A. INTRODUCTION

This chapter examines the proposed action's 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. This analysis has defined a study area within which the proposed action would have the potential to affect land use or land use trends. Following guidance provided in the 2014 *City Environmental Quality Review ("*CEQR*") Technical Manual*, this study area encompasses a quarter-mile radius of the rezoning area, but for analysis purposes has been modified and expanded as appropriate to include entire blocks. The study area boundary is shown in Figure 2-1.

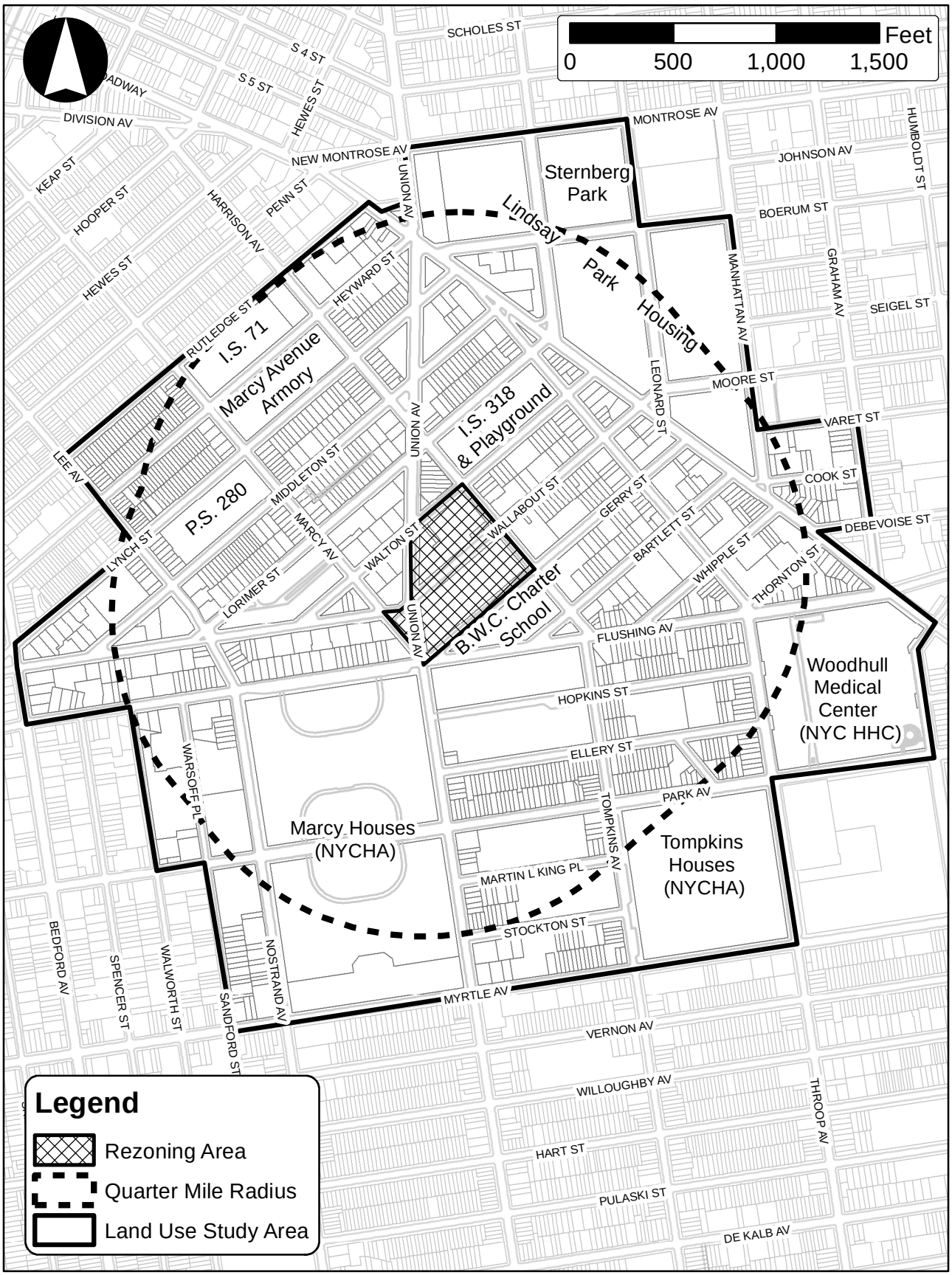
As discussed in Chapter 1, "Project Description," the proposed action would consist of two discretionary actions subject to City Planning Commission (CPC) and City Council approval: a zoning map amendment and zoning text amendment. The zoning map amendment would change the rezoning area zoning from an M3-1 district to R7A, R7D, and R8A districts with a C2-4 commercial overlay covering most of the rezoning area. The zoning text amendment would designate the rezoning area as a Mandatory Inclusionary Housing area (MIHA). The purpose of the proposed action is to facilitate a new predominantly residential mixed-use development on the two-block-project-area owned by the Applicant.

The reasonable worst case development scenario (RWCDS) With-Action condition for the proposed action consists of approximately 1,147 dwelling units (DUs), of which approximately 344 DUs would be affordable housing DUs (30 percent of the total); 64,807 gross square feet (gsf) of local retail space; approximately 128,128 gsf of parking space, consisting of 427 spaces, as required by zoning; and approximately 26,000 sf of publicly-accessible open space.

Under RWCDS No-Action conditions, it is assumed that the project area would be vacant. The RWCDS No-Action conditions represent the baseline against which the effects of the proposed action will be compared. The effect of the proposed action, therefore, represents the incremental effect on conditions that would result from the net change in development between No-Action and With-Action conditions ("project increment"). As the project area is assumed to remain vacant under RWCDS No-Action conditions, the project increment for the project area is identical to the development program for RWCDS With-Action conditions.

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

Land Use Study Area



B. PRINCIPAL CONCLUSIONS

No significant adverse impacts on land use, zoning, or public policy, as defined by the guidelines for determining impact significance set forth in the *CEQR Technical Manual*, are anticipated in the future with the proposed action in the project area (the primary study area) or within a quarter-mile radius (secondary study area). The RWCDS resulting from the proposed action would not directly displace any land uses so as to adversely affect surrounding land uses, nor would it generate land uses that would be incompatible with land uses, zoning, or public policies in the secondary study area. The proposed action/RWCDS would not result in land uses that conflict with surrounding land uses or public policies applicable to the project area or the secondary study area. The proposed action would facilitate new residential, local retail, and publicly-accessible open space in the project area, which would otherwise remain zoned M3-1 in which new residential uses would not be permitted. This new mixed-use development would complement existing residential, retail, and community facility uses and other anticipated land uses as vacant and underutilized properties, many formerly industrial, continue to be redeveloped. The proposed zoning map amendment, replacing M3-1 with R7A, R7D, and R8A underlying districts and a C2-4 commercial overlay covering most of the rezoning area, would allow new development at a scale and density that is compatible with the existing development in the surrounding area. The existing manufacturing zoning is no longer appropriate for the project area, as Pfizer has vacated the project area and other nearby properties and the extent of other industrial uses has declined. As the area, which is well-served by transit, is experiencing a trend toward residential, retail, and community facility development, a rezoning to allow residential development would be consistent with City policies such as OneNYC and Housing New York. The proposed zoning text amendment would expand affordable housing opportunities by ensuring that new residential development would include a share of Mandatory Inclusionary Housing units, also consistent with City policy. Thus, the proposed action would create a zoning designation that is appropriate for the project area's future use. The proposed action would generate a substantial amount of new affordable housing, which is consistent with City policies. The proposed action is also projected to generate new local retail space, which would be supportive of the residential development in the project area and the secondary study area. The 26,000 sf of publicly-accessible open space required as part of the redevelopment of the project area also would be compatible with area's land use characteristics.

The proposed action, with these beneficial elements, would not result in any significant adverse impacts to land use, zoning, or public policy.

C. METHODOLOGY

The purpose of this chapter is to examine the effects of the proposed action and determine whether or not it would result in any significant adverse impacts on land use, zoning, or public policy. The analysis methodology is based on the guidelines of the *CEQR Technical Manual* and examines the proposed action's consistency with land use patterns and development trends, zoning regulations, and other applicable public policies.

As described in Chapter 1, "Project Description," in order to assess the possible effects of the proposed action, an RWCDS was established for the future without the proposed action (No-Action) conditions) and future with the proposed action (With-Action condition) for the project area in the 2019 analysis year.

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 action involves zoning map and text amendments that would result in changes to permitted use, density, and bulk on sites in an area where land uses on other sites will change under No-Action conditions, a detailed assessment is necessary to provide a sufficient description and assessment of the effects on conditions. In addition, a detailed assessment is needed to sufficiently inform other technical reviews and determine whether changes in land use could affect conditions analyzed in those technical areas. Therefore, this chapter includes a detailed analysis that involves a thorough description of existing land uses within the directly affected area and the broader study area. Following the guidelines of the *CEQR Technical Manual*, the detailed analysis describes existing and anticipated future conditions to a level necessary to understand the relationship of the proposed action to such conditions, assesses the nature of any changes on these conditions that would be created by the proposed action, and identifies those changes, if any, that could be significant or adverse.

Analysis Year

The analysis year is the anticipated RWCDS completion date of 2019. Therefore the future No-Action condition accounts for land use and development projects, initiatives, and proposals that are expected to be completed by 2019.

Study Area Definition

Based on *CEQR Technical Manual* guidance, the land use study area should consist of the directly affected area, in this the case the two-block project area, where the land use impacts would be straightforward and direct (reflecting the proposed action), also referred to as the primary study area, and the neighboring areas in which the proposed action and associated RWCDS could reasonably be expected to create potential direct and indirect impacts. Based on the geographic size of the project area, the scale of the anticipated development program, and the land use patterns of the surrounding area, including its density, types of land uses, and built environment, an approximate quarter-mile radius has been selected. This surrounding area is sometimes referred to as the secondary study area as it would be potentially affected indirectly by the action-generated RWCDS rather than the direct affects experienced in the project area.

Data Sources

Existing land uses in the secondary study area were identified through review of a combination of sources including field surveys and secondary sources (such as the *Broadway Triangle Final Environmental Impact Statement* (FEIS), 2009; *59 Walton Street Rezoning Environmental Assessment Statement* (EAS), 2012; *Bedford-Stuyvesant North Rezoning EAS*, 2012; *74 Wallabout*

Street Rezoning, 2012; *87-99 Union Avenue EAS*, 2006; *640 Broadway EAS*, 2013, and *Wallabout Street Rezoning EAS*, 2005) as well as the City's Primary Land Use Tax Lot Output (PLUTO™) data files for 2016 and websites, such as NYC Open Accessible Space Information System (OASIS, www.oasisnyc.net) and NYCityMap (http://gis.nyc.gov/doitt/nycitymap/). New York City Zoning Maps and the Zoning Resolution of the City of New York were consulted to describe existing zoning districts in the study areas and provided the basis for the zoning evaluation of the future No-Action and future With-Action conditions.

D. EXISTING CONDITIONS

Land Use

Rezoning Area

As discussed in Chapter 1, the rezoning area is located in the southeastern section of Williamsburg in Brooklyn Community District 1. The rezoning area is currently occupied by two blocks owned by the Applicant and the southern half of an adjoining street (Walton Street between Union Avenue and Harrison Avenue).[1] The Applicant's two-block property, also referred to as the project area, is bounded by Walton Street on the north, Harrison Avenue on the east, Gerry Street on the south, and Union Avenue on the west. The two blocks include the "Northern Block", Block 2249 (east), and the "Southern Block", Block 2269. The southwest corner of the project area is located adjacent to a multi-leg intersection formed by the junction of Union Avenue, Gerry Street, Flushing Avenue, and Marcy Avenue. The project area is bisected by Wallabout Street which is an east-west street, which separates the Northern Block and the Southern Block. While these blocks have been vacant in recent years, the Southern Block is currently striped with parking spaces and it is currently being used for temporary parking/vehicle storage for construction equipment and supplies and the Northern Block is currently used as temporary equipment/vehicle storage. The project site is trapezoidal-shaped as Union Avenue has a diagonal alignment relative to the other streets bounding the project area blocks.

The zoning map amendment would follow zoning map convention in which the proposed new zoning district boundaries would be extended to the centerline of adjoining streets and follow existing zoning boundaries. As such, a raised triangle in the public right-of-way formed by the intersection of Union and Marcy avenues, and Wallabout Street would be located within the rezoning area. However, as this area is within the City-owned mapped street it is not subject to zoning, i.e., does not generate floor area, it would not be directly affected by the proposed action. The northern boundary of the new zoning districts established as part of the zoning text amendment would extend through the centerline of the demapped 70-foot wide Walton Street, as a prolongation of the centerline of mapped segments of Walton Street to the east of Harrison Avenue and west of Union Avenue. As such, an approximately 8,851-sf trapezoidal area, in the bed of the former mapped street also would be rezoned as a result of the proposed action. Walton Street, which is City-owned, is expected to continue to operate as a street in the future With-Action

[1] This segment of Walton Street was demapped in 1999 and as such is not shown on the City Map as a street. However it remains City-owned and continues to function as a public right-of-way open to vehicles and pedestrians with subsurface public utilities. For zoning purposes, it is defined as a "street."

condition. The Applicant has neither proposed to acquire this City-owned property nor proposed to execute a zoning lot development agreement (ZLDA) with the City to utilize any development rights generated by it. No development is expected to occur on the demapped portion of Walton Street as a result of the rezoning.

Study Area

The land use study area encompasses southeastern Williamsburg and northern Bedford-Stuyvesant, extending as far west as Bedford Avenue, as far south as Myrtle Avenue, as far east as Broadway and Marcus Garvey Boulevard, and as far north as Montrose Avenue, aka New Montrose Avenue. This area possesses a heterogeneous mix of land uses including residential, institutional, commercial, and industrial. There are also a significant number of vacant properties.

Predominant land uses within the land use study area include residential and institutional uses; many of the area's public facilities serve residents of study area and surrounding communities. These uses are spread throughout the study area without any distinct concentrations along major thoroughfares. The parts of the study area east of Broadway and south of Flushing Avenue include a concentration of large scale uses on superblocks; these are commonly multi-family elevator residential uses, with considerable open spaces (tower-in-a-park configurations), but also include Woodhull Medical Center and Sternberg Park. As a contrast, blocks in the center of the study area have a more fine grain character with more diverse uses and a higher proportion of smaller lot sizes. These include detached low-rise residences and mid-rise apartment buildings. Commercial uses are concentrated along portions of Broadway and Flushing Avenue. Industrial uses are scattered throughout the study area with a particular concentration directly east and south of the project area. There is also a considerable amount of vacancy throughout the study area, including vacant lots and partially and fully vacant buildings. The street grid is generally rectilinear throughout the study area, albeit with some diagonal streets and the aforementioned superblocks. However, the alignment of street grid blocks varies in different parts of the study area, with one pattern predominant south of Flushing Avenue and east of Broadway and a different pattern north of Flushing Avenue and west of Broadway.

Directly east of the project area lie large swaths of vacant land and lots used for parking, although as discussed below, some privately-owned properties on these blocks are being redeveloped with residential and mixed residential-commercial uses pursuant to the Broadway Triangle rezoning adopted in 2009. In addition, the redevelopment of City-owned properties in the Broadway Triangle, which has not occurred to date due to ongoing litigation involving the disposition of these properties, is also anticipated in the future for analysis purposes. North of the project area lies a small, formerly vacant trapezoidal-shaped block that was rezoned as part of the Broadway Triangle rezoning; this block was redeveloped with several multi-family residential buildings with a combined total of 35 DUs at 70 to 88 Union Avenue, which were completed in 2013. This block sits between blocks occupied by industrial and institutional uses to its west and east, respectively. The blocks to the west of the project area are mainly comprised of one- and two-family homes, multi-family and mixed-commercial-residential buildings. South of Flushing Avenue, there are large housing developments on superblocks. NYCHA's approximately 1,705-unit Marcy Houses public housing complex, located on two superblocks covering approximately 28 acres bounded by

Flushing Avenue, Myrtle Avenue, Nostrand Avenue, and Marcy Avenue, is located directly southwest of the project area.

The Flushing Avenue G subway station is located at the southwest corner of the project area, at Flushing and Union Avenues. On the block immediately south of the project area lies the Beginning with Children Charter School in a former Pfizer building with outdoor recreational areas including a running track.

Other notable land uses in the study area consist of major residential developments including Lindsay Park, a 7-building Mitchell-Lama co-op housing development with approximately 2,702 units on three blocks in the northern part of the study area and the Edmund T. Pratt, Jr. Houses, approximately 140 townhouses developed in the 1990s with the assistance of Pfizer on blocks in the southern part of the study area; open spaces such as De Hostos and Middleton Playgrounds; 630 Flushing Incubator, the former main Pfizer facility located two blocks south of the project area at 630 Flushing Avenue (tenants include several food processors and offices of the Public Laboratory for Open Technology and Science); the former Marcy Avenue Armory (aka, 47th Regiment Armory) which occupies a full block site at 355 Marcy Avenue, a state-owned building which is rented out on a short-term basis for film shoots and community events; and institutional uses such as PS 280, IS 71, and IS 318.

While the description of existing conditions focuses on a "snapshot-in-time" of the study area as it exists at the time this EIS was prepared, it should be noted that this is a dynamic area that has been experiencing a strong trend of increased residential development, as vacant and underutilized industrial and general commercial properties are redeveloped. The area's long time major industrial employer, Pfizer, Inc., which had been present in the area since 1849 when it was established at the corner of Bartlett Street and Harrison Avenue, gradually decreased its presence over the past several decades until finally ceasing all operations in the area in 2008. Despite efforts by Pfizer and the City to attract and retain industrial uses in the area in past decades, other industrial uses have also left the area or substantially scaled back their activities.[2] This long-term trend was an impetus for the City's Broadway Triangle rezoning, described below, which rezoned neighboring blocks from manufacturing to residential districts in 2009.

The study area includes a number of residential buildings and predominantly residential mixed-use buildings constructed in recent years. In addition to the aforementioned buildings on the block immediately north of the project area, examples of other new buildings include: 24, 32, and 42 Walton Street (immediately west of the Northern Block), a 7-story, 3-building development with approximately 43 DUs completed in 2008; Cook Street Housing (aka, Rev. Donald J. Kenna Court), an 8-story, two-building apartment complex at 9 and 21 Cook Street/40 Varet Street, with approximately 152 affordable housing DUs, 6,345 sf of retail space, and 94 public parking spaces completed in 2009; 23 Union Avenue/439-441 Marcy Avenue (also immediately west of the Northern Block), a 6-story, approximately 23-DU apartment building completed about 2010; 248 Wallabout Street, a 7-story, approximately 28-DU apartment building completed about 2010; 155 Middleton Street, a 4-story, approximately 4-DU rowhouse completed in 2011; 383 Marcy Avenue, a 3-story, approximately 3-DU rowhouse completed in 2012; 135 Middleton Street, a 5-story, approximately 14-DU apartment building completed in 2013; 246 Lynch Street, a 7-story,

[2] "Pfizer's Birthplace, Soon Without Pfizer." *New York* Times, 28 January 2007.

approximately 39-DU apartment building completed in 2013; 45 Throop Avenue, a 4-story, approximately 8-DU apartment building completed in 2014; 386-398 Wallabout Street, seven rowhouses, with 3 DUs each, completed in 2014; 177 Harrison Street, a 110,000-gsf parochial school (across the street from the project area); 68-72 and 78-82 Throop Avenue, rowhouses that collectively have 18 DUs, completed in 2015; 78-80 Middleton Street, two adjoining 4-story buildings with a total of 8 DUs, completed in 2015. While many of these are relatively small developments, they are indicative of a trend of infill developments that collectively have resulted in a significant shift in land devoted to residential uses.

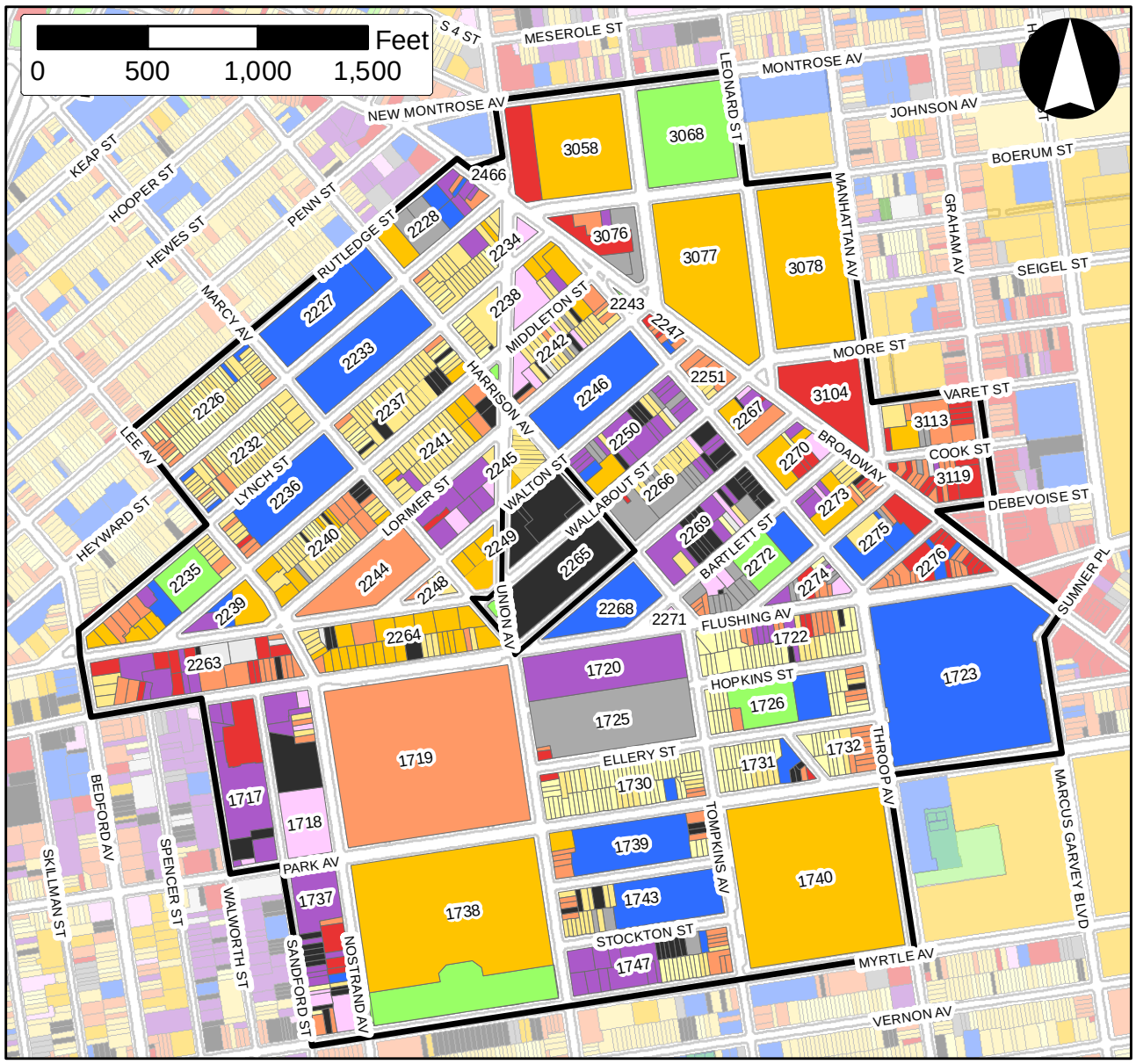
The land use patterns described above are reflected in land use data for the study area. As shown in Figure 2-1, the land use study area consists of Tax Blocks 1717, 1718, 1719, 1720, 1722, 1723, 1725, 1726, 1730, 1731, 1732, 1737, 1738, 1739, 1740, 1743, 1747, 2226, 2227, 2228, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2466, 3058, 3068, 3076, 3077, 3078, 3104, 3113, and 3119. Table 2-1 and Figure 2-2 show the existing generalized land uses within the land use study area. Overall, the table and figure show that the study area is predominantly occupied by residential, commercial, and institutional uses with a notable amount of vacant lots. Among the types shown in the table, the predominant land use (excluding streets) is residential and mixed-commercial-residential, which occupies approximately 60 percent of the study area lots. The diversity of housing types is evident in the figure, which shows that on some blocks, such as Block 2226, 1- and 2-family homes are the prevalent housing type, while on other blocks, including Blocks 2264 and 3058 multi-family elevator apartment buildings represent the main type of housing. Commercial and office uses, which are primarily concentrated on Broadway and Flushing Avenue accounts for approximately 5 percent of the lot area land uses. Public facility and institutional uses are spread throughout the land use study area and typically occupy all or a large portion of containing blocks. Industrial and manufacturing uses are located in close proximity to the project site on Blocks 2245, 2250, and 2269. Other land uses present in the study area include transportation and utility, parking (including the project area), and vacant land (comprising approximately 5 percent) and open space.

Additional information about building types including lot coverage, number of stories, and building arrangement is provided in Chapter 8, "Urban Design and Visual Resources" and is incorporated herein by reference.

Zoning

Rezoning Area

The project area is currently zoned as an M3-1 heavy manufacturing district. The district allows a wide range of non-residential uses, including commercial, general service and manufacturing. As there are no buildings on the blocks in the project area, they have a built floor area ratio ("FAR") of 0.0. While Walton Street is demapped, it is still City-owned and functions as a public way open to vehicular and pedestrian traffic.



Legend

- Rezoning Area
- Land Use Study Area
- 2249 Block Number
- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data

Table 2-1, Study Area Generalized Land Use

Land Use		Lots	% of Total Lot	Area (Sq. Ft.)	% of Total Land Area
Residential	All types of Residential	651	60.8%	4,446,663	51.0%
	- One and Two Family	232	21.7%	499,427	5.7%
	- Multi-Family Walk Up	270	25.2%	712,267	8.2%
	- Multi-Family Elevator Buildings	60	5.6%	2,068,155	23.7%
	- Mixed Residential and Commercial	148	13.8%	1,166,814	13.4%
Non-residential	Commercial and Office	58	5.4%	428,177	4.9%
	Industrial and Manufacturing	81	7.6%	801,924	9.2%
	Transportation and Utility	25	2.3%	197,036	2.3%
	Public Facilities and Institutions	32	3.0%	1,449,755	16.6%
	Open Space	6	0.6%	460,512	5.3%
	Parking Facilities	52	4.9%	430,692	4.9%
	Vacant Land	99	9.2%	491,989	5.6%
	All Others or No Data	8	0.7%	17,073	0.2%
Total		**1,071**	**100.0%**	**8,723,821**	**100.0%**

Source: PLUTO data, field inventories

Study Area

The M3-1 zone covering the project area also covers two blocks directly to the south, including the Beginning With Children charter school building and recreation area and a small triangular-shaped block with a gasoline station. This M3-1 zone is bordered by an R7A residence district to the east, an R6A residence district to the north and northeast, R7A and R7-1 districts to the west, R6 to the southwest, and an M1-3 light manufacturing district to the south, i.e., south of Flushing Avenue. There are C2-4 commercial overlay districts along Harrison Avenue to the east and covering the entire block to the north. The blocks to the east, north, and northeast of the project area form an Inclusionary Housing designated area, as indicated in Zoning Resolution (ZR) Appendix F, Brooklyn Community District 1, Map 4.

M3-1 Heavy Manufacturing District

M3-1 heavy manufacturing districts provide space for heavy industries that generate noise, traffic, and pollutants. Typical uses include power plants, solid waste transfer stations, and fuel supply depot. Additionally, uses in M3 districts are not required to conform to minimum performance standards. M3 districts are usually buffered away from the community. However, in the case of the M3-1 district currently mapped in the rezoning area, it is in close proximity to higher density residential and community facility uses.

Density and Use

M3-1 districts permit a wide range of uses, including commercial (Use Groups 6 to 14) and general service and manufacturing (Use Groups 16 to 18). M3 districts are the only zoning districts which

permit heavy manufacturing uses (Use Group 18). Community facility and residential uses are prohibited. The maximum permitted FAR is 2.0.

Bulk

Bulk in M3-1 districts is governed by "height-factor" regulations, also referred to as non-contextual bulk controls. Streetwalls are not required but if provided may not be taller than 60 feet or 4 stories (whichever is less). Above the maximum streetwall height, initial setback distances of 20 feet on narrow streets and 15 feet on wide streets must be provided. Above the maximum permitted 60-foot streetwall height and required initial setback distance, height and setback are limited by a sky exposure plane. As streetwalls are not required, these regulations allow towers and other lower lot coverage buildings set back from the street at the ground floor which may rise within the permitted building envelope formed by alternate height, setback, and sky exposure plane regulations.

Parking

The minimum required number of accessory parking spaces varies by use and includes 1 space per 300 zoning square feet ("zsf") of floor area for general retail or office uses. The basic parking requirement in an M3-1 manufacturing district is waived if there are less than 15 spaces required for the zoning lot.

Other Study Area Zoning Districts

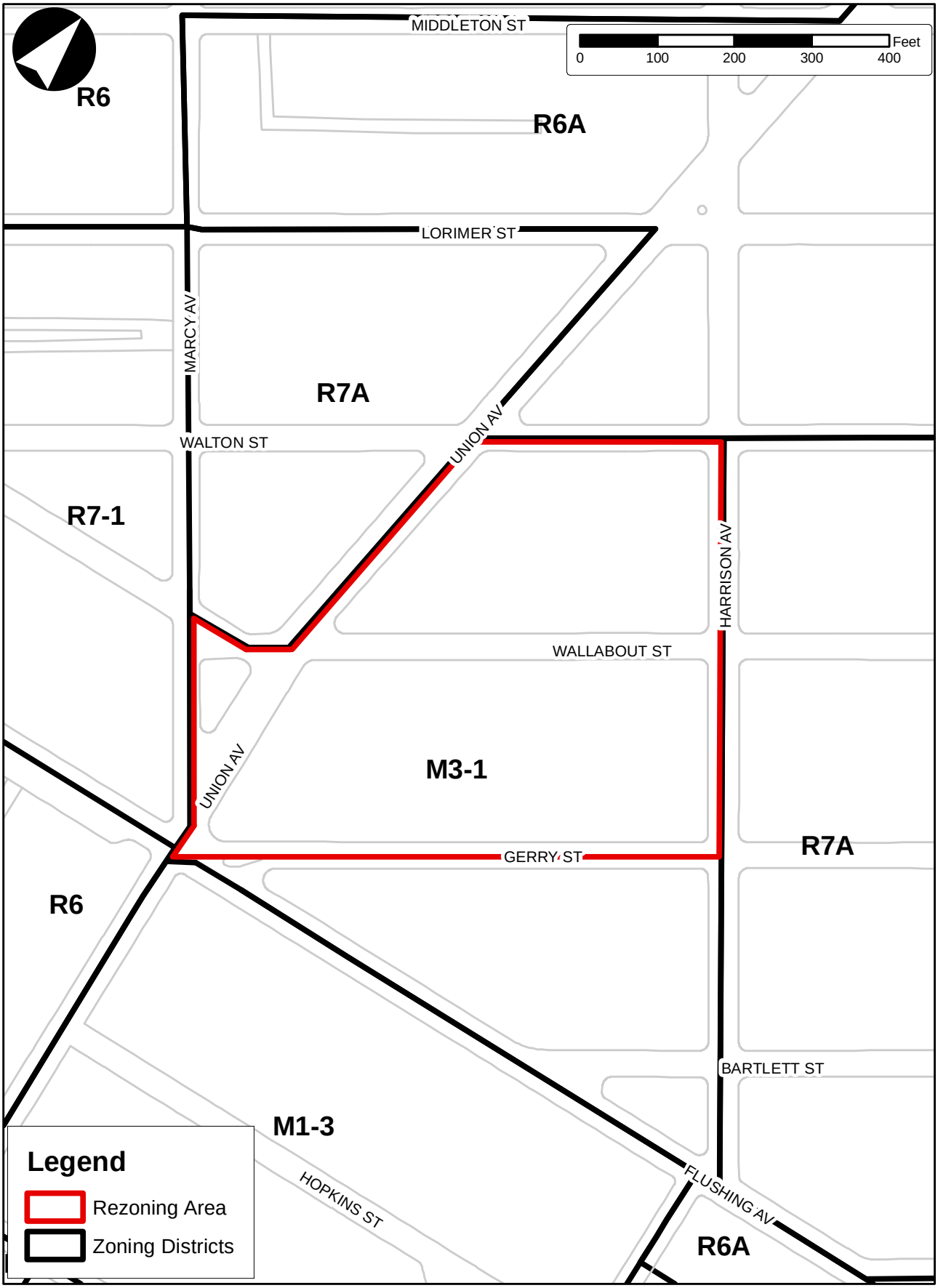
In addition to the M3-1 zoning district, the study area includes several other manufacturing, residential, and commercial zoning districts. As described below, several sections of the study area have been rezoned in recent years. As shown in Figure 2-3, Study Area Zoning, other zoning districts present in the study area include M1-2 and M1-3 light manufacturing districts, and R6, R6A, R6B, R7-1, R7A, and R7D general residence districts. There are also C4-3 and C4-4 general commercial districts, and C8-2 general service commercial districts in the study area. Additionally, there are C1 local retail district and C2 local service district commercial overlays mapped over residence districts in a few locations in the study area.

Several of these study area zoning districts are contextual zones where the Quality Housing program regulations area mandatory, as indicated by an A, B, or D suffix. As such, these districts are governed by streetwall and maximum height regulations designed to maintain the scale and form of the city's traditional moderate- and high-density neighborhoods or where redevelopment would create a uniform context.

Inclusionary Housing

There is an Inclusionary Housing designated area encompassing several blocks north and east of the project area. Its boundaries are identified in Appendix F of the Zoning Resolution. This Inclusionary Housing designated area includes a 4-block area zoned R6A bounded by Lynch Street, Throop Avenue, Walton Street, and Union Avenue, a 4-block area zoned R7A bounded by Walton Street, Throop Avenue, Whipple Street, and Harrison Avenue, and a separate 1-block area

Study Area Zoning



Note: Walton Street from Union Avenue to Harrison Avenue demapped per Alteration Map No. N-2405 filed August 25, 1999

zoned R7A bounded by Lorimer Street, Union Avenue, Walton Street, and Marcy Avenue. Refer to Figure 2-4. In addition, at the southern edge of the study area, a portion of the block bounded by Stockton Street, Tompkins Avenue, Myrtle Avenue, and Marcy Avenue, which is zoned R7D, is also an Inclusionary Housing designated area. In designated Inclusionary Housing areas adopted prior to the creation of Mandatory Inclusionary Housing (MIH) in 2016, residential uses are permitted with both a base FAR and a maximum IH bonus FAR, which is applied when 20 percent of the floor area (excluding ground floor non-residential space) is allocated to affordable housing units. As such, unlike MIH, the provision of affordable housing is optional, but incentivized through the provision of the IH FAR bonus.

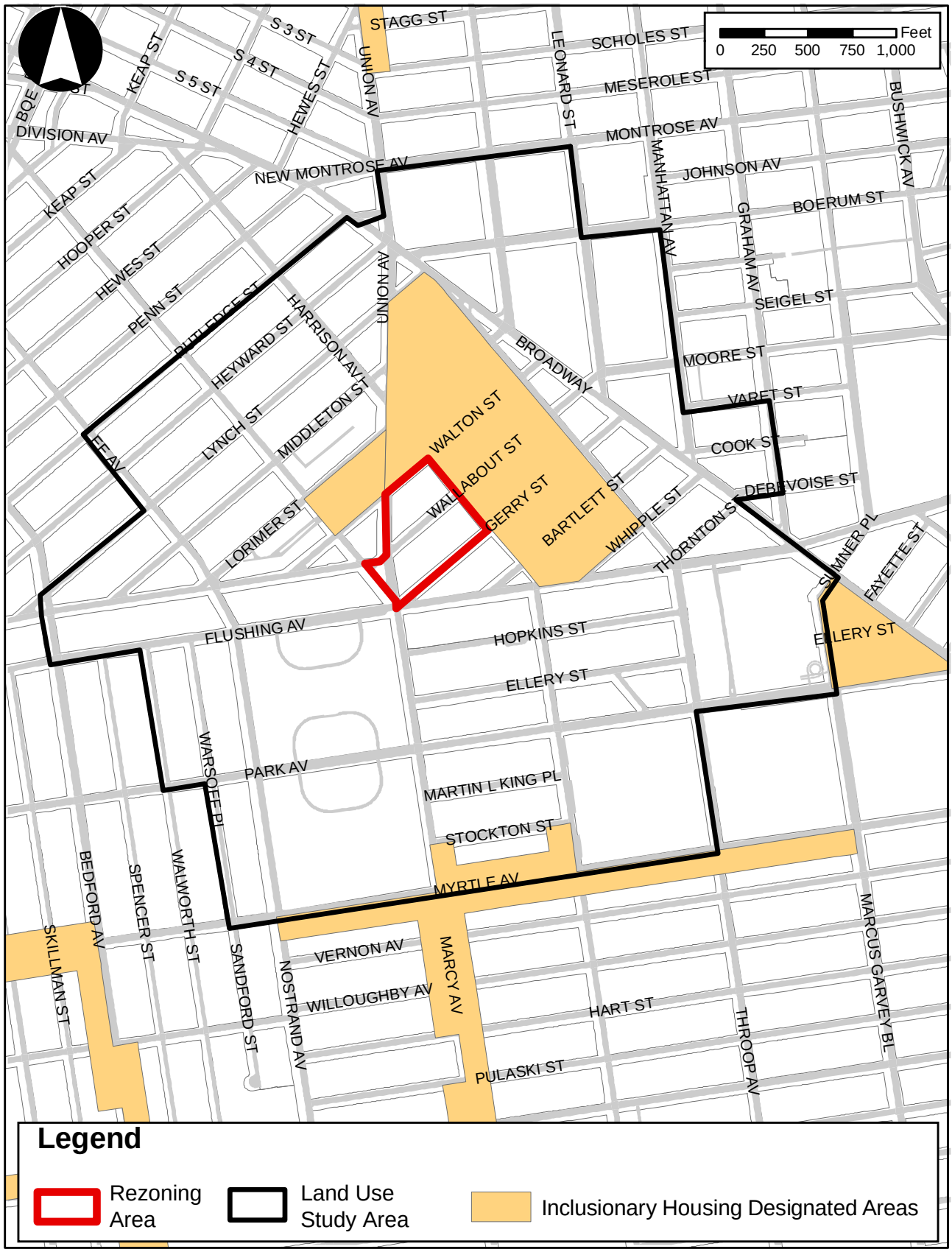
R6, R6A, R6B, R7-1, R7A, and R7D General Residence Districts

R6 and R7 residence districts can be found throughout the study area. Typically, R6 and R7 General Residential zones produce mid and high rise residential structures. Several blocks within the study area are zoned R6 including the blocks occupied by the Marcy Houses, Tompkins Houses and Lindsay Park Housing, and several blocks in the northwestern part of the study area with 1- and 2-family houses, small apartment buildings, and institutional uses. R6 district buildings often have required setbacks from the street and are surrounded by open space and on-site parking. The FAR in an R6 zoning district typically ranges from 0.78 (for one story) to 2.43 (the typical height of 13 stories for a low lot coverage tower). As discussed below, R6A, R6B, R7-1, R7A, and R7 districts have been mapped in the area as part of rezonings adopted in recent years. R6A is a contextual district where all buildings must be constructed with high lot coverage as part of the Quality Housing bulk regulations. The residential FAR in these districts is 3.0, however, for R6A districts in Inclusionary Housing designated areas the residential base FAR is 2.70 and the residential bonus FAR is 3.60. Additionally, buildings must not be closer to the streetline than any existing building within 150 feet on the same block. R6B is also a contextual zoning district often consisting of traditional rowhouses. The residential FAR is 2.00 in R6B districts. An R7-1 district encourages lower rise apartment buildings on small lots and taller buildings with less lot coverage on larger lots. Like buildings in the R6 districts, residential buildings in the R7-1 district are often set back from the street, surrounded by open space and accommodated by on-site parking. Permitted FAR in R7-1 districts ranges from 0.87 to 3.44. R7A, which is mapped on the blocks directly west, north, and east of the project area, is a contextual district that mandates that newer construction blends with existing and desired building form. The residential FAR in R7A districts is 4.0, however, for R7A districts in Inclusionary Housing designated areas the residential base FAR is 3.45 and the residential bonus FAR is 4.60. There is one R7D zoned area along the southern boundary of the study area in the Bedford-Stuyvesant North area. R7D districts promote new contextual development along transit corridors. The residential FAR in R7D districts is 4.2, however, for R7D districts in Inclusionary Housing designated areas the residential base FAR is 4.2 and the residential bonus FAR is 5.60.

C4-3 and C4-4 General Commercial Districts

Within the study area, C4-3 and C4-4 commercial districts are mapped along Broadway. The FAR within a C4-3 district is 3.4 for commercial development and 0.78-2.43 for residential development, with an additional FAR allowance of up to 4.0 on wide streets outside the Manhattan Core that comply with the Quality Housing Program. The Commercial FAR in a C4-4 district is

Study Area Inclusionary Housing Designated Areas



3.4 and the residential FAR ranges from 0.87 to 3.44 with an allowance of up to 4.0 for development outside of the Manhattan Core that is constructed under the Quality Housing Program. These districts are typically found in regional commercial centers outside the central business districts.

C8-2 General Service District

C8-2 districts bridge commercial and manufacturing uses and provide for automotive and other semi-industrial services. Housing is not permitted and performance standards are imposed for certain semi-industrial uses. Within the study area, C8-2 districts can be found near the northern boundary along Broadway.

C1-4 Local Retail Districts (Commercial Overlay)

The C1-4 overlay is a commercial retail district that is mapped within residence districts. Typical uses include grocery stores, restaurants and beauty parlors. In the study area, it can be found within recently rezoned blocks, specifically within the 204 Wallabout Street rezoning area adopted in 2008 and the Block 3113 rezoning area on Cook Street adopted in 2007 (see description of recent rezonings below). The accompanying residence districts are R7-1 and R7A respectively; this overlay allows a commercial FAR of 2.0 on the ground floor (must be located below the lowest residential floor) when mapped in R6 through R10 districts.

C2-3 and C2-4 Local Service Districts (Commercial Overlay)

C2-3 and C2-4 local service districts are commercial districts overlain on underlying residence districts in order to facilitate local retail and services uses typically catering to local communities. C2-3 commercial overlays are located on blocks located between Throop Avenue and Broadway, to the east of the project area. C2-4 commercial overlays are located on the study area's R7A and R6A districts, specifically on the rezoned areas contained with the 2009 Broadway Triangle rezoning area and the 2012 Bedford-Stuyvesant North rezoning area. C2-3 and C2-4 districts permit a wide range of retail and commercial uses on the first floor of buildings with a maximum commercial FAR of 2.00 in R6 through R10 districts.

M1-1, M1-2, and M1-3 Light Manufacturing Districts

The area directly south of the project area and areas along the southwest border of the study area, both located along the Flushing Avenue corridor, are mapped as M1-2 and M1-3 light manufacturing districts. These districts typically include light manufacturing uses and may be buffers separating residence districts and commercial district from M2 medium manufacturing or M3 heavy manufacturing districts. While M1-1 and M1-2 districts allow the same uses, they differ in maximum FAR for manufacturing, commercial and community facility development; and parking requirements. The maximum permitted FARs for these districts are as follows: M1-1: 1.0 for manufacturing and commercial uses and 2.4 for community facility uses; and M1-2: 2.0 for manufacturing and commercial uses and 4.8 for community facility uses.

Study Area Recent Rezonings

There have been several zoning map amendments approved in the study area and immediate vicinity in recent years, reflecting and facilitating a land use trend of redeveloping underutilized and vacant industrial properties with new predominantly residential and mixed uses. Figure 2-5 shows the location of these recent rezoning and they are described below in reverse chronological order.

Rheingold Rezoning (2013)

Two blocks east of the study area's eastern boundary, four full blocks and one partial block were rezoned in 2013 from M1-1 to R6A and R7A districts with a C2-4 overlay along some frontages and one block was rezoned from M3-1 to M1-2. A related zoning text amendment established the new R6A and R7A districts as Inclusionary Housing designated areas.

74 Wallabout Street Rezoning (2012)

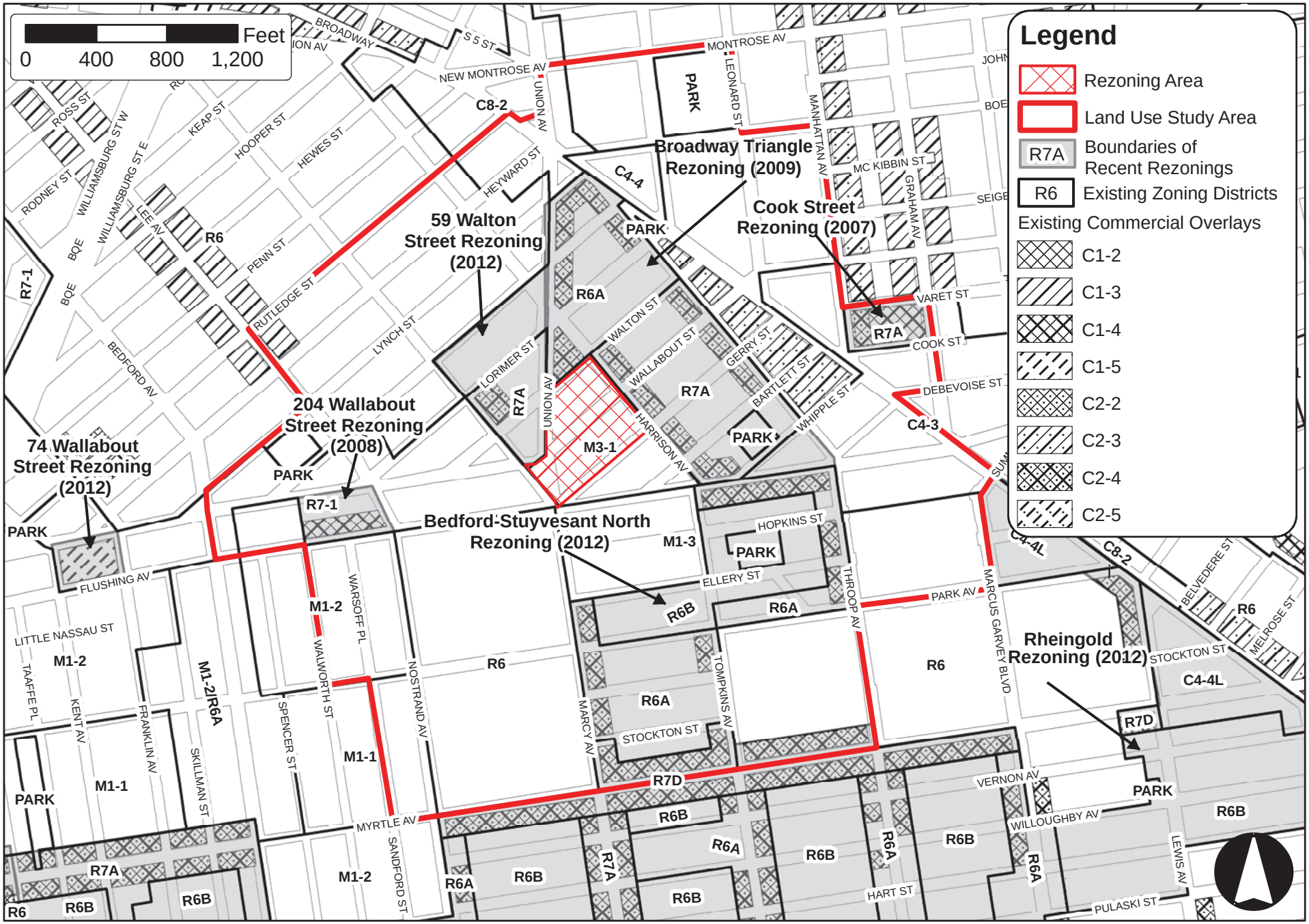
Immediately west of the study area's western boundary, the block bounded by Kent Avenue to the west, Wallabout Street to the north, Franklin Avenue to the east, and Flushing Avenue to south was rezoned from an M1-2 Manufacturing district to an R7-1 Residence district with a C1-5 commercial overlay in 2012. The rezoning action permitted as-of-right residential, commercial and community facility uses on the site in order to provide new housing opportunities for and to better serve the needs of the area's growing residential community. Prior the rezoning, the subject area was occupied by 2- to 3-story warehouses, a 71-room hotel, and a private K-12 school. The zoning change allowed for new market-rate residential developments with ground floor retail and allowed for the expansion of the adjacent school.

59 Walton Street Rezoning (2012)

Block 2241 and portions of Block 2245 and 2249, located directly west of the project area, were rezoned in a 2012 action. On Block 2241, the original zoning of M1-2 was changed to an R6A residence district. The portions of Blocks 2245 and 2249 had an original zoning of M3-1 and were rezoned to an R7A district with an Inclusionary Housing designated area on the Block 2245 portion of the rezoning area. This established a floor area (FAR) bonus to provide opportunities and incentives for the development of affordable housing. Additionally, a C2-4 commercial overlay was adopted along Marcy Avenue on Block 2245. The rezoned area is bounded by Middleton Avenue to the north, Marcy Avenue to the west, Harrison Avenue/Union Avenue to the east, and Wallabout Avenue to the south. These actions were instituted in order to allow the redevelopment of derelict industrial warehouse and automotive buildings and the construction of new residential apartment buildings.

Bedford-Stuyvesant North Rezoning (2012)

The 140-block rezoning for the northern half of the Bedford-Stuyvesant neighborhood was approved in 2012. The rezoning replaced all or portions of existing R5, R6, C4-3, and C8-2 zoning districts with R6B, R6A, R7A, R7D, and C4-4L districts. In addition, the action updated or



Pfizer Sites Rezoning EIS

Figure 2-5

Rezonings Approved Since 2007

eliminated existing C1-2 and C1-3 and established new C2-4 overlays. The boundaries of the rezoned area are Lafayette Avenue and Quincy Street to the south, Classon and Franklin Avenues to the west, Broadway to the east, and Flushing Avenue to the north. Several blocks in the southern portion of the study area are within this rezoning area. This rezoning was undertaken by the NYC Department of City Planning at the request of Brooklyn Community Board 3 as a follow-up to the rezoning of portions of Bedford-Stuyvesant South in 2007. These actions preserve neighborhood scale and character through contextual zoning districts with height limits; allow for residential growth and provide affordable housing opportunities; create commercial overlays in areas in reflect commercial activity; and reinforce the commercial character of along major corridors.

Broadway Triangle Rezoning (2009)

The Broadway Triangle Urban Renewal Area was established in 1989 pursuant to Uniform Land Use Review Procedure and the New York State General Municipal Law and included a mix of residential, commercial, and industrial urban renewal development sites. In 2009, the City approved an application by the New York City Department of Housing Preservation and Development (HPD) for a rezoning, urban renewal plan amendment, and related actions affecting blocks located to the southeast, east, and northeast of the project area. The rezoning encompassed nine blocks generally bounded by Flushing Avenue to the south, Throop Avenue to the east, Lynch Street to north, and Union Avenue, Walton Street, and Harrison Avenue to the west. The zoning map amendment was intended to enable development of new residential buildings and neighborhood retail by replacing manufacturing zoning districts with residential and commercial zoning districts. A zoning text amendment established Inclusionary Housing provisions for the area. The original zoned districts included C8-2 Commercial districts and M1-2 and M3-1 manufacturing districts. As a result of the action, the area was rezoned to R6A, R6A/C2-4, R7A/C2-4, and C4-3 zoning districts.

204 Wallabout Street Rezoning (2008)

A portion of Block 2261 bounded by Flushing Avenue on the south, Lee Avenue on the east, Wallabout Street on the north, and Bedford Avenue on the west was subject to a 2008 rezoning. The action involved changing the existing M1-2 manufacturing district to an R7-1 residence district and establishing a C2-4 commercial district within the new R7-1 district. This rezoning area is located one block west of the project area.

Cook Street Rezoning (2007)

A portion of Block 3113, which is bounded by Manhattan Avenue to the west, Varet Street to the north, Graham Street to the east, and Cook Street to the south, was subject to a 2007 rezoning on behalf of HPD. This action involved the elimination of C1-3 and C2-3 commercial districts; changing a R6 residence district to an R7A residence district; and establishing C1-4 and C2-4 commercial districts within the new R7A district. This rezoning is located on the eastern edge of the study area. This facilitated the Cook Street Housing development completed in 2009.

While these recent rezonings and the new developments discussed above are evidence of an increasing trend toward residential redevelopment in this area of Brooklyn, this process of land

use and zoning change has been underway for many years. Earlier land use actions which facilitated new residential development include the City-initiated Flushing-Bedford Rezoning adopted in 2001, which rezoned a 15-block area including all or parts of six blocks in the western portion of the study area, and several zoning variances approved by the NYC Board of Standards and Appeals (BSA).

Public Policy

In addition to zoning, officially adopted and promulgated public policies also describe the intended use applicable to an area or particular site(s) in New York City. These include Urban Renewal Plans, 197a Plans, Industrial Business Zones, 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, the Waterfront Revitalization Program ("WRP") and Sustainability, as defined by PlaNYC. 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.

Rezoning Area

The rezoning area is located within the boundaries of two adopted city policies: the North Brooklyn Empire Zone and the Food Retail Expansion to Support Health (FRESH) Program. In addition, the rezoning area is also located within the City's designated coastal zone.

Two Citywide policies considered under CEQR are particularly relevant to the rezoning area and the proposed action given that the RWCDS would result in new mixed-use development on sites that contain no buildings and whose existing low-intensity uses are transient in nature. These include OneNYC and Housing New York.

North Brooklyn Empire Zone

The New York State Empire Zone program was created in 1986 to assist companies in reducing the cost of doing business. The North Brooklyn Empire Zone was designated in 1998 and expanded in 2006 to include areas within the communities of Williamsburg and Greenpoint. This has afforded businesses throughout the study area the opportunity to become certified members of the Empire Zone. This grants access to various credits against their New York tax liability.

FRESH Program

The New York City Food Retail Expansion to Support Health (FRESH) program provides zoning and financial incentives to increase the number of neighborhood grocery stores in city communities which lack proper access to food. The rezoning area and the entire study area are located within a FRESH designated area. The FRESH Program is open to grocery stores operators renovating existing spaces or to developers who seek to construct or renovate retail spaces which will be utilized as full-line grocery stores. Stores must meet the following criteria:

a. Provide a minimum of 6,000 square feet of retail space for a general line of food and non-food grocery products intended for home preparation, consumption and utilization;
b. Provide at least 50 percent of a general line of food products intended for home preparation, consumption and utilization;
c. Provide at least 30 percent of retail space for perishable goods that include dairy, fresh produce, fresh meats, poultry, fish and frozen foods; and
d. Provide at least 500 square feet of retail space for fresh produce.

Waterfront Revitalization Program (WRP)

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. 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 development 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, 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.

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 NPCC report predicted future City temperatures, precipitations, sea levels, and extreme event frequency for the 2020s and 2050s. 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, the NPCC report predicts that mean annual temperatures will increase by 2 to 3˚F and by 4 to 6.5˚F by the 2020s and 2050s, respectively; total annual precipitation will rise by 0 to 10 percent and 5 to 15 percent by the 2020s and 2050s, respectively; sea level will rise by 4 to 11 inches and 11 to 31 inches by the 2020s and 2050s, respectively; and by the 2050s, heat waves and heavy downpours are very likely to become more frequent, more intense, and longer in duration. Coastal flooding is also very likely to increase in frequency, extent, and elevation.

Development Site

As illustrated in Figure 2-6, "Coastal Zone Boundary Map," the project area falls within the City's designated coastal zone, and therefore the proposed action must be assessed for its consistency with the policies of the City's Local Waterfront Revitalization Program (LWRP). A WRP consistency assessment is provided below under Section D. "The Future With the Proposed Action." The WRP Consistency Assessment Form is provided in Appendix B.

PlaNYC/OneNYC

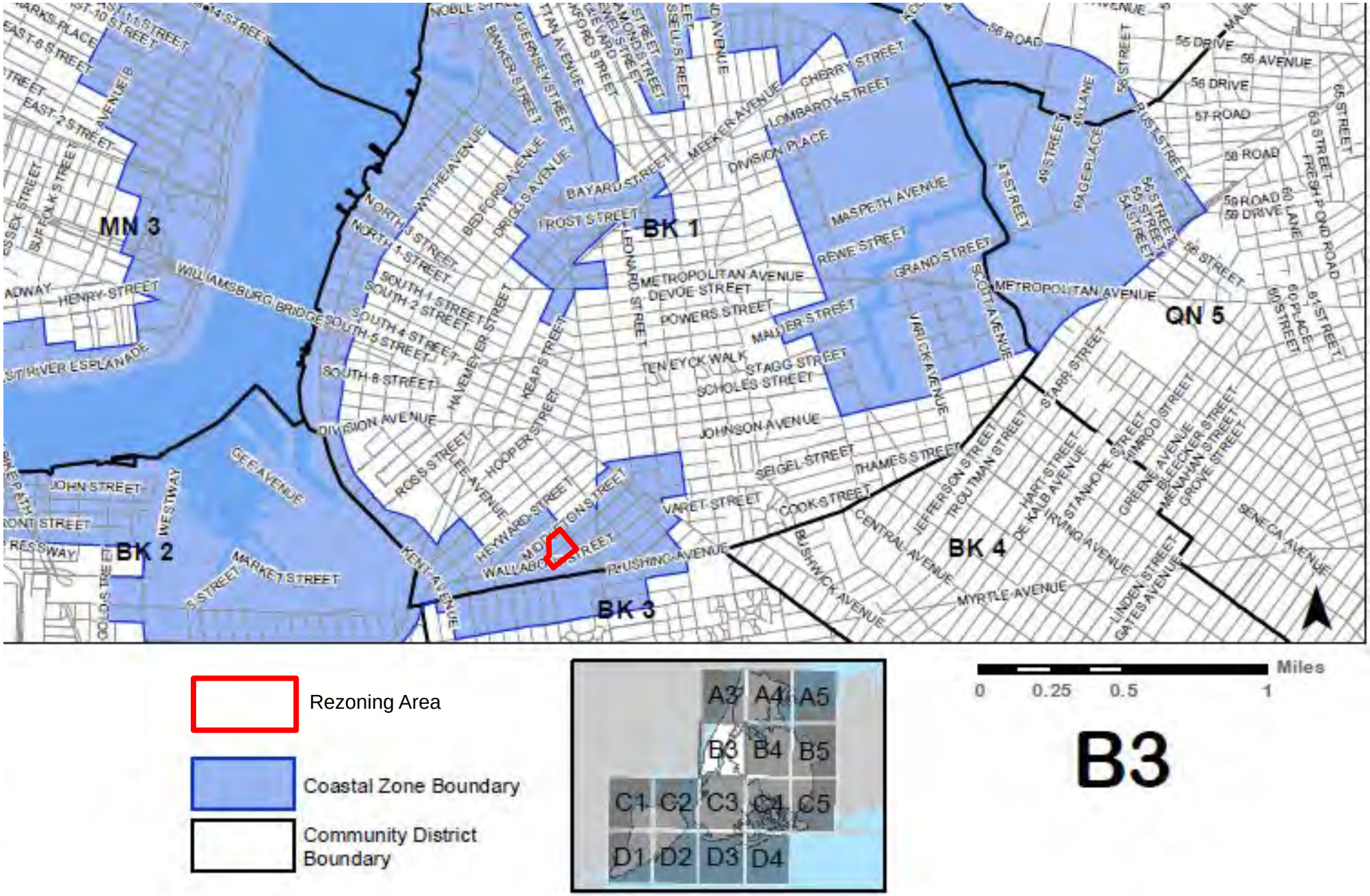
In April 2007, the Mayor's Office of Long Term Planning and Sustainability released PlaNYC: A Greener, Greater New York (PlaNYC). Since that time, updates to PlaNYC have been issued that build upon the goals set forth in 2007 and provide new objectives and strategies. In 2015, *One New York: The Plan for a Strong and Just City* (OneNYC) was released by the Mayor's Office of Sustainability and the Mayor's Office of Recovery and Resiliency. OneNYC builds upon the sustainability goals established by PlaNYC and focuses on growth, equity, sustainability, and resiliency. Goals outlined in the report include those related to housing (ensuring access to affordable, high-quality housing) and thriving neighborhoods (ensuring that neighborhoods will be well-served).

Housing New York: A Five-Borough Ten-Year Plan

On May 5, 2014, the de Blasio administration released Housing New York: A Five-Borough, Ten-Year Housing Plan ("Housing New York"), a plan to build or preserve 200,000 affordable residential units. To achieve this goal, the plan aims to double New York City Department of Housing Preservation and Development (HPD)'s capital budget, target vacant and underused land for new development, protect tenants in rent-regulated apartments, streamline rules and processes to unlock new development opportunities, contain costs, and accelerate affordable construction. The plan details the key policies and programs for implementation, including developing affordable housing on underused public and private sites.

Study Area

In addition the North Brooklyn Empire Zone, the FRESH Program, and the WRP, three other city policies affect the larger study area. They are the Broadway Triangle Urban Renewal Plan, Graham Avenue Business Improvement District (BID) and an Inclusionary Housing designated area.


MN 3
BK 1
BK 2
BK 3
BK 4
QN 5
WILLIAMSBURG BRIDGE
METROPOLITAN AVENUE
MASPETH AVENUE
GRAND STREET
BAYARD STREET
FROST STREET
DIVISION PLACE
MEEKER AVENUE
CHERRY STREET
LOMBARDY STREET
DIVISION AVENUE
JOHNSON AVENUE
SEIGEL STREET
VARET STREET
COOK STREET
THAMES STREET
STARR STREET
MYRTLE AVENUE
FLUSHING AVENUE
MARKET STREET
JOHN STREET
HENRY STREET
SOUTH 1 STREET
SOUTH 2 STREET
SOUTH 3 STREET
SOUTH 4 STREET
SOUTH 5 STREET
SOUTH 6 STREET
NORTH 1 STREET
NORTH 3 STREET
NORTH 4 STREET
NORTH 5 STREET
DEVOE STREET
POWERS STREET
STAGG STREET
SCHOLES STREET
TEN EYCK WALK
MAUJER STREET
KEAP STREET
HOOPER STREET
HEYWARD STREET
RENE STREET
LEONARD STREET
BEDFORD AVENUE
DRIGGS AVENUE
BERRY STREET
WYTHE AVENUE
KENT AVENUE
GEE AVENUE
WESTWAY
SCOTT AVENUE
JARDICK AVENUE
JEFFERSON STREET
TROUTMAN STREET
HART STREET
DE KALB AVENUE
IRVING AVENUE
CENTRAL AVENUE
BUSHWICK AVENUE
STANHOPE STREET
GREENE AVENUE
BLEECKER STREET
MENAHAN STREET
GROVE STREET
SENECA AVENUE
LINDEN STREET
GATES AVENUE
55 DRIVE
56 AVENUE
56 DRIVE
57 ROAD
58 ROAD
59 ROAD
59 DRIVE
FRESH POND ROAD
46 STREET
47 STREET
48 STREET
49 STREET
55 STREET
56 STREET
60 PLACE
61 STREET
63 STREET
65 STREET
46 LANE
60 LANE
PAGE PLACE
EAST 6 STREET
EAST 2 STREET
AVENUE D
AVENUE C
AVENUE B
AVENUE A
HENRY STREET
SOUTH STREET
FRONT STREET
EXPRESSWAY
WATER STREET
OLD SLIP
BROADWAY
Rezoning Area
Coastal Zone Boundary
Community District Boundary
A3
A4
A5
B3
B4
B5
C1
C2
C3
C4
C5
D1
D2
D3
D4
Miles
0
0.25
0.5
1
B3

Broadway Triangle Urban Renewal Plan

In 1989 the City Planning Commission and the Board of Estimate approved several applications[3] that were intended to facilitate redevelopment on several blocks, including the project area. As part of these actions, the Northern Block was included within the then newly established Broadway Triangle Urban Renewal Area (URA). Pursuant to the Broadway Triangle Urban Renewal Plan (URP), the Northern Block was designated as URA Site 1b. This block was to be acquired by the City from Pfizer pursuant to the Urban Renewal Law and redeveloped with an industrial use together with an adjoining area designated as URA Site 1a, consisting of the block to the north and the closed street bed of Walton Street between Harrison Avenue and Union Avenue. In addition, while the Southern Block was not included in the URA, it and the block to its south were identified as properties that would be acquired by the City from Pfizer by means of a negotiated purchase and also redeveloped for industrial use.

These actions were the subject of an environmental review prepared pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR); the CEQR No. was 86-304K. The *Broadway Triangle Redevelopment Area Final Environmental Impact Statement (FEIS)* was issued in May 1989. Refer to Figure 2-7, which shows 1989 *FEIS* Figure 2-5 with an annotation added to show the boundary of the Project Area. An amendment to the URP was subsequently approved in 2009 in connection with the Broadway Triangle rezoning.

It should be noted that the Northern Block of the rezoning area was originally part of the URA when it was established in 1989, but was removed from it as part of the amendment adopted in 2009.

Graham Avenue BID

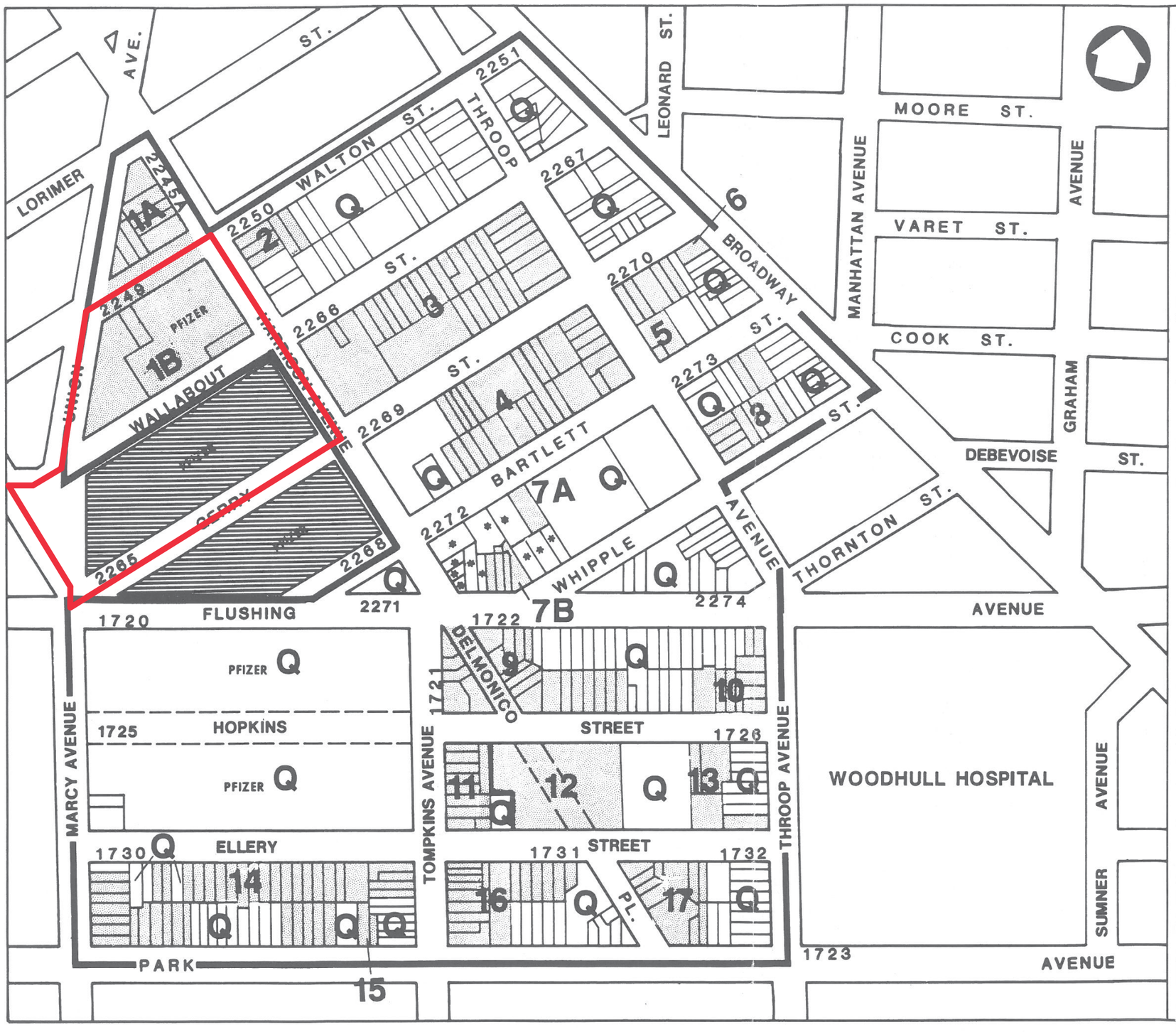
The Graham Avenue BID extends along Graham Avenue from Broadway to Boerum Street and includes Moore Street, Flushing Avenue, Debevoise Street and all principal side streets. This BID was created to promote the growing shopping district in Williamsburg and encourage new stores and restaurants in the areas; the BID assists area business in expanding their customer base, and seeks to preserve and share the Latino culture in Williamsburg through music, art and cuisine. The BID works to provide free Wi-Fi in area retail; promote the shopping district through a virtual signage concept, holiday banners, retail marketing, and advertising strategies; and provide a more secure shopping district through enhanced lighting, community murals, graffiti removal, security cameras and measures.

E. FUTURE WITHOUT THE PROPOSED ACTION

Land Use

There are several developments involving new construction or changes in use to existing structures that are expected to occur within the Land Use study area in the future without the proposed action

[3] These included ULURP Nos. 880488 MMK; 880603 HGK; 880604 HUK; 880605 HDK; 880606 HDK, 890005 PSK, and 89006 HDK.



BROADWAY TRIANGLE REDEVELOPMENT AREA

LEGEND

- SITES TO BE ACQUIRED UNDER URA
- SITES TO BE ACQUIRED THROUGH NEGOTIATED PURCHASE

* NOTE : Parcels to be considered for acquisition at a later date subject to an amendment to the plan.

- URBAN RENEWAL AREA BOUNDARY
- Rezoning Area

PROPOSED LAND ACQUISITION

100 0 100 200 300 FT.

FIGURE 2-5

by 2019. Information on these projects is provided in Table 2-2 and they are shown in Figure 2-8. In total, there are projected to be 22 developments or development clusters completed in the study area by 2019. Combined, these developments would include 1,659 DUs, of which 691 would be affordable housing units, approximately 56,676 sf of retail space, and 82,241 sf of community facility space. In addition to these developments, NYC Department of Transportation is conducting a South Williamsburg Transportation Study and it is expected that the study will result in some operational changes to the street network in the vicinity of the project area. These changes are described in Chapter 12, "Transportation." Just as the description of existing conditions reflects a "snapshot" in time in an area of dynamic development trends, this summary of study area projects to be completed by 2019 reflects information available when this analysis was prepared. It is possible that development projects may be completed before the issuance of the Final EIS, projects may not be completed as planned, or their completion date may change.

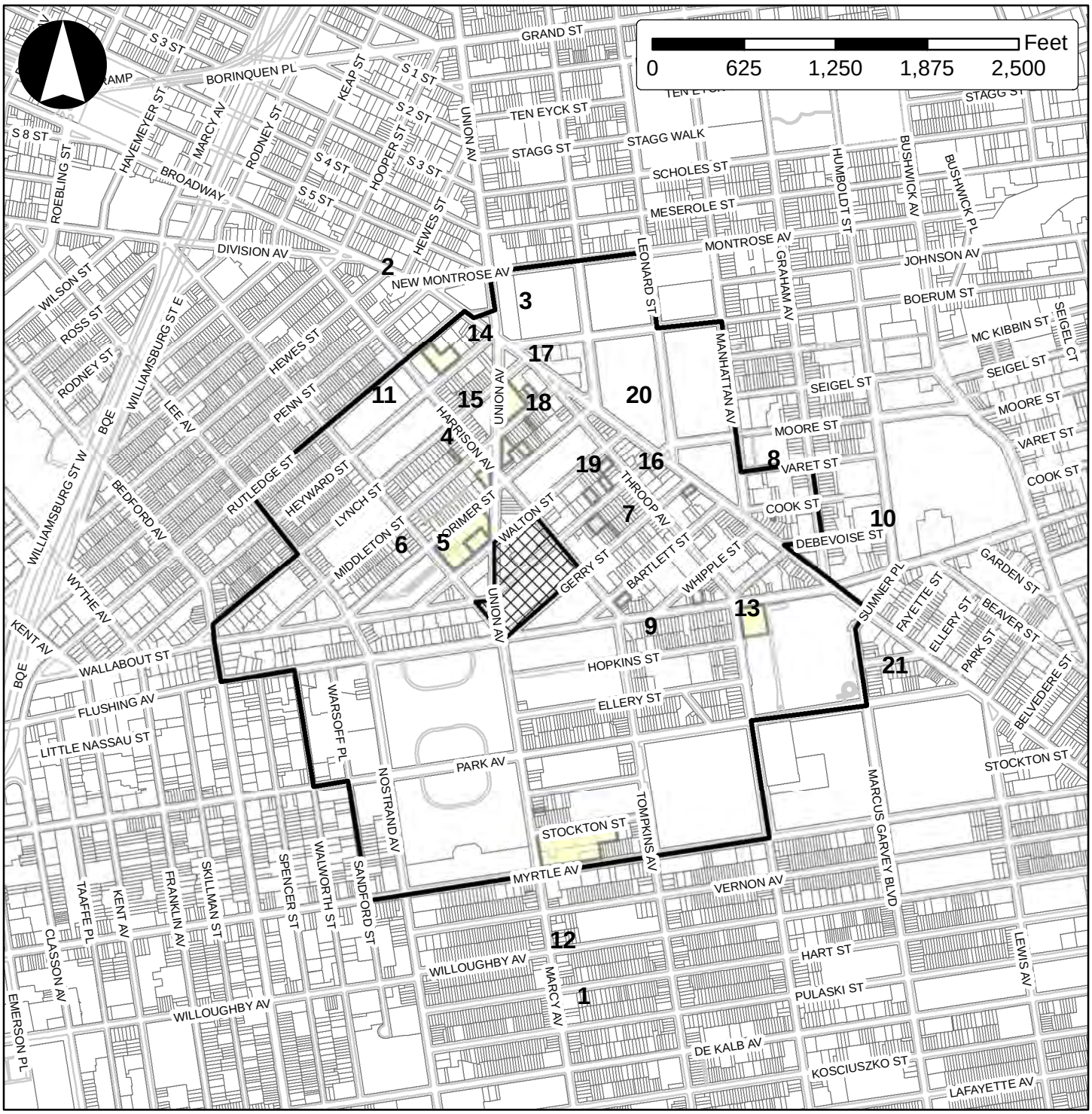
No-Build Site 1 was identified in the *Bedford-Stuyvesant North Rezoning EAS* (CEQR No. 12DCP156Y) as "Projected Development Site G". While that EAS used a 2022 Build year (a 10-year horizon), for this analysis it is conservatively assumed that this site would be developed by 2019. Similarly, No-Build Site 6 was identified in the *59 Walton Street Rezoning EAS* (CEQR No. 10DCP001K) as "projected development sites." That EAS used a 2016 Build year, but building plans only have been filed for portions of this area; nevertheless for this analysis it is conservatively assumed that this site would be developed fully by 2019. No-Build Site 21 consists of all City-owned properties that were identified in the 2009 *Broadway Triangle FEIS* as projected development sites (Projected Sites 5, 6, 10, 11, 12, and 13). Although the City has not disposed of those properties, an action which has been the subject of a legal challenge, for analysis purposes and in consultation with the lead agency it is conservatively assumed that all these properties will be redeveloped as projected in the *FEIS* by 2019. In addition to major residential projects associated with recent rezonings, there are various small- and medium-scale developments throughout the study area. In general, smaller developments, i.e., those of less than 50 DUs, are not considered significant but given the number of such new developments, they are identified here as they are expected to add upwards of 488 DUs to the study area under 2019 No-Action conditions.

Other No-Build sites were identified based on a review of the NYC Department of Building's Building Information System (BIS) in September 2016. Some of these new developments are on privately-owned sites in the Broadway Triangle rezoning area, such as developments on Block 2266, which although not being developed as a single development are grouped together given their geographic clustering. Unlike the Broadway Triangle City-owned development sites which are assumed to be developed as projected in the Broadway Triangle FEIS, the Broadway Triangle privately-owned sites are being developed on an infill basis with small and medium buildings over time (several buildings already have been developed as of 2016).

Zoning

There are no anticipated changes to zoning in the study area in the future without the proposed action.

No-Build Projects by 2019



Legend

- No-Build Sites (Keyed to Table C-2)
- Rezoning Area
- 1 Land Use Study Area

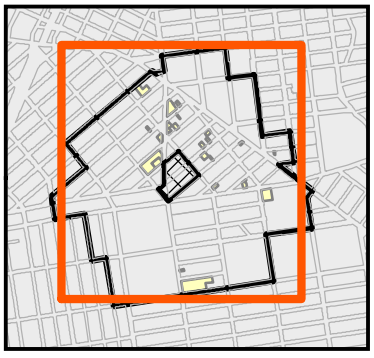


Table 2-2. No-Build Developments

No-Build Site	Block	Lot	Address	Dwelling Units			Other Uses[1]
				Total	Market Rate	Afford-able	
1	1747	1,7,8,10,19-24,51,53,62,64,67	847-869 Myrtle Av (Bed-Stuy North Rezoning Site "G")	359	315	44	23,635 gsf local retail; 10,350 gsf CF
2	2228	11	310 Rutledge St	18	18	0	
3[2]	2238	41	221 Middleton St	13	13	0	
4	2241	37 & 39	87-99 Union Av	0	0	0	32,530 sf CF
5[3]	2245	55	59-63 Walton St	31	25	6	
		58	51-55 Walton St	31	25	6	
6	2245	1,5,6,7,8,62,108,154	59 Walton St projected developments	257	206	51	27,625 gsf retail; 2,494 sf CF
7	2266	46	73-85 Gerry St	6	6	0	
		14-17 (4 buildings)	376-382 Wallabout St	24	24	0	
8[4]	2270	10	640 Broadway	7	0	7	922 sf CF
9	2272	3	16-20 Bartlett St	10	10	0	
10	3119	17	14 Cook St	2	2	0	1,475 sf retail
11	2237	39	163 Middleton St	3	3	0	2,294 sf CF
12	1743	5	543 Marcy Av	6	6	0	
13	2274	24	685-7 Flushing Av (Kolel complex)	120	120	0	16,176 sf CF
14	2238	49	120 Union Av	96	96	0	1,750 sf retail
15	2242	3	100 Union Av	34	34	0	466 sf retail
16	2250	36	311-13 Wallabout St	3	3	0	
17	2242	22	196 Middleton St	10	10	0	
18	2242	54	151 Lorimer St	3	3	0	
		53	153 Lorimer St	4	4	0	
19	2250	43, 44	299-301 Wallabout St	14	14	0	
20	2250	28,29	54-56 Throop Av	31	31	0	
21	1723	2	179 Throop Av	89[6]	0	89	On-site social services for residents
22	Broadway Triangle Rezoning City-owned Sites (refer to Table 2-2a for details)			488	0	488	3,200 sf retail; 16,000 sf CF
23	South Williamsburg Transportation Study: Roadway Network Changes (refer to Chapter 12)						
		Total	**Projects to be completed by 2019**	**1,659**	**968**	**691**	**56,676 sf retail; 82,241 sf CF**

[1] CF abbreviation for community facility

[2] No-Build Site 3 was Broadway Triangle Rezoning FEIS projected development "35"; in FEIS projected to have 18 DUs (4 affordable), but based on filed plans now expected to have 6 DUs

[3] No-Build Site 5 was 59 Walton St. Rezoning EAS "project site"; EAS projected up to 69 DUs, including 14 affordable DUs in two buildings; but based on filed plans now expected to have 62 DUs, including 12 affordable DUs

[4] No-Build Site 8 was the subject of *640 Broadway, Brooklyn, NY EAS* (CEQR No. 09HPD020K); in EAS site was projected to include 9 affordable DUs and 2,476 gsf of retail. Based on filed plans, now expected to have 7 DUs and 922 sf of community facility space

[5] No-Build Site 13: 120 rooms are expected to operate as a dormitory for religious school, though filed as hotel rooms (120 rooms occupying 39,296 sf of space).

[6] No-Build Site 21: 89 units of supportive housing, including 54 for individuals living with mental illness and 35 for low income persons, per DOB filings the building will be a community facility use.

Table 2-2a. No-Build Developments: Broadway Triangle Rezoning City-owned Development Sites

No-Build Site	Block	Lot	*Broadway Triangle FEIS* Site No.	Dwelling Units			Other Uses
				Total	Market Rate	Afford-able	
22	2272	9,11	Projected Site 5	38	0	38	8,000 sf CF
	2272	45,46,49,51-53,108,147	Projected Site 6[1]	89	0	89	3,200 sf retail
	2269	14,16-19,23,24,p/o40	Projected Site 10	129	0	129	
	2269	25,27-31,33,35,36	Projected Site 11	97	0	97	
	2269	39,p/o40,41,42	Projected Site 12	40	0	40	8,000 sf CF
	2269	43,45,47-50	Projected Site 13	95	0	95	
			Total	**488**	**0**	**488**	**3,200 sf retail; 16,000 sf CF**

[1] Building plans have been filed for a 51-DU building on a portion of Broadway Triangle Projected Site 6 at 7 Whipple Street (Block 2272, Lot 45).

Public Policy

There are no anticipated changes to public policy in the study area in the future without the proposed action.

F. FUTURE WITH THE PROPOSED ACTION

Proposed Action

As discussed in Chapter 1, the proposed action would consist of a zoning map amendment and a zoning text amendment.

Zoning Map Amendment

The rezoning area encompasses a total area of approximately 191,245 sf, including the 182,366-sf project area owned by the Applicant (consisting of the Northern and Southern Blocks) and approximately 8,851 sf of City-owned property in the demapped Walton Street that continues to function as a street. No development is projected to occur in the 8,851-sf City-owned street area and although it would be rezoned it is not considered part of the project area (this distinction is illustrated in Figure 1-2).

The proposed zoning map amendment would change the underlying zoning of the rezoning area from an M3-1 heavy manufacturing district to R7A, R7D, and R8A contextual residence districts. An R7A district would be mapped for the portion within 100 feet of Harrison Avenue. An R7D district would be mapped for the portion more than 100 feet from Harrison Avenue and including the areas extending up to 335 feet from Harrison Avenue on the Southern Block and up to 200 feet from Harrison Avenue within 140 feet of Wallabout Street and up to 265 feet from Harrison Avenue beyond 140 feet from Wallabout Street on the Northern Block. An R8A district would be mapped for the portion more than 335 feet from Harrison Avenue on the Southern Block and more than 200 feet from Harrison Avenue within 140 feet of Wallabout Street and more than 265 feet from Harrison Avenue beyond 140 feet on the Northern Block.

In addition, a C2-4 commercial overlay would be mapped in all of the rezoning area except for a 65-foot-wide portion located 140 feet north of the north street line of Wallabout Street and 200 feet west of the west street line of Harrison Avenue and with its northern boundary coincident with the center line of the former Walton Street (65 feet by 60 feet of this area would be within the project area). As such, the C2-4 would cover all of the Southern Block and most of the Northern Block. As a result, the rezoning area would be split into R7A/C2-4, R7D/C2-4, R7D, and R8A/C2-4 districts.

With the zoning map amendment, the project area would include approximately 40,000 sf zoned R7A/C2-4, approximately 67,000 sf zoned R7D/C2-4, approximately 3,900 sf zoned R7D, and approximately 71,466 sf zoned R8A/C2-4. Refer to Figure 1-5, which shows the proposed zoning map amendment.

Zoning Text Amendment

The proposed zoning text amendment would amend ZR Appendix F to designate the rezoning area as a MIHA in Brooklyn Community District 4, Map 4. This would be located adjacent to an existing Inclusionary Housing designated area covering several blocks adjoining the project area to the north and east. Refer to Figure 1-6, which shows the proposed zoning text amendment.

RWCDS With-Action Conditions

As discussed in Chapter 1, under RWCDS With-Action conditions, it is projected that the project area would be redeveloped with approximately 1,147 DUs. For worst-case analysis purposes, approximately 803 DUs would be market rate units and 344 DUs would be affordable housing. The RWCDS includes approximately 427 self-park accessory parking spaces. The development would include 26,000 sf (0.6 acres) of dedicated publicly-accessible open space, in a 65-foot wide, midblock linear corridor with 13,000 sf on each block. The RWCDS With-Action would consist of eight buildings featuring streetwalls and setbacks, reaching a maximum height of 145 feet (14 stories). Similar to the No-Action condition, the demapped segment of Walton Street would continue to function as a public street.

A legal instrument, such as a Restrictive Declaration, would be adopted as part of the proposed action. It would bind the project area to providing and maintaining the 26,000 sf of privately-owned publicly-accessible open space as a condition for the change in use, as detailed in plans included with the application. As it would dedicate the location of the open space, the building footprint would be limited to areas outside the open space area.

It is expected that the development would be constructed over an approximately 24-month period, with completion and occupancy expected to occur in 2019. Accordingly, the environmental review is using 2019 as the Build year for analysis of future conditions consistent with *CEQR Technical Manual* guidance.

Land Use

With the RWCDS for the proposed action, the two blocks comprising the project area would not remain vacant but instead would be redeveloped with new residential units, including affordable housing units, local retail uses, and publicly accessible open space.

The *CEQR Technical Manual* states that although changes in land use could lead to impacts in other technical areas, significant adverse land use impacts are extraordinarily rare in the absence of an impact in another technical area. Also, according to the *Manual*, many land use changes may be significant, but not adverse.

Assessment

The proposed action would not result in significant adverse impacts to land use in the rezoning area as the projected uses would improve two blocks that, except for temporary storage, are vacant. These blocks lie within a study area that is experiencing a trend of increasing residential development in response to demand for housing. The project area is well served by transit with two subway stations along different lines and several bus routes in close proximity. The proposed action would allow substantial new residential and ground floor retail uses to an increasingly residential urban neighborhood where there is a strong demand for housing. This new development would be built at a density and built scale and form compatible with study area properties, including the new housing recently constructed and under construction in recently approved rezoning areas as well as older housing developments including the Lindsay Park co-operative and the Marcy and Tompkins Houses. The proposed commercial overlay districts would allow neighborhood retail and service uses in the ground floor of apartments that could serve both new and existing study area residents, helping to reinforce the pedestrian/transit-oriented character of the neighborhood by providing such uses near transit hubs. As such, the proposed action would result in compatible development that is appropriate for this location.

Furthermore, the project area is notable as being the largest vacant property in the study area and its present land use is incompatible with the land use character of the study area. It is currently an undeveloped "hole" that is now almost entirely surrounded by residential and community facility uses. The proposed action would create a cohesive land use pattern by redeveloping this vestigial enclave reflective of past conditions when the area was in post-industrial decline. With the proposed action, the project would be compatible with and reinforce ongoing trends. As such, the proposed action would result in development that, in addition to being appropriate for the project area, would complement and improve the land use character of the study area as a whole.

Zoning

With the proposed action, the project area would be rezoned from an M3-1 heavy manufacturing district to underlying R7A, R7D, and R8A general residence districts with a C2-4 local service district commercial overlay covering most of the rezoning area, except for a small area on the Northern Block described above. In addition, both blocks would be designated MIHAs with housing affordability requirements applying to all new residential developments. This would change the permitted uses, allowing residential and community facility uses throughout the

rezoning area, and permitting ground floor local retail and service uses. Manufacturing and general commercial uses, presently allowed, would become prohibited. As the project area is vacant, apart from temporary storage, the proposed action would not create any pre-existing non-conforming uses. This rezoning would facilitate the redevelopment of the project area, which is unlikely to occur under existing zoning since an M3-1 district prohibits all residential and community facilities uses. There is little evidence of demand in the area for large-scale new manufacturing or commercial uses and given the substantial residential and community facility redevelopment surrounding the project area, the existing zoning is inappropriate for the project area and the study area. Under MIH, the R7A portion of the rezoning area would allow development with a maximum FAR of 4.6; the R7D portion of the rezoning area would allow development with a maximum FAR of 5.6; and the R8A portion of the rezoning area would allow development with a maximum FAR of 7.2. As the 182,366-sf project area would be divided into an approximately 40,000-sf R7A/C2-4 area, representing approximately 22 percent of the total lot area, an approximately 67,000-sf R7D/C2-4 area, representing approximately 37 percent of the total lot area, 3,900-sf R7D area, representing approximately 2 percent of the total lot area, and an approximately 71,466-sf R8A/C2-4 area, representing approximately 39 percent of the total lot area, the weighted average maximum permitted residential FAR for the entire project area would be approximately 6.008. The C2-4 commercial overlay district, which would cover 178,466 sf of the project area representing 98 percent of the total lot area, permits local retail and service uses up to a maximum FAR of 2.0 on the ground floor of buildings, provided all residential units are located above the retail space. R7A, R7D, and R8A are contextual zoning districts with required streetwall, setback, and maximum building height regulations, which can be modified under the recently adopted Zoning for Quality and Affordability (ZQA) regulations with qualifying ground floor use[4]. In MIHAs, R7A requires a 40- to 75-foot tall streetwall and allow a maximum building height of 90 feet (95 feet with qualifying ground floor use) and a maximum of 9 stories. In MIHAs, R7D requires a 60- to 95-foot tall streetwall and allows a maximum building height of 110 feet (115 feet with qualifying ground floor use) and a maximum of 11 stories. In MIHAs, R8A requires a 60-105-foot tall streetwall and allows a maximum building height of 140 feet (145 feet with qualifying ground floor use) and a maximum of 14 stories. In these districts, the minimum setback distance is 10 feet on wide streets and 15 feet on wide streets.

The proposed zoning text amendment would establish the rezoning area as a designated MIHA, which allows a higher permitted FAR than in non MIHAs but includes a requirement that a share of new housing be permanently affordable when land use actions create significant new housing potential, either as part of a City land use proposal or a private land use application. MIH consists of two main alternatives: Option 1: 25 percent of residential floor area be must be affordable housing units affordable to households with income at a weighted average of 60 percent of area median income (AMI), with 10 percent affordable to households within an income band of 40 percent of AMI; or Option 2: 30 percent of residential floor area must be affordable housing units affordable to households with income at a weighted average of 80 percent of AMI. In combination with these two alternatives, two other options may be utilized. A "Deep Affordability Option" also may be utilized provided that 20 percent of residential floor area contains housing units affordable to households with income at a weighted average of 40 percent of AMI. A "Workforce Option" may also be utilized provided that 30 percent of residential floor area contains housing units

[4] The primary criterion for "qualifying ground floor" is that the level of the finished floor of the second story is 13 feet or more above the level of the adjoining sidewalk.

affordable to households with income at a weighted average of 115 percent, with 5 percent of residential floor area kept affordable to households within an income band of 70 percent of AMI and another 5 percent of residential floor area affordable to households within an income band of 90 percent of AMI. Other restrictions apply to the Deep Affordability and Workforce Options. The CPC and ultimately the City Council determine the requirements applicable to each MIH-designated area.

The proposed MIHA would be located adjacent to an existing Inclusionary Housing (IH) designated area that covers the Broadway Triangle rezoning area and a portion of the 59 Walton Street rezoning area.

Table 2-3 provides a comparison of the existing and proposed zoning districts.

Assessment

The proposed action would not result in significant adverse impacts to zoning as the proposed zoning map and text amendments and the resulting densities and building bulk that would be permitted are within the range of what is currently exists in the study area and comparable areas of Brooklyn.

Overall, the contextual zoning that the proposed action would establish throughout the rezoning area is consistent with other existing contextual districts in the area that have been established in recent rezonings. The proposed contextual zoning districts are expected to result in development compatible with the built form of many existing buildings in the area that have streetwalls, particularly north of Flushing Avenue where the project area is located.

The proposed R7A zoning along Harrison Avenue would extend an existing R7A district which is mapped on four blocks to the east and southeast, which was adopted as part of the Broadway Triangle rezoning in 2009. R7A is also mapped on two blocks west of the project area, which was adopted as part of the 59 Walton Street Rezoning in 2012.

The proposed R7D and R8A districts would allow for higher residential density immediately adjacent to a subway station along the Union Avenue corridor, reinforcing this location as a hub for the surrounding area. R7D is a less common zoning district in the study area compared to R7A, but has been mapped in areas well served by transit where the higher density and building heights it allows would be appropriate. As part of the City-initiated Bedford-Stuyvesant North rezoning, an R7D district was established along the Myrtle Avenue corridor from Nostrand Avenue to Marcus Garvey Boulevard. Similar to the proposed R7D district, this existing R7D district is adjacent to a subway station served by the G line and is in close proximity to a subway station served by the J and M lines.

Table 2-3, Comparison of Existing and Proposed Zoning.

	EXISTING	**PROPOSED**
	M3-1 (Heavy Manufacturing District)	**R7A (MIHA)[1], R7D (MIHA)[1] and R8A (MIHA)[1] (General Residence District)/ C2-4 (Local Service District Commercial Overlay) covering 98% of project area**
Use Groups:	6-14, 16, 17, 18	R7A/R7D/R8A (MIHA): 1-4; C2-4: 1-9, 14
Floor Area Ratio (FAR):		
- Commercial	2.00	C2-4: 2.00
- Community Facility	N/A (not permitted)	R7A: 4.0; R7D: 4.2; R8A: 6.5
- Residential	N/A (not permitted)	R7A (MIHA): 4.6 R7D (MIHA): 5.6 R8A (MIHA): 7.2
- Manufacturing	2.00	N/A (not permitted)
Sky Exposure Plane:		N/A
- Streetwall max. height	60 feet or 4 stories (whichever is less)	
- Initial setback distance	20 feet (narrow street); 15 feet (wide street)	
- Sky exposure plane ratio	2.7 to 1 (narrow street); 5.6 to 1 (wide street)	
Contextual Zoning (QHP):	N/A	
- Streetwall height (min.-max.)	N/A	R7A: 40 – 75 feet R7D: 60 – 95 feet R8A: 60 – 105 feet
- Setback distance	N/A	R7A/R7D/R8A: 15 feet (narrow street); 10 feet (wide street)
- Maximum building height	N/A	R7A: 90 feet (95 feet)[2]; 9 stories R7D: 110 feet (115 feet)[2]; 11 stories R8A: 140 feet (145 feet)[2]; 14 stories
Required Accessory Parking (minimum):		
- Automobile Repairs	1 space per 800 zsf	N/A
- General retail	1 space per 300 zsf	1 space per 1,000 zsf
- Residence	N/A	R7A/R7D: 0.5 space per DU R8A: 0.4 space per DU R7A/R7D/R8A: 0 spacer per DU for affordable house units in the "transit zone"[2]

Note:
[1] The proposed R7A, R7D, and R8A districts would be in a designated Mandatory Inclusionary Housing Area (MIHA); as such the maximum permitted density (FAR) is modified by the MIH zoning regulations and eligible for maximum height modifications under the ZQA regulations.
[2] Transit zone is comprised of certain designated areas outside the Manhattan Core well-served by transit. Refer to ZR Appendix I for maps and definition of units governed by the transit zone rules.

There are no R8A districts in the study area currently, but elsewhere in Brooklyn there is an R8A district mapped along the Fourth Avenue corridor from Atlantic Avenue to 24th Street, which extends through the edges of Boerum Hill, Park Slope, Gowanus, and Windsor Terrace. Similar to the R8A district proposed for the project area, that R8A district is along an avenue corridor in

areas redeveloping from manufacturing uses to residential and retail uses and is served by multiple subway lines.

Mapping a C2-4 commercial overlay on most of the Northern and Southern Blocks would be consistent with the existing C2-4 overlays along the east side of Harrison Avenue from Walton Street to Flushing Avenue/Whipple Street and covering the entire block immediately north of the rezoning area (bounded by Lorimer Street, Harrison Avenue, Walton Street, and Union Avenue). Although C2-4 overlays are typically mapped to a depth of 100 feet, unique conditions in the project area warrant mapping the most of the two blocks with the overlay. Both blocks are irregular shaped and the Northern Block is relatively narrow due to diagonal alignment of Union Avenue. Overlays mapped to a depth of 100 feet would result in an anomalous condition in which portions of the blocks would be in the overlay but a wedge shaped area in the center would remain outside. As noted above, 2 percent area would not be mapped with a C2-4 district; this would be a 3,900-sf, 65-foot by 60-foot rectangular area on the Northern Block, which would lie within the area occupied by the proposed publicly-accessible open space to be provided as part of the development. Excluding a C2-4 overlay from this area is necessary to allow the creation of the public open space at this location and would not affect the provision of retail space within the development. Mapping the overlay over the remaining 98 percent of the two blocks would enable the project area to be developed with retail uses facing onto the 65-foot wide midblock open space. The open space would function with some characteristics similar to a street in terms of creating frontages facing an active pedestrian corridor, which would be well-suited to the types of neighborhood retail uses allowed in C2-4 districts. Retail spaces facing onto this open space could result in compatible uses providing desirable amenities for the community, such as cafes with outdoor seating. Furthermore, stores could provide visual interest to open space users.

Establishing a MIHA would be consistent with the intent of the recently adopted zoning text amendment establishing the MIH program to apply MIH requirements to all areas where rezonings result in increased permitted residential density.

The proposed zoning changes would provide a framework for development that, as noted above, would be consistent with land use trends, market conditions, and public policies.

The density permitted by the proposed action would enable the Applicant to provide a significant amount of new development, including inclusionary housing units, in an area experiencing substantial residential growth and continued demand for additional housing. The R7D and R8A districts would enable the proposed action to include a significant new publicly-accessible open space by allowing floor area generated by the open space area to be accommodated within the building envelopes permitted by these districts under MIH and ZQA. The Applicant's proposed publicly-accessible opens space would provide a significant public benefit for the entire community, which merits consideration in the assessment of the proposed rezoning.

Conclusion. The proposed action would result in a more appropriate zoning for the project area given the decline of industrial uses in the study area, as exemplified by the closure of Pfizer's operations, and the strong demand for both market-rate and affordable housing. The proposed R7A, R7D, and R8A districts would facilitate the proposed redevelopment of the project area with residential and retail uses and a binding commitment for the provision of publicly-accessible open

space. The change to R7A, R7D, and R8A zoning with C2-4 commercial overlays would not make any existing permanent uses noncomplying and would facilitate a development project that would be compatible with the land use and zoning in the surrounding area. Accordingly, the proposed action would not result in any significant adverse zoning impacts.

Public Policy

As discussed under "Existing Conditions," the rezoning area and the larger study area fall within the geographic jurisdiction of several public policies. The proposed action requires WRP consistency assessment, which is provided below. Given the purpose and scope of the proposed action, OneNYC and Housing New York are also applicable and policy assessments are provided. Also, the MIH program would be applicable to the proposed action as it includes a zoning text amendment designation the project area as a MIHA. Therefore, a discussion of MIH is also provided. The other public policies identified under "Existing Conditions," however, are not applicable to the proposed action given the approvals being sought and therefore no assessment is warranted. These policies include FRESH, North Brooklyn EZ, Broadway Triangle URP, and the Graham Avenue BID.

MIH

As noted above, the proposed action's zoning text amendment designating the project area as a MIHA would establish a requirement for affordable housing in any new residential development. Depending on which option is selected the share of total units that must be affordable and the levels of affordability vary depending on which alternative/option is selected. As noted above and in Chapter 1, the RWCDS assumes that the City Council would select the option requiring a 30 percent share of residential floor area, resulting in approximately 30 percent of the housing units being income-restricted affordable housing units. However, it is possible that the City Council would instead the option requiring a 25 percent share of residential floor area, resulting in approximately 25 percent of the housing units being income-restricted affordable housing units. The implementation of either option, resulting in either 287 affordable housing DUs (25 percent) or 344 DUs (30 percent) would be consistent with the City's OneNYC plan's housing affordability goals to build or preserve 200,000 units of affordable housing over a 10-year span.

WRP Consistency Assessment

As the project site is located within the city's designated Coastal Zone the Proposed Project is 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 III) lists the WRP policies and indicates whether the Proposed Project would promote or hinder that policy, or if that policy would not be applicable. This section provides additional information for the policies that have been checked "promote" or "hinder" in the WRP CAF.

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

The proposed action would facilitate a residential and local retail development in an area that is vacant and in an area well-suited to such development. The area is well-served by transit, including two subway stations on two separate subway corridors and the blocks surrounding the project area predominantly consist of residential and community facility uses. This neighborhood has undergone a trend of redevelopment from vacant and underutilized industrial and general commercial properties to new residential development. Many blocks in the surrounding area have already been rezoned in recent years to facilitate residential development with supportive local retail and service uses. The proposed rezoning would facilitate further such development in an area where strong demand for housing exists and existing infrastructure and services are available.

Therefore, the proposed action would promote this policy.

Policy 1.1: Encourage commercial and residential development in appropriate Coastal Zone areas.

The proposed action would facilitate the development of residential and commercial uses in the vacant project area. This would be consistent with ongoing development trends and compatible with neighboring residential and community facility uses. This would address community needs for increased housing opportunities, including affordable housing, economic development, and provide a new publicly-accessible open space that could be used by existing and future area residents and others present in the community.

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 designation that may be affected by the development of new residential, commercial, or community facility uses. For these reasons, the proposed action would promote Policy 1.1.

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

The proposed action would facilitate new development in an area served by existing public facilities and infrastructure. As discussed in Chapter 12, Transportation, the project area is well-served by public transportation, including two subway stations on two separate subway corridors and multiple bus routes. In addition, and as discussed in greater detail in Chapter 4, "Community Facilities and Services," the project area is served by existing police, fire, and health care facilities, and is also located in proximity to existing libraries, schools, and child care centers. As described in greater detail in Chapter 10, "Water and Sewer Infrastructure," the project area is served by the City's water system and is in a combined sewer area served by the Newtown Creek Water Pollution Control Plant (WPCP), with functioning combined sewers in street adjacent to the project area. Overall, the Proposed Project would facilitate redevelopment in an area served by existing public facilities and infrastructure and would promote Policy 1.3.

Policy 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.

See response to Policy 6.2, below.

Policy 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.

Policy 6.2: Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in the 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.

Flood Insurance Rate Maps and Base and Design Flood Elevations

The Federal Emergency Management Agency (FEMA) issued updated Preliminary Flood Insurance Rate Maps (FIRMs) for New York City dated 1/30/2015. The Preliminary FIRMs are considered the best available flood hazard data. Following a public review process of the preliminary FIRMs, FEMA anticipates adopting effective, i.e., official, FIRMs. These new FIRMs are replacing the currently effective FIRMs issued by FEMA in 1983 with revisions dated 2007. They identify the 100-year (1 percent annual chance) floodplain with the 100-year flood water levels projected to reach the specified base flood elevations. They also identify the 500-year (with an annual probability of flooding between 0.2 percent and 1 percent) floodplain. FEMA does not identify the base flood elevation for the 500-year floodplain. Areas within the 100-year floodplain are subject to NYC Building Code and FEMA flood-resistant construction requirements. These include requirements that all habitable space be located above the design flood elevation; permitted uses below the design flood elevation include parking and storage. The City of New York has adopted the base flood elevations specified in the Preliminary FIRMs until new effective FIRMs are available for the purposes of determining compliance with all flood proofing requirements and for establishing base plane elevations for new buildings to measure their compliance with zoning building height requirements.

There are two types of 100-year floodplains; "V" zones with the added hazard of high-velocity wave action with a projected wave height of 3 feet or more and "A" zones, which are projected to be inundated with the 100-year flood but without wave action from waves of 3 feet or more. The Preliminary FIRMs also introduced a new area defined as the "Coastal A Zone" designated by a boundary called the Limit of Moderate Wave Action (LiMWA). This zone is the portion of an A Zone, also referred to as the "Coastal AE Zone", where moderate wave action with projected wave heights between 1.5 and 3 feet is expected during the base flood event.

The City of New York has adopted the base flood elevations[5] specified in either the Preliminary FIRMs or the currently effective FIRMs as revised in 2007, with the more restrictive of the two, i.e., having a higher base flood elevation, applicable until new effective FIRMs are available for the purposes of determining compliance with all flood-proofing requirements and for establishing

[5] Preliminary FIRM elevations are measured in feet above the North American Vertical Datum of 1988 (NAVD 88).

base plane elevations for new buildings to measure their compliance with zoning building height requirements.[6]

Project Area Location in Preliminary FIRM 500-year Floodplain

As presented in Figure 2-9, part of the project area is within the 500-year floodplain, identified on the map as an "X" zone. This indicates an area of moderate to low-risk flood hazard, also known as a Non-Special Flood Hazard Area. FEMA does not specify base flood elevations for the shaded X zones. As the project area is located outside the boundary of the 100-year floodplain, the City's Building Code and FEMA special requirements for the 100-year floodplain are not applicable.

As noted above in the "Existing Conditions" section discussing the WRP, the NPCC predicts that mean annual temperatures will increase by 2 to 3˚F and by 4 to 6.5˚F by the 2020s and 2050s, respectively; total annual precipitation will rise by 0 to 10 percent and 5 to 15 percent by the 2020s and 2050s, respectively; sea level will rise by 4 to 11 inches and 11 to 31 inches by the 2020s and 2050s, respectively; and by the 2050s, heat waves and heavy downpours are very likely to become more frequent, more intense, and longer in duration. Coastal flooding is also very likely to increase in frequency, extent, and elevation. Based on these projections, all of the project area would be located within the 500-year floodplain by 2020 and by 2050 portions of the project area will be within the 100-year floodplain (see Figures 2-10 and 2-11), but base flood elevations are not indicated in the NPCC prediction. The NPCC recommends assessing the impacts of projected sea level rise on the lifespan of projects. Because of limitations in the accuracy of flood projections, the NPCC recommends that these 2020s and 2050s maps not be used to judge site-specific risks and advises that they are subject to change.

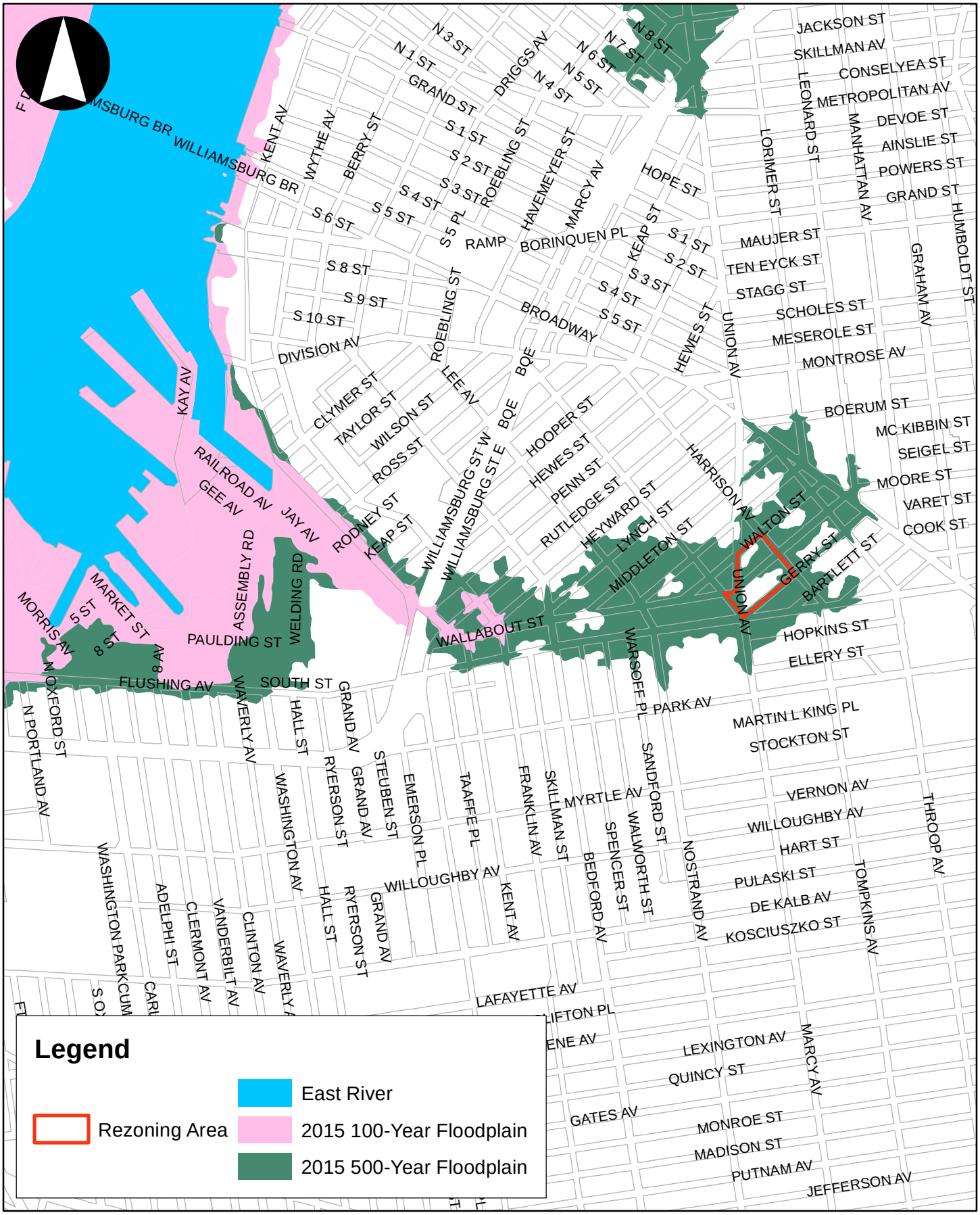
Expected ground floor uses that would be located within the 500-year floodplain would include the residential lobbies, parking, other accessory space, and local retail space.

Should the base flood elevation rise in the future, the perimeter of the project site buildings could be retrofitted with flood prevention systems (either temporary or permanently installed flood gates/shutters), potentially in conjunction with an emergency flood protection plan. The nature of such retrofits would depend on the specific change to the base flood elevation, possible future changes to Building Code flood regulations, City-led infrastructure measures to address such changes, and other considerations that are unknown as this time. As such, the nature of such retrofits cannot be characterized at this time.

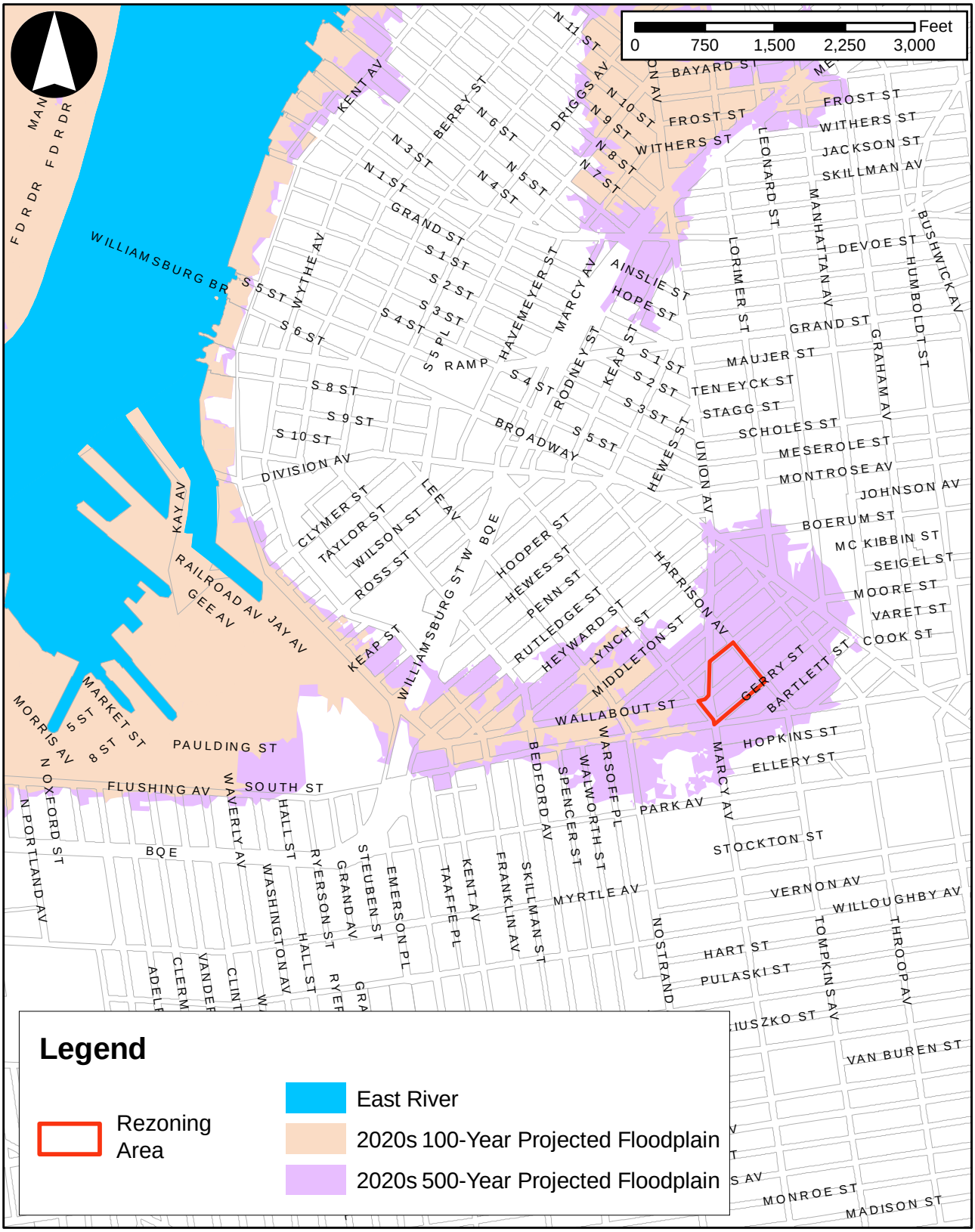
Coastal floodplains are influenced by astronomic tide and meteorological forces and not by fluvial (river) flooding, and as such are not affected by the placement of obstructions within the floodplain. Therefore, the construction and operation of the Proposed Project would not exacerbate future projected flooding conditions.

[6] See "Coastal Climate Resilience: Designing for Flood Risk", Department of City Planning, City of New York, June 2013, for additional information. Online at: http://www1.nyc.gov/assets/planning/download/pdf/plans-studies/sustainable-communities/climate-resilience/designing_flood_risk.pdf

2015 Floodplain Preliminary FIRM



NPCC 2020s Floodplain Projections



NPCC 2050s Floodplain Projections



For these reasons, the proposed action would promote Policy 6.2, integrating consideration of the latest New York City projections of climate change and sea level rise into the planning and design of projects in the City's Coastal Zone.

Policy 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.

Policy 7.2: Prevent and remediate discharge of petroleum products.

As discussed in Chapter 9, "Hazardous Materials," the project area's Southern Block is subject to a Voluntary Cleanup Agreement (VCA) executed in 1997 which is under the jurisdiction of the NY State Department of Environmental Conservation (NYSDEC) through its Voluntary Cleanup Program (VCP). Pursuant to these requirements, Pfizer and NYSDEC also executed a deed restriction in 2001 stating: "Until such time as an additional response action is performed at the Property such as to allow it to be used for residential purposes, the Property shall be prohibited from being used for purposes other than industrial, commercial, and/or recreational (designed to preclude contact with contaminants by humans) without the express written permission or waiver of such prohibition by the Department [NYSDEC]." It further states that this prohibition is enforceable only by NYSDEC or its successor "but shall not be enforceable by any third party."

The Northern Block is not subject to VCA/VCP oversight, however, as also discussed in Chapter 9, given it past uses and hazardous materials work on the site, it will require an (E) designation for hazardous materials as part of the proposed action. With these institutional controls in place, the proposed action would not have the potential to result in significant adverse hazardous materials impacts. Accordingly, the proposed action would promote this policy. Refer to Chapter 9 for further details.

PlaNYC/OneNYC

The proposed action would be consistent with the City's sustainability goals, including those outlined in OneNYC. In particular, it would support OneNYC's land use goals of creating substantial new housing opportunities at a range of incomes, including permanently affordable housing; redeveloping underutilized sites, providing new public open spaces, focusing development in areas that are served by mass transit, thereby reducing use of automobiles and their associated air pollution emissions; and providing walkable retail destinations. The proposed action would result in new housing required to meet the City's green buildings standards to reduce building-based carbon emissions. As described above, it also would be consistent with WRP policies. Overall, the proposed action would be supportive of the applicable goals and objectives of OneNYC.

Housing New York: A Five-Borough Ten-Year Plan

The proposed project would be consistent with the Housing New York plan and would result in a substantial amount of new permanently affordable housing in an area experiencing rising housing costs and strong demand for housing at a range of prices. As noted in Chapter 1, depending on

which MIH option is selected, approximately 25 to 30 percent of the residential units created in the project area would be affordable to specified income bands. Therefore, the proposed action would be supportive of this key public policy goal.

Conclusion. As the proposed action would be promote the advance of applicable WRP policies, would be consistent with PlaNYC/OneNYC and Housing New York, and would not conflict with any other applicable public policy, it would not result in any significant adverse public policy impacts.