DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

February 23, 2021

Kent Member, LLC
c/o Ray Levin
Herrick, Feinstein LLP
Two Park Avenue
New York, NY, 10016

Re: 500 Kent Avenue
CEQR No. 21DCP139K
ULURP Nos. Pending
Positive Declaration

Dear Mr. Levin:

Under City Environmental Quality Review, it is required that if the lead agency determines that a proposed actions may have a significant effect on the environment, it shall issue a Positive Declaration and request that the applicant prepare a Draft Environmental Impact Statement.

Based upon review, the Department of City Planning, acting on behalf of the City Planning Commission as CEQR lead agency, has found that the proposed actions fall within this category and that an Environmental Impact Statement (EIS) will be required. Accordingly, enclosed is the Positive Declaration for CEQR No. 21DCP139K, 500 Kent Avenue.

A public scoping meeting has been scheduled for Thursday, March 25, 2021 at 2:00pm. In support of the City's efforts to contain the spread of COVID-19, DCP will hold the public scoping meeting remotely. Written comments will be accepted by the lead agency until the close of business on Monday, April 5, 2021.

Enclosed are the Environmental Assessment Statement, Positive Declaration, Draft Scope of Work, and Public Notice of a Scoping Meeting.

Olga Abinader, *Director*
120 Broadway, 31st Floor, New York, NY 10271
(212) 720-3493 FAX (212) 720-3495
oabinad@planning.nyc.gov

If you have any questions regarding this application, please contact me at (212) 720-3328.

Sincerely,

Stephanie Shellooe, Deputy Director
Environmental Assessment and Review Division
New York City Department of City Planning

cc:

Marisa Lago, Chair
City Planning Commissioners
Eric L. Adams, Brooklyn Borough President
Lenue H. Singletary III, Chair, Community Board 2, Brooklyn
District Manager, Community Board 2, Brooklyn
Raju Mann, City Council
Stephen Levin, New York City Council, 33rd District
Terrell Estesen, DEP
Gina Santucci, LPC
Colleen Alderson, DPR
David Cuff, DPR
Shakil Ahmed, DOT
Susan Amron
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POSITIVE DECLARATION

Project Identification
500 Kent Avenue
CEQR No. 21DCP139K
ULURP Nos. Pending
SEQRA Classification: Type I

Lead Agency
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271
Contact: Olga Abinader
(212) 720-3493

Name, Description and Location of Proposal:

500 Kent Avenue
The Applicant, Kent Member LLC (the "Applicant") is seeking the approval of four discretionary actions including zoning map amendment, special permit related to waterfront zoning regulations, special permit related to parking, and waterfront zoning authorization. The proposed development, located at 500 Kent Avenue (Block 2023, Lot 10, the "Project Site") in the South Williamsburg neighborhood of Brooklyn Community District 2, would be a new 23-story, approximately 757,431-gross-square-foot (gsf) commercial building, comprised of: 593,435gross square feet (gsf) of office space, 20,476 gsf of retail, and 143,520 gsf of below-grade parking space. The development would provide 37,233 sf of publicly-accessible waterfront open space along Wallabout Channel. It would be 350 feet tall (roof height) with mechanical bulkheads reaching a maximum height of approximately 365 feet.

Specifically, the Proposed Actions include:

- A zoning map amendment (Zoning Sectional Map 12d) approval by the CPC to change the zoning in the Proposed Rezoning Area from the existing M3-1 heavy manufacturing zoning district to an M1-5 light manufacturing zoning district;
- A Special Permit approval by the CPC pursuant to Zoning Resolution (ZR) 62-837 to modify various waterfront bulk requirements contained in sub-sections of ZR 62-341, including: (i) initial setback distance, (ii) maximum base height, (iii) maximum building height, (iv) maximum width of wall facing shoreline, and (v) permitted obstruction lot coverage requirement for penthouses;
- A Special Permit pursuant to ZR 74-512 to allow a below-grade public parking garage so that the site can fully accommodate the project-generated peak parking demand;

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- A Waterfront Zoning Authorization pursuant to ZR 62-822(b) to allow modification of ZR 62-62 (c)(1) planting area requirements.

The project is also seeking a non-discretionary Waterfront Zoning Certification by the CPC pursuant to ZR 62-81 to demonstrate compliance with other applicable visual corridor and waterfront public access regulations. All of these approvals would only apply to the Project Site.

Absent the Proposed Actions, the Project Site would expect to be developed on an as-of-right basis under the existing M3-1 zoning district. The No-action development would have an FAR of 2.00 (1.5 FAR of warehouse use and 0.5 FAR of office space) and be 74 feet tall (roof height) with four stories. The Project Site would be occupied by approximately 312,599 gsf, including 58,000 gsf of office space, 181,401 gsf of warehouse space, and 73,198 gsf of accessory parking. In terms of zoning floor area, it would have 57,622 zsf of office space and 172,866 zsf of warehouse space. As the No-Action development would be predominantly Use Group 16d warehouse, the Project Site will be exempt from waterfront public access area and visual corridor requirements and therefore no on-site public open space would be provided. The Project Site would provide 279 accessory parking spaces on the first and mezzanine floors, meeting the minimum requirement that the site provide 1 space per 300 zsf of office space and 1 space per 2,000 zsf of warehouse space.

The Proposed Actions would result in an incremental increase of 535,435 gsf of office space, 20,476 gsf of retail space, and 196 off-street public parking spaces, as well as a net reduction of approximately 181,401 gsf of warehouse space and 279 off-street accessory parking spaces (a net decrease of 83 parking spaces and a switch from accessory to public parking). There would be a net increase of approximately 37,233 sf of waterfront public open space. The With-Action Scenario building would be approximately 276 feet taller than the No-Action Scenario building. The incremental change in workers that would result from the Proposed Actions is the net addition of 2,022 workers.

The Analysis Year for the Proposed Actions is 2024.

Statement of Significant Effect:
On behalf of the CPC, the Environmental Assessment and Review Division has determined, pursuant to 6 NYCRR Part 617.7, that the proposed actions may have a significant effect on the quality of the environment as detailed in the following environmental impacts, and that an environmental impact statement will be required: land use, zoning and public policy; socioeconomic conditions; open space; shadows; historic and cultural resources; urban design and visual resources; natural resources; hazardous materials; water and sewer infrastructure; transportation; air quality; greenhouse gas emissions; noise; public health; neighborhood character; and construction.

The proposed actions would not have significant adverse impacts related to community facilities; solid waste and sanitation services; and energy.

Supporting Statement:
The above determination is based on an Environmental Assessment Statement prepared for the action which finds that:

1. Land Use, Zoning and Public Policy – The proposed actions would result in new land uses and a change in zoning. The Project Site is within the Coastal Zone boundary and will require a consistency assessment with the NYC Waterfront Revitalization Program (WRP).

2. Socioeconomic Conditions – The Proposed Actions would introduce more than 200,000 square feet (sf) of new commercial uses to the Project Site, and could result in indirect business and institutional displacement.

3. Community Facilities – The proposed action would not introduce new residential dwelling units would not increase demand at public schools, publicly funded child care facilities, libraries, or police and fire services or health care facilities.

4. Open Space – The proposed actions would introduce new worker populations that could increase demand for use of publicly accessible spaces.

5. Shadows – The proposed action would introduce a building of a maximum height of 350 feet in the vicinity of nearby sunlight sensitive resources, including the East River.

6. Historic and Cultural Resources – The proposed action could result in new construction within close proximity to known architectural and archaeological resources.

7. Urban Design and Visual Resources – The proposed action could result in physical changes to the Project Site beyond the bulk and form currently permitted as-of-right. These proposed changes could affect a pedestrian's experience of public space.

8. Natural Resources – The proposed actions would result in construction on a site adjacent to a natural resource.

9. Hazardous Materials – The proposed action could result in new construction and in-ground disturbance within the affected area, which has a documented history of hazardous materials conditions.

10. Water and Sewer Infrastructure – The proposed action would result in an incremental increase of 150,000 square feet of commercial space in a combined sewer area in Brooklyn.

11. Solid Waste and Sanitation Services – The proposed actions would not have the potential to generate 50 tons or more of solid waste per week and would not involve a reduction of capacity at a solid waste management facility.

12. Energy – The proposed Actions would not affect the transmission or generation of energy. Although significant adverse energy impacts are not anticipated for the Proposed Actions, the EIS will disclose the projected amount of energy consumption during long-term operation resulting from the RWCDS.

13. Transportation – The proposed action would generate vehicular traffic and increase demand for parking, pedestrian traffic and subway and bus riders.

14. Air Quality – The Proposed Actions would have the potential to create new mobile and stationary sources of pollutants and introduce new emissions stacks so that changes in the dispersion of emissions from the stacks may affect surrounding uses.

15. Greenhouse Gas Emissions – The proposed actions could generate greenhouse gas emissions.

16. Noise –The Proposed Actions would introduce new noise-sensitive receptors in an area with existing high ambient noise levels.

17. Public Health – The proposed action could result in effects related to air quality, hazardous materials or noise, and consequently public health may be affected.

18. Neighborhood Character – The proposed action could affect socioeconomic conditions, urban design and visual resources, historic and cultural resources, transportation and noise; consequently, the affected area's neighborhood character may be affected.

19. Construction – Potential significant adverse impacts related to architectural resources and transportation, air quality, noise, hazardous materials and natural resources could also result in construction impacts.

Public Scoping:
The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting has been scheduled for Thursday, March 25, 2021 at 2:00 PM. In support of the City's efforts to contain the spread of COVID-19, DCP will hold the public scoping meeting remotely. To join the meeting and comment, please visit NYC Engage (https://www1.nyc.gov/site/nycengage/events/index.page). Written comments will be accepted by the lead agency through Monday, April 5, 2021.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Should you have any questions pertaining to this Positive Declaration, you may contact me at (212) 720-3328.

Stephanie Shellooe, Deputy Director
Environmental Assessment & Review Division
New York City Department of City Planning

February 23, 2021
Date