DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

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Department of City Planning

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NOTICE OF COMPLETION AND NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT STATEMENT

500 Kent Avenue

Project Identification
CEQR No. 21DCP139K
ULURP Nos. 230293ZMK; 230294ZSK;
N230295ZCK; 230296ZSK; 230297LDK;

SEQRA Classification: Type I

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Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Draft Environmental Impact Statement (DEIS) has been prepared for the action described below. Copies of the DEIS are available for public inspection at the office of the undersigned as well as online via 500 Kent Avenue project page on ZAP: https://zap.planning.nyc.gov/projects/2019K0330 . To view the 500 Kent Avenue DEIS and Appendix, navigate to the project page in ZAP and select Public Documents, then "DEIS_21DCP139K". The proposal involves actions by the City Planning Commission (CPC) and the New York City Council pursuant to Uniform Land Use Review Procedure (ULURP). A public hearing on the DEIS will be held at a later date to be announced, in conjunction with the City Planning Commission's public hearing pursuant to ULURP. Advance notice will be given of the time and place of the hearing. Written comments on the DEIS are requested and would be received and considered by the Lead Agency until the 10th calendar day following the close of the public hearing.

A. INTRODUCTION

The Applicant, 500 Kent LLC and United Jewish Organizations of Williamsburg, Inc, is seeking a series of land use actions, including a zoning map amendment, two special permits, and a

waterfront zoning certification that would facilitate the development of a 23-story, 352-foot tall[1] (roof height; 392-foot tall with 40-foot tall bulkhead) commercial building (the "Proposed Project") in the South Williamsburg neighborhood of Brooklyn Community District (CD) 2. The Proposed Project would be constructed at 500 Kent Avenue (Block 2023, Lot 10) on a 115,244-square foot (sf), irregular-shaped corner lot located on at the southwest corner of the Kent and Division Avenues intersection (the "Project Site"). It is also a waterfront site with shoreline along Wallabout Channel, an artificial inlet of the East River.

The approximately 684,242 gross square feet (gsf) Proposed Project would contain 598,442 gsf of office space and 21,233 gsf of retail space, built at 5.0 floor area ratio (FAR) with 576,220 zoning square feet (zsf) of floor area. It would also contain approximately 49,453 sf (1.14 acres) of publicly accessible waterfront public open space, including a shore public walkway and supplemental public access area. There would also be 14,301 sf (0.33 acres) of accessory open areas for building occupants. Additionally, there would be 234 public parking spaces (64,567 gsf) and two loading berths. To facilitate the Proposed Project, the Applicant is seeking the following discretionary approvals (collectively, the "Proposed Action"):

(1) Zoning map amendment that would rezone the 2.65-acre Project Site from M3-1 to M1-5
(2) Waterfront bulk modification special permit pursuant to Zoning Resolution (ZR) Section 62-837 to modify various bulk requirements in sub-sections of ZR 62-341, including: (i) ZR 62-341(a)(2) - initial setback distance; (ii) ZR 62-341(c)(1) - maximum base height; (iii) ZR 62-341(c)(2) - maximum building height, (iv) ZR 62-341(c)(5) - maximum width of walls facing shoreline
(3) Public parking garage special permit pursuant to ZR 74-52 to allow a 234-space public parking garage

The project also requires one non-discretionary ministerial action by the City Planning Commission (CPC):

(1) Waterfront zoning certification pursuant to ZR 62-81 to demonstrate compliance with applicable waterfront zoning regulations

A reasonable worst-case development scenario (RWCDS) has been established for the Proposed Action for a 2026 analysis year. Under the RWCDS, the Proposed Project would be constructed pursuant to the proposed zoning map amendment, waterfront and public parking garage special permits, and waterfront zoning certification. Under the RWCDS the Proposed Action is expected to result in a net increase of 540,442 gsf of commercial office space, 21,233 gsf of retail space, and 49,453 sf (1.14 acres) of waterfront public open space, as well as a net reduction of 181,401 gsf of warehouse space and 45 parking spaces.

B. EXISTING CONDITIONS

Description of the Project Site

The Applicant-owned 115,244-sf Project Site, which consists of one tax lot (Lot 10) on Block 2023, is an irregularly-shaped, waterfront property and corner lot bound by Wallabout Channel to

[1] As discussed in Section C below, the proposed project would be 352 feet tall, but the maximum permitted zoning envelope height is 355 feet. The maximum bulkhead height is 40 feet above the roof.

the west, Division Avenue to the north, Kent Avenue to the east, and the Brooklyn Navy Yard's Nassau Gas Works site to the south. The Project Site, which is currently vacant, has approximately 227 feet of frontage on Division Avenue, approximately 372 feet of frontage on Kent Avenue, and approximately 528 feet of shoreline along Wallabout Channel. It was occupied by power generating plants from the late nineteenth to early twenty-first centuries. In 1959, Consolidated Edison (Con Edison) acquired the property from the City of New York. Con Edison continued to operate the power plant until shuttering it in 1999 and subsequently demolished the plant buildings in 2009. Con Edison performed environmental remediation which was completed in 2014 under New York State Department of Environmental Conservation supervision through the Voluntary Cleanup Program. The Project Site has been vacant since 2009 and the Applicant acquired it from Con Edison in 2019 with the intent of redeveloping it. The full range of addresses associated with the site include 492-518 (even numbers) Kent Avenue and 2-18 (even numbers) Division Avenue.The Project Site constitutes the proposed rezoning area and the zoning lot that would be subject to the special permits and waterfront zoning certification. There are no other sites affected by the Proposed Action. Similarly, there are no other sites that would transfer developments rights to or from the Project Site. The Project Site is zoned M3-1 and lies within the Brooklyn Navy Yard Industrial Business Zone (IBZ).

C. DESCRIPTION OF THE PROPOSED ACTIONS

The Proposed Action includes a zoning map amendment, Bulk Modifications on Waterfront Block Special Permit, Public Parking Garage Special Permit, and Waterfront Zoning Certification. These actions are detailed below.

Zoning Map Amendment

The proposed zoning map amendment would rezone the Project Site from M3-1 to M1-5. As a result, changes to zoning regulations would include: prohibiting heavy manufacturing uses (Use Group 18), permitting certain types of community facility uses (Use Group 4) and transient accommodations (Use Group 5)[2], and continuing to allow other types of commercial uses (Use Groups 6-14 and 16) and light manufacturing uses (Use Group 17) as-of-right; allowing higher densities of commercial and light manufacturing by increasing permitted FAR from 2.0 to 5.0 and allowing a community facility maximum FAR of 6.5; allowing a larger maximum permitted bulk envelope, including increasing maximum base height from 60 to 65 feet and maximum building height from 110 to 185 feet; and eliminating accessory parking requirements for most permitted uses, including those included in the Proposed Project.

Bulk Modifications on Waterfront Block Special Permit (ZR 62-837)

The proposed Special Permit pursuant to ZR 62-837 would allow several modifications to applicable zoning regulations related to bulk**.** This would instead establish a maximum permitted building envelope, which slightly exceeds the intended building volume of the Proposed Project in order to accommodate minimal variations in the final constructed building. The special permit waivers include:

[2] Hotels (Use Group 5) require a special permit except for those operated exclusively for the public purpose of temporary housing assistance operated or contracted by the City or State.

(i) Initial setback distance: ZR 62-341(a)(2) requires the development has a 10-foot setback from a wide street, a 15-foot setback from a narrow street and a visual corridor, and a 30-foot setback from a shore public walkway above the required base height of 65 feet. The proposed special permit would waive or modify these requirements, including: (a) a horizontal plane area of approximately 1,890 sf encroaching within the required 30-foot setback from the shore public walkway for a frontage of approximately 125 feet to a maximum permitted height of 130 feet (however this building volume is planned to only reach a height of approximately 127 feet); (b) a horizontal plane area of approximately 900 sf encroaching within the required 30-foot setback from the shore public walkway for a frontage of approximately 60 feet to a maximum permitted height of 355 feet (however the Proposed Project is planned to only reach a height of approximately 352 feet); (c) a horizontal plane area of approximately 1,070 sf encroaching within the 10-foot required setback from Kent Avenue for a frontage of approximately 110 feet to a maximum permitted height of 130 feet (however this building volume is planned to only reach approximately 127 feet); and (d) a horizontal plane area of approximately 140 sf encroaching within the 10-foot required setback from Kent Avenue for a frontage of approximately 30 feet to a maximum permitted height of 355 feet (however the Proposed Project is planned to only reach a height of approximately 352 feet).

(ii) Maximum base height: ZR 62-341(c)(1) allows a maximum base height of 65 feet; consistent with the setback waiver described above for item (i), portions of the Proposed Project would have maximum permitted base heights of 130 feet and 355 feet (however the Proposed Project is planned to only reach base heights of approximately 127 feet and approximately 352 feet, respectively); the dimensions and cubic volumes of the initial setback and maximum base height encroachments would be defined per the application's zoning waiver plans.

(iii) Maximum building height: ZR 62-341(c)(2) allows a maximum building height of 185 feet; the Proposed Project would have a maximum building height of 355 feet, a cubic volume encroachment extending 170 feet vertically with a horizontal plane area of approximately 20,530 sf at its upper plane.

(iv) Maximum width of walls facing shoreline: ZR 62-341(c)(5) allows a maximum width of 100 feet for walls above the 65-foot maximum base height and facing the shoreline; the Proposed Project would have walls facing the shoreline with a cumulative width of approximately 345 feet; the height of shoreline facing walls would vary consistent with the other waiver modifications described and as defined per the application's zoning waiver plans.

Public Parking Garage Special Permit (ZR 74-52)

The proposed Public Parking Garage Special Permit pursuant to ZR 74-52 by the CPC would allow the Proposed Project to provide a 234-space public parking garage in the Proposed Development. Without the proposed Public Parking Garage Special Permit, the Project Site would provide only the maximum number of spaces permitted pursuant to the proposed M1-5 zoning, i.e., 150 spaces if a single entry/exit curb cut provided or 225 spaces if complying separate entry/exit curb cuts are provided, which in either case would not fully address the Proposed Project's anticipated site-generated parking demand. Accessory parking would not be required for the Proposed Project pursuant to the proposed M1-5 zoning.

Waterfront Zoning Certification (ZR 62-81)

Certification pursuant to ZR 62-81 by the CPC Chair to the NYC Department of Buildings (DOB) would demonstrate compliance with waterfront zoning regulations. This includes compliance with waterfront open space requirements, memorializing the inclusion of approximately 49,453 sf of waterfront public open space, including a shore public walkway, supplemental public access areas, and additional public access areas.

As detailed in the project's land use application, public open spaces would consist of several components. The largest of these is the required 20,466-sf shore public walkway (SPW) along the entire 40-foot wide length of the Project Site coincident with the East River. Adjoining the SPW, there would be 2,714 sf of supplemental public access area (SPAA) located in an open area formed by a setback from the SPW of the proposed building footprint, which is necessary to provide the minimum required waterfront public access area (WPAA) of 20 percent of the lot area (23,180 sf). Besides the minimum required public open space, the Proposed Project would have two additionally provided public open spaces. One would be 12,220 sf, designated Public Access Area (PAA) 1, which would link the SPW and SPAA with the corner of the site at Kent Avenue and Division Avenue through the middle portion of the site between the building's two bases. The other additionally provided public open space area would be 14,053 sf coinciding with the required visual corridor along the southern edge of the site, designated PAA 2. These public open spaces would provide a continuous corridor extending from Kent Avenue and the Brooklyn Waterfront Greenway through the site to Division Avenue and the planned shore public walkway to the north at 470 Kent Avenue. In addition, this waterfront open space would connect with a potential future shore public walkway on the Brooklyn Navy Yard property to the south.

D. PURPOSE AND NEED FOR THE PROPOSED ACTION

In the vicinity of the Project Site, both the demand for workspace and the residential population have increased substantially in recent years. The Brooklyn Navy Yard (BNY), immediately south and southwest of the Project Site, is now home to over 450 commercial and light industrial businesses employing more than 11,000 people with further growth anticipated. At the same time, there has been a resurgence of residential development in Williamsburg and other nearby neighborhoods. There are multiple new, high-rise residential buildings near the Project Site and additional development expected. The City is now promoting the increase of walk-to-work commuting patterns and new forms of public transportation along the waterfront including the NYC Ferry service. By providing a new hub of business development, the Proposed Project would be compatible with the ongoing development of the neighboring BNY and would be complementary to the increased residential uses in the area, providing space for work (office) and shopping (retail) that could reduce travel times and distances for local residents.

As a medium-density, 5.0 FAR, commercial waterfront development the Proposed Project would provide a transitional land use between two distinct areas, the commercial-industrial BNY to the south and the redeveloping, predominantly residential waterfront corridor to the north. As such, it would infill a vacant site at a density similar to other nearby developments, buffering residential uses from the BNY and light industrial uses from residential developments across the street to the north and east. The Applicant believes that this project, by leveraging demand for office space in Brooklyn, would further the mission of the Brooklyn Navy Yard IBZ by strengthening the non-residential character of the IBZ with an active commercial use compatible with the mix of uses in

present in the Navy Yard.

More broadly, the Proposed Project would result in the re-use of a vacant, former brownfield site that has been remediated and is served by existing water and sewer infrastructure and other utilities. The Proposed Project would contribute to the vitality of Brooklyn's East River waterfront and its new public waterfront open space by attracting new workers and visitors to the site.

The proposed M1-5 zoning district would create opportunities for increased development at densities comparable to other waterfront developments in the area; for example, the area immediately to the north was rezoned from M3-1 to R7-3/C2-4 in 2006, increasing the maximum permitted FAR from 2.0 to 5.0 (Kedem Winery Redevelopment Rezoning: ULURP No. C 020518 ZMK). Moreover, the proposed district would act as a buffer between the future residential uses at 470 Kent Avenue to the north and the BNY to the south.

The proposed special permits would facilitate a design that the Applicant believes is superior in terms of function and aesthetics to what can be achieved as-of-right under the proposed zoning. The proposed parking special permit would allow for a provision of parking that makes productive use of the Proposed Project's cellar space and fully accommodates its own on-site parking demand.

E. DESCRIPTION OF THE PROPOSED PROJECT

The Proposed Action would facilitate the development of the Proposed Project, a new 23-story (353-foot-tall) office and retail building at 500 Kent Avenue (Block 2023, Lot 10). The approximately 684,242-gsf Proposed Project would contain 598,442 gsf of office space, 21,233 gsf of retail space, and 234 below-grade public parking spaces (64,567 gsf). It would also contain approximately 49,453 sf (1.14 acres) of publicly accessible waterfront open space, including a shore public walkway and supplemental public access area. The Project Site constitutes the proposed rezoning area and the zoning lot (115,244 sf) that would be subject to the Proposed Action. There are no other sites affected by the Proposed Action. Similarly, there are no other sites that would transfer developments rights to or from the Project Site.

The Proposed Project would be a single building with a five-story northern and four-story southern base, the latter surmounted by a structure extending from the fifth to 23rd floors. An open area at grade would provide pedestrian access through the central portion of the site, and the two bases would connect below- and above-grade with two double-height bridges at the third and fourth levels. The northern base fronts Division Avenue and the southern base fronts an on-site visual corridor and beyond it faces toward Clymer Street. The Proposed Project's retail space would be located on the first and fifth floors of the northern base. Office uses would be located on floors one through 23. The 234-space public parking garage (attended) would be located in the cellar, occupying approximately 64,567 gsf. The Proposed Project would also have two curb cuts and two loading berths. One curb cut would be located on Division Avenue, providing access and egress to the public parking garage, while the other would be located on Kent Avenue for use by trucks. Trucks would have access to the two loading berths, both set back from the street, and would be required to enter and exit the site head-in and head-out. Safety measures would be implemented where vehicles cross sidewalks on both streets. The location of uses by floors described is per preliminary plans and is provided for illustrative purposes.

F. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW

Analysis Year

Accounting for the ULURP approval timeline and based on the Proposed Project's anticipated 22-month construction timeline, it is assumed that construction would be completed and the building occupied in late 2026. As development facilitated by the Proposed Action is expected to be operational in 2026, its environmental setting is not the current environment, but the future environment. Therefore, the technical analyses assess current conditions and forecast these conditions to the analysis year of 2026 for the purposes of determining potential impacts. Moreover, as noted above, the Proposed Action would only have the potential to result in new development on the Project Site, i.e., there are no other areas that may have the potential to be directly affected by the Proposed Action.

Reasonable Worst-Case Development Scenario (RWCDS)

In order to assess the possible effects of the Proposed Action, a RWCDS for the Project Site was established for both No-Action and With-Action conditions. The incremental difference between the No-Action and With-Action conditions will serve as the basis of the impact category analyses.

Future without the Proposed Action (No-Action Condition)

The Future without the Proposed Action—also known as the "No-Action condition"—assumes the future without approval of the Proposed Action. Absent the Proposed Action, it is anticipated that the Project Site would be developed as-of-right under the existing M3-1 zoning. The No-Action development would have an FAR of 2.0 (1.5 FAR of warehouse use and 0.5 FAR of office space) and be 74 feet tall (roof height) with four stories. The Project Site would be occupied by an approximately 312,599-gsf building, including 58,000 gsf of office space, 181,401 gsf of warehouse space, and 73,198 gsf of accessory parking. In terms of zoning floor area, it would have 57,622 zsf of office space and 172,866 zsf of warehouse space. As the No-Action development would predominantly have warehouse uses (Use Group 16d), the Project Site would be exempt from waterfront public access area and visual corridor requirements. The Project Site would provide 279 accessory parking spaces on the first and mezzanine floors, meeting the minimum requirement that the site provide one space per 300 zsf of office space and one space per 2,000 zsf of warehouse space. A summary of the No-Action uses on the Project Site is provided in **Table 1** below.

TABLE 1: Comparison of 2026 No-Action and With-Action Scenarios

Land Use	No-Action	With-Action[1]	Increment
Warehouse	181,401 gsf	0 gsf	- 181,401 gsf
Office	58,000 gsf	598,442 gsf	+540,442 gsf
Retail	0 gsf	21,233 gsf	+21,233 gsf
Parking	73,198 gsf	64,567 gsf	-8,631 gsf
Total	**312,599 gsf**	**684,242 gsf**	**+371,643 gsf**
Parking Spaces	279 (accessory - attended)	234 (public – attended)	-45
Building height (roof)	74 feet	353 feet	+279 feet
Building stories	4 stories	23 stories	+19 stories
Population	**No-Action**	**With-Action[1]**	**Increment**
Workers[2]	413	2,458	+2,045

Notes:
[1] The With-Action scenario is consistent with the Applicant's special permit application plans
[2] Estimate of workers is based on standard rates and are as follows: one warehouse worker per 1,000 gsf; 1 office worker per 250 gsf; 1 retail worker per 333.3 gsf

Future with the Proposed Action (With-Action Condition)

The Future with the Proposed Action—also known as the "With-Action Condition"—assumes the Project Site would be redeveloped as proposed by the Applicant, pursuant to the Proposed Action. As a result, the With-Action development scenario for the Project Site would include 598,442 gsf of commercial office uses, 21,233 gsf of retail uses, approximately 49,453 sf of publicly accessible waterfront public open space, including a shore public walkway and supplemental public access area, and 64,567 gsf of below-grade public parking area comprising 234 spaces.

Table S-1 provides a comparison of the No-Action and With-Action scenarios identified for analysis purposes of the Proposed Action. As shown, the incremental (net) change that would result from the Proposed Action would be the net addition of 540,442 gsf of office space and 21,233 gsf of retail space, as well as a net reduction of 181,401 gsf of warehouse space and approximately 45 parking spaces. The Proposed Action would also result in a net increase of 2,045 workers. The With-Action building would be 279 feet and 19 stories taller than the No-Action building.

City Environmental Quality Review (CEQR)

CEQR is a process by which agencies review discretionary actions for the purpose of identifying the impacts those actions may have on the environment. The City of New York established CEQR regulations in accordance with the New York State Environmental Quality Review Act (SEQRA). Pursuant to the SEQRA (Article 8 of the Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City has established rules for its own environmental quality review in Executive Order 91 of 1977, as amended, and 62 RCNY Chapter 5, the Rules of Procedure for CEQR. The environmental review process provides a means for decision-makers to systematically consider environmental effects along with other aspects of project planning and design, to propose reasonable alternatives, and to identify, and when practicable mitigate, significant adverse environmental impacts. CEQR rules guide environmental review, as follows:

- *Establish a Lead Agency*. Under CEQR, the "lead agency" is the public entity responsible for conducting environmental review. In accordance with CEQR rules (62 RCNY §5-03), DCP, acting on behalf of the CPC, is serving as the CEQR lead agency for environmental review and will coordinate the review of the Proposed Action.
- *Environmental Review and Determination of Significance*. The lead agency determines whether the proposed action(s) may have a significant impact on the environment. To do so, DCP, in this case, evaluated an Environmental Assessment Statement (EAS) dated February 17, 2021 for the Proposed Action. Based on information contained in the EAS, and as the Proposed Action is classified as a "Type I Action," DCP determined that the Proposed Action may have a significant adverse impact on the environment, as defined by statute, and issued a Positive Declaration on February 19, 2021, requiring that an EIS be prepared in conformance with all applicable laws and regulations.
- *Scoping.* Along with its issuance of a Positive Declaration, DCP issued a Draft Scope of Work for the EIS, dated February 17, 2021, marking the beginning of the comment period on the Draft Scope. "Scoping," or creating the scope of work, is the process of identifying the environmental impact analysis areas, the methodologies to be used, the key issues to be studied, and creating an opportunity for others to comment on the intended effort. CEQR requires a public scoping meeting as part of the process. A public scoping meeting was held on March 25, 2021, at 2:00 PM. The public scoping meeting was held remotely. The public review period for agencies and the public to review and comment on the Draft Scope of Work was open through the close of business on April 5, 2021. Modifications to the Draft Scope of Work for the project's EIS were made as a result of public and interested agency input during the scoping process. A Final Scope of Work document for the Proposed Action was issued on January 19, 2024.
- *Draft Environmental Impact Statement (DEIS).* The DEIS was prepared in accordance with the Final Scope of Work and followed the methodologies and guidance for determining significant adverse impacts in the *CEQR Technical Manual*. Once the lead agency is satisfied that the DEIS is complete, it issues a Notice of Completion and circulates the DEIS for public review.
- *Public Review.* Publication of the DEIS and issuance of the Notice of Completion signal the start of the public review period. During this time, which must extend for a minimum of 30 days, the public has the opportunity to review and comment on the DEIS either in writing or at a public hearing convened for the purpose of receiving such comments. When the CEQR process is coordinated with another City process that requires a public hearing, such as ULURP, the hearings may be held jointly. The lead agency must publish a notice of the hearing at least fourteen (14) days before it takes place, and must accept written comments for at least ten (10) days following the close of the hearing. All substantive comments received at the hearing become part of the CEQR record and must be summarized and responded to in the FEIS.
- *Final Environmental Impact Statement (FEIS).* After the close of the public comment period for the DEIS, the FEIS is prepared. The FEIS must incorporate relevant comments on the DEIS, either in a separate chapter or in changes to the body of the text, graphics and tables. Once the lead agency determines the FEIS is complete, it issues a Notice of Completion and circulates the FEIS.
- *Findings.* To document that the responsible public decision-makers have taken a hard look at the environmental consequences of a proposed project, any agency taking a discretionary action regarding a project must adopt a formal set of written findings, reflecting its conclusions about the significant adverse environmental impacts of the project, potential

alternatives, and potential mitigation measures. The findings may not be adopted until ten (10) days after the Notice of Completion has been issued for the FEIS. Once findings are adopted, the lead and involved agencies may take their actions (or take "no action"). This means that the CPC must wait at least ten days after the FEIS is complete to take action on a given application.

G. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

Land Use, Zoning, and Public Policy

No significant adverse impacts on land use, zoning, or public policy, per the guidance for determining impact significance found in the *CEQR Technical Manual*, are anticipated in the future with the Proposed Action at the Project Site (the primary study area) or within a quarter-mile radius (secondary study area). The Proposed Project 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 land use of the surrounding area as a result of the Proposed Action would facilitate development that is compatible with and contributes to the mixed-use character and ongoing trends in the surrounding area. The new zoning as a result of the Proposed Action would represent an increase in allowable density at the Project Site with a bulk envelope pursuant to a waterfront zoning bulk modification special permit in a transit-accessible area to support creation of new commercial and retail space, which is in demand in the neighborhood. As the Proposed Action would result in zoning that is compatible with the range of existing uses and densities found in the secondary study area and surrounding neighborhood, it would not result in any significant adverse zoning impacts on the Project Site or in the secondary study area. Additionally, the Project Site falls within the geographic jurisdiction of five public policies. The Proposed Action would advance and support the main objectives of these policies including: Williamsburg Waterfront 197-a Plan, Brooklyn Navy Yard Industrial Business Zone (IBZ), New York Works, OneNYC 2050, and Waterfront Revitalization Program (WRP).

The Project Site is located within the New York City Coastal Zone Boundary, and therefore must be assessed for consistency with New York City's WRP. The WRP Consistency Assessment Form (CAF) lists the WRP politics and indicates whether or not the Proposed Action would promote or hinder that policy, or if that policy would not be applicable. A total of 28 WRP policies were assessed for the Proposed Project and concluded that the Proposed Action would promote the advance of applicable public policies, including the WRP, and would not conflict with any other applicable public policy. As described above, the Proposed Action would advance and support the main objectives of this public policy, and it received DCP sign-off in November 2023 (WRP # 19-073).

Therefore, the Proposed Action would not result in any significant adverse impacts to land use, zoning, or public policy.

Socioeconomic Conditions

A preliminary assessment determined that the Proposed Action would not result in significant adverse socioeconomic impacts for each of the five CEQR areas of socioeconomic concern,

outlined as follows. The Proposed Action would not directly displace residents, or businesses and therefore does not warrant analysis related to direct residential or business displacement. The Proposed Action would not introduce a residential population and therefore, would not introduce a trend that could potentially result in changing socioeconomic conditions for residents within the surrounding area. Therefore indirect residential displacement analysis is not warranted. The Proposed Project also would not significantly affect business conditions in any specific industry or any category of businesses, nor would it indirectly reduce employment or impair the economic viability of any specific industry or category of business. Adverse effects on specific industries analysis is not warranted and no significant adverse impacts would occur.

INDIRECT BUSINESS DISPLACEMENT

A preliminary assessment finds that the Proposed Action would not result in significant adverse impacts due to indirect business displacement. According to the *CEQR Technical Manual*, indirect displacement of businesses or institutions could be an issue if an action(s) would increase property values and thus rents throughout the study area, making it difficult for certain businesses that may be essential to the local economy, or a business that is the subject of regulations or publicly adopted plans, to remain.

The Proposed Action exceeds the *CEQR Technical Manual* screening threshold for conducting a preliminary assessment of indirect business displacement, as it would introduce more than 200,000 gsf of commercial space. The object of the preliminary assessment is to determine whether the Proposed Action could potentially introduce trends that would make it more difficult for nearby existing businesses that provide products or services essential to the local economy, or that are targeted to be preserved in their current locations under adopted public plans, to remain in the area. A proposed action could introduce such a trend by causing a marked increase in rents and property values in the area (i.e., by stimulating the demand for more lucrative land uses and thus redevelopment or by increasing the demand for new commercial or retail services with which the existing businesses cannot compete). Additionally, it could directly displace businesses or residents who serve as suppliers or the customer base for nearby businesses, affecting their viability or altering the desirability of their existing location. Finally, it could create enough new retail space to draw substantial sales from existing businesses (i.e., a market saturation impact).

The preliminary assessment found that the Proposed Action would not directly displace uses that provide direct support to businesses in the study area, or that bring to the area substantial numbers of people that form a customer base for local businesses, as the Project Site is currently vacant and does not support any active uses or business. Likewise, the preliminary assessment found that the Proposed Action would not be expected to indirectly displace a substantial number of residents or workers who form a customer base for local businesses or result in significant indirect business displacement that would negatively affect the customer base of any existing businesses in the study area. Instead, the Proposed Action would introduce new commercial office and a limited amount of new retail uses to the Project Site that would increase the number of daytime workers and

visitors and add to the customer base of existing businesses. The Proposed Action would not result in a new trend of a marked increase in business rents and property values. The preliminary assessment found that the Proposed Project would be consistent with the existing economic trend toward increased commercial and office development within Williamsburg and create new opportunities for companies to locate in the neighborhood. Williamsburg already has well-established residential and commercial markets, and upward rent pressure is already present in the study area and is expected to continue into the future with or without the Proposed Action. Likewise, the Proposed Action would not result in retail market saturation as it would only introduce 21,233 gsf of retail, while the threshold for further assessment of market saturation is the introduction of 200,000 gsf or more or retail space.

Open Space

The Proposed Action would not result in direct or indirect significant adverse impacts related to open space, as described below. According to the *CEQR Technical Manual*, a proposed project may result in a significant adverse impact on open space resources if (a) there would be direct displacement/alteration of existing open space within the study area that would have a significant adverse effect on existing users; or (b) it would reduce the open space ratio and, consequently, result in the overburdening of existing facilities or further exacerbating a deficiency in open space.

Direct Effects

The Proposed Action would not remove or alter any existing publicly accessible open spaces apart from shadows effects, which as discussed below would not result in any significant adverse shadows impacts. In addition, the Proposed Action would not result in any significant adverse operational or construction air quality or noise impacts affecting open space resources as discussed below. Therefore, the Proposed Action would not result in any significant adverse direct impacts to open space.

Indirect Effects

The Proposed Action would not result in an indirect significant adverse impact on open space. In the future with the Proposed Project, the non-residential study area's passive open space ratio would decrease by approximately 26 percent. However, the study area has a robust inventory of open space. Currently, the amount of publicly accessible passive open space relative to the non-residential population is approximately 1.033 acres per 1,000 non-residents; this is well above the optimal rate (according to the *CEQR Technical Manual*) of 0.15 acres of passive recreation space per 1,000 non-residents. In the No-Action condition, the passive open space ratio is 1.071 acres per 1,000 non-residents; the With-Action passive open space ratio is 0.796 acres per 1,000 non-residents which remains above the optimal rate. As such, the Proposed Action would result in a significant change to the open space ratio, but the outcome would still provide a ratio well above the optimal rate of 0.15 acres of passive space per 1,000 non-residential users.

Furthermore, while the combined worker and residential population of the study area is expected to increase by the 2026 With-Action condition, the combined passive open space ratio is expected to increase due to the inclusion of additional public passive open space under both No-Action and With-Action conditions. The passive public open space ratio is 0.126 per 1,000 combined workers

and residents under the existing conditions, would be 0.132 per 1,000 combined workers and residents under the No-Action conditions, and would be 0.160 per 1,000 combined workers and residents under the With-Action conditions. Although the ratio would remain below the calculated weighted goals, the ratios would increase from the No-Action to With-Action scenario, with an increase of 21.0 percent from No-Action to With-Action due to the inclusion of additional open space provided in the Proposed Project. Accordingly, the Proposed Action would not result in any indirect significant adverse open space impacts.

Shadows

The Proposed Action would not result in significant adverse impacts related to shadows, as described below. The Proposed Action would result in incremental shadow coverage (i.e. additional, or new, shadow coverage) on three open space resources: Roberto Clemente Ballfield, Epiphany Playground, and public housing grounds within the New York City Housing Authority's (NYCHA's) Independence Towers, and one natural resource, the East River including its associated waterbody Wallabout Channel. Project-generated shadows would not affect the utilization, enjoyment, or character of these sunlight-sensitive resources and all vegetation would continue to receive a minimum of six to eight hours of direct sunlight throughout the growing season. Additionally, project-generated shadows would not have any adverse impacts on the aquatic biota in the East River.

Historic and Cultural Resources

The Proposed Action would not result in direct or indirect significant adverse impacts related to historic and cultural resources, as described below. The historic and cultural resources assessment considers the effects of the Proposed Action on archaeological and architectural resources.

Archaeological Resources

Subject to the outcome of future soil borings and, if warranted, archaeological field investigations, construction on the Project Site could disturb or destroy potential archaeological resources due to excavations for foundations and footings of the proposed buildings. The potential for the presence of such archaeological resources also may be clarified by investigations at neighboring development sites at 470 Kent Avenue and the Brooklyn Navy Yard, which have been subject to previous environmental reviews (CEQR Nos. 08DCP056K and 19DME011K, respectively), in the event that such investigations occur prior to development of the Project Site. Therefore, in accordance with an LPC-approved restrictive declaration, the Applicant would develop and implement an archaeological monitoring program in consultation with LPC as a Project Component Related to the Environment (PCRE) to avoid significant adverse impacts to archaeological resources. The scope of work for the monitoring program would be submitted to LPC before construction work on the Proposed Project begins. The restrictive declaration will require that the Department of Buildings cannot issue a building permit until LPC either issues: 1) a notice to proceed; 2) a notice of no objection; or 3) a notice of satisfaction for the archaeological investigation and potential mitigation of any archaeological resources within the Project Site. With the restrictive declaration in place, the Proposed Action would not result in any significant adverse archaeology impacts.

Architectural Resources

Direct (Physical) Impacts

The Proposed Action is site-specific, and, as discussed below, the Project Site does not contain any designated or eligible historic resources. Therefore, the Proposed Action would not result in any direct impacts to historic architectural resources.

Indirect (Contextual) Impacts

The Proposed Action would not result in significant adverse indirect impacts on historic architectural resources. The Proposed Project would not significantly alter the context or setting of the State or National Registers of Historic Places (S/NR)-listed BNY Historic District as compared to No-Action conditions. Although the Proposed Project would be visible when looking northeast from within the BNY Historic District, as well as when looking at the BNY Historic District to the southwest and west from Kent and Divisions Avenues, these views would not result in significant or adverse contextual impacts to the S/NR-listed Historic District. The study area is a dense urban environment with multiple existing and planned mid- and high-rise buildings forming the backdrop of the BNY Historic District, and the Proposed Project would not substantially change the visual setting of the Historic District so as to affect those characteristics that make it eligible for listing on the S/NR.

Additionally, in the future with the Proposed Action, no incompatible visual, audible, or atmospheric elements would be introduced to any historic resource's setting. The Proposed Project would not alter the relationship of any identified historic architectural resources to the streetscape, as all streets in the study area would remain open as under existing conditions, and all historic resources' relationships to the street would remain unchanged in the future with the Proposed Action. The Proposed Project would not eliminate or screen significant public views of any historic architectural resources, which would remain visible in view corridors on adjacent public streets and sidewalks. No primary facades, significant architectural ornamentation, or notable features of contributing structures within the BNY Historic District would be obstructed by the Proposed Project. Rather, the Proposed Project would introduce publicly-accessible open space to the Project Site that would introduce new extensive and unobstructed views of the BNY Historic District, by means of a new visual corridor along the southern edge of the site and by a shore public walkway across the site's entire shoreline, which would not be available under No-Action conditions.

The Proposed Action would not result in development that would diminish the qualities that make the S/NR-listed BNY Historic District historically and architecturally significant. As such, the Proposed Action would not result in any significant adverse indirect or contextual impacts on historic architectural resources.

Urban Design and Visual Resources

An analysis determined that the Proposed Action would not result in a significant adverse impact related to urban design and visual resources.

Urban Design

The Proposed Action would allow development that differs from what is permitted as-of-right. However, the Proposed Project would not result in significant adverse impacts on urban design as determined by guidance for determining impact significance set forth in the *CEQR Technical Manual*. In the future with the Proposed Action, the Proposed Project would introduce a building substantially taller and more dense than what is permitted in the No-Action condition, and thus the pedestrian experience of the Project Area would change. However, this change would not meet the *CEQR Technical Manual* threshold for a significant adverse urban design impact in that it would not alter the arrangement, appearance, or functionality of the Project Area such that the alteration would negatively affect a pedestrian's experience of the area.

Visual Resources

Visual resources in the secondary study area would be unaffected by the Proposed Project. Though the Proposed Project would be visible from different parts of the secondary study area, it would not obstruct any views of visual resources, and rather enhance views of key visual resources. As such, the Proposed Action would not result in any significant adverse impacts to visual resources.

Natural Resources

The Proposed Action would not result in significant adverse impacts to groundwater, surface water, water quality, floodplains, wetlands, coastal resources, aquatic biota, wildlife or threatened or endangered species within or near the Project Site.

The proposed construction activities would not result in a net increase of fill below Mean High Water (MHW) and Spring High Water (SHW). There would be no net loss to the adjacent New York State Department of Environmental Conservation (NYSDEC) tidal wetlands or aquatic habitat. Additionally, a State Pollution Discharge Elimination System (SPDES) permit from NYSDEC would be required for stormwater discharges during the construction period because project construction involves more than one acre. The stormwater management measures would improve the quality of the stormwater currently discharged into the East River. As current stormwater runoff is not treated, this is a potential benefit to the adjacent tidal wetlands and associated aquatic resources.

The buildings and associated amenities are being constructed within a site partly within the 100-year floodplain. As a result, construction would comply with New York Building Code requirements related to floodplains. The proposed construction activities would not adversely impact the flood levels or flood risks within the Project Site or the study area. Therefore, the Proposed Action would not result in significant adverse impacts to natural resources.

Hazardous Materials

The Proposed Action would not result in significant adverse impacts related to hazardous materials. This determination is based on review of several documents, published between 2009 and 2015, related to remediation of hazardous materials at the Project Site, including a Final Engineering Report (FER) and Site Management Plan (SMP). Based on review and approval of these documents, the NYSDEC issued a "Release and Covenant Not to Sue" on April 7, 2015, which states that the Project Site has been remediated and can now be used for purposes up to and

including restricted residential.

However, since contaminated soil remains beneath the Site, Institutional and Engineering Controls must be implemented to protect human health and the environment. These Controls include maintaining the two-foot soil cover and imposing a "Declaration of Covenants and Restrictions," which requires compliance with the SMP. The SMP also requires that NYSDEC be notified if any intrusive work is conducted and a Monitoring Plan must be drafted to assess the performance and effectiveness of the remedy.

As such, to avoid the potential for any significant adverse impacts associated with new construction resulting from the Proposed Action, the Applicant or its successors in title must remain in compliance with the SMP, as outlined above. In following these guidelines, the Proposed Action and resultant Proposed Project would not result in any significant adverse impacts related to hazardous materials.

Water and Sewer Infrastructure

Based on the methodology set forth in the *CEQR Technical Manual*, the analysis finds that the Proposed Action would not result in a significant adverse impact on the City's water supply, wastewater and stormwater conveyance and treatment infrastructure.

WATER SUPPLY

The Proposed Action would generate an incremental water demand of approximately 105,647 gallons per day (gpd) over No-Action conditions. The increased demand associated with the Proposed Action would represent approximately 0.01 percent of the over one billion gallons of water supplied daily to New York City by the New York City Department of Environmental Protection (DEP). As changes of this magnitude would not be large enough to have a significant adverse impact on the City's water system pursuant to *CEQR Technical Manual* guidelines, the incremental demand as a result of the Proposed Action would not adversely affect the City's water supply or system water pressure. Therefore, no significant adverse impacts on area water supply would result in the future with the Proposed Action.

SANITARY (DRY WEATHER) FLOWS

The Project Site is located within the boundaries of the Red Hook Wastewater Resource Recovery Facility (WRRF). Designed to treat a dry weather flow of 60 million gallons per day (mgd), it handled an average of 28 mgd of sewage flow for a 12-month period ending in October 2023. Although the Project Site is located within the boundaries of the Red Hook WRRF, it is anticipated that project-generated sewage would flow to the Newtown Creek WRRF for treatment. The Newtown Creek WRRF, which is designed to treat a dry weather flow of 310 million gallons per day (mgd), handled an average of 119 mgd of sewage flow for a 12-month period ending in October 2023. Based on rates in the *CEQR Technical Manual*, the Proposed Action has the potential to result in an increase of up to approximately 0.04 mgd of sanitary sewage flow. This amount represents approximately 0.02 percent of the average daily flow of 207 mgd at the Newtown Creek WRRF and would not result in an exceedance of the plant's permitted capacity of 310 mgd. Because the City's sewers are sized and designed based on the designated zoning of

an area and related population density and surface coverage characteristics, the Proposed Action may result in development that is inconsistent with the design of the existing built sewer system. To be issued a permit to connect to the City sewer, a site-specific hydraulic analysis may be required to determine whether the existing sewer system is capable of supporting higher density development and related increases in sanitary flows prior to development of the Proposed Project; sewer improvements and/or a new drainage plan may also be required of the Applicant at the time of the Site Connection Proposal. Pursuant to CEQR methodology, as the projected increase in sanitary sewage would not cause the receiving WRRF to exceed its operational capacity or State Pollution Discharge Elimination System (SPDES)-permitted capacity, the Proposed Action would not result in significant adverse impacts to sanitary sewage conveyance and treatment. In addition, per the New York City Plumbing Code (Local Law 33 of 2007), while not accounted for in the quantitative analysis, low-flow fixtures would be required to be implemented and would help to reduce sanitary flows as a result of the Proposed Action.

STORMWATER (WET WEATHER) FLOWS

Compared to existing conditions, in the future with the Proposed Action, the combined wet weather flows from the Project Site would increase slightly (by up to 0.01 mg to up to 0.16 mg, depending on rainfall duration and intensity). The Project Site is located in an area that is well served by combined sewer infrastructure. In addition, as a NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001) is required for any development that would involve soil disturbance of one or more acres, a Stormwater Pollution Prevention Plan (SWPPP), consisting of both temporary erosion and sediment controls and post-construction stormwater best management practices (BMPs), may be required of the Applicant. Specific BMP methods would be determined with further refinement of the building design and in consultation with DEP as a part of the Site Connection Proposed approval process, and may include a combination of detention or infiltration techniques identified in the *NYC Green Infrastructure Plan* (e.g., green roofs, subsurface detention and infiltration, permeable pavement, etc.).

As the wastewater treatment capacity at the Newtown Creek WRRF and the sewer conveyance infrastructure near the Project Site would be sufficient to handle wastewater flows that would result from the Proposed Action, there would not be any significant adverse impacts on wastewater treatment or stormwater conveyance infrastructure.

Energy

The Proposed Action would not result in a significant adverse impact on energy systems. Development facilitated by the Proposed Action is expected to create an increased demand on energy systems, including electricity and gas. It is estimated the With-Action development would result in an increase of approximately 20.9 billion British thermal units (BTUs) over No-Action conditions. This increment would result in less than 0.001 percent of the City's forecasted future annual energy requirement of 166 trillion BTU for 2026 and therefore, is not expected to result in a significant adverse impact on energy systems. Furthermore, any new development resulting from the Proposed Action would be required to comply with the 2020 New York City Energy Conservation Code (NYCECC), which governs performance requirements of heating, ventilation, and air conditioning (HVAC) systems, as well as the exterior building envelope of new buildings. In compliance with this code, new developments must meet standards for energy conservation, which include requirements relating to energy efficiency and combined thermal transmittance.

Transportation

A detailed transportation analysis was conducted and concludes that the Proposed Action would result in significant adverse impacts to: a) vehicular traffic at two intersections, and b) pedestrian conditions at one crosswalk, one sidewalk, and one corner area. (Potential measures to mitigate these impacts are described below under "Mitigation").

TRAFFIC

Traffic conditions were evaluated for the weekday AM (8:00-9:00 AM), midday (12:15-1:15 PM), and PM (5:00-6:00 PM) peak hours, and Saturday (2:00-3:00 PM) peak hours at 17 intersections (10 signalized and seven unsignalized) in the traffic study area where additional traffic resulting from the Proposed Action would exceed the 50-trip *CEQR Technical Manual* analysis threshold. As summarized in **Table 2** and **Table 3**, the traffic impact analysis indicates the potential for significant adverse impacts at three lane groups at two intersections in the weekday PM peak hour. "Mitigation" below discusses potential measures to mitigate these significant adverse traffic impacts.

TABLE 2: Number of Impacted Intersections and Lane Groups by Peak Hour

	Peak Hour			
	Weekday AM	**Weekday Midday**	**Weekday PM**	**Saturday**
Impacted Lane Groups	0	0	3	0
Impacted Intersections	0	0	2	0

TABLE 3: Summary of Significantly Impacted Intersections

Intersection		Peak Hour			
Location	Control	Weekday AM	Weekday Midday	Weekday PM	Saturday
Wythe Avenue (NB/SB) & Division Avenue (EB/WB)	Signalized	---	---	X	---
Kent Avenue (NB/SB) & Clymer Street (WB)	Signalized	---	---	X	---
	Total	0	0	2	0

TRANSIT

Subway

The Proposed Action would generate a net increment of approximately 547 and 468 new subway trips during the weekday AM and PM commuter peak hours, respectively. The Proposed Project would not generate the *CEQR Technical Manual* threshold of 200 or more new peak hour subway trips in any one direction of the J, M, and Z subway routes and therefore an analysis of subway line haul conditions is not warranted as impacts are not expected. The analysis of subway station conditions focuses on New York City Transit's (NYCT) Marcy Avenue (J, M, Z) station as incremental demand from the Proposed Action would exceed the 200-trips/hour *CEQR Technical Manual* analysis threshold at this station in the weekday AM and PM peak hours. In the future with the Proposed Action, those stairs and turnstiles that would be used by project-generated demand are expected to operate at an acceptable level of service (LOS) C or better in both the AM

and PM peak hours and would therefore not be significantly adversely impacted by the Proposed Action based on *CEQR Technical Manual* criteria.

Bus

Five NYCT local bus routes—the B67, B62, B44, B32, and Q59—operate in proximity to the Project Site. It is estimated that the Proposed Action would generate a net total of approximately 416 and 364 incremental bus trips on these routes during the weekday AM and PM peak hours, respectively. These would include trips that would use the bus to access the subway, as well as trips made solely by bus. Incremental demand is expected to meet or exceed the 50-trip per direction *CEQR Technical Manual* analysis threshold in the AM and/or PM peak hour at the maximum load points along two routes—the B62 and B67 routes. Based on projected levels of bus service in the No-Action condition, there would be sufficient capacity to meet the projected demand on the northbound and southbound B62 and B67 bus routes during the during the AM and PM peak hours in the 2026 With-Action condition. Therefore, the B62 and B67 bus routes would not be considered significantly adversely impacted based on *CEQR Technical Manual* impact criteria.

PEDESTRIANS

The Proposed Action is expected to generate approximately 539 incremental walk-only trips in the weekday AM peak hour, 1,246 in the weekday midday peak hour, 763 in the weekday PM peak hour, and 652 in the Saturday peak hour. Persons walking to and from subway station entrances, bus stops, and ferry landings would add approximately 657, 157, 569, and 192 incremental pedestrian trips to sidewalks and crosswalks in the vicinity of the Project Area during the weekday AM, midday and PM peak hours, and Saturday peak hour, respectively. Pedestrian conditions were evaluated during the weekday AM (8:00-9:00 AM), midday (12:30-1:30 PM), and PM (4:15-5:15 PM) peak hours at a total of 22 pedestrian elements (six sidewalks, five crosswalks, and 11 corner areas) where new trips generated by the Proposed Action are expected to exceed the 200-trip/hour *CEQR Technical Manual* analysis threshold. These elements are primarily located along Kent Avenue and Division Avenue in the immediate proximity of the Project Site. In the Future with the Proposed Action, one analyzed crosswalk, one analyzed sidewalk, and one analyzed corner area would be considered significantly adversely impacted in one or more peak hours as a result of the Proposed Action. Potential measures to mitigate these impacts are discussed below under "Mitigation."

CITYWIDE FERRY SERVICE

According to *CEQR Technical Manual* guidance, detailed analyses of the citywide ferry service (CWFS) are not typically required if a proposed action would result in 50 or fewer peak hour CWFS peak hour ferry riders. The Proposed Action would generate a net incremental increase of 33, 0, 28, and 8 ferry trips (in/out combined) in the weekday AM, midday, PM, and Saturday peak hours, respectively. Therefore, based on *CEQR Technical Manual* criteria, the Proposed Action are not expected to result in significant adverse impacts to the CWFS, and a detailed analysis of ferry conditions is not warranted.

VEHICULAR AND PEDESTRIAN SAFETY

Under *CEQR Technical Manual* guidance, an evaluation of vehicular and pedestrian safety is needed for locations within the traffic and pedestrian study areas that have been identified as high crash locations. The *Vision Zero Brooklyn Pedestrian Safety Action Plan,* released in 2015 and updated in 2019, identified Bedford Avenue, to the east of the Project Site as a Priority Corridor.

Crash data for intersections in the traffic and pedestrian study areas were obtained from the New York City Department of Transportation (DOT) for the three-year reporting period between January 1, 2017, and December 31, 2019 (the most recent period for which data were available for all locations). The data quantify the total number of crashes as well as the total number of crashes involving injuries to pedestrians or bicyclists. During the three-year reporting period, a total of 114 reportable and non-reportable crashes, zero fatalities, 60 total injuries, and 25 pedestrian/bicyclist-related crashes occurred at intersections within the quarter-mile study area. Based on these criteria, no intersections were classified as high crash locations within the quarter-mile study area and therefore no further analysis is warranted.

PARKING

The Proposed Project would provide a total of 234 accessory parking spaces within the Project Area. The Proposed Action would generate a peak parking accumulation of approximately 234 spaces during the 2 PM to 3 PM period, which would be fully accommodated on-site. Therefore, the Proposed Action is not expected to result in significant adverse parking impacts for project generated parking demand.

Air Quality

The air quality analysis determined that both the Proposed Action's effects on ambient air quality and the effects of ambient air quality on the Project Site would not result in significant adverse air quality impacts. A summary of the analysis of mobile and stationary sources of air quality emissions is presented below.

Mobile Sources

The maximum pollutant concentrations and concentration increments from mobile sources with the Proposed Action are projected to be lower than the corresponding National Ambient Air Quality Standards and CEQR *de minimis* criteria. The public parking garage to be developed as a result of the Proposed Action was analyzed for potential air quality effects, which found that where would be no significant adverse air quality impacts.

Stationary Sources

The Proposed Action would not result in any significant adverse air quality impacts. This includes the results of detailed analysis of the effects of the nearby Kent Village housing facility's boiler emissions (firing either natural gas or fuel oil) on the Proposed Project, which would not significantly impact the proposed development. Additionally, no potential significant adverse air quality impacts would result from the Proposed Project's heating and hot water systems.

An (E) Designation (E-738) would be applied to the Development Site (Block 2023, Lot 10) to ensure that the Proposed Project would not result in any significant adverse air quality impacts.

Greenhouse Gas Emissions and Climate Change

The Proposed Action would not result in significant adverse impacts related to greenhouse gases as it would be consistent with the City's GHG emissions reduction goals and laws, as defined in the *CEQR Technical Manual*. Furthermore, the Proposed Action would be consistent with policies regarding adaptation to climate change as identified in OneNYC.

Greenhouse Gas Emissions

It is estimated that the RWCDS for the Proposed Action would result in approximately 5,844 total metric tons of carbon dioxide equivalent (CO_2e) annual emissions from building operations and approximately 4,366 metric tons of CO_2e emissions from mobile sources annually, for an annual total of approximately 10,209 metric tons of CO_2e emissions. This represents approximately 0.02 percent of the City's overall 2017 GHG emissions of approximately 50.7 million metric tons. It should also be noted that the estimated GHG emissions for the Proposed Action conservatively do not account for any energy efficiency measures that may be implemented by the Applicant at the Project Site. Furthermore, the Proposed Project would comply with the stringent 2020 New York City Energy Conservation Construction Code, which includes the additional measures from the New York State Energy Research and Development Authority (NYSERDA) NYStretch Energy Code-2020.

The Proposed Action would also advance New York City's GHG reduction goals by virtue of the Proposed Project's nature and location. The Proposed Action would facilitate the development of a higher-density, commercial building in an area with existing urban infrastructure, including roadways, transit, sewer infrastructure, and water mains, thereby minimizing the need for extensive infrastructure development. By redeveloping a site located in an area supported by many transit options, including bus and subway service, NYC East River Ferry, bicycle lanes, and CitiBike stations, the Proposed Action would support transit-oriented development in New York City. Therefore, the Proposed Action would be consistent with the City's applicable emissions reduction goals of transit-oriented development and construction of new resource- and energy-efficient buildings.

Resilience to Climate Change

As the Project Site is located within a 100-year floodplain, the Applicant's Proposed Project has been designed to incorporate flood mitigation measures with wet and dry floodproofing strategies. Entrances to the buildings, parking garage, and loading areas would utilize either wet or dry floodproofing measures in compliance with "Appendix G" of the New York City Building Code, American Society of Civil Engineers (ASCE) standard Flood Resistant Design and Construction (ASCE 24), and Federal Emergency Management Agency (FEMA) guidelines. The ground floor, (non-residential) spaces would utilize dry floodproofing measures in compliance with ASCE 24. In areas utilizing the wet floodproofing method, critical mechanical equipment, electrical rooms, gas meter, water meter and pump rooms would be located above the DFE (design flood elevation) in compliance with ASCE 24-14 Table 7-1. In the areas utilizing dry floodproofing measures, utility lines or systems will be protected by the dry floodproofing.

The Proposed Project would be designed and constructed in accordance with all applicable City and State flooding and erosion regulations, including New York City Administrative Code, Title 28, Section 104.9 ("Coastal Zones and Water-Sensitive Inland Zones"). As such, there would be

no significant adverse impacts associated with the Project Site's location in the 100-year floodplain. All new vulnerable, critical, or potentially hazardous features would be protected through flood damage reduction measures or future adaptive actions and, therefore, the Proposed Action would be consistent with New York City policies regarding adaptation to climate change.

Noise

A mobile source noise analysis was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Action would not have a significant adverse impact related to noise. In the future with the Proposed Action, the predicted peak period L_{10} values at the receptor locations would range from a minimum of 56.96 A-weighted decibels (dBA) to a maximum of 77.09 dBA. When compared to the future without the Proposed Action, the maximum increase in L_{eq} noise levels in the With-Action condition (compared to No-Action conditions) for all receptor sites would be less than 3.0 dBA. According to *CEQR Technical Manual* guidance, increases less than 3.0 dBA would not be perceptible and therefore, would not be significant. Accordingly, the Proposed Action would not result in any significant adverse impacts due to action-generated vehicular traffic.

Based on With-Action exterior noise levels and *CEQR Technical Manual* criteria, no special noise attenuation measures beyond standard construction practices would be required for commercial office uses on any of the Project Site's street frontages in order to achieve interior noise levels of 50 dBA or lower for commercial office uses. As such, the Proposed Project would provide sufficient attenuation to achieve the *CEQR Technical Manual* interior noise level guidelines, and thus, the Proposed Action would not result in any significant adverse noise impacts related to building attenuation requirements.

Public Health

The Proposed Action is not expected to result in unmitigated significant adverse impacts in any of the technical areas that contribute to public health: operational air quality, operational noise, water quality, hazardous materials, or construction. Therefore, the Proposed Action would not result in significant adverse public health impacts during construction or operation of the Proposed Project.

Neighborhood Character

The Proposed Action would not result in significant adverse impacts related to neighborhood character. The neighborhood character of the study area is defined by a few key components, including its mix of land uses and building types, open space resources, including waterfront access, and industrial land uses. As described elsewhere in this EIS, the Proposed Action would not result in significant adverse impacts in the impact categories of land use, zoning, and public policy; socioeconomic conditions; open space; shadows; urban design and visual resources; noise. The significant adverse transportation impacts that summarized herein would not affect any defining feature of neighborhood character, nor would a combination of moderately adverse effects affect such a defining feature. Therefore, the Proposed Action would not result in any significant adverse noise or transportation impacts.

Construction

The Proposed Action would result in significant adverse construction impacts related to transportation. The Proposed Project would facilitate the development of a mixed-use, office and retail building, with a publicly accessible waterfront open space and below-grade parking spaces. Construction activities associated with this development is expected to occur over an approximately 22-month period with a completion year (build year) of 2026. The Proposed Project is on a vacant site, is on a large property that provides opportunities for on-site construction staging, has a short-term (less than two years) construction period, and would not involve construction of multiple buildings where due to phased project completion there would be a potential for on-site receptors occupying buildings completed before the final build-out. Moreover, the construction process in New York City is highly regulated to ensure that construction period impacts are eliminated or minimized, and construction of the Proposed Project would be subject to compliance with the New York City Noise Code.

Although project construction would not be long-term, i.e., greater than two years in duration, which the *CEQR Technical Manual* indicates is an analysis screening threshold, given the size of the Proposed Project at over 600,000 gsf, a transportation assessment and detailed analyses of construction traffic, air quality and noise were conducted to identify if any significant adverse construction impacts in these technical areas would be expected. The analyses determined that the Proposed Project would not be expected to result in significant adverse impacts in construction air quality and noise. Measures would be taken to reduce pollutant emissions during construction in accordance with all applicable laws, regulations, and building codes. Additionally, screening assessments of other technical areas, including land use and neighborhood character, socioeconomic conditions, community facilities, open space, historic resources, natural resources, and hazardous materials also would not experience any significant adverse construction impacts.

TRANSPORTATION

Peak construction conditions during Quarters 4 to 7 (Q4 to Q7) were considered for the analysis of potential transportation (traffic, transit, pedestrian, and parking) impacts during construction. Although the construction demand generated during the 6:00 AM to 7:00 AM and 3:00 PM to 4:00 PM construction peak hours are slightly higher than the incremental demand generated during the operational peak hours, background traffic levels would be lower in the construction peak hours than in the operational peak hours with full build out of the Proposed Project.

Construction traffic conditions were evaluated during the Q4 to Q7 construction AM and PM peak hours at 17 intersections (ten signalized and seven unsignalized) in the traffic study area where construction vehicle trips would exceed the 50-trips/hour *CEQR Technical Manual* analysis threshold in one or both construction peak hours. As summarized in **Tables 4 and 5**, construction traffic impact analysis indicates the potential for significant adverse impacts at three lane groups at three intersections in the weekday PM construction peak hour. “Mitigation” below discusses potential measures to mitigate these significant adverse traffic impacts.

TABLE 4:

Number of Impacted Intersections and Lane Groups by Peak Hour (Construction)

	Construction Peak Hour	
	AM	PM
Impacted Lane Groups	0	3
Impacted Intersections	0	3

TABLE 5: Summary of Significantly Impacted Intersections (Construction)

	Construction Peak Hour	
Signalized Intersections	**Weekday AM**	**Weekday PM**
Kent Avenue and Division Avenue		X
Wythe Avenue and Division Avenue		X
Kent Avenue and Clymer Street		X
Total Impacted Intersections	**0**	**3**
Notes: X – denotes intersection significantly impacted in rush hour.		

During the Q4 to Q7 peak construction period, transit demand from construction workers on the Project Site would not meet the 200 trips/hour *CEQR Technical Manual* analysis threshold for a detailed subway analysis, nor the 50 trips/hour/direction analysis threshold for a detailed bus analysis during the AM and PM construction peak hours, and few if any operational transit trips would occur during these periods. Therefore, significant adverse impacts to subway and bus services are not expected to occur during the Q4 to Q7 peak construction period.

Similarly, during the Q4 to Q7 peak construction period, pedestrian demand from construction workers on the Project Site (trips to/from area transit services) would not meet the 200 trips/hour *CEQR Technical Manual* analysis threshold for a detailed pedestrian analysis in either the weekday AM or PM construction peak hours. Significant adverse pedestrian impacts are therefore not expected to occur during the peak construction period. During construction, where sidewalk closures are required, adequate protection or temporary sidewalks would be provided in accordance with New York City Department of Transportation Office of Construction Mitigation and Coordination (DOT-OCMC) requirements.

Incremental parking demand from both the construction workers would total approximately 293 spaces during the Q4 to Q7 peak construction period. As it is assumed that there would be 293 parking spaces provided on-site during the Q4 to Q7 peak construction period, the site-generated parking demand would be fully accommodated on-site. Therefore, the Proposed Action is not expected to result in significant adverse parking impacts during the Q4 to Q7 peak construction period.

H. MITIGATION

As summarized above, the Proposed Action has the potential to result in significant adverse impacts to transportation (traffic and pedestrians) and Construction (traffic)Potential mitigation measures for these technical areas are identified below.

TRANSPORTATION

TRAFFIC

As described above under "Transportation," the Proposed Action would result in significant adverse traffic impacts at two study area intersections during one or more analyzed peak hours; specifically, three lane groups at two intersections in the weekday PM peak hour. As shown in **Table 6**, implementation of traffic engineering improvements such as signal timing changes and lane restriping would fully mitigate the significant adverse impacts to all three impacted lane groups during the PM peak hour. Therefore, impacts would be fully mitigated at both impacted intersections during the weekday PM peak hour.

Implementation of the recommended traffic engineering improvements is subject to review and approval by the New York City Department of Transportation (DOT). If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure may be identified.

TABLE 6: Summary of Lane Groups/Intersections with Significant Adverse Traffic Impacts

Peak Hour	Lane Groups/ Intersections Analyzed	Lane Groups/ Intersections With No Significant Impacts	Lane Groups/ Intersections With Significant Impacts	Mitigated Lane Groups/ Intersections	Unmitigated Lane Groups/ Intersections
Weekday AM	44/17	44/17	0/0	0/0	0/0
Weekday MD	44/17	44/17	0/0	0/0	0/0
Weekday PM	44/17	41/15	3/2	3/2	0/0
Saturday	4/1	4/1	0/0	0/0	0/0

PEDESTRIANS

Incremental demand from the Proposed Action would significantly adversely impact one analyzed crosswalk, one analyzed sidewalk, and one analyzed corner area in one or more analyzed peak hours. Widening the impacted south crosswalk on Kent Avenue at Division Avenue by 2.0 feet from 18.5 feet to 20.5 feet would fully mitigate the significant crosswalk impact. As no feasible mitigation is available for the impacted sidewalk and corner area, impacts to one sidewalk and one corner area would remain unmitigated in one or more analyzed peak hours. Implementation of the proposed crosswalk mitigation is subject to review and approval by DOT. If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, and no alternative and equivalent mitigation measure is identified, then the impact would remain unmitigated.

CONSTRUCTION

TRAFFIC

As described above under "Construction," the Proposed Action would result in significant adverse traffic impacts at three study area intersections during the analyzed PM construction peak hour; specifically, three lane groups at three intersections. As shown in **Table 7**, implementation of traffic engineering improvements such as signal timing changes and lane restriping would fully mitigate the significant adverse impacts to all three impacted lane groups during the PM construction peak hour. Therefore, impacts would be fully mitigated at both impacted intersections during the weekday PM construction peak hour. Implementation of the recommended traffic engineering improvements is subject to review and approval by the New York City Department of

Transportation (DOT). If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure may be identified.

TABLE 7:
Summary of Lane Groups/Intersections with Significant Adverse Traffic Impacts (Construction)

Peak Hour	Lane Groups/ Intersections Analyzed	Lane Groups/ Intersections With No Significant Impacts	Lane Groups/ Intersections With Significant Impacts	Mitigated Lane Groups/ Intersections	Unmitigated Lane Groups/ Intersections
Construction AM	44/17	44/17	0/0	0/0	0/0
Construction PM	44/17	41/14	3/3	3/3	0/0

I. ALTERNATIVES

Alternatives selected for consideration in an EIS are generally those that are feasible and have the potential to reduce, eliminate, or avoid significant adverse impacts of a proposed project while meeting some or all of the goals and objectives of this project. The purpose of an analysis of alternatives to a proposed project is to provide the decision makers with the opportunity to consider practicable alternatives that are consistent with the project's purpose, and that could potentially reduce or eliminate significant adverse environmental impacts identified in the EIS. This EIS considers two alternatives to the Proposed Project: (1) a No-Action Alternative, which contemplates a new as-of-right development anticipated to be developed pursuant to existing M3-1 zoning; and (2) a No Significant Adverse Impacts Alternative, which considers a development scenario that would not result in any identified significant adverse impacts.

No-Action Alternative

The No-Action Alternative examines future conditions on the Project Site, but assumes the absence of the Proposed Project (i.e., none of the discretionary and non-discretionary approvals proposed as part of the Proposed Project would be adopted). Under the No-Action Alternative by 2026, it is anticipated that an as-of-right office and warehouse development would be constructed on the Project Site pursuant to the existing M3-1 zoning. The M3-1 zoning district permits 2.0 FAR with a maximum base height of 60 feet or four stories (whichever is less) and a maximum building height of 60 feet. The No-Action development would be an approximately 312,599-gsf building, including 58,000 gsf of office space, 181,401 gsf of warehouse space, and 73,198 gsf of accessory parking. In terms of zoning floor area, it would have 57,622 zsf of office space and 172,866 zsf of warehouse space. As the No-Action development would predominantly have warehouse uses (Use Group 16d), the Project Site would be exempt from waterfront public access area and visual corridor requirements. The Project Site would provide 279 accessory parking spaces on the first and mezzanine floors, meeting the minimum requirement that the site provide one space per 300 zsf of office space and one space per 2,000 zsf of warehouse space. The technical chapters of this EIS have described the No-Action Alternative as "the Future Without the Proposed Action."

The significant adverse impacts related to transportation and construction anticipated for the Proposed Project would not occur under the No-Action Alternative. However, the No-Action Alternative would not meet the goals of the Proposed Project. The benefits expected to result, as intended by the Applicant, would not be realized under this alternative, and the No-Action

Alternative would fall short of the objectives of the Proposed Project.

No Significant Adverse Impacts Alternative

The No Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Project are changed specifically to avoid the significant adverse impacts associated with the Proposed Project. There is the potential for the Proposed Project to result in significant adverse impacts related to transportation (traffic and pedestrians), during both construction and operational conditions. Overall, in order to eliminate all significant adverse impacts, the Proposed Project would have to be modified to a point where the principal goals and objectives would not be realized.

J. UNAVOIDABLE ADVERSE IMPACTS

As described in the "Mitigation" section, the Proposed Action would result in significant adverse impacts with respect to transportation (traffic and pedestrians) and construction (traffic). To the extent practicable, mitigation has been proposed for the identified significant adverse impacts. However, in some instances (a) no practicable mitigation was identified to fully mitigate significant adverse impacts, and (b) there are no reasonable alternatives to the Proposed Action that would meet their purpose and need, eliminate their impacts, and not cause other or similar significant adverse impacts.

Transportation

Traffic

As described above under "Transportation," the Proposed Action would result in significant adverse traffic impacts at two study area intersections during one or more analyzed peak hours; specifically, three lane groups at two intersections in the weekday PM peak hour. As shown above in **Table 6**, implementation of traffic engineering improvements such as signal timing changes and lane restriping would fully mitigate the significant adverse impacts to all three impacted lane groups during the PM peak hour. Therefore, impacts would be fully mitigated at both impacted intersections during the weekday PM peak hour.

Implementation of the recommended traffic engineering improvements is subject to review and approval by the New York City Department of Transportation (DOT). If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure may be identified.

However, implementation of these recommended traffic engineering improvements is subject to review and approval by DOT. If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure may be identified. In the absence of the application of mitigation measures, the impacts would also remain unmitigated and would also constitute unavoidable adverse traffic impacts as a result of the Proposed Action.

Pedestrians

Incremental demand from the Proposed Action would significantly adversely impact one analyzed crosswalk, one analyzed sidewalk, and one analyzed corner area in one or more analyzed peak hours. Widening the impacted crosswalk by 2.0 feet from 18.5 feet to 20.5 feet would fully mitigate the significant crosswalk impact. Implementation of the recommended traffic engineering improvement is subject to review and approval by the New York City Department of Transportation (DOT). If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure may be identified.

As the impacted sidewalk and corner area are not under control of the Applicant, impacts to one sidewalk and one corner area would remain unmitigated in the weekday midday and PM peak hours. Absent the identification and implementation of additional feasible mitigation measures that would mitigate the pedestrian impacts to the greatest extent possible, the Proposed Action would result in unavoidable adverse pedestrian impacts.

Construction

Traffic

As described above under "Construction," the Proposed Action would result in significant adverse traffic impacts at three study area intersections during the analyzed PM construction peak hour; specifically, three lane groups at three intersections. As shown above in **Table 7**, implementation of traffic engineering improvements such as signal timing changes and lane restriping would fully mitigate the significant adverse impacts to all three impacted lane groups during the PM construction peak hour. Therefore, impacts would be fully mitigated at both impacted intersections during the weekday PM construction peak hour. Implementation of the recommended traffic engineering improvements is subject to review and approval by DOT. If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure may be identified.

However, implementation of these recommended traffic engineering improvements is subject to review and approval by DOT. If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure may be identified. In the absence of the application of mitigation measures, the impacts would also remain unmitigated and would also constitute unavoidable adverse traffic impacts as a result of the Proposed Action.

K. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS

The Proposed Project would result in more intensive land uses on the Project Site compared to both Existing and No-Action conditions. However, it is not anticipated that the Proposed Project would generate significant secondary impacts that would result in substantial new development in nearby areas. It is unlikely that the Proposed Project would alter land use patterns in the surrounding area. The Proposed Project would not create a critical mass of uses or populations that would induce additional development. Additionally, the Proposed Project does not include the introduction of new infrastructure or an expansion of infrastructure capacity that would result in indirect development.

Overall, the Proposed Project would not induce significant additional growth beyond that identified and analyzed in this EIS.

L. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Consistent with guidance in the 2021 *City Environmental Quality Review* (CEQR) *Technical Manual*, this chapter summarizes commitments of manmade and natural resources.

The manmade and natural resources that would be expended in the construction and operation of the development projected to occur as a result of the Proposed Action include the building materials used in construction; energy in the form of gas and electricity consumed during construction and operation of project-generated development by various mechanical and processing systems; and the human effort (time and labor) required to develop, construct, and operate various components of project-generated development. These are considered irretrievably committed because their reuse for some other purpose would be highly unlikely.

The development under the Proposed Action also constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future. The land use changes that would result from the Proposed Action may also be considered a resource lost. However, the land use changes that would occur as a result of the Proposed Action would be part of an overall City strategy and policies to promote economic development in areas well-served by public transportation and facilitate public access along the waterfront. The Project Site, although adjacent to Wallabout Channel, does not itself possess any natural resource of significant value, and the site has been previously developed and subsequently remediated under the supervision of the State's Brownfield Cleanup Program. It is noted that funds committed to the design, construction, and operation of the Project Site under the Proposed Action would not be available for other projects. However, this is not considered to be a significant adverse impact on City resources.

In addition, the public services provided in connection with the Proposed Project under the Proposed Action (e.g., police and fire protection, public education, open space, and other City resources) also constitute resource commitments that might otherwise be used for other programs or projects. However, the Proposed Project would enliven the area and produce economic growth that would generate substantial tax revenues providing a new source of public funds that would offset these expenditures.

The commitments of resources and materials are weighed against the benefits of the Proposed Action, which would promote new commercial development resulting in a significant number of new jobs along a key corridor (Kent Avenue), advance the ongoing redevelopment of the Williamsburg waterfront, and infilling a vacant site at a density similar to other nearby sites. The new land uses would be compatible with the surrounding area and provide an appropriate development program for a key transitional site by buffering residential uses from the commercial-light industrial Brooklyn Navy Yard and light industrial uses from residential developments across the street to the north and east, thereby better supporting the needs of the community.



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