289 Kent Avenue Rezoning

Environmental Assessment Statement

CEQR No.: [#######]

Prepared for:
Web Holdings LLC

Prepared by:
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August 20, 2025

289 KENT AVENUE REZONING

Environmental Assessment Statement

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ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

PROJECT NAME 289 Kent Avenue Rezoning EAS

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
TBD	N/A
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable)
TBD	(*e.g.*, legislative intro, CAPA) N/A

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY Department of City Planning			NAME OF APPLICANT Web Holdings LLC		
NAME OF LEAD AGENCY CONTACT PERSON Stephanie Shellooe, AICP, Director Environmental Assessment and Review Division			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Jeremy Kozin		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 1 New York Plaza, 23rd Floor		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10004
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 212-859-8316	EMAIL Jeremy.Kozin@friedfrank.com	

3. *Action Classification and Type*

SEQRA Classification

☐ UNLISTED ☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): 6 NYCRR 617.4 (b)(9)

Action Type (refer to CEQR Technical Manual Chapter 2, "Establishing the Analysis Framework" for guidance)

☒ LOCALIZED ACTION, SITE SPECIFIC ☐ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

Project Description

The Applicant, Web Holdings LLC, is seeking (1) a zoning map amendment to change the existing M3-1 district mapped on Brooklyn Block 2403, Lots 1, 15, 31, 33, 41, and portions of ["p/o"] Lots 37 and 7501 (the "Project Area") to an M1-3A/R7X (MX8) district on Lots 1, 15, and 41 and to M1-2A on Lots 31, 33, p/o 37 and p/o 7501; and (2) a zoning text amendment to amend Zoning Resolution (ZR) Appendix F to establish Lots 1, 15 and 41 as being within a Mandatory Inclusionary Housing (MIH) area (collectively the "Proposed Actions").

The Proposed Actions would facilitate the construction of the Proposed Development, an approximately 322,641-gross square foot ("gsf") mixed-use residential and commercial building with up to 18-stories (181.25-feet-tall, not including a mechanical bulkhead) above grade and a single below grade cellar level with up to 38 accessory parking spaces at 289 Kent Avenue (Block 2403, Lots 1 and 41; "Projected Development Site 1") in the Williamsburg neighborhood of Brooklyn Community District (CD) 1. The Proposed Development would include approximately 266,943-gsf of residential uses (approximately 278 dwelling units ["DUs"]) and would include approximately 56 to 83 permanently income-restricted DUs affordable at an average of 40 percent to 80 percent AMI, pursuant to the City's MIH program; 34,598-gsf of local retail uses; as well as 9,500-gsf of below-grade amenity and accessory storage spaces. The Proposed Development would maximize the permitted FAR (6.0 FAR).

The Proposed Actions are also expected to facilitate the redevelopment of two non-Applicant owned sites under the With-Action condition analyzed in the EAS: Block 2403, Lot 15 ("Projected Development Site 2"); and Block 2403, Lot 37 ("Projected Development Site 3"). Projected Development Site 2 would be redeveloped as a 13-story (145-foot-tall) 63,057-gsf mixed-use residential and commercial building with 54,863-gsf of residential uses (approximately 57 DUs, including approximately 12 to 17 DUs that would be designated as permanently income-restricted and affordable at 40 percent to 80 percent AMI, pursuant to MIH Options 1, 2, or 3) and 8,194-gsf of local retail. Projected Development Site 3 is expected to be developed into a 9-story (95-foot-tall) 51,309-gsf mixed-use building with 34,206-gsf of commercial office uses and 17,103 gsf of community facility uses (medical office).

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 1	STREET ADDRESS 289 Kent Avenue
TAX BLOCK(S) AND LOT(S) Block 2403, Lots 1, 15, 31, 33, 41, p/o 37, p/o 7501		ZIP CODE 11249
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Kent Avenue between South 1st Street and South 2nd Street		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M3-1		ZONING SECTIONAL MAP NUMBER 12d

5. *Required Actions or Approvals* (check all that apply)

City Planning Commission: ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

- ☐ CITY MAP AMENDMENT
- ☒ ZONING MAP AMENDMENT
- ☒ ZONING TEXT AMENDMENT
- ☐ SITE SELECTION—PUBLIC FACILITY
- ☐ HOUSING PLAN & PROJECT
- ☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
- ☐ ZONING CERTIFICATION
- ☐ ZONING AUTHORIZATION
- ☐ ACQUISITION—REAL PROPERTY
- ☐ DISPOSITION—REAL PROPERTY
- ☐ OTHER, explain:
- ☐ CONCESSION
- ☐ UDAAP
- ☐ REVOCABLE CONSENT
- ☐ FRANCHISE

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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:

6. *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.): 69,832 (Area to be Developed)

Waterbody area (sq. ft.) and type: N/A

Roads, buildings, and other paved surfaces (sq. ft.): 69,832

Other, describe (sq. ft.): N/A

7. *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): 437,007 gsf (RWCDS for Projected Development Sites 1, 2, and 3)

NUMBER OF BUILDINGS: 3

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 322,641 gsf (PDS 1), 63,057 gsf (PDS 2), 51,309 gsf (PDS 3)

HEIGHT OF EACH BUILDING (ft.): 181.25 ft (PDS 1), 145 ft (PDS 2), 95 ft (PD 3)

NUMBER OF STORIES OF EACH BUILDING: 18 (PDS 1), 13 (PDS 2), 9 (PDS 3) stories

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: 45,460-sf

The total square feet not owned or controlled by the applicant: 58,505-sf

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 disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: 69,832 sq. ft. (width x length) VOLUME OF DISTURBANCE: TBD cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 69,832 sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2030

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 27

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO | IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Construction of the Applicant's Proposed Development is expected to occur in a single phase over an approximately 27-month period. Each of the two non-Applicant projected development sites identified in the RWCDS is expected to be constructed in a single phase over an approximately 10- to 12-month period.

9. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☒ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type of residential structures	N/A	N/A	multi-unit, rental building	N/A
No. of dwelling units	N/A	N/A	335	335
No. of low- to moderate-income units	N/A	N/A	67-100	67-100
Gross floor area (sq. ft.)	N/A	N/A	321,806	321,806
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	Office, local retail	Office, local retail	Office, local retail	
Gross floor area (sq. ft.)	66,432	154,264	76,998	-77, 266
Manufacturing/Industrial	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use	Light manufacturing	Light manufacturing	N/A	N/A
Gross floor area (sq. ft.)	9,500	10,925	0	-10,925
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type	N/A	N/A	Medical office	
Gross floor area (sq. ft.)			17,103	17,103
Vacant Land	☒ YES ☐ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:	Unlicensed parking lot	Redeveloped	Redeveloped	
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
PARKING				
Garages	☐ YES ☒ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces	0	0	0	N/A
No. of accessory spaces	0	235	38	-197
Operating hours	N/A	Business hours	24/7	N/A
Attended or non-attended	Non-Attended	Non-Attended	Non-Attended	N/A
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (includes street parking)	☐ YES ☐ NO	☐ YES ☐ NO	☐ YES ☐ NO	
If "yes," describe:				
POPULATION				
Residents	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify number:	0	0	727	727

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Briefly explain how the number of residents was calculated:	Assumes 960 gsf per DU, based on the average rental unit size within a 1-mile radius of the Project Area according to DCP PLUTO data, and an average household size of 2.17 persons, based Williamsburg NTA average HH size according to 2020 Census.			
Businesses	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type	Produce warehouse	retail, light manufacturing, office	Local retail, medical office	
No. and type of workers by business	11 warehouse/light industrial workers	152 retail workers, 415 office workers, and 11 light industrial/warehouse workers	129 retail workers, 137 office workers, 43 medical office workers, 13 residential workers	Net loss of 257 workers (including a loss of 278 office workers, 23 retail workers, and 11 light industrial workers and a net increase of 43 medical office workers
No. and type of non-residents who are not workers	N/A	N/A	N/A	N/A
Briefly explain how the number of businesses was calculated:	Estimated workers for RWCDS calculated as follows: 1 employee/25 DUs, 1 employee/333 sf of local retail, 1 employee/400 sf of medical office, 1 employee/250 sf of office, and 1 employee per 1,000 sf/light industrial space. Parking is assumed to be unattended. Assumptions aligned with CEQR #19DCP157K, Gowanus Neighborhood Rezoning EIS.			
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If any, specify type and number:	N/A	N/A	N/A	N/A
Briefly explain how the number was calculated:	N/A			
ZONING				
Zoning classification	M3-1	M3-1	M1-4A/R7X, M1-2A	
Maximum amount of floor area that can be developed	2.0- M3-1	2.0- M3-1	6.0- M1-3A/R7X and 3.0 - M1-2A	Incremental change: M1-3A/R7X (+6.00 residential FAR and +2.0 manufacturing FAR) and M1-2A (+1.0 manufacturing FAR)
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	The surrounding area is mapped within the following districts: M3-1, M1-5, M1-4/R6A, C6-2, R8/C2-4, R6/C2-4, M1-2/R6B, M1-2/R6 and R6. It generally includes residential, community facility and commercial uses within 1- to 5-story buildings, often with ground floor retail or eating/drinking establishments. In the M districts that are not paired with a R district, existing land uses include offices and light manufacturing spaces in 1-3 story buildings.	The surrounding area is mapped within the following districts: M3-1, M1-5, M1-4/R6A, C6-2, R8/C2-4, R6/C2-4, M1-2/R6B, M1-2/R6 and R6. It generally includes residential, community facility and commercial uses within 1- to 5-story buildings, often with ground floor retail or eating/drinking establishments. In the M districts that are not paired with a R district, existing land uses include offices and light manufacturing spaces in 1-3 story buildings.	The surrounding area is mapped within the following districts: M3-1, M1-5, M1-4/R6A, C6-2, R8/C2-4, R6/C2-4, M1-2/R6B, M1-2/R6 and R6. It generally includes residential, community facility and commercial uses within 1- to 5-story buildings, often with ground floor retail or eating/drinking establishments. In the M districts that are not paired with a R district, existing land uses include offices and light manufacturing spaces in 1-3 story buildings.	N/A
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

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 Full 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. See **Attachment C, "Land Use, Zoning, and Public Policy"**		
(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. See **Appendix 3**.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☒	☐
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
○ Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
○ Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
○ Affect conditions in a specific industry?	☐	☒
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
○ If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☒
○ If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement		
○ Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☒
○ If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☐
○ If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement		
○ Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	☐	☒
○ Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?	☐	☒

	YES	NO
iv. Indirect Business Displacement		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☒
○ Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☒
v. Effects on Industry		
○ Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☒
○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☒
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, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. 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)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the Early Childhood Programs in the study area that is greater than 100 percent?	☐	☐
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. 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)	☐	☒
○ If "yes," would the project result in a utilization rate of the elementary or middle schools that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project generate 100 or more elementary or middle school students past the 100% utilization rate?	☐	☐
○ If "yes," would the project result in a utilization rate of the high schools that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project increase the high school utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iii. 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)	☐	☒
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iv. Health Care Facilities		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
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?	☒	☐
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year. See **Attachment F, "Shadows"**		

	YES	NO
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(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 **Attachment G, "Historic and Cultural Resources"**		
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?	☐	☒
(c) If "yes" to either of the above, please provide the information requested in Chapter 10. See **Attachment H, "Urban Design and Visual Resources"**		
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 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? Historic Recognized Environmental Conditions (HREC) associated with former releases that occurred on site and former underground storage tanks which were located on site. The Phase I indicates that the "Spill was "Closed" and that according to available documentation, the former underground storage tank were abandoned and removed from the subject property.	☒	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed? **The Phase I did not recommend any further action.**	☐	☒
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? **Approximately 104,093 gallons/day (727 residents x 100 gallons per day per person) + ([42,792-gsf Commercial Retail x 0.24 gallons per day per sf for domestic purposes] + [42,792-gsf Commercial Retail x 0.17 gallons per day per sf for air conditioning purposes]) + ([34,206-gsf Commercial office x 0.10 gallons per day per sf for domestic purposes] + [34206-gsf Commercial Retail x 0.17 gallons per day per sf for air conditioning purposes]) + ([17,103-gsf Commercial Retail x 0.10 gallons per day per sf for domestic purposes] + [17,103-gsf Commercial Retail x 0.17 gallons per day per sf for air conditioning purposes]) = 104,093 gallons per day**	☐	☒

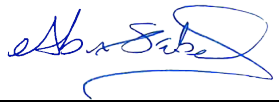
	YES	NO
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than that listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the 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?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation. N/A		
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): **6,179 (compared to No-Action conditions). No-Action: 152 commercial retail workers x 79 lbs/week, 45 office workers x 13 lbs/week, 11 light industrial workers x 240 lbs/week = 20,043 lbs/ week vs. With-Action: 129 commercial retail workers x 79 lbs/week, 137 office workers x 13 lbs/week, 43 community facility workers x 13 lbs/week, and 335 residential units x 41 lbs/week = 26,222 lbs/ week. 26,222 (WA) – 20,043 (NA) = 6,179 lbs/week.**		
○ 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?	☐	☒
○ If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
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): **22,292,129 BTUs**		
(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 appropriate screening analyses, attach 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, 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)	☐	☐
(c) Does the proposed project involve multiple buildings on the project site? **Two adjacent buildings within the Project Area are assumed in the RWCDS.**	☒	☐
(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?	☐	☒

	YES	NO
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
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) Would the proposed project result in the development of 350,000 square feet or more?	☒	☐
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☐	☒
○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation.	☐	☐
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?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. See **Attachment K, "Noise"**		
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; 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 are not expected to result in any significant adverse impacts in any of the technical areas related to public health (air quality/hazardous materials/noise). Therefore, the Proposed Actions would not result in a significant adverse impact to public health, and further analysis 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 **Attachment B "Supplemental Screening"**		
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 **Attachment L, "Construction"**		

20. *APPLICANT'S CERTIFICATION*

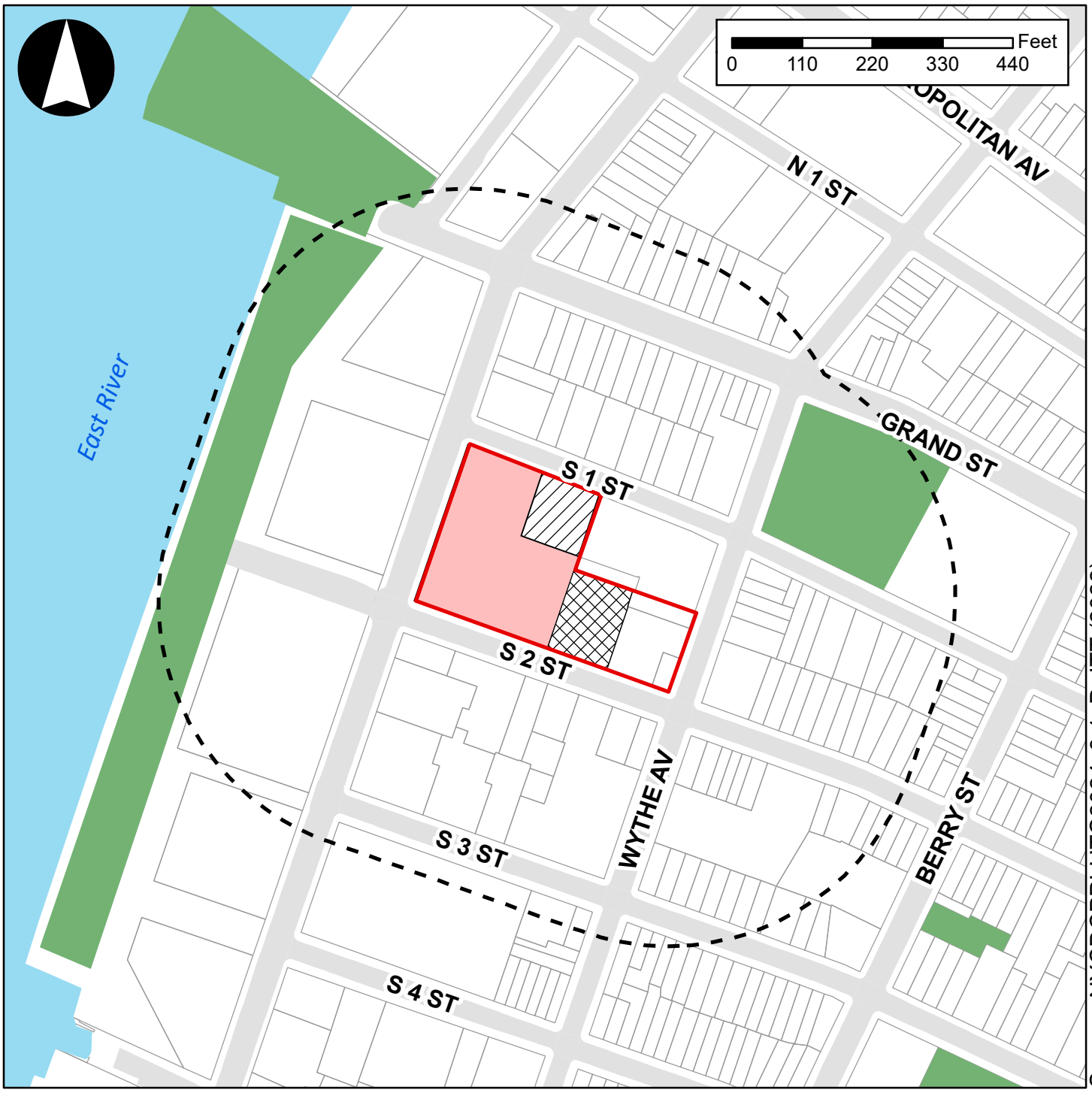
I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and 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	SIGNATURE	DATE
Abir Sabet, AICP		8/20/2025

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.

Figure 1
Project Location

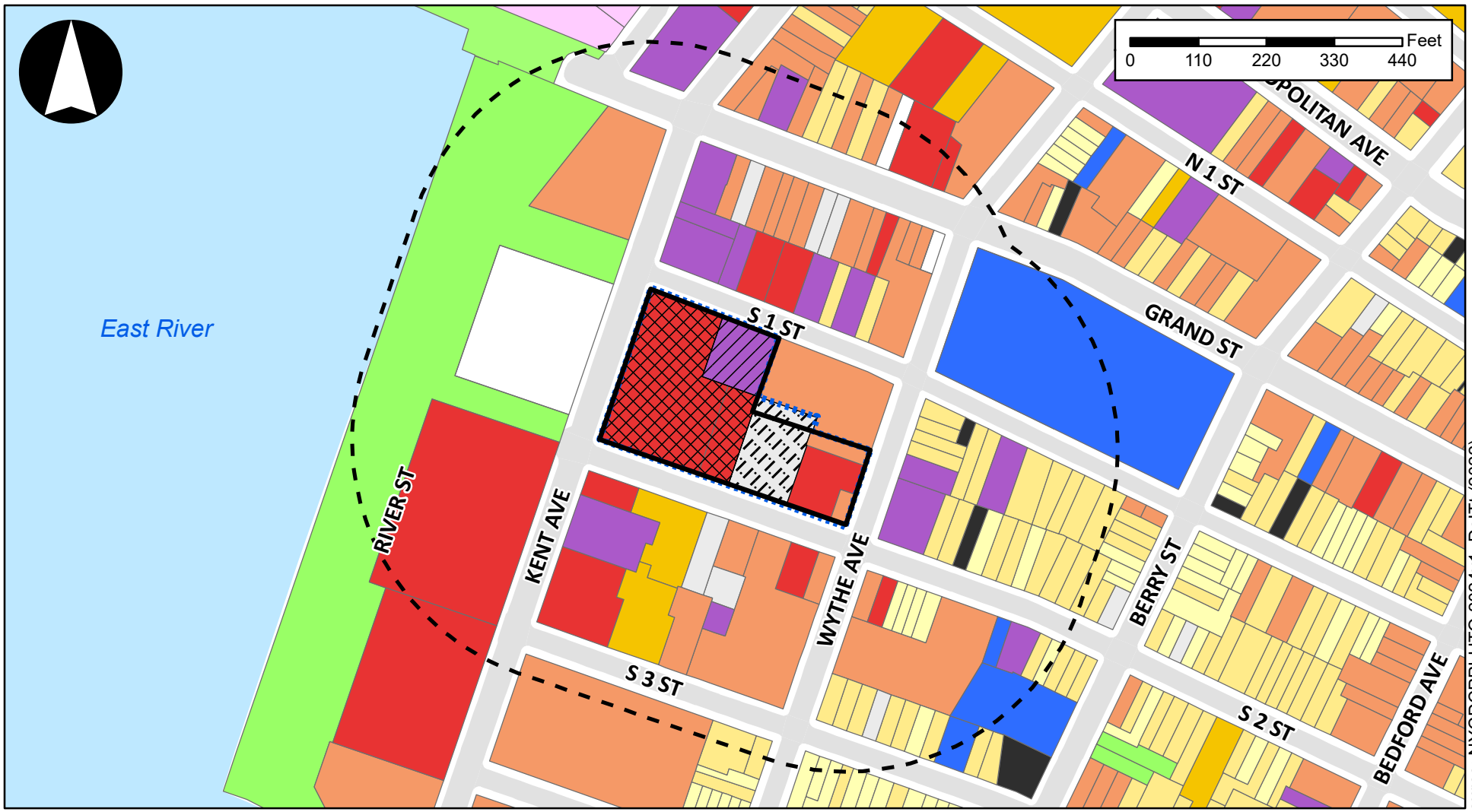


Source: NYCDCPPLUTO2024v3.1; DoITT (2022).

Legend

- Project Area (Rezoning Area)
- Secondary Study Area (400-Foot
- Projected Development Site 1 (Applicant-Owned)
- Projected Development Site 2 (Non-Applicant-Owned)
- Projected Development Site 3 (Non-Applicant-Owned)





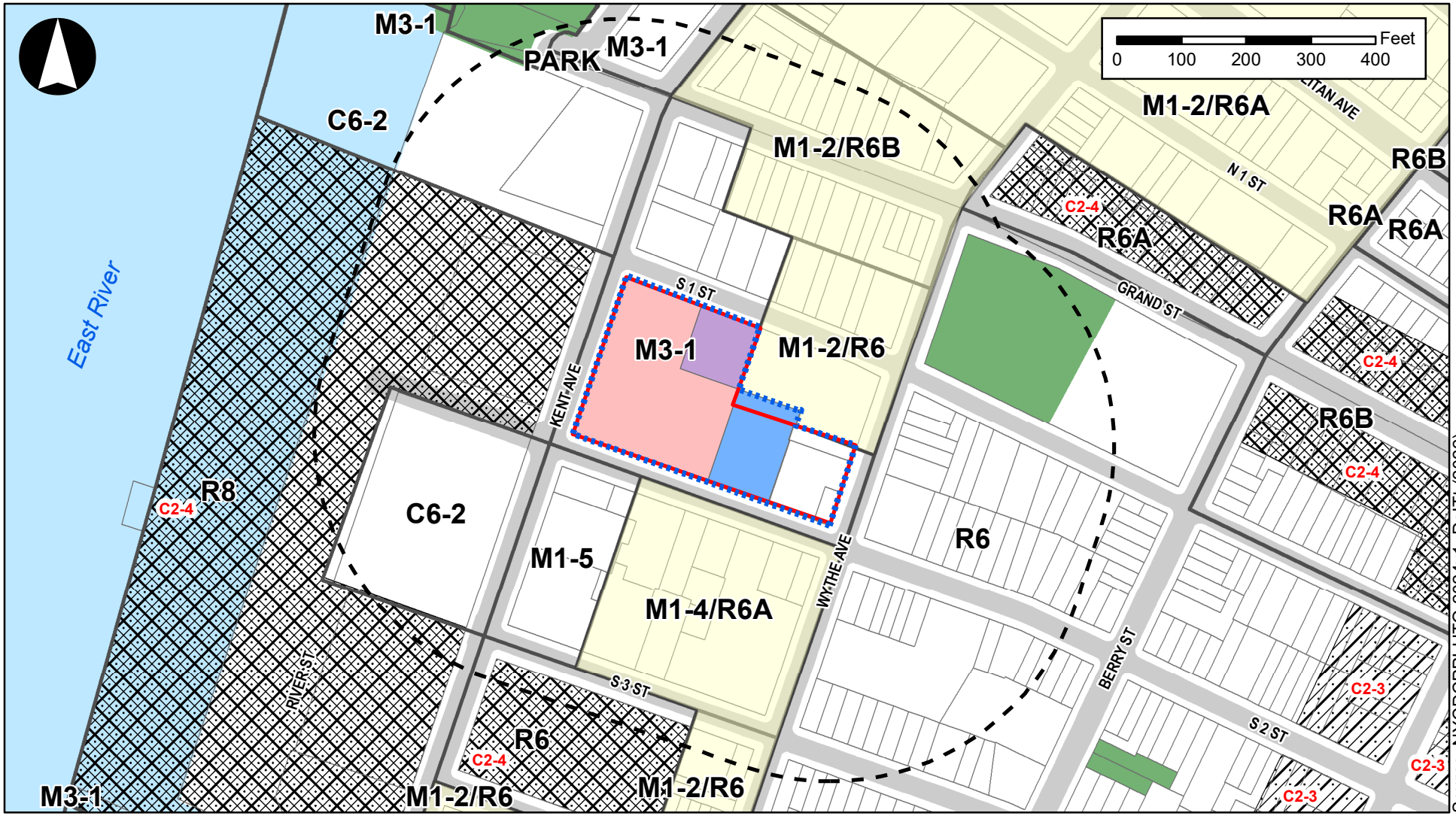
Legend

- Project Area
- Primary Study Area*
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3
- One and Two Family Buildings
- Multi-Family Walk-up Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data

289 Kent Avenue Rezoning EAS

Figure 2
Existing Land Use Map

*The Primary Study Area includes the entirety of Lot 37.

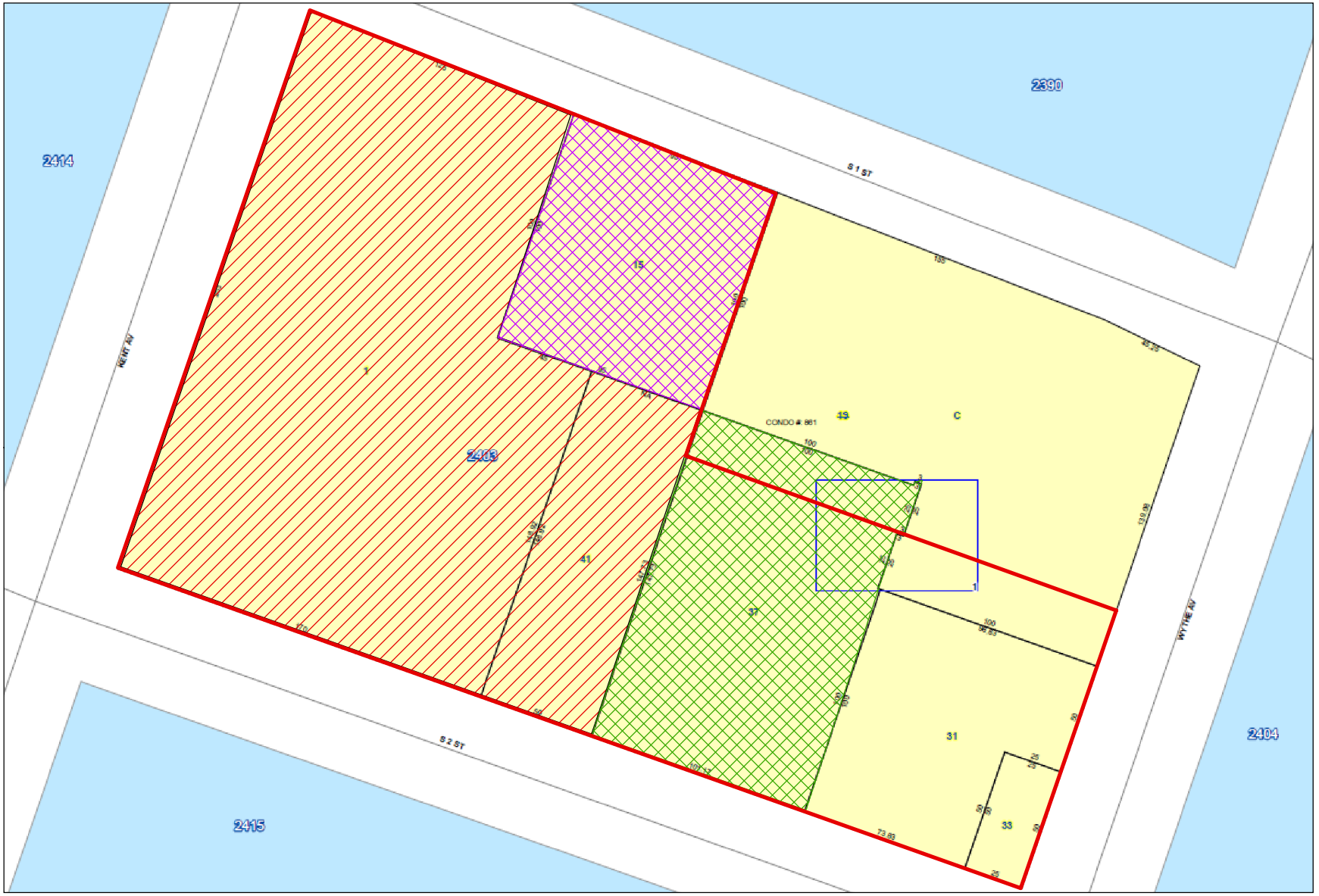


Legend

- Primary Study Area*
- Project Area (Proposed Rezoning Area)
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3
- Special Mixed Use District (MX-8)
- Existing Zoning Boundaries
- Tax Lots
- C2-3 Commercial Overlay
- C2-4 Commercial Overlay

Figure 3
Zoning Map

*The Primary Study Area includes the entirety of Lot 37.



Legend

- Tax Block Polygon
- Tax Lot Polygon
- Rezoning Area (Project Area)
- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3

289 Kent Avenue Rezoning EAS

Figure 4
Tax Map



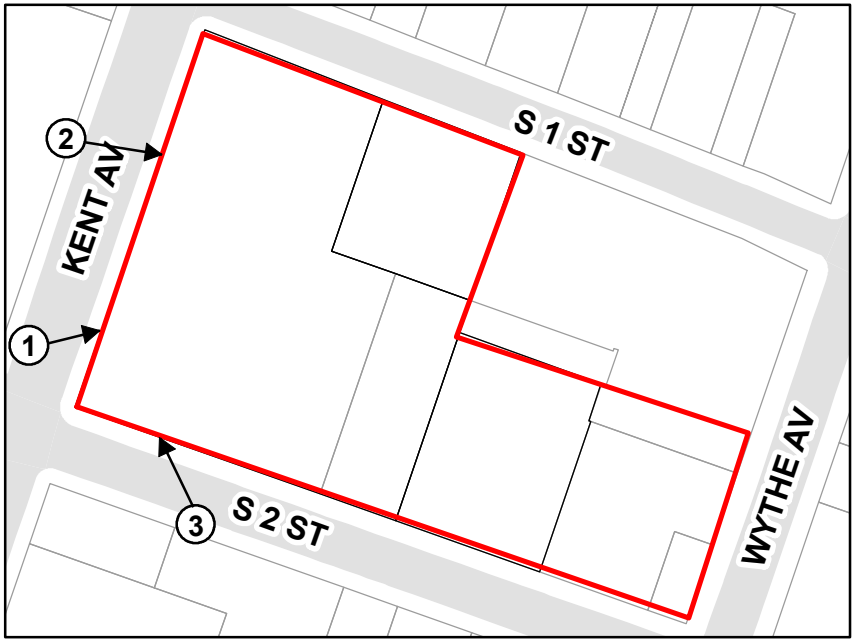
1. Looking northeast at Lot 1 from Kent Avenue.



2. Looking east at Lot 1 from Kent Avenue.



3. Looking southwest at Lots 1 and 41 from South 2nd Street.





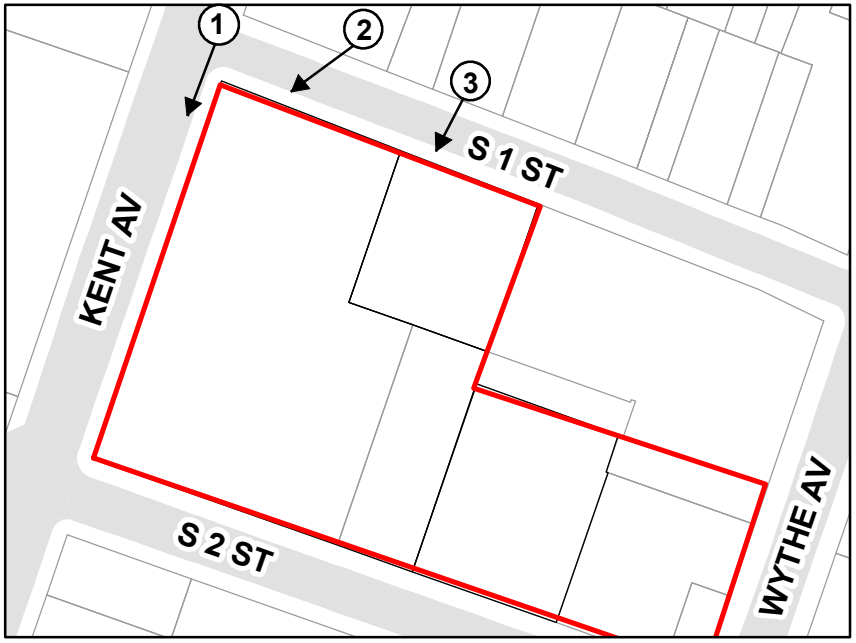
1. Looking south from the corner of Kent Avenue and South 1st Street.



2. Looking southwest at Lot 1 from South 1st Street.



3. Looking southwest at Lot 15 from South 1st Street.





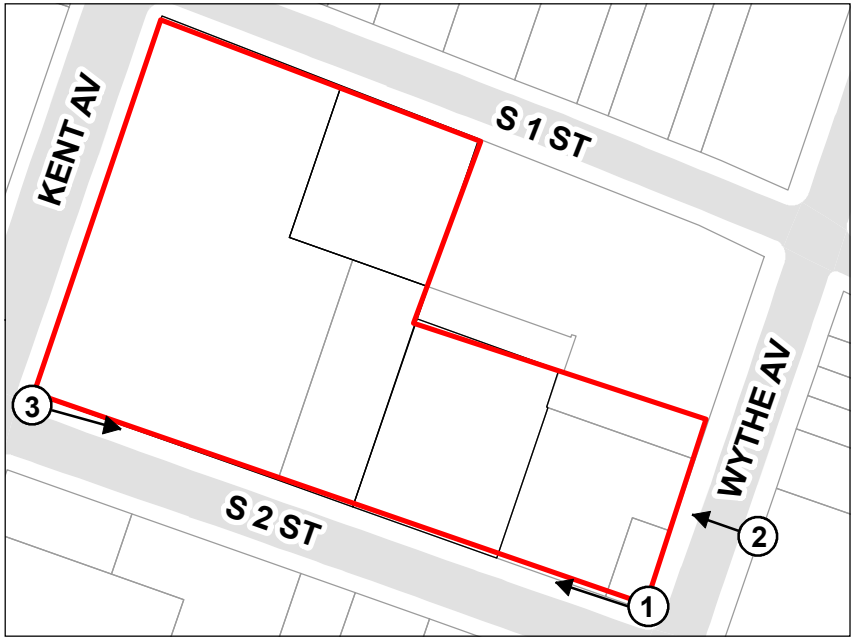
1. Looking west down South Second Street from Wythe Avenue.



2. Looking west at Lot 33 from Wythe Avenue.



3. Looking east on South Second Street from Kent Avenue.



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
NAME	DATE
SIGNATURE	

NEGATIVE DECLARATION (Use of this form is optional)

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, assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project 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 that finds the proposed project:

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).

TITLE	LEAD AGENCY

NAME	DATE

SIGNATURE

ATTACHMENT A

PROJECT DESCRIPTION

I. INTRODUCTION

The Applicant, Web Holdings LLC, is seeking (1) a zoning map amendment to change the existing M3-1 district mapped on Brooklyn Block 2403, Lots 1, 15, 31, 33, 41, and portions of ["p/o"] Lots 37 and 7501 (the "Project Area") to an M1-3A/R7X (MX8) district on Lots 1, 15, and 41 and to M1-2A district on Lots 31, 33, p/o 37 and p/o 7501; and (2) a zoning text amendment to amend Zoning Resolution (ZR) Appendix F to establish Lots 1, 15 and 41 within a Mandatory Inclusionary Housing (MIH) area (collectively the "Proposed Actions").

The Proposed Actions would facilitate the construction of the Applicant's Proposed Development, an approximately 322,641-gross square foot ("gsf") (272,759-zoning square feet ("zsf")) mixed-use residential and commercial building with up to 18-stories (181.25-feet-tall, excluding a 55-foot mechanical bulkhead[1]) above grade and a single below grade cellar level at 289 Kent Avenue (Block 243, Lots 1 and 41; "Projected Development Site 1") in the Williamsburg neighborhood of Brooklyn Community District (CD) 1 (refer to **Figure 1** in the EAS Form). The Proposed Development would include approximately 266,943-gsf (243,476-zsf) of residential uses (278 dwelling units ["DUs"], of which, approximately 20 to 30 percent (56 to 83 units) would be designated as permanently income-restricted pursuant to the City's MIH program at an average of 40 to 80 percent AMI depending on the MIH Option selected[2]; and 34,598-gsf (29,283-zsf) of local retail uses. Approximately 38 accessory residential parking spaces (21,100-sf) are assumed to be provided voluntarily in the cellar of the building. The Proposed Development would have an average DU size of approximately 960 gsf[3] and would maximize the permitted FAR (6.0 FAR).

The Proposed Actions are also expected to facilitate the redevelopment of two non-Applicant owned sites: Block 2403, Lot 15 ("Projected Development Site 2"); and Block 2403, Lot 37 ("Projected Development Site 3"). Projected Development Site 2 is expected to be redeveloped as a 13-story (145-foot-tall) 63,057-gsf mixed-use residential and commercial building with 54,863-gsf of residential uses (57 DUs, of which 20 to 30 percent (11 to 17 units) would be designated as permanently income-restricted pursuant to MIH Options 1, 2, or 3) and 8,194-gsf of local retail. Projected Development Site 3 is expected to be developed into a 9-story (95-foot-tall) 51,309-gsf mixed-use building with 34,206-gsf of commercial office uses and 17,103-gsf of community facility uses.

Together the three projected development sites, located on Block 2403, Lots 1, 15, 37, and 41 will be referred to as "the Area to be Developed". In total, the three projected development sites, located on the Area to be Developed, would comprise approximately 335 DUs (approximately 321,806-gsf of residential uses), of which approximately 67 to 101 units would be made permanently income-restricted under MIH Options 1, 2, or 3; 42,792-gsf of local retail uses, 34,206-gsf of commercial office space, and 17,103-gsf of community facility (medical office) space with approximately 38 parking spaces in the With-Action Condition. It is expected that the three projected development sites would be constructed and fully

[1] While the illustrative massing for Projected Development Site 1 shows a 25-foot bulkhead, the maximum allowable bulkhead height under zoning is 55 feet and thus is being analyzed for CEQR purposes.
[2] With the approval of City of Yes for Housing Opportunity on December 5, 2024, all eligible sites may seek to use MIH Option 3, which would designate approximately 20 percent of residential floor for households earning an average of 40 percent of AMI.
[3] Assumes 960 gsf per DU based on the average unit size of newly constructed (post-2014) rental developments built within a 1-mile radius of the Project Area.

occupied by 2030. Although the non-Applicant-controlled Lots 31, 33 and p/o 7501 on Block 2403 are located within the Project Area, these properties are not likely to be developed as a result of the Proposed Actions due to their size and current uses.

This attachment provides a summary and description of the Proposed Actions, including rezoning area, site location, existing conditions, project's purpose and need, the reasonable worst-case development scenario (RWCDS) under future No-Action and future With-Action conditions, and the governmental approvals required. The attached supplemental studies examine the potential for the Proposed Actions to result in impacts in any City Environmental Quality Review (CEQR) technical areas, including separate attachments with detailed analyses of land use, zoning, and public policy, socioeconomic conditions, open space, historic and cultural resources, shadows, urban design and visual resources, hazardous materials, air quality, noise, and construction, in **Attachment C** through **Attachment L**, respectively. All other warranted preliminary screening assessments are summarized in **Attachment B, "Supplemental Screening."**

II. EXISTING CONDITIONS

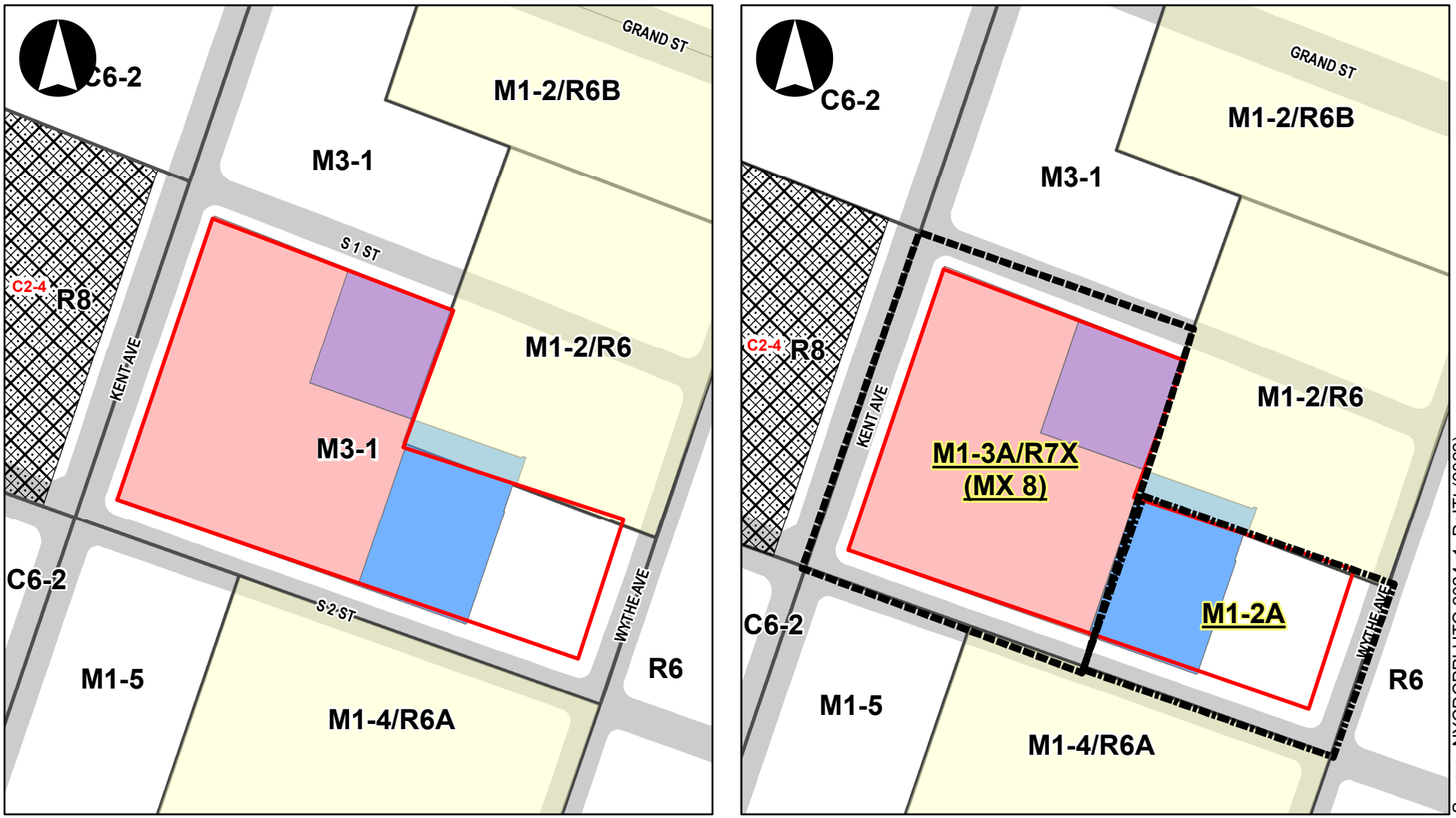
Project Area

The Project Area is located in the Williamsburg waterfront area in Brooklyn CD 1. It is comprised of a portion of one block: Brooklyn Block 2403, which is bounded by South 1st Street to the north, Wythe Avenue to the east, South 2nd Street to the south, and Kent Avenue to the west. As shown in **Figure A-1**, the Project Area is an irregularly shaped area, consisting of all or portions of seven privately owned tax lots (Brooklyn Block 2403, Lots 1, 15, 31, 33, and 41 and portions of (p/o) Block 2403, Lots 37 and 7501). The Project Area has approximately 253 feet of frontage along Kent Avenue, 416 feet of frontage along South 2nd Street, 100 feet of frontage along Wythe Avenue, and 216 feet of frontage along South 1st Street. Kent Avenue, South 2nd Street, and Wythe Avenue are each 60-feet wide, and therefore defined by zoning as narrow streets. South 2nd Street is 50-feet wide and is also defined by zoning as a narrow street. Kent Avenue has one moving lane and a two-way protected bike path. South 1st and South 2nd Streets have one moving lane and one parking lane. Wythe Avenue has one moving lane, a bike lane, and a parking lane.

The Project Area is currently mapped within an M3-1 manufacturing zoning district, which permits heavy manufacturing, including industries that generate noise, traffic, and/or pollutants. These districts are typically buffered from residential neighborhoods. The Project Area has been zoned M3-1 since the enactment of the 1961 Zoning Resolution (ZR). M3 districts allow a variety of light and heavy manufacturing including recycling facilities, water and sewage pumping stations, railroad operation facilities, food processing facilities, and apparel manufacturing. Commercial offices, laboratories, hotels, and some retail uses, including sporting goods stores and convenience/grocery store retailers are also permitted.

Projected Development Site 1 (Applicant-owned Property; Block 2403, Lots 1 and 41)

The Applicant-owned, approximately 45,460-sf Projected Development Site 1 (Block 2403, Lots 1 and 41) is comprised of two rectangular lots bounded by South 1st Street the north, South 2nd Street to the south, Kent Avenue to the west, and Lots 15 and 37 to the east. Projected Development Site 1 has approximately 253 feet of frontage along Kent Avenue to the east, approximately 170 feet of frontage along South 2nd Street to the south, and approximately 125 feet of frontage along South 1st Street to the north. Within Projected Development Site 1, Lot 1 is currently improved with a one-to-two-story vacant commercial



Legend

- Proposed Rezoning Area
- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3
- M3-1 Existing Zoning Boundaries
- Special Mixed Use District (MX-8)
- C2-3 Commercial Overlay
- C2-4 Commercial Overlay
- M1-2A Proposed Zoning Boundaries

Figure A-1
Proposed Zoning Change

office building (289 Kent Avenue) totaling 44,832-gsf (1.18 FAR). Lot 41 (49 South 2nd Street) is improved with a 3-story, approximately 21,600-gsf vacant commercial office building (2.92 FAR).

Projected Development Site 2 (Block 2403, Lot 15)

The approximately 9,500-sf Projected Development Site 2 (non-applicant-owned) consists of a rectangular lot located between Lots 1 and 7501 on Brooklyn Block 2403, with approximately 95 feet of frontage along South 1st Street. Projected Development Site 2 is bound by Lot 1 to the west, Lots 1 and 41 to the south, South 1st Street to the north and Lot 7501 to the east. Projected Development Site 2 (34 South 1st Street) is currently improved with a one-story, 9,500-gsf building (1.00 FAR) containing a produce warehouse.

Projected Development Site 3 (Block 2403, p/o Lot 37)

The approximately 12,372-sf Projected Development Site 3 (non-applicant-owned) consists of a rectangular-shaped lot located between Lots 41 and 31 on Brooklyn Block 2403 with approximately 101 feet of frontage on South 2nd Street. The portion of Lot 37 (57 South 2nd Street) located in the Project Area comprises approximately 12,372[4] sf of lot area and is currently utilized as an unlicensed surface parking lot (0.00 FAR).

Remainder of the Project Area

The three remaining lots located within the Project Area, which include Block 2403, Lots 31, 33, and part of Lot 7501, are not under the control of the Applicant and are each under separate private ownership. Lot 31 (342 Wythe Avenue) is an approximately 8,633-sf lot with frontage along both Wythe Avenue and South 2nd Street. Lot 31 is currently improved with a single-story, approximately 8,633-gsf commercial building containing newly renovated artist studios[5]. Lot 33 (67 South 2nd Street) is an approximately 1,250-sf lot bound by Wythe Avenue to north, South 2nd Street to the south, and Lot 31 to the east and north. Lot 33 contains a 3,150 gsf non-conforming residential building with ground floor restaurant space. The portion of Lot 7501 within the Project Area is an approximately 2,500-sf area improved with a one-story retail establishment. The remaining portion of the lot (approximately 21,750-sf) is zoned M1-2/R6 (MX-8), which was mapped as a result of the Greenpoint-Williamsburg Rezoning, adopted in 2005[6]. The 21,750-sf portion of the lot is occupied by a condominium and is excluded from the Project Area.

Surrounding Area and Context

The Project Area is in the Williamsburg neighborhood of Brooklyn. Land uses near the Project Area are varied, and consist of a dense mix of residential, commercial, mixed-use commercial and residential, as well as some light industrial and manufacturing (refer to **Figure 2** in the **EAS Form**).

Buildings directly adjacent to the Project Area range from small, one-to-four-story, residential and mixed-use buildings with rear yards to larger residential developments of four to six stories that feature high lot coverage on large lots. The historically industrial character of the surrounding area is reflected in the double-height ground floors, high ceilings, and large windows found throughout the surrounding area. East of the Project Area features a mix of residential and mixed-use buildings with several commercial and

[4] In total, Lot 37 measures 14,872-square feet ("sf"). The majority of Lot 37 is zoned M3-1 (the portion within the Project Area) with an approximately 2,500 sf portion zoned as M1-2/R6 (MX-8).
[5] 340-342 Wythe Avenue underwent renovation from 2021 to 2024 according to DOB building records.
[6] CEQR #04DCP003K.

office buildings scattered throughout. These residential and mixed-use buildings generally range from small walk-ups with commercial ground floor uses along Kent Avenue and Grand Street to the south of the Project Area, to larger and typically newer construction residential and mixed-use lofts in the north and east.

Larger mixed-use buildings are also present in the surrounding area, including on the northeast corner of the Project Area's block (15-stories; 330 Wythe Avenue), two blocks southwest (19-stories; 321 Wythe Avenue); two blocks south (16-stories; 325 Kent Avenue) and to the west of Kent Avenue as part of the Domino Sugar development (multiple towers ranging from 435-535 feet in height). Adjacent to Projected Development Site 1, the last residential and commercial development (Domino Building B) is anticipated to be completed by the 2030 analysis year. The Domino Sugar developments are tall with smaller lot coverage, and abut Domino Park and Domino Square, combined, a 5.0-acre public open space with playgrounds, volleyball courts, passive recreation lawns and walking paths that provide connection from upland areas to the East River.

The Project Area is located within the Inner Transit Zone. The nearest subway station is the Bedford Avenue station located approximately 0.5 miles from the Project Area. The station is serviced by the L subway line and provides service from Chelsea in Manhattan to Brownsville in Brooklyn, every day. The Project Area is also served by the J, M, and Z lines from the Marcy Avenue station located approximately 0.6 miles from the Project Area. The East River line of the NYC Ferry network stops approximately nine blocks south of the Project Area at Kent Avenue and South 9th Street and approximately eight blocks north of the Project Area at North 6th Street, providing service to Lower Manhattan, and points along the East River in Brooklyn and Queens.

Additionally, a bus stop for both the B32 and Q59 bus lines is located two blocks south of the Project Area on Kent Avenue. The B32 travels from Long Island City in Queens to Williamsburg in Brooklyn. The Q59 runs from Williamsburg in Brooklyn to Rego Park in Queens.

Zoning

As shown in **Figure 3** in the **EAS Form**, the surrounding area is zoned for residential, mixed-use commercial and manufacturing uses and contains several commercial overlays. As mentioned above, M3-1 is mapped in the Project Area and the surrounding area from Kent Avenue to Wythe Avenue between Grand Street and 2nd Streets. Typical uses in M3-1 districts include power plants, solid waste transfer facilities and recycling plants, and fuel supply depots.

An R6 zoning district is mapped in the area east of the Project Area between South 1st and South 3rd streets, east of Wythe Avenue. R6 zoning districts are medium-density residential districts ranging from large-scale “tower in the park” developments to neighborhoods with a diverse mix of building types. R6 districts have a maximum FAR of 3.90. An M1-5 district is mapped southwest of the Project Area, between South 2nd Street and South 1st Street with frontages along Kent Avenue. M1-5 districts are light manufacturing districts that allow for commercial, retail, community facilities, and light industrial uses. The M1-5 district is a non-contextual district that permits a maximum commercial and manufacturing FAR of 5.0 and a maximum community facility FAR of 6.5. C6-2 districts are mapped to the south of Grand Street and west of the Project Area. These districts are high-density commercial districts that permit a maximum commercial FAR of 6.0. C6-2 districts have an R8 equivalent and permit a maximum residential FAR of 8.64 for buildings providing quality affordable housing. C6-2 districts also have a maximum community facility FAR of 6.5.

Additionally, several special mixed-use districts (MX-8) are mapped to the north and south of the Project Area. A portion of an MX-8 district is mapped on Brooklyn Block 2403, directly adjacent to the Project Area. These districts were established as a result of CEQR application #04DCP003K which rezoned upland portions of the Williamsburg and Greenpoint neighborhoods. As a result, new residential and non-residential uses (commercial, community facility, and light industrial) including Use Groups IV, VI, and IX, with some limitations[7], can be developed as-of-right and can be located side-by-side or within the same building (refer to **Figure 3** in the **EAS Form**).

Lastly, as shown in **Figure 3**, C2-4 commercial overlays are mapped on portions of Kent Avenue and Grand Street. Commercial overlays are mapped within residence districts along streets that serve local retail needs. In residential areas R6 through R10, such as those in the area surrounding the Project Area, commercial overlays provide a maximum commercial FAR of 2.0.

III. THE PROPOSED ACTIONS

To facilitate the Applicant's Proposed Development, the following discretionary land use actions would be required:

- ***Zoning Map Amendments:*** The Applicant is proposing a zoning map amendment to rezone Brooklyn Block 2403, Lots 1 and 41 (Applicant-owned) and Lot 15 (Non-applicant owned) from M3-1 district to a M1-3A/R7X district (MX-8). Additionally, the Applicant is proposing to rezone Brooklyn Block 2403, Lots 31, 33, a p/o 37 and a p/o 7501 from M3-1 district to an M1-2A district (refer to **Figure A-1**).

- ***Zoning Text Amendment:*** The Applicant is proposing zoning text amendments to Appendix F of the *Zoning Resolution (ZR) of the City of New York* to establish the proposed M1-3A/R7X (MX-8) district as an MIH designated area. The establishment of the MIH designated area would require a share of new housing to be permanently affordable.

IV. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

The proposed zoning changes would map an M1-3A/R7X (MX-8) zoning district over Block 2403, Lots 1, 15, and 41 and map a M1-2A zoning district over Block 2403, Lots 31, 33, a p/o 37 and a p/o 7501, collectively, the Project Area. The Proposed Actions would permit residential use on the Applicant's Proposed Development Site (Lots 1 and 41) and Lot 15 (Projected Development Site 1) at a density commensurate with completed and proposed residential buildings on the surrounding blocks, and would provide new opportunities for affordable and market-rate housing development in an area experiencing population growth. The new MX-8 district would be consistent with the higher-density zoning districts to the north, south and west of the Applicant's Proposed Development Site.

The M1-2A district proposed on Lots 31, 33, a p/o 37 and a p/o 7501 would replace an outdated, vestigial heavy manufacturing M3-1 zoning district with a more appropriate light manufacturing (M1) district that is similar to those already present on the surrounding blocks to the south, west and north. The proposed M1-2A district would permit additional light manufacturing growth on the applicable lots in addition to community facility and commercial uses, which is in line with the purpose of the newly created "A" suffix manufacturing districts. The proposed zoning district allows for greater flexibility in both use and building

[7] Refer to ZR 123-21 "Modifications to M1 Use Regulations".

envelopes, allowing developers to select either a light manufacturing use (i.e., maintaining historical building uses) or a higher density commercial or community facility use. This flexibility allows developers to better respond to changing real estate trends in a neighborhood that has undergone significant development in the past two decades.

The proposed zoning text amendment to Appendix F would establish the area rezoned for residential use (Lots 1, 15 and 41) as a Mandatory Inclusionary Housing Area, ensuring the provision of permanently affordable housing as part of any future development on those lots, including the Applicant's Proposed Development.

The proposed zoning map amendments, combined with the mapping of MIH, would enable the Applicant's Proposed Development to provide new market rate and affordable housing, activate the Proposed Development Site's Kent Avenue frontage with ground floor retail and allow for development that would create a contextually appropriate transition from the adjacent tall, dense buildings along the East River waterfront to the lower density upland neighborhood located to the east. The Proposed Actions would facilitate the development of mixed-use residential and commercial developments that would provide needed new affordable housing, as well as retail, services and employment opportunities in Williamsburg.

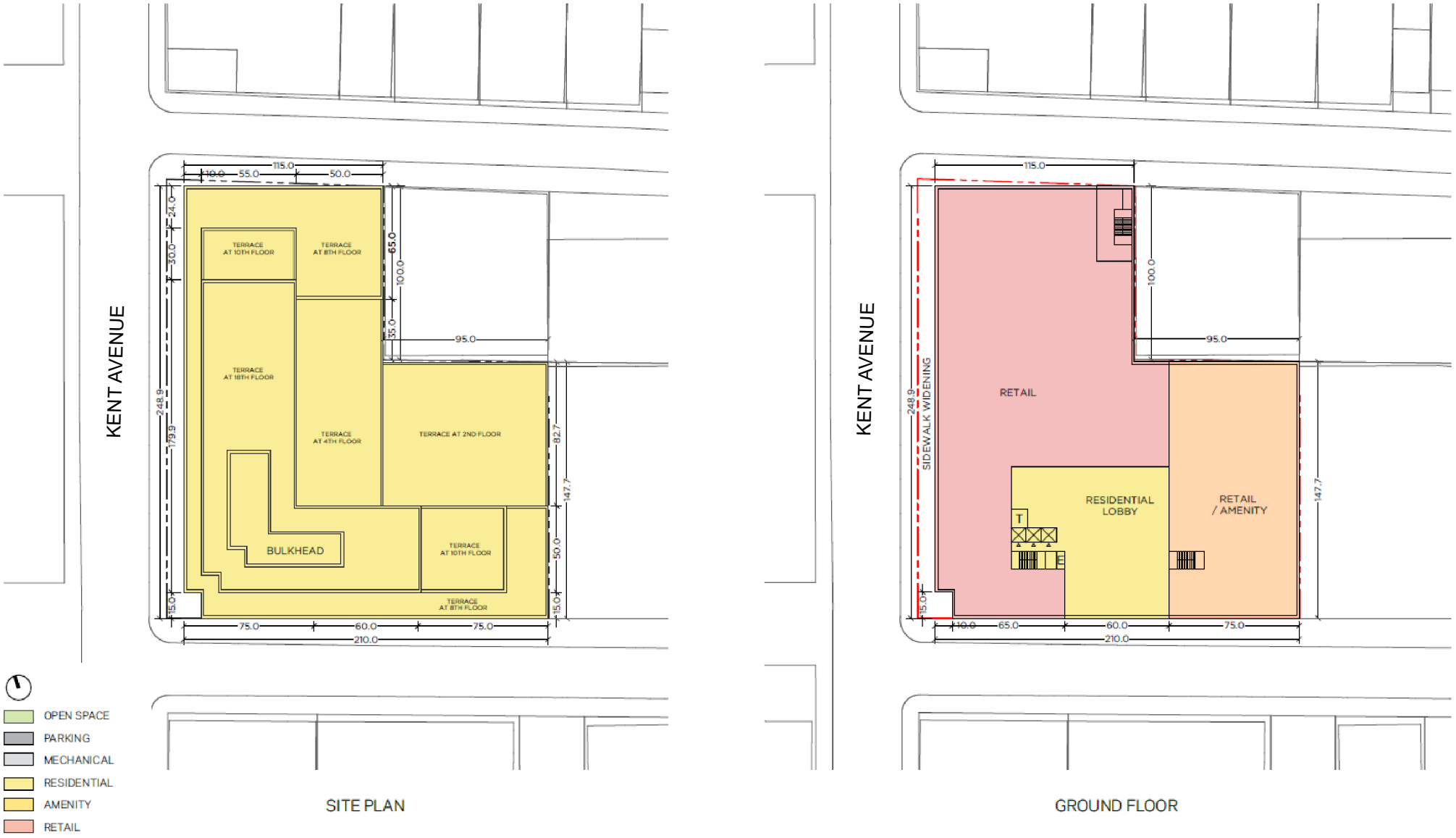
Importantly, the Proposed Actions would help to address the continuing need for affordable housing for a range of household income levels in the Williamsburg neighborhood and surrounding neighborhoods. The proposed zoning text amendment, which would designate the portion of the Project Area being rezoned M1-3A/R7X as a MIH area, would require the construction of permanently affordable units on the Applicant-owned and controlled development site as well as Lot 15. These required permanently affordable units within the Project Area would help to address affordable housing goals set forth by the City in *Housing New York: A Five-Borough, Ten-Year Plan* and *City of Yes for Housing Opportunity*. The proposed zoning text amendment would also be aligned with one of Brooklyn Community Board 1's identified pressing issues for housing, economic development and land use. Based on the Community Board's *Statement of Needs* for Fiscal Year 2025, the community needs affordable housing to accommodate the expansion of growth and counter the development of luxury buildings that remain unaffordable to many Brooklyn families[8]. The creation of new affordable housing supply at various income levels helps contribute to housing affordability in the surrounding area and larger City.

V. APPLICANT'S PROPOSED DEVELOPMENT

The Applicant is proposing to develop a mixed-use residential and commercial building at Projected Development Site 1 under the proposed M1-3A/R7X district. The Applicant's Proposed Development would be a 18-story (181.25-feet-tall, plus approximately 55-feet of additional height for mechanical bulkhead) mixed-use residential and commercial building containing approximately 266,943-gsf of residential uses (278 DUs, of which 20 to 30 percent of units [56 to 83 units] would be designated as permanently affordable pursuant to MIH Option 1, Option 2, or Option 3) and 34,598-gsf of local retail uses. Although no accessory parking is required pursuant to the proposed zoning, up to 38 accessory parking spaces (21,100-sf) are being assumed for CEQR analysis purposes.

As shown in **Figures A-2** and **A-3**, Projected Development Site 1's residential lobby entrance would be located on South Second Street, with retail and amenity space accessible from Kent Avenue, South First

[8] https://www.nyc.gov/assets/brooklyncb1/downloads/pdf/2023/FY25_BK01_Preliminary.pdf


KENT AVENUE
115.0
10.0
55.0
50.0
24.0
30.0
65.0
100.0
35.0
95.0
248.9
179.9
TERRACE AT 10TH FLOOR
TERRACE AT 8TH FLOOR
TERRACE AT 18TH FLOOR
TERRACE AT 4TH FLOOR
TERRACE AT 2ND FLOOR
BULKHEAD
TERRACE AT 10TH FLOOR
TERRACE AT 8TH FLOOR
82.7
147.7
50.0
15.0
75.0
60.0
75.0
210.0
OPEN SPACE
PARKING
MECHANICAL
RESIDENTIAL
AMENITY
RETAIL
SITE PLAN
KENT AVENUE
115.0
100.0
95.0
248.9
SIDEWALK WIDENING
RETAIL
RESIDENTIAL LOBBY
RETAIL / AMENITY
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E
147.7
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75.0
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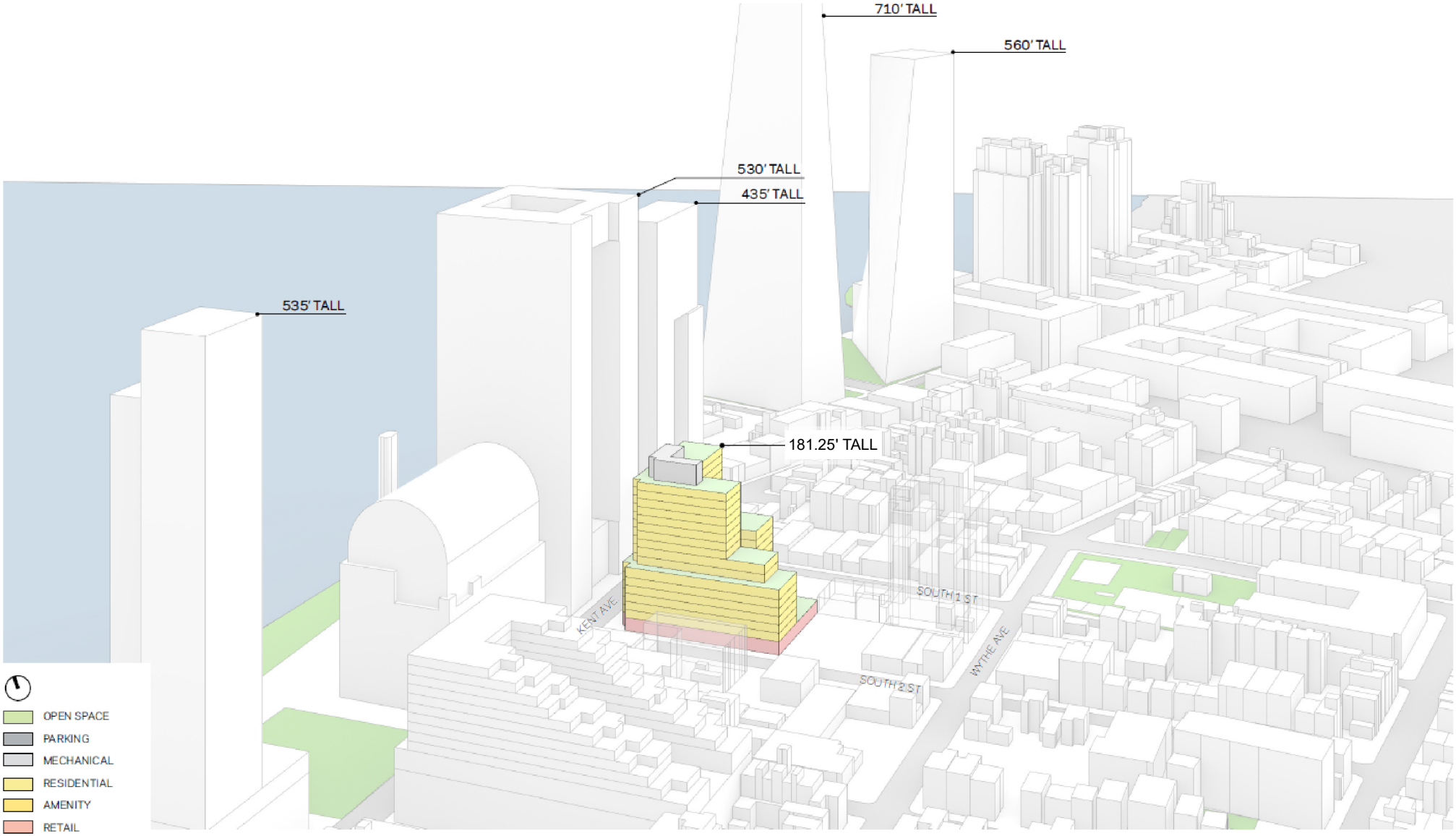
GROUND FLOOR


710' TALL
560' TALL
530' TALL
435' TALL
535' TALL
181.25' TALL
KENT AVE
SOUTH 1 ST
SOUTH 2 ST
WYTHE AVE
OPEN SPACE
PARKING
MECHANICAL
RESIDENTIAL
AMENITY
RETAIL

Street and South Second Street[9]. The building would feature several residential amenity spaces in the form of terraces on floors two, four, eight, ten, and seventeen.

VI. ANALYSIS FRAMEWORK

Analysis Year

It is anticipated that the Proposed Actions would be certified into ULURP in late 2025. Assuming completion of the ULURP process by 2026, and a period of approximately 27 months of construction, completion and occupancy of Projected Development Site 1 is expected to occur by the end of 2028. In addition to the Applicant-owned Projected Development Site 1, two additional projected development sites (Projected Development Sites 2 and 3) have been identified within the Project Area that are likely to be developed as a result of the Proposed Actions (described further below). However, no formal redevelopment plans under the With-Action conditions exist for the two non-Applicant-owned sites. Nonetheless, the sites meet CEQR "soft site" criteria and, as such, are assumed to be redeveloped by 2030. Given the size of the assumed development on Projected Development Sites 2 and 3 (approximately 63,057 gsf and 51,309 gsf, respectively), and a reasonable estimate of the time needed to demolish the existing structure on Block 2403, Lot 15 ("Projected Development Site 2") and design the respective projects, obtain design approvals, and construct the projects, construction durations of 10 to 12 months is assumed for each site, and 2030 represents a reasonable build year timeline. Accordingly, the environmental documents will use 2030 as the Build Year for analysis of future conditions with *CEQR Technical Manual* guidance.

Identification of Development Sites

In addition to the Applicant-owned Projected Development Site 1 described above, there are additional properties within the Project Area that could be considered a "soft-site" under CEQR criteria. Per *CEQR Technical Manual criteria*, "soft sites are sites where a specific development is not currently proposed or being planned but may reasonably be expected to occur by the projected build year" (Chapter 2, Section 410). According to the *CEQR Technical Manual,* the following factors, commonly referred to as "soft site criteria," are generally considered when evaluating whether some amount of development would likely be constructed by the build year as a result of the Proposed Actions:

- The uses and bulk allowed: Lots located in areas where changes in use would be permitted and/or contain buildings built to substantially less than the maximum allowable floor area ratio (FAR) under the existing zoning are considered "soft" enough such that there would likely be sufficient incentive to develop in the future, depending on other factors specific to the area (e.g., the amount and type of recent as-of-right development in the area, recent real estate trends, site specific conditions that make development difficult, and issues relating to site control or site assemblage that may affect redevelopment potential); and
- Size of the development site: Lots must be large enough to be considered "soft." Generally, lots with a small lot size are not considered likely to be redeveloped, even if currently built to substantially less than the maximum allowable FAR. A small lot is often defined for this purpose as 5,000 square feet or less, but the lot size criteria are dependent on neighborhood specific

[9] The RWCDS assumes that up to 38 parking spaces would be provided voluntarily the Applicant and would be accessed from a garage entrance on either South 1st Street or South 2nd Street.

trends, and common development sizes in the study area should be examined prior to establishing these criteria.

However, the following uses and types of buildings that meet the soft site criteria are typically excluded from development scenarios because they are unlikely to be redeveloped as a result of the proposed actions:

- Full block and newly constructed buildings with utility uses, as these uses are often difficult to relocate;
- Lots where construction is actively occurring, or has recently been completed, as well as lots with recent alterations that would have required substantial capital investment, unless recently constructed or altered lots were built to less than or equal to half of the maximum allowable FAR under the proposed zoning;
- Lots whose location or irregular shape would preclude or greatly limit future as-of-right development. Generally, development on irregular lots does not produce marketable floor space;
- Long-standing institutional uses with no known development plans; or
- Residential buildings with six (6) or more units that were constructed before 1974. These buildings are likely to be rent-stabilized and difficult to demolish due to tenant re-location requirements.

Definition of Projected and Potential Development Sites

To produce a reasonable, conservative estimate of future growth identified development sites are typically divided into two categories: projected development sites and potential developments. Projected development sites are considered more likely to be developed within the analysis period for the Proposed Actions (i.e., by 2030), while potential sites are considered less likely to be developed over the same period.

Projected Development Site 1 (Block 2403, Lots 41 and 1)

The Applicant-controlled site is considered a projected development site, as in the future with the Proposed Actions the Applicant intends to redevelop the site with a new mixed-use commercial and residential building, as detailed above.

Projected Development Site 2 (Block 2403, Lot 15)

The non-Applicant controlled site is considered a projected development site, as in the future with the Proposed Actions it is assumed that the lot would be redeveloped with a thirteen-story, mixed-use commercial and residential building. As this site would be rezoned to allow residential uses, is currently built to half the allowable FAR, is located on a lot greater than 5,000-sf, and is located in an area with a development trend of new mixed-use residential and commercial buildings, it is reasonable to assume that the site is likely to be redeveloped as a result of the Proposed Actions.

Projected Development Site 3 (Blocks 2403, Lot 37)

The non-Applicant controlled site is considered a projected development site, as in the future with the Proposed Actions it is assumed that the lot would be redeveloped with a nine-story mixed use commercial

and community facility building. As there is no current development on this site, the lot is greater than 5,000-sf, and it is located in an area with a development trend of new commercial buildings, it is reasonable to assume that the site is likely to be developed on as a result of the Proposed Actions.

Remainder of Project Area

Three additional lots within the study area (Block 2403, Lot 31, Lot 33, and a portion of Lot 7501) would be rezoned M1-2A as a result of the Proposed Actions. However, these lots are not assumed to be soft sites for RWCDS purposes, for the reasons outlined below.

Block 2403; Lot 31 (342 Wythe Avenue) – A one-story manufacturing/light industrial 8,633-sf lot under private ownership. The existing building on this lot recently underwent conversion to artists' studios. While the building is not utilizing all of its allowable FAR (underbuilt by approximately 2.0 FAR), it would not gain additional FAR under the Proposed Actions and recently underwent a six-year renovation process that completed in June 2024, according to DOB records. Therefore, it is unlikely that the Proposed Actions would result in the building being redeveloped again by the analysis year.

Block 2403, Lot 33 (67 South 2nd Street) – A three-story mixed-use residential building located on a 1,250-sf lot under private ownership. The lot size is smaller than the soft-site criteria, and the existing non-conforming building has an FAR of 2.52, exceeding the currently allowed FAR and more than 80% of the proposed FAR of 2.0. Therefore, this lot would not be redeveloped as a result of the Proposed Actions.

Block 2403, p/o Lot 7501 (330 Wythe Avenue) – This site is not expected to be redeveloped as a result of the Proposed Actions. Only the southern edge of the larger lot is being rezoned (roughly 10%) and the remainder of the lot contains a residential building with an FAR of approximately 4.9. This portion of Lot 7501, which comprises approximately 2,500 sf, is occupied by an active retail establishment as well as outdoor residential amenity space for the residential condominium occupying the remainder of the lot. Development is unlikely because the portion of the lot being rezoned is considered too small to redevelop (less than 5,000 sf) and the larger lot is subject to a variance under jurisdiction of the New York City Board of Standards and Appeals (40-95-BZ, 934-82-BZ).

As such, for RWCDS purposes, three projected development sites have been identified in the Proposed Rezoning Area. The Applicant-owned site (Projected Development Site 1), along with two additional non-Applicant controlled development sites (Projected Development Sites 2 and 3) which are discussed above, represent the RWCDS for analysis purposes. The remaining lots in the Project Area are not projected to be developed as a result of the Proposed Actions and are not considered development sites for CEQR analysis purposes. A small portion of Projected Development Site 3 (Block 2304, Lot 37) is located outside of the Proposed Rezoning Area but the full lot is anticipated to be developed on in both the No-Action and With-Action condition. Therefore, together the three development sites will be referred to as "the Area to be Developed".

Future without the Proposed Actions (No-Action Condition)

In the 2030 No-Action condition, the proposed zoning changes would not occur, and the existing zoning would remain. In the No-Action condition, it is assumed that Applicant-owned Lot 1 (Projected Development Site 1) and non-applicant owned Lots 15 (Projected Development Site 2) and 37 (Projected Development Site 3) would be redeveloped on an as-a-right basis under their existing zoning designations. Lot 41 (Applicant-owned), which has an FAR of 2.92, already exceeds bulk controls (2.0 manufacturing FAR in an M3-1 district) and is not likely to redevelop or expand under the No-Action condition; however,

the vacant office building on Applicant-owned Lot 1 is assumed to be reoccupied with an office use in the No-Action condition. An approximately 2,500-sf portion of non-Applicant Lot 37 is currently zoned M1-2/R6 (MX8), and the remaining approximately 12,372 sf is zoned M3-1. Per ZR 77-11, when a zoning lot is divided by a boundary between districts in which different uses are permitted, the use regulations applicable to the district in which more than 50 percent of the lot area where the zoning lot is located may apply to the entire zoning lot. Therefore, No-Action development assumed on Lot 37 would comply with M3-1 regulations.

Applicant-owned Lot 1 is expected to maximize its allowable FAR of 2.0 under the No-Action condition (an increase of 0.82 FAR from existing conditions), by enlarging the existing, 44,882-gsf, 2-story commercial building into a 4-story building with a height of approximately 60 feet. The enlarged commercial building would comprise a total of approximately 118,817-gsf (76,116 zsf) of commercial space (approximately 28,544-gsf (24,825 zsf) of local retail and 58,989-gsf (51,291 zsf) of office space and approximately 31,284-gsf of required accessory parking (104 spaces)[10] located at the cellar level. The buildings at Applicant-owned Lots 1 and 41 would remain separate. The existing buildings on these lots currently operate independently from one another with independent mechanical systems, vertical transportation systems and areas of egress, and therefore would be leased out individually unless requested by a future tenant.

Lot 15, an underutilized light manufacturing space with an existing FAR of 1.0, is also assumed to maximize its available FAR of 2.0 in the No-Action condition, by enlarging the existing building into a 3-story building with a height of approximately 45 feet. The enlarged building would comprise a total of approximately 31,350-gsf (19,000 zsf), with approximately 10,925-gsf (9,500 zsf) of light industrial/warehouse space, 7,125-gsf (6,195 zsf) of local retail space, approximately 3,800-gsf (3,304 zsf) of office space, and approximately 9,500-gsf of required accessory parking (32 spaces).

Lot 37, currently an unlicensed parking lot, is assumed to be redeveloped into an approximately 63,950-gsf (29,744 zsf), 5-story commercial building with a height of approximately 65 feet, maximizing its allowable FAR of 2.0. The building would comprise approximately 14,872-gsf (12,932 zsf) of local retail and 19,334-gsf (16,812 zsf) of office space, as well as approximately 29,744-gsf of required accessory parking (99 spaces). One parking space per 300 square feet of commercial/retail space is assumed. Because of the lot's size and status as unlicensed, it is assumed for RWCDS purposes that it would be replaced with a conforming use in the 2030 No-Action condition. Further, after a review of ACRIS and DOB BIS, the unlicensed parking lot was not found to be under any contractual requirements that maintain its existing non-conforming use through any agreements with adjacent buildings.

No-Action assumptions for the Applicant-owned Projected Development Site 1 have been developed in accordance with *CEQR Technical Manual* guidance and in the context of local real estate trends. M3-1 districts allow a maximum FAR of 2.0 for commercial and industrial uses and given expected residential and business development in the area immediately surrounding the Applicant-owned site, it is likely that the building on Projected Development Site 1 (Lot 1 only) would be redeveloped to maximize the allowable FAR. The remaining portion of Projected Development Site 1 (Lot 41) would remain a three-story commercial office building, the same as under existing conditions. For the Non-Applicant sites, No-Action assumptions are based on current uses as well as the type of uses allowed by the existing M3-1 zoning and prevailing market conditions. While it is expected that some existing light manufacturing uses will remain on the Project Area, the majority of floor area will be used for commercial/local retail uses, meeting the demand for retail and commercial markets in and around Williamsburg. The recent

[10] Assumes accessory parking would be required for the additional commercial square footage only per ZR 44-21.

conversion of Domino Sugar Refinery to office space and the development of mixed-use residential buildings along the waterfront (1 South First, One Domino Square, 1 North Fourth, and One Northside Piers) suggest high demand for these uses. Further, DOB filings for vertical enlargements within a half mile of the Project Site, at 303 Wythe Avenue and 85 South 6th Street, indicate a demand for expanded mixed-use spaces.

Future with the Proposed Actions (With-Action Scenario)

In the future with the Proposed Actions (With-Action condition), the proposed zoning map and zoning text amendments would be approved. The With-Action scenario for Applicant-owned Projected Development Site 1 (Block 2403, Lots 1 and 41) is based on the Applicant's proposed plan for the site which would combine Lots 1 and 41, facilitating the development of a building that maximizes the allowable FAR and building height under the proposed zoning. As the Applicant's proposed building maximizes the allowable FAR and building height under the Proposed Actions, it represents the RWCDS for CEQR analysis purposes.

The RWCDS for the two non-Applicant owned Projected Development Sites (Lot 15 and Lot 37) was been developed in accordance with *CEQR Technical Manual* guidance and is based on recent real estate trends and types of uses allowed in the proposed M1-3A/R7X and M1-2A zoning districts.

Projected Development Site 1 (Applicant-owned)

As detailed above, under the RWCDS, the Applicant-owned Projected Development Site 1 would be redeveloped with a 18-story (181.25-foot tall[11] excluding a 55-foot tall mechanical bulkhead) mixed-use, 322,641-gsf (272,760-zsf) building comprising 278 DUs, of which 56 to 83 (20 to 30 percent) would be made permanently income-restricted between 40 percent AMI and 80 percent AMI under MIH Options 1, 2, or 3; 34,598-gsf (30,085 zsf) of local retail uses (refer to **Table A-1**). No accessory residential parking is required pursuant to ZR 25-211; however, up to 38 accessory residential parking spaces are being assumed for CEQR analysis purposes. No commercial parking is required pursuant to ZR 44-21. The development would have a FAR of 6.0.

Projected Development Site 2 (Non-Applicant owned)

The proposed zoning changes would facilitate the redevelopment of Projected Development Site 2 with a thirteen-story (145-foot tall[12] excluding a 20-foot mechanical bulkhead), 63,057-gsf (57,000 zsf) mixed-used building including 57 DUs (approximately 54,863-gsf (49,875 zsf) of residential uses), of which 11 to 17 (20 to 30 percent) would be made permanently affordable between 40 percent and 80 percent AMI under MIH Options 1, 2, or 3; and 8,194-gsf (7,125 zsf) of local retail uses. No accessory residential parking would be provided per ZR 25-211 and no commercial parking ois required per ZR 44-21. The development would have a FAR of 6.0.

Projected Development Site 3 (Non-Applicant owned)

Projected Development 3 is expected to be redeveloped with a nine-story (95-foot tall excluding a 20-foot mechanical bulkhead), 51,309 gsf (44,616 zsf) mixed-use building containing 34,206-gsf (29,744 zsf) of

[11] Per ZR 23-432 and 123-652(a), the maximum building height for buildings within an M1-3A/R7X district with a lot size greater than 20,000-sf is 181.25 feet (25% greater than the maximum listed in the table in ZR 23-432 (145 feet)).
[12] See footnote 10.

commercial uses and 17,103-gsf (14,872 zsf) of community facility uses (medical office). A medical office use is appropriate given increasing demand for more localized services within the neighborhood, borough, and City. This is particularly evident in neighborhoods like the surrounding area that have recently experienced residential growth. A mix of commercial office and community facility space is assumed in order to reflect the full range of possible effects as a result of the rezoning. Given that allowable commercial FAR for this lot is the same under the existing and proposed zoning (at 2.0), the main consequence of the proposed rezoning is that it would allow for a wider mix of uses (e.g., most community facilities are currently not allowed in M3-1 districts). As such, the RWCDS assumes community facility in order to reflect the full range of effects resulting from the rezoning. Further, although there is a large amount of retail space being created on Projected Development Site 1 in the With-Action condition, Projected Development Site 3 is expected to only contain office uses within its commercial space. This condition, while it differs from the No-Action condition's mix of uses, reflects a balanced commercial and retail landscape, a consideration less relevant in the No-Action condition where less commercial uses would be developed overall. Commercial and community facility parking spaces are not required per ZR 44-21. Proposed Development Site 3 would have a FAR of 3.0.

TABLE A-1:
RWCDS With-Action Development Scenarios for Projected Development Sites

	Block	Lot(s)	Lot Area (SF)	Residential		Commercial (GSF)	Community Facility (GSF)	Total Building (GSF)	Max. Building Height (ft)	Parking Spaces/GSF
				GSF	DUs					
Projected Development Site 1	2403	1 41	45,460 sf	266,943 gsf	278	34,598 gsf	0 gsf	322,641	181.25' (18 stories)	38 spaces (21,100 gsf)
Projected Development Site 2	2403	15	9,500 sf	54,863 gsf	57	8,194 gsf	0 gsf	63,057 gsf	145' (13 stories)	0 spaces
Projected Development Site 3	2403	37	14,872 sf	0 gsf	0	34,206 gsf	17,103 gsf	51,309 gsf	95' (9 stories)	0 spaces
Total			**69,832 sf**	**321,806 gsf**	**335 DUs**	**76,998 gsf**	**17,103 gsf**	**437,007 gsf**		38 spaces

Possible Effects of the Proposed Actions

Table A-2 below provides a comparison of the No-Action and With-Action conditions identified for *CEQR* analysis purposes. As shown, the incremental (net) change that would result from the Proposed Actions is the addition of a total of 321,806-gsf of residential uses, including approximately 335 DUs, of which approximately 67 to 101 would be affordable nits pursuant to MIH and a net addition of 17,103-gsf of community facility space. The Proposed Actions would also result in the incremental (net) loss of approximately 77,266-gsf of commercial uses in total (-7,749 of commercial retail and -69,517 of commercial office), a net loss of 10,925-gsf of light manufacturing/industrial uses and a net loss of 49,428-gsf of accessory parking. In terms of population, the Proposed Actions are expected to generate an estimated increase of 727 residents and result in a net decrease of 257 employees, as compared to the 2030 No-Action condition.

TABLE A-2:
Comparison of No-Action and With-Action RWCDS

Use	No-Action	With-Action	Increment
Residential	0 GSF	321,806 GSF	+321,806 GSF
Dwelling units (DUs)	*0 DUs*	*335 DUs*	*+335 DUs*
Affordable units	*0 DUs*	*67 - 101 DUs [1]*	*+67 – 101 DUs*
Commercial (GSF)	154,264 GSF	76,998 GSF	- 77,266 GSF
Local Retail	*50,541 GSF*	*42,792 GSF*	*-7,749 GSF*
Commercial Office	*103,723 GSF*	*34,206 GSF*	*-69,517 GSF*
Community Facility (GSF)	0 GSF	17,103 GSF	+17,103 GSF
Light Industrial/Manufacturing (GSF)	10,925 GSF	0 GSF	- 10,925 GSF
Total	*235,711 GSF*	*437,007 GSF*	*+ 201,290 GSF*
Accessory Parking			
Parking Spaces	235	38	-197
Parking SF	70,528 SF	21,100 SF	- 49,4428 SF
Population/Employment	**No-Action**	**With-Action**	**Increment**
Residents[2]	0	727	+727
Workers[2]	578	321	-257

Notes: [1] The number of affordable housing units are contingent upon which MIH option is mapped.
[2] Estimated workers for RWCDS calculated as follows: 1 employee/25 DUs, 1 employee/333 sf of local retail, 1 employee/400 sf of medical office, 1 employee/250 sf of office, and 1 employee per 1,000 sf/light industrial space. Parking is assumed to be unattended. Assumptions aligned with CEQR #19DCP157K, Gowanus Neighborhood Rezoning EIS. Estimated residents is based on an average household size of 2.17 persons per household (based on 2020 Census data for the Williamsburg NTA).

VII. REQUIRED APPROVALS

The applicant requests zoning text and map amendments to construct the Proposed Development at 289 Kent Avenue. The proposed zoning map and text amendment are discretionary actions that are subject to both the Uniform Land Use Review Procedure (ULURP) and CEQR.

The City's ULURP process, mandated by Sections 197-c and 197-d of the New York City Charter, is designed to allow public review of ULURP applications at four levels: the Community Board; the Borough President; the CPC and the City Council. The procedure has mandated time limits for review at each stage to ensure a maximum review period of approximately seven months. The process begins with certification by CPC that the ULURP application is complete. The application is then referred to the relevant Community Board (in this case Brooklyn Community Board 1). The Community Board has up to 60 days to review and discuss the proposal, hold a public hearing, and adopt an advisory resolution on the ULURP application. The Brooklyn Borough President then has up to 30 days to review the application. The CPC then has up to 60 days, during which time a public hearing is held on the ULURP application. If CPC approved, the application is then forwarded to the City Council, which has 50 days to review the ULURP application.

CEQR is a process by which agencies review discretionary actions to identify the effects those actions may have on the environment. The City of New York established CEQR regulations in accordance with the New York State Environmental Quality Review Act (SEQRA). In addition, the City has published a guidance manual for environmental review, the *CEQR Technical Manual*.

ATTACHMENT B

SUPPLEMENTAL SCREENING

I. INTRODUCTION

This EAS has been prepared in accordance with the guidance and methodologies of the 2021 *CEQR Technical Manual*. For each technical area, thresholds are defined, which if met or exceeded, indicate that a detailed technical analysis should be undertaken. Using this guidance, preliminary screening assessments were conducted for the Proposed Actions to determine whether detailed analysis of any technical area may be appropriate.

As described in **Attachment A, "Project Description,"** the Proposed Actions involve a zoning map amendment to change the existing M3-1 district mapped on Brooklyn Block 2403, Lots 1, 15, 31, 33, 41, and portions of ["p/o"] Lots 37 and 7501 (the "Project Area") to an M1-3A/R7X (MX8) district on Lots 1, 15, and 41 and to M1-2A district on Lots 31, 33, p/o 37 and p/o 7501; and a zoning text amendment to amend Zoning Resolution (ZR) Appendix F to establish Lots 1, 15 and 41 within a Mandatory Inclusionary Housing (MIH) area (collectively the "Proposed Actions").

The Proposed Actions would facilitate the construction of the Applicant's Proposed Development, an approximately 322,641-gross square foot ("gsf") mixed-use residential and commercial building with up to 18-stories (181.25-feet-tall, excluding a mechanical bulkhead) above grade and a single below grade cellar level at 289 Kent Avenue (Block 2403, Lots 1 and 41; "Projected Development Site 1") in the Williamsburg neighborhood of Brooklyn Community District (CD) 1. The Proposed Development would include approximately 266,943-gsf of residential uses (278 dwelling units ["DUs"], of which, approximately 20 to 30 percent (56 to 83 units) would be designated as permanently affordable pursuant to the City's MIH program at an average of 40 to 80 percent AMI depending on the MIH Option selected[1]; and 34,598-gsf of local retail uses. The Proposed Development would have an average DU size of approximately 960-gsf[2] and would maximize the permitted FAR (6.0 FAR).

The Proposed Actions are also expected to facilitate the redevelopment of two non-Applicant owned sites: Block 2403, Lot 15 ("Projected Development Site 2"); and Block 2403, Lot 37 ("Projected Development Site 3"). Projected Development Site 2 is expected to be redeveloped as a 13-story (145-foot-tall) 63,057-gsf mixed-use residential and commercial building with 54,863-gsf of residential uses (57 DUs, of which 20 to 30 percent (12 to 17 units) would be designated as permanently affordable at 40 percent to 80 percent AMI pursuant to MIH Options 1, 2, or 3) and 8,194-gsf of local retail. Projected Development Site 3 is expected to be developed into a 9-story (95-foot-tall) 51,309-gsf mixed-use building with 34,206-gsf of commercial office uses and 17,103-gsf of community facility uses.

This attachment identified that additional analyses of Land Use, Zoning, & Public Policy, Socioeconomic Conditions, Open Space, Shadows, Historic & Cultural Resources, Urban Design & Visual Resources, Air Quality, Noise, Hazardous Materials, and Construction are required. These analyses are provided in

[1] With the approval of City of Yes for Housing Opportunity on December 5, 2024, all eligible sites may seek to use MIH Option 3, which would designate approximately 20 percent of residential floor for households earning an average of 40 percent of AMI. MIH Option 1 would designate approximately 25 percent of residential floor area for households earning an average 60 percent AMI and MIH Option 2 would designate approximately 30 percent of residential floor area for households earning an average of 80 percent AMI.

[2] Assumes 960 gsf per DU based on the average unit size of newly constructed (post-2014) rental developments built within a 1-mile radius of the Project Area.

Attachments C to L, respectively. **Table B-1** presents a summary of analysis screening information for the Proposed Actions.

TABLE B-1:
Summary of Technical Area Screenings

TECHNICAL AREA	SCREENED OUT PER EAS FORM	SCREENED OUT PER SUPPLEMENTAL SCREENING	ANALYSIS REQUIRED
Land Use, Zoning, & Public Policy			X
Socioeconomic Conditions			X
Community Facilities & Services	X		
Open Space			X
Shadows			X
Historic & Cultural Resources			X
Urban Design & Visual Resources			X
Natural Resources	X		
Hazardous Materials			X
Water & Sewer Infrastructure	X		
Solid Waste & Sanitation Services	X		
Energy	X		
Transportation		X	
Air Quality			X
Greenhouse Gas Emissions and Climate Change	X		
Noise			X
Public Health		X	
Neighborhood Character		X	
Construction			X
Effects on Disadvantaged Communities			X

II. SUPPLEMENTAL SCREENING & SUMMARIES OF DETAILED ANALYSES

Land Use, Zoning, & Public Policy

See **Attachment C, "Land Use, Zoning, & Public Policy"**.

Socioeconomic Conditions

See **Attachment D, "Socioeconomic Conditions".**

Open Space

See **Attachment E, "Open Space".**

Shadows

See **Attachment F, "Shadows".**

Historic & Cultural Resources

See **Attachment G, "Historic & Cultural Resources".**

Urban Design & Visual Resources

See **Attachment H, "Urban Design & Visual Resources".**

Hazardous Materials

See **Attachment I, "Hazardous Materials".**

Transportation

The objective of the transportation analysis is to determine whether a proposed project may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, cyclists, transit users, and motorists), on- and off-street parking, and/or goods movement.

The 2021 *CEQR Technical Manual* identifies minimum development densities potentially requiring transportation analysis. Development at less than the development densities presented in Table 16-1 of the 2021 *CEQR Technical Manual* generally result in fewer than 50 peak hour vehicle trips (with "trips" referring to trip-ends), 200 peak hour subway/rail or bus transit riders, and 200 peak hour pedestrian trips, where significant adverse impacts are generally considered unlikely. According to the 2021 *CEQR Technical Manual*, if a proposed project would result in development densities greater than the minimum development densities presented in Table 16-1, a Level 1 (Project Trip Generation) Screening Assessment should be prepared. In most areas of New York City, if a proposed project is projected to result in fewer than 50 peak hour vehicle trip-ends, 200 peak hour subway/rail or bus transit riders, or 200 peak hour pedestrian trips, it is unlikely that further analysis would be necessary. If these Level 1 Screening Assessment thresholds are exceeded, a Level 2 (Project Generated Trip Assignment) Screening Assessment should be prepared to determine if a proposed project would generally result in intersections with 50 or more vehicle trips, pedestrian elements with 200 or more pedestrian trips, 50 or more bus trips in a single direction on a single route, 25 or more passenger ferry trips in a single direction on a single route, 50 or more passengers at a ferry landing, or 200 or more passengers at a subway station or on a subway line during any analysis peak hour. If these Level 2 Screening Assessment thresholds are met or exceeded, further detailed analysis may be needed for a particular travel mode.

As detailed in **Attachment A, "Project Description,"** the reasonable worst-case development scenario (RWCDS) for the Proposed Actions would result in the net incremental increase of 321,806-gsf of residential use (approximately 335 total DUs) and 17,103-gsf of medical office use. The Proposed Actions would also result in a net incremental decrease of approximately 7,749-gsf of local retail uses, 69,517-gsf of office use, and 10,925-gsf of warehouse use, compared to the No-Action condition.

A Level 1 Screening Assessment was prepared for the net incremental development program to determine if the Proposed Actions would result in 50 or more peak hour vehicle trips, 200 or more peak hour subway/rail or bus transit riders, or 200 or more peak hour pedestrian trips. The Level 1 Screening Assessment is provided in **Appendix 4 "Transportation Planning Factors and Travel Demand Forecast**

Technical Memorandum." Table B-2 presents a summary of the incremental trips, by mode, generated by the RWCDS for the Proposed Actions.

TABLE B-2:
Summary of Incremental Peak Hour Travel Demand[1]

	Weekday AM	Weekday Midday	Weekday PM	Saturday Midday
Vehicle Trips	0	+25	-15	+10
Subway Trips	+128	+105	+112	+158
Bus Trips	+10	+11	+5	+10
Ferry Trips	+18	+10	+16	+18
Walk Trips[1]	+110	-62	-52	-14

Notes:
[1] Refer to **Appendix 4** for additional details.
[2] Walk Trips include walk-only, ferry, subway, and bus trips.

Traffic

Based on *CEQR Technical Manual* guidance, a quantified traffic analysis is typically required if a proposed action would result in 50 or more vehicle trip-ends in a peak hour at one or more intersections. As shown in **Table B-2**, under the Proposed Actions there would be a net increase of zero, 25, and 10 vehicle trips (including auto, taxi, and truck trips) in the weekday AM, weekday midday, and Saturday peak hours, respectively. There would also be a net decrease of 15 vehicle trips during the weekday PM peak hour. No change would occur during the weekday AM peak hour. As the numbers of trips would not exceed the 50-trip *CEQR Technical Manual* threshold in any peak hour, further traffic analysis is not warranted. Therefore, significant adverse impacts to nearby intersections are not expected to occur under the Proposed Actions, and a detailed analysis of traffic conditions is not warranted based on *CEQR Technical Manual* guidance.

Transit

According to the general thresholds used by the Metropolitan Transportation Authority (MTA) and specified in the *CEQR Technical Manual*, detailed transit analyses are generally not required if a proposed action is projected to result in fewer than 200 peak hour rail or bus transit riders. If a proposed action would result in 50 or more bus passengers being assigned to a single bus route in one direction, or if it would result in an increase of 200 or more passengers at a single subway station or on a single subway line, a detailed bus and/or subway analysis would be warranted. Transit analyses typically focus on the weekday AM and PM commuter peak hours, as it is during these periods that overall demand on the subway and bus systems is usually highest.

As shown in **Table B-2**, the Proposed Actions are expected to generate a net total of approximately 128 and 112 incremental subway trips in the weekday AM and PM commuter peak hours, respectively. As these trips would not exceed the 200-trip *CEQR Technical Manual* analysis threshold, further subway analysis is not warranted.

As also shown in **Table B-2,** there is expected to be a net increase of approximately ten and five incremental bus trips in the weekday AM and PM commuter peak hours, respectively. As these trips would not exceed the 50-trip *CEQR Technical Manual* analysis threshold, further bus analysis is not warranted. Therefore, significant adverse impacts to transit bus services are not expected to occur under the

Proposed Actions, and a detailed analysis of bus conditions is not warranted based on *CEQR Technical Manual* guidance.

Citywide Ferry Service (CWFS)

According to *CEQR Technical Manual* guidance, detailed analyses of the CWFS are not typically required if a proposed action would result in 50 or fewer peak hour CWFS ferry riders to a ferry landing within a half-mile of the project site. As shown in **Table B-2**, the Proposed Actions are expected to generate a net increase of approximately 18, 10, 16, and 18 ferry trips in the weekday AM, midday, PM, and Saturday peak hours. As these trips would not exceed the 50-trip *CEQR Technical Manual* analysis threshold in any peak hour, further CWFS analyses are not warranted. Therefore, significant adverse impacts to CWFS are not expected to occur under the Proposed Actions, and a detailed analysis of CWFS conditions is not warranted based on *CEQR Technical Manual* guidance.

Pedestrians

According to *CEQR Technical Manual* guidance, a quantified analysis of pedestrian conditions is typically required if a proposed action would result in 200 or more peak hour pedestrian trips at any pedestrian element (sidewalk, corner area or crosswalk). As shown in **Table B-2**, the Proposed Actions would generate a net incremental increase of approximately 110 total pedestrian trips in the weekday AM peak hour as well as a net incremental decrease of approximately 62, 52, and 14 total pedestrian trips in the weekday midday, weekday PM, and Saturday peak hours, respectively. These would include walk-only trips and pedestrians walking to and from subway stations, bus and ferry stops. As the number of trips would not exceed the 200-trip threshold in any peak period, a Level 2 screening assessment is not warranted and significant impacts to surrounding pedestrian elements are not anticipated.

Parking

Under *CEQR Technical Manual guidance*, on- and off-street parking analyses may be warranted if a quantified traffic analysis is necessary based on the Levels 1 and 2 screening analyses. Based on the screening analyses detailed above, a quantified traffic analysis would not be warranted for the Proposed Actions. Therefore, based on *CEQR Technical Manual* guidance, quantified on- and off-street parking analyses would also not be warranted.

Air Quality

See **Attachment J, "Air Quality**".

Noise

See **Attachment K, "Noise".**

Public Health

Public health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Many public health concerns are closely related to air quality, water quality, hazardous materials, and noise.

According to the 2021 *CEQR Technical Manual*, a public health assessment may be warranted if a project results in (a) increased vehicular traffic or emissions from stationary sources resulting in significant adverse air quality impacts; (b) increased exposure to heavy metals and other contaminants in soil/dust resulting in significant adverse impacts, or the presence of contamination from historic spills or releases of substances that might have affected or might affect groundwater to be used as a source of drinking water; (c) solid waste management practices that could attract vermin and result in an increase in pest populations; (d) potential significant adverse impacts to sensitive receptors from noise and odors; (e) vapor infiltration from contaminants within a building or underlying soil that may result in significant adverse hazardous materials or air quality impacts; (f) exceedances of accepted federal, state, or local standards; or (g) other actions that might not exceed the preceding thresholds but might, nonetheless, result in significant health concerns.

As detailed in the analyses provided in this EAS, the Proposed Actions and ~~RWCDS~~ would not result in significant adverse impacts in the areas of air quality, water quality, hazardous materials, or noise. Therefore, the Proposed Actions do not have the potential to result in significant adverse public health impacts, and further assessment is not warranted.

Neighborhood Character

According to the *CEQR Technical Manual*, an assessment of neighborhood character may be appropriate if a project has the potential to result in significant adverse impacts on land use, zoning, and public policy, socioeconomic conditions, community facilities, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, or noise, or when a project may have moderate effects on several of the elements that define a neighborhood's character. As this EAS provides assessments of land use, zoning, and public policy (**Attachment C**), open space (**Attachment E**), shadows (**Attachment F**), historic and cultural resources (**Attachment G**), urban design and visual resources (**Attachment H**), and noise (**Attachment K**), a preliminary screening analysis is necessary to determine if a detailed neighborhood character analysis is warranted.

Neighborhood character is an amalgam of various elements that give neighborhoods their distinct "personality." According to the *CEQR Technical Manual*, a preliminary assessment may be appropriate if a project has the potential to result in any significant adverse impacts on any of the technical areas listed above. Per the analyses provided in this EA, although the Proposed Actions required supplemental screening or assessment of some of these technical areas, there would be no project-generated significant adverse impacts. The *CEQR Technical Manual* also states that for projects not resulting in significant adverse impacts to any technical areas related to neighborhood character, additional analyses may be required to determine if the Proposed Actions would result in a combination of moderate effects to several elements that cumulatively may affect neighborhood character. However, the *CEQR Technical Manual* indicates that neighborhood character impacts are rare, and it would be unusual that, in the absence of a significant adverse impact in any of the relevant technical areas, a combination of moderate effects in the neighborhood would result in any significant adverse impact to neighborhood character.

The Proposed Actions would not adversely affect any component of the surrounding area's neighborhood character. The Proposed Actions would not conflict with the surrounding activities, nor would they significantly affect land use patterns. The RWCDS that would be facilitated by the Proposed Actions would bring additional occupancy and activity to three Projected Development Sites. The proposed residential and local commercial uses on the development sites would add market-rate and affordable housing and convenient amenities to the neighborhood and are expected to further enhance the mixed-use character

of the area. As the Proposed Actions would not be considered to have any significant adverse effects on any of the technical areas relating to neighborhood character, a neighborhood character assessment can be screened out, as no significant adverse neighborhood character impacts would occur. Therefore, no additional analysis is warranted for neighborhood character.

Construction

See **Attachment L, "Construction Impacts"**.

Effects on Disadvantaged Communities

See **Attachment M, "Effects on Disadvantaged Communities"**.

ATTACHMENT C

LAND USE, ZONING, AND PUBLIC POLICY

I. INTRODUCTION

This attachment examines the Proposed Actions' compatibility and consistency with land use patterns in the surrounding area, ongoing development trends, land use and zoning policies, as well as other public policies. As described in **Attachment A, "Project Description,"** the Proposed Actions consist of a zoning map amendment and zoning text amendment affecting an area in the Williamsburg neighborhood of Brooklyn Community District (CD) 1. The actions being requested are: 1) a zoning map amendment to rezone a portion of Block 2403, comprised of Lots 1, 15, and 41, from a M3-1 district to a M1-3A/R7X Special Mixed-Use (MX) District (MX8) and Lots 31, 33, p/o 37, and p/o 7501 from an M3-1 district to an M1-2A district ("Project Area"); and (2) a zoning text amendment to amend Zoning Resolution (ZR) Appendix F to establish Lots 1, 15 and 41 within a Mandatory Inclusionary Housing (MIH) area (collectively the "Proposed Actions").

Approval of the Proposed Actions would facilitate the development of 321,806-gsf of residential space (approximately 335 DUs), 17,103-gsf of community facility space, 34,206-gsf of commercial office space, 42,794-gsf of local retail space, across the three Projected Development Sites; Projected Development Site 1 (Block 2403, Lots 1 and 41), Projected Development Site 2 (Block 2403, Lot 15), and Projected Development Site 3 (Block 2403, p/o Lot 37), together, the "Area to be Developed"

The assessment provided in this attachment concludes that the Proposed Actions would be compatible with and supportive of land use, zoning, and public policies in the area. As shown in the analysis presented in this attachment, the proposed action would not result in significant adverse impacts related to land use, zoning, and public policy.

II. METHODOLOGY

The purpose of this attachment is to examine the effects of the Proposed Actions on land use, zoning, and public policy and determine whether they would be compatible with those conditions or whether they may adversely affect them. The analysis methodology is based on the guidance of the *CEQR Technical Manual* and examines the Proposed Actions' consistency with land use patterns and development trends, zoning regulations, and other applicable public policies.

According to the *CEQR Technical Manual*, a detailed assessment of land use, zoning, and public policy may be appropriate when a change in land use and zoning would occur, and a preliminary assessment cannot succinctly describe land use conditions in the study area. As the Proposed Actions involve a zoning map amendment and zoning text amendment that would result in changes to permitted densities, uses, and bulk, a detailed assessment is necessary to provide a sufficient description and assessment of the effects of the Proposed Actions. Therefore, this attachment includes a detailed analysis that involves a description of existing land uses within the directly affected area and the broader study area. Following the guidance of the *CEQR Technical Manual*, the detailed analysis describes existing and anticipated future conditions in the 2030 analysis year to a level necessary to understand the relationship of the Proposed Actions to such conditions, assesses the nature of any changes on these conditions that would be created by the Proposed Actions, and identifies those changes, if any, that could be significant or adverse.

Analysis Year

As discussed in **Attachment A, "Project Description,"** the analysis year is the assumed completion date for all three Projected Development Sites identified in the RWCDS, which is 2030. Therefore, the future No-Action condition accounts for land use and development projects, initiatives, and proposals that are expected to be completed by 2030.

Study Area Definition

To identify and assess the direct and indirect effects of the Proposed Actions, this analysis has defined two study areas within which the Proposed Actions would have the potential to affect land use or land use trends. Following guidance provided in the *CEQR Technical Manual*, these include a primary study area, consisting of the Proposed Rezoning Area, or "Project Area", and the "Area to be Developed" (Projected Development Sites 1, 2, and 3) which would be directly affected by the Proposed Actions, and a secondary study area encompassing properties that have the potential to experience indirect impacts as a result of the Proposed Actions. According to the *CEQR Technical Manual*, the appropriate size of the secondary study area for land use, zoning, and public policy is related to the type and size of the proposed development, as well as the location and context of the area that could be affected by the project. Study area boundaries vary according to these factors, with suggested study areas ranging from 400 feet for a small project to a half mile for a very large project. Given the limited geographic scope of the Proposed Actions, and the scale of the Applicant's Proposed Development relative to the density of the surrounding area, a 400-foot radius from the Project Area has been selected as the secondary study area. As shown in **Figure C-1**, the secondary study area boundary generally extends to lots fronting Grand Street to the north, Berry Street to the east, South 3rd Street to the south, and the East River to the west.

Data Sources

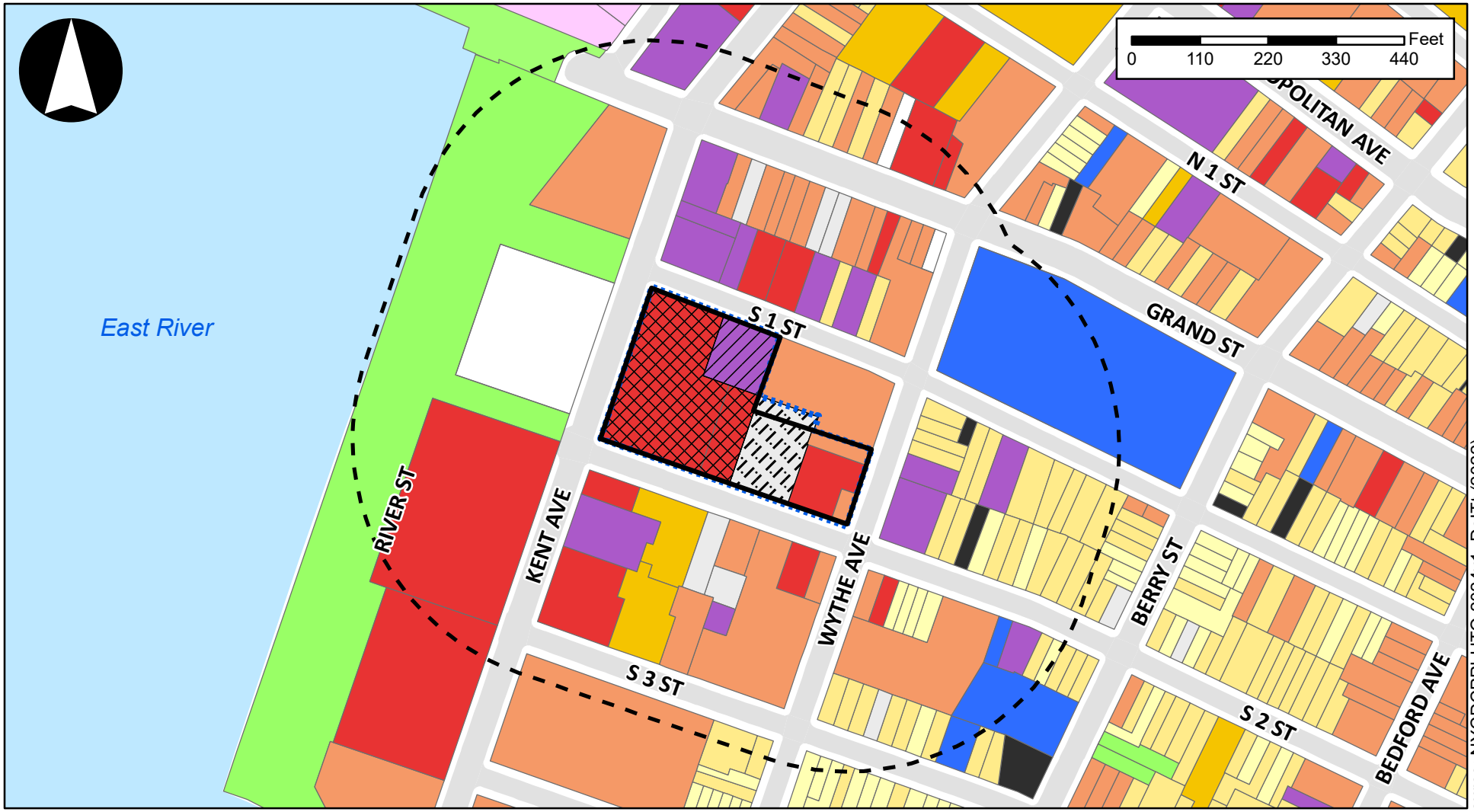
Existing land uses were identified through review of a combination of sources, including the New York City (Primary Land Use Tax Lot Output (PLUTO™) 24v1 shapefiles and online Geographic Information Systems (GIS) databases such as the New York City Zoning and Land Use Map (ZoLa), developed by the NYC Department of City Planning. Other publications and approved environmental review documents that have been completed for projects in the area were also consulted. NYC Zoning Maps and the Zoning Resolution of the City of New York were consulted to describe existing zoning districts in the land use study area and provided the basis for the zoning evaluation of the future No-Action and With-Action conditions. Research was conducted to identify relevant public policies recognized by the NYC Department of City Planning (DCP) and other city agencies that pertain to the study areas.

III. EXISTING CONDITIONS

Land Use

Primary Study Area/Project Area

The Primary Study Area is defined as the area that would be directly affected by the Proposed Actions. The Primary Study Area for this analysis is the area affected by the proposed zoning map amendment and zoning text amendment (the "Project Area"), which consists of the Applicant's Projected Development Site 1 (Block 2403; Lots 1 and 41) and the non-Applicant-owned Projected Development Sites 2 (Block 2403; Lot 15) and 3 (Block 2403, Lot 37), as well as Lots 31 and 33, and a portion of Lot 7501. As shown



Legend

- Project Area
- Primary Study Area*
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3
- One and Two Family Buildings
- Multi-Family Walk-up Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data

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Figure C-1
Existing Land Use Map

*The Primary Study Area includes the entirety of Lot 37.

in **Figure C-1**, the Project Area is bounded to the north by South 1st Street, to the east by Kent Avenue, to the south by South 2nd Street, and to the west by Wythe Avenue.

The Applicant's Proposed Development Site is improved with a vacant commercial office building that covers the entirety of the site and fronts South 1st Street, Kent Avenue, and South 2nd Street. The Proposed Development Site contains two buildings, a 1-2 story building on Lot 1 and a 3-story building on Lot 41. Applicant-owned Lots 1 and 41 are zoned M3-1 per the 1961 Zoning Resolution. Lot 1 is a 1-2-story vacant office building built in 1920 that was used as sugar refinery prior to 2001, it was then sold to the New York City Industrial Development Agency in 2002. Lot 41 is a non-conforming 3-story office building built in 1909, that is currently vacant. Most recently occupied by Vice Media, it also served as an office for several realty companies in the 2010s and as a sugar refinery owned by the umbrella company of Domino Sugars prior to 2001.

Projected Development Site 2 (Block 2403; Lot 15), is an approximately 9,500 sf lot occupied by a one-story produce warehouse. Development Site 3 (Block 2403; p/o Lot 37[1]) comprises of approximately 12,372 sf and is currently utilized as an unlicensed surface parking lot. Lot 15 was zoned M3-1 per the 1961 Zoning Resolution and was used by textile manufacturers from 1967 to 1986. The property was foreclosed on and turned over to the City in 1986. The building was acquired by Hao-King Realty in 1988 and has remained under their ownership since. In the years following, the building has been occupied by multiple tenants and is currently used as commercial/warehouse space for a produce market. An approximately 2,500-sf portion of non-Applicant Lot 37 was zoned M1-2/R6 (MX8) as a part of the Williamsburg-Greenpoint rezoning in 2005. The remaining approximately 12,372 sf is zoned M3-1 per the 1961 Zoning Resolution. According to historical Sanborn Maps, the property was occupied by a residential building in the 1910s and then used by the adjacent sugar refinery formerly located on Lot 41 from the 1930s onward. The property was foreclosed on in 1979 and eventually purchased in 1998 by 51 South 2nd Street Corp as non-residential vacant land. The vacant lot has remained under their ownership and is currently used as an unlicensed parking facility. The remainder of the Project Area contains Lots 31, 33, and a p/o 7501 on Block 2403. Lots 31, 33, and a portion of 7501 were occupied by residential buildings in the 1910s, commercial and vacant lots in the 1930s, and manufacturing and residential buildings from the 1960s to 1990s. Currently, Lot 31 is occupied by a 1-story warehouse covering the entirety of the lot that, according to DOB records, was converted to an artist's studio shop from 2018 to 2024. Lot 33 is occupied by a 3-story building covering the entirety of the lot and containing a ground floor restaurant and two nonconforming residential units on the building's upper two floors. The portion of Lot 7501 located in the Project Area is approximately 2,500 sf in area and contains a 1-story retail establishment.

Secondary Study Area

As detailed above, the 400-foot secondary study area for land use is generally bounded by lots fronting Grand Street to the north, Berry Street to the east, South 3rd Street to the south, and the East River to the west. As shown in **Table C-1** below, the secondary study area is comprised of predominately multi-family walkup buildings (28.7 percent of lots in the secondary study area) and mixed commercial/residential buildings (21.3 percent of lots within the secondary study area). As a whole, residential uses make up 40.2 percent of lots in the secondary study area. Additionally, commercial/office, industrial/manufacturing, and one to two family residential uses comprise approximately 11.5, 12.3, and 9.8 percent of the lots in the secondary study area, respectively. As shown in **Table C-1**, the residential and mixed-use residential and commercial buildings comprise approximately 68.2 percent of total building

[1] The majority of Lot 37 is zoned M3-1 (the portion within the Project Area) with an approximately 2,500 sf portion zoned as M1-2/R6 (MX-8).

area in the secondary study area. One lot contains an open space use (Domino Park), comprising 34.5 percent of total lot area in the secondary study area. As shown in **Table C-1,** approximately only 0.2 percent of lot area in the secondary study area is vacant land and 3.1 percent is not categorized.

The secondary study area features a variety of lot sizes and building footprints, ranging from residential and mixed commercial and residential buildings on small, typically 25-foot-wide lots to very large residential and mixed commercial and residential condominium and loft complexes on lots that occupy large portions of their respective blocks to the west and north of the primary study area. In addition, the secondary study area contains a large open space use (Domino Park).

TABLE C-1:
Existing Land Uses within the Secondary Study Area[1]

Land Use	Number of Lots	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
Residential	49	40.2%	128,866 sf	9.1%	283,666 sf	11.1%
One & Two-Family Residential	*12*	*9.8%*	*21,626 sf*	*1.5%*	*36,285 sf*	*1.4%*
Multi-Family Walkup Buildings	*35*	*28.7%*	*87,666 sf*	*6.2%*	*193,912 sf*	*7.6%*
Multi-Family Elevator Buildings	*2*	*1.6%*	*19,574 sf*	*1.4%*	*53,469 sf*	*2.1%*
Mixed Commercial/Residential Buildings	26	21.3%	242,600 sf	17.1%	1,455,214 sf	57.1%
Commercial/Office Buildings	14	11.5%	217,388 sf	15.3%	573,114 sf	22.5%
Industrial/Manufacturing	15	12.3%	88,028 sf	6.2%	89,340 sf	3.5%
Transportation/Utility	1	0.8%	57,894 sf	4.1%	1,100 sf	.04%
Public Facilities & Institutions	4	3.3%	114,920 sf	8.1%	143,052 sf	5.6%
Open Space	1	0.8%	488,754 sf	34.5%	0 sf	0.0%
Parking Facilities	7	5.7%	32,247 sf	2.3%	2,500 sf	0.1%
Vacant Land	2	1.6%	3,333 sf	0.2%	0 sf	0.0%
All Others or No Data	3	2.5%	44,052 sf	3.1%	0 sf	0.0%
Total	**122**	**100.0%**	**1,418,082**	**100.0%**	**2,547,986**	**100.0%**

Source: NYC Map PLUTO (24v1)
Notes:
[1] Includes all lots fully or partially within the secondary study area, including lots within the Project Area.

There are several notable buildings within the secondary study area. The Domino Sugar Refinery at 184 Kent Avenue is a 15-story landmarked building, constructed in 1882 and converted from an industrial warehouse and sugar refinery to commercial use in 2023. Several other developments making up the Domino Sugar development project were recently completed along the Williamsburg Waterfront, including Ten Grand Street, a 42-story mixed residential and office building completed in 2020 and 1 South First Street, a 45-story residential tower completed in 2019. The lot located immediately west of the Project Area (Block 2414, Lot 3) is currently vacant but comprises Domino Site B, a proposed 45-story mixed-use residential building[2]. The building is currently under construction.

Buildings in the secondary study area range from small, one-to-four-story, residential and mixed-use buildings with rear yards to larger residential developments of four to six stories that feature high lot coverage on large lots. Newer buildings located directly west of the Project Area, on the Williamsburg waterfront, are even taller, and include, as mentioned above, the 42-story mixed-use, condominium at 10

[2] CEQR# 07DCP094K.

Grand Street, 15-story former Domino Sugar Factory, and 45-story residential tower at 1 South First Street. The historically industrial character of the surrounding area is reflected in the double-height ground floors, high ceilings, and large windows found throughout the secondary study area. The eastern portion of the secondary study area features a mix of residential and mixed-use buildings with several commercial/office buildings and industrial/manufacturing buildings scattered throughout. These residential and mixed-use buildings generally range from small walk-ups with commercial ground floor uses along Kent Avenue and Grand Street in the south of the secondary study area, to larger and typically newer construction residential and mixed-use lofts to the north and west of the primary study area. West of Kent Avenue, commercial and industrial/manufacturing uses on large lots are predominant. This includes the recently converted Domino Sugar Refinery located on Block 2414, Lot 7503 in addition to 307 Kent Avenue (Block 2415, Lot 1) and 304 Kent Avenue (Block 2415, Lot 6). Additionally, there are four institutional and public facility uses located in the secondary study area, including a school (P.S. 84) and a church. Overall, the secondary study area contains a diverse set of land uses, with a variety of commercial establishments, and a number of public facilities and institutions and light manufacturing spaces, that complement the growing residential character of the surrounding neighborhood.

Zoning

Primary Study Area/Project Area

The Project Area is located within a M3-1 zoning district. As shown in **Figure C-2**, the M3-1 district extends from Kent Avenue to Wythe Avenue between South 1st and South 2nd Streets, encompassing the majority of the Project Area. An M3-1 district is a heavy manufacturing district that is intended for uses that generate noise, traffic, or pollutants. Typical uses include power plants, solid waste transfer facilities and recycling plants, and fuel supply depots. Historically, M3 districts were located near the waterfront away from residential areas. However, in recent years, rezonings along the waterfront have reduced much of the manufacturing zoned areas and converted them to residential and commercial zones as the demand for housing has increased. The M3-1 zoning district has a maximum base height of 60 feet. Parking varies by use. For commercial retail uses, one accessory parking space is required per 300 sf of floor area. For industrial and manufacturing uses, one accessory parking space is required per three employees or 1 per 1,000 sf of floor area, whichever would require a larger number of spaces.

Secondary Study Area

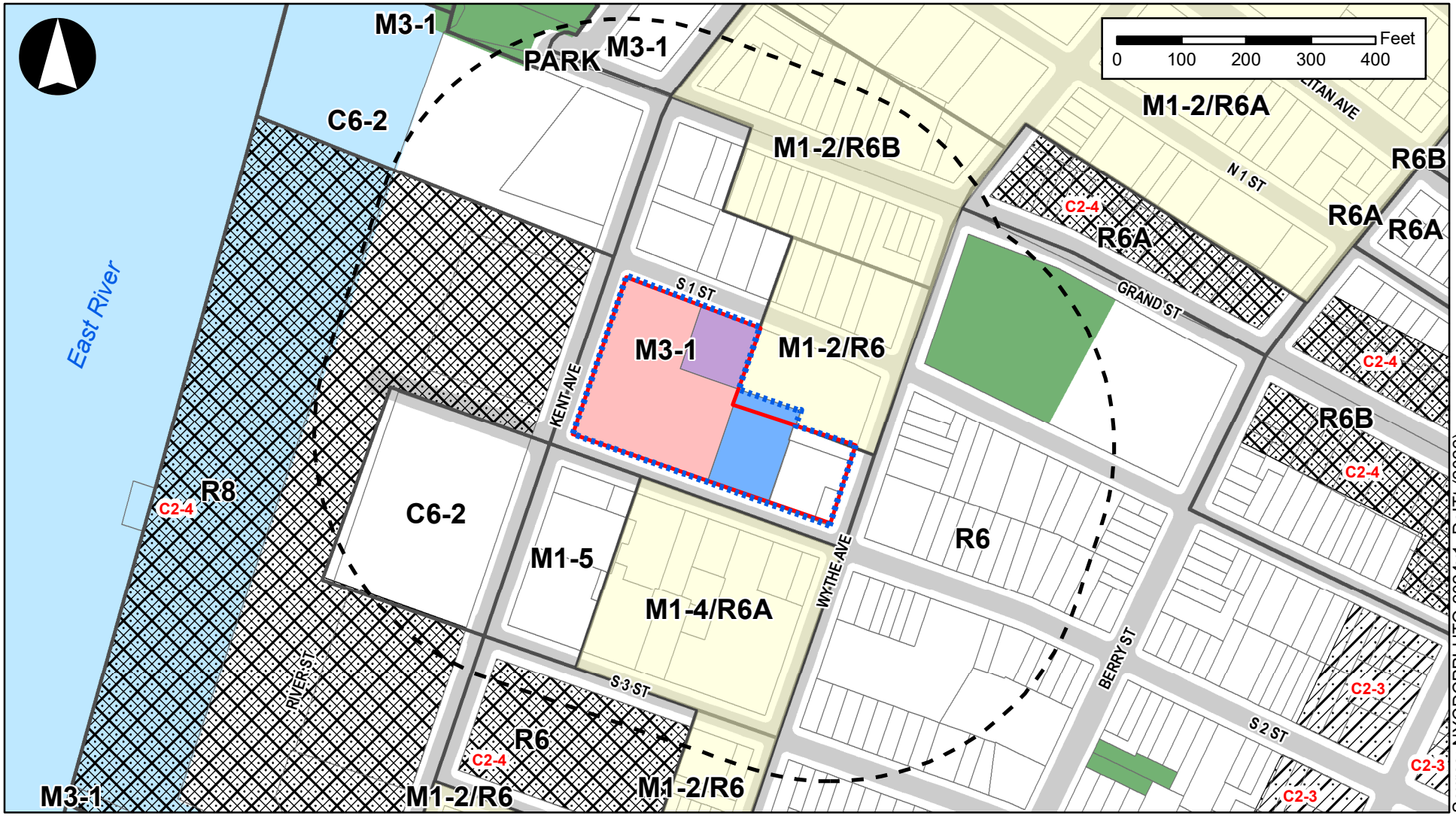
As shown in **Figure C-2,** the 400-foot study area includes a variety of residential, commercial, and manufacturing zoning districts, mixed-use districts, as well as several commercial overlays. Each zoning district's regulations are summarized in **Table C-2** and detailed below.

R6

An R6 zoning district is mapped in the area east of the Project Area between South 1st and South 3rd streets, east of Wythe Avenue. R6 zoning districts are medium-density residential districts ranging from large-scale "tower in the park" developments to neighborhoods with a diverse mix of building types. R6 districts have a residential FAR of 2.43 for standard residential buildings and a max FAR of 3.9 for buildings providing qualifying affordable housing. The maximum building height is governed by a sky exposure plane, which begins 60 feet above the street line.

M1-5

An M1-5 district is mapped southwest of the Project Area, between South 2nd and South 1st Streets with frontages along Kent Avenue. M1-5 districts are light manufacturing districts that allow for commercial,



Legend

- Primary Study Area*
- Project Area (Proposed Rezoning Area)
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3
- Special Mixed Use District (MX-8)
- Existing Zoning Boundaries
- Tax Lots
- C2-3 Commercial Overlay
- C2-4 Commercial Overlay

289 Kent Avenue Rezoning EAS

Figure C-2
Zoning Map

*The Primary Study Area includes the entirety of Lot 37.

retail, community facility, and light industrial uses. The M1-5 district is a non-contextual district that permits a maximum commercial and manufacturing FAR of 5.0 and a maximum community facility FAR of 6.5 (refer to **Table C-2**). Residential uses are not allowed as a right in M1-5 districts.

C6-2

A portion of the waterfront south of Grand Street extending past the Project Area to South 5th Street is zoned C6-2. The C6-2 district is a high-density commercial district that is typically mapped outside of the city's central business cores. The C6-2 district is a non-contextual district that permits a maximum commercial FAR of 6.0 (refer to **Table C-2**). Commercial uses have no required parking. The C6-2 district has a R8 equivalent and permits a maximum residential FAR of 8.64 for buildings providing quality affordable housing. C6-2 districts also have a maximum community facility FAR of 6.5.

Special Mixed-Use Districts (MX-8)

As shown in **Figure C-2**, the Greenpoint-Williamsburg Special Mixed-Use District (MX-8)[3], which include M1-2/R6A, M1-2/R6, and M1-4/R6B districts, is mapped to the south and north of the Project Area. Within the secondary study area, the Special Mixed-Use District extends as far west as Kent Avenue. The Greenpoint-Williamsburg Special District was established in 2005 to encourage investment in, and enhance the vitality of, existing neighborhoods with mixed residential and industrial uses in proximity and create expanded opportunities for new mixed-use communities. As a result, new residential and non-residential uses (commercial, community facility, and light industrial) including Use Groups IV, VI, and IX can be developed as-of-right and can be located side-by-side or within the same building. Within MX districts, residential uses are generally subject to the bulk controls of the governing residence district; commercial, industrial, and community facility uses are subject to the M1 district bulk controls, except that community facilities are subject to residential FAR limits (refer to **Table C-2**). Parking is not required for dwelling units in the Inner Transit Zone.

TABLE C-2:
Existing Zoning within the Secondary Study Area

Zoning District	Building Type	Maximum FAR
M1-2/R6A (MX-8)	Special Mixed-Use District	R: 3.0 – 3.9 C: 2.0 CF: 4.8 M: 2.0
M1-2/R6 (MX-8)	Special Mixed-Use District	R: 2.2 – 3.9 C: 2.0 CF: 4.8 M: 2.0
M1-4/R6B (MX-8)	Special Mixed-Use District	R: 2.0 – 2.4 C: 2.0 CF: 6.5 M: 2.0
R6	Medium-Density Residential	R: 2.20 - 3.90 CF: 4.80
C6-2	High-Density Commercial	R: 7.20 - 8.64 C: 6.0 CF: 6.5
M1-5	Light Manufacturing	C: 5.0 CF: 6.5 M: 5.0

[3] CEQR #04DCP003K.

M3-1	Heavy Manufacturing	M: 2.0 C: 2.0
C2-4 Overlay	Local Service Commercial Overlay	C: 2.0

Notes: Refer to **Figure C-2**.

COMMERCIAL OVERLAYS

Commercial overlays are mapped within residential districts along streets that serve local retail needs. As shown in **Figure C-2**, C2-4 commercial overlays are mapped in the secondary study area on portions of Kent Avenue and Grand Street. Commercial overlays are mapped within residence districts along streets that serve local retail needs. In residential areas R6 through R10, commercial overlays provide a maximum commercial FAR of 2.0. Overlay districts differ from other commercial districts in that residential bulk is governed by the residence district within which the overlay is mapped. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential uses. Typical commercial uses in overlays include neighborhood grocery stores, restaurants, and beauty parlors. C2 districts permit a slightly wider range of uses, such as funeral homes and repair services.

Recent Citywide Efforts (2020-2024)

DCP adopted two citywide text amendments known as City of Yes for Economic Opportunity ("COYEO") and City of Yes for Housing Opportunity ("CHO"), which have been incorporated into the Proposed Actions as applicable.

COYEO was approved by the City Planning Commission on March 6, 2024, and adopted by the City Council on June 6, 2024. This text amendment supports businesses and job growth by ensuring a wider range of businesses can use existing commercial space. The proposal made zoning flexible enough for empty storefronts to be activated by businesses that serve the City's neighborhoods. Additionally, COYEO creates a range of new Manufacturing Districts designed to enable greater opportunities for job intensive growth.

CHO was approved by the City Planning Commission on September 25, 2024, and adopted by the City Council on December 5, 2024. This text amendment expands housing options through zoning reforms that would address the housing crisis. Key components included: updates to the Mandatory Inclusionary Housing (MIH) program; the introduction of the Universal Affordability Preference (UAP) program which provides a preferential FAR that is available for affordable housing developments located outside of MIH applicable areas; and modifications to parking requirements that balances between housing development and the need for parking in some parts of the city. These modifications, in addition to low-density zoning reforms such as allowing Accessory Dwelling Units and modest apartment buildings, aim to enable a little more housing in every neighborhood.

Public Policy

In addition to zoning, officially adopted public policies also describe the intended use applicable to an area in New York City. These include Urban Renewal Plans, 197-a Plans, Industrial Business Zones (IBZs), the New York City Comprehensive Waterfront Plan, the Criteria for the Location of City Facilities ("Fair Share" criteria), Solid Waste Management Plan, Business Improvement Districts ("BIDs"), the New York City Landmarks Law, and the Waterfront Revitalization Program ("WRP").. Some of these policies have regulatory status, while others describe general goals. They can help define the existing and future context of the land use and zoning of an area.

The Project Area and portions of the secondary study area is located within the Williamsburg 197-a Plan Boundary (refer to **Figure C-3**) and the Coastal Zone Boundary (refer to **Figure C-4**). The public policies applicable to the Project Area and/or secondary study area are discussed below. Historic resources are discussed separately in **Attachment G**.

Housing New York

On May 5, 2014, the city released *Housing New York*, a five-borough, ten-year strategy to build and preserve affordable housing throughout New York City in coordination with strategic infrastructure improvements to foster a more equitable and livable New York City through an extensive community engagement process. The plan outlines more than 50 initiatives to support the City's goal of building or preserving 200,000 units of high-quality affordable housing to meet the needs of more than 500,000 people by 2024. The plan emphasizes affordability for a wide range of incomes, with the program serving households ranging from middle- to extremely low-income (under $25,150 for a family of four). The plan, which was created through coordination with 13 agencies and with input from more than 200 individual stakeholders, outlines more than 50 initiatives to accelerate affordable construction, protect tenants, and deliver more value from affordable housing. The plan intends to do this through five guiding policies and principles: (1) fostering diverse, livable neighborhoods; (2) preserving the affordability and quality of the existing housing stock; (3) building new affordable housing for all New Yorkers; (4) promoting homeless, senior, supportive, and accessible housing; and (5) refining City financing tools and expanding funding sources for affordable housing. Housing New York further calls for fifteen neighborhood studies to be undertaken in communities across the five boroughs that offer opportunities for affordable housing.

Subsequently, on October 24, 2017, the city released *Housing New York 2.0*, which increased the affordable housing goal to 300,000 units by 2026. The updated and expanded plan outlines six goals: (1) creating more homes for seniors; (2) helping New Yorkers buy a piece of their neighborhoods; (3) building a firewall against displacement; (4) protecting affordability at Mitchell-Lama buildings; (5) capitalizing on advances in technology and innovative design to expand modular building and micro-units; and (6) unlocking the potential of vacant lots.

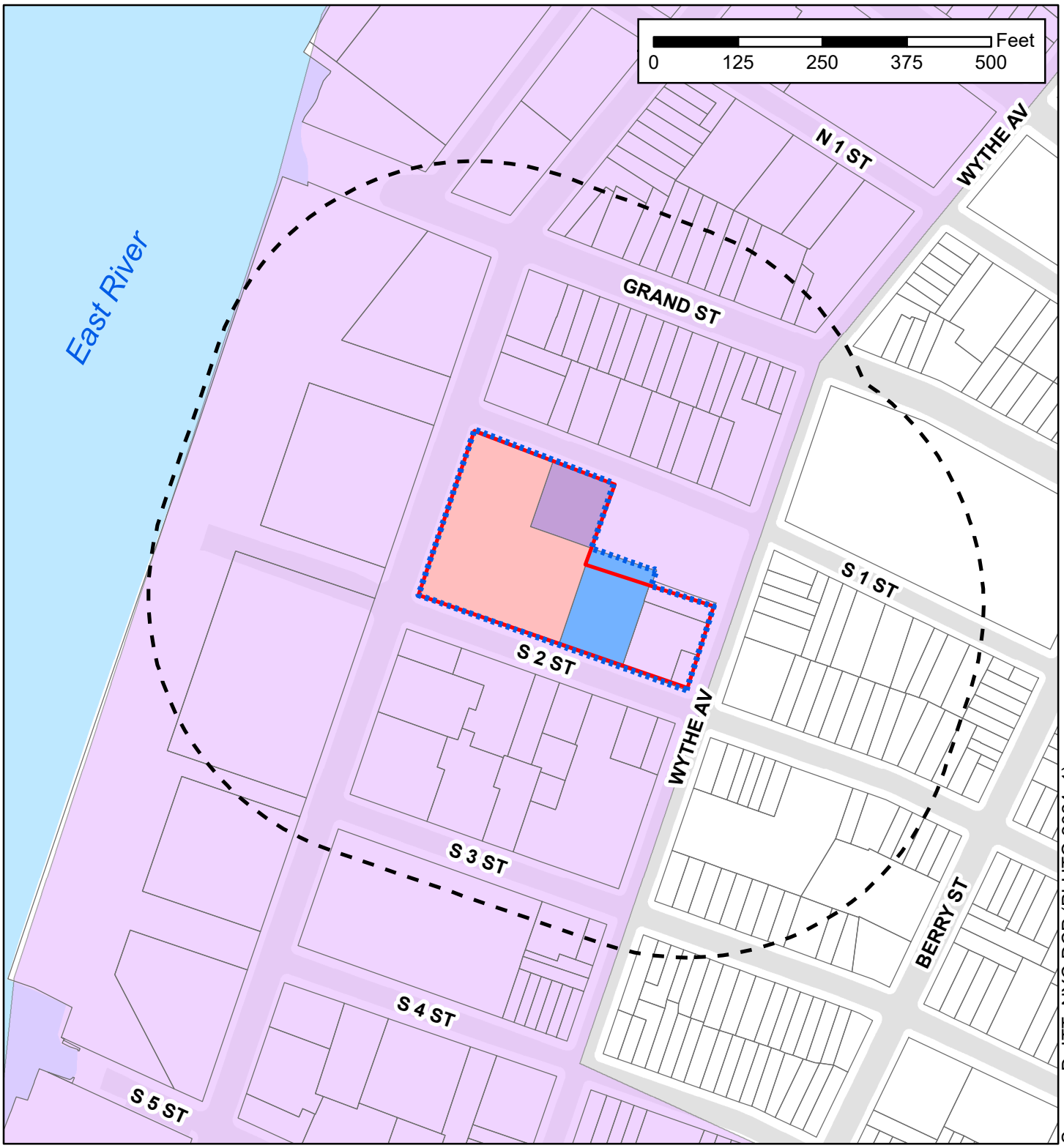
Housing Our Neighbors: A Blueprint for Housing and Homelessness

In 2022, the Eric Adams administration released Housing Our Neighbors: A Blueprint for Housing and Homelessness *(Housing Blueprint)*, a comprehensive, Citywide policy aimed at addressing the City's housing crisis through investments in new construction and preservation efforts to provide access to affordable, high-quality housing for all New Yorkers. This plan outlines policies and strategies to address five goals: (1) Transform New York City Housing Authority; (2) Address Homelessness and Housing Instability; (3) Create and Preserve Affordable Housing; (4) Improve the Health and Safety of New Yorkers; and (5) Reduce Administrative Burden. The plan details the specific actions that agencies and stakeholders should undertake to address these goals. Similar to the previous administration's Housing New York plan, Housing Our Neighbors emphasizes the importance of building new housing and expanding the availability of different housing types including affordable housing and senior housing. In addition, the plan emphasizes cooperation between numerous City agencies.

Williamsburg Waterfront 197-a Plan

The Williamsburg Waterfront 197-a Plan (proposed in 1998 and adopted in 2002) focuses on the East River waterfronts of three neighborhoods in the southern portion of Brooklyn Community District (CD) 1: Northside, Southside, and South Williamsburg. The Williamsburg Waterfront 197-a Plan area extends south from Bushwick Inlet (North 14th Street) to the point at which the BQE passes the Brooklyn Navy Yard

Figure C-3
197-a Plan Area

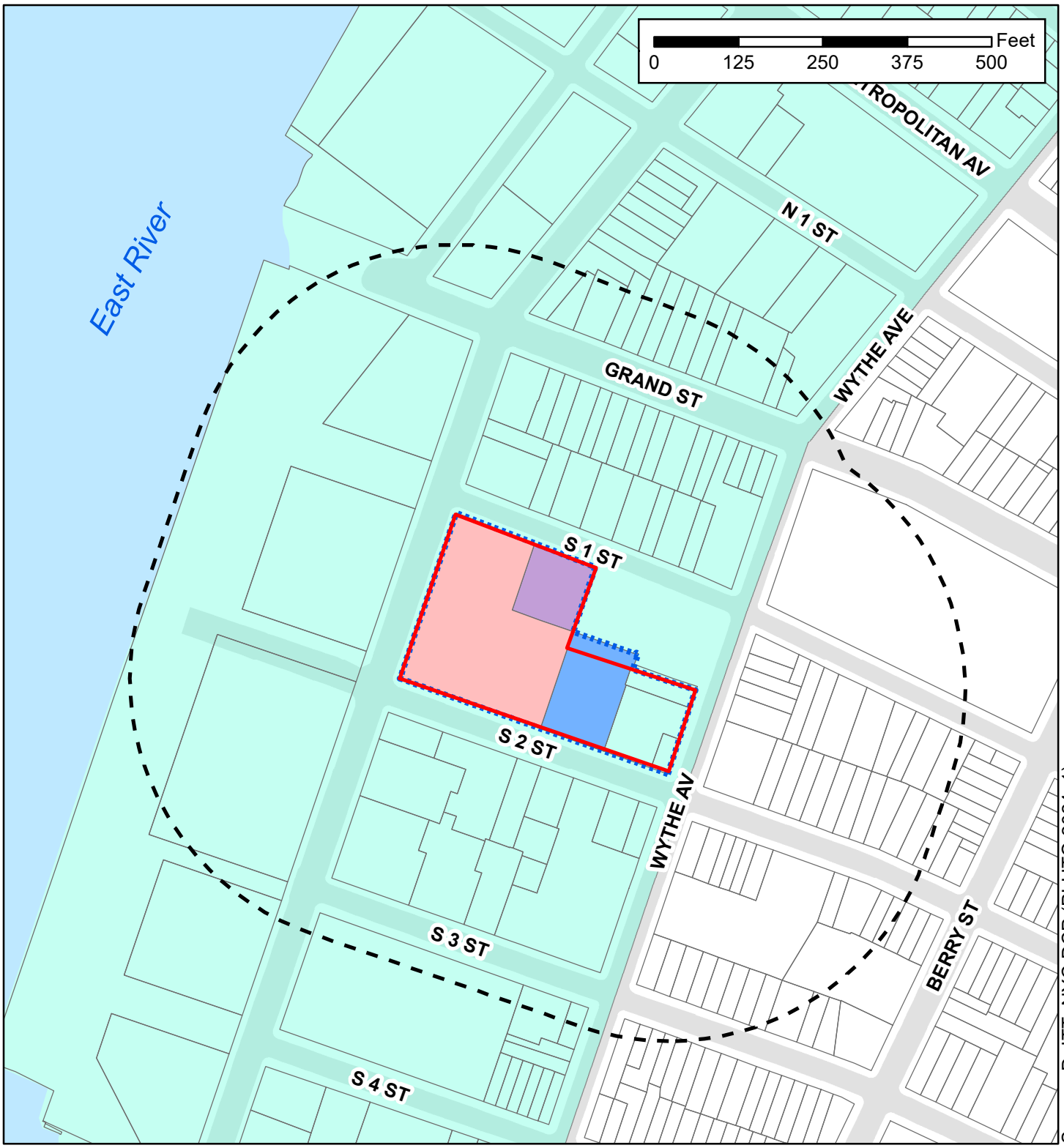


Legend

- Primary Study Area*
- Project Area (Proposed Rezoning Area)
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3
- Williamsburg 197-a Plan Area

*The Primary Study Area includes the entirety of Lot 37.

Figure C-4
NYC WRP Coastal Zone



Legend

- Project Area (Proposed Rezoning Area)
- Primary Study Area*
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3
- NYC WRP Coastal Zone

*The Primary Study Area includes the entirety of Lot 37.

and is generally two blocks deep along the waterfront. The planning area extends farther inland at two points to connect to public open spaces: McCarren Park to the north and Continental Army Plaza at the foot of the Williamsburg Bridge in the central section of the area. As shown in **Figure C-3**, the Project Area and secondary study area are located within the Williamsburg Waterfront 197-a Plan.

The major goals of the Williamsburg Waterfront 197-a Plan were to: increase waterfront access and public open space; encourage growth along the waterfront consistent with the scale and character of adjacent neighborhoods; foster mixed-use development in the Northside and Southside and residential development in South Williamsburg; promote a clean and safe living and working environment; promote local economic development that provides jobs and strengthens the residential and retail sectors; and support and strengthen existing ethnic and income diversity. The plan's recommendations were largely addressed in the 2005 Greenpoint-Williamsburg Rezoning project.

Waterfront Revitalization Program (WRP)

As shown in **Figure C-4**, the Project Area and the western portion of the secondary study area are located within the City's designated coastal zone. Proposed projects that are located within the designated boundaries of New York City's Coastal Zone must be assessed for their consistency with the City's WRP.

LEGISLATIVE AND REGULATORY BACKGROUND

The federal Coastal Zone Management Act (CZMA) of 1972 was enacted to support and protect the distinctive character of the waterfront and to set forth standard policies for reviewing proposed projects along coastlines. The program responded to City, State, and Federal concerns about the deterioration and inappropriate use of the waterfront. In accordance with the CZMA, New York State adopted its own Coastal Management Program (CMP), which provides for local implementation when a municipality adopts a local waterfront revitalization program (WRP), as is the case in New York City. The New York City WRP is the City's principal coastal zone management tool. The WRP was originally adopted in 1982 and approved by the New York State Department of State (NYSDOS) for inclusion in the New York State CMP. The WRP encourages coordination among all levels of government to promote sound waterfront planning and requires consideration of the program's goals in making land use decisions. NYSDOS administers the program at the State level, and DCP administers it in the City. The WRP was revised and approved by the City Council in October 1999. In August 2002, NYSDOS and federal authorities (i.e., the U.S. Army Corps of Engineers [USACE] and the U.S. Fish and Wildlife Service [USFWS]) adopted the City's ten WRP policies for most of the properties located within its boundaries.

In October 2013, the City Council approved revisions to the WRP in order to proactively advance the long-term goals laid out in *Vision 2020: The New York City Comprehensive Waterfront Plan*, released in 2011. The changes solidify New York City's leadership in the area of sustainability and climate resilience planning as one of the first major cities in the U.S. to incorporate climate change considerations into its Coastal Zone Management Program. They also promote a range of ecological objectives and strategies, facilitate interagency review of permitting to preserve and enhance maritime infrastructure, and support a thriving, sustainable working waterfront. The New York State Secretary of State approved the revisions to the WRP on February 3, 2016. The U.S. Secretary of Commerce concurred with the State's request to incorporate the WRP into the New York State CMP.

NEW YORK CITY PANEL ON CLIMATE CHANGE: PROJECTIONS

In 2013, the New York City Panel on Climate Change (NPCC) released a report (*Climate Risk Information 2013: Observations, Climate Change Projections, and Maps*) outlining New York City-specific climate change projections to help respond to climate change and accomplish PlaNYC goals. The 2013 NPCC report

predicted future City temperatures, precipitations, sea levels, and extreme event frequency for the 2020s and 2050s. Subsequently, in January 2015, the Second NPCC (NPCC2) released an updated report that presented the full work of the NPCC2 from January 2013 to 2015 and includes temperature, precipitation, sea level, and extreme event frequency predictions for the 2080 to 2100 time period. While the projections will continue to be refined in the future, current projections are useful for present planning purposes and to facilitate decision-making in the present that can reduce existing and near-term risks without impeding the ability to take more informed adaptive actions in the future. Specifically, as shown in **Table C-3**, the NPCC2 report predicts that mean annual temperatures will increase by 2.0 to 2.8˚F, 4.1 to 5.7˚F, 5.3 to 8.8˚F, and 5.8 to 10.3˚F by the 2020s, 2050s, 2080s, and 2100, respectively; total annual precipitation will rise by one to eight percent, four to 11 percent, five to 13 percent, and -one to +19 percent by the 2020s, 2050s, 2080s, and 2100, respectively; sea level will rise by four to eight inches, 11 to 21 inches, 18 to 39 inches, and 22 to 50 inches by the 2020s, 2050s, 2080s, and 2100, respectively; heat waves and heavy downpours are also very likely to become more frequent, more intense, and longer in duration, with coastal flooding very likely to increase in frequency, extent, and elevation.

TABLE C-3:
NPCC Projections

Time Period	Increase in Mean Annual Temperatures	Increase in Total Annual Precipitation	Increase in Sea Level
2020s	2.0 – 2.8 ˚F	1 – 8%	4 – 8 inches
2050s	4.1 – 5.7˚F	4 – 11%	11 – 21 inches
2080s	5.3 – 8.8˚F	5 – 13%	18 – 39 inches
2100	5.8 – 10.3˚F	-1 – 19%	22 – 50 inches

A WRP consistency assessment for the Proposed Actions is provided below under Section VI, "Future With the Proposed Actions." The WRP Consistency Assessment Form is provided in **Appendix 1**.

IV. THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

Land Use

Primary Study Area/Project Area

Under the No-Action condition, it is assumed that a portion of Projected Development Site 1 (Block 2403, Lot 1 only), which is owned by the Applicant, would be developed on an as-of-right basis in accordance with the existing M3-1 zoning. The other portion of Projected Development Site 1 (Block 2403, Lot 41) already exceeds bulk controls and is not likely to redevelop or expand under the No-Action condition; however, the vacant office building on Applicant-owned Lot 41, is assumed to be reoccupied with an office use in the No-Action condition. Block 2403, Lot 1 would contain an approximately 118,817-gsf (76,116 zsf) office building, with approximately 28,544-gsf (24,825 zsf) of local retail and 58,989-gsf (51,291 zsf) of commercial office space in addition to approximately 31,284-gsf of required accessory parking (104 spaces) located at the cellar level.

Project Development Site 2 is assumed to maximize its available FAR under the No-Action condition by enlarging the existing building into a 3-story building with a maximum height of 45 feet. The enlarged building would comprise a total of approximately 31,350-gsf (19,000 zsf), with approximately 10,925-gsf (9,500 zsf) of light industrial/warehouse space (same use as under existing conditions), 7,125-gsf (6,195 zsf) of local retail space and approximately 3,800-gsf (3,304 zsf) of office space in addition to and approximately 9,500-gsf of required accessory parking (32 spaces).

Project Development Site 3 is also assumed to be developed under the No-Action condition. The lot is expected to be redeveloped into an approximately 63,950-gsf (29,744 zsf) 5-story commercial building, maximizing its allowable FAR. The building would comprise of approximately 14,872-gsf (12,932 zsf) of local retail and 19,334-gsf (16,812 zsf) of commercial office space, as well as approximately 29,744-gsf of required accessory parking (99 spaces).

TABLE C-4:
No-Action Scenario on the Proposed and Projected Development Sites

Use	Projected Development Site 1 No-Action Scenario	Projected Development Site 2 No-Action Scenario	Projected Development Site 3 No-Action Scenario
Commercial Office	80,589 gsf	3,800 gsf	19,334 gsf
Local retail	28,544 gsf	7,125 gsf	14,872 gsf
Light Industrial/Manufacturing	0 gsf	10,925 gsf	0 gsf
Parking	104 spaces	32 spaces	99 spaces
Population/Employment[1]			
Residents	0		
Workers	578		

Notes:
[1] Estimate of workers is based on standard rates and are as follows: 3 retail workers per 1,000 sf, 4 office workers per 1,000 sf, 1 warehouse worker per 1,000 sf, and 1 worker per 50 parking spaces.

Secondary Study Area

Within the approximate 400-foot secondary study area, there are two known projects (other than the No-Action development that is assumed to be constructed on the Applicant's Projected Development Site 1 and non-Applicant-owned Sites 2 and 3) anticipated to be completed by the 2030 future without the Proposed Actions (refer to **Figure C-5**). In total, approximately 1,265 new residential units resulting in 2,746 new residents, would be developed within the secondary study area under the 2030 future No-Action conditions.

TABLE C-5:
No-Action Developments

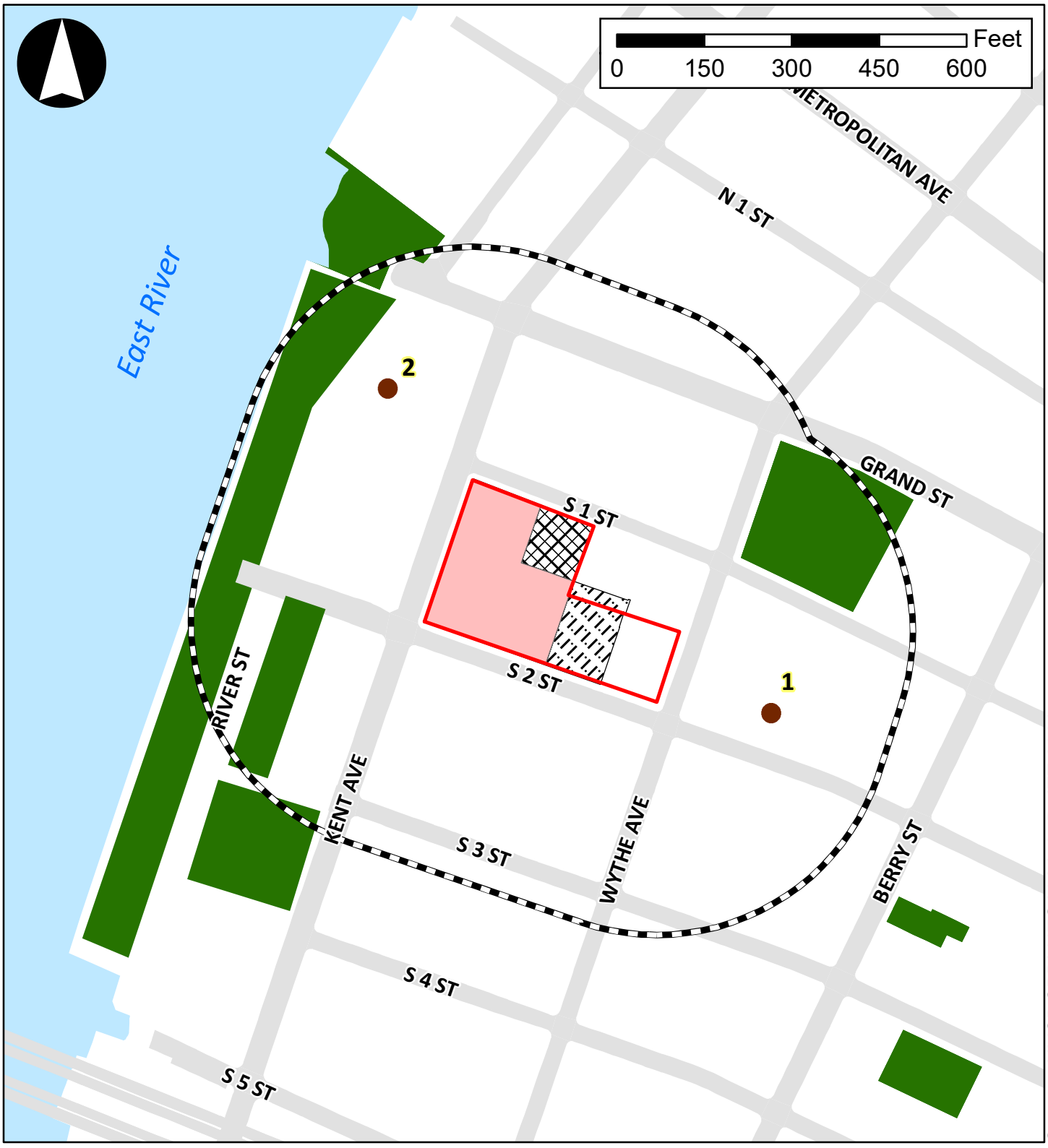
Map No.	Address	Commercial (GSF)	Dwelling Units (DUs)	Estimated Residents[1]
21	79 South 2 Street	0 gsf	3	7
28	280 Kent Avenue	19,000 gsf	1,262	2,739
Total		**19,000 gsf**	**1,265**	**2,746**

Source: NYC DOB (2025) and Domino Sugar Rezoning FEIS CEQR Number 07DCP094K – Technical Memorandum 007.
[1] Based on the average household size for the Williamsburg NTA of 2.17 persons per household (2020 Census).

Zoning

In the future without the Proposed Actions, no zoning changes are anticipated in the Project Area, and the Project Area would maintain its existing M3-1 zoning designation. The proposed Mandatory Inclusionary Housing (MIH) area would not be mapped in the Project Area in the absence of the Proposed Actions. In the future without the Proposed Actions, no known zoning changes are anticipated in the secondary study area.

Figure C-5
No-Action Developments



Legend

- Proposed Rezoning Area
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3
- No-Action Developments

Public Policy

There are no expected changes to public policy in the secondary study area in the 2030 future without the Proposed Actions.

V. THE FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

As discussed in **Attachment A, "Project Description,"** the Proposed Actions would consist of a zoning map amendment to rezone the Project Area from a M3-1 district to a M1-4/R7X Special Mixed-Use (MX) District (MX8) on the eastern portion of the Project Area (Lots 1,15, and 41) and an M2-1 district on the western portion of the Project Area (Lots 31, 33, p/o 37 and p/o 7501); a zoning text amendment to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the Project Area. This section describes the land use and zoning conditions that would result from the Proposed Actions by 2030 and evaluates the potential for the Proposed Actions to result in significant adverse impacts related to land use and zoning and their consistency with the applicable public policies described earlier in this chapter.

As shown in **Table C-6** below, compared to No-Action conditions, the Proposed Actions would result in an incremental (net) increase of 335 dwelling units (approximately 321,806-gsf of residential use) and 17,103-gsf of community facility. The Proposed Actions would result in a net decrease of approximately 7,749-gsf of local retail uses, 69,517-gsf of commercial office space, 10,925-gsf of manufacturing/light industrial use, and a decrease in 197 parking spaces. **Table C-6** also provides an estimate of the number of residents and workers generated by the Proposed Actions. As shown in the table, the Proposed Actions are estimated to result in a net increase of approximately 727 residents and a net decrease of 257 workers in the Proposed Rezoning Area as compared to No-Action conditions.

TABLE C-6:
Comparison of No-Action and With-Action Development Scenarios

Use		No-Action Scenario	With-Action Scenario	Increment
Residential	*Affordable*	0 DUs	67 – 101 DUs	**+67 – 101 DUs**
	Total	0 DUs	335 DUs	**+ 335 DUs**
Community Facility		0 gsf	17,103 gsf	**+17,103 gsf**
Local Retail		50, 541 gsf	42,792 gsf	**-7,749 gsf**
Commercial Office		103,723 gsf	34,206 gsf	**-69,517 gsf**
Manufacturing/Light Industrial		10,925 gsf	0 gsf	**-10,925 gsf**
Parking Spaces		235	38[2]	**-197**
Residents		0	727	**+727**
Workers		578	321	**-257**

Notes:
[1] Residential population based on the average household size in Williamsburg Neighborhood Tabulation Area (2.17 persons per household) per the 2020 Decennial Census. Estimate of workers based on standard rates and are as follows: three employees per 1,000 sf of retail, one employee per 25 DU, three employees per 1,000 sf of community facility/medical office uses, 1 employee per 1,000 sf of warehouse uses.
[2] Up to 38 spaces would be provided voluntarily by the Applicant, as reflected in the RWCDS, however, pursuant to ZR 25-211, no residential accessory parking is required. Accessory commercial and community facility parking is not required pursuant to ZR 44-21.

Land Use

Primary Study Area

Approval of the Proposed Actions would facilitate the development of the three Projected Development Sites identified within the Project Area. Under the RWCDS, it is assumed that development resulting from the Proposed Actions would occur on Applicant-owned Projected Development Site 1 as well as non-Applicant-owned Projected Development Sites 2 and 3, also known as "the Area to be Developed".

Under the With-Action condition, the Applicant intends to redevelop Block 2403, Lots 1 and 41 (Projected Development Site 1) with a 18-story (181.25-foot tall) mixed-use, 322,641-gsf (272,760-zsf, 6.0 FAR) building comprising 278 DUs, of which 56 - 83 (20 - 30 percent) would be made permanently income-restricted under MIH Options 1, 2, or 3; and 34,598-gsf (30,085 zsf) of local retail uses. Although no accessory residential parking is required pursuant to ZR 25-211, it is assumed for RWCDS purposes that up to 38 spaces would be provided voluntarily by the Applicant.

In addition, under the RWCDS, it is assumed that the Proposed Actions would facilitate the development of two other sites; Non-Applicant-owned Projected Development Sites 2 and 3. Projected Development Site 2 is assumed to be developed with a thirteen-story (145-foot tall), 63,057-gsf (57,000 zsf) mixed-used building including 57 DUs (approximately 54,863-gsf (49,875 zsf) of residential uses), of which 11 - 17 (20 – 30 percent) would be made permanently income-restricted under MIH Options 1, 2, or 3; and 8,194-gsf (7,125 zsf) of local retail uses. No accessory parking would be provided pursuant to ZR 25-211. The development would have a FAR of 6.0. Projected Development 3 is expected to be redeveloped with a nine-story (95-foot tall), 51,309 gsf (44,616 zsf, 3.0 FAR) mixed-use building containing 34,206-gsf (29,744 zsf) of commercial office uses and 17,103-gsf (14,872 zsf) of community facility uses (medical office), refer to **Table C-6**. No accessory parking would be provided pursuant to ZR 44-21.

The three remaining lots located within the primary study area, which include Block 2403, Lots 31, 33, and part of Lot 7501, are not under the control of the Applicant and are each under separate private ownership. These lots are not expected to be developed under the With-Action condition and would remain the same as under existing conditions.

Secondary Study Area

The secondary study area is characterized by a mix of land uses, including multi-family walkup buildings, mixed commercial/residential buildings in addition to commercial/office, industrial/manufacturing, and one- to two-family residential uses. The Proposed Actions are not expected to directly affect land use patterns in the secondary study area. The consistency of the Proposed Actions with secondary study area land uses is discussed in the "Assessment" section, below.

Assessment

PRIMARY STUDY AREA/PROJECT AREA

The Proposed Actions would result in changes to land use within the primary study area by increasing the allowable density of light manufacturing, community facility space, and commercial space, in addition to introducing new residential uses at the Applicant-owned development site and one additional projected development site (Projected Development Site 2) for a positive increment of 321,806-gsf of residential uses. The Proposed Actions would not result in significant adverse impacts to land use in the Project Area. The Proposed Actions would allow new mixed-use residential, commercial, and community facility development to be constructed in an increasingly residential and mixed-use urban neighborhood.

Additionally, the Proposed Actions would result in the development of approximately 335 housing units, including 67 to 101 affordable housing units pursuant to the MIH program which would not be developed under No-Action conditions.

The Proposed Actions would activate an underutilized site, continuing a land use development trend in an area that has been experiencing increased residential and commercial development since the 2005 Greenpoint-Williamsburg Rezoning. The concentration of new development in this area is due to the availability of large, underutilized parcels and the desirability of the area for its proximity to transit and the waterfront. As such, the Applicant anticipates that the Proposed Actions would result in a new mixed-use development that, in addition to being appropriate for the Project Area, would complement the land use character of the primary study area by increasing the allowable floor area and expanding available uses, as compared to the No-Action condition. Under existing zoning, the primary study area currently allows commercial office, light industrial, commercial retail, and community facility uses, all of which would be present in the With-Action condition as well.

The Proposed Actions would also result in the development of Projected Development Sites 2 and 3 by increasing the allowable floor area and expanding the available uses on Projected Development Site 2 and facilitating the development of essential commercial and community facility space (medical office) on Projected Development Site 3 that would complement the residential uses on Projected Development Sites 1 and 2, and the anticipated residential uses on the two No-Action development sites (79 South 2nd Street and 280 Kent Avenue). Additionally, as stated previously, zoning under both the existing and No-Action condition currently allows both commercial and community facility uses, therefore the proposed uses on Projected Development Sites 2 and 3 would be consistent with existing allowable uses within the primary study area.

The Proposed Actions would not generate land uses that would be incompatible with surrounding uses, nor would they directly displace land uses in such a way as to adversely affect surrounding land uses. The Proposed Actions would facilitate development on underutilized sites to produce a mixed-use residential and commercial development on the Applicant-owned site. The Proposed Actions would also replace two other projected development sites, which are not owned by the Applicant, with new mixed-use residential, community facility, and commercial development. The introduction of housing, under the With-Action condition, in a transit accessible area, would further contribute to the mission and purpose of integrating housing with transportation and jobs, thus encouraging live-work communities and transit-oriented development thereby improving the primary study area's ability to support this goal, in comparison to the No-Action condition. Therefore, the Proposed Actions would be consistent with study area land uses, and no significant adverse impacts would occur as a result of the Proposed Actions.

SECONDARY STUDY AREA

The secondary study area, which includes a diverse assortment of existing land uses including residential, commercial, public facilities and institutions, as well as industrial and manufacturing, as shown in **Figure C-1**, would not undergo any direct land use changes as a result of the Proposed Actions; the proposed changes would be limited to the Project Area and would allow for the introduction of residential and the expansion of commercial retail and office uses, as well as community facility uses, complementary to existing secondary study area land uses.

The proposed residential (321,806-gsf, an increment of 321,806-gsf) and commercial retail and office uses (76,998-gsf, a negative increment of 77,266-gsf) at the three projected development sites would complement and be consistent with the mix of new residential and commercial uses in the secondary study area. As shown in **Table C-5**, two developments are expected to be constructed in the secondary

study area by the 2030 analysis year, absent the Proposed Actions. One of these developments, located directly west of the Project Area (280 Kent Avenue), is expected to introduce a large mixed-use residential and commercial development to the secondary study area. The new residential and commercial uses in the Applicant's Proposed Development would be consistent with, and complementary to, the No-Action planned developments in the secondary study area, which all reflect a neighborhood-wide trend towards residential and mixed-use development on formerly underutilized sites (vacant lots, parking facilities, and underbuilt buildings). As such, the Proposed Actions would be consistent with existing land use trends in the secondary study area and would not introduce any new land uses that would be incompatible with their surroundings. The Proposed Actions would not result in significant adverse impact on land use in the secondary study area in accordance with the criteria set forth in the *CEQR Technical Manual.*

Zoning

The Proposed Actions consist of a zoning map amendment to rezone a portion of Block 2403, comprised of Lots 1, 15, and 41, from a M3-1 district to a M1-3A/R7X Special Mixed-Use (MX) District (MX8) and Lots 31, 33, p/o 37, and p/o 7501 from an M3-1 district to an M1-2A district as well as a zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) to establish a Mandatory Inclusionary Housing (MIH) area coterminous with Lots 1, 15, and 41. The Proposed M1-3A/R7X zoning would allow for the development of buildings with a maximum FAR of 6.0 and a maximum height of up to 145 feet[4]. The proposed M1-2A district would allow for the development of buildings with a maximum FAR of 3.0 and a maximum height of up to 95 feet. No other changes to zoning are anticipated in the secondary study area as a result of the Proposed Actions.

The anticipated residential and commercial developments as a result of the Proposed Actions would be compatible with nearby mixed-use, commercial, and residential zoning districts (MX-8, C6-2, R6, refer to **Figure C-2**).

Assessment

The Proposed Actions would not result in significant adverse impacts to zoning as a result of the proposed zoning map amendment and zoning text amendments. The existing M3-1 zoning is reflective of the fact that the Project Area and much of the surrounding study area was previously used for manufacturing and commercial purposes. However, there is no longer a concentration of industrial activity in the area and recent development in the area has been largely residential and commercial in nature. The Proposed Actions would create an opportunity for development of new mixed-use buildings with residential (including market rate and much needed affordable units) and local retail uses. Affordable units would be developed pursuant to MIH which would be mapped on Block 2403, Lots 1, 15, and 41 as a result of the Proposed Actions. The Proposed Actions would also allow the Applicant to develop uses consistent with the increasingly residential character of the Williamsburg waterfront. The proposed zoning would facilitate development that appropriately scales development between the planned River Ring (proposed to be 49-stories and 64-stories tall) and Domino Sugar waterfront sites (with heights ranging from 16-stories to 52-stories) directly to the west, and the six- and seven-story apartment buildings located directly east of the Project Area. Projected Development Site 1 would rise 18-stories, whereas Projected Development Site 2 would be 14-stories and Projected Development Site 3 would be 9-stoRies. The scale of these building creates a uniform decrease in heights moving upland. Further, mapping a special mixed-use district (M1-3A/R7X) on Block 2403, Lots 1, 15, and 41 along with a lower-intensity manufacturing

[4] Per ZR 23-432 and 123-652(a), the maximum building height for buildings within an M1-3A/R7X district with a lot size greater than 20,000-sf is 181.25 feet (25% greater than the maximum listed in the table in ZR 23-432 (145 feet), therefore Projected Development Site 1 is assumed to be constructed to a height of 181.25 feet.

district (M1-2A) on the lots adjacent to the Project Area (Block 2403, Lots 31, 33, p/o 37, and p/o 7501), would result in the development of the Project Area in a manner more consistent with existing and planned development surrounding it. Existing zoning districts in the secondary study area include three special mixed-use districts (MX-8) and a high-density commercial zoning district (C6-2). As such, the Proposed Actions would not result in significant adverse zoning impacts.

Public Policy

Assessment

HOUSING NEW YORK

The Proposed Actions would be consistent with the City's *Housing New York* plan. The provision of approximately 56 - 83 affordable dwelling units on the Applicant-owned site (with the potential for an additional 11 - 17 affordable units on non-Applicant-owned Projected Development Site 2) would support the Housing New York plan. The Proposed Actions would establish an MIH area encompassing the area to be rezoned, which would require residential development in the With-Action condition to include permanently affordable housing units. The affordable dwelling units under the With-Action condition would provide the area with new affordable housing units and would support the city's efforts to increase the overall amount of permanently affordable housing. The Proposed Actions would also facilitate the residential development of the Projected Development Sites consistent with *Housing New York 2.0*'s goal of unlocking the potential of vacant lots to create additional housing. Therefore, the Proposed Actions would be consistent with this key public policy goal and further analysis is not warranted.

HOUSING OUR NEIGHBORS: A NEW YORK CITY BLUEPRINT FOR HOUSING AND HOMELESSNESS

The Proposed Actions would be consistent with the *Housing our Neighbors: A New York City Blueprint for Housing and Homelessness* plan. As the Proposed Actions would introduce approximately 335 total DUs, of which approximately 67 – 101 would be made permanently affordable pursuant to MIH Options 1, 2, or 3 under the RWCDS as compared to the No-Action condition. The Proposed Actions would establish an MIH area encompassing the area to be rezoned as residential (Block 2403, Lots 1, 15, and 41), which would require residential development in the With-Action condition to include permanently affordable housing units. The affordable dwelling units under the With-Action condition would provide the area with new affordable housing units and would support the city's efforts to increase the overall amount of permanently affordable housing. Therefore, the Proposed Actions would be consistent with this key public policy goal.

WILLIAMSBURG WATERFRONT 197-A PLAN

The Proposed Actions would be consistent with the Williamsburg Waterfront 197-a Plan. Approval of the Proposed Actions would be in line with the recommendations of the plan. Specifically, the Projected Developments would capitalize on development opportunities near the waterfront, supporting new demand for residential and commercial uses in the area. The developments facilitated by the Proposed Actions would activate underutilized property, in the form of lots that are currently vacant and unbuilt in a rapidly developing area. In addition, the Proposed Actions would maintain income diversity in Williamsburg by offering 20 to 30 percent of units of permanently affordable housing through the MIH program, depending on the option selected.

WATERFRONT REVITALIZATION PROGRAM (WRP)

As the Project Area is located within the city's designated Coastal Zone the Proposed Actions are subject to review for consistency with the policies of the WRP. The WRP includes policies designed to maximize the benefits derived from economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those objectives. The WRP Consistency Assessment Form (CAF) (see **Appendix 1**) lists the WRP policies and indicates whether the Proposed Actions would promote or hinder that policy, or if that policy would not be applicable.

As the Project Area is not in the existing or projected 2100s 100-year or 500-year floodplain nor is it at risk of tidal flooding as a result of sea level rise (see **Figures C-6** through **C-11**), an assessment on Policy 6 is not warranted. Further, as discussed below, the development facilitated by the Proposed Actions would not hinder any of the applicable WRP policies, and as such is not likely to have any adverse effect on economic development, environmental preservation, and public use of the waterfront. This section provides additional information for the policies that have been checked "promote" in the WRP CAF.

Policy 1: Support and facilitate commercial and residential redevelopment in areas well-suited to such development.

Policy 1.1: Encourage commercial and residential redevelopment in appropriate coastal zone areas.

Compliance Statement: The Project Area is an appropriate location for residential and commercial development, as it is located among a growing mix of residential, retail, office and mixed land uses including several large residential and mixed-use developments to the west and north. The Project Area is near Grand Ferry Park and is located in an area that is well-served by existing infrastructure and public transportation. The Project Area is not located within a Significant Maritime and Industrial Area (SMIA), Special Natural Waterfront Area (SNWA), Priority Maritime Activity Zone (PMAZ), Recognized Ecological Complex (REC), or West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA), as defined in the WRP, and is therefore not located in a special area that may be inappropriate for the development of new residential or commercial uses. Furthermore, the Project Area is not located in either the FEMA 1 percent chance or 0.2 percent chance annual floodplains (see **Figures C-7a and Figure C-7b**).

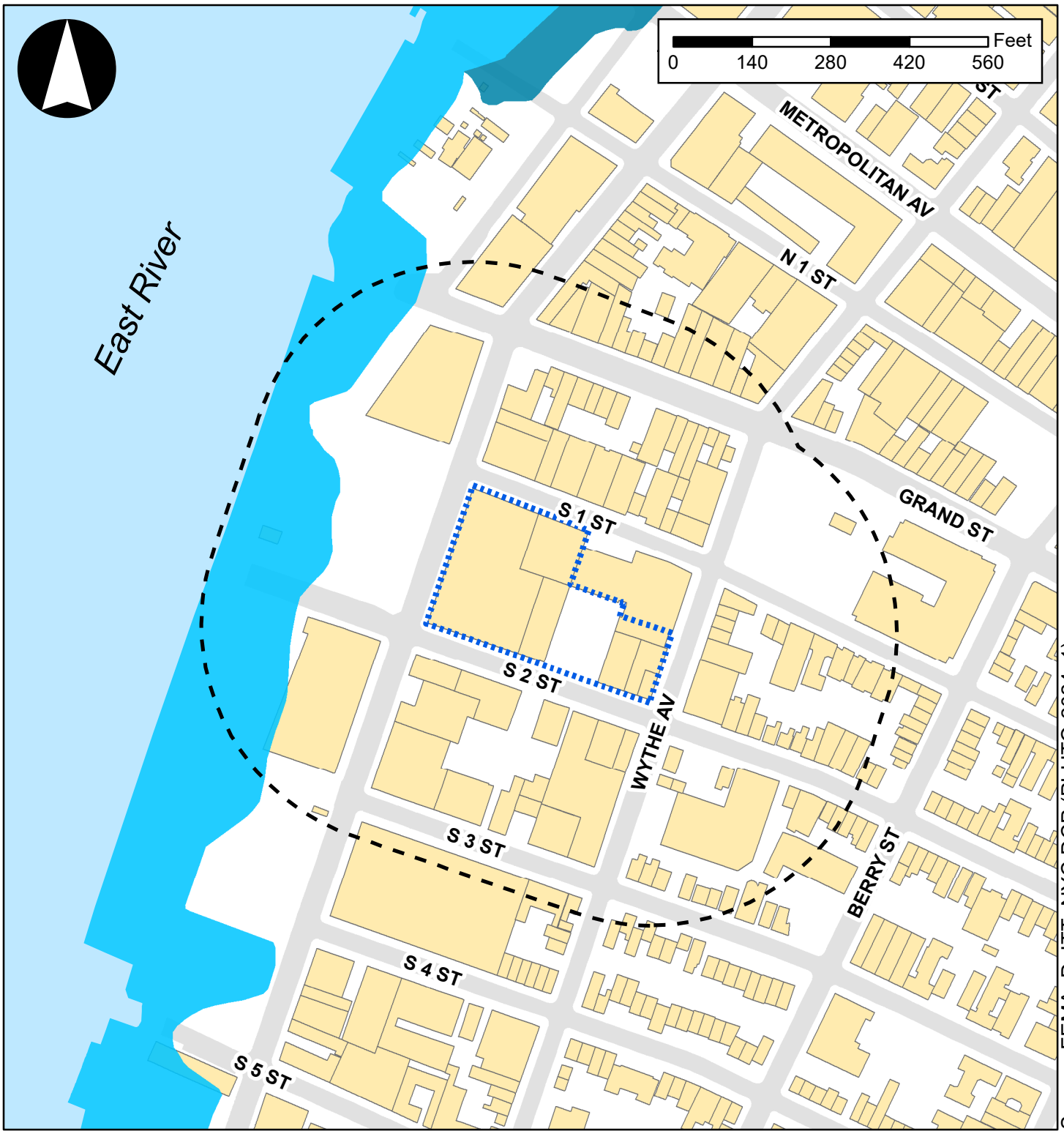
Under the With-Action condition, the Proposed Actions would facilitate the development of approximately 266,943 gsf of residential floor area and 34,598 gsf of commercial floor area supporting local retail uses on the Applicant-owned Projected Development Site 1 (Lots 1 and 41) as well as 54,863 gsf of residential floor area, 8,194 gsf of ground floor local retail space, 34,206 gsf of commercial office space, and 17,103 gsf of community facility space (medical office) on non-Applicant-owned Projected Development Sites 2 and 3. In total, there would be 335 in the Proposed Rezoning Area in the With-Action condition; 67 to 101 of the With-Action DUs would be affordable units pursuant to MIH, and 235 to 268 market-rate DUs.

For these reasons, the Proposed Actions would promote Policy 1.1 of the WRP and would facilitate residential, community facility, and commercial development in an area well-suited to such development.

Policy 1.3: Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.

Compliance Statement: The project would redevelop underutilized sites for residential and commercial uses in close proximity to mass transit infrastructure and would integrate the site into the surrounding area. Directly adjacent to the project site is the B32 New York City Transit (NYCT) bus route, which provides

Figure C-6
1 and 0.2 Percent Annual Chance Floodplains



Legend

- Primary Study Area*
- Secondary Study Area (400-Foot Radius)
- Water
- 0.2% Annual Chance Flood Hazard
- 1% Annural Chance Flood Hazard

*The Primary Study Area includes the Proposed Rezoning Area and entirety of Lot 37.

Figure C-7a
NPCC 1% Annual Chance Floodplain Projections

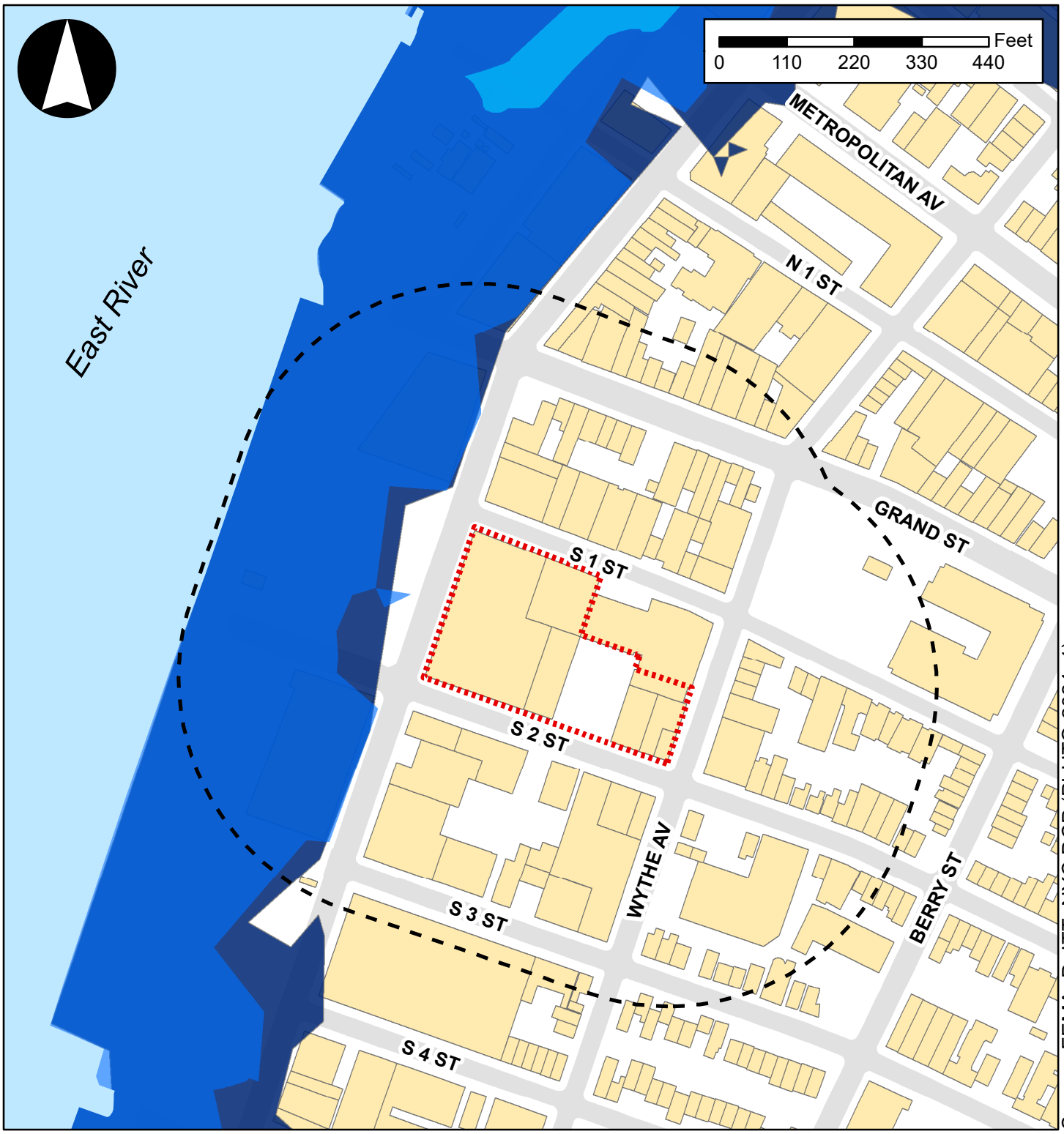


Legend

- Primary Study Area*
- Secondary Study Area (400-Foot Radius)
- Existing Buildings
- Water
- 1% Annual Chance Flood Hazard
- NPCC 2020s Projection
- NPCC 2100s Projection

*The Primary Study Area includes the Proposed Rezoning Area and the entirety of Lot 37.

Figure C-7b
NPCC 0.2% Annual Chance Floodplain Projections

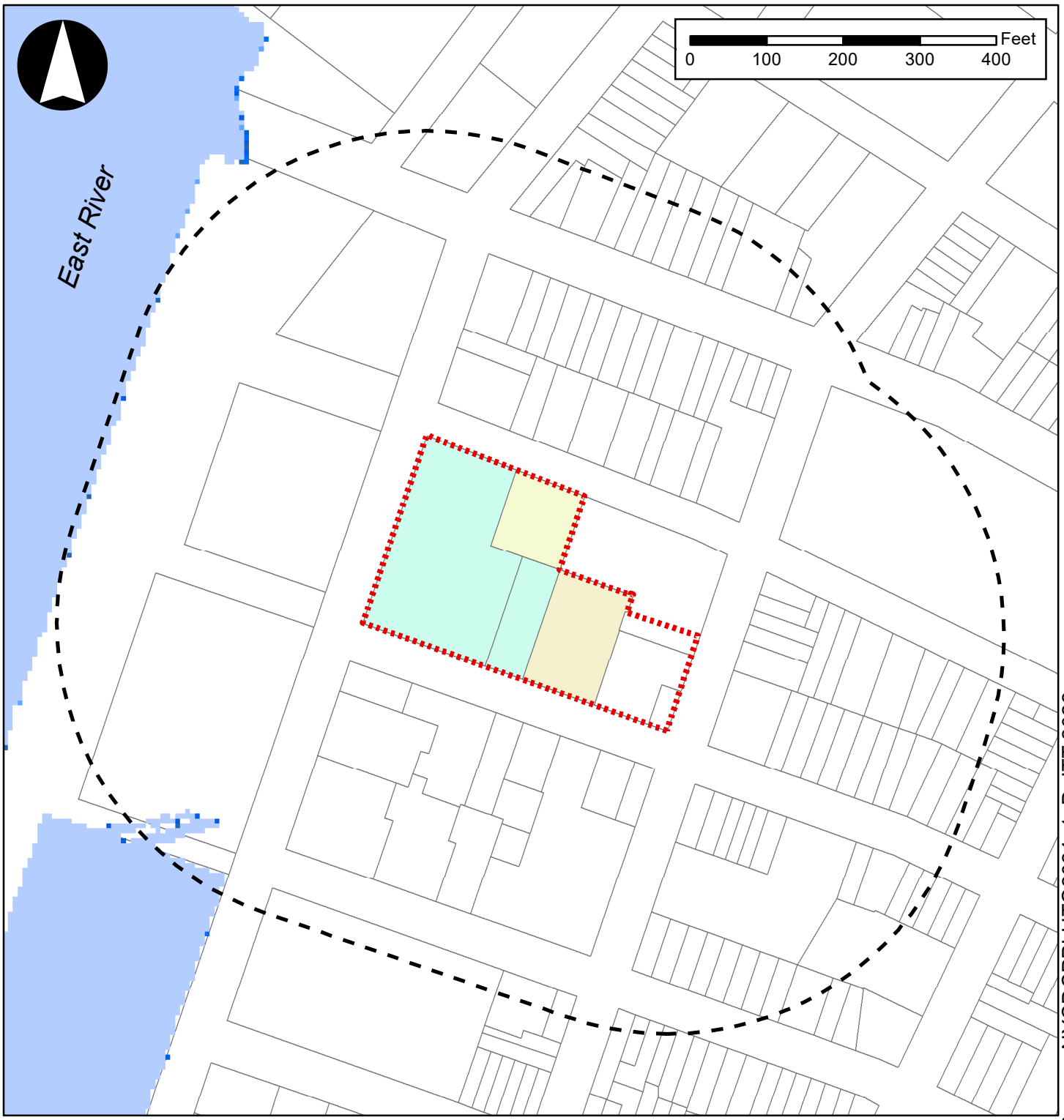


Legend

- Primary Study Area*
- Secondary Study Area (400-Foot Radius)
- Existing Buildings
- Water
- 0.2% Annual Chance Flood Hazard
- NPCC 2020s Projection
- NPCC 2100s Projection

*The Primary Study Area includes the Proposed Rezoning Area and the entirety of Lot 37.

Figure C-8
High Tide Projections 2020s

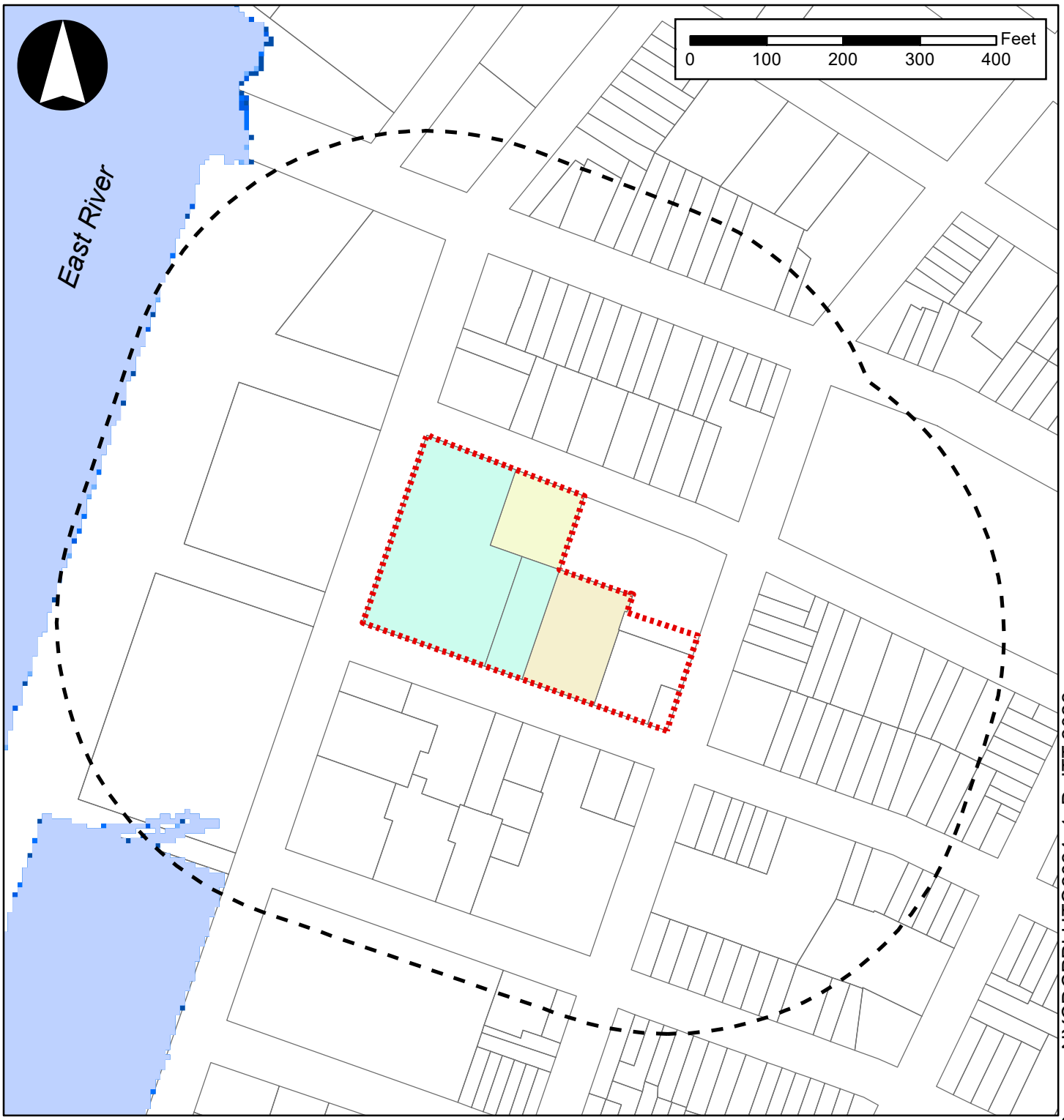


Legend

- Primary Study Area
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3
- Low Estimate (2 inches SLR)
- Low-Mid Estimate (4 inches SLR)
- Middle Estimate (6 inches SLR)
- Mid-High Estimate (8 inches SLR)
- High Estimate (10 inches SLR)

Note: This map is for advisory purposes only.
Source: New York City Department of City Planning (DCP).

Figure C-9
High Tide Projections 2050s

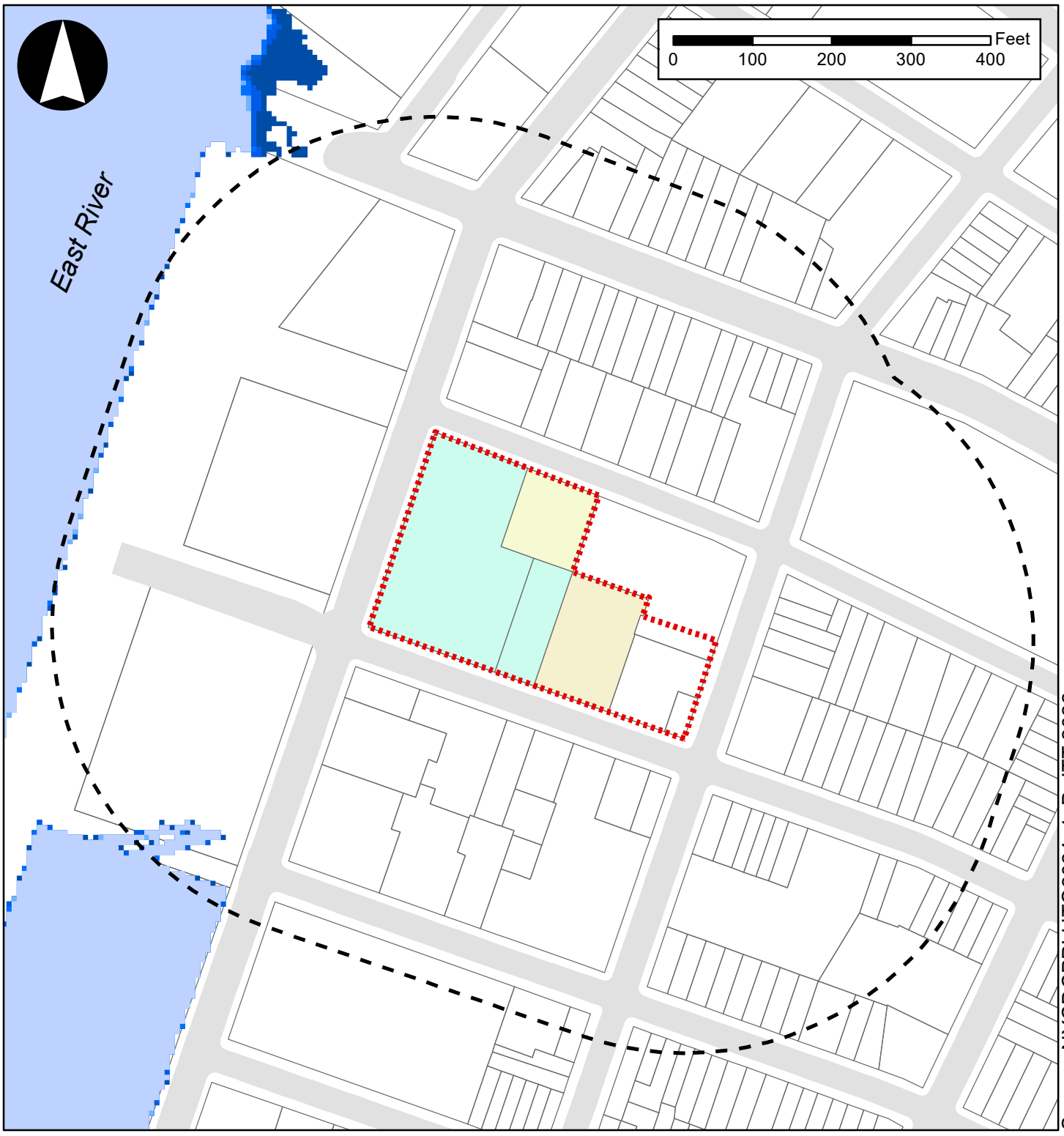


Legend

- Primary Study Area
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3
- Low Estimate (8 inches SLR)
- Low-Mid Estimate (11 inches SLR)
- Middle Estimate (16 inches SLR)
- Mid-High Estimate (21 inches SLR)
- High Estimate (30 inches SLR)

Note: This map is for advisory purposes only.
Source: New York City Department of City Planning (DCP).

Figure C-10
High Tide Projections 2080s

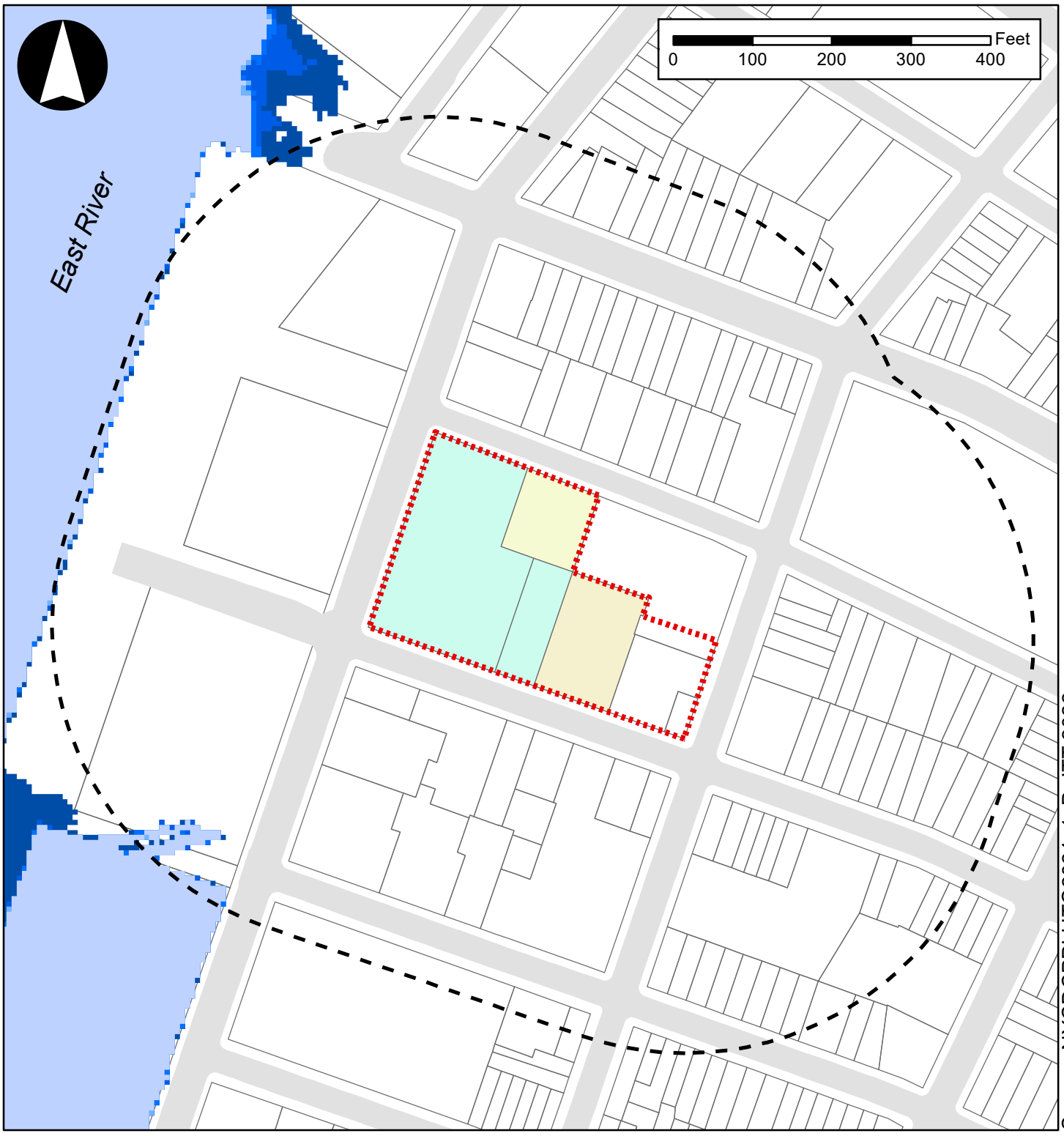


Legend

- Primary Study Area
- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3
- Secondary Study Area (400-Foot Radius)
- Low Estimate (13 inches SLR)
- Low-Mid Estimate (18 inches SLR)
- Middle Estimate (29 inches SLR)
- Mid-High Estimate (39 inches SLR)
- High Estimate (58 inches SLR)

Note: This map is for advisory purposes only.
Source: New York City Department of City Planning (DCP).

Figure C-11
High Tide Projections 2100s



Legend

- Primary Study Area
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3
- Low Estimate (15 inches SLR)
- Low-Mid Estimate (22 inches SLR)
- Middle Estimate (36 inches SLR)
- Mid-High Estimate (50 inches SLR)
- High Estimate (75 inches SLR)

Note: This map is for advisory purposes only.
Source: New York City Department of City Planning (DCP).

local service between Williamsburg and Long Island City. The Bedford Avenue (L) subway station is located approximately 0.5 miles east of the Project Area and is accessible via walking. The L subway line provides services from Chelsea, Manhattan to Canarsie, Brooklyn. The North Williamsburg NYC Ferry Landing is approximately 0.25 miles north of the Project Area. The surrounding area is served by several public open spaces including Domino Park, Berry Playground, and Grand Ferry Park. Additional waterfront open space is in development at the nearby River Ring site. In addition, the project would include local retail space, medical office space, and commercial office space serving project occupants and the surrounding community.

Overall, the Proposed Actions would encourage development in an area adequately served by existing and future public facilities and infrastructure and would promote Policy 1.3 of the WRP.

VI. CONCLUSION

No significant adverse impacts on land use, zoning, or public policy would occur in the primary or secondary study areas because of the Proposed Actions. The Proposed Actions would not directly displace any land uses so as to adversely affect surrounding land uses, nor would the Proposed Actions generate land uses that would be incompatible with existing land uses, zoning, or public policy in the secondary study area. The Proposed Actions would provide much-needed permanently affordable housing opportunities in an amenity-rich neighborhood of the City, replacing a vestigial heavy manufacturing zoning district with a more appropriate mixed use district, that is similar to those already present on the surrounding blocks to the south, west and north. The Proposed Actions residential, commercial (office and retail), light industrial, and community facility land uses would complement the existing land use character of the secondary study area, which contains a mixture of light manufacturing, commercial, and residential buildings, in addition to open space.

ATTACHMENT D

SOCIOECONOMIC CONDITIONS

I. INTRODUCTION

This attachment assesses whether the Proposed Actions and associated Reasonable Worst Case Development Scenario ("RWCDS") would result in significant adverse impacts to the socioeconomic character of the area within and surrounding the Project Area[1] in Williamsburg, Brooklyn, Community District ("CD") 1. As described in the 2021 *City Environmental Quality Review* ("CEQR") *Technical Manual*, the socioeconomic character of an area includes its population, housing, and economic activities. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although some socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area. In some cases, these changes may be substantial, but not adverse. The objective of a CEQR analysis is to disclose whether any changes created by the project would have a significant adverse impact compared to what would happen in the future without the project (i.e., the No-Action condition).

The Proposed Actions would facilitate the construction of the Proposed Development, an approximately 322,641-gross-square foot ("gsf") mixed-use residential and commercial building with up to 18 stories (181.25 feet tall, excluding a mechanical bulkhead) above grade and a single below-grade cellar level at 289 Kent Avenue (Block 2403, Lots 1 and 41; "Projected Development Site 1") in the Williamsburg neighborhood of Brooklyn CD 1 (refer to **Figure 1** in the **EAS Form**). The Proposed Development would include approximately 278 dwelling units ["DUs"], of which, approximately 20 - 30 percent (56 - 83 units) would be designated as permanently affordable pursuant to the City's MIH program, at an average of 40 - 80 percent AMI, pursuant to MIH Options 1, 2, or 3, and 34,598 gsf of local retail uses.

The Proposed Actions are also expected to facilitate the redevelopment of two non-Applicant owned sites: Block 2403, Lot 15 ("Projected Development Site 2"); and Block 2403, p/o Lot 37 ("Projected Development Site 3"). Projected Development Site 2 is expected to be redeveloped as a 13-story mixed-use residential and commercial building with approximately 57 DUs, of which 20 - 30 percent (11 - 17 units) would be designated as permanently affordable pursuant to MIH Options 1, 2, or 3) and 8,194 gsf of local retail. Projected Development Site 3 is expected to be developed into a 9-story mixed-use building with 34,206 gsf of commercial office uses and 17,103 gsf of community facility uses. Together, the Projected Development Sites, which include the entirety Lots 1, 15, 41, and 37 on Block 2403 are also referred to as "the Area to be Developed".

In the No-Action condition, it is assumed that Projected Development Site 1 (Lot 1 only) and non-applicant owned Projected Development Sites 2 and 3 would be redeveloped on an as-a-right basis under their existing zoning designations. Lot 41 (Applicant-owned), which has an FAR of 2.92, already exceeds bulk controls (2.0 manufacturing FAR in an M3-1 district) and is not likely to redevelop or expand under the No-Action condition; however, the vacant office building on Applicant-owned Lot 1 is assumed to be reoccupied with an office use in the No-Action condition. Lot 15, an underutilized light manufacturing space with an existing FAR of 1.0, is also assumed to maximize its available FAR of 2.0 in the No-Action condition, by enlarging the existing building into a 3-story building with a height of approximately 45 feet.

[1] The Project Area comprises Brooklyn Block 2403, Lots 1, 15, 31, 33, p/o 37, 41, and a p/o 7501. The Project Area is bounded by South 1st Street to the north, Wythe Avenue to the east, South 2nd Street to the south, and Kent Avenue to the west.

Lot 37, currently an unlicensed parking lot, is assumed to be redeveloped into an approximately 63,950-gsf, 5-story commercial building with a height of approximately 65 feet, maximizing its allowable FAR of 2.0.

Under the RWCDS, the incremental (net) change that would result from the Proposed Actions is the addition of a total of 321,806 gsf of residential uses, including approximately 335 DUs, of which approximately 67 to 101 would be affordable units, as well as the net addition of 17,103 gsf of community facility space. The Proposed Actions would also result in the incremental (net) loss of approximately 77,266 gsf of commercial uses (-7,749-gsf in local retail and -69,517-gsf in commercial office), a net loss of 10,925 gsf of light manufacturing/industrial uses and a net loss of 49,428 gsf of parking.

In accordance with *CEQR Technical Manual* guidance, this socioeconomic assessment considers whether the Proposed Action could result in significant adverse socioeconomic impacts due to: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; or (5) adverse effects on specific industries.

II. METHODOLOGY

Under CEQR, the assessment of socioeconomic conditions usually distinguishes between the socioeconomic conditions of an area's residents and businesses. However, a proposed action(s) can affect either or both segments in similar ways: it may directly displace residents or businesses; or it may alter one or more of the underlying forces that shape socioeconomic conditions in an area and thus may cause indirect displacement of residents or businesses. The objective of the CEQR analysis is to disclose whether any changes created by the proposed action(s) would have a significant impact compared with what would happen in the future without the proposed action(s).

Direct displacement is defined as the involuntary displacement of residents, businesses, or institutions from the actual site of (or sites directly affected by) a proposed project or action(s). Examples include the proposed redevelopment of a currently occupied site for new uses or structures, or a proposed easement or right-of-way that would take a portion of a parcel and thus render it unfit for its current use. Since the occupants of a site are usually known, the disclosure of direct displacement focuses on specific businesses and employment and an identifiable number of residents and workers.

Indirect or secondary displacement is defined as the involuntary displacement of residents, businesses, or employees in an area adjacent to, or close to, a project or development site that results from changes in socioeconomic conditions created by a proposed action(s). Examples include rising residential rents in an area that result from a new concentration of higher-income housing introduced by an action or project, which ultimately could make existing housing unaffordable to lower income residents; a similar turnover of industrial to higher-rent commercial tenancies induced by the introduction of a successful office project in an area; or the flight from a neighborhood that can occur if a proposed project or action creates conditions that break down the community (such as a highway dividing the area). Unlike direct displacement, the exact occupants to be indirectly displaced are not known. Therefore, an assessment of indirect displacement usually identifies the size and type of groups of residents, businesses, or employees potentially affected.

Even if a project does not directly or indirectly displace businesses, it may affect the operation and viability of a major industry or commercial operation in the city. An example would be new regulations that prohibit or restrict the use of certain processes that are critical to certain industries. In this case, the CEQR

review may involve the assessment of the economic impact of the project on the specific industry in question.

Determining Whether a Socioeconomic Assessment Is Appropriate

According to the *CEQR Technical Manual*, a socioeconomic assessment should be conducted if an action may be reasonably expected to create socioeconomic changes in the area affected by the action that would not be expected to occur in the absence of the Proposed Action. The following initial screening assessment considers threshold circumstances identified in the *CEQR Technical Manual* (bulleted in bold below) that can lead to socioeconomic changes warranting further assessment.

As noted previously, the Proposed Actions and associated RWCDS would introduce a net increase of 335 DUs and 321,806 gsf of residential space, a net increase of 17,103 gsf of community facility space, a net decrease of 77,266 gsf of commercial space, a net decrease of 10,925 gsf in manufacturing space, and a net loss of 49,428 gsf of parking as compared to the No-Action condition.

> **• Direct Residential Displacement: Would the proposed actions directly displace residential population to the extent that the socioeconomic character of the neighborhood would be substantially altered? Displacement of fewer than 500 residents would not typically be expected to alter the socioeconomic character of a neighborhood.**

The Area to be Developed is currently zoned M3-1, with a 2,500-sf portion of Lot 37 zoned M1-2/R6 (MX-8), and contains no residential uses. Existing uses in the Area to be Developed include commercial office, commercial retail, and light manufacturing therefore, the Proposed Actions would not directly displace any residential population, and no further assessment is warranted.

> **• Direct Business Displacement: Would the proposed actions directly displace more than 100 employees, or directly displace a business whose products or services are uniquely dependent on its location, are the subject of policies or plans aimed at its preservation, or serve a population uniquely dependent on its services in its present location? If so, assessments of direct business displacement and indirect business displacement are appropriate.**

Within the Project Area, Projected Development Site 1 is currently improved with a vacant commercial office building that covers the entirety of the site and fronts on South 1st Street, Kent Avenue and South 2nd Street. The building contains 1-2 story portions (Lot 1) and a 3-story portion (Lot 41). Projected Development Site 2 is occupied by a 1-story produce warehouse covering the entirety of the lot. Projected Development Site 3 is currently utilized as an unlicensed surface parking lot. Under these conditions, Projected Development Sites 1 and 3 are not expected to employ any workers. Projected Development Site 2, (Block 2403, Lot 15) is assumed to employ approximately 11 light industrial/manufacturing workers[2] (NAICS code 424480[3]). The Proposed Actions would result in the direct displacement of the 11 workers assumed to be employed in the existing condition however, this does not exceed the more than 100 employees warranting further assessment. Further, the existing business does not provide products

[2] Estimated workers for the RWCDS was calculated as follows: 1 employee/25 DUs, 1 employee/333 sf of local retail, 1 employee/400 sf of medical office, 1 employee/250 sf of office, and 1 employee per 1,000 sf/light industrial space. Parking is assumed to be unattended. Assumptions aligned with CEQR #19DCP157K, Gowanus Neighborhood Rezoning EIS.

[3] North American Industry Classification System, "Produce, fresh, merchant wholesalers", 2022.

or services essential to the local economy that would no longer be available to residents and businesses due to disruption of commercial activities nor is it subject to regulations or publicly adopted plans to preserve, enhance, or otherwise protect it.

> **• Indirect Residential and/or Business Displacement due to Increased Rents: Would the proposed actions result in substantial new development that is markedly different from existing uses, development, and activities within the neighborhood? Residential development of 200 units or less or commercial development of 200,000 square feet (sf) or less would typically not result in significant socioeconomic impacts. For projects exceeding these thresholds, an assessment of indirect residential displacement and indirect business displacement is appropriate.**

The Proposed Actions and associated RWCDS would introduce a net increase of 335 DUs as compared to the No-Action condition, which would exceed the 200-unit *CEQR Technical Manual* threshold. Therefore, a preliminary assessment of potential indirect residential displacement is warranted and is provided in Section III of this attachment. The Proposed Actions would not result in an increase in commercial space but in a net decrease (-77,266-gsf) of commercial uses; therefore, an assessment of potential indirect business displacement is not warranted.

> **• Indirect Business Displacement due to Retail Market Saturation: Would the proposed actions result in a total of 200,000 sf or more of retail on a single development site or 200,000 sf or more of regional-serving retail across multiple sites? This type of development may have the potential to draw a substantial number of sales from existing businesses within the study area, resulting in indirect business displacement due to market saturation.**

The Proposed Actions and associated RWCDS would not result in 200,000 sf or more of retail on a single development site nor 200,000 sf or more of regional-serving retail across multiple sites. Therefore, an assessment of indirect business displacement due to retail market saturation is not warranted.

> **• Adverse Effects on Specific Industries: Is the project expected to affect conditions within a specific industry? This could affect socioeconomic conditions if a substantial number of workers or residents depend on the goods or services provided by the affected businesses, or if the project would result in the loss or substantial diminishment of a particularly important product or service within the city.**

The Proposed Actions would not result in development warranting an assessment of direct or indirect business displacement, nor would they include any citywide regulatory changes that would adversely affect the economic and operational conditions of certain types of businesses or processes. Existing businesses located within the Project Area do not provide any services that are not available elsewhere in the neighborhood nor do they provide products or services that are particularly unique or important to the City. The existing businesses include a produce warehouse and office space available for rent. Therefore, an assessment for adverse effects on specific industries is not warranted.

Analysis Format

Following *CEQR Technical Manual* guidance, the socioeconomic analysis of potential indirect residential displacement begins with a preliminary assessment. The purpose of the preliminary assessment is to learn

enough about the effects of the Proposed Actions to either rule out the possibility of significant adverse impacts or determine that a more detailed analysis is warranted. A detailed analysis, when required, is framed in the context of existing conditions and evaluations of the future without the Proposed Actions and the future with the Proposed Actions by the project build year of 2030.

For the analysis of indirect residential displacement presented below, Step 1 of the *CEQR Technical Manual's* preliminary assessment was sufficient to conclude that the Proposed Actions are not expected to result in any significant adverse socioeconomic impacts.

Study Area Definition

A socioeconomic study area is the area within which the Proposed Actions and associated RWCDS has the greatest potential to, directly or indirectly, affect population, housing, and economic activities. A study area typically encompasses a project or development site(s) and adjacent areas within a 400-foot, quarter mile, or half-mile radius, depending upon the project size and area characteristics. According to the *CEQR Technical Manual*, the larger half-mile study area is appropriate for projects that would potentially increase the quarter-mile area population by more than five percent. According to the 2020 Census, the socioeconomic study area contained a residential population of 19,799. Accounting for residential development from 2020 to 2024, using the New York City Department of City Planning's ("DCP") population projections, the existing population of the quarter-mile study area is 21,658 people. Therefore, the incremental population introduced by the Proposed Actions and associated RWCDS (727 residents[4]) would result in an increase in the quarter-mile study area residential population by approximately 3.2 percent. As such, a quarter-mile study area is the appropriate study area for assessing the potential for indirect residential displacement, in accordance with *CEQR Technical Manual* methodology.

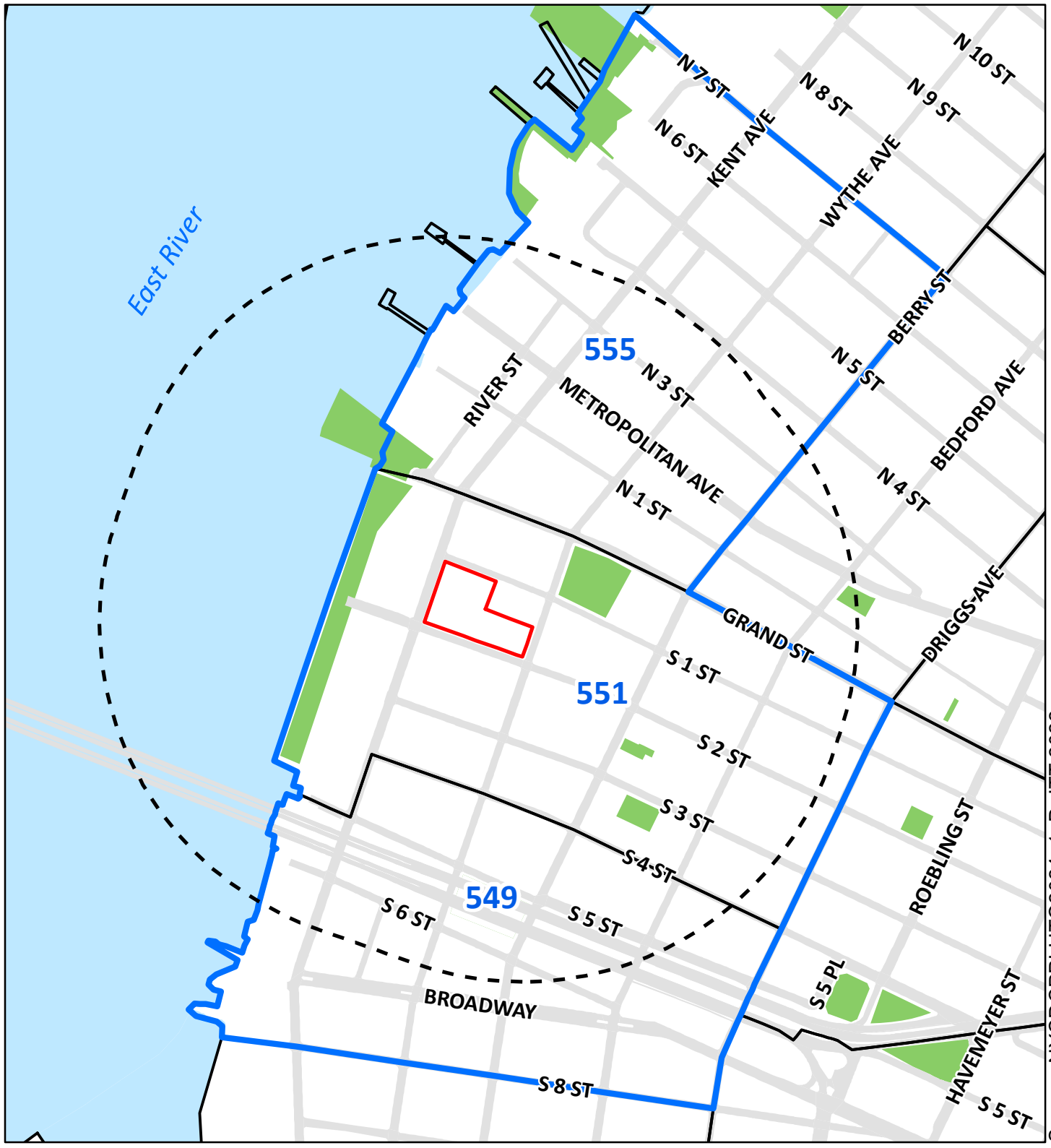
As socioeconomic analyses depend on demographic data, it is appropriate to adjust the study area boundary to conform to the census tract delineation that most closely approximates the desired radius (in this case, a quarter-mile radius surrounding the boundary of the Project Area). For this analysis, three census tracts (census tracts 549, 551, and 555) comprise the quarter-mile socioeconomic study area; the quarter-mile socioeconomic study area is shown in **Figure D-1**. The quarter-mile socioeconomic study area is located along the North Brooklyn waterfront and is roughly bounded by East River to the west, North 7th Street to the north, South 8th Street to the south, and Driggs Avenue and Berry Street to the east. The quarter-mile study area encompasses a portion of the Williamsburg neighborhood. The neighborhood of Williamsburg is bounded by McGuiness Boulevard to the north, Bushwick Avenue to the east, Flushing Avenue to the south, and the East River to the west.

Data Sources

Information and data used in the analysis of indirect residential displacement (including population, housing, rents, incomes) were obtained from U.S. Census Bureau's 2020 Census, 2006-2010 and 2018-2022 American Community Survey ("ACS") Five-Year Estimates. The New York City Department of City Planning's ("DCP's") Population FactFinder online mapping application tool was used to determine the statistic reliability of single-variable ACS data presented for the study area, the borough of Brooklyn, and

[4] The number of residents is based the Williamsburg NTA's average household size of 2.17 persons per the 2020 Census.

Figure D-1
Socioeconomic Study Area



Source: NYCDCPPLUTO2024v1; DoITT 2022

Legend

- Primary Study Area*
- Quarter-Mile Radius
- 2020 Census Tracts
- 551 Socioeconomic Study Area

*The Primary Study Area includes the Proposed Rezoning Area and the entirety of Lot 37.

New York City[5]. The average household size (2.17 persons) for the Williamsburg NTA[6] according to the 2020 Census is used to estimate the future population resulting from anticipated No-Build (i.e., No-Action condition) development projects in the study area. Study area data were compared to Brooklyn and New York City. Land use and parcel data were collected from the city's Primary Land Use Tax Lot Output ("PLUTO™") data files, online Geographic Information Systems ("GIS") databases, including NYCityMap.[7]

III. PRELIMINARY ASSESSMENT OF INDIRECT RESIDENTIAL DISPLACEMENT

As described in the *CEQR Technical Manual*, indirect residential displacement usually results from substantial new development that is markedly different from existing uses and activity in an area, which can lead to increased property values in the area. Increased property values can lead to increased rents in non-regulated rental housing units, which can make it difficult for some existing residents to afford to stay in their homes. Pursuant to *CEQR Technical Manual* guidance, the indirect residential displacement assessment aims to determine whether the Proposed Actions would either introduce a trend or accelerate an existing trend of changing real estate market conditions that may have the potential to displace a vulnerable residential population and substantially change the socioeconomic character of the neighborhood. To quantify the reasonably anticipated effects of the Proposed Actions and associated RWCDS, the vulnerable population is defined in the *CEQR Technical Manual* to include renters living in privately held units unprotected by rent control, rent stabilization, or other government regulations restricting rents, and whose incomes or poverty status indicate that they may not support substantial rent increases. Residents who are homeowners, or who are renters living in rent regulated or subsidized housing units would not be vulnerable to rent pressures according to *CEQR Technical Manual* guidance.

This preliminary assessment follows the step-by-step preliminary assessment guidance described in Section 332.1 of the *CEQR Technical Manual*. As described below and in keeping with *CEQR Technical Manual* guidance, Step 1 of the preliminary assessment was sufficient to determine that the Proposed Actions and associated RWCDS would not result in significant adverse impacts due to indirect residential displacement.

Step 1: Determine if the proposed actions would add new population with higher average incomes compared to the average incomes of the existing populations and any new population expected to reside in the study area in the future without the proposed actions.

Household income characteristics for the study area population are described using the mean (or average) and median household incomes, as well as a breakdown of income distribution. The median household income represents the mid-point of all household incomes in a study area, and the mean household income is calculated by dividing aggregate income by the total number of households in a study area. The presence of extremely high- or low-income households raises or lowers the area's mean income, sometimes substantially higher or lower than the median of household incomes in a study area.

[5] The reliability of data is based on the margin of error ("MOE"). MOEs describe the precision of an estimate within a 90-percent confidence interval and provide an idea of how much variability (i.e., sampling error) is associated with the estimate, where the larger MOE relative to the size of the estimate, the less reliable the data. The MOE is partially dependent on the sample size because the large sample sizes result in a greater amount of information that more closely approximates the population.

[6] As all of the study area's census tracts are within the Williamsburg NTA, the average household size for the Williamsburg NTA of 2.17 persons per household based on the 2020 Census was used to calculate the expected residential population from No-Action developments.

[7] http://gis.nyc.gov/doitt/nycitymap/

According to 2018-2022 Five-Year ACS estimates, the mean annual household income of residents living in the study area is approximately $228,960 as compared to $103,042 in 2006-2010 (refer to **Table D-1**).[8]

As shown in **Table D-1**, the residents of the quarter-mile study area have higher mean household incomes, as compared to Brooklyn ($114,302[9]), and New York City ($122,667[10]) as a whole. In all areas, the median household income is lower than the mean household income, indicating the presence of some outlier households with significantly higher income in the study area, larger borough, and overall city.

TABLE D-1:
Household Income Characteristics in the Study Area, Brooklyn, and New York City

	Mean Household Income			Median Household Income		
	2006-2010 ACS	**2018-2022 ACS**	**Percent Change**	**2006-2010 ACS**	**2018-2022 ACS**	**Percent Change**
Quarter-Mile Study Area	$103,042	$228,960	+122.2%	$66,916	$163,723	+144.7%
Brooklyn	$84,542	$114,302	+35.2%	$58,785	$74,692	27.1%
New York City	$105,106	$122,667	+16.7%	$67,850	$76,607	+12.9%

Sources: Bureau of the Census, 2006-2010 and 2018-2022 Five-Year ACS Estimates, as reported on DCP's Population Factfinder. This data is reported in real (inflation-adjusted) 2022 values.

According to 2018-2022 Five-Year ACS data, the median household income for the study area is an estimated $163,723[11] as compared to $74,692 for Brooklyn households and $76,607 for New York City households, respectively (refer to **Table D-1**). The study area's existing median annual household income is approximately 130 percent of the 2024 AMI for the New York City region for a two-person family.[12] Like mean household incomes, the median household incomes in the study area, larger borough, and city have increased since 2006-2010, indicating a trend of increasing incomes across all areas.

In the absence of the Proposed Actions, it is assumed that Applicant-owned Lot 1 and non-applicant owned Lots 15 and 37 would be redeveloped on an as-a-right basis under their existing zoning designations. Lot 41 (Applicant-owned) already exceeds bulk controls and is not likely to redevelop or expand under the No-Action condition; however, the vacant office building on Applicant-owned Lot 41, is assumed to be reoccupied with an office use in the No-Action condition. It is anticipated that the current land use trends and general development patterns will continue within secondary study area however, the Project Area would continue to contain no residential uses.

[8] Based on the MOE for the mean household income of the study area according to the 2018-2022 Five-Year ACS (MOE of $26,960), the average household income could range from $202,149 to $255,771.

[9] Based on the MOE for the mean household income of Brooklyn according to the 2018-2022 Five-Year ACS (MOE of $1,153), the average household income could range from $113,149 to $115,455.

[10] Based on the MOE for the mean household income of New York City according to the 2018-2022 Five-Year ACS (MOE of $955), the average household income could range from $121,712 to $123,622.

[11] Based on the MOE for the median household income of the study area according to the 2018-2022 Five-Year ACS (MOE of $17,889), the average household income could range from $145,834 to $181,612.

[12] The median income for all cities across the country is calculated each year by the U.S. Department of Housing and Urban Development ("HUD"). In the New York City region, 30 percent of the AMI for a three-person family is $161,590. The AMI for a two-person family is used because the average household size for the Williamsburg NTA is 2.17 persons.

Using DCP's population projections, based on active filings and permits with the New York City Department of Buildings (DOB)[13], there are 812 residential units expected to be added to the quarter-mile study area in the No-Action condition. These developments are estimated to introduce a total of approximately 1,635 people to the quarter-mile study area based on an average household size of 2.17 persons per household and a 7.21 percent vacancy rate[14].

In the future with the Proposed Actions, the Project Area would be developed with 335 total DUs, of which approximately 67 - 101 would be made permanently affordable under MIH Options, 1, 2, or 3. The With-Action development is expected to introduce approximately 727 residents to the quarter-mile study area based on an average household size of 2.17 persons per household. Consistent with 2021 *CEQR Technical Manual* guidance, the third quartile of market-rate unit rents is assumed to represent 30 percent of the introduced population's monthly income for the market-rate apartments, given that new construction tends to be at the higher end of market rents and that 30 percent is the standard threshold for what is considered a rent-burdened household. For the market-rate units, research was conducted into current market-rate asking rents within the study area and Brooklyn CD 1 (summarized in **Table D-2**) with the assumption that incoming market-rate renters would be spending approximately 30 percent of their household income on rent[15]. This has been used to estimate the expected income level of future market-rate tenants.

TABLE D-2:
Estimated Household Incomes for the Projected Market-Rate Units

Unit Type	Number of Apartments Listed[1]	Third Quartile Asking Rent[1]	Estimated Monthly Income[2]	Estimated Yearly Income[2]
Studios	24	$3,850	$12,833	$154,000
1-Bedrooms	26	$4,488	$14,958	$179,500
2-Bedrooms	26	$5,378	$17,925	$215,100
3+ Bedrooms	24	$6,925	$23,083	$277,000
Estimated Weighted Average		**$5,151**	**$17,170**	**$206,036**

Source: Random sample of 100 apartment listings taken from StreetEasy and Zillow.
Notes:
[1] Represents the number of apartments listed and the third quartile rent based on February 2025 market listings.
[2] Household incomes were imputed using HUD's 30 percent guideline.

Assuming that the incoming market-rate renters would be spending approximately 30 percent of their income on rent, a person or household renting a market-rate unit because of the With-Action developments are expected to have an average income ranging between approximately $154,000 and $277,000, depending on the unit type (refer to **Table D-2**). A household renting a market-rate unit that would be available as a result of the With-Action development would have an estimated weighted average income of $206,306.

As noted above, the With-Action development facilitated by the Proposed Actions would result in an incremental net increase of 335 total DUs, of which approximately 67 to 101 would be affordable under MIH Options 1, 2, or 3. MIH Option 1 requires that 25 percent of residential floor area be set aside for households earning an average of 60 percent of AMI or lower; MIH Option 2 requires that 30 percent of residential floor area be set aside for households earning an average of 80 percent of AMI or lower; and

[13] The NYC Department of City Planning's (DCP) Housing Database Project-Level Files, November 2024.
[14] The average rental vacancy rate for the census tracts within the quarter-mile study area was 7.3 percent as per the 2020 Census.
[15] HUD defines families who pay more than 30 percent of their income for housing as rent burdened.

MIH Option 3 requires that 20 percent of residential floor area be set aside for households earning an average of 40 percent AMI or lower.

The average income of a household in a market-rate unit under the With-Action condition would be approximately $206,036. Under MIH Option 1, the average income of a household in an affordable apartment under the With-Action condition would be approximately $76,161. This would result in a weighted average (the average income of a market-rate unit household and an affordable unit household, accounting for the number of units in each category) of $173,786, which is less than the study area's existing average household income of $228,960 (refer to **Table D-1**).

Under MIH Option 2, the average income of a household in an affordable apartment under the With-Action condition would be approximately $101,548. This would result in a weighted average of $174,798, which is less than the study area's existing average household income of $228,960 (refer to **Table D-1**).

Under MIH Option 3, the average income of a household in an affordable apartment under the With-Action condition would be approximately $50,774. This would result in a weighted average of $174,983, which is less than the study area's existing average household income of $228,960 (refer to **Table D-1**).

Based on the *Step 1 Analysis*, under the RWCDS's generated population, all three MIH Options are expected to introduce a population with lower average incomes than the existing population within the study area. Therefore, a *Step* 2 *Analysis* is not required, and no significant adverse indirect residential displacement impact would occur.

IV. CONCLUSION

Direct Residential Displacement

As there are no existing residential uses in the Project Area, the Proposed Actions would not directly displace any existing residential units or residents and would not result in significant adverse socioeconomic impacts due to direct residential displacement.

Direct Business Displacement

The screening level assessment determined that the Proposed Actions would not result in significant adverse socioeconomic impacts related to direct business displacement. The Proposed Actions would directly displace one business, a wholesale produce warehouser, which employs approximately 11 employees. However, the loss of approximately 11 workers does not exceed the CEQR threshold of 100 employees, and therefore a preliminary assessment of potential direct business displacement was not warranted. Further, the existing business does not provide products or services essential to the local economy that would no longer be available to residents and businesses due to disruption of commercial activities nor is it subject to regulations or publicly adopted plans to preserve, enhance, or otherwise protect it. Therefore, the Proposed Actions would not have the potential to result in significant adverse socioeconomic impacts due to direct business displacement.

Indirect Residential Displacement

A preliminary assessment determined that the Proposed Actions would not result in significant adverse socioeconomic impacts due to indirect residential displacement. The preliminary assessment determined that the average household income of the new population generated in the With-Action condition would

be lower than the average household income of the existing population and therefore would not contribute to indirect residential displacement and would not have the potential to result in significant adverse impacts.

Indirect Business Displacement

The Proposed Development would not result in an increment of 200,000 sf or more of retail on a single development site nor 200,000 sf or more of regional-serving retail across multiple sites. Therefore, an assessment of indirect business displacement due to retail market saturation was not warranted for the Proposed Actions and the Proposed Actions would not have the potential to result in significant adverse socioeconomic impacts due to indirect business displacement.

Effects on Specific Industries

The Proposed Actions would not include any citywide regulatory changes that would adversely affect the economic and operational conditions of certain types of businesses or processes; therefore, the Proposed Actions would not result in significant adverse impacts related to specific industries.

ATTACHMENT E

OPEN SPACE

I. INTRODUCTION

An open space assessment may be necessary if a proposed action(s) could potentially have a direct or indirect effect on open space resources in the project area. A direct effect would "physically change, diminish, or eliminate an open space or reduce its utilization or aesthetic value." An indirect effect may occur when the population generated by a proposed action would be sufficient to diminish noticeably the ability of an area's open space to serve the existing or future population. Per the 2021 *City Environmental Quality Review* ("CEQR") *Technical Manual*, if a project would generate more than 200 residents or 500 nonresidential users, an open space assessment should be conducted pursuant to CEQR.

As described in **Attachment A, "Project Description,"** the Proposed Actions consist of the following discretionary actions affecting an area in the Williamsburg neighborhood of Brooklyn Community District (CD) 1: 1) a zoning map amendment to rezone a portion of Block 2403, comprised of Lots 1, 15, and 41, from an M3-1 district to an M1-3A/R7X Special Mixed-Use (MX) District (MX8) and Lots 31, 33, p/o 37, and p/o 7501 from an M3-1 district to an M1-2A district ("Project Area"); and (2) a concurrent zoning text amendment to amend Zoning Resolution (ZR) Appendix F to establish the portion of the Project Area rezoned for residential use (Lots 1, 15 and 41) as a Mandatory Inclusionary Housing (MIH) area.

The Proposed Actions would not directly displace any existing publicly accessible open space resources. The reasonable worst case development scenario (RWCDS) is expected to result in an incremental increase of 335 dwelling units (DUs) over the 2030 No-Action condition. This would result in an incremental increase of approximately 727 residents,[1] as compared to the No-Action condition, which would exceed the *CEQR Technical Manual* preliminary screening threshold for an indirect open space analysis. Both quantitative and qualitative assessments were conducted to determine whether the Proposed Actions would significantly affect the use and enjoyment of publicly accessible open space in an identified study area. As discussed in **Attachment A, "Project Description,"** the RWCDS associated with the Proposed Actions would result in a net decrease of 257 employees compared to No-Action conditions, and as such, an assessment of the open space needs of non-residential users in not warranted. Therefore, the analysis of indirect open space impacts focuses exclusively on the open space needs of the area's residential population.

II. METHODOLOGY

The analysis of open space resources has been conducted in accordance with *CEQR Technical Manual* guidance. Using *CEQR Technical Manual* methodology, the adequacy of open space in the study area is assessed quantitatively using a ratio of usable open space acreage to the study area population, referred to as the open space ratio (OSR). This quantitative measure is then used to assess the changes in the adequacy of open space resources in the future, both with and without the Proposed Actions. In addition, qualitative factors are considered in assessing the Proposed Actions' potential effects on open space resources.

In accordance with *CEQR Technical Manual* methodology, the open space study area is generally defined by a reasonable walking distance that users would travel to reach local open space and recreational

[1] The estimated number of residents is based on average household size for the Williamsburg NTA (2.17) per the 2020 Decennial Census.

resources. That distance is typically a half-mile radius for residential projects and a quarter-mile radius for commercial projects with a significant non-residential user (e.g. workers, students) population.

Open Space Study Area

Pursuant to *CEQR Technical Manual* guidance, the residential open space study area includes all census tracts that have at least 50 percent of their area located within a half-mile of the Project Area and all open spaces within it that are publicly accessible.[2] As described above, residents typically walk up to a half-mile for recreational spaces.

The census tract-based study area allows an analysis of both the publicly accessible open spaces in the study area, as well as population data. As shown in **Figure E-1**, the residential open space study area is roughly bounded by North 7th Street to the north; the East River to the west, Division Avenue to the south, and Marcy Avenue to the east. The open space study area includes the following census tracts in their entirety: census tracts 523, 547, 549, 551, 553, and 555.

Due to the defined boundaries of the study area census tracts, several open space resources fall within a half-mile of the Project Area but are excluded from the residential open space study area due to *CEQR Technical Manual* methodology (refer to **Figure E-1**). One of these spaces is the 7.0-acre, Marsha P. Johnson State Park located along the East River, containing a variety of active and passive uses. This space, along with any other excluded open spaces, will be discussed qualitatively where applicable.

Analysis Framework

Indirect Effects Analysis

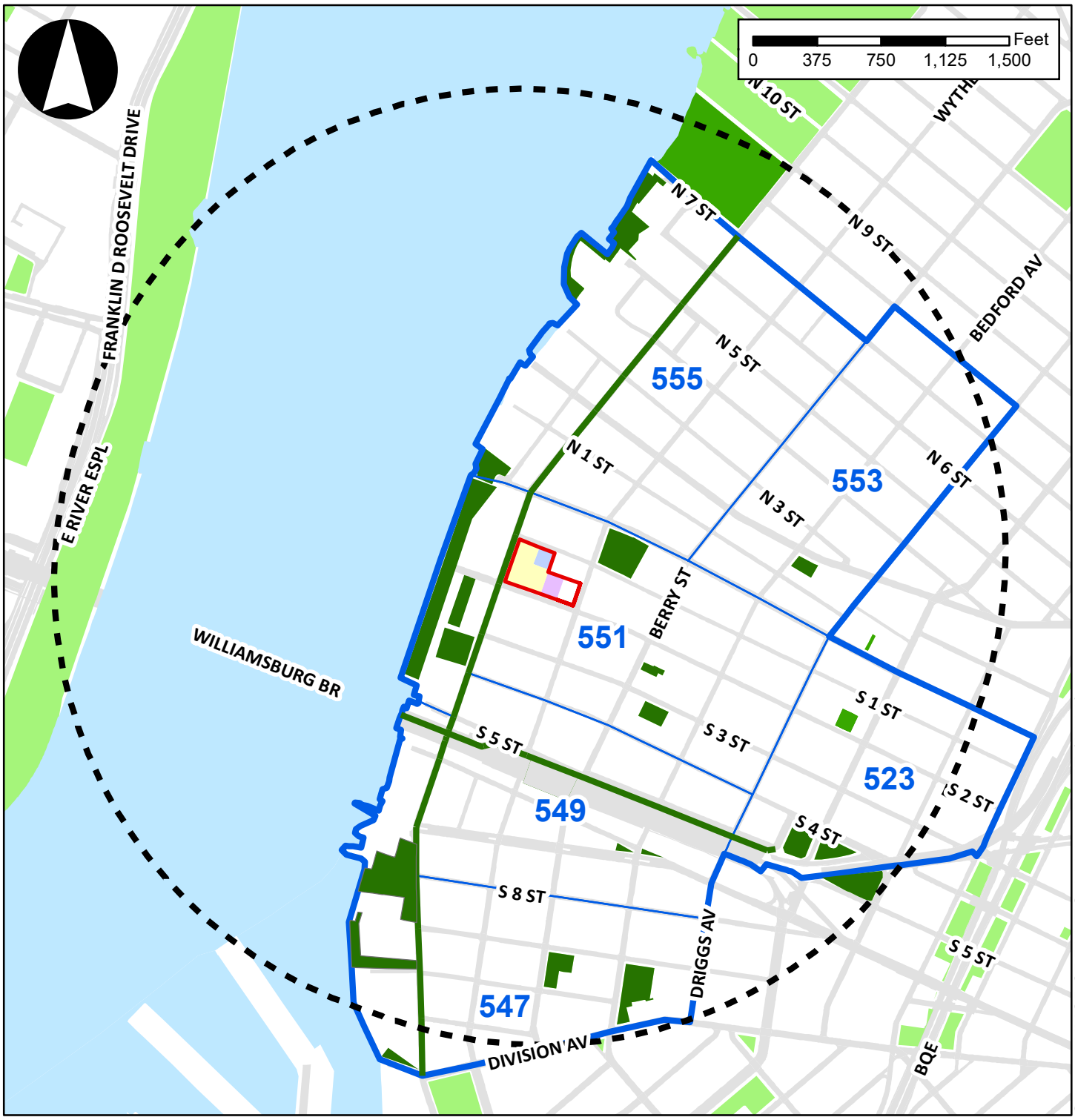
As described in the *CEQR Technical Manual*, open space can be indirectly affected by a proposed action if the project would add enough population, either workers or residents, to noticeably diminish the ability of an area's open space to serve the existing or future populations. Indirect effects may occur when the population generated by a proposed action overtaxes the capacity of existing public open spaces so that the service provided to existing and future populations in the area would be diminished substantially or noticeably.

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. A Walk to a Park Service Area (WtPSA) is a part of the *OneNYC 2050 Building a Strong and Fair City* plan, in which New York City has laid out a goal for 85 percent of New York City residents living within walking distance of a park by 2030. Existing areas located within a WtPSA are within walking distance of a park (i.e., 0.5 miles). Areas not located within a WtPSA are considered "walk gaps;" they are areas of New York City that are not within walking distance to a park. As shown in **Figure E-2**, the Project Area and the study area are located fully within a WtPSA as it is within walking distance of a park (i.e., not a "walk gap" area).

With an inventory of available open space resources and potential users, the adequacy of open space in the study area can be assessed both quantitatively and qualitatively. The quantitative approach computes the ratio of open space acreage to the population in the study area and compares this ratio with certain guidelines. The qualitative assessment examines other factors that can affect conclusions about adequacy,

[2] Pursuant to the *CEQR Technical Manual,* "public" open space that is analyzed quantitatively under CEQR is defined as open space that is accessible to the public on a constant and regular basis for active and passive recreation, including for designated daily periods. Public open space may be under government or private jurisdiction.

Figure E-1
Open Space Study Area



Legend

- Project Area*
- Projected Development Site 1 (Applicant-Owned)
- Projected Development Site 2 (Non-Applicant Owned)
- Projected Development Site 3 (Non-Applicant Owned)
- 1/2 Mile Radius
- Open Space Study Area
- 551 Census Tracts
- Open Space Included in Analysis (Refer to Table E-4)
- Open Space not Included in Analysis (Refer to Table E-4)
- Open Space Outside Study Area

*The Project Area includes the Proposed Rezoning Area and the entirety of Lot 37.

Figure E-2
Walk to a Park Service Area



Source: NYCDCPPLUTO 2024v1; DoITT (2022).

Legend

- Project Area*
- Projected Development Site 1 (Applicant-Owned)
- Projected Development Site 2 (Non-Applicant Owned)
- Projected Development Site 3 (Non-Applicant Owned)
- Open Space Study Area
- Open Space
- Walk to A Park Service Area

*The Project Area includes the Proposed Rezoning Area and the entirety of Lot 37.

including proximity to additional resources beyond the study area, the availability of private recreational facilities, and the demographic characteristics of the area's population. Specifically, the analysis in this attachment includes:

- Characteristics of residential users. To determine the number of residents in the study area, 2020 Census data have been compiled for the census tracts comprising the open space study area.
- An inventory of all publicly accessible passive and active recreational facilities in the open space study area.
- An assessment of the quantitative ratio of open space in the study area by computing the ratio of open space acreage to the population in the study area and comparing this open space ratio with the City's planning goal. In New York City, the optimal open space ratio for residential populations is 2.5 acres of open space per 1,000 residents. Ideally, this would be comprised of a balance of 80 percent active open space (2.0 acres per 1,000 residents) and 20 percent passive open space (0.5 acres per 1,000 residents).
- An evaluation of qualitative factors affecting open space use.
- A determination of the adequacy of open space in the residential open space study area for existing, No-Action, and With-Action conditions.

Preliminary Assessment

According to the *CEQR Technical Manual*, a preliminary assessment may be useful to determine if a detailed open space analysis is necessary, or whether the open space assessment can be targeted to a particular user group. This initial assessment calculates an open space ratio by relating the existing populations to the total open space in the study area. It then compares that ratio with the open space ratio in the future with the Proposed Actions. If there is a decrease in the open space ratio that would approach or exceed one percent in areas exhibiting low open space ratios that are 0.50 or less, a detailed analysis is warranted. The detailed analysis examines passive and active open space resources available to residents within the open space study area delineated in accordance with the *CEQR Technical Manual*, as outlined above. As the Proposed Actions would introduce a residential population in an area which exhibits a low open space ratio under existing conditions, a detailed open space analysis is warranted and is provided below.

Impact Assessment

As described in the *CEQR Technical Manual,* the significance of an action's effects on an area's open spaces is determined using both quantitative and qualitative factors, as compared to the No-Action condition. The determination of significance is based upon the context of an action, including its location, the quality and quantity of the open space in the future With-Action condition, and any new open space provided by an action.

An action's potential effects on an area's open space are based, in part, on how a project would change the open space ratios in the study area, as well as other qualitative considerations. According to the *CEQR Technical Manual*, a project that would reduce the open space ratio by more than the general guidance for the open space percentage change shown in **Table E-1** may be considered significant, as these reductions may result in overburdening existing facilities or further exacerbating a deficiency in open space. As shown in **Table E-1**, the guidance for tolerated percent change in open space ratio is determined based on the open space ratio ranges outlined in the *CEQR Technical Manual*. In areas that are within a WtPSA, a greater percentage of change (more than five percent) may be tolerated.

TABLE E-1:
Preliminary Assessment – Guidance for Percentage Change in Open Space Ratio

Open Space Ratio Range (acres per 1,000 residents)	Percent Change in Open Space Ratio
2.01 to 2.50[1] or Greater	5%
1.51 to 2.0	4%
1.01 to 1.5	3%
0.51 to 1.0	2%
0.50 or Less	1%

Source: Table 7-1 in Chapter 7, "Open Space" of the 2021 *CEQR Technical Manual.*
Note: [1] 2.5 open space ratio is the planning goal in New York City.

It should be noted that the City's optimal open space ratios and percentage reductions shown in **Table E-1** do not constitute an absolute impact threshold. The *CEQR Technical Manual* also recommends consideration of qualitative factors in assessing the potential for open space impacts. Furthermore, as discussed in Section 321 of Chapter 7, "Open Space" of the *CEQR Technical Manual*, projects located outside of the WtPSA should be further assessed for qualitative impacts. As such, projects that may result in significant quantitative impacts on open space are typically further assessed in a qualitative assessment to determine the overall significance of the impact.

The qualitative assessment supplements the quantitative assessment and considers the distribution of open space, whether a site is within the WtPSA, the distance from the site to regional parks, the connectivity of open space(s), and any additional open space created by the Proposed Actions not available to the general public, if applicable, and determinations as to what constitutes a significant adverse open space impact are not based solely on the results of the quantitative assessment.

III. DETAILED ANALYSIS

Existing Conditions

Study Area Population

To determine the residential population served by existing open space resources, 2020 Census data were compiled for the census tracts comprising the half-mile study area. As shown in **Table E-2**, the study area has a total residential population of approximately 36,117. In addition, using DCP's Housing Database of newly constructed residential developments, there were 584 residential units completed within the study area between 2020 and 2024. Assuming an average household size of 2.17 persons, as well as 100 percent occupancy rates, these newly constructed development projects have added 1,267 residents to the 2020 Census population, resulting in an estimated existing residential population of approximately 37,384.

Within a given area, the age distribution of a population affects the way open spaces are used and the need for diverse types of recreational facilities. Typically, children four years old or younger use traditional playgrounds that have play equipment for toddlers and preschool children. Children ages five through nine typically use traditional playgrounds, as well as grassy and hard-surfaced open spaces, which are important for activities such as ball playing, running, and skipping rope. Children aged ten through 14 use playground equipment, court spaces, and ball fields. Teenagers' and young adults' needs tend toward court game facilities such as basketball and field sports. Adults between the ages of 20 and 64 continue to use court game facilities and fields for sports, as well as more individualized recreation such as rollerblading, biking, and jogging, requiring bike paths, promenades, and vehicle-free roadways. Adults

also gather with families for picnicking, *ad hoc* active sports such as Frisbee®, and recreational activities in which all ages can participate. Senior citizens engage in active recreation such as tennis, gardening, and swimming, as well as recreational activities that require passive facilities.

TABLE E-2:
Existing Residential Population in the Half-Mile Study Area

Census Tract	Residential Population
523	5,405
547	7,855
549	4,748
551	6,343
553	3,078
555	8,688
Total	**36,117**
Adjusted Half-Mile Study Area Total[1]	**37,384**

Source: 2020 Census
Notes: [1] Residential population has been adjusted to account for developments completed between 2020 and 2024, assuming an average household size of 2.17 persons.

The residential population of the study area was also broken down by age group. As shown in **Table E-3**, people between the ages of 20 and 64 make up the majority (approximately 73 percent) of the residential population. Children and teenagers (0 to 19 years old) account for approximately 20.5 percent of the entire residential population, and persons 65 years and over account for approximately 6.5 percent of the residential study area population.

TABLE E-3:
Residential Population Age Distribution in the Half-Mile Study Area

Age Category*	Residential Population	Percent of Population
Under 5 years old	2,543	7.0%
5 to 9 years	1,842	5.1%
10 to 14 years	1,540	4.3%
15 to 19 years	1,419	3.9%
20 to 64 years	26,427	73.2%
65 years and older	2,346	6.5%

Source: 2020 Census and 2018-2022 Five-Year American Community Survey (ACS)
Note: *Age group percentages based on 2018-2022 Five Year ACS data

Inventory of Publicly Accessible Open Space

Pursuant to the *CEQR Technical Manual*, public open space is defined as facilities open to the public at designated hours on a regular basis and is assessed for impacts under CEQR guidance, whereas private open space is not accessible to the public on a regular basis and is therefore only considered qualitatively. Field surveys and secondary sources were used to determine the number, availability, and condition of publicly accessible open space resources in the study area. An open space is determined to be active or passive by the uses that the design of the space allows. Active open space is the part of a facility used for active play such as sports or exercise and may include playground equipment, playing fields and courts, swimming pools, skating rinks, golf courses, and multi-purpose play areas (open lawns and paved areas for active recreation such as running games, informal ball-playing, skipping rope, etc.). Passive open space is used for sitting, strolling, and relaxation, and typically contains benches, walkways, and picnic areas.

Within the defined study area, all publicly accessible open spaces were inventoried and identified by their location, size, owner, type, utilization, equipment, hours, and condition. The information used for this analysis was gathered through field inventories conducted in March 2025, the NYC Parks website, and

other secondary sources of information. The condition of each open space facility was categorized as "Excellent," "Good," "Fair," or "Poor." A facility was considered in excellent condition if the area was clean and attractive and if all equipment was present and in good repair. A good facility had minor problems such as litter or older but operative equipment. A fair or poor facility was one that was poorly maintained, had broken or missing equipment or lack of security, or other factors that would diminish the facility's attractiveness. Determinations were made based on a visual assessment of the facilities and the NYC Parks inspection reports.

Likewise, judgments as to the intensity of use of the facilities were qualitative, based on an observed degree of activity or utilization on a weekday afternoon. If a facility seemed to be at or near capacity (i.e., the majority of benches or equipment was in use), then utilization was considered heavy. If the facility or equipment was in use but could accommodate additional users, utilization was considered moderate. If a playground or sitting area had few people, usage was considered light. **Table E-4** identifies the address, ownership, hours, and acreage of active and passive open spaces in the study area, as well as their condition and utilization and **Figure E-3** maps their location in the study area.

Open Space Resources

As shown in **Table E-4**, approximately 18.32 acres of open space are included in the quantitative analysis, of which approximately 9.10 acres (49 percent) are considered active open space, and 9.22 acres (50 percent) are passive open space. Most of the open spaces in the study area are neighborhood parks and playgrounds. A typical neighborhood park within the study area includes facilities for passive use (such as benches, landscaping, lawns, and picnic tables) and active recreation (such as sports fields, dog runs, and basketball courts) and is generally used by people of all ages. The typical playground might include play equipment and sports facilities as well as passive seating areas and would generally be used by children.

The largest open space in the study area is Domino Park (Map No. 9) located one block west of the Project Area and is bounded by Grand Street to the north River Street to the east, South 5th Street to the south, and the East River to the west. Domino Park is a privately-owned and managed public open space that features a playground, open lawns, sand volleyball courts, paved paths, vegetation, benches, and piers extending out into the East River. The park, which is approximately 5.0 acres, is in excellent condition with high utilization.

The second largest open space in the study area is North Fifth Street Park and Pier (Map No. 14) located in the northwestern portion of the study area. North Fifth Street Park and Pier is a 3.08-acre passive space with benches, artificial turf, a grassy lawn, and a pier extending out into the East River. As a part of the 2006 Greenpoint-Williamsburg Rezoning, this portion of the waterfront was designated parkland and formerly opened in 2019. The pier includes the North Williamsburg Ferry stop for NYC Ferry and is open from 6 AM to 1 AM. It is in excellent condition with moderate utilization.

The third largest open space in the study area is Grand Ferry Park (Map No. 1) located northwest of the Project Area. The park is a 1.70-acre neighborhood park with benches, dog friendly areas, walking paths and picnic tables. The park overlooks the East River and features native vegetation, sediments, and rocks along the shoreline. The park is in good condition with moderate utilization.

The newest open space resource facility in the study area is Domino Square (Map No. 7), which opened in Fall 2024. This public square, which is part of the Domino Sugar development, features a seasonal outdoor ice-skating rink and variety of seating including stadium steps that provide views of the East River.

Figure E-3
Open Space Resources



Source: NYCDCPPLUTO 2024v1; DoITT (2022).

Legend

- Project Area*
- Projected Development Site 1 (Applicant-Owned)
- Projected Development Site 2 (Non-Applicant Owned)
- Projected Development Site 3 (Non-Applicant Owned)
- Open Space Study Area
- Open Space (Existing Condition)
- Open Space (No-Action Condition)

*The Project Area includes the Proposed Rezoning Area and the entirety of Lot 37.

Other open spaces in the study area include Epiphany Playground, Berry Playground, La Guardia Playground; all three of which offer traditional play equipment such as slides and swings. Further, there are several public plazas in the study area such as Refinery Plaza, George B. Post Plaza, and the Continental Army Plaza which offer passive recreation space and shaded seating areas. Additionally, the Project Area has frontage on Kent Avenue which features a two-way eight-foot-wide bike path that spans two miles along the Williamsburg waterfront.

TABLE E-4:
Inventory of Existing Open Space and Recreational Resources in Study Area

Map No.[1]	Name	Address	Owner/ Agency[2]	Amenities	Hours of Access	Total Acres	*Active*		*Passive*		Condition	Utilization
							%	*Acres*	*%*	*Acres*		
Open Space Resources Included in Quantitative Assessment												
1	Grand Ferry Park	Grand St. at River St.	NYC Parks	Walkways, Lawns, Dog-Friendly Areas, Benches	6AM to 1AM	1.70	5%	0.09	95%	1.62	Excellent	Moderate
2	Berry Playground	S. 3 St. between Berry St. and Bedford Ave.	NYC Parks	Basketball Courts, Playgrounds, Spray Showers, Benches	6AM to 9PM	0.33	95%	0.31	5%	0.02	Good	Low
3	William Sheridan Playground	Wythe Ave. between Grand St. and S. 1 St.	NYC Parks	Spray Showers, Playgrounds, Basketball & Handball Courts	6AM to 9PM	1.17	90%	1.05	10%	0.12	Good	High
4	Kent Avenue Bike Path	Kent Ave. between North 14th St. and Williamsburg St. West	NYC DOT	Bike Path	24 Hours	0.49	100%	0.49	0%	0.00	Good	Moderate
5	Williamsburg Bridge Pedestrian Path	Williamsburg Bridge	NYC DOT	Pedestrian Path	24 Hours	0.43	100%	0.43	0%	0.00	Good	Low
6	Refinery Plaza	300 Kent Avenue	Privately managed	Benches, Turf	-	0.17	0%	0.00	100%	0.17	Excellent	Moderate
7	Domino Square	320 Kent Avenue	Privately managed	Ice Skating Rink, Tables, Seating	-	1.00	30%	0.30	70%	.70	Excellent	Moderate
8	Metropolitan Recreation Center	261 Bedford Avenue	NYC Parks	Indoor Pool, Recreation Centers, WiFi Access	7AM – 9:30PM (Mon. – Fri.)	0.18	100%	0.00	0%	0.00	Good	Moderate
9	Domino Park	15 River St.	Privately managed	Playground, Volleyball, Bocce, Fields, Elevated Walkway, Benches, Spray Showers, Dog Run, Lawns, Picnic Tables	6AM to 11PM	5.00	50%	2.5	50%	2.5	Excellent	High
10	Epiphany Playground	Berry St. between S. 9 St. and S. 10 St.	NYC Parks	Handball Courts, Spray Showers, Playground	6AM to 9PM	0.50	70%	0.35	30%	0.15	Fair	Moderate
11	Continental Army Plaza	S. 4 St. between S. 5 Pl. and Roebling St.	NYC Parks	Seating	24 Hours	0.53	0%	0.00	100%	0.53	Good	Moderate

12	George B. Post Plaza	400 Bedford Ave	NYC Parks	Seating, Landscaping	24 Hours	0.12	0%	0.00	100%	0.12	Good	Low
13	LaGuardia Playground	S. 4 St. bet. Roebling St. and Williamsburg Bridge Ramp	NYC Parks	Handball Courts, Spray Showers, Fitness Equipment, Restrooms, Playground	6AM to 9PM	0.41	90%	0.37	10%	0.04	Good	High
14	North Fifth Street Pier and Park	Kent Ave. between N. 4 St. and N. 7 St.	Privately managed	Benches, Walkway, Lawns, Picnic Areas	6AM to 9PM	3.08	20%	0.62	80%	2.46	Good	High
15	Schaefer Landing	East River and Kent Ave. between S. 9th St. and S. 10 St	NYC Parks	Benches, Walkways	24 Hours	0.89	80%	0.71	20%	0.18	Excellent	Moderate
16	420 Kent Public Plaza	420 Kent Ave	Privately managed	Benches, Walkways	-	0.57	80%	0.46	20%	0.11	Excellent	Low
17	470 Kent Public Plaza	470 Kent Ave	Privately managed	Benches, Walkways	-	0.75	80%	0.60	20%	0.15	Excellent	Low
18	Bedford Playground	Bedford Ave. between S. 9 St. and Division Ave.	NYC Parks	Playground, Spray Showers, Benches	6AM to 9PM	1.00	65%	0.65	35%	0.35	Good	Moderate
					Total	**18.32**	**49%**	**9.10**	**50%**	**9.22**		

Map No.	**Name**	**Address**	**Owner/ Agency**	**Amenities**	**Hours of Access**	**Total Acres**	***Active***		***Passive***	
							%	***Acres***	***%***	***Acres***
Open Space Resources Included in Quantitative Assessment										
A	Earth Spirit Garden	207 South Second Street	NYC Parks	Garden	N/A	0.24	0%	0.00	0.24	100%
B	Berry Street Garden	303 Berry Street	NYC Parks	Garden	N/A	0.14	0%	0.00	0.14	100%
C	Northside Community Garden	599 Driggs Avenue	Brooklyn Queens Land Trust	Garden	N/A	0.08	0%	0.00	0.08	100%
					Total	**0.46**	**-**	**-**	**0.46**	**100%**

Sources: NYC Parks, field visit conducted in March 2025.
Notes:
[1] Refer to **Figure E-3**.
[2] NYC Parks = New York City Department of Parks and Recreation; NYC DOT = New York City Department of Transportation.

Assessment of Open Space Adequacy

Quantitative Assessment

The following analysis of the adequacy of existing open space resources within the study area takes into consideration the ratios of active, passive, and total open space resources per 1,000 residents. As an optimal planning goal, the City tries to achieve an overall residential open space ratio of 2.5 acres per 1,000 residents (80 percent [2.0 acres] active and 20 percent [0.5 acres] passive) for large-scale plans and proposals. Although a typical population mix may call for such a goal, it is often not feasible for many areas of the City (especially higher density areas). As such, the City's optimal open space ratios and percentage reductions do not constitute an absolute impact threshold.

Table E-5 shows that, with an existing study area residential population of approximately 37,384 people and 18.32 acres of open space included in the quantitative analysis, the existing total open space ratio in the study area is approximately 0.49 acres per 1,000 residents; the study area has 0.24 acres of active open space per 1,000 residents and 0.25 acres of passive open space per 1,000 residents. As indicated in **Table E-5**, the existing total, active, and passive residential open space ratios are below the City's optimal open space planning goals of 2.5, 2.0, and 0.5 acres per 1,000 residents, respectively.

TABLE E-5:
Adequacy of Open Space Resource in the Study Area – Existing Conditions

Population		Open Space Acreage			Open Space per 1,000 Residents			City Open Space Planning Goals (open space per 1,000 residents)		
		Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
Residents	37,384	18.32	9.10	9.22	0.49	0.24	0.25	2.5	2.0	0.5

Qualitative Assessment

While, the total, active, and passive open space ratios for the open space study area fall below the City's quantitative goals discussed above, this condition is ameliorated by several factors.

First, the majority of open space resources located in the study area were found to be in either excellent or good condition. These open spaces contain a mix of recreational facilities that provide a variety of active and passive amenities that serve all age groups. As described above, recreational facilities include play equipment, basketball and handball courts, dog parks, open lawns, seating areas, and outdoor fitness equipment, with roughly 49 percent dedicated to active use and 50 percent to passive recreation.

Second, the 7-acre Marsha P. Johnson State Park falls within a half-mile radius of the Project Area (an approximate 12-minute walk from the Project Area along Kent Avenue) but just outside of the open space study area per the Census Tract boundaries. The park shares a border with the study area boundaries (refer to **Figure E-1**). The park stretches along the East River from North 7th to North 10th Street and contains open lawns for informal ball games and frisbee, walking and jogging paths, picnic benches, native plant landscaping and connections to Charlotte Beach and Bushwick Inlet Park, a 35-acre public park. Although Marsha P. Johnson State Park cannot be considered in the quantitative analysis due to the nature of the study area boundaries, it, along with Bushwick Inlet Park, meaningfully enhances the open space conditions for the study area residents, particularly in so far that it provides active open space amenities in an area of the City deficient in these spaces. It is expected that open space users in the study area would frequent this open space given the size, range of amenities it provides, and location on Kent Avenue only eight blocks north of the Project Area.

Third, there are three community gardens (Earth Spirit Garden, Berry Street Garden, and Northside Community Garden) in the study area that provide approximately 0.46 acres of passive recreation space (refer to **Figure E-3**). These gardens are mainly clustered within the eastern portion of the study area and provide up to 20 hours a week of programming for residents from April 1 to October 31. They are not included in the quantitative assessment because they are not open to the public on a regular basis. Nevertheless, some study area residents use these gardens as a form of active or passive recreation, either as garden volunteers or visitors during the limited public hours or as guests of community gardeners.

Lastly, the Proposed Project is expected to include 15,000 square feet of private accessory space for building residents. This space would include a gym and recreation rooms. In addition to the 15,000 square feet of active recreation space, the building would also include landscaped terraces that would be used for passive recreation. It is anticipated that residents would use these private amenities for passive lounging and exercise, therefore reducing the burden placed on study area public open spaces by new residents.

Although the resources considered in the qualitative analysis cannot be counted in the quantitative analysis, they are expected to be regularly used for active and passive recreation. As such, existing conditions are notably better than would be indicated by only considering the open space ratios identified in the quantitative assessment.

The Future Without the Proposed Actions (No-Action Condition)

In the absence of the Proposed Actions, no residential development is expected in the Project Area.

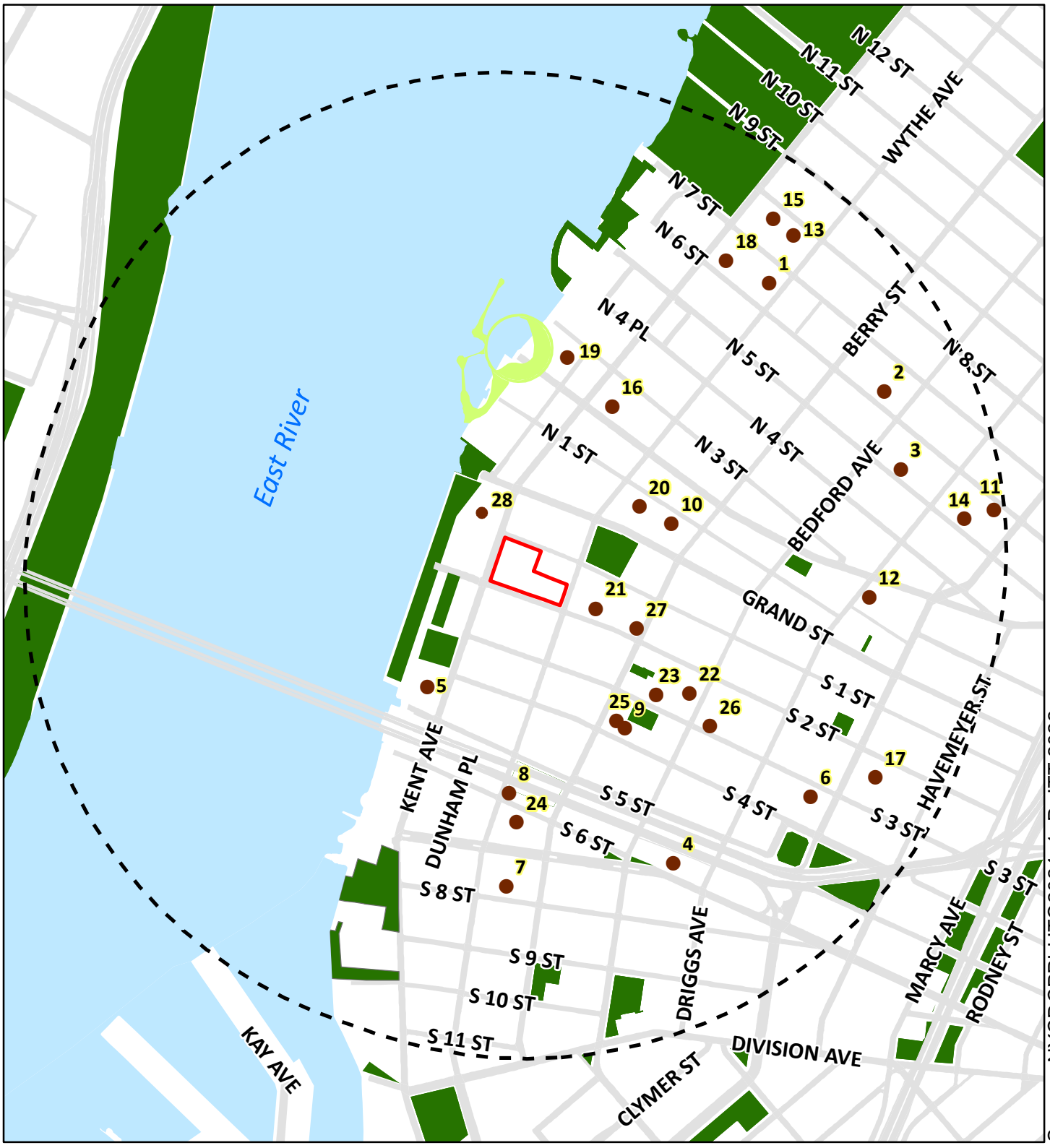
Study Area Population

As presented below in **Table E-6**, there are 24 developments anticipated to be completed within the half-mile open space study area in the 2030 future without the Proposed Actions, which would increase the residential population within the study area (refer to **Figure E-4**). As indicated in **Table E-6**, these No-Action developments are anticipated to add approximately 2,115 new residential units and 4,590 new residents to the study area.

TABLE E-6:
Known or Planned No-Action Developments within the Half-Mile Study Area

Map No.	Address	Dwelling Units (DUs)	Estimated Residents[1]
1	174 Wythe Avenue	27	59
2	141 North 6 Street	12	26
3	161 North 5 Street	6	13
4	159 Broadway	21	46
5	196 South 3 Street	30	65
6	75 South 8 Street	8	17
7	57 South 6 Street	10	22
8	101 South 4 Street	2	4
90	106 North 1 Street	38	82
10	224 North 6 Street	3	7
11	661 Driggs Avenue	8	17
12	76 North 8 Street	3	7
13	199 North 5 Street	2	4
14	64 North 8 Street	7	15

Figure E-4
No-Action Developments



Source: NYCDCPPLUTO2024v1; DoITT 2022

Legend

- Project Area*
- Half-Mile Radius
- Open Space (Existing Condition)
- Open Space (No-Action Condition)
- No-Action Developments

*The Project Area includes the Proposed Rezoning Area and the entirety of Lot 37.

15	232 South 2 Street	4	9
18	131 Kent Avenue	44	95
19	105 River Street	592[2]	1,285
21	79 South 2 Street	3	7
22	334 Bedford Avenue	8	17
23	107 South 3 Street	9	20
24	66 South 6 Street	7	15
25	325 Berry Street	8	17
27	101 South 2 Street	1	2
28	280 Kent Avenue	1,262[3]	2,739
Total		**2,115**	**4,590**

Source: NYC DOB (December 2024), DCP Housing Database (2023Q4).
Notes:
[1] The estimated number of residents is based on the average household size for the Williamsburg NTA (2.17 persons per household) per the 2020 Decennial Census.
[2] Only the first tower of the two-tower River Ring development is expected to be completed by the 2030 analysis year (River Ring EIS, CEQR No. 21DCP157K). EIS unit assumptions are used for analysis purposes.
[3] The number of residential units anticipated for Domino Building B (280 Kent Avenue) was determined per CEQR No. 07DCP094K: Domino Sugar Project – TM 007.

Open Space Resources

There is one anticipated change in total open space acreage expected to occur by the 2030 analysis year. The River Ring development, located at 87-106 River Street (CEQR No. 21DCP157K), which was approved by the City Council in December 2021, is expected to introduce 2.9 acres of publicly accessible open space.[3]

Additionally, there is one capital project that is anticipated to improve the quality and amenities of one park in the study area: Berry Playground. The Berry Playground reconstruction is anticipated to be completed in 2025 and will include basketball court resurfacing, a new water play area, improved landscaping, and new bench seating. The project is currently in the construction phase and therefore, by the analysis year of 2030, the condition of Berry Playground would be improved.

Open Space Adequacy

Table E-7, below, presents the No-Action open space ratios for the half-mile study area, based on the anticipated population and open space increases outlined previously. Similar to existing conditions, the total and active open space ratios in the No-Action condition would be less than the City's total, active, and passive open space planning goals of 2.5, 2.0, and 0.5 acres of open space per 1,000 residents, respectively. The total open space ratio is expected to increase to 0.51 acres per 1,000 residents in the No-Action condition, with No-Action active and passive open space ratios of 0.25 and 0.26 acres per 1,000 residents, respectively.

[3] While only one of the two projected towers of the River Ring development (105 River Street) is expected to be built by the 2030 analysis, per the River Ring EIS (CEQR No. 21DCP157K), the 2.9 acres of open space is anticipated to be built at the same as the first tower and thus is included in the No-Action and With-Action total open space acreages.

TABLE E-7:
Adequacy of Open Space Resource in the Study Area – No-Action Conditions

Population		Open Space Acreage			Open Space per 1,000 Residents			City Open Space Planning Goals		
		Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
Residents	41,974	21.22	10.55	10.67	0.51	0.25	0.26	2.5	2.0	0.5

The Future with the Proposed Actions (With-Action Condition)

This section describes the open space conditions that would result from the Proposed Actions by 2030. It evaluates the potential for the Proposed Actions to result in significant adverse indirect impacts to open space resources based on a comparison of the No-Action condition (described above) to the With-Action condition.

Study Area Population

As described in **Attachment A, "Project Description,"** in the future with the Proposed Actions, the RWCDS assumes that two projected development sites would introduce approximately 335 DUs to the Project Area. Assuming an average household size of 2.17 persons, and 100 percent occupancy, the Proposed Actions are expected to introduce a net increase of approximately 727 residents compared to the No-Action, and would therefore increase the study area's population from 41,974 to 42,701 residents in the 2030 With-Action condition.

Open Space Resources

The Proposed Actions would not introduce any new public active or passive open space resources to the study area.

Open Space Adequacy

As noted above, the open space analysis consists of both quantitative and qualitative assessments. The quantitative assessment considers how a proposed action(s) could change the open space ratios in the study area.

Under the With-Action condition, the total open space ratio in the study area would decrease from 0.51 acres in the No-Action to 0.50 acres per 1,000 residents in the With-Action condition (see **Table E-8**). The active open space ratio in the study area would decrease from 0.25 in the No-Action to 0.25 acres per 1,000 residents in the With-Action condition. The passive open space ratio in the study area would decrease from 0.26 to 0.25 acres per 1,000 residents in the With-Action condition. The total, active, and passive open space ratios in the With-Action condition would continue to remain below the city's optimal planning guideline ratios of 2.5, 2.0, and 0.50 acres, respectively.

TABLE E-8:
Adequacy of Open Space Resource in the Study Area – With-Action Conditions

Population		Open Space Acreage			Open Space per 1,000 Residents			City Open Space Planning Goals		
		Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
Residents	42,701	21.22	10.55	10.67	0.50	0.25	0.25	2.5	2	0.5

Potential Effects of the Proposed Actions on Publicly Accessible Open Space

Quantitative Assessment

According to the *CEQR Technical Manual*, a significant adverse open space impact may occur if a proposed action(s) would reduce the open space ratio by more than the general guidelines for the open space percentage change provided in **Table E-9.**

TABLE E-9:
Detailed Assessment – Percentage Change Guidance to Determine Possible Open Space Impact

Total Open Space Ratio Range[1]	Active Open Space Ratio Range*	Passive Open Space Ratio Range*	Percentage Change in Open Space ratio Signifying a Possible Adverse Open Space Impact
2.01 to 2.50 Or greater	1.61 to 2.0 Or greater	0.41 to 0.50 Or greater	5%
1.51 to 2.00	1.21 to 1.60	0.31 to 0.40	4%
1.01 to 1.50	0.81 to 1.20	0.21 to 0.30	3%
0.51 to 1.00	0.41 to 0.80	0.11 to 0.20	2%
0.50 or less	0.01 to 0.40	0.01 to 0.10	1%

Source: Table 7-5 in Chapter 7, "Open Space" of the 2021 *CEQR Technical Manual.*
Note: [1] 2.5 open space ratio is the planning goal in NYC, with optimal distribution goal of 2.0 active open space ratio and 0.5 passive open space ratio.

Table E-10 expresses the percentage change from No-Action to With-Action conditions for the study area. As noted previously, in the future with the Proposed Actions, the ratios of total, active, and passive open spaces would continue to be lower than the City's optimal planning goals. As shown in **Table E-10**, the study area's total open space ratio in the future with the Proposed Actions would decrease from 0.51 acres per 1,000 residents in the No-Action condition to 0.50 acres per 1,000 residents in the With-Action condition, which represents a reduction of approximately 1.71 percent. The study area's active open space ratio in the future with the Proposed Actions would decrease from 0.251 acres per 1,000 residents in the No-Action condition to 0.247 acres per 1,000 residents in the With-Action condition, which also represents a reduction of approximately 1.71 percent. The study area's passive open space ratio in the future with the Proposed Actions would decrease from 0.254 acres per 1,000 residents in the No-Action condition to 0.250 acres per 1,000 residents in the With-Action condition, which also represents a reduction of approximately 1.71 percent.

TABLE E-10:
Comparison of No-Action to With-Action Open Space Ratios in the Half-Mile Study Area

Ratio	*CEQR Technical Manual* Open Space Optimal Planning Goal (acres per 1,000 residents)	Open Space Ratios (acres per 1,000 residents)			Percent Change Future No-Action to Future With-Action
		Existing	No-Action	With-Action	
Total – Residents	2.50	0.49	0.51	0.50	**-1.71%**
Active – Residents	2.00	0.24	0.25	0.25	**-1.71%**
Passive – Residents	0.50	0.25	0.26	0.25	**-1.71%**

As shown in **Table E-10**, the Proposed Actions would not result in a percentage change in the open space ratio that exceeds the thresholds signifying a possible adverse impact for both total and passive open space. For total open space, with 0.51-acres of open space per 1,000 residents in the No-Action condition, the threshold signifying a possible adverse impact is 2 percent and therefore no adverse impact is expected (refer to **Table E-9**). For passive open space, with 0.26-acres of passive open space per 1,000 residents in the No-Action condition, the percentage change signifying a possible adverse impact is 3 percent and therefore no adverse impact is expected.

For active open space however, with reduction in the open space ratio from No-Action conditions would exceed the threshold of 1 percent indicated in **Table E-9**. However, as discussed below, there are qualitative factors which, when combined with the fact that the reduction in total open space ratio would not exceed the CEQR threshold, indicate that there would be no significant adverse impacts anticipated.

However, according to *CEQR Technical Manual* guidance, these optimal open space ratios and percentage reductions do not of themselves constitute a significant adverse impact threshold and a project's location, the quality, quantity, and types of nearby open space, and the balance of passive and active open space should be considered in the determination of significance. It should also be noted that, although the percentages exceed the thresholds shown in **Table E-9** for active open space, the reduction in active open space ratio would be approximately 0.004 acres per 1,000 residents (or approximately 0.15 sf per resident) and would therefore not result in a noticeable reduction in the utilization or functionality of active open space resources in the study area. Further, while the reduction in the active open space ratio from the No-Action to the With-Action condition exceeds the threshold for possible impacts, importantly, the change in the total open space ratio does not exceed the threshold.

However, projects that may result in quantitative impacts on open space are typically further evaluated in a qualitative assessment approach to determine the overall significance of the impact. Therefore, a qualitative assessment is provided below. The assessment indicates that the quality and number of the study area open spaces, combined with the availability of open spaces outside the study area, would help to ameliorate the quantitative active open space shortfall in the future With-Action conditions.

Qualitative Assessment

As noted in the *CEQR Technical Manual*, what constitutes a significant adverse open space impact is not based solely on the results of the quantitative assessment and may consider qualitative factors. Therefore, a qualitative assessment of the Proposed Actions is provided below to determine the overall impact significance.

The Proposed Actions would not change the use of a publicly accessible open space so that it no longer serves the same user population, nor would it limit public access to any open spaces. In the future with the Proposed Actions, the study area would continue to have a shortfall of total, active, and passive open space similar to the existing and No-Action conditions. Although these open space ratios in the study area would remain less than the City's planning goals, the deficiency of open space resources in the study area would be ameliorated by several factors, as discussed below, and would therefore not be considered a significant adverse open space impact.

Additionally, all of the open space resources included in the quantitative analysis were found to be in good or excellent condition based on field observations, and they include a variety of open space amenities appropriate for all ages. Many of these spaces also had low to moderate utilization rates suggesting that they can accommodate the additional demand generated by new development. Further, the Project Area is in a Walk to a Park Service Area, indicating there is not a deficiency in terms of geographic proximity to publicly accessible open space.

Further, as stated above, the proximity of the Project Area to the 7.0-acre Marsha P. Johnson State Park, and 35-acre Bushwick Inlet Park, offers additional active open space for residents. These large spaces are fully accessible via waterfront walking paths located along the Williamsburg shoreline that connect Domino Park in the south of the study area to Marsha P. Johnson State Park and Bushwick Inlet Park in the north of study area. These spaces are an approximately 12-minute walk (0.5 miles) and 15-minute walk (0.6 miles) from the Project Area, respectively.

Lastly, the Proposed Project is expected to include 15,000 square feet of private accessory space for building residents in addition to landscaped terraces. The 15,000 square-foot space would include a gym and recreation rooms. It is anticipated that residents would use these private amenities for passive lounging and exercise, therefore reducing the burden placed on study area public open spaces by new residents.

As such, the demand for open space generated by the Proposed Actions is not expected to significantly exacerbate the active open space deficiency that is present in the No-Action condition, nor would the population introduced by the Proposed Actions noticeably affect utilization of the area's active open spaces. In addition, the population generated by the Proposed Actions is not expected to have any special characteristics, such as a disproportionately older or younger population, which would place heavy demands on facilities that cater to specific user groups. Therefore, no significant adverse effect on open space would occur.

IV. CONCLUSION

A detailed indirect open space analysis determined that the Proposed Actions would not result in a percentage change in the total or passive open space ratios that exceed the *CEQR Technical Manual* threshold. However, further analysis was needed to determine a possible adverse impact to active open space. There are several qualitative factors that assist the quantitative assessment, including an additional 7.00-acres of active and passive open space that is located within a half mile of the Project Site but just outside of the Open Space Study Area's boundaries. This space, Marsha P. Johnson State Park, offers a variety of amenities including active lawn space, picnic seating, walking and jogging paths, and restrooms. The park is located approximately 12 minutes from the Project Area. Further, there are three community gardens that offer an additional 0.46 acres of open space available to residents from April to October for up to 20 hours per week in the form of community gardens within the Open Space Study Area. Lastly, the Project Area is fully within the WtPSA (refer to **Figure E-2**) and therefore is not identified by the City as an area with limited access to open space. Given the above quantitative and qualitative factors, the Proposed Actions would not result in a significant adverse impact on open space in the study area.

ATTACHMENT F

SHADOWS

I. INTRODUCTION

This attachment assesses the potential for the Proposed Actions to result in incremental shadows long enough to reach any nearby publicly accessible open spaces or other sunlight-sensitive resources. According to the 2021 *CEQR Technical Manual*, an adverse shadows impact is considered to occur when an incremental shadow from a proposed project falls on a sunlight-sensitive resource or vegetation and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use of the resource or threatens the viability of the vegetation. Pursuant to CEQR guidance, 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. Sunlight-sensitive resources can include publicly accessible open spaces, architectural resources, natural resources, community gardens, and Greenstreets. In general, shadows on city streets, sidewalks, buildings, or project-generated open spaces are not considered significant under CEQR. In addition, shadows occurring within an hour and a half of sunrise or sunset generally are not considered significant under CEQR.

According to the *City Environmental Quality Review* (CEQR) *Technical Manual*, a shadows assessment is warranted if a proposed action(s) would result in structures (or additions to existing structures) of 50 feet in height or greater, or those that would be located adjacent to, or across the street from, a sunlight sensitive resource. As discussed in **Attachment A, "Project Description,"** the Proposed Actions would facilitate the development of three new buildings that would each be greater than 50 feet. As such, a shadows analysis was prepared in accordance with *CEQR Technical Manual* guidance to determine the potential for the Proposed Actions to result in significant adverse shadows impacts on sunlight-sensitive resources.

II. METHODOLOGY

According to the *CEQR Technical Manual*, the longest shadow a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. For projects or actions resulting in structures less than 50 feet tall, a shadow assessment is generally not necessary, unless the site is adjacent to a park, historic resource, or important natural feature (if the feature that makes the structure significant depends on sunlight).

First, a preliminary screening assessment must be conducted to ascertain whether shadows resulting from an action or project could reach any sunlight-sensitive resource at any time of year. The *CEQR Technical Manual* defines sunlight-sensitive resources as those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. The following are considered sunlight-sensitive resources[1]:

- *Public open space* (e.g., parks, playgrounds, plazas, schoolyards, greenways, and landscaped medians with seating). Planted areas within unused portions or roadbeds that are part of the Greenstreets program are also considered sunlight-sensitive resources. The use of vegetation in an open space establishes its sensitivity to shadows. This sensitivity is assessed for both (1) warm-

[1] According to the *CEQR Technical Manual*, city streets, sidewalks, and private open spaces (such as private residential front and back yards, stoops, and vacant lots) are not considered sunlight-sensitive resources.

weather dependent features, like wading pools and sandboxes, or vegetation that could be affected by loss of sunlight during the growing season (i.e., March through October); and (2) features, such as benches, which could be affected by a loss of winter sunlight. Uses that rely on sunlight include: passive use, such as sitting or sunning; active use, such as playfields or paved courts; and such activities as gardening, or children's wading pools and sprinklers. Vegetation requiring direct sunlight includes the tree canopy, flowering plants, and plots, particularly plots for food production in community gardens. The amount of sunlight typically considered the minimum that plantings and vegetation would need is six to eight hours of direct sunlight. However, certain plantings and vegetation can tolerate partial sun, with a reduced minimum requirement of four to six hours of direct sunlight. Examples of areas that can tolerate partial sun are established tree canopies, shrubs or perennials.

- *Features of historic architectural resources that depend on sunlight for their enjoyment by the public.* Only the sunlight-sensitive features of an architectural resource are considered in a shadows analysis. Sunlight-sensitive features include the following: design elements that are part of a recognized architectural style that depends on the contrast between light and dark (e.g., deep recesses or voids, such as open galleries, arcades, recessed balconies, deep window reveals, and prominent rustication); elaborate, highly carved ornamentation; stained glass windows; exterior building materials and color that depend on direct sunlight for visual character (e.g., the polychromy [multicolored] features found on Victorian Gothic Revival or Art Deco facades); historic landscapes, such as scenic landmarks, including vegetation recognized as an historic feature of the landscape; and structural features for which the effect of direct sunlight is described as playing a significant role in the structure's importance as an historic landmark.
- *Natural resources where the introduction of shadows could alter the resource's condition or microclimate.* Such resources could include community gardens, surface water bodies, wetlands, or designated resources, such as coastal fish and wildlife habitats.

The preliminary screening assessment consists of three tiers of analysis. The first tier determines a simple radius around the development site representing the longest shadow that could be cast. If there are sunlight-sensitive resources within the radius, the analysis proceeds to the second tier, which reduces the area that could be affected by action-generated shadows by accounting for a specific range of angles that can never receive shade in New York City due to the path of the sun in the northern hemisphere. If the second tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a third tier of screening analysis further refines the area that could be reached by new shadows by looking at specific representative days of the year and determining the maximum extent of shadow over the course of each representative day.

If the third tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a detailed shadow analysis is required to determine the extent and duration of the incremental shadow – or the additional, or new, shadow that a building or other built structure resulting from a proposed action would cast on a sunlight-sensitive resource during the year – resulting from the proposed project. Incremental shadows are determined by establishing a baseline condition (the No-Action condition) and comparing it to the future condition resulting from the Proposed Actions (i.e., the With-Action condition), thus illustrating the shadows cast by existing or future buildings and distinguishing the additional (incremental) shadows cast by the projected development under the Proposed Actions. In accordance with the *CEQR Technical Manual*, shadows on sunlight-sensitive resources of concern were modeled for four representative days of the year. For the New York City area, the months of interest for an open space resource encompass the growing season (i.e., March through October) and one month between November and February representing a cold-weather month (usually December). Representative days for the growing season are generally the March 21 vernal equinox (or the

September 21 autumnal equinox, which is approximately the same), the June 21 summer solstice, and a spring or summer day halfway between the summer solstice and equinoxes, such as May 6 or August 6 (which are approximately the same). For the cold weather months, the December 21 winter solstice is included to demonstrate conditions when open space users rely most heavily on available sunlight warmth. As these months and days are representative of the full range of possible shadows, they are also used for assessing shadows on sunlight-sensitive resources.

The *CEQR Technical Manual* defines the temporal limits of a shadow analysis period to fall from an hour and a half after sunrise to an hour and a half before sunset.

The detailed analysis provides the data needed to assess the shadow impacts. The effects of incremental shadows on sunlight sensitive resources are described, and their degree of significance is considered. The results of the analysis and assessment are documented with graphics, a table of incremental shadow durations, and narrative text. As described in the *CEQR Technical Manual*, an incremental shadow is generally not considered significant when its duration is ten minutes or less 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 ten minutes or longer falls on a sunlight-sensitive resource and results in one of the following:

- *Vegetation:* a substantial reduction in sunlight duration available to sunlight-sensitive features of the resource to less than the time of its minimum sunlight needs (when there would be sufficient sunlight in the future without the project) or a reduction in direct sunlight exposure where the sensitive feature of the resource is already subject to substandard sunlight (i.e., less than the minimum sunlight needs).
- *Historic and cultural resources:* a substantial reduction in sunlight available for the enjoyment or appreciation of the sunlight-sensitive features of an historic or cultural resource.
- *Open space utilization:* a substantial reduction in the usability of open space because of increased shadow, including information regarding anticipated new users and the open space's utilization rates throughout the affected times.
- *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.

In general, a significant adverse shadow impact occurs when the incremental shadow added by a proposed action falls on a sunlight-sensitive resource and substantially reduces or eliminates completely direct sunlight exposure, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources.

III. PRELIMINARY SCREENING

Tier 1 Screening Assessment

According to the *CEQR Technical Manual*, the longest shadow that a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. The maximum shadow radius for the Projected Development Sites was determined using the Projected Development Sites' RWCDS building massing and maximum heights, which correspond to the maximum allowable building heights permissible

under the Proposed Actions.[2] As described above, the Proposed Actions would result in the development of three buildings. The tallest building would be 181.25' (with an additional 55 feet assumed for mechanical bulkhead[3]). Based on the maximum building height of 236.25-feet-tall, the maximum shadow radius was determined to be approximately 1,016' in length. As the potential areas to be shadowed by Projected Development Sites 2 and 3 fall within the greater shadow radius of Projected Development Site 1, the 1,016-foot shadow radius is used for all three projected development sites. As shown in **Figure F-1**, there are nine identified potentially sunlight-sensitive resources. The longest shadow study area also includes several historic resources, including the S/NR-Listed, NYCL-Eligible, Austin, Nichols & Co. Warehouse, the Grand Street Historic District, the S/NR-eligible Fulton Bag and Cotton Mills Company Building, the S/NR-eligible McCaddin Memorial Hall, S/NR-eligible Romanesque Reveival Apartments located on South 2nd Street, and the S/NR-eligible Rectory for Saints Peter and Paul Roman Catholic Church. However, as these historic resources do not contain any sunlight-sensitive features (see **Attachment G**, **"Historic and Cultural Resources"),** further analysis of these resources is not warranted.

Tier 2 Screening Assessment

Due to the path of the sun across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given development site. In New York City, this area lies between -108 and +108 degrees from true north. The purpose of the Tier 2 screening is to determine whether the sunlight-sensitive resources identified in the Tier 1 screening are located within portions of the longest shadow study area that could receive incremental shadows from the three Projected Development Sites.

Figure F-1 illustrates the results of the Tier 1 and Tier 2 screening assessments (i.e., the portion of the longest shadow study area lying within -108 degrees from true north and +108 degrees from true north as measured from the southernmost portions of the Project Site). As shown in **Figure F-1**, there are six sunlight-sensitive resources identified that warrant further assessment (refer to **Table F-1** below).

TABLE F-1:
Sunlight-Sensitive Resources Warranting Further Analysis Based on Tier 2 Screening

Map Number [1]	Sunlight-Sensitive Resources
1	Domino Park
2	Refinery Plaza
3	Grand Ferry Park
4	William Sheridan Playground
5	River Ring Open Space (Future Open Space in No-Action)
6	East River

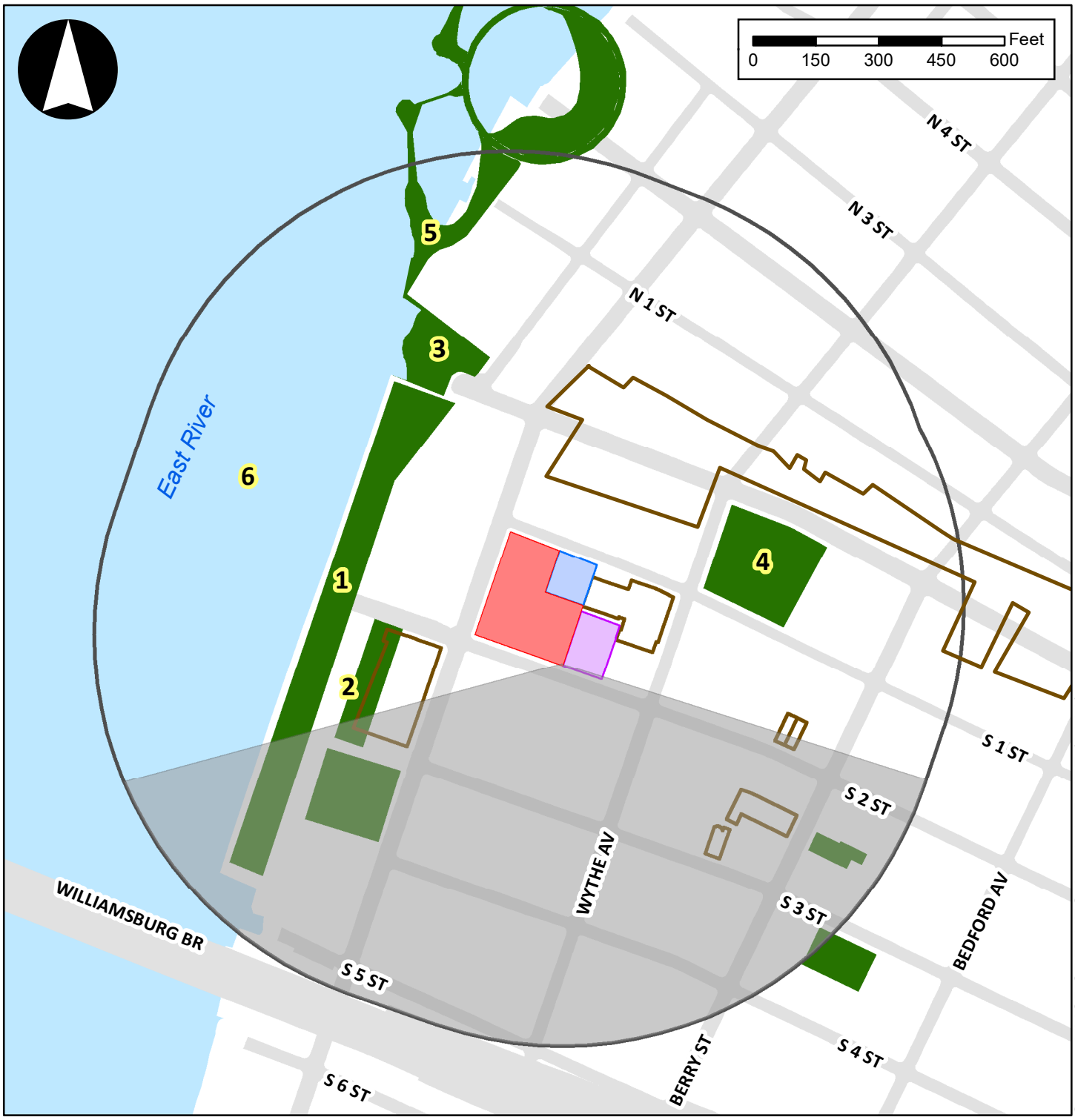
[1] Number keyed to **Figure F-1**.

Tier 3 Screening Assessment

According to the *CEQR Technical Manual*, a Tier 3 screening assessment should be performed to determine if, in the absence of intervening buildings, shadows resulting from a proposed action(s) could reach a sunlight-sensitive resource, thereby warranting a detailed shadow analysis. The Tier 3 screening assessment is used to determine if shadows resulting from a proposed action(s) can reach a sunlight-sensitive resource at any time between 1.5 hours after sunrise and 1.5 hours before sunset on representative analysis dates.

[2] Refer to **Attachment A, "Project Description"** for a description of the maximum allowable building height.
[3] While the illustrative massing for Projected Development Site 1 shows a 25-foot bulkhead, the maximum allowable bulkhead height under zoning is 55 feet and thus is being analyzed for CEQR purposes.

Figure F-1
Tier I and II Shadows Analysis



Source: NYCDCPPLUTO 2024v1; DoITT (2022).

Legend

- Tier II: Area that Cannot be Shaded
- Tier I: Longest Shadow Study Area (1,015' 8")
- Projected Development Site 1 (Applicant-Owned)
- Projected Development Site 2 (Non-Applicant Owned)
- Projected Development Site 3 (Non-Applicant Owned)
- Open Space
- Historic Resources

A Tier 3 assessment was performed using three-dimensional (3D) computer mapping software for the Proposed Project to calculate and display action-generated shadows on individual representative analysis dates. The model contained 3D representations of the elements in the base map used in the preceding assessments and a 3D model of the Projected Development Sites as a result of the Proposed Actions. At this stage of the assessment, surrounding buildings within the study area were not included in the model so that it may be determined whether action-generated shadows would reach any sunlight sensitive resources.

As shown in **Figures F-2a** and **Figure F-2b** and presented in **Table F-2**, the Tier 3 results determined that four of the six resources identified in the area that could be shaded could receive incremental shadows from the Projected Development Sites and therefore require a detailed shadows analysis.

TABLE F-2:
Sunlight-Sensitive Resources Warranting Further Analysis Based on Tier 3 Screening

No.	Name	March 21/Sept. 21 7:36AM - 4:29PM	May 6/August 6 6:27AM - 5:18PM	June 21 5:57AM - 6:01PM	December 21 8:51AM - 2:53PM	Number of Analysis Days
1	Domino Park	**YES**	**YES**	**YES**	**YES**	**4**
2	Refinery Plaza	**NO**	**YES**	**YES**	**NO**	**2**
3	Grand Ferry Park	**NO**	**NO**	**NO**	**NO**	**0**
4	William Sheridan Playground	**YES**	**YES**	**NO**	**YES**	**3**
5	River Ring Open Space (Future Open Space)	**NO**	**NO**	**NO**	**NO**	**0**
6	East River	**YES**	**YES**	**YES**	**YES**	**4**

IV. DETAILED ANALYSIS OF SHADOW IMPACTS

Resources Potentially Affected by Project-Generated Shadows

Domino Park

Domino Park (No. 1) is a privately-owned and managed public open space that features a playground, open lawns, sand volleyball courts, paved paths, vegetation, and benches. The park, which is approximately 5.0 acres was built in 2018 as a part of the Domino Sugar project. Domino Park is located both northwest and southwest of the Project Area and therefore could receive incremental shadows during the morning and early afternoon hours on all four analysis days.

Refinery Plaza

Refinery Plaza (No. 2) is an approximately 0.17 acre paved plaza located directly west of the Domino Sugar Refinery. The plaza serves as the primary entrance to the Refinery building along River Street and features shade structures, vegetation and benches. Refinery Plaza is located southwest of the Project Area and therefore could receive incremental shadows during the morning hours on two of the four analysis days.



MARCH 21/SEPTEMBER 21



MAY 6/AUGUST 6

Projected Development Site 1

Projected Development Site 2

Projected Development Site 3

1 Sunlight-Sensitive Resources

Project-Generated Shadows



DECEMBER 21



JUNE 21

Projected Development Site 1

Projected Development Site 2

Projected Development Site 3

1 Sunlight-Sensitive Resources

Project-Generated Shadows

William Sheridan Playground

William Sheridan Playground (No. 4) is a 1.17-acre playground owned and managed by NYC Parks. This space contains basketball courts, playgrounds, spray showers, shaded seating, an artificial turf, small running track and several trees. As William Sheridan Playground is located northeast of the Project Area, the Projected Development Sites could result in incremental shadows on portions of this resource during afternoon and early evening hours on three of the four analysis days.

East River

The East River (No. 6) is an approximately 16-mile saltwater tidal estuary that connects Upper New York Bay to the south and Long Island South to the north. The lower East River is classified by the New York State Department of Environmental Conservation (NYSDEC) as a Class I water, with aquatic life suspected to exist within this portion of the East River within the maximum shadow radius. The East River is located southwest and northwest of the Project Area and therefore could receive incremental shadows during the morning hours on all four analysis days.

Grand Ferry Park and River Ring

Both Grand Ferry Park (No. 3) and the future River Ring open space (No. 5) were identified as resources with the potential to receive incremental shadows due to their proximity and positioning to the Project Area (refer to **Figure F-1**). However, a Tier III analysis of potential incremental shadows on the four representative analysis days found that no shadows would have the potential to reach these two resources and therefore a detailed analysis of these open space resources is not required (refer to **Figures F-2a** and **F-2b**).

Detailed Shadow Analysis

Per *CEQR Technical Manual* guidance, shadow analyses were performed for the sunlight-sensitive resources identified above on four representative days of the year: March 21/September 21, the equinoxes; May 6, the midpoint between the summer solstice and the equinox (and equivalent to August 6); June 21, the summer solstice and the longest day of the year; and December 21, the winter solstice and shortest day of the year. These four representative days indicate the range of shadows over the course of the year. CEQR guidance defines the temporal limits of a shadow analysis period to fall from 1.5 hours after sunrise to 1.5 hours before sunset. As discussed above, the results of the shadows analysis show the incremental difference in shadow coverage between the No-Action and With-Action conditions (see **Table F-3**).

Under No-Action conditions, it is assumed that Applicant-owned Lot 1 (p/o Projected Development Site 1), and non-applicant owned Lots 15 (Projected Development Site 2) and 37 (Projected Development Site 3) would be redeveloped on an as-a-right basis under their existing zoning designations. Applicant-owned Lot 1 is expected to maximize its allowable FAR of 2.0 by enlarging the existing, 44,882-gsf, 2-story commercial building into a 4-story building with a height of approximately 60 feet. Lot 15 is also assumed to maximize its available FAR of 2.0 in the No-Action condition, by enlarging the existing building into a 3-story building with a height of approximately 45 feet. Lot 37, currently an unlicensed parking lot, is assumed to be redeveloped into a 5-story commercial building with a height of approximately 65 feet, maximizing its allowable FAR of 2.0.

The No-Action condition also accounts for developments expected to be built by the 2030 analysis year. Notably, this includes the 51-story mixed use commercial and residential building expected to be built by 2027 at 280 Kent Avenue. 280 Kent Avenue is a part of the Domino Developments which occupy lots between Kent Avenue and River Street stretching from South 5th Street to Grand Street. Because of the projected development at 280 Kent Avenue, much of the shadows cast by the three projected development sites are blocked in the morning and early afternoon hours when shadows are cast in the westerly and northernly directions.

It should be noted that, per the *CEQR Technical Manual*, all times reported herein are Eastern Standard Time and do not reflect adjustments for daylight savings time that is in effect from mid-March to early November. As such, the times reported in this attachment for March 21/September 21, May 6/August 6, and June 21 need to have one hour added to reflect the Eastern Daylight Savings Time.

TABLE F-3:
Duration of Incremental Shadows on Sunlight-Sensitive Resources (Increment Compared to No-Action)

Resource	Analysis Day	March 21/Sept. 21	May 6/August 6	June 21	December 21
		7:36 AM – 4:29 PM	**6:27 AM – 5:18 PM**	**5:57 AM – 6:01 PM**	**8:51 AM – 2:53 PM**
Domino Park	Shadow enter-exit time	7:36 AM – 8:36 AM	7:04 AM – 7:30 AM	No Incremental Shadows	9:39 AM – 10:04 AM
	Incremental shadow duration	1 Hour and 0 minutes	26 minutes	N/A	25 minutes
Refinery Plaza	Shadow enter-exit time	-	6:48 AM – 7:38 AM	7:31 AM – 7:53 AM	-
	Incremental shadow duration	-	50 minutes	22 minutes	-
William Sheridan Playground	Shadow enter-exit time	3:54 PM – 4:17 PM	4:43 PM – 5:18 PM	-	No Incremental Shadows
	Incremental shadow duration	23 minutes	35 minutes		N/A
East River	Shadow enter-exit time	7:36 AM – 8:25 AM	6:50 AM – 7:09 AM	No Incremental Shadows	No Incremental Shadows
	Incremental shadow duration	49 minutes	19 minutes	-	-

[A] All times are Eastern Standard Time.
[B] Table indicates the entry and exit times and total duration of incremental shadow for each sunlight-sensitive resource.

Domino Park

March 21/September 21

The analysis period for March 21/September 21 is during the growing season and begins at 7:36 AM and continues until 4:29 PM. On this analysis day, development as a result of the Proposed Actions would cast incremental shadows on Domino Park for approximately one hour in the morning (refer to **Table F-3**).

As shown in **Figures F-3a and F-3b**, incremental shadows would be cast over a small portion of the park starting at 7:36 AM and would move eastward until those shadows are eclipsed by shadows cast by the building located directly west of the Project Area, at approximately 8:36 AM. The portion shadowed by the Projected Developments represents only a small portion of the park, containing garden beds, benches, and tables with seating. These areas would already receive significant amounts of shade during the early

Domino Park - March 21 Analysis Day



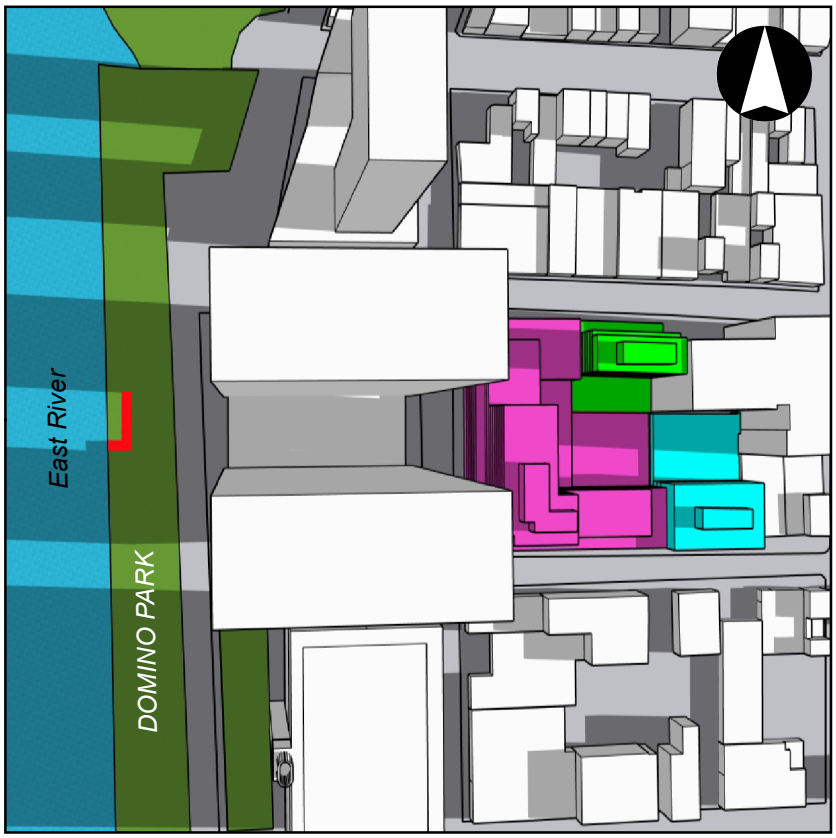
7:40 AM



8:00 AM

Shadows | Incremental Shadows | PDS 1 | PDS 2 | PDS 3

Domino Park - March 21 Analysis Day



8:15 AM



8:30 AM

Shadows | Incremental Shadows | PDS 1 | PDS 2 | PDS 3

morning hours as a result of the existing and/or projected high-rise buildings located between Kent Avenue and River Street. As the incremental shadows would be cast in the morning, usage of these spaces is likely less than in the afternoon and early evening hours, when most of the park would be in direct sunlight. Therefore, the incremental shadows would not significantly impact the usability or enjoyment of the space. Furthermore, vegetation in the park is not expected to be significantly threatened since the incremental shadows would be limited in both size and duration, in comparison to existing shadows, and because vegetation could continue to receive direct sunlight for at least six to eight hours during the remainder of the analysis day, which, according to the *CEQR Technical Manual*, is the general minimum requirement for the survival of vegetation during the growing season.

May 6/August 6

On May 6/August 6, the analysis period begins at 6:27 AM and lasts until 5:18 PM. On this analysis day, development as a result of the Proposed Actions would cast incremental shadows on the park for approximately 26 minutes in the early morning (refer to **Table F-3**).

As shown in **Figure F-3c** and **Figure F-3d**, incremental shadows would be cast over a small portion of the park, containing the paved seating steps, starting at 7:04 AM and would move eastward until exiting the park at approximately 7:30 AM. The extent and duration of incremental shadows on the park would be minimal in comparison to the shadows cast by existing and/or projected buildings along Kent Avenue and River Street. As the incremental shadows cast would occur in the early morning, usage during these hours is likely less than in the afternoons and early evenings. Therefore, incremental shadows cast by the Projected Development Sites would likely not affect utilization or enjoyment of the space. Additionally, Domino Park would continue to receive direct sunlight for at least six to eight hours during the remainder of the analysis day, which, according to the *CEQR Technical Manual*, is the general minimum requirement for the survival of vegetation during the growing season.

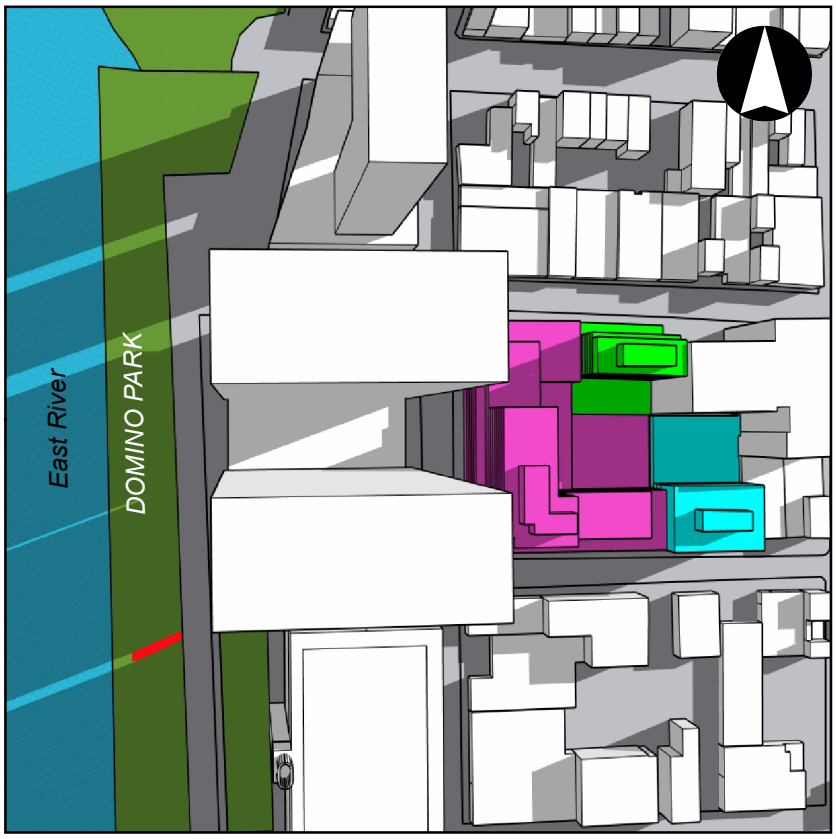
June 21

On June 21 (the summer solstice), the analysis period begins at 5:57 AM and lasts until 6:01 PM. On this analysis day, development as a result of the Proposed Actions would not cast any incremental shadows on Domino Park (refer to **Table F-3**).

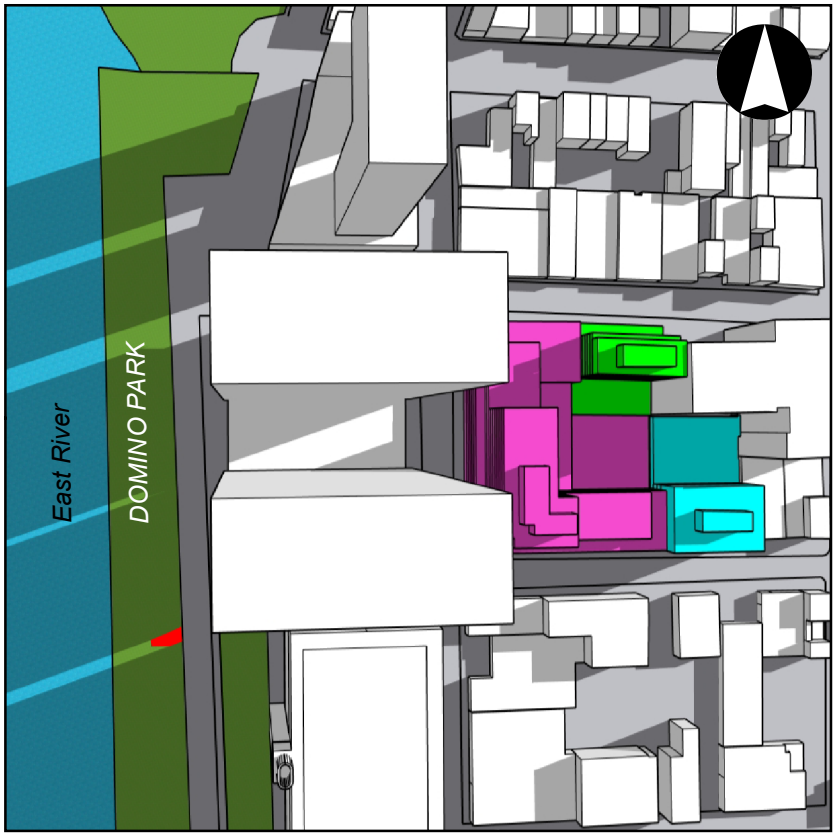
December 21

On December 21 (the winter solstice), the analysis period begins at 8:51 AM and lasts until 2:53 PM. On this analysis day, development as a result of the Proposed Actions would cast incremental shadows on the park for approximately 25 minutes in the morning (refer to **Table F-3**).

On the December 21 analysis day, shadow coverage is relevant for the user's loss of winter sunlight. However, as illustrated in **Figure F-3e** coverage over the park is limited, with most of the coverage falling on a small portion of the northern side of the resource. The northern portion of the park includes a passive open lawn as well as an elevated walkway. Incremental shadow coverage is limited in size due to the shadows cast by existing buildings located along River Street and the resource continues to see intermittent direct sunlight for the remainder of the analysis period.



7:10 AM



7:17 AM

Shadows | Incremental Shadows | PDS 1 | PDS 2 | PDS 3

Figure F-3d
Domino Park - May 6 Analysis Day



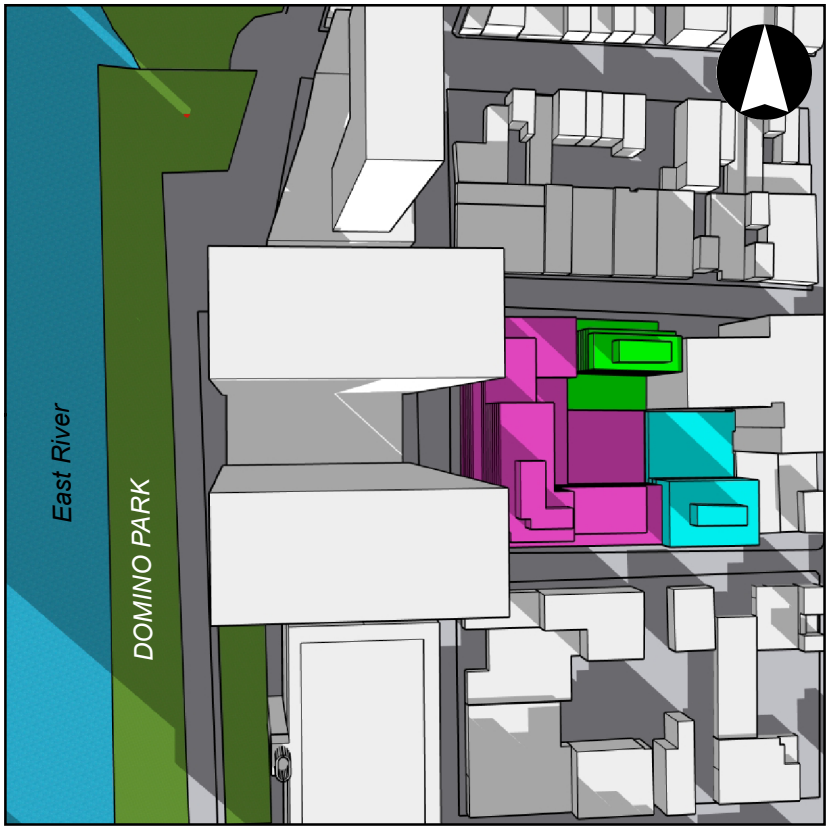
7:25 AM

Shadows | Incremental Shadows | PDS 1 | PDS 2 | PDS 3

Domino Park - December 21 Analysis Day



9:40 AM



10:00 AM

Shadows | Incremental Shadows | PDS 1 | PDS 2 | PDS 3

William Sheridan Playground

March 21/September 21

The analysis period for March 21/September 21 is during the growing season and begins at 7:36 AM and continues until 4:29 PM. On this analysis day, development as a result of the Proposed Actions would cast incremental shadows on William Sheridan Playground for 23 minutes in the afternoon (refer to **Table F-3**).

As shown in **Figures F-4a** and **4b**, incremental shadows would be cast over a small portion of the playground starting at 3:54 PM and would move eastward until those shadows become obscured by existing shadows at approximately 4:17 PM. The portion of the resource shadowed by the Projected Developments represents only a small portion of the playground, which would already be shaded during the afternoon hours as a result of existing buildings. Further, the playground would continue to receive direct sun coverage in the morning and early afternoon hours and would therefore continue to receive direct sunlight for at least six to eight hours, which, according to the *CEQR Technical Manual*, is the general minimum requirement for the survival of vegetation during the growing season.

May 6/August 6

On May 6/August 6, the analysis period begins at 6:27 AM and lasts until 5:18 PM. On this analysis day, development as a result of the Proposed Actions would cast incremental shadows on William Sheridan Playground for approximately 35 minutes in the early evening (refer to **Table F-3**).

As shown in **Figure F-4c** and **Figure F-4d**, incremental shadows would be cast over a small portion of the Playground starting at 4:43 PM and would move eastward until the end of analysis period at 5:18 PM. Incremental shadows from the Proposed Project would be cast on the southern end of the playground, crossing through the paved handball courts and track with artificial turf. As illustrated in Figures **F-4c** and **F-4d**, the incremental shadows would increase in size until approximately 5:00 PM, when they would then decrease as they move eastward and are eclipsed by shadows cast by existing buildings. The extent and duration of incremental shadows on the playground would be minimal. The open space would continue to receive direct sunlight throughout the morning and early afternoon hours and vegetation would continue to receive direct sunlight for at least six to eight hours, which, according to the *CEQR Technical Manual*, is the general minimum requirement for the survival of vegetation during the growing season.

December 21

On December 21 (the winter solstice), the analysis period begins at 8:51 AM and lasts until 2:53 PM. On this analysis day, development as a result of the Proposed Actions would not cast any incremental shadows on William Sheridan Playground (refer to **Table F-3**).

Refinery Plaza

June 21

On June 21 (the summer solstice), the analysis period begins at 5:57 AM and lasts until 6:01 PM. On this analysis day, development as a result of the Proposed Actions would cast incremental shadows on Refinery Plaza for approximately 22 minutes from 7:31 AM to 7:53 AM (refer to **Table F-3**).

William Sheridan Playground - March 21 Analysis Day



3:55 PM



4:00 PM

Shadows | Incremental Shadows | PDS 1 | PDS 2 | PDS 3

William Sheridan Playground - March 21 Analysis Day



4:15 PM

Shadows | Incremental Shadows | PDS 1 | PDS 2 | PDS 3

William Sheridan Playground - May 6 Analysis Day



4:45 PM



5:00 PM

Shadows | Incremental Shadows | PDS 1 | PDS 2 | PDS 3

William Sheridan Playground - May 6 Analysis Day



5:15 PM

Shadows | Incremental Shadows | PDS 1 | PDS 2 | PDS 3

As illustrated in **Figure F-5a**, incremental shadow coverage would be limited to the northern portion of the plaza and decrease over the 22 minute coverage period, at which point the incremental shadows would be fully obscured by shadows cast by existing buildings.

May 6/August 8

On May 6/August 6, the analysis period begins at 6:27 AM and lasts until 5:18 PM. On this analysis day, development as a result of the Proposed Actions would cast incremental shadows on the plaza for 50 minutes in the early morning (refer to **Table F-3**).

As shown in **Figures F-5b** and **F-5c**, incremental shadows would be cast over a small portion on the northern end of the plaza. During these early morning hours, starting at 6:27 AM, nearly the entire plaza is already shaded by existing buildings. The incremental shadows only represent a small increase in shadow coverage compared to the future With-Action condition. Usage of the plaza in the early morning is also likely less than during the day and early evenings. Therefore, incremental shadows cast by the Projected Development Sites would likely not affect utilization or enjoyment of the space.

Vegetation in the plaza is limited to a few trees and plantings along the outer edges. This vegetation is not expected to be significantly threatened since the incremental shadows would be limited in both size and duration in comparison to existing shadows, and because vegetation would continue to receive direct sunlight for at least six to eight hours during the rest of the analysis day, which, according to the *CEQR Technical Manual*, is the general minimum requirement for the survival of vegetation during the growing season.

East River

March 21/September 21

The analysis period for March 21/September 21 is during the growing season and begins at 7:36 AM and continues until 4:29 PM. On this analysis day, development as a result of the Proposed Actions would cast incremental shadows on the East River for approximately 49 minutes in the morning (refer to **Table E-3**).

As shown in **Figures F-6a and F-6b**, incremental shadows would be cast over a small portion of the river starting at 7:36 AM, would move east, and exit the river at 8:25 AM. The current moves swiftly in the East River and would move phytoplankton and other natural elements quickly through the area to be affected by any incremental shadows. Therefore, project-generated shadows would not be expected to affect primary productivity. Due to the distance of the Projected Development Sites from the river, the presence of planned intervening development to the west, and the movement of the sun throughout the morning and early afternoon hours, incremental shadows would not affect one specific area of the East River. Therefore, as the extent and duration of the incremental shadows would (1) not significantly reduce direct sunlight exposure on the natural resource, and (2) would not threaten the viability of vegetation or other resources, incremental shadows on the East River as a result of the Proposed Actions would not be considered a significant adverse impact, in accordance with *CEQR Technical Manual* methodology.

May 6/August 6

On May 6/August 6, the analysis period begins at 6:27 AM and lasts until 5:18 PM. On this analysis day, development as a result of the Proposed Actions would cast incremental shadows on the East River for approximately 19 minutes in the early morning (refer to **Table E-3**).

Figure F-5a
Refinery Plaza - June 21 Analysis Day



7:35 AM



7:50 AM

Shadows | Incremental Shadows | PDS 1 | PDS 2 | PDS 3

Figure F-5b
Refinery Plaza - May 6 Analysis Day



6:50 AM



7:15 AM

Shadows | Incremental Shadows | PDS 1 | PDS 2 | PDS 3

Refinery Plaza - May 6 Analysis Day



7:30 AM

Shadows | Incremental Shadows | PDS 1 | PDS 2 | PDS 3



7:36 AM



8:00 AM

Shadows | Incremental Shadows | PDS 1 | PDS 2 | PDS 3

East River - March 21 Analysis Day



8:20 AM

Shadows
Incremental Shadows
PDS 1
PDS 2
PDS 3

As shown in **Figure E-6c**, incremental shadows would be cast over a small portion of the East River in the early morning. Given the limited extent and duration of incremental shadows cast by the Projected Development Sites, incremental shadows on the East River as a result of the Proposed Actions would not be considered a significant adverse impact, in accordance with *CEQR Technical Manual* methodology.

June 21

On June 21 (the summer solstice), the analysis period begins at 5:57 AM and lasts until 6:01 PM. On this analysis day, development as a result of the Proposed Actions would not cast any incremental shadows on the East River (refer to **Table F-3**).

December 21

On December 21 (the winter solstice), the analysis period begins at 8:51 AM and lasts until 2:53 PM. On this analysis day, development as a result of the Proposed Actions would not cast any incremental shadows on the East River (refer to **Table F-3**).

V. CONCLUSION

The development as a result of the Proposed Actions would cast incremental shadows of limited coverage and duration on three open space resources and one natural resource; Domino Park, William Sheridan Playground, Refinery Plaza, and the East River (refer to **Table F-2**). Incremental shadow durations would range from 22 minutes to 1 hour. On Domino Park, Refinery Plaza, and the East River, incremental shadow coverage would generally be limited to the early morning hours. At William Sheridan Playground, incremental shadow coverage would be limited to afternoon and early evening hours.

As shadows are not static and move from west to east throughout the day, all four resources would continue to receive direct sunlight on these representative analysis days. Further, the majority of the resources' sunlight sensitive features would be unaffected by incremental shadows, and thus, would largely contain areas unaffected by project-generated shadows at all times of the day.

During the growing season, shadow coverage would not be cast on a single part of any of the studied resources for an extended period of time. This would allow the open spaces/natural resources sunlight-sensitive features to receive adequate direct sunlight throughout the day (at least six-to sight-hour minimum specified in the *CEQR Technical Manual*). As discussed previously, no trees or vegetation would receive less than six to eight hours of direct sunlight per day during the growing season.

Further, for all four resources, existing and/or projected buildings adjacent to the Project Area already shade portions of the studied resources at similar times during the analysis periods. The incremental shadows cast on each resource represent only a small part of total shadow coverage and do not significantly add size or duration to existing shadow coverage on the resources.

Therefore, as the extent and duration of the incremental shadows would (1) not significantly reduce or completely eliminate direct sunlight exposure on any of the sunlight-sensitive resources found within these open space resources; and (2) would not significantly alter the public's use of the passive seating areas, or threaten the viability of vegetation or other resources located within the open spaces, incremental shadows on the three identified open space resources and one natural resource, would not be considered a significant adverse impact, in accordance with the *CEQR Technical Manual* methodology.



6:55 AM



7:05 AM

Shadows | Incremental Shadows | PDS 1 | PDS 2 | PDS 3

ATTACHMENT G

HISTORIC AND CULTURAL RESOURCES

I. INTRODUCTION

This section assesses the potential of the Proposed Actions to affect historic and cultural resources. The Project Area is comprised of Brooklyn Block 2403, Lots 1, 15, 31, 33, 41, and portions of Lots 37 and 7501, and the Proposed Actions would facilitate the construction of the Applicant's proposed mixed-use residential and commercial development on Projected Development Site 1 (see **Figure G-1**).

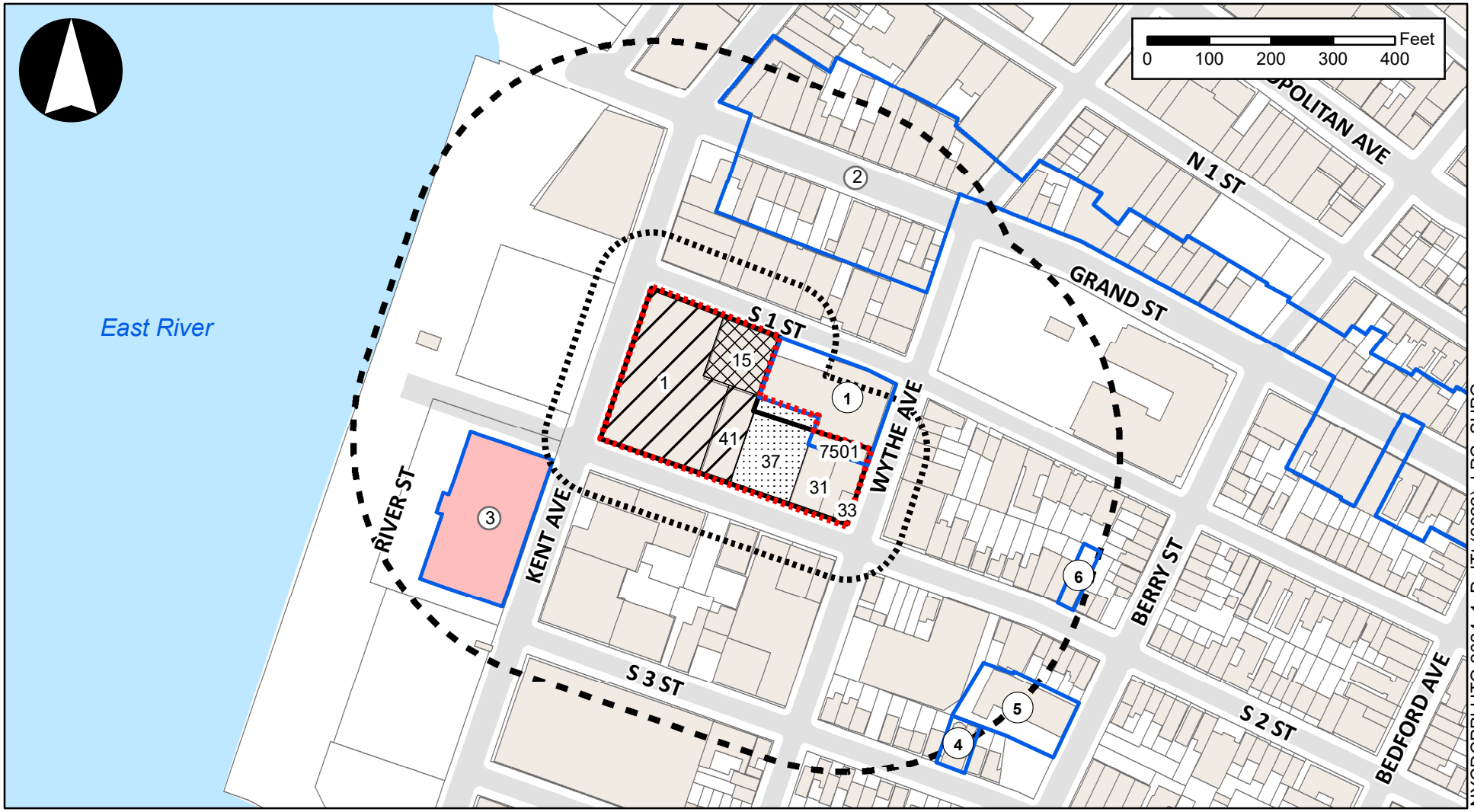
Historic and cultural resources include both architectural and archaeological resources. The 2021 *City Environmental Quality Review (CEQR) Technical Manual* identifies historic and cultural resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated New York City Landmarks (NYCL); properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); properties listed on the State/National Registers of Historic Places (S/NR) or contained within a district listed on the S/NR or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks (NHL); and properties not identified by one of the programs listed above, but that meet their eligibility requirements.

II. METHODOLOGY

The study area for archaeological resources is the site itself where disturbance from excavation and construction can be anticipated. As determined by LPC in a letter dated March 18, 2025 (provided in **Appendix 1**), none of the lots composing the Project Area have archaeological significance. Therefore, the Proposed Actions would not have the potential to result in any significant adverse archaeological impacts and an archaeological analysis is not warranted. As such, this attachment focuses exclusively on historic architectural resources.

Study areas for architectural resources are determined based on the area of potential effect for construction period impacts, as well as the larger area in which there may be visual or contextual impacts. The *CEQR Technical Manual* sets the guidelines for the study area as being typically within an approximately 400-foot radius of the Project Site (see **Figure G-1**).

Once the study area was determined, an inventory of officially recognized architectural resources was compiled. Criteria for listing on the National Register are in the Code of Federal Regulations, Title 36, Part 63. As recommended in the 2021 *CEQR Technical Manual*, Chapter 9, Section 160, LPC has adopted these criteria for use in identifying National Register listed and eligible architectural resources for CEQR review. Following these criteria, districts, sites, buildings, structures, and objects are eligible for the National Register if they possess integrity of location, design, setting, materials, workmanship, feeling, and association, and: (1) are associated with events that have made a significant contribution to the broad patterns of history (Criterion A); (2) are associated with significant people (Criterion B); (3) embody distinctive characteristics of a type, period, or method of construction, represent the work of a master, possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction (Criterion C); or (4) may yield [archaeological] information important in prehistory or history. Properties younger than 50 years of age are ordinarily not eligible, unless they have



289 Kent Avenue Rezoning EAS

Figure G-1
Historic Resources Map

*The Primary Study Area includes the entirety of Lot 37.

achieved exceptional significance. Official determinations of eligibility are made by the State Historic Preservation Office (SHPO) of the New York State Office of Parks, Recreation & Historic Preservation.

In addition, LPC designates historically significant properties in the City as NYCLs and/or historic districts, following the criteria provided in the Local Laws of the City of New York, New York City Charter, Administrative Code, Title 25, Chapter 3. Buildings, properties, or objects are eligible for landmark status when a part is at least 30 years old. Landmarks have a special character or special historical or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the city, state, or nation. There are four types of NYCLs: individual landmarks, interior landmarks, scenic landmarks, and historic districts.

III. EXISTING CONDITIONS

Project Area

As shown in **Figure G-1**, the Project Area consists of all or portions of seven lots on Brooklyn Block 2403. The Applicant-owned Projected Development Site 1 (Lots 1 and 41) is comprised of one- to three-story vacant commercial office buildings clad in redbrick. Projected Development Site 2 (Lot 15) contains a one-story produce warehouse clad in black-painted brick. Projected Development Site 3 (p/o Lot 37) consists of a surface parking lot. Lot 31 contains a grey-painted one-story commercial building with artist studios. Lot 33 on is comprised of a three-story redbrick residential building with ground-floor restaurant space. Lot 7501 contains a one-story retail establishment and the S/NR-eligible Fulton Bag and Cotton Mills Company Building. A brief description of this historic resource is presented below, and photos are provided in **Figure G-2a**. In a letter dated March 18, 2025 (provided in **Appendix 1**), LPC determined that there are no designated or eligible historic architectural resources on any of the other lots that compose the Project Area.

Fulton Bag and Cotton Mills Company Building (S/NR-eligible)

The Fulton Bag and Cotton Mills Company Building is an eight-story reinforced concrete structure located on the southwest corner of Wythe Avenue and South 1st Street (see Resource No. 1 on **Figure G-1**). It was constructed in 1914 for the Atlanta-based Fulton Bag and Cotton Mills Company, which produced paper bags, canvas goods, and other materials throughout multiple cities of the U.S. As shown in photos 1 and 2 of **Figure G-2a**, each façade of the building is five bays wide, with two multi-light windows in the outer bays and groups of three multi-light windows in the three inner bays. Each façade is articulated by heavy piers, and the original windows of the building were replaced when it was converted into residences. SHPO has determined that the Fulton Bag and Cotton Mills Company Building is eligible for listing on the S/NR under Criterion A for its association with the late-19th and early-20th century industrial growth and development of Williamsburg, and under Criterion C as a representative example of local industrial architecture of the period.

400-Foot Study Area

As shown in **Figure G-1** and listed in **Table G-1**, a portion of one historic district and multiple individual historic architectural resources are located in the 400-foot study area surrounding the Project Area. A brief description of each historic resource is presented below, and photos are provided in **Figures G-2a** and **G-2b**.



1.View of the S/NR-eligible Fulton Bag and Cotton Mills Company Building looking southwest from Wythe Avenue and South 1st Street.



2. View of the S/NR-eligible Fulton Bag and Cotton Mills Company Building looking southeast from midblock on South 1st Street between Wythe and Kent Avenues.



3. View looking southeast within the S/NR-eligible Grand Street Historic District from just east of Kent Avenue.



4. View looking west along the S/NR-eligible Grand Street Historic District from Wythe Avenue.



5. View looking northeast of the LPC-designated and S/NR-eligible Havemeyers & Elder Filter, Pan, and Finishing House (Domino Sugar Factory) from River and South 3rd Streets.



6. The S/NR-eligible McCaddin Memorial Hall at 288-292 Berry Street.



7. The S/NR-eligible Rectory for Saints Peter & Paul Roman Catholic Church at 71-73 South 3rd Street.



8. The S/NR-eligible Renaissance Revival Apartments at 91-95 South 2nd Street.

TABLE G-1:
Historic & Cultural Resources in the 400-Foot Study Area

Map No.[1]	Name	Location	Block / Lot	S/NR[2]	S/NR-Eligible[3]	NYCL[4]	NYCL-Eligible[5]
1	Fulton Bag and Cotton Mills Company Building	328-336 Wythe Avenue	2403 / 7501		X		
2	Grand Street Historic District	30-72 Grand Street; 126-170 Grand Street; and 31-171 Grand Street	Multiple		X		
3	Havemeyers & Elder Filter, Pan, and Finishing House (American Sugar Refinery / Domino Sugar Refinery)	292-314 Kent Avenue	2414 / 7503		X	X	
4	Rectory for Saints Peter & Paul Roman Catholic Church	71-73 South 3rd Street	2416 / 34		X		
5	McCaddin Memorial Hall	288-292 Berry Street	2416 / 151		X		
6	Romanesque Revival Apartments	91-95 South 2nd Street	2404 / 35		X		

Notes:
[1] Refer to **Figure G-1**.
[2] Listed on the State/National Registers of Historic Places.
[3] Eligible for listing on the State/National Registers of Historic Places.
[4] New York City Landmark.
[5] Eligible for designation as a New York City Landmark.

Grand Street Historic District (S/NR-eligible)

The Grand Street Historic District contains approximately 70 commercial buildings that were constructed in the mid- to late-19th century along Grand Street between Kent and Bedford Avenues (see Resource No.2 on **Figure G-1**). Development of the historic district was spurred by the opening of a ferry at the westernmost end of the street at the East River, connecting the commercial interests of the area with Manhattan. Most of the buildings in the historic district are brick structures designed in the Italianate and Romanesque Revival styles. The portion of the historic district within the 400-foot study area is located between Kent and Wythe Avenues. As shown in photos 3 and 4 of **Figure G-2a**, this area includes one- to four-story buildings with ground-level storefronts. SHPO has determined that the Grand Street Historic District is eligible for listing on the S/NR under Criterion A for its association with the early commercial development of Williamsburg.

Havemeyers & Elder Filter, Plan, and Finishing House (LPC-designated, S/NR-eligible)

The former Havemeyers & Elder Filter, Pan, and Finishing House was constructed in 1881-1884 to the designs of Theodore A. Havemeyer in association with Thomas Winslow and J.E. James. Sugar production was Brooklyn's most important industry in the late-19th and early-20th centuries, and of the various factories that once lined the East River, the Havemeyers & Elder factory at 292-314 Kent Avenue (see Resource No. 3 on **Figure G-1**) is the largest and most significant structure to survive. The 155-foot-tall Filter House was once the tallest structure on the Brooklyn waterfront, designed in the American Round-Arch style like many contemporary industrial buildings. It features a large oval smokestack on its western façade. The factory later housed the American Sugar Refining Company and the Domino Sugar Refinery, until its closure in 2004. In 2017, adaptive reuse of the site and surrounding properties began as part of the Domino Sugar Refinery redevelopment project. As shown in photo 5 of **Figure G-2b**, the redbrick façade of the building surrounds a new glass-domed office building.

Rectory for Saints Peter & Paul Roman Catholic Church (S/NR-eligible)

The Rectory for Saints Peter & Paul Roman Catholic Church is a three-story, three-bay-wide redbrick Georgian Revival style building located at 71-73 South 3rd Street (see Resource No. 4 on **Figure G-1**). As shown in photo 7 of **Figure G-2b**, the symmetrical façade features a rusticated base topped with a stone stringcourse, rusticated quoins, and a classical cornice with dentils and modillions. The central front entrance is emphasized by a projecting hood with paired scrolls, and all the windows of the front façade are topped with keystones, including the round-arched windows with fanlights and Juliet balconies of the second floor. SHPO has determined that the Rectory for Saints Peter & Paul Roman Catholic Church is eligible for listing on the S/NR under Criterion C as an intact example of Georgian Revival-inspired institutional design.

McCaddin Memorial Hall (S/NR-eligible)

Constructed in 1897, the McCaddin Memorial Hall is a three-story, three-bay-wide brick and stone Romanesque Revival style building located at 288-292 Berry Street (see Resource No. 5 on **Figure G-1**). As shown in photo 6 of **Figure G-2b**, the building has an elaborate round-arched entrance with an entablature supported by large, paired brackets. The entablature is topped with a central second-story balconet featuring a frieze engraved with "Henry McCaddin Memorial." The balconet has two arched openings beneath a larger stone arch with a tall, ornate keystone. The outer bays of the building each contain groups of three windows; those on the first and third floors are round arched with drip moldings. The building is crowned by a denticulated cornice with stone pinnacles. SHPO has determined that the McCaddin Memorial Hall is eligible for listing on the S/NR under Criterion C as an outstanding example of Romanesque Revival institutional design with a high degree of period integrity.

Romanesque Revival Apartments (S/NR-eligible)

The three symmetrical Romanesque Revival apartment buildings at 91-95 South 2nd Street are each four stories tall and clad in brick with stone detailing (see Resource No. 6 on **Figure G-1**). Constructed before 1905, these three apartment buildings all feature central round-arched entrances flanked by pairs of round-arched windows on the first floor. As shown in photo 8 of **Figure G-2b**, the upper stories of the buildings are four bays wide, with stone lintels and windowsills extending the width of the facades. Each apartment building is topped with a slightly projecting, denticulated cornice. SHPO has determined that these three Romanesque Revival Apartments are eligible for listing on the S/NR under Criterion C as a representative example of residential architecture with integrity of design, materials, and craftsmanship.

IV. FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

Under the No-Action condition, the status of historic resources could change. S/NR-eligible architectural resources could be listed on the Registers, and properties found eligible for consideration for designation as NYCLs could be calendared and/or designated. Changes to the historic resources identified above or to their settings could also occur irrespective of the Proposed Actions. Future projects could affect the settings of architectural resources. It is possible that some architectural resources in the area surrounding the Project Area could deteriorate, while others could be restored. In addition, future projects could accidentally damage architectural resources through adjacent construction.

Properties that are designated NYCLs are protected under the New York City Landmarks Law, which requires LPC review and approval before any alteration or demolition of those resources can occur. All properties within LPC-designated historic districts also require LPC permit and approval prior to new construction, additions, enlargements, or demolition.

The New York City Building Code provides some measure of protection for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Additional protective measures apply to designated NYCLs, and S/NR-listed historic buildings located within 90 linear feet of a proposed construction site. For these structures, the DOB's *Technical Policy and Procedure Notice (TPPN) #10/88* applies. *TPPN #10/88* supplements the standard building protections afforded by the Building Code by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent NYCL-designated or S/NR-listed historic resources (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

Additionally, historic resources that are listed on the S/NR or that have been found eligible for listing are given a measure of protection from the effects of federally-sponsored or federally-assisted projects under Section 106 of the National Historic Preservation Act, and are similarly protected against impacts resulting from state-sponsored or state-assisted projects under the New York State Historic Preservation Act. Although preservation is not mandated, federal agencies must attempt to avoid adverse impacts on such resources through a notice, review, and consultation process. Private property owners using private funds can, however, alter or demolish their S/NR-listed or S/NR-eligible properties without such a review process.

Project Area

As detailed further in **Attachment A, "Project Description,"** it is expected that Lots 1, 15, and 37 on Block 2403 in the Project Area (Projected Development Sites 1, 2, and 3, respectively) would be redeveloped on an as-of-right basis. Applicant-owned Projected Development Site 1 (Lot 1 only) is expected to expand into a four-story commercial building with a total of 118,817 gross square feet (gsf) of local retail and office space. The vacant building on Lot 41 of Projected Development Site 1 is anticipated to be reoccupied with commercial office uses in the No-Action condition. Projected Development Site 2 is anticipated to expand into a three-story building with a total of 31,350 gsf of light industrial/warehouse, local retail, and office space. Projected Development Site 3 is expected to be redeveloped with a five-story, 63,950 gsf commercial building with local retail and office space. No other changes to the lots of the Project Area are anticipated in the No-Action condition.

As shown in **Figure G-1**, all three of these projected development sites are within 90 feet of the S/NR-eligible Fulton Bag and Cotton Mills Company Building (Resource No. 1 on **Figure G-1**), and Projected Development Site 1 is located within 90 feet of the LPC-designated and S/NR-eligible Havemeyers & Elder Filter, Pan, and Finishing House (Resource No. 3 on **Figure G-1**). Therefore, in the future without the Proposed Actions, DOB's *TPPN #10/88* would apply to Projected Development Site 1. However, as the S/NR-eligible Fulton Bag and Cotton Mills Company Building is not listed on the S/NR or designated a NYCL, DOB's *TPPN #10/88* would not apply to development on Projected Development Sites 2 and 3.

Study Area

As discussed in **Attachment C, "Land Use, Zoning, and Public Policy,"** there are two known projects slated for completion in the 400-foot secondary study area in the No-Action condition. A two-story residential building will be constructed at 79 South 2nd Street, and a 42-story residential building will be completed at 280 Kent Avenue.

V. FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

According to the 2021 *CEQR Technical Manual*, generally, if a project would affect those characteristics that make a historic resource eligible for NYCL designation or S/NR listing, this could result in a significant adverse impact. This section assesses the Proposed Actions' potential to result in significant adverse impacts on identified historic architectural resources in the Project Area and study area, including impacts resulting from construction facilitated by the Proposed Actions, project-generated shadows, or other indirect effects on existing historic resources in the study area.

The Proposed Actions were assessed in accordance with guidance established in the *CEQR Technical Manual* (Chapter 9, Part 420) to determine (a) whether there would be a physical change to any historic architectural resource as a result of the Proposed Actions; (b) whether there would be a physical change to the setting of any historic architectural resource, such as context or visual prominence, as a result of the Proposed Actions; and (c) if so, whether the change is likely to diminish the qualities of the resource that make it important. Whereas this attachment focuses specifically on the Proposed Actions' effects on the visual context of historic resources, an assessment of the Proposed Actions' effects on the visual character of the study area in general is provided separately in **Attachment H, "Urban Design & Visual Resources."**

As detailed in **Attachment A, "Project Description,"** the Proposed Actions would facilitate the development of an 18-story (181.25-foot-tall excluding a 55-foot-tall mechanical bulkhead[1]) mixed-use residential and local retail building on Lots 1 and 41 of the Project Area (Projected Development Site 1) with a total building area of 322,641 gsf (6.0 FAR). Additionally, a 13-story (145-foot-tall excluding a 20-foot-tall mechanical bulkhead) mixed-use residential and local retail building is expected to be constructed on Lot 15 (Projected Development Site 2) in the future with the Proposed Actions with a total building area of 63,057 gsf (6.0 FAR). Furthermore, a nine-story (95-foot-tall excluding a 20-foot mechanical bulkhead) mixed-use commercial office and community facility building is expected to be constructed on Lot 37 (Projected Development Site 3) in the future with the Proposed Actions with a total building area of 51,309 gsf (3.0 FAR).

Direct (Physical) Impacts

Historic resources can be directly affected by physical destruction, demolition, damage, alteration, or neglect of all or part of a historic resource. For example, alterations, such as the addition of a new wing to a historic building or replacement of the resource's entrance, could result in significant adverse impacts, depending on the design. Direct effects also include changes to an architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.

[1] While the illustrative massing for Projected Development Site 1 shows a 25-foot bulkhead, the maximum allowable bulkhead height under zoning is 55 feet and thus is being analyzed for CEQR purposes.

As shown in **Figure G-1**, the southern portion of the S/NR-eligible Fulton Bag and Cotton Mills Company Building property (Lot 7501) is located in the Project Area. However, as detailed further in **Attachment A**, no changes to this site would occur in the future with the Proposed Actions as the portion of the lot being rezoned is considered too small to redevelop (less than 5,000 sf) and the larger lot is subject to a variance under jurisdiction of the New York City Board of Standards and Appeals (40-95-BZ, 934-82-BZ). Therefore, the Proposed Actions would not result in any direct impacts to historic architectural resources.

Indirect (Contextual) Impacts

Contextual impacts may occur to architectural resources under certain conditions. According to the *CEQR Technical Manual*, possible impacts to architectural resources may include isolation of the property from, or alteration of, its setting or visual relationships with the streetscape. This includes changes to the resource's visual prominence so that it no longer conforms to the streetscape in terms of height, footprint, or setback; is no longer part of an open setting; or can no longer be seen as part of a significant view corridor. Significant indirect impacts can occur if a project would cause a change in the quality of a property that qualifies it for listing on the S/NR or for designation as a NYCL.

The Proposed Actions would not result in significant adverse indirect impacts on nearby historic architectural resources. The Proposed Project would not significantly alter the context or setting of the any surrounding historic architectural resources as compared to the No-Action condition. As detailed above, the Proposed Actions would facilitate the construction of nine-story, 13-story, and 18-story buildings in the Project Area as compared to four-story, three-story, and five-story buildings in the No-Action condition, respectively. As detailed above, these buildings would rise to 181.25 feet, 145 feet, and 95 feet to the rooflines, with FARs of 6.0, 6.0, and 3.0, respectively. Although the taller buildings facilitated by the Proposed Actions would be visible when looking southwest towards the S/NR-eligible Fulton Bag and Cotton Mills Company Building; south from within the S/NR-eligible Grand Street Historic District; and north along Kent Avenue at the LPC-designated and S/NR-eligible Havemeyers & Elder Filter, Pan and Finishing House, this change would not be significant or adverse. The study area is a dense urban environment with a number of mid- and high-rise buildings that currently form the backdrop for these historic architectural resources. Development facilitated by the Proposed Actions would not substantially change the visual setting of any historic architectural resources so as to affect those characteristics that make them eligible for listing on the S/NR or for designation as a NYCL.

As shown in **Figure G-1**, Projected Development Sites 2 and 3 are immediately adjacent to the S/NR-eligible Fulton Bag and Cotton Mills Company Building property. However, the eight-story corner building has single-story extensions to the south and west of the main building along Wythe Avenue and South 1st Street. Therefore, the expected developments on Sites 2 and 3 would not have the potential to completely obstruct the S/NR-eligible building, as these new developments would be separated from the tower by the existing one-story addition on the lot, and all four facades of the S/NR-eligible Fulton Bag and Cotton Mills Company Building would continue to be visible on adjacent public streets and sidewalks. No primary facades, significant architectural ornamentation, or notable features of the S/NR-eligible historic building would be obstructed by development facilitated by the Proposed Actions. Although some views of the rear façade of the building would be partially obstructed when looking north from South 2nd Street, the rear façade is a secondary elevation with minimal ornament. Moreover, it would not be fully obstructed as it would still be visible from other vantage points along South 1st and South 2nd Streets and Wythe Avenue.

Additionally, in the future with the Proposed Actions, no incompatible visual, audible, or atmospheric elements would be introduced to any historic resource's setting, as the anticipated development in the Project Area would consist of residential, commercial, and community facility uses. Development facilitated by the Proposed Actions would not alter the relationship of any identified historic architectural resources to the streetscape, as all streets in the study area would remain open and all historic resources' relationships to the street would remain unchanged in the future with the Proposed Actions. Development facilitated by the Proposed Actions would not eliminate or screen significant public views of any historic architectural resources, which would remain visible in view corridors on adjacent public streets and sidewalks.

Therefore, the Proposed Actions would not result in development that would diminish the qualities that make surrounding resources historically and architecturally significant. The Proposed Actions would not result in any significant adverse indirect or contextual impacts on historic architectural resources.

Construction-Related Impacts

Any new construction taking place within historic districts or adjacent to individual historic architectural resources has the potential to cause damage to those historic resources from adjacent construction activities including ground-borne construction vibrations. As discussed above, additional protective measures apply to LPC-designated and S/NR-listed historic resources located within 90 linear feet of a proposed construction site under DOB's *TPPN #10/88*.

As detailed above, under the With-Action condition, it is expected that Lots 1, 15, and 37 in the Project Area (Projected Development Sites 1, 2, and 3, respectively) would be redeveloped. As shown in **Figure G-1**, the Applicant-owned Projected Development Site 1 is located within 90 feet of the LPC-designated and S/NR-eligible Havemeyers & Elder Filter, Pan, and Finishing House. Therefore, in the future with the Proposed Actions, construction on Projected Development Site 1 would be subject to DOB's *TPPN #10/88*. As such, a Construction Protection Plan (CPP) would be prepared and implemented by the Applicant for the proposed development on Projected Development Site 1 to avoid inadvertent construction-related impacts to this historic architectural resource. The CPP would contain measures to avoid construction-related impacts including ground-borne vibration and accidental damage from heavy machinery as appropriate. The CPP would be implemented by a professional engineer prior to excavation and construction activities. The CPP would be prepared consistent with *TPPN #10/88* and per the guidelines set forth in Section 522 of Chapter 9, "Historic and Cultural Resources" of the *CEQR Technical Manual*. The CPP would be provided to LPC for review and approval prior to any work on the site. As shown in **Figure G-1**, Projected Development Sites 2 and 3 are not within 90 feet of the Havemeyers & Elder Filter, Pan, and Finishing House, and therefore, development on these sites would not have the potential to result in construction-related impacts to this historic architectural resource per the *CEQR Technical Manual*.

As also illustrated in **Figure G-1**, all three of the projected development sites are located within 90 feet of the S/NR-eligible Fulton Bag and Cotton Mills Company Building. Therefore, the S/NR-eligible Fulton Bag and Cotton Mills Company Building would be included in the CPP to be prepared by the Applicant for Projected Development Site 1, and no construction-related impacts would occur from future development on Projected Development Site 1.

However, as the Fulton Bag and Cotton Mills Company Building is not listed on the S/NR or designated as a NYCL, DOB's *TPPN #10/88* would not apply to anticipated construction on the Projected Development Sites 2 and 3 under No-Action or With-Action conditions (as detailed above, both sites are anticipated to

be redeveloped in both conditions). The Proposed Actions would not facilitate construction on any new sites in the Project Area as compared to the No-Action condition, and while no additional construction protection measures would be required pursuant to *TPPN #10/88*, the S/NR-eligible building would be provided some measure of protection by the NYC Building Code for any anticipated new development on Project Development Sites 2 and 3, as discussed above. Therefore, the Proposed Actions would not facilitate new development in the Project Area that would have the potential to result in construction-related impacts to the Fulton Bag and Cotton Mills Company Building pursuant to the *CEQR Technical Manual*.

Additionally, as shown in **Figure G-1**, none of the Projected Development Sites are within 90 feet of the other historic architectural resources in the study area (the Grand Street Historic District, Rectory for Saints Peter & Paul Roman Catholic Church, McCaddin Memorial Hall, or the Romanesque Revival Apartments detailed above). As such, the Proposed Actions would not have the potential to result in construction-related impacts to any of these historic architectural resources.
Overall, the Proposed Actions would not result in significant adverse construction-related impacts to historic architectural resources.

Shadows Impacts

As detailed in **Attachment F, "Shadows,"** the Proposed Actions would not generate incremental shadows on any sunlight-sensitive features of surrounding historic resources. Therefore, the Proposed Actions would not result in significant adverse shadows impacts on historic architectural resources.

ATTACHMENT H

URBAN DESIGN AND VISUAL RESOURCES

I. INTRODUCTION

In an urban design assessment pursuant to the 2021 *City Environmental Quality Review (CEQR) Technical Manual*, one considers whether and how a project may change the experience of a pedestrian in the study area. The assessment focuses on the components of a project that may have the potential to alter the arrangement, appearance, and functionality of the built environment, as experienced by pedestrians in the study area. The components considered include building bulk, use, and type; building arrangement; block form and street pattern; streetscape elements; street hierarchy; and natural features.

This attachment assesses the potential effects on urban design and visual resources that could result from the Proposed Actions. The analysis addresses each of the urban design characteristics for existing conditions and the future without and with the Proposed Actions for the analysis year of 2030. As detailed in **Attachment A, "Project Description,"** the Proposed Actions include a zoning map amendment to change the existing M3-1 district mapped on Brooklyn Block 2403, Lots 1, 15, 31, 33, 41, and portions of ["p/o"] Lots 37 and 7501 (the "Project Area") to an M1-3A/R7X (MX8) district on Lots 1, 15, and 41 and to M1-2A district on Lots 31, 33, p/o 37 and p/o 7501; and a zoning text amendment to amend Zoning Resolution (ZR) Appendix F to establish Lots 1, 15, and 41 within a Mandatory Inclusionary Housing (MIH) area.

The Proposed Actions would facilitate the development of an approximately 322,641-gross square foot ("gsf") mixed-use residential and commercial building with approximately 278 dwelling units, of which, approximately 20 to 30 percent (56 to 83 units) would be designated as permanently affordable, in addition to 34,598-gsf of local retail uses.

The Proposed Actions are also expected to facilitate the redevelopment of two non-Applicant owned sites: Block 2403, Lot 15 ("Projected Development Site 2"); and Block 2403, Lot 37 ("Projected Development Site 3"). Projected Development Site 2 is expected to be redeveloped as a 13-story, 63,057-gsf mixed-use residential and commercial building. Projected Development Site 3 is expected to be developed into a nine-story, 51,309-gsf mixed-use building with 34,206-gsf of commercial office uses and 17,103-gsf of community facility uses.

II. METHODOLOGY

Urban design is the totality of components that may affect a pedestrian's experience of public space. These components include streets, buildings, visual resources, open space, natural features, and wind and sunlight conditions. These elements, as defined in the *CEQR Technical Manual*, are described below:

- Streets. The arrangement and orientation of streets define the location and flow of activity in an area, set street views, and create the blocks on which buildings and open spaces are organized. The apportionment of street space between cars, bicycles, transit, and sidewalk areas is critical to making a successful streetscape, as is the careful design of street furniture, grade, materials used, and permanent fixtures, including plantings, streetlights, fire hydrants, curb cuts, or newsstands.

- Buildings. Buildings support streets. A building's street walls form the most common backdrop in the city for public space. A building's size, shape, setbacks, lot coverage, placement on the zoning

lot and block, the orientation of active uses, and pedestrian and vehicular entrances all play major roles in the vitality of the streetscape. The public realm also extends to building facades and rooftops, offering more opportunity to enrich the visual character of an area.

- Visual Resources. A visual resource is the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources.

- Open Space. For the purpose of urban design, open space includes public and private areas such as parks, yards, cemeteries, parking lots and privately owned public spaces.

- Natural Features. Natural features include vegetation and geologic, topographic, and aquatic features. Rock outcroppings, steep slopes or varied ground elevation, beaches, or wetlands may help define the overall visual character of an area.

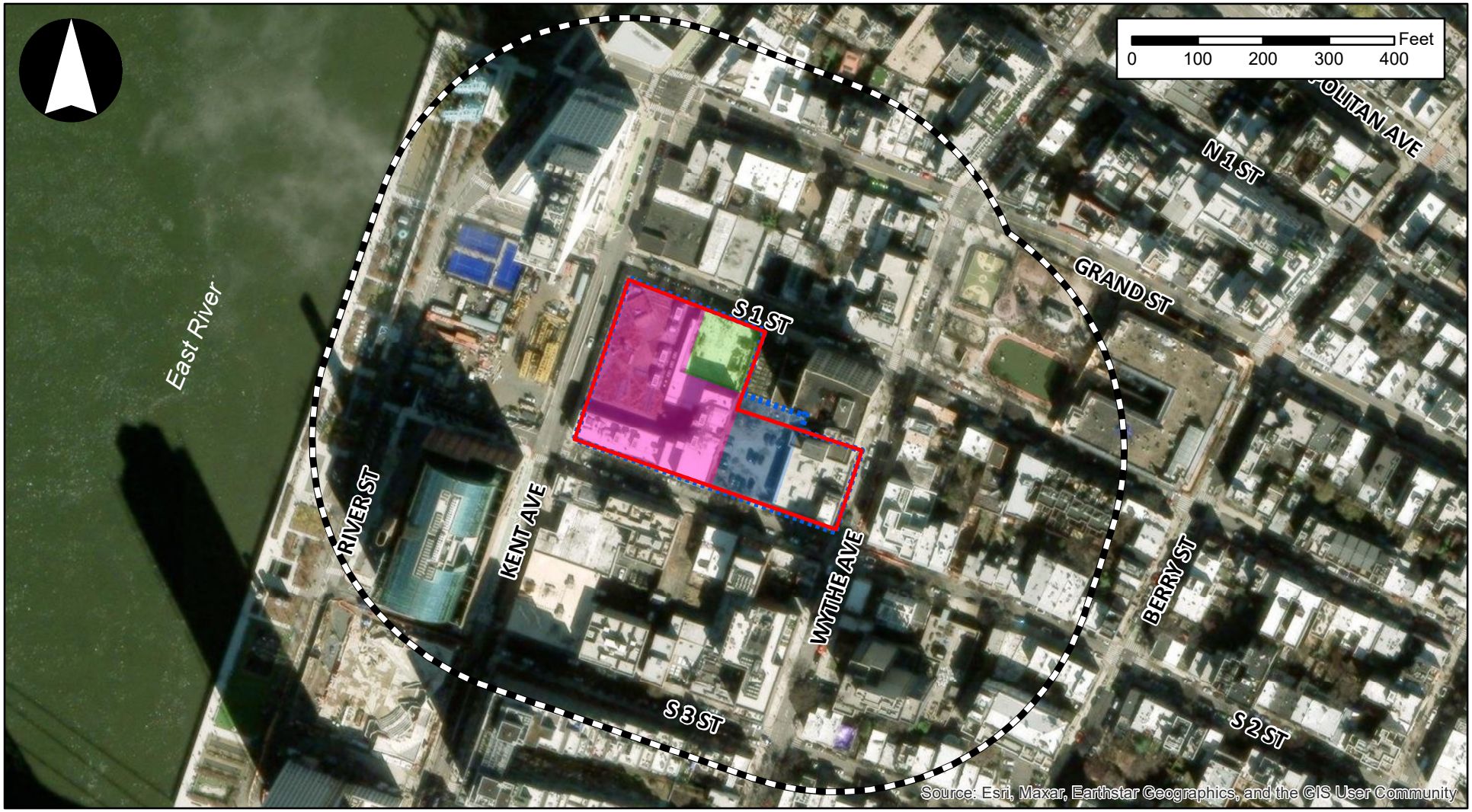
- Wind. Channelized wind pressure from between tall buildings and down washed wind pressure from parallel tall buildings may cause winds that jeopardize pedestrian safety.

In general, an assessment of urban design is needed when a project may have effects on one or more of the elements that contribute to the pedestrian experience, which are described above. Pursuant to the *CEQR Technical Manual*, projects that permit modification of yard, height, and setback requirements, and projects that result in an increase in built floor area beyond what would be allowed as-of-right, or in the future without the Proposed Actions, require preliminary analysis. As described above, the Proposed Actions involve a zoning map amendment and zoning text amendment. The proposed zoning map amendment would rezone the existing M3-1 district mapped on Brooklyn Block 2403, Lots 1, 15, 31, 33, 41, and p/o Lots 37 and 7501 (the "Project Area") to an M1-3A/R7X (MX8) district on Lots 1, 15, and 41 and to M1-2A district on Lots 31, 33, p/o 37 and p/o 7501. As the Proposed Actions would allow for an increase in floor area and building height not currently allowed under existing zoning, a preliminary urban design and visual resources analysis is warranted.

Per Section 230 of the *CEQR Technical Manual*, a wind condition analysis is not required for the Proposed Actions. CEQR states that high wind conditions in New York City typically happen along waterfronts, or other locations at or near waterfront sites where prevailing winds from the waterfront are not attenuated by buildings or natural features. The Project Area shares no boundaries with the waterfront and would involve the construction of three buildings on an existing block with buildings of greater heights located directly northwest and southwest of the Project Area. Therefore, the Projected Developments facilitated by the Proposed Actions would not exacerbate pedestrian wind conditions in the area and a wind analysis is not warranted.

Study Area

As defined in the *CEQR Technical Manual*, the urban design and visual resources study area consists of the area where the project may influence land use patterns and the built environment and is the same study area used in **Attachment C, "Land Use, Zoning, and Public Policy."** Shown in **Figure H-1**, the primary study area is coterminous with the Project Area while the secondary study area generally extends approximately 400 feet from the boundary of the Project Area. The secondary study area is generally bounded by lots fronting Grand Street to the north, Berry Street to the east, South 3rd Street to the south, and the East River to the west. **Figures H-2a**, **H-2b**, and **H-2c** provides photographs of the Project Area and surrounding area.



Legend

- Project Area
- Primary Study Area*
- Secondary Study Area (400-Foot Radius)
- Projected Development Site 1
- Projected Development Site 2
- Projected Development Site 3

289 Kent Avenue Rezoning EAS

Figure H-1
Aerial Map

*The Primary Study Area includes the Proposed Rezoning Area and the entirety of Lot 37.



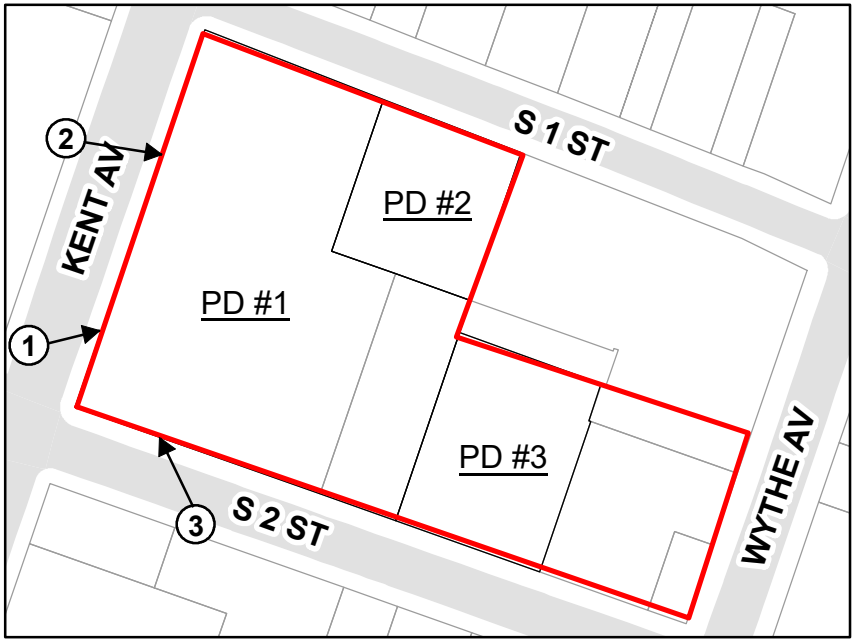
1. Looking northeast at Lot 1 from Kent Avenue.



2. Looking east at Lot 1 from Kent Avenue.



3. Looking southwest at Lots 1 and 41 from South 2nd Street.





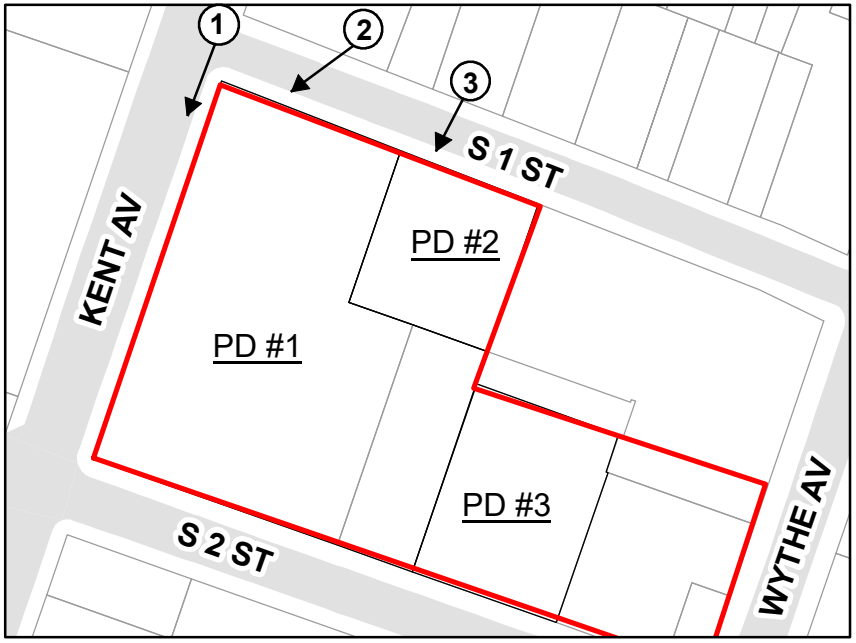
1. Looking south from the corner of Kent Avenue and South 1st Street.



2. Looking southwest at Lot 1 from South 1st Street.



3. Looking southwest at Lot 15 from South 1st Street.





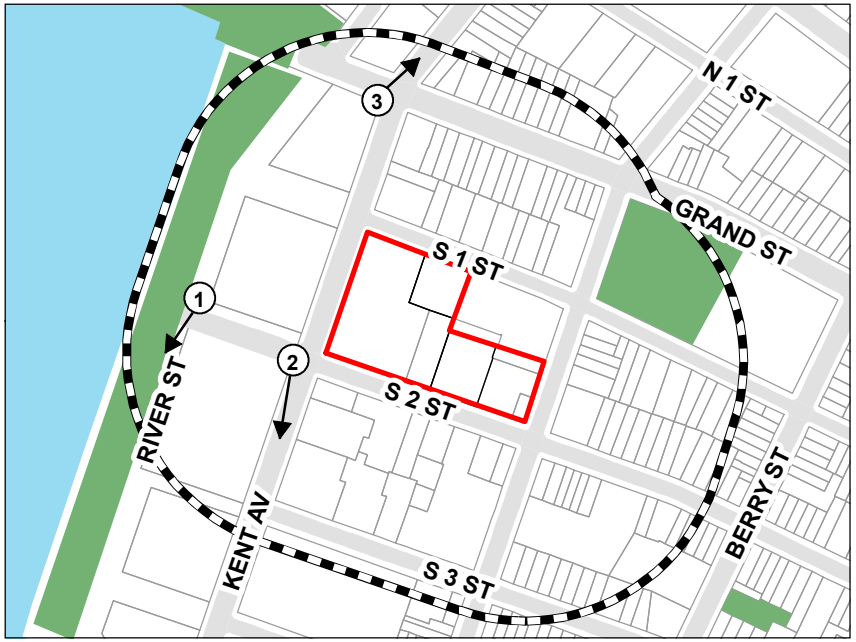
1. Looking south down River Street from South 2nd Street.



2. Looking south down Kent Avenue from South 2nd Street



3. Looking north on Kent Avenue from Grand Street.



The following analysis is based on field visits, photographs, aerial views, and other graphic images of the Project Area and surrounding study area. Zoning calculations, including floor area calculations, building heights, and lot coverage information are also provided for the Projected Development Sites and, where applicable, the study area.

III. EXISTING CONDITIONS

Urban Design

Primary Study Area (Project Area)

The Primary Study Area for this analysis is the area affected by the proposed zoning map amendment and zoning text amendment (the "Project Area"), which consists of the Applicant's Projected Development Site 1 (Block 2403; Lots 1 and 41) and non-Applicant-owned Projected Development Sites 2 (Block 2403; Lot 15) and 3 (Block 2403, Lot 37), as well as Lots 31 and 33, and a portion of Lot 7501. As shown in **Figure H-1**, the Project Area is bounded to the north by South 1st Street, to the east by Kent Avenue, to the south by South 2nd Street, and to the west by Wythe Avenue.

Buildings

As detailed in **Attachment C, "Land Use, Zoning, and Public Policy,"** Projected Development Site 1 (Applicant-owned) is improved with vacant commercial office buildings that cover the entirety of the site and front South 1st Street, Kent Avenue, and South 2nd Street. Projected Development Site 1 contains a one-two-building (Lot 1) with an FAR of 1.18 and a three-story building with an FAR of 2.92 (Lot 41) (refer to **Figure H-2a**).

Projected Development Site 2 (Non-Applicant-owned) is an approximately 9,500 sf lot occupied by a one-story (1.00 FAR) produce warehouse. Development Site 3 (Non-Applicant-owned) is approximately 14,872 sf in area and is currently utilized as an unlicensed surface parking lot (0.00 FAR) (refer to **Figure H-2b**).

The remainder of the Project Area contains Lots 31, 33, and a p/o 7501 on Block 2403. Lot 31 is occupied by a one-story warehouse covering the entirety of the lot. Lot 33 is occupied by a three-story building covering the entirety of the lot and containing a ground floor restaurant and two nonconforming residential units on the building's upper two floors. The portion of Lot 7501 located in the Project Area is approximately 2,500 sf in area and contains a one-story retail establishment.

Streets & Streetscape

A generally regular rectilinear street grid, with east-west streets spaced 200 feet apart and north-south avenues spaced 400 to 450 feet apart, characterizes the area immediately surrounding the Primary Study Area. The Project Area has approximately 253 feet of frontage along Kent Avenue, 416 feet of frontage along South 2nd Street, 100 feet of frontage along Wythe Avenue, and 216 feet of frontage along South 1st Street. Kent Avenue, South 2nd Street, and Wythe Avenue are each 60-feet wide, and therefore defined by zoning as narrow streets. South 2nd Street is 50-feet wide and is also defined by zoning as a narrow street. Kent Avenue has one moving lane and a two-way protected bike path. South 1st and South 2nd Streets have one moving lane and one parking lane. Wythe Avenue has one moving lane, a bike lane, and a parking lane. Streetscape elements found on the sidewalk includes standard streetlight and signage in addition to street trees and plantings.

Natural Features & Open Space

The topography of the Project Area is generally flat with a gentle downward slope from Wythe Avenue and Kent Avenue (moving west towards the waterfront) on South 1st and South 2nd Streets. There are no natural features or open space resources located in the Project Area.

Secondary Study Area (400-Foot Radius)

Buildings

As detailed in **Attachment C, "Land Use, Zoning, and Public Policy,"** the predominant land uses within the secondary study area include an assortment of light industrial/manufacturing uses, commercial/office uses, and mixed-use commercial/residential uses (refer to **Figure C-2** in **Attachment C "Land Use, Zoning, and Public Policy"**). Buildings directly adjacent to the Project Area range from small, one-to-four-story, residential and mixed-use buildings with rear yards to larger residential developments of four to six stories that feature high lot coverage on large lots in addition to the several residential and commercial towers that make up the Domino development located on River Street. As shown in **Figures H-3** and **H-4**, denser and taller buildings are located on and adjacent to the Project Area's block including: 328 Wythe Avenue (15-stories, 4.9 FAR), 260 Kent Avenue (42-stories, 13.7 FAR), and 325 Kent Avenue (16-stories, 8.5 FAR).

The historically industrial character of the surrounding area is reflected in double-height ground floors, high ceilings, and large windows found throughout the surrounding area, particularly along Grand Street. East of the Project Area features a mix of residential and mixed-use buildings with several commercial and office buildings scattered throughout. These residential and mixed-use buildings generally range from small walk-ups with commercial ground floor uses along Kent Avenue and Grand Street to the south of the Project Area, to larger and typically newer construction residential and mixed-use lofts in the north and east.

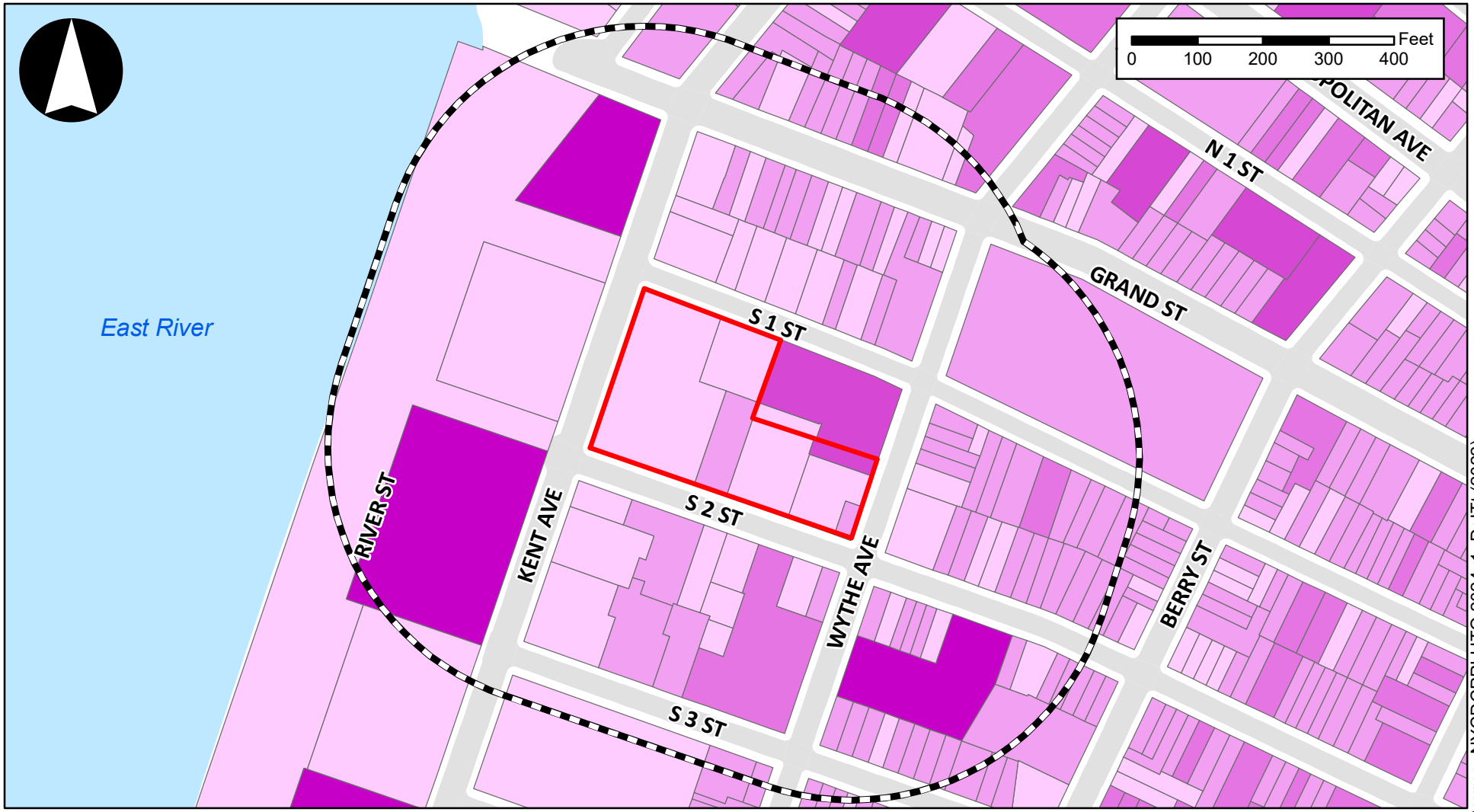
Streets & Streetscape

As previously discussed, the configuration of the street grid in the 400-foot study area creates generally regular block sizes. The majority of streets in the secondary study area are narrow one-way roads that carry local traffic with parallel parking lanes on one side of the street.

The majority of the streets in the 400-foot study area are flanked by 8-feet to 15-feet wide concrete sidewalks with streetlights however, some sidewalks on the western side of Kent Avenue have been removed and/or are obstructed as a result of the construction of the Domino Developments. Street trees can be found on South 1st and South 2nd Streets in addition to Wythe Avenue, River Street, Kent Avenue, and Grand Street. A two-way protected bike lane is located along Kent Avenue and marked biking paths are located on Wythe Avenue. A Citi Bike station can be found at the intersection of Kent Avenue and South 2nd Street, directly adjacent to Projected Development Site 1.

Natural Features & Open Space

The topography of the 400-foot study area is generally flat, with a gradual downward slope from the Wythe Avenue to the East River waterfront. The eastern portion of the secondary study area contains William Sheridan Playground. This 1.17-acre park is paved with basketball and handball courts, contains public restrooms, an artificial turf and a running track in addition to a playground and benches. The Refinery Plaza is also located in the secondary study area. The Plaza is located southwest of the Project Area and provides passive recreation space, landscaping, and shade structures along River Street. The



Legend

Primary Study Area (Project Area)

Secondary Study Area (400-Foot Radius)

Number of Floors

0 - 2 Floors

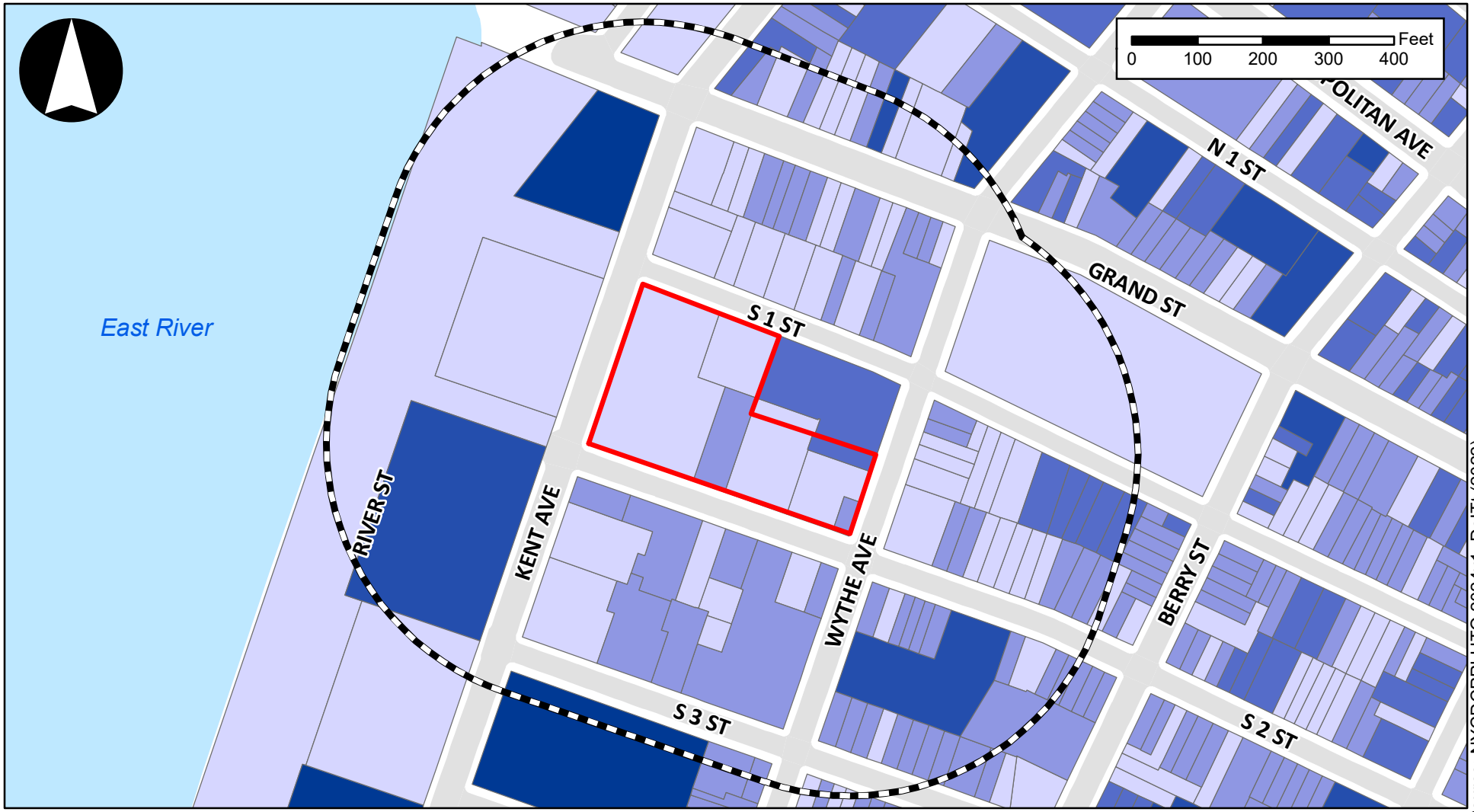
2 - 4 Floors

4 - 6 Floors

6 - 8 Floors

8+ Floors

Figure H-3
Building Heights



Legend

Primary Study Area (Project Area)

Secondary Study Area (400-Foot Radius)

Built FAR

0.0 - 1.5 FAR

1.51 - 3.0 FAR

3.01 - 5.0 FAR

5.01 - 8.0 FAR

8.01+ FAR

Figure H-4
Building Density

remaining open space in the study area is a portion of the 5.0-acre Domino Park. Domino Park, built in 2018, extends from South 5th Street to Grand Street and contains public open space with playgrounds, volleyball courts, passive recreation lawns, and walking paths.

Notable natural features within the secondary study area include the East River to the west of the Project Area.

Visual Resources

Primary Study Area (Project Area)

There are no visual resources located within the primary study area. However, there are several view corridors accessible from the primary study area. Obscured views of the Manhattan skyline, Domino Park, and the East River are visible from the sidewalks adjacent to the primary study area when facing west on South 2nd and South 1st Streets. The S/NR-eligible Fulton Bag and Cotton Mill Company Building can be viewed looking east on South 2nd Street within the primary study area. The Williamsburg Bridge and LPC-designated and S/NR-eligible Domino Sugar Refinery are visible looking south on Kent Avenue from the primary study area (refer to **Figure H-5a**). William Sheridan Playground is visible looking northeast from the primary study area.

Secondary Study Area (400-Foot Radius)

Partial views of the Manhattan skyline, the East River, and Domino Park are also visible from the secondary study area when looking west from all east-west streets and open spaces in the secondary study area. Views of the Domino Sugar Refinery and Williamsburg Bridge are available looking south along Kent Avenue and River Street. The Grand Street Historic District, discussed in detail in **Attachment G**, **"Historic and Cultural Resources"** is visible looking either east-west on Grand Street between Kent Avenue and Berry Street (refer to **Figure H-5b**). The S/NR-eligible McCaddin Memorial Hall can be viewed on Berry Street between South 3rd Street and South 2nd Street whereas the S/NR-eligible Rectory for Saints Peter and Paul Roman Catholic Church can be viewed from the corner of Berry Street and South 3rd Street. For photos of the secondary study area's historic resources refer to **Figures G-2a** and **G-2b**.

IV. FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

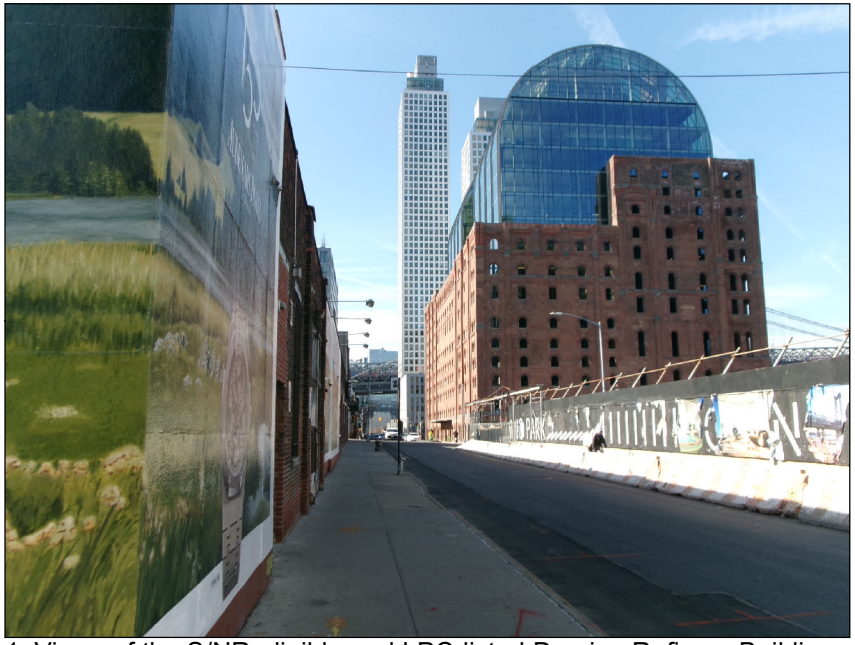
Urban Design

Primary Study Area (Project Area)

Buildings

As discussed in **Attachment A, "Project Description,"** in the future without the Proposed Actions, it is assumed that Applicant-owned Lot 1 and non-applicant owned Lots 15 and 37 would be redeveloped on an as-a-right basis under their existing zoning designations. Lot 41 (Applicant-owned), which has an FAR of 2.92, already exceeds bulk controls and is not likely to be redeveloped or expanded under the No-Action condition; however, the vacant office building on Applicant-owned Lot 41 is assumed to be reoccupied with an office use in the No-Action condition.

Applicant-owned Lot 1 is expected to maximize its allowable FAR of 2.0 under the No-Action condition (an increase of 0.82 FAR from existing conditions), by enlarging the existing, one- to two-story commercial building into a 4-story building with a height of approximately 60 feet.



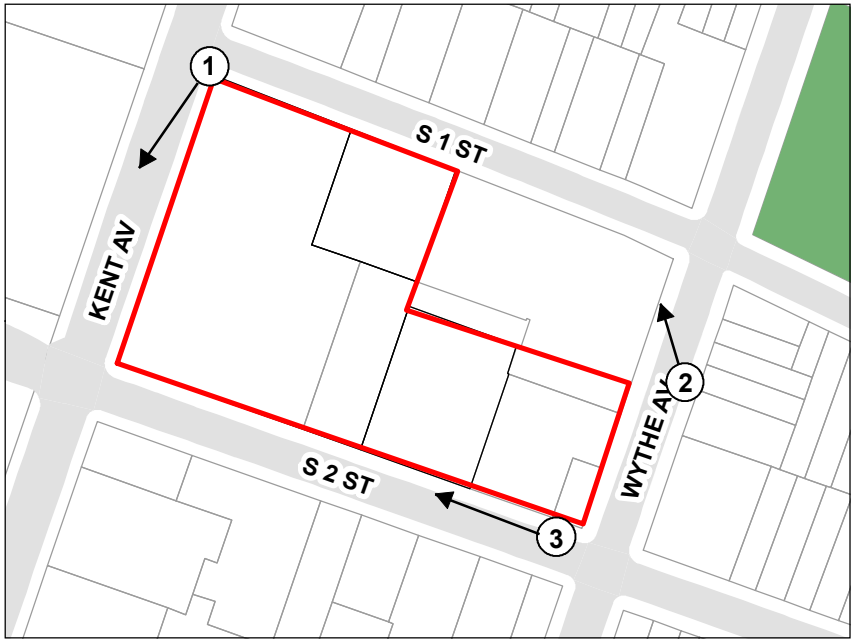
1. Views of the S/NR-eligible and LPC-listed Domino Refinery Building and the Williamsburg Bridge from Kent Avenue and South 2nd Street.



2. Views of the S/NR-eligible Fulton Bag and Cotton Mills Building from Wythe Avenue.



3. Views of the Domino Sugar Refinery from Wythe Avenue and South 1st Street.





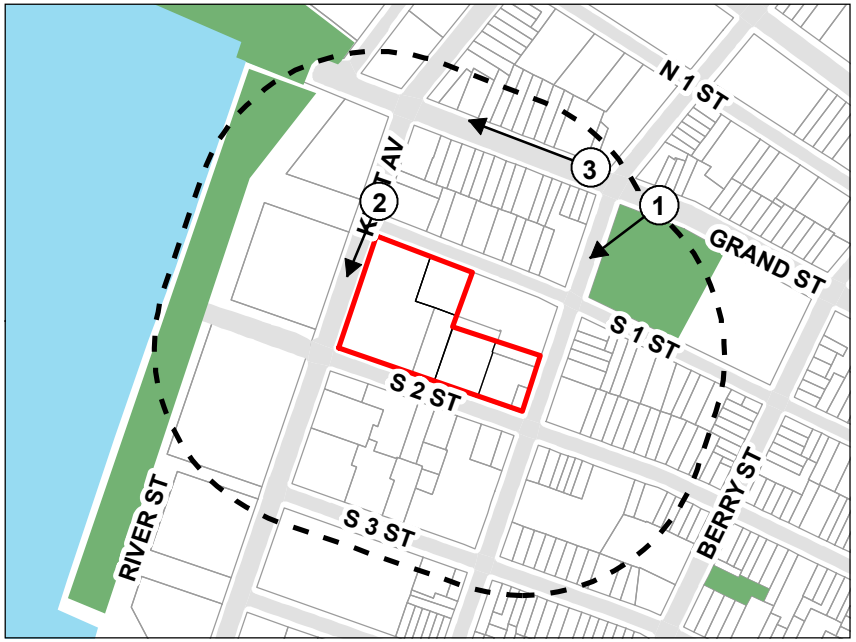
1. Views of the S/NR-eligible Fulton Bag and Cotton Mills Building and William Sheridan Park from Grand Street.



2. Views of the S/NR-eligible and LPC-listed Domino Sugar Refinery and Williamsburg Bridge from Kent Avenue and South 2nd Street.



3. Views of Grand Street Historic District from Grand Street and Wythe Avenue.



Lot 15 is assumed to maximize its available FAR of 2.0 in the No-Action condition, by enlarging the existing one-story building into a three-story commercial and light manufacturing building with a height of approximately 45 feet. The enlarged building would include a total of approximately 31,350-gsf.

Lot 37, currently an unlicensed parking lot, is assumed to be redeveloped into an approximately 63,950-gsf, five-story commercial building with a height of approximately 65 feet, maximizing its allowable FAR of 2.0. The remaining buildings in the Project Area would remain the same as under existing conditions.

Streets and Streetscape

All of the Projected Development Sites would be built to the lot lines with the same frontages. Curb cuts are likely to be added on South 1st and South 2nd Streets to accommodate required parking on Projected Development Sites 2 and 3.

Natural Features

As in the existing condition, there are no natural features or open space resources found in the Project Area in the No-Action condition.

Secondary Study Area (400-Foot Radius)

Buildings

As detailed in **Attachment C, "Land Use, Zoning, and Public Policy,"** within the approximate 400-foot secondary study area, there are two known projects anticipated to be completed in the 2030 future without the Proposed Actions: 79 South 2nd Street and 280 Kent Avenue (refer to **Figure C-5**). At 79 South 2nd Street (Block 2404, Lot 43), a new, 6,757-gsf residential building is currently under construction. It will contain approximately three dwelling units. 79 South 2nd Street is located east of the Project Area. At 280 Kent Avenue (Block 2414, Lot 3), a new, 51-story, 1,261,742-gsf mixed-use, commercial and residential building will be constructed to the lot lines. It will contain approximately 19,000 gsf of retail space and 1,262 dwelling units.

Streets & Streetscape

Under the No-Action condition, it is anticipated that street trees will be planted around any new development sites within the secondary study area, in keeping with City requirements. The sidewalks along the western edge of Kent Avenue between South 1st and Sound 2nd Streets are likely to be reconstructed upon completion of the development at 280 Kent Avenue. No other changes to streets or streetscapes are expected in the secondary study area in the future without the Proposed Actions. Overall, the street grid and block pattern would remain the same under the No-Action condition as they are under existing conditions.

Natural Features & Open Space

No new natural features are expected to be introduced to the secondary study area in the future without the Proposed Actions. In addition, the existing open spaces within the 400-foot study area and the East River would be unaffected under the No-Action condition and would remain under their existing conditions as described above.

Visual Resources

Primary Study Area (Project Area)

No changes to visual resources would occur within the primary study area in the absence of the Proposed Actions. Under the No-Action condition, obscured views of the Manhattan skyline, Domino Park, and the East River would remain visible from the sidewalks adjacent to the primary study area when facing west on South 2nd and South 1st Streets. The S/NR-eligible Fulton Bag and Cotton Mill Company Building would continue to be viewable looking east on South 2nd Street within the primary study area. The Williamsburg Bridge and LPC-designated and S/NR-eligible Domino Sugar Refinery would remain visible looking south on Kent Avenue from the primary study area (refer to **Figure H-5a**) and William Sheridan Playground would remain visible looking northeast from the primary study area.

Secondary Study Area (400-Foot Radius)

No changes to visual resources would occur within the 400-foot study area under No-Action conditions.

V. FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

As detailed in **Attachment A, "Project Description**, the Applicant is seeking a zoning map amendment to change the existing M3-1 district mapped on Brooklyn Block 2403, Lots 1, 15, 31, 33, 41, and portions of Lots 37 and 7501 to an M1-3A/R7X (MX8) district on Lots 1, 15, and 41 and to M1-2A district on Lots 31, 33, p/o 37 and p/o 7501; and a zoning text amendment to amend ZR Appendix F to establish Lots 1, 15 and 41 within a Mandatory Inclusionary Housing (MIH) area.

The Proposed Actions would facilitate the construction of the Applicant's Proposed Development, an approximately 322,641-gsf mixed-use residential and commercial building with up to 18-stories (181.25-feet-tall, excluding a 55-foot-tall mechanical bulkhead[1]) above grade and a single below grade cellar level at 289 Kent Avenue (Block 243, Lots 1 and 41; Projected Development Site 1) in the Williamsburg neighborhood of Brooklyn CD 1 (refer to **Figure 1** in the **EAS Form**). The Proposed Development would include approximately 266,943-gsf of residential uses (278 dwelling units, of which, approximately 20 to 30 percent (56 to 83 units) would be designated as permanently income-restricted pursuant to the City's MIH program at an average of 40 to 80 percent AMI depending on the MIH Option selected[2]; and 34,598-gsf of local retail uses. The Proposed Development would have an average DU size of approximately 960 gsf[3] and would maximize the permitted FAR (6.0 FAR).

The Proposed Actions are also expected to facilitate the redevelopment of two non-Applicant owned sites: Block 2403, Lot 15 (Projected Development Site 2); and Block 2403, Lot 37 (Projected Development Site 3). Projected Development Site 2 is expected to be redeveloped as a 13-story (145-foot-tall excluding a 20-foot-tall mechanical bulkhead), 63,057-gsf mixed-use residential and commercial building with 54,863-gsf of residential uses (57 DUs, of which 20 to 30 percent (11 to 17 units) would be designated as permanently income-restricted pursuant to MIH Options 1, 2, or 3) and 8,194-gsf of local retail (6.0 FAR). Projected Development Site 3 is expected to be developed into a nine-story (95-foot-tall excluding a 20-

[1] While the illustrative massing for Projected Development Site 1 shows a 25-foot bulkhead, the maximum allowable bulkhead height under zoning is 55 feet and thus is being analyzed for CEQR purposes.
[2] With the approval of City of Yes for Housing Opportunity on December 5, 2024, all eligible sites may seek to use MIH Option 3, which would designate approximately 20 percent of residential floor for households earning an average of 40 percent of AMI.
[3] Assumes 960 gsf per DU based on the average unit size of newly constructed (post-2014) rental developments built within a 1-mile radius of the Project Area.

foot-tall mechanical bulkhead) 51,309-gsf mixed-use building with 34,206-gsf of commercial office uses and 17,103 gsf of community facility uses (3.0 FAR).

In total, the three projected development sites would comprise approximately 335 DUs (approximately 321,806-gsf of residential uses), of which approximately 67 to 101units would be made permanently income-restricted under MIH Options 1, 2, or 3; 42,792-gsf of local retail uses, 34,206-gsf of commercial office space, and 17,103-gsf of community facility (medical office) space. It is expected that the three projected development sites would be constructed and fully occupied by 2030.

Urban Design

The development facilitated by the Proposed Actions would be built on an existing block and limited to the Project Area, and would not entail any changes to topography, street pattern and hierarchy, block shapes, or natural features on the Project Area or in the secondary study area. As detailed in **Attachment A, "Project Description,"** under With-Action conditions, the proposed zoning map amendment and zoning text amendment would facilitate the development of the three Projected Development Sites.

Primary Study Area (Project Area)

Buildings

In the future with the Proposed Actions, the Project Area would be improved with three new buildings totaling 437,007-gsf and ranging in height from 95 to 181.25 feet. All of the Projected Development Sites are expected to maximize their allowable FAR. Additionally, the Projected Development Sites would be built in accordance with the proposed zoning regulations, including the bulk, site design, envelope, and urban design requirements.

Projected Development Site 1 would be an 18-story, 322,641-gsf mixed-use commercial and residential building with an FAR of 6.0. Complying with the proposed zoning regulations, Projected Development Site 1 would rise to 181.25' feet (exclusive of a mechanical bulkhead). The building would cover the entirety of Lots 1 and 41 on Block 2403 and would be set back 15 feet from all three street lines after reaching its base height of 105 feet.

Projected Development Site 2 would be a 13-story, 63,057-gsf mixed-use commercial and residential building with an FAR of 6.0. Complying with the proposed zoning regulations, Projected Development Site 2 would rise to 145 feet (exclusive of a mechanical bulkhead). The building would occupy the entirety of Lot 15 on Block 2403 and be set back 15 feet from the street after reaching its base height of 105 feet.

Projected Development Site 3 would be a nine-story, 51,309-gsf mixed-use commercial and community facility (medical office) building with an FAR of 3.0. Complying with the proposed zoning regulations, Projected Development Site 3 would rise to 95 feet (exclusive of a mechanical bulkhead). The building would cover the entirety of Lot 37 on Block 2403 and be set back 15 feet from the street after reaching its base height of 65 feet.

The three remaining lots located within the Project Area, which include Block 2403, Lots 31, 33, and part of Lot 7501 are not anticipated to be developed in the No-Action or With-Action conditions. Lot 31 (342 Wythe Avenue) contains a single-story, approximately 8,633-gsf commercial building that is approximately 17-feet tall. Lot 33 (67 South 2nd Street) contains a 3,150 gsf non-conforming residential building that is approximately 33-feet tall. The portion of Lot 7501 within the Project Area is an

approximately 2,500-sf area improved with a one-story retail establishment that is approximately 15-feet tall.

Figures H-6a, H-6b, and H-6c provide illustrative views of the Projected Development Sites comparing the No-Action and With-Action development scenarios. Shown in these figures, both the No-Action and With-Action scenarios would introduce three new buildings and alter the visual setting of the Project Site. However, in comparison to the No-Action scenario, the With-Action scenario would be a modest increase in height and would help to effectively scale larger developments located on River Street with lower-rise buildings to the east of the Project Area.

With the buildings surrounding the Projected Development Sites ranging in height from low- to high-rise (refer to **Figure H-3**), the Projected Development Sites' heights would be within the range of the area's built environment and would be consistent with neighboring developments. Furthermore, the tallest development, Projected Development Site 1, would be roughly one third of height of the 51-story building located at 280 Kent Avenue, anticipated to be built directly adjacent to the Project Area. Further, the Projected Development Sites would maintain a continuous streetwall in both the No-Action and With-Action condition.

Streets & Streetscape

The Proposed Actions are limited to the Project Area and would not change the configuration of the existing blocks. New street trees would be planted along the sidewalks adjacent to the Projected Development Sites in compliance with ZR § 26-41 and would provide shade to pedestrians. Additionally, the ground-floor retail spaces and medical office would add visual interest to the area, further enhancing the pedestrian experience.

Natural Features & Open Space

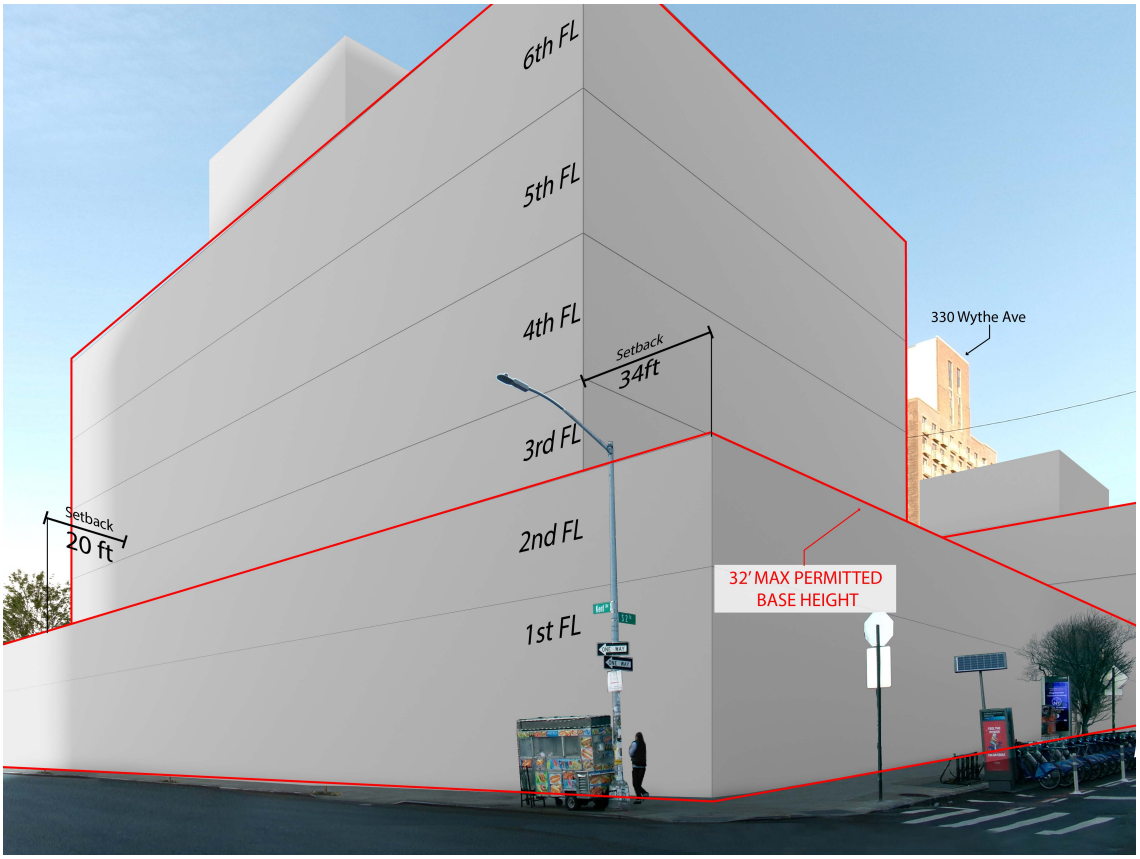
As discussed previously, the Project Area currently contains no natural features or open spaces.

Secondary Study Area (400-Foot Radius)

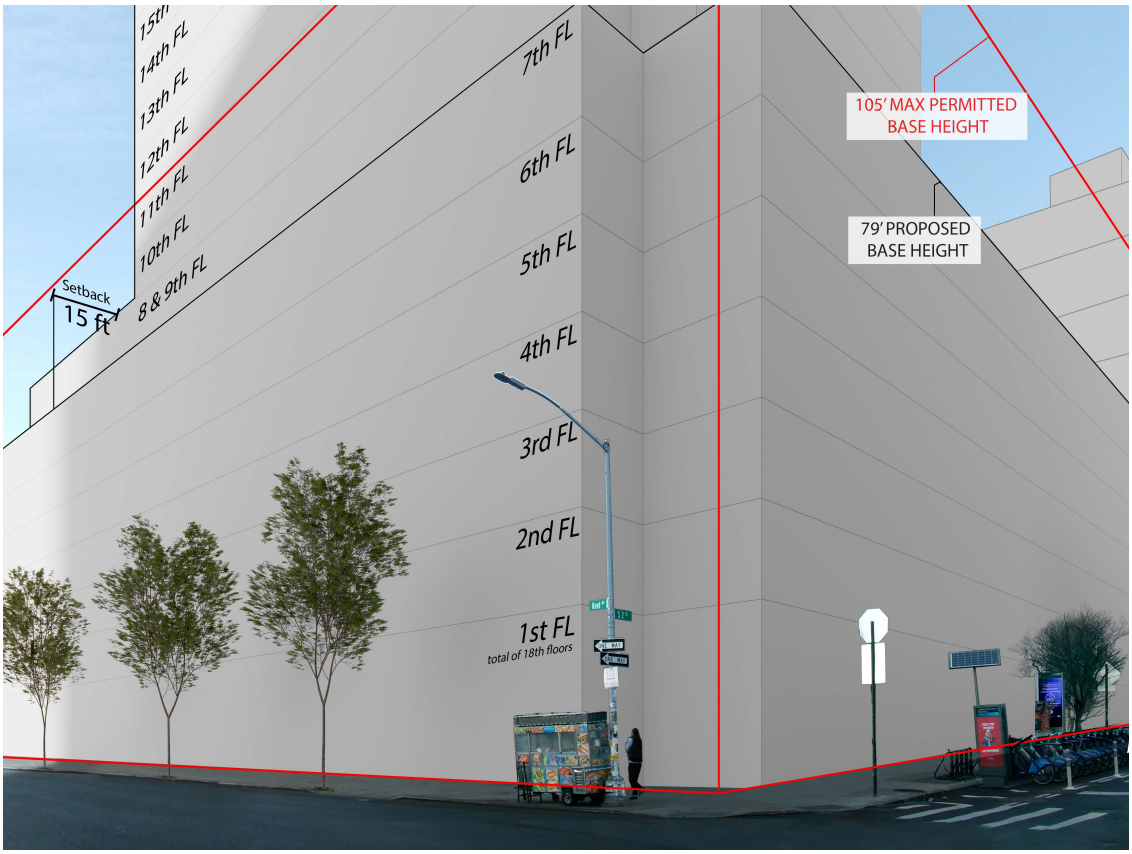
Buildings

The Proposed Actions are site-specific to the Project Area and would not result in any changes to buildings in the secondary study area. Development as a result of the Proposed Actions would result in three new buildings in the Project Area, ranging in height from 95 feet (Projected Development Site 3) to 181.25 (Projected Development Site 1). The Projected Development Sites are expected to be built to the lot lines, similar to other projected developments in the secondary study area. It is anticipated that the No-Action development projects described above (79 South 2nd Street and 280 Kent Avenue) located within the secondary study area would be completed by the 2030 analysis year. There are no other development projects planned within the secondary study area that are anticipated to be completed by the 2030 analysis year. Overall, building conditions in the study area would be generally similar to No-Action conditions, retaining the range of building heights, massing, and arrangements on sites as described above under existing and No-Action conditions. Under the With-Action condition, the building height of Projected Development Site 1 would increase from 50 feet (Lot 41) and 60 feet (Lot 1) to 181.25 feet. Projected Development Site 2 would increase in height from 35 feet to 145 feet and Projected Development Site 3 would increase in height from 50 feet to 95 feet. The streetscape of the Projected Development Sites would be consistent with the streetscape in the secondary study area due to similar street walls, building heights, and building setbacks.

Projected Development Site 1 - Illustrative Rendering



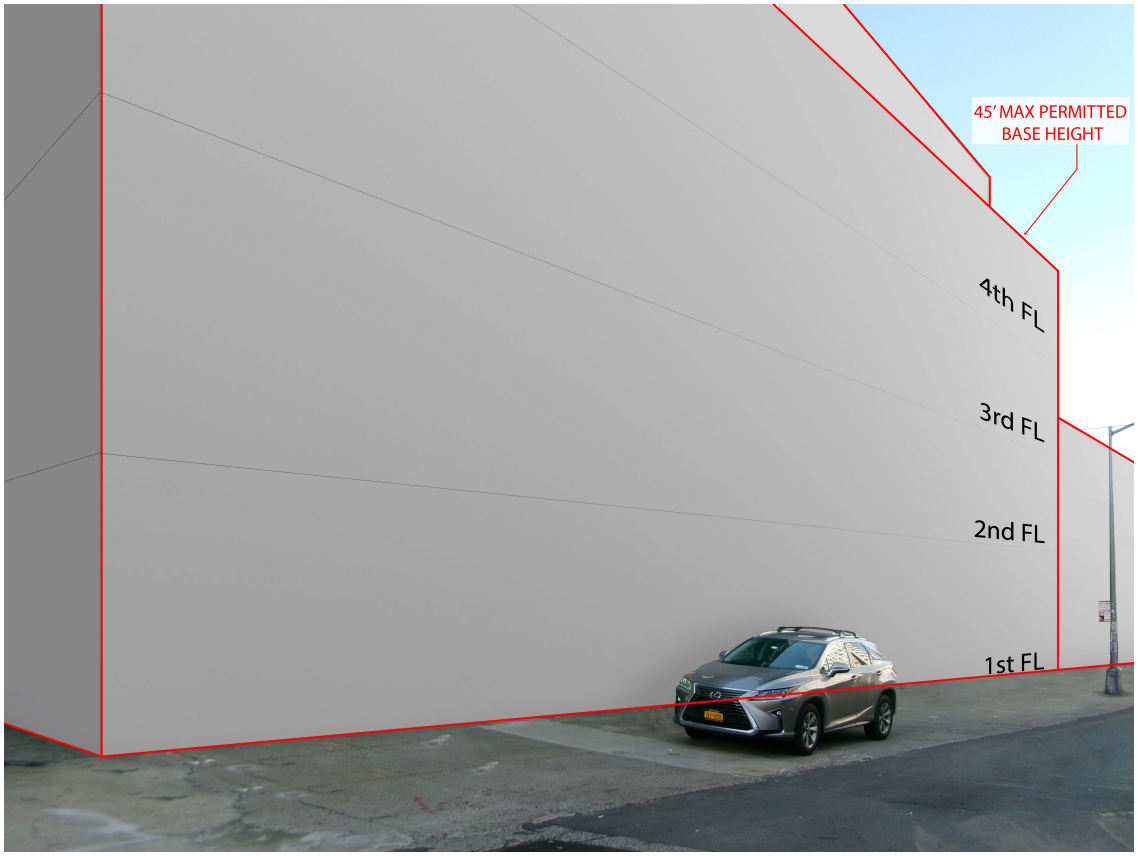
NO-ACTION RENDERING



WITH-ACTION RENDERING

**Looking northwest from Kent Avenue and South 2nd Street.*

Projected Development Site 2 - Illustrative Rendering



NO-ACTION RENDERING



WITH-ACTION RENDERING

**Looking Southwest from South 1st Street between Kent Avenue and Wythe Avenue.*

Projected Development Site 3 - Illustrative Rendering



NO-ACTION RENDERING



WITH-ACTION RENDERING

**Looking south from the corner of South 2nd Street and Wythe Avenue.*

The Projected Development Sites would also be consistent with newly constructed buildings within the secondary study area, which generally have a built FAR ranging from 5.0 to 8.0 or higher (refer to **Figure H-4**). Buildings along the waterfront have significantly higher FAR than those further inland. Similar to the scaling seen at 325 Kent Avenue at the south end of the secondary study, which contains a 14-story mixed-use commercial and residential building located directly east of a 52-story residential building at One Domino Square, the Projected Development Sites would result in an appropriate transition from adjacent tall waterfronts located west of Kent Avenue.

As shown in **Figures H-6a, H-6b, and H-6c**, the pedestrian experience would be altered by the With-Action condition through the introduction of three taller building than what is anticipated to be built in the No-Action condition. However, this change would not be incompatible or negatively affect a pedestrian's experience of public space nor would this With-Action condition result in a change to the pedestrian's experience of the existing street level façades which would likely feature transparent glass with commercial signage, under both the No-Action and With-Actions conditions.

Streets & Streetscape

The Proposed Actions would not alter any street patterns, street hierarchies, streetscape arrangements, or block forms in the secondary study area. The configuration of the street grid within the secondary study area would continue to include narrow roads and regular block sizes and would continue to carry local traffic with parking lanes on both sides of the street. All of the streets in the secondary study area would continue to be flanked by concrete sidewalks with streetlights and street trees. As described above, the Projected Development Sites would introduce new street trees along portions of the sidewalk adjacent to the Projected Development Sites in order to meet the requirements of ZR § 26-41, which would create a condition similar to and consistent within the secondary study area.

Natural Features & Open Space

The Proposed Actions would not result in changes to the secondary study area's natural features or open space. The topography of the 400-foot study area would remain generally flat, with a gradual downward slope from the Wythe Avenue to the East River waterfront. All open spaces within the secondary study area (i.e., Domino Park, Refinery Plaza, and William Sheridan Playground) would remain.

Visual Resources

Primary Study Area (Project Area)

In the future with the Proposed Actions, the Projected Development Sites would not obstruct any view corridors or alter any visual resources in the primary study area as compared to the No-Action conditions, as the new development would occur on an existing block that contains no visual resources, and no new visual resources would be introduced within the primary study area as a result of the Proposed Actions. As Projected Development Sites 1, 2, and 3 could be built to existing lot lines, all visual resources observable on the sidewalks adjacent to the primary study area in the No-Action conditions would remain free of obstruction. Therefore, the Proposed Actions would not result in any significant adverse impacts on visual resources in the primary study area.

Secondary Study Area (400-Foot Radius)

As noted above, partially obstructed views of the Manhattan skyline, East River, and Domino Park can be seen when facing west from the east-west streets and sidewalks in the secondary study area. As the

Proposed Actions are site-specific, they would not alter building uses, bulks, or arrangements in the surrounding area nor would they result in any changes to streets, blocks, topography, open spaces, or natural features in the secondary study area under the With-Action scenario. Because of this, the partially obstructed western view to the skyline would remain along the view corridors of South 1st and South 2nd Streets under the With-Action scenario. The views of the Williamsburg Bridge and the Refinery Building are generally limited to the Kent Avenue view corridor and would remain under the With-Action condition. As shown in **Figure H-6c**, the Projected Development Site would not obstruct southern views of the Bridge or Refinery building. Views of the Domino Sugar Refinery Building from South 2nd Street, at a southwestern vantage point, while accessible under existing conditions, would be obscured in both the No-Action and With-Action conditions. Additionally, views of the S/NR-eligible Fulton Bag and Cotton Mill Company Building, while currently accessible from Lot 37 (Projected Development Site 3) looking northeast under existing conditions, it would remain partially obstructed in both the No-Action condition and With-Action condition (refer to **Figure H-6a**).

The Grand Street Historic District would remain visible, looking either east or west on Grand Street between Kent Avenue and Berry Street (refer to **Figure H-5b**) in both the No-Action and With-Action condition. Additionally, the S/NR-eligible McCaddin Memorial Hall would continue to be viewable on Berry Street between South 3rd Street and South 2nd Street and the S/NR-eligible Rectory for Saints Peter and Paul Roman Catholic Church would still be viewable from the corner of Berry Street and South 3rd Street. In the future with the Proposed Actions, the context and setting of these historic resources is anticipated to remain unchanged from the future without the Proposed Actions. Therefore, while the With-Action condition would result in the construction of a taller building, as compared to existing conditions and conditions in the future without the Proposed Actions, the With-Action condition would not change views of any of these three historic visual resources located in the secondary study area.

Assessment

The Proposed Actions would not result in significant adverse impacts to urban design or visual resources in the primary study area or the surrounding secondary study area. Although the Proposed Actions would facilitate a change for the primary and secondary study areas, the Proposed Actions would not result in a significant adverse impact to urban design or visual resources. The Projected Development Sites would be constructed on an existing block and would not entail any changes to topography, street patterns, street hierarchy, block shapes, or natural features in either the primary or secondary study areas. Additionally, the Projected Development Sites would not create land uses nor structures that would be substantially incompatible with the existing and emerging character of the surrounding neighborhood. Rather, the existing vacant buildings on Projected Development Site 1 and existing surface parking lot of Projected Development Site 3 would be replaced with new, contextually appropriate buildings that would activate the surrounding streetscape and be compatible with the surrounding built environment.

As illustrated in **Figures H-6a** and **H-6b**, the secondary study area would undergo a noticeable alteration to the visual context in relation to the primary study area, with the Projected Development Sites representing a visible change to the perspective of a pedestrian adjacent to the primary study area. As shown in these figures, the Projected Development Sites would alter the visual setting of the primary study area by replacing a No-Action development scenario, with developments that are contextual to the adjacent mid- and high-rise buildings present in the surrounding area. Compared to No-Action conditions, the height of the buildings at Projected Development Site 1 would increase from three and four stories (approximately 60 feet tall) to 18 stories (approximately 181.25 feet tall) and the built FAR at the Projected Development Site would increase from 2.0 to 6.0. Similar to Projected Development Site 1, Projected Development Sites 2 and 3 would maximize allowable FARs and height under the With-Action condition.

Projected Development Site 2 would increase from a three-story, 35-foot-tall building to a 13-story, 145-foot-tall building with an FAR of 6.0. Projected Development Site 3 would increase from a 5-story, 50-foot-tall building to a nine-story, 95-foot-tall building with an FAR of 3.0.

The Projected Development Sites' bulk and height would be consistent with newer development found within the secondary study area, to the west and north of the primary study area, whose land uses (residential/commercial) are similar, and whose built FAR generally ranges between 5.8 and 13.7. Buildings along the waterfront range in height between 15 and 42 stories (with the tallest existing building located at 260 Kent Avenue, reaching up to 435 feet in height with an FAR of 13.7). Further, as described above, the no-action development at 280 Kent, directly adjacent to the Project Area, is expected to introduce an even taller and denser building to the Secondary Study Area, with the building reaching an estimated height of 545 feet and an FAR of 29.8.

The Projected Development Sites would not obstruct any views in the primary or secondary study areas from adjacent publicly accessible locations as the Proposed Actions are limited to the Project Area. As the Projected Development Sites' building envelopes would not encroach upon existing street rights-of-way, the study area vantage points (along east and west streets) where a portion of the Manhattan skyline, East River, and Domino Park are visible, would not change with approval of the Proposed Actions. The Proposed Actions would also not result in obstructed views of the Williamsburg Bridge, or the Domino Sugar Refinery building located southwest of the Project Area. The With-Action condition would not change the pedestrian experience of the identified visual resources compared to the No-Action condition. Additionally, there would be various streetscape improvements provided by the Proposed Actions including the creation of a uniform street wall along South 1st and 2nd Streets, the addition of new street trees, the widening the existing sidewalks, and an activation of ground floor spaces with retail areas.

Further, within the secondary study area, in the future with the Proposed Actions, the context and setting of the historic resources discussed above, are anticipated to remain unchanged from existing conditions and conditions in the future without the Proposed Actions. Therefore, while the With-Action condition would result in the construction of taller buildings, as compared to existing conditions and conditions in the future without the Proposed Actions, the With-Action condition would not change views of any of any of the historic visual resources located in the secondary study area.

Within both the primary study area and secondary study area, the increased density at the Projected Development Sites would be appropriate considering it would be consistent with the built environment and pedestrian experience of the study area. In the context of this specific area, the pedestrian is also exposed to other buildings of similar or greater height (e.g., the Domino Sugar Refinery Building, 260 Kent Avenue, 325 Kent Avenue, and 328 Wythe Avenue) in the secondary study area. The With-Action condition does not change the scale of surrounding buildings, nor does it obstruct important visual resources. As such, the Proposed Actions would not result in significant adverse impacts to urban design and visual resources in the primary study area or the surrounding secondary study area.

ATTACHMENT I

HAZARDOUS MATERIALS

I. INTRODUCTION

This attachment assesses the potential for the presence of hazardous materials and the potential for exposure to hazardous materials during construction of the Proposed Development; and specific measures that would be employed to protect public health, worker safety, and the environment. As described in **Attachment A**, **"Project Description",** the Applicant is seeking (1) a zoning map amendment to change the existing M3-1 district mapped on Brooklyn Block 2403, Lots 1, 15, 31, 33, 41, and portions of ["p/o"] Lots 37 and 7501 (the "Project Area") to an M1-3A/R7X (MX8) district on Lots 1, 15, and 41 and to M1-2A district on Lots 31, 33, p/o 37 and p/o 7501; and (2) a zoning text amendment to amend Zoning Resolution (ZR) Appendix F to establish Lots 1, 15 and 41 within a Mandatory Inclusionary Housing (MIH) area (collectively the "Proposed Actions"). The Proposed Actions would facilitate the construction of the Proposed Development, an approximately 322,641-gross square foot ("gsf") mixed-use residential and commercial building with up to 18-stories above grade and a single below grade cellar level at 289 Kent Avenue (Projected Development Site 1 [Block 2403, Lots 1 and 41]). The Proposed Actions are also expected to facilitate the redevelopment of two non-Applicant owned sites with residential/commercial structures: Block 2403, Lot 15 (Projected Development Site 2); and Block 2403, p/o Lot 37 (Projected Development Site 3).

A Phase I Environmental Site Assessment (ESA) was performed at Projected Development Site 1 by Singer Environmental Group, LTD (SEG) in October 2023 in accordance with ASTM Standard E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Practice*. The ESA included a visual inspection; a review of historical land use maps and local records; a review of previous environmental studies prepared for those sites; and a review of state and federal regulatory databases relating to use, generation, storage, treatment and/or disposal of hazardous materials.

II. EXISTING CONDITIONS

Topography and Subsurface Conditions

Based on the United States Geological Survey (USGS), Queens NY 7.5 Minute Quadrangle map, Projected Development Sites are approximately 25 feet above the North American Vertical Datum (NAVD) of 1988, an approximation of mean sea level.

Based on information provided in the United States Department of Agriculture (USDA) Soil Map, soil stratigraphy in the vicinity of the Projected Development Sites is expected to consist or be derived from glacial till or outwash deposits, which overlie deep glacial sands, gravels and clays. The depth to bedrock in the vicinity of the subject property is anticipated to be several hundred feet below the surface).
Based on topography and the sites' proximity to the East River, groundwater is expected to flow in a generally west-southwest direction. However, actual groundwater depth and flow direction may be influenced by other factors, including past pumping and/or subsurface obstructions such as building foundations, and other utilities. Groundwater in Brooklyn is not used as a source of potable water.

Phase I ESA Findings

The following concerns were identified by the October 2023 Phase I ESA:

- Historic Sanborn Maps dated 1918 and 1935 indicated that the Projected Development Site 1 contained gasoline tanks. Applications for fuel oil permits were identified to have been filed with the Department of Buildings.
- Based on an inspection conducted by SEG during preparation of a previous Phase I ESA in 2008, two gasoline vents were noted at Projected Development Site 1. An FDNY tank closure affidavit provided to SEG dated December 2001 noted that four gasoline tanks were "abandoned in place" and soil samples analyzed as part of the closure activities detected "no contamination." A Geophysical Investigation report prepared by Associated Environmental Services, Ltd. in February 2006 noted that a magnetometer survey conducted did not identify any anomalies consistent with an underground storage tank (UST).
- A spill was reported for the nearby 49 South 2nd Street property on January 24, 1992, for the release of No. 6 fuel oil from leaking containers. The spill was closed on January 28, 1992.

These conditions were considered Historic Recognized Environmental Conditions (HRECs) and no further action was recommended regarding the findings.

III. NO-ACTION CONDITION

Absent the Proposed Actions (the No-Action condition), the proposed zoning changes would not occur, the existing zoning would remain, and Projected Development Sites 2 and 3 would be developed as-of-right. Under the No-Action condition, Projected Development Site 1 is expected to maximize its allowable FAR of 2.0 and enlarge the existing building from 2- to 4-stories. Redevelopment of Projected Development Site 2 would enlarge the existing building into a 3-story building with light industrial/warehouse space, retail space, office space and accessory parking. Projected Development Site 3 would be redeveloped with a 5-story commercial building with retail and office space and accessory parking. The as-of-right development would adhere to all federal, state, and local requirements and regulations, including the following:

- Prior to demolition, a comprehensive asbestos survey of the existing Development Site buildings would be conducted including sampling of all suspect ACM. Based on the survey findings, all identified ACMs would be removed and disposed of in accordance with all Federal, State, and local requirements.
- Disposal of suspect mercury-containing or suspect PCB-containing equipment would be performed in accordance with applicable regulatory requirements. Any drums or containers of petroleum, chemicals, and medical/biological wastes would be properly disposed of in accordance with all Federal, State and local regulations.
- Demolition activities with the potential to disturb lead-based paint would be performed in accordance with the applicable Occupational Safety and Health Administration regulation (OSHA 29 CFR 1926.62—Lead Exposure in Construction).
- Prior to any building renovation or demolition activities, all remaining chemical, biological and/or radioactive materials would be removed from those areas of the Development Site and disposed of in accordance with all applicable regulations.

- The transportation of material leaving the site for off-site disposal would be conducted in accordance with all applicable requirements covering licensing of haulers and trucks, placarding, truck routes, manifesting, etc.
- If dewatering activities are required, it would be in accordance with local requirements for discharge to sanitary/combined sewers. Pretreatment would be performed if necessary to meet the New York City Department of Environmental Protection (DEP) requirements.

IV. WITH-ACTION CONDITION

In the future with the Proposed Actions (the With-Action condition), all three projected development sites would be rezoned and redeveloped with new multi-story (9 to 14 stories), mixed-used buildings with residential and retail space, commercial offices and community facility space. For Projected Development Site 1, the potential for hazardous materials exposure during renovation activities would be avoided by adhering to all federal, state, and local requirements and regulations as noted above in Section III and the following:

- Based on Phase I ESA findings, prior to redevelopment, a subsurface investigation of the Development Site would be performed in accordance with a New York City Department of Environmental Protection (DEP)-approved sampling protocol. As previously noted, bedrock beneath the Development Site is anticipated to be shallow and may be present directly below basement and/or sub-basement floors, which may limit the scope of the investigation.
- Based on the findings of the investigation, a site-specific RAP and CHASP would be prepared for implementation during construction and submitted to DEP for review and approval. The RAP would address requirements for items such as: soil stockpiling, soil disposal and transportation; dust control; quality assurance; and contingency measures should petroleum storage tanks or contamination be unexpectedly encountered. The CHASP would include measures for worker and community protection, including personal protective equipment, dust control, and air monitoring. DEP approval of the RAP and CHASP would be required prior to soil disturbance. Following the completion of soil disturbance, a Remedial Closure Report (RCR) would be submitted to DEP for review and approval. The RCR would document proper performance of all procedures required by the RAP and CHASP.
- If any petroleum storage tanks are unexpectedly encountered during redevelopment, such tanks would be removed, along with any contaminated soil, in accordance with applicable regulatory requirements including NYSDEC requirements relating to spill reporting and tank registration.

To avoid any potential for hazardous materials exposure on the Projected Development Sites 2 and 3, an E-designation would be placed on the tax lots and all federal, state, and local requirements and regulations would be followed. The E-designation requirements for hazardous materials are as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I ESA 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.

V. CONCLUSIONS

With the implementation of these procedures, the Proposed Actions would not result in significant adverse impacts related to hazardous materials.

ATTACHMENT J

AIR QUALITY

I. INTRODUCTION

As described in **Attachment A**, "**Project Description**," the Applicant's Proposed Development would be an 18-story (181.25-feet-tall, plus approximately 55-feet of additional height for mechanical bulkhead[1]) mixed-use residential and commercial building containing approximately 322,641-gsf of residential uses (278 DUs, of which 20 to 30 percent of units [56 to 83 units] would be designated as permanently income-restricted pursuant to MIH Option 1, Option 2, or Option 3) and 34,598-gsf of local retail uses.

Additionally, in the future with the Proposed Actions (the "With-Action Condition"), the Proposed Actions are expected to facilitate the redevelopment of two non-Applicant owned sites: Block 2403, Lot 15 ("Projected Development Site 2"); and Block 2403, Lot 37 ("Projected Development Site 3"). Projected Development Site 2 is expected to be redeveloped with a thirteen-story (145-foot tall, plus approximately 20-feet of additional height for mechanical bulkhead), 63,057-gsf (57,000-zsf) mixed-used building including 57 DUs (approximately 54,863-gsf (49,875-zsf) of residential uses), of which 11 to 17 (20 to 30 percent) would be made permanently income-restricted under MIH Options 1, 2, or 3; and 8,194-gsf (7,125-zsf) of local retail uses. Accessory parking will not be provided. Projected Development 3 is expected to be redeveloped with a nine-story (95-foot tall, plus approximately 20-feet of additional height for mechanical bulkhead), 51,309-gsf (44,616-zsf) mixed-use building containing 34,206-gsf (29,744-zsf) of commercial uses and 17,103-gsf (14,872-zsf) of community facility uses.

The potential for air quality impacts associated with the Proposed Actions is assessed in this attachment. As described in **Attachment B**, "**Supplemental Screening**", there would be a net increase of one, 25, and 10 vehicle trips (including auto, taxi, and truck trips) in the weekday AM, weekday midday, and Saturday peak hours, respectively. There would also be a net decrease of 13 vehicle trips during the weekday PM peak hour. Under the guidance of the New York City Department of City Planning (DCP) in consultation with the New York City Department of Environmental Protection (DEP), projects with relatively small trip increment are not expected to create any potential significant adverse air quality impact from mobile source. In addition, the Proposed Actions are assumed, for conservative analysis purposes, to include 38 accessory parking spaces on Projected Development Site 1, compared to up to 235 spaces in the No-Action condition, a reduction of 197 spaces. As such, a detailed mobile source impact analysis is not warranted.

The three projected development sites would not include fossil fuel-fired hot water systems; therefore, a stationary source analysis was not required.

The Project Area is located within 400 feet of manufacturing districts. Therefore, the potential for emissions from existing nearby industrial facilities to impact air quality at the Project Area was assessed. In addition, potential large or major sources in the vicinity of the Project Area were assessed.

[1] While the illustrative massing for Projected Development Site 1 shows a 25-foot bulkhead, the maximum allowable bulkhead height under zoning is 55 feet and thus is being analyzed for CEQR purposes.

II. METHODOLOGY FOR PREDICTING POLLUTANT CONCENTRATIONS

Heating and Hot Water Systems

On December 15, 2021, the New York City Council passed a bill that would effectively ban the installation of most new natural gas and other fossil fuel-fired systems in buildings in New York City (Local Law 154 of 2021). The ban would be enforced by the New York City Department of Buildings, and for buildings greater than six stories, is based on the submission of construction documents after July 1, 2027.

Projected Development Site 1 will be designed with electric-powered heating and hot water systems. As described in **Attachment A, "Project Description,"** no formal redevelopment plans under the With-Action conditions exist for the two non-Applicant-owned sites. Therefore, given the anticipated 2030 Build Year for the development of these sites, it is reasonable to assume that electric-powered equipment would be required for heating and hot water needs for each of these buildings under the With-Action scenario. Therefore, an analysis of heating and hot water systems is not required.

Additional Sources

The *CEQR Technical Manual* requires an analysis of projects that may have the potential to result in a significant adverse impact due to certain types of new uses located near a "large" or "major" emissions source. Major sources are defined as those located at facilities that have a Title V or Prevention of Significant Deterioration air permit, while large sources are defined as those located at facilities that require a State Facility Permit. To assess the potential effects of these existing sources on the Project Area, a review of NYSDEC Title V and State Facility Air permits was performed to identify any federal or state-permitted facilities. Existing large and major sources of emissions (i.e., sources having a Title V or State Facility Air Permit) within 1,000 feet of the Project Area were surveyed.

One facility with a Title V permit was identified: New York Power Authority's (NYPA) North 1st Street simple cycle power plant, which is within 1,000 feet of the Project Area. Therefore, an analysis of this emission source was performed using the AERMOD dispersion model.

AERMOD Analysis

To evaluate potential air quality impacts from the NYPA plant on the projected development sites, an analysis was performed using the American Meteorological Society (AMS)/U.S. Environmental Protection Agency (EPA) Regulatory Model (AERMOD) dispersion model.[2] AERMOD is a state-of-the-art dispersion model, applicable to rural and urban areas, flat and complex terrain, surface and elevated releases, and multiple sources and source types. AERMOD is a steady-state plume model that incorporates current concepts about flow and dispersion in complex terrain, including updated treatment of the boundary layer theory and understanding of turbulence and dispersion, and includes handling of the plume interaction with terrain. AERMOD is EPA's preferred regulatory stationary source model.

AERMOD calculates pollutant concentrations from simulated sources (e.g., exhaust stacks) based on hourly meteorological data and surface characteristics and has the capability to calculate pollutant

[2] EPA. *AERMOD Implementation Guide*. 454/B-23-009, October 2023, *AERMOD Model Formulation and Evaluation*. 454/B-23-010, October 2023 and *User's Guide for the AMS/EPA Regulatory Model (AERMOD)*. Office of Air Quality Planning and Standards. EPA-454/B-24-007, November 2024.

concentrations at locations where the plume from the exhaust stack is affected by the aerodynamic wakes and eddies (downwash) produced by nearby structures. The analysis of potential impacts from exhaust stacks assumed stack tip downwash, urban dispersion and surface roughness length, and elimination of calms.

AERMOD incorporates the Plume Rise Model Enhancements (PRIME) downwash algorithm, which is designed to predict concentrations in the "cavity region" (i.e., the area around a structure which under certain conditions may affect an exhaust plume, causing a portion of the plume to become entrained in a recirculation region). AERMOD also uses the Building Profile Input Program for PRIME (BPIPPRM) to provide a detailed analysis of downwash influences on a direction-specific basis. BPIPPRM determines the projected building dimensions for modeling with the building downwash algorithm enabled. The modeling of plume downwash accounts for all obstructions within a radius equal to five obstruction heights of the stack.

The analysis was prepared both with and without downwash to assess the worst-case impacts at elevated locations close to the height of the sources, which would occur without downwash, as well as the worst-case impacts at lower elevations and ground level, which would occur with downwash, consistent with the 2021 *City Environmental Quality Resources (CEQR) Technical Manual* guidance.

Potential fine particulate matter ($PM_{2.5}$) and nitrogen dioxide (NO_2) concentrations, added to representative background concentrations in the area, were compared with the National Ambient Air Quality Standard (NAAQS). For the analysis of the 1-hour average NO_2 concentration, AERMOD's Plume Volume Molar Ratio Method (PVMRM) module was used to analyze chemical transformation within the model. PVMRM incorporates hourly background ozone concentrations to estimate NO_x transformation within the source plume. The model applied ozone concentrations measured in 2015–2019 at the nearest available NYSDEC ozone monitoring station—the Queens College monitoring station.

Emission Rates and Stack Parameters

The NYPA plant has a natural gas combustion turbine and one low NO_x natural gas-fired boiler. The boiler is used during winter months to heat the gas turbine combustion inlet air when ambient temperature and humidity could cause icing in the turbine inlet.

Emissions data for the combustion turbine were obtained from the *307 Kent Avenue Final Environmental Impact Statement, August 2021.* The stack parameter data for the turbine and the boiler was obtained from the NYSDEC Title V permit. Per the NYCDEC Title V permit, the NO_x emission rate for the boiler were calculated using factors for low NO_x burner technology, with a maximum emission concentration of 30 parts per million (ppm). The boiler PM emissions were calculated based on emission factors obtained from the EPA *Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume I: Stationary Point and Area Sources*. $PM_{2.5}$ emissions include both the filterable and condensable components. For the $PM_{2.5}$ emissions and NO_2 emissions, the boiler capacity of 7.4 million British Thermal Units per Hour (MMBtu)/hr was used. The analysis assumes the boiler is only running during the winter months.

Stack parameters for the turbine and boiler were obtained from the NYSDEC Title V Permit application, except the exhaust temperature for the boiler, which was obtained from a survey of boiler exhaust data provided by DEP. **Table J-1** presents the emission rates and stack parameters used in the AERMOD analysis for the analyzed facility.

TABLE J-1:
Stack Parameters and Emission Rates from NYPA North 1st Street Facility

Parameter	Turbine	Boiler
Stack Height (ft)	107[(1)]	15[(1)]
Stack Diameter (ft)	12[(1)]	1.83[(1)]
Exhaust Flow Rate (m/s)	23.47[(1)]	4.8[(1)]
Exhaust Temperature (°F)	719[(1)]	307.8[(2)]
Fuel Type	Natural Gas	Natural Gas
NO_2 Short Term Emission Rate (g/s)	0.567	0.034[(3)]
NO_x Annual Emission Rate (g/s)	0.567	0.034[(3)]
$PM_{2.5}$ Short Term Emission Rate (g/s)	0.1865	0.007[(3)]
$PM_{2.5}$ Annual Emission Rate (g/s)	0.1865	0.007[(3)]

Notes:
[1] The stack height, diameter, flow rate, and temperature are based on the NYSDEC Title V Permit application.
[2] Exhaust temperature was obtained from a survey of boiler exhaust data provided by DEP.
[3] Per the NYSDEC Title V permit, the emissions were calculated assuming the boiler would only operate during the winter months.

Background Concentrations

To estimate the maximum expected pollutant concentration at a given location (receptor), the predicted impacts must be added to a background value that accounts for existing pollutant concentrations from other sources that are not directly accounted for in the model (see **Table J-2**).

TABLE J-2:
Maximum Background Pollutant Concentrations

Pollutant	Average Period	Location	Concentration (µg/m³)	NAAQS (µg/m³)
NO_2	1-hour	Queens College	103.8	188
	Annual	Queens College	28.7	100
$PM_{2.5}$	24-hour	JHS 126, Brooklyn	17.8	35
	Annual	JHS 126, Brooklyn	7.6	9

Source: New York State Air Quality Report Ambient Air Monitoring System, NYSDEC, 2017–2019.

To develop background levels for each pollutant, concentrations measured at the most representative ambient monitoring station operated by NYSDEC over a three-year period were consistent with NYSDEC guidance. For all background concentrations, the most recent year that data is available from NYSDEC is 2023; however, 2020 and 2021 data were not used because of uncertainties in the representativeness of background concentrations for these years due to effects of COVID-19, consistent with DEP guidance. More recent data were not used since NYSDEC has reported issues with the meteorological data used for air modeling (see below), and since the methodology for 1-hour NO_2 modeling requires concurrent pollutants and meteorology. Therefore, the years 2017–2019 were used to represent background concentrations.

For the analysis, total 1-hour NO_2 concentrations were refined following a more detailed approach (EPA "Tier 3"). The methodology used to determine the total 1-hour NO_2 concentrations from the facility was based on adding the monitored background to modeled concentrations, as follows: hourly modeled concentrations from the boilers were first added to the seasonal hourly background monitored concentrations; then the highest combined daily 1-hour NO_2 concentration was determined at each location and the 98th percentile daily 1-hour maximum concentration for each modeled year was

calculated within the AERMOD model; finally the 98th percentile concentrations were averaged over the latest five years.

For the analysis, total 1-hour NO_2 concentrations were refined following a more detailed approach (EPA "Tier 3"). The methodology used to determine the total 1-hour NO_2 concentrations from the facility was based on adding the monitored background to modeled concentrations, as follows: hourly modeled concentrations from the turbine and boiler were first added to the seasonal hourly background monitored concentrations; then the highest combined daily 1-hour NO_2 concentration was determined at each location and the 98th percentile daily 1-hour maximum concentration for each modeled year was calculated within the AERMOD model; finally the 98th percentile concentrations were averaged over the latest five years.

Note that the maximum modeled concentration would not necessarily coincide with the maximum background concentrations, and, therefore, this approach results in a conservatively high estimate. The annual NO_2 and $PM_{2.5}$ backgrounds are based on the maximum annual average value measured over the same three-year period.

Meteorological Data

NYSDEC-supplied meteorological data processed with the AERMET Version 19191[3] processor was used for the modeling analysis. The meteorological data set consisted of five consecutive years of meteorological data: surface data collected at LaGuardia Airport (2015–2019), and concurrent upper air data collected at Brookhaven, New York. The meteorological data provide hour-by-hour wind speeds and directions, stability states, and temperature inversion elevation over the five-year period. The meteorological data were selected to match the years selected for background concentrations.[4, 5]

Receptor Placement

Receptors (locations at which concentrations are projected) generally include operable windows in residential or other buildings, air intakes, and publicly accessible open space locations, as applicable. Discrete receptors were modeled along the façades of the projected development sites to represent potentially sensitive locations such as operable windows and intake vents. Rows of receptors at the same elevation were spaced at intervals of 25 feet (7.6 meters) along the modeled buildings. Receptors were placed at multiple elevations based on the illustrative/conceptual massings.

Industrial Sources

Nearby industrial facilities were examined to identify any potential for significant adverse impacts on future residents of the projected development sites from air toxics. All industrial and manufacturing uses within 400 feet of the projected development sites were considered for inclusion in the air quality impact analysis, as per the *CEQR Technical Manual*.

[3] EPA. User's Guide for the AMS/EPA Regulatory Model (AERMOD). Office of Air Quality Planning and Standards. EPA-454/B-24-007. Research Triangle Park, North Carolina. November 2024.
[4] Meteorological data for 2020 and 2021 were not used to avoid using concurrent ozone background data over this same period because of uncertainties in the representativeness of background concentrations for these years due to effects of COVID-19. More recent meteorological data is currently not available from NYSDEC.
[5] 2022 and later data are currently not available from NYSDEC due to issues with the upper air data.

Land use maps and aerial photographs were reviewed to identify potential sources of emissions from manufacturing/industrial operations. A search of federal, state, and city permit data within the study area was conducted using DEP's Clean Air Tracking System (CATS) database[6] and New York State Department of Environmental Conservation (NYSDEC) Permits and Registrations at all manufacturing and commercial-zoned properties.[7]

One permitted source was identified, Café Devocion, located at 69 Grand Street, which performs coffee roasting. Therefore, an analysis of this emission source was performed. Maximum potential pollutant concentrations from the identified sources were estimated based on the reference values found in Table 17-3 of the *CEQR Technical Manual*. The database provides screening factors for estimating maximum concentrations based on emissions levels at the source derived from generic AERMOD dispersion modeling for the New York City area. The impact distance was based on the minimum distance between the projected development sites and the source site (approximately 380 feet). Projected worst-case concentrations were compared with the short-term guideline concentrations (SGCs) and annual guideline concentrations (AGCs) recommended in NYSDEC's DAR-1 AGC/SGC tables.[8] These guidelines represent the airborne concentrations which are applied as a screening threshold to determine if the future residents of the Proposed Project could be significantly impacted by nearby sources of air pollution.

Emission Rates and Stack Parameters

Stack parameters and emissions data were obtained from NYSDEC (see **Table J-3)**.

TABLE J-3:
Modeled Emission Rates - Café Devocion

Pollutant	CAS#	Hourly Emission (lbs/hr)	Annual Emission (lb/yr)	Hours/Day	Days/Year
CO	00630-08-0	0.06	530	24	365
NO_x	NY210-00-0	0.17	1448	24	365
SO_2	07446-09-5	9.0E-4	8	24	365
Acetaldehyde	75-07-0	1.0E-4	0.48	24	365
Formaldehyde	82115-62-6	1.0E-4	0.77	24	365
Total Particulate Matter - PM_{10} & $PM_{2.5}$ (1)	NY075-00-0	0.1651	1,446	24	365
Total VOC	NY999-00-0	0.01	46	24	365

Note:
[1] Total particulate matter was assumed to be PM_{10} due to registration only giving emissions data for PM_{10}.

[6] DEP. *Clean Air Tracking System database*. https://a826-web01.nyc.gov/DEP.BoilerInformationExt. Accessed April 4, 2025.
[7] EPA. *Envirofacts Data Warehouse*. https://www3.epa.gov/enviro/. Accessed April 4, 2025.
[8] NYSDEC. Policy DAR-1: Guidelines for the Evaluation and Control of Ambient Air Contaminants under Part 212. February 12, 2021.

III. THE FUTURE WITH THE PROPOSED ACTIONS

Heating and Hot Water Systems

Based on the assumptions presented in this attachment, measures would be needed to avoid the potential for significant adverse impact on air quality. All requirements would be implemented through an Air Quality E-designation (E-XXX) that would be placed on the projected development sites. The modified requirements specified in the E-designations would be as follows:

Projected Development Site 1 (Block 243, Lots 1 and 41)

Any new residential or commercial development shall utilize only electrically powered heating and hot water systems, to avoid any potential significant adverse air quality impacts.

Projected Development Site 2 (Block 2403, Lot 15)

Any new residential or commercial development shall utilize only electrically powered heating and hot water systems, to avoid any potential significant adverse air quality impacts.

Projected Development Site 3 (Block 2403, Lot 37)

Any new residential or commercial development shall utilize only electrically powered heating and hot water systems, to avoid any potential significant adverse air quality impacts.

Additional Sources

Potential stationary source impacts on the Proposed Project from the existing major source were determined using the AERMOD model. The maximum estimated annual concentrations of NO_2 from the modeling were added to the background concentrations to estimate total concentrations on the proposed project, while $PM_{2.5}$ concentrations were compared with the $PM_{2.5}$ *de minimis* criteria. Total 1-hour NO_2 concentrations were determined following the refined EPA "Tier 3" approach described earlier. The results of the AERMOD analysis are presented in **Table J-4**.

TABLE J-4:
Maximum Modeled Pollutant Concentrations on the Proposed Project (µg/m^3)—N 1st Street Plant

Pollutant	Averaging Period	Maximum Modeled Impact	Background	Total Concentration	NAAQS
NO_2	Annual[1]	0.87	28.7	29.6	100
	1-hour[2]	109.5	-	109.5	188
$PM_{2.5}$	24-hour	3.40	17.8	21.2	35
	Annual	0.28	7.7	8.0	9

Notes:
[1] Annual NO_2 impacts were estimated using full conversion of NO to NO_2.
[2] Reported concentration is the maximum total 98th percentile concentration at any receptor using seasonal-hourly background concentrations.

As shown in **Table J-4**, the predicted pollutant concentrations for all of the pollutant time averaging periods shown are below their respective standards. Therefore, no potential for significant adverse air quality impacts on the proposed project from the existing large source is predicted.

Industrial Sources

Table J-5 presents the maximum potential estimated short-term and long-term concentrations of air toxic compounds from the analyzed industrial source on the Proposed Project. For each modeled compound, the table lists the SGC and AGC. As presented in the table, maximum concentrations for each air toxic compound were predicted to be below the thresholds. Therefore, no potential significant adverse air quality impacts are predicted on the Proposed Project from existing industries in the area.

Table J-5
Maximum Modeled Pollutant Concentrations on the Proposed Project (µg/m^3)—Café Devocion

Pollutant	CAS No.	Short-Term Average (µg/m^2)	SGC (µg/m^2)[1]	Annual Average (µg/m^2)	AGC (µg/m^2)[1]
Carbon Monoxide	00630-08-0	3,244.6	40,000 [4]	--	--
Oxides of Nitrogen [6]	NY210-00-0	134	188 [4]	33.9	100 [3]
Sulfur Dioxide	07446-09-5	10.63	196 [4]	1.10	80
PM_{10} [6]	NY075-00-0	47.7	150[2]	--	--
$PM_{2.5}$ [7]	NY075-02-5	26.2	35[2]	8.8	9[3]
Acetaldehyde	75-07-0	0.01	470	0.00036	0.45
Formaldehyde	82115-62-6	0.01	30	0.00058	0.06
Total VOC [5]	NY999-00-0	0.74	98,000	0.034	7,000

Notes:
[1] NYSDEC Division of Air Resources, Bureau of Stationary Sources. *DAR-1 AGS/SGC Tables.* February 2021.
[2] NAAQS for 24-hour average period.
[3] NAAQS for annual averaging period.
[4] NAAQS for 1-hour averaging period.
[5] Since VOCs are not assigned an SGC or AGC, the guideline concentrations for isopropyl alcohol were used for evaluation purposes.
[6] Assumes all NO_x is NO_2.
[7] Assumed all PM is $PM_{2.5}$.

IV. CONCLUSIONS

As described above, traffic generated by the Proposed Development would not require a mobile source air quality analysis; therefore, no significant adverse air quality impacts from mobile sources would occur. The three projected development sites would not include fossil fuel-fired hot water systems; therefore, a stationary source analysis was not required. An air quality E-designation (E-xxx) will be included for the projected development sites that requires that each development shall utilize only electrically powered heating and hot water systems, to avoid any potential significant adverse air quality impacts. An analysis of nearby industrial sources and the NYPA North 1st Street facility determined that these emission sources would not result in any exceedance of applicable standards on the proposed developments. Therefore, the Proposed Actions would not have the potential to result in significant adverse air quality impacts.

ATTACHMENT K

NOISE

I. INTRODUCTION

This attachment considers the potential for the Proposed Actions to result in significant adverse noise impacts. **Attachment A, "Project Description,"** describes the development of three new mixed-use residential buildings located in Brooklyn. Projected Development Site 1 comprises Block 2403, Lots 1 and 41, and is bound by Kent Avenue to the west, South 1st Street to the north, South 2nd Street to the south, and existing buildings to the east. Projected Development Site 2 comprises Block 2403, Lot 15, and is bounded by South 1st Street to the north, and existing buildings to the east, south, and west. Projected Development Site 3 comprises Block 2403, Lot 37, and is bounded by South 2nd Street to the south, and existing buildings to the east, north, and west.

Projected Development Site 1 would be redeveloped with an 18-story (181.25-foot-tall) building with approximately 266,943-gsf of residential uses and 34,598-gsf of local retail uses. Projected Development Site 2 is expected to be redeveloped as a 13-story (145-foot-tall) 63,057-gsf mixed-use residential and commercial building with 54,863-gsf of residential uses and 8,194-gsf of local retail. Projected Development Site 3 is expected to be developed into a 9-story (95-foot-tall) 51,309-gsf mixed-use building with 34,206-gsf of commercial office uses and 17,103-gsf of community facility uses.

In terms of mobile sources, the number of vehicle trips generated by the Proposed Project would be lower than the threshold that would require any detailed transportation analysis. Considering the small number of vehicular trips generated by the reasonable worst-case development scenario (RWCDS) for the Proposed Actions, the development would not generate sufficient traffic to have the potential to cause a significant noise impact (i.e., it would not result in a doubling of noise passenger car equivalents [Noise PCEs], which would be necessary to cause a 3 dBA increase in noise levels). Therefore, the Proposed Actions would not result in significant adverse mobile source noise impacts and further assessment is not warranted. Consequently, the noise analysis is focused on the level of building attenuation necessary to ensure that interior noise levels within the newly introduced residential uses would satisfy applicable interior noise criteria.

II. ACOUSTICS FUNDAMENTALS

Sound is a fluctuation in air pressure. Sound pressure levels are measured in units called "decibels" (dB). The particular character of the sound that we hear (e.g., a whistle compared with a diesel engine, for example) is determined by the speed, or "frequency," at which the air pressure fluctuates, or "oscillates." Frequency defines the oscillation of sound pressure in terms of cycles per second. One cycle per second is known as 1 Hertz (Hz). People can hear over a relatively limited range of sound frequencies, generally between 20 Hz and 20,000 Hz, and the human ear does not perceive all frequencies equally well. High frequencies (e.g., a whistle) are more easily discernable and therefore more intrusive than many of the lower frequencies (e.g., the lower notes on a piano).

"A"-Weighted Sound Level (dBA)

To establish a uniform noise measurement that simulates people's perception of loudness and annoyance, the decibel measurement is weighted to account for those frequencies most audible to the human ear.

This is known as the A-weighted decibel level, or "dBA," and it is the descriptor of noise levels most often used for community noise. As shown in **Table K-1**, the threshold of human hearing is defined as 0 dBA; very quiet conditions (e.g., a library) are approximately 40 dBA; levels between 50 dBA and 70 dBA define the range of noise levels generated by normal daily activity; levels above 70 dBA would be considered noisy, and then loud, intrusive, and deafening as the scale approaches 130 dBA.

TABLE K-1:
Noise Levels of Common Sources

Sound Source	SPL (dBA)
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

Source: 2021 *CEQR Technical Manual*

In considering these values, it is important to note that the dBA scale is logarithmic, meaning that each increase of 10 dBA describes a doubling of perceived loudness. Thus, the background noise in an office, at 50 dBA, is perceived as twice as loud as a library at 40 dBA. For most people to perceive an increase in noise, it must be at least 3 dBA. At 5 dBA, the change will be readily noticeable.

Sound Level Descriptors

Because the sound pressure level unit of dBA describes a noise level at just one moment and few noises are constant, other ways of describing noise that fluctuates over extended periods have been developed. One way is to describe the fluctuating sound heard over a specific time period as if it had been a steady, unchanging sound. For this condition, a descriptor called the "equivalent sound level," L_{eq}, can be computed. L_{eq} is the constant sound level that, in a given situation and time period (e.g., 1 hour, denoted by $L_{eq(1)}$, or 24 hours, denoted by $L_{eq(24)}$), conveys the same sound energy as the actual time-varying sound. Statistical sound level descriptors such as L_1, L_{10}, L_{50}, L_{90}, and L_x, are used to indicate noise levels that are exceeded 1, 10, 50, 90, and x percent of the time, respectively.

The relationship between L_{eq} and levels of exceedance is worth noting. Because L_{eq} is defined in energy rather than straight numerical terms, it is not simply related to the levels of exceedance. If the noise fluctuates little, L_{eq} will approximate L_{50} or the median level. If the noise fluctuates broadly, the L_{eq} will be approximately equal to the L_{10} value. If extreme fluctuations are present, the L_{eq} will exceed L_{90} or the background level by 10 or more decibels. Thus, the relationship between L_{eq} and the levels of exceedance will depend on the character of the noise. In community noise measurements, it has been observed that the L_{eq} is generally between L_{10} and L_{50}.

The L_{10} descriptor has been selected as the noise descriptor to be used in this evaluation. The 1-hour L_{10} is the noise descriptor used in the *CEQR Technical Manual* noise exposure guidelines when vehicular traffic is the dominant noise source.

III. EXISTING CONDITIONS

New York CEQR Noise Criteria

The *CEQR Technical Manual* sets external noise exposure standards; these standards are shown in **Table K-2.** Noise exposure is classified into four categories: acceptable, marginally acceptable, marginally unacceptable, and clearly unacceptable. The noise level specified for outdoor areas requiring serenity and quiet is 55 dBA $L_{10(1)}$.

TABLE K-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
Outdoor area requiring serenity and quiet[2]		$L_{10} \leq 55$ dBA	---------- Ldn ≤ 60 dBA ----------	NA	NA	NA	NA	NA	NA
Hospital, nursing home		$L_{10} \leq 55$ dBA		$55 < L_{10} \leq 65$ dBA	---------- 60 < Ldn ≤ 65 dBA ----------	$65 < L_{10} \leq 80$ dBA	(i) 65 < Ldn ≤ 70 dBA, (ii) 70 ≤ Ldn	$L_{10} > 80$ dBA	---------- Ldn ≤ 75 dBA ----------
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	
School, museum, library, court, house of worship, transient hotel or motel, public meeting room, auditorium, outpatient 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)	
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–10PM)	
Industrial, public areas only[4]	Note 4	Note 4		Note 4		Note 4		Note 4	

Notes:
(i) In addition, any new activity shall not increase the ambient noise level by 3 dBA or more.
(ii) *CEQR Technical Manual* noise criteria for train noise are similar to the above aircraft noise standards; the noise category for train noise is found by taking the L_{dn} value for such train noise to be an L_{dn}^{y} (L_{dn} contour) value.
[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 an 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.

[3] One may use Federal Aviation Administration (FAA)-approved L_{dn} contours supplied by the Port Authority of New York and New Jersey, or the noise contours may be computed from the federally approved Integrated Noise Model (INM) Computer Model using flight data supplied by the Port Authority of New York and New Jersey.
[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 octave band standards).
Source: New York City Department of Environmental Protection (DEP) (adopted policy 1983).

The *CEQR Technical Manual* defines attenuation requirements for buildings based on exterior noise level (see **Table K-3**). Recommended noise attenuation values for buildings are designed to maintain an interior L_{10} noise level of 45 dBA for residential and community facility uses and 50 dBA for commercial office uses when vehicular traffic is the dominant noise source.

TABLE K-3:
Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				**Clearly Unacceptable**
Vehicular Traffic	$70 < L_{10} \leq 73$	$73 < L_{10} \leq 76$	$76 < L_{10} \leq 78$	$78 < L_{10} \leq 80$	$80 < L_{10}$
Aircraft[A]	$65 < DNL \leq 68$	$68 < DNL \leq 71$	$71 < DNL \leq 73$	$73 < DNL \leq 75$	$75 < DNL$
Train	$65 < L_{dn} \leq 68$	$68 < L_{dn} \leq 71$	$71 < L_{dn} \leq 73$	$73 < L_{dn} \leq 75$	$75 < L_{dn}$
Attenuation	(I) 28 dBA	(II) 31 dBA	(III) 33 dBA	(IV) 35 dBA	See note [C]

Notes:
[A] DNL descriptor based on average values of L_{dn} 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 dBA less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.
[C] The required attenuation value is the difference between L_{build} and $L_{interior}$, using the appropriate noise descriptor
Where:
L_{build} is the projected noise level under the build condition rounded up to the whole number
$L_{interior}$ is the designed interior noise level (45 dBA for vehicular noise, 40 dBA for aircraft and train noise)
Source: New York City Department of Environmental Protection.

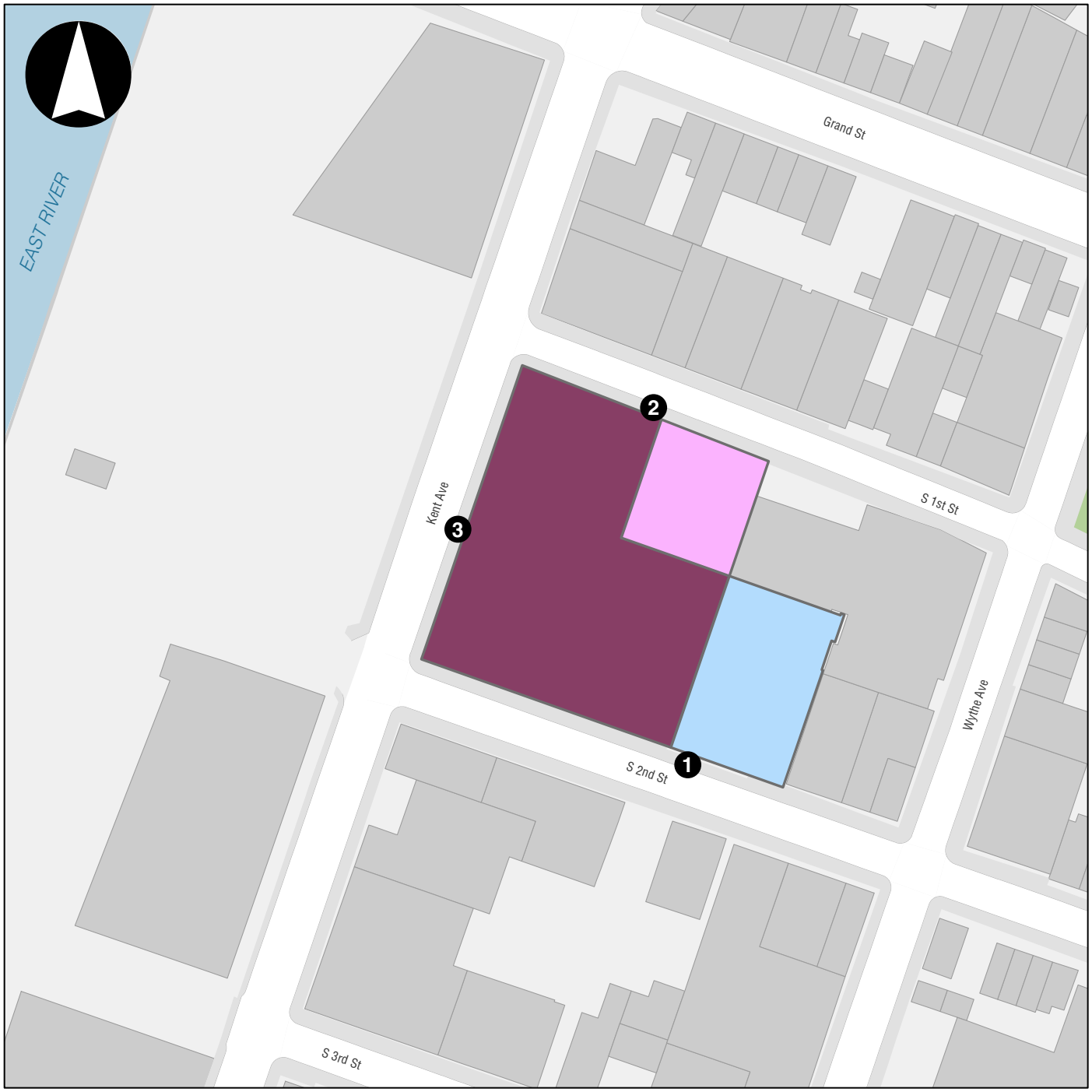
IV. EXISTING NOISE LEVELS

A total of 3 receptor locations adjacent to the Project Area were selected for evaluation of noise attenuation requirements. These locations are detailed below in **Table K-4** and shown in **Figure K-1**.

TABLE K-4:
Noise Measurement Locations

Noise Receptor Site	Location
1	South 2nd Street between Kent Avenue and Wythe Avenue
2	South 1st Street between Kent Avenue and Wythe Avenue
3	Kent Avenue between South 1st Street and South 2nd Street

At each receptor site, the existing noise levels were measured for 20-minute periods during the three weekday peak periods—AM (7:00 AM to 9:00 AM), midday (MD) (12:00 PM to 2:00 PM), and PM (4:30 PM to 6:30 PM). An additional measurement at receptor site 2 was also conducted during the school PM period (2:00 PM to 4:00 PM). At these noise measurement locations, the microphones were mounted at a height of approximately five feet above the ground surface on a tripod and approximately six feet or



Legend

- Projected Development Site 1 (Applicant-Owned)
- Projected Development Site 2 (Non-Applicant-Owned)
- Projected Development Site 3 (Non-Applicant-Owned)
- 1 Noise Receptor

more away from any large sound-reflecting surface to avoid major interference with sound propagation. Measurements at these locations were conducted on March 27, 2025, and April 1, 2025.

Equipment Used During Noise Monitoring

Measurements were performed using Brüel & Kjær SLMs Types 2250/2270, Brüel & Kjær 1/2-inch microphones Type 4189, and Brüel & Kjær Sound Level Calibrators Type 4231. The SLMs have a valid laboratory calibration within 1 year, as is standard practice. The Brüel & Kjær SLMs are Class 1 instrument according to ANSI Standard S1.4-1983 (R2006). The microphones were mounted on a tripod at a height of approximately 5 feet above the ground and was mounted at least approximately 5 feet away from any large reflecting surfaces. The SLMs were calibrated before and after readings using a Brüel & Kjær Type 4231 Sound Level Calibrator using the appropriate adaptor. Measurements were made on the A-scale (dBA). The data was digitally recorded by the sound level meters and displayed at the end of the measurement period in units of dBA. Measured quantities included Leq, L1, L10, L50, L90, and 1/3 octave band levels. A windscreen was used during all sound measurements except for calibration. All measurement procedures were based on the guidelines outlined in ANSI Standard S1.13-2005.

Noise Measurement Results

The results of the existing noise level measurements are summarized in **Table K-5**. At each receptor site, vehicular traffic on the adjacent roadway was the dominant noise source. Measured levels are low to high and reflect the level of vehicular activity. In terms of the CEQR criteria, the existing noise levels at receptor sites 1 and 2 are in the "marginally acceptable" category, and receptor site 3 is in the "marginally unacceptable" category.

TABLE K-5:
Existing Noise Levels at Receptor Sites (in dBA)

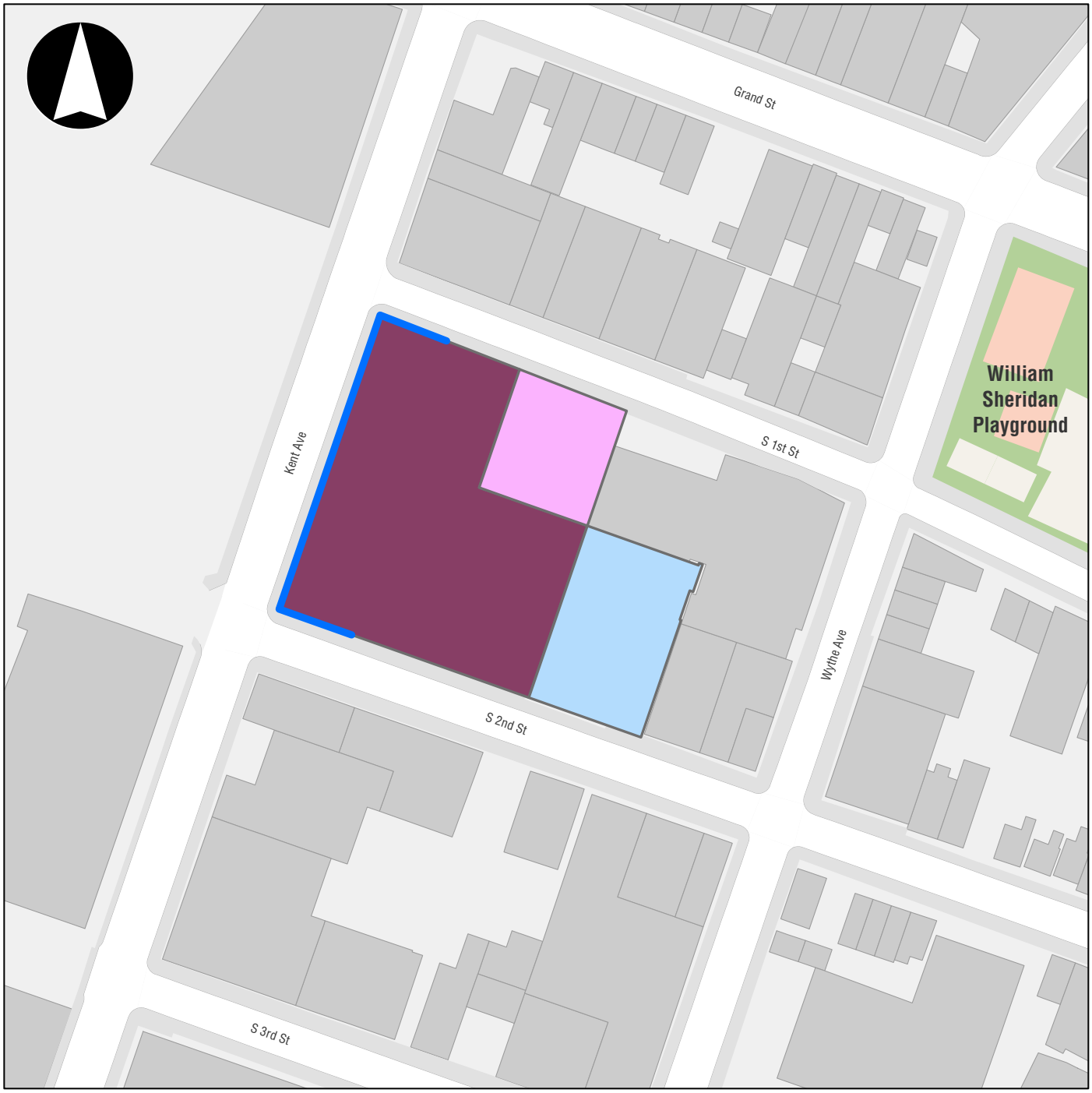
Receptor Site	Measurement Location	Time	Leq	L1	L10	L50	L90
1	South 2nd Street between Kent Avenue and Wythe Avenue	AM	61.4	72.9	63.1	57.5	55.3
		MD	62.0	70.7	65.4	59.5	54.2
		PM	57.4	65.5	61.4	54.8	53.5
2	South 1st Street between Kent Avenue and Wythe Avenue	AM	60.8	71.4	62.5	58.2	56.0
		MD	65.6	77.1	68.0	59.1	56.6
		School PM	64.4	74.0	67.5	59.8	56.3
		PM	62.1	71.7	64.6	58.2	55.7
3	Kent Avenue between South 1st Street and South 2nd Street	AM	74.6	83.2	78.3	71.5	64.0
		MD	74.2	83.4	78.2	70.4	62.0
		PM	68.1	76.3	70.3	65.1	59.7

Note: [1]Measurements were performed by AKRF on March 27, 2025, and April 1, 2025.

V. NOISE ATTENUATION MEASURES

As shown in **Table K-3**, the New York City *CEQR Technical Manual* has set noise attenuation quantities for buildings based on exterior noise levels. The results of the building attenuation analysis are summarized in **Table K-6** and **Figure K-2**.

As shown in **Table K-6**, 35 dBA would be required for residential or community facility development at Projected Development Site 1 along and within 50 feet of Kent Avenue, while commercial office use in



Legend

- Projected Development Site 1 (Applicant-Owned)
- Projected Development Site 2 (Non-Applicant-Owned)
- Projected Development Site 3 (Non-Applicant-Owned)
- 35 dBA Attenuation Required

these areas would require 30 dBA of window-wall attenuation. Additionally, to allow for the maintenance of a closed window condition, these areas would also require an alternate means of ventilation. No additional attenuation measures would be required for Projected Development Sites 2 and 3.

TABLE K-6:
CEQR Building Attenuation Requirements (in dBA)

Development Site	Building Façades	Applicable Noise Receptor	Maximum L_{10}	Attenuation Required[1]
1	East, North/South (greater than 50 feet from Kent Avenue)	1, 2	68.0	N/A[2]
	West, North/South (within 50 feet from Kent Avenue)	3	78.3	35
2	All	2	68.0	N/A[2]
3	All	1	65.4	N/A[2]

Notes:
[1] Attenuation values are shown for residential and community facility uses; commercial office uses would require 5 dBA less attenuation. Utility, corridor, stairwell, lobby, and other non-noise-sensitive uses would not require any specific level of attenuation.
[2] "N/A" indicates that the L10 value is less than 70 dBA and therefore has no minimum attenuation requirement.

To require attenuation at Projected Development Site 1, an (E) Designation (E-XXX) for noise would be applied, specifying the appropriate amount of window/wall attenuation. The text of the (E) Designation would be as follows:

Block 2403, Lots 1 and 41

> **To ensure an acceptable interior noise environment, future residential or community facility uses must provide a closed-window condition with a minimum building façade attenuation of 35 dBA on the west façade, north façade within 50 feet of Kent Avenue, and south façade within 50 feet of Kent Avenue in order to maintain an interior noise level not greater than 45 dBA for residential or community facility uses or not greater than 50 dBA for commercial office uses. The north and south façades require no building attenuation beyond 50 feet from Kent Avenue. The east and block-interior-facing façades require no building attenuation. 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.**

The attenuation of a composite structure is a function of the attenuation provided by each of its component parts and how much of the area is made up of each part. Normally, a building façade is composed of the wall, glazing, and any vents or louvers for HVAC systems in various ratios of area. Buildings proposed to be located on the (E) Designated sites would be designed to provide composite window/wall attenuation greater than or equal to the attenuation requirements listed in **Table K-6**.

By adhering to the (E) Designation described above, buildings to be developed as a result of the Proposed Actions would provide sufficient attenuation to achieve the *CEQR Technical Manual* interior noise level guidelines of 45 dBA L_{10} for residential or community facility uses and 50 dBA L_{10} for commercial office uses and therefore not experience in any significant adverse noise impacts.

VI. MECHANICAL SYSTEM

The building mechanical systems (i.e., heating, ventilation, and air conditioning systems) would be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code and the New York City Department of Buildings Code) and to avoid producing levels that would result in any significant increase in ambient noise levels. Consequently, the Proposed Actions would not result in any significant adverse impacts resulting from stationary sources of noise.

VI. CONCLUSION

Based on the projected noise levels, up to 35 dBA window/wall attenuation would be required on the west and north façades of the proposed building within 50 feet of Kent Avenue to achieve acceptable interior noise levels per the *CEQR Technical Manual* noise exposure guideline at newly introduced residential and community facility uses The requirement for this level of attenuation as well as the requirement for an alternate means of ventilation will be included in an (E) designation (E-XXX). Therefore, there would be no significant adverse noise impact with respect to building attenuation. As described above, the Proposed Actions would not result in sufficient traffic to result in any significant adverse noise impacts, and building mechanical systems would be designed to meet applicable regulations and avoid resulting in any significant adverse noise impacts. As such, the Proposed Actions would not have the potential to result in significant adverse noise impacts.

ATTACHMENT L

CONSTRUCTION

I. INTRODUCTION

This attachment summarizes the planned construction program under the Proposed Actions and assesses the potential for significant adverse impacts during the construction period. The City, state, and federal regulations and policies that govern construction are described, followed by the anticipated construction schedule, types of activities likely to occur during construction, and the measures that would be implemented to minimize the effects of construction. As described below, construction under the Proposed Actions may result in localized, temporary disruptions (as is the case with most construction activity). However, a variety of measures (e.g., traffic control plans, air emissions control, and noise control) would be employed during construction to minimize the effects of construction. With the implementation of these measures, construction under the Proposed Actions would not result in significant adverse impacts.

As described **Attachment A**, **"Project Description**,**"** the Proposed Actions would facilitate the construction of the Proposed Development, an approximately 322,641 gross square feet ("gsf") mixed-use residential and commercial retail building with up to 18-stories (181.25-feet tall) at 289 Kent Avenue ("Projected Development Site 1") in the Williamsburg neighborhood of Brooklyn. The Proposed Actions are also expected to facilitate the redevelopment of two non-Applicant owned sites on the same block, where Projected Development Site 2 is expected to be redeveloped as a 13-story, (145-feet tall) 63,057-gsf residential and commercial retail building and Projected Development Site 3 is expected to be developed as a 9-story (95-feet tall) 51,309-gsf building with commercial and community facility uses.

Construction activity associated with the Proposed Actions is expected to exceed 24 months in duration, and therefore, is categorized as long-term per 2021 *CEQR Technical Manual* guidance. Pursuant to 2021 *CEQR Technical Manual* guidance, an assessment of potential construction impacts is warranted as the Proposed Actions and associated RWCDS would result in construction activities exceeding 24 months in total duration and the construction of three sites in the same geographic area, such that there is the potential for construction timelines to overlap. The following analysis conservatively considers a 27-month construction timeframe for the Applicant's Projected Development Site 1, a 17-month construction timeframe for the non-applicant owned Projected Development Site 2, and a 17-month construction timeframe for the non-applicant owned Projected Development Site 3. As detailed in the assessment below, construction-related activities associated with the Proposed Actions' RWCDS are not expected to result in any significant adverse construction impacts.

II. GOVERNMENTAL COORDINATION AND OVERSIGHT

Construction oversight involves several city, state, and federal agencies. **Table L-1** lists the primary involved agencies and their areas of responsibility.

For projects in New York City, primary construction oversight lies with the New York City Department of Buildings (DOB), which ensures that construction projects meet the requirements of the New York City Building Code and that buildings are structurally, electrically, and mechanically safe. In addition, DOB enforces safety regulations to protect workers and the general public during construction: the areas of

oversight include installation and operation of equipment such as cranes, sidewalk sheds, safety netting and scaffolding. The New York City Department of Environmental Protection (DEP) enforces the New York City Noise Code, regulates water disposal into the sewer system as well as abatement of hazardous materials. The City of New York Department of Sanitation (DSNY) has regulatory and enforcement oversight of the storage, transport, and disposal of asbestos waste. The New York City Fire Department (FDNY) has primary oversight of compliance with the New York City Fire Code and the installation of tanks containing flammable materials. The New York City Department of Transportation (DOT)'s Office of Construction Mitigation and Coordination (OCMC) reviews and approves any traffic lane and sidewalk closures. The New York City Landmarks Preservation Commission (LPC) reviews any archaeological testing or monitoring that may be required. LPC also reviews and approves construction protection plans (CPPs) and any monitoring measures necessary to prevent damage to historic structures. The New York City Department of Parks & Recreation (NYC Parks) has oversight on tree protection and removal during construction.

TABLE L-1:
Construction Oversight in New York City

Agency	Areas of Responsibility
New York City	
Department of Buildings	Primary oversight for Building Code and site safety
Department of Environmental Protection	Noise, dewatering, hazardous materials abatement
Department of Sanitation	Storage, transport, and disposal of asbestos waste
Fire Department	Compliance with Fire Code, fuel tank installation
Department of Transportation	Lane and sidewalk closures
Landmarks Preservation Commission	Archaeological and historic architectural protection
Department of Parks & Recreation	Tree protection and removal
New York State	
Department of Labor	Asbestos Workers
Department of Environmental Conservation	Hazardous materials, and fuel/chemical storage tanks
United States	
Environmental Protection Agency	Air emissions, noise, hazardous materials, poisons
Occupational Safety and Health Administration	Worker safety

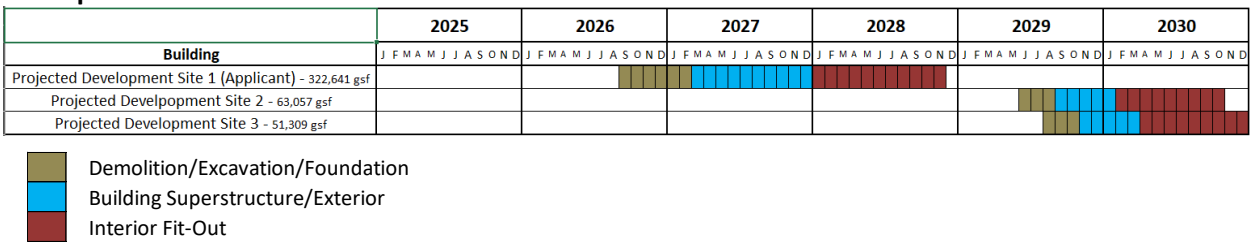
At the state level, the New York State Department of Labor (DOL) licenses asbestos workers. The New York State Department of Environmental Conservation (DEC) regulates disposal of hazardous materials, and construction and operation of bulk petroleum and chemical storage tanks. At the federal level, the U.S. Environmental Protection Agency (EPA) has wide-ranging authority over environmental matters, including air emissions, noise, hazardous materials, and the use of poisons, although much of the responsibility is delegated to the state level. The Occupational Safety and Health Administration (OSHA) sets standards for work site safety and construction equipment.

III. CONCEPTUAL CONSTRUCTION SCHEDULE AND ACTIVITIES

Construction at Projected Development Site 1 is anticipated to begin in mid/late-2026 and be complete by mid/late-2028, over an approximately 27-month period, and would consist of the following primary construction stages: demolition, excavation, foundation; superstructure construction and exteriors; and interiors and finishing (refer to **Table L-2**). Most of the construction activities would take place within Projected Development Site 1 and curb lanes immediately adjacent to the site. As shown in the table, although the overall construction period for activities at Projected Development Site 1 is anticipated to be approximately 27 months, almost half of this period (11 months from Month 17 to Month 27) would

consist primarily of interiors and finishing work, which would also be less disruptive to the surrounding area since most of the activities would occur within the enclosed building and would involve few to no pieces of heavy-duty diesel equipment compared to other construction stages. In addition, demolition, excavation and foundation activities, which are typically the most disruptive activities in terms of air quality and noise when multiple heavy-duty diesel engines are employed simultaneously, would occur for only a portion of the overall construction duration – approximately 6 months. The other stages of construction, including superstructure construction and exteriors and interiors and finishing, would result in lower noise levels and air emissions since they would require fewer pieces of heavy-duty diesel equipment. Moreover, interiors and finishing work would generally occur within an enclosed building, thereby shielding nearby sensitive receptors (i.e., residences, open spaces, etc.) from construction activities. Furthermore, air and noise emissions would be substantially reduced through implementation of the measures described under "Measures to Reduce Construction Effects."

TABLE L-2:
Conceptual Construction Schedule



Construction of Projected Development Sites 2 and 3 are each anticipated to take approximately 17 months which are considered short-term (e.g., less than two years) in accordance with the *CEQR Technical Manual* and are not expected to overlap with Projected Development Site 1's construction activities. The small footprints and short durations of construction for both Projected Development Site 2 and 3 are not expected to require a large inventory of heavy equipment or extended use of the equipment, thus further limiting potential air quality and noise effects.

Given the limited construction duration and minimal construction activities associated with Projected Development Sites 2 and 3, which would be considered short-term both individually and combined, any contributions to potential construction-period impacts would be negligible. Moreover, given that there are currently no known development plans for Projected Development Sites 2 or 3 and that any future plans must be filed with and approved by DOB prior to the permitting process, construction of Projected Developments Sites 2 and 3 are not expected to overlap with Projected Development Site 1's construction activities. The small footprints and short durations of construction for both Projected Development Site 2 and 3 are not expected to require a large inventory of heavy equipment or extended use of the equipment, thus further limiting potential air quality and noise impacts. As such, the analyses in the remainder of this attachment focus exclusively on the potential construction impacts associated with the Applicant's approximately 322,641-gsf development at Projected Development Site 1.

IV. GENERAL CONSTRUCTION PRACTICES

Hours of Work

The construction activities at the projected development sites would result in conditions typical of construction sites in New York City. Construction would be carried out in accordance with New York City

laws and regulations, which allow construction activities between 7 AM and 6 PM on weekdays. Appropriate work permits from DOB would be obtained for any necessary work outside of normal construction hours and no work outside of normal construction hours would be carried out until such permits are obtained. The numbers of workers and pieces of equipment in operation for night or weekend work would typically be limited to those needed to complete the particular authorized task. Therefore, the level of activity for any weekend or night work would be less than that of a normal workday.

Deliveries and Access

During construction, access to the projected development sites would be fully controlled. Work areas would be fenced off, and limited access points for workers and trucks would be provided. Material deliveries to the projected development sites would be controlled and scheduled. MPT plans would be developed for any required temporary sidewalk or lane narrowing and/or closures to ensure the safety of the construction workers and the public passing through the area. Approval of these plans and implementation of the closures would be coordinated with DOT's OCMC. Measures specified in the MPT plans that are anticipated to be implemented would include parking lane closures, safety signs, safety barriers, and construction fencing.

Public Safety

A variety of measures would be employed to ensure public safety during construction under the Proposed Actions, including sidewalk bridges to provide overhead protection; safety signs to alert the public about active construction work; safety barriers to ensure the safety of the public passing by construction areas; flag persons to control trucks entering and exiting the construction areas and/or to provide guidance for pedestrians and bicyclists safety; and safety nettings as the superstructure work advances upward to prevent debris from falling to the ground. All DOB safety requirements would be followed to ensure the safety of the community and the construction workers themselves.

Rodent Control

Construction contracts would include provisions for a rodent (i.e., mouse and rat) control program. Before the start of construction, the contractor would survey and bait the appropriate areas and provide for proper site sanitation. During construction, the contractor would carry out a maintenance program, as necessary. Signage would be posted, and coordination would be conducted with appropriate agencies.

V. PRIMARY CONSTRUCTION TASKS

Like most construction projects in the city, the following primary tasks would be undertaken as part of construction at Projected Development Site 1, including site preparation and demolition; excavation and foundation work; building superstructure and exterior; and interior fit-out and finishing.

Construction Preparation

Construction preparation work involves installation of public safety measures, such as fencing, gates, sidewalk sheds, and Jersey barriers. In addition, trailers for the construction engineers and managers are typically installed at the site, along with portable toilets, dumpsters for trash, and water and fuel tankers. Temporary utilities are also connected to the construction trailers. During the startup period, permanent utility connections may also be made, especially if the construction manager has obtained early electric power for construction use, but utility connections may be made at almost any time during the construction sequence.

Projected Development Site 1 is currently improved with a one-to-two-story vacant commercial office building (Lot 1) totaling 44,832-gsf and a 3-story, approximately 21,600-gsf vacant commercial office building (Lot 41), both of which would be demolished in the With-Action condition. In the demolition stage, the existing buildings would be torn down following established demolition regulations. Equipment used during the demolition stage is expected to include excavators, front end loaders, and dump trucks. Trucks would transport materials from the construction site to onward destinations such as processing facilities and landfills.

Excavation and Foundation

Excavation and foundation work, which includes the installation of foundations and below-grade elements, would commence at the development site upon completion of demolition. Sheeting would be installed along the perimeter of the construction site to hold back soil around the excavation area. Next, excavators would be used for the task of digging the building foundations. Any excavated soil to be removed from the Development Site would be loaded onto dump trucks for transport to a licensed disposal facility or for reuse elsewhere on the site or on another construction site. This stage of construction would also include construction of the building's foundation. To reduce the potential for public exposure to contaminants during excavation activities, construction activities would be performed in accordance with all applicable regulatory requirements. Site utilities (electric, water, and sewer lines) would also be installed. Equipment typically used during this period includes excavators, crane, drill rigs, dump trucks, backhoe loaders, bar benders, generators, compressors, and various power tools. Concrete pump trucks and mixer trucks are also expected to be used.

Superstructure and Exterior

Construction of the buildings' cores would include construction of the buildings' frameworks (installation of beams and columns) and floor decks; elevator shafts; vertical risers for mechanical, electrical, and plumbing systems; electrical and mechanical equipment; core stairs; and restroom areas. Exterior construction involves the installation of the façade (exterior walls, windows, and cladding and the roof). Temporary construction elevators (hoists) would be constructed for the delivery of materials and vertical movement of workers, when necessary. As the façade is installed around the building, the façade would serve as an intervening surface that would attenuate noise generated within the buildings. Equipment during this construction phase could include a crane, hoists, concrete trowels, concrete pumps, concrete trucks, delivery trucks, dump trucks, compressors, bar benders, and various power tools.

Interior and Finishing

This stage would include the construction of interior partitions, installation of lighting fixtures, amenity construction, interior finishes (floor, painting, millwork, glass and glazing, door and hardware, etc.), mechanical and electrical work (such as the installation of elevators) and plumbing and fire protections fit-out work. This stage of construction is typically the quietest, as most of the construction activities would occur within the proposed building with the facades substantially complete. This stage of construction would include the final finishing of the buildings and grounds. The use of heavy machinery would also be minimal during this stage, thereby limiting the noise and air effects on the surroundings. Equipment during this construction phase could include a crane, hoists, delivery trucks, and various power tools.

Number of Construction Workers and Material Deliveries

The number of workers and the number of truck trips associated with material deliveries vary with the scale of the project and the general construction task. **Table L-3** shows the estimated number of workers and truck deliveries to Projected Development Site 1 by calendar quarter for all construction activities, based on the anticipated construction schedule provided in **Table L-2**. As shown below in **Table L-3**, the average number of workers would be approximately 122 per day throughout the construction period and the average number of trucks would be approximately 15 per day throughout the construction period. The number of daily workers would peak at 154 during the second quarter through fourth quarter of 2027, and the number of daily construction trucks would peak at 17 during the fourth quarters of 2026 as well as the first quarter through fourth quarter of 2027.

TABLE L-3:
Average Number of Daily Workers and Trucks by Quarter – Projected Development Site 1

Year	2026				2027				2028			
Quarter	1st	2nd	3rd	4th	1st	2nd	3rd	4th	1st	2nd	3rd	4th
Workers	-	-	30	90	111	154	154	154	111	111	111	74
Trucks	-	-	6	17	17	17	17	17	11	11	11	7

	Average	Peak
Workers	110	154
Trucks	13	17

VI. ASSESSMENT OF PROPOSED ACTIONS' CONSTRUCTION EFFECTS

Construction activities are not expected to adversely affect surrounding land uses. As required by City regulations, sidewalk protection bridges and required plywood barriers would be installed to protect the public right of way. Construction of Projected Development Site 1 would follow applicable federal, state, and local laws for building and safety, as well as local noise codes/ordinances, as appropriate. Construction specifications would require that construction contractors comply with all applicable legal requirements including environmental regulations and obtain necessary permits for the duration of construction.

Construction of Projected Development Site 1 would result in temporary disruptions including construction related traffic, dust, noise, or mobile source emissions. However, these effects would be temporary and, as noted in Section VII below, would be minimized by implementation of measures to reduce construction effects.

According to the 2021 *CEQR Technical Manual*, a construction assessment is not needed for natural resources unless the construction activities would disturb a site or be located adjacent to a site containing natural resources. The Project Area and the adjacent properties are fully developed and do not contain any natural resources. Therefore, there is no potential for significant adverse construction impacts on natural resources.

Historic Resources

As detailed in **Attachment G, "Historic and Cultural Resources,"** the Applicant-owned Projected Development Site 1 is located across Kent Avenue and within 90 feet of the LPC-designated and S/NR-eligible Havemeyers & Elder Filter, Pan, and Finishing House (located on Block 2414, Lot 7503). Therefore,

in the future with the Proposed Actions, construction on Projected Development Site 1 would be subject to DOB's *TPPN #10/88*. A Construction Protection Plan (CPP) would be prepared and implemented by the Applicant for the proposed development on Projected Development Site 1 to avoid inadvertent construction-related impacts to this historic architectural resource. The CPP would contain measures to avoid construction-related impacts including ground-borne vibration and accidental damage from heavy machinery as appropriate. The CPP would be implemented by a professional engineer prior to excavation and construction activities. The CPP would be prepared consistent with *TPPN #10/88* and per the guidelines set forth in Section 522 of Chapter 9, "Historic and Cultural Resources" of the *CEQR Technical Manual*. The CPP would be provided to LPC for review and approval prior to any work on the site.

As also discussed in **Attachment G**, all three of the projected development sites are located within 90 feet of the S/NR-eligible Fulton Bag and Cotton Mills Company Building (located on Block 2403, Lot 7501 [330 Wythe Avenue]). Therefore, the S/NR-eligible Fulton Bag and Cotton Mills Company Building would be included in the CPP to be prepared by the Applicant for Projected Development Site 1. However, as this property is not listed on the S/NR or designated as a NYCL, DOB's *TPPN #10/88* would not apply to anticipated construction on Projected Development Sites 2 and 3, similar to the No-Action condition. The Proposed Actions would not facilitate construction on any new sites in the Project Area as compared to the No-Action condition, and while no additional construction protection measures would be required pursuant to *TPPN #10/88*, the S/NR-eligible building would be provided some measure of protection by the NYC Building Code for any anticipated new development on Project Development Sites 2 and 3, as discussed above.

Transportation

Traffic

As discussed above, average daily on-site construction workers and trucks were forecasted for new construction anticipated on Projected Development Site 1 in the Project Area under the With-Action condition. As shown in **Table L-3**, the number of daily workers would peak at 154 during the second through fourth quarters (Q2-Q4) of 2027. The number of daily construction trucks would peak at 17 during the fourth quarter (Q4) of 2026 through the fourth quarter (Q4) of 2027. Peak construction vehicle trip generation would likely occur during the second through fourth quarters of 2027 because the greatest number of vehicle trips would be generated as a result of the overlap between peak construction worker auto trips and peak construction truck delivery trips.

Similar to other construction projects in New York City, most of the construction activity at Projected Development Site 1 is expected to take place during the typical construction shift hours of 7:00 AM to 3:30 PM. The estimated daily vehicle trips were distributed throughout the workday based on projected work shift allocations and conventional arrival/departure patterns of construction workers and trucks. While construction truck trips would be made throughout the day (with more trips typically being made during the early morning hours), construction workers would typically commute during the hours before and after the standard work shift. For analysis purposes, each truck delivery was assumed to result in two truck trips during the same hour (one "in" and one "out"), and each truck trip was assumed to have a passenger car equivalent ("PCE") of 2.0, consistent with 2021 *CEQR Technical Manual* guidance. For construction workers, the majority (80 percent) of arrival and departure trips are expected to take place during the hour before and after each shift. For construction trucks, deliveries would typically peak during the early morning hours, with an estimated 25 percent overlapping with construction worker arrival traffic.

Based on 2000 Census reverse journey-to-work data for construction workers employed in census tracts in proximity to the Project Area[1], it is anticipated that construction workers' travel to the construction site in the Williamsburg neighborhood of Brooklyn would be primarily by motor vehicle (approximately 62.4 percent by private autos and 1.4 percent by taxi), with smaller numbers using transit (approximately 23.3 percent by subway, 2.9 by bus, and 1.4 percent by rail/ferry). Approximately 8.6 percent of construction workers are expected to travel to the construction site via walking or bicycle. It is also estimated that auto/taxi occupancy would average approximately 1.32 persons per vehicle. These trip generation assumptions were used as the basis for assessing the potential transportation-related impacts during construction.

Table L-4 shows a forecast of hourly construction worker auto and construction truck trips during the second through fourth quarters of 2027 based on the assumptions described above. As shown in **Table L-4**, it is estimated that peak construction activities would result in 82 PCEs between 6:00 AM and 7:00 AM during the peak construction period. For the 3:00 PM to 4:00 PM period, there would be a maximum of 64 PCEs associated with construction activities.

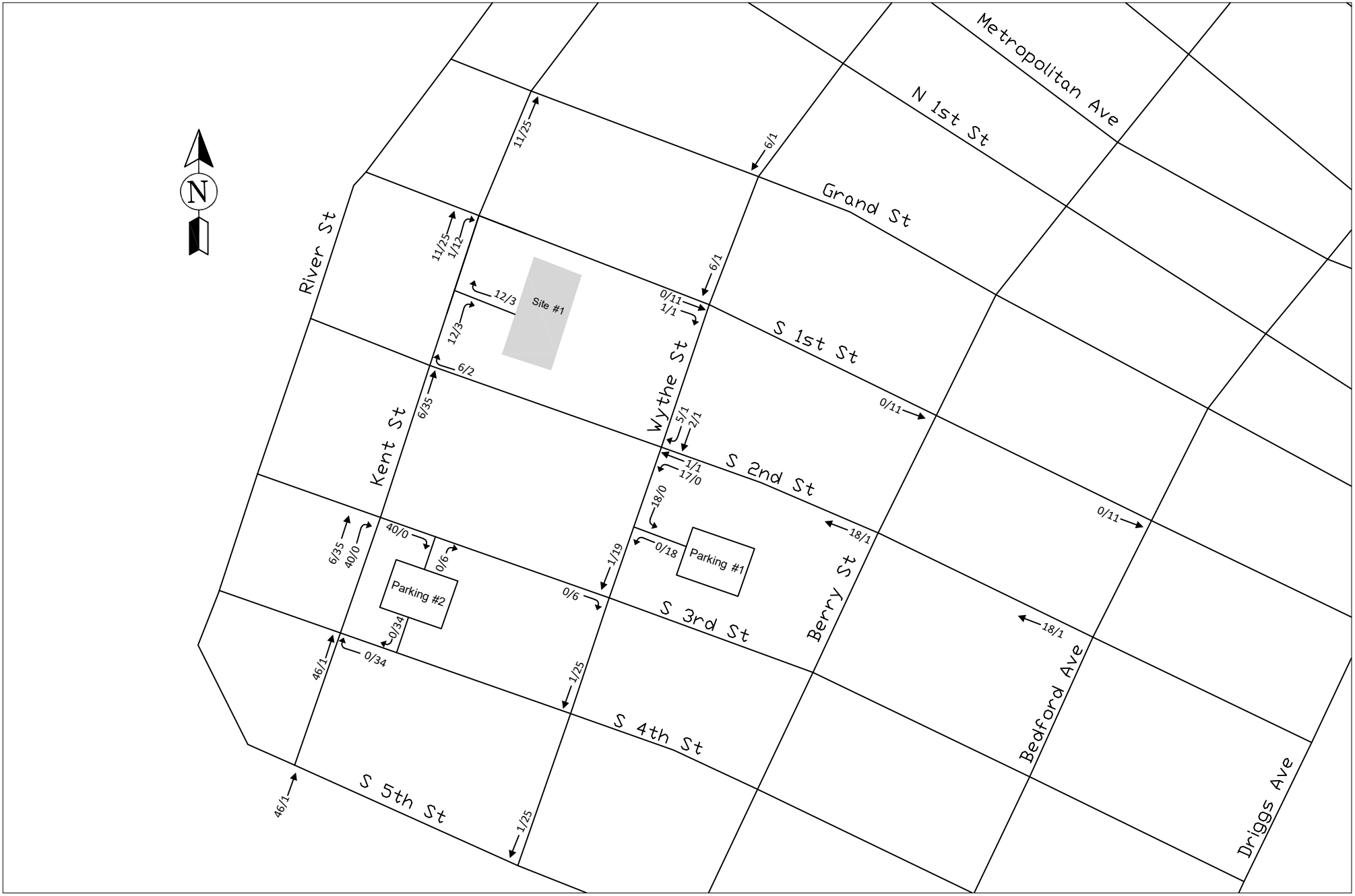
TABLE L-4:
2027 (Q2-Q4) Construction Vehicle Trip Projections (in PCEs) – Projected Development Site 1

Hour	Auto Trips			Taxi Trips			Truck Trips			Total Vehicle Trips		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
6–7 AM	58	0	58	2	2	4	10	10	20	70	12	82
7–8 AM	15	0	15	0	0	0	3	3	6	18	3	21
8–9 AM	0	0	0	0	0	0	3	3	6	3	3	6
9–10 AM	0	0	0	0	0	0	3	3	6	3	3	6
10–11 AM	0	0	0	0	0	0	3	3	6	3	3	6
11 AM–12 PM	0	0	0	0	0	0	3	3	6	3	3	6
12–1 PM	0	0	0	0	0	0	3	3	6	3	3	6
1–2 PM	0	0	0	0	0	0	2	2	4	2	2	4
2–3 PM	0	4	4	0	0	0	2	2	4	2	6	8
3–4 PM	0	58	58	2	2	4	1	1	2	3	61	64
4–5 PM	0	11	11	0	0	0	1	1	2	1	12	13
5–6 PM	0	0	0	0	0	0	0	0	0	0	0	0

As it is anticipated that no components of the Proposed Development would be fully operational during the 2027 peak construction period, there would not be any overlap between operational traffic and construction traffic.

An assignment of AM and PM peak hour construction vehicle trips (in PCEs) is shown in **Figure L-1**. The origins/destinations (O-D) for construction worker trips were based on the 2012–2016 American Community Survey ("ACS") five-year reverse journey-to-work data for census tracts proximate to the Project Area. As there would not be parking provided on Projected Development Site 1 during construction, construction workers driving to the site would seek available parking at the nearby off-street parking facilities and on-street parking. The assignment assumes that these construction workers would utilize the nearest parking facilities located within a quarter-mile of the Development Site. As shown in **Figure L-1**, it is anticipated that the 82 and 64 construction-generated vehicle trips during the construction AM and PM peak hours, respectively, would not exceed 50 vehicle trips at the nearest intersections in

[1] AASHTO CTPP 2000 reverse journey-to-work data for the area encompassed by Brooklyn census tracts 523, 549, 551, 553, & 555.



Legend = Project Site ← 1/2 = AM/PM Construction Volumes

289 Kent Avenue Rezoning EAS

Figure L-1
AM/PM Construction Assignment

proximity to the Project Area or the nearby public parking garages. As construction vehicle trips generated by the project would not exceed the 2021 *CEQR Technical Manual* 50-trip/hour analysis threshold at any intersection during the AM and PM construction peak hours, significant adverse impacts to traffic are not expected to occur in the construction peak hours during the peak construction period (second through fourth quarters of 2027).

Transit

As discussed above and shown in **Table L-3**, in the 2027 peak construction period, approximately 154 construction workers would travel to and from Projected Development Site 1 each day. As also discussed above, a total of approximately 23.3 percent, 2.9, percent, and 1.4 percent of construction workers are expected to travel to and from the Development Site by subway, bus, and rail/ferry, respectively. In addition, it is estimated that approximately 80 percent of all construction workers would arrive and depart in the peak hour before and after each shift. Therefore, it is estimated that approximately 72, 10, and four construction workers would travel to and from the Project Area via subway, bus, and rail/ferry, respectively, each day, and that approximately 29 subway trips, four bus trips, and two rail/ferry trips would occur during the 6:00 AM to 7:00 AM and 3:00 PM to 4:00 PM construction peak hours.

As peak transit demand from construction workers in the Project Area would not meet the 200 trips/hour *CEQR Technical Manual* analysis threshold for a detailed subway analysis, nor the 50 trips/hour/direction analysis threshold for a detailed bus analysis, significant adverse impacts to transit services are not expected to occur in the construction peak hours during peak construction period (second through fourth quarters of 2027).

Pedestrians

As discussed previously, it is anticipated that approximately 154 construction workers would travel to and from the Project Area during the peak construction period (first three quarters of 2027). It is conservatively assumed that all construction worker trips, regardless of primary mode of travel, would include a walk component to their journeys to and from Projected Development Site 1 (including those driving to the nearest parking available). An estimated 123 of these workers (80 percent) would arrive and depart in the peak hour before and after each shift. Therefore, peak pedestrian demand from construction workers on the Development Site would not meet the 200 trips/hour *CEQR Technical Manual* analysis threshold for a detailed pedestrian analysis, and significant adverse pedestrian impacts are not expected to occur during the peak construction period (second through fourth quarters of 2027).

Parking

As discussed above, during the peak construction period (first three quarters of 2027), it is estimated that there would be approximately 154 workers on site daily, approximately 62.4 percent of whom would be expected to travel to the Project Area by private auto. Based on an average vehicle occupancy of 1.32 persons per vehicle, the maximum daily parking demand from project site construction workers would total up to approximately 73 spaces. These workers are expected to primarily park in off-street public parking facilities in proximity to the Project Area as there would be no on-site construction parking to be provided on the development site while under construction.

Based on a parking survey conducted before the 6-7AM construction peak hour, these 73 spaces of peak construction worker parking demand could be accommodated by available off-street parking at four nearby parking facilities located within a quarter mile of the Project Area. These parking facilities include

those at 321 Wythe Avenue and 325 Kent Avenue. These facilities are located under 0.2 miles from Projected Development Site 1. Based on the surveys (conducted in April 2025), the 321 Wythe Avenue facility has approximately 25% of its 91-space capacity available and the 325 Kent Avenue facility has approximately 30% of its 725-space capacity available during the early AM period. The total available capacity in these two garages in the early AM period would be over 500 parking spaces, which would be able to accommodate the expected peak construction worker parking demand of 73 spaces. Therefore, the Proposed Actions are not expected to result in significant parking shortfall during the peak construction period (second through fourth quarters of 2027).

Air Quality

As is typical with construction projects in New York City, construction under the Proposed Actions would require use of both non-road construction equipment and on-road vehicles. Non-road construction equipment includes equipment operating on-site such as excavators, cranes, and loaders. On-road vehicles include construction delivery trucks, dump trucks, concrete trucks, and construction worker vehicles arriving at and departing from the construction site as well as operating on-site. Emissions from non-road construction equipment and on-road vehicles (mobile sources) have the potential to affect air quality. Emissions from dust-generating construction activities (i.e., truck loading and unloading operations) also have the potential to affect air quality. The 2021 CEQR Technical Manual lists several factors for consideration in determining whether a quantified on-site and/or off-site construction impact assessment for air quality is appropriate. These factors include the duration and intensity of construction activities, the location of nearby sensitive receptors, and emissions control measures.

The construction air quality assessment presented in this section includes a comparison of the air emissions from the construction of the Projected Project with the air emissions estimates for individual construction stages taken from detailed modeling analyses that have previously undergone the city environmental review and approval process. The River Ring project (CEQR No. 21DCP157K), which is located near the Proposed Project, was identified with similar building construction activities and emissions reduction program as the Projected Project and were therefore selected for the comparative assessment.

Emission Control Measures

During construction under the Proposed Actions, all necessary measures would be implemented to ensure adherence to the New York City Air Pollution Control Code to minimize construction-related air and dust emissions. Measures would be taken to reduce air pollutant emissions during construction for the Proposed Project in accordance with all applicable laws, regulations, and building codes, including:

> *Dust Control.* To minimize dust emissions from construction activities, a dust control plan including a robust watering program would be required. For example, all trucks hauling loose material would be equipped with tight-fitting tailgates and their loads securely covered prior to leaving the Project Site; and water sprays would be used for all demolition, excavation, and transfer of soils so that materials would be dampened as necessary to avoid the suspension of dust into the air. Stockpiled soils or debris would be watered, stabilized with a chemical suppressing agent, or covered. All measures required by DEP's *Construction Dust Rules* regulating construction-related dust emissions would be implemented.

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

Clean Fuel. ULSD fuel would be used exclusively for all diesel engines throughout the Project Site.

Diesel Equipment Reduction. In accordance with the New York City Noise Control Code as discussed below, under "Noise," electrically powered equipment would be preferred over diesel-powered and gasoline-powered versions of that equipment to the extent practicable. Equipment that would use grid power in lieu of diesel engines include, but may not be limited to, hoists and small equipment (such as welders).

In addition, the following measures would be implemented as Project Components Related to the Environment (PCREs) to further reduce air pollutant emissions during construction at Projected Development Site 1:

Utilization of Newer Equipment. EPA's Tier 1 through 4 standards for non-road diesel engines regulate the emission of criteria pollutants from new engines, including PM, CO, NO_x, and hydrocarbons (HC). All diesel-powered non-road construction equipment 50 horsepower (hp) or greater would meet at least the Tier 3[2] emissions standard.

Best Available Tailpipe Reduction Technologies. Non-road diesel engines with a power rating of 50 hp or greater and controlled truck fleets (i.e., truck fleets under long-term contract) including but not limited to concrete mixing and pumping trucks, would utilize the best available tailpipe (BAT) technology for reducing diesel particulate matter (DPM) emissions. Diesel particulate filters (DPFs) have been identified as being the tailpipe technology currently proven to have the highest reduction capability. Active DPFs or other technologies proven to achieve an equivalent reduction may also be used. The use of DPFs for diesel engines meeting the Tier 3 emissions standard achieves similar emission reductions as the newer Tier 4 particulate matter emission standard.

Overall, this emissions reduction program is expected to substantially reduce diesel emissions.

Duration of Construction Activities

As is typical in New York City, construction under the Proposed Actions would result in temporary disruption to the surrounding area. As detailed above, the overall construction duration for Projected Development Site 1 is anticipated to be approximately 27 months. Construction of Projected Development Sites 2 and 3 are each anticipated to take approximately 17 months which are considered short-term (e.g.,

[2] The first federal regulations for new non-road diesel engines were adopted in 1994 and adopted by EPA into regulation in a 1998 Final Rulemaking. The 1998 regulation introduces Tier 1 emissions standards for all equipment 50 hp and greater and phases in the increasingly stringent Tier 2 and Tier 3 standards for equipment manufactured in 2000 through 2008. In 2004, EPA introduced Tier 4 emissions standards with a phased-in period of 2008 to 2015. The Tier 1 through 4 standards regulate the EPA criteria pollutants, including PM, HC, NO_x and CO. Prior to 1998, emissions from non-road diesel engines were unregulated. These engines are typically referred to as Tier 0.

less than two years) in accordance with the *CEQR Technical Manual* and are not expected to overlap with Projected Development Site 1's construction activities. The small footprints and short durations of construction for both Projected Development Site 2 and 3 are not expected to require a large inventory of heavy equipment or extended use of the equipment, thus further limiting potential air quality effects. Therefore, the analysis presented below focused on the construction activities for Projected Development Site 1.

As shown in **Table L-5**, the duration of similar construction activities for the individual towers in the River Ring project is similar to the duration anticipated for Projected Development Site 1.

TABLE L-5:
Conceptual Construction Duration (Months)[1]

Construction Stage	Projected Development Site 1[2] (322,641 gsf)	River Ring[2] (1,336,000 gsf)	
		North Tower	South Tower
Demolition, Excavation, and Foundation	6	10	
Superstructure	10	11	11
Exteriors	10	12	12
Interiors and Finishing	11	10	10
Sitework	N/A	6	6
Construction Duration by Building	27	24	27
Overall Construction Duration	27	42	
Nearest Sensitive Receptor Locations	55 feet from the Proposed Project	Immediately adjacent to the Project Site	Immediately adjacent to the Project Site

Notes:
[1]Some of the construction stages listed in this table would overlap.
[2] River Ring FEIS (CEQR No. 21DCP157K).

Intensity of Construction Activities

Construction-related emissions from non-road construction equipment, mobile sources, and dust generating activities were calculated for each calendar year throughout the duration of construction on a peak day and an annual rolling basis for particulate matter ($PM_{2.5}$) (see **Figures L-2 and L-3**). $PM_{2.5}$ was selected for determining the worst-case periods for all pollutants analyzed because the ratio of predicted $PM_{2.5}$ incremental concentrations to the impact criteria is anticipated to be higher than for other pollutants.

Figure L-2: 24-Hour $PM_{2.5}$ Construction Emissions Profile

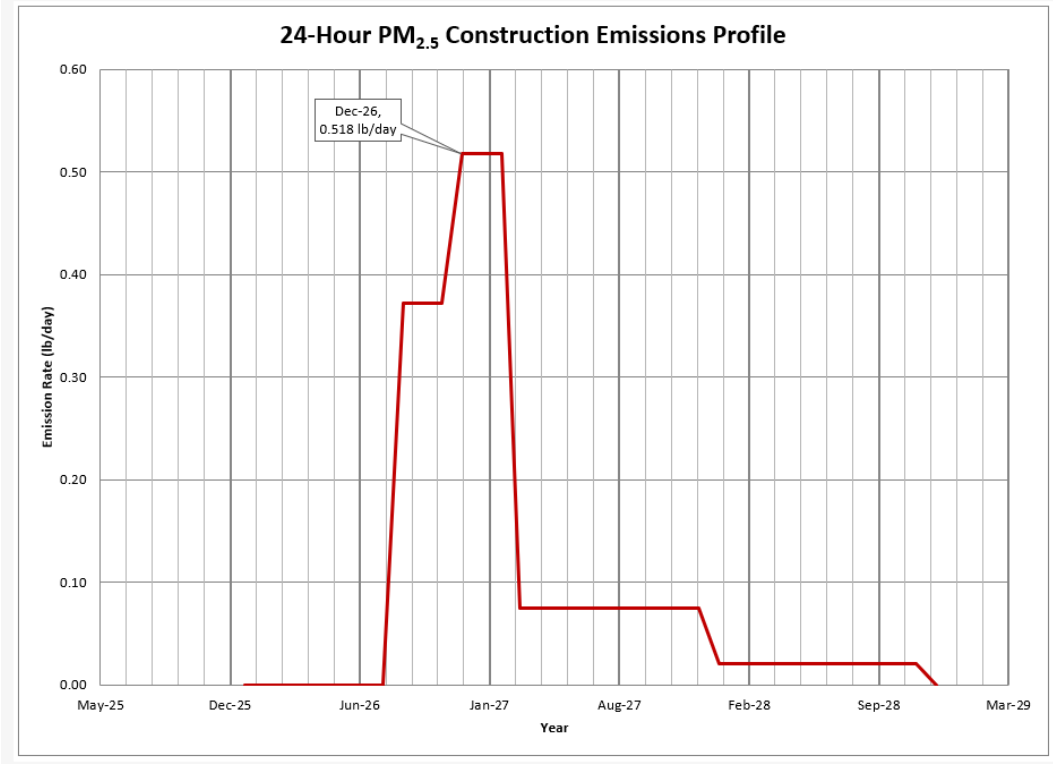
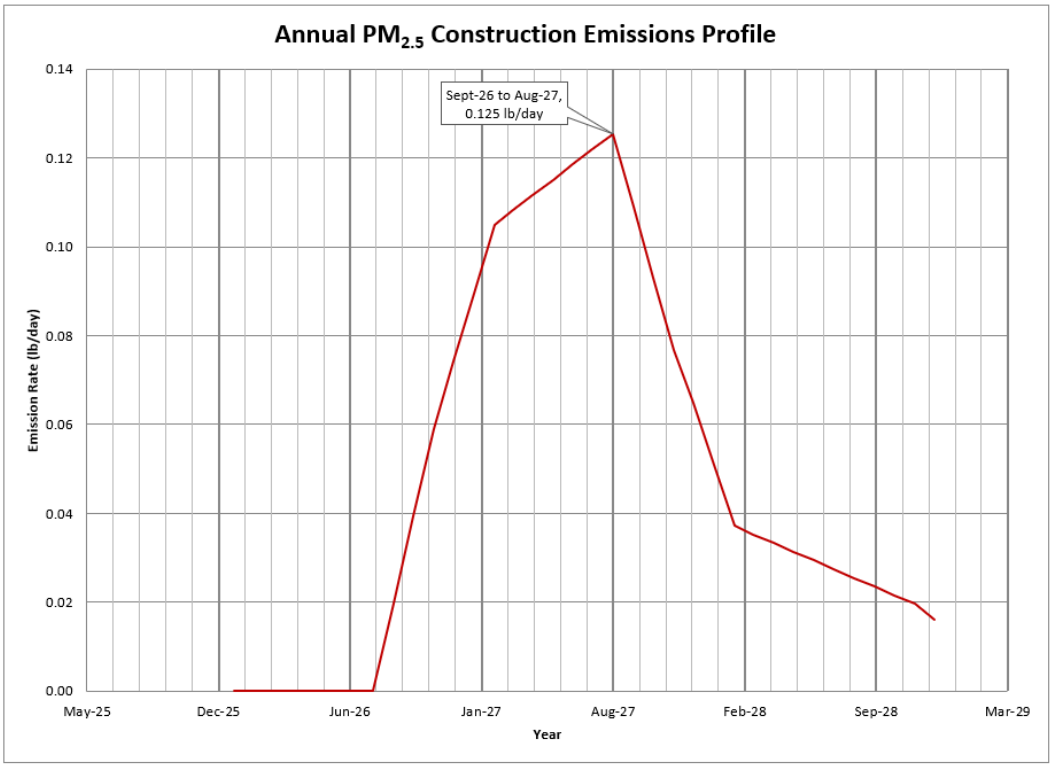


Figure L-3: Annual $PM_{2.5}$ Construction Emissions Profile



As shown in **Table L-6**, construction would result in a projected maximum short-term emission rate of 0.518 pounds of $PM_{2.5}$ per day and a maximum annual average emission rate of 0.125 pounds of PM2.5 per day in December 2026 and the annual period from September 2026 to August 2027, respectively. The maximum short-term and annual $PM_{2.5}$ emission rates predicted for Projected Development Site 1 are less than those for the River Ring project, where the maximum short-term emission rates was estimated to be 2.540 pounds per day, and the annual average emission rates range estimated to be 1.925 pounds per day. Therefore, as presented in **Table L-5**, the overall peak short-term and annual emissions associated with the construction of Projected Development Site 1 would be substantially less than those analyzed for the River Ring project, where the detailed air quality analyses performed for that project concluded that there would be no significant air quality impacts.

The approach and procedures for the construction of Projected Development Site 1 would be typical of the methods utilized in other building construction projects throughout New York City and therefore would not be considered out of the ordinary in terms of intensity. Construction sources would move around the Project Site over the construction period such that the air pollutant concentration increments would not persist in any single location.

Overall, emissions associated with the construction of Projected Development Site 1 would likely be lower than a typical project due to the emission control measures to be implemented during construction (see "Emission Control Measures" above) and comparable to other projects that were committed to implementing similar emission control measures.

TABLE L-6:
Construction Activity $PM_{2.5}$ Emissions (lb per day)

Construction Stage	Proposed Project	River Ring
Short-Term Emissions		
Overall Peak Short-Term Emissions	**0.518**	**2.540**
Annual Emissions		
Overall Peak Annual Emissions	**0.125**	**1.925**
Sources: River Ring FEIS (CEQR No. 21DCP157K)		

Location of Nearby Sensitive Receptors

The area surrounding the Proposed Project primarily consists of a mix of residential, commercial, and industrial/manufacturing uses. The nearest sensitive receptor is a residential building located on South 2nd Street approximately 55 feet south of Projected Development Site 1. During construction, there would be trucks and workers arriving at the area, as well as trucks and other vehicles backing up, loading, and unloading. These disruptions would be most pronounced in areas immediately adjacent to the construction areas but would have more limited effects on land uses in the larger study area, as most construction activities would take place within Projected Development Site 1 or possibly within portions of sidewalks and parking lanes immediately adjacent. However, as discussed above, an emissions reduction program would be implemented for the construction activities associated with Projected Development Site 1 and is expected to substantially reduce diesel emissions and minimize the effects of air quality on nearby receptors.

Conclusion

As shown in **Tables L-5 and L-6,** the construction of Projected Development Site 1 would result in similar construction duration but substantially less emission intensities as the River Ring project. Furthermore, construction under the Proposed Actions would include similar emission control measures. While construction under the Proposed Actions would result in elevated pollutant emissions at and near construction activities, emissions would be temporary in nature, with construction activities associated with Projected Development Site 1 persisting for up to approximately 27 months. Emissions sources would move throughout the site during the construction under the Proposed Actions; therefore, no single location would experience elevated emissions for the entire duration of construction. Furthermore, measures would be taken to reduce pollutant emissions during construction. For example, a watering program would be implemented to minimize dust emissions from construction activities, and all measures required by the portion of DEP's Construction Dust Rules regulating construction-related dust emissions would be strictly followed.

Therefore, since the detailed air quality analyses performed for the River Ring project concluded that there would be no significant air quality impacts, due to reasons stated above, construction under the Proposed Actions would not result in any significant adverse construction air quality impacts, and no further analysis is required.

Noise

The following analysis was completed to evaluate the magnitude and duration of noise generated by construction under the Proposed Actions, including operation of construction equipment on the construction site and construction-related vehicles traveling to and from the construction work area on adjacent roadways. The potential for noise impacts due to construction at sensitive noise receptors in proximity of activities under the Proposed Actions is discussed below.

As detailed above under "Conceptual Construction Schedule and Activities," given the limited construction duration and minimal construction activities associated with Projected Development Sites 2 and 3, which would be considered short-term both individually and combined, any contributions to potential construction-period impacts would be negligible. Moreover, given that there are currently no known development plans for Projected Development Sites 2 or 3 and that any future plans must be filed with and approved by DOB prior to the permitting process, construction of Projected Developments Sites 2 and 3 are not expected to overlap with Projected Development Site 1's construction activities. The small footprints and short durations of construction for both Projected Development Site 2 and 3 are not expected to require a large inventory of heavy equipment or extended use of the equipment, thus further limiting potential noise impacts. As such, the analysis presented below focuses exclusively on the potential construction impacts associated with the Applicant's approximately 322,641-gsf development at Projected Development Site 1.

Sound Level Descriptors

Attachment K, "Noise," defines the sound level descriptors. The $L_{eq(1)}$ is the noise descriptor recommended for use in the *CEQR Technical Manual* for vehicular traffic and construction noise impact evaluation and is used to provide an indication of highest expected sound levels. The 1-hour L_{10} is the noise descriptor used in the *CEQR Technical Manual* noise exposure guidelines. The maximum 1-hour

equivalent sound level ($L_{eq(1)}$) and maximum 1-hour L_{10} were selected as the noise descriptors used in the construction noise impact evaluation.

Construction Analysis Fundamentals

Construction activities increase noise levels as a result of (1) the operation of construction equipment on site; and (2) the movement of construction-related vehicles (i.e., worker trips, and material and equipment trips) on the roadways to and from the construction site. The combined effect of each of these noise sources was evaluated.

Noise from the on-site operation of construction equipment at a specific receptor location near a construction site is generally calculated by computing the sum of the noise produced by all pieces of equipment operating at the construction site. For each piece of equipment, the noise level at a receptor location is a function of the following:

- The noise emission level of the equipment;
- A usage factor, which accounts for the percentage of time the equipment is operating at full power;
- The distance between the piece of equipment and the receptor;
- Topography and ground effects; and
- Shielding.
- Similarly, noise levels due to construction-related traffic are a function of the following:
- The noise emission levels of the type of vehicle (e.g., auto, light-duty truck, heavy-duty truck, bus, etc.);
- Volume of vehicular traffic on each roadway segment;
- Vehicular speed;
- The distance between the roadway and the receptor;
- Topography and ground effects; and
- Shielding.

Construction Noise Impact Criteria

Chapter 22 of the *CEQR Technical Manual* breaks construction duration into "short-term" and "long-term" and states that construction noise is not likely to require analysis unless it "affects a sensitive receptor over a long period of time." Consequently, the construction noise analysis considers the potential for construction of a project to create high noise levels (the "intensity"), whether construction noise would occur for an extended period of time (the "duration"), and the locations where construction has the potential to produce noise ("receptors") in evaluating potential construction noise effects.

The noise impact criteria described in Chapter 19, Section 410 of the *CEQR Technical Manual* serve as a screening-level threshold for potential construction noise impacts. If construction of the Proposed Project would not result in any exceedances of these criteria at a given receptor, then that receptor would not have the potential to experience a construction noise impact.

If noise levels during construction would exceed the screening thresholds at a given receptor, the specific intensity and duration of construction noise level increases would be considered further to determine the potential for significant adverse impacts. Noise level increases that would be considered "objectionable" (i.e., equal to or greater than 15 dBA) lasting 12 consecutive months or more and noise level increases

considered "very objectionable" (i.e., equal to or greater than 20 dBA)[3] lasting three consecutive months or more could be considered significant impacts.

For receptors representing interior spaces (i.e., not open space) where construction of the Proposed Project is predicted to result in objectionable noise level increments lasting 12 consecutive months or more or very objectionable noise level increments lasting three consecutive months or more, and where the façade attenuation can be determined based on readily available information, interior noise levels may also be considered in the determination of impact significance. Portions of the construction period during which predicted interior noise levels would be in the acceptable range (i.e., not greater than 45 dBA for residential and community facility uses or not greater than 50 dBA for commercial office uses), would not be counted toward the consecutive duration of construction noise impact as described above.

Cumulative Truck and On-Site Equipment Noise Analysis Methodology

General Construction Noise Analysis Methodology

The methodology for construction noise analysis includes the following steps:

1. *Select analysis hours for cumulative on-site equipment and construction truck noise analysis*. The 7:00 AM to 8:00 AM hour was selected as the analysis hour because this would be the hour when the highest number of truck trips to and from the construction site would overlap with on-site equipment operation.
2. *Select receptor locations for construction noise analysis.* Selected receptors represent open space, residential, commercial office, or other noise-sensitive uses potentially affected by the construction associated with the proposed project during operation of on-site construction equipment and/or along routes taken to and from the Development Site by construction trucks.
3. *Establish existing noise levels at selected receptors.* Existing condition noise levels were measured at three locations representing receptors near the proposed construction area. The noise measurement procedures were the same as those used for the operational noise analysis (see Attachment K, "Noise"). A CadnaA model representing the existing conditions (including existing building geometry and existing condition traffic levels) was validated based on the measured existing noise levels and used to calculate baseline noise levels at the other noise receptor locations included in the analysis.
4. *Establish worst-case noise analysis periods under the anticipated construction schedule.* The worst-case noise analysis periods were selected to be the periods during the construction schedule that would be expected to have the greatest potential to result in construction noise effects. The selected time periods are described below in the "Analysis Periods" section.
5. *Calculate construction noise levels for each analysis period at each receptor location*. Given the on-site equipment and construction truck trips expected during each of the analysis periods, and the location of the equipment, which is based on construction logistics diagrams and construction truck and worker vehicle trip assignments, a CadnaA model for each analysis period was created. All models include each of the construction noise sources during the analysis period and hour, calculation points representing multiple locations on various façades and floors of the associated

[3] Definition of "objectionable" and "very objectionable" noise level increases based on Table B from the "New York State Department of Environmental Conservation Assessing and Mitigating Noise Impacts" policy manual, revised February 2001.

receptors previously identified, as well as the noise control measures that would be used on the construction site.

6. *Determine total noise levels and noise level increments during construction.* For each analysis period and each noise receptor, the calculated level of construction noise was logarithmically added to the existing noise level to determine the cumulative total noise level. The existing noise level at each receptor was arithmetically subtracted from the cumulative noise level in each analysis period to determine the noise level increments.
7. *Compare construction noise increments to impact criteria*. For each analysis period and each noise receptor, the predicted noise increment due to construction was compared to CEQR noise impact thresholds and objectionable or very objectionable noise increase thresholds as described above.
8. *Estimate interior noise levels*. At receptors representing interior locations where noise increments due to construction were predicted to exceed incremental construction noise impact thresholds, window/wall attenuation was estimated based on field observations. Maximum predicted construction noise levels and estimated window/wall attenuation were used to estimate interior noise levels.
9. *Establish construction noise duration*. For each receptor, the noise level increments in each analysis period were evaluated to determine the duration during construction that the receptor would experience exceedances of impact criteria.
10. *Identify potential construction noise impacts.* Based on the affected area, magnitude, and duration of predicted construction noise, a determination was made as to whether construction under the Proposed Actions would have the potential to result in significant adverse construction noise impacts.

Noise Receptor Sites

A noise-sensitive receptor is defined in Chapter 19, "Noise," Section 114 of the *CEQR Technical Manual* and includes indoor receptors such as residences, hotels, health care facilities, nursing homes, schools, houses of worship, court houses, public meeting facilities, museums, libraries, theaters, and commercial offices. Outdoor sensitive receptors include parks, outdoor theaters, golf courses, zoos, campgrounds, and beaches.

Within the study area, multiple receptor locations close to the construction areas were selected for the construction noise analysis to represent buildings or noise-sensitive open space locations that have the potential to experience elevated noise as a result of construction. These receptors were located adjacent to planned areas of activity or streets where construction trucks would pass. At some buildings, multiple façades were analyzed as receptors. At buildings with multiple floors, noise receptors at multiple elevations were analyzed. Receptors at street level were used to represent open space locations. The receptor sites selected for detailed analysis represented locations where maximum project effects due to construction noise would be expected.

Within the study area, 54 receptor locations were selected for the construction noise analysis. This includes 52 existing receptor locations and 2 future receptor locations. **Table L-1** lists the noise measurement sites (i.e., sites M1 to M3) as well as the noise receptor sites (i.e., sites 1 to 54) and the associated land use at these sites. These receptor locations are also shown in **Figure L-1**.

TABLE L-1:
Noise Receptors by Location and Land Use

Receptor	Location	Block / Lot	Associated Land Use
M1	South 2nd Street between Kent Avenue and Wythe Avenue	N/A	N/A
M2	South 1st Street between Kent Avenue and Wythe Avenue	N/A	N/A
M3	Kent Avenue between South 1st Street and South 2nd Street	N/A	N/A
1	35 Grand Street	Block 2378 / Lot 42	Residential with Commercial Below
2	57 Grand Street	Block 2378 / Lot 7503	Residential with Commercial Below
3	265 Wythe Avenue	Block 2379 / Lot 7501	Residential with Commercial Below
4	55 South 1 Street	Block 2390 / Lot 33	Residential
5	49 South 1 Street	Block 2390 / Lot 36	Residential
6, 7	238 Berry Street	Block 2391 / Lot 1	Public Facilities and Institutions
8-12	330 Wythe Avenue	Block 2403 / Lot 7501	Residential with Commercial Below
13	297 Wythe Avenue	Block 2404 / Lot 7	Residential
14	291 Wythe Avenue	Block 2404 / Lot 10	Residential
15, 16	70 South 1 Street	Block 2404 / Lot 12	Residential
17	78 South 1 Street	Block 2404 / Lot 16	Residential
18	88 South 1 Street	Block 2404 / Lot 20	Residential
19	260 Berry Street	Block 2404 / Lot 24	Residential with Commercial Below
20	268 Berry Street	Block 2404 / Lot 28	Residential
21	99 South 2 Street	Block 2404 / Lot 33	Residential
22, 23	91 South 2 Street	Block 2404 / Lot 38	Residential
24, 25	75 South 2 Street	Block 2404 / Lot 45	Residential
26	271 Berry Street	Block 2405 / Lot 8	Residential
27	103 South 2 Street	Block 2405 / Lot 46	Residential
28	Domino Park	Block 2414 / Lot 1	Open Space and Outdoor Recreation
29-31	266 Kent Avenue	Block 2414 / Lot 7501	Residential with Commercial Below
32	54 South 2 Street	Block 2415 / Lot 19	Residential with Commercial Below
33, 34	348 Wythe Avenue	Block 2415 / Lot 26	Residential with Commercial Below
35	37 South 3 Street	Block 2415 / Lot 38	Residential with Commercial Below
36	29 South 3 Street	Block 2415 / Lot 7501	Residential
37	46 South 2 Street	Block 2415 / Lot 7502	Residential
38, 39	62 South 2nd Street	Block 2415 / Lot 7503	Residential with Commercial Below
40-42	321 Wythe Avenue	Block 2416 / Lot 1	Residential
43, 44	317 Wythe Avenue	Block 2416 / Lot 6	Residential with Commercial Below
45	94 South 2 Street	Block 2416 / Lot 18	Residential
46, 47	55 South 3 Street	Block 2416 / Lot 43	Residential
48-50	325 Kent Avenue	Block 2428 / Lot 1	Residential with Commercial Below
51	62 South 3 Street	Block 2428 / Lot 25	Residential
52	64 South 3 Street	Block 2429 / Lot 1	Residential
53, 54	Domino Sugar Building B	Block 2414 / Lot 3	Residential with Commercial Below

Construction Noise Modeling

Noise effects from construction activities were evaluated using the CadnaA model, a computerized model developed by DataKustik for noise prediction and assessment. The model can be used for the analysis of a wide variety of noise sources, including stationary sources (e.g., construction equipment, industrial equipment, power generation equipment), transportation sources (e.g., roads, highways, railroad lines,

busways, airports), and other specialized sources (e.g., sporting facilities). The model takes into account the reference sound pressure levels of the noise sources at 50 feet, attenuation with distance, ground contours, reflections from barriers and structures, attenuation due to shielding, etc. The CadnaA model is based on the acoustic propagation standards promulgated in International Standard ISO 9613-2. This standard is currently under review for adoption by the American National Standards Institute (ANSI) as an American Standard. The CadnaA model is a state-of-the-art tool for noise analysis and is approved for construction noise level prediction by the *CEQR Technical Manual*.

Geographic input data used with the CadnaA model included site work areas, adjacent building footprints and heights, locations of streets, and locations of sensitive receptors. For each analysis period, the approximate geographic location and operational characteristics—including equipment usage rates (percentage of time operating at full power) for each piece of construction equipment operating at the proposed development site, as well as noise control measures—were input to the model.

Construction equipment source strength was determined by the L_{max} levels presented in Table 22-1 of the *CEQR Technical Manual*. For construction equipment not included in this table, other reference sources, manufacturer specifications, or field measured noise levels were used.

In addition, construction-related vehicles were assigned to the adjacent roadways. The model calculated A-weighted $L_{eq(1)}$ noise levels at each receptor location for each analysis period, as well as the contribution from each noise source. The $L_{10(1)}$ noise levels were conservatively estimated by adding 3 dBA to the $L_{eq(1)}$ noise levels, as is standard practice.

Analysis Time Period Selection

The construction noise analysis estimated construction noise levels based on projected activity and equipment usage as well as the level of construction traffic for various stages of construction under the Proposed Actions.

Based on the anticipated construction schedule and preliminary construction estimates, specific time periods during construction were selected for detailed analysis. The periods were selected to capture each major construction stage (e.g., demolition, foundation work, superstructure work, interior/exterior fit-out work) at the building to be constructed, including major overlaps of construction stages. These would be the time periods with the potential to result in the maximum incremental construction noise at nearby receptors. Each analysis time period conservatively represented 3 to 11 months of time based on the duration of activities that would be underway during the time period.

The four worst-case time periods selected for the detailed construction noise analysis are shown in **Table L-2**.

TABLE L-2:
Summary of Construction Noise Analysis Periods

Analysis Period	Construction Activities
September 2026 – November 2026	Excavation
December 2026 – January 2027	Foundations
March 2027 – December 2027	Superstructure
January 2028 – November 2028	Superstructure, Exteriors, and Interiors

Determination of Non-Construction Noise Levels

Noise generated by construction activities (calculated using the CadnaA model as described above) were added to baseline (i.e., non-construction) noise levels, including noise generated by non-construction traffic on adjacent roadways, to determine the total noise levels at each receptor location. Baseline noise levels were calculated using the CadnaA model using existing condition traffic data. The existing conditions CadnaA model included the noise measurement locations described in Attachment K, "Noise," for the purpose of validating the calculated existing condition noise level modeling.

Evaluation of Construction Noise Levels

The predicted exterior noise level increments during construction under the Proposed Actions at the analyzed receptor sites were compared to the construction noise impact thresholds described above. At the noise-sensitive receptors that experience exceedances of these thresholds during the analysis periods as determined above, the duration of exceedance of each impact threshold was determined. The significance of exceedances was determined based on the predicted magnitude and duration of the construction noise at these locations according to the criteria described above. Based on the incremental noise level increase, overall exterior noise levels for each analysis period were also determined.

Noise Reduction Measures

Construction activities must follow the requirements of the *New York City Noise Control Code* (also known as Chapter 24 of the *Administrative Code of the City of New York,* or Local Law 113) for construction noise control measures. Specific noise control measures would be incorporated in noise mitigation plan(s) required under the *New York City Noise Control Code.* These measures could include a variety of source and path controls.

In terms of source controls (i.e., reducing noise levels at the source or during the most sensitive time periods), the following measures for construction, under New York City regulations, would be implemented*:*

- Equipment that meets the sound level standards specified in Subchapter 5 of the *New York City Noise Control Code* and Table 22-1 of the 2021 *CEQR Technical Manual* would be utilized from the start of construction. **Table L-3** shows the noise levels for typical construction equipment and the mandated noise levels for the equipment that would be used for construction under the Proposed Actions.
- As early in the construction period as logistics allows, diesel- or gas-powered equipment would be replaced with electrical-powered equipment such as welders, water pumps, bench saws, and table saws (i.e., early electrification) to the extent feasible and practicable. Where electrical equipment cannot be used, diesel or gas-powered generators and pumps would be located within buildings to the extent feasible and practicable.
- Where feasible and practicable, the construction site would be configured to minimize back-up alarm noise. In addition, all trucks would not be allowed to idle more than 3 minutes at the construction site based upon Title 24, Chapter 1, Subchapter 7, Section 24-163 of the New York City Administrative Code.
- Contractors and subcontractors would be required to properly maintain their equipment and mufflers.

In addition, the source controls listed below would be implemented as project commitments for the construction of the Proposed Project beyond the regulations listed above and would be included in the PCREs*:*

- As shown in **Table L-3**, generators would be required to meet the mandated noise levels to be used for construction of the Proposed Development.
- No impact pile or sheeting driving would be utilized for construction of the Proposed Project.

TABLE L-3:
Construction Equipment Noise Emissions in dBA

Equipment List	Typical L_{max} Noise Level at 50 feet[1]	Project-Specific Noise Level at 50 feet
Auger Drill Rig	85	
Bar Bender	80	
Compressor	80	
Concrete Mixer Truck	85	
Concrete Pump Truck	82	
Concrete Trowel (Walk Behind)	70	
Cranes (mobile or stationary)	85	
Excavator	85	
Front End Loader	80	
Generator	82	72
Hoist	75	
Pumps	77	

Notes:
[1] Rules for Citywide Construction Noise Mitigation, Chapter 28, DEP, 2007, except where noted.

In terms of path controls (e.g., placement of equipment, implementation of barriers or enclosures between equipment and sensitive receptors), the following measures for construction, under New York City regulations, would be implemented:

- Where logistics allow, noisy equipment, such as cranes, concrete pumps, concrete trucks, and delivery trucks, would be located away from and shielded from sensitive receptor locations.
- Noise barriers constructed from plywood or other materials would be utilized to provide shielding (e.g., the construction would have a minimum 8-foot-tall barrier around the perimeter).
- Path noise control measures (i.e., portable noise barriers, panels, enclosures, and acoustical tents) for certain dominant noise equipment as necessary to remain consistent with **Table L-3**. The details to construct portable noise barriers, enclosures, tents, etc. are shown in DEP's *Rules for Citywide Construction Noise Mitigation.*4

In addition, the path controls listed below would be implemented as a project commitments for the construction of the Proposed Project beyond the regulations listed above and would be included in the PCREs:

- Concrete operations (i.e., concrete pump and concrete truck washout) would be staged inside the site-perimeter noise barrier along South 1st Street.

[4] As found at http://www.nyc.gov/html/dep/pdf/noise_constr_rule.pdf

- During concrete operations, the noise barrier along the area where concrete operations are staged would be 12 feet tall and cantilevered towards the work area, and 8 feet tall along any remaining perimeter.

Construction Noise Analysis Results

Construction Mobile Sources (6:00 AM to 7:00 AM)

As described above in the "Traffic" section, the volume of traffic resulting from construction worker vehicles and deliveries would not exceed the 50 vehicle trips at the nearest intersections in proximity to the Project Area or the nearby public parking garages. Consequently, construction-generated worker auto and delivery trucks would not be sufficient to result in an "objectionable" noise level increase (i.e., would not result in a six-time increase in Noise Passenger Car Equivalents). Since the cumulative analysis identified impacts at receptors immediately adjacent to the analyzed development sites as described above, the construction traffic would not have the potential to result in significant adverse noise impacts at any additional locations during the 6AM to 7AM hour. Construction vehicles traveling to and from construction sites during the construction workday are included the detailed construction noise analysis described below.

Cumulative On-Site Equipment and Construction Truck Noise Analysis Results

Using the methodology described and considering the noise abatement measures specified above, a cumulative noise analysis was performed to determine maximum 1-hour equivalent ($L_{eq(1)}$) noise levels that would be expected at each of the 54 noise receptor locations during each of the four selected construction periods.

The full results of the detailed construction noise analysis are shown in **Appendix A**. There were no "very objectionable" noise level increases predicted at any nearby receptors. The results of the detailed construction noise analysis at locations where "objectionable" noise level increases are predicted are summarized in **Table L-4**.

TABLE L-4:
Construction Noise Analysis Results in dBA

Receptor	Address	Existing L_{10}	Max Total L_{10}	Max Change in L_{10}	Maximum Continuous Duration of "Objectionable" Increases (months)
8	330 Wythe Avenue	60.3	75.4	15.1	3

The noise levels shown in **Table L-4** are maximum 1-hour L_{10} noise levels; however, noise levels resulting from construction typically fluctuate throughout the day and from day to day during each construction phase and would not be sustained at these maximum values. Additionally, noise levels expected to result from construction under the Proposed Actions would be comparable to those from typical construction sites in New York City involving a new building with concrete slab floors and foundation. Similarly, potential disruptions to adjacent residences and other receptors from elevated noise levels generated by construction would be expected to be comparable to those that would occur immediately adjacent to a typical New York City construction site during the portions of the construction period when the loudest activities would occur.

The potential for significant adverse impacts at the receptor in which construction activities would result in increments that would be considered "objectionable" (i.e., 15 dBA or greater) was determined by evaluating the duration of these increments, as described below.

330 WYTHE AVENUE

Receptors 8 through 12 represent the mixed residential and commercial building located at 330 Wythe Avenue immediately east of the Proposed Project. Existing noise levels at this location range from the low to high 60s dBA, which would be considered "acceptable" to "marginally acceptable" according to *CEQR Technical Manual* noise exposure criteria.

At these receptors, construction is predicted to result in noise levels up to the mid-70s dBA, resulting in maximum noise level increases up to approximately 15 dBA during the most noise-intensive stages of construction (i.e., excavation), with a worst-case duration of approximately 3 consecutive months. This would be the only period in which "objectionable" increases are predicted to occur throughout construction. According to *CEQR Technical Manual* noise exposure criteria, maximum construction noise levels at these facades would be in the "marginally unacceptable" category. Based on the prediction of no "very objectionable" noise level increases and less than 12 consecutive months of "objectionable" noise level increases, while construction noise at these receptors may be perceptible at times, it would not rise to the level of a significant adverse impact according to the impact criteria described above.

OTHER NEARBY RECEPTORS

At the remaining receptors, construction activities would, for some portion of the construction period, result in noise level increases that would be perceptible to noticeable. However, at these receptors, maximum noise level increases would not result in "objectionable" or "very objectionable" noise level increases. Consequently, while construction noise at these receptors may be perceptible at times, it would not rise to the level of a significant impact according to the impact criteria described above.

Conclusions

Construction of the Proposed Project is predicted to result in elevated noise levels at surrounding sensitive noise receptors, including existing residential buildings, commercial offices, churches, and outdoor recreational spaces. At some of these receptors, construction activities would, for some portion of the construction period, result in noise level increases that would be perceptible to noticeable and at times, "objectionable," i.e., equal to or greater than 15 dBA. However, at these receptors, any "objectionable" noise level increases would occur for less than 12 consecutive months, and no "very objectionable" noise level increases would occur. Consequently, while construction noise at these receptors would be perceptible, it would not rise to the level of a significant impact according to the impact criteria described above. Construction activities would typically occur during weekday daytime hours and would therefore not produce noise during nighttime hours when residents would be most sensitive to noise. Further, construction would comply with *New York City Noise Control Code* regulations as well as commit to use of lower noise emission limits for generators and staging of concrete operations along South 1st Street inside a taller (i.e., 12-foot rather than the Code-mandated 8-foot) cantilevered noise barrier. Per *New York City Noise Control Code* regulations, the Proposed Project would be required to prepare a Construction Noise Mitigation Plan, which may identify more control measures that would further reduce construction noise levels. Therefore, the predicted levels of construction noise were determined not to rise to the level of a significant adverse impact at any noise receptors.

Vibration

Construction activities have the potential to result in vibration levels that may cause structural or architectural damage, and/or annoyance or interference with vibration-sensitive activities. Vibratory levels at a given "receiver," are a function of the source strength (which is dependent upon the construction equipment and methods utilized), the distance between the equipment and the receiver, the characteristics of the transmitting medium, and the building construction of the receiver. Construction equipment operation causes ground vibrations which spread through the ground and decrease in strength with distance. Vehicular traffic, even in locations close to major roadways, typically does not result in perceptible vibration levels unless there are discontinuities in the roadway surface. Except in the case of fragile and possibly historically significant structures or buildings, construction activities generally do not reach the levels that can cause architectural or structural damage but can achieve levels that may be perceptible and annoying in buildings very close to a construction site. An assessment has been prepared to quantify potential vibration impacts of construction activities on structures and residences near the Development Site.

Construction Vibration Criteria

For purposes of assessing potential structural or architectural damage, the determination of a significant impact was based on the vibration impact criterion used by LPC of a PPV of 0.50 inches/second as specified in the DOB TPPN #10/88. For non-fragile buildings, vibration levels between 0.5 inches/second and 2.0 inches/second would typically not be expected to result in any structural or architectural damage.

For purposes of evaluating potential annoyance or interference with vibration-sensitive activities, vibration levels greater than 72 VdB would have the potential to result in significant adverse impacts if they were to occur for a prolonged period of time.

Analysis Methodology

For purposes of assessing potential structural or architectural damage, the following formula was used:

$$PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$$

where: PPV_{equip} is the peak particle velocity in in/sec of the equipment at the receiver location;

PPV_{ref} is the reference vibration level in in/sec at 25 feet; and

D is the distance from the equipment to the received location in feet.

For purposes of assessing potential annoyance or interference with vibration sensitive activities, the following formula was used:

$$L_v(D) = L_v(ref) - 30\log(D/25)$$

where: $L_v(D)$ is the vibration level in VdB of the equipment at the receiver location;

Lv(ref) is the reference vibration level in VdB at 25 feet; and

D is the distance from the equipment to the receiver location in feet.

Table L-5 shows vibration source levels for typical construction equipment.

TABLE L-5:
Vibration Source Levels for Construction Equipment (dBA)

Equipment	PPV_{ref} (in/sec)	Approximate L_{vf} (ref) (VdB)
Caisson Drilling	0.089	87
Source: FTA Transit Noise and Vibration Impact Assessment (2018).		

The source vibration levels shown in **Table L-5** were projected to nearby receptors to estimate the levels of construction vibration that would occur near the Development Site.

Construction Vibration Analysis Results

The buildings of most concern with regards to the potential for structural or architectural damage due to vibration are the existing buildings and structures immediately adjacent to the construction work area. Vibration levels at a distance of at least 8 feet from the proposed work areas would not exceed the 0.5 in/sec threshold considered acceptable for historic structures. There are no structures of concern within this distance; as such, vibration associated with construction of the Proposed Project would not be expected to cause structural or architectural damage.

The equipment that would have the most potential for producing potential vibration levels that would be perceptible and annoying, i.e., at levels that exceed the 72 VdB limit, is also the caisson drill rig. It would have the potential to produce perceptible vibration levels exceeding 72 VdB at receptor locations within approximately 80 feet, depending on soil conditions. However, the operation would only occur for limited periods of time at a particular location and therefore would not result in any significant adverse impacts.

Consequently, significant adverse vibration impacts would not result from construction under the Proposed Actions.

VI. CONCLUSION

Construction under the Proposed Actions would result in conditions typical of construction sites in New York City. The most intense construction activities in terms of noise levels and air pollutant emissions, demolition, excavation, and foundation work—is anticipated to last for only a portion of the overall construction period (a period of approximately 6 months). Furthermore, although the overall construction period for activities at Projected Development Site 1 is anticipated to be approximately 27 months, almost half of this period (11 months from Month 17 to Month 27) would consist primarily of interiors and finishing work, which would also be less disruptive to the surrounding area since most of the activities would occur within the enclosed building and would involve fewer pieces of heavy-duty diesel equipment compared to other construction stages. Moreover, adverse effects associated with the proposed construction activities would be minimized through implementation of the measures described above. Construction of Projected Development Sites 2 and 3 are each anticipated to take approximately 17 months and are not expected to require a large inventory of heavy equipment or extended use of the equipment, thus further limiting potential air quality and noise effects. Accordingly, the Proposed Actions would not result in significant adverse construction impacts and no further analysis is required.

ATTACHMENT M

EFFECTS ON DISADVANTAGED COMMUNITIES

I. INTRODUCTION

Effective 30 December 2024, Section 8-0109(2)(k) of the New York State Environmental Conservation Law requires that environmental review documentation includes a statement of the effects of the Proposed Actions on disadvantaged communities, including whether the action may cause or increase a disproportionate pollution burden. The 2021 *City Environmental Quality Review (CEQR) Technical Manual* does not provide guidance regarding the scope of this analysis. On January 29, 2025, the New York State Department of Environmental Conservation (NYSDEC) proposed draft State Environmental Quality Review Act (SEQRA) Amendments to implement this new statutory provision. This assessment of the effects on disadvantaged communities considers the impacts studied in this EAS document.

As described in **Attachment A, "Project Description"**, the Applicant is proposing a zoning map amendment to change the existing M3-1 district mapped on Brooklyn Block 2403, Lots 1, 15, 31, 33, 41, and portions of ["p/o"] Lots 37 and 7501 (the "Project Area") to an M1-3A/R7X (MX8) district on Lots 1, 15, and 41 and to M1-2A district on Lots 31, 33, p/o 37 and p/o 7501; and a zoning text amendment to amend Zoning Resolution (ZR) Appendix F to establish Lots 1, 15 and 41 within a Mandatory Inclusionary Housing (MIH) area. The Proposed Actions would facilitate the construction of the Applicant's Proposed Development, an approximately 322,641-gsf residential and commercial building with approximately 278 DUs.

The Proposed Actions are also expected to facilitate the redevelopment of two non-Applicant owned sites: Block 2403, Lot 15 (Projected Development Site 2); and Block 2403, Lot 37 (Projected Development Site 3). Projected Development Site 2 is expected to be redeveloped as a 63,057-gsf mixed-use residential and commercial building with 57 DUs. Projected Development Site 3 is expected to be developed into a 51,309-gsf building with 34,206-gsf of commercial office space and 17,103-gsf of community facility space.

II. IDENTIFICATION OF DISADVANTAGED COMMUNITIES

Disadvantaged communities (DAC) in New York State were identified based on criteria adopted in 2023 by the Climate Justice Working Group (CJWG), a group composed of representatives from State Agencies and Environmental Justice groups across the State. The 45 indicators used by the CJWG identified approximately 35 percent of Census Tracts within New York State as DACs. The criteria include multiple indicators that represent the environmental burdens or climate change risks within a community, or population characteristics and health vulnerabilities that can contribute to more severe adverse effects of climate change. Each Census Tract was scored based on relative burden, risk, vulnerability, or sensitivity. Specifically, the percentile ranks of the indicators for each Census Tract were combined to produce a value measuring a Census Tract's relative level of "Environmental Burdens and Climate Change Risks" as well as "Population Characteristics and Health Vulnerabilities" relative to other Census Tracts. Census Tracts with higher scores relative to other Census Tracts statewide or to their region (i.e., New York City) were identified as DACs.

NYSDEC's Disadvantaged Community Assessment Tool (DACAT) compares three scores (Combined Score, Burden Component Score, and Vulnerability Component Score) for each Census Tract. It also displays the percent difference between the three scores and the statewide mean or median for each. The DACAT

compares the three scores with the identified aggregate denominators. If the Combined Score is 25 percent higher than its aggregate denominator, and one or both the Burden and Vulnerability Component Scores are 35 percent higher than their aggregate denominators, then DACAT highlights the Census Tract as having comparatively higher existing burdens or vulnerabilities. This indicates an increased likelihood that a proposed action may have a moderate or large impact on the DAC. If the conditions above are not met, then the DACAT highlights the Census Tract as having comparatively lower existing burdens or vulnerabilities, and therefore a decreased likelihood that a proposed action may have a moderate or large impact on the DAC.

III. ASSESSMENT

As shown in **Figure M-1**, 11 census tracts identified as DACs are located wholly or partially within a half-mile of the Project Area (Brooklyn Tracts 523, 525, 535, 545, 547, 549, 551, and 557 and Manhattan Tracts 10.01, 10.02, and 20). In total, the half-mile study area includes four census tracts identified as DACs with higher burdens and vulnerabilities, and seven census tracts identified as DACs with lower burdens and vulnerabilities. The remaining three census tracts in the half-mile study area (census tracts 519, 553, and 555) were not identified as DACs by DEC. As shown in **Figure M-1,** the Project Area is located within a Census Tract (Brooklyn Tract 551) that is identified as a DAC with higher burdens and vulnerabilities. Per DACAT, this DAC has a combined component score of 105.66, with a burden component score of 53.15, a vulnerability component score of 52.51, and a combined component score percentage difference of 26.95 percent.

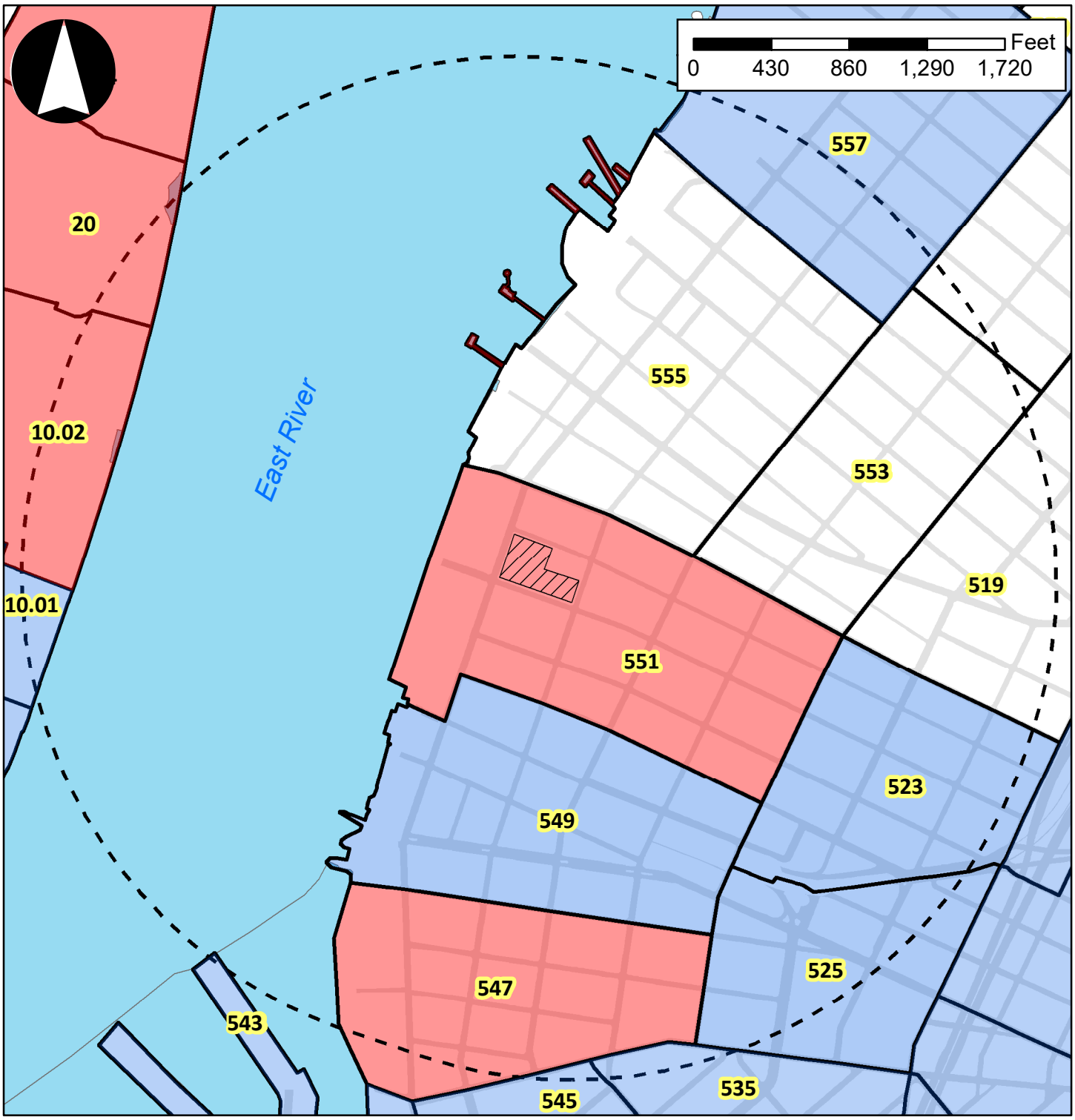
Census Tract 551 is identified as having "higher" burdens and vulnerabilities, with both high vulnerability and burden component scores, indicating that the Population Characteristics, Health Vulnerability, Environmental Burdens and Climate Change Risks for this Census Tract is higher than other tracts state- and/or City-wide. The indicators used to determine this include:

- Environmental Burdens and Climate Change Risk:
  - *Land Use and Facilities Associated with Historical Discrimination or Disinvestment*. Proximity to remediation sites; proximity to regulated management plan sites; proximity to major oil storage facilities; proximity to power generation facilities; proximity to active landfills; proximity to scrap metal processors; industrial/ manufacturing/mining land use; and housing vacancy rate.
  - *Potential Climate Change Risks*. Extreme heat projections; flooding in coastal and tidally influenced areas (projected); flooding in inland areas (projected); low vegetative cover; agricultural land; and driving time to hospitals or urgent/critical care.
  - *Potential Pollution Exposures*. Vehicle traffic density diesel truck and bus traffic; particulate matter ($PM_{2.5}$); benzene concentration; and wastewater discharge.

- Population Characteristics and Health Vulnerability:
  - *Income*. Percent <80% area median income; percent <100% of federal poverty line; percent without bachelor's degree; unemployment rate; and percent single-parent households.
  - *Race and Ethnicity.* Percent Latino/a or Hispanic; percent Black or African American; percent Asian; percent Native American or Indigenous; limited English proficiency; historical redlining score.
  - *Health Outcomes and Sensitivities.* Asthma emergency department visits; COPD emergency department visits; heart attack (MI) hospitalization; premature deaths; low birthweight; percent without health insurance; percent with disabilities; percent of adults age 65+.

Figure M-1

NYSDEC Disadvantaged Communities in the Study Area



Source: InfoLocator tool maintained by the new York State Departmet of Environmental Conservation (NYSDEC)

Legend

- Proposed Rezoning Area
- Half-Mile Radius
- 551 Census Tracts
- DACs identified with having comparatively higher burdens and vulnerabilities
- DACs identified with having comparatively lower burdens and vulnerabilities

- *Housing Mobility and Communications.* Percent renter-occupied homes; housing cost burden (rental costs); energy poverty / cost burden; manufactured homes; homes built before 1960; percent without internet.

For Environmental Burdens and Climate Change Risk, Census Tract 551 had high scores (90th percentile or higher) for proximity to power generation facilities, housing vacancy rate, low vegetative cover, benzene concentration, particulate matter concentration, and wastewater discharge. For Population Characteristics and Health Vulnerability, Census Tract 551 had high scores (75th percentile or higher) for percentage of Latino population, percentage of Native American or indigenous population, percentage of population earning less than 80 percent of area median income ("AMI"), asthma emergency department visit rate, and percentage of premature deaths (before age 65).

While this DAC has high burdens and vulnerabilities, the Proposed Actions would not result in significant adverse impacts in the following technical areas analyzed in this EAS: land use, zoning, and public policy; socioeconomic conditions; open space; shadows; historic and cultural resources; urban design and visual resources; hazardous materials; air quality; noise; public health; neighborhood character; or construction.

As concluded from the **EAS Full Form**, the Proposed Actions would result in incremental increases in water demand and solid waste generation lower than the thresholds that would require a detailed assessment of these technical areas per *CEQR Technical Manual* guidance. Therefore, no such combination of moderate impacts or significant adverse impacts would cause or increase a disproportionate pollution burden on a DAC.

As described in **Attachment B, "Supplemental Screening,"** the Proposed Actions would not result in significant adverse impacts related to transportation (traffic, transit, pedestrians). Air and noise emissions associated with traffic may have the potential to create a burden on a DAC, but traffic itself does not constitute pollution. As such, the Proposed Action would not cause or increase a disproportionate pollution burden on a DAC.

As described in **Attachment I, "Hazardous Materials,"** the Phase I Environmental Site Assessments (ESA) prepared for Projected Development Site 1 identified several potential hazardous materials conditions, including the historical presence of gasoline tanks, gasoline vents and tanks that have been abandoned in place with no contamination or anomalies detected, and a reported nearby spill at 49 South 2nd Street dating back to 1992 for the release of fuel oil from leaking containers which was subsequently closed. These conditions were considered Historic Recognized Environmental Conditions (HRECs) and no further action was recommended regarding the findings. As the Proposed Actions would result in the demolition of existing structures as well as excavation and construction, **Attachment I, "Hazardous Materials"** outlines further investigations and procedures to avoid any potential for hazardous materials exposure on Projected Development Site 1 in addition to the adherence to all federal, state, and local requirements and regulations. To avoid any potential for hazardous materials exposure on Projected Development Sites 2 and 3, an (E) designation (E-xxx) for Hazardous Materials would be placed on the tax lots and all federal, state, and local requirements and regulations would be followed. With the implementation of these procedures, no significant adverse impacts related to hazardous materials would result from the Proposed Actions, and, as such, the Proposed Actions would not cause or increase a disproportionate pollution burden on a DAC related to hazardous materials.

As described in **Attachment J, "Air Quality,"** an (E) designation (E-xxx) for air quality would be mapped on the Projected Development Sites 1, 2, and 3 to assure that no significant adverse air quality impacts would

occur from the proposed development's heating and hot water systems. E-xxx would require any new residential or commercial development to utilize only electrically powered heating and hot water systems to avoid the potential for significant adverse impacts on air quality. In addition, an industrial emission source analysis was conducted which concluded that no significant adverse air quality impact associated with Café Devocion, located at 69 Grand Street, would occur in the future with the Proposed Actions. As described in **Attachment L, "Construction,"** there would be no significant adverse construction impacts related to air quality with the implementation of several Project Components Related to the Environment (PCREs) in addition to adherence to the New York City Air Pollution Control Code to minimize construction-related air and dust emissions. These would include the utilization of newer equipment and best available tailpipe reduction technologies. With these measures in place, no significant adverse impacts related to air quality would occur, and therefore the Proposed Action would not cause or increase a disproportionate pollution burden on a DAC.

As described in **Attachment K, "Noise,"** based on the projected noise levels, up to 35 dBA window/wall attenuation would be required on the west and north façades of the proposed building within 50 feet of Kent Avenue to achieve acceptable interior noise levels per the *CEQR Technical Manual* noise exposure guideline at newly introduced residential and community facility uses. The requirement for this level of attenuation as well as the requirement for an alternate means of ventilation will be included in an (E) designation (E-xxx). With this control in place, the potential for significant adverse noise impacts on the development site would be precluded. As described further, the Proposed Actions would not result in sufficient traffic to result in any significant adverse noise impacts, and building mechanical systems would be designed to meet applicable regulations and avoid resulting in any significant adverse noise impacts. As such, the Proposed Actions would not have the potential to result in significant adverse noise impacts. As described in **Attachment L, "Construction,"** there would be no significant adverse construction impacts related to noise with the implementation of several construction noise control measures beyond the minimum required by the New York City Noise Control Code. These include the utilization of generators meeting certain mandated noise levels, no impact pile or sheet driving, as well as all concrete operations taking place behind a noise barrier. With these measures in place, no significant adverse impacts related to noise would occur, and therefore the Proposed Action would not cause or increase a disproportionate pollution burden on a DAC.

As such, the Proposed Actions would not cause a disproportionate pollution burden on DACs with respect to any of these technical areas, including cumulative effects from multiple technical areas.

As the *CEQR Technical Manual* has not been updated to include guidance for an assessment of Effects of Disadvantaged Communities, the SEQRA Environmental Assessment Form (EAF) has been consulted for guidance for this analysis. The EAF Full Form identifies direct or indirect impacts that may affect a DAC, including new noise sources or expansions/modifications of existing noise sources (i.e., noise from operational sources or construction activities); emissions of air pollutants including mobile emissions; wastewater discharges; generation of odors; light pollution; new or modified radiation sources; new or modified sources of solid waste generation, management, or disposal; or new or modified sources of hazardous waste generation or management. The Proposed Actions would not result in any of these direct or indirect areas, nor would it cause a combination of moderate effects which together may result in a pollution impact at the Project Area or in the surrounding study area. Additionally, the Proposed Actions would not require any State agency approvals or any DEC Permits.

Based on the foregoing assessment, the Proposed Actions would not disproportionately affect disadvantaged communities, nor would it cause or increase a disproportionate pollution burden to a DAC.

APPENDIX 1

LPC LETTER

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: 298 KENT AVENUE REZONING
Date Received: 3/12/2025

Properties with no Architectural or Archaeological significance:

1) 285 KENT AVENUE, BBL: 3024030001
2) 34 SOUTH 1 STREET, BBL: 3024030015
3) 342 WYTHE AVENUE, BBL: 3024030031
4) 67 SOUTH 2 STREET, BBL: 3024030033
5) SOUTH 2 STREET, BBL: 3024030037
6) 49 SOUTH 2 STREET, BBL: 3024030041
7) 330 WYTHE AVENUE, BBL: 3024037501

Comments:

The S/NR eligible Fulton Bag and Cotton Mills Co. building, 328-336 Wythe Avenue, is adjacent to the project site. A Construction Protection Plan is required for this building.

LPC DESIGNATED HAVEMEYERS & ELDER FILTER, PAN, & FINISHING HOUSE, 292-314 KENT AVENUE WITHIN RADIUS.

S/NR ELIGIBLE AMERICAN SUGAR REFINING CO., 328 KENT AVENUE; GRAND STREET HISTORIC DISTRICT; RECTORY FOR SAINTS PETER & PAUL RC CHURCH, 71-73 SOUTH 3 STREET; MCCADDIN MEMORIAL HALL, 288-292 BERRY STREET; AND 91-95 SOUTH 2 STREET WITHIN RADIUS.

Gina Santucci 3/18/2025

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 37593_FSO_DNP_03182025.docx

APPENDIX 2

PHASE 1 ESA EXECUTIVE SUMMARY

PHASE I ENVIRONMENTAL ASSESSMENT



269-289 KENT AVENUE/22-32A-D SOUTH 1ST STREET & 49 SOUTH 2ND STREET

BROOKLYN, NY 11249

PREPARED FOR:

PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT
269-289 KENT AVENUE/22-32A-D SOUTH 1ST STREET & 49 SOUTH 2ND STREET
BROOKLYN, NY 11249

DATE ISSUED: OCTOBER 24, 2023

PREPARED BY:
SINGER ENVIRONMENTAL GROUP, LTD.
5318 NEW UTRECHT AVENUE
BROOKLYN, NY 11219

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APPENDIX

Appendix A Site Photographs
Appendix B Local Records/Historic Documents
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Scope

Singer Environmental Group (SEG) has performed a Phase I Environmental Site Assessment (ESA) in general accordance with the scope of work and limitations set forth by SEG for the property located at 269-289 Kent Avenue/22-32A-D South 1st Street & 49 South 2nd Street, Brooklyn, NY (the "Property").

The Phase I Environmental Site Assessment is designed to provide the Client with an assessment concerning environmental conditions (limited to those issues identified in the report) as they exist at the property. This assessment was conducted utilizing generally accepted ESA industry standards in accordance with ASTM E 1527-21, *Standard Practice for Environmental Site Assessments: Phase 1 Environmental Site Assessment Process*.

Site Description

According to the NYC Department of Buildings (DOB), this property is known as 269-289 Kent Avenue/22-32A-D South 1st Street & 49 South 2nd Street with a block and lot of 2403, 41 &1. The DOB has a zoning of "Office Building" use. According to NYC Oasis Information, the zoning is M3-1. The Property is situated on an "L" shaped parcel of land comprised of 45,200 Sq. Ft. The parcel of land is situated in a commercial area of Brooklyn, NY consisting of commercial type land use. 49 South 2nd Street consists of a three story vacant office building. 289 Kent Avenue is a one/two story vacant loft building. The subject property is not an "E" Designated Site with the Office of Environmental Remediation. The subject property is not located in an IBZ (Industrial Business Zone).

Site History

According to Certificate of Occupancy dated 1949@ 49/51 South 2nd Street: Offices. According to Certificates of Occupancy dated 2007, 2008 and 2011@ 289 Kent Avenue: Cabaret, non storage garage for more than 5 motor vehicles, record storage, storage of packing supplies, cardboard, tires, trucks motor repairs, locker room, eating and drinking establishment, non storage garage for more than five motor vehicles, manufacturing building, office. According to a previous Phase I Environmental Site Assessment conducted by SEG dated 2008: "The Property is a one story warehouse/one story commercial building containing nine commercial spaces, consisting of five studios, a gym, a hat assembly, a warehouse, and an electrical contractor. Review of available historical documentation indicates that this building was built approximately 1920. In reviewing the history of this building and property, a Sanborn Map Search was conducted and it was determined that this property has been Vacant in the 1900's, and a Sugar Company/Garage from the 1910's to the 1990's. A City Directory Abstract search was conducted to determine the historic commercial tenants. The following tenants are listed: Ran Tea House, Beam, Vice Media Group LLC, Northern Variable LLC, Windmill Studios, Gymnastics-2022, Ran Tea House, Vice Media Group LLC, Northern Variable LLC, Windmill Studio, Ms. Js Gymnastics-2020, Ran Tea House, AD Hoc FM LLC, Indiescreen, Windmill Studios, ATM, Ms. Js Gymnastics, Rolyn & Baxter-2016, Cesear Cedillo Restaurant, Mitznefes of Brooklyn, INC, Ms. Js Gymnastics-2011, Windmill studios, A place to bury glasslands llc, Ms Js Gynastics, Rolyn & Baxter-2007, Sunnycell Com-2003. According to Property Shark phone and business listings, the following tenants were located at 49 South 2nd Street: Certified Accessories Inc-2007, Past Lives Vintage-2016, Death by Audio, the following tenants were located at 285 Kent Avenue: Northern Variable LLC-2016, Ran Tea House-2016, Vice Media Group LLC-2017. According to knowledgeable sources, the subject property is currently vacant, prior; vice media for 7-8 years.

History of Surrounding Areas

According to Sanborn History Maps, the property located to the north is depicted as stores/dwellings from the 1900's to the 1910's, stores, dwellings, laundry, commercial in the 1930's, vacant, manufacturing, residential, laundry from the 1940's to the 1950's, flat (manufacturing)from the 1960's to the 1990's.

According to Sanborn History Maps, the property located to the south is depicted as vacant in the 1900's, part of a sugar refining company from the 1910's to the 1990's.

According to Sanborn History Maps, the property located to the west is depicted as part of a sugar refining company from the 1900's to the 1990's.

According to Sanborn History Maps, the property located to the east is depicted as commercial, residential from the 1900's to the 1910's, part of a sugar refining company from the 1930's to the 1990's.

Heating System, Above/Underground Storage Tanks

SEG observed a gas fired HVAC Unit. No aboveground storage tank, indications of an underground storage tank, vent or fill was noted.

According to Sanborn History Maps dated 1918 and 1935, gasoline tanks are indicated at 289 Kent Avenue. Fuel oil applications were filed with the Department of Buildings.

According to a previous Phase I ESA conducted by SEG dated 2008, "Two gasoline vents were noted at 289 Kent Avenue. According to documentation provided to Singer Environmental, an affidavit dated 12-20-01, stating, "four (4) gasoline tanks were "abandoned in place" by Don Carlo Environmental. (4) soil samples were taken and showed NO contamination."

According to documentation provided to Singer Environmental a Geophysical Investigation conducted by Associated Environmental Services, Ltd. Dated February 20, 2006, stating in part, "Based on the magnetometer survey, no anomalies were found that would be consistent with a UST. Based upon the findings of the Geophysical Investigation, no further investigation and/or assessment may be warranted."

Asbestos Containing Material (ACM), Lead Based Paint (LBP), Mold

SEG conducted limited visual asbestos containing material (ACM) survey as part of this assessment. Lead based paint and mold hazards were not surveyed for this report. SEG did not observe any visible and/or friable ACM.

Polychlorinated Biphenyls (PCBs)

SEG observed underground transformers beneath sidewalk grates.

Data Gaps

Data gaps in excess of the recommended 5-year interval were encountered. However, based on the available information reviewed, these historical data gaps are not considered to be a concern and are not expected to alter the conclusions or recommendations of this assessment.

Site Observations

49 South 2nd Street

1st, 2nd and 3rd Floors	-	Concrete floor, block walls, concrete ceiling, HVAC. (3rd Floor-wood ceiling)-Vacant Offices.

289 Kent Avenue

2nd Floor	-	Concrete floor, block walls, concrete ceiling.
Outside	-	Garden, HVAC Units, skylights (for the 1st floor).
1st Floor	-	Concrete floor, block walls, concrete ceiling. Gas and electric meter room, vacant offices.

Regulatory Database	Approximate Minimum Search Distance	Subject Property Listed	Off-site Listings within search distance
Federal NPL (National Priority List) Sites	1.0 Mile	No	0
Federal Delisted NPL Sites	1.0 Mile	No	0
Federal CERCLIS Sites	0.5 Mile	No	2
Federal CERCLIS NFRAP Sites	0.5 Mile	No	1
Federal RCRA CORRACTS Sites	1.0 Mile	No	1
Federal RCRA Non-CORRACTS TSD Sites	0.5 Mile	No	0
Federal RCRA LG Generators Sites	.250 Mile	No	18
Federal RCRA SM Generators Sites	.250 Mile	No	3
State NY SHWS (State Hazardous Waste) Sites	1.0 Mile	No	20
State Solid Waste Facility/Landfill	0.5 Mile	No	16
NY LTANKS (Leaking Underground Storage Tanks)	0.5 Mile	No	26
NY Underground Storage Tanks	.250 Mile	No	24
NY Spills	.125 Mile	No	49
Vapor Reopened	1.0 Mile	No	0

A review of the ERIS Government Records Report has revealed listings for the adjacent properties and/or nearby properties which are addressed in the executive summary table. SEG reviewed the other cases listed in the report and based on their distance, topographic gradient, estimated groundwater flow direction, and/or the type of site or materials involved, determined that the sites do not pose a potential environmental threat to the subject property or are listings of environmental regulatory registrations with no violations or issues.

Target Property

49 South 2nd Street/Domino Sugar is listed on the NY Spills Database.
Spill#9111094
Spill Date: 01-24-92
Spill Cause: Equipment Failure
Spill Closed Date: 01-28-92
No further action is recommended regarding spill#9111094 due to the fact that it was "Closed" by the NYS DEC.

According to ERIS 49 South 2nd Street is listed on the ERNS (Emergency Response Notification System) and RCRA Non Gen Databases.
According to the ERNS Database: Incident Date 04-22-94, Incident Cause: Equipment Failure, Description of Incident: "Unknown Vessel Dropped 10 Ten Liter Cans Of Materials/All Of The Canswere Damaged And Are Leaking…"
Incident Date 03-16-94, Incident Cause: Unknown, Description of Incident: "Circulating Line / Unknown…" Name of Material: Oil Fuel No 6.

CONCLUSIONS AND RECOMMENDATIONS

SEG has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-21 of 269-289 Kent Avenue/22-32A-D South 1st Street & 49 South 2nd Street, Brooklyn, NY, the Property. Any exceptions to or deletions from this practice are described in Section 1.4 of this report. This assessment has revealed no evidence recognized environmental conditions in connection with the subject property.

The following HREC's (Historic Recognized Environmental Conditions) were noted:

According to Sanborn History Maps dated 1918 and 1935, gasoline tanks are indicated at 289 Kent Avenue. Fuel oil applications were filed with the Department of Buildings.

According to a previous Phase I ESA conducted by SEG dated 2008, "Two gasoline vents were noted at 289 Kent Avenue. According to documentation provided to Singer Environmental, an affidavit dated 12-20-01, stating, "four (4) gasoline tanks were "abandoned in place" by Don Carlo Environmental. (4) soil samples were taken and showed NO contamination."

According to documentation provided to Singer Environmental a Geophysical Investigation conducted by Associated Environmental Services, Ltd. Dated February 20, 2006, stating in part, "Based on the magnetometer survey, no anomalies were found that would be consistent with a UST. Based upon the findings of the Geophysical Investigation, no further investigation and/or assessment may be warranted."

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49 South 2nd Street/Domino Sugar is listed on the NY Spills Database.
Spill#9111094
Spill Date: 01-24-92
Spill Cause: Equipment Failure
Spill Closed Date: 01-28-92
No further action is recommended regarding spill#9111094 due to the fact that it was "Closed" by the NYS DEC.

No further action is recommended regarding the former releases that occurred on site and the former underground storage tanks which were located on site, due to the fact that the "Spill was "Closed" and according to documentation provided to SEG, the former underground storage tank were abandoned and removed from the subject property.

APPENDIX 3

WATERFRONT REVITALIZATION PROGRAM (WRP) ASSESSMENT

FOR INTERNAL USE ONLY	WRP No. _____
Date Received: _____	DOS No. _____

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM
Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)* which has been approved as part of the State's Coastal Management Program.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

A. APPLICANT INFORMATION

Name of Applicant: Web Holdings LLC

Name of Applicant Representative: Jeremy Kozin

Address: 1 New York Plaza, 23rd Floor, New York, NY

Telephone: 212-859-8316 Email: Jeremy.Kozin@friedfrank.com

Project site owner (if different than above): _____

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

The Proposed Actions consist of a zoning map amendment and a concurrent zoning text amendment affecting an area in the Williamsburg neighborhood of Brooklyn Community District (CD) 1. The actions being requested are: 1) a zoning map amendment to rezone a portion of Block 2403, comprised of Lots 1, 15, and 41, from a M3-1 district to a M1-3A/R7X Special Mixed-Use (MX) District (MX8) and Lots 31, 33, p/o 37, and p/o 7501 from an M3-1 district to an M1-2A district ("Project Area"); (2) a concurrent zoning text amendment to (a) amend Zoning Resolution (ZR) Appendix F to establish the Project Area within a Mandatory Inclusionary Housing (MIH) area; and (b) amend the table in ZR Section 123-63 to include R7X as a designated residence district in MX-8 in Brooklyn Community District 1 in which MIH is required. Approval of the Proposed Actions would allow the Applicant to develop a new fourteen-story, approximately 322,641-gsf mixed-use building on Projected Development Site 1 (Lots 1 and 41), including approximately 266,943-gsf of residential floor area (278 DUs), 34,598-gsf of commercial floor area (local retail), and 38 accessory parking spaces (21,100-sf) located in a single cellar level. Depending on the MIH option selected, 20 to 30 percent (approximately 56 to 83 DUs) of residential floor area would be designated as affordable housing. In addition, it is assumed that the proposed zoning changes would facilitate the redevelopment of Block 2403, Lots 15 ("Projected Development Site 2") and p/o Lot 37 ("Projected Development Site 3"), which are not owned or controlled by the Applicant. Projected Development Site 2 consists of a thirteen-story, approximately 63,057-gsf building containing approximately 57 DUs (up to 17 of which would be income-restricted) and 8,194-gsf of local retail space. Projected Development Site 3 consists of a nine-story, approximately 51,308-gsf building with approximately 17,103-gsf of community facility space (medical office) and 34,206-gsf of commercial office space.

2. Purpose of activity

The proposed zoning changes would map an M1-3A/R7X (MX-8) zoning district over Block 2403, Lots 1, 15, and 41 and map a M1-2A zoning district over Block 2403, Lots 31, 33, a p/o 37 and a p/o 7501, collectively, the Proposed Rezoning Area. The new MX-8 district would be consistent with the higher-density zoning districts to the north, south and west of the Applicant's Proposed Development Site. Moreover, maintaining a light manufacturing district paired with a residential district would provide flexibility to allow complementary local retail (i.e., maker spaces) and commercial uses, along with light manufacturing uses.The M1-2A district would permit additional light manufacturing growth on the applicable lots in addition to community facility and commercial uses, which is in line with the purpose of the newly created "A" suffix manufacturing districts. The proposed zoning district allows for greater flexibility in both use and building envelope, allowing developers to select either a light manufacturing use (i.e., maintaining historical building uses) or a higher density commercial or community facility use. This flexibility allows developers to better respond to changing real estate trends. These map amendments, combined with the mapping of MIH and the reduction in required residential parking spaces, would enable the Applicant's Proposed Development to provide new market rate and income-restricted housing, activate the Proposed Development Site's Kent Avenue frontage with ground floor retail and allow for development that would create a contextually appropriate transition from the adjacent tall, dense buildings along the East River waterfront to the lower density upland neighborhood located to the east.

C. PROJECT LOCATION

Borough: Brooklyn Tax Block/Lot(s): Block 2403, Lots 1, 15, 31, 33, p/o 37, 41, p/o 7501

Street Address: 289 Kent Avenue

Name of water body (if located on the waterfront): East River

D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

City Actions/Approvals/Funding

City Planning Commission ☑ Yes ☐ No

- ☐ City Map Amendment
- ☑ Zoning Map Amendment
- ☑ Zoning Text Amendment
- ☐ Site Selection – Public Facility
- ☐ Housing Plan & Project
- ☐ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____
- ☐ Zoning Certification
- ☐ Zoning Authorizations
- ☐ Acquisition – Real Property
- ☐ Disposition – Real Property
- ☐ Other, explain: _____
- ☐ Concession
- ☐ UDAAP
- ☐ Revocable Consent
- ☐ Franchise

Board of Standards and Appeals ☐ Yes ☑ No

- ☐ Variance (use)
- ☐ Variance (bulk)
- ☐ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

Other City Approvals

- ☐ Legislation
- ☐ Rulemaking
- ☐ Construction of Public Facilities
- ☐ 384 (b) (4) Approval
- ☐ Other, explain: _____
- ☐ Funding for Construction, specify: _____
- ☐ Policy or Plan, specify: _____
- ☐ Funding of Program, specify: _____
- ☐ Permits, specify: _____

State Actions/Approvals/Funding

- ☐ State permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Federal Actions/Approvals/Funding

- ☐ Federal permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Is this being reviewed in conjunction with a Joint Application for Permits? ☐ Yes ☑ No

E. LOCATION QUESTIONS

1. Does the project require a waterfront site? ☐ Yes ☑ No
2. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters? ☐ Yes ☑ No
3. Is the project located on publicly owned land or receiving public assistance? ☐ Yes ☑ No
4. Is the project located within a FEMA 1% annual chance floodplain? *(6.2)* ☐ Yes ☑ No
5. Is the project located within a FEMA 0.2% annual chance floodplain? *(6.2)* ☐ Yes ☑ No
6. Is the project located adjacent to or within a special area designation? *See Maps – Part III of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).* ☐ Yes ☑ No

   ☐ Significant Maritime and Industrial Area (SMIA) (*2.1*)
   ☐ Special Natural Waterfront Area (SNWA) (*4.1*)
   ☐ Priority Maritime Activity Zone (PMAZ) (*3.5*)
   ☐ Recognized Ecological Complex (REC) (*4.4*)
   ☐ West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (*2.2, 4.2*)

F. WRP POLICY ASSESSMENT

Review the project or action for consistency with the WRP policies. For each policy, check Promote, Hinder *or* Not Applicable (N/A). *For more information about consistency review process and determination, see* ***Part I*** *of the NYC Waterfront Revitalization Program. When assessing each policy, review the full policy language, including all sub-policies, contained within* ***Part II*** *of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).*

For those policies checked Promote *or* Hinder, *provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.*

		Promote	Hinder	N/A
1	**Support and facilitate commercial and residential redevelopment in areas well-suited to such development.**	☑	☐	☐
1.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	☑	☐	☐
1.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	☐	☐	☑
1.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	☑	☐	☐
1.4	In areas adjacent to SMIAs, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	☐	☐	☑
1.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	☐	☐	☑

		Promote	Hinder	N/A
2	**Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.**	☐	☐	☑
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	☐	☐	☐
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☐
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.	☐	☐	☐
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	☐	☐	☐
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.	☐	☐	☐
3	**Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.**	☐	☐	☑
3.1.	Support and encourage in-water recreational activities in suitable locations.	☐	☐	☐
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	☐	☐	☐
3.3	Minimize conflicts between recreational boating and commercial ship operations.	☐	☐	☐
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	☐	☐	☐
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.	☐	☐	☐
4	**Protect and restore the quality and function of ecological systems within the New York City coastal area.**	☐	☐	☑
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	☐	☐	☐
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☐
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	☐	☐	☐
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	☐	☐	☐
4.5	Protect and restore tidal and freshwater wetlands.	☐	☐	☐
4.6	In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.	☐	☐	☐
4.7	Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.	☐	☐	☐
4.8	Maintain and protect living aquatic resources.	☐	☐	☐

		Promote	Hinder	N/A
5	**Protect and improve water quality in the New York City coastal area.**	☐	☐	☑
5.1	Manage direct or indirect discharges to waterbodies.	☐	☐	☑
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	☐	☐	☑
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	☐	☐	☑
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	☐	☐	☑
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	☐	☐	☑
6	**Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.**	☐	☐	☑
6.1	Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.	☐	☐	☐
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in *New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms*) into the planning and design of projects in the city's Coastal Zone.	☐	☐	☐
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.	☐	☐	☐
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	☐	☐	☐
7	**Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.**	☐	☐	☑
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	☐	☐	☐
7.2	Prevent and remediate discharge of petroleum products.	☐	☐	☐
7.3	Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.	☐	☐	☐
8	**Provide public access to, from, and along New York City's coastal waters.**	☐	☐	☑
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	☐	☐	☐
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	☐	☐	☐
8.3	Provide visual access to the waterfront where physically practical.	☐	☐	☐
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.	☐	☐	☐

		Promote	Hinder	N/A
8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.	☐	☐	☐
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	☐	☐	☐
9	**Protect scenic resources that contribute to the visual quality of the New York City coastal area.**	☐	☐	☑
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	☐	☐	☐
9.2	Protect and enhance scenic values associated with natural resources.	☐	☐	☐
10	**Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.**	☐	☐	☑
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.	☐	☐	☐
10.2	Protect and preserve archaeological resources and artifacts.	☐	☐	☐

G. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: _____

Address: _____

Telephone: _____ Email: _____

Applicant/Agent's Signature: _____

Date: _____

Submission Requirements

For all actions requiring City Planning Commission approval, materials should be submitted to the Department of City Planning.

For local actions not requiring City Planning Commission review, the applicant or agent shall submit materials to the Lead Agency responsible for environmental review. A copy should also be sent to the Department of City Planning.

For State actions or funding, the Lead Agency responsible for environmental review should transmit its WRP consistency assessment to the Department of City Planning.

For Federal direct actions, funding, or permits applications, including Joint Applicants for Permits, the applicant or agent shall also submit a copy of this completed form along with his/her application to the NYS Department of State Office of Planning and Development and other relevant state and federal agencies. A copy of the application should be provided to the NYC Department of City Planning.

The Department of City Planning is also available for consultation and advisement regarding WRP consistency procedural matters.

New York City Department of City Planning
Waterfront and Open Space Division
120 Broadway, 31st Floor
New York, New York 10271
212-720-3696
wrp@planning.nyc.gov
www.nyc.gov/wrp

New York State Department of State
Office of Planning and Development
Suite 1010
One Commerce Place, 99 Washington Avenue
Albany, New York 12231-0001
518-474-6000
www.dos.ny.gov/opd/programs/consistency

Applicant Checklist

- ☐ Copy of original signed NYC Consistency Assessment Form
- ☐ Attachment with consistency assessment statements for all relevant policies
- ☐ For Joint Applications for Permits, one (1) copy of the complete application package
- ☐ Environmental Review documents
- ☐ Drawings (plans, sections, elevations), surveys, photographs, maps, or other information or materials which would support the certification of consistency and are not included in other documents submitted. All drawings should be clearly labeled and at a scale that is legible.
- ☐ Policy 6.2 Flood Elevation worksheet, if applicable. For guidance on applicability, refer to the WRP Policy 6.2 Guidance document available at www.nyc.gov/wrp

APPENDIX 4

TRANSPORTATION PLANNING FACTORS AND TRAVEL DEMAND FORECAST TECHNICAL MEMORANDUM

Philip Habib & Associates, An AKRF Division
Engineers and Planners • 440 Park Avenue South • New York, NY 10016 • 212 929 5656 • 212 929 5605 (fax)

DRAFT

TECHNICAL MEMORANDUM

TO: **NYC DCP**

FROM: **Philip Habib & Associates, An AKRF Division**

DATE: **May 5, 2025**

PROJECT: **289 Kent Avenue Rezoning EAS (PHA No. 2362)**

RE: **Transportation Planning Factors and Travel Demand Forecast**

This memorandum summarizes the transportation planning factors to be used for the assessment of traffic, parking, transit, and pedestrian conditions for the 289 Kent Avenue Rezoning. Estimates of the peak travel demand for the Proposed Actions' reasonable worst-case development scenario (RWCDS) are provided in the below sections.

THE PROPOSED ACTIONS

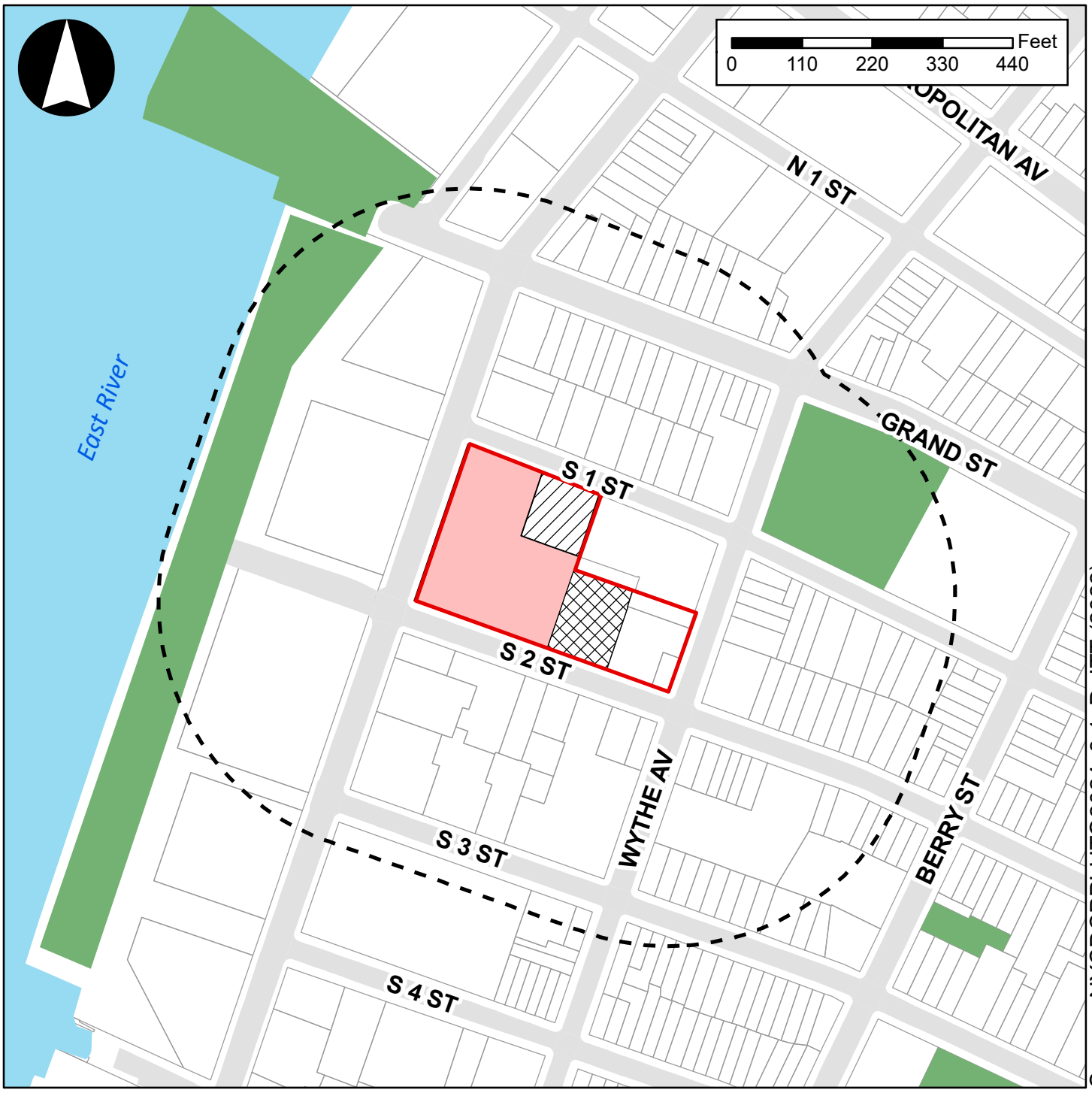
The Applicant, Web Holdings LLC, seeks approval for the following discretionary actions (the "Proposed Actions") to facilitate development of a new, 18-story mixed-use building (the "Proposed Development") at 289 Kent Avenue (Brooklyn Block 2403, Lots 1 and 41; the "Proposed Development Site" or "Projected Development Site 1") (**Figure 1**) in the Williamsburg, Brooklyn located in Community District (CD) 1:

(1) a zoning map amendment to rezone a portion of Block 2403, comprised of Lots 1, 15, and 41, from a M3-1 district to a M1-3A/R7X Special Mixed-Use (MX) District (MX8) and Lots 31, 33, p/o 37, and p/o 7501 from an M3-1 district to an M1-2A district ("Project Area"); and
(2) a concurrent zoning text amendment to amend Zoning Resolution (ZR) Appendix F to establish the Project Area within a Mandatory Inclusionary Housing (MIH) area

The Proposed Actions, which are discretionary actions that are subject to both the Uniform Land Use Review Procedure (ULURP) and City Environmental Quality Review (CEQR), would allow the Applicant to develop a new 18-story, approximately 322,641 gsf mixed-use building on the Proposed Development Site, including approximately 266,943 gsf of residential floor area (278 DUs[1]) and 34,598 gsf of commercial floor area (local retail), and 21,100 gsf of parking. Depending on the MIH option selected, 20 percent to 30 percent (equivalent to approximately 56 – 83 DUs)of residential floor area would be

[1] Assumes 960 gsf per DU, based on the average unit size of new developments built between 2014 to 2024 within a 1-mile radius of the Project Area.

Figure 1
Project Location



Source: NYCDCPPLUTO2024v3.1; DoITT (2022).

Legend

- Proposed Rezoning Area
- Secondary Study Area (400-foot Radius)
- Projected Development Site 1 (Applicant-Owned)
- Projected Development Site 2 (Non-Applicant-Owned)
- Projected Development Site 3 (Non-Applicant-Owned)



designated as affordable housing.

In addition to the Applicant's Proposed Development on Projected Development Site 1, it's anticipated that two non-Applicant-owned sites located within the Proposed Rezoning Area (**Figure 1**) could be redeveloped as a result of the Proposed Actions in the future With-Action condition. Block 2403, Lot 15 ("Projected Development Site 2") consists of an approximately 63,057 gsf building containing approximately 57 DUs (up to 11 to 17 of which would be income-restricted pursuant to MIH Options 1, 2, or 3, respectively) and 8,194 gsf of local retail space. Block 2403 p/o Lot 37 ("Projected Development Site 3") would consist of an approximately 51,308-gsf building with approximately 17,103-gsf of community facility space (medical office) and 34,206-gsf of commercial office space.

DEVELOPMENT SCENARIOS

In order to assess the potential effects of the Proposed Actions, a RWCDS for both "future without the Proposed Actions" (No-Action) and "future with the Proposed Actions" (With-Action) conditions are analyzed for an analysis year of 2030.

Future without the Proposed Actions (No-Action Condition)

In the future without the Proposed Actions (the No-Action condition), it is assumed that Applicant-owned Projected Development Site 1 (Lot 1 only) would be developed as a 4-story (60 foot building with approximately 118,817 gsf office building, which includes 28,544-gsf of local retail, 58,989-gsf of commercial office space, and 31,284 gsf of parking. Applicant-owned Block 2403, Lot 41 is a 21,600-gsf commercial office building that currently exceeds existing bulk controls and is not likely to be redeveloped.

Projected Development Site 2 is assumed to maximize its available FAR under the No-Action condition by enlarging the existing building into a 3-story building with a maximum height of 45 feet. The enlarged building would comprise a total of approximately 31,350 gsf (19,000 zsf), with approximately 10,925 gsf of light industrial/warehouse space (same use as under existing conditions), 7,125 gsf of local retail space, approximately 3,800 gsf of office space, and 9,500 gsf of parking.

Projected Development Site 3 is also assumed to be developed under the No-Action condition. The lot is expected to be redeveloped into an approximately 63,950-gsf (29,744-zsf) 5-story commercial building, comprising of approximately 14,872-gsf of local retail and 19,334-gsf of commercial office space, as well as approximately 29,744 gsf of required accessory parking (99 spaces).

Future with the Proposed Actions (With-Action Condition)

Under the RWCDS, in the With-Action condition, the proposed zoning map, zoning text amendment, and special permit would be approved. As such, the Applicant would be allowed to develop the approximately 322,641 gsf mixed-use building on Projected Development Site 1. Under the RWCDS, the

Proposed Development could be redeveloped with approximately 266,943 gsf of residential uses consisting of up to 278 DUs and 34,598 gsf of commercial floor area (local retail).

In addition, non-Applicant owned Projected Development Site 2 (Block 2403, Lot 15) would be redeveloped as an approximately 63,057 gsf building containing approximately 57 DUs and 8,194 gsf of local retail space. Non-Applicant owned Projected Development Site 3 (Block 2403 p/o Lot 37) would consist of approximately 17,103 gsf of community facility space (medical office) and 34,206 gsf of commercial office space, totaling a building of approximately 51,308 gsf.

RWCDS Increment

As shown in **Table 1**, for the purposes of transportation forecasting, compared to the No-Action condition, the Proposed Actions would result in a net incremental increase of 321,806 gsf of residential use (approximately 335 total DUs) and 17,103 gsf of medical office use. The Proposed Actions would also result in a net incremental decrease of approximately 7,749 gsf of local retail uses, 69,517 gsf of office use, and 10,925 gsf of warehouse use, compared to the No-Action condition.

TABLE 1: 2030 Comparison of No-Action and With-Action Development Scenarios

Land Use	No-Action	RWCDS With-Action	Increment
Residential (gsf)	0 gsf	321,806 gsf	+321,806 gsf
DUs	0 DUs	335 DUs	+335 DUs
Local Retail (gsf)	50,541 gsf	42,792 gsf	-7,749 gsf
Office (gsf)	103,723 gsf	34,206 gsf	-69,517 gsf
Medical Office (gsf)	0 gsf	17,103 gsf	17,103 gsf
Manufacturing/Warehouse (gsf)	10,925 gsf	0 gsf	-10,925 gsf

TRANSPORTATION PLANNING FACTORS

The trip generation rates, temporal and directional distributions, modal splits, vehicle occupancies and truck trip factors used to forecast travel demand for the RWCDS's uses are summarized in **Table 2**. They were based on factors cited in the 2021 *City Environmental Quality Review (CEQR) Technical Manual;* 2015-2019 American Community Survey (ACS) journey-to-work data and 2012-2016 American Association of State Highway Transportation Officials (AASHTO) Census Transportation Planning Products (CTPP) reverse journey-to-work data for Brooklyn census tracts in proximity to the Project Area (tracts 523, 549, 551, 553, and 555); factors developed from the recent *Gowanus Neighborhood Rezoning FEIS* (2021); and factors provided by the New York City Department of Transportation (NYCDOT). Factors are shown for the weekday AM and PM peak hours (typical peak periods for commuter travel demand) and the weekday midday and Saturday peak hours (typical peak periods for retail demand).

Residential

Residential person trip rates and temporal distributions reflect data from the 2021 *CEQR Technical Manual*. Modal splits and auto occupancy were based on 2015-2019 5-year ACS journey-to-work data for Brooklyn Census Tracts 523, 549, 551, 553, and 555, and taxi vehicle occupancy was based on data from the 2021 *Gowanus Neighborhood Rezoning FEIS*. The modal splits based on the ACS journey-to-work data were conservatively assumed for all periods. Directional in/out splits were based on data provided by NYCDOT. Truck generation rates and temporal distributions reflect those cited in the 2021 *CEQR Technical Manual*.

Local Retail

The trip generation rates and temporal distributions for local retail reflect data from the 2021 *CEQR Technical Manual*. Modal splits, directional in/out splits, auto and taxi vehicle occupancy rates for local retail were based on data provided by NYCDOT. Truck trip generation rates and temporal distributions were based on data from the 2021 *CEQR Technical Manual*. There was no linked/pass-by trip credit applied to the local retail use.

Office

The trip generation rates and temporal distributions for office uses reflect data from the 2021 *CEQR Technical Manual*. The modal splits for the AM, PM, and Saturday peak hours and auto occupancy were based on 2012-2016 AASHTO CTTP reverse journey-to-work data for Brooklyn tracts 523,549, 551, 553, and 555. The midday modal split and taxi vehicle occupancy were based on data from the 2021 *Gowanus Neighborhood Rezoning FEIS*. Directional in/out splits were based on data provided by NYCDOT. Truck generation rates and temporal distributions reflect those cited in the 2021 *CEQR Technical Manual*.

Warehouse

The trip generation rates, temporal distributions, directional in/out splits, and truck factors for warehouse uses were based on data provided by NYCDOT. The modal splits and auto occupancy were based on 2012-2016 AASHTO CTTP reverse journey-to-work data for Brooklyn tracts 523, 549, 551, 553, and 555. Taxi vehicle occupancy was based on data from the 2021 *Gowanus Neighborhood Rezoning FEIS*.

Medical Office

The trip generation rates and temporal distributions for medical office uses reflect data from the 2021 *CEQR Technical Manual*. The modal splits, directional in/out splits, and auto and taxi vehicle occupancy were based on data provided NYCDOT. Truck trip factors were based on data from the 2021 *Gowanus Neighborhood Rezoning FEIS*.

TABLE 2: Transportation Planning Factors

Land Use:	Residential	Local Retail	Office	Warehouse	Medical Office
Trip Generation:	(1)	(1)	(1)	(3)	(1)
Weekday	8.18	329	18.0	2.36	See note (6)
Saturday	9.08	358	3.9	0.20	37.0
	per DU	per 1,000 gsf	per 1,000 gsf	per 1,000 gsf	per 1,000 gsf
Temporal Distribution:	(1)	(1)	(1)	(3)	(1)
AM	9.3%	4.8%	12.4%	10.0%	11.0%
Midday	5.6%	8.0%	11.0%	9.0%	12.6%
PM	8.5%	10.9%	10.5%	11.0%	8.5%
Saturday	8.4%	11.7%	14.1%	33.0%	16.6%
Modal Splits:	(2)	(3)	(5)(4)	(5)	(3)
	All Periods	All Periods	AM/PM/SAT / MD	All Periods	All Periods
Auto	11.0%	11.0%	29.5% / 2.0%	29.4%	22.0%
Taxi	0.9%	0.0%	1.4% / 1.0%	1.5%	4.0%
Subway	66.1%	3.0%	35.6% / 7.0%	34.6%	13.0%
Transit Bus	2.1%	2.0%	7.1% / 7.0%	7.4%	13.0%
Ferry	6.9%	0.0%	0.0% / 0.0%	0.0%	0.0%
Walk/Other	13.0%	84.0%	26.5% / 83.0%	27.1%	48.0%
	100.0%	100.0%	100.0% / 100.0%	100.0%	100%
In/Out Splits:	(3)	(3)	(3)	(3)	(3)
	In / Out	In / Out	In / Out	In / Out	In / Out
AM	22% / 78%	52% / 48%	86% / 14%	77% / 23%	62% / 38%
Midday	50% / 50%	50% / 50%	52% / 48%	53% / 47%	53% / 47%
PM	62% / 38%	50% / 50%	16% / 84%	27% / 73%	39% / 61%
Saturday	55% / 45%	50% / 50%	48% / 52%	64% / 36%	54% / 46%
Vehicle Occupancy:	(2)(4)	(3)	(5)(4)	(5)(4)	(3)
	AM/PM / MD/SAT	AM/MD/PM / SAT	All Periods	All Periods	All Periods
Auto	1.15 / 1.15	1.20 / 1.20	1.10	1.10	1.50
Taxi	1.30 / 1.30	1.20 / 1.20	1.26	1.30	1.50
Truck Trip Generation:	(1)	(1)	(1)	(3)	(4)
Weekday	0.06	0.35	0.32	0.91	0.29
Saturday	0.02	0.04	0.01	0.08	0.29
	per DU	per 1,000 gsf	per 1,000 sf	per 1,000 gsf	per 1,000 sf
Truck Temporal Distribution:	(1)	(1)	(1)	(3)	(4)
AM	12.0%	8.0%	10.0%	9.9%	3.0%
MD	9.0%	11.0%	11.0%	8.0%	11.0%
PM	2.0%	2.0%	2.0%	7.0%	1.0%
Saturday	9.0%	11.0%	11.0%	28.0%	0.0%
Truck Directional Distribution:	In / Out	In / Out	In / Out	In / Out	In / Out
AM	50% / 50%	50% / 50%	50% / 50%	67% / 33%	50% / 50%
MD	50% / 50%	50% / 50%	50% / 50%	57% / 43%	50% / 50%
PM	50% / 50%	50% / 50%	50% / 50%	60% / 40%	50% / 50%
Saturday	50% / 50%	50% / 50%	50% / 50%	42% / 58%	50% / 50%

Notes:

(1) 2021 *City Environmental Quality Review (CEQR) Technical Manual.*

(2) 2015-2019 ACS journey-to-work data for Brooklyn Census Tracts 523, 549, 551, 553, and 555.

(3) Based on data provided by NYCDOT.

(4) Based on data from the *Gowanus Neighborhood Rezoning FEIS*, 2021. Vehicle occupancy assumes same factors between AM/PM and MD/Sat.

(5) 2012-2016 AASHTO CTTP reverse journey-to-work data for Brooklyn Census Tracts 523, 549, 551, 553, and 555.

(6) Weekday trip generation for medical offices larger than 15,000 SF: 66.626x + 141.77 (x = size of gsf in 1,000 sf) per *CEQR Technical Manual*.

TRIP GENERATION

The net incremental change in person and vehicle trips expected to result from the Proposed Actions by the 2030 analysis year was derived based on the net change in land uses shown in **Table 1** and the transportation planning factors shown in **Table 2. Table 3** shows estimate of the net incremental change in peak hour person trips and vehicle trips at all three Projected Development Sites, which would occur in 2030 under the Proposed Actions. As shown in **Table 3**, compared to the No-Action condition, the Proposed Actions would generate a net increase of approximately 114 person trips (in + out combined) in the weekday AM peak hour, and a net decrease of approximately 28 trips in the weekday midday peak hour, 68 trips in the weekday PM peak hour, and 2 trips in the Saturday peak hour. As shown in **Table 3**, peak hour vehicle trips (including auto, taxi, and truck trips) would increase by a net total of approximately zero, 25 and 10 trips during the weekday AM, weekday midday, and Saturday peak hours, respectively. The Proposed Actions would also generate a net decrease of approximately 15 vehicle trips during the weekday PM peak hours. Subway demand would increase by approximately 128, 105, 112, and 158 trips in the weekday AM, midday, and PM and Saturday peak hours, respectively. Bus demand would increase by approximately 10, 11, five, and 10 trips in the weekday AM, midday, PM, and Saturday peak hours, respectively. Ferry demand would increase by approximately 18, 10, 16, and 18 trips in the weekday AM, midday, PM, and Saturday peak hours, respectively. Lastly, trips made entirely on foot (walk-only trips) or by other non-motorized modes would decrease by approximately 46, 188, 185, and 200 trips during the weekday AM, midday, and PM and Saturday peak hours, respectively. Total pedestrian trips (including walk-only trips and pedestrians walking to/from subway stations, bus and ferry stops) would increase by approximately 110 trips in the weekday AM peak hour and decrease by approximately 62, 52, and 14 trips in the weekday midday, weekday PM, and Saturday peak hours, respectively.

LEVEL 1 SCREENING ASSESSMENT

The *CEQR Technical Manual* describes a two-level screening procedure for the preparation of a "preliminary analysis" to determine if quantified operational analyses of transportation conditions are warranted. As discussed in the following sections, the preliminary analysis begins with a trip generation (Level 1) analysis to estimate the numbers of person and vehicle trips attributable to the Proposed Actions. According to the *CEQR Technical Manual*, if the Proposed Actions are expected to result in fewer than 50 vehicle or ferry trips in each peak hour and fewer than 200 peak hour transit or pedestrian trips, further quantified analyses are not warranted. When these thresholds are exceeded, detailed trip assignments (a Level 2 assessment) are to be performed to estimate the incremental trips that could occur at specific transportation elements and to identify potential locations for further analysis. If the trip assignments show that the Proposed Actions would generate 50 or more peak hour vehicle trips at an intersection, 200 or more peak hour subway trips at a station, 50 or more peak hour bus trips in one direction along a bus route, 25 or more peak hour trips by Citywide Ferry Service ("CWFS") in a single direction on a single route, 50 or more at a ferry landing, or 200 or more peak hour pedestrian trips traversing a sidewalk, corner area or crosswalk, then further quantified operational analyses may be

warranted to assess the potential for significant adverse impacts on traffic, transit, ferry, pedestrians, vehicular and pedestrian safety, and parking.

TABLE 3: Travel Demand Forecast – Person Trips

Land Use:	Residential		Local Retail		Office		Warehouse		Medical Office			
Size/Units:	335 DUs		-7,749 gsf		-69,517 gsf		-10,925 gsf		17,103 gsf			
Peak Hour Trips:											**Total Trips**	
AM	256		-124		-156		-3		141		114	
Midday	154		-204		-137		-2		161		-28	
PM	234		-278		-130		-3		109		-68	
Saturday	256		-324		-38		-1		105		-2	
Person Trips:												
AM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	6	22	-7	-6	-40	-7	-1	0	19	12	-23	21
Taxi	1	2	0	0	-2	0	0	0	3	2	2	4
Subway	37	132	-1	-2	-47	-8	-1	0	11	7	-1	129
Public Bus	1	4	-1	-2	-9	-1	0	0	11	7	2	8
Ferry	4	14	0	0	0	0	0	0	0	0	4	14
Walk/Other	7	26	-55	-50	-36	-6	-1	0	43	26	-42	-4
Total	56	200	-64	-60	-134	-22	-3	0	87	54	-58	172
Midday	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	8	8	-11	-11	-1	-1	0	0	19	17	15	13
Taxi	1	1	0	0	-1	-1	0	0	3	3	3	3
Subway	51	51	-3	-3	-5	-5	-1	-1	11	10	53	52
Public Bus	2	2	-2	-2	-5	-5	0	0	11	10	6	5
Ferry	5	5	0	0	0	0	0	0	0	0	5	5
Walk/Other	10	10	-86	-86	-59	-54	0	0	41	36	-94	-94
Total	77	77	-102	-102	-71	-66	-1	-1	85	76	-12	-16
PM	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	16	10	-16	-16	-6	-33	0	-1	9	15	3	-25
Taxi	1	1	0	0	0	-1	0	0	2	3	3	3
Subway	95	58	-4	-4	-7	-40	0	-1	6	9	90	22
Public Bus	3	2	-3	-3	-1	-8	0	0	6	9	5	0
Ferry	10	6	0	0	0	0	0	0	0	0	10	6
Walk/Other	20	12	-116	-116	-5	-29	0	-1	19	31	-82	-103
Total	145	89	-139	-139	-19	-111	0	-3	42	67	29	-97
Saturday	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Auto	15	13	-17	-17	-5	-6	0	0	12	11	5	1
Taxi	1	1	0	0	0	0	0	0	2	2	3	3
Subway	93	77	-5	-5	-7	-7	-1	0	7	6	87	71
Public Bus	3	2	-3	-3	-1	-1	0	0	7	6	6	4
Ferry	10	8	0	0	0	0	0	0	0	0	10	8
Walk/Other	18	15	-137	-137	-5	-6	0	0	28	24	-96	-104
Total	140	116	-162	-162	-18	-20	-1	0	56	49	15	-17

Notes: A 0% pass-by trip credit was applied to the local retail use.

TABLE 3 (cont.): Travel Demand Forecast – Vehicle Trips

Vehicle Trips :		Residential		Local Retail		Office		Warehouse		Medical Office		Total Trips	
AM		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
	Auto	5	19	-5	-5	-37	-6	-1	0	13	8	-25	16
	Taxi	1	2	0	0	-1	0	0	0	2	1	2	3
	Taxi (Balance	3	3	0	0	-1	-1	0	0	3	3	5	5
	Truck	1	1	0	0	-1	-1	-1	0	0	0	-1	0
	Total	9	23	-5	-5	-39	-8	-2	0	16	11	-21	21
Midday		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
	Auto	7	7	-9	-9	-1	-1	0	0	13	11	10	8
	Taxi	1	1	0	0	-1	-1	0	0	2	2	2	2
	Taxi (Balance	2	2	0	0	-2	-2	0	0	4	4	4	4
	Truck	1	1	0	0	-1	-1	-1	0	0	0	-1	0
	Total	10	10	-9	-9	-4	-4	-1	0	17	15	13	12
PM		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
	Auto	14	9	-13	-13	-5	-30	0	-1	6	10	2	-25
	Taxi	1	1	0	0	0	-1	0	0	1	2	2	2
	Taxi (Balance	2	2	0	0	-1	-1	0	0	3	3	4	4
	Truck	0	0	0	0	0	0	0	0	0	0	0	0
	Total	16	11	-13	-13	-6	-31	0	-1	9	13	6	-21
Saturday		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
	Auto	13	11	-14	-14	-4	-5	0	0	8	7	3	-1
	Taxi	1	1	0	0	0	0	0	0	1	1	2	2
	Taxi (Balance	2	2	0	0	0	0	0	0	2	2	4	4
	Truck	0	0	0	0	0	0	0	0	0	0	0	0
	Total	15	13	-14	-14	-4	-5	0	0	10	9	7	3

Notes: A 0% pass-by trip credit was applied to the local retail use.

Traffic

Based on *CEQR Technical Manual* guidance, a quantified traffic analysis is typically required if the Proposed Actions would result in 50 or more vehicle trip-ends in a peak hour at one or more intersections. As shown in **Table 3**, under the Proposed Actions there would be a net increase of one, 25, and 10 vehicle trips (including auto, taxi, and truck trips) in the weekday AM, weekday midday, and Saturday peak hours, respectively. There would also be a net decrease of 13 vehicle trips during the weekday PM peak hours, respectively. No change would occur during the weekday AM peak hour. As the numbers of trips would not potentially exceed the 50-trip *CEQR Technical Manual* threshold in any peak hour, further traffic analysis is not warranted. Therefore, significant adverse impacts to nearby intersections are not expected to occur under the Proposed Actions, and a detailed analysis of traffic conditions is not warranted based on *CEQR Technical Manual* guidance.

Transit

According to the general thresholds used by the Metropolitan Transportation Authority (MTA) and specified in the *CEQR Technical Manual*, detailed transit analyses are generally not required if the Proposed Action is projected to result in fewer than 200 peak hour rail or bus transit riders. If the Proposed Action would result in 50 or more bus passengers being assigned to a single bus route in one direction, or if it would result in an increase of 200 or more passengers at a single subway station or on a single subway line, a detailed bus and/or subway analysis would be warranted. Transit analyses typically focus on the weekday AM and PM commuter peak hours, as it is during these periods that overall demand on the subway and bus systems is usually highest.

As shown in **Table 3**, the Proposed Actions are expected to generate a net total of approximately 128 and 112 incremental subway trips in the weekday AM and PM peak hours, respectively. As these trips would not exceed the 200-trip *CEQR Technical Manual* analysis threshold, further subway analysis is not warranted.

As also shown in **Table 3,** there is expected to be a net increase of approximately ten and five incremental bus trips in the weekday AM and PM peak hours, respectively. As these trips would not exceed the 50-trip *CEQR Technical Manual* analysis threshold, further bus analysis is not warranted. Therefore, significant adverse impacts to transit bus services are not expected to occur under the Proposed Actions, and a detailed analysis of bus conditions is not warranted based on *CEQR Technical Manual* guidance.

CWFS

According to *CEQR Technical Manual* guidance, detailed analyses of the CWFS are not typically required if a Proposed Action would result in 50 or fewer peak hour CWFS peak hour ferry riders to a ferry landing within a half-mile of the Project Site. As shown in **Table 3**, the Proposed Actions are expected to generate a net increase of approximately 18, 10, 16, and 18 ferry trips in the weekday AM, midday, PM, and

Saturday peak hours. As these trips would not exceed the 50-trip *CEQR Technical Manual* analysis threshold in any peak hour, further CWFS analyses are not warranted. Therefore, significant adverse impacts to CWFS are not expected to occur under the Proposed Actions, and a detailed analysis of CWFS conditions is not warranted based on *CEQR Technical Manual* guidance.

Pedestrians

According to *CEQR Technical Manual* guidance, a quantified analysis of pedestrian conditions is typically required if the Proposed Action would result in 200 or more peak hour pedestrian trips at any pedestrian element (sidewalk, corner area or crosswalk). As shown in **Table 3**, the Proposed Actions would generate a net incremental increase of approximately 110 total pedestrian trips in the weekday AM peak hour as well as a net incremental decrease of approximately 62, 52, and 14 total pedestrian trips in the weekday midday, weekday PM, and Saturday peak hours, respectively. These would include walk-only trips and pedestrians walking to and from subway stations, bus and ferry stops. As the number of trips would not exceed the 200-trip threshold in any peak period, a Level 2 screening assessment is not warranted and significant impacts to surrounding pedestrian elements are not anticipated.

Parking

Under *CEQR Technical Manual guidance*, on- and off-street parking analyses may be warranted if a quantified traffic analysis is necessary based on the Levels 1 and 2 screening analyses. Based on the screening analyses detailed above, a quantified traffic analysis would not be warranted for the Proposed Action. Therefore, based on *CEQR Technical Manual* guidance, quantified on- and off-street parking analyses would also not be warranted.