future without the Proposed Actions in the Affected Area. Existing zoning patterns would remain, and the Affected Area would continue to be subject to R4/C2-2 zoning regulations.

[3] Zoning Handbook, New York City Department of City Planning, 2019
[4] https://zap.planning.nyc.gov/projects, Accessed December 21, 2021

Future With-Action Condition

Zoning Study Area

Changes to zoning would only occur in the Affected Area in the future with the Proposed Actions.

Affected Area – R7A / C2-4

Block 6340, Lots 1, 60, and 66 would be rezoned from an existing R4 zoning district with C2-2 commercial overlay to an R7A/C2-4 zoning district.

R7A zoning districts are medium density contextual districts that permit a maximum of 4.6 FAR for residential uses and 4.0 FAR for community facility uses. The R7A zoning district requires a minimum lot area, width, and rear yard of 1,700 sf, 18 feet, and 30 feet, respectively. Maximum lot coverage is limited to 65% for interior lots and 100 percent for corner lots within the R7A zoning district. The maximum building height within the R7A zoning district is 95 feet after a setback from the base height of up to 75 feet. Buildings must be setback above the maximum base height to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum of 9 floors. Off-street parking is required for 50% of the market rate units and 15% of income-restricted housing units. When mapped in conjunction with R7A zoning districts, the C2-4 commercial overlay permits commercial FARs up to 2.0, featuring a parking requirement of 1 space per 1,000 sf of commercial floor area.

In comparison with the existing R4/C2-2 zoning district mapped in the Affected Area, the proposed R7A/C2-4 zoning districts would permit for larger residential bulks and higher building heights within the Affected Area (see **Table 2.1-1**), which, from the Applicant's opinion, is appropriate for the residential and commercial uses currently found along the 86th Street corridor east of 14th Avenue.

Conclusion

The Applicant believes that the proposed zoning would induce residential and commercial development appropriate for the density of the 86th Street corridor, while maintaining the residential character of nearby side streets. The rezoning would not adversely affect surrounding land uses, nor would it be incompatible with those land uses. Therefore, no significant adverse impacts related to zoning are anticipated as a result of the Proposed Actions, and further analysis is not required.

2.1.3 Public Policy

Existing Conditions

The Affected Area 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.

Future No-Action Condition

Absent the Proposed Actions, no known policy changes or initiatives would pertain to the Affected Area or the Surrounding Area by the 2025 Project Build Year. In addition, no changes are anticipated to any public policy documents relating to the Affected Area or the Surrounding Area by the 2025 Project Build Year.

Future With-Action Condition

Housing New York

The Proposed Actions include a Zoning Text Amendment to ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Community District 11, Brooklyn, to establish the Affected Area as an MIH Area under Program Option 2. As a result, analysis the Proposed Actions' alignment with Housing New York is warranted.

Carried out by Housing Preservation and Development (HPD), Housing New York is the Mayor's plan to build or preserve 300,000 affordable homes by 2026. The plan outlines a comprehensive set of policies and programs to address the city's affordable housing crisis and retain the diversity and vitality of its neighborhoods. An analysis was provided for the Proposed Actions regarding how the Housing New York public policy would or would not be promoted in the No-Action and With-Action conditions.

In the future with the Proposed Actions, development on the two Projected Development Sites would add 121 residential units to the area; for the purposes of a conservative analysis, it assumed that 25%-30% of the 121 proposed residential dwelling units (31-37 units) would be set aside as permanently affordable. In addition, 15,554 gsf of commercial spaces would be provided on the sites. The developments would help foster diverse and livable neighborhoods with the mixed-use buildings consisting of residential and commercial uses in an underutilized area and ensures the housing supply increases in an equitable way, building new affordable housing units for the local community.

The Proposed Actions would be compatible with the goals of Housing New York as an MIH area would be established over the Affected Area to introduce more affordable residential units to the area. The proposed developments on the two Projected Development Sites would set aside 31-37 dwelling units as permanently affordable units for households making an income averaging 60%-80% AMI, which makes up 25%-30% of the total 121 project induced dwelling units. The affordable units provided on site would foster diverse and livable neighborhood, preserve the affordability and quality of the housing stock, and build new affordable housing for all New Yorkers.

The Proposed Actions are also not a large publicly sponsored project, and as such, consistency with the City's PlaNYC 2050 for sustainability is not warranted.

Conclusion

The development effectuated as a result of the Proposed Actions would not create a land use conflict, nor would itself conflict with public policies and plans at the Affected Area or Surrounding Area. The Proposed Actions would also not result in significant material changes to existing regulations or policy. Therefore, no significant adverse impacts are anticipated to public policies and no further analysis is warranted.

2.2 Open Space

The *2021 CEQR Technical Manual* defines the need for an open space assessment if the proposed action would have a direct or indirect effect on open space resources. Direct effects would occur if the proposed action would result in the physical loss of a public open space; change of use of an open space so that it no longer serves the same user population; limit public access to an open space; or cause increased noise or air pollutant emissions, odors, or shadows on public open space that would affect its usefulness, whether temporary or permanent. Indirect effects would occur if a proposed action would result in an increase of population sufficiently large enough to noticeably diminish the ability of an area's open space to serve future population.

Open space is defined as publicly or privately-owned land that is publicly accessible and operates, functions, or is available for leisure, play, or sport, or set aside for the protection and/or enhancement of the natural environment.

Pursuant to Chapter 7, Section 100 of the *2021 CEQR Technical Manual*, Open Space Resources are defined as active and/or passive, and may include, but is not limited to, the following:

- Parks operated or managed by City, State, or federal governments and includes neighborhood and regional parks, beaches, pools, golf courses, boardwalks, playgrounds, ballfields, and recreational facilities that are available to the public at no cost or through a nominal fee, such as NYC Parks recreation centers and golf courses;
- Open space designated through regulatory approvals (e.g., zoning), including large-scale permits that prescribe publicly accessible open space, such as public plazas;
- Outdoor schoolyards, if available to the public during non-school hours;
- Publicly-accessible institutional campuses;
- Promenades and esplanades;
- Designated greenways, as shown on the NYC Bike Map, and defined as multi-use pathways for non-motorized recreation and transportation along natural or other linear spaces, such as rail and highway rights-of-way, river corridors, and waterfront spaces;
- Landscaped medians or malls with seating;
- Housing complex grounds, if publicly accessible;
- Nature preserves, if publicly accessible;
- Gardens, if publicly accessible;
- Church yards (with seating) or cemeteries, if publicly-accessible for passive recreation; and

- Waterfront piers used for recreation.

Methodology

According to the guidelines of the City's *2021 CEQR Technical Manual* for analysis of residential development, census tracts with at least half of their geographic area within a one-half mile radius of the Affected Area comprise the residential open space study area. Using current population figures, an open space ratio is calculated for both the future no-action and future with-action conditions, expressed as the amount of open space acreage per 1,000 user population. Typically, a comparison is made to the city's planning goal of 2.50 acres per 1,000 residents. Ideally, this would comprise 0.50 acres (20 percent) of passive space and 2.0 acres (80 percent) of active open space per 1,000 residents. For nonresidents who tend to use passive open space, for example workers taking a break in a park, the optimal ratio for nonresidential populations is 0.15 acres of passive open space per 1,000 nonresidents.

In addition to field surveys, information from the NYC Department of City Planning's Community District Needs Statements and Housing Database, NYC Parks Department website, and U.S. Census data were utilized in preparing the open space analysis.

Direct Effects

Direct effects to open space are addressed in the sections for those specific technical areas where warranted. Construction impacts to open space are not anticipated as there would be no physical loss of public open space, no change in existing open space so that it no longer serves the same user population, would not limit public access, and would not increase noise or air pollutant emissions, odors, or shadows on public open space that would affect its usefulness. An assessment of the effects of the Proposed Actions related to shadows on open space resources is provided in **Section 2.3**.

Indirect Effects

Pursuant to the *2021 CEQR Technical Manual*, the threshold for assessment of the potential for indirect impacts is 200 new residents or 500 additional employees. As indicated in **Table 1.8-2** the Future With-Action Condition at the Affected Area is projected to generate 356 new incremental residents, such that preliminary residential open space assessment for indirect effects is warranted. The Future With-Action Condition is projected to result in a decrease of 32 employees within the Affected Area, such that a preliminary commercial open space assessment for indirect effects is not warranted.

2.2.1 Preliminary Residential Open Space Assessment for Indirect Effects

As previously discussed, the Proposed Actions are projected to result in the incremental development of 121 new dwelling units within the Affected Area. Assuming an average household size of 2.94 persons within Brooklyn Census Tract 170 (based on 2020 United States

Decennial Census Data), the incremental residential population increase at the Affected Area would be approximately 356 persons (2.94 x 121 = 356).

Generalized and Defined Open Space Study Areas Definitions

In accordance with the guidelines established in the City's *2021 CEQR Technical Manual*, the open space study area is defined to analyze both the nearby open spaces and the population using those open space resources. Based on methodologies provided in the *2021 CEQR Technical Manual*, a half-mile is generally defined as the reasonable walking distance that users would travel to reach local open spaces and recreational areas (i.e., the "Generalized Open Space Study Area"). Pursuant to the *2021 CEQR Technical Manual*, the "Defined Open Space Study Area" is that area which includes all U.S. Census Tracts that have 50 percent or more of their area within the Generalized Open Space Study Area. As shown in **Figure 2.2-1:** , there are 11 census tracts with 50 percent or more of their area within the Generalized Open Space Study Area, including Brooklyn Census Tracts 148, 150, 154, 166, 170, 172, 178, 180, 182, 184, and 186.

Existing Condition Residential Population

Based on census tract level population data provided in the 2020 United States Decennial Census the Defined Open Space Study Area had a total population of 26,569 persons. According to the Project-Level DCP Housing Database, five (5) building permits were completed within the 11 census tracts comprising the Defined Open Space Study Area since January 1, 2020 (see **Appendix C**). However, all of these permits were issued for alterations of existing buildings that ultimately resulted in no net change of total residential dwelling units within this study area. As such, the estimated year 2022 Existing Conditions study area population is estimated to be 26,569 persons (see **Table 2.2-1** for past, current, and estimated population data for the Defined Open Space Study Area).

Figure 2.2-1: Open Space Study Area Boundary, Census Tracts, and Open Spaces

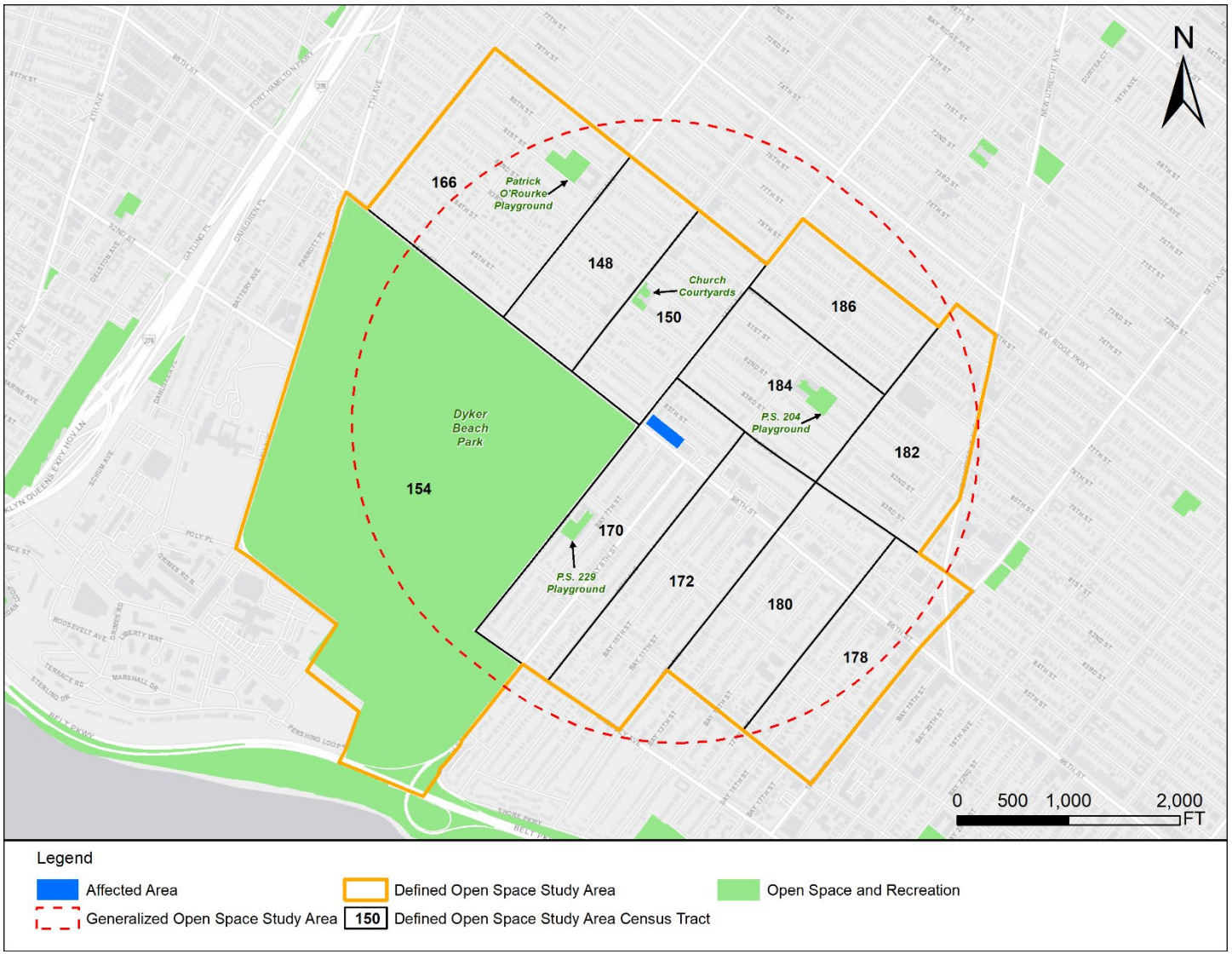


Table 2.2-1: Defined Open Study Population Data and Projections

Census Tract	2010 Population	2020 Population	Projected 2022 Population (Current Year)
BK 148	1,209	1,244	1,244
BK 150	1,574	1,791	1,791
BK 154	0	9	9
BK 166	2,059	1,968	1,968
BK 170	3,254	3,604	3,604
BK 172	2,931	3,300	3,300
BK 178	2,898	2,959	2,959
BK 180	3,193	3,125	3,125
BK 182	3,163	3,745	3,745
BK 184	2,002	2,460	2,460
BK 186	2,124	2,364	2,364
TOTAL:	**24,407**	**26,569**	**26,569**

Future No-Action Condition Residential Population

A review of active major construction projects[5] and approved BSA applications and ULURP actions was undertaken to determine known developments in within the Defined Open Space Study Area. Based on this review, there are 10 active permits for alteration and/or demolition of existing buildings and construction new buildings that would result in a net gain of 59 residential dwelling units by the 2025 Project Build Year within the Defined Open Space Study Area. No land use and / or zoning actions were identified that generate new residential dwelling units within the Defined Open Space Study Area by the 2025 Project Build Year. These No Build construction projects are projected to add an additional 173 persons to the Defined Open Space Study Area population, for a total of 26,742 persons in the Future No-Action Condition (see **Table 2.2-2** below).

Table 2.2-2: Future No-Action Population Projections

Census Tract	Total Residential Units Change	Average Household Size[1]	Population Change
BK 150	+12	2.67	+32
BK 166	+8	2.71	+22
BK 170	-1[2]	2.94	-3
BK 178	+24	3.05	+73
BK 180	+12	3.02	+36
BK 182	+3	3.18	+10
BK 186	+1	3.02	+3
Projected Additional Population Generated by 2025 No Build Projects:			**173**
Estimated 2022 Population:			**26,569**
PROJECT FUTURE NO-ACTION CONDITION DETAILED OPEN SPACE STUDY AREA POPULATION:			**26,742**

[1] From United States 2020 Decennial Census

[2] Based on one (1) permitted residential building demolition within the census tract

[5] https://nycdob.github.io/DOB_Dashboards/layouts/two-and-one/Active_ConstructionTM_withGraphs, Accessed January 12, 2021

Future With-Action Condition Residential Population

As previously discussed, the Future With-Action Condition at the Affected Area is projected to generate 356 new residents, resulting in a projected Future With-Action Condition population within the Defined Open Space Study Area of 27,098 persons (see **Table 2.2-3**).

Table 2.2-3: Projected Existing, Future No-Action, and Future With-Action Conditions Populations with the Defined Open Space Study Area

Existing Conditions Population:	26,569
Future No-Action Condition Population:	26,742
Proposed Project Population Generation:	+356 persons
Future With-Action Condition Population:	27,098 persons

2.2.2 Open Space Resources

There are four open space resources with regular open access to the public within the Defined Open Space Study Area, identified in **Table 2.2-4**. These four resources comprise approximately 51.45 acres of total open space in said study area; 44.18 acres are considered active and 4.85 acres are considered passive based on review of NYCDPR open space data, *2021 CEQR Technical Manual Guidance*, and observations of aerial imagery for the respective resources. The location of these resources, as well as community gardens present in the Study Area, are shown in **Figure 2.2-1**.

It is noted that while Dyker Beach Park is approximately 216.16 acres in total area, 168.17 acres of this resource (approximately 77.6 percent) is utilized as a golf course. While the *2021 CEQR Technical Manual* notes that publicly accessible golf course owned and operated by NYCDPR qualify as public open space resources for the purposes of open space analyses, it also states that golf courses "…tend to serve a very limited portion of the population…consider the fact that a golf course may contribute a substantial amount of open space acreage, but due to its limited function, it may not serve a comparable amount of the study area population's active open space needs." As such, for the purposes a conservative analysis, this open space assessment will only consider those portions of Dyker Beach Park that are not utilized as a golf course (approximately 48.49 acres or 22.4 percent of the park's total area), which are characterized by a variety of active and passive recreation amenities (see **Table 2.2-4**).

Table 2.2-4: Open Space Resources

Name	Address	Resonsible Agency	Acreage	% Active	Total Active Acres	% Passive	Total Passive Acres	Features
Dyker Beach Park	86 St., Belt Pkwy. bet. Bay 8 St., 14 Ave., and 7 Ave.	NYCDPR	48.49**	85	41.22	15	4.85	BF, BC, Ba, BoC, DfA; Eat; FF; HC; Pg; SF; SS; TC; WFHS, Benches, Landscaped Areas, Walking Paths
P.S. 229 Playground*	1400 Benson Ave.	NYCDOE	0.65	100	0.65	0	0	Pg
P.S. 204 Playground*	8101 15th Ave.	NYCDOE	1.08	100	1.08	0	0	Pg
Patrick O'Rourke Playground	80th St. To 81st St., 11th Ave. To 12th Ave.	NYCDPR	1.23	100	1.23	0	0	BC, HC, Pg
		Total	**51.45**	**-**	**44.18**	**-**	**4.85**	**-**

* This is a Schoolyards to Playgrounds site regularly open to the public during non-school hours.
** Represents only non-Golf Course portions of this open resource
SS = Spray Showers; Pg = Playgrounds; Bi = Bicycling; BF = Baseball Fields; BC = Basketball Courts; Ba = Bathrooms; Be = Benches; HC = Handball Courts; BoC = Bocce Courts; DFA = Dog Friendly Areas; Eat = Eateries; FF = Football Fields; SF = Soccer Fields; TC = Tennis Courts; WFHS = Wifi Hot Spots

Existing Condition

The Defined Open Space Study Area contains a total of 51.45 acres of open space and an existing residential population of 26,569 persons. The existing conditions open space ratio within the Defined Open Space Study Area is therefore 1.94 acres per 1,000 residents, somewhat below the City's planning goal of 2.5 acres of open space per 1,000 residents.

Future No-Action Condition

The population within the Defined Open Space Study Area in the 2025 Project Build Year is projected to be 26,742 persons; as no new open spaces are planned within this study area by the 2025 Project Build Year the existing conditions total of 51.45 acres of open space serving the Defined Open Space Study Area would remain unchanged in the Future No-Action Condition. As such, the OSR under the Future No-Action Condition is 1.92 acres of open space per 1,000 residents, still somewhat below the City's planning goal of 2.5 acres of open space per 1,000 residents.

With-Action Condition

The Proposed Actions would result in an increase in the Future No-Action population by 356 residents by the 2025 build year, resulting in a total Future With-Action Condition population of 27,098 persons within the Defined Open Space Study Area. The Proposed Actions would not facilitate the development of any new publicly-accessible open spaces within the Affected Area or otherwise, such that the Future No-Action Condition total of 51.45 acres of open space serving the Defined Open Space Study Area would remain unchanged in the Future With-Action Condition. Based on the foregoing, the OSR under the Future With-Action Condition is 1.90 acres of open space per 1,000 residents, somewhat below the City's planning goal of 2.5 acres of open space per 1,000 residents.

The OSRs within the Defined Open Space Study Area under Existing Conditions (1.94), Future No-Action Condition (1.92), and Future With-Action Condition (1.90) are all somewhat below New York City's stated city-wide planning goal of 2.5 acres per 1,000 residents. The decrease in the OSR from 1.92 in the Future No-Action Condition to 1.90 in the Future With-Action Condition constitutes a 1.31 percent decrease in the Defined Open Space Study Area's OSR. Pursuant to the *2021 CEQR Technical Manual*, OSR's between 1.51 and 2.00 can tolerate up to a four percent decrease in the OSR between the Future No-Action and Future With-Action Condition without warranting additional analyses. As the projected OSR decrease under the Future With-Action Condition is 1.31 percent, no further analysis is required.

2.2.3 NYC Parks Walk to a Park Initiative

New York City, as part of the OneNYC 2050 Building a Strong and Fair City plan, has put forth a goal for 85 percent of New York City residents living within walking distance of a park by 2030. To help the City reach this goal, NYC Parks has a Walk to a Park initiative that focuses on

increasing access to parks and open space in areas of the City where residents live further than walking distance to a park. Areas outside of Walk to a Park Service Areas are considered "walk gaps" – i.e., areas of the city that are not within walking distance to a park.

As part of the preliminary assessment for open space, a project should be reviewed to determine if it is located in an area of the city within a Walk to a Park Service Area. Project sites that are located outside of a Walk to a Park Service Area (i.e., located in a known walk gap areas) suggests there is a need for a detailed analysis to be performed to determine if the project may further exacerbate a condition of residents living in areas of the city with inadequate park access, potentially leading to a significant impact. While the focus of the Walk to a Park initiative is on residents living within walking distance to a park, projects that create a non-residential population (e.g., new workers) should also review if the project is located within a known walk gap and assess if the project would generate a new non-residential population within areas of the City with inadequate access to open space resources.

As shown in **Figure 2.2-2**, the entirety of the Affected Area is within a Walk to a Park service area, such that no further analysis is needed.

2.2.4 Conclusion

The Future With-Action Condition would result in the development of 121 new dwelling units over the Future No-Action Condition, projected to generate an additional population of 356 new residents. This would result in a decrease of the OSR from 1.92 in the Future No-Action Condition to 1.90 in the Future With-Action Condition, a decrease of approximately 1.31 percent, within the Defined Open Space Study Area. Pursuant to the *2021 CEQR Technical Manual*, OSRs between 1.51 and 2.00 can tolerate up to a four percent decrease in the OSR between the Future No-Action and Future With-Action Condition without warranting additional analyses. Further, the Affected Area is within a Walk to a Park service area indicating all future projected residents are within a reasonable walking distance to public open spaces.

Based on the foregoing, the Future With-Action Condition is not projected to create significant adverse open space impacts and no further analysis is required.

Figure 2.2-2: Walk to a Park Service Area Map

2.3 Shadows

The *2021 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 Actions 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.

The duration and dimensions of shadows are determined by the geographic location of the area from which the shadow is cast and the 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 farther towards the south than shadows cast in early and late winter months.

The *2021 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.

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. 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 such as handball or basketball courts, places containing no seating areas and no vegetation, no unusual or historic plantings, or containing 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 CEQR Technical Manual guidance.

Methodology

This preliminary analysis of shadows follows the guidelines set forth in the *2021 CEQR Technical Manual* for a preliminary assessment (Section 310). According to the *2021 CEQR Technical Manual*, a preliminary shadow assessment includes the development of a base map showing the site location in relationship to any sunlight-sensitive resources as per guidelines provided in the *2021 CEQR Technical Manual*. Following these guidelines, the longest shadow study area is determined, and a Tier 1 screening assessment is conducted to determine if any sunlight-sensitive resources fall within the study area. If no resources are identified, no further analysis would be required. If sunlight-sensitive resources lay within the longest shadow study area, the next tier of screening assessment should be conducted. This preliminary assessment includes a basic description of the proposed project that would be facilitated by the Proposed Actions in order to determine whether a more detailed assessment would be appropriate.

Analysis Framework

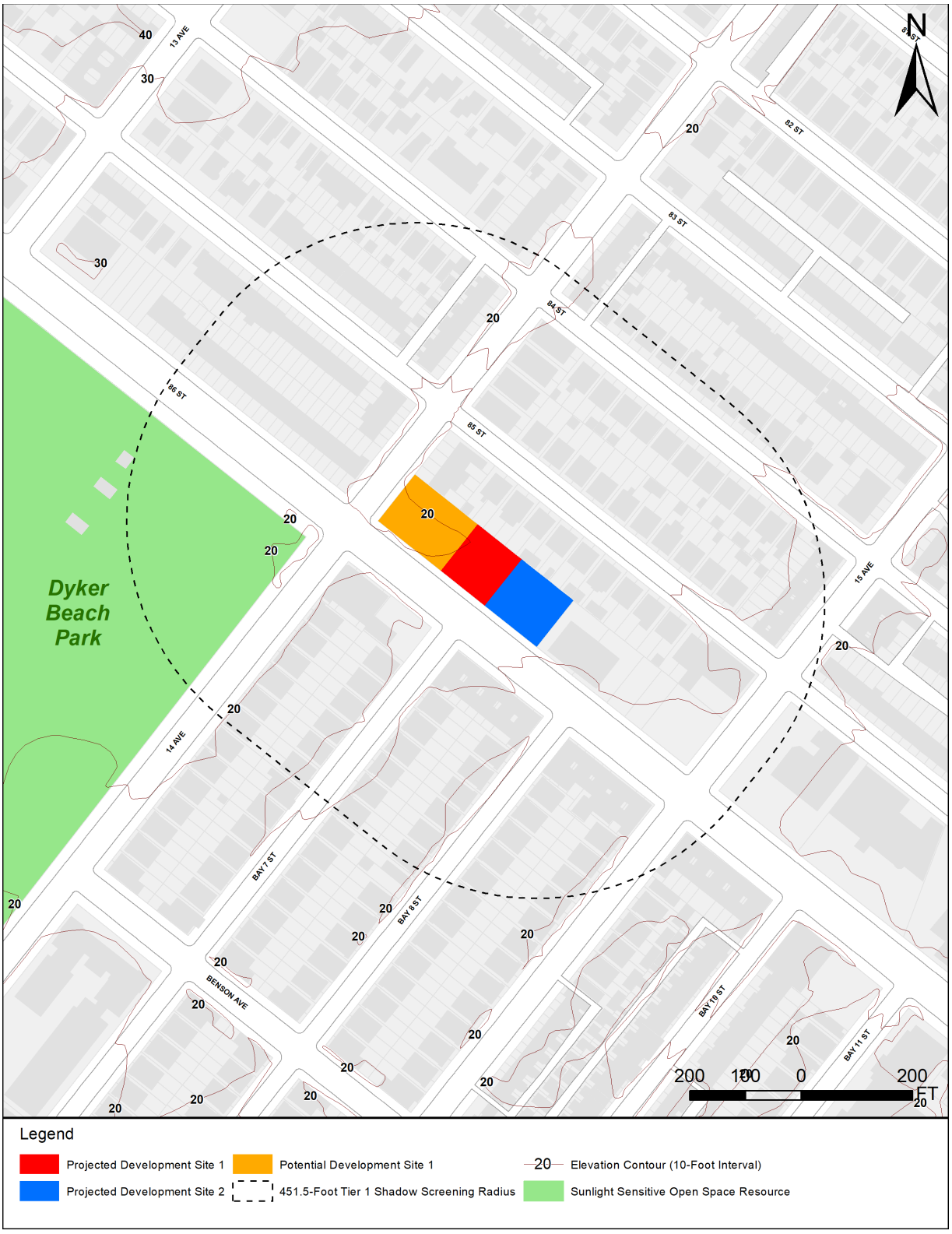
Under the Future With-Action Condition, Projected Development Sites 1 and 2 and Potential Development Site 1 would each be developed with 9-story, 95-foot-tall buildings including 10-foot bulkheads, for overall structure heights of 105 feet. This would result in an 85-foot incremental building height increase at Projected Development Site 1, an 83-foot incremental building height increase at Projected Development Site 2, and an 81-foot incremental building height increase at Potential Development Site 1 compared to the Future No-Action Condition. Further, Potential Development Site 1 is across the street from Dyker Beach Park, a sunlight sensitive open space resource. As such, all three development sites warrant an assessment for potential shadows impacts.

2.3.1 Tier 1 Shadow Screening Assessment

Under the Future With-Action Condition the two Projected Development Sites and one Potential Development Sites would be redeveloped with 95-foot-tall buildings with 10-foot rooftop bulkheads for overall structure heights of 105 feet each. Therefore, the longest action-induced shadow from each development site would be approximately 451.5 feet (4.3 x 105 feet) in length. The first step in a shadow analysis is to determine there are any sunlight sensitive resources located within the length of the 451.5-foot radius.

As **Figure 2.3-1** shows below, there is one sunlight sensitive resource within the longest shadow study area, a northeastern portion of Dyker Beach Park (Resource 1). Accordingly, a Tier 2 screening assessment is required.

Figure 2.3-1: Tier 1 Shadow Screening Assessment

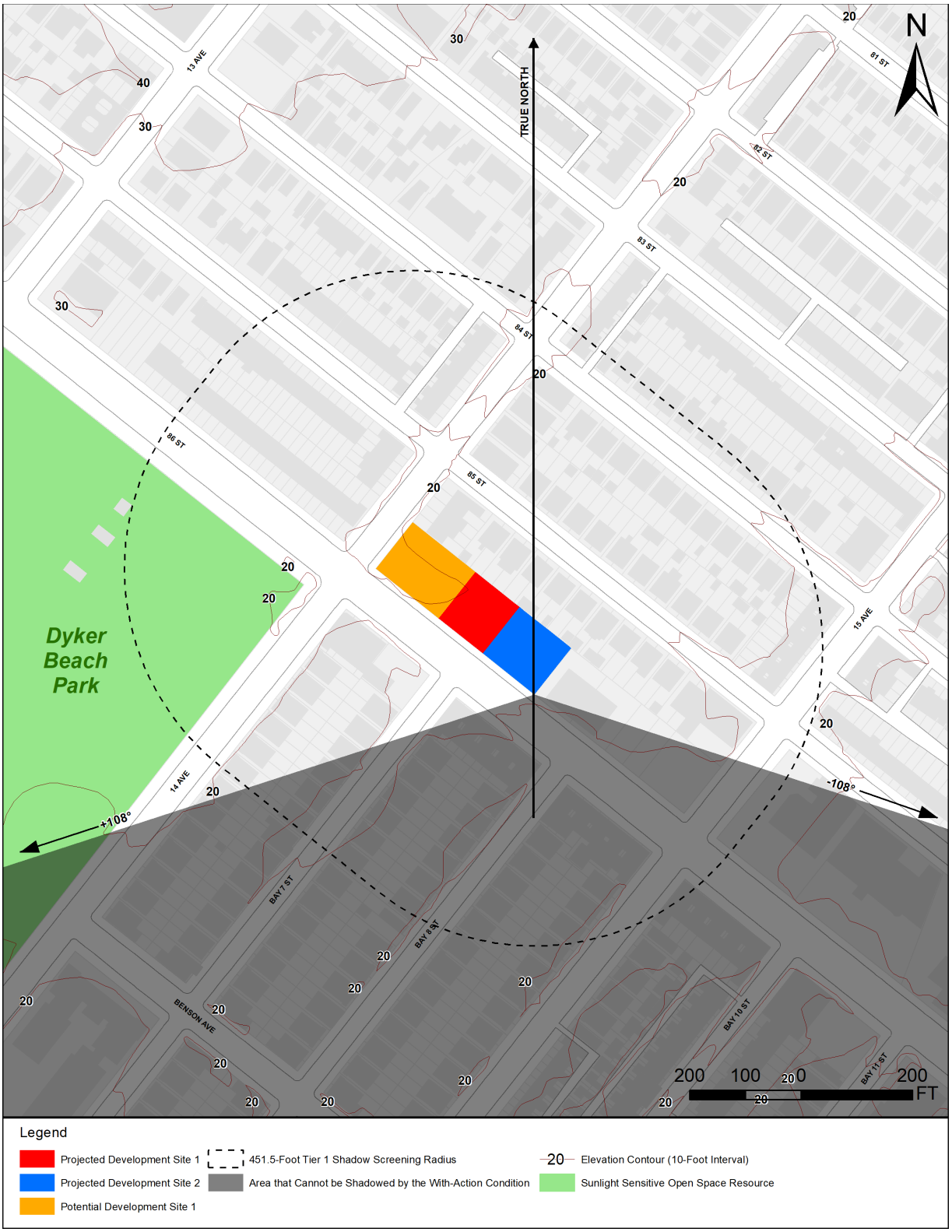


2.3.2 Tier 2 Shadow Screening Assessment

The *2021 CEQR Technical Manual* states that if any portion of a sunlight sensitive resource lies within the longest shadow study area, a Tier 2 screening assessment should be performed. Because of the path the sun travels across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given project site. In New York City, this area lies between -108 and +108 degrees from true north. For a Tier 2 screening assessment, sunlight sensitive resources within the triangular area cannot be shaded by new Projected Development Sites, and are screened out. The complementing portion to the north within the longest shadow study area is the area that can be shaded by the proposed project.

As shown in **Figure 2.3-2**, the Tier 2 screening assessment shows that the entirety of that portion of Dyker Beach Park within the Tier 1 area of the longest shadow is within the area that lies between -108 and +108 degrees from true north. Accordingly, a Tier 3 shadow screening assessment is required.

Figure 2.3-2: Tier 2 Shadow Screening Assessment



2.3.3 Tier 3 Shadow Screening Assessment

The *2021 CEQR Technical Manual* states that if any portion of a sunlight-sensitive resource is within the area that could be shaded by the Proposed Project, a Tier 3 screening assessment should be performed. Because the sun rises in the east and travels across the southern part of the sky to set in the west, a project's earliest shadows would be cast almost directly westward. Throughout the day, they would shift clockwise (moving northwest, then north, then northeast) until sunset, when they would fall east. Therefore, a project's earliest shadow on a sunlight-sensitive resource would occur in a similar pattern, depending on the location of the resource in relation to the Project Site. For a Tier 3 screening assessment, if the assessment determines that no shadows from the development would reach any of the sunlight-sensitive resources on any of the representative analysis days then no further assessment for those days is needed. If, however, in the absence of intervening buildings shadows from the proposed buildings would reach sunlight-sensitive resources on any of the representative analysis days then a detailed shadow analysis would be warranted for those days.

As shown in **Figure 2.3-3** to **Figure 2.3-6** below, project shadows from Future With-Action Condition development within the Affected Area would reach Dyker Beach Park (Resource 1) during the morning hours of the March 21 / September 21, May 6 / August 6, and June 21 analysis days.

Figure 2.3-3: Tier 3 Shadow Screening December 21st (Winter Solstice)

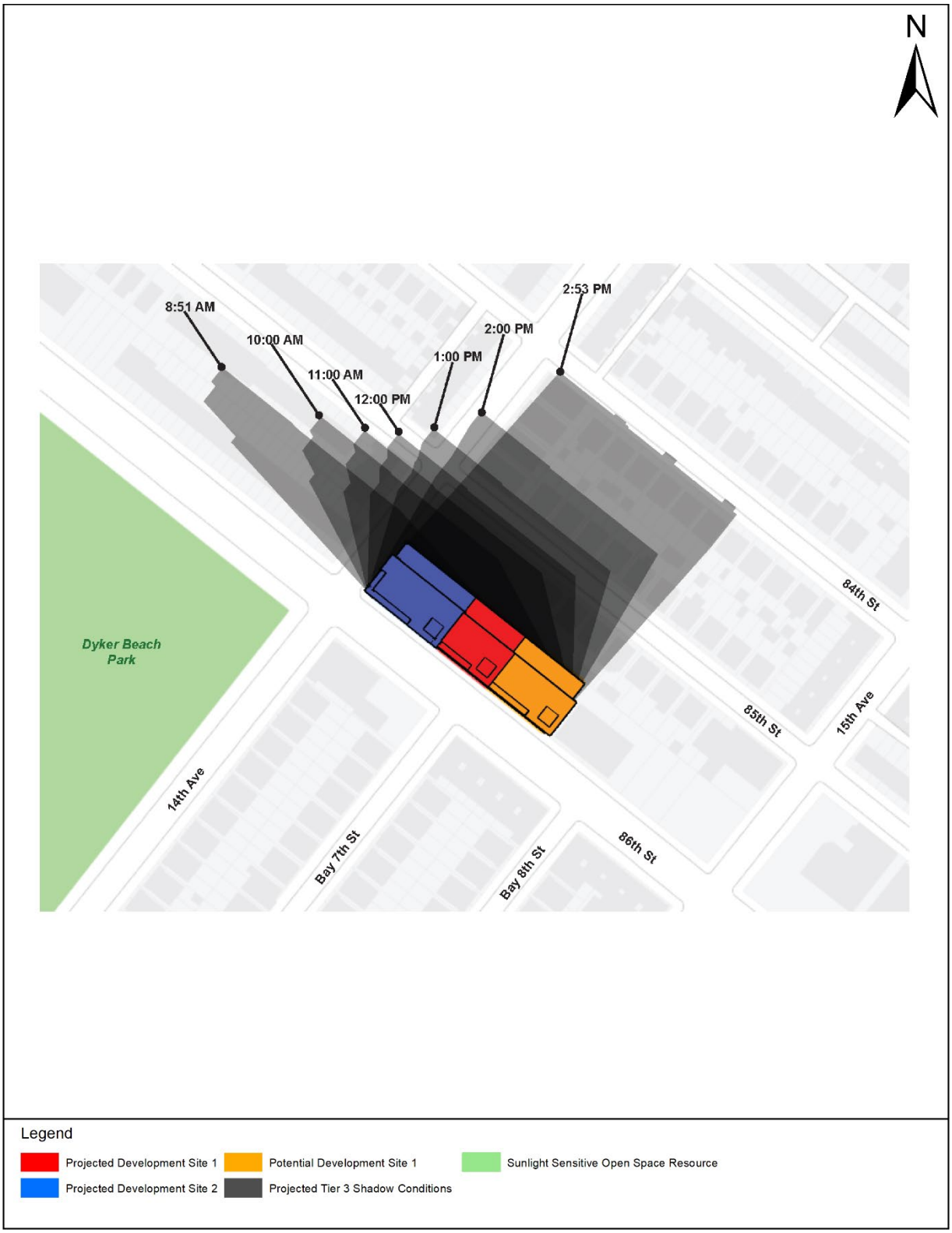


Figure 2.3-4: Tier 3 Shadow Screening March 21st/September 21st (Vernal and Autumnal Equinox)

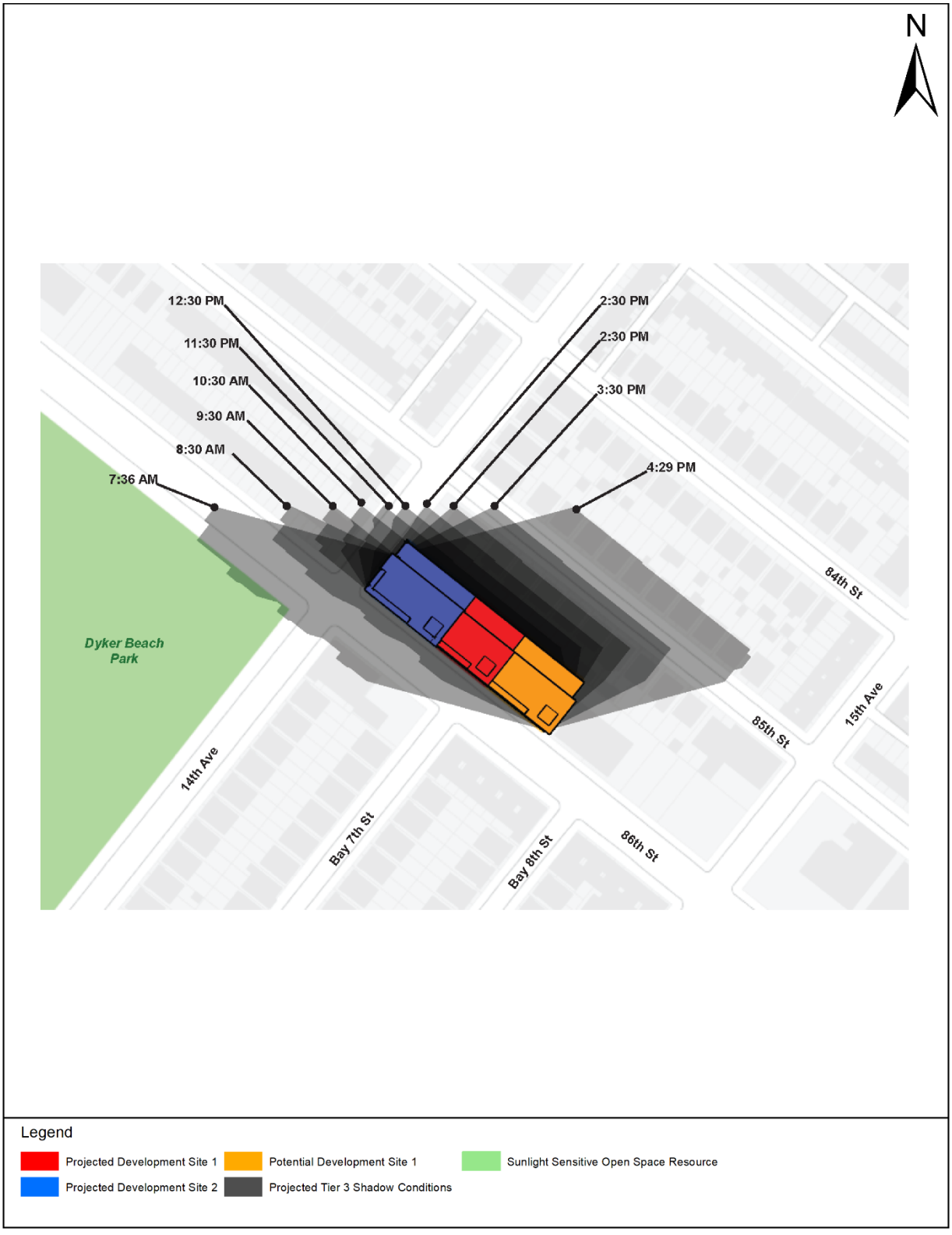


Figure 2.3-5: Tier 3 Shadow Screening May 6th/August 6th

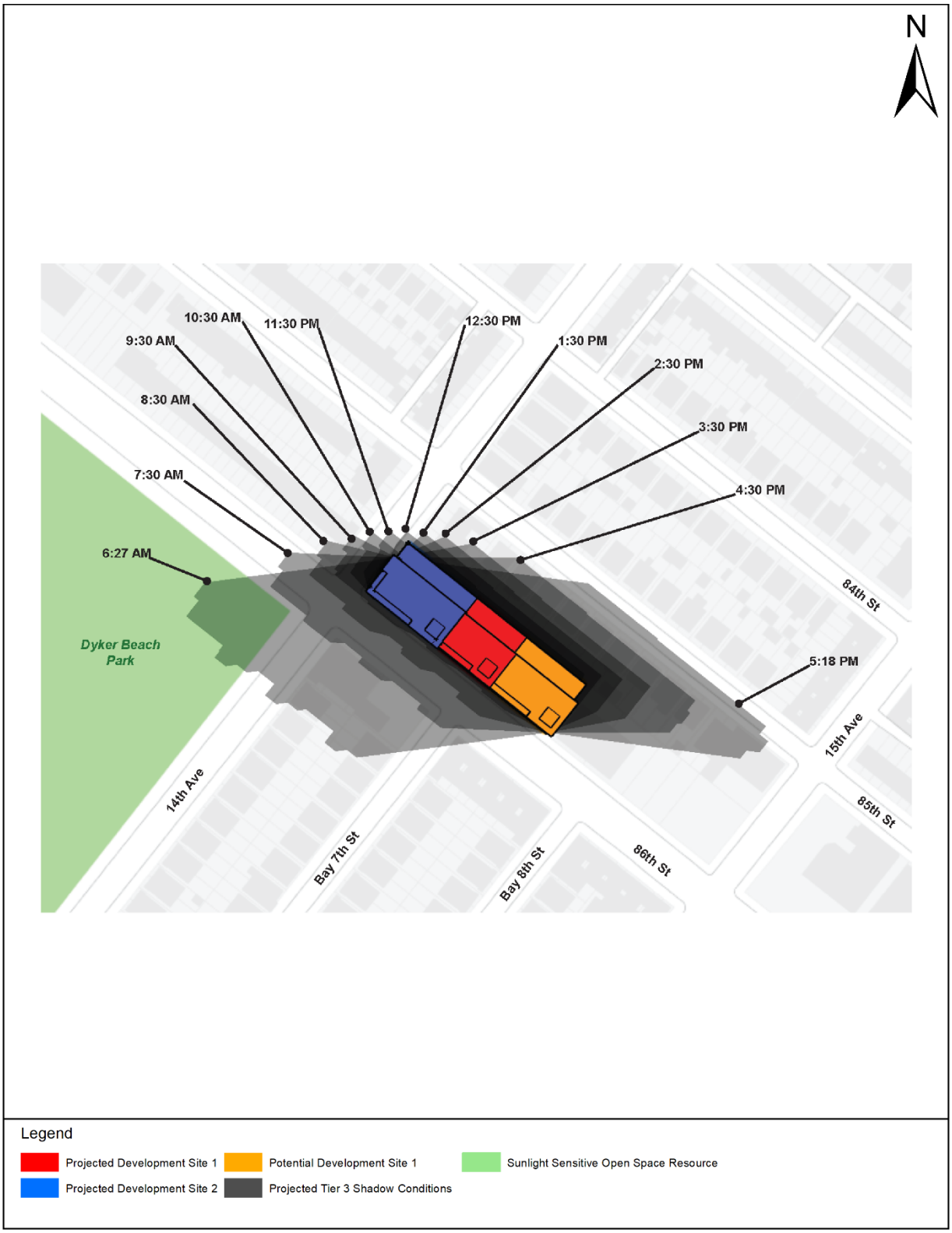
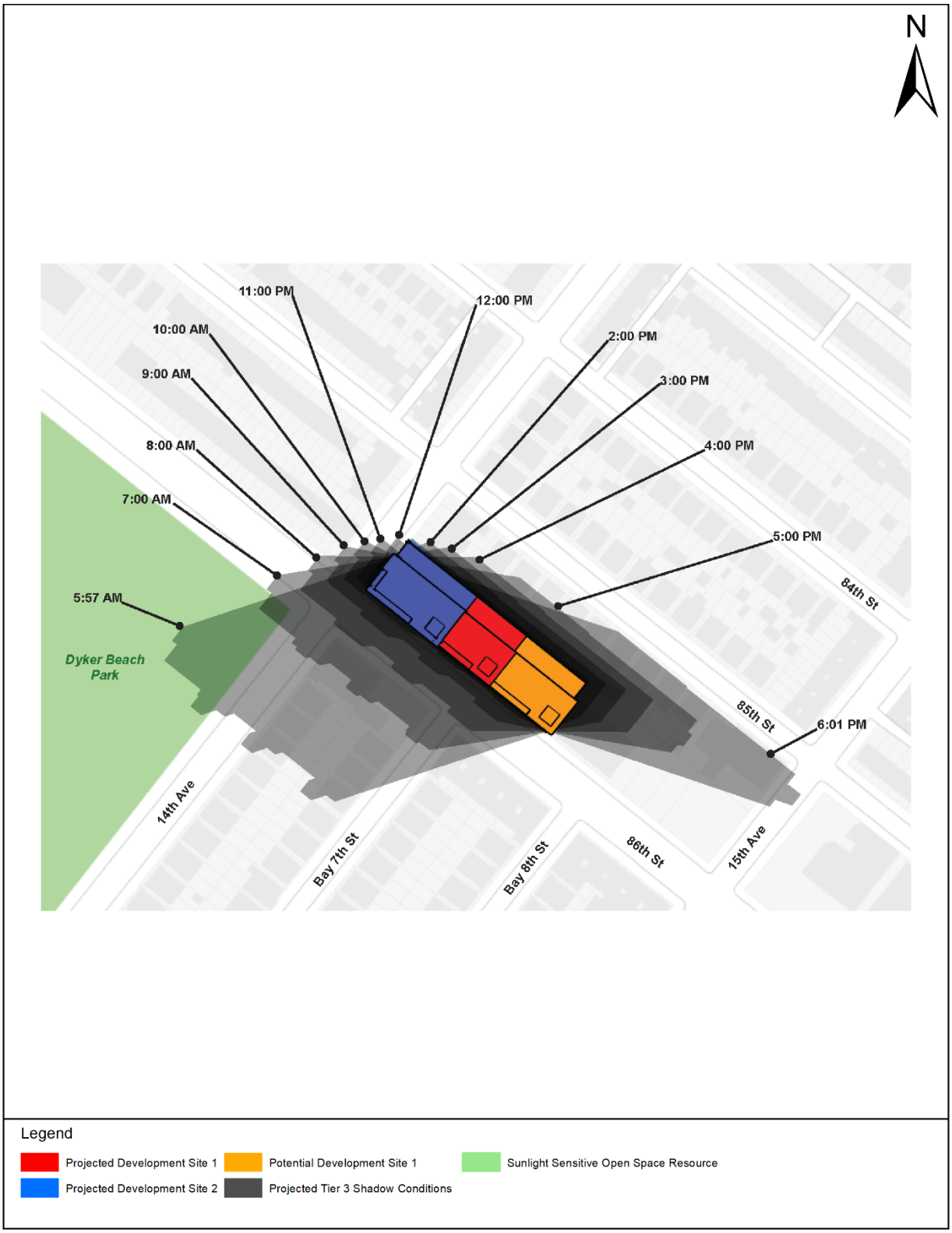


Figure 2.3-6: Tier 3 Shadow Screening June 21st (Summer Solstice)



No projected generated shadows would reach Dyker Beach Park on the December 21 analysis day. Further, on the March 21 / September 21 analysis day, project-generated shadows would only fall on Dyker Beach Park from 7:36 AM to 7:43 AM (a 7-minute duration); pursuant to the *2021 CEQR Technical Manual*, new shadows on sunlight sensitive resources with durations of 10 minutes or less would not result in significant adverse shadow impacts. Based on the foregoing, no further shadows analysis is warranted regarding the December 21 and March 21 / September 21 analysis days,

On the May 6 / August 6 analysis day, projected Tier 3 shadows would reach Dyker Beach Park from 6:27 AM to 7:27 AM (a 1 hour, 0-minute duration). During the June 21 analysis day projected Tier 3 shadows fall on Dyker Beach Park from 5:57 AM to 7:31 AM (a 1 hour, 34-minute duration). Therefore, a detailed shadow analysis is required to determine the impacts on Dyker Beach Park.

2.3.4 Detailed Shadow Analysis

The *2021 CEQR Technical Manual* states that a detailed shadow analysis is warranted when the screening analyses do not rule out the possibility that project-generated shadows would reach any sunlight-sensitive resources. The purpose of the detailed analysis is to determine the extent and duration of shadows that fall on a sunlight-sensitive resource as a result of development projected under the Future With-Action Condition. The results of the detailed shadow analyses on the identified resource of concern is summarized in **Table 2.3-1**, and the new incremental shadow conditions on Dyker Beach Park under the Future With-Action Condition during the May 6 / August 6 and June 21 analysis days are visualized in **Figure 2.3-8** and **Figure 2.3-9**, respectively.

Dyker Beach Park is a 216.66-acre publicly-accessible open space owned and operated by NYCDPR with a variety of recreation amenities. The area of this resource projected to receive new incremental shadows from projected development under the Future With-Action Condition includes landscaped areas featuring trees, grass, and other vegetation, passive recreation, playground equipment, and athletic courts (see **Figure 2.3-7**, **Figure 2.3-8**, and **Figure 2.3-9**).

Table 2.3-1: Detailed Shadow Analysis Results

Analysis Day	December 21	March 21 / September 21	May 6 / August 6	June 21
Timeframe Window	**8:51 a.m. - 2:53 p.m.**	**7:36 a.m. - 4:29 p.m.**	**6:27 a.m. - 5:18 p.m.**	**5:57 a.m. - 6:01 p.m.**
Sunlight Sensitive Resource 1	**Dyker Beach Park**			
Shadow entry - exit times	None	None	6:27 AM – 7:27 AM	5:57 AM – 7:31 AM
Incremental Shadow Duration	N/A	N/A	1 hours 0 minutes	1 hours 34 minutes
Note: Daylight savings time not used				

Determination of Shadow Impact Significance

The *2021 CEQR Technical Manual* states that the determination of significance of shadow on a sunlight-sensitive resource is based on: (1) the information resulting from the detailed shadow analysis describing the extent and duration of incremental shadows; and (2) an analysis of the resource's sensitivity to reduced sunlight. Determining whether this impact is significant or not, under CEQR, depends on the extent and duration of the incremental shadow and the specific context in which the impact occurs.

For open space and natural resources, the uses and features of a resource is an indicator of its sensitivity to shadows. Shadows occurring during the cold-weather months, for example, generally do not affect the growing season of outdoor vegetation. This sensitivity is assessed for warm-weather-dependent features such as vegetation that could be affected by a loss of sunlight during the growing season, and for features (such as benches) that could be affected by a loss of winter sunlight. Generally, six to eight hours a day of sunlight, particularly in the growing season, is often a minimum requirement. Where the incremental shadows from the project fall on sunlight-sensitive features or uses, the analysis assesses the loss of sunlight relative to sunlight that would be available without the project.

Figure 2.3-7: Dyker Beach Park Sunlight Sensitive Features in the Area of New Incremental Shadows

Figure 2.3-8: Detailed Shadows Screening May 6 / August 6 Analysis Day

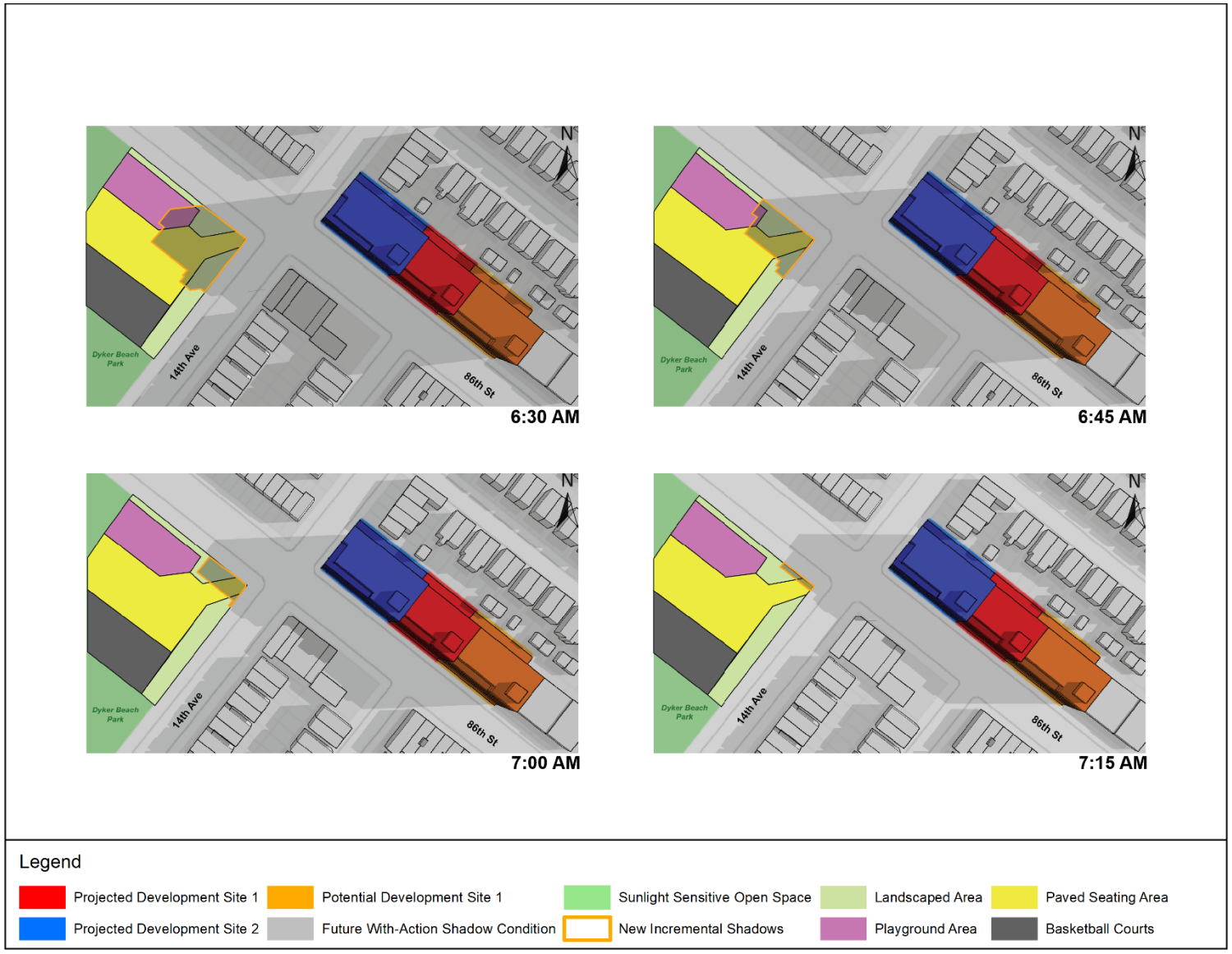
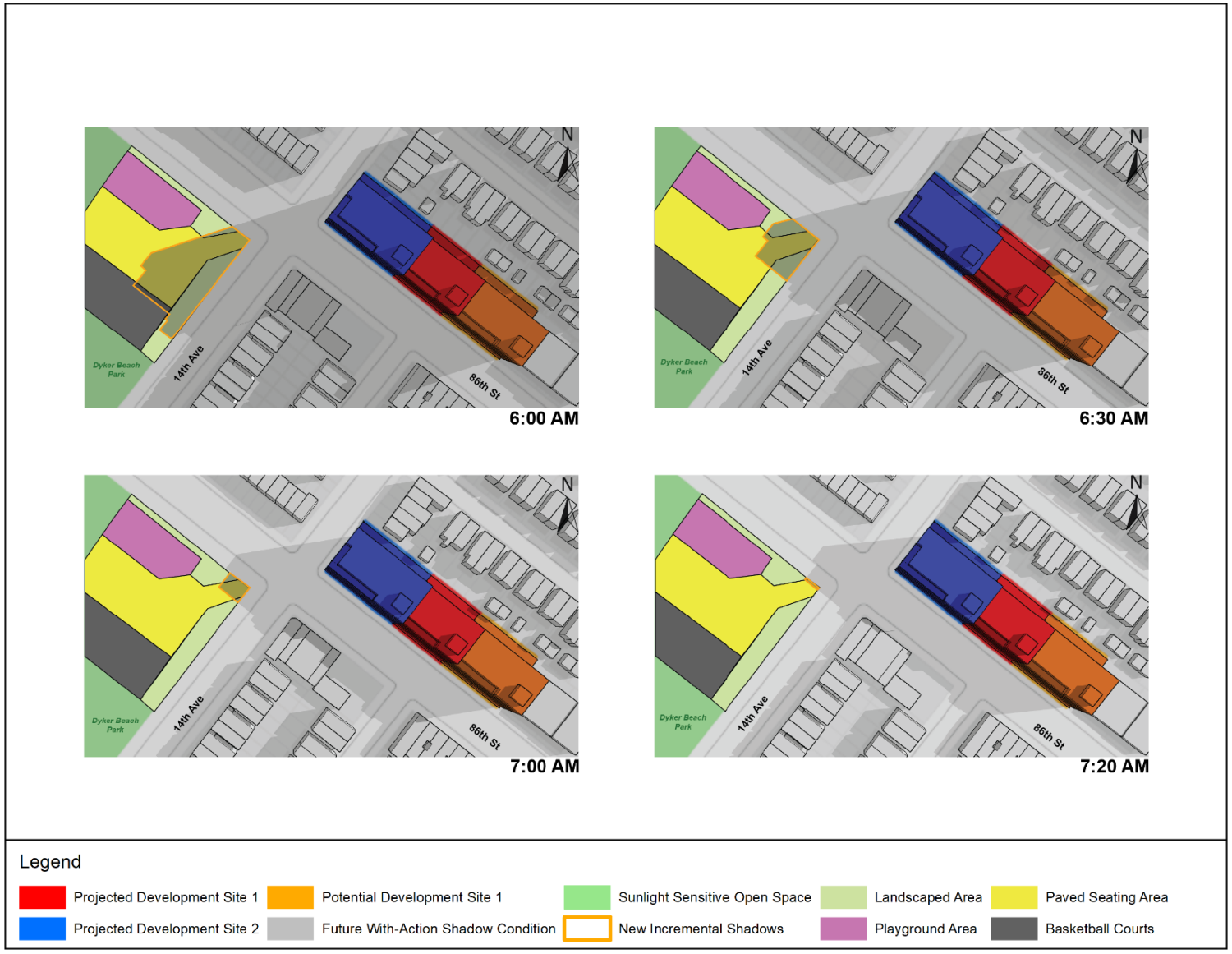


Figure 2.3-9: Detailed Shadows Screening June 21 Analysis Day



As stated in the *2021 CEQR Technical Manual*, to determine impact significance, an incremental shadow is generally not considered significant when its duration is no longer than 10 minutes at any time of year and the resource continues to receive substantial direct sunlight. A significant shadow impact generally occurs when an incremental shadow of 10 minutes or longer falls on a sunlight-sensitive resource and results in one of the following:

- Vegetation - A substantial reduction in sunlight available to a sunlight-sensitive feature of the resource to less than the minimum time necessary for its survival (when there was sufficient sunlight in the future without the project). Or, a reduction in direct sunlight exposure where the sunlight-sensitive feature of the resource is already subject to substandard sunlight (i.e., less than minimum time necessary for its survival).
- Open Space Utilization - A substantial reduction in the usability of open space as a result of increased shadow.
- For Any Sunlight-Sensitive Feature of a Resource - Complete elimination of all direct sunlight on the sunlight-sensitive feature of the resource, when the complete elimination results in substantial effects on the survival, enjoyment, or, in the case of open space or natural resources, the use of the resource.

2.3.5 Conclusion

Sunlight Sensitive Resource 1 (Dyker Beach Park)

As previously discussed, the area of Dyker Beach Park projected to receive new incremental shadows is developed with playground equipment, paved areas with benches, athletic courts, and landscaped areas featuring grass, trees, and other vegetation.

During the May 6 / August 6 analysis day, Dyker Beach Park is projected to receive new incremental shadows from 6:27 AM to 7:27 AM, for a 1 hour, 0-minute duration. This area of Dyker Beach Park would receive direct sunlight from the remainder of the analysis day, from 7:28 AM to 5:18 PM, for a total of 9 hours, 50 minutes; vegetation in these areas would therefore receive adequate sunlight (a required minimum of 6 to 8 hours from March through October, pursuant to the *2021 CEQR Technical Manual*), such that the viability of vegetation in this area would not be jeopardized. Further, given the amount of direct sunlight projected after the identified new incremental shadow duration, the public's use and enjoyment of this resource, at the area of new incremental shadows and beyond, would not be impaired in any way.

New incremental shadows falling on Dyker Beach Park during the June 21 analysis period would last from 5:57 AM through 7:34 AM for a 1 hour, 33-minute duration. This area of Dyker Beach Park would experience direct sunlight for the remainder of the analysis day, from 7:35 AM through 6:01 PM (10 hours, 26 minutes), such that vegetation would continue to receive adequate sunlight and the public's use and enjoyment of the resource would not be impaired.

Based on the foregoing, new incremental shadows on Dyker Beach Park due to development of the Affected Area under the Future With-Action Condition are not anticipated to create significant adverse shadows impacts. As such, no further analysis is warranted.

2.4 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, according to the *2021 CEQR Technical Manual*.

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.

Methodology

Archaeological and architectural resources usually need to be assessed for projects that would result in any in-ground disturbance. In-ground disturbance is any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site.

For projects that may affect historic or cultural resources, the first step in evaluating a project's potential effects on historic resources is to consider what area the project might affect and then identify historic resources—whether officially recognized or eligible for such recognition—within that area. The area of subsurface work for the proposed project is considered the impact area for archaeological resources while the study area for architectural resources is the area in which any resources may be affected by the project, which is defined by the radius of 400 feet from the borders of the project site for most proposals.

After the study areas have been established, all known archaeological and architectural resources within the study areas are identified, and the potential for unknown resources is investigated. It is recommended that lead agencies and applicants contact LPC for archaeological and architectural resources review. Based on the report from LPC, if any listed historic or cultural resources are located in the study areas, then further analysis of the project's impact on these resources must be performed. The proposed project's effects on any designated or potential archaeological and architectural resources are then analyzed under Existing, No-Action, and With-Action condition. The assessment specifically considers whether the project may result in disturbance or destruction of those archaeological and architectural resources as a result of the Proposed Actions.

2.4.1 Architectural Resources

Per *2021 CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by a proposed action and in the area surrounding identified development sites. The study area for historic resources is therefore defined as the Affected Area and those areas within a 400-foot radius of the Affected Area (i.e., the Surrounding Area). To determine whether the development under the Future With-Action Condition within the Affected Area has the potential to affect nearby off-site historic or architectural resources, the study area was screened for historic and architectural resources. No Federal, New York State, or New York City historic architectural resources were identified within the Affected Area or the associated Surrounding Area.

On February 17, 2022, The LPC was contacted for their initial review of the potential for the Proposed Actions to impact nearby historic or architectural resources. By letter dated March 15th, 2022 The LPC indicated that no historic and / or architectural resources of significance are associated with the Affected Area and / or Surrounding Area (see **Appendix A**). Therefore, no significant adverse impacts to historic and / or architectural resources are anticipated as a result of the Proposed Actions and no further analysis is warranted.

2.4.2 Archaeological Resources

Unlike the architectural evaluation of a Surrounding 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 *2021 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 Proposed Actions would result in new in-ground construction on the Projected and Potential Development Sites. As noted, the LPC was contacted on February 17, 2022 for their initial review of the project's potential to impact nearby cultural or archaeological resources. By letter dated March 15th, 2022 The LPC indicated that there are no cultural resource of archaeological significance associated with the Affected Area (see **Appendix A**). Therefore, significant adverse impacts to archaeological resources are not expected because of the Proposed Actions, and further analysis is not warranted.

2.4.3 Conclusion

According to the *2021 CEQR Technical Manual*, significant adverse impacts to historic and cultural resources could potentially result if a proposed action affects those characteristics that make a resource eligible for LPC designation or S/NR listing. There are no historic and / or cultural resources within the Affected Area or Surrounding Area and therefore no significant adverse impacts could result to such resources, and no further analysis is warranted.

2.5 Urban Design and Visual Resources

According to the *2021 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. Pursuant to the *2021 CEQR Technical Manual*, an assessment of Urban Design may be warranted when a Proposed Action may affect one or more of the elements that contribute to the pedestrian experience of an area, specifically the arrangement, appearance, and functionality of the built environment.

The proposed rezoning of the Affected Area from an R4 / C2-2 zoning district to an R7A / C2-4 zoning district would alter permitted use, bulk, and height within the Affected Area. Therefore, further analysis is warranted. The differences between existing and proposed zoning, with regards to those aspects of zoning affecting urban design, are presented in the following **Table 2.5-1**.

The study area for urban design is the area where the project may influence land use patterns, the built environment, and pedestrian's experiences in the public realm surrounding the project area. According to *2021 CEQR Technical Manual*, the urban design study area is generally consistent with that for the land use analysis, which is 400 feet around the Affected Area (The Surrounding Area or Study Area).

Table 2.5-1: No-Action and With-Action Zoning

	No-Action	With-Action
Zoning	R4 / C2-2	R7A / C2-4
Permitted Uses	Com., Res., CF	Com., Res., CF
Maximum FAR	Com: 1.00 Res.: 0.90 CF: 2.00	Com: 2.00 Res.: 4.60 CF: 4.00
Maximum Height	35 feet	Base Height: 75 feet Building Height: 95 feet (w/QGF)
Lot Coverage (interior lot / corner lot)	45% / 45%	65% / 100%

Com. = Commercial; CF = Community Facility; Manu. = Manufacturing; Res. = Residential; QGF = Qualifying Ground Floor

2.5.1 Existing Conditions

The Affected Area consists of three lots at Block 6340 along 86th Street in the Dyker Heights neighborhood of Brooklyn Community District 11, described in detail in **Section 1.4**. Additionally, photo documentation of the Affected Area is provided in **Figure 1.1-6**.

The Applicant-owned Projected Development Site 1 is located at 1421 86th Street (Block 6340, Lot 66), an interior lot with 100 feet of frontage along 86th Street and a 100-foot lot depth, with

a total area of 10,000 sf. Projected Development Site 1 is improved with a one-story, 4,910-sf commercial building (0.49 commercial FAR), occupied by a commercial limousine rental company (Romantique Double Diamon Limousines). The western portion of the site is used for auto sales. Two curb cuts along 86th Street are used to enter and exit the site.

Projected Development Site 2 consists of one lot (Block 6340, Lot 66), a 12,000-sf interior lot with 120 feet of frontage on 86th Street, improved with a two-story commercial medical office building (Dyker Heights Medical Associates), approximately 11,290 sf in total commercial floor area (0.94 commercial FAR). The property is accessed via one curb cut along 86th Street and features approximately seven off-street uncovered parking spaces.

Potential Development Site 1 consists of one lot (Block 6340, Lot 1), a 14,000-sf corner lot with 140 feet of frontage on 86th Street and 100 feet of frontage on 14th Avenue, improved with a two-story funeral home (Scarpaci Funeral Home), improved with a one-story, 15,360-sf commercial building (1.1 commercial FAR). The property is accessed via one curb cut along 86th Street and features approximately ten off-street uncovered parking spaces.

Existing land uses in the study area primarily consist of commercial, mixed-use multi-family residential with ground floor commercial, and parking uses along the 86th Street corridor east of 14th Avenue, open space and recreation uses at the southwest portion of the Surrounding Area, with predominantly single-family residential uses interspersed with multi-family residential uses characterizing the remainder of the Surrounding Area. The majority of buildings in the study area are two stories in height, interspersed with several one- and three-story buildings. East of 14th Avenue 86th Street serves a primary commercial and transportation corridor with two lanes of traffic in each direction. A northeast portion of Dyker Beach Park characterizes the Surrounding Area to the southwest; the northeastern portion of Dyker Beach Park within the Surrounding Area include playground facilities and athletic fields.

The overall built form in the Surrounding Area varies by use, and generally consists of low-rise residential and commercial buildings, including two- to three-story residential buildings in the areas beyond the 86th Street corridor that create a continuous street wall (see **Figure 2.5-2** through **Figure 2.5-7**, Photograph Nos. 1, 3-13, 16-20, and 23) and low-rise, one- to two-story commercial buildings (with occasional second floor residences) along the 86th Street corridor interspersed with surface parking uses that creates an inconsistent street wall along either side of the street (see **Figure 2.5-2** through **Figure 2.5-7**, Photograph Nos. 2, 14, 15, 21, 22, and 24).

The street network at the Affected Area and within the Surrounding Area follows the standard New York City grid. 86th Street is a major commercial thoroughfare with two lanes of traffic in each direction and curbside parking, while 14th and 15th Avenues are both two-way north-south corridors with one lane of traffic in each direction and curbside parking. Bay 7th and 8th Streets, residential side streets, extend south from 86th Street, with one lane of traffic running north and south, respectively, each with curbside parking. 84th and 85th Streets in the northern Surrounding Area, also residential side streets, run parallel to 86th Street and feature one lane

of traffic running west and east, respectively, each with curbside parking. Sidewalks, ranging from 10 feet to 15 feet wide, are in fair condition with paved surface, sufficient street trees, and regular streetlights throughout the Surrounding Area. All the intersections are under good control with properly functioning traffic lights and clear crossing markings, securing the safety of the pedestrians when crossing the streets.

A figure illustrating the extent of the urban design study area and photograph location key for all surrounding area photographs is provided in **Figure 2.5-1** below. Photographs of existing conditions within the urban design study area are shown in **Figure 2.5-2** through **Figure 2.5-7**.

2.5.2 Future No-Action Condition

Absent the Proposed Actions (i.e., the Future No-Action Condition), it is anticipated that existing conditions within the Affected Area, including land uses and built form, would remain. While no land use and / or zoning actions are anticipated within the Surrounding Area by the 2025 Build Year, any potential physical changes to buildings in the study area would comply with designated zoning regulations and other surrounding districts. Pedestrian activity within the study area under the Future No-Action Condition would be similar to existing conditions. The sidewalks would be expected to remain in existing fair condition with street trees and lights. The Surrounding Area would primarily consist of one- and two-family residences and Dyker Beach Park, as well as commercial and parking uses along 86th Street east of 14th Avenue. Overall building heights would remain consistent with Existing Conditions as well, with a majority of buildings at two stories tall with several one- and three-story buildings interspersed throughout the Surrounding Area.

No significant changes to the area's urban character or to the area's views to the adjacent parks and open spaces are anticipated under the Future No-Action Condition.

2.5.3 Future With-Action Condition

Projected Development Site 1 (Block 6340, Lot 66; Applicant's Development Site)

Under the Future With-Action Condition, the 10,000-sf Applicant-owned Projected Development Site 1 would be rezoned to R7A / C2-4. The site would be redeveloped with a 67,682-gsf, nine-story plus cellar mixed-use commercial and residential building with an overall FAR of 4.52. Projected Development Site 1 would contain a total of 26 enclosed vehicular parking spaces located in the cellar level and accessed via a ramp on the eastern portion of the site from a curb cut along 86th Street.

Projected Development Site 2 (Block 6340, Lot 60; Non-Applicant-Owned)

The 12,000-sf Projected Development Site 2 is projected to be redeveloped with a new 9-story, 95-foot-tall mixed-use residential and commercial building that would contain approximately 68,970 gsf and an overall FAR of 4.6. A 24-space below-grade accessory parking garage would be accessed via a curb cut on 86th Street.

Potential Development Site 1 (Block 6340, Lot 1; Non-Applicant-Owned)

The 14,000-sf Potential Development Site 1 could be redeveloped with an 80,581 gsf (4.6 FAR) mixed-use residential and ground floor commercial building with a height of 95 feet over 9 stories. A 26-space below-grade accessory parking garage would be accessed via a curb cut on 86th Street.

While the Proposed Actions would permit new development larger in scale and height compared with existing buildings in the Surrounding Area, the new development would be typical of midrise development along wide streets (such as 86th Street) elsewhere in southern Brooklyn in terms of scale, density, and height. Further, the Proposed Actions would generally reflect planning goals for the area associated with the 2007 Dyker Heights – Fort Hamilton Rezoning, which sought to reinforce "…existing commercial corridors and encourage mid-rise mixed retail/residential buildings." The Proposed Actions would replace the existing surface parking lot with a new mixed commercial and residential building, which would reinforce and encourage goals set forth by the 2007 Dyker Heights – Fort Hamilton Rezoning. Additionally, the development with ground floor commercial uses would be compatible with the existing street wall characteristics, activate the new buildings' ground floor, and improve walkability and the visual character of the area. Meanwhile, the Proposed Actions would not be expected to negatively affect a pedestrian's experience of the area. Therefore, the Proposed Actions would not result in any significant adverse impact to the constituent elements of Urban Design, and a detailed analysis is not warranted.

The pedestrian level urban design conditions along the 86th Street corridor under the With-Action condition is shown in **Figure 2.5-8** and **Figure 2.5-9** below. The conceptual comparative massing shown in the figures all reach the maximum base height of 75 feet before setting back 10 feet and rising to the maximum building height of 95 feet. Adding the height of the mechanical bulkhead, all buildings have a total height of 105 feet.

Figure 2.5-1: Urban Design Study Area and Photograph Key

Figure 2.5-2: Urban Design Study Photographs Nos. 1 through 4

1 View along 15th Avenue looking north from the intersection of 15th Avenue and 86th Street.

2 View along 86th Street looking northwest from the intersection of 15th Avenue and 86th Street.

3 View along 15th Avenue looking south from the intersection of 15th Avenue and 86th Street.

4 View along 85th Street looking northwest from the intersection of 15th Avenue and 85th Street.

Figure 2.5-3: Urban Design Study Photographs Nos. 5 through 8

5 View along 84th Street looking northwest from the intersection of 84th Street and 15th Avenue.

6 Representative view of residential development along the south side of 84th Street between 14th and 15th Avenues.

7 View along 84th Street looking southeast from the intersection of 84th Street and 14th Avenue.

8 View along 14th Avenue looking south from the intersection of 84th Street and 14th Avenue.

Figure 2.5-4: Urban Design Study Photographs Nos. 9 through 12

9 View along 84th Street looking northwest from the intersection of 84th Street and 15th Avenue.

10 Representative view of residential development along the south side of 84th Street between 14th and 15th Avenues.

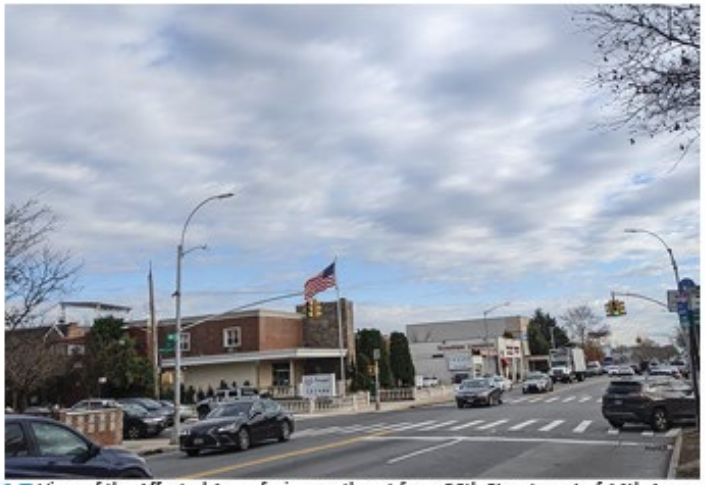
11 View along 14th Avenue looking south from the intersection of 84th Street and 14th Avenue.

12 View along 86th Street facinging northwest from the intersection of 14th Avenue and 86th Street.

Figure 2.5-5: Urban Design Study Photographs Nos. 13 through 16

13 View along 14th Avenue facing south from the intersection of 86th Street and 14th Avenue.

14 View of the Affected Area from the northeastern Dyker Beach Park entrance.



15 View of the Affected Area, facing northeast from 86th Street west of 14th Avenue.

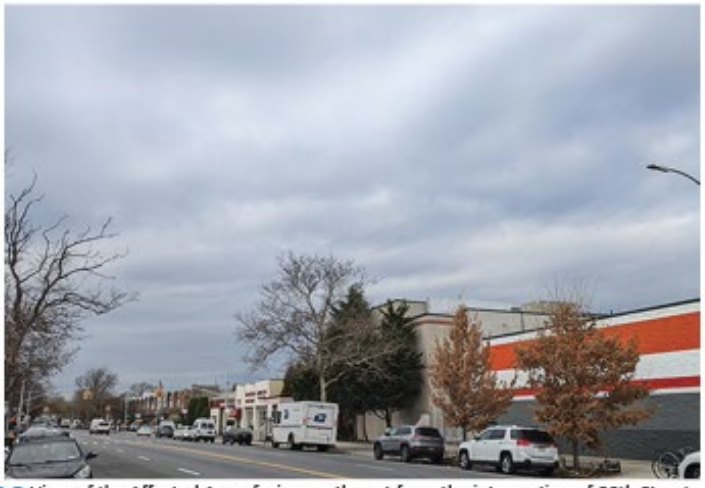
16 Representative view of the residential development along the north side of 86th Street west of 14th Avenue, facing northwest.

Figure 2.5-6: Urban Design Study Photographs Nos. 17 through 20

17 Representative view those portions of Dyker Beach Park within the Surrounding Area, facing southwest.

18 View along Bay 7th Street facing south from the intersection of 86th Street and Bay 7th Street.

19 View along Bay 8th Street facing south from the intersection of 86th Street and Bay 8th Street.



20 View of the Affected Area, facing northwest from the intersection of 86th Street and Bay 8th Street.

Figure 2.5-7: Urban Design Study Photographs Nos. 21 through 24

21 Representative view of mixed-use multi-family residential and groundfloor commercial development along the south side of 86th Street, facing southeast.

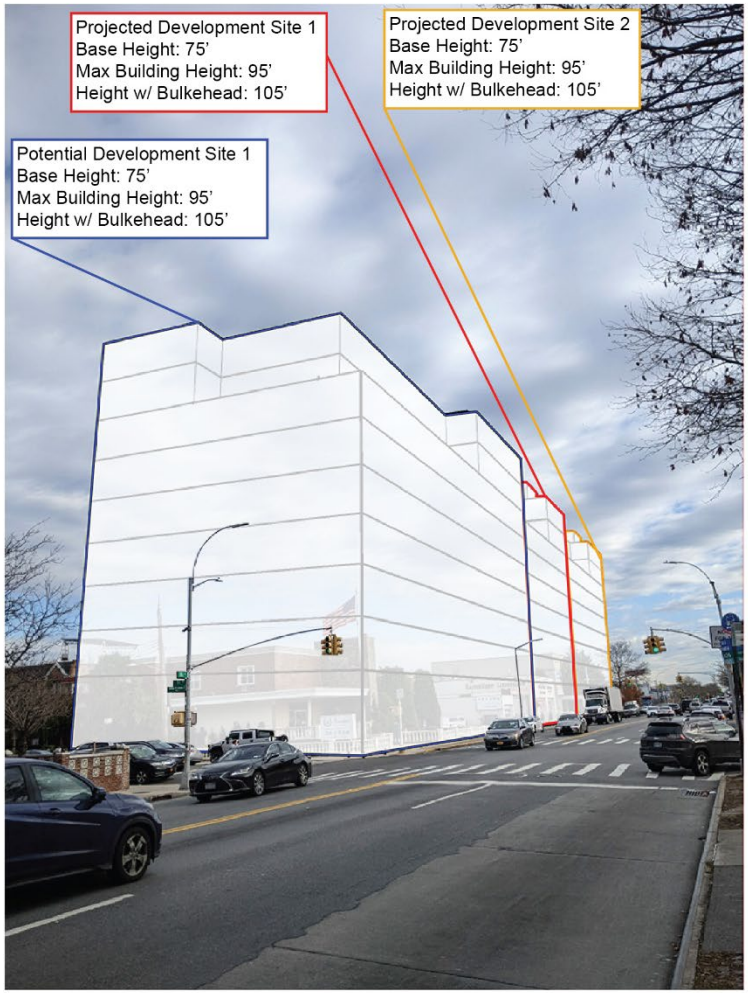
22 Representative view of commercial development along the south side of 86th Street, facing southeast.

23 View of Dyker Beach Park, facing southwest from the Affected Area.

24 View of commercial development and associated parking areas at the northwest corner of the intersection of 86th Street and 15th Avenue, facing northeast from 86th Street

Figure 2.5-8: Urban Design Rendering View 1: Looking Southeast along 86th Street Towards the Affected Area

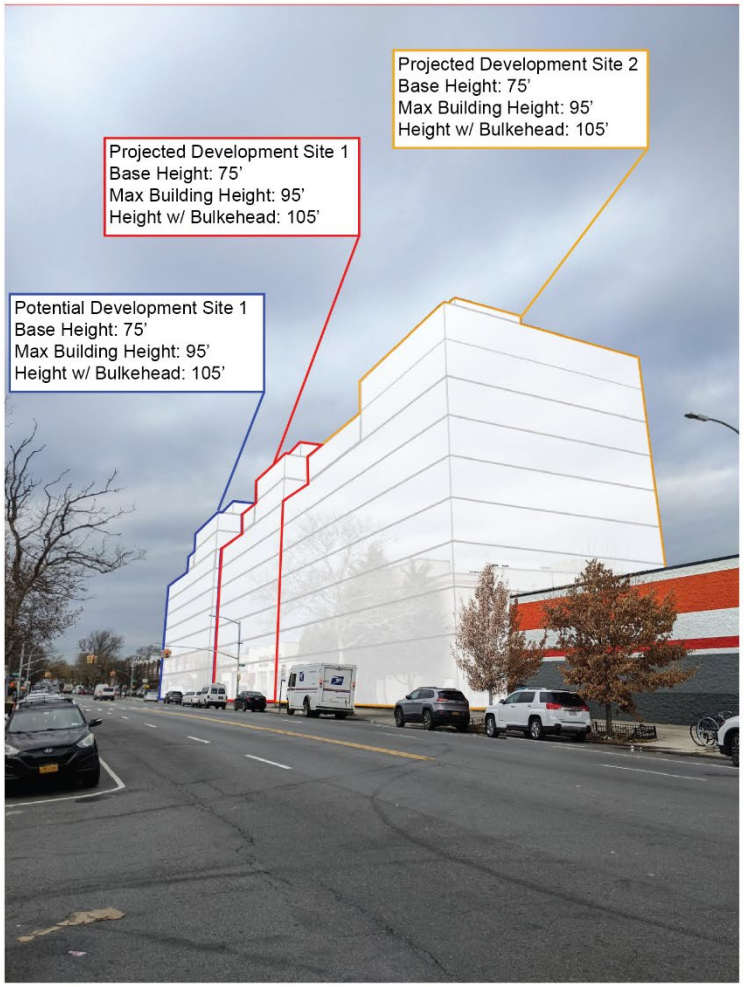
View 1: Future No-Action Condition



View 1: Future With-Action Condition

Figure 2.5-9: Urban Design Rendering View 2: Looking Northwest along 86th Street Towards the Affected Area

View 2: Future No-Action Condition



View 2: Future With-Action Condition

2.5.4 Conclusion

The development facilitated by the Proposed Actions would not adversely impact any of the constituent urban design elements or impact the overall character of the neighborhood. It would not significantly change the pedestrian experience, nor would it disturb the vitality, walkability, or the visual character of the area. While the Proposed Actions would permit new development larger in scale and height compared existing buildings in the Surrounding Area, it is typical of midrise development along wide streets (such as 86th Street) elsewhere in southern Brooklyn in terms of scale, density, and height. Further, the Proposed Actions would generally reflect planning goals for the area associated with the 2007 Dyker Heights – Fort Hamilton Rezoning, which sought to reinforce "…existing commercial corridors and encourage mid-rise mixed retail/residential buildings." The Proposed Actions would replace the existing surface parking lot with a new mixed commercial and residential building, which would reinforce and encourage goals set forth by the 2007 Dyker Heights – Fort Hamilton Rezoning. Additionally, the development with ground floor commercial uses would be compatible with the existing commercial corridor characteristics, enliven ground floor space, improve walkability and the visual character of the area. Meanwhile, the Proposed Actions would not be expected to negatively affect a pedestrian's experience of the area. Therefore, the Proposed Actions would not result in any significant adverse impact to the constituent elements of Urban Design, and a detailed analysis is not warranted.

2.6 Hazardous Materials

According to the *2021 CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when: (a) hazardous material exists on a site, and (b) an action would increase pathways to their exposure, or (c) an action would introduce new activities or processes using hazardous materials.

Methodology

The hazardous materials assessment begins with a Phase I Environmental Site Assessment (ESA), which is a qualitative evaluation of the environmental conditions present at a site, based on a review of available information, site observations, and interviews. Pursuant to the *2021 CEQR Technical Manual*, the Phase I ESA is conducted in accordance with the standards established by the current ASTM Phase I ESA Standard and includes research and field observations to determine whether the site may contain contamination from either past or present activities on the site or as a result of activities on adjacent or nearby properties. If a potential Recognized Environmental Condition (REC) is identified during this assessment, then subsurface investigations are usually conducted as part of a Phase II ESA to confirm the presence and extent of the contamination.

Analysis

The Applicant-owned Projected Development Site 1 consists of one lot (Block 6340, Lot 66), an interior lot with 100 feet of frontage along 86th Street. Projected Development Site 1 is improved with a one-story, 4,910-sf commercial building occupied by a commercial limousine rental company (Romantique Double Diamon Limousines), constructed in 2003. The western portion of the site is used for auto sales.

Projected Development Site 2, which is not owned or controlled by the Applicant, is a 12,000-sf interior lot improved with a two-story commercial medical office building (Dyker Heights Medical Associates).

Potential Development Site 1, which is not owned or controlled by the Applicant, is a 14,000-sf corner lot improved with a two-story building containing a ground floor funeral parlor and second-floor dwelling unit.

The proposed rezoning would allow for residential and commercial uses to be built with a higher FAR in the proposed R7A / C2-4 district. Accordingly, a Phase I ESA was conducted for the Applicant-owned Projected Development Site 1 by Equity Environmental Engineering, LLC (Equity) on November 30, 2021. A copy of the report is included as **Appendix D**. The Phase I ESA, described and summarized below, was submitted for review to the New York City Department of Environmental Protection (NYCDEP).

2.6.1 Phase I Environmental Site Assessment

The purpose of a Phase I ESA is to determine whether any type of environmental hazard exists within or adjacent to the project site. Environmental hazards may include, but are not limited to, hazardous/toxic wastes or raw chemicals stored, dumped, or spilled on the site, underground and above ground storage of petroleum or hazardous materials; asbestos within the building materials/structures; and identification of potential off-site sources of hazardous waste contamination, such as industrial facilities adjacent to the subject property.

Recognized Environmental Conditions (RECs) are defined as the presence or likely presence of any hazardous substances or petroleum products under conditions that indicate an existing release, past release, or a material threat of a release into structures on the property or into the ground, groundwater or surface waters of the property. De minimis RECs are those that do not present a threat to health or the environment and would not be the subject of an enforcement action by a government agency. All RECs, excluding de minimis RECs, were considered in the Phase I.

Equity performed a Phase I ESA on November 30, 2021 in conformance with the scope and limitations of ASTM Practice E 1527-13. The following conditions were observed:

- Recognized Environmental Condition (RECs): Two RECs were identified at Projected Development Site 1, including: (1) oil staining was observed in the parking area and in the garage and is presumably from vehicles that were previously parked at the stain locations; and (2) anti-freeze was also observed leaking from two vehicles in the two-story garage at Projected Development Site 1.
- Historical Recognized Environmental Condition (HRECs): There are no HRECs associated with Projected Development Site 1.
- Controlled Recognized Environmental Condition (CRECs): There are no CRECs associated with Projected Development Site 1.
- Vapor Encroachment Concerns (VECs): The Environmental Data Resources (EDR) Vapor Encroachment database identified three VECs within 0.01-mile of the Projected Development Site 1 that are related to a gasoline service station at Bay 7th and 86th Street from 1969 to 1996; Mobil gasoline service station leaking tank and spills at 1420 86th Street; and a leaking tank that has been removed at 8320 13th Avenue. Based on these findings, vapor encroachment conditions cannot be ruled out.
- De Minimis Conditions: No De Minimis Conditions were identified as a result of the Phase I ESA.
- Data Gaps: Equity did not identify any significant data gaps that would affect its ability to identify RECs associated with Projected Development Site 1.

Equity's review of available information and observations of Projected Development Site 1 and surrounding properties indicates that no CRECs, no Historical REC, no Minimis conditions and no Data Gaps were identified as a result of this assessment. However, two RECs were identified and VECs could not be ruled out. Therefore, the development of Projected Development Site 1 under the Proposed Actions may have the potential for adverse impacts related to hazardous materials and a Phase II ESA should be undertaken, collecting original samples of soil, groundwater or building materials to analyze for quantitative values of various contaminants.

However, a Phase II ESA cannot be performed currently as the intrusive investigation through the Phase II process is not practical on the site where the building on Projected Development Site 1 is occupied. The building is currently occupied by a commercial limousine rental company (Romantique Double Diamon Limousines). The business is open from 12 pm to 5 pm on weekdays and on Saturday, and is closed on Sunday.

Phase II ESA testing will require site investigation work in multiple locations on the property, including the drilling of multiple borings into pavement area. No area of the property is undeveloped with exposed earth and the only open area on the property is the parking area and the active egress area associated with the vehicle drive-in along the side yard and at the back of the building. Phase II ESA requires multiple borings (typically 2-3) deep into the ground to capture subsurface conditions for the entire property, with a rig powerful enough to penetrate pavement. It should be noted these rigs are large enough to prevent drive-through access. Based on previous experience, these tests take approximately a half-day to complete, with some additional time to patch the borings. Though the business is not open in the morning before 12 pm, given the invasive nature of boring with a large rig and the car rental business on site that needs plenty of parking spaces to park the limos, the business would be required to close to permit this work, as it would occur during business hours. As the active use at Projected Development Site 1 prevents the necessary full spectrum of soil, soil vapor and groundwater testing required under DEP testing guidelines, an "E" designation for hazardous materials will be placed on the zoning map pursuant to Section 11-15 of the New York City Zoning Resolution for the Projected Development Site 1 to ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance on these properties.

Projected Development Site 2 (Block 6340, Lot 60) and Potential Development Site 1 (Block 6340, Lot 1) are not under the control or ownership of the Applicant and are not proposed for development as part of the Applicant's Proposed Project. The two sites are located within the Affected Area and are expected to be redeveloped under the With-Action Condition. Based on prior on-site and/or surrounding area land uses that could result in environmental contamination, an "E" designation for hazardous materials will be placed on the zoning map pursuant to Section 11-15 of the New York City Zoning Resolution for Projected Development Site 2 and Potential Development Site 1. The "E" designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance on these properties. The current (and potential future) property owner(s) should be directed to

coordinate further hazardous materials assessments through the Mayor's Office of Environmental Remediation.

The "E" designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance at these properties. The (E) designation text related to hazardous materials is as follows:

E-707: Block 6340, Lots 1, 60 and 66

Task 1 – Sampling Protocol

The applicant submits to OER, for review and approval, a Phase 1 of the site along with a soil and groundwater 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 sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum-based contamination and non-petroleum-based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2 – Remediation Determination and Protocol

A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from the 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.

An OER-approved construction-related health and safety plan would be implemented during evacuation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.

With this (E) designation in place, no significant adverse impacts related to hazardous materials are expected, and no further analysis is warranted. Therefore, there is no potential for the Proposed Actions to result in significant adverse impacts related to hazardous materials.

2.7 Air Quality

2.7.1 Introduction

Ambient air quality, or the quality of the surrounding air, may be affected by air pollutants produced by motor vehicles, referred to as "mobile sources"; by fixed facilities, usually referenced as "stationary sources"; or by a combination of both. Under the *2021 City Environmental Review (CEQR) Technical Manual*, an air quality assessment determines both a proposed project's effects on ambient air quality and the effects of ambient air quality on the project.

2.7.2 Air Quality Standards, Regulations, and Benchmarks

Criteria Pollutants

The EPA has established national ambient air quality standards (NAAQS) for six of the most common air pollutants—known as “criteria” pollutants. The presence of these pollutants in ambient air is generally due to numerous diverse and widespread sources of emissions. The NAAQS primary standards are designed to protect public health with adequate margin of safety. The NAAQS secondary standards are designed to protect the public welfare from adverse effects, including those related to effects on soils, water, vegetation, visibility, and other aspects. As required by the Clean Air Act, EPA periodically conducts comprehensive reviews of the scientific literature on health and welfare effects associated with exposure to the criteria air pollutants. The NAAQS have been adopted as the ambient air quality standards for the State of New York.

The New York State Department of Environmental Conservation (NYSDEC) measures air pollutants at more than 50 sites across the state using continuous and/or manual instrumentation. These sites are a mix of federally-mandated and supplemental monitoring networks. The primary NAAQS and background concentrations from the nearest federally-mandated monitoring station(s) of the pollutant(s) that a detailed analysis was conducted for are presented in **Table 2.7-1**.

Table 2.7-1: NAAQS and Background Concentration Published in the NYSDEC 2020 Report

Pollutant	Averaging Period	National and State Standards	Background Concentration	Monitoring Station
NO_2	1-Hour	188 µg/m^3	99.8 µg/m^3	Queens College
	Annual	100 µg/m^3	23.5 µg/m^3	
$PM_{2.5}$	24-Hour	35 µg/m^3	18.7 µg/m^3	JHS 126
	Annual	12 µg/m^3	7.6 µg/m^3	

Note:
1. New York State Ambient Air Quality Report for 2020 (accessed April 11, 2022).
2. µg/m^3 – microgram per meter cube.

NYC Guidelines - Determining the Significance of Air Quality Impacts

The City's *de minimis* criteria are used to determine the significance of the incremental increase in CO and $PM_{2.5}$ concentrations that would result as a consequence of the proposed project. The CO criteria set the minimum change in 8-hour average CO concentration that constitutes a significant environmental impact. Significant increase of CO concentrations in New York City are:

- An increase of 0.5 parts per million (ppm) or more in the maximum 8-hour average CO concentration at a location where the predicted No-Action 8-hour concentration is equal to 8 ppm or between 8 ppm and 9 ppm; or
- An increase of more than half the difference between baseline (i.e., No-Action) concentrations and the 8-hour standard, when No-Action concentrations are below 8 ppm.

The following criteria are used for determination of significant adverse $PM_{2.5}$ incremental impacts for projects subject to the CEQR:

- Predicted 24-hour maximum $PM_{2.5}$ concentration increase of more than half the difference between the 24-hour background concentration and the 24-hour standard; or
- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.1 $\mu g/m^3$ at ground level on a neighborhood scale (i.e., the annual increase in concentration representing the average over an area of approximately 1 square kilometer, centered on the location where the maximum ground-level impact is predicted for stationary sources; or for mobile sources, at a distance from a roadway corridor similar to the minimum distance defined for locating neighborhood scale monitoring stations); or
- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.3 $\mu g/m^3$ at any receptor location for stationary sources.

Accordingly, 24-hour PM2.5 de minimis is an increment of 8.15 µg/m3 and annual stationary source PM2.5 is an increment of 0.3 µg/m3. As no detailed analysis for mobile source is required, the CO de minimis and annual PM2.5 for mobile source de minimis are not shown.

Non-Criteria Pollutants

The NYSDEC Department of Air Resources established short-term (one-hour) and annual concentrations standards for certain noncriteria pollutants. The standards are acceptable ambient levels for these pollutants, which are based on human exposure. The New York State standards for noncriteria pollutants are published in the DAR-1 guidance document (latest version dated February 12, 2021). DAR-1 presents Annual and Short-Term Guideline Concentrations (AGCs and SGCs, respectively) for contaminants that range in toxicity from high to low. The AGCs and SGCs are annual and 1-hour guideline concentrations, respectively, for potentially toxic or carcinogenic air contaminants. In addition, NYSDEC also regulates pollutants

that produce discomfort due to odors, where significant discomfort is evaluated on quantity, characteristic, or duration.

2.7.3 Mobile Sources

According to the *CEQR Technical Manual*, projects 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 (e.g., diesel trains, helicopters, boats), or add new uses near mobile sources (e.g., roadways, garages, parking lots). Detailed analyses are required to predict whether a proposed action could potentially result in significant adverse air quality impact if certain threshold criterions are met or exceeded. Proposed actions that do not meet or exceed the threshold criterions (screen out) are not expected to result in mobile source impacts.

Screening Assessment

The Proposed Actions would not result in operable windows or air intakes within 200 feet of an atypical roadway. It would not result in creation of a covered roadway or affect any covered roadway. Peak hour trip generation is far below the 170-car threshold as potentially warranting further assessment (see EAS Short Form screen). The incremental trips generated by the Proposed Actions would be lower than the *CEQR Technical Manual* screening threshold of 12 HDDV per hour. The project would not create a new sensitive receptor adjacent to large parking facilities. The project would induce 50 incremental parking spaces and would not result in creation of a new large parking facility that has more than 85 parking spaces. Therefore, assessment of the potential for significant adverse impacts related to mobile-source air quality is not warranted.

2.7.4 Stationary Sources

According to the *2021 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, and 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 nonpoint 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 station

Analysis Framework

The Reasonable Worst Case Development Scenario for Projected Development Site 1, Projected Development Site 2, and the Potential Development Site are described below.

Projected Development Site 1 would be developed with a building that is 95 feet in height, with 9 stories. A 10-foot rooftop bulkhead is assumed. The development would contain 67,582 gsf of floor area.

Projected Development Site 2 would be developed with a building that is 95 feet in height, with 9 stories. A 10-foot rooftop bulkhead is assumed. The development would contain 68,970 gsf of floor area.

Potential Development Site 1 would be developed with a building that is 95 feet in height, with 9 stories. A 10-foot rooftop bulkhead is assumed. The development would contain 80,581 gsf of floor area.

Heating and Hot Water Systems

The heating/hot water, ventilation, and air conditioning (HVAC) systems analysis considers the potential for emissions from the HVAC system(s) of a proposed Actions(s) to result in development that significantly impacts existing land uses (project-on-existing), and the potential of a proposed project to significantly impact each other (project-on-project). Based on the *CEQR Technical Manual*, a preliminary screening assessment is to be conducted as a first step to predict

whether the potential impacts of the heat and hot water system(s) boiler emissions can be significant. The screening analysis determines the threshold of a development size below which the action would not have a significant impact.

Screening Analysis

The potential for the heat and hot water system(s) to have a significant adverse impact on nearby receptors depends on the type of fuel that would be used by the HVAC system, the height of the stack venting the emissions, the distance to the nearest building of similar or greater height, and the building's use and the square footage of the development that would be served by the system, both of which effect the amount of fossil fuel consumed. The *CEQR Technical Manual* screening assessment is based on these factors. In addition, the CEQR screening procedure is applicable to buildings that are not less than 30 feet from the nearest building of similar or greater height. A detailed analysis is required if the screening assessment failed.

The *CEQR Technical Manual* Figure 17-3 nomograph was used for the screening assessment. This stationary source screen is a generic screen for heat and hot water systems. The nomograph depict the size of the development versus distance below which the potential impact can occur and provides a conservative estimate of the threshold distance.

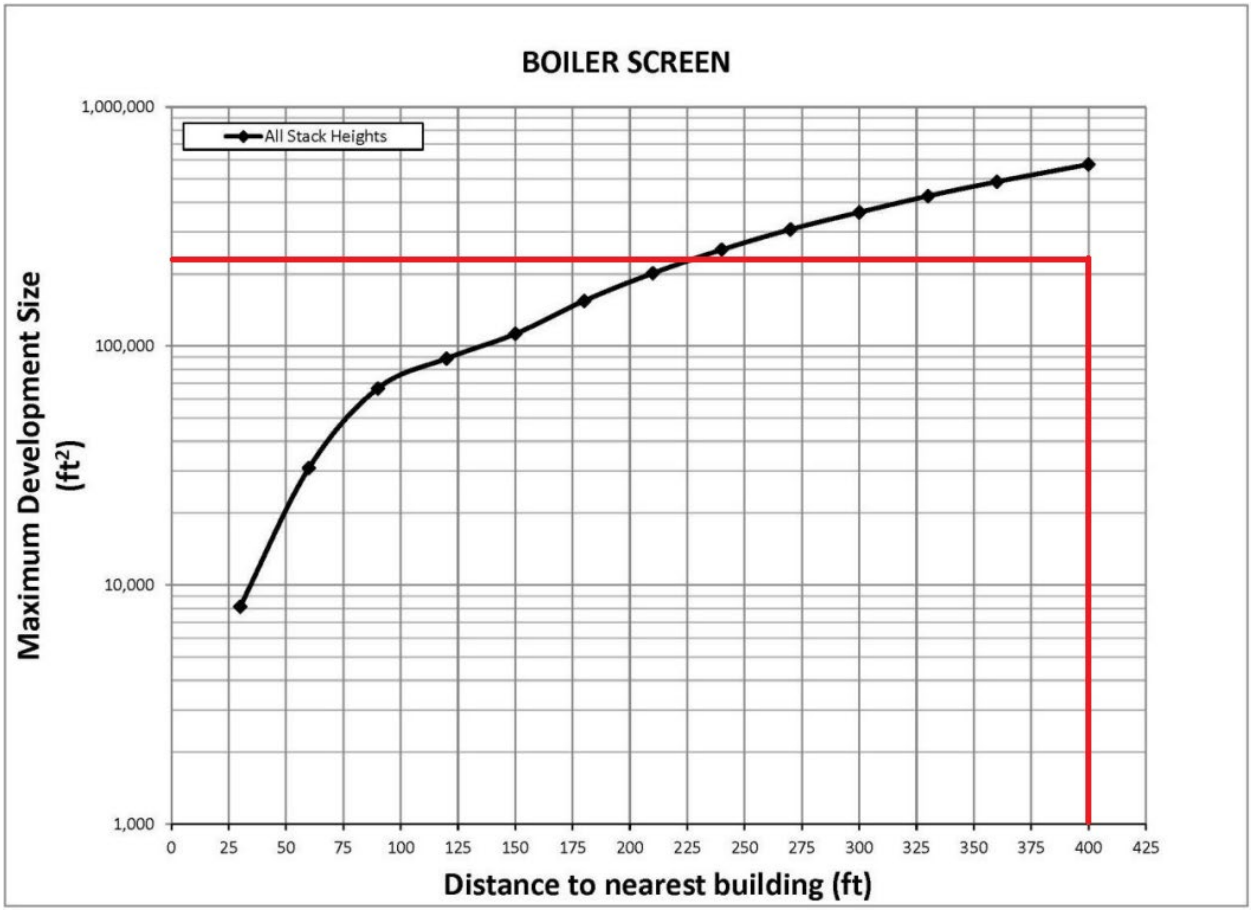
For the project-on-existing screening analysis, the Proposed Project was analyzed as a 217,133 gsf building, which is the floor areas of Projected Development Site 1, Projected Development Site 2, and Potential Development Site combined Reasonable Worst Case Development Scenarios (RWCDSs) floor areas gsf. A height of 95 feet was assumed was applied in the screening analysis, which is the Developments RWCDS heights. Roof height of buildings in the area were obtained from the NYC Building Footprint database.[6] A distance of 400-foot was applied in the screening analysis as no other building 95-foot or taller is located within 400 feet of the Proposed Project. **Figure 2.7-1** (using Figure 17-3 of the *CEQR Technical Manual*) shows the screening analysis.

As seen in **Figure 2.7-1** (using Figure 17-3 of the *CEQR Technical Manual*), the line corresponding to the Proposed Project gsf is below the curve for fossil fuel fired HVAC system. Therefore, the Proposed Project passes the screening analysis on existing land uses.

For the project-on-project screening analysis scenario, each Development Site is adjacent to at least one other Development Site. Therefore, the screening analysis is not applicable, and a detailed analysis is required

[6] City of New York, nyc-geo-metadata (May 03, 2016); https://data.cityofnewyork.us/Housing-Development/Building-Footprints/nqwf-w8eh

Figure 2.7-1: The Proposed Project on Existing Land Uses – HVAC Screen



Detailed Analysis

A stationary source modeling was conducted to evaluate the project-on-existing potential for significant impact associated with the boiler stack(s) emission. Lakes Environmental MPI executable was used in the analysis. The MPI executable take advantage of computers with multiple processors, reducing run-time significantly. Lakes Environmental has adjusted the US EPA AERMOD source code and recompiled the model to parallelize the processing of receptors. The latest MPI executable (used in the analysis) modified the EPA's AERMOD latest executable model version 21112. AERMOD model incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of both surface and elevated sources, and both simple and complex terrain. The model was run with the regulatory default option and for both with and without downwash effects options, where the Building Profile Input Program (BPIP) was run with the downwash effect enabled. All analyses were conducted using five consecutive years of meteorological data (2016-2020), obtained from the New York State Department of Environmental Conservation (NYSDEC). Surface data used in the analysis is from

LaGuardia Airport, upper air data is from Brookhaven station, New York. The meteorological data provided hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the 5-year period. Population in Kings County, obtained from the U.S. Census Bureau (July 2019), was specified to account for the effects of increased surface heating from an urban area on pollutant dispersion under stable atmospheric conditions.

Natural gas was assumed to be the type of fuel used in the Development Sites HVAC systems. The pollutants of concern of natural gas fueled boilers are NO_2 and $PM_{2.5}$. The Development Sites HVAC systems' energy capacities were calculated based on the Development Sites RWCDSs gsf and energy consumption rate of 60.3 thousand Btu per gsf[7], corresponding to residential use in the building. Emission factors were obtained from the EPA AP-42 manual for external combustion sources. All fuel was assumed to be consumed during the 100-day (or 2,400 hour) heating season. **Table 2.7-2** shows the Development Sites HVAC systems' energy capacities and pollutants emission rates.

Table 2.7-2: Development Sites HVAC Systems Emission Rates

Site ID	Development Floor Area (gsf) and Roof Height (ft)	Boilers' Energy Intensities (MMBtu); Fuel Used	Pollutant	Short-term Emission Rate (g/s)	Annual Emission Rate (g/s)
Projected Development Site 1	67,582 gsf, 95 feet	1.70; natural gas	NO_2	2.10E-02	5.75E-03
			$PM_{2.5}$	1.59E-03	4.37E-04
Projected Development Site 2	68,970 gsf, 95 feet	1.73; natural gas	NO_2	2.14E-02	5.86E-03
			$PM_{2.5}$	1.63E-03	4.46E-04
Potential Development Site	80,581 gsf, 95 feet	2.02; natural gas	NO_2	2.50E-02	6.85E-03
			$PM_{2.5}$	1.90E-03	5.21E-04

The Development Sites boiler stack diameters and exit temperatures were estimated based on values obtained from the New York City Department of Environmental Protection (DEP) "CA Permit" database for corresponding boiler sizes (i.e., rated heat input or million Btu per hour).[8] The stacks' exit velocities were calculated based on the fuel dry volume of combustion components per unit of heat content.

The HVAC stack(s) were initially placed 3 feet above the roofline and as close as possible to the receiving building. A stack set back distance from the receiving building and/or raising the stack higher was specified if impact was predicted.

The Development Sites were modeled as buildings that cover their entire lot area(s) (wall façade placed on the outer lot line(s)) and raise to their RWCDS heights (shown in **Table 2.7-2**). Buildings

[7] U.S. Energy Information Administration (EIA) Table US1: Total Energy Consumption, Expenditures, and Intensities, 2005 Part 1: Housing Unit Characteristics and Energy Usage Indicators.
[8] DEP "CA Permit" database obtained from the New York City Department of City Planning, February 2020.

in the surrounding area were accounted for in the downwash effect on plums dispersions (BPIP). Receptors on the receiving building were placed on all wall façade from the ground floor to the roof-top height in spaced intervals. Additional receptors were place on the rooftop.

The U.S. Geological Service (USGS) National Elevation Dataset (NED) 1/3 arc-second resolution (GeoTIFF dataset), the terrain data set recommended by the EPA for use in the United States for regulatory purposes, was used to process buildings' base elevations. The base elevations of the receptors and stacks were set to their buildings' base elevations. Roof heights of buildings in the area were obtained from the NYC Building Footprint database.[9]

A Tier 1 approach was used to predict the 1-hour NO_2 concentrations at the Projected Development Sites 1 and 2. A Tier 2 (ARM 2) approach was used to evaluated the 1-hour NO_2 concentration at the Potential Development Site. The national default minimum and maximum ratios NO_2 to NOx ratios were specified for the Tier 2 model. Twenty-four-hour $PM_{2.5}$ concentration was modeled with 1st highest concentration (the *de minimis* design value). The model was run twice; with building wake effect enabled/disabled. The predicted concentration is the highest concentration of these. The NO_2 modeled concentrations were added to the background concentrations and result evaluated with the NAAQS. $PM_{2.5}$ modeled concentrations were evaluated with the *de minimis* for stationary source. The HVAC dispersions analysis results are shown in **Table 2.7-3**.

Table 2.7-3: HVAC Dispersion Analysis Results

Pollutant	Modeled Concentration (µg/m³) (2)	Background Concentration (µg/m³)	Evaluated Concentration (µg/m³)	Threshold Concentration (µg/m³)	Threshold Standard
Concentration at Projected Development Site 1					
1-hour NO_2	74.71	99.83	**174.5**	**188**	NAAQS
Annual NO_2	1.70	23.5	**25**	**100**	NAAQS
24-hour $PM_{2.5}$	3.84	18.7	**3.8**	**8.15**	*de minimis*
Annual $PM_{2.5}$	0.12	7.6	**0.12**	**0.3**	*de minimis*
Concentration at Projected Development Site 2					
1-hour NO_2	72.27	99.83	172.1	188	NAAQS
Annual NO_2	0.96	23.5	24	100	NAAQS
24-hour $PM_{2.5}$	1.86	18.7	1.9	8.15	*de minimis*
Annual $PM_{2.5}$	0.07	7.6	0.07	0.3	*de minimis*
Concentration at Potential Development Site 1					
1-hour NO_2	82.92	99.83	182.8	188	NAAQS
Annual NO_2	1.22	23.5	25	100	NAAQS
24-hour $PM_{2.5}$	3.52	18.7	3.52	8.15	*de minimis*
Annual $PM_{2.5}$	0.09	7.6	0.09	0.3	*de minimis*

[9] City of New York, nyc-geo-metadata (May 03, 2016); https://data.cityofnewyork.us/Housing-Development/Building-Footprints/nqwf-w8eh

As seen in **Table 2.7-3**, the NO_2 concentrations are within the NAAQS and $PM_{2.5}$ concentrations do exceed the *de minimis*. Therefore, no impact is predicted to project-generated buildings. The concentrations shown in **Table 2.7-3** were predicted with certain restrictions to ensure that no significant adverse air quality impact(s) would occur. The restrictions placed on the Development Sites are specified in the Air Quality E-Designations shown below.

(E) Designation (E-707)

Block 6340, Lot 66 (Projected Development Site 1): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s), ensure that the stack is located at the building's highest level or at least 103 feet above grade, and that the stack is located at least 20 feet from the western lot line facing 14th Avenue to avoid any potential significant adverse air quality impacts.

Block 6340, Lot 60 (Projected Development Site 2): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s), ensure that the stack is located at the building's highest level or at least 100 feet above grade, and that the stack is located at least 70 feet from the western lot line facing 14th Avenue to avoid any potential significant adverse air quality impacts.

Block 6340, Lot 1 (Potential Development Site 1): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s), ensure that the stack is located at the building's highest level or at least 100 feet above grade, and that the stack is located at least 70 feet from the eastern lot line facing 15th Avenue to avoid any potential significant adverse air quality impacts.

Industrial Emissions

The Proposed Actions would introduce a sensitive land use into the area. Accordingly, a preliminary screening was conducted to determine if there are any potential sources of industrial process emissions that could affect project occupants.

400-Foot Study Area

A search of potential industrial sites was performed to identify any NYC DEP, and USEPA1 Air Quality Permits issued within 400 feet of the Affected Area. This Study Area and uses, preliminarily identified as manufacturing or industrial based on NYCDCP MAPPLUTO database, are identified in **Figure 2.7-2**. This search was performed to determine if hazardous air toxics would have the potential to impact the proposed development.

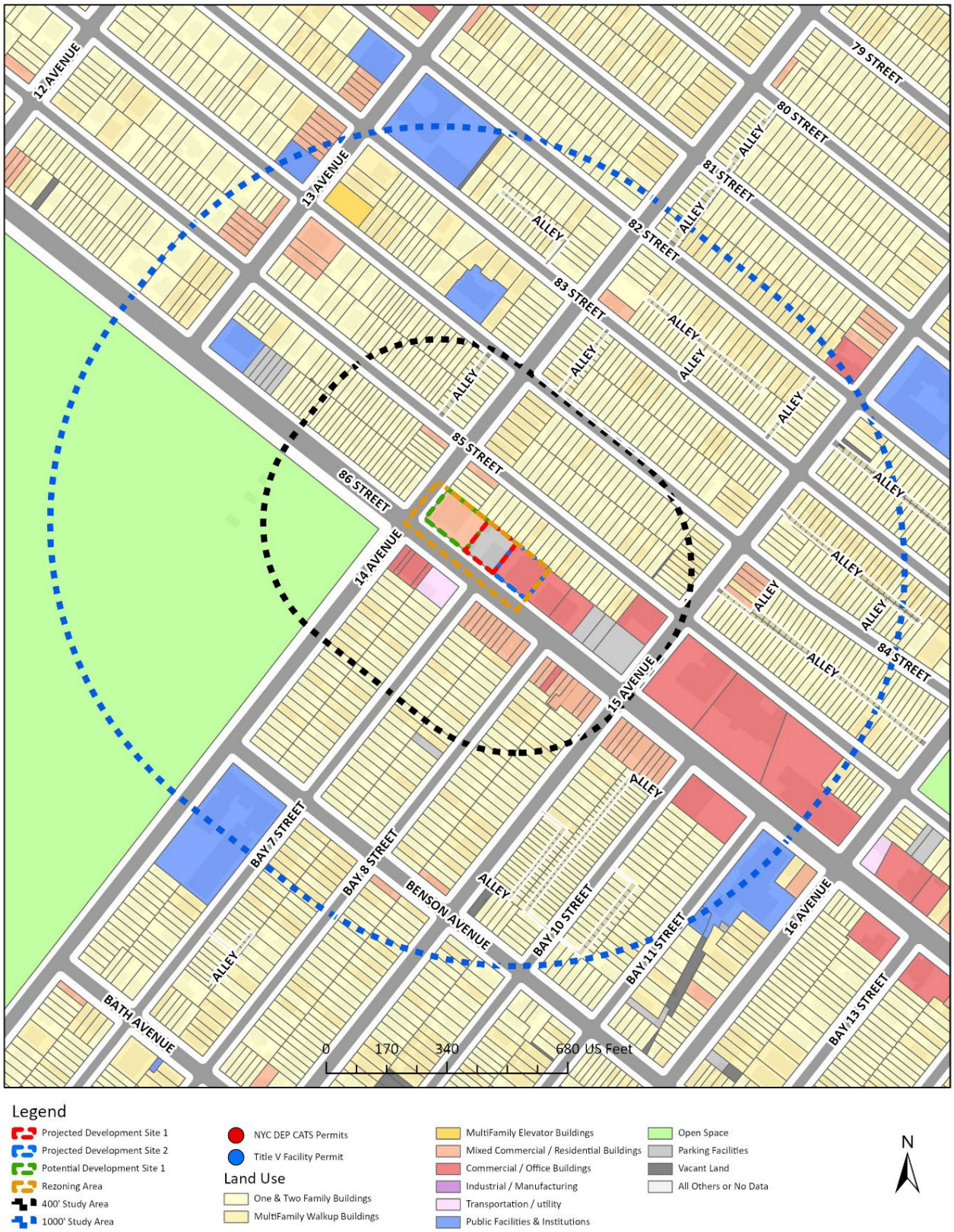
Based on field observations and reviews of DCP land use map, zero (0) sources were identified as potentially manufacturing or industrial in nature.

1,000-Foot Study Area

A search of the EPA Envirofacts ICIS-AIR database and the Toxics Release Inventory (TRI) was conducted for all parcels within the 400 and 1000-foot Study Area. The Envirofacts ICIS Air Database contains compliance and permit data for stationary sources of air pollution (such as electric power plants, steel mills, factories, and universities) regulated by EPA, state and local air pollution agencies. The Toxics Release Inventory (TRI) is a publicly available database containing information on toxic chemical releases and other waste management activities in the United States.

The search did not identify any large sources of industrial emissions or odor producing facilities within 1,000 feet of the Affected Area. As such, no further analysis of large emissions sources is warranted.

Figure 2.7-2: Industrial Emissions Screening



2.8 Noise

Introduction

This Noise Analysis was conducted to assess the potential for adverse noise impacts related to the proposal for a zoning map amendment and related zoning text amendment. The proposed actions would allow residential and commercial development at a greater bulk and density than is currently permitted. The Reasonable Worst Case Development Scenario associated with the Proposed Actions consists of new midrise residential and commercial development on sites currently occupied by commercial and community facility uses. The Affected Area is located on a section of 86th Street that carries significant vehicular traffic including buses and commercial vehicles. Therefore, the Proposed Actions would introduce new noise sensitive land uses to the area, and further assessment of noise is warranted.

The projected and potential land uses are not significant noise generators, and project-generated traffic would not result in a doubling of vehicular traffic on surrounding roadways. Therefore, this noise analysis is limited to an assessment of ambient noise that could adversely affect occupants of the projected and potential development sites.

2.8.1 Framework of Noise Analysis

Noise is defined as any unwanted sound, and sound is defined as any pressure variation that the human ear can detect. Humans can detect a large range of sound pressures, from 20 to 20 million micropascals, but only those 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.

Because the human ear can detect such a wide range of sound pressures, sound pressure is converted to sound pressure level (SPL), which is measured in units called decibels (dB). The decibel is a relative measure of the sound pressure with respect to a standardized reference quantity. Because the dB scale is logarithmic, a relative increase of 10 dB represents a sound pressure that is 10 times higher. However, humans do not perceive a 10-dB increase as 10 times louder. Instead, they perceive it as twice as loud.

Sound is often measured and described in terms of its overall energy, taking all frequencies into account. However, the human hearing process is not the same at all frequencies. Humans are less sensitive to low frequencies (less than 250 Hz) than mid-frequencies (500 Hz to 1,000 Hz) and are most sensitive to frequencies in the 1,000- to 5,000-Hz range. Therefore, noise measurements are often adjusted, or weighted, as a function of frequency to account for human perception and sensitivities. The most common frequency weightings used are the A- and C-weightings. These weight scales were developed to allow sound level meters, which use filter networks to approximate the characteristic of the human hearing mechanism, to simulate the frequency sensitivity of human hearing. The A-weighting is the most commonly used for

environmental measurements, and sound levels measured using this weighting are denoted as dBA. The letter "A" indicates that the sound has been filtered to reduce the strength of very low and very high-frequency sounds, much as the human ear does. C-weighting gives nearly equal emphasis to sounds of most frequencies. Mid-range frequencies approximate the actual (unweighted) sound level, while the very low and very high-frequency bands are significantly affected by C-weighting. **Table 2.8-1** notes the decibel levels of common noises.

Table 2.8-1: Noise Levels of Common Sources[10]

Sound Source	SPL (dB(A))
Air Raid Siren at 50 feet	120
Maximum Levels at Rock Concerts (Rear Seats)	110
On Platform by Passing Subway Train	100
On Sidewalk by Passing Heavy Truck or Bus	90
On Sidewalk by Typical Highway	80
On Sidewalk by Passing Automobiles with Mufflers	70
Typical Urban Area	60-70
Typical Suburban Area	50-60
Quiet Suburban Area at Night	40-50
Typical Rural Area at Night	30-40
Isolated Broadcast Studio	20
Audiometric (Hearing Testing) Booth	10
Threshold of Hearing	0
Notes: A change in 3dB(A) is a just noticeable change in SPL. A change in 10 dB(A)Is perceived as a doubling or halving in SPL.	

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.

The decrease in sound level caused by the distance from any single noise source normally follows the inverse square law (i.e., the SPL changes in inverse proportion to the square of the distance from the sound source). In a large open area with no obstructive or reflective surfaces, it is a general rule that at distances greater than 50 feet, the SPL from a point source of noise drops off at a rate of 6 dB with each doubling of distance away from the source. For "line" sources, such as vehicles on a street, the SPL drops off at a rate of 3 dBA with each doubling of the distance from the source. Sound energy is absorbed in the air as a function of temperature, humidity, and the

[10] Source: *2021 CEQR Technical Manual*

frequency of the sound. This attenuation can be up to 2 dB over 1,000 feet. The drop-off rate also will vary with both terrain conditions and the presence of obstructions in the sound propagation path.

The SPL that humans experience typically varies from moment to moment. Therefore, various descriptors are used to evaluate noise levels over time. Some typical descriptors are defined below.

- L_{eq} is the continuous equivalent sound level. The sound energy from the fluctuating SPLs is averaged over time to create a single number to describe the mean energy, or intensity level. High noise levels during a measurement period will have a greater effect on the L_{eq} than low noise levels. L_{eq} has an advantage over other descriptors because L_{eq} values from various noise sources can be added and subtracted to determine cumulative noise levels.
- $L_{eq(24)}$ is the continuous equivalent sound level over a 24-hour time period.
- Lmax is the highest SPL measured during a given period of time. It is useful in evaluating Leqs for time periods that have an especially wide range of noise levels.

The sound level exceeded during a given percentage of a measurement period is the percentile-exceeded sound level (L_X). Examples include L_{10}, L_{50}, and L_{90}. L_{10} is the A-weighted sound level that is exceeded 10% of the measurement period.

Noise Standards and Guidelines

In 1983, the New York City Department of Environmental Protection (NYCDEP) adopted the City Environmental Quality Review (CEQR) noise exposure guidelines for exterior noise levels. As shown in **Table 2.8-2** below, noise standards classify noise exposure into four categories based on noise level limits and land use, for vehicular traffic, rail, and aircraft noise sources: Acceptable, Marginally Acceptable, Marginally Unacceptable and Clearly Unacceptable, Table 19-3 of the *2021 CEQR Technical Manual* defines attenuation requirements for buildings based on exterior noise exposure levels. Recommended noise attenuation values for buildings are designed to maintain interior L_{10} noise levels of 45 dB(A) or below and interior L_{dn} noise levels of 40 dB(A) or below depending on the noise source, as shown below in **Table 2.8-3**.

Table 2.8-2: Noise Exposure Guidelines for Use in City Environmental Impact Review

Receptor Type	Time Period	Acceptable General External Exposure	Airport[3] Exposure	Marginally Acceptable General External Exposure	Airport[3] Exposure	Marginally Unacceptable General External Exposure	Airport[3] Exposure	Clearly Unacceptable General External Exposure	Airport[3] Exposure
1. Outdoor area requiring serenity and quiet[2]		$L_{10} \leq 55$ dBA	----------DNL ≤ 60 dBA----------		----------60 < DNL ≤ 65 dBA----------		(I) 65 < DNL ≤ 75 dBA		---------- 75 dBA < DNL ----------
2. Hospital, nursing home		$L_{10} \leq 55$ dBA		55 < $L_{10} \leq 65$ dBA		65 < $L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
3. Residence, residential hotel, or motel	(7 AM to 10 PM)	$L_{10} \leq 65$ dBA		65 < $L_{10} \leq 70$ dBA		70 < $L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
	(10 PM to 7 AM)	$L_{10} \leq 55$ dBA		55 < $L_{10} \leq 70$ dBA		70 < $L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
4. School, museum, library, court, house of worship, transient hotel or motel, public meeting room, auditorium, out-patient public health facility		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
5. Commercial or office		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
6. Industrial, public areas only[4]	Note 4	Note 4		Note 4		Note 4		Note 4	

Notes:

(i) In addition, any new activity shall comply with Impact Thresholds detailed in Section 410.

[1] Measurements and projections of noise exposures are to be made at appropriate heights above site boundaries as given by American National Standards Institute (ANSI) Standards; all values are for the worst hour in the time period.

[2] Tracts of land where serenity and quiet are extraordinarily important and serve as important public need, and where the preservation of these qualities is essential for the area to serve its intended purpose. Such areas could include amphitheaters, particular parks or portions of parks, or open spaces dedicated or recognized by appropriate local officials for activities requiring special qualities of serenity and quiet. Examples are grounds for ambulatory hospital patients and patients and residents of sanitariums and nursing homes.

[3] One may use the FAA-approved DNL contours supplied by the Port Authority of New York and New Jersey (PANYNJ), or the noise contours may be computed from the federally approved Aviation Environmental Design Tool (AEDT) Computer Model using flight data supplied by the PANYNJ.

[4] External Noise Exposure standards for industrial areas of sounds produced by industrial operations other than operating motor vehicles or other transportation facilities are spelled out in the New York City Zoning Resolution, Sections 42-20 and 42-21. The referenced standards apply to M1, M2, and M3 manufacturing districts and to adjoining residence districts (performance standards are listed by octave bands).

Sources: New York City Department of Environmental Protection (adopted policy 1983).

Table 2.8-3: CEQR TM: Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Vehicular Traffic	70 < L10 ≤ 73	73 < L10 ≤ 76	76 < L10 ≤ 78	78 < L10 ≤ 80	80 < L10
Aircraft[A]	65 < DNL ≤ 68	68 < DNL ≤ 71	71 < DNL ≤ 73	73 < DNL ≤ 75	75 < DNL
Train	65 < Ldn ≤ 68	68 < Ldn ≤ 71	71 < Ldn ≤ 73	73 < Ldn ≤ 75	75 < Ldn
Attenuation[B]	(i) 28 dB(A)	(ii) 31 dB(A)	(iii) 33 dB(A)	(iv) 35 dB(A)	See Note c

Note:

A. DNL descriptor based on average values of Ldn over a year period.
B. The above composite window-wall attenuation values are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would be 5 dB(A) less in each category. All of the above categories require a closed window situation and hence an alternate means of ventilation.
C. The required attenuation value is the difference between Lbuild and Linterior, using the appropriate noise descriptor Where:
Lbuild is the projected noise level under the build condition rounded up to the whole number
Linterior is the designed interior noise level (45 dB(A) for vehicular noise, 40 dB(A) for aircraft and train noise)

2.8.2 Measurement Location and Equipment

Because the predominant noise sources in the area of the proposed project consist of vehicular traffic, noise monitoring was conducted during peak weekday vehicular travel periods (AM, Midday, PM) on a typical midweek day for 20-minute periods. Noise Monitoring Location One (1) was located on 86th Street in front of Projected Development Site 1; Noise Monitoring Location Two (2) was located on 14th Avenue, in front of Potential Development Site 1. The noise monitoring locations are shown in **Figure 2.8-1** to **Figure 2.8-3** below.

Noise monitoring was conducted using a Type 1 Casella CEL-633 sound level meter with wind screen. The monitor was placed on a tripod at a height of approximately three feet above the ground, away from any other noise-reflective surfaces. The monitor was calibrated prior to and following each monitoring session Periods of peak vehicular around the subject site constitute a worst-case condition for noise at the project site. Noise meter calibration certification and back up data are provided in **Appendix E**.

Figure 2.8-1: Noise Monitoring Locations

Figure 2.8-2: Noise Monitoring Location One (1)

Figure 2.8-3: Noise Monitoring Location Two (2)

2.8.3 Measurement Conditions

Monitoring was conducted during typical midweek conditions, on Wednesday, November 10, 2021. The weather was dry and wind speeds were moderate during all monitoring periods. The sound meter was calibrated before and after each monitoring session.

2.8.4 Existing Conditions

Based on the noise measurements, the predominant source of noise is vehicular traffic.

Table 2.8-4 through Table 2.8-5 below contains the results for the measurements taken at the Affected Area.

Table 2.8-4: Noise levels at Location 1

Time	**8:00 am – 8:20 am**	**12:00 pm – 12:20 pm**	**4:30 pm – 4:50 pm**
L_{max}	87.4	91.6	94.7
L_{10}	**73.0**	**73.5**	**74.0**
L_{eq}	70.4	70.6	73.2
L_{50}	68.0	67.5	65.5
L_{90}	62.0	62.5	60.0
L_{min}	56.7	59.6	57.4

Note: **Bold** denotes L_{10} or L_{eq} noise level exceedances, according to the CEQR Technical Manual

Table 2.8-5: Noise levels at Location 2

Time	**8:23 am – 8:43 am**	**12:23 pm – 12:43 pm**	**4:55 pm – 5:15 pm**
L_{max}	81.7	76.0	85.0
L_{10}	67.0	66.0	68.0
L_{eq}	64.2	63.0	67.0
L_{50}	62.0	61.0	62.0
L_{90}	57.0	56.0	58.0
L_{min}	53.4	52.3	52.1

Note: **Bold** denotes L_{10} or L_{eq} noise level exceedances, according to the CEQR Technical Manual

Table 2.8-6 through Table 2.8-7 below contain the traffic volumes (vehicle counts) and vehicle classifications for the noise monitoring sessions:

Table 2.8-6: Traffic Volumes and Vehicle Classifications at Location 1

	8:00 am – 8:20 am	**12:00 pm – 12:20 pm**	**4:30 pm – 4:50 pm**
Car/ Taxi	180	170	199
Van/Light Truck/SUV	224	209	245
Medium Truck	26	20	30
Heavy Truck	16	12	18
Bus	22	13	20

Table 2.8-7: Traffic Volumes and Vehicle Classifications at Location 2

	8:23 am – 8:43 am	**12:23 pm – 12:43 pm**	**4:55 pm – 5:15 pm**
Car/ Taxi	70	63	80
Van/Light Truck/SUV	76	70	95
Medium Truck	2	3	5
Heavy Truck	1	0	1
Bus	2	0	2

2.8.5 Determination of Impacts/Building Attenuation Requirements

The *2021 CEQR Technical Manual* contains noise exposure guidelines. For a residential use such as would occur under the Proposed Actions, an L_{10} of between 65 and 70 dB(A) is identified as marginally acceptable general external exposure. An L_{10} of between 70 and 80 dB(A) is identified as marginally unacceptable general external exposure.

The highest recorded L_{10} at Location 1 was 74.0 dB(A) during the evening monitoring period. The highest recorded L_{10} at Location 2 was 68.0 dB(A) during the evening monitoring period.

The *2021 CEQR Technical Manual* identifies required attenuation values to achieve acceptable interior noise levels. For a Marginally Unacceptable L_{10} noise level of greater than 73 dB and less than or equal to 76 dB, attenuation achieving an OITC (outdoor-indoor transmission class) of 31 is required. Therefore, based on the results of the noise monitoring a 31 OITC window-wall attenuation would be required for the facades along 86th Street and the side-facing facades within 50 feet of 86th Street. No other facades would require attenuation. With this level of attenuation, there would be no potential for adverse impacts related to ambient noise.

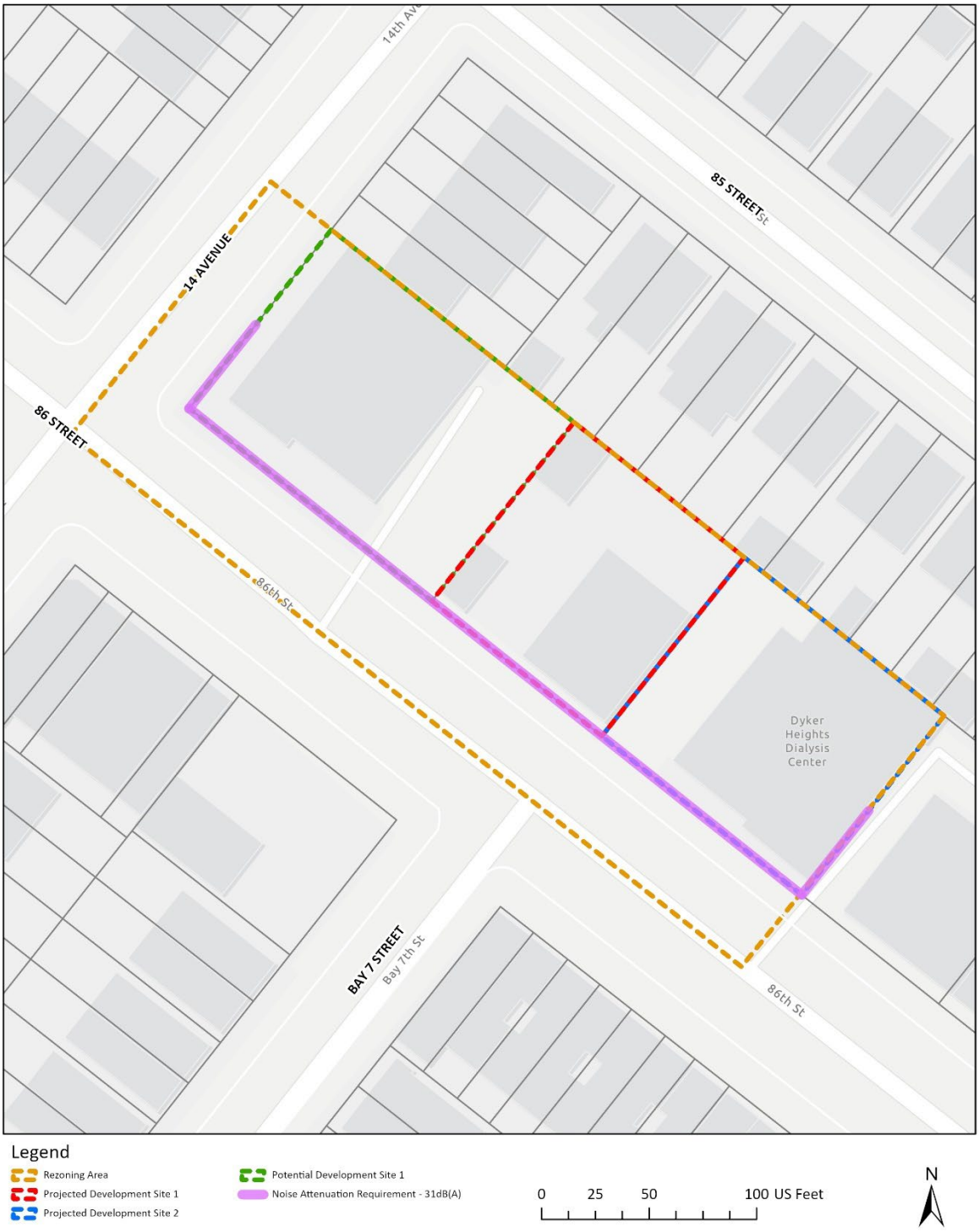
It is assumed that the building mechanical systems (i.e., HVAC systems) would be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code, the New York City Department of Buildings Code) and to avoid producing levels that would result in any significant increase in ambient noise levels. Therefore, the Proposed Actions would not result in any significant adverse noise impacts related to building mechanical equipment.

To ensure that adequate noise attenuation is incorporated into new development occurring as a result of the Proposed Action, and [E] Designation related to noise is to be placed on the Projected and Potential Development Sites and is included below.

(E-707):

Block 6340 / Lots 1, 60, 66: In order to ensure an acceptable interior noise environment, future residential and commercial office uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on building facades facing 86th Street and the building facades facing 14th Avenue and 15th Avenue within 50 feet of 86th Street to maintain an interior noise level not greater than 45 dB(A) for residential use or not greater than 50 dB(A) for commercial office use. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

Figure 2.8-4: Noise Attenuation Requirement[11]



[11] Above attenuation requirements are for residential uses. Commercial office uses would require attenuation 5 dBA less.

2.9 Neighborhood Character

According to the *2021 CEQR Technical Manual*, a neighborhood character assessment considers how elements of the environment combine to create the context and feeling of a neighborhood and how a project may affect that context and feeling. Thus, to determine a project's effects on the neighborhood character, the elements that contribute to a neighborhood's context and feeling are considered together. These elements may include land use, zoning, public policy, socioeconomic conditions, open space, historic and cultural resources, urban design, visual resources, shadows, transportation, and noise. The study area for a preliminary analysis of neighborhood character is typically consistent with the study areas of the relevant technical areas under CEQR that contribute to the defining elements of the neighborhood. The study area should generally extend to a 400-foot radius around the Affected Area.

2.9.1 Preliminary Analysis

In order to determine the potential effects of the Proposed Actions on neighborhood character, the elements that contribute to a neighborhood's context and feeling are considered both separately and cumulatively. The examination focuses on whether a defining feature of the neighborhood's character may be significantly affected, as further described below:

- **Land Use, Zoning, and Public Policy:** The Proposed Actions would not adversely impact the neighborhood in terms of land use, zoning, or public policy. Though the proposed rezoning would effectuate developments of residential and commercial land uses at a higher density than that is currently allowed within the Affected Area and associated study area, the permitted uses would be in character with the existing residential, commercial, and mixed-use residential and commercial land uses while the density would be appropriate for the 86th Street commercial corridor which the Affected Area fronts along. Accordingly, the Proposed Actions would not alter the overall land use patterns in the area or jeopardize the intent of the zoning resolution.

- **Open Space:** The Proposed Actions would reduce the OSR by 1.31% from 1.92 acres per 1,000 residents under the Future No-Action Conditions to 1.90 acres per 1,000 residents under With-Action conditions. While this projected OSR is slightly less than the City's planning goal of 2.50 acres of open space per 1,000 residents, the decrease is well below relevant criteria and is not projected to create significant adverse open space impacts. Therefore, the Proposed Actions would not result in a significant adverse impact on open space within the study area.

- **Shadows:** New incremental shadows generated from Projected and Potential Development Sites under the Future With-Action Condition would reach one sunlight sensitive open space resource, Dyker Beach Park, on the May 6 / August 6 and June 21 analysis days. New incremental shadows would fall on northeastern portions of this open

space resource from 6:27 AM to 7:27 AM (1 hour, 0-minute duration) on the May 6 / August 6 analysis day and from 5:57 AM to 7:31 AM (1 hour, 34-minute duration) during the June 21 analysis day. New incremental shadows are not anticipated to either jeopardize the viability of vegetation in these areas or adversely impact the public's use and enjoyment of the resource. As such, no further analysis regarding shadows is warranted.

- **Historic and Cultural Resources:** The Landmarks Preservation Commission was notified of the Proposed Actions and asked for an assessment of the Affected Area's potential sensitivity for architectural and archaeological resources. By letter dated March 15, 2022, the LPC determined that the Affected Area does not contain significant historic and cultural resources that could be adversely affected by development under the Proposed Action.

- **Urban Design and Visual Resources:** Redevelopment of the Projected and Potential Development Sites within the Affected Area under the Future With-Action Condition would not adversely impact any of the constituent urban design elements or impact the overall character of the neighborhood as it would not significantly change the pedestrian experience, nor would it disturb the vitality, walkability, or the visual character of the area. Development at the Projected and Potential Development Sites, all of which would feature ground floor commercial retail uses, would improve walkability and the visual character of the area. While each development site would include a curb cut along their 86th Street frontages, this would be similar to existing conditions within the Affected Area, such that walkability would not be adversely impacted. Based on the foregoing, no further analysis regarding urban design is warranted.

- **Hazardous Materials:** A Phase I ESA was prepared for the Applicant-owned Projected Development Site 1, which identified several RECs and VECs at the premises. However, as active uses at Projected Development Site 1 (i.e., automobile rental business) prevent the necessary full spectrum of soil, soil vapor and groundwater testing required under DEP testing guidelines, an "E" designation for hazardous materials will be placed on the zoning map pursuant to Section 11-15 of the New York City Zoning Resolution for the Projected and Potential Development Sites. The "E" designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance on the properties anticipated to be developed pursuant to the Proposed Actions. The current (and potential future) property owner(s) should be directed to coordinate further hazardous materials assessments through the Mayor's Office of Environmental Remediation.

- **Air Quality:** The Proposed Actions would not result in a development that would have significant adverse impact on the air quality within the study area, nor would it introduce

new land uses into an area where ambient air quality could adversely affect project occupants

- **Noise:** The Proposed Action would not introduce new noise-generating uses into the area, and with the creation of an [E] Designation imposing appropriate noise attenuation into new construction, project occupants would not be exposed to unacceptable interior noise conditions.

Combination of Moderate Effects:

Based on the above findings, there would be no combination of moderate effects to several elements that cumulatively may affect neighborhood character.

2.9.2 Conclusion

As discussed above, the Proposed Actions would not in whole or from a specific technical study standpoint result in a significant impact to the neighborhood character, nor would have cumulative effects of two or more of the above technical areas have any significant impacts to the 400-foot study area.

2.10 Construction

According to the *2021 CEQR Technical Manual*, construction impacts may be analyzed for any project that involves construction or could induce construction. For construction activities not related to in-ground disturbance, short-term construction generally does not warrant a detailed construction analysis. For example, the use of a property for construction staging activities is likely to only warrant analysis if this activity continues for a period of several years. Consideration of several factors, including the location and setting of the project in relation to other uses and intensity of construction activities are used to determine if a project's construction activities warrant analysis in one or more of the following technical areas:

- Transportation
- Air Quality or Noise
- Historic and Cultural Resources
- Hazardous Materials
- Natural Resources
- Open Space
- Socioeconomic Conditions
- Community Facilities
- Land Use and Public Policy
- Neighborhood Character
- Infrastructure

A preliminary construction analysis may be required because the proposed development would result in the following:

- Construction activities are considered long-term (Last longer than two years);
- Construction activities within the Central Business District, along an arterial highway, and / or along a major thoroughfare;
- Short term construction activities would directly affect a technical area, such as impeding the operation of a community facility;
- Result in the closing, narrowing, impeding of traffic, transit, or obstruction of pedestrian or vehicular routes in proximity to critical land uses;

- 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;
- Disturbance of a site containing or adjacent to a site containing natural resources; and / or
- 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.

2.10.1 Analysis

Build Year

It is assumed that approval of the Proposed Actions and completion of the Uniform Land Use Review Procedure (ULURP) is anticipated to take place by December 2023. Construction of the Development Sites (including financing, design, construction, and occupancy) is projected to take up to 23 months, resulting in a Project Build Year of 2025.

Transportation

According to the *2021 CEQR Technical Manual*, a number of factors should be considered before determining whether a preliminary assessment of the effect of construction on transportation is needed including:

- Whether the project's construction would be located in a Central Business District or along an arterial or major thoroughfare;
- Whether the project's construction activities would require closing, narrowing, or otherwise impeding moving lanes, roadways, key pedestrian facilities, parking lanes and/or parking spaces, bicycle routes and facilities, bus lanes or routes, or access points to transit; and
- Whether the project would involve construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap, and last for more than two years overall.

Projected Development Sites 1 and 2 both have frontage along 86th Street (major thoroughfare), while Potential Development Site 1 has front along both 86th Street and 14th Avenue (local road). Construction activities at all identified development sites may require the temporary closing of the sidewalks adjacent to Projected Development Sites 1 and 2 and Potential Development Site

1. Construction activities may temporarily impact pedestrian flow and the availability of parking spaces along these streets. However, changes to moving traffic lanes are not expected.

There are no community facilities or structures of importance within the 400-foot radius of the Affected Area, and therefore sidewalk closures would have minimal effects on the Surrounding Area. Nearby residential and commercial uses would not be particularly sensitive to such sidewalk closures as they are not in an area with high pedestrian activity, and the sidewalks and roadways affected by the proposed construction would not be considered to be near capacity. Any potential closure of the sidewalks adjacent to construction activities would be considered a routine closure that would be addressed by a permit and pedestrian access plan issued by NYC DOT Office of Construction Mitigation and Coordination at the time of closure.

Although the project would involve construction on multiple development sites on the same block with some overlapping activities, the overall construction of the development sites would be considered short term (less than two years) overall.

Considering the above, construction of the development sites would not be expected to result in significant adverse impacts on transportation.

Air Quality and Noise

According to the *2021 CEQR Technical Manual*, an assessment of air quality and noise for construction activities is likely not warranted if the project's construction activities:

- Are considered short-term (less than two years);
- Are not located near sensitive receptors; and
- Do not involve construction of multiple buildings where there is a potential for on-site receptors on buildings to be completed before the final build-out.

The development sites are located near sensitive receptors as they all adjoin or are very close to existing residential development. The proposed development would not result in the construction of multiple buildings where there is a potential for on-site receptors on buildings to be completed before the final build-out, as the buildings are expected to be completed and occupied on a similar schedule.

The *2021 CEQR Technical Manual* states that if a project meets one or more of the criteria above, a preliminary air quality or noise assessment is not automatically required. Instead, various factors should be considered, such as the types of construction equipment (e.g., gas, diesel, electric), the nature and extent of any commitment to use the Best Available Technology (BAT) for construction equipment, the physical relationship of the project site to nearby sensitive receptors, the type of construction activity, and the duration of any heavy construction activity. These measures are discussed below.

Demolition, excavation, and foundation activities, which often generate the highest levels of air emissions, would be temporary and limited in duration and would take approximately 11 months. These activities would be spread out over three separate locations on the block and would not overlap. In addition, any heavy equipment associated with the construction of the buildings (such as a crane) would operate from at least three different locations during construction.

Air Quality

Development under the Proposed Action would make use of the Best Available Technology to minimize impacts to the residential buildings in the vicinity of the Projected and Potential Development Sites as further discussed below.

As with most construction projects in the City, the proposed project would require the operation of several pieces of diesel equipment at one time during the heavier periods of construction, such as demolition and excavation. The Applicant would implement the following measures that would minimize air quality and noise impacts on the surrounding community from construction activities at Projected Development Site 1.

- *Diesel Equipment Reduction:* Construction of the proposed project would minimize the use of diesel engines and use electric engines, to the extent practicable. This would reduce the need for on-site generators, and require the use of electric engines in lieu of diesel where practicable.

- *Clean Fuel:* To the extent practicable, ultra-low sulfur diesel (ULSD) would be used for diesel engines on the development sites.

- *Best Available Tailpipe Reduction Technologies:* To the extent practicable, non-road diesel engines with a power rating of 50 horsepower (hp) or greater would utilize the best available tailpipe (BAT) technology for reducing diesel particulate matter (DPM) emissions. Diesel particle filters (DPF) have been identified as being the tailpipe technology currently proven to have the highest PM reduction capability.

- To the extent practicable, construction contracts would specify that all diesel non-road engines rated at 50 hp or greater would utilize DPFs, either installed on the engine by the original equipment manufacturer (OEM) or retrofit with a DPF verified by EPA or the California Air Resources Board, and may include active DPFs if necessary; or other technology proven to reduce DPM by at least 90 percent.

- *Utilization of Newer Equipment:* To the extent practicable, all non-road construction equipment in the project would meet at least the Tier 2 emissions standard, and construction equipment meeting Tier 3 and/or Tier 4 emissions standards would be used where conforming equipment is widely available, and the use of such equipment is practicable.

- *Dust Control:* Fugitive dust control plans will be implemented as part of the construction process. For example, stabilized truck exit areas would be established for washing off the wheels of all trucks that exit the construction sites. Truck routes within the sites would be watered as needed to avoid the re-suspension of dust. All trucks hauling loose material will be equipped with tight fitting tailgates and their loads securely covered prior to leaving the sites. In addition to regular cleaning by the City, streets adjacent to the site would be cleaned as frequently as needed by the construction contractor. Water sprays will be used for all transfer of spoils to ensure that materials are dampened as necessary to avoid the suspension of dust into the air.

- *Restrictions on Vehicle Idling:* In addition to adhering to local laws restricting unnecessary idling on roadways, on-site vehicle idle time will also be restricted to three minutes, to the extent practicable, for all equipment and vehicles that are not using their engines to operate a loading, unloading, or a processing device (e.g., concrete mixing trucks) or otherwise required for the proper operation of the engine.

Overall, these air emission controls would significantly reduce DPM emissions to a level otherwise achieved by applying the currently defined best available control technologies under NYC Local Law 77. In addition, as stated in the *2021 CEQR Technical Manual*, all the necessary measures would be implemented to ensure compliance with the NYC Air Pollution Control Code regulating construction-related dust emissions. Based on the project size and the construction work involved, construction activities for the Proposed Actions would not be considered out of the ordinary or exceptional in terms of intensity and would be of a relatively short duration (less than 2 years). Therefore, based on the above and with the implementation of emissions control measures that are required by local law, the construction of the development sites would not result in any significant adverse impacts on air quality.

Noise

While increases in ambient noise levels due to construction exceeding the CEQR impact criteria for two years or less may be noisy and intrusive, they are not considered to be significant adverse noise impacts. As described above, construction of the development sites would occur over a relatively short time period of approximately 23 months. In addition, demolition, excavation, and foundation activities, and superstructure activities, which are the noisiest construction activities, would be temporary and limited in duration and would take approximately 13 months to complete for both sites combined. These activities would be spread out over three separate locations on the block.

Construction noise is regulated by the NYC Noise Control Code and by EPA's noise emission standards for construction equipment. These local and federal requirements mandate that certain classifications of construction equipment and motor vehicles meet specified noise emission standards; that construction activities be limited to weekdays between the hours of

7AM and 6PM; and that construction materials be handled and transported in such a manner as not to create unnecessary noise. If weekend or after hour work is necessary, permits would be required to be obtained, as specified in the NYC Noise Control Code. Therefore, no significant noise impacts are expected to occur as a result of the project construction.

Historic and Cultural Resources

As discussed in Section 2.4, Historic and Cultural Resources, the Landmarks Preservation Commission has determined that the Affected Area does not contain significant historic and cultural resources that could be adversely affected by development under the Proposed Actions. Therefore, no significant adverse construction-related impacts to nearby historic and cultural resources are expected.

2.10.2 Conclusion

Construction activities at the development sites would be completed in 23 months. Construction would be performed subject to relevant EPA, DEP, DOT and DOB codes and regulations to ensure minimal construction impacts. With the construction control and protective measures identified above, no impacts to transportation, air quality, or noise would occur.

On the basis of the above analysis, the Proposed Actions would not have any significant adverse construction impacts, and further analysis is not required.

APPENDIX A

Agency 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: 1421 86 STREET
Date Received: 3/8/2022

Properties with no Architectural or Archaeological significance:
1) 1401 86 STREET, BBL: 3063400001
2) 1435 86 STREET, BBL: 3063400060
3) 1421 86 STREET, BBL: 3063400066

Gina Santucci 3/15/2022

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 36191_FSO_DNP_03152022.docx

APPENDIX B

Illustrative Architectural Plans[12]

[12] The Architectural Plans provided under Appendix B are for illustrative purpose only.

1421 86th Street

Brooklyn, NY 11228

R7A + C2-4 Proposed Rezoning Package
9-Story Residential Mixed-Use Building
Romantique Double Diamond

DR ARCHITECTURE + DESIGN

DEVELOPMENT | REAL ESTATE
ARCHITECTURE | DESIGN

DR ARCHITECTURE + DESIGN

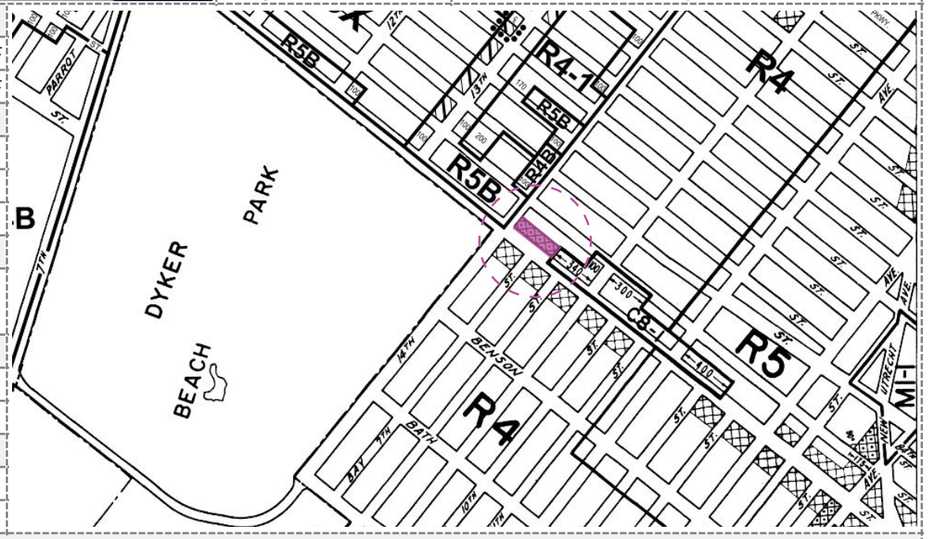
DEVELOPMENT | REAL ESTATE
ARCHITECTURE | DESIGN

Zoning & Development Analysis

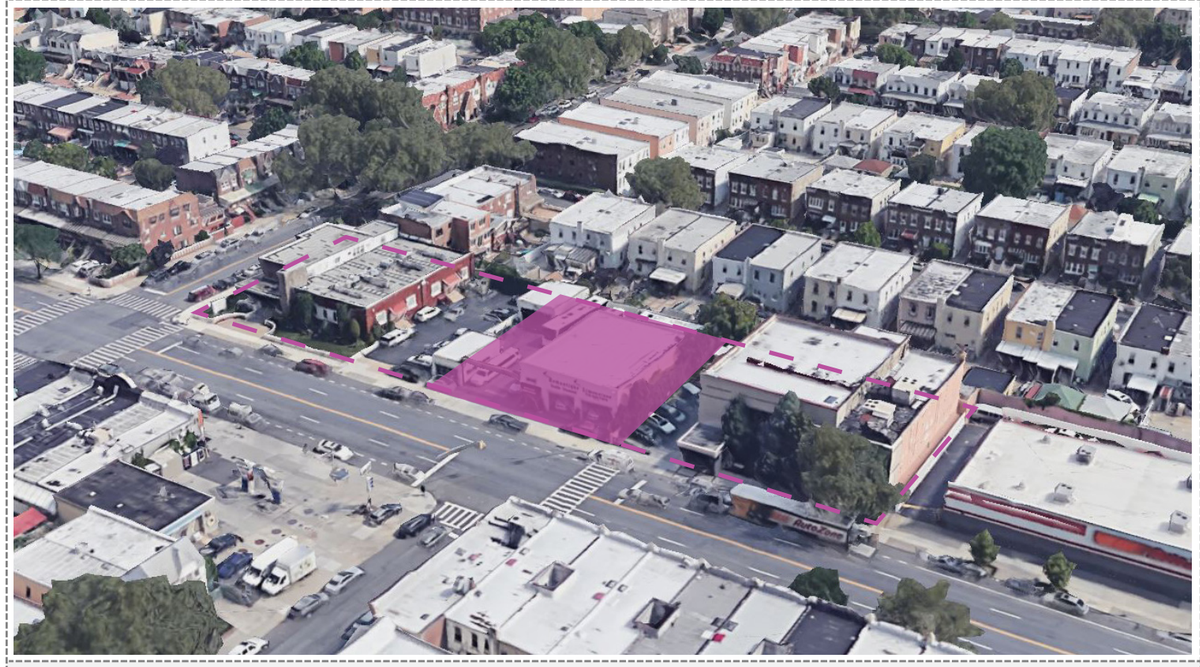
1421 86th Street

Block	6340
Zoning Lots	66
Zoning Map 22b	Brooklyn, NY

Lot Area	
Tax Lot 66	10,000 SF
Total Lot Area	10,000 SF
Zoning & Community District	
R7A with C2-4 Overlay	
Mandatory Inclusionary Housing	
Brooklyn Community District 11	
Mandatory Inclusionary Housing	
Option 02 - 30% Affordable at 80% - 130% AMI	
Street Frontage	
86th Street	100' Wide Street
Street Trees	
100' Frontage	
(4) Trees required	



Project Area



Zoning Analysis

ZR Section	Bulk Regulations: Permitted Development Floor Area (Zoning Floor Area)			
	Proposed Use	Permitted FAR	Lot Area	Zoning Floor Area
23-154	Residential	4.6	10,000 SF	46,000 SF
33-121	Commercial	2	10,000 SF	20,000 SF
24-11	Community Facility	4	10,000 SF	40,000 SF

Notes: Mandatory Inclusionary Housing mapped.

ZR Section	Bulk Regulations: Building Height & Setback	
23-662	Required Setback Distance (wide street)	10'
23-664	Minimum Base Height	40'
23-664	Maximum Base Height	75'
23-664	Maximum Building Height (with QGF)	95'

Notes: Requires Qualifying Ground Floor (QGF). Minus 5'-0" w/o QGF.

ZR Section	Bulk Regulations: Required Yards	
23-45	Required Front Yards	N/A
23-46	Required Side Yards	N/A
23-47	Required Rear Yard	30'

ZR Section	Lot Coverage Regulations	
23-153	Residential	65%
N/A	Commercial	N/A
24-11	Community Facility	60%

ZR Section	Density Regulations	
23-22	Dwelling Unit (D.U.) Factor	680 SF
	Maximum number of Dwelling Units	68 Units

ZR Section	Parking Regulations	
25-23	Required Residential Parking (Market Rate)	50% D.U.'s
	Req. Residential Parking (Income Restricted)	25% Units
	Required Residential Parking	25 Spaces
36-21	Required Commercial Parking	1 : 1000 SF
36-232	Waiver of Comm. Parking Req. if less than:	40 spaces
25-811	Required Bike Parking	50% D.U.'s
	Required Bike Parking	25 Spaces

ZR Section	Use Regulations	
22-00	Permitted Use Groups:	
32-00	Use Groups 1,2,3,4,5,6	
	Proposed Use Groups	UG 2 Resi. & UG 6 Retail
	Proposed Occupancy Groups	R-2 Residential M Mercantaile

ZR Section	Recreation Space	
23-533	Required Recreation Space	1,435 SF
	Notes: Recreation space may be provided on an exterior roof or yard.	

Zoning Floor Area Tabulation

Floor	Gross Floor Area			Floor Area Deductions			Total Zoning	Unit Count			
Level	Residential	Commercial	Comm. Facility	QH	Mech + Parking	Zone Green	Floor Area	0-bd	1-bd	2-bd	3-bd
Cellar	10,000 SF	0 SF	0 SF	0 SF	0 SF	0 SF	0 SF	0	0	0	0
1	4,434 SF	1,566 SF	0 SF	2,146 SF	1,506 SF	212 SF	2,136 SF	0	0	0	1
2	6,500 SF	0 SF	0 SF	626 SF	195 SF	218 SF	5,461 SF	0	4	3	0
3	6,500 SF	0 SF	0 SF	626 SF	195 SF	218 SF	5,461 SF	0	4	3	0
4	6,500 SF	0 SF	0 SF	626 SF	195 SF	218 SF	5,461 SF	0	4	3	0
5	6,500 SF	0 SF	0 SF	626 SF	195 SF	218 SF	5,461 SF	0	4	3	0
6	6,500 SF	0 SF	0 SF	626 SF	195 SF	218 SF	5,461 SF	0	4	3	0
7	6,500 SF	0 SF	0 SF	626 SF	195 SF	218 SF	5,461 SF	0	4	3	0
8	6,080 SF	0 SF	0 SF	626 SF	182 SF	218 SF	5,054 SF	0	5	2	0
9	6,080 SF	0 SF	0 SF	626 SF	182 SF	218 SF	5,054 SF	0	5	2	0
Total	65,594 SF	1,566 SF	0 SF	7,154 SF	3,040 SF	1,956 SF	45,010 SF	0	34	22	1
								0%	60%	39%	2%

Proposed Development Totals			
Proposed Density	57 Units	Proposed Gross Floor Area	67,160 SF
Proposed Affordable Units	17 Units	Proposed Zoning Floor Area	45,010 SF
Proposed Parking Spaces	25 Spaces	Total ZFA Remaining	990 SF
Proposed Bike Spaces	29 Spaces	Proposed Residential ZFA	43,491 SF
Proposed Com. Parking	Waived	Proposed Commercial ZFA	1,519 SF
Proposed Lot Coverage	65%	Proposed Interior Rec. Area	1,166 SF
Proposed Base Height	75' w/ QGF	Proposed Exterior Rec. Area	583 SF
Proposed Building Height	95' w/ QGF	Legend	Complying Condition
Proposed Setback	10'		Non-Complying Condition

Notes:

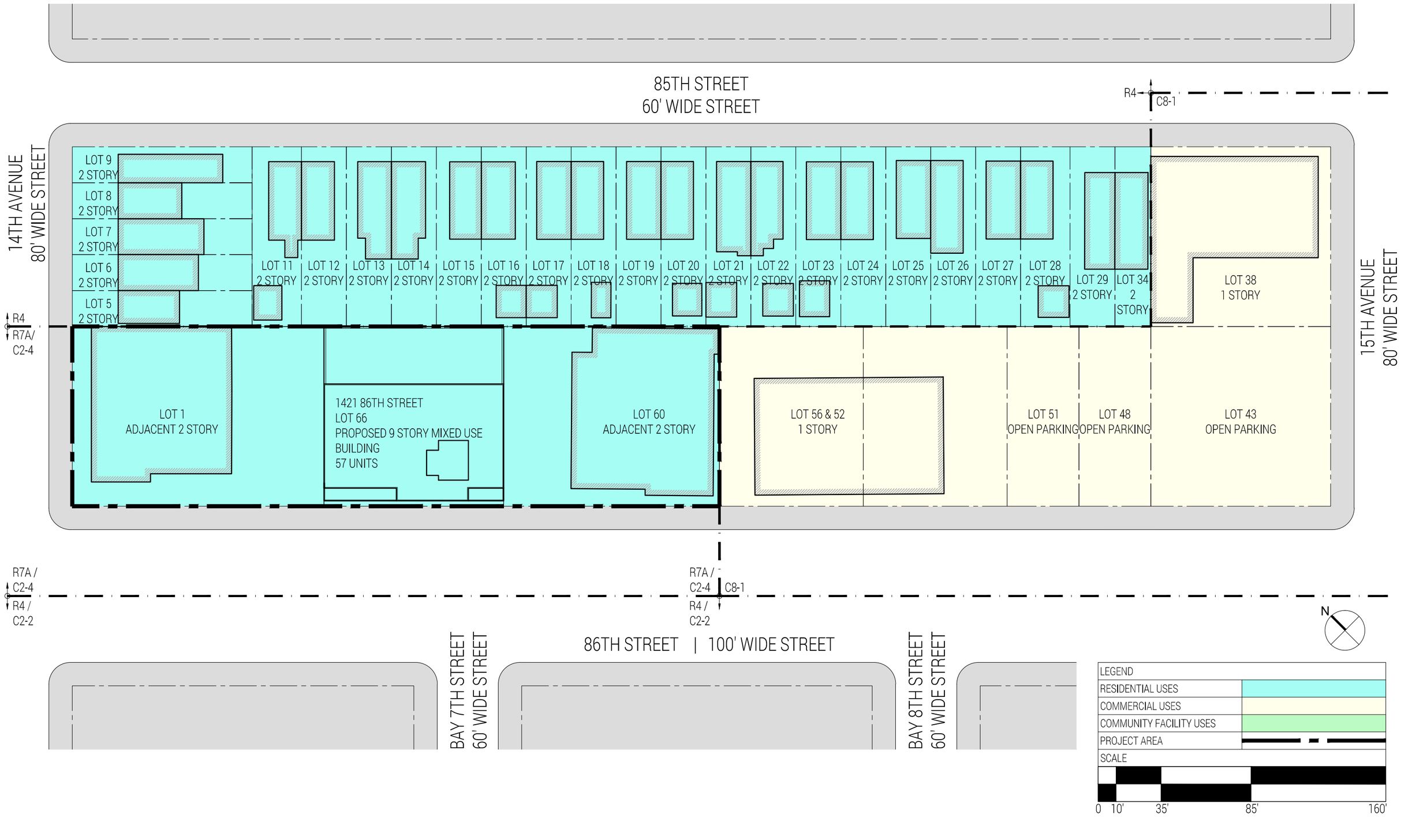
Quality Housing Deductions include: 50% of corridor area for density; 50% of corridor area for daylight; 1,206 SF of recreation space; 12 SF of refuse area per floor; 500 SF for elevated ground floor units.

Mechanical Deductions assumed at 3% of floor area.

Parking garage entrance at grade deducted from floor area.

Zone Green deductions assumed at 8" of exterior wall.

Affordable floor area to be located throughout building at a unit mix comparable to market floor area.


85TH STREET
60' WIDE STREET
R4
C8-1
14TH AVENUE
80' WIDE STREET
15TH AVENUE
80' WIDE STREET
LOT 9
2 STORY
LOT 8
2 STORY
LOT 7
2 STORY
LOT 6
2 STORY
LOT 5
2 STORY
LOT 11
2 STORY
LOT 12
2 STORY
LOT 13
2 STORY
LOT 14
2 STORY
LOT 15
2 STORY
LOT 16
2 STORY
LOT 17
2 STORY
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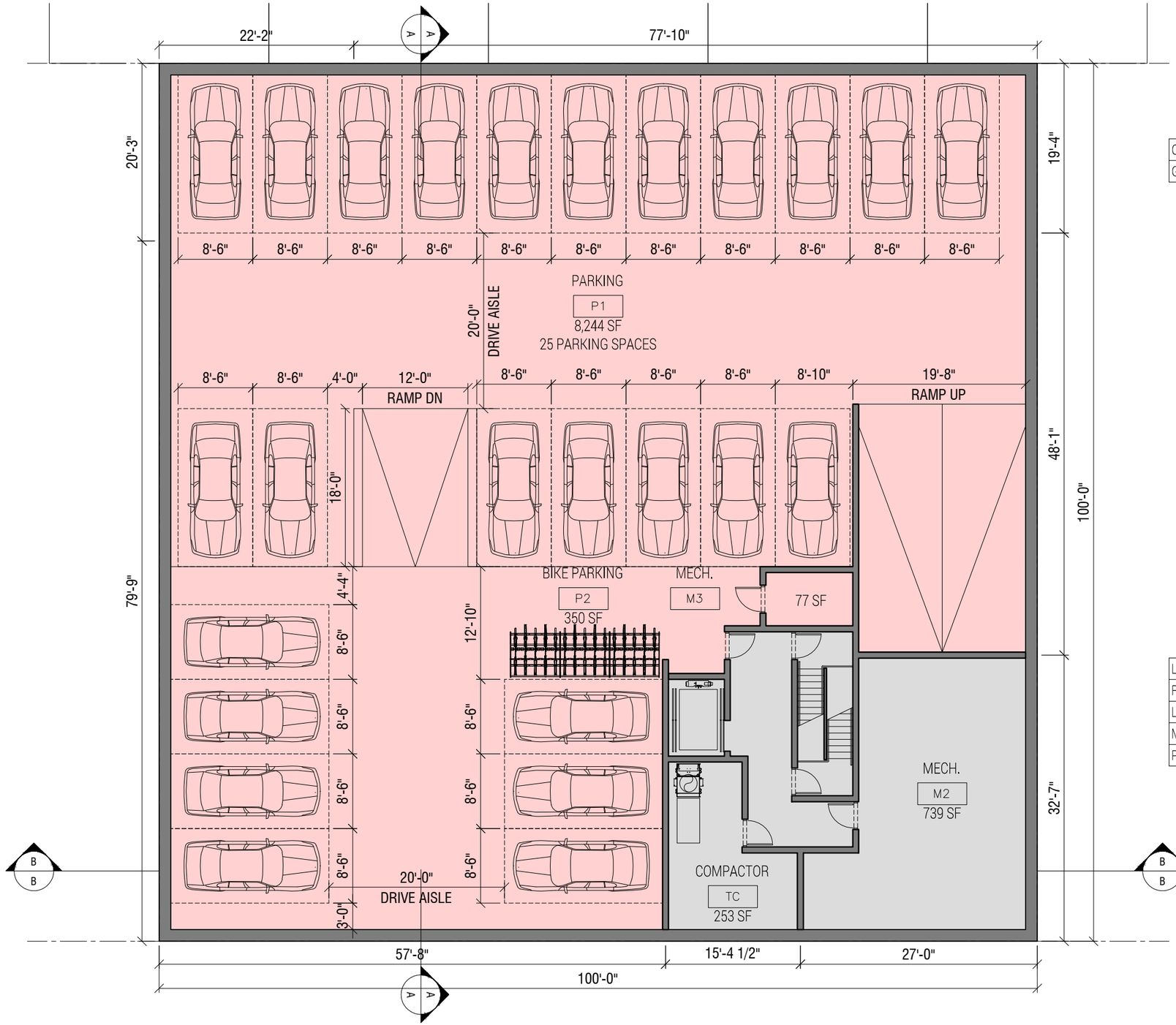
LOT 23
2 STORY
LOT 24
2 STORY
LOT 25
2 STORY
LOT 26
2 STORY
LOT 27
2 STORY
LOT 28
2 STORY
LOT 29
2 STORY
LOT 34
2 STORY
LOT 38
1 STORY
R4
R7A/
C2-4
LOT 1
ADJACENT 2 STORY
1421 86TH STREET
LOT 66
PROPOSED 9 STORY MIXED USE
BUILDING
57 UNITS
LOT 60
ADJACENT 2 STORY
LOT 56 & 52
1 STORY
LOT 51
OPEN PARKING
LOT 48
OPEN PARKING
LOT 43
OPEN PARKING
R7A /
C2-4
R4 /
C2-2
R7A /
C2-4
C8-1
R4 /
C2-2
N
BAY 7TH STREET
60' WIDE STREET
86TH STREET | 100' WIDE STREET
BAY 8TH STREET
60' WIDE STREET
LEGEND
RESIDENTIAL USES
COMMERCIAL USES
COMMUNITY FACILITY USES
PROJECT AREA
SCALE
0
10'
35'
85'
160'

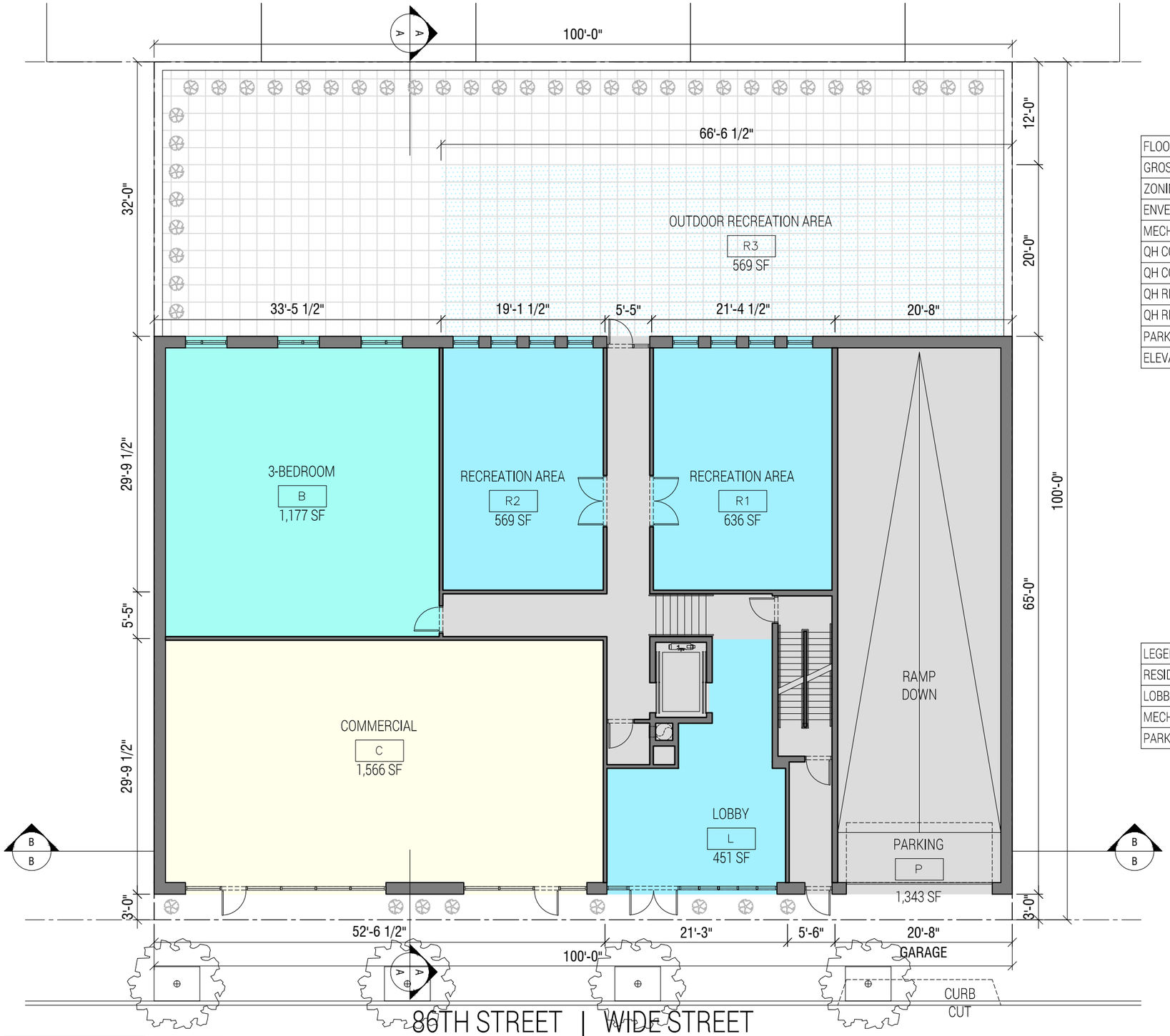


CELLAR	
GROSS FLOOR AREA	10,000 SF

LEGEND	
RESIDENTIAL	
LOBBY & RECREATION SPACE	
MECHANICAL & COMMON AREA	
PARKING	

86TH STREET | WIDE STREET

1421 86TH STREET | R7A/C2-4 PROPOSED REZONING

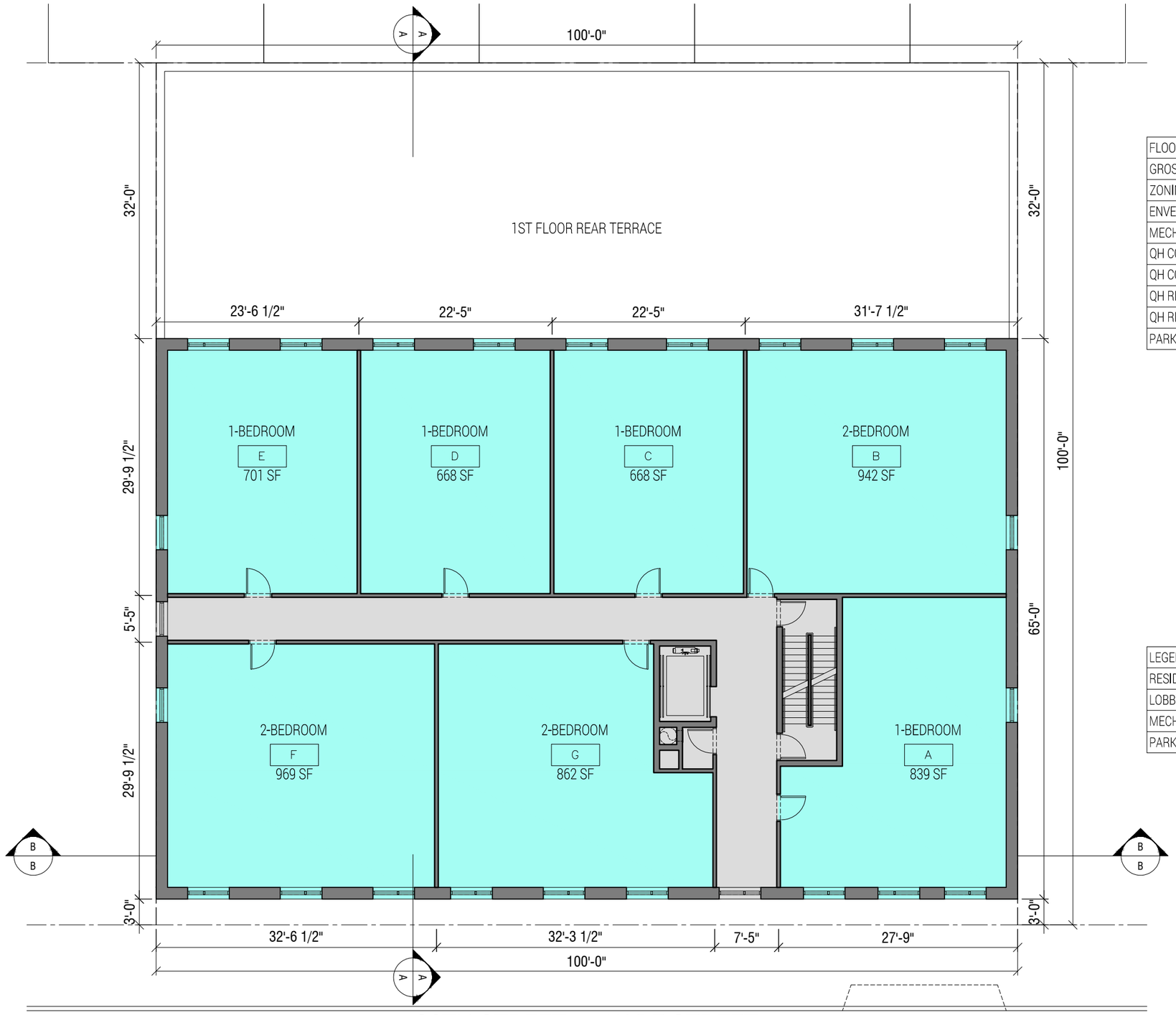


FLOOR 01	
GROSS FLOOR AREA	6,500 SF
ZONING FLOOR AREA DEDUCTIONS	
ENVELOPE ZONE GREEN	218 SF
MECHANICAL	163 SF
QH CORRIDOR DENSITY	214 SF
QH CORRIDOR DAYLIGHT	214 SF
QH REFUSE	12 SF
QH RECREATION SPACE	1,206 SF
PARKING	1,343 SF
ELEVATED GROUND FLOOR UNITS	500 SF

LEGEND	
RESIDENTIAL	
LOBBY & RECREATION SPACE	
MECHANICAL & COMMON AREA	
PARKING	

86TH STREET | WIDE STREET

1421 86TH STREET | R7A/C2-4 PROPOSED REZONING

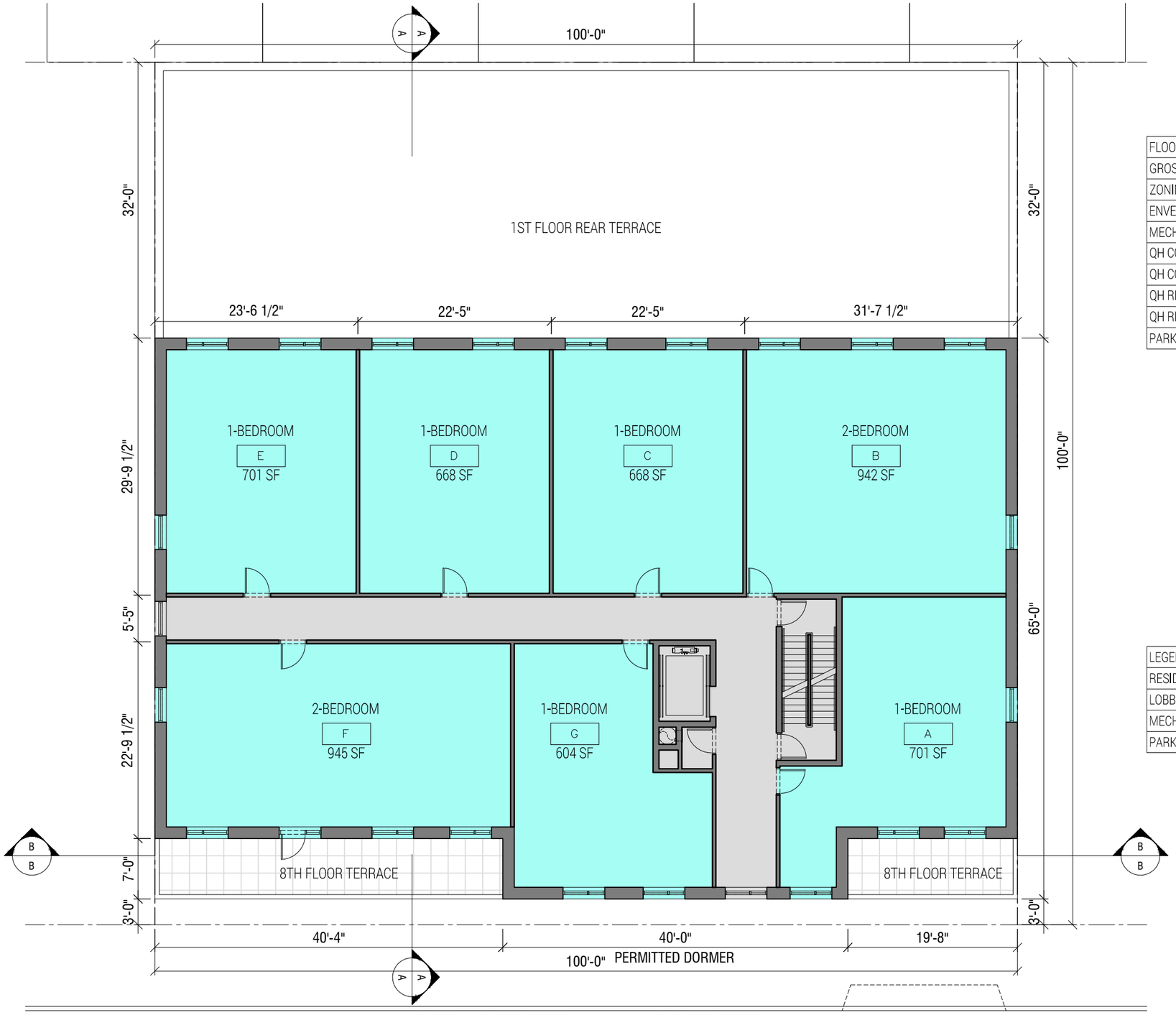


FLOOR 02-07	
GROSS FLOOR AREA	6,500 SF
ZONING FLOOR AREA DEDUCTIONS	
ENVELOPE ZONE GREEN	218 SF
MECHANICAL	195 SF
QH CORRIDOR DENSITY	307 SF
QH CORRIDOR DAYLIGHT	307 SF
QH REFUSE	12 SF
QH RECREATION SPACE	N/A
PARKING	N/A

LEGEND	
RESIDENTIAL	
LOBBY & RECREATION SPACE	
MECHANICAL & COMMON AREA	
PARKING	

86TH STREET | WIDE STREET

1421 86TH STREET | R7A/C2-4 PROPOSED REZONING

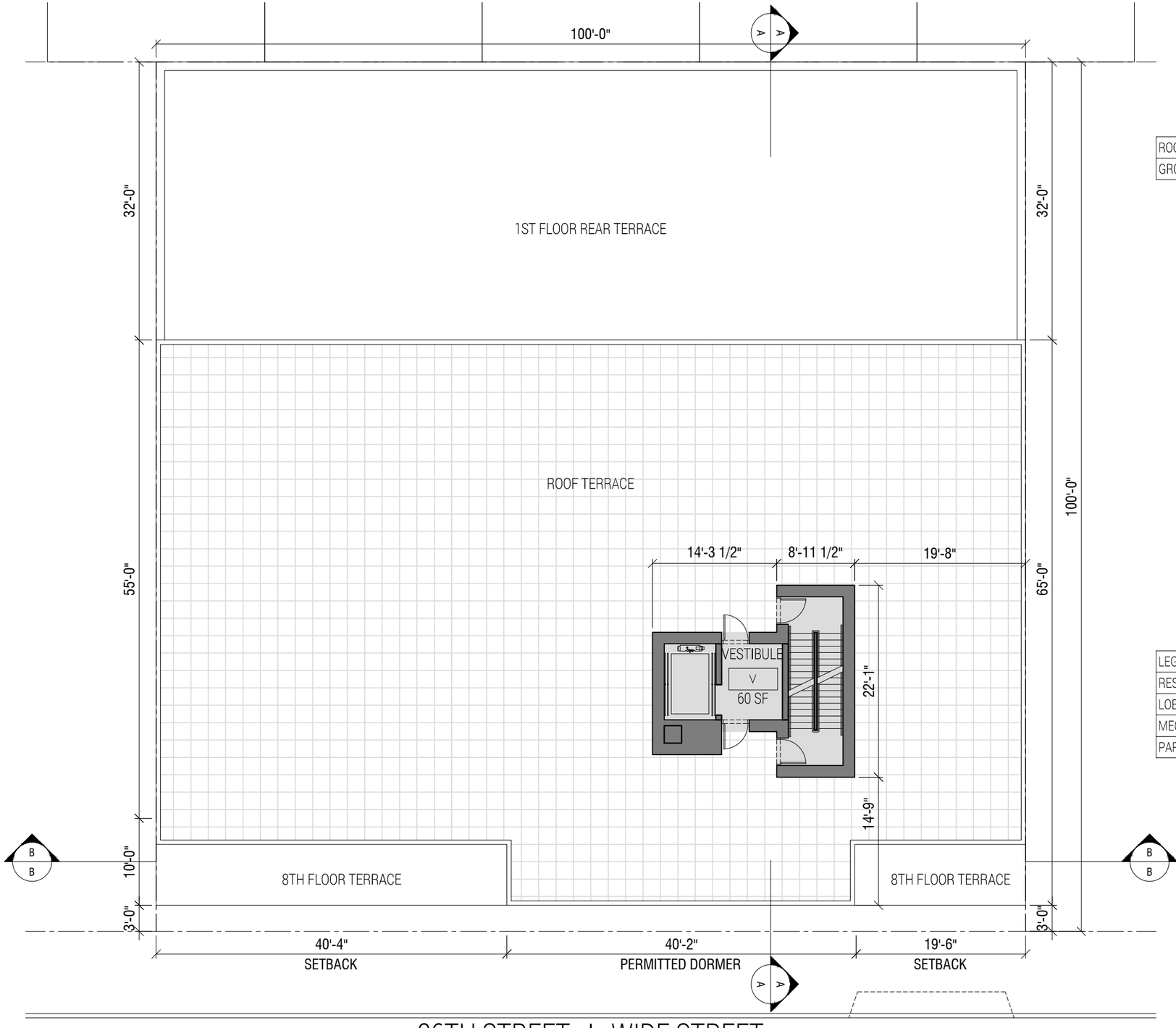


FLOOR 08-09	
GROSS FLOOR AREA	6,080 SF
ZONING FLOOR AREA DEDUCTIONS	
ENVELOPE ZONE GREEN	218 SF
MECHANICAL	182 SF
QH CORRIDOR DENSITY	307 SF
QH CORRIDOR DAYLIGHT	307 SF
QH REFUSE	12 SF
QH RECREATION SPACE	N/A
PARKING	N/A

LEGEND	
RESIDENTIAL	
LOBBY & RECREATION SPACE	
MECHANICAL & COMMON AREA	
PARKING	

86TH STREET | WIDE STREET

1421 86TH STREET | R7A/C2-4 PROPOSED REZONING

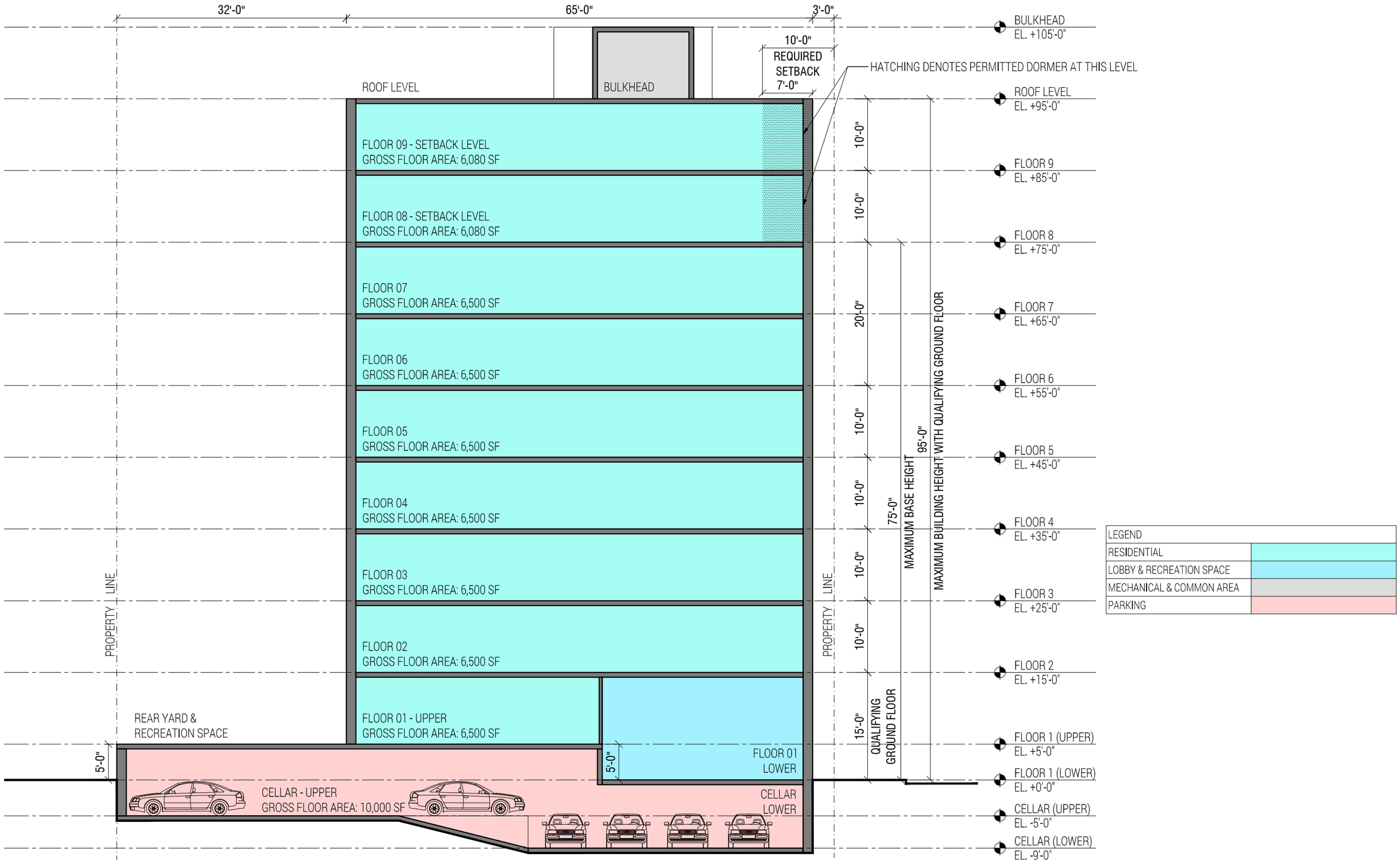


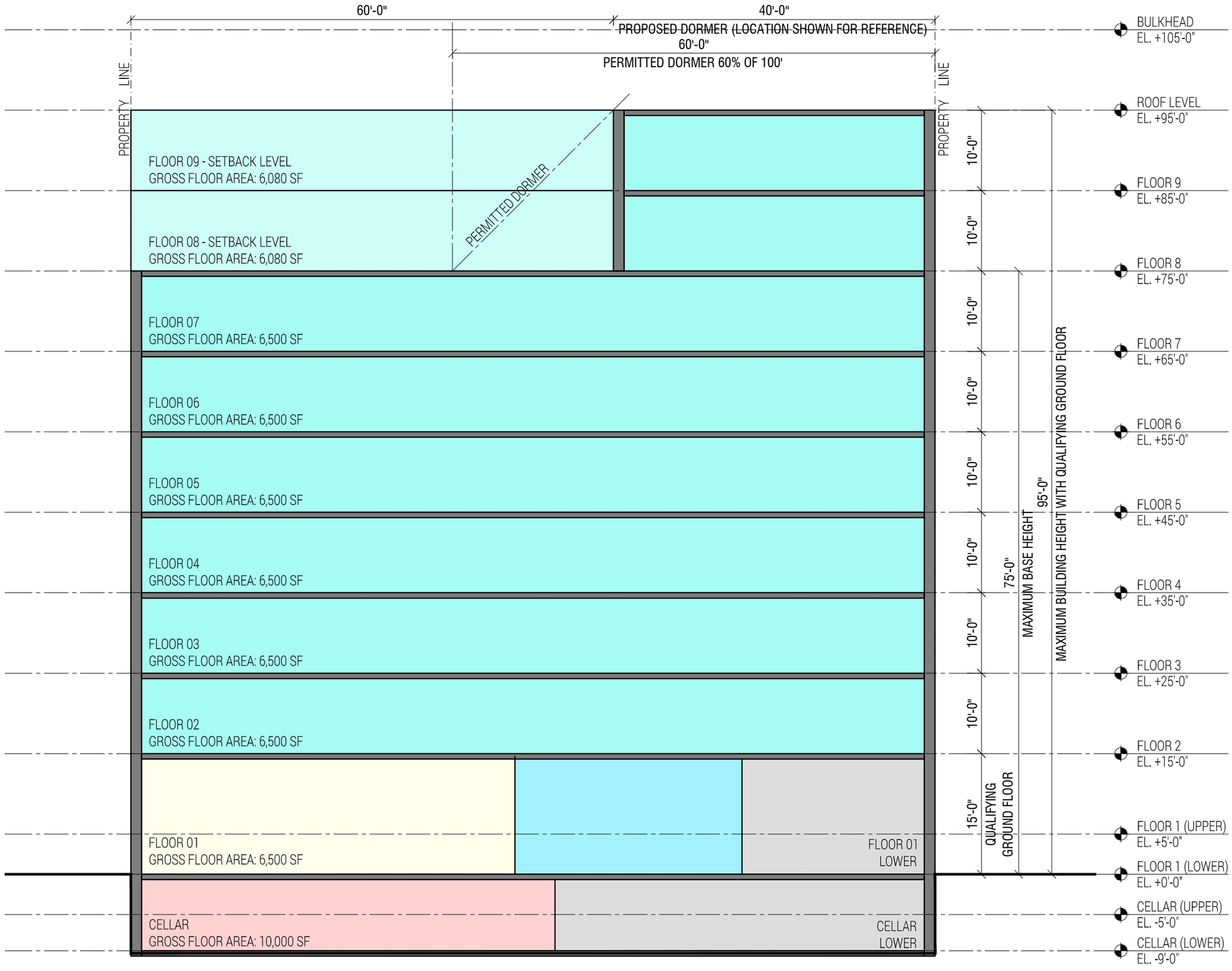
ROOF LEVEL	
GROSS FLOOR AREA	382 SF

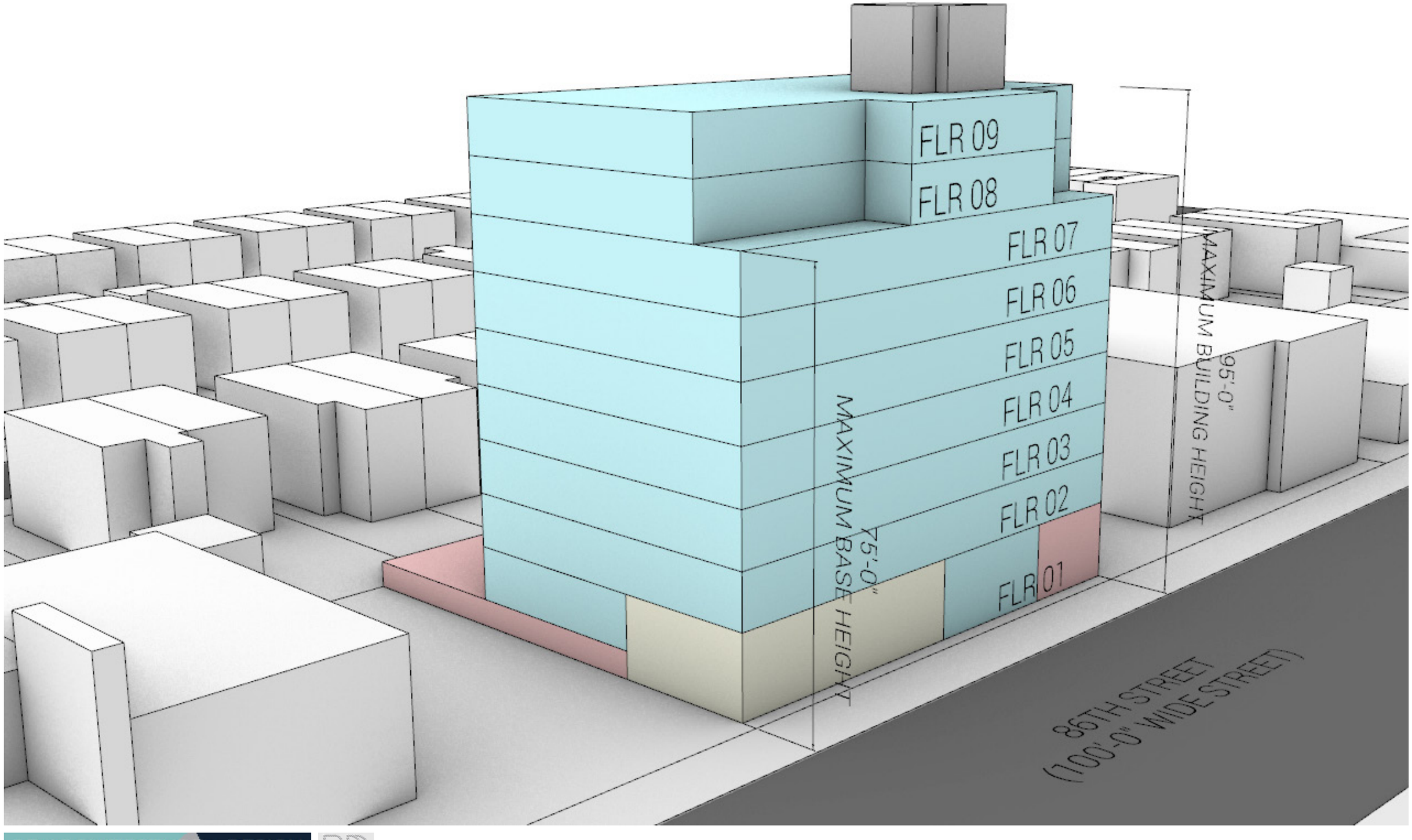
LEGEND	
RESIDENTIAL	
LOBBY & RECREATION SPACE	
MECHANICAL & COMMON AREA	
PARKING	

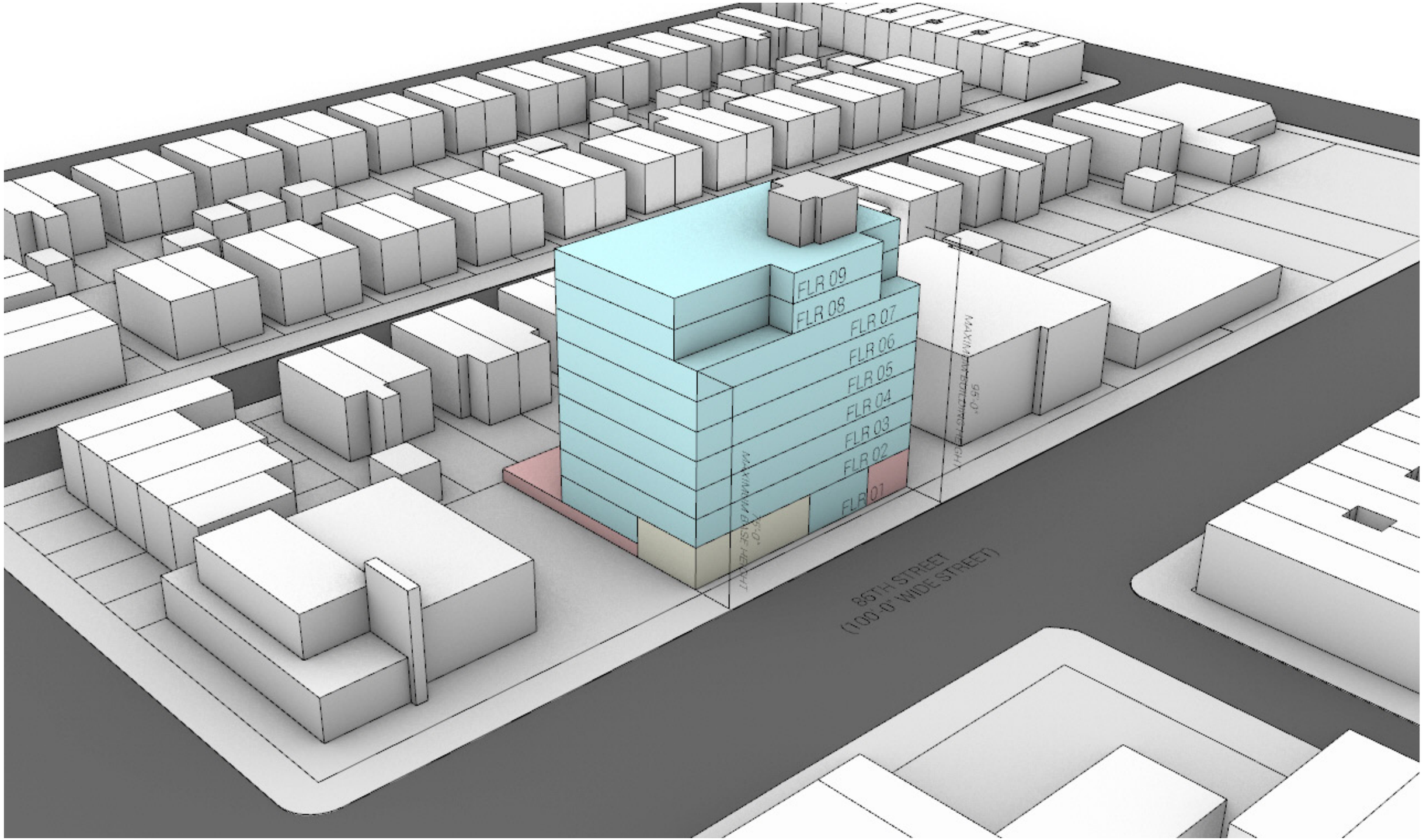
86TH STREET | WIDE STREET

1421 86TH STREET | R7A/C2-4 PROPOSED REZONING


32'-0"
65'-0"
3'-0"
BULKHEAD
EL. +105'-0"
10'-0"
REQUIRED
SETBACK
7'-0"
HATCHING DENOTES PERMITTED DORMER AT THIS LEVEL
ROOF LEVEL
BULKHEAD
ROOF LEVEL
EL. +95'-0"
FLOOR 09 - SETBACK LEVEL
GROSS FLOOR AREA: 6,080 SF
FLOOR 9
EL. +85'-0"
FLOOR 08 - SETBACK LEVEL
GROSS FLOOR AREA: 6,080 SF
FLOOR 8
EL. +75'-0"
FLOOR 07
GROSS FLOOR AREA: 6,500 SF
FLOOR 7
EL. +65'-0"
FLOOR 06
GROSS FLOOR AREA: 6,500 SF
FLOOR 6
EL. +55'-0"
FLOOR 05
GROSS FLOOR AREA: 6,500 SF
FLOOR 5
EL. +45'-0"
FLOOR 04
GROSS FLOOR AREA: 6,500 SF
FLOOR 4
EL. +35'-0"
FLOOR 03
GROSS FLOOR AREA: 6,500 SF
FLOOR 3
EL. +25'-0"
FLOOR 02
GROSS FLOOR AREA: 6,500 SF
FLOOR 2
EL. +15'-0"
FLOOR 01 - UPPER
GROSS FLOOR AREA: 6,500 SF
FLOOR 01
LOWER
FLOOR 1 (UPPER)
EL. +5'-0"
FLOOR 1 (LOWER)
EL. +0'-0"
CELLAR - UPPER
GROSS FLOOR AREA: 10,000 SF
CELLAR
LOWER
CELLAR (UPPER)
EL. -5'-0"
CELLAR (LOWER)
EL. -9'-0"
REAR YARD &
RECREATION SPACE
PROPERTY LINE
PROPERTY LINE
10'-0"
10'-0"
20'-0"
10'-0"
10'-0"
10'-0"
15'-0"
5'-0"
5'-0"
75'-0"
MAXIMUM BASE HEIGHT
95'-0"
MAXIMUM BUILDING HEIGHT WITH QUALIFYING GROUND FLOOR
QUALIFYING
GROUND FLOOR
LEGEND
RESIDENTIAL
LOBBY & RECREATION SPACE
MECHANICAL & COMMON AREA
PARKING


60'-0"
40'-0"
PROPOSED DORMER (LOCATION SHOWN FOR REFERENCE)
60'-0"
PERMITTED DORMER 60% OF 100'
PROPERTY LINE
PROPERTY LINE
PERMITTED DORMER
FLOOR 09 - SETBACK LEVEL
GROSS FLOOR AREA: 6,080 SF
FLOOR 08 - SETBACK LEVEL
GROSS FLOOR AREA: 6,080 SF
FLOOR 07
GROSS FLOOR AREA: 6,500 SF
FLOOR 06
GROSS FLOOR AREA: 6,500 SF
FLOOR 05
GROSS FLOOR AREA: 6,500 SF
FLOOR 04
GROSS FLOOR AREA: 6,500 SF
FLOOR 03
GROSS FLOOR AREA: 6,500 SF
FLOOR 02
GROSS FLOOR AREA: 6,500 SF
FLOOR 01
GROSS FLOOR AREA: 6,500 SF
FLOOR 01
LOWER
CELLAR
GROSS FLOOR AREA: 10,000 SF
CELLAR
LOWER
10'-0"
10'-0"
10'-0"
10'-0"
10'-0"
10'-0"
15'-0"
75'-0"
MAXIMUM BASE HEIGHT
95'-0"
MAXIMUM BUILDING HEIGHT WITH QUALIFYING GROUND FLOOR
QUALIFYING GROUND FLOOR
BULKHEAD
EL. +105'-0"
ROOF LEVEL
EL. +95'-0"
FLOOR 9
EL. +85'-0"
FLOOR 8
EL. +75'-0"
FLOOR 7
EL. +65'-0"
FLOOR 6
EL. +55'-0"
FLOOR 5
EL. +45'-0"
FLOOR 4
EL. +35'-0"
FLOOR 3
EL. +25'-0"
FLOOR 2
EL. +15'-0"
FLOOR 1 (UPPER)
EL. +5'-0"
FLOOR 1 (LOWER)
EL. +0'-0"
CELLAR (UPPER)
EL. -5'-0"
CELLAR (LOWER)
EL. -9'-0"
LEGEND
RESIDENTIAL
LOBBY & RECREATION SPACE
MECHANICAL & COMMON AREA
PARKING


FLR 09
FLR 08
FLR 07
FLR 06
FLR 05
FLR 04
FLR 03
FLR 02
FLR 01
MAXIMUM BASE HEIGHT
75'-0"
MAXIMUM BUILDING HEIGHT
95'-0"
86TH STREET
(100'-0" WIDE STREET)


FLR 09
FLR 08
FLR 07
FLR 06
FLR 05
FLR 04
FLR 03
FLR 02
FLR 01
86TH STREET
(100'-0" WIDE STREET)

APPENDIX C

NYC DCP Housing Database Building Permits

OBJECTID	Job_Number	Job_Type	ResidFlag	Nonres Flag	Job_Status	CompltYear	PermitYear	ClassAInit	ClassAProp	ClassANet	UnitsCO	BIN	BBL	AddressNum	AddressSt	Occ_Init	Occ_Prop	Job_Desc	Date Filed	Date Permit	Date LstUpd	Date Complt
5	321635343	Alteration	Residential		3. Permitted for Construction		2020	1.000000000	1.000000000	0.000000000	0.000000000	3162968	3062780016	1124	80 STREET	Residential: Not Specified (RES)	Residential: 1-2 Family Houses (R-3)	PROPOSED HORIZONTAL AND VERTICAL ENLARGMENT OF EXISTING SINGLE-FAMILY RESIDENCE. SEE SECTION 24 FOR ADDITIONAL INFORMATION.	2020-05-08	9/24/2020	2020-09-24	
6	321681444	Alteration	Residential	Non-Residential	3. Permitted for Construction		2020	1.000000000	1.000000000	0.000000000	0.000000000	3164846	3063200072	1117	85 STREET	Residential: Not Specified (RES)	Residential: 1-2 Family Houses (R-3)	PROPOSED INTERIOR RENOVATION OF EXISTING ONE FAMILY RESIDENCE WITH NEW ROOF STRUCTURE/ATTIC. INTERIOR GUT FILED SEPARATELY UNDER BIS#321643557. NO ENLARGEMENT, NO CHANGE TO OCCUPANCY OR USE. OBTAIN NEW C OF O WITH ALT TYPE 1 APPLICATION. EXHIBIT I AND	2019-11-25	7/14/2020	2020-07-14	
7	321942939	Alteration	Residential		3. Permitted for Construction		2020	2.000000000	2.000000000	0.000000000	0.000000000	3164202	3063060007	8207	16 AVENUE	Residential: Not Specified (RES)	Residential: 1-2 Family Houses (R-3)	PROPOSED HORIZONTAL ENLARGEMENT ON BASEMENT & 1ST. FLOOR AND VERTICAL EXTENSION WITH NEW 2ND. FLOOR ON EXISTING 2-STORY BUILDING WITH PLUMBING & PARTITION WORKS AS PER PLAN. OBTAIN NEW C.OF O.	2019-04-08	1/22/2020	2020-09-15	
8	321966057	Alteration	Residential	Non-Residential	3. Permitted for Construction		2020	0.000000000	2.000000000	2.000000000	0.000000000	3167717	3064020011	149	BAY 17 STREET	Commercial: Not Specified (COM)	Commercial: Retail (M)	SECOND STORY ADDITION TO THE EXISTING ONE STORY BUILDING PLUMBING AND PARTITION WORK AS PER PLANS.	2019-06-12	6/11/2020	2020-08-31	
9	322016670	Alteration	Residential	Non-Residential	3. Permitted for Construction		2020	2.000000000	1.000000000	-1.000000000	0.000000000	3165748	3063430072	1725	86 STREET	Residential: 1-2 Family Houses (J-3)	Commercial: Offices (B)	INTERIOR RENOVATION OF TWO STORY BUILDING AND CONVERT FROM ONE DWELLING UNIT TO ONE STORE AT FIRST FLOOR, NO CHANGE IN BUILDING BULK, OBTAIN NEW CERTIFICATE OF OCCUPANCY.	2020-01-10	7/30/2020	2020-07-30	
10	322027999	Alteration	Residential		3. Permitted for Construction		2020	1.000000000	1.000000000	0.000000000	0.000000000	3164305	3063080026	1250	83 STREET	Residential: 1-2 Family Houses (J-3)	Residential: 1-2 Family Houses (R-3)	PROPOSED NEW 2 STORY & CELLAR, ONE FAMILY RESIDENCE	2020-01-09	6/16/2020	2020-06-16	
11	322036239	Demolition	Residential		3. Permitted for Construction		2020	1.000000000	0.000000000	-1.000000000	0.000000000	3168162	3064240061	210	BAY 7 STREET	Residential: Not Specified (RES)		DEMOLITION OF 2 AND A HALF STORY STRUCTURE	2020-06-03	10/20/2020	2020-10-20	
12	322051202	Alteration	Residential		3. Permitted for Construction		2020	1.000000000	1.000000000	0.000000000	0.000000000	3151894	3060020003	8117	10 AVENUE	Residential: 1-2 Family Houses (R-3)	Residential: 1-2 Family Houses (R-3)	ADDITION OF BEDROOM AND BATHROOM ON ATTIC FLOOR	2020-06-03	11/24/2020	2020-11-24	
14	340737037	Alteration	Residential		3. Permitted for Construction		2020	1.000000000	2.000000000	1.000000000	0.000000000	3161332	3062460034	7702	16 AVENUE	Residential: Not Specified (RES)	Residential: 1-2 Family Houses (R-3)	CONVERT EXISTING MIX-USED BUILDING TO TWO FAMILY BUILDING WITH GENERAL CONSTRUCTION WORK AS PER PLAN FILED HEREWITH. RELATED PLUMBING WORK JOB#B00322647.OBTAIN NEW CERTIFICATE OF OCCUPANCY.	2020-06-18	9/14/2020	2020-09-14	
1	321185178	Alteration	Residential		5. Completed Construction	2020	2016	1.000000000	1.000000000	0.000000000	1.000000000	3168225	3064260010	239	BAY 8 STREET	Residential: 1-2 Family Houses (R-3)	Residential: 1-2 Family Houses (R-3)	VERTICAL AND HORIZONTAL EXTENSION FOR ONE FAMILY BUILDING. OBTAIN NEW CERTIFIC ATE OF OCCUPANCY.	2016-03-28	7/22/2016	2020-01-03	1/3/2020
2	321383819	Alteration	Residential	Non-Residential	5. Completed Construction	2020	2018	2.000000000	2.000000000	0.000000000	2.000000000	3166042	3063580029	1436	86 STREET	Residential: Not Specified (RES)	Residential: 1-2 Family Houses (R-3)	PROPOSED TO CONVERT 1ST FLOOR TO COMMERCIAL STORE, USE GROUP 6. AS WELL AS INTERIOR RENOVATION WITH MINOR PARTITIONING AND PLUMBING WORK AS PER PLAN. OBTAIN NEW CERTIFICATE OF OCCUPANCY.	2018-08-07	12/18/2018	2020-02-27	2/27/2020
3	321401158	Alteration	Residential		5. Completed Construction	2020	2018	1.000000000	2.000000000	1.000000000	2.000000000	3166353	3063630119	8651	16 AVENUE	Residential: Not Specified (RES)	Residential: 1-2 Family Houses (R-3)	CONVERT EXISTING HOUSE FROM ONE FAMILY DWELLING TO TWO FAMILY DWELLING. NO INCREASE IN BULK OR HEIGHT OF EXISTING HOUSE. OBTAIN NEW CERTIFICATE OF OCCUPANCY.	2016-11-29	5/25/2018	2020-03-10	3/10/2020
4	321427826	Alteration	Residential		5. Completed Construction	2020	2016	2.000000000	2.000000000	0.000000000	2.000000000	3166239	3063610034	13	BAY 10 STREET	Residential: Not Specified (RES)	Residential: 1-2 Family Houses (R-3)	NEW PROPOSED 2ND FLOOR VERTICAL ENLARGEMENT; CONSTRUCT INTERIOR PARTITIONS; INSTALL PLUMBING FIXTURES AND RELATED PIPING AS SHOWN ON DRAWINGS FILED HEREWITH	2016-07-28	12/21/2016	2020-07-16	7/16/2020
13	322051943	Alteration	Residential		5. Completed Construction	2020	2019	2.000000000	1.000000000	-1.000000000	1.000000000	3163148	3062810062	1417	81 STREET	Residential: 1-2 Family Houses (J-3)	Residential: 1-2 Family Houses (R-3)	FILE THIS APPLICATION TO CONVERT EXISTING 2 FAMILY BUILDING INTO 1 FAMILY DWELLING AND HORIZONTAL EXTENSION ON 2ND FLOOR. INTERIOR RENOVATION ON CELLAR,1ST & 2ND FLOOR.PLUMBING,PARTITION.STRUCTURAL INVOLVED.OBTAIN A NEW C OF O.	2018-12-07	3/12/2019	2020-09-21	9/21/2020

APPENDIX D

Phase I Environmental Site Assessment

PHASE I ENVIRONMENTAL SITE ASSESSMENT

1421 86th Street, Brooklyn, New York 11228

November 30, 2021

Prepared for:

Thomas Aellis
Romantique Double Diamond Inc.
1421 86th Street
Brooklyn, New York 11228

Prepared by:

EQUITY ENVIRONMENTAL ENGINEERING, LLC

500 International Drive, Suite 150
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PHASE I ENVIRONMENTAL SITE ASSESSMENT

EXECUTIVE SUMMARY

Equity Environmental Engineering, LLC (Equity) was retained by Thomas Aellis and Romantique Double Diamond Inc., to conduct a Phase I Environmental Site Assessment (Phase I) to identify Recognized Environmental Conditions (RECs) associated with current and prior site use at the property identified as 1421 86th Street, Brooklyn, New York. Equity conducted the assessment in accordance with the requirements of the American Society for Testing and Materials (ASTM) Standard E1527-13, "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process" and good professional practices.

Site Overview

The Subject Property is as follows:

Property Designation	1421 86th Street
Property Address	1421 86th Street, Brooklyn, New York 11228
Parcel ID	Block 6340/Lot 66
Parcel Size	10,000 sq ft
Number of Buildings	Three
Number of Stories	One
Finished Area (SF)	4,910 sq ft
Date Constructed	2003
Construction Type	Concrete foundation
Property Usage	Parking garages
Inspection Date	November 10th, 2021
Weather Conditions	50°F, sunny
Site Contact/Title	Thomas Aellis/ Site Manager
Site Contact Phone	(718)-232-7273

Definitions

The ASTM Phase I Standard defines environmental conditions as follows:

- ***Recognized Environmental Conditions (RECs)***

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

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

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

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

  The term "Historical Recognized Environmental Condition" is a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted residential use criteria established by a regulatory authority, without subjecting the property to any required controls, such as property use restrictions or activity and use limitations (AULs, which include both institutional controls and engineering controls).

- ***Vapor Encroachment Conditions (VECs)***

  The term "Vapor Encroachment Condition" is a condition where the presence or likely presence of chemical of concern vapors in the subsurface of the Subject Property caused by the release of vapors from contaminated soil and/or groundwater either on or near the Subject Property.

- ***De Minimis Conditions***

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

- ***Data Gaps***

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

- ***Non-Scope Considerations***

  Consideration of business environmental risk issues some of which are identified in Section 13 and Appendix XI of ASTM E1527-14 (e.g., asbestos, ecological resources, mold, radon, wetlands, regulatory compliance et. Al.).

Findings

The following environmental conditions were identified:

A. Recognized Environmental Conditions (RECs)

Oil staining was observed in the parking area and in the garage on the Subject Property and is presumably from vehicles that were previously parked at the stain locations. Anti-freeze was also observed leaking from two vehicles in the two story garage on the Subject Property. The oil staining and antifreeze leak are RECs.

B. Controlled Recognized Environmental Conditions (CRECs)

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

C. Historical Recognized Environmental Conditions (HRECs)

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

D. Vapor Encroachment Conditions (VECs)

The EDR Vapor Encroachment database identified three VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Property that are related to a gasoline service station at Bay 7th and 86th Street from 1969 to 1996; Mobil gasoline service station leaking tank and spills at 1420 86th Street. Based on these findings, vapor encroachment conditions cannot be ruled out. Details on the VECs can be found in Appendix H.

E. De Minimis Conditions

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

F. Data Gaps

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

Conclusions

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

PHASE I ENVIRONMENTAL SITE ASSESSMENT

I. INTRODUCTION

A. Purpose

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

It is Equity's understanding that the proposed Project is part of a zoning map amendment to see new residential and commercial development on Lot 66 on Brooklyn Block 6340. The new development would contain approximately 45,142 of zoning square feet (67,682 gsf) with part of the ground floor being occupied by local retail space and a total of 62 residential contained within the 9-story building. The cellar would contain 26 parking spaces. In addition to Lot 66, while not part of the proposed development site, we understand that the Rezoning Area (or "Project Area") would also include Lots 1 and 60 on Block 6340. All three lots have frontage along 86th Street while Lot 1 also has frontage on 14th Avenue. The Project Area is comprised of Block 6340, Lots 1, 66 and 60 (approximately 36,000 square feet of aggregate lot area). The Applicant's Development Site consists of Lot 66 only.

B. Scope-of-Services

The Phase I consisted of the following components:

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

The environmental assessment is non-invasive, and does not include any testing or sampling of materials, such as soil, water, air or building materials. The environmental

assessment included a non-invasive (no sampling) evaluation of the potential for asbestos-containing materials, lead-based paint, and lead in drinking water.

C. Significant Assumptions, Limitations and Exceptions

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

D. Special Terms and Conditions

No Special Terms or Conditions apply to this project.

E. Reliance

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

II. SITE DESCRIPTION

A. Location and Description

The subject parcel is identified as 1421 86th Street, Brooklyn, New York 11228. Title to the property is vested in 1421-1425 86th Street LLC. The Subject Property is identified as Block 6340 /Lot 66 on the New York City Tax Map. The subject parcel is a rectangular shaped lot on 86th Street. The Subject Property is located in the Bath Beach Neighborhood of Brooklyn. A USGS Site Location Map and Site Boundary Map are included as Figures 1 and 2.

B. Site and Vicinity Characteristics

The Subject Property is located in a R4 (General Residence District) and C2-2 (Local Service District) zoning districts. The R4 zoning district allows all types of housing at a slightly higher density than permitted in R3-2 districts; a floor area ratio of 0.75 is common for this district. The C2-2 zoning district allows commercial overlays within residence districts. Residential and commercial listings surround the Subject Property. The Subject Property is located adjacent to the Mobil gas station.

C. Current Use of the Property

The Subject Property contains two, 1-story buildings, and one, 2-story building. The first floor of the 2-story building operates as a parking garage with elevated ceilings for a

limousine, bus, luxury vehicle service, and also consists of an office and one bathroom. The second floor consists of an office and one bathroom. The two one story buildings are garages that store vehicles, various tools, and maintenance supplies. The buildings are approximately 15-18 years old; according NYC's Zoning and Land Use Database (ZoLa), the building was built in 2003; according to the EDR Sanborn Maps, the three buildings do not exist until 2006. At the time of the site reconnaissance the property is an active limousine, bus, and luxury vehicle service.

D. Description of Structures, Improvements and Utilities

The existing building is constructed of wood framing with a concrete foundation.

Utilities at the property include the following:

1. Electricity

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

2. Water

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

3. Sewers

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

4. Heat

The building is heated by natural gas fired (boiler unit in basement). The natural gas is provided by National Grid.

E. Current Uses of Adjoining Properties

The following sites adjoin the Subject Property:

- North –Commercial/Residential (Scarpaci Funeral Home)
- East – Commercial/Residential (AutoZone, Dyker Heights Medical Associates)
- South – Commercial/Residential (Laundromat, ScholarZone Learning Center)
- West – Commercial/Residential/Recreational (Mobil, Sababa Lounge, Bklyn's Pizza, Park Bagels, Grocery store, Livan Savino Opticians, Dyker's Playground and athletic fields)

III. USER PROVIDED INFORMATION

The ASTM Standard defines the "User" as the person on whose behalf the Phase I is being conducted. The ASTM Standard requires the User to provide site information for the Phase I. Equity was not provided with the following information.

- Environmental liens (i.e., legal, deed notice) or Activity and Use Limitations (i.e., engineering controls, etc.) were identified.

- Specialized knowledge or commonly known information regarding current or historical hazardous material use on the Subject Property or adjoining properties, which would be considered an REC, were identified.

- Indications that the fair market value of the property was reduced due to environmental concerns.

IV. RECORDS REVIEW

A. Standard Environmental Records Sources

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

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

Database	0-1/8 Mile	1/8 – 1/4 Mile	1/4 – 1/2 Mile	1/2 – 1 Mile
SEMS-ARCHIVE	0	0	1	NR
RCRA-SQG	0	3	NR	NR
RCRA-VSQG	0	2	NR	NR
NY-SHWS	0	0	0	2
NY LTANKS	2	2	11	NR
NY UST	4	3	NR	NR

Database	0-1/8 Mile	1/8 – 1/4 Mile	1/4 – 1/2 Mile	1/2 – 1 Mile
NY AST	2	4	NR	NR
NY Spills	6	NR	NR	NR
RCRA NonGen/NLR	15	14	NR	NR
NY Drycleaners	1	1	NR	NR
NY Manifest	18	20	NR	NR
PA Manifest	0	2	NR	NR
RI Manifest	0	1	NR	NR
NJ Manifest	3	3	NR	NR
EDR Hist Auto	2	NR	NR	NR
EDR Hist Cleaner	1	NR	NR	NR

There are 54 sites listed/mapped within 1/8 mile of the Subject Property. Equity's review focused on the sites most likely to impact the Subject Property. The UST (Underground Storage Tank) Database identified four USTs; one site located at 1420 86th Street is an active Mobil Gas Station. A leaking tank was identified at this location, but the closed date of the spill was in 1997. The AST (Above Ground Storage Tank) Database identified two AST sites within 1/8 of a mile from the Subject Property; one of the sites is located at 1420 86th Street, the same gas station as the active UST; the other AST is unregulated/closed. EDR Hist Auto Database identified two gas stations; one active gas station at 1420 86th Street.

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

B. Orphans Summary

The EDR Orphan Summary lists three properties that were included in certain federal or state environmental databases, but were reported by EDR to be unmapped due to insufficient address information. The listing of orphan sites within the database search was reviewed, cross referencing available address information with facility names. Upon review, it was determined that no orphan sites appear to be associated with the Subject Property or adjoining properties. The orphan sites are not located on the Subject Property and are listed as follows:

1) NYCDEP – 86th Street Venturi Flow Cham.
2) South Shore Incinerator
3) Calver Vaux/Drier Offerman

Additional information regarding the EDR Orphan Summary Report can be found in Appendix C.

C. City Environmental Quality Review "E" Designation

The "E" designations shown on the zoning maps function as indicators of the environmental review that must be conducted when the lots are developed in accordance with the

regulations of the rezoned district. The City Planning Commission's rezoning actions, including environmental designations, were made effective upon the City Council's approval of the Zoning Map Amendment. Based upon a review of the NYCDEP "E" Designation database on November 15, 2021, the Subject Property was not identified.

D. Physical Setting Source

The Subject Property is located in Brooklyn, New York, and is surrounded by primarily mixed residential/commercial use. The ground surface at the site is predominantly level. Ground cover consists primarily of concrete sidewalk, a paved parking lot, and three buildings. The Subject Property is accessed from the east via 86th Street. The general topographic gradient of the site is predominantly level at an elevation of approximately 30 feet above sea level. All elevations are relative to NAVD '88 and are based on the 2013/2014 USGS Topographic Map. Based on a review of the 2013/2014 USGS topographic map for the area, groundwater is inferred to flow to the southwest towards Gravesend Bay, the closest water body.

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

The surficial geology (i.e., unconsolidated deposits at the Subject Property) consists primarily of glacial and alluvial deposits from the Quaternary period. The bedrock geology of the Subject Property is unweathered bedrock with abundant gravel and stratified sandy loam.

E. Historical Use Information on the Property

The historical sources reviewed indicate that the property was initially undeveloped land prior to the construction of the building in 2003 according to the NYC Zola Database.

1. Sanborn Fire Insurance Maps

Equity reviewed a total of 28 digital Sanborn Fire Insurance Maps from 1905 to 2007 provided by EDR, Inc. Copies are provided as Appendix D.

Year	Subject Property	Surrounding Area
1905	The Subject Property is vacant.	A dwelling, coop, and two stables exist north.

Year	Subject Property	Surrounding Area
1906	The Subject Property is vacant. The Property splits into four separate lots (1429, 1425, 1423, and 1419).	Unchanged.
1926	The Subject Property is unchanged.	Two additional dwellings exist northwest and two garages exist north.
1929	The four lots no longer exist. The Subject Property is part of a much larger lot. The Subject Property contains an office building in the south corner of the Property.	The northwest portion of the map is not visible. Many new dwellings exist to the east, west, and south. Several store locations exist to the south and west. A laundromat and four gasoline tanks for a future gas station exist at the adjacent block west. Several flats exist to the north. An auto repair shop, two gasoline tanks, and an office space exist southeast of the Subject Property. A bakery also exists to the south. Beach Park exists to the west.
1950	The office building in the south corner of the Subject Property is now on the west side of the Property. A "Used Cars Sales" location now exists within the Subject Property.	Additional dwellings, flats, and garages exist to the northwest. A clothing manufacturing exists to the south. A few garages exist east of the Subject Property boundary. A filling station operates to the southeast, where the two gasoline tanks exist. East of the filling station is a lumber facility.

Year	Subject Property	Surrounding Area
1968	An auto repair building exists in the northern corner of the Subject Property. A property boundary is established between 1950-1968, giving the Subject Property its own lot.	The adjacent lot northwest and southwest has parking. A used car sales and auto repair building exist to the southeast. The filling station southeast no longer exists; a used auto sales and auto repair shop exist at that location. A new filling station exists further southwest. The gasoline tanks west no longer exist. The lumber
1969	The two buildings within the Subject Property no longer exist. The Subject Property now serves as parking.	The parking lot southwest is now a catering hall.
1977, 1980, 1981, 1983, 1986, 1987, 1988	The Subject Property is unchanged.	The auto repair shop southwest is now a manufacturing building; the used auto location no longer exists. The laundromat no longer exists at the adjacent block west; a filling station exists in that lot.
1989, 1990	The Subject Property is unchanged.	A used auto sales location exists to the southeast. The auto repair building southeast is now a commercial building.
1992, 1993, 1994, 1995, 1996	The Subject Property is unchanged.	Lumber yard parking exists to the southeast. The manufacturing building southeast is now a commercial building.

Year	Subject Property	Surrounding Area
2001	The Subject Property is unchanged.	The used auto sales and commercial buildings no longer exist; a large commercial building is present. The lumber facility and lumber parking lot no longer exist. The parking lot no longer is used for the lumber building. A commercial building replaces the lumber facility.
2002	The Subject Property is unchanged.	The adjacent block southwest now operates as medical offices.
2003, 2004, 2005	The Subject Property is vacant.	Unchanged
2006, 2007	The Subject Property contains three commercial buildings.	Unchanged

2. USGS Topographic Maps

Equity reviewed a total of 11 historical Topographic Maps provided by EDR, Inc. from 1891 to 2014. Copies are provided in Appendix E.

Year	Subject Property	Surrounding Area
1891	The Subject Property is vacant and sits at an approximate elevation of 30 feet. A road is present along the southeastern border of the Subject property.	There are a few structures surrounding the Subject Property to the north and east. Gravesend Bay and Bath Beach are approximately 0.80 miles away to the south. A railroad exists approximately 0.50 miles to the east. Two small water bodies exist north . Fort Hamilton exists to the west.
1898, 1900, 1905, 1925	A water body from Gravesend Bay extends north near the southern Subject Property boundary.	Increase in development throughout the map. Another railroad extending across the map exists to the far north.

Year	Subject Property	Surrounding Area
1947	The body of water extending from Gravesend Bay, up to the southern boundary no longer exists.	Dyker Beach Park exists to the west. Four bodies of water exist to the west. The lot containing the Subject Property has two buildings. Development exists at Fort Hamilton.
1955-1956	The Subject Property is unchanged.	Several depressions exist west at Dyker Beach Park. Multiple schools exist in the surrounding area. Increase in development at Fort Hamilton to the west.
1966-1967	The Subject Property is unchanged.	Increase in vegetation at Dyker Beach Park to the west. One of the unnamed ponds west decreases in size.
1979-1981, 1995-1998, 2013-2014	The Subject Property is unchanged.	Additional structures in the surrounding area.

3. Historic Aerial Photographs

Equity reviewed a total of 15 aerial photographs spanning from 1924 to 2017. The Subject Property is depicted in aerials from 1924 to 2017 and is consistent with the current shape and size of the Subject Property. Copies are provided in Appendix F.

Year	Subject Property	Surrounding Area
1924	The Subject Property is vacant.	There are many structures in surrounding area of the aerial photograph. Approximately 500-foot radius around the Subject Property has a dirt surface.
1940	An unidentified structure is on the west side of the Subject Property boundary.	Increase in overall dwellings/structures.
1951	The Subject Property appears to contain vehicles and material stockpiles.	The surrounding area conditions are consistent with the previous photograph.
1954	The Subject Property contains one building to the west.	The surrounding area conditions are consistent with the previous photograph.

Year	Subject Property	Surrounding Area
1961	An additional building exists in the northern corner of the Subject Property.	The adjacent lot northwest is vacant. A new building exists west of the northwest adjacent lot. A parking lot and a few additional buildings exist southeast. A park exists west.
1966	The Subject Property is unchanged.	Athletic fields exist at the park west. New buildings present to the southeast.
1974, 1976, 1980, 1985, 1994	Two buildings within the Subject Property no longer exist. Subject Property operates as a parking lot.	The surrounding conditions are consistent with the previous photograph.
2006, 2009, 2017	The Subject Property contains three buildings.	Walkways for the park, and a soccer field are present to the west.

4. City Directory

Equity reviewed local city directory listings provided by EDR, Inc. for the Subject and adjacent properties. The Subject Property is characterized primarily by commercial listings. Listings at 1421 86th Street include Beltway Buick Subaru Incorporated in 1999 and Romantique Limousine Incorporated in 2004. The surrounding area is primarily characterized by commercial and residential listings. Notable adjacent property listings include Marten Bros Gas Station at 1420 86th Street in 1934 and Heat King Fuel Corporation at 1432 86th Street in 1973.

The City Directory report is included as Appendix G**.**

5. Regulatory File Review

Equity reviewed title information for the Subject Property contained in New York City Zola database. Title to the property is vested in 1421-1425 86th Street LLC. The Subject Property is identified as Block 6340/Lot 66.

According to the New York City Department of Buildings (DOB) website, one complaint, 26 Jobs, and two actions have been identified at 1421 86th Street. The complaint is in relation to the compliance inspection performed. The jobs are in relation to plumbing, off-street parking, builder pavement plans, curb-cut, general construction, and mechanical work. The actions are in relation to letters of no objection, denied limousine rental and denied automobile rental for insufficient information provided at time of request.

Equity submitted a Freedom Of Information Law (FOIL) request to the New York State Department of Environmental Conservation (DEC) New York City Department of Environmental Protection (DEP) on November 15, 2021. A response was unavailable prior to the completion of this report. In the event records of environmental concern are identified this report will be amended and stakeholders will be notified.

Regulatory records are included in Appendix H.

6. Prior Environmental Assessments and Reports

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

F. Historical Use Information on Adjoining Properties

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

- North – Residential/Commercial (Undertaker, delivery services, parking)
- East –Commercial/Residential (Catering Hall, parking, auto repair shop)
- South – Commercial/Residential (Clothing manufacturer)
- West –Commercial/Residential (Filling station, laundromat, stores)

V. SITE RECONNAISSANCE

A. Methodology and Limiting Conditions

John Vrabel of Equity Environmental conducted the Phase I site inspection on November 10, 2021. A site representative, Thomas Aellis who is the Site Manager lead the Subject Property walk through. No limiting conditions such as weather or inaccessible areas were encountered during the completion of this assessment.

B. On-Site Operations/Manufacturing

The Subject Property contains two, 1-story buildings, and one, 2-story building. The first floor of the 2-story building operates as a parking garage with elevated ceilings for a limousine, bus, and luxury vehicle service and also consists of an office and one bathroom. The second floor consists of an office and one bathroom. The two one story buildings are garages that store vehicles, various tools, and maintenance supplies. The buildings are approximately 15-18 years old; according NYC's Zoning and Land Use Database (ZoLa), the building was built in 2003; according to the EDR Sanborn Maps, the three buildings did not exist until 2006. The three buildings on the Subject Property are assumed to be close in age. At the time of the site reconnaissance the property was an active limousine, bus, and luxury vehicle service. Manufacturing operations do not occur at the Subject Property

however, general maintenance is performed on vehicles on site. Photographs of the building's interior and exterior are provided in Appendix B.

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

Various vehicular maintenance substances exist in the garage on the Subject Property and consist of PAG oil, refrigerant oil, degreaser, WD-40, coolant, motor oil, paints, soap, glass cleaner, multiple gasoline containers, propane tanks, gas powered power washers, gas powered all-terrain vehicle, gas powered snowblowers, gas powered generators, calcium chloride for ice melting, driveway sealant, and typical household cleaning supplies. Three 55-gallon plastic drums were observed along the northwestern perimeter of the Subject Property and contain vehicle cleaning soap. No USTs, ASTs or additional chemicals were observed to be stored on-site.

D. Solid and Hazardous Waste

Solid waste generated onsite are disposed of via the New York City Department of Sanitation trash removal services.

E. Releases or Spills

Oil staining was observed in the parking area and in the garage on the Subject Property and is presumably from vehicles that were previously parked at the stain locations. Anti-freeze was also observed leaking from two vehicles in the two story garage on the Subject Property. The oil staining and antifreeze leak are RECs.

F. Groundwater Wells

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

G. Surface Water, Stormwater Drainage and Wastewater Discharge

Gutters were observed on the roof of two-story garage at the Subject Property. Four storm water drains were observed throughout the asphalt parking area on the Subject Property The gutters and storm water drains are assumed to discharge into the municipal sewer system.

H. Wetlands

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

I. Polychlorinated Biphenyls (PCBs)

A hydraulic car jack was observed in the maintenance garage on the Subject Property.

J. Drains and Sumps

No interior floor drains or sumps were observed on the Subject Property.

K. Vapor Migration/Encroachment

The EDR Vapor Encroachment database identified three VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Property that are related to a gasoline service station at Bay 7th and 86th Street from 1969 to 1996; Mobil gasoline service station leaking tank and spills at 1420 86th Street; and a leaking tank that has been removed at 8320 13th Avenue. Based on these findings, vapor encroachment conditions cannot be ruled out.

Details on the VECs can be found in Appendix H.

L. Other Environmental Considerations

Asbestos Containing Materials

The EPA banned several types of asbestos in the late 1970s, but its use continued in some building applications through the 1980s. An asbestos survey was not performed as part of this study.

Drinking Water

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

Lead-Based Paint

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

Mold

Although no significant visual or olfactory signs of potential mold were identified during the site reconnaissance, a mold assessment was not performed as part of this study.

M. Off-Site Concerns

There were no offsite concerns, other than the VECs identified in Section K.

VI. INTERVIEWS

As part of the Phase I of the property, Equity interviewed Mr. Thomas Aellis who is the Site Manager. Mr. Aellis was not aware of any past or current environmental issues related to the Subject Property.

VII. RECOGNIZED ENVIRONMENTAL CONDITIONS (RECs)

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

A. Recognized Environmental Conditions (RECs)

Oil staining was observed in the parking area and in the garage on the Subject Property and is presumably from vehicles that were previously parked at the stain locations. Anti-freeze was also observed leaking from two vehicles in the two story garage on the Subject Property. The oil staining and antifreeze leak are RECs.

B. Controlled Recognized Environmental Conditions (CRECs)

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

C. Historical Recognized Environmental Conditions (HRECs)

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

D. Vapor Encroachment Concerns (VECs)

The EDR Vapor Encroachment database identified three VECs (Vapor Encroachment Conditions) within 1/10 of a mile of the Subject Property that are related to a gasoline service station at Bay 7th and 86th Street from 1969 to 1996; Mobil gasoline service station leaking tank and spills at 1420 86th Street; and a leaking tank that has been removed at 8320 13th Avenue. Based on these findings, vapor encroachment conditions cannot be ruled out.

Details on the VECs can be found in Appendix H.

E. De Minimis Conditions

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

F. Data Gaps

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

Conclusions

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

VIII. DEVIATIONS

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

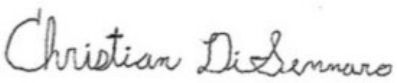
IX. REFERENCES

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

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

X. SIGNATURE(S) OF ENVIRONMENTAL PROFESSIONALS

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



Assessor :

Christian DiGennaro
Junior Scientist

Assessor:

John Vrabel
Project Scientist

Environmental Professional:

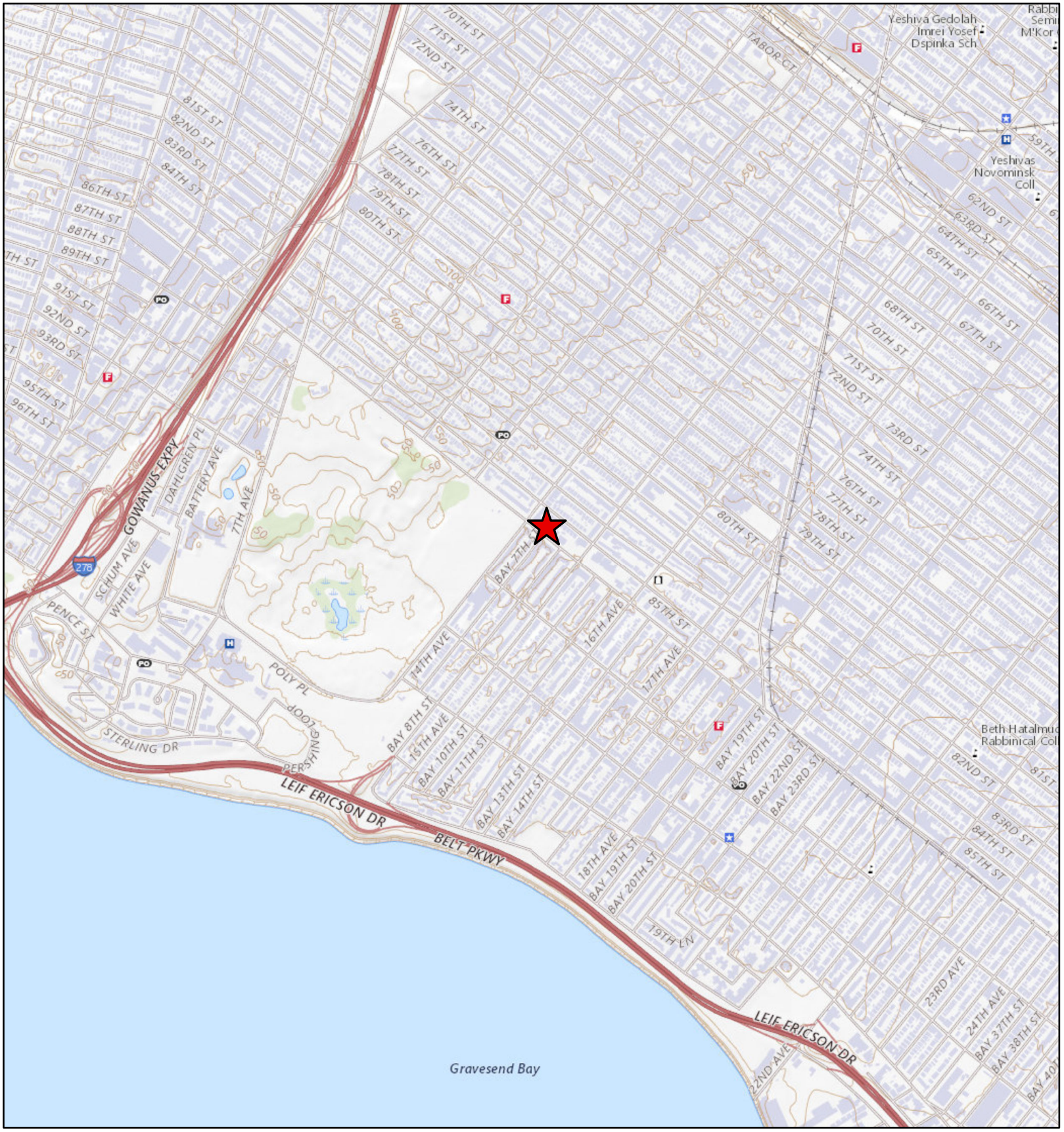
Robert Jackson
Managing Director

XI. QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS

Qualifications of the Environmental Professionals are provided in Appendix I.

Appendix A

Figures



Legend

1421 86th Street

N

0 0.15 0.3 0.6 Miles

Figure 1
Phase I ESA
USGS Site Location Map

1421 86th Street
Brooklyn, New York

equity environmental engineering
4 World Trade Center New York, NY 10007
Office: (973) 527-7451 / Fax: (973) 858-0280

DRAWN BY / DATE	REV / DATE	DRAWING NUMBER
GB/12.3.21		2021039-01

Legend

1421 86th Street

N

0 20 40 80 US Feet

Figure 2
Phase I ESA
Site Boundary Map

1421 86th Street
Brooklyn, New York

equity environmental engineering
4 World Trade Center New York, NY 10007
Office: (973) 527-7451 / Fax: (973) 858-0280

DRAWN BY / DATE	REV / DATE	DRAWING NUMBER
GB/12.3.21		2021039-02

Appendix B

Site Photographs

01 Multiple storm drains in parking lot.

02 Vehicle-related chemicals present at property; including antifreeze, oil, steering fluid, WD-40, silicone spray, glass cleaner, and paint.

03 One of two air compressors present in the first garage.

04 Hydraulic car jack, battery charger, and various tools.

05 Fridge, freezer, and power washer at the garage entrance.

06 Pressure washer, mower, and floor polisher in west corner of garage.

07 Three barrels that contain soap, and car battery on ground.

08 Building façade of first of the first building, limousine parked out front, vent pipe on roof.

09 Snowblowers in second building.

10 ZeoSand and Safe Step Deicer in second building.

11

12 Front plow attachment and propane tank on the ground.

13 Drain in front of the property by 86th Street.

14 Vent pipe present, seen on all three buildings.

15 Buses are present in the parking lot, multiple drains exist throughout.

16 Oil stain in parking lot.

17 Bus and trailer in the parking lot. Additional tires exist in the corner of the lot.

18

19 Large two-story building with first floor garage containing limousines and other luxury vehicles; main garage entrance pictured.

20 Side entrance to garage.

21 Hydraulic garage door operating system; electrical meter and electrical box also present.

22 Romantique Limousines building façade, facing west. The Subject Property contains three buildings.

23

24 First floor staining on the concrete floor in the two-story building.

25 Sewer pit present in the garage of the two-story building.

26 Bathroom present on the second floor.

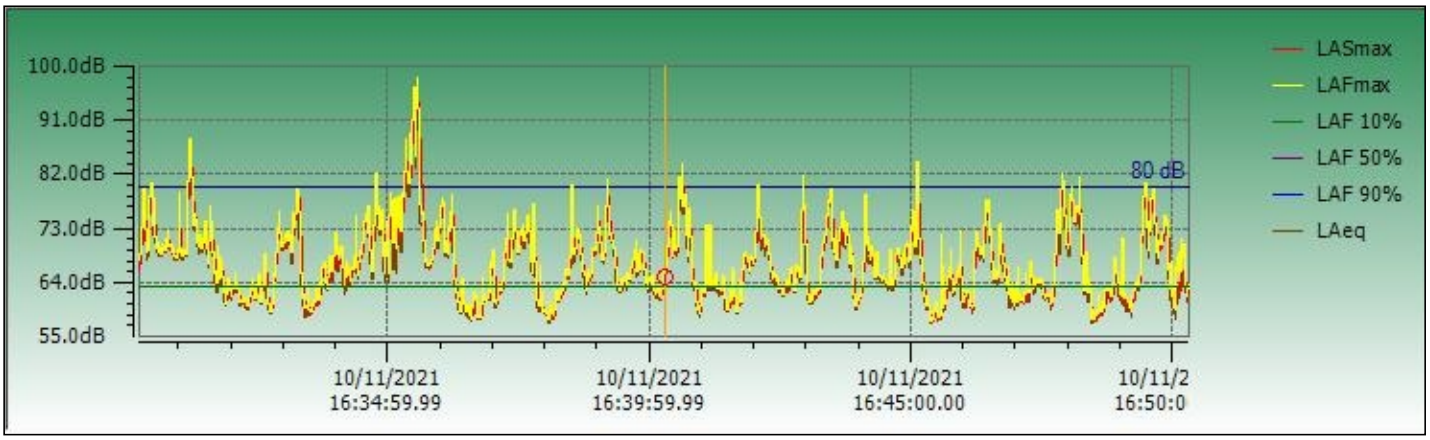
27 Office space on the second floor.

28 Additional office space on second floor.

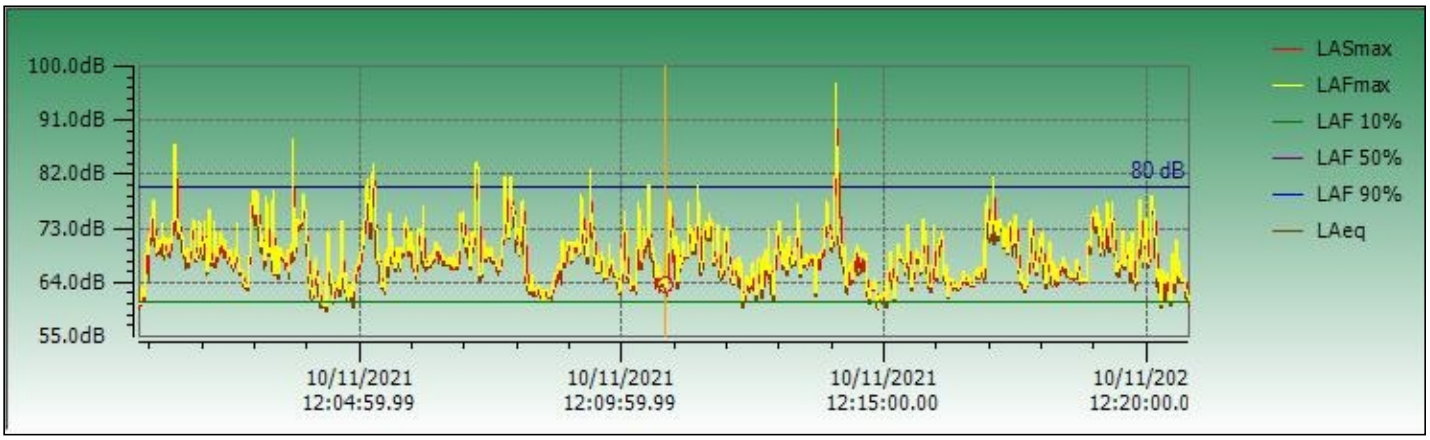
APPENDIX E

Noise Backup Data

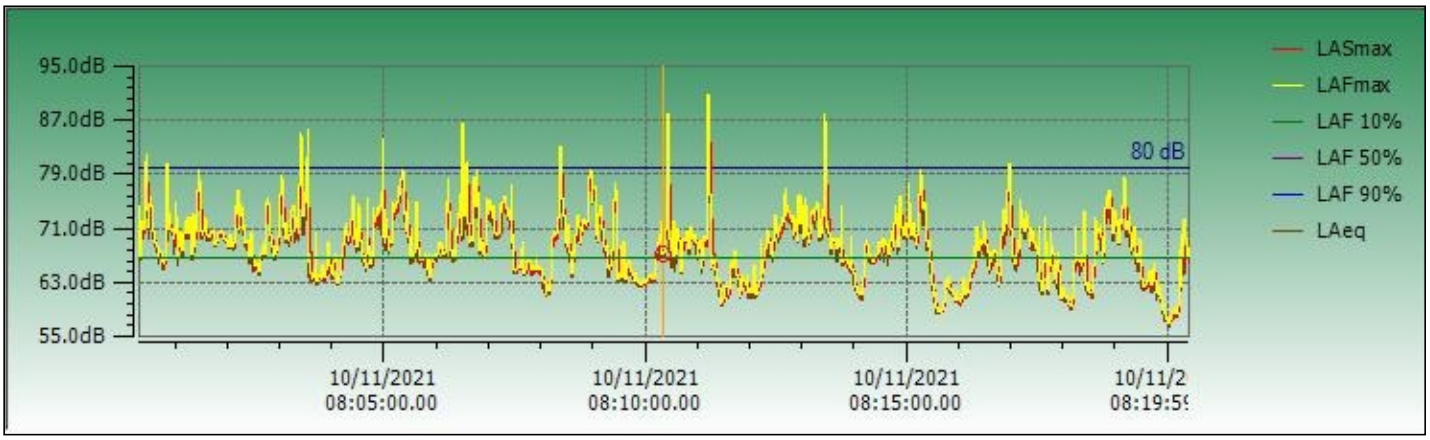
Instrument Model	**CEL-633C**			
Serial Number	5086866	LAS 10%	74 dB	Result
LASmax	94.7 dB	LAS 50%	65.5 dB	
LASmin	57.4 dB	LAS 90%	60 dB	
Start Date & Time	11/10/2021 4:30:15 PM	Calibration (Before) Date	11/10/2021 4:30:11 PM	
Duration	00:20:04 HH:MM:SS	Calibration (After) Date	11/10/2021 4:50:40 PM	
LAeq	73.2 dB	Calibration Drift	0.0 dB	
End Date & Time	11/10/2021 4:50:19 PM	Battery Low	No	
Notes				



Instrument Model	CEL-633C			
Serial Number	5086866	LAS 10%	73.5 dB	Result
LASmax	91.6 dB	LAS 50%	67.5 dB	
LASmin	59.6 dB	LAS 90%	62.5 dB	
Start Date & Time	11/10/2021 12:00:48 PM	Calibration (Before) Date	11/10/2021 12:00:44 PM	
Duration	00:20:02 HH:MM:SS	Calibration (After) Date	11/10/2021 12:21:00 PM	
LAeq	70.6 dB	Calibration Drift	0.1 dB	
End Date & Time	11/10/2021 12:20:50 PM	Battery Low	No	
Notes				



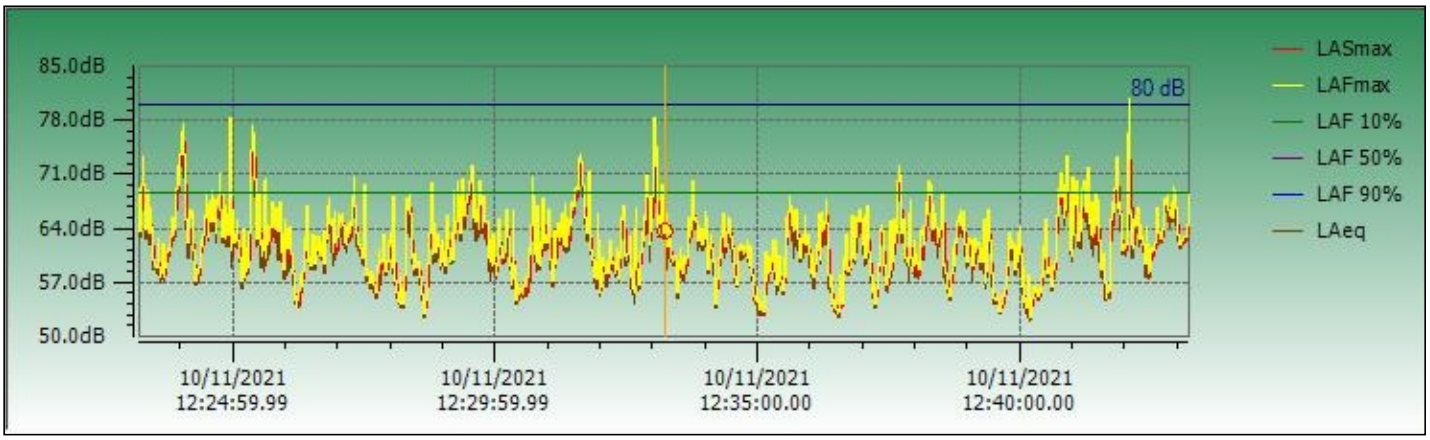
Instrument Model	**CEL-633C**			
Serial Number	5086866	LAS 10%	73 dB	Result
LASmax	87.4 dB	LAS 50%	68 dB	
LASmin	56.7 dB	LAS 90%	62 dB	
Start Date & Time	11/10/2021 8:00:19 AM	Calibration (Before) Date	11/10/2021 7:58:54 AM	
Duration	00:20:06 HH:MM:SS	Calibration (After) Date	11/10/2021 8:20:37 AM	
LAeq	70.4 dB	Calibration Drift	-0.1 dB	
End Date & Time	11/10/2021 8:20:25 AM	Battery Low	No	
Notes				



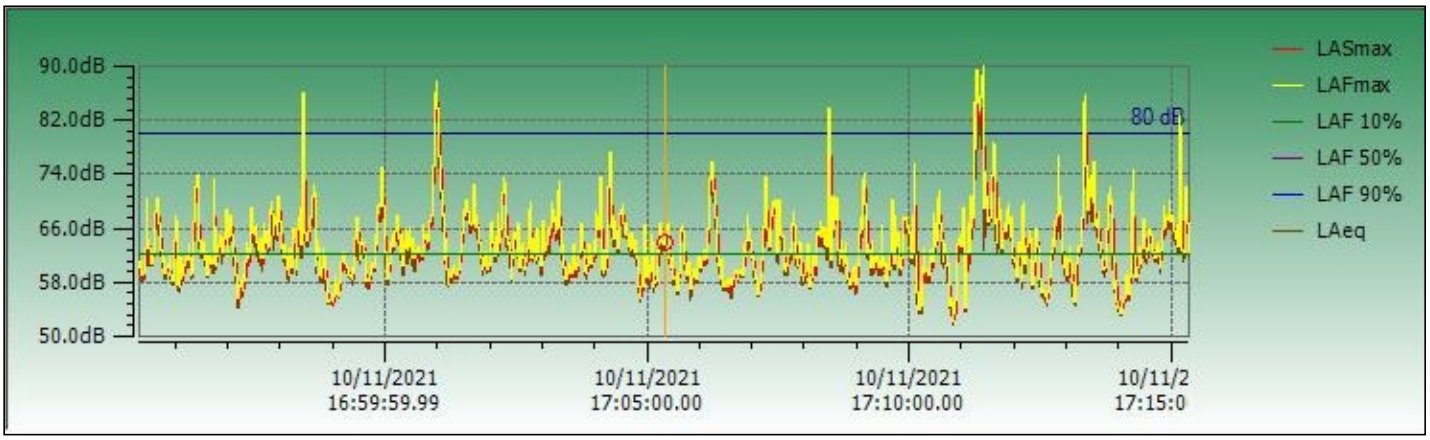
Casella CEL Ltd.

Report On CEL-63X

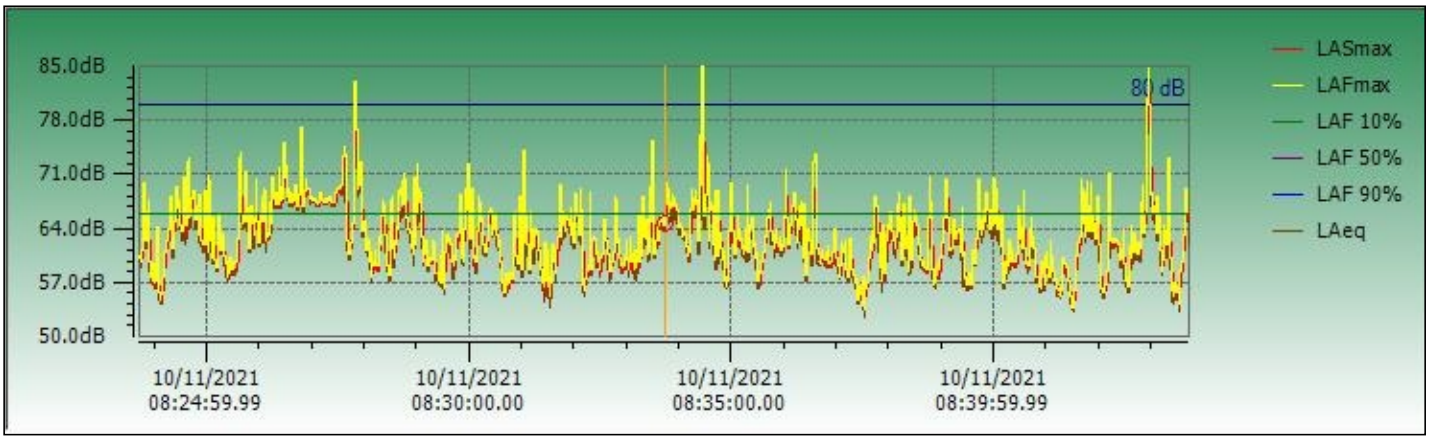
Instrument Model	**CEL-633C**			
Serial Number	5086866	LAS 10%	66 dB	Result
LASmax	76 dB	LAS 50%	61 dB	
LASmin	52.3 dB	LAS 90%	56 dB	
Start Date & Time	11/10/2021 12:23:13 PM	Calibration (Before) Date	11/10/2021 12:21:06 PM	
Duration	00:20:01 HH:MM:SS	Calibration (After) Date	11/10/2021 12:43:53 PM	
LAeq	63 dB	Calibration Drift	0.1 dB	
End Date & Time	11/10/2021 12:43:14 PM	Battery Low	No	
Notes				



Instrument Model	**CEL-633C**			
Serial Number	5086866	LAS 10%	68 dB	Result
LASmax	85 dB	LAS 50%	62 dB	
LASmin	52.1 dB	LAS 90%	58 dB	
Start Date & Time	11/10/2021 4:55:19 PM	Calibration (Before) Date	11/10/2021 4:50:55 PM	
Duration	00:20:01 HH:MM:SS	Calibration (After) Date	11/10/2021 5:15:55 PM	
LAeq	67 dB	Calibration Drift	-0.2 dB	
End Date & Time	11/10/2021 5:15:20 PM	Battery Low	No	
Notes				



Instrument Model	CEL-633C			
Serial Number	5086866	LAS 10%	67 dB	Result
LASmax	81.7 dB	LAS 50%	62 dB	
LASmin	53.4 dB	LAS 90%	57 dB	
Start Date & Time	11/10/2021 8:23:43 AM	Calibration (Before) Date	11/10/2021 8:20:45 AM	
Duration	00:20:02 HH:MM:SS	Calibration (After) Date	11/10/2021 8:44:22 AM	
LAeq	64.2 dB	Calibration Drift	0.1 dB	
End Date & Time	11/10/2021 8:43:45 AM	Battery Low	No	
Notes				



Noise Job Field Sheet

Name of Project: 2021039 1421 86th Street Rezoning

Project Address: 1421 86th Street Brooklyn, NJ

Date(s) of Field Work: 11/10/2021

Personnel: John Vrabel

Project Specific Scope of Work:

2 x 20-minute locations AM, Midday, PM
Phase I – 10:30 am
Site Contact – Thomas Aellis 718-232-7273

Maximum Billable Hours for the Day: 15

I. Start of Noise Monitoring Day

Departure Time: 5:45 Arrival Time: 7:45

Weather Conditions (temp, wind speed, precipitation): Smny, 60's, low wind

Meter Type: Cesella Meter Serial #: 5086866 Meter Location: 1+2
Meter Type: _____ Meter Serial #: _____ Meter Location: _____
Meter Type: _____ Meter Serial #: _____ Meter Location: _____
*If more locations are needed for a project use a second Field Sheet

Calibrator Serial #: 2383985 Meters used on: 5086866
Calibrator Serial #: _____ Meters used on: _____
Calibrator Serial #: _____ Meters used on: _____
Were Photos Taken of Each Location? (Y) / N *Discuss specific photo instructions w/ Project Manager

**On a separate sheet of paper (field book) make a sketch of the noise meter locations and the distances to nearest wall, fence, building, or other solid surfaces.*

II. Morning Session 7:30 AM – 9:00 AM

Before Measurement:

Meter Serial #: 5086866 Time: 7:58 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: " " Time: 8:20 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: _____ Time: _____ Calibration Passed at 114 dB? Y / N

After Measurement:

Meter Serial #: 5086866 Time: 8:20 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: " " Time: 8:43 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: _____ Time: _____ Calibration Passed at 114 dB? Y / N

*If more locations are needed for a project use a second Field Sheet

Location #	Start Time	End Time
1	8:00	8:20
2	8:23	8:43

*If more locations are needed for a project use a second Field Sheet

Location #	Car	SUV	Medium Truck	Heavy Truck	Bus	Train
1	180	224	26	16	22	—
2	70	73	2	1	2	—

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):

_____

_____

_____

**Please place noise meters in their respective cases between sessions to avoid damage.*

III. Midday Session 12:00 PM – 1:30 PM

Before Measurement:

Meter Serial #: 5086866 Time: 12:00 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: " Time: 12:20 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: _____ Time: _____ Calibration Passed at 114 dB? Y / N

After Measurement:

Meter Serial #: 5086866 Time: 12:20 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: " Time: 12:43 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: _____ Time: _____ Calibration Passed at 114 dB? Y / N
*If more locations are needed for a project use a second Field Sheet

Location #	Start Time	End Time
1	12:00	12:20
2	12:23	12:43

*If more locations are needed for a project use a second Field Sheet

Location #	Car	SUV	Medium Truck	Heavy Truck	Bus	Train
1	170	209	20	12	13	—
2	63	70	3	0	0	—

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):

Please place noise meters in their respective cases between sessions to avoid damage.

IV. Evening Session 4:30 PM – 6:00 PM

Before Measurement:

Meter Serial #: 5086866 Time: 16:30 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: " Time: 16:50 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: _____ Time: _____ Calibration Passed at 114 dB? Y / N

After Measurement:

Meter Serial #: 5086866 Time: 16:50 Calibration Passed at 114 dB? (Y) / N
Meter Serial #: " Time: 17: Calibration Passed at 114 dB? (Y) / N
Meter Serial #: _____ Time: _____ Calibration Passed at 114 dB? Y / N
*If more locations are needed for a project use a second Field Sheet

Location #	Start Time	End Time
1	16:30	16:50
2	16:55	17:15

*If more locations are needed for a project use a second Field Sheet

Location #	Car	SUV	Medium Truck	Heavy Truck	Bus	Train
1	191	245	30	18	20	—
2	80	95	5	1	2	—

*If more locations are needed for a project use a second Field Sheet

Noise Source: please note any loud noises here and time (sirens, garbage truck, etc):

Please place noise meters in their respective cases between sessions to avoid damage.

V. End of Noise Monitoring Day

- Please return all noise meters to their cases.
- Do not return dead batteries to the cases, throw them out.
- Did you take photos? Y / N
- Did you complete the site sketch? Y / N
- If a meter(s) was rented, please scan in calibration documents.

Anything of note/concern for the day: _____

_____

_____

Departure Time: _____ Arrival Time: _____

Total Time to Be Billed: 15

CASELLA

Certificate of Conformity and Calibration

Instrument Model:-	**CEL-633C**		
Serial Number	5086866		
Firmware revision	V006-05		
Microphone Type:-	**CEL-251**	**Preamplifier Type:-**	**CEL-495**
Serial Number	3700	Serial Number	003409
Instrument Class/Type:-	1		

Applicable standards:-

IEC 61672: 2002 / EN 60651 (Electroacoustics - Sound Level Meters)
IEC 60651 1979 (Sound Level Meters), ANSI S1.4: 1983 (Specifications For Sound Level Meters)

Note:- The test sequences performed in this report are in accordance with the current Sound level meter *Standard - IEC61672. The combination of tests performed are considered to confirm the products electro-acoustic performance to all applicable standards including superceeded Sound Level Meter Standards - IEC60651 and IEC60804.*

Test Conditions:-	21 °C	**Test Engineer:-**	Paul Blackwell
	41 %RH	**Date of Issue:-**	July 28, 2021
	1002 mBar		

Declaration of conformity:-

This test certificate confirms that the instrument specified above has been successfully tested to comply with the manufacturer's published specifications. Tests are performed using equipment traceable to national standards in accordance with Casella's ISO 9001:2015 quality procedures. This product is certified as being compliant to the requirements of the CE Directive.

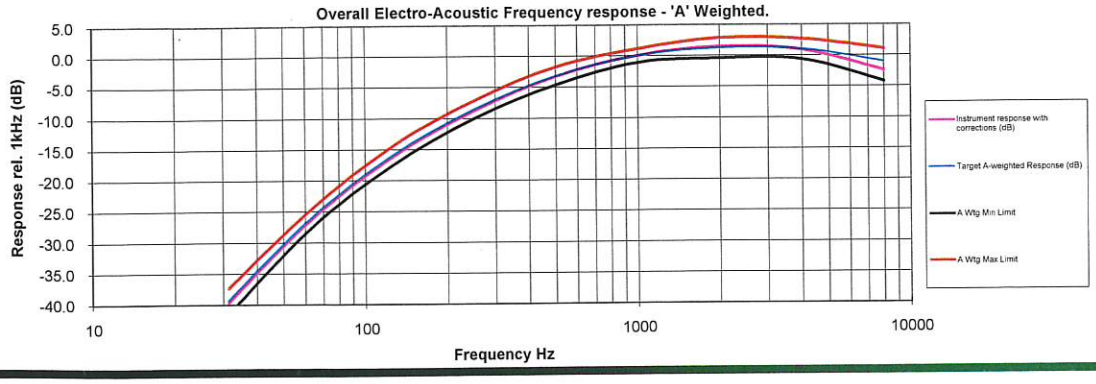
Test Summary:-

Self Generated Noise Test	**All Tests Pass**
Electrical Signal Test Of Frequency Weightings	**All Tests Pass**
Frequency & Time Weightings At 1 kHz	**All Tests Pass**
Level Linearity On The Reference Level Range	**All Tests Pass**
Toneburst Response Test	**All Tests Pass**
C-peak Sound Levels	**All Tests Pass**
Overload Indication	**All Tests Pass**
Acoustic Tests	**All Tests Pass**

Combined Electro-Acoustic Frequency Response - A Weighted

Combined Electro-Acoustic Frequency Response - A Weighted (IEC 61672-3:2006)

The following A-Weighted frequency response graph shows this instruments overall frequency response based upon the application of multi-frequency pressure field calibrations. The microphones Pressure to Free field correction coefficients are applied to pressure response. Reference level taken at 1kHz.



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