Special Brooklyn Navy Yard District

1. Introduction

Building 77 QALICB, Inc. (the "Applicant"), together with the New York City Department of Small Business Services as co-applicant, respectfully requests the following actions (the "Proposed Actions") with respect to Brooklyn Block 2023, Lots 1 and 150 within the Brooklyn Navy Yard located in Community District 2 in Brooklyn:

1. A zoning text amendment to create the Special Brooklyn Navy Yard District (the "Special District") with special use, bulk, parking and loading, and publicly accessible space regulations; and
2. A zoning map amendment to: (i) map the Special District over the entirety of Tax Lots 1 and 150 other than a small portion of Lot 1 located in the water and a smaller irregularly-shaped portion of Lot 1 located in the southwest corner of the Project Area (the "Project Area"); and (ii) change an R6B district, M1-2 districts and portions of an M3-1 district within the Project Area to an M2-1 district.

The Proposed Actions would introduce tailored zoning regulations to facilitate and refine the further development of a modern manufacturing campus at the Brooklyn Navy Yard (the "Yard" or "Navy Yard") by the approximately 4.6 million square feet of zoning floor area projected to occur at the Navy Yard over the next 10 to 15 years. In particular, the proposed regulations would: rationalize parking and loading controls; allow for the introduction of compatible community facility and commercial uses to complement the core industrial use of the Yard; establish public access area requirements in connection with development in certain areas at the perimeter of the Yard; address signage controls; and modify height and setback regulations in defined areas of the Yard and other bulk controls in manners compatible with modern industrial development and the surrounding context.

2. Background

The Project Area, the small portions of Tax Lot 1 not included in the Project Area, and adjacent Lot 50 form the Navy Yard, an approximately 300-acre, City-owned[1] manufacturing campus on the Brooklyn waterfront in Community District 2 that is home to over 450 businesses employing approximately 11,000 people. Tenants include businesses in industries such as entertainment and media; architecture, design, engineering, and construction; ship repair; film and television production; arts, photography, and jewelry; furniture production; plastics manufacturing and distribution; and food distribution. Yard tenants also include academic facilities with programs associated with certain of the Yard's industrial and production tenants.

The Navy Yard was established as the New York Naval Shipyard by the federal government in 1801. Over the course of its operations, more than 230 naval warships and auxiliary vessels were built at the Navy Yard. At the height of World War II, nearly 70,000 people were employed at the Navy Yard. Both shipbuilding and employment declined significantly following the end of World War II, and as a result the federal government decommissioned the Navy Yard as a shipyard in 1966 and the City took ownership of the site in 1969. New York City reopened the Yard as an industrial park managed by the nonprofit organization Commerce, Labor and Industry in the County of Kings (CLICK). The largest tenant, Seatrain Shipbuilding, laid off 3,250 workers in 1975 and closed in 1979. Mayor Koch replaced CLICK in 1981 with the Brooklyn Navy Yard Development Corporation (BNYDC). By 1989, the Yard had only approximately 2700 workers in various types of companies including ship repair, distribution, and small-scale manufacturing. Workers grew to 4,000 by 2004 and then to 6,500 by 2015 as the city invested much needed capital into the site to upgrade roads, water, and sewer infrastructure, which then led to private investments into the site by a variety of manufacturing and industrial tenants.

[1] The City of New York owns the entirety of the Brooklyn Navy Yard except for one, approximately five-acre parcel occupying a portion of Lot 150 that is owned by the federal government and occupied by the U.S. Department of Justice, Bureau of Prisons.

The Applicant is a not-for-profit corporation formed to support and benefit its sole corporate member, the Brooklyn Navy Yard Development Corporation ("BNYDC"). BNYDC is the not-for-profit real estate developer and property manager of the Navy Yard. The City of New York (the "City") has leased the Brooklyn Navy Yard to BNYDC pursuant to a 99-year ground lease, the term of which commenced in 2012. BNYDC's mission is to create and preserve quality jobs, anchor New York City's modern industrial sector and its businesses, and connect the local community with the resources and economic opportunity at the Navy Yard. BNYDC supports the City's industrial economy by providing affordable, stable rents and long-term, flexible leases to industrial tenants.

Since 1981, BNYDC has managed and developed the Navy Yard on behalf of the City. BNYDC has overseen the largest expansion of the Yard since World War II. BNYDC has invested in the rehabilitation and construction of millions of square feet of space within the Navy Yard since 2016. As a result of these efforts, employment at the Yard more than doubled over the past decade from a low of only 5,000 jobs in 2010 to 450 tenants and more than 11,000 workers today. Demand for space within the Yard is very high, as reflected in the Navy Yard's 95 percent stabilized occupancy rate. Given the limited remaining building stock requiring renovation to be put into productive use and strong demand for its space, BNYDC expects that the large majority of the Navy Yard's growth in the next decades will be through new development.

BNYDC also administers workforce development initiatives to support its tenants and connect surrounding communities to local jobs in manufacturing and creative industries. As an example, BNYDC operates the on-site Albert C. Wiltshire Employment Center, which maintains job listings, assists job-seekers in identifying positions that suit their skill sets and interests, and prepares job-seekers for interviews, benefiting both workers and employers. The employment center works to find employment for New York City Housing Authority residents, veterans, individuals who have previously been involved in the justice system, and those who have been long-term unemployed. The employment center places approximately 500 local residents in jobs both within and outside of the Navy Yard each year.

Transportation is a major focus of BNYDC. In 2015, BNYDC hired a consultant to prepare a Transportation Strategic Plan (the Transportation Plan) to improve travel to work for existing and future Yard employees. The Transportation Plan identified a series of recommendations consistent with Transportation Demand Management (TDM) strategies designed to promote mass transit access and dis-incentivize driving to the Yard. Measures identified in the Transportation Plan included: (a) upgrading the Yard shuttle system serving the subway stations with an improved vehicle fleet, more efficient and frequent service, a shuttle tracking app, and increased branding and wayfinding signage; (b) establishing improved transit connections by providing ferry connections to the Yard, creating new bus transit connections; (c) improving streetscape conditions along key corridors; (d) promoting bicycle use; (e) changing the Yard parking system through parking permit price increases; and (f) a targeted assessment of parking needs based on the Yard's existing parking supply and usage. Since the completion of the Transportation Plan, BNYDC has implemented most of the plan's recommendations, including upgrading their shuttle system, establishing shuttle stops in and out of the Yard, establishing a NYC Ferry landing in the Yard, changing the Yard's parking system, and coordinating with DOT on its Brooklyn Bus redesign project. As a result of these efforts car use went from representing 37.3% of all trips to the Navy Yard in 2015 to 22% in 2019, a 40% reduction in just 4 years. BNYDC will continue to implement its current TDM strategies and establish new strategies as necessary to accommodate its growth.

In 2018, following a 2-year planning exercise in which BNYDC engaged with design, architectural research, and resiliency consultants as well as tenant and community/local elected focus groups, BNYDC completed the Brooklyn Navy Yard Master Plan (the "Master Plan"). Based on recent growth trends at the Yard, projected demand for space, and employment goals of the Yard, the Master Plan envisioned new development in the Yard to accommodate an increase in Navy Yard employment to 30,000 employees within the next decade and a half and enhance industrial operations, while further integrating the Navy Yard into the fabric of the surrounding community by providing new publicly accessible open spaces along Yard's perimeter in connection with significant new developments and solidifying the Navy Yard's role as a national urban model for sustainable middle-class job creation. The Master Plan anticipated the development of 5.1 million gross square feet of space, prioritizing modern manufacturing

buildings that can accommodate the life cycle of growing industrial businesses through a variety of space types.[2] In particular, the Master Plan envisioned vertically integrated buildings with very large double height (up to 40 feet) "flex space" industrial floors at the base of the buildings for companies with larger scale manufacturing needs or for companies with large-scale products, more traditional industrial floor plates above the flex space floors, with supporting and creative arts office space located in the upper floors. The Master Plan also envisioned new community facility uses, such as a science and technology museum and new academic uses that would have synergies with and connections to the manufacturing uses in the Yard. In addition, the Master Plan proposed publicly accessible space at the Yard's perimeter to create a community amenity and opportunity to introduce more public-facing spaces in areas that would not conflict with the Navy Yard's primary function as a modern industrial campus. The Master Plan also contemplated the addition of limited amount of retail that showcases Yard products and ties into sectors operating in the Yard and other uses such as gyms compatible with the Yard's core mission, to support the needs of the Yard's tenant and to provide a connection to the surrounding neighborhoods. The Master Plan also envisioned signage on the new buildings of a scale compatible with the Master Plan buildings.

The Navy Yard has sufficient land and available floor area to implement the Master Plan and, in the absence of the Proposed Actions, development in the Navy Yard would continue to occur on an as-of-right basis in similar amounts and densities as would occur with the Proposed Actions. That said, there are a number of zoning controls that exist today that are not consistent with certain of the Yard's goals, including the goals for publicly accessible open space, eliminating incentives for parking and unnecessary loading, introducing complementary uses to the core industrial functions, and signage.

Prior Land Use Actions: Brooklyn Navy Yard

The City Planning Commission (the "CPC") and the Deputy Mayor for Housing and Economic Development (the "Deputy Mayor") have approved various land use actions to advance the development of the Brooklyn Navy Yard.

In 1971, the CPC approved an Urban Renewal Plan for the Brooklyn Navy Yard Industrial Development Area (CP-21588[3]) affecting Lot 1 within the Project Area. The goal of the Urban Renewal Plan was to bring new industry and jobs into the City's economy by creating a modern industrial district. The Urban Renewal Plan expired in 2011 and is no longer applicable to the Yard.

In 1985, the CPC approved a site selection and acquisition action, City Map amendment, and zoning map amendment (C 850570 PSK, C 850571 MMK, and C 850572 ZMK, respectively) to facilitate the development of a New York City Department of Sanitation facility on the east side of the Navy Yard. These actions established the location of the New York City Pierhead Line in Wallabout Channel, allowing land located seaward of the U.S. Pierhead and Bulkhead Line to be mapped within a zoning district and developed. The Department of Sanitation facility was never constructed.

In 1990, the CPC approved the acquisition of a lease by the New York City Fire Department ("NYFD") of a portion of Building 292 and Pier G in the Yard (Brooklyn Block 2023, part of Lot 1) for the relocation of the NYFD Marine Unit Facility (C 900315 PCK). The lease term was five years with the option to renew for five years. The NYFD intended to lease a 19,000 square foot portion of the first two floors of Building 292, to be used for offices, living quarters and the Marine Repair Shop, and a 1,600 square foot strip along Pier G, to be used for docking fireboats.

In 1997, the CPC approved the disposition of an easement on Brooklyn Block 2023 Lots 100 and 125, owned by the Department of Environmental Protection and commonly known as the Red Hook Water Pollution Control Plant ("RHWPCP"), in favor of BNYDC (C 950442 PPK). Subsequently, the BNYDC would convey the easement to Brooklyn Navy Yard Cogeneration

[2] The projected 5.1 million gross square feet includes approximately 500,000 gross square feet of parking area. The Environmental Assessment Statement for the Proposed Actions analyzes approximately 4.6 million gross square feet of non-parking development.

[3] Cal. No. 27, April 28, 1971

Partners, L.P. ("BNYCP") for the purpose of supplying thermal energy interconnection and electrical interconnection between BNYCP and the Con Edison Hudson Avenue Station located immediately adjacent to RHWPCP.

In 1998, the CPC approved a rezoning of an approximately 36,500-square-foot portion of Lot 1 within the Navy Yard from an M1-2 district to an R6B district as part of the eight-block Vinegar Hill Rezoning (C 980067 ZMK). This rezoning was intended to bring existing non-conforming residential uses outside of the Navy Yard's perimeter into conformance with zoning regulations, but also mapped a small portion of the industrial Navy Yard within a residential district in which manufacturing and commercial uses are prohibited making the uses in that area nonconforming.[4]

In 2005, the CPC approved the acquisition of Admiral's Row (Block 2023, part of Lot 150) by the Department of Citywide Administrative Services and the Department of Small Business Services as well as the subsequent disposition of Admiral's Row and the Naval Station Annex (Block 2023, Lot 150) to BNYDC (C 050463 PQK and C 050464 PPK). The disposition was intended to consolidate the two properties into the same management structure employed for the entire Navy Yard and to allow BNYDC to manage their future development.

In 2011, the CPC approved the disposition of Brooklyn Block 2023 Lots 1 and 150, for which BNYDC held 99-year leases at the time, to be combined under one master lease and extended to 99 years from the date of approval (C 110169 PPK). This long-term master lease was intended to increase certainty for private lenders and thereby facilitate planned development for the Yard.

In 2011, the CPC approved a rezoning of Brooklyn Block 2023, Lot 50 and a small part of Lot 1 from an M1-2 district to an M1-4 district and a series of related special permits and other actions to facilitate an approximately 287,000-square-foot mixed-use industrial and commercial development on the approximately six-acre project site within the Navy Yard near the intersection of Navy Street and Nassau Street/Flushing Avenue. These actions (collectively known as Admirals Row Plaza) consisted of:

- C 110375 ZSK: a CPC special permit pursuant to Section 74-743(a) of the Zoning Resolution of the City of New York (the "Zoning Resolution" or "ZR") to waive rear yard requirements in a large-scale general development (a "LSGD");
- C 110376 ZSK: a CPC special permit pursuant to ZR Section 74-744 to allow signage that exceeds the permitted height and surface area in a LSGD;
- C 110377 ZSK: a CPC special permit pursuant to ZR Section 74-53 to allow an accessory group parking facility that exceeds 225 spaces;
- C 110378 ZSK: a CPC special permit pursuant to ZR Section 74-922 to allow retail establishments exceeding 10,000 square feet in an M1 district;
- N 110379 ZCK: a Chair certification pursuant to ZR Section 62-811 that the project site is exempt from waterfront public access area and visual corridor requirements;
- C 110380 PQK: approval for City acquisition of the project site from the federal government;
- C 110381 PPK: approval for disposition of the project site from the City to the BNYDC;
- C 110382 ZMK: a rezoning of the project site from an M1-2 district to an M1-4 district, allowing for a reduction in required parking spaces; and
- N 110383 ZRK: a zoning text amendment to Section 74-742 to make the project site eligible for special permits for LSGDs.

More recently, the Deputy Mayor has approved four overrides of the Zoning Resolution at the Brooklyn Navy Yard.

[4] The CPC report for this zoning map amendment noted that the Vinegar Hill Rezoning would make the Commandant's House – a privately-owned property characterized as being located within the Navy Yard) – a conforming use. However, the Commandant's House is not part of the Navy Yard and is not directly affected by the Proposed Actions.

- In 2013, the Deputy Mayor approved an override of ZR Section 42-12 to permit approximately 70,000 square feet of Use Group 3A "colleges and universities" use at 25 Washington Street in an M3-1 district in the southeast corner of the Yard near Flushing Avenue, where such use is prohibited. The zoning override facilitated the establishment of the Brooklyn College Barry R. Feirstein Graduate School of Cinema within the Steiner Studios Media Campus at the Navy Yard centered along Washington Street, promoting synergies between media-focused college and university programs and film-related industrial uses, as described further in Section 4 below.
- In 2015, the Deputy Mayor granted a request to override ZR Section 44-21 to reduce accessory parking requirements from 1,849 spaces to 379 spaces for an approximately 555,000-square-foot commercial office building located along the waterfront in the middle of the Yard, known as Dock 72, to align the development of new parking spaces with maximum anticipated parking demand. To date, parking demand associated with Dock 72 has been significantly lower than the 379 spaces provided in connection with this override, with an average occupancy of 40 vehicles, with a third of the building leased.
- In 2017, the Deputy Mayor granted a request to override ZR Section 42-533 to increase the total surface area of an illuminated sign permitted in an M3-1 district from 500 square feet to 675-square-feet at Building 77 to enable a sign that is appropriate and proportional to the scale of the 18-story, nearly one-million-square-foot building. The 675-foot backlit sign that displays the words "Brooklyn Navy Yard" is situated on the Building 77 Flushing Avenue frontage between Clermont and Vanderbilt Avenues, is within 40 feet above curb level and is illuminated from dusk to dawn.
- In 2018, the Deputy Mayor granted a request to override ZR Section 42-12 to facilitate the establishment of an approximately 62,000-square-foot Use Group 3A school at Building 77 located at the southern boundary of the Navy Yard at 141 Flushing Avenue in an M3-1 district, where such use is prohibited. The zoning override facilitated the establishment of the Brooklyn STEAM Center, an innovative career and technical education program that prepares 11th and 12th grade high school students from eight local public high schools to thrive in the fields of Science, Technology, Engineering, Arts & Math. Students receive hands-on industry exposure to Navy Yard tenants, many of whom provide instruction at the school.[5]

While these zoning overrides have addressed zoning impediments to implementing BNYDC's vision for the Navy Yard on a case-by-case basis, a more comprehensive approach is needed to ensure that the zoning regulations for the Navy Yard are aligned with the City's land use and public policy goals for the Navy Yard, including the City's goal of maintaining the Navy Yard as a vibrant center for modern industrial and mixed commercial and industrial development.

Prior Land Use Actions: Surrounding Area

Given the large size of the Project Area, the area within a 600-foot radius of the Project Area (the "Surrounding Area") has been subject to numerous land use actions over the past decades. The vast majority of these land use actions have rezoned manufacturing districts to residential districts:

- In 1981, the CPC approved several actions, including a rezoning from an M1-2 district to an R6 district, to facilitate the development of approximately 108 housing units on the block bounded by Kent Avenue, Ross Street, Wythe Avenue, and Keap Street (C 801019 MMK, C 820001 HUK, C 820002 HDK, and C 820003 ZMK), within the Williamsburg Urban Renewal Area.
- In 1984, the CPC approved several actions, including a rezoning from an M1-2 district to an R6 district, to facilitate the development of approximately 140 housing units on the blocks bounded by Kent Avenue, Clymer Street, Wythe Avenue, and Ross Street (C 830877 MMK, C 840123 HUK, C 840124 HDK, and C 840125 ZMK), within the Williamsburg Urban Renewal Area.
- In 1986, the CPC approved a rezoning of property bounded by Plymouth Street, Little Street, Evans Street, Hudson Avenue, Water Street, and a line 100 feet west of Hudson Avenue from an M3-1 district to an M1-2 district (C 850113 ZMK, also known as the

[5] STEAM currently utilizes approximately 31,000 square feet of the approved space.

Fulton Ferry Neighborhood Rezoning). The rezoning area also included several blocks in DUMBO, beyond the Surrounding Area, where a related zoning text amendment grandfathered non-conforming loft dwelling units (N 850114 ZRK).

- In addition to the Project Area, the 1998 Vinegar Hill Rezoning referenced above (C 980067 ZMK) affected the Surrounding Area, rezoning an M3-1 district to an M1-2 district and M1-2 districts to R6A, R6B, and R6A/C2-4 districts.
- In 1999, the CPC approved several actions, including a rezoning from an M1-2 district to R6 and R7X districts, to facilitate housing development along the east side of Kent Avenue approximately between South 11th Street and Clymer Avenue (C 990092 ZMK, N 990107 HGK, and C 990108 HUK, also known as the Kent Avenue Rezoning and Williamsburg I Urban Renewal Plan Amendments).
- In 2001, the CPC approved a rezoning of 15 blocks, including the block bounded by Penn Street, Wythe Avenue, Rutledge Street, and Kent Avenue (a portion of which is located in the Surrounding Area), changing M1-2 and M3-1 districts to R7-1 and M1-1 and M1-2 districts to M1-2/R7-1 (MX) districts to create new opportunities for residential development (C 000109 ZMK and N 000110 ZRK, also known as the Flushing/Bedford Rezoning).
- In 2002, the CPC approved a rezoning from an M3-1 district to an R7A district to facilitate housing development on the block bounded by Kent Avenue, South 8th Street, Wythe Avenue, and South 11th Street, a portion of which is in the Surrounding Area (C 000087 ZMK, also known as the Domsey and Glantz Sites Rezoning).
- In 2009, the CPC approved several actions, including a rezoning from an M1-2 district to an R8/C2-4 district, to facilitate a mixed-use development known as Navy Green directly across from the Navy Yard on Flushing Avenue between Clermont and Vanderbilt Avenues (C 090444 ZMK, C 090445 ZSK, and C 090446 HAK, also known as the Navy Green Rezoning).
- In 2010, the CPC approved several actions, including a rezoning from an M3-1 district to R7-3 and R7-3/C2-4 districts, to facilitate an approximately 800-unit mixed-use development on the East River waterfront north of Division Avenue (C 080339 ZMK, C 080340 ZSK, N 080341 ZRK, N 080342 ZCK, and N 100056 ZRK, also known as Rose Plaza on the River).
- In 2018, the CPC approved a rezoning of an M1-2 district to an R7D/C2-4 district on the southern portion of the block bounded by Flushing, Vanderbilt, Park, and Clermont Avenues (C 170164 ZMK, N 170165 ZRK, also known as the 205 Park Avenue Rezoning). The rezoning area is mapped with a Mandatory Inclusionary Housing area permitting Option 1 and the Deep Affordability Option.

Additionally, the Department of City Planning's Zoning Application Portal indicates that there is a pending application for a zoning map amendment, special permits, an authorization, and a Chair certification with respect to the property immediately north of the Project Area on Kent Avenue (also known as the 500 Kent Avenue Rezoning). This application is discussed further in Section 3 below.

3. Description of the Surrounding Area

The Surrounding Area includes the neighborhoods of Vinegar Hill to the west, Fort Greene, Clinton Hill, and Wallabout to the south (all within Community District 2) and the Williamsburg neighborhood to the east (within Community District 1). The Surrounding Area is located between the Williamsburg and Manhattan Bridges, which provide connections to Manhattan by car, bike, and foot. The Brooklyn Queens Expressway, an arterial highway elevated approximately 30 feet above grade with a width of 160 feet that connects to Queens and south Brooklyn runs along the southern edge of the Surrounding Area from approximately Gold Street to Ryerson Street, then heads northeast before exiting the Surrounding Area near Wythe Avenue. The Surrounding Area offers several mass transit options. The B57, B62, B67, and B69 bus routes have stops within the Surrounding Area. These bus routes, together with the Navy Yard's shuttle service, provide connections to multiple subway stations located beyond the Surrounding Area such as the York Street subway station serving the F subway line, High Street subway station serving the A/C subway lines, the Clinton Washington subway station serving the G line, and Atlantic

Terminal/Atlantic Avenue-Barclays Center railroad and subway station serving the Long Island Rail Road and 2/3/4/5/B/D/N/Q/R subway lines, as well as numerous other subway stations. The NYC Ferry Astoria Route stops near the center of the Project Area and provides access to Lower Manhattan, Western Queens, Roosevelt Island, and the Upper East Side. There are also approximately six Citi Bike stations within the Surrounding Area.

Land Use and the Built Environment

The Surrounding Area includes a varied mix of land uses and built forms.

To the northwest of the Project Area in the area roughly bounded by the East River, Eastway Street, Hudson Street, West Street and Shipsway Avenue are various one to five-story industrial uses including the Red Hook Water Pollution Control Plant and Con Edison facilities.

The Vinegar Hill neighborhood to the west of the Project Area is predominantly residential with some community facility, commercial, and industrial uses interspersed with the residential use. To the west of the Project Area south of York Street are the New York City Housing Authority's Farragut Houses, a complex of ten 14-story residential buildings on the blocks bounded by Navy Street, Nassau Street, Gold Street, Sands Street, Bridge Street, and York Street (some of which are beyond the Surrounding Area). To the north of Farragut Houses on the block bounded by Navy Street/Hudson Avenue, York Street, Gold Street, and Front Street is the P.S. 307 Daniel Hale Williams School (a three-story elementary school), multi-family residential buildings, the Vinegar Hill Community Garden, and a two-story commercial building. Further north, on both sides of Hudson Avenue between Front Street and Plymouth Street, is a mix of residential and industrial buildings ranging from one to seven stories.

To the south of the Project Area between Flushing Avenue and Park Avenue in the Wallabout neighborhood, the Surrounding Area features a mix of residential, commercial, and industrial buildings, including self-storage facilities. Most of these buildings range from one to seven stories. However, 12 and 13-story residential buildings exist on the blocks between (i) North Elliott Place and North Portland Avenue and (ii) Clermont and Vanderbilt Avenues, which includes the Navy Green development discussed in Section 2 above. The block between North Portland Place and North Oxford Street includes a four-story school that houses the Dr. Susan S. McKinney Secondary School of the Arts (a middle school and high school) and Success Academy Fort Greene (an elementary school).

Adjacent to the Project Area, at its southwest corner is Admirals Row Plaza located at the northeast intersection of Navy Street and Flushing Avenue. The approximately 287,000 square foot development is made up of 5 buildings, along the Navy Street and Flushing Avenue street frontages with a 295-space surface parking lot on the interior of the site. Buildings include two 2-story commercial buildings, a 5-story building with a ground floor Wegmans supermarket and 4 floors of industrial space above, a one-story commercial building (reconstruction of the former U.S. Navy-built Timber Shed) and a 3-story renovated former admiral's house.

To the east of the Project Area, the Surrounding Area has a predominantly residential character. On the blocks bounded by Kent Avenue, Division Avenue, Wythe Avenue, and Keap Street, residential buildings range from two to four stories, except that the block bounded by Kent Avenue, Rush Street, Wythe Avenue, and Morton Street contains eight and nine-story residential buildings. Further east within the Surrounding Area, beyond Wythe Avenue, residential buildings increase in height to six to 25 stories. The southeast portion of the Surrounding Area near the intersection of Kent Avenue and Williamsburg Street West features industrial and community facility uses in buildings ranging from one to five stories.

To the northeast of the Project Area on the west side of Kent Avenue is a vacant waterfront parcel known as 500 Kent Avenue. As noted above, there is a pending application for a rezoning from an M3-1 district to an M1-5 district; special permits to modify bulk regulations and allow a public parking garage; an authorization to modify waterfront public space requirements; and a Chair certification regarding compliance with waterfront public space requirements, as modified. If approved, these actions would facilitate the development of an approximately 23-story, 576,000-

square-foot, 350-foot tall commercial building with office and retail uses.[6] Further north is a parcel known as 470 Kent Avenue, which is improved with two three-story industrial buildings but is expected to be redeveloped in the near future with a mixed-use development.

Notable commercial developments in the Surrounding Area include Admirals Row Plaza (described in Section 2 above), which includes a supermarket of over 70,000 square feet, and 47 Hall Street, which is located south of the Project Area on the block bounded by Flushing Avenue, Ryerson Street, Park Avenue, and Hall Street. 47 Hall Street involves the adaptive reuse and conversion of 10 formerly industrial buildings to offices and ground-floor retail space.

Zoning

The Surrounding Area features a variety of underlying manufacturing and residential zoning districts.

A significant portion of the Surrounding Area to the west, south, and southeast of the Project Area is mapped within an M1-2 district. M1-2 districts allow for a floor area ratio ("FAR") of up to 2.0 for manufacturing and commercial uses, and 4.8 for a limited number of permitted community facility uses; no floor area bonuses are available. To the southwest of the Project Area is an M1-4 district, which also allows for an FAR of up to 2.0 for manufacturing and commercial uses, except that the maximum FAR for community facility uses is 6.5. No floor area bonuses are available. There are also M3-1 districts located to the northwest and northeast of the Project Area. M3-1 districts allow for a maximum FAR of 2.0 for manufacturing and commercial uses; no floor area bonuses are available.

M1 and M3 districts permit a wide range of light and heavy manufacturing uses, commercial uses, and local retail uses. Heavier manufacturing uses listed in Use Group 18 are restricted to M3 districts unless they comply with the performance standards of M1 districts, in which case they are also allowed in M1 districts.[7] Residential use is prohibited in M1 and M3 districts. In M1 districts, the only community facility uses allowed as-of-right are outpatient health care facilities, houses of worship, and certain museums affiliated with motion picture, radio, or television studios; in M3 districts, the only permitted community facility use is certain museums affiliated with motion picture, radio, or television studios. A variety of commercial uses are allowed in both M1 and M3 districts including office space, eating and drinking establishments, and retail, with M1 districts allowing for a somewhat broader range of retail uses. Most larger retail establishments (those in excess of 10,000 square feet) are not allowed in M3 districts and are only allowed in M1 districts by CPC special permit. Hotel use is not allowed in M3 districts, and is only allowed in M1 districts by CPC special permit.

Buildings in M1-2, M1-4, and M3-1 districts are subject to height and setback regulations that permit a maximum front wall height of the lesser of 60 feet or four stories within an initial setback distance. Beyond the initial setback distance of 15 feet from a wide street or 20 feet from a narrow street, the building envelope is controlled by a sky exposure plane with a vertical height of 5.6 feet for every foot of horizontal run on wide streets and a vertical height of 2.7 feet for every foot of horizontal run on narrow streets.[8]

While parking is not required in M1-4 districts for most uses, M3-1 and M1-2 districts impose substantial parking requirements. Manufacturing and industrial uses require one parking spaces per 1,000 square feet of floor area or one parking space per three employees (whichever will require a greater number of spaces). Storage uses require one parking spaces per 2,000 square feet of floor area or one parking space per three employees (whichever will require fewer spaces). Office and most retail and service uses require one parking space per 300 square feet of floor area, although food establishments greater than 2,000 square feet each require one parking space per 200 square feet of floor area. Certain permitted uses like meeting halls, photographic or motion picture production studios, and radio or television studios require parking at a rate of one space per 8 persons rated capacity. Loading requirements are also substantial in M1-2, M1-4 and M3-1

[6] Draft Scope of Work for 500 Kent Avenue dated Feb. 17, 2021 (CEQR No. 21DCP139K).

[7] Use Group 18 uses are allowed in M2 districts if the M2 performance standards are adhered to.

[8] ZR Section 43-43. Optional alternate height and setback rules permitting a steeper sky exposure plane are applicable to zoning lots that provide an open area of 10 feet along wide streets or 15 feet along narrow streets along the full length of a zoning lot's front lot line. See ZR Section 43-44.

zones with manufacturing uses requiring 1 loading berth for every 8,001 and 25,000 sf of floor area, a second berth for the next 20,000 sf of floor area, and another berth for each additional 80,000 sf or portion thereof. Commercial office requires one loading berth for between 25,001 and 100,000 sf of office space, a second loading berth for the next 1 to 200,000 square feet of office space, and another loading berth for every additional 300,000 sf or fraction thereof thereafter.

Other zoning districts in the Surrounding Area include the following medium-density residential districts:

- R6: R6 districts are mapped to the west, south, and east of the Project Area. R6 districts establish an FAR of up to 2.43 for residential uses (3.0 for residential uses developed pursuant to Quality Housing regulations within 100 feet of a wide street) and 4.8 for most community facility uses. Manufacturing and commercial uses are prohibited.
- R6A and R6A/C2-4: An R6A district is mapped to the west of the Project Area between York and Front Streets. R6A districts establish an FAR of 3.00 for residential and community facility uses. Manufacturing and commercial uses are prohibited; however, within the C2-4 commercial overlay mapped to a depth of 100 feet from York Street, up to 2.0 FAR of commercial uses are permitted. In a building that contains residential or community facility uses on its upper stories, commercial uses must be located below the second story.
- R6B: An R6B district is mapped to the northwest of the Project Area. R6B districts establish an FAR of 2.0 for residential and community facility uses. Manufacturing and commercial uses are prohibited. R6B districts require buildings to be developed pursuant to contextual height and setback regulations permitting a maximum building height of 50 feet, or 55 feet for buildings with a qualifying ground floor outside of the Manhattan Core.
- R8/C2-4: An R8/C2-4 district is mapped immediately to the south of the Project Area between Clermont and Vanderbilt Avenues. R8/C2-4 districts establish an FAR of up to 6.02 for residential uses (7.2 for residential uses developed pursuant to Quality Housing regulations within 100 feet of a wide street), 6.5 for most community facility uses, and 2.0 for commercial uses. In a building that contains residential or community facility uses on its upper stories, commercial uses must be located below the second story. Manufacturing uses are prohibited.
- R7D/C2-4: An R7D/C2-4 district within a Mandatory Inclusionary Housing area is mapped immediately to the south of the R8/C2-4 district described above. This district permits a residential FAR of 5.6, a community facility FAR of 4.2 (for most community facility uses), and a commercial FAR of 2.0. In a building that contains residential or community facility uses on its upper stories, commercial uses must be located below the second story.
- R7X: An R7X district is mapped to the east of the Project Area between Division Avenue and Clymer Street. R7X districts establish an FAR of 5.0 for residential and community facility uses. Manufacturing and commercial uses are prohibited.
- R7-1: To the east of the above-referenced R7X district is an R7-1 district, which establishes an FAR of up to 3.44 for residential uses (4.0 for residential uses developed pursuant to Quality Housing regulations within 100 feet of a wide street) and 4.8 for most community facility uses. Manufacturing and commercial uses are prohibited.
- R7-3 and R7-3/C2-4: R7-3 and R7-3/C2-4 districts within an Inclusionary Housing designated area are mapped to the northeast of the Project Area. The R7-3 district establishes an FAR of 3.75 for residential uses without affordable housing and 5.0 if affordable housing is provided in accordance with the Inclusionary Housing Program. Community facility uses are allowed up to an FAR of 5.0. Within the C2-4 commercial overlay mapped to a depth of 100 feet from Division and Kent Avenues, up to 2.0 FAR of commercial uses are permitted. In a building that contains residential or community facility uses on its upper stories, commercial uses must be located below the second story. Manufacturing uses are prohibited.

Small portions of the Surrounding Area are located in the flood zone, as defined in the Zoning Resolution, and subject to the regulations of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas). These areas are located to the northwest of the Project Area

along the East River; to the southwest of the Project Area at Admirals Row Plaza and small areas south of Nassau Street/Flushing Avenue; to the southeast of the Project Area extending east of the Brooklyn Queens Expressway; to the east of the Project Area along Kent Avenue; and to the northeast of the Project Area along the East River. Additionally, most of the Surrounding Area is mapped within a FRESH zone that offers discretionary tax incentives to encourage the development and retention of neighborhood grocery stores providing fresh food options. Finally, the Red Hook Water Pollution Control Plant and the 500 Kent Avenue development site within the Surrounding Area are mapped within Zoning Resolution Appendix J Brooklyn Navy Yard Subarea 2 (most of which is occupied by the Navy Yard itself), where self-service storage facilities require a CPC special permit.

Other Land Use Policies

Small portions of the Surrounding Area are located within the Brooklyn Navy Yard Industrial Business Zone (the "IBZ"), most of which is occupied by the Navy Yard itself. Within the Surrounding Area, the IBZ includes Admirals Row Plaza, the Red Hook Water Pollution Control Plant, and the 500 Kent Avenue development site. The City has committed to maintain designated IBZs as predominantly manufacturing areas and not support rezonings permitting residential uses.

Small portions of the Surrounding Area are also located within a Significant Maritime and Industrial Area (a "SMIA"), one of six shoreline areas in New York City with clusters of maritime-related facilities and infrastructure, as well as industrial businesses that rely on the nearby nexus of maritime activity. Discretionary land use actions in SMIAs are subject to New York City Waterfront Revitalization Program review, which evaluates whether a project or land use action in a SMIA would support water-dependent and industrial uses. Again, most of the Brooklyn Navy Yard SMIA is occupied by the Navy Yard itself, but the SMIA also includes the 500 Kent Avenue development site, Red Hook Water Pollution Control Plant, and a portion of the Con Edison facilities located to the northwest of the Project Area.

Historic Resources

The Surrounding Area features two historic resources. Adjacent to the Project Area on Navy Street/Hudson Avenue is the Commandant's House (LP-0002), a two-story Federal-style house built circa 1806 for the chief officer of the Brooklyn Navy Yard. To the west is the Vinegar Hill Historic District (LP-1952), which is characterized by early and mid-nineteenth-century houses, a mid-nineteenth-century firehouse, and an early twentieth-century industrial building.

Open Space

Nearby parks include Commodore Barry Park (10.39 acres), Oxport Playground (1.03 acres), and Steuben Playground (1.17 acres) on Flushing Avenue to the south of the Project Area; Classon Playground (2.98 acres) and Penn Triangle (0.18 acres) to the southeast and east of the Project Area; and Jacob's Ladder Playground (1.08 acres) and Roberto Clemente Ballfield (1.93 acres) on Kent Avenue to the northeast of the Project Area. Finally, the Brooklyn Waterfront Greenway, a 26-mile protected and landscaped route for pedestrians and cyclists connecting the borough's waterfront neighborhoods from Greenpoint to Howard Beach, runs through the Surrounding Area.

4. Description of the Project Area

The Project Area is bounded by Navy Street (a wide street with a width of 80 feet) to the west, Wallabout Channel and the Navy Yard Basin of the East River to the north, Kent Avenue (a wide street with a width of 87 to 90 feet) to the northeast, Williamsburg Street West (a narrow street with a width of 46 feet) to the southeast, and Flushing Avenue (a narrow street with a width of 70 feet) to the south. The Project Area encompasses the entirety of Brooklyn Block 2023, Lot 1 with the exception of two small areas and all of Lot 150, which together have an area of approximately 300 acres including 11,848,929 square feet landward of the U.S. bulkhead line and 182,097 square feet of area between the U.S. Bulkhead Line and the New York City Pierhead Line. The portions of Lot 1 excluded from the Project Area boundary include an irregular-shaped triangular area in the water at the northwest edge of Lot 1 and a small portion at

the southwest corner of Lot 1 adjacent to the jagged northern edge of Lot 50 (aka Admirals Row).

Most of the Project Area is mapped within an M3-1 district, with small portions zoned M1-2 and even smaller portions zoned M1-4 and R6B. The western portion of the Navy Yard along Navy Street is mapped within an M1-2 district. An approximately 16,000-square-foot portion of an M1-4 district is located within the Project Area along its boundary with Lot 50. An approximately 36,500-square-foot area along the western edge of the Project Area is mapped within an R6B district. The R6B district is improved with vegetation, surface parking and fencing. Overall, approximately 24 million square feet of commercial and manufacturing development is permitted under zoning at the Navy Yard today. A description of these zoning districts is set forth in Section 3.

The Project Area is currently improved with approximately 6.3 million square feet of industrial, commercial, and institutional floor area (approximately 0.5 FAR) across over approximately 80 buildings organized around a private street network on an irregular grid. The majority of this floor area (approximately 4.7 million square feet) consists of renovated Navy-built structures, while approximately 1.6 million square feet consists of newly-constructed buildings. The predominant land use within the Project Area is manufacturing or industrial use. It is estimated that there is approximately 5,550,000 square feet of manufacturing/industrial floor area, 660,000 square feet of commercial floor area, and 155,000 square feet of institutional floor area today. Industrial and manufacturing tenants represent a wide variety of industries; examples of tenants include Fullstack Modular (modular construction), Crye Precision (apparel and tactical gear), Ferra Designs (metal fabrication), Agger Fish Corp. (food packing and distribution), Duggal (printing), Kings County Distillery and Daedalus Design & Production Inc. (scenery fabrication).

The Yard has an active waterfront with a number of tenants operating water dependent uses. Uses include ship repair and maintenance at numerous bulkheads and the Yard's four 70-foot deep dry docks; cement production and delivery; aggregate delivery; a ferry homeport for docking and maintenance services, and supplemental fuel storage on a vessel docked in a wet berth. Notable tenants include Lehigh Cement Company, New York Sand & Stone, GMD Shipyard Corp., which is the largest dry dock facility in New York City, and Brooklyn Navy Yard Cogeneration Facility. Additional industrial users are located throughout the Yard.

Commercial tenants within the Yard include architecture, art, and design studios, co-working offices, and media production studios like Steiner Studios, discussed below. There are also technology innovation companies in the fields of robotics, artificial intelligence, smart infrastructure and urban technologies that often use the Yard as a living laboratory to test their prototypes on their path towards small-scale manufacturing.

In addition to industrial and commercial uses, within the Project Area are existing high school and university facilities that have synergies with the other uses in the Navy Yard. The approximately 68,000 square foot Brooklyn College Barry R. Feirstein Graduate School of Cinema (UG 3A) within the Steiner Studios Media Campus offers instruction in a variety of filmmaking disciplines. Its co-location with Steiner Studios enables students to get hands-on experience in filmmaking and connect with employment opportunities, while giving practitioners access to academic research and technological advances. This is the only graduate film school operating on a studio lot in the country, providing CUNY students with unparalleled access to their chosen field. Similarly, the approximately 31,000 square foot Brooklyn STEAM Center (UG 3A), located on the third floor of Building 77, provides career and technical education for 300 11th and 12th grade high school students, who receive hands-on industry exposure to Navy Yard tenants, many of whom provide instruction at the school. The STEAM Center creates a pathway for local students to obtain middle-class jobs in industries located at the Navy Yard and provides Navy Yard tenants with a pipeline of skilled workers. New York City College of Technology (City Tech) has utilized a small area (approximately 1,000 sf) at the Navy Yard since 2012 for hands-on training in solar photovoltaics for certifications in renewable energy supported by the New York State Energy Research and Development Authority (NYSERDA). Professionals who receive the certifications offered by City Tech include, but are not limited to: roofers, electricians, developers, and technicians in IT and technology; City Tech works directly with the Navy Yard's Albert C. Wiltshire Employment Center to identify employment opportunities with manufacturers at the

Yard. Additionally, New York University Tandon School of Engineering operates RLab, a research center for virtual and augmented reality.

Most Navy Yard buildings are one to three stories, although there are a number of buildings ranging from six to 18 stories.

Approximately 50 acres of the Navy Yard located in the southeastern portion of the Navy Yard is sub-leased to Steiner Studios, the largest film studio in the United States outside of Hollywood. Steiner Studios operates 21 soundstages as well as related support spaces at the Navy Yard. Expansion of the film studio is currently underway on the adjacent approximately 20-acre Naval Annex, where new utilities are being installed and a majority of the existing buildings will be rehabilitated for studio-related uses. The New York Police Department operates a tow pound on Navy Street north of Sands Street, including an approximately 11,000-square-foot processing center for people retrieving their cars from the tow pound. Along Flushing Avenue between Clinton and Washington Avenues, the federal government owns an approximately five-acre parcel that is used by the U.S. Department of Justice, Bureau of Prisons for storage of bulk materials for federal prisons. The remainder of the Project Area is developed with a variety of buildings including a number of buildings recently constructed or renovated in recent years:

- Dock 72: A recently constructed (2018) 16-story office building on the waterfront in the center of the Yard with a maritime-inspired design and expansive views of the Brooklyn and the Manhattan skylines.
- Building 77: A formerly windowless, 18-story industrial building located along Flushing Avenue that was recently renovated in 2018 for industrial and commercial tenants, including ground floor food-related uses that are open to the public. A Mayoral Override was obtained to permit a 675-square foot back lit sign, described in more detail in the land use section above.
- Building 92: A four-story historic 1857 brick building on Flushing Avenue between Adelphi Street and Carlton Avenue with a contemporary addition completed in 2011, which houses a visitor center with a permanent exhibit on the history of the Yard and its transformation from a military facility to a manufacturing center as well as the Albert C. Wiltshire Employment Center.
- Building 128 Complex/Green Manufacturing Center: A nineteenth-century, large floor plate former ship manufacturing building of one-story (plus a mezzanine) located within the Yard near Flushing Avenue and Cumberland Street that was rehabilitated in 2015 for manufacturing use.

There are existing uses and occupied buildings within each area of the Yard anticipated to experience new development. The Navy Street frontage near York Street is currently occupied by a small building for the Department of Citywide Administrative Services, an NYPD Tow Pound administrative building and a large surface parking lot for towed vehicles. The portion of the Yard along Flushing Avenue generally between Vanderbilt and Washington contains Building 120. A 36,000 square foot 2-story building that houses multiple Navy Yard tenants, a 60,000 square foot one-story federal warehouse facility for the Department of Justice that stores supplies for federal prisons and an underutilized surface parking lot associated with the DOJ warehouse. The area around the Barge Basin contains two one-story buildings totaling approximately 25,000 square feet currently used by Steiner Studios for set construction and storage. The remainder of this area is used for truck parking and laydown/storage for the modular construction tenant in adjacent Building 293.

The perimeter of the Project Area is protected by wrought-iron and metal gates, brick, chain-link fences, and building facades. The Navy Yard is accessible via four security-controlled vehicular gates at (i) Navy and Sands Streets, (ii) Flushing and Cumberland Avenues, (iii) Flushing and Clinton Avenues, and (iv) Clymer Street and Kent Avenue. Two additional vehicular gates at (i) Flushing and Washington Avenues and (ii) Wilson Street and Kent Avenue provide access to the Steiner Studios campus. This perimeter treatment protects the public from the working waterfront and frequent truck deliveries, and ensures the security of intellectual property and other sensitive information within the Yard. In certain areas where public access to the Navy Yard can be provided directly from adjacent public streets in a way that does not interfere with

manufacturing activities, such as at the ground floor of Building 77, the perimeter fencing has been reconfigured to permit public access.

In addition to the mass transit options described Section 3 above, BNYDC sponsors a shuttle service providing free last-mile transportation to the Project Area for Navy Yard tenants and their guests five days per week, 18 hours per day. The shuttle provides seven to 10-minute peak service to the York Street subway station serving the F subway line, High Street subway station serving the A/C subway lines, the Clinton Washington subway station serving the G subway line, and Atlantic Terminal/Atlantic Avenue-Barclays Center railroad and subway station serving the Long Island Rail Road and 2/3/4/5/B/D/N/Q/R subway lines, respectively. A NYC Ferry stop is located at the center of the Navy Yard that serves the Astoria Ferry Route that connects the Yard to Manhattan's Pier 11, 34th Street, Long Island City and Roosevelt Island. Ferry riders that are not BNY employees or invited visitors with visitor pass barcodes exit the Yard by walking to the ground floor of Building 77 to access Flushing Avenue, biking to the Yard's Clinton Avenue gate or taking one of the free autonomous shuttles that transport ferry riders from the ferry landing to the perimeter of the Yard at Building 77 and the Cumberland Gate at Flushing Avenue. Approximately 154 bicycle parking spaces are located on the Navy Yard grounds in outdoor facilities spread across the Yard. In addition, five CitiBike stations with 80 docks currently exist within the Yard. Currently, only Building 77 has an indoor bicycle facility and it is not as well used as the exterior spaces.

There are approximately 3,040 accessory surface parking spaces in the Navy Yard, including 2,017 spaces spread across the Yard available to Yard tenants generally and 1,023 spaces within the Steiner Studios leasehold area with separately controlled access. Additionally, the 399 Sands Street building on the western side of the Yard, adjacent to the Sands Street Gate, contains 460 parking spaces. During working hours half of these spaces are available to Yard tenants, while the other half serve Admirals Row visitors. Parking in the Yard is provided to parking pass-holders and visitors on a first-come, first-served basis. The existing parking supply available to the Yard tenants exceeds the existing parking demand: on an average weekday (January 2020) approximately 1,570 cars enter through the Yard's gates; post COVID-19, this number dropped to approximately 1,340 vehicles per day.

Elements of the Transportation Plan exist at the Yard today, including the NYC Ferry landing at Dock 72 in the Yard, changes the Yard's parking system; shuttle stops throughout the Yard; improved streetscape conditions on primary corridors; and additional bicycle parking and Citibike Stations.

Historic Resources

The Project Area contains three individual landmarks: the U.S. Naval Hospital (LP-0003), Dry Dock No. 1 (LP-0895), and the Surgeon's House (LP-0940). Additionally, the Brooklyn Navy Yard Historic District, which includes the majority of the Project Area, excluding the Barge Basin Subdistrict and a portion of Steiner Studios campus, is listed on the State/National Register of Historic Places and encompasses the largest intact area that was associated with the shipyard from the historically significant period from 1805 to 1966.

Open Space

The Project Area includes three publicly accessible spaces and a ferry landing. On Flushing Avenue between Clermont and Vanderbilt Avenues in front of Building 77 is a plaza that features trees and outdoor seating. On Flushing and Carlton Avenues in front of Building 92 is another plaza that also features trees and outdoor seating as well as seasonal programming and is open to the public generally between 8 a.m, and 10 p.m. The public can also access the Ferry Landing adjacent to Dock 72, between Dry Docks 2 and 3 during Ferry service hours. BNYDC maintains these spaces in accordance with its ground lease. Along Williamsburg Street West there is a pedestrian entrance to the 1.7-acre Naval Cemetery Landscape, which features native plant species and a boardwalk with seating; access is generally provided between 10 a.m. and 5 p.m. BNYDC sub-leases this space to the Brooklyn Greenway Initiative, which is responsible for maintenance of the area.[9] The Yard does not have any waterfront public access area or visual corridor

[9] BNY pays for a portion but not all of the maintenance costs associated with the Naval Cemetery.

requirements under ZR Section 62-50 (General Requirements for Visual Corridors and Waterfront Public Access Areas) today because the Navy Yard is improved predominantly with Use Group 16 through 18 and water dependent uses and is therefore exempt. Moreover, waterfront public access areas would not be appropriate for most of the Navy Yard given its existing waterfront industrial and maritime uses as described above.[10]

Flood Zone

The Project Area's shoreline is a mix of bulkhead and caisson gates associated with an active maritime tenant. A significant portion of the Project Area is located within the AE Flood Zone, which is subject to a 1% annual chance of flooding, and large portions of the Yard are also within the Limit of Moderate Wave Action zone, which is subject to wave heights between 1.5 to 3 feet. In addition, there is a likelihood that approximately two thirds of the Yard would be subject to daily tidal flooding by the 2080s. Given the risk of future flood events, as well as significant damage under Hurricane Sandy, BNYDC is investing in resilient building design and infrastructure as well as planning for long-term flood mitigation. BNYDC currently has $125 million in FEMA grant funding to restore utilities and infrastructure destroyed during Sandy and mitigate against future flood events. BNYDC also hired a consultant to prepare a flood risk assessment and develop mitigation strategies incorporating dry and wet proofing strategies. Based on that study, BNYDC has developed a risk-based prioritization list that serves as a framework for future mitigation projects. BNYDC is implementing building-level strategies including raising equipment, floors (where appropriate) and rewiring buildings to protect infrastructure and utilities at existing buildings. For new construction, such as Dock 72, the project sponsor raised the lobby, elevated mechanicals, and installed back-up generator to exceed Appendix G requirements. However, given the length of the Yard's waterfront and the active uses along its length, including a variety of water dependent uses, site wide capital measures such as raising all of the bulkheads or constructing wave breaks at piers would be cost prohibitive at this time.

5. Description of the Proposed Development

The Proposed Actions would facilitate and refine the further development of a modern manufacturing campus that would expand the city's manufacturing sector while better integrating the Brooklyn Navy Yard into the fabric of the adjacent communities. Based on recent growth at the Navy Yard and the goals set forth in the Master Plan, it is anticipated that approximately 4.6 million square feet of floor area (5.1 million gross square feet) would be constructed at the Navy Yard over the next 10 years to accommodate an additional 10,000 jobs (the "**Proposed Development**"). This would bring the total employment in the Yard to 30,000 employees within nearly 11.5 million square feet of space at full build out of the Master Plan projects. It is expected that the large majority of this development will occur near the perimeter of the Yard in three areas: (i) Navy Street north of Sands Street, (ii) Flushing Avenue between Vanderbilt and Washington Avenues, and (iii) on two parcels around the Barge Basin, including one located on Kent Avenue north of Clymer Street.[11] These sites would provide opportunities for public-facing uses such as retail complementary to the Yard's mission, community facilities and nearly 189,000 square feet of publicly accessible open space, including waterfront open space along the Barge Basin, as development proceeds. The same amount of development would occur within the Project Area without the Proposed Actions. However, the buildings would have a slightly different mix of uses, with excessive parking and loading infrastructure and no open space.

The Proposed Development would prioritize manufacturing uses. Each new building would accommodate the life cycle of a business, with office space in the upper stories with ceiling heights between 11 and 15 feet for technology, research, and startup companies working to develop products and services; small- to medium-scale production space in the intermediate stories with ceiling heights between 11 and 20 feet for prototyping and manufacturing; and extra-large production spaces with large floor plates, 40-foot ceiling heights and limited columns in the lower stories for companies at scale to manufacture products for local, regional, national, and international markets. While these buildings would prioritize manufacturing space, they would

[10] Waterfront yards are not required today for the same reason.
[11] As noted below, certain of the Special District controls would be limited to certain areas of the Yard associated with the Master Plan sites, while other controls, such as shoreline setback and parking controls, would apply to the Special District as a whole.

also include uses that would attract and provide amenities to support the Yard's growing workforce, such as retail (which could serve workers and provide a market for certain tenants to sell their products) and amenities like health clubs. In addition, based on the success of existing academic uses in the Yard, the Proposed Development would include academic uses that have a symbiotic relationship with the industrial and maritime uses that are predominant in the Navy Yard. For example, there are opportunities for synergies between academic and training programs in engineering, metal fabrication/welding, fabrication (carpentry and other production methods), design-build, marine shipyard, and renewable energy business/industries. These programs would not only train students for careers in high-quality jobs, but also connect these students with employment opportunities in the Navy Yard and help Yard businesses find skilled workers. In addition, the Proposed Development would include other new community facility uses, such as a science and technology museum that would attract the surrounding community and the broader public to learn about and promote interest in manufacturing and the Navy Yard.

The Proposed Development would include a limited amount of additional illuminated signage on buildings in the major development parcels, consistent with the Master Plan and with existing backlit signage at Building 77, and appropriate for the scale of both the buildings and the campus. One accessory non-flashing, illuminated, up to 750-square foot sign would be installed on a building in each of the following subareas: Navy Street Central Subarea, the Flushing East Subarea (between Clinton and Waverly avenues), the Barge Basin East Subarea (not along Kent Avenue frontage), and the Barge Basin West Subarea. The additional signage would be located at least 100 feet from the adjoining street line except along Flushing Avenue where the adjacent zoning is currently manufacturing. The signs would be illuminated from dusk to dawn, similar to Building 77. The purpose of these signs is to provide a clear identity to the Navy Yard as a whole and is not expected to be for tenant signage, which would remain subject to underlying signage regulations. However, an exception may be made for a unique tenant, such as the museum that is proposed in the Navy Street Central Subarea.

The table below summarizes estimated existing and new floor area projected to be developed within the Project Area by zoning floor area.[12]

Use	Existing		New		Total	
	SF	FAR	SF	FAR	SF	FAR
Manufacturing	5,550,000	0.46	3,275,000	0.27	8,250,000	0.73
Commercial	660,000	0.05	1,040,000	0.09	1,700,000	0.14
Community Facility	155,000	0.013	295,000	0.02	450,000	0.04
Total	6,365,000	0.523	4,610,000	0.38	10,975,000	0.91

While most of the Proposed Development is anticipated to be industrial and commercial uses developed on the perimeter development sites identified above and discussed further below, the Applicant envisions that approximately three new trade and technical schools of approximately 50,000 square feet total would also be developed in the Yard's core over the next decade. One planned project that exemplifies this vision is a welding facility that would allow the existing Brooklyn STEAM Center to incorporate welding training and certification into its curriculum, providing more career opportunities in design, construction, and fabrication for high-school students participating in internships with Yard businesses. As another example, the Navy Yard currently serves as the Brooklyn base for the New York Harbor School's Marine Systems Technology pathway, located north of Building 293 near the Barge Basin site, which trains high school students for careers in marine engineering, marine mechanics, and metal fabrication. Improvements to the facility and flexibility for an expansion would enhance the hands-on learning environment adjacent to an active shipyard, a modular construction production facility, and near metal-work studios at the Yard. Finally, BNYDC plans to partner with academic institutions and develop workforce training for off-shore wind certifications, which would provide a pipeline of trained professionals to grow off-shore wind industries along the Yard's waterfront. While these

[12] Existing square footage data are limited and the figures provided here are estimates only. For purposes of environmental review, the EAS for the Proposed Action conservatively analyzes 750,000 gross square feet of community facility use, although less community facility floor area was anticipated in the Master Plan and less is expected to be developed.

new uses would be limited in scale, the new use regulations would facilitate BNYDC's mandate under its lease with the City to "establish facilities to create and improve job opportunities," "provide additional employment," and "provide facilities for the training of persons in the acquisition of such skills as will prepare them to obtain employment."

Navy Street

The Navy Street Subdistrict has a lot area of approximately 480,653 square feet and is located along Navy Street extending from just below Sands Street to the Yard's northern boundary along Shipways Avenue (a street internal to the Yard). Within the Navy Street Subdistrict is the 232,827 square foot Navy Street Central Subarea where the majority of the Navy Street development is anticipated to occur. Under the Master Plan it is envisioned that the Navy Street development will have approximately 851,000 square feet of space within one building or possibly in two separate buildings. Whether one or two buildings, development would include approximately 511,000 square feet of manufacturing space between the XL flex spaces on the lower (generally two) floors and the more standard manufacturing floors above. Roughly 155,000 square feet of creative office space and office space supporting production activities is anticipated on the upper floors. The ground floor of the Navy Street building is expected to be accessible to the public from Navy Street and would include approximately 60,000 square feet of space for a museum, potentially focused on technology, science and engineering, and 25,000 square feet of retail and amenity space. It is also anticipated that an academic institution with college programs compatible with the focus areas of the museum would also occupy up to 100,000 square feet of space on the upper floors. As described in the final section of the Project Description, accessory parking and loading would be located within the lower floors of the building and is anticipated to be accessed from within the Yard. At least 15% of the lot area for the Navy Street development, or approximately 34,924 square feet, would be dedicated to a publicly accessible plaza adjacent to Navy Street, with chairs, benches, lighting, plantings, and other amenities.

One sign of up to 750 square feet would be located in the Navy Street Subarea, likely be on a section of the building set back from the lot line parallel to Navy Street to be visible from York Street, or on the southwest façade of the northern building section to be visible from Navy Street. While the overarching larger signage proposed would be focused on creating an identity for the BNY campus, the Navy Street sign might be made for the anticipated museum.

The table below summarizes the floor area projected to be developed on the Navy Street site. All square footage figures represent estimated zoning floor area.

Use	**New**	
	SF	**FAR**
Manufacturing	511,000	.04
Commercial	180,000	.02
Community Facility	160,000	.01
Total	851,000	.07

Flushing Avenue

The Flushing Subdistrict has a lot area of approximately 1,138,000 square feet and is located along Flushing Avenue roughly between a point just west of North Elliot Place to Washington Avenue. The Subdistrict is divided into the Flushing West Subarea (approximately 805,600 square feet) and the Flushing East Subarea (332,400 square feet), with a majority of new development anticipated on an approximately 298,658 square foot portion of the Flushing East Subarea.

As envisioned in the Master Plan, the Flushing Avenue development in the Flushing East Subarea will have approximately 1.25 million square feet of space within two buildings. The eastern building will have approximately 549,000 square feet of space, of which roughly 394,000 square feet will be used for manufacturing purposes on the XL flex floors and the manufacturing floors above. Approximately 100,000 square feet of creative office space and office space

supporting production activities would be located on the upper floors. The ground floor, which will be open to the public from Flushing Avenue will have approximately 55,000 square feet of amenity, retail and manufacturing spaces that will provide opportunities for additional food manufacturing companies similar to those that currently operate in adjacent Building 77 and retail facilities showcasing the Yard tenants. The buildings will include parking, loading accessed from within the Yard in the base of the buildings as described in the final section of this Project Description along with building logistics. The western building will have an estimated 700,000 square feet of space, with approximately 470,000 square feet of manufacturing space in the XL and mid-level floors spaces and roughly 105,000 square feet of creative office space on the upper floors. In addition, it is anticipated that a high school - either an extension of the existing STEAM center in Building 77 or a similar-type Career and Technical Education (CTE) facility - would occupy up to 100,000 square feet on one of the manufacturing or two or more office floors. Any parking, loading and logistics areas will occupy a portion of the base of the building. Similar to the eastern building, the ground floor will be open to the public from Flushing Avenue and will have roughly 25,000 square feet of amenity space – including a health club and retail spaces that will provide additional opportunities to expand the food manufacturing sector at the Yard. One illuminated sign of up to 750-square-feet identifying the Brooklyn Navy Yard would be installed on the Flushing Avenue frontage on the development between Clinton and Waverly Avenues.

The proposed Flushing Avenue buildings will have forms similar to Building 77 situated west of the development parcel. Both buildings would have base heights of 200 feet and an overall height of approximately 325 feet. A publicly accessible open space with minimum depth of 50 feet totaling approximately 35,000 square feet would be provided along the proposed buildings' front facades adjacent to Flushing Avenue. The buildings will be designed to maintain two visual corridors towards the East River– one starting at the extension of Vanderbilt Avenue on to the northern boundary of Flushing Avenue and running through the Subdistrict and another starting at the extension of one of the other streets to the south of Flushing Avenue and running through the Subdistrict in the same manner.

The table below summarizes estimated new floor area projected to be developed on the Flushing Avenue site. All square footage figures represent estimated zoning floor area.

Use	**New**	
	SF	**FAR**
Manufacturing	864,000	.08
Commercial	285,000	.02
Community Facility	100,000	.01
Total	1,249,000	.11

Barge Basin /Kent Avenue

The Barge Basin Subdistrict has a lot area of approximately 705,697 square feet inclusive of the Barge Basin, and is comprised of two development parcels, an eastern parcel containing approximately 174,629 square feet and a western parcel containing approximately 330,327 square feet. The two development parcels are separated by the Barge Basin, an approximately 198-foot wide man-made waterway projecting into the Navy Yard.

As envisioned by the Master Plan, the eastern parcel will be developed with a single building of approximately 625,000 square feet of space and an overall height of 375 feet. The building will include approximately 475,000 square feet of large-scale manufacturing space on the lower XL floors and mid-level industrial floors, and roughly 125,000 square feet of creative office in the smaller floor plate space on the upper floors. It is anticipated that the ground floor will have roughly 25,000 square feet of amenities, show room and other retail spaces that promote and feature products developed within the Yard. Parking, loading and logistics will be located at the base of the building, accessed from a new curb cut from Kent Avenue anticipated at the northern portion of the site. To the south of the building will be a new publicly accessible plaza area and at the north of the building will be a 30-foot wide publicly accessible connection between Kent Avenue and the Barge Basin. In addition, the building will be set back from Kent Avenue as

necessary to create a 15-foot sidewalk along Kent Avenue for the length of the eastern parcel. Finally, a publicly accessible esplanade adjacent to the Barge Basin with a minimum width of 40 feet will run along the western portion of the parcel and will connect to a similar esplanade on the opposite side of the Barge Basin by way of a sidewalk at the landward end of Barge Basin. All together, the eastern parcel of the Barge Basin will have roughly 52,400 square feet of open space. This "Barge Basin Loop" will include a combination of hardscape, plantings, seating, lighting and artwork potentially including artifacts from the Yard's naval past.

The western Barge Basin parcel is expected be developed with approximately 1.9 million square feet of space in three contiguous buildings, each with roughly 630,000 square feet. Each building would have approximately 475,000 square feet of large-scale manufacturing at the lower XL floors and in smaller-scale production spaces on the mid-level floors and roughly 125,000 square feet of creative office space on the upper floors. Roughly 50,000 square feet of ground floor show rooms, retail and amenities are also envisioned on the western parcel among the three buildings adjacent to the Barge Basin Loop. It is also anticipated that a school focusing on maritime or renewable energy technologies would be located in approximately 35,000 square feet of space on one of the office or manufacturing floors of one building. The western parcel will have approximately 66,000 square feet of open space that will include a publicly accessible esplanade with a minimum width of 50 feet along the Barge Basin. Parking, loading and logistics space will be located in the bases of buildings on the western parcel as described in the final section of this Project Description, accessible from any of the Yard's existing gates and will be screened from publicly accessible areas.

For both the western and eastern Barge Basin Parcels the ground floors of the anticipated development will incorporate articulation, transparency, and screening requirements facing the street and open space areas to provide visual interest and activity in these public facing areas.

There would be one illuminated sign of up to 750-square-feet in each of the Barge Basin East and Barge Basin West subareas. In the Barge Basin East Subarea, the sign would likely be situated either on the southeast façade of the building to be visible from BNY's Kent Avenue gate and the anticipated open space gateway, or on the northern façade to be visible to the open space upland connection and an adjacent development site. In the Barge Basin West Subarea, the sign is likely to be located at the southernmost edge of the façade facing the Barge Basin to be visible to the open space gateway. The sign in the Barge Basin East Subarea would be affixed to the northern or southern frontage of the building and as a result would be located at an angle of less than 90 degrees from the adjoining district boundary line. If located on the northern frontage, the sign would be in proximity to Jacob's Ladder Playground.

The table below summarizes estimated new floor area anticipated to be developed within the Barge Basin sites. All square footage figures represent estimated zoning floor area.

Use	**New**	
	SF	**FAR**
Manufacturing	1,900,000	.16
Commercial	575,000	.04
Community Facility	35,000	.01
Total	2,510,000	.21

Core Subdistrict

The remainder of the Special District not included in the areas described above are in the Core Subdistrict. This portion of the Yard may see some incremental development and upgrades of existing buildings, but is not expected to be the primary location for a significant new development like the Master Plan buildings anticipated within the Perimeter Subdistricts. Within this incremental development, it is possible that an additional approximately 35,000 to 75,000 square feet of academic use with a program compatible with the industrial uses in the Yard may be introduced into an existing building, provided that the use is compatible with the industrial nature of the Yard.

Resiliency

The Navy Subdistrict, the Barge Basin Subdistrict and portions of the Flushing Subdistrict development sites are located within the flood zone. However, proposed buildings would elevate the lowest occupiable floor above the design flood elevation, and use a combination of dry- and wet-floodproofing to protect lower floors and would exceed the requirements set forth in Appendix G of the Building Code. Two large newly-constructed development projects in the Yard within the past two years – Dock 72 and Steiner Studios – have successfully employed similar strategies. In addition, as a result of the Proposed Actions, throughout the Yard non-water dependent uses in permanent structures of more than 5,000 square feet will be set back at least 30 feet of the shoreline, unless resiliency measures targeted to year 2080 high end projected sea level rise are incorporated into the development or are implemented as part of a Yard-wide resiliency plan.

Transportation Management Planning, Parking and Loading.

The Proposed Development will be developed with a Yard-wide "Transportation Management Plan" designed to reduce unnecessary vehicular traffic arriving at the Navy Yard and avoid the cost of constructing unneeded loading berths and parking facilities. With the Transportation Management Place, it is expected that approximately 794 parking spaces and 29 loading docks will be built as part of the Proposed Development, as summarized in the following chart:

Development Site	Parking Spaces	Loading Berths
Navy Street	253	6
Flushing Avenue	154	8
Kent Avenue	387	15

Parking will be accommodated in structured parking in the base of each proposed building. Similar to surface parking in the rest of the Project Area, the structured parking will be available to Yard tenants with monthly parking passes and registered visitors on a first come-first serve basis. Loading docks ranging from 33 feet to 50 feet to accommodate both tractor trailer trucks and smaller panel and box trucks will be accessed from the rear of the buildings, away from the publicly accessible areas.

Bicycle parking facilities will be added as part of the Proposed Development at rates consistent with Zoning Resolution requirements, with half of the spaces located within the anticipated developments and the other half added as unenclosed bicycle parking spaces across the Navy Yard to facilitate their convenient use by Yard tenants. Currently, there is only one indoor bicycle parking facility in Building 77 which is not as well used as the 154 exterior bicycle parking facilities in various locations and in various station sizes throughout the Project Area. Up to half of the required spaces may be provided as unenclosed bicycle parking spaces located anywhere in the Project Area.

6. Actions Necessary to Facilitate the Project

The Proposed Actions are requested to facilitate the Proposed Development and promote the goals of the Navy Yard's Master Plan. In the absence of the Proposed Actions, future development would not include the complementary community facility uses anticipated by the Master Plan, larger Navy Yard-oriented retail, or gym uses, all of which will contribute to the further development of the Navy Yard as a modern manufacturing campus and provide a connection to the surrounding neighborhoods and signage would be limited to a scale not reflective of the anticipated buildings. Substantially more parking and loading would need to be built than required to serve anticipated future demand, contrary to BNYDC's and the City's goals of promoting transit-oriented development and reducing reliance on automobiles and adding unnecessary cost and bulk to the new development. Additionally, publicly accessible space at the Yard perimeter would not be required, representing a missed opportunity for the provision of open space amenities that would serve for both residents of the surrounding neighborhoods and Yard

tenants. Finally, certain bulk controls applicable to the Yard today limit the ability to introduce the vertically integrated manufacturing and office buildings envisioned by the Master Plan and instead promote taller, smaller floor plate buildings, particularly near the perimeter of the Yard.

Zoning Map Amendment. An amendment to the zoning map is requested to: (i) map the Special Brooklyn Navy Yard District over the entirety of Block 2023, Tax Lots 1 and 150, other than a small portion of Lot 1 located in the water and a smaller irregularly-shaped portion of Lot 1 located in the southwest corner of the Project Area; and (ii) change an R6B district, M1-2 districts, and portions of an M3-1 district within the Project Area to an M2-1 district.[13]

The small smaller irregularly-shaped portions of Tax Lot 1 noted above are excluded from the proposed zoning map amendment in order to simplify the boundaries of the proposed zoning map change.

The rezoning of the R6B district to an M2-1 (BNY) district would correct the zoning district boundaries established by the 1998 Vinegar Hill Rezoning to ensure that manufacturing and commercial uses are permitted in this portion of the Navy Yard, consistent with City policy for the Brooklyn Navy Yard and the mission of the BNYDC. The rezoning of portions of the Yard's perimeter M1-2, M1-4, and M3-1 districts to M2-1 would establish a consistent zoning district designation for areas of the Yard expected to experience significant development in the next decade with somewhat higher performances standards than the M3 zoning and providing a transition zone between the Yard's core and the surrounding neighborhoods. The M2-1 zoning, together with the proposed Special District text would also allow for the targeted introduction of community facility and additional commercial uses compatible with the goals of the Master Plan and the overarching role of the Navy Yard as a modern manufacturing campus. Permitting these uses within the more public-facing Perimeter Subdistricts portion of the Navy Yard would also attract and serve residents and workers in the surrounding communities.

Finally, mapping the Project Area within the Special District would make the Special District controls, described below, applicable to this portion of the Brooklyn Navy Yard.

Zoning Text Amendment. A zoning text amendment is requested to establish the Special District as Chapter 4 of Article XIV (Special Brooklyn Navy Yard District) with special use, bulk, public space, ground floor measures, and parking and loading regulations tailored to a modern manufacturing campus. The Special District text would include the following key features:

a. Subdistricts (Proposed ZR Section 144-04). Four subdistricts would be created within the Special District: a Navy Street Subdistrict along the western perimeter of the Yard (approximately 480,653 square feet); a Flushing Subdistrict along the southern perimeter of the Yard (approximately 1,138,000 square feet); a Barge Basin Subdistrict located along Kent Avenue on both sides of the Barge Basin (705,697 square feet inclusive of the Barge Basin); and a Core Subdistrict comprising the remainder of the Special District. The Flushing Subdistrict would contain two subareas - a Flushing East Subarea (approximately 332,400 square feet), where new development is expected, and a Flushing West Subarea occupying the remainder of the Subdistrict that is more developed today and thus less likely to experience significant new construction. The Barge Basin Subdistrict would also have two subareas - a Barge Basin East Subarea (174,629 square feet) and a Barge Basin West Subarea located on opposite sides on the Barge Basin (330,327 square feet), both of which are expected to experience development in the future. The Navy Street Subdistrict will include a Navy Street Central Subarea (246,732 square feet) where development is anticipated in the future. The Navy Street Subdistrict, the Flushing Subdistrict, and the Barge Basin Subdistrict are identified as the "Perimeter Subdistricts" in the proposed Special District text. Within the public-facing Perimeter Subdistricts, a variety of commercial and community facility uses would be allowed, special bulk controls would apply in certain areas, and public space would be required in connection with new development, all as discussed further below. This land use approach would facilitate a

[13] The Special District would exclude the portion of the Brooklyn Navy Yard known as Admirals Row (Brooklyn Block 2023, Lot 50) because Admirals Row was recently developed as a discrete large-scale general development pursuant to multiple discretionary actions described in Section 2 above. Admirals Row has a unique character compared to the remainder of the Yard, with more than half of Admirals Row's floor area designated for retail use, and anchored around a destination supermarket, and therefore is not included within the Special District boundaries.

public-facing transition zone between the Brooklyn Navy Yard and the surrounding communities. Maps included as an Appendix to the Special District text show the location of the Subdistricts and Subareas.

b. Inapplicability of Waterfront Controls (Proposed Section 144-05). While the Navy Yard is located on a "waterfront block" within the meaning of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area), most of the controls included in the Chapter do not apply to the Navy Yard today due the Yard's current use "predominantly" for Use Group 16 heavy commercial, Use Group 17 and 18 manufacturing, and water dependent uses. Moreover, application of many of the Article VI, Chapter 2 controls would not be consistent with the Master Plan or the ongoing development of the Navy Yard as a modern industrial campus. As examples, the overall height and base height controls included in Article VI Chapter 2 are inconsistent with the larger manufacturing buildings existing at the Navy Yard today, and would not allow for the vertically-integrated manufacturing and creative office buildings envisioned by the Master Plan. Similarly, requirements for waterfront yards and waterfront public access areas throughout the Yard would interfere with the use of the shoreline for the variety of industrial and commercial tenants - including water dependent businesses - operating in the Yard today and expected to operate in the future. Therefore, the zoning text amendment would make the requirements of Article VI, Chapter 2 inapplicable within the Special District, except as specifically set forth in the Special District text.

c. Uses (Proposed ZR Section 144-10). Zoning regulations for M2 manufacturing districts do not permit Use Group 3A "Colleges or universities," "Schools," "Libraries, museums or non-commercial art galleries," physical culture or health establishments, or other Use Group 3A uses. Similarly, a variety of retail uses, including certain Use Group 6C, 9A, 10A, and 12B retail establishments are not permitted. To facilitate the Proposed Development, the Special District text would modify ZR Section 42-10 (Uses Permitted as of Right) to the permit community facility uses in Use Group 3A without sleeping accommodations, commercial uses in Use Group 6C, 9A, 10A and 12B not otherwise allowed in M2-1 zones in the Perimeter Subdistricts. These additional uses would be limited to a maximum floor area of 300,000 square feet in each Perimeter Subdistrict with the additional commercial uses limited to no more than 100,000 square feet of floor area in each Perimeter Subdistrict to assure that the additional uses remain complementary to the industrial character of the Yard (Proposed ZR Section 144-212). Permitting these new uses in the Perimeter Subdistricts would enable the Proposed Development to provide more amenities and services to Yard workers and attract visitors to select areas of the campus, helping to integrate the Navy Yard into the fabric of the surrounding community while maintaining most of the Yard as a center for industry. The zoning text would limit the overall amount of these additional uses allowed in any Subdistrict to assure that the uses would remain supportive of the overall industrial and jobs-creating mission of the Navy Yard.

   The Special District text would also permit Use Group 3A colleges or universities and schools in the Core Subdistrict by Commission authorization to facilitate synergies between academia and the industrial and maritime uses that are predominant in the Navy Yard provided that the Commission determines such academic use has a program compatible with a tenant or industrial operation of the Yard does not interfere with the industrial use of the Yard (Proposed ZR Section 144-15). In some cases, co-locating academic facilities near maritime and industrial tenants in the Core Subdistrict would provide the best opportunity for hands-on learning and career development. While these new uses would be limited in scale, the new use regulations would facilitate the BNYDC's mandate under its lease with the City to "establish facilities to create and improve job opportunities," "provide additional employment," and "provide facilities for the training of persons in the acquisition of such skills as will prepare them to obtain employment." The Commission authorization would ensure that any future academic programs have a functional connection to a Yard tenant or Yard operations, and that any environmental concern with locating a school or university within a M3 zoning district is adequately addressed.

   The Special District would also allow for distilleries and breweries within the Navy Yard without regard to performance standards set forth in Section 42-27 (Performance Standards Regulating Fire and Explosive Standards). The Yard houses these uses today, and today's

regulatory standards allow for this use to operate in a safe manner. Finally, the Special District text would allow for health clubs in the Yard as an as of right Use Group 9A use.

The Special District text would require development on piers and platforms comply with the "WD" (Water Dependent) use provisions of Zoning Resolution Section 62-24 (Uses on Piers and Platforms) while allowing the existing uses in these areas to be considered conforming uses to allow the long standing tenants within the Yard to continue to upgrade their businesses. Application of this Section would also have the result of limiting the height of any development other than developments for water-dependent uses to a height of thirty feet.

d. Signage (Proposed ZR Section 144-14). Existing signage regulations limit the surface area and height of signs in a manner that is inconsistent with the Navy Yard's existing signage and is inappropriate to the scale of the Navy Yard's existing buildings and the Proposed Development. To address this, the Special District text would modify Section 42-533 (Illuminated or flashing signs), which restricts directly illuminated signs accessory to the building to a maximum surface area of 500 square feet, to allow one accessory non-flashing illuminated sign of up to 750 square feet in each of the Navy Street Central Subarea, the Flushing East Subarea between Clinton Avenue and Washington Avenue, the Barge Basin East Subarea, and the Barge Basin West Subarea. The Special District text would exempt signs in the Flushing East Subarea from the restrictive signage rules of Section 42-561 (Restrictions along the district boundary located in a street), which restricts the size and type of signs facing residential districts within 100 feet of such boundary to the controls applicable in C1 districts, i.e. to no more than 150 square feet and no more than 25 feet in height. While this control does not apply today in this area, the proposed text would preserve the right to this signage in the event that the adjoining manufacturing zone is ever rezoned to a residential district. The Special District text would also exempt the Barge Basin East Subarea from Section 42-55 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways), which restricts the size of signs within 200 feet of parks to 500 square feet. Further, the Special District text would exempt the additional signs in each Subarea where the larger sign is allowed from the orientation provisions of Section 42-562 (Restriction on angle and height above curb level), which restricts an illuminated sign within 500 feet of a residential or commercial zoning district from facing within 90 degrees of such district. This exemption would avoid the restriction on the angle from adjoining zoning district boundaries and allow the signage to help identify the Navy Yard from the surrounding area.[14] The Navy Yard has signs of this general size today and proposes to use this established precedent for signage for the Proposed Development.

e. Bulk (Proposed ZR Section 144-20).

   i. Height and Setback (Proposed ZR Section 144-23). Existing standard height and setback regulations do not necessarily produce building envelopes that are appropriate for the Navy Yard's perimeter given the surrounding context. On Flushing Avenue, buildings are permitted to be located at the street line and rise without setback to a height of 60 feet or four stories, above which the height is governed by a sky exposure plane; these controls would not result in building forms that are compatible with nearby high street wall buildings that are set back from the street line. Around the Barge Basin, existing bulk controls do not easily accommodate the large, double height, flexible manufacturing spaces envisioned for the Proposed Development, nor do they promote visual access to or from the waterfront. To facilitate the Proposed Development, the Special District text would modify the requirements of ZR Section 43-30 (Height and Setback Regulations) in the Flushing East Subarea and replace this Section entirely in the Barge Basin Subdistrict with special height and setback controls. ZR Section 43-30 would apply in all other locations.

   In the Flushing East Subarea, development would be required to set back a minimum of fifty feet from the Flushing Avenue street line. Because of the significant setback, the Special District text would provide that the portion of Flushing Avenue adjacent to this Subarea would be considered a wide street for purposes of applying the underlying height and setback controls of Section 43-20 (Height and Setback Regulations). In addition, while not strictly a height and

[14] The Special District text does not allow for waivers relating to the height provisions of ZR Section 42-562.

setback control, the Flushing East Subarea controls would also establish view corridor requirements within the Subarea, one commencing at the intersection of Vanderbilt Avenue with Flushing Avenue and a second at the intersection of Flushing Avenue with either Clinton Avenue or Waverly Avenue.

Because of the unique configuration of the Parcels in the Barge Basin Subdistrict and the relationship of this Subdistrict to the waterfront, the Special District text would make the underlying controls of Section 43-20 (Height and Setback Regulations) inapplicable in all respects and would replace the underlying controls with a defined set of base, setback, sky exposure plane, and tower controls for portions of buildings exceeding the sky exposure plane. The Barge Basin controls would include:

- A requirement for a setback along the Kent Avenue frontage wide enough to create a 15-foot sidewalk along the western side of Kent Avenue. Any setback area would be improved as a sidewalk to DOT standards.
- A requirement for a setback of 40 feet adjacent to the Barge Basin in the Barge Basin East Subarea and a setback of 50 feet adjacent to the Barge basin in the Barge Basin West Subarea.
- A requirement that the at least 70% of the length of the building base be located within eight feet of the Barge Basin setback lines and the Kent Avenue frontage to a height of two stories or 30 feet, whichever is lower.
- An 85-foot-tall maximum base height to allow for the extra-large double height flexible productions spaces included in the Master Plan along with loading, parking and building support in the base.
- A building setback of 30 feet above the base height on the Barge Basin frontages and of 15 feet on the Kent Avenue frontage of the buildings.
- A sky exposure plane of 5.6 vertical feet for every horizontal foot of run above the base height on each of the Barge Basin, Kent Avenue, and southern boundary frontages to assure light and air to the surroundings.
- A right to build “towers” that extend beyond the sky exposure plane, provided that all such tower portions occupy not more than 40% of the lot area of Barge Basin East Subarea or the Barge Basin West Subarea, as relevant, and that the primary frontage of any such tower portion facing the Barge Basin has a width of no more than 200 feet.
- In addition, in order to avoid an overly long unarticulated street wall facing public access areas, the Special District text will require that the base building facades facing the Barge Basin incorporate recesses or projections within the lower two floors or lowest 30 feet of the base height, whichever is less, for at least 20 percent and not more than 50 percent of the building façade area.

ii. Yards (Proposed ZR Section 144-22). Because of the irregular arrangement of buildings at the Yard today and the absence of immediate neighbors over much of the Special District requiring light and air, Section 43-20 (YARD REGULATIONS) would be may inapplicable in the Special District and no yard requirements would apply.

iii. Floor Area (Proposed ZR Section 144-21). The maximum permitted floor area for all uses within the Special District would be 2.0 FAR as set forth in Section 43-12 (Maximum Floor Area Ratio), subject to the further floor area ratio caps for the additional community facility and retail uses allowed by the Special District text. With regard to calculation permitted floor area, the Special District text would expressly provide that Sections 62-31 (Bulk Computations on Waterfront Zoning Lots) and 62-326 (Buildings in Manufacturing Districts) will be applicable in the Special District. This will make it clear that the overall development potential of the Navy Yard will not increase as a result of the Proposed Actions.

iv. Shoreline Setback (Proposed ZR Section 144-24). In order to provide opportunities to address sea level rise through design and resiliency measures, the Special District

text would require that buildings of less than 5,000 square feet, and buildings containing water dependent uses be set back from the Yard's shoreline. Development may be located closer to the shoreline by Chair certification based on a showing that either (i) the development has been designed with resiliency measures to a height of 58 inches above the current mean high water line for the Yard, reflective of the high-end (90th percentile) sea level rise in 2080; or (ii) that an area-wide resiliency plan has been prepared for the Yard and that the development will incorporate measures that are part of the plan or is in an area where protective measures from the resiliency plan are in place. In order to establish the 30-foot setback and allow planning for resiliency measures, the "shoreline" will be defined by a survey that will be maintained at the Department of City Planning.

v. Special Permit for Bulk Modifications (Proposed ZR Section 144-25). In order to allow for adjustments to the Special District bulk regulations to respond to future conditions, the Special District will allow for adjustments to applicable bulk controls, other than floor area, by special permit based on findings that the modifications further the needs and objectives of the Special District, will result in better site planning, will allow for adequate light and air to adjoining publicly accessible areas, and will not unduly increase the bulk of any building to the detriment of occupants of the building or nearby blocks.

f. Publicly Accessible Space (Proposed ZR Section 144-30). As noted above, the Yard is currently exempt from visual corridor requirements under ZR Section 62-51 (Applicability of Visual Corridor Requirements) and exempt from waterfront public access area requirements under paragraph (a) of ZR Section 62-52 (Applicability of Waterfront Public Access Area Requirements) because the Yard is predominantly developed with Use Group 16 through 18 and water dependent uses. This is not expected to change in the future, nor would public access throughout the Yard be appropriate given the nature of the Yard industries and the maritime uses occupying most of the waterfront. However, creating publicly accessible space in connection with development at defined locations at the Navy Yard, where safe and not inconsistent with the industrial and maritime operations, is part of the Master Plan. The Special District text would require that publicly accessible space be provided in connection with new development in each of the Navy Street Central Subarea, Flushing East Subarea, the Barge Basin East Subarea and Barge Basin West Subarea other than the first additional 10,000 square feet of floor area developed in the Barge Basin East or Navy Street Central Subareas or 20,000 square feet of floor area developed in the Barge Basin West or Flushing East Subareas that is allocated exclusively to Use Group 11, 16, 17, or 18 uses at the Yard. The amount of open space required for the Navy Street Central Subarea would be 15% of the lot area of the Subarea (or 35,000 square feet), and the Special District text will establish dimension, seating, and planting requirements for the space. For the Flushing East Subdistrict, the Special District text will require that the area between Flushing Avenue and any development be improved as a publicly accessible plaza, with seating, plantings, and other amenities. In the Barge Basin Subdistrict the Special District text will require that 20% of the lot area of the Barge Basin West Subarea and 30% of the of the Barge Basin East Subarea be improved as public access area (approximately 66,000 square feet and 52,400 square feet, respectively), including a walkway along the eastern and western edges of Barge Basin and pedestrian connections from Kent Avenue at the northern end and the southern end of the Barge Basin East Subarea.

To ensure that the Navy Street Central Subarea and Barge Basin Subdistrict public access areas are built in proportion to development within the Subdistrict, the Special District text would allow for the phased construction of the public access areas in these locations. The phasing plan would require that the public access area be built out in a proportionate manner to the amount of development being built and that the required public space be accessible from a public or another publicly accessible open area, or for the Barge Basin West Subarea the private street at the southern end of the Barge Basin.

Because the Navy Yard is owned by the City, the design of these publicly accessible spaces (as well as other new structures developed in the Project Area) will be subject to review and approval by the New York City Public Design Commission. Plans for the public access areas would also be filed with the Department of City Planning demonstrating compliance

with the Zoning text requirements through a Chair certification. The special district text would require the owner of these publicly accessible spaces to provide for their maintenance and operation, including but not limited to repairs, litter control, and the care and replacement of vegetation. All publicly accessible areas will be open to the public from 6:00 a.m. to 10:00 p.m. from April 15th to October 31st and from 7:00 a.m. to 8:00 p.m. from November 1st to April 14th, except when required to be closed for repairs and will have signage at entry points to indicate that the spaces are open to the public.

g. Ground Floor Use, Transparency and Screening (Proposed ZR Section 144-40). In order to create an attractive and engaging façade condition in areas where the Proposed Development is adjacent to public access areas required by the Special District text, the text will require that 50 percent of the ground floor frontages adjacent to the public access areas be occupied by floor area.

   Transparency requirements would also apply in these areas based on the surface area subject to the wrapping requirements, with transparency required at a rate of 50% of surface area where commercial use other than Use Group 11 or 16 is located in the required ground floor area, and at a rate of 25% of surface area where Use Group 11, 16, 17 or 18 is located behind the required ground floor area. The provisions of ZR Section 37-361 (Blank wall thresholds) for Type I blank walls would apply to the remaining portions of these ground floor facades and would extend for 50 feet along the adjoining facades.

h. Parking and Loading (Proposed ZR Section 144-50). Existing parking regulations impose very high parking requirements that are inconsistent with actual parking demand, the goals of the Transportation Plan, and the City's policy goals of promoting public-transit-oriented development and reducing reliance on automobiles. Additionally, only approximately 80 percent of the Navy Yard's parking spaces are utilized today. Existing loading regulations also require more, and larger, loading berths than are needed. These regulations impose unnecessary costs on development.

   To ensure the excessive parking and loading are avoided in connection with the Proposed Development, the Special District text would make Article IV Chapter 4 (Accessory off-Street Parking and Loading Regulations) inapplicable to the Special District except where specifically set for in the Special District. With regard to required parking, the Special Permit text would make Section 44-21 (General Provisions) applicable, but would eliminate any parking requirement if a traffic demand management plan (the "TDM Plan") documenting modes of travel to the Yard, identifying and evaluating strategies to reduce reliance on automobiles and encourage the use of sustainable, alternative methods of transportation is maintained. The TDM Plan will establish a program of alternative transportation measures and will include ongoing survey and reporting criteria to assess the effectiveness of the Plan. The TDM Plan is expected to evolve over time to respond to changes in travel patterns and to incorporate additional modes of transportation and technologies, with the goal of making additional parking at the Yard unnecessary. Surveys on travels modes, parking utilization, parking counts and bicycle counts at the Yard will be conducted annually and reported on not less than every three years and made available on a public website. The owner or ground tenant of the Yard would submit an affidavit every three years confirming the ongoing existence of the TDM Plan, or if the TDM Plan no longer exists, the date of its termination. Accessory parking would be permitted under the Special District text.

   The Special District text would eliminate today's excessive loading berth requirements, allowing the Yard to tailor its loading facilities to align with actual needs of its tenants. To limit the impact of loading operations on the surrounding neighborhoods, the Special District text would limit the number of curb cuts accessing loading berths directly from the surrounding streets to no more than one in the Navy Street Central Subarea, in the Flushing East Subarea, and in the Barge Basin East Subarea. Additional curb cuts would be allowed in the Barge Basin East Subarea by Chair certification confirming that the Department of Transportation has approved the additional curb cut. The proposed controls would significantly reduce the number of curb cuts for loading from that allowed under current zoning, while permitting fully functional manufacturing buildings.

   The Special District text would require that bicycle parking be provided in the amounts required by ZR Section 44-60 (Bicycle Parking), but in order to accommodate a variety of

bike parking options and to maximize use of the spaces would allow for 50% of the spaces to be open. This adjustment is generally consistent with the bike parking controls applicable to academic campuses and would be in keeping with the way cyclist to the Yard park their bikes today.

i. Ancillary Provisions. The zoning text amendment would also amend:

   i. ZR Section 11-122 (Districts established) to acknowledge the establishment of the Special Brooklyn Navy Yard District;

   ii. ZR Section 12-10 (Definitions) to include the Special Brooklyn Navy as a defined term;

   iii. ZR Section 14-44 (Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted) to include the Special District in the list of special districts in order to continue to allow enclosed and unenclosed sidewalk cafes in the same manner as they are today; and

   iv. ZR Section 62-13 (Applicability of District Regulations) to include the Special District in the list of special districts where the provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) do not apply, except as expressly set forth in the Special District text.

The foregoing controls are necessary to ensure that the Proposed Development can proceed with an appropriate mix of uses and building forms, public space, and reasonable parking and loading requirements to implement the Master Plan and the goals of the Navy Yard.

7. Conclusion

The Proposed Actions would facilitate development of a modern manufacturing campus consistent with the vision outlined in the Master Plan with 4.6 million square feet of space and a mix of uses including industrial, commercial and community facility and nearly 189,000 square feet of public open space at full build out. The Applicant respectfully requests that the CPC approve the zoning text amendment and zoning map amendment described herein.