

## **TECHNICAL MEMORANDUM**

### **Atlantic Yards Arena and Redevelopment Project**

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#### **A. INTRODUCTION**

In November 2006, the Empire State Development Corporation (ESDC), in cooperation with the Metropolitan Transportation Authority (MTA) and the City of New York (the City), prepared the Final Environmental Impact Statement (FEIS) for the Atlantic Yards Arena and Redevelopment Project (the “approved project”). The approved project was subject to environmental review under the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review (CEQR). With ESDC as the lead agency, the approved project is being implemented pursuant to a General Project Plan (GPP) affirmed by the New York State Urban Development Corporation (UDC), a public benefit corporation of New York State, doing business as ESDC. In December 2006, ESDC adopted its SEQRA findings, pursuant to New York Environmental Conservation Law Article 8, and its implementing regulations adopted by the New York State Department of Environmental Conservation (NYSDEC) and codified at Title 6 of the New York Code of Rules and Regulations (N.Y.C.R.R.) Part 617 (the SEQRA Regulations).

This Technical Memorandum describes a proposed modification to the GPP, changes related to design development, changes to the project’s schedule, and changes in background conditions and analysis methodologies under the *CEQR Technical Manual* and assesses whether the project as currently envisioned would result in any new or different significant adverse environmental impacts not previously identified in the FEIS.

#### **B. PROJECT DESCRIPTION**

##### **2006 FEIS**

The project analyzed in the 2006 FEIS involves the redevelopment of 22 acres in the Atlantic Terminal area of Brooklyn, New York. The project site is roughly bounded by Flatbush and 4th Avenues to the west, Vanderbilt Avenue to the east, Atlantic Avenue to the north, and Dean and Pacific Streets to the south. The project is a land use improvement and civic project of ESDC, and would eliminate blighted conditions in the area by implementing development that would include a new arena for the New Jersey Nets National Basketball Association team, along with commercial office and retail, possible hotel, open space, and residential uses, including affordable housing. The project would also partially relocate, expand, platform over, and improve the MTA/LIRR Vanderbilt Yard (rail yard), which, together with a New York City Transit (NYCT) yard for retired buses, occupies approximately nine acres of the project site. (The buses have been removed since completion of the FEIS.)

The FEIS analyzed two build years: 2010 (Phase I), which included development of the entire program slated for the project site west of 6th Avenue and the new LIRR rail yard; and 2016

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(Phase II), when the buildings at the eastern end of the project site—together with the Phase I development—were anticipated to be developed and occupied. At full build-out, the approved project would comprise the 150-foot-tall arena and 16 other buildings with maximum heights ranging from approximately 184 feet to approximately 620 feet.

The FEIS examined two variations of the project program, reflecting what was anticipated as the range of reasonable worst case development scenarios for the programming of three of the proposed project’s 17 buildings: (1) a residential mixed-use variation containing approximately 336,000 gross square feet (gsf) of commercial office space, 165,000 gsf of hotel use (approximately 180 rooms), 247,000 gsf of retail space, and up to 6.4 million gsf of residential use (approximately 6,430 units); and (2) a commercial mixed-use variation, which would permit more commercial office use in three buildings closest to Downtown Brooklyn and would contain approximately 1.6 million gsf of commercial office space, 247,000 gsf of retail space, and up to approximately 5.3 million gsf of residential use (approximately 5,325 units). Both variations would provide eight acres of publicly accessible open space, with up to one additional acre of private open space on the roof of the arena and an enclosed, publicly accessible Urban Room. Both variations also assumed that community facility uses would occupy portions of the retail and residential space. In addition, both program variations included approximately 3,670 parking spaces (see Table 1 and Figures 1 and 2). Finally, both variations included as part of the project a new subway entrance at the southeast corner of Atlantic and Flatbush Avenues, which would provide direct pedestrian access at the western end of the project site to the Atlantic Avenue/Pacific Street subway complex.

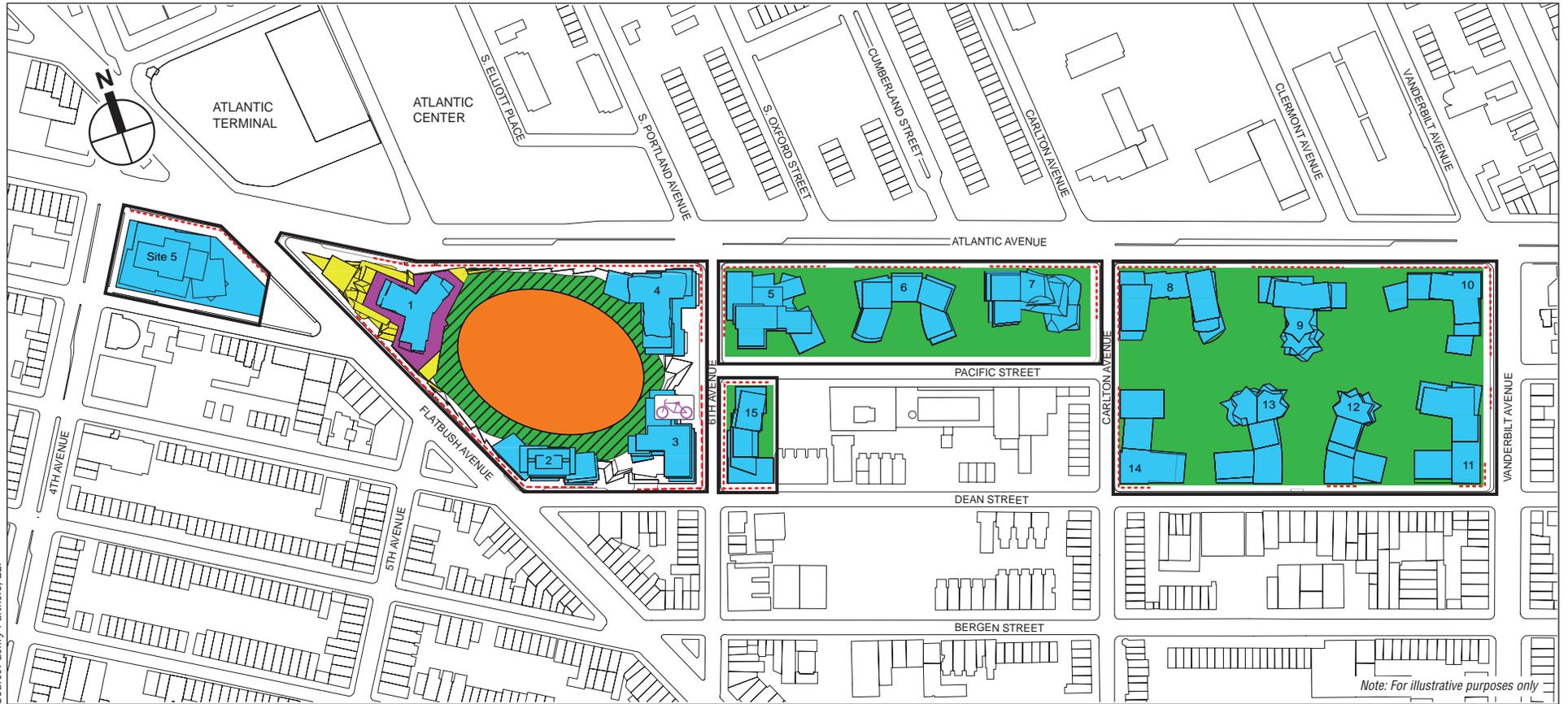
**Table 1**  
**FEIS Residential and Commercial**  
**Mixed-Use Variation Programs for 2010 and 2016**

Proposed Uses <sup>†</sup>	Residential Mixed-Use Variation	Commercial Mixed-Use Variation
<b>Analysis Year: 2010 (Phase I: Development of arena block and Site 5)</b>		
Residential	2,085,000 gsf (2,110 units)	994,000 gsf (1,005 units)
Hotel (180 rooms)	165,000 gsf	0 gsf
Retail	91,000 gsf	91,000 gsf
Commercial	336,000 gsf	1,606,000 gsf
Arena	850,000 gsf	850,000 gsf
Parking (spaces)	2,346 spaces	2,346 spaces
Private Open Space	±1 acres	±1 acres
Publicly Accessible Open Space	0 acres	0 acres
<b>Analysis Year: 2016 (Phase I and Phase II: Full Build-Out)</b>		
Residential <sup>1</sup>	6,363,000 gsf (6,430 units)	5,272,000 gsf (5,325 units)
Hotel (180 rooms)	165,000 gsf	0 gsf
Retail <sup>1</sup>	247,000 gsf	247,000 gsf
Commercial	336,000 gsf	1,606,000 gsf
Arena	850,000 gsf	850,000 gsf
Parking (spaces)	3,670 spaces	3,670 spaces
Private Open Space	±1 acres	±1 acres
Publicly Accessible Open Space	8 acres	8 acres
<b>Notes:</b>		
<sup>1</sup> A portion of the retail and residential space is expected to house community facilities.		
<sup>†</sup> An additional 100,000 gsf, not included in this table, may be built for a public school at the project site.		

Phase I

Phase II

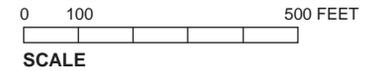
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Source: Gehry Partners, LLP

- Project Site Boundary
- Arena
- Residential Building
- Commercial Building
- Publicly Accessible Open Space
- Arena Rooftop-Private Open Space
- Hotel

- Street-Level Retail
- Bicycle Station

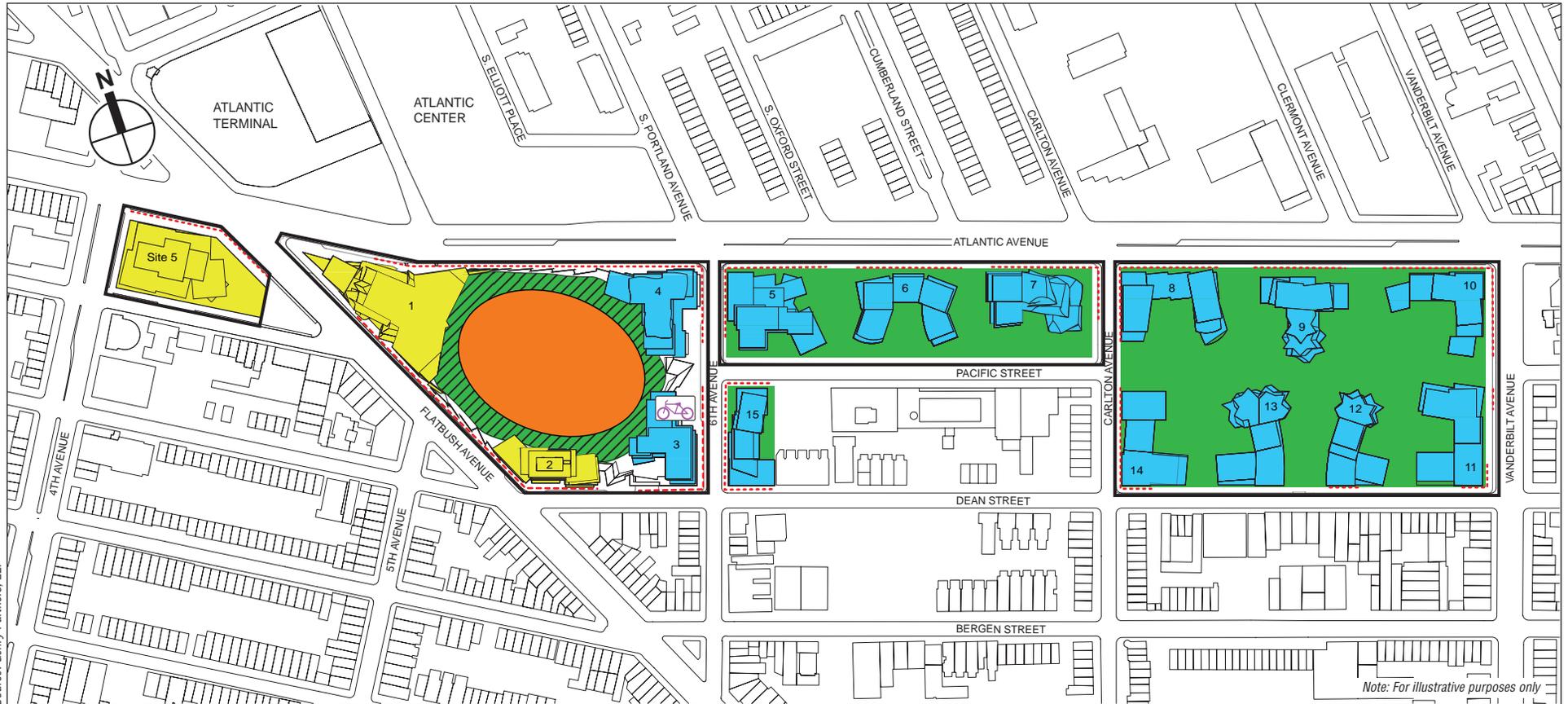


Note: For illustrative purposes only

Phase I

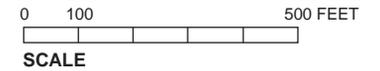
Phase II

5.28.09



Source: Gehry Partners, LLP

- Project Site Boundary
- Street-Level Retail
- Arena
- Residential Building
- Commercial Building
- Publicly Accessible Open Space
- Arena Rooftop-Private Open Space
- Bicycle Station



Note: For illustrative purposes only

The project as described in the FEIS also would include several roadway and pedestrian circulation changes near the project site: (1) Pacific Street between Flatbush and 6th Avenues, and 5th Avenue between Flatbush and Atlantic Avenues, would be closed to vehicular traffic to accommodate the arena, the Urban Room (the glass-enclosed, publicly-accessible space within Building 1 at the southeast corner of Flatbush and Atlantic Avenues), and a direct below-grade connection from the Urban Room to the Atlantic Avenue/Pacific Street subway complex; (2) Pacific Street between Vanderbilt and Carlton Avenues would be closed to vehicular traffic; (3) sidewalks along Flatbush Avenue between Atlantic Avenue and Dean Street would be set back to provide a lay-by lane for vehicles discharging and picking up passengers; (4) sidewalks along Atlantic Avenue between Flatbush and 6th Avenues would be set back to provide a lay-by lane along the south curb of Atlantic Avenue adjacent to the arena block and the street would be reconfigured to provide three eastbound through-lanes and four westbound lanes west of Fort Greene Place, and three travel lanes and a single 10-foot wide parking lane in each direction; (5) 6th Avenue between Atlantic and Flatbush Avenues would be converted to two-way operation, the roadway between Pacific Street and Flatbush Avenue would be widened by reducing the width of the sidewalks, and a lay-by lane between Atlantic Avenue and Dean Street would be provided; (6) Pacific Street between 6th and Carlton Avenues would be widened; and (7) wide sidewalks would be provided along the south side of Atlantic Avenue between Flatbush and Vanderbilt Avenues and the east side of Flatbush Avenue between Atlantic Avenue and Dean Street by setting the proposed buildings back from the street line.

## **PROJECT STATUS**

Since final approval of the project in December 2006, a number of project-related construction tasks have been undertaken, including abatement and demolition work on certain project parcels under the control of the project sponsor or the MTA/LIRR. Remediation on several of the project sites, including the MTA/LIRR rail yard, has begun. Construction of the temporary MTA/LIRR rail yard has commenced, including excavation and installation work on the eastern portion of the yard (Blocks 1120 and 1121). Closure and dismantling of the Carlton Avenue Bridge started in January 2008 to accommodate the reconfigured rail yard. Several public infrastructure improvements have also begun, including the upgrade of water and sewer installations along Flatbush Avenue, Dean Street, and 6th Avenue bordering the arena block. Private utility work, including below-grade improvements for Con Edison, Verizon, Time Warner Cable, and National Grid services, commenced in June 2008. Two bus stops—the northbound B67 bus stop on the east side of Flatbush Avenue between Atlantic Avenue and Pacific Street, and the B65 bus stop on Dean Street at the east side of Flatbush Avenue—have been relocated until the completion of the utility and private infrastructure upgrades. The project sponsor also has begun implementing mitigation measures including installation of double-glazed or storm windows and air conditioning units to the affected residences (as identified in the FEIS), to mitigate the project's noise impacts during construction.

## **C. DESCRIPTION OF CHANGES AND MODIFICATIONS**

### **GENERAL PROJECT PLAN MODIFICATION**

A modification to the GPP is proposed to allow for the acquisition of property in two phases, rather than one phase as detailed in the FEIS. The first round of acquisition would occur towards the end of 2009 and would encompass the arena block including the streetbeds to be closed, Block 1129, Pacific Street between Vanderbilt and Carlton Avenues, Lots 42 and 47 on Block

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1121, and, if necessary for the construction and operation of the LIRR rail yard, easements or other property interests in Lot 35 on Block 1120 and possibly a small number of additional lots included in the project site. The second round would occur towards the end of 2011 and would encompass the remainder of the project site.

The GPP also would be modified to reflect the commitment by the project sponsor to assess project-generated day care enrollment and capacity as the project progresses, as explained in greater detail below.

Certain other changes to the GPP would affect the business terms, but would not have the potential to affect environmental conditions (see proposed 2009 Modified GPP). There are no modifications proposed to the Design Guidelines.

### **DESIGN DEVELOPMENT**

As project planning has progressed, the project sponsor has further developed the design of certain buildings and eliminated certain project elements. This design development would affect the arena block and, to a lesser extent, Block 1129. None of the proposed uses of the project buildings would change; in addition, they would all still need to conform with the Design Guidelines detailed in the GPP and the principal exterior materials of the building would remain the same. The program, design, configuration, and uses of the proposed buildings on other blocks would not change. The changes are as follows:

- The height of **Building 1** would be reduced so that this structure would match the height of the nearby Williamsburgh Savings Bank building. The height of Building 1 would decrease from 620 feet to 511 feet.
- The design of the **arena façade** would be altered from the description in the FEIS to a more traditional design that incorporates a mixture of glass, masonry, and metal panels. In addition, the footprint of the arena would be slightly smaller compared to the description in the FEIS, and have a more efficient below-grade configuration. The area of the glass would be decreased from the images shown in the FEIS and the footprint would be slightly different; however, the design of the arena would conform to the GPP Design Guidelines and it would still be possible to see into the arena from certain vantage points in the surrounding area, including along Flatbush Avenue (see Figures 3a and 3b).
- As described in the FEIS, the project was anticipated to require the demolition and rebuilding of the **6th Avenue Bridge** between Atlantic Avenue and Pacific Street, to allow the arena's loading dock to extend below the bridge as well as to accommodate the LIRR's drill track. The arena's loading dock would now be redesigned to stay within the arena block footprint, and the LIRR drill track would be relocated partially off the arena block. Accordingly, the 6th Avenue Bridge would not need to be demolished.
- Due to the reconfiguration of below-grade space on the arena block, up to 100 spaces of **parking** that would have been provided under Building 2 of the arena block would be relocated to Block 1129. Initially, these parking spaces would be part of an interim parking facility on Block 1129. When Block 1129 is fully built out, this parking would be located in a below-grade facility.
- The **arena roof** would not incorporate stormwater detention tanks, a green roof, or rooftop private open space. Instead, the detention tanks would be located in the base of the arena and enlarged to accommodate the additional stormwater load associated with the elimination of the green roof.



NOTE: Figure does not include signage, which will conform to Design Guidelines

FOR ILLUSTRATIVE PURPOSES ONLY



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FOR ILLUSTRATIVE PURPOSES ONLY

- **Heating systems** for the arena block would be decentralized, with the arena and each of the surrounding buildings on the arena block having individual HVAC and microturbine/distributed power systems. The arena boiler exhaust would be vented through a single stack located on the roof of Building 2.
- As stated in the project description in the FEIS and the GPP, the project will include a reconfigured and partially relocated yard to address the current and future needs of the **LIRR**. The proposed design for the yard would have seven tracks, compared to the nine described in the FEIS, and the drill track would be moved partially off of the arena block. The permanent yard would include the principal improvements described in the FEIS and GPP and would fully meet the operational needs and specifications of the LIRR. These improvements would include new switches and signals; the West Portal; a drill track; permanent storage tracks capable of storing MU series trains; a new electrical substation; the Central Instrument Location (CIL); toileting manifolds; employee facilities; and employee, truck and equipment parking.
- The **VIP entry** to the arena would be relocated to Atlantic Avenue, although an entrance from Dean Street would remain.
- The north **crosswalk** along Carlton Avenue at Dean Street and the north crosswalk along 6th Avenue at Dean Street would each be widened by one foot, compared to the design analyzed in the FEIS.
- As described in the FEIS (and as shown in Figure 4), it was proposed that the east sidewalk along northbound Flatbush Avenue on the arena block would be set back between Dean Street and Atlantic Avenue to provide for a 10-foot-wide lay-by lane along the east curb to accommodate pick-up/drop-off and loading/unloading activity adjacent to the arena. The **Flatbush Avenue lay-by lane** described in the FEIS had two lay-by sections: a northern section just south of Atlantic Avenue that included a bus stop and approximately eight parking spaces, and a southern section just north of Dean Street with approximately six parking spaces. Construction of these two lay-by sections would require the relocation and reconstruction of a series of existing subway vents along Flatbush Avenue between Dean Street and Atlantic Avenue. Due to the complexity in relocating these vents, a modified design for the lay-by lane entails the relocation of a smaller portion of the existing subway vents. As shown in Figure 5, the lay-by lane just south of Atlantic Avenue would remain unchanged, however, there would be no lay-by lane created along northbound Flatbush Avenue between 5th Avenue and Dean Street. The lay-by lanes on the other three sides of the arena block would not change.

Additionally, the Urban Room subway entrance may be reconfigured from what was analyzed in the FEIS. The illustrative transit connection design shown in the FEIS consisted of two 48-inch escalators each paired with a 9-foot-wide stair. Based on a more recent design developed in consultation with MTA/New York City Transit (NYCT), this configuration may be revised to group the two escalators together with a single, approximately 25-foot-wide stair. (Under both designs, a new elevator for ADA access would also be provided.) Overall, the total vertical circulation capacity of this revised configuration would be greater than the design analyzed in the FEIS.

#### **SCHEDULE CHANGE TO 2019**

The anticipated year of completion for Phase I of the project has been extended from 2010 to 2014 due to delays in the commencement of construction on the arena block. The anticipated