A. INTRODUCTION

This Environmental Impact Statement (EIS) considers the discretionary and non-discretionary actions requested by the Applicant, 500 Kent LLC and United Jewish Organizations of Williamsburg, Inc., 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 (see **Figure 1-1**). The Proposed Project would be constructed at 500 Kent Avenue (Block 2023, Lot 10) on a 115,244-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"):

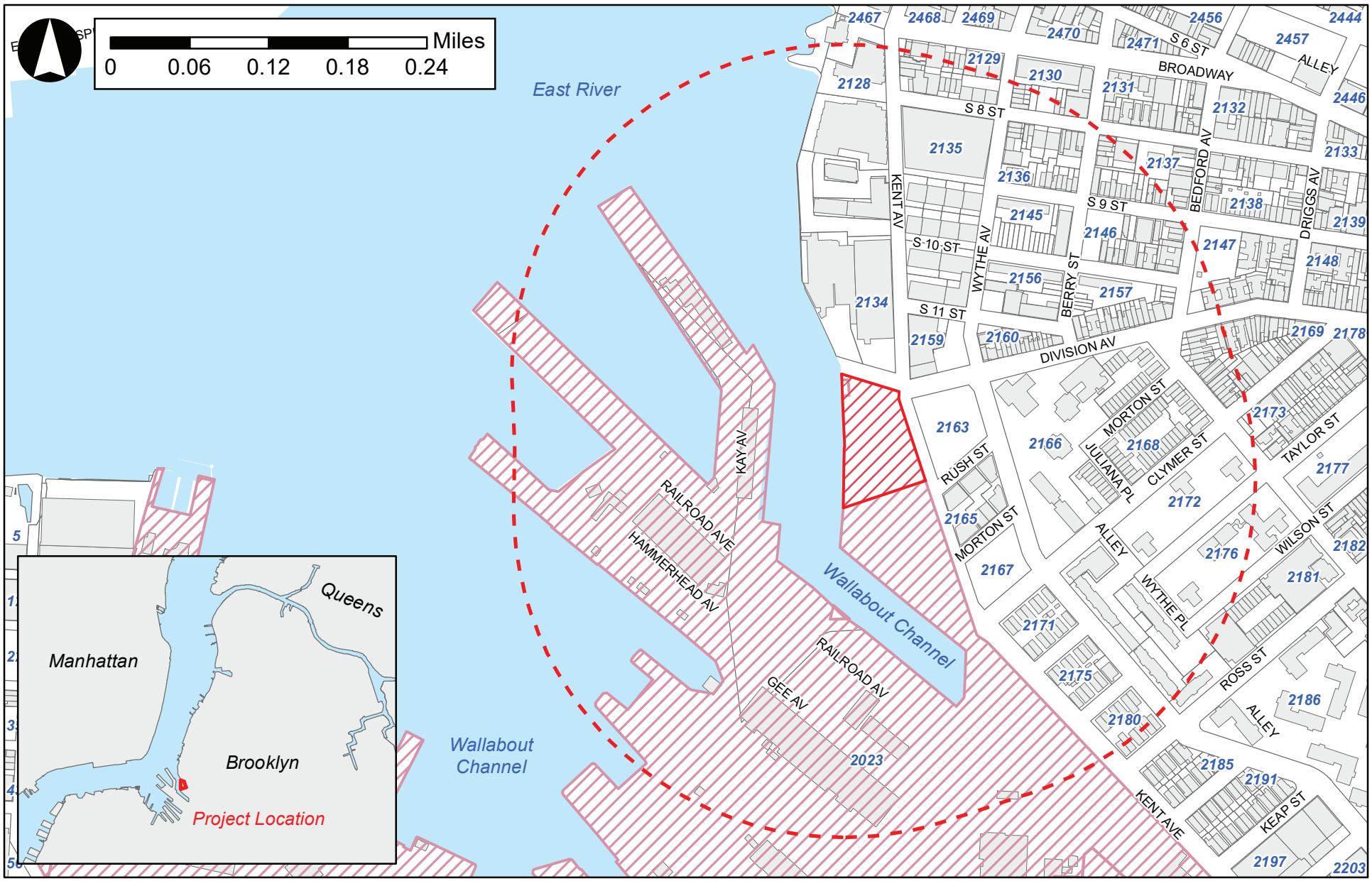
(1) Zoning map amendment that would rezone the 2.65-acre Project Site from M3-1 to M1-5
(2) Waterfront bulk modification special permit pursuant to ZR 62-837 to modify various bulk requirements in sub-sections of ZR 62-341, including: (i) ZR 62-341(a)(2) - initial setback distance; (ii) ZR 62-341(c)(1) - 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, Bulk Modifications on Waterfront Block Special Permit, Public Parking Garage Special Permit, and Waterfront Zoning Certification. Under the RWCDS the Proposed Action is expected to result in a net increase of 540,442 gsf of commercial

[1] As discussed in Section C below and illustrated in **Figure 1-5**, 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.



Legend

Primary Study Area | Quarter-Mile Radius | Brooklyn Navy Yard | 2023 Blocks

Figure 1-1
Project Location

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.

This chapter provides a detailed description of the Proposed Project and Proposed Action, including project background and existing conditions, project purpose and need, site description, project description, and the governmental approvals required. The supplemental analyses following this chapter examine the potential for the Proposed Action to result in significant adverse environmental impacts in any technical area of the 2021 *City Environmental Quality Review (CEQR) Technical Manual*.

B. BACKGROUND AND EXISTING CONDITIONS

Proposed Rezoning Area (Project Site)

The 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 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 (**Figure 1-2**). The lot, 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.

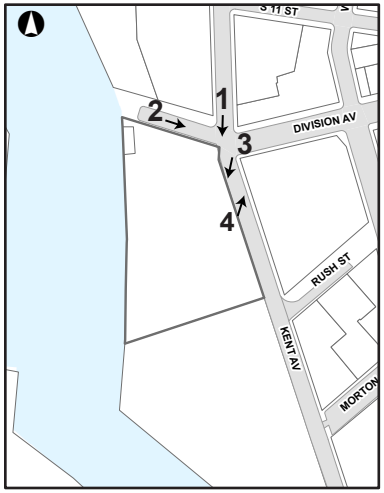
The Project Site also constitutes the proposed rezoning area and the zoning lot that would be subject to the special permits and waterfront zoning certification, i.e., there are no other sites affected by the Proposed Action. Similarly, there are no other sites that would transfer developments rights to or from the Project Site.

Zoning

The Project Site has been zoned M3-1 since the adoption of the 1961 Zoning Resolution, when the power plant was the existing use on the property. M3 districts are designated for heavy industries that generate noise, traffic, or pollutants. Typical uses include power plants, solid waste transfer facilities and recycling plants, and fuel supply depots, though permitted uses also include warehousing, automotive uses, and most types of commercial uses. Even in M3 districts, uses with potential nuisance effects are required to conform to minimum performance standards. M3 districts are usually located near the waterfront and buffered from residential areas. No new residences or community facilities are permitted as-of-right in M3 districts. Development within M3-1 districts can be built to a maximum FAR of 2.0, with bulk subject to special waterfront regulations, as it is

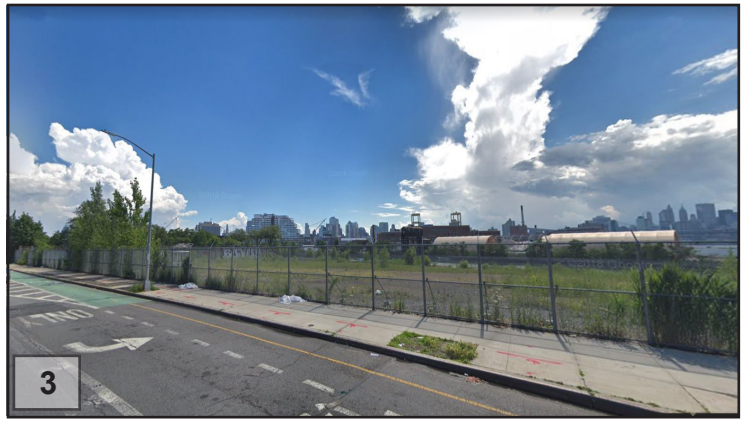


Looking south from the corner of Kent Avenue and Division Avenue towards the Project Site





Looking east from the dead-end at Division Avenue towards Kent and Division Avenues intersection



Looking south towards the Project Site from Kent Avenue



Looking northeast from the Project Site towards Roberto Clemente Ballfield

located on a waterfront block. Within M3-1 districts, off-street parking is required and varies by use. **Figure 1-3** shows the existing and proposed zoning for the Project Site.

Brooklyn Navy Yard Industrial Business Zone (IBZ)

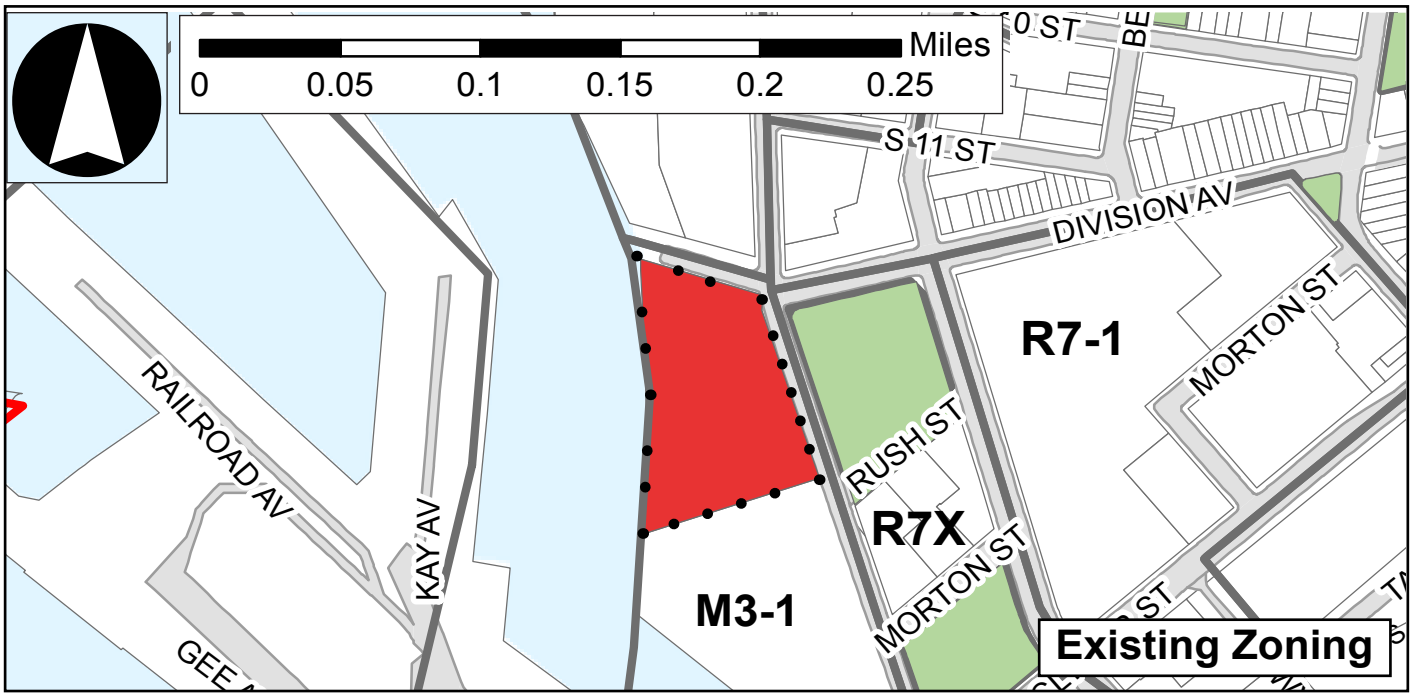
The Project Site and the adjoining area to the south is in the Brooklyn Navy Yard Industrial Business Zone (IBZ) (**Figure 1-4**), which also shares an M3-1 zoning designation with the Project Site. The designation of an IBZ seeks to foster high-performing business districts by creating competitive advantages over locating in areas outside of New York City. The IBZs are supported by tax credits for relocating within them, zone-specific planning efforts, and direct business assistance from Industrial Providers of NYC Business Solutions Industrial and Transportation. In light of the purpose of IBZs, residential rezonings are generally not supported. Unlike other properties in this IBZ, the Project Site is privately-owned and was not historically part of the Brooklyn Navy Yard.

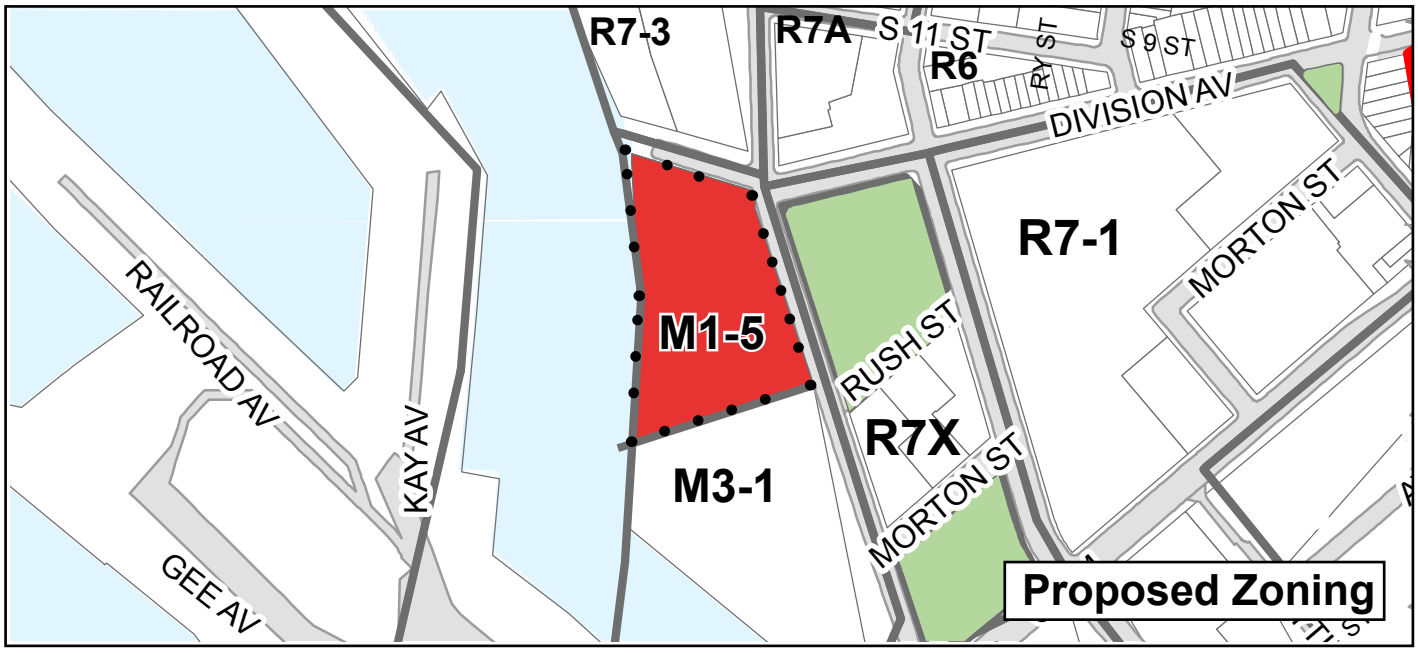
Neighborhood Context

The Project Site is located in the southwestern portion of the Williamsburg neighborhood of Brooklyn and is immediately northeast of the Brooklyn Navy Yard, which is now an industrial park with many adaptively reused older structures and some new buildings. Predominant land uses in the area surrounding the Project Site include low-, mid-, and high-rise multi-family residential and mixed-use buildings, commercial uses, industrial properties, and vacant land (refer to **Chapter 2, "Land Use, Zoning, and Public Policy,"** for more information). Generally, there has been a trend of redevelopment of vacant land and underutilized and unoccupied properties formerly occupied by industrial and general service uses with new higher density residential and commercial development, particularly along the waterfront. There are several notable buildings within the surrounding area. These include Schaefer Landing, a waterfront apartment complex located 0.2 miles north of the Project Site completed in 2006 that consists of three apartment buildings and contains a total of approximately 350 DUs, of which 140 DUs are affordable housing units, approximately 10,000 gsf of retail, and approximately 146 accessory parking spaces. Also, on the waterfront, 0.3 miles north of the Project Site is 420 Kent Avenue, an apartment complex with two separate buildings. The development, completed in 2019, has a total of 857 DUs, of which 186 DUs are affordable housing units, 15,867 sf of commercial space, and 429 accessory parking spaces. Notable institutional uses including Beikvie Hatzion and Ohel Sura Schools at 31 Division Avenue. There are several public open spaces in the vicinity of the Project Site including Roberto Clemente Ballfields, located across the street from the Project Site, Jacob's Ladder Playground, located one block southeast of the Project Site, Schaefer Landing Park, and 420 Kent Avenue waterfront public open space. Bedford Playground is located three blocks northeast of the Project Site; it is one acre and has basketball courts, handball courts and playgrounds.

Besides M3-1, which is also mapped in the Brooklyn Navy Yard area immediately to the south of the Project Site, predominant zoning designations in the surrounding area include an M1-2 light manufacturing district, a C4-3 commercial district, and R6, R7X, R7A, R7-1, and R7-3 residential districts.

Figure 1-3
Existing & Proposed Zoning





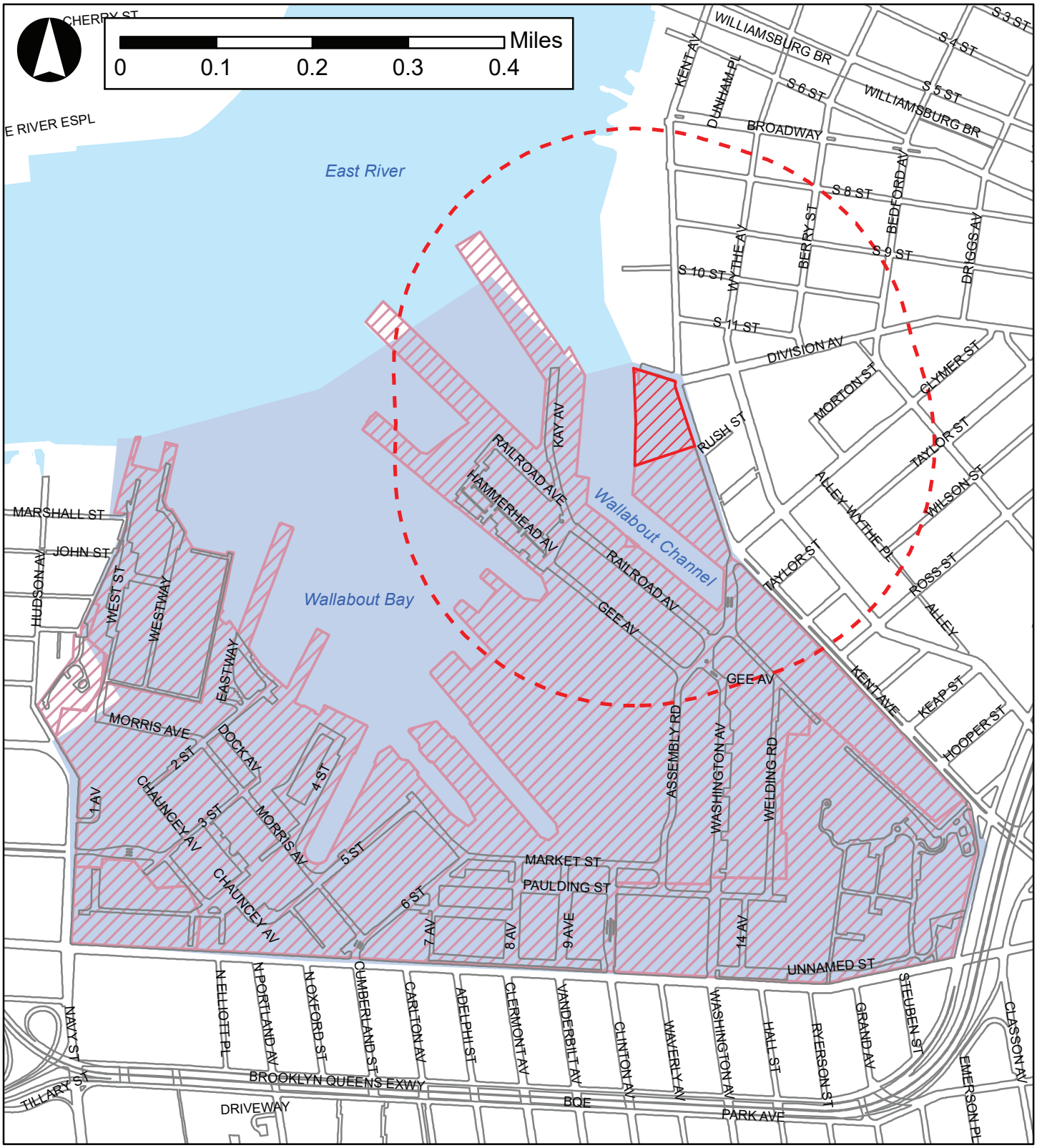
Legend

Area to be Rezoned

Project Site

Zoning Districts

Brooklyn Navy Yard IBZ



Source: NYCDCP (PLUTO 2021, Version I); DoITT (2020); SBS (2018)

Legend

- Primary Study Area
- Secondary Study Area (Quarter-Mile Radius)
- Brooklyn Navy Yard
- Brooklyn Navy Yard IBZ

The Project Site is well served by public transit. The Marcy Avenue J/M/Z subway station (to the northeast at the intersection of Broadway and Williamsburg Street) is located approximately 0.7 miles from the Project Site. In addition, the B67 (connecting Williamsburg Bridge Plaza and Long Island City) runs along Kent and Wythe Avenues, the B62 (connecting Downtown Brooklyn/Fulton Mall and Long Island City) runs along Wythe and Kent Avenues, and the B32/Q59 (connecting Lefferts Gardens/Prospect Park and Greenpoint) run along Broadway. The South Williamsburg landing on the East River Ferry route is located less than 0.3 miles to the north of the Project Site at the western terminus of S. 10th Street. The site is served by bike lanes on Kent and Wythe avenues. The bike lane on Kent Avenue is part of the Brooklyn Waterfront Greenway, a long corridor of bike lanes and pedestrian paths connecting open space along the waterfront in Brooklyn, which upon completion will extend uninterrupted approximately 26 miles from Greenpoint to East New York. There is also a Citi Bike station located at Kent Avenue between Division Avenue and S. 11th Street, approximately 300 feet to the north of the Project Site.

C. DESCRIPTION OF THE PROPOSED ACTION

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.

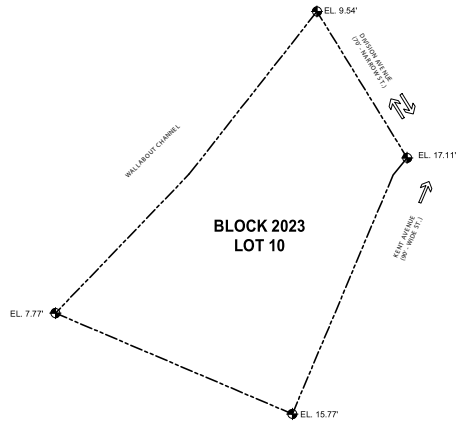
Zoning Map Amendment

The proposed zoning map amendment would rezone the Project Site (see **Figure 1-3**) from M3-1 to M1-5. As a result, changes to what is permitted/prohibited 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, which are illustrated in **Figure 1-5, Zoning Waiver Plan.** This would instead establish a maximum permitted building envelope, referred to informally as a "sweater," 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.



1 PLOT PLAN
1/64" = 1'-0"

ZONING FLOOR AREA SCHEDULE

	COMMERCIAL (UG 6B)	RETAIL (UG 6A)	TOTAL
	ZFA	ZFA	ZFA
500 KENT	555,476.00	20,744.00	**576,220.00**

GENERAL 9/25/2023

LOCATION: 500 Kent Avenue, Williamsburg, Brooklyn, NY 11211
BLOCK: 2023 (WATERFRONT BLOCK)
LOT: 10
LOT AREA: 115,244sf (All Upland)
ZONING MAP NO.: 12d
ZONING DISTRICT: M1-5
COMMUNITY DISTRICT: Brooklyn Community District 2
STREETS: Kent Avenue (Wide), Division Avenue (Narrow),

ZONING REGULATION	ZR Sections	PERMITTED/REQUIRED BY UNDERLYING ZONING DISTRICT			PROPOSED		COMPLIANCE COMMENTS
PERMITTED USES	42-12, 62-20	RETAIL AND COMMERCIAL UG- 6A, 6B, 6C, 6D, 6E, 7A, 7B, 7C, 8, 9A, 9B, 9C, 10A, 10B, 10C, 11, RECREATION: UG: 12A, 12B, 12C, 12D, 12E, 13, 14 & 16 COMMUNITY Facility: UG: UG 3A, 4A, 4B, 4C, 5,			RETAIL AND COMMERCIAL: **6A: RETAIL & 6B OFFICE** B: PUBLIC PARKING GARAGE		COMPLIES
FAR		**MAX FAR**			**FAR**		COMPLIES
	62-324, 43-12	Commercial	5.0		Commercial	5.0	
	62-324, 43-12	Manufacturing	5.0		Manufacturing	0.0	
	62-326, 43-122	Community Facility	6.5		Community Facility	0.0	
		MAX TOTAL	**6.5**			**5.0**	
FLOOR AREA		**MAX FLOOR AREA**			**FLOOR AREA**		COMPLIES
	62-324, 43-12	Commercial	576,220		Commercial	**576,220 zsf**	
	62-324, 43-12	Manufacturing	576,220		Manufacturing	0	
	62-326, 43-122	Community Facility	749,086		Community Facility	0	
		MAX TOTAL	**749,086**		**MAX TOTAL**	**576,220 zsf- 5.0 FAR**	
YARDS	62-331	Front yard	None Required		None Provided		COMPLIES
	62-331	Sideyard	None Required		None Provided		
	62-332	Waterfront yard	40 Feet		40 Feet		
HEIGHT AND SETBACK	62-341 (A)(2)	Initial Setback Distance	KENT AVENUE (Wide Street)	10 Feet	0' SETBACK PROVIDED		DOES NOT COMPLY Waiver required
	62-341 (A)(2)	Initial Setback Distance	DIVISION AVENUE (Narrow Street)	15 Feet	15 Feet		COMPLIES
	62-341 (A)(2)	Initial Setback Distance	SHORE PUBLIC WALKWAY	30 Feet	0' SETBACK PROVIDED		DOES NOT COMPLY Waiver required
	62-341 (A)(2)	Initial Setback Distance	50' VISUAL CORRIDOR	15 Feet	15 Feet		COMPLIES
	62-341 (A)(2)	Initial Setback Distance	SUPPLEMENTAL PUBLIC ACCESS AREA (Wide Street)	10 Feet	12 Feet		COMPLIES
	62-341 (C)(1)	Maximum base height	SITE	65 Feet	130'-0"		DOES NOT COMPLY Waiver required
	62-341 (C)(2)	Maximum Building Height	SITE	185 Feet	355'-0"		DOES NOT COMPLY Waiver required
	62-341 (C)(3)	Floor area distribution	Buildings that exceed the maximum base height shall have a minimum of 30% floor area coverage at a height of 20'. (30% of Lot Area = 115,224*30% = 34,573sf)		Provided lot Coverage at 20' = 50,371sf(43.7%)		COMPLIES
	62-341 (C)(5)	Maximum Width of wall facing shoreline	100 Feet		343'-9" Feet		DOES NOT COMPLY Waiver required
ACCESSORY OFF-STREET PARKING	25-026 62-423	Special Regulations applying in the waterfront area are set forth in Article VI, Chapter 2 (62-40)					COMPLIES
	62-42	The applicable district regulations pertaining to permitted or required off-street parking facilities accessory to non-residential uses shall apply to all developments on waterfront blocks except as modified in this Section or in Section 62-45.					
	44-21	UG 6A: General Retail or service uses	No Required Accessory Off-Street parking		0 Spaces		
	44-21	UG 6B: Commercial uses	No Required Accessory Off-Street parking				
PARKING GARAGE	32-17(c) 74-52	Maximum allowed spaces: 150			Spaces provided: 234		DOES NOT COMPLY ZR 74-52 special permit req'd for public parking garage
ACCESSORY OFF-STREET PARKING LOADING BERTHS	44-52	UG 6A: General Retail or service uses	None required for first 25,000 sf of floor area. Next 15,000 sf of floor area requires 1 required Next 60,000 sf of floor area requires 1 required Each additional 150,000 sf of floor area requires 1 required berth		General Retail area: 20,744zsf No Loading berths		COMPLIES
	44-52	UG 6B: Commercial uses	None required for first 100,000 sf of floor area. Next 200,000 sf of floor area requires 1 berth. Each additional 300,000 sf of floor area requires 1 additional berth		Office area: 555,476zsf 2 Loading berths provided		COMPLIES
	Total Loading Berth		Loading Berths Required = 2		Total Proposed Loading Berths = 2		COMPLIES
BICYCLE PARKING	44-60	In all districts, as indicated, the provisions of Section 36-70 (BICYCLE PARKING), inclusive, shall apply to all permitted commercial uses.					COMPLIES
	36-711	For Use Group 6A (retail uses):	1 per 10,000 sf of floor area (20,744 zsf/10,000 sf = 3 spaces)		3 spaces proposed		
	36-711	For Use Group 6B (Commercial uses):	1 per 7,500 sf of floor area (555,476 zsf/7,500 sf = 74 spaces)		74 spaces proposed		
	36-711	For public parking garage	1 per 10 automobile parking spaces 234/10=23.4		24 spaces proposed		COMPLIES
	Total Bicycle Parking Spaces		Total bicycle spaces Required = 101		Total Proposed bicycle spaces = 101 spaces		
STREET TREES	43-02 26-41	1 tree per 25 Feet of frontage	Kent avenue =370'-4"/25'=14.81 (15 trees required) Division avenue = 227'/25'=9.08 (10 trees required) Total required 25 trees		Kent Avenue: 15 trees provided Division Avenue: 10 trees provided Total: 25		COMPLIES *18 TREES WILL BE PROVIDED ON SITE AND 7 REMAINING TREES WILL BE PROVIDED OFF-SITE OR PAID INTO A FUND PURSUANT TO ZR 26-41.

ZONING SUMMARY

1 Zoning map amendment to amend the zoning district from an M3-1 zoning district to an M1-5 zoning district for the Development Site

2 Waterfront special permit pursuant to ZR § 62-837(a) to waive bulk regulations under ZR § 62-341 for the Proposed Development as follows:
- 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 Waterfront Certification for the waterfront public access area ("WPAA") pursuant to ZR §62-811

4 Special permit pursuant to ZR § 74-52 to allow a parking garage of 234 parking spaces.

LAND USE ACTIONS
7/14/2023

GENERAL

LOCATION:	500 KENT AVENUE, WILLIAMSBURG BROOKLYN, NY 11211
BLOCK:	2023 (WATERFRONT BLOCK)
LOT:	10
LOT AREA:	115,244(ALL UPLAND)
ZONING MAP:	12D
ZONING DISTRICT:	M1-5
COMMUNITY DISTRICT:	BROOKLYN COMMUNITY DISTRICT 2
STREETS:	KENT AVENUE(WIDE), DIVISION AVENUE(NARROW)



MARVEL
145 HUDSON STREET, FLR.3 NEW YORK, NY 10013
212.616.0420

OWNER
KENT MEMBER LLC
505 FLUSHING AVE, BROOKLYN, NY 11205

CIVIL / PARKING ENGINEER
PHILIB HABIB AND ASSOCIATES
102 MADISON AVE # 11, NEW YORK, NY 10016

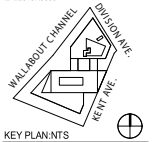
LANDSCAPE ARCHITECT
MFP
120 BROADWAY 20TH FL, NEW YORK, NY 10271

LIGHTING DESIGNER
ONE LUX STUDIO
150 WEST 28TH ST, FL 10, NEW YORK, NY 10001

LAND USE CONSULTANT
HERRICK FEINSTEIN LLP
TWO PARK AVENUE, NEW YORK, NY 10016

REV	DATE	DESCRIPTION
	11/03/2021	ULURP SUBMISSION
	09/08/2022	ULURP SUBMISSION
	03/15/2023	ULURP SUBMISSION
	07/14/2023	ULURP SUBMISSION
	10/02/2023	ULURP SUBMISSION

ID #2019K0330



KEY PLAN:NTS

MA PROJECT NO. 1725
500 KENT

500 KENT AVENUE
BROOKLYN, NY 11249

ZONING ANALYSIS



SCALE: 1/64" = 1'-0"

DRAWING #:
Z-002 .00
____ of ____

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(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. As would be allowed by the special permit the Proposed Project has: (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 permitted 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. (NB: with the proposed M1-5 zoning, no parking would be required.)

Waterfront Zoning Certification (ZR 62-81)

Certification pursuant to ZR 62-81 by the CPC Chair to the 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 Wallabout Channel/East River. Adjoining the SPW, there would be 2,584 sf of supplemental public access area (SPAA) located in an open area formed by a setback from the SPW of the proposed building footprint. Besides the minimum required public open space, the Proposed Project would have two additionally provided public open spaces. One would be 12,350 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, i.e., 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.

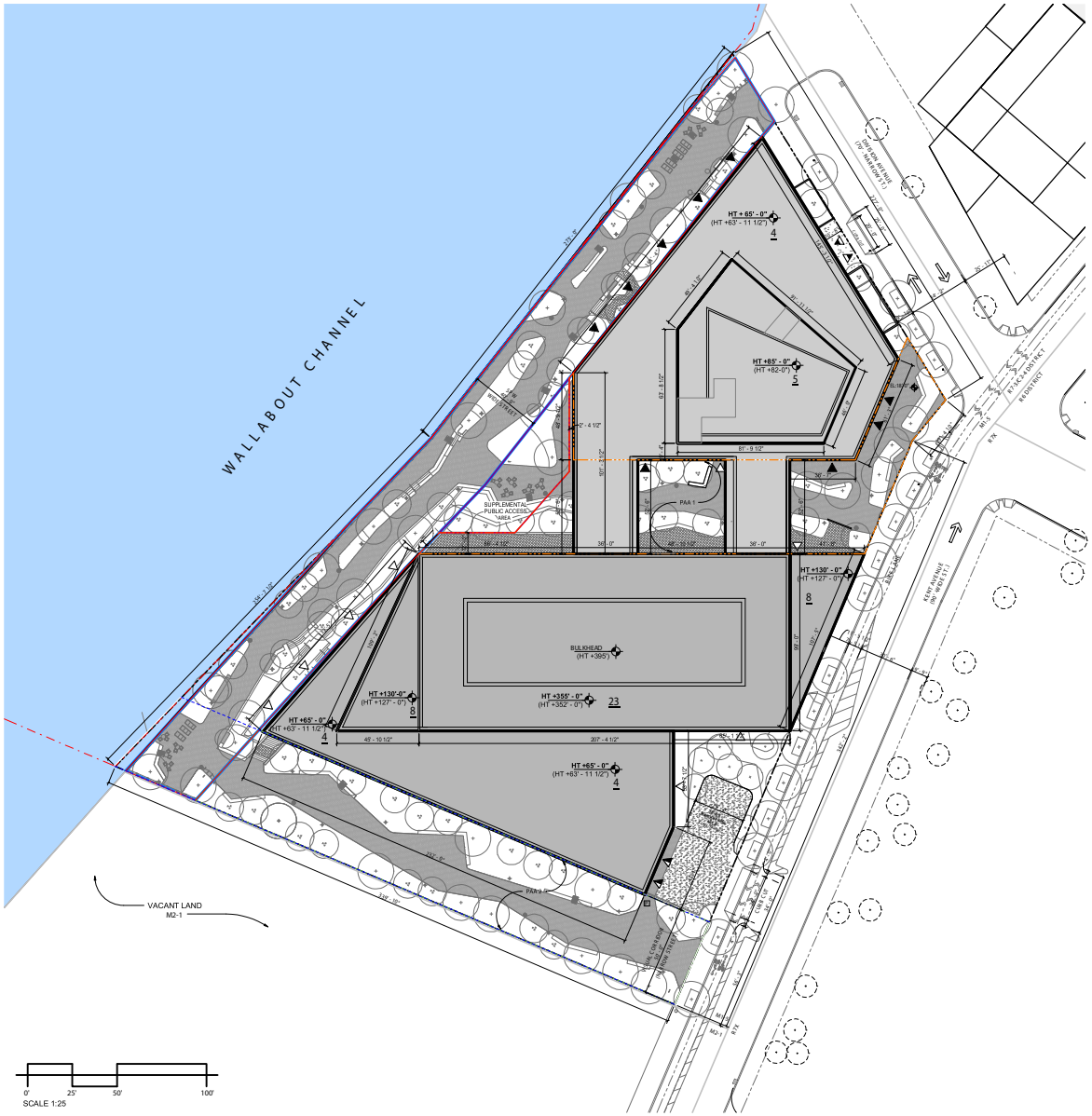
The proposed M1-5 zoning district would create opportunities for increased development at densities comparable to other waterfront developments in the area; for example, the area immediately to the north was rezoned from M3-1 to R7-3/C2-4 in 2006, increasing the maximum permitted FAR from 2.0 to 5.0 (Kedem Winery Redevelopment Rezoning: ULURP No. C 020518 ZMK). The increased development would create opportunities for nearby schools, community groups, and growing businesses to engage with one another. 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. They would also allow for a provision of parking that makes productive use of its cellar space and fully accommodates its own on-site demand.

E. DESCRIPTION OF THE PROPOSED PROJECT

The Proposed Action would facilitate the development of the Proposed Project, a new 23-story (352-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, i.e., there are no other sites affected. Similarly, there are no other sites that would transfer developments rights to or from the Project Site.

As shown in **Figure 1-6** and **Figure 1-7**, 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 (**Figure 1-8**). 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 (**Figure 1-9**), occupying approximately



1 ZONING - SITE PLAN
1" = 25'-0"

SITE PLAN LEGEND

- OFFICE ACCESS POINT
- COMMERCIAL ACCESS
- LOADING DOCK UG 6B
- PARKING INGRESS/EGRESS
- BUILDING ENTRANCE POINTS SHOWN MAY BE ILLUSTRATIVE PURPOSES ONLY
- M1-5 / R7X — ZONING DISTRICT
- 23 — # STORIES
- 4B — # STORIES W/ BASEMENT
- 4L — # STORIES W/ STORE
- 65' — BUILDING HEIGHT
- ROAD DIRECTION
- ZONING LOT LINE
- ZONING DISTRICT BOUNDARY
- ILLUSTRATIVE BUILDING LINE
- PROPOSED MAXIMUM BUILDING ENVELOPE
- TOTAL SPW & SPAA (WPAA)
- VISUAL CORRIDOR
- PUBLIC ACCESS AREA 1 (PAA1)
- PUBLIC ACCESS AREA 2 (PAA2)
- SHORE PUBLIC WALKWAY (SPW)
- SUPPLEMENTAL PUBLIC ACCESS AREA (SPAA)
- U.S. PIER & BULKHEAD LINES
- REMOVED LIGHTING POLE
- PROPOSED LIGHTING POLE
- EXISTING LIGHTING POLE
- FIRE HYDRANT
- EXISTING TREE
- PROPOSED CANOPY TREE
- PROPOSED ORNAMENTAL TREE
- EXISTING MANHOLE
- EXISTING SIGN
- EXISTING EMERGENCY PHONE
- EXISTING STREET VENT GRILLE
- EXISTING CATCH BASIN
- EXISTING BUS STOP
- EXISTING POST
- HT +2' - 6" (HT +2' - 0") — PROP. MAX. BLDG. ENVELOPE HEIGHT ILLUSTRATIVE BUILDING HEIGHT
- PROPOSED BUILDING FOOTPRINT

NOTES:

1. APPLICANTS STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. ILLUSTRATIVE BUILDING LINES WITHIN THE PROPOSED MAXIMUM BUILDING ENVELOPE ARE PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO CHANGE.
3. SEE OPEN SPACE DRAWINGS FOR SITE AND LANDSCAPE DETAILS.
4. ADJUSTED BASE PLANE IS +13.81'
5. BASE FLOOD ELEVATION ZONE AE +13'.00' (NAVD-1988)
6. DESIGN FLOOD ELEVATION(DFE) IS +15.00'
7. ALL ELEVATIONS TAKEN FROM DFE\
8. FINAL DESIGN OF SIDEWALK TO BE COORDINATED WITH DOT IN THE BUILDERS' PAVEMENT PLAN TO ACCOUNT FOR KENT AVENUE WATERFRONT GREENWAY PROJECT

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	01/11/2024	ULURP SUBMISSION

ID #2019K0330



KEY PLAN:NTS

MA PROJECT NO. 1725

500 KENT

500 KENT AVENUE
BROOKLYN, NY 11249

ZONING LOT SITE PLAN



SCALE: As indicated

DRAWING #:
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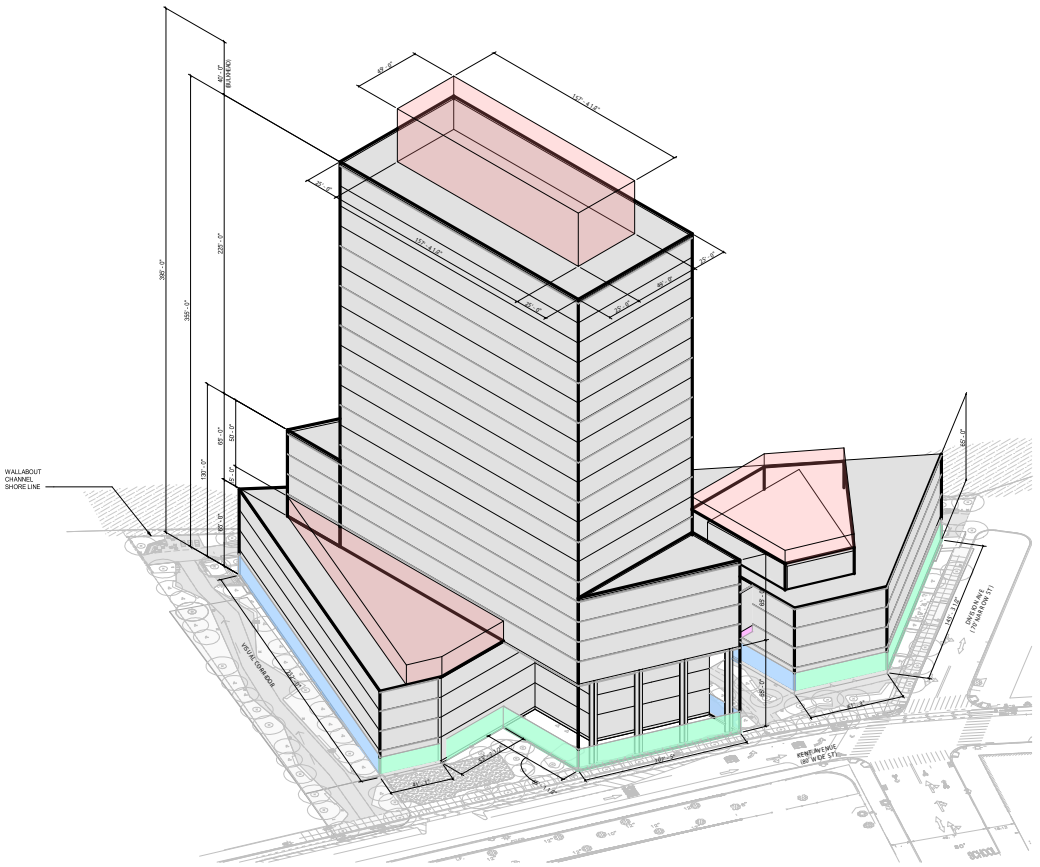
___ of ___

500 Kent Avenue EIS

Figure 1-6
Zoning Lot Site Plan



1 MASSING VIEW FROM KENT AVENUE

LEGEND:

PROPOSED NEW ILLUSTRATIVE BUILDING

MAXIMUM DEVELOPMENT ENVELOPE

NOTES:

1. BUILDING WITHIN THE PROPOSED MAX BUILDING ENVELOPE, BUILDING ENTRANCES, INTERIOR PARTITIONS AND USES, MECHANICAL BULKHEAD, AND ROOFTOP LANDSCAPING ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO CHANGE.

2. INFORMATION OUTSIDE OF THE BOUNDARIES OF THE ZONING LOT IS FOR ILLUSTRATIVE PURPOSES ONLY, AND MAY NOT BE EXACT. THE ARCHITECT BEARS NO RESPONSIBILITY FOR INEXACT BUILDING LINE INFORMATION ON SURROUNDING PROPERTIES.

DESIGN ELEMENTS AND GUIDELINES

1. **TRANSPARENCY AT GROUND LEVEL**

a. AT LEAST 70 PERCENT OF THE SURFACE AREA OF GROUND FLOOR STREET WALLS FRONTING KENT AVENUE, DIVISION AVENUE AND THE SPW, EXCLUDING EGRESS DOORS, AND VEHICLE/SERVICE ENTRANCES, SHALL BE GLAZED WITH TRANSPARENT MATERIALS, INCLUDING DOORS AND TRANSOMS, BETWEEN THE LEVEL OF THE BASE PLANE AND A HEIGHT OF 12 FEET ABOVE THE BASE PLANE.

b. DEPLOYABLE WET AND DRY FLOODPROOFING PROTECTIONS PURSUANT TO APPENDIX G OF THE BUILDING CODE SHALL BE PERMITTEDPERMITTED WITHIN THE TRANSPARENT AREAS. GROUND FLOOR LEVEL USES SHALL BE ACTIVE USES, INCLUDING COMMERCIAL RETAIL AND SERVICE ESTABLISHMENTS, EXCEPT FOR LOBBIES AND BUILDING EGRESS.

c. THE GROUND FLOOR OF A BUILDING FRONTING ON ALL OTHER STREETS AND PUBLIC ACCESS AREAS SHALL HAVE A MINIMUM OF 50 PERCENT OF THE BUILDING FRONTAGE GLAZED AS DESCRIBED ABOVE.

d. THE PERCENTAGE OF SUCH BUILDING FRONTAGE AREA SHALL BE MEASURED TO A HEIGHT OF 12 FEET ABOVE THE LEVEL OF THE ADJOINING 1ST FLOOR LEVEL.

f. HORIZONTAL BUILDING ELEMENT - THE HORIZONTAL BRIDGE ELEMENT CONNECTING FLOOR OR FLOORS OF TWO SEPARATE PORTIONS OF PROPOSED BUILDING SHALL PROVIDE A MINIMUM OF 70 PERCENT GLAZING AREA WITH THE EXEPTION OF REQUIRED STRUCTURAL ITEMS. THE UNDERSIDE OF THE BRIDGE ELEMENT SHALL BE CLAD IN LIGHT MATERIAL TO NOT CAUSE ADVERSE IMPACTS TO THE PUBLIC ACCESS AREA BELOW. THE UNDERSIDE OF SUCH ELEMENTS WILL BE A MIN OF 25' ABOVE THE PAA 2 WALKWAY SURFACE.

2. **MECHANICAL SCREENING**

a. ALL MECHANICAL EQUIPMENT LOCATED ON ANY ROOF OR OTHER STRUCTURE SHALL BE FULLY ENCLOSED, EXCEPT THAT OPENINGS IN SUCH ENCLOSURE SHALL BE PERMITTED ONLY TO THE EXTENT NECESSARY FOR VENTILATION AND EXHAUST.

b. ALL ROOFTOP STRUCTURES ON PORTIONS OF THE BUILDING ABOVE 185' SHALL BE SETBACK FROM THE FAÇADE A MINIMUM OF 25'-0" IN ALL DIRECTIONS.

c. FOR THE PURPOSES OF THIS NOTE, 'ROOFTOP STRUCTURES' SHALL MEAN ANY MECHANICAL STRUCTURES AND THEIR REQUIRED ENCLOSURES OR OTHER SCREENING STRUCTURES ABOVE THE ROOF.

d. CHIMNEYS, ANTENNAE, WIND TURBINES OR DECORATIVE SPIRES SHALL NOT BE SUBJECT TO THE PROVISIONS OF THIS NOTE PROVIDED THAT NO SUCH STRUCTURES CONTAIN FLOOR AREA.

3. **PARKING FACILITY SCREENING**

a. THE PORTION OF THE BUILDING WALL WHERE A PARKING FACILITY FRONTS ON A STREET, UPLAND CONNECTION, OR PUBLIC ACCESS AREA ABOVE A HEIGHT OF 10 FEET, MUST BE SIMILAR IN COMPOSITION TO THE PORTION OF THE BUILDING'S WALL IMMEDIATELY ABOVE SUCH PARKING FACILITY., INCLUDING BUT NOT LIMITED TO, THE CHOICE OF BUILDING MATERIALS AND ARRANGEMENT AND AMOUNT THEREOF, AND SHIFTS IN FAÇADE PLANE.

b. IN ADDITION, PARKING SPACES LOCATED ON THE GROUND FLOOR OF A BUILDING MUST BE WITHIN FACILITIES THAT ARE LOCATED BEHIND COMMERCIAL, COMMUNITY FACILITY, OR RESIDENTIAL FLOOR SPACE SO THAT NO PORTION OF SUCH PARKING FACILITY, OTHER THAN ENTRANCES AND EXITS, IS VISIBLE FROM SUCH STREET, UPLAND CONNECTION OR PUBLIC ACCESS AREA.

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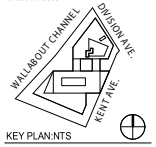
	10/02/2023	ULURP SUBMISSION

ID #2019K0330



KEY PLAN:NTS

MA PROJECT NO. 1725
500 KENT

500 KENT AVENUE
BROOKLYN, NY 11249

ZONING AXONOMETRICS

SCALE: 12" = 1'-0"

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Z-070 .00
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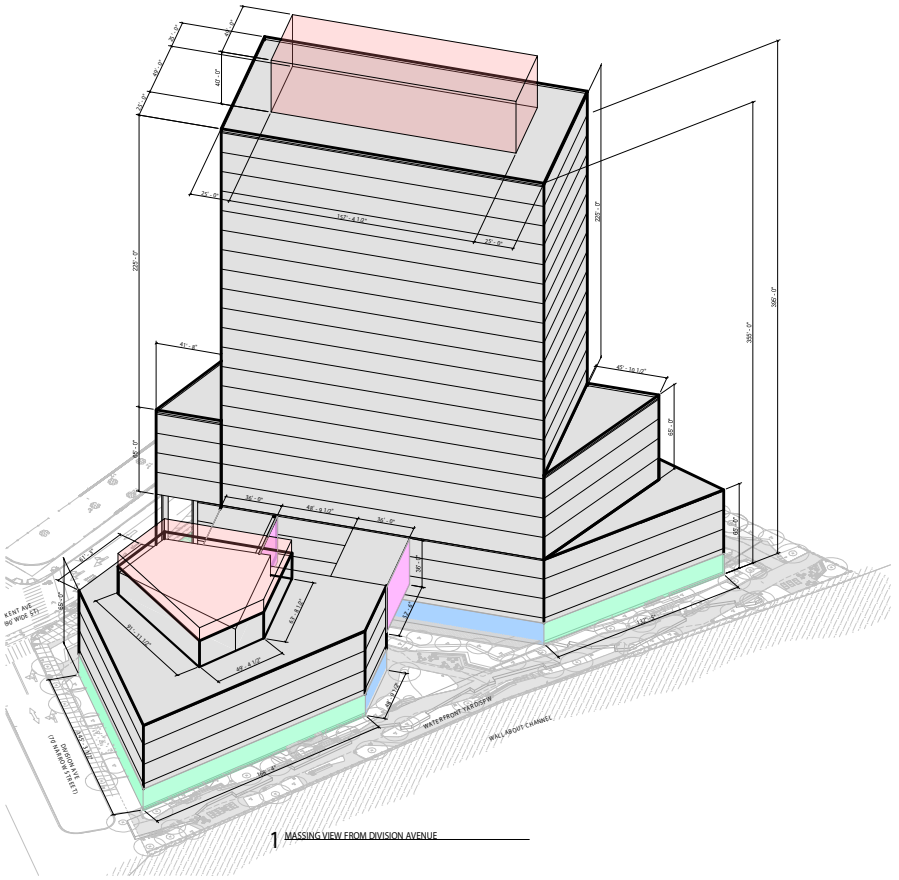
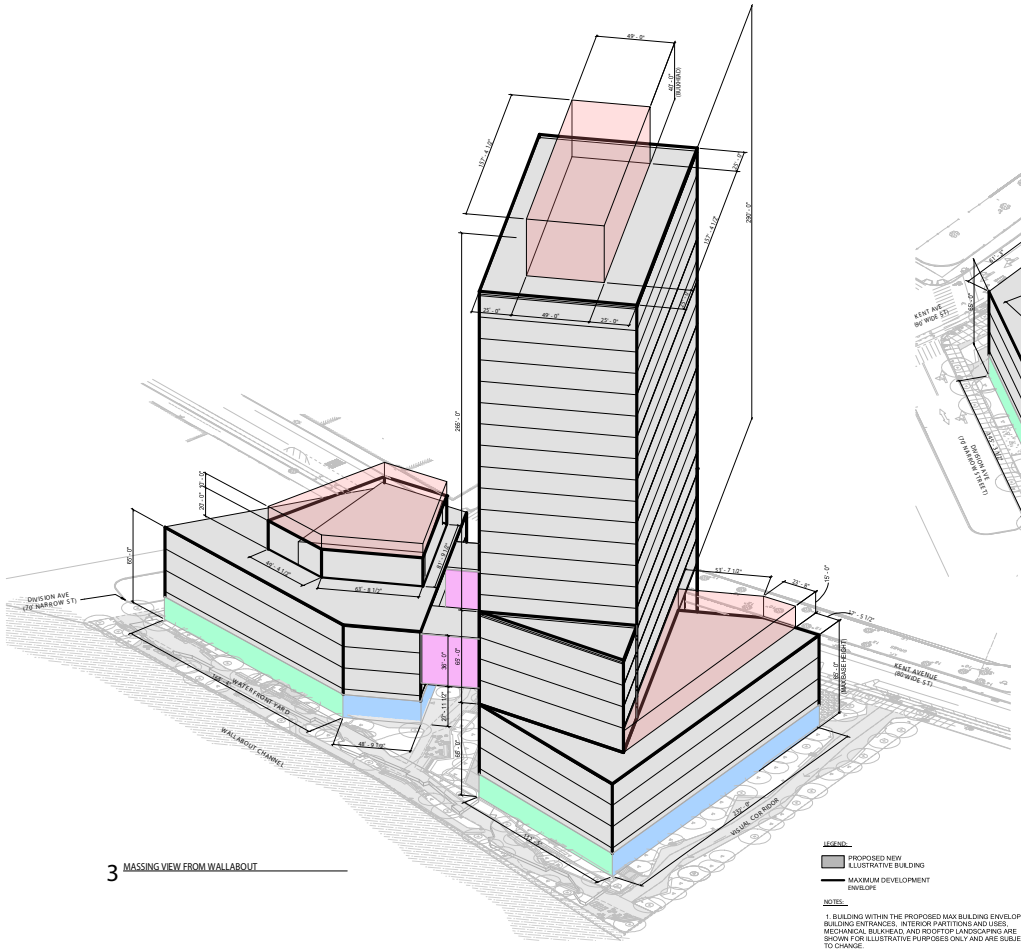
Figure 1-7a
Zoning Axonometric



1 MASSING VIEW FROM DIVISION AVENUE



3 MASSING VIEW FROM WALLABOUT

DESIGN ELEMENTS AND GUIDELINES

1. **TRANSPARENCY AT GROUND LEVEL**
   a. AT LEAST 70 PERCENT OF THE SURFACE AREA OF GROUND FLOOR STREET WALLS FRONTING KENT AVENUE, DIVISION AVENUE AND THE SPW, EXCLUDING EGRESS DOORS, AND VEHICLE/SERVICE ENTRANCES, SHALL BE GLAZED WITH TRANSPARENT MATERIALS, INCLUDING DOORS AND TRANSOMS, BETWEEN THE LEVEL OF THE BASE PLANE AND A HEIGHT OF 12 FEET ABOVE THE BASE PLANE.
   b. DEPLOYABLE WET AND DRY FLOODPROOFING PROTECTIONS PURSUANT TO APPENDIX G OF THE BUILDING CODE SHALL BE PERMITTEDPERMITTED WITHIN THE TRANSPARENT AREAS. GROUND FLOOR LEVEL USES SHALL BE ACTIVE USES, INCLUDING COMMERCIAL RETAIL AND SERVICE ESTABLISHMENTS, EXCEPT FOR LOBBIES AND BUILDING EGRESS.
   c. THE GROUND FLOOR OF A BUILDING FRONTING ON ALL OTHER STREETS AND PUBLIC ACCESS AREAS SHALL HAVE A MINIMUM OF 50 PERCENT OF THE BUILDING FRONTAGE GLAZED AS DESCRIBED ABOVE.
   d. THE PERCENTAGE OF SUCH BUILDING FRONTAGE AREA SHALL BE MEASURED TO A HEIGHT OF 12 FEET ABOVE THE LEVEL OF THE ADJOINING 1ST FLOOR LEVEL.
   f. HORIZONTAL BUILDING ELEMENT - THE HORIZONTAL BRIDGE ELEMENT CONNECTING FLOOR OR FLOORS OF TWO SEPARATE PORTIONS OF PROPOSED BUILDING SHALL PROVIDE A MINIMUM OF 70 PERCENT GLAZING AREA WITH THE EXEPTION OF REQUIRED STRUCTURAL ITEMS. THE UNDERSIDE OF THE BRIDGE ELEMENT SHALL BE CLAD IN LIGHT MATERIAL TO NOT CAUSE ADVERSE IMPACTS TO THE PUBLIC ACCESS AREA BELOW. THE UNDERSIDE OF SUCH ELEMENTS WILL BE A MIN OF 25' ABOVE THE PAA 2 WALKWAY SURFACE.
2. **MECHANICAL SCREENING**
   a. ALL MECHANICAL EQUIPMENT LOCATED ON ANY ROOF OR OTHER STRUCTURE SHALL BE FULLY ENCLOSED, EXCEPT THAT OPENINGS IN SUCH ENCLOSURE SHALL BE PERMITTED ONLY TO THE EXTENT NECESSARY FOR VENTILATION AND EXHAUST.
   b. ALL ROOFTOP STRUCTURES ON PORTIONS OF THE BUILDING ABOVE 185' SHALL BE SETBACK FROM THE FAÇADE A MINIMUM OF 25'-0" IN ALL DIRECTIONS.
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   b. IN ADDITION, PARKING SPACES LOCATED ON THE GROUND FLOOR OF A BUILDING MUST BE WITHIN FACILITIES THAT ARE LOCATED BEHIND COMMERCIAL, COMMUNITY FACILITY, OR RESIDENTIAL FLOOR SPACE SO THAT NO PORTION OF SUCH PARKING FACILITY, OTHER THAN ENTRANCES AND EXITS, IS VISIBLE FROM SUCH STREET, UPLAND CONNECTION OR PUBLIC ACCESS AREA.

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KEY PLAN:NTS

MA PROJECT NO. 1725

500 KENT

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ZONING AXONOMETRICS

SCALE: 12" = 1'-0"

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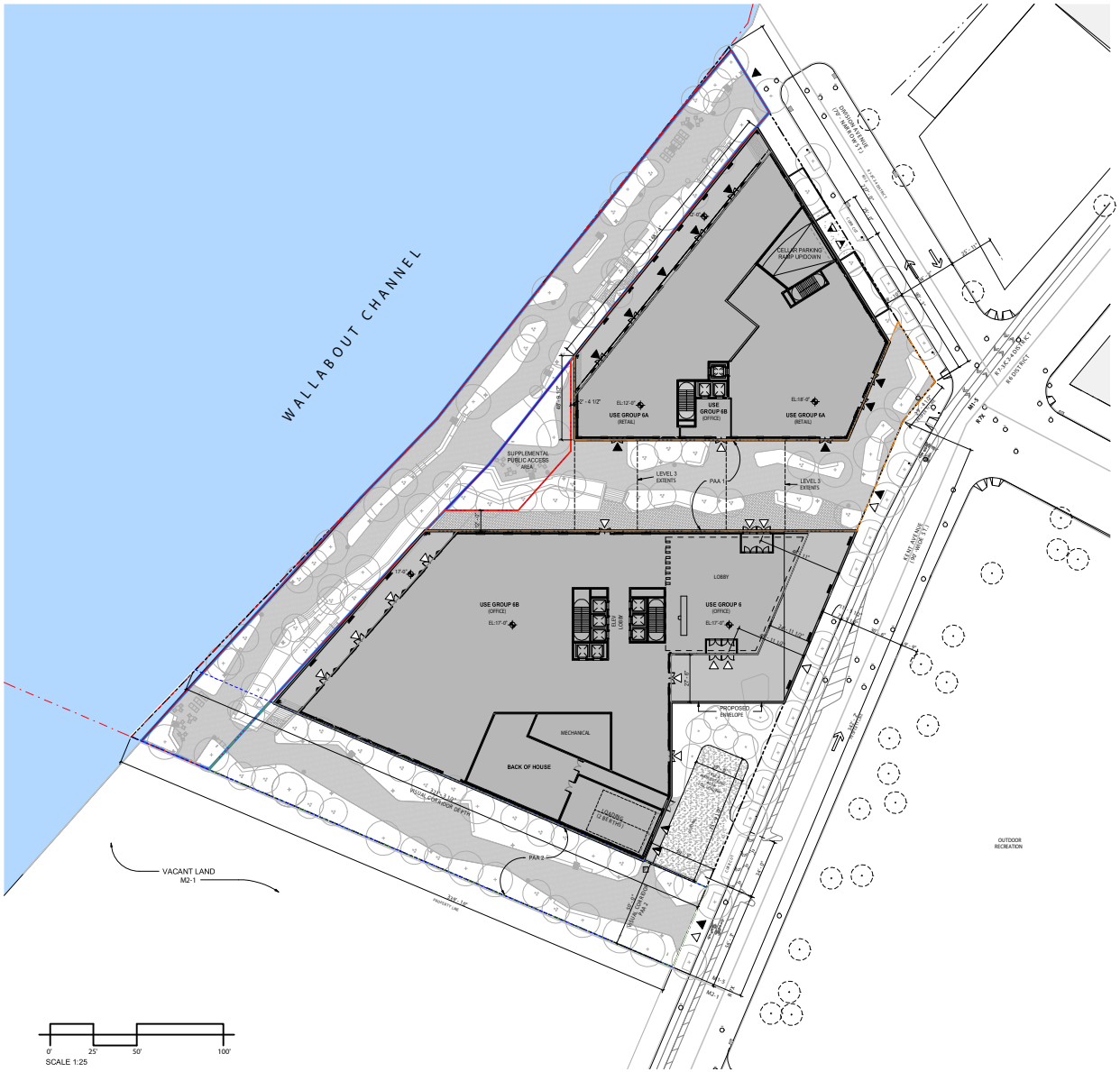
Figure 1-7b
Zoning Axonometric



1 ZONING - ILLUSTRATIVE GROUND FLOOR PLAN
1" = 25'-0"

ILLUSTRATIVE GROUND FLOOR PLAN LEGEND

- OFFICE ACCESS POINT
- COMMERCIAL ACCESS
- LOADING DOCK UG 6B
- PARKING INGRESS/EGRESS
- BUILDING ENTRANCE POINTS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY
- M1-5 / R7X ZONING DISTRICT
- ROAD DIRECTION
- ZONING LOT LINE
- ZONING DISTRICT BOUNDARY
- ILLUSTRATIVE BUILDING LINE
- PROPOSED MAXIMUM BUILDING ENVELOPE
- TOTAL SPW & SPAA (WPAA)
- VISUAL CORRIDOR
- PUBLIC ACCESS AREA 1 (PAA1)
- PUBLIC ACCESS AREA 2 (PAA2)
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- SUPPLEMENTAL PUBLIC ACCESS AREA (SPAA)
- U.S. PIER & BULKHEAD LINES
- REMOVED LIGHTING POLE
- PROPOSED LIGHTING POLE
- EXISTING LIGHTING POLE
- FIRE HYDRANT
- EXISTING TREE
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- PROPOSED ORNAMENTAL TREE
- EXISTING MANHOLE
- EXISTING SIGN
- EXISTING EMERGENCY PHONE
- EXISTING STREET VENT GRILLE
- EXISTING CATCH BASIN
- EXISTING BUS STOP
- EXISTING POST
- PROP. MAX. BLDG. ENVELOPE HEIGHT
- ILLUSTRATIVE BUILDING HEIGHT
- PROPOSED BUILDING FOOTPRINT

NOTES:

1. APPLICANTS STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
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3. SEE OPEN SPACE DRAWINGS FOR SITE AND LANDSCAPE DETAILS.
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5. BASE FLOOD ELEVATION ZONE AE +13'-0" (NAVD-1988)
6. DESIGN FLOOD ELEVATION(DFE) IS +15.00'
7. ALL ELEVATIONS TAKEN FROM DFE

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KEY PLAN:NTS

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BROOKLYN, NY 11249

ILLUSTRATIVE
GROUND FLOOR
PLAN

SCALE: As indicated

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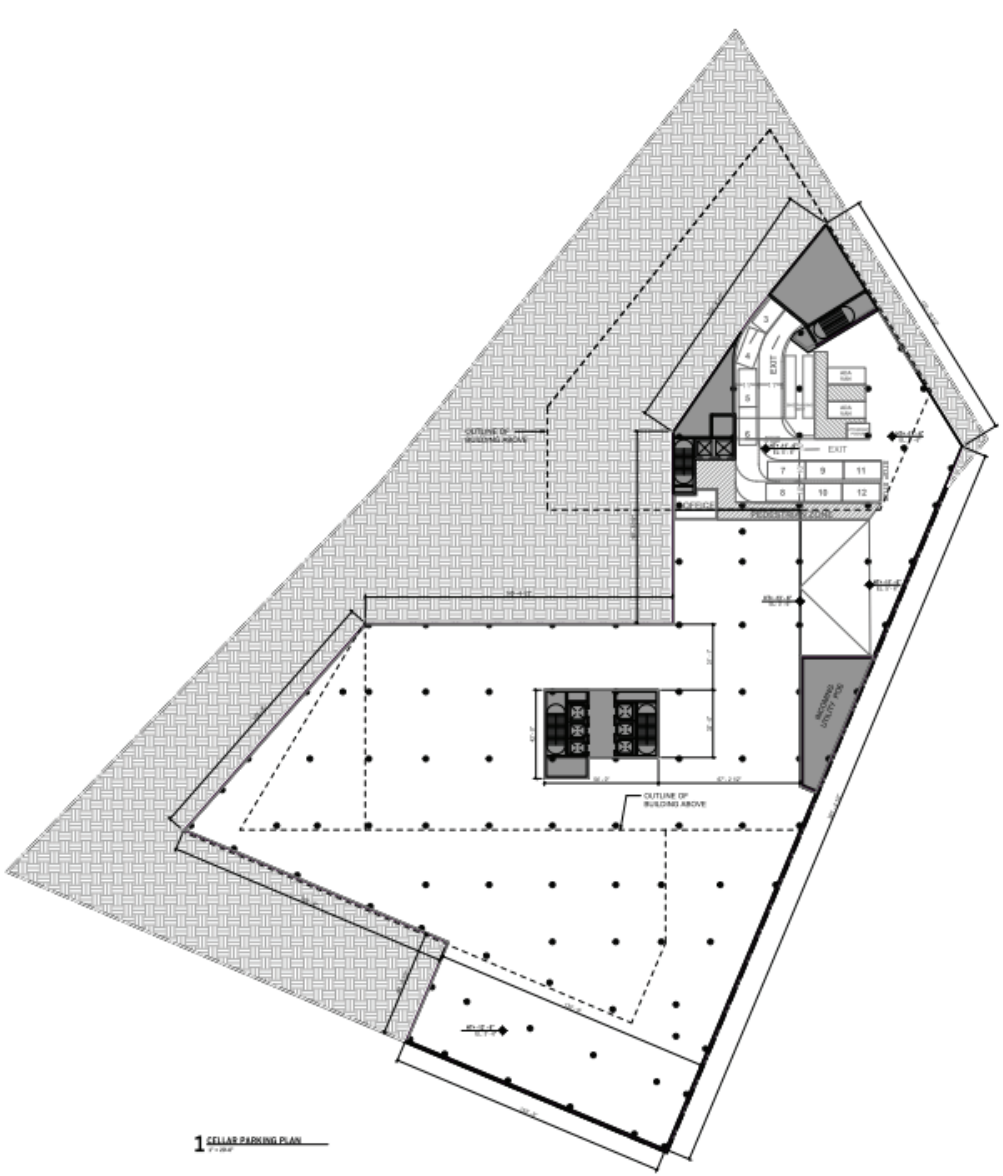

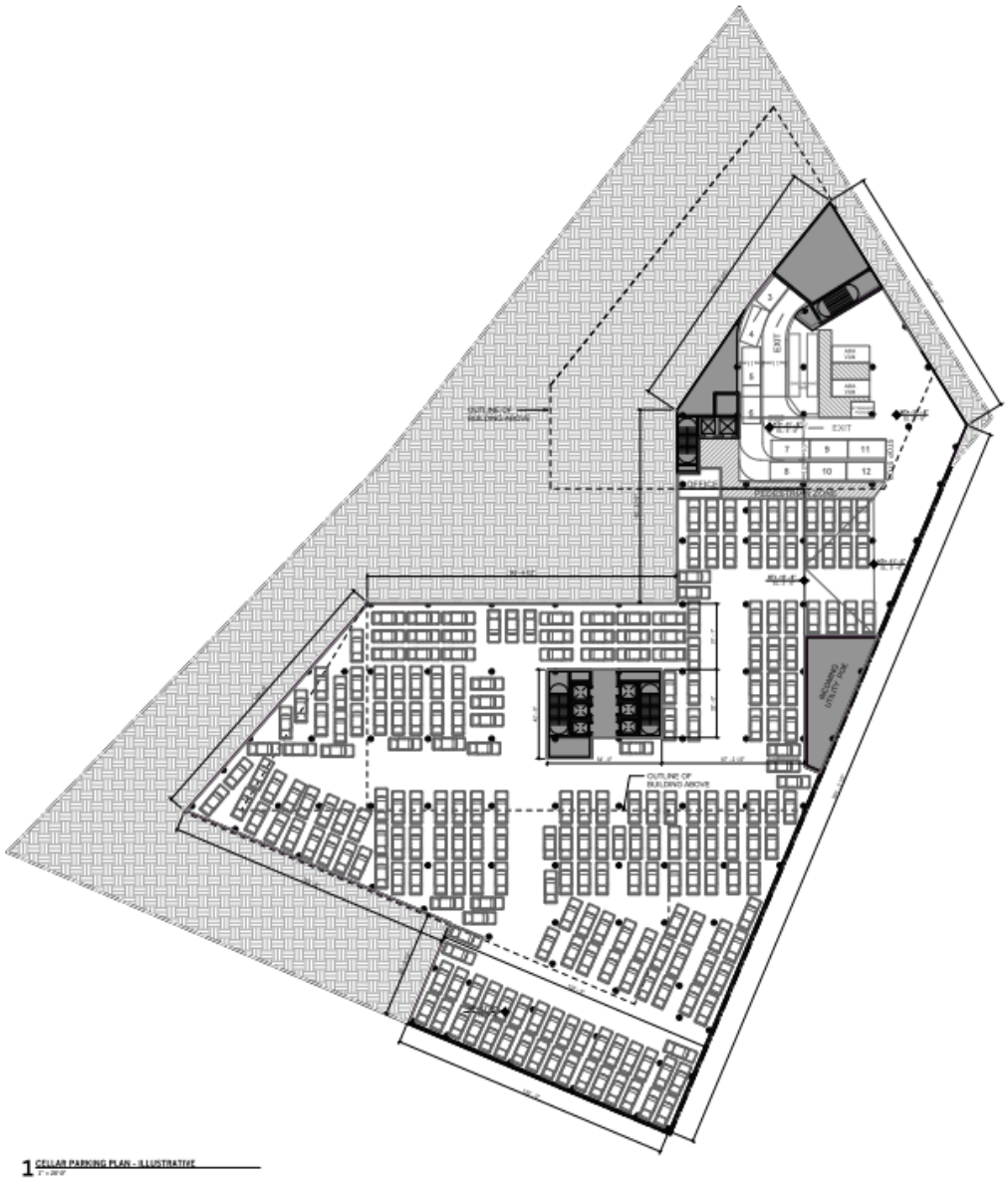

Figure 1-9
Parking Garage

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 AND REASONABLE WORST-CASE DEVELOPMENT SCENARIO (RWCDS)

The Proposed Action would change the regulatory controls governing land use and development in the Project Area. The *CEQR Technical Manual* will serve as the general guide on the methodologies and impact criteria for evaluating the Proposed Action's potential effects on the various environmental areas of analysis.

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 1-1** below.

TABLE 1-1: 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	352 feet	+278 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, and 64,567 gsf of below-grade public parking area comprising 234 spaces.

Table 1-1 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 278 feet and 19 stories taller than the No-Action building.

G. PUBLIC REVIEW PROCESS

The Proposed Action consists of three discretionary approvals comprised of a zoning map amendment, Bulk Modifications on Waterfront Block Special Permit, and Public Parking Garage Special Permit. It also includes one related ministerial action, a Waterfront Zoning Certification

by the CPC Chairperson. The Proposed Action is subject to public review under ULURP and CEQR procedures, described below.

Uniform Land Use Review Procedure (ULURP)

The City's Uniform Land Use Review Procedure (ULURP), mandated by Sections 197-c and 197-d of the City Charter, is a process specially designed to allow public review of a proposed action requiring discretionary land use approvals under the jurisdiction of the CPC at four levels: the Community Board, the Borough President and (if applicable) the Borough Board, the CPC, and the City Council. The procedure sets time limits for review at each stage to ensure a maximum total review period of approximately seven months. In the case of the Proposed Action, the proposed zoning map amendment and special permits are subject to ULURP and the waterfront zoning certification is a ministerial action not subject to ULURP but is contingent on the related UULRP actions.

The ULURP process begins with a certification by the Department of City Planning (DCP) that the land use application is complete, which includes a CEQR determination by the lead agency. The application is then forwarded to the community board, in this case Brooklyn CB 2, which has up to 60 days in which to review the proposal, hold public hearings, and adopt recommendations regarding the application. Once this step is complete, the Borough President reviews the application for up to 30 days and may elect to hold a public hearing. CPC then has 60 days to review the application, during which time a public hearing is held. CPC may approve, approve with modifications or deny the application. If the ULURP application is approved, or approved with modifications, certain types of applications, including zoning map and text amendments, are subject to a mandatory review by the City Council, while the City Council may elect to review ("call-up") other types of applications, including special permits. The City Council has 50 days to review the application and during this time hold a public hearing, through its Subcommittee on Zoning and Franchises and Land Use Committee. The Council may approve, approve with modifications or deny the application. If the Council proposes a modification to the application, the ULURP review process stops for 15 days, providing time for a CPC determination on whether the proposed modification is within the scope of the environmental review and ULURP review. If it is, then the Council may proceed with the modification; if not, then the Council may only vote on the actions as approved by the CPC. Following the Council's vote, the Mayor has five days in which to veto the Council's actions, or otherwise it is adopted. The City Council may override the mayoral veto by a two-thirds vote within 10 days.

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 23, 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, online via Zoom. 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 criteria for determining significant adverse impacts in the *CEQR Technical Manual*. The lead agency reviewed all aspects of the document, calling on other City and state agencies to participate where the agency's expertise is relevant. 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.