Chapter 1: Project Description

A. INTRODUCTION

The applicant, 307 Kent Associates (the Applicant), proposes the construction of a mixed-use office, community facility, and retail building (the Proposed Project) at 307 Kent Avenue (Block 2415, Lot 1, Projected Development Site 1), a site controlled by the applicant in the Williamsburg neighborhood of Brooklyn, Community District 1 (see **Figure 1-1**). To facilitate the Proposed Project, the applicant is requesting a zoning map amendment from the New York City Planning Commission (CPC) in order to rezone the western portion of Block 2415 around the Proposed Project, including Block 2415, Lots 1, 6, 10, 7501, 7502, and a portion of (p/o) Lots 16 and 38 (the Rezoning Area), from M3-1 to M1-5 and MX-8 (M1-4/R6A), as well as a text amendment to Map 2 for Community District 1, Brooklyn within Appendix F of the Zoning Resolution to remove a portion of the Rezoning Area from the "Excluded Area" shown on this map in order to establish a Mandatory Inclusionary Housing (MIH) area and to make MIH regulations applicable (see **Figure 1-2**). Collectively, the proposed zoning map amendment and zoning text amendment represent the Proposed Actions. Together, the lots identified within the Rezoning Area compose the Project Area.

The Proposed Actions would facilitate the development of a nine-story mixed-use building on Projected Development Site 1. The Proposed Project would require the demolition of the existing single-story warehouse building located on the site, to be followed by the construction of the new mixed-use building. The Proposed Project on Projected Development Site 1 would contain up to approximately 101,000 gross square feet (gsf), including up to 70,000 gsf of office uses, up to 22,000 gsf of community facility uses, and up to 9,000 gsf of retail uses, (the proposed M1-5 district encourages commercial and light industrial uses, and manufacturing uses would be subject to stringent performance standards consistent with the mixed-use character of the neighborhood). For the purposes of the City Environmental Quality Review (CEQR) analyses, a portion of the 70,000 gsf commercial uses are assumed to be light industrial in order to present a conservative analysis for certain technical areas, such as Air Quality, and a portion is assumed to be office in order to present a more conservative analysis in other technical areas, such as Transportation.) It is estimated that the Proposed Project would be completed by 2023, identified as the analysis year for this Draft Environmental Impact Statement (DEIS).

The Proposed Actions could result in additional development within the Project Area beyond what is proposed by the applicant for Block 2415, Lot 1. Based on the proposed rezoning, market and site conditions, and consultation with the Department of City Planning (DCP), Block 2415, Lot 6, which is neither owned nor controlled by the Applicant, could also be redeveloped by the proposed analysis year, and therefore this site is analyzed in this EIS as Projected Development Site 2. Block 2415, Lots 10, 7501, and 7502 are under Board of Standards and Appeals (BSA) jurisdiction per a 2003 BSA resolution (BSA Cal. No 102-03-BZ), which granted a variance for the development of three buildings that have subsequently been completed. As these lots remain under BSA jurisdiction, any redevelopment or enlargement of the existing buildings on these lots under the

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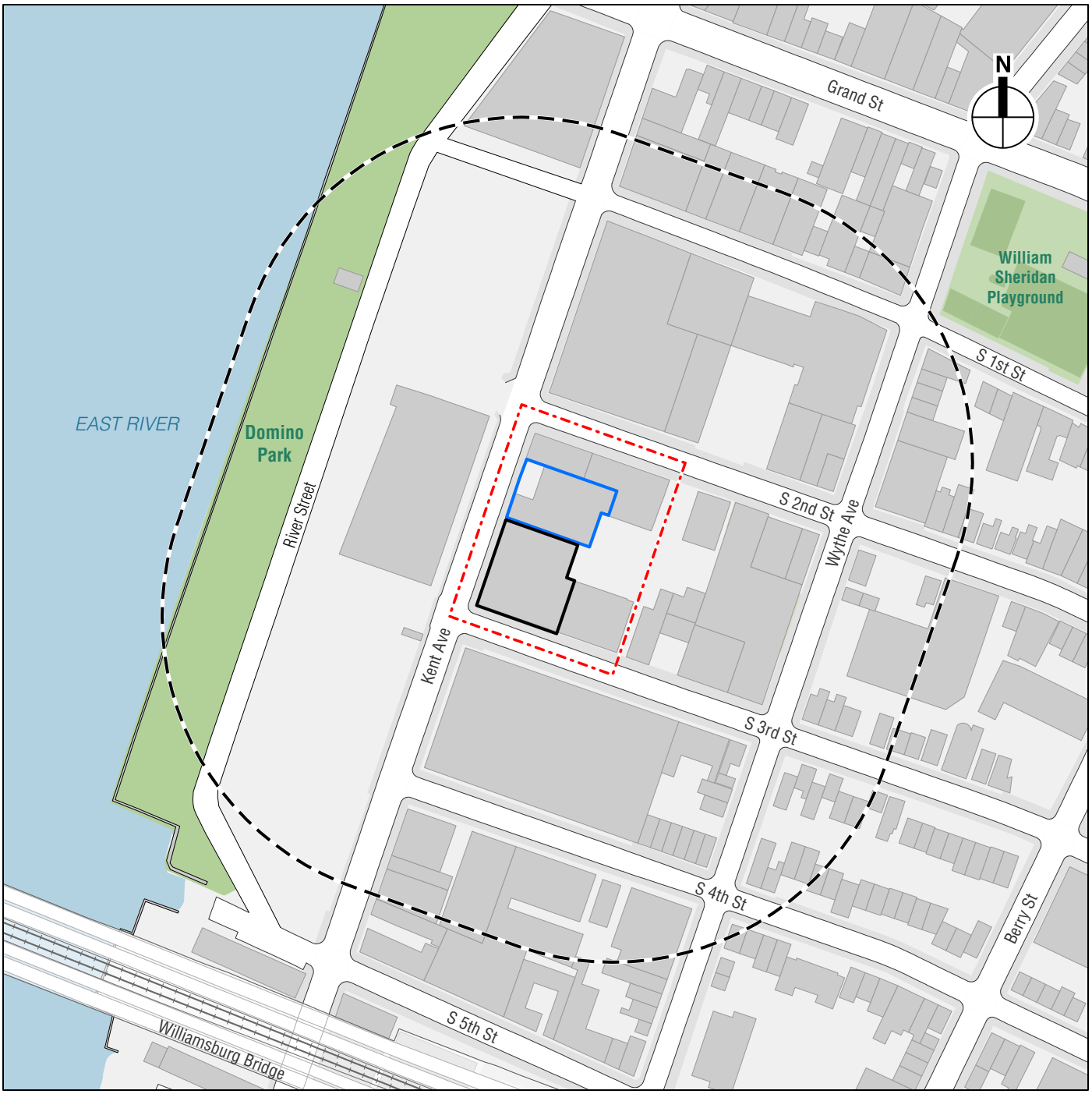


Project Area (Proposed Rezoning Area)

Projected Development Site 1

Projected Development Site 2

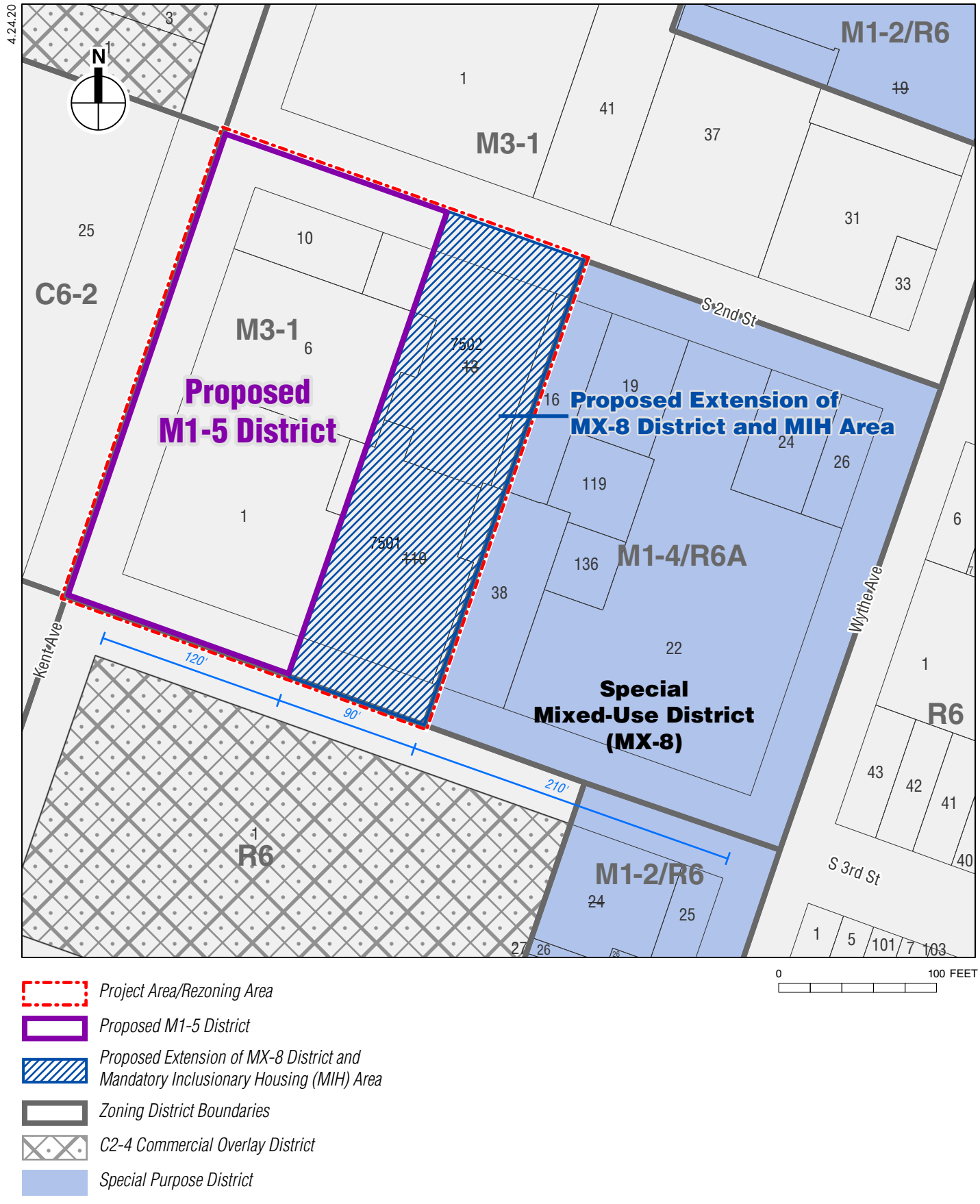
Study Area (400-foot perimeter)



Project Location

307 KENT AVENUE

Figure 1-1



Proposed Zoning

307 KENT AVENUE

Figure 1-2

proposed rezoning would be contingent upon a further discretionary BSA approval process separate from the Proposed Actions. Similarly, the potential transfer of additional excess development rights from these lots to Projected Development Sites 1 and/or 2 would also be contingent upon a further discretionary BSA approval process. Therefore, the transfer of any excess development rights is not reasonably considered as part of this EIS.

B. AREA AFFECTED BY THE PROPOSED ACTIONS

The Project Area, coterminous with the Rezoning Area, totals 50,767 sf and is composed of seven tax lots (see **Figure 1-3**):

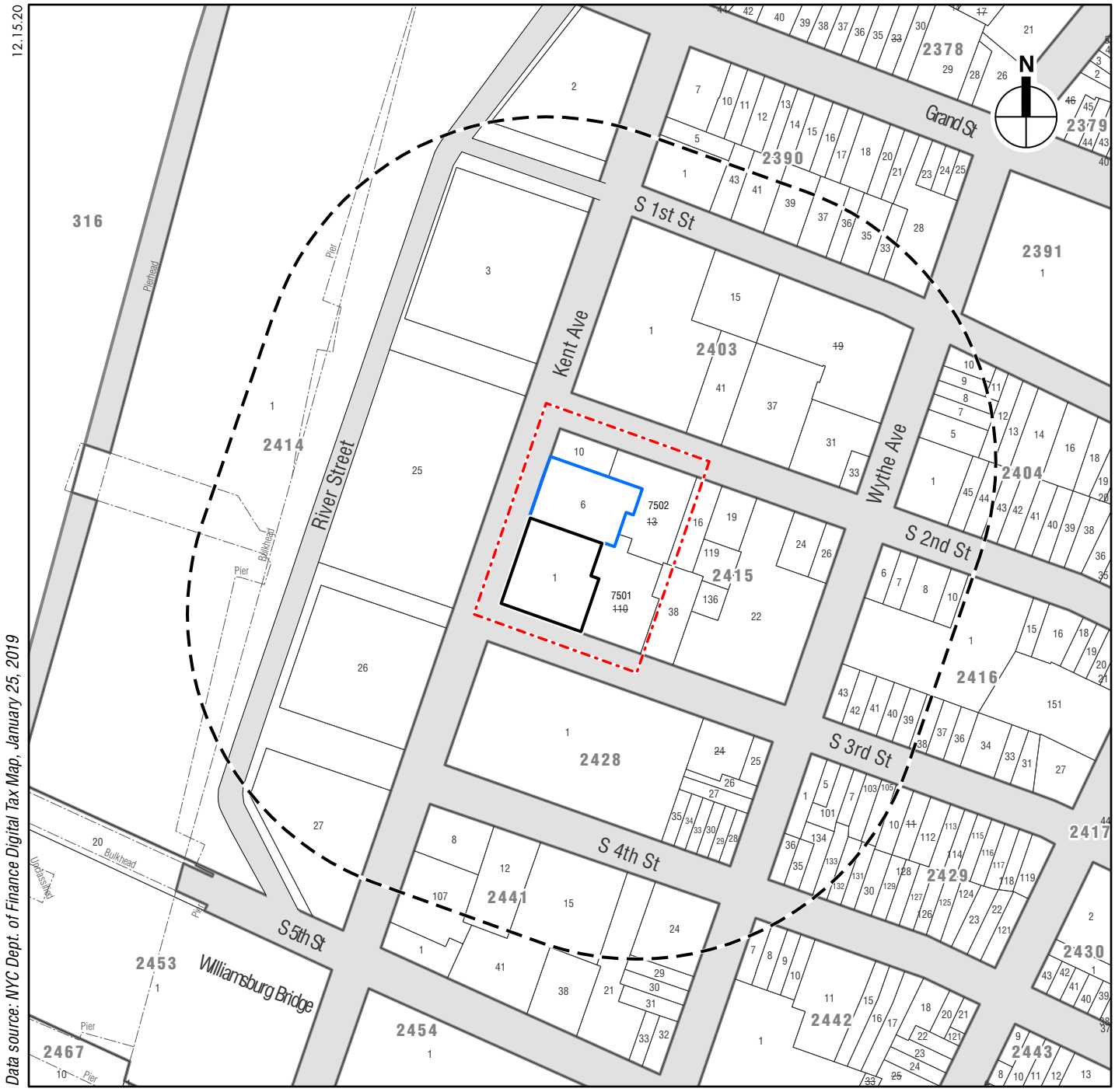
- Block 2415, Lot 1 (Projected Development Site 1);
- Block 2415, Lot 6 (Projected Development Site 2);
- Block 2415, Lot 10;
- Block 2415, Lot 7501;
- Block 2415, Lot 7502;
- Block 2415, p/o Lot 16; and
- Block 2415, p/o Lot 38.

The Project Area, located within an M3-1 zoning district, includes a mix of single- and multi-story residential, commercial, retail, and warehouse uses. Projected Development Site 1 (Block 2415, Lot 1), which is 14,425 sf in size, is currently occupied by a 15,296-gsf single-story warehouse with a mezzanine. The existing warehouse on Projected Development Site 1 is occupied by Villain, a warehouse/production event space. Lot 6 (Projected Development Site 2) is a 11,330 sf lot occupied by a single-story warehouse. Lot 10 (3,206 sf) is occupied by a vacant single-story commercial building formerly containing a restaurant and Lots 7501 (9,374 sf) and 7502 (10,200 sf) are occupied by two four-story residential condominium buildings. Lot 16 (5,000 sf) currently contains a private accessory parking lot associated with an adjacent daycare use at 56 South 2nd Street, while Lot 38 (6,525 sf) contains a four-story residential walk-up with ground floor retail. The westernmost approximately 9-foot portion of Lot 16 and approximately 4- to 15-foot portion of Lot 38 would be affected by the proposed rezoning.

C. PROPOSED ACTIONS

The applicant is seeking a zoning map amendment to Zoning Map Section 12d, to rezone a portion of Block 2415 to a depth of 120 feet from Kent Avenue from M3-1 to M1-5, affecting Lots 1, 10, and portions of Lots 6, 7501, and 7502. M3-1 districts are intended for heavy manufacturing uses while also permitting commercial uses, allow up to 2.0 FAR of either use, buildings up to 60 feet in height before setback, and require parking at a rate of one space per 300 sf of retail and service uses or one space per 1,000 to 2,000 sf of industrial and manufacturing uses. The M1-5 district proposed to replace it is a light manufacturing district (with industrial uses subject to M1 performance standards), which also permits commercial uses. Up to 5.0 FAR is permitted for light manufacturing and commercial uses, with an additional 1.5 FAR available for community facility uses.[1] Unlike M3-1 districts, no accessory parking is required. Heights in M1-5 districts are governed by a sky exposure plane beginning at 85 feet above the street line.

[1] Community facility uses in M1 districts are generally limited to UG 4.



Project Area (Proposed Rezoning Area)

Projected Development Site 1

Projected Development Site 2

Study Area (400-foot perimeter)

Tax Lot Boundary

Tax Block Boundary

Other Boundary

307 KENT AVENUE

Tax Map

Figure 1-3

In addition to the rezoning from M3-1 to M1-5 described above, the existing MX-8 (M1-4/R6A) district covering the eastern half of the block would be extended westward by 90 feet to meet the boundary of the proposed M1-5 district, rezoning portions of Lots 6, 16, 38, 7501, and 7502 from M3-1 to MX-8 (M1-4/R6A), thereby regularizing zoning on the project block. MX-8 (M1-4/R6A) districts are mixed-use districts pairing M1 light manufacturing districts with a residential district (in this case R6A). Where MIH applies, as would be the case under the Proposed Actions, 3.6 FAR of residential use, 3.0 FAR of community facility use, and 2.0 FAR of light manufacturing and commercial uses are permitted in the MX-8 (M1-4/R6A). Buildings in the district can be up to 70 feet tall (85 feet with MIH where a qualifying ground floor is provided), with a minimum/maximum base height of 40/60 feet above which a setback is required (65 feet with MIH where a qualifying ground floor is provided). No parking is required for non-residential uses but parking is required for 50 percent of market rate DUs (no parking is required for income restricted dwelling units due to the Project Area's location within the Transit Zone as shown on Appendix I of the Zoning Resolution).

A text amendment to Map 2 for Community District 1, Brooklyn within Appendix F of the Zoning Resolution is also necessary to remove a 90-foot wide portion of the Subject Block from the "Excluded Area" shown on Map 2 in order to make MIH regulations applicable for the proposed MX-8 (M1-4/R6A) rezoning area (see **Figure 1-2**).

An (E) designation would also be mapped on the Projected Development Site s to prevent any potential significant adverse impacts to hazardous materials, air quality, and noise resulting from the potential redevelopment of these sites and would be overseen by the New York City Office of Environmental Remediation (OER). The (E) Designation requirements for hazardous materials would be mapped on Projected Development Site 2 to impose pre- and post-construction measures, such as mandating an approved construction health and safety plan, that are necessary to prevent impacts from hazardous materials resulting from new construction. For Projected Development Site 1, the Applicant will commit to implementing the Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP), which are anticipated to be approved by the NYC Department of Environmental Protection (DEP) in advance of the issuance of the Final Environmental Impact Statement (FEIS), and would ensure the RAP/CHASP requirements were incorporated into the construction and development. The (E) Designation requirements for air quality would be mapped on both Projected Development Sites 1 and 2, mandating the use of natural gas, low NO_x burners, and specific stack heights and locations for new construction that are necessary to prevent impacts to air quality from new construction. The (E) Designation requirements for noise would be mapped on Projected Development Sites 1 and 2, mandating specific levels of window/wall attenuation and alternate means of ventilation for new construction. The Proposed Actions have also been assessed for consistency with the City's Waterfront Revitalization Program and determined to be so (see **Appendix A**).

D. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

The Proposed Actions are necessary to allow the proposed building and its mix of uses, which would bring more diverse uses to the area and meet the demands of the surrounding growing neighborhood, which continues to transform from a manufacturing area to a mixed-use area. The proposed zoning map amendment would convert a portion of the existing M3-1 zoning district to M1-5 (affecting Lots 1, 10, and portions of 6, 7501, and 7502); and extend the existing MX-8 (M1-4/R6A) boundary (affecting portions of Lots 6, 16, 38, 7501, and 7502). The proposed M1-5 district encourages commercial and light industrial use at a higher floor to area ratio (FAR) of

5.0 FAR (6.5 including 1.5 FAR of community facility uses) than currently allowed by the existing M3-1 district (2.0 FAR), and like the M3-1 district, the proposed M1-5 district would continue to prohibit residential use. As the existing MX-8 district is being extended, a text amendment to Map 2 for Community District 1, Brooklyn within Appendix F of the Zoning Resolution is also necessary to remove this 90-foot wide portion of the Subject Block from the "Excluded Area" shown on this map in order to establish a Mandatory Inclusionary Housing (MIH) area and to make MIH regulations applicable for the area that is proposed as MX-8 (M1-4/R6A). MIH is required due to the increase in effective residential FAR, a use not previously permitted, that would result from the extension of the MX-8 (M1-4/R6A) district under the Proposed Actions. MIH would be applicable only to new development or enlargements, and, as recently constructed and converted residential uses exist on the portion of the block in question, no new affordable housing is anticipated as a result of this text amendment. The proposed zoning map amendment and zoning text amendment collectively represent the Proposed Actions.

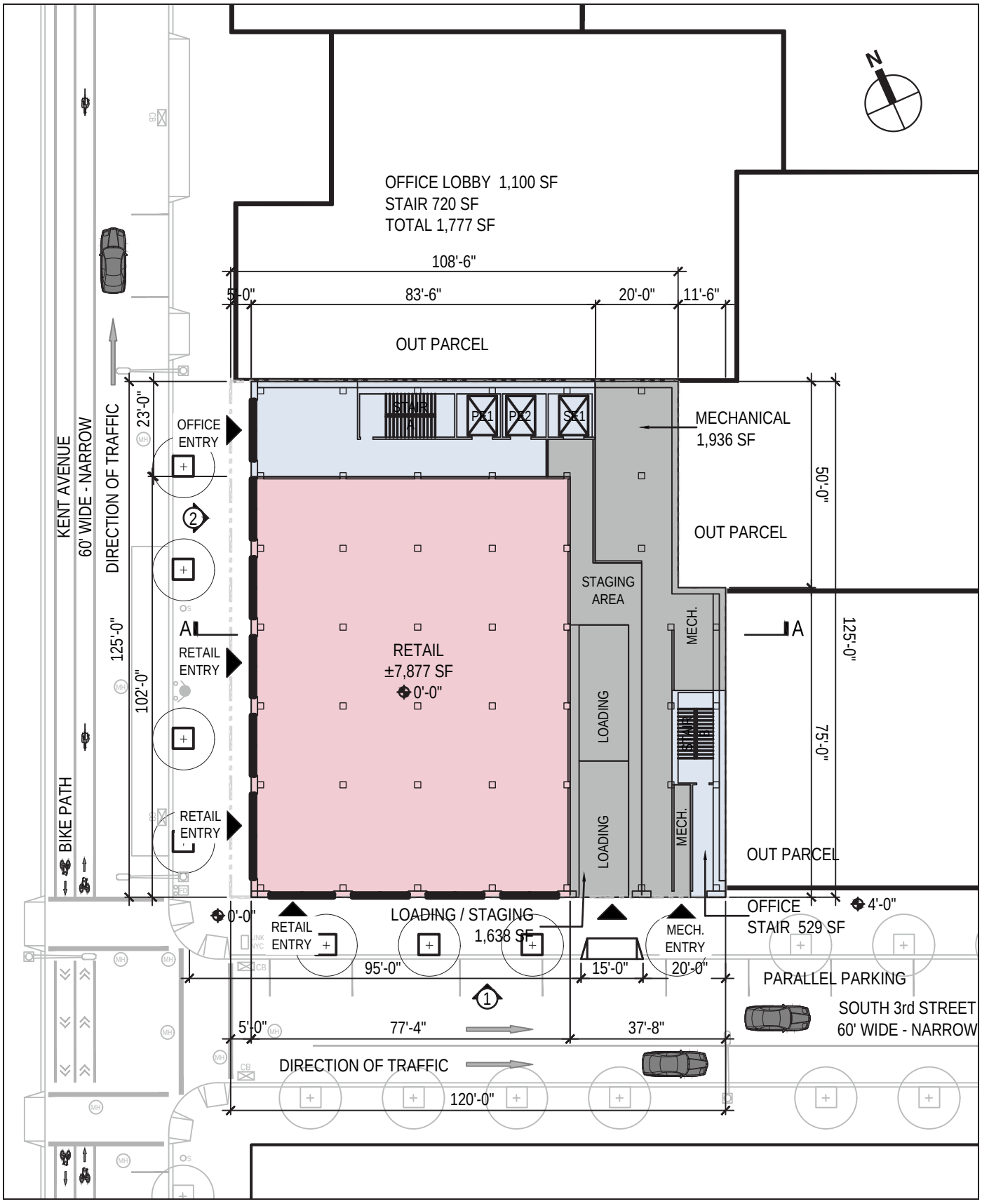
The Proposed Actions would facilitate the creation of quality light manufacturing, office, community facility, and retail spaces to serve what has become a mixed-use area. The rezoning would also allow for the replacement of the windowless warehouse currently located on the Development Site with ground-floor retail development on Kent Avenue and South 3rd Street; it is the applicant's opinion that this would activate the street and improve the site's engagement with the neighborhood, consistent with more modern quality-of-life standards.

E. DESCRIPTION OF THE PROPOSED PROJECT

Approval of the Proposed Actions would facilitate the demolition of the approximately 15,296-gsf of existing warehouse/production uses on Projected Development Site 1, followed by the construction of the proposed nine-story mixed-use building. The new building would be up to approximately 151 feet tall and contain 101,000 gsf, including 70,000 gsf of office uses (split between 1/3 office use and 2/3 light industrial and manufacturing use for the purposes of CEQR analysis; a portion of the 70,000 gsf commercial uses are assumed to be light industrial in order to present a conservative analysis for certain technical areas, such as Air Quality, and a portion is assumed to be office in order to present a more conservative analysis in other technical areas, such as Transportation), 22,000 gsf of community facility (medical office) uses, and 9,000 gsf of retail uses. Proposed Use Groups (UG) would include retail and office (UG 6), community facility (UG 4A), commercial and light manufacturing (UG 9A, 10A, 11A, 16A, 17B, 17C, and 18A), and storage and mechanical space. Approximately 6,000 gsf of loading and mechanical space has been included in the office uses gsf total. The Proposed Project would have a total FAR of up to 6.5 (including up to 1.5 FAR of UG 4A community facility uses). Accessory parking is neither required nor proposed. The main building entrances as well as retail entrances would be located on Kent Avenue, with an additional retail entrance located on South 3rd Street. Although a loading berth would not be required under the proposed zoning (see ZR § 44-53), a loading berth would be provided on South 3rd Street approximately 75 feet from its intersection with Kent Avenue (see **Figures 1-4 to 1-7**).

F. ANALYSIS FRAMEWORK

The Proposed Actions would change the regulatory controls governing land use and development within the Project Area and would allow the construction of the Proposed Project on Projected Development Site 1. The Proposed Actions would permit development on Projected Development Sites 1 and 2, and this environmental review document examines a Reasonable Worst Case



Source: S9 Architecture

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

Proposed Project Ground Floor Plan

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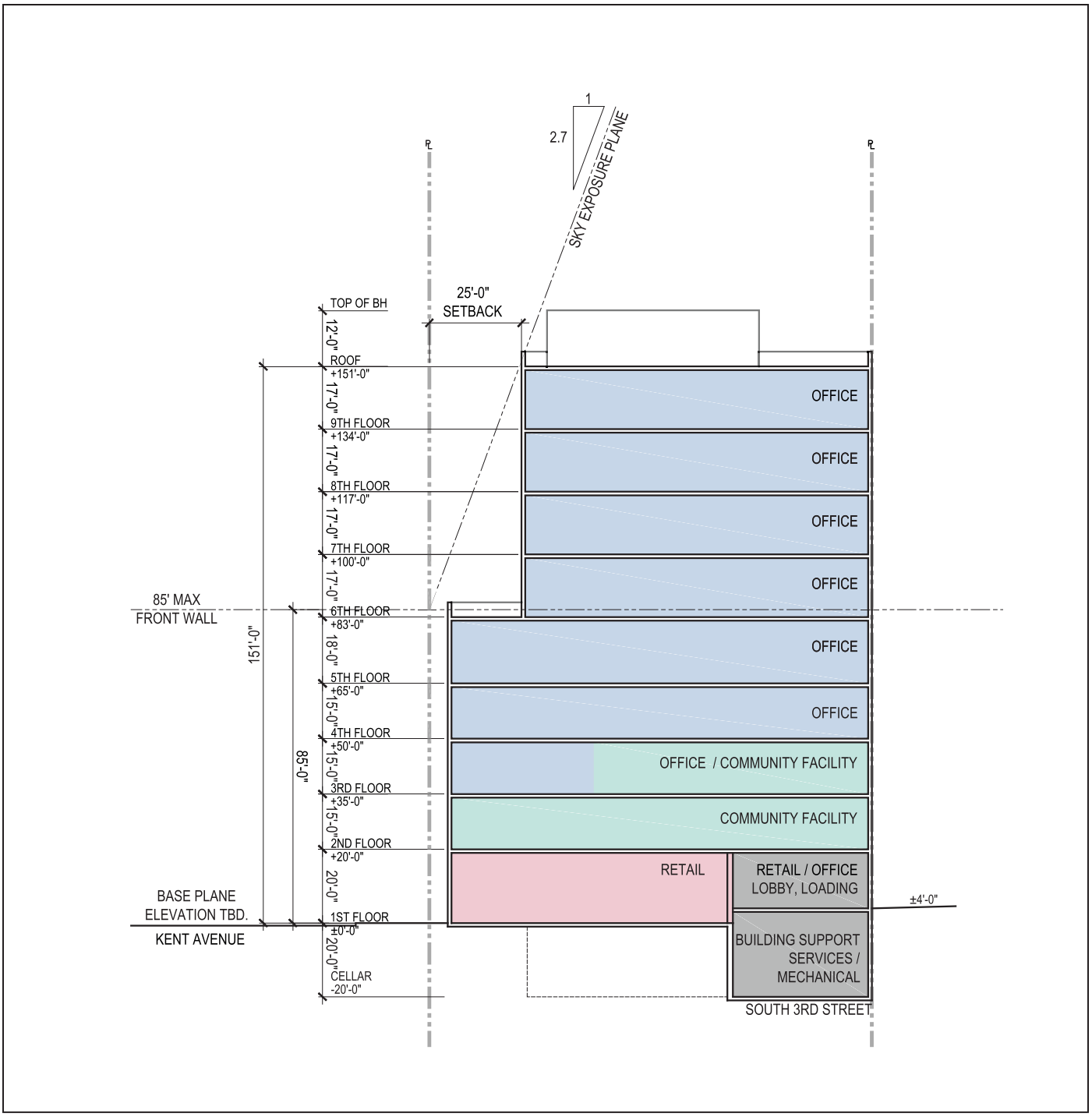

Source: S9 Architecture

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

0 32 64 FEET

Proposed Project Section

307 KENT AVENUE

Figure 1-5

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Source: S9 Architecture

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

Illustrative Rendering of With Action Condition
Kent Avenue

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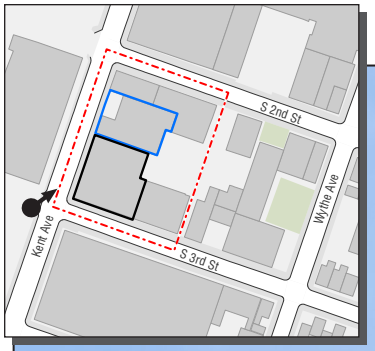

Source: S9 Architecture

NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

Illustrative Rendering of the With Action Condition
Kent Avenue & South 3rd Street

Development Scenario (RWCDS) approved by DCP. This EIS considers a no action alternative in which the Proposed Actions are not approved. The approach to the analysis framework is further discussed below.

REASONABLE WORST CASE DEVELOPMENT SCENARIO

The Proposed Actions would allow new development on Projected Development Sites 1 and 2. A RWCDS has been established that maximizes the range of uses and building bulk and height that would be achievable with the Proposed Actions. The RWCDS is used as a framework in the environmental review to assess potential impacts.

The proposed rezoning area would cover the western half of Block 2415, between South 2nd and South 3rd Streets, beginning at a distance of 210 feet from Wythe Avenue and extending westerly to Kent Avenue, which consists of Block 2415, Lots 1, 6, 10, 7501, and 7502. The proposed rezoning boundaries would also contain a small portion of Lot 38 (approximately 325 sf) at its western edge. As part of the proposed rezoning the existing MX (M1-4/R6A) district covering the eastern half of Block 2415 would also be extended westerly from its existing boundary 210 feet from Wythe Avenue, to 220 feet from Wythe Avenue. This extension would also cover the westerly portion of Lot 16 that is currently mapped in the existing M3-1 district, as well as an approximately 488 sf portion of Lot 7501 that is also currently mapped in the M3-1 district. As these M3-1 zoned portions of Lots 16 and 38 are currently located less than 25 feet from the existing zoning district boundary line between the M3-1 and MX (M1-4/R6A) districts, the entirety of Lots 16 and 38 can, under existing zoning (ZR Sec. 77-11), can be treated as if wholly located within the MX district in any event.

As shown in **Table 1-1**, the RWCDS represents the increment for analysis, understood as the difference between the Future with the Proposed Actions (the With Action condition) and the Future without the Proposed Actions (the No Action condition), to be analyzed in the EIS. Based on the comparison between the No Action and With Action conditions, the RWCDS includes an incremental increase of 68,693 gsf of commercial uses, 46,667 gsf of light manufacturing and manufacturing uses, and 39,500 gsf of community facility uses. As a result of the Proposed Actions, an additional 523 workers are expected within the Project Area.[2]

[2] Incremental worker population was calculated by multiplying the proposed and projected development programs by industry employment ratios commonly used for CEQR analysis: 1 worker/500 gsf of commercial (service to businesses) uses; 1 worker/333 of retail and medical office uses; 1 worker/250 gsf of office uses; and 1 worker/500 gsf of light industrial and manufacturing uses.

Table 1-1
Reasonable Worst Case Development Scenario

Use	Existing Condition (gsf)	No Action Condition (gsf)	With Action Condition (gsf)	Increment (gsf)
Commercial				
Warehousing[1]	Projected Development Site 1 – 15,296	Projected Development Site 1 – 15,296	-	-26,640
	Projected Development Site 2 – 11,344	Projected Development Site 2 – 11,344		
	Total – 26,640	**Total – 26,640**		
Office[2]	-	-	Projected Development Site 1– 23,333	+78,333
			Projected Development Site 2– 55,000	
			Total – 78,333	
Retail	-	-	Projected Development Site 1– 9,000	+17,000
			Projected Development Site 2– 8,000	
			Total – 17,000	
Manufacturing/Industrial				
Light Industrial and Manufacturing	-	-	Projected Development Site 1– 46,667	+46,667
			Projected Development Site 2– 0	
			Total – 46,667	
Community Facility				
Medical Office	-	-	Projected Development Site 1– 22,000	+39,500
			Projected Development Site 2– 17,500	
			Total – 39,500	

Notes:
[1] The existing warehouse on Projected Development Site 1 is occupied by Villain, a warehouse/production event space operated as a UG 13 banquet hall.
[2] Approximately 6,000 gsf of loading and mechanical space has been included in the office uses gsf total.
Source: 307 Kent Associates, DCP-approved 307 Kent RWCDS and EAS

ANALYSIS YEAR

The Proposed Project is anticipated to enter the City's Uniform Land Use Review Procedure (ULURP) in 2021 upon certification of the Draft Environmental Impact Statement (DEIS) and complete this process later in the year, after which construction would begin. The Proposed Project would be constructed in a single phase; construction of the Proposed Project is anticipated to take 21 months. Construction of the proposed building would consist of the following primary construction stages: demolition, excavation and foundation (approximately 4 months); superstructure and exteriors (approximately 8 months); and interiors and finishing (approximately 9 months). Therefore, a future build year of 2023, when the project is anticipated to be completed and operational, will be examined to assess the potential impacts of the Proposed Actions. Development on Projected Development Site 2 is anticipated to require 18 months of construction and for analysis purposes is assumed to be completed by the 2023 build year for Projected Development Site 1.

EXISTING CONDITIONS

For each technical area assessed in this EIS, the existing conditions within the Project Area and relevant study areas will be established. The analysis framework begins with an assessment of existing conditions because these can be most directly measured and observed. The assessment of existing conditions serves as a starting point for the projection of conditions in the With Action condition and the No Action condition and the analysis of potential impacts that could result from the Proposed Actions.

Projected Development Site 1

As described above, Projected Development Site 1 (Lot 1) is currently a 15,296-gsf single-story warehouse/production event space.

Projected Development Site 2

In addition to the Proposed Project on Projected Development Site 1, development is projected to occur on Lot 6 (Projected Development Site 2), as a result of the Proposed Actions. Lot 6 is currently occupied by an 11,334-gsf single-story warehouse.

Remainder of the Project Area

The Project Area also includes five additional lots on Block 2415: Lots 10, 7501, 7502, and portions of Lots 16 and 38. Lot 10 is occupied by a vacant 3,212-gsf single-story commercial building formerly containing a restaurant and Lots 7501 and 7502 are occupied by two four-story residential condominium buildings with a total floor area of 57,819 sf. Lots 7501 and 7502 also share an accessory parking area in between them containing 29 parking spaces for residents. Lot 16 currently contains a private accessory parking lot associated with an adjacent daycare use at 56 South 2nd Street, while Lot 38 contains a 12,172-gsf four-story residential walk-up with ground floor retail.

The neighborhood surrounding the Project Area is composed of a mix of residential, commercial, industrial, and open space uses. Residential uses range in size from four-story apartment buildings to high-rise multifamily elevator apartment buildings with ground floor retail. Commercial uses include office buildings, ground-floor retail, restaurants, and bars. Industrial uses consist of low-rise warehouse and light manufacturing buildings. Domino Park, located across Kent Avenue from the Project Area along the East River, is a large open space opened in 2018. The remaining grounds of the former Domino Sugar Refinery surrounding this new open space are currently undergoing redevelopment as a mixed-use development with large residential and commercial components.

NO ACTION CONDITION

Absent the Proposed Actions, no new development is anticipated to occur within the Project Area. Existing buildings and uses observed in the existing condition would remain through the 2023 build year.

WITH ACTION CONDITION

Projected Development Site 1

As described above, in the With Action condition, Projected Development Site 1 would be redeveloped with the Proposed Project, a new, approximately 101,000-gsf, nine-story mixed-use building containing office, community facility, and retail uses. The building would include 70,000

gsf of office uses (split between 1/3 office use and 2/3 light industrial and manufacturing use for the purposes of analysis), 22,000 gsf of community facility (medical office) uses, and 9,000 gsf of retail uses. No accessory parking is required or proposed and though a loading berth would not be required under the proposed zoning (see ZR § 44-53), a loading berth would be located on South 3rd Street approximately 75 feet from its intersection with Kent Avenue. The Proposed Project would be approximately 151 feet tall (163 feet tall to the top of the mechanical bulkhead), with a total FAR of up to 6.5 (including up to 1.5 FAR of UG 4A community facility uses).

Projected Development Site 2

For the purposes of conservative analysis it is assumed that the Proposed Actions would facilitate the development of Projected Development Site 2 (Lot 6), which is neither owned nor controlled by the Applicant. It is assumed that Projected Development Site 2 would be redeveloped as a new, approximately 80,500-gsf, nine-story mixed-use building containing office, community facility, and retail uses. The building would include 55,000 gsf of office uses, 17,500 gsf of community facility (medical office) uses, and 8,000 gsf of retail uses. No parking or loading berths are required or proposed. The anticipated building on Projected Development Site 2 would be approximately 125 feet tall with a total FAR of up to 6.5 (including up to 1.5 FAR of UG 4A community facility space.

Remainder of the Project Area

It is expected that Block 2415, Lots 10, 7501, 7502, and portions of Lots 16 and 38 would remain the same in both the No Action and With Action conditions. Lots 10, 7501, 7502, and portions of Lots 16 and 38 do not meet the criteria of a "soft site" as defined by the 2020 *City Environmental Quality Review (CEQR) Technical Manual*.[3] CEQR defines as a "soft site" as a site that first must meet two criteria: (1) a site with buildings built to substantially less than the maximum allowable FAR such that there would likely be sufficient incentive for development in the future, depending on other specific factors and, (2) a site that is large enough to be considered "soft" depending on specific neighborhood trends, but often defined as 5,000 sf or larger. If a site meets this criteria, according to CEQR a list of additional considerations should be examined to determine if the site should be considered a "soft site." These additional considerations include site-specific conditions that make development difficult as well as issues related to site control or site assemblage that may affect redevelopment potential. As described on Page 1-1 above, Lots 10, 7501, and 7502 would remain under Board of Standards and Appeals (BSA) jurisdiction per the 2003 BSA resolution (BSA Cal. No 102-03-BZ). Any redevelopment or enlargement of the existing buildings on these lots would be contingent upon further discretionary review by BSA separate from the Proposed Actions, and furthermore, Lot 10 is less than 5,000 sf in size. As a result, no changes to these lots are anticipated. The Proposed Actions would not increase the development potential of Lots 16 and 38 compared to the No Action condition, and no changes to these lots are anticipated either.

G. ENVIRONMENTAL REVIEW PROCESS

The Proposed Actions are subject to the City's ULURP. The Proposed Actions are also subject to the City's CEQR procedures. These review processes are described below.

[3] https://www1.nyc.gov/assets/oec/technical-manual/02_Establishing_the_Analysis_Framework_2020.pdf

UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

ULURP, mandated by Sections 197-c and 197-d of the City Charter, is a process specially designed to allow public review of a proposed project at four levels: the Community Board, the Borough President and (if applicable) Borough Board, the CPC, and the City Council. The procedure sets time limits for review at each stage to ensure a maximum total review period of approximately seven months.

The ULURP process begins with a certification by CPC that the ULURP application is complete, which includes satisfying CEQR requirements (see the discussion below). If the particular application is subject to environmental review (see below), a negative declaration, conditional negative declaration, or a notice of completion of a DEIS must be issued before an application can be certified.

The application is then forwarded to the Community Board (in this case, Brooklyn Community Board 1 [CB1]), which has 60 days to review and discuss the proposal, hold public hearings, and adopt recommendations regarding the application. Once this step is complete, the Borough President has up to 30 days to review and discuss the proposal, hold public hearings, and adopt recommendations regarding the application. CPC then has 60 days to review the application, during which time a ULURP/CEQR public hearing is held. Comments made at the DEIS public hearing (the record for commenting remains open for 10 days after the hearing to receive written comments) are incorporated into a FEIS; the FEIS must be completed at least 10 days before CPC makes its decision on the application. CPC may approve, approve with modifications, or deny the application.

If the ULURP application is approved, or approved with modifications, it moves to the City Council for review. The City Council does not automatically review all ULURP actions that are approved by CPC. Zoning map changes and zoning text changes (not subject to ULURP) nevertheless must be reviewed by the City Council; the Council may elect to review certain other actions. The City Council, through the Land Use Committee, has 50 days to review the application and, during this time, will hold a public hearing on a proposed project. The Council may approve, approve with modifications, or deny the application. If the Council proposes a modification to a proposed project, the ULURP review process stops for 15 days, providing time for a CPC determination on whether the modification is within the scope of the environmental review and ULURP review. If it is, then the Council may proceed with the modification; if it is not, then the Council may only vote on the project as approved by CPC. Following the Council's vote, the Mayor has five days in which to veto the Council's actions. The City Council may override a Mayoral veto within 10 days.

NEW YORK CITY ENVIRONMENTAL QUALITY REVIEW

Pursuant to the State Environmental Quality Review Act (SEQRA) and its implementing regulations, New York City has established rules for its own environmental review process known as CEQR. The CEQR process provides a means for decision-makers to systematically consider environmental effects along with other aspects of project planning and design, to evaluate reasonable alternatives, and to identify, and identify practicable mitigation for, significant adverse environmental impacts. CEQR rules guide environmental review through the following steps:

- **Establish a Lead Agency**. Under CEQR, the "lead agency" is the public entity responsible for conducting the environmental review. The lead agency is typically the entity principally

responsible for carrying out, funding, or approving the proposed actions. For this application, DCP is the lead agency on behalf of CPC.

- **Determine Significance**. The lead agency's first charge is to determine whether the Proposed Actions may have a significant impact on the environment. To make this determination, the Applicant prepared an Environmental Assessment Statement (EAS). Based on the information contained in the EAS, the lead agency determined that the Proposed Actions could have the potential to result in significant adverse environmental impacts and issued a Positive Declaration on January 10, 2020.
- **Scoping**. Once the lead agency issues a Positive Declaration, it must then issue a draft scope of work for the EIS. "Scoping," or creating the scope of work, is the process of establishing the type and extent of the environmental impact analyses to be conducted in the EIS. Along with the Positive Declaration, the Draft Scope of Work for the Proposed Action was issued on January 10, 2020. A public scoping meeting was held on February 13, 2020 at the NYC Department of City Planning, Central Park Conference Room, 120 Broadway-31st Floor, New York, NY 10271. The comment period remained open until February 24, 2020. The Final Scope of Work issued on April 2, 2021, considers comments received during the public comment period.
- **Draft Environmental Impact Statement**. In accordance with the Final Scope of Work, this DEIS has been prepared. The lead agency will review all aspects of this document, calling on other involved and interested agencies to participate as appropriate. Once the lead agency is satisfied that the DEIS is complete, it will issue a Notice of Completion and circulate the DEIS for public review. When a DEIS is required, it must be deemed complete before the ULURP application can also be found complete.
- **Public Review**. Publication of the DEIS and issuance of the Notice of Completion signals the start of the public review period. During this period, which must extend for a minimum of 30 days, the public may review and comment on the DEIS either in writing or at a public hearing convened for the purpose of receiving such comments. When the CEQR process is coordinated with another City process that requires a public hearing, such as ULURP, the hearings may be held jointly. The lead agency must publish a notice of the hearing at least 14 days before it takes place and must accept written comments for at least 10 days following the close of the hearing. All substantive comments become part of the CEQR record and are summarized and responded to in the FEIS.
- **Final Environmental Impact Statement**. After the close of the public comment period for the DEIS, the lead agency prepares the FEIS. The FEIS incorporates and responds to relevant comments on the DEIS in a separate chapter and in changes to the body of the text, graphics, and tables. Once the lead agency determines that the FEIS is complete, it will issue a Notice of Completion and circulate the FEIS.
- **Findings**. To demonstrate that the responsible public decision-maker has taken a hard look at the environmental consequences of a proposed project, any agency taking a discretionary action regarding a project that has been the subject of an FEIS must adopt a formal set of written findings, reflecting its conclusions about the significant adverse environmental impacts of the proposed project, potential alternatives, and practicable mitigation measures. The findings may not be adopted until 10 days after the Notice of Completion (pursuant to CEQR) has been issued for the FEIS. Once findings are adopted, the lead and involved agencies may take their actions (or take "no action"). ✷