PARK AVENUE BROOKLYN REZONING
Chapter 2: Land Use, Zoning, and Public Policy

A. INTRODUCTION

Under 2025 *City Environmental Quality Review (CEQR) Technical Manual* guidance, a land use analysis evaluates the uses and development trends in the area that may be affected by a proposed project and determines whether that project is compatible with those conditions or may affect them. Similarly, the analysis considers the Proposed Actions' compliance with, and effect on, the area's zoning and other applicable public policies.

As discussed in **Chapter 1, "Project Description,"** approval of the Proposed Actions would facilitate the redevelopment of nine Applicant-controlled Projected Development Sites within the Project Area. In total, development on the Applicant-controlled Projected Development Sites in the With-Action condition would include approximately 393 dwelling units (DUs), of which approximately 101 would be permanently affordable assuming the Applicant's proposed Mandatory Inclusionary Housing (MIH) Option 1, approximately 65,072 gross-square-feet (gsf) of ground floor local retail space, 244,088 gsf of private school space, and 11,590 gsf of medical office.

In the With-Action reasonable-worst case development scenario (RWCDS), in addition to the Applicant's nine Projected Development Sites described above, the Proposed Actions are expected to facilitate the redevelopment of three additional Projected Development Sites (Block 1716, Lots 59-60 [Projected Development Site 7], Block 1735, Lots 61-62 [Projected Development Site 11] and Block 1717, Lot 2 [Projected Development Site 12]). Together it is assumed that development at these three sites, as a result of the Proposed Actions, would total approximately 90 DUs, 23 of which would be permanently affordable (assuming the Applicant's proposed Option 1), and approximately 15,083 gsf of ground floor local retail.

For RWCDS purposes, the Proposed Actions are also assumed to have the potential to result in development at two non-Applicant-controlled sites (Block 1736, Lot 68 [Potential Development Site A] and Block 1735, portion of (p/o) Lot 59 [Potential Development Site B]). The Proposed Actions have the potential to facilitate the development of approximately 57 DUs, 15 of which would be permanently affordable (assuming the Applicant's proposed Option 1), and approximately 10,900 gsf of community facility (house of worship) space at the two Potential Development Sites.

Overall, the total RWCDS for the Proposed Actions would result in a total of 483 DUs, including 124 affordable units pursuant to the Applicant's proposed Option 1, 244,088 gsf of private school space, 80,155 gsf of local retail space, 11,590 gsf of medical office space, and 151 accessory parking spaces (the With-Action condition) on the 12 Projected Development Sites. Compared to No-Action conditions, the total RWCDS for the Proposed Actions would result in an incremental (net) increase of approximately 481 DUs, including 124 affordable units pursuant to MIH Option 1, 201,838 gsf of private school space, 28,505 gsf of local retail space, and net decreases of approximately 40,250 gsf of medical office space, 17,969 gsf of office space, 11,400 gsf of warehouse space, 5,000 gsf of house of worship space, as well as a net decrease of 100 parking spaces.

According to the 2025 *CEQR Technical Manual*, a land use and zoning analysis is warranted for projects involving a change in land use or zoning. As the Proposed Actions include zoning map and zoning text amendments, further analysis is warranted. Furthermore, the 2025 *CEQR Technical Manual* recommends that if a preliminary assessment cannot succinctly describe land use conditions in the study area, or if a detailed assessment is required in the technical analyses of socioeconomic conditions, neighborhood character, transportation, air quality, noise, infrastructure, or hazardous materials, a detailed land use assessment is appropriate. As such, a detailed land use and zoning assessment is warranted.

B. PRINCIPAL CONCLUSIONS

There would be no significant adverse impacts on land use, zoning, or public policy in the 2031 future with the Proposed Actions in the primary or secondary study areas. The Proposed Actions would not directly displace any land uses so as to adversely affect surrounding land uses, nor generate land uses that would be incompatible with existing land uses, zoning, or public policy in the secondary study area. The Proposed Actions would facilitate the development of a mix of residential, commercial, and community facility uses in the Project Area, where there is a strong demand for affordable and market-rate housing and schools.

DCP's Climate and Sustainability Planning Division, on behalf of the New York City Coastal Commission, has reviewed the Waterfront Revitalization Program (WRP) assessment, and has found that the Proposed Actions would not substantially hinder the achievement of any WRP policy and has determined that the total RWCDS for the Proposed Actions would be consistent with the WRP. The total RWCDS for the Proposed Actions has been assigned WRP No. 22-075.

Furthermore, the Proposed Actions would not result in development that would conflict with adopted, applicable public policies in both the primary and secondary study areas. Rather, the Proposed Actions would be compatible with the following public policies: Housing Our Neighbors, Housing New York, Where We Live NYC Plan, OneNYC 2050, New York Works, Get Stuff Built, Block by Block, and the ~~Waterfront Revitalization Program (~~WRP~~)~~.

C. METHODOLOGY

The purpose of this chapter is to examine the effects of the Proposed Actions and determine whether it would result in any significant adverse impacts on land use, zoning, or public policy. The analysis methodology is based on the guidance of the 2025 *CEQR Technical Manual* and examines the Proposed Actions' consistency with land use patterns and development trends, zoning regulations, and other applicable public policies.

This chapter includes a description of existing land uses within the directly affected area and the broader study area. Following the guidance of the *CEQR Technical Manual*, the analysis describes existing and anticipated future conditions to a level necessary to understand the relationship of the proposed actions to such conditions, assesses the nature of any changes on these conditions that would be created by the proposed actions, and identifies those changes, if any, that could be significant or adverse.

Existing land uses were identified through review of a combination of sources including field surveys and secondary sources, as well as the City's Primary Land Use Tax Lot Output (PLUTO™) data files for 2025 and websites, such as New York City's Zoning and Land Use Map (ZoLa, https://zola.planning.nyc.gov) and NYCityMap (http://gis.nyc.gov/doitt/nycitymap/). New

York City Zoning Maps and the Zoning Resolution of the City of New York were consulted to describe existing zoning districts in the study areas and provided the basis for the zoning evaluation of the future No-Action and future With-Action conditions. Relevant public documents including documents recognized by the New York City Department of City Planning (DCP) and other City agencies, were utilized to describe existing public policies pertaining to the study areas. No-Action developments in the surrounding area were determined by consulting the New York City Department of Buildings (DOB) Building Information System (BIS) database and other publications such as The Real Deal, YIMBY, NY Curbed, etc.

Analysis Year

At this time, only three of the Applicant-controlled Projected Development Sites (Sites 2, 6, and 8 – the sites proposed for educational uses) have started to prepare development plans. It is assumed that the other Projected Development Sites would not begin to consider development options until after the Proposed Actions are approved. Assuming approval of the Proposed Actions in ~~2025~~2026, it is likely that the remaining Projected Development Sites within the Project Area would be redeveloped by 2031. Accordingly, this environmental review will use 2031 as the Analysis Year for analysis of future conditions consistent with *CEQR Technical Manual* guidance.

Study Area Definition

According to the *CEQR Technical Manual*, the appropriate study area for land use, zoning, and public policy is related to the type and size of an action, as well as the location and context of the area that could be affected. Study area boundaries vary according to these factors, with suggested study areas ranging from 400 feet for a small project to 0.5 miles for a very large project. Land use, zoning, and public policy are addressed and analyzed for two geographical areas: (1) the Project Area including any Projected Development Sites; and (2) a surrounding study area. The study area identified for this analysis encompasses all areas within a 0.25-mile radius from the boundary of the Project Area. Shown in **Figure 2-1**, the study area boundary extends as far north as Heyward Street, as far east as Marcy Avenue, as far south as the lots on the south side of Willoughby Avenue, and as far west as Taaffe Place.

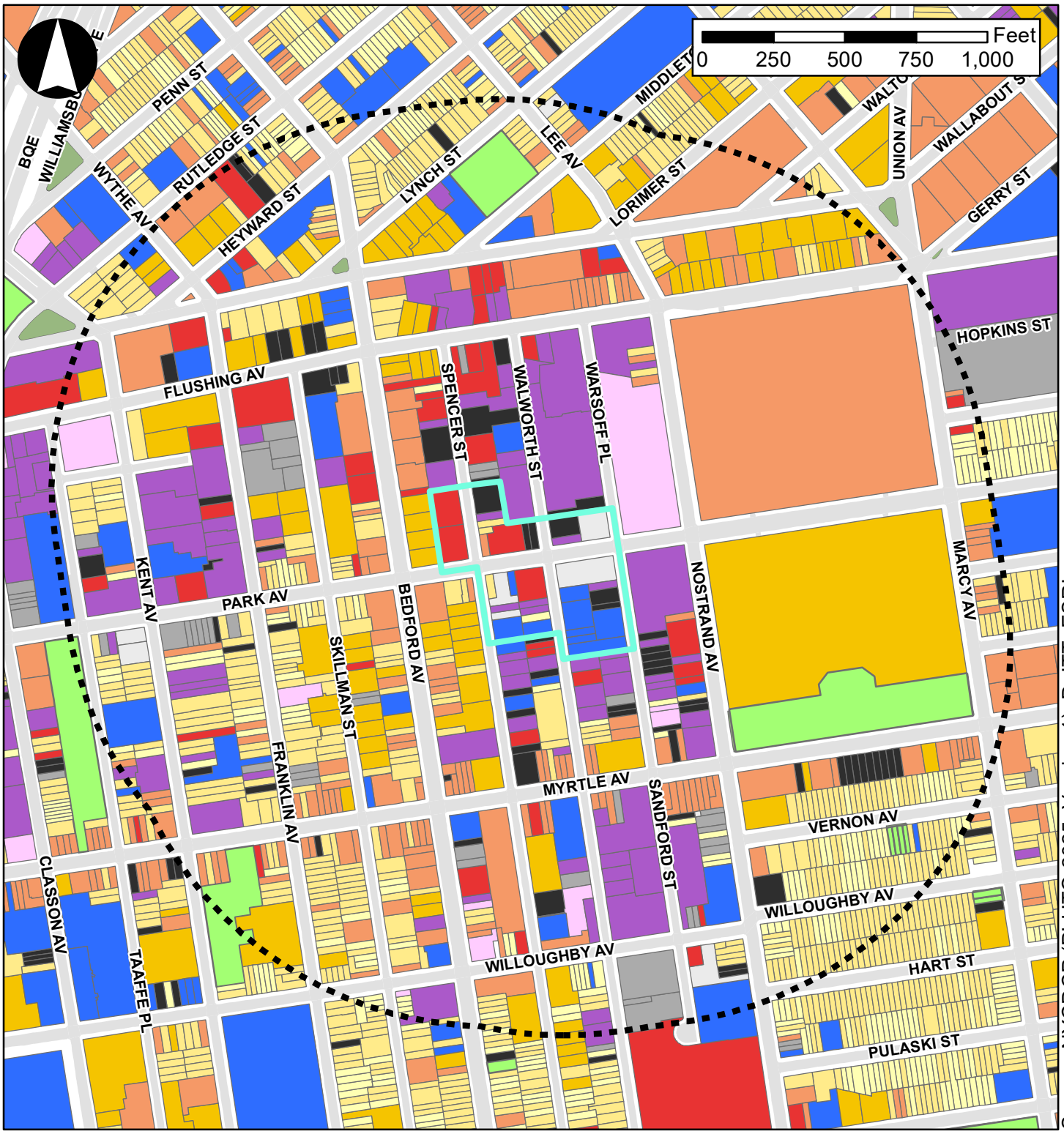
D. EXISTING CONDITIONS

Land Use

Project Area

A description for the Project Area is provided below and is also summarized in **Table 2-1**.

Figure 2-1
Existing Land Uses



Source: NYCDCP (PLUTO 2025, Version 1); DoITT; ESRI

Legend

- Proposed Rezoning Area (Project Area)
- 1/4-mile Radius

Land Use

- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commecial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilites & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data

TABLE 2-1
Project Area Tax Lots

Block	Lot	Projected/ Potential Dev. Site	Address	Lot Area (sf)	Building Area (gsf)	Existing Zoning	Use
1715	3	1*	517 Park Avenue	12,271	23,861	M1-2	Retail/Medical Office
1715	54	N/A	38 Spencer Street	10,600	2,500	M1-2	Warehouse
1715	103	N/A	48 Spencer Street	12,500	37,500	M1-2	Appliance Hardware Store/School
1716	1	N/A	53 Spencer Street	2,508	3,375	M1-2	Residential
1716	2	N/A	51 Spencer Street	2,483	2,489	M1-2	Warehouse
1716	3	2*	49 Spencer Street	12,500	-	M1-2	Vacant
1716	59	7	537 Park Avenue	2,444		M1-2	Vacant
1716	60		535 Park Avenue	2,444	-	M1-2	Vacant
1716	61	3*	533 Park Avenue	11,657	11,657	M1-2	Industrial Supply Store
1716	66	N/A	523 Park Avenue	1,900	4,175	M1-2	Residential/Retail
1716	70	N/A	55 Spencer Street	1,100	2,772	M1-2	Residential
1717	1	N/A	63 Walworth Street	2,500	1,783	M1-2	Retail
1717	2	12	55 Walworth Stret	13,613	-	M1-2	Parking
1717	60	4*	547 Park Avenue	10,775	-	M1-2	Parking
1735	1	N/A	512 Park Avenue	2,056	5,000	M1-1	Residential
1735	3	10*	514 Park Avenue	6,612	2,500	M1-1	Parking/Warehouse
1735	4	N/A	518 Park Avenue	2,056	7,051	M1-1	Ambulatory Service
1735	5	9*	520 Park Avenue	10,725	10,725	M1-1	Retail
1735	11		82 Walworth Street	2,500	2,500	M1-1	Warehouse
1735	12		84 Walworth Street	2,500	2,500	M1-1	Warehouse
1735	13	8*	86 Walworth Street	2,500	1,400	M1-1	Residential
1735	14		88 Walworth Street	5,000	5,000	M1-1	House of worship
1735	59 (p/o)[1]	B	81 Spencer Street	7,500	8,900	M1-1	House of worship
1735	61	11	75 Spencer Street	2,500	-	M1-1	Vacant
1735	62		77 Spencer Street	2,500	1,400	M1-1	Warehouse
1736	1	5*	528 Park Avenue	16,450	-	M1-1	Tire repair shop – no permanent structures
1736	10[2]	6*	76 Sanford Street	10,000	2,500	M1-1	Warehouse
1736	14	N/A	84 Sanford Street	10,000	40,500	M1-1	Private school
1736	18	6*	96 Sanford Street	10,750	22,250	M1-1	Private school
1736	61		89 Walworth Street	2,500	5,000	M1-1	Private school
1736	62		87 Walworth Street	2,500	5,000	M1-1	Private school
1736	63		79 Walworth Street	10,000	10,000	M1-1	Private school
1736	68	A	75 Walworth Street	5,000	5,000	M1-1	House of worship

Source: NYC MapPLUTO 25v1
Note: * denotes Applicant-controlled sites
[1] A portion of Lot 59 is located outside the Project Area and therefore not included in the table. In total, Lot 59 is a 12,500 sf lot occupied by a 20,681 gsf house of worship. The table reflects only the portions of Lot 59 located within the Project Area.
[2] Lot 10 consists of former Lots 10, 11 and 13. A lot merger became effective between scoping and the completion of the DEIS.

Block 1715, north of Park Avenue and west of Spencer Street, contains a two-story approximately 23,861 gross-square-foot (gsf) health care center with pharmacy, medical office, and retail space on the corner (Lot 3[1]). Lot 3 is a 12,271-sf corner lot. Lot 103 is a 12,500-sf interior lot occupied by a three-story approximately 37,500 gsf warehouse building used as a nonconforming yeshiva, Yeshiva Letzirim Satmar. The yeshiva occupies approximately 34,700 gsf of the building's floor area. The remaining 2,800 gsf is occupied by an appliance/hardware store on the ground floor. Approximately 229 square feet (sf) of the 10,600 sf Lot 54 is located within the Project Area. Lot 54 is occupied by a one-story 2,500 gsf warehouse, the rest of the lot is utilized as open storage.

Block 1716, north of Park Avenue between Spencer and Walworth streets, includes a three-story approximately 3,375 gsf pre-existing nonconforming residential building that contains four DUs on the 2,508-sf Lot 1. Lot 2 is a 2,483-sf lot that contains an approximately 2,489 gsf one-story

[1] Based on information provided by the Applicant.

warehouse. Lot 3 is a vacant 12,500 sf interior lot. Lots 59 and 60 are each 2,444-sf vacant lots. Lot 61 is an 11,657-sf lot that contains a one-story 11,657 gsf commercial building utilized as a plumbing supply store. Lot 66 is a 1,900-sf lot that is occupied by a three-story 4,175 gsf nonconforming mixed-use residential and commercial building. The 1,875 gsf commercial area on the ground floor is occupied by a payroll service. On the second and third floors are four DUs. Lot 70 is a 1,100-sf lot contains a nonconforming four-story approximately 2,772 residential building that contains three DUs.

Block 1717, north of Park Avenue between Walworth Street and Warsoff Place, includes a one-story 1,783 gsf building occupied by a signage and awning business on the 2,500 sf Lot 1. Lot 1 is located at the northeast corner of Park Avenue and Walworth Street. Lot 2 is a 13,613-sf lot used for surface parking. Approximately 7,599 sf of the lot is located within the rezoning area. Lot 60 is a 10,775-sf surface parking lot utilized by a rental car company. Approximately 10,000 sf of the lot is located within the Project Area.

Block 1735, south of Park Avenue between Spencer and Walworth Streets, includes a pre-existing nonconforming three-story 5,000 gsf residential building with 3 DUs on the 2,056-sf Lot 1. Lot 3 is a 6,612-sf surface parking lot. Lot 4 is a 2,056-sf lot that is occupied by a four-story 7,051-gsf building used as a Hatzolah volunteer firehouse. Lot 5 is a 10,725-sf lot that is occupied by a one-story 10,725-gsf commercial building occupied by several businesses including a bakery, clothing store, shoe store, and a mailing service. Lots 11 and 12 are each 2,500 sf lots that are occupied by a one-story 5,000-gsf commercial building occupied by ~~a~~ an HVAC supply store. Lot 13 is a 2,500-sf lot occupied by a nonconforming two-story 1,400-gsf residential building containing two DUs. Lot 14 is a 5,000-sf lot that is occupied by a 5,000-gsf one-story house of worship. Lot 59[2] is a 12,500 sf lot occupied by a one-story 20,681-gsf house of worship. Approximately 7,500 sf of the lot and 8,911 gsf of the one-story building is located within the Project Area. Lots 61 and 62 are each 2,500 sf lots. Lot 62 is occupied by a one-story 1,400 sf warehouse. Lot 61 is used for open storage.

Block 1736, south of Park Avenue between Walworth and Sandford Streets, includes a tire shop at the 16,450-sf Lot 1. Lot 10[3] is a 10,000-sf lot occupied by a one-story 2,500-gsf commercial building that is owned by the school on Lot 14. Lot 14 is occupied by a six-story 40,500-gsf building occupied by a yeshiva. The building on Lot 14 received a special permit from the NYC Board of Standards and Appeals (BSA) in 2008 (BSA Cal No. 97-08-BZ and CEQR No. 08BSA084K). The special permit permitted a 40,742-gsf, 75-foot-tall school building on the 10,000 sf Lot 14. Lot 18 is a 10,750-sf lot that includes two buildings, a three-story building along Sanford Street and a one-story building along Walworth Street. These buildings total 22,250 gsf and are used as part of the Central United Talmudic Academy on Lot 14. Lots 61 and 62 are each 2,500 sf lots that include a two-story 10,000 gsf building used as an accessory building to the Central United Talmudic Academy on Lot 14. Lot 63 is a 10,000-sf lot that contains a one-story 10,000-gsf building used as an accessory building to the Central United Talmudic Academy on Lot 14. Finally, on Lot 68, a 5,000-sf lot, is a 5,000-gsf one-story building used as a house of worship.

Study Area (0.25-Mile Radius)

As shown in **Table 2-2**, the study area is primarily characterized by residential uses, primarily multi-family residential buildings. Residential buildings comprise over 50 percent of all lots and

[2] Lot 59 consists of former Lots 56, 57, 58, 59, and 60. A lot merger became effective on December 19, 2024, between scoping and completion of the DEIS. As such, only a 7,500 sf portion of Lot 59 (comprising former Lots 58, 59, and 60) is located within the Project Area.

[3] Lot 10 consists of former Lots 10, 11, and 13. A lot merger became effective on May 30, 2025, between scoping and completion of the DEIS.

over 40 percent of all floor area in the study area. Mixed-use residential and commercial buildings comprise approximately 20 percent of all floor area in the study area. Standalone commercial buildings comprise approximately seven percent of all floor area in the study area.

As shown in **Figure 2-1**, the area north and south of the Project Area within 0.25-mile of the Project Area is generally used for manufacturing and public facilities/institution purposes. Combined, these uses make up approximately 22 percent of total floor area in the study area. Transportation/utility buildings comprise the third smallest floor area in the study area at approximately two percent. All others or no data comprise 0.2 percent of the floor area in the study area while open spaces, parking facilities, and vacant land all comprise 0 percent of the floor area in the study area. The area west of the Project Area is generally occupied by multi-family residential uses. To the east of the Project Area is Marcy Houses, a complex of 27 six-story buildings built and operated by the New York City Housing Authority (NYCHA). The complex consists of approximately 1,705 apartments. Buildings within the 0.25-mile radius generally range in height between three- and eight-stories. Open spaces in the 0.25-mile radius include Middleton Playground, Taaffe Playground, Marcy Playground, Stockton Playground, and Vernon New Harvest.

The Project Area is located within a Transit Zone. The closet subway stations to the Project Area are the Flushing Avenue and Myrtle-Willoughby Avenues Stations which are served by the G train. These stations are approximately 0.5 miles from sites in the Project Area. The B44 and B44 SBS buses run northbound on Bedford Avenue and southbound on Nostrand Avenue and connect the neighborhood to Sheepshead Bay. The B54 bus runs east and west along Myrtle Avenue between Downtown Brooklyn and Ridgewood just south of the Project Area.

TABLE 2-2
Existing Land Uses within the 0.25-mile Study Area

Land Use	No. of Lots	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
Residential	642	57.6%	2,511,900	34.6%	6,077,475	42.3%
One- & Two-Family Buildings	*143*	*12.8%*	*270,767*	*3.7%*	*354,717*	*2.5%*
Multi-Family Walkup Buildings	*398*	*35.7%*	*1,013,907*	*13.9%*	*2,262,690*	*15.7%*
Multi-Family Elevator Buildings	*101*	*9.1%*	*1,227,226*	*16.9%*	*3,460,068*	*24.1%*
Mixed Commercial/Residential Buildings	175	15.7%	1,472,221	20.3%	3,777,670	26.3%
Commercial/Office Buildings	42	3.8%	441,425	6.1%	1,036,329	7.2%
Industrial/Manufacturing	86	7.7%	1,070,797	14.7%	1,996,300	13.9%
Transportation/Utility	10	0.9%	177,697	2.4%	268,013	1.9%
Public Facilities & Institutions	41	3.7%	625,090	8.6%	1,177,459	8.2%
Open Space	8	0.7%	338,014	4.7%	1,200	0.0%
Parking Facilities	34	3.0%	319,066	4.4%	5,980	0.0%
Vacant Land	70	6.3%	275,267	3.8%	0	0.0%
All Others or No Data	7	0.6%	37,197	0.5%	28,080	0.2%
Total	**1,115**	**100.0%**	**7,268,674**	**100.0%**	**14,368,506**	**100.0%**

Source: NYC Department of City Planning (PLUTO 2025v1)
Note: Data prov-ided for secondary study area only, i.e., excluding primary study area.

Zoning

Project Area

North of Park Avenue, the Project Area is zoned M1-2. M1 districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light

industrial uses, which must meet the stringent M1 performance standards. Specifically, the M1-2 district permits Use Group I, certain uses in Use Group III(B) (including but not limited to houses of worship and ambulatory diagnostic or treatment health care facilities), certain uses in Use Group IV (A to C) (including but not limited to public utility stations for oil or gas metering), and certain uses in Use Groups V to X. Commercial uses are permitted to a maximum FAR of 2.0, manufacturing/industrial uses are permitted to a maximum FAR of 2.0, and community facility uses are permitted to a maximum FAR of 4.8. The M1-2 zoning district permits a maximum base height of 60 feet or four stories, whichever is less. Above the maximum base height, maximum building height is dictated by the Sky Exposure Plane outlined in ZR 43-43. Parking and loading requirements vary by use.

South of Park Avenue, sites within the Project Area are zoned M1-1. The M1-1 district permits Use Groups I and certain uses in Use Groups III(B), IV (A to C), and V to X. Commercial uses are permitted to a maximum FAR of 1.0, manufacturing/industrial uses are permitted to a maximum FAR of 1.0, and community facility uses are permitted to a maximum FAR of 2.4. The M1-1 zoning district permits a maximum base height of 30 feet or two stories, whichever is less. Above the maximum base height, maximum building height is dictated by the Sky Exposure Plane outlined in ZR 43-43. Parking and loading requirements vary by use.

Study Area

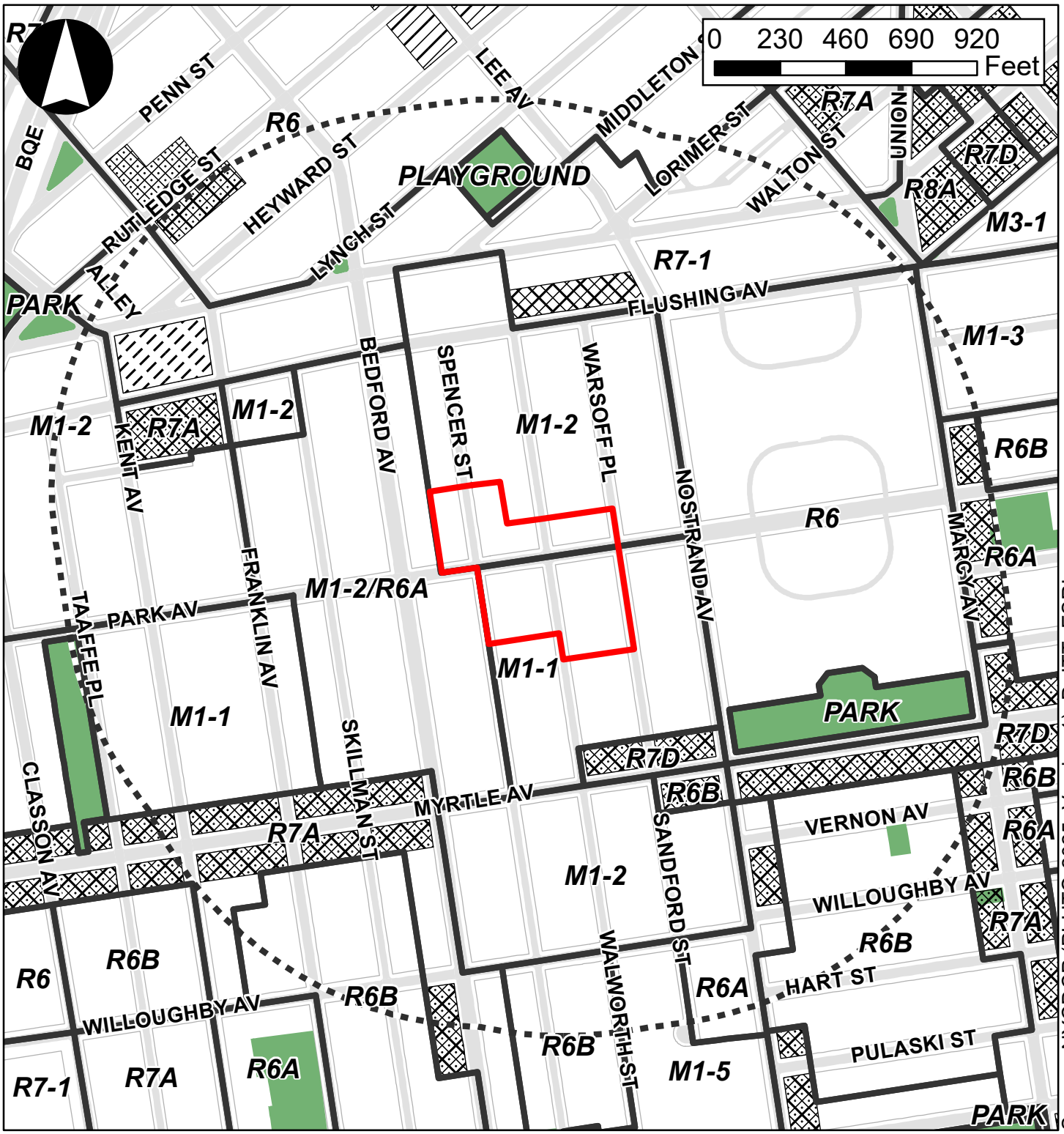
In addition to the M1-1 and M1-2 zoning districts discussed above, the study area is zoned with M1-2/R6A, M1-3, M1-5, R6, R6A, R6B, R7-1, R7A, R7D. Each of these districts are discussed below (refer to **Figure 2-2**). Pursuant to recent zoning map amendments (CEQR Nos. 21DCP203K and 23DCP128K), the southernmost portion of Block 1735 and northernmost portion of Block 1751 along Myrtle Avenue between Spencer Street and Walworth Street was rezoned from M1-1 and M1-2, respectively, to R7D/C2-4 district. In addition, another recent zoning map amendment (CEQR No. 21DCP094K) rezoned the northeastern-most corner of Block 1898 and northwestern-most corner of Block 1899 along Park Avenue and Franklin Avenue from an M1-1 to an M1-4/R6A (MX-4) district.

MX-4 (M1-2/R6A, M1-4/R6A)

The Flushing/Bedford Special Mixed-Use District, designated MX-4 on the Zoning Map, was established in 2001 to allow residential uses in existing manufacturing districts and allow for existing industrial uses south of Flushing Avenue to expand. As shown in **Figure 2-2**, the Special Mixed-Use District is located directly west of the Project Area (zoned M1-2/R6A). The CPC report for the rezoning recognized the “significant decline in industrial uses” in the area beginning in the 1930s, resulting in an increase in auto related uses, junk yards and vacant land,” and the southward movement of the traditional Williamsburg neighborhood boundaries. The report also noted the large number of applications received by the New York City Board of Standards and Appeals for zoning variances to permit new residential development in the rezoning area and surrounding blocks. As a result of the 2001 rezoning, new residential and non-residential uses (commercial, community facility, and light industrial) including Use Groups I, III(B), IV through X can be developed as-of-right and can be located side-by-side or within the same building. Within MX districts, residential uses are generally subject to the bulk controls of the governing residence district; commercial, industrial, and community facility uses are subject to the M1 district bulk controls, except that community facilities are subject to residential FAR limits. Most light industrial uses are permitted in each MX district as-of-right, while others are subject to restrictions.

M1-3

As shown in **Figure 2-2**, the area south of Flushing Avenue and north of Ellery Street, between Marcy Avenue and Tompkins Avenue is zoned M1-3. The M1-3 district permits Use Groups I,



Source: NYCDCP (PLUTO 2025, Version 1); DoITT; ESRI

Legend

- Proposed Rezoning Area (Project Area)
- 1/4-mile Radius
- Zoning District

Commercial Overlay

C1-1, C1-2, C1-3, C1-4, C1-5, C2-1, C2-2, C2-3, C2-4, C2-5

III(B), and IV through X, sometimes with restrictions. Commercial uses are permitted to a maximum FAR of 5.0, manufacturing/industrial uses are permitted to a maximum FAR of 5.0, and community facility uses are permitted to a maximum FAR of 6.5. The M1-3 zoning district permits a maximum base height of 85 feet or six stories, whichever is less. Above the maximum base height, maximum building height is dictated by the Sky Exposure Plane outlined in ZR 43-43. Parking and loading requirements vary by use.

M1-5

As shown in **Figure 2-2**, an area south of Willoughby Avenue between Nostrand Avenue and Walworth Street, south of the Project Area is zoned M1-5. The M1-5 district permits Use Groups I, III(B), and IV through X, sometimes with restrictions. Commercial uses are permitted to a maximum FAR of 5.0, manufacturing/industrial uses are permitted to a maximum FAR of 5.0, and community facility uses are permitted to a maximum FAR of 6.5. The M1-5 zoning district permits a maximum base height of 85 feet or six stories, whichever is less. Above the maximum base height, maximum building height is dictated by the Sky Exposure Plane outlined in ZR 43-43. Parking and loading requirements vary by use.

R6

The area directly east of the Project Area, on the two superblocks that make up the Marcy Houses described above, is zoned R6. R6 zoning districts are medium-density residential districts ranging from large-scale “tower in the park” developments to neighborhoods with a diverse mix of building types. The maximum residential FAR in R6 zoning districts is 3.0 FAR for standard residences for properties located within 100 feet of a wide street and 2.2 FAR for all other properties. Community facility uses are permitted at a maximum FAR of 4.8. Qualifying affordable or senior housing has a maximum FAR of 3.9. For standard developments, buildings have a maximum base height of 65 feet along a wide street and 45 feet along a narrow street. The maximum permitted heights are 75 feet along a wide street and 55 feet along a narrow street after a 10- to 15-foot setback. For qualifying affordable or senior housing sites, buildings have a maximum base height of 65 feet and may rise to a maximum height of 95 feet along a wide street and 85 feet along a narrow street after a 10- to 15-foot setback. For larger or irregular sites (defined as eligible sites), this maximum height can be increased. In the Inner Transit Zone, where the study area is located, no parking is required for residential use. Parking is required for some community facility uses, though waivers are available for small lots and mixed buildings.

R6A

R6A zoning districts are generally mapped south and east of the Marcy Houses within the study area (refer to **Figure 2-2**). R6A zoning districts are medium-density contextual districts with a maximum FAR of 3.0 for standard residences, which can be increased to 3.90 FAR for qualifying affordable or senior housing sites. Community facility uses are permitted at a maximum FAR of 3.0. Buildings have a minimum base height of 40 feet and a maximum base height of 65 feet. Above the maximum base height, setbacks are required. Buildings can then rise to a maximum height of 75 feet for standard developments and 95 feet for qualifying affordable or senior housing sites. In the Inner Transit Zone, where the study area is located, no parking is required for residential use. Parking is required for some community facility uses, though waivers are available for small lots and mixed buildings.

R6B

Portions of the study area south of Myrtle Avenue contain R6B zoning districts. The R6B district is a medium-density contextual residential district with a maximum FAR of 2.0 for standard residences, and a maximum FAR of 2.4 for qualifying affordable and senior housing. Community

facility uses are permitted at a maximum FAR of 2.0. The R6B district allows for a maximum base height of 45 feet. After a setback from the street wall, developments in the R6B district are permitted to rise to a maximum height of 55 feet (65 feet for qualifying affordable and senior housing). In the Inner Transit Zone, where the study area is located, no parking is required for residential use. Parking is required for some community facility uses, though waivers are available for small lots and mixed buildings.

R7-1

As shown in **Figure 2-2**, an area north of Flushing Avenue between Union and Kent Avenues is zoned R7-1. R7-1 districts are medium-density apartment house districts. The maximum residential FAR in R7-1 zoning districts is 4.0 FAR for standard residences for properties located within 100 feet of a wide street and 3.44 FAR along a narrow street. Qualifying affordable or senior housing has a maximum FAR of 5.01. Community facility uses are permitted at a maximum FAR of 4.8. For standard developments, buildings have a maximum base height of 75 feet along a wide street and 65 feet along a narrow street. The maximum permitted heights are 85 feet along a wide street and 75 feet along a narrow street after a 10- to 15-foot setback. For qualifying affordable or senior housing sites, buildings have a maximum base height of 85 feet and may rise to a maximum height of 115 feet along a wide street and 105 feet along a narrow street after a 10- to 15-foot setback. In the Inner Transit Zone, where the study area is located, no parking is required for residential use. Parking is required for some community facility uses, though waivers are available for small lots and mixed buildings.

R7A

An R7A district is mapped in the study area on Myrtle Avenue west of Bedford Avenue. R7A districts are medium-density contextual residential zoning districts with a maximum FAR of 4.0 for standard residences, and a maximum FAR of 5.01 for qualifying affordable and senior housing. Community facility uses are permitted at a maximum FAR of 4.0. The R7A district allows for a maximum base height of 75 feet (85 feet for qualifying affordable and senior housing). After a setback from the street wall, developments in the R7A district are permitted to rise to a maximum height of 85 feet (115 feet for qualifying affordable and senior housing). In the Inner Transit Zone, where the study area is located, no parking is required for residential use. Parking is required for some community facility uses, though waivers are available for small lots and mixed buildings.

R7D

An R7D district is mapped along Myrtle Avenue generally east of Nostrand Avenue (refer to **Figure 2-2**). R7D districts are medium-density contextual residential zoning districts with a maximum FAR of 4.66 for standard residences, and a maximum FAR of 5.6 for qualifying affordable and senior housing. Community facility uses are permitted at a maximum FAR of 4.66. The R7D district allows for a maximum base height of 85 feet (95 feet for qualifying affordable and senior housing). After a setback from the street wall, developments in the R7D district are permitted to rise to a maximum height of 105 feet (125 feet for qualifying affordable and senior housing). In the Inner Transit Zone, where the study area is located, no parking is required for residential use. Parking is required for some community facility uses, though waivers are available for small lots and mixed buildings.

COMMERCIAL OVERLAYS

Commercial overlays are mapped within residential districts along streets that serve local retail needs. As shown in **Figure 2-2**, C1-4, C2-4 and C1-5 commercial overlays are mapped in the study area on portions of Myrtle Avenue and Marcy Avenue. In residential areas R6 through R10, commercial overlays provide a maximum commercial FAR of 2.0. Overlay districts differ from

other commercial districts in that residential bulk is governed by the residence district within which the overlay is mapped. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential uses. Typical commercial uses in overlays include neighborhood grocery stores, restaurants, and beauty parlors. C2 districts permit a slightly wider range of uses than C1 districts, such as funeral homes and repair services. Parking is required for commercial uses, with lower requirements in zoning districts with higher numeric suffixes, though waivers are available for small lots and mixed buildings.

Public Policy

According to the *CEQR Technical Manual*, a project that would be located within areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy controlling land use, requires an analysis of public policy. A preliminary assessment of public policy should identify and describe any public policies, including formal plans or published reports, which pertain to the study area. If a proposed project could potentially alter or conflict with identified policies, a detailed assessment should be conducted; otherwise, no further analysis of public policy is necessary.

The Project Area and study area are not part of, or subject to, an Urban Renewal Plan, adopted community 197-a Plan, Industrial Business Zone (IBZ), Business Improvement District (BID) or the New York City Landmarks Law. The portion of the Project Area north of Park Avenue is located within New York City's designated Coastal Zone. Therefore, the Proposed Actions are subject to review for consistency with the City's WRP.

Besides zoning, other public policies and guidelines applicable to portions of the Project Area and study area includes OneNYC 2050, PlanNYC 2023, Housing Our Neighbors, Block by Block, and Where We Live. While there are ~~not~~no specific initiatives and goals in these policies that relate to the Project Area and study area, it is a citywide initiative that would be applicable to the study area and is, therefore, included in this assessment.

Housing Our Neighbors: A Blueprint for Housing and Homelessness

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

Housing New York

In May 2014, the City released *Housing New York: A Five-Borough, Ten Year Plan* to build and preserve affordable housing along with strategic infrastructure improvements to create a more equitable and livable New York City. Its main goal, to preserve and develop 200,000 units of high-quality affordable housing by 2024, was reached two years ahead of schedule, in late 2021, and the Administration thereafter committed to completing an additional 100,000 homes over the

following four years. The new goal of 300,000 homes by 2026 prompted the creation of Housing NYC 2.0, which comprises a series of new initiatives to help thousands more families and seniors afford rent, buy a first home, and stay in their neighborhoods.

Where We Live NYC

The Where We Live NYC Plan is the City's blueprint for fair housing in the five boroughs to break down barriers to opportunity and build more integrated, equitable neighborhoods. This five-year plan seeks to make reparations for the years of unfair housing policies faced by minority communities.

The key goals of the plan include:

- Fight housing discrimination by pursuing increased resources and protections.
- Promote development that opens up more communities to low-income families.
- Preserve low-cost housing and prevent displacement of long-standing residents through stronger tenant protections and new affordable housing investments.
- Empower families receiving rental assistance and expand use of these benefits in amenity-rich neighborhoods.
- Create better and more integrated living options for people with disabilities.
- Align investments to address segregation, discrimination, and concentrated poverty.

The City plans to address these goals in many ways, including (but not limited to) introducing more opportunities to promote equitable housing growth, expanding government housing programs to more New Yorkers, protecting tenants facing harassment and eviction, helping people with disabilities find affordable and accessible housing, strengthening social resiliency, decreasing violence, working towards more diverse and integrated schools and making public transportation more accessible.

OneNYC 2050: Building a Strong and Fair City

In April 2019, the former Mayor de Blasio administration released OneNYC 2050: Building a Strong and Fair City ("OneNYC 2050"), a strategic plan for inclusive growth and climate action in New York City. Building upon its predecessor, One New York: The Plan for a Strong and Just City ("OneNYC"), OneNYC 2050 brings new attention to the fundamental link between climate action and inclusive growth with a focus on creating good-paying jobs, ensuring equitable access to natural resources, guaranteeing the right to quality healthcare and education, and promoting justice by recognizing and repairing the damage caused by historic oppression.

OneNYC 2050 includes progress realized since 2015, saluting the success of OneNYC's growth, sustainability, resiliency, and equity initiatives. However, the plan emphasizes that there is still much to be done to address critical challenges like climate change, increasing unaffordability, and failing infrastructure. The plan's eight goals lay the foundation for transformational change:

- A Vibrant Democracy, where every New Yorker is welcomed into the City's civic and democratic life.
- An Inclusive Economy, where economic growth creates opportunities for New Yorkers and safeguards the American Dream.
- Thriving Neighborhoods, where all communities have safe, affordable housing and are well-served by parks, cultural resources, and other shared public spaces.

- Healthy Lives, where health inequities based on race and ethnicity are eliminated, and all residents have equal access to health care, clean air, and healthy food.
- Equity and Excellence in Education, where diverse and fair schools provide a quality education for every student, and New York serves as a model for educating children of all backgrounds.
- A Livable Climate, where we no longer rely on fossil fuels and have mitigated the risks posed by climate change.
- Efficient Mobility, where affordable, reliable, safe, and sustainable transportation options mean no New Yorker needs to rely on a car.
- Modern Infrastructure, where reliable physical and digital infrastructure allows New Yorkers to flourish.

OneNYC 2050 articulates a global perspective on the long-term needs of the City and how the City must grow responsibly and sustainably while supporting the well-being of all New Yorkers. The plan is referred to as New York City's Green New Deal, and progress reports will be released yearly.

New York Works

New York Works is a plan implemented in 2017 with the intent to create 100,000 good-paying jobs (with an annual income of at least $50,000) over the next 10 years. The plan includes three main goals: to invest in the creation of middle-class jobs, ensure said jobs are accessible to New Yorkers, and prepare for the jobs of the future in Tech, Life Sciences and Healthcare, Industrial and Manufacturing, Creative and Cultural Sectors, and Space.

Get Stuff Built

Get Stuff Built: A Report of the Building and Land Use Approval Streamlining Taskforce was released in December 2022 and makes 111 recommendations to improve the CEQR, ULURP, and Department of Buildings permitting process with the goals of increasing the speed of compliant projects while decreasing costs, ensuring environmental protection and meaningful public participation, promoting an increase in affordable housing and environmental sustainability, and reducing risk for entrepreneur businesses and emerging developers by improving predictability of the development process. These recommendations are intended to reduce building timelines and costs by up to 50 percent.

Block by Block

In May 2026, the Mamdani Administration released Block by Block: The Housing Plan for a New Era to address the City's housing affordability crisis through a coordinated, citywide approach that combines large-scale production of new housing with strategies to preserve existing affordable housing, enhance tenant protections, and reform the City's land-use review procedures. The plan commits to building 200,000 new affordable homes and preserving 200,000 existing affordable homes over the next decade, supported by significant public investment and land-use changes to increase the City's housing supply, particularly in areas of the City near transit and on public land. Block by Block pairs affordable housing production and preservation goals with stronger enforcement against negligent landlords, expanded tenant protections, and targeted efforts to stabilize public housing (NYCHA), reduce homelessness, and expand homeownership opportunities. Concurrently, the plan aims to modernize government processes to speed up development and improve housing delivery, while linking housing investments to job creation and equitable economic growth aimed to ultimately position housing policy as central to affordability, equity, and the City's long-term stability.

Waterfront Revitalization Program (WRP)

As shown in **Figure 2-3**, the area north of Park Avenue in the Project Area and secondary study area are located within the City's Coastal Zone Boundary (CZB). Projects that are located within the CZB must be assessed for their consistency with the New York City's WRP.

LEGISLATIVE AND REGULATORY BACKGROUND

The federal Coastal Zone Management Act ("CZMA") of 1972 was enacted to support and protect the distinctive character of the waterfront and to set forth standard policies for reviewing proposed development projects along coastlines. The program responded to city, state, and federal concerns about the deterioration and inappropriate use of the waterfront. In accordance with the CZMA, New York State adopted its own Coastal Management Program ("CMP"), which provides for local implementation when a municipality adopts a local waterfront revitalization program, as is the case in New York City. The New York City WRP is the city's principal coastal zone management tool. The WRP was originally adopted in 1982 and approved by the New York State Department of State ("NYSDOS") for inclusion in the New York State CMP. The WRP encourages coordination among all levels of government to promote sound waterfront planning and requires consideration of the program's goals in making land use decisions. NYSDOS administers the program at the state level, and DCP administers it at the city level. The WRP was revised and approved by the City Council in October 1999. In August 2002, NYSDOS and federal authorities (i.e., the U.S. Army Corps of Engineers ["USACE"] and the U.S. Fish and Wildlife Service ["USFWS"]) adopted the city's 10 WRP policies for most of the properties located within its boundaries.

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

NEW YORK CITY PANEL ON CLIMATE CHANGE: PROJECTIONS

In 2013, the New York City Panel on Climate Change ("NPCC") released a report (*Climate Risk Information 2013: Observations, Climate Change Projections, and Maps*) outlining New York City-specific climate change projections to help respond to climate change, which are described below. The 2013 NPCC report predicted future city temperatures, precipitations, sea levels, and extreme event frequency for the 2020s and 2050s. Subsequently, in January 2015, the Second NPCC ("NPCC2") released an updated report that presented the full work of the NPCC2 from January 2013 to 2015 and includes temperature, precipitation, sea level, and extreme event frequency predictions for 2081 to 2100. While the projections will continue to be refined in the future, current projections are useful for present planning purposes and to facilitate decision-making in the present that can reduce existing and near-term risks without impeding the ability to take more informed adaptive actions in the future. Specifically, the NPCC2 report predicts that mean annual temperatures will increase by 2.0 to 2.8˚F, 4.1 to 5.7˚F, 5.3 to 8.8˚F, and 5.8 to 10.3˚F by the 2020s, 2050s, 2080s, and 2100, respectively; total annual precipitation will rise by one to eight percent, four to 11 percent, five to 13 percent, and -one to +19 percent by the 2020s, 2050s, 2080s, and 2100, respectively; sea level will rise by four to eight inches, 11 to 21 inches, 18 to 39 inches, and 22 to 50 inches by the 2020s, 2050s, 2080s, and 2100, respectively; heat waves and

Coastal Zone Boundary



Legend

- Proposed Rezoning Area (Project Area)
- 1/4-mile Radius
- WRP Coastal Zone Boundary

heavy downpours are also very likely to become more frequent, more intense, and longer in duration, with coastal flooding very likely to increase in frequency, extent, and elevation.

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

Land Use and Zoning

Project Area

Absent approval of the Proposed Actions, the Project Area's existing M1-1 and M1-2 zoning would remain in place. Under the existing zoning, two sites within the Project Area are expected to be redeveloped. At Projected Development Site 2 (49 Spencer Street), the currently vacant site is expected to be redeveloped with an 11-story 69,000-gsf mixed-use building containing 28,750 gsf of commercial space (17,969 gsf of office space and 10,781 gsf of local retail space) and 40,250 gsf of medical office space. Development would be compatible with other recent projects on the block including 18 Spencer Street and 31 Spencer Street (DOB NB Job No. 321458481 and 321516640, respectively). The development would contain 230 off-street accessory parking spaces. At Projected Development Site 12, the currently vacant site would be redeveloped with a one-story 6,216-gsf one-story commercial building that would allow the property owner to incorporate all required parking on the lot without the increased cost of excavation to put parking below grade. Approximately 21 off-street accessory surface parking spaces would be provided.

All other sites within the Project Area are expected to remain the same as under existing conditions.

Study Area

In the 2031 No-Action condition, existing land use patterns are anticipated to remain in the secondary study area. There are no known zoning changes proposed in the secondary study area. As noted above, the southernmost portion of Brooklyn Block 1735 (CEQR No. 21DCP203K) and the northernmost portion of Brooklyn Block 1751 (CEQR No. 23DCP128K) along Myrtle Avenue between Spencer Street and Walworth Street were recently rezoned from M1-1 and M1-2, respectively, to R7D/C2-4 district while the northeastern-most corner of Block 1898 and northwestern-most corner of Block 1899 (CEQR No. 21DCP094K) along Park Avenue and Franklin Avenue were recently rezoned from an M1-1 to an M1-4/R6A (MX-4) district.

Although no plans have been filed with the New York City Department of Buildings ("DOB"), the *703 Myrtle Avenue Rezoning EAS* assumed that the properties at 703 Myrtle Avenue (Block 1735, Lot 39) would be redeveloped with a new eight-story (95.5-foot-tall), 66,884 gsf mixed-use residential and commercial building, containing 54 DUs, including 18 permanently income-restricted DUs pursuant to MIH Option 2 and approximately 4,805 gsf of retail space and 709-713 Myrtle Avenue (Block 1735, Lots 33-35) would be redeveloped with a new 11-story (115-foot-tall), 31,196 gsf mixed-use residential and commercial building, containing 27 DUs, including 7-8 permanently income-restricted DUs pursuant to MIH, and approximately 6,744 gsf of retail space.

Although no plans have been filed with DOB, the *712 Myrtle Avenue Rezoning EAS* assumed that the property at 712 Myrtle Avenue (Block 1751, Lots 21, 23, and 24) would be redeveloped with a new 11-story (115-foot-tall), 61,372 gsf mixed-use residential and commercial building, containing approximately 63 DUs, including 16-19 permanently income-restricted DUs pursuant

to MIH, and approximately 7,919 gsf of retail space. The *712 Myrtle Avenue Rezoning EAS* also assumed that the property at 716 Myrtle Avenue (Block 1751, Lot 25) would be redeveloped with a new 11-story (115-foot-tall), 78,865 gsf mixed-use residential and commercial building, containing approximately 68 DUs, including 17-21 permanently income-restricted DUs pursuant to MIH, and approximately 8,550 gsf of retail space.

In addition, plans for the *446-448 Park Avenue Rezoning EAS* was filed with DOB in November 2023 at 448 Park Avenue (Block 1898, Lots 38 and 7501) to be redeveloped with a six-story (68-foot-tall), 83,955-gsf residential building containing seven DUs. Although plans have been filed, it is not currently being constructed nor listed on the DOB Active Major Construction site. The *446-448 Park Avenue Rezoning EAS* also assumed that the property at 83-87 Franklin Avenue (Block 1899, Lots 27-29) would be redeveloped with a new eight-story (85-foot-tall) mixed-use residential and commercial building, containing 15 DUs, including 4-5 permanently income-restricted DUs pursuant to MIH, and approximately 4,421 gsf of retail space.

Within the approximate 0.25-mile secondary study area, there are 23 known projects anticipated to be completed in the 2031 future without the Proposed Actions.[4] These developments and the anticipated No-Action development on the Proposed Development Site described above are listed in **Table 2-3** and shown in **Figure 2-4**. As shown in the table, the developments are primarily residential and in total would include 321 DUs, 197,999 gsf of commercial uses, 222,120 gsf of community facility uses, 54,094 gsf of manufacturing space, and 491 accessory off-street parking spaces.

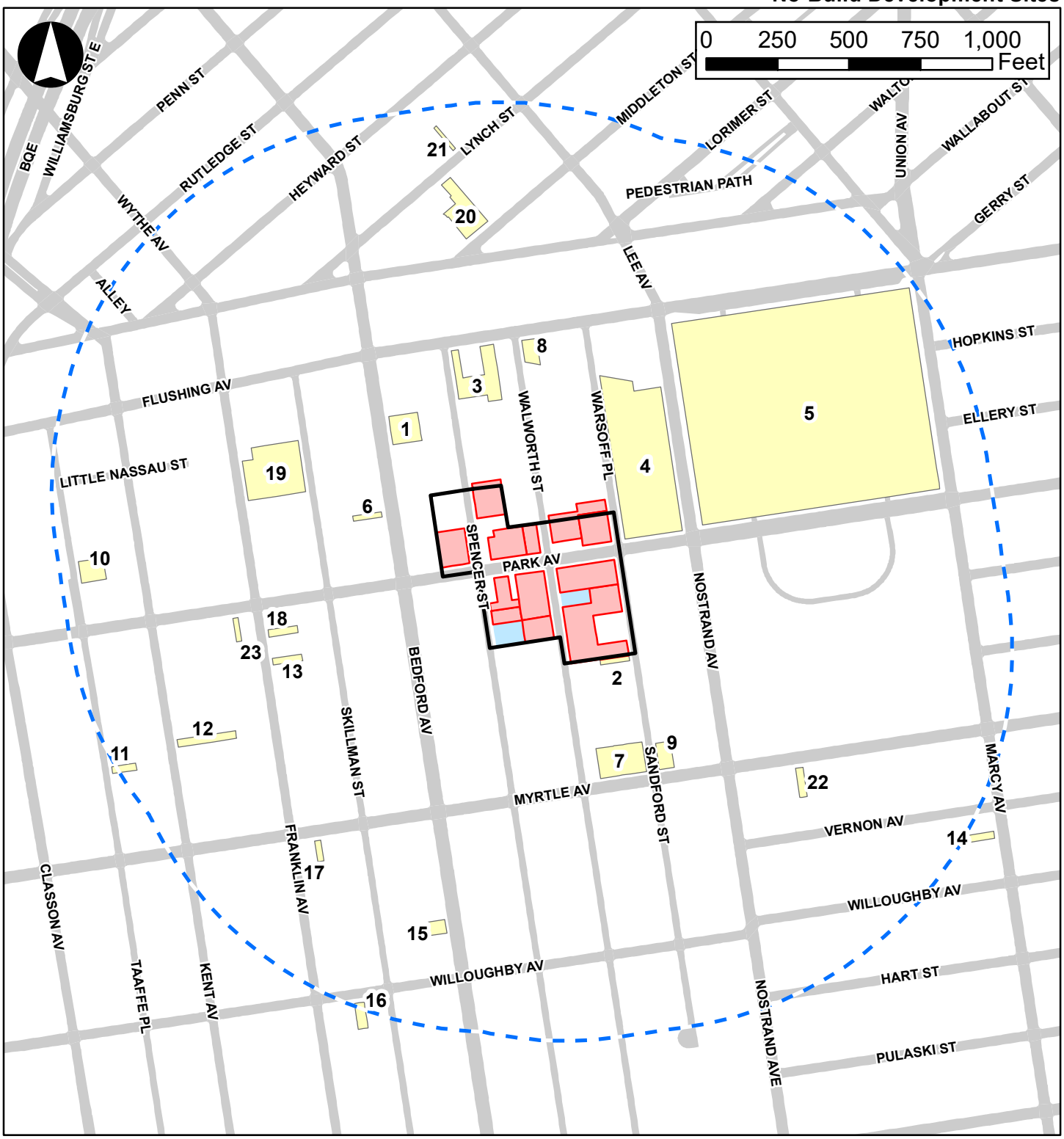
TABLE 2-3
No-Build Development Sites within the 0.25-mile Study Area

ID[1]	Building Address	Residential (sf)	Commercial (sf)	Community Facility (sf)	Manufacturing (sf)	Total (sf)	Dwelling Units	Parking Spaces
1	747 Bedford Avenue	26,688	6,454	-	-	33,142	23	12
2	96A Sandford Street	-	3,318	-	-	3,318	-	-
3	466 Flushing Avenue	-	28,858	68,002	54,094	150,954	-	186
4	559 Park Avenue	-	138,243	-	-	138,243	-	89
5	609 Park Avenue	6,950	-	-	-	6,950	-	-
6	794 Bedford Avenue	3,729	1,590	-	-	5,319	1	-
7	122 Sandford Street	116,662	-	-	-	116,662	120	45
8	486 Flushing Avenue	-	1,847	20,262	-	22,108	1	-
9	735 Myrtle Avenue	15,811	6,715	-	-	22,526	10	1
10	67 Taaffe Place	-	7,830	48,043	-	55,873	-	82
11	121 Taaffe Place	-	-	6,270	-	6,270	1	-
12	845 Kent Avenue	-	-	14,736	-	14,736	-	-
13	97 Franklin Avenue	6,751	-	-	-	6,751	1	1
14	592 Marcy Avenue	11,241	-	-	-	11,241	8	-
15	910 Bedford Avenue	24,825	-	-	-	24,825	15	3
16	344 Willoughby Avenue	9,088	-	-	-	9,088	5	-
17	656 Myrtle Avenue	4,474	1,283	-	-	5,757	2	-
18	89 Franklin Avenue	5,806	-	-	-	5,806	2	1
19	22 Skillman Street/ 51 Franklin Avenue	154,941	-	-	-	154,941	113	69
20	17 Middleton Street	-	-	62,727	-	62,727	-	-
21	61 Lynch Street	9,896	-	2,080	-	11,976	4	1
22	772 Myrtle Avenue	10,336	1,861	-	-	12,197	10	-
23	448 Park Avenue	14,639	-	-	-	14,639	5	1
	Total	**421,834**	**197,999**	**222,120**	**54,094**	**896,047**	**321**	**491**

Sources: NYC DOB New Building Permits; supplemented by articles from NY YIMBY website and other news sources.
Note: [1] Refer to **Figure 2-4**.

[4] Only projects that have filed building permits or are included in the DCP Housing Database are included in **Table 2-3**.

No-Build Development Sites



Legend

- Proposed Rezoning Area (Project Area)
- 1/4-mile Radius
- Projected Development Sites
- No-Build Development Sites
- Potential Development Sites

Public Policy

In the 2031 future without the Proposed Actions, no changes to public policies are anticipated in the primary or secondary study areas.

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

Approval of the Proposed Actions would rezone the Project Area from M1-1 and M1-2 to M1-4/R7D and M1-4/R6-1 Special Mixed-Use MX-4 (Flushing/Bedford) districts. A zoning text amendment to Appendix F of the Zoning Resolution is requested to establish the Project Area as a MIH Area.

As a result of the Proposed Actions, nine Applicant-controlled Projected Development Sites within the Project Area would be redeveloped. Development on the Applicant-controlled Projected Development Sites would include approximately 393 DUs, of which approximately 101 would be permanently affordable pursuant to the MIH program, approximately 65,072 gross-square-feet (gsf) of ground floor local retail space, 244,088 gsf of private school space, and 11,590 gsf of medical office.

In the With-Action RWCDS, in addition to the Applicant's nine Projected Development Sites described above, the Proposed Actions are expected to facilitate the redevelopment of three additional Projected Development Sites (Projected Development Sites 7, 11, and 12). Together it is assumed that development at these three sites, as a result of the Proposed Actions, would total approximately 90 DUs, 23 of which would be permanently affordable pursuant to MIH, and approximately 15,083 gsf of ground floor local retail.

For RWCDS' purposes, the Proposed Actions are also assumed to have the potential to result in development at two non-Applicant-controlled sites (Potential Development Sites A and B). The Proposed Actions have the potential to facilitate the development of approximately 57 DUs, 15 of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and approximately 10,900 gsf of community facility (house of worship) space at the two Potential Development Sites.

Land Use

Each of the Projected and Potential Development Sites are described below. **Table 2-4** includes the uses at each site under the With-Action Condition. A map of the proposed zoning map amendment is shown in **Figure 1-4** of **Chapter 1, "Project Description."**

Projected Development Sites

Projected Development Site 1 - Block 1715; Lot 3 (517 Park Avenue) – Approval of the Proposed Actions would facilitate the expansion of existing uses on this Applicant-controlled site an 11-story, 125-foot-tall, 76,627 gsf mixed-used residential, commercial, and community facility building at the site. The building would contain approximately 56 DUs, of which 14 would be permanently affordable pursuant to MIH. The existing 12,271 gsf of retail space and 11,590 gsf of medical office space would remain on-site. The site would include 21 accessory off-street parking spaces for the residential units.

Projected Development Site 2 - Block 1716; Lot 3 (49 Spencer Street) – At 49 Spencer Street, the Applicant intends to develop a 497-seat private high school for girls, also known as the Beth Chana School.[5] The school would be a five-story, 60-foot-tall, 54,625 gsf school (the Beth Chana School). The building would achieve a FAR of 3.8 and would not fully maximize the allowable 4.8 FAR for the proposed M1-4/R6-1 mixed-use district. For each of the Projected Development Sites for schools (Sites 2, 6, and 8), the Applicant intends to build schools that reach the maximum base height of 60 feet allowed in the proposed M1-4/R6-1 zoning district. Each of these schools are designed to maximize windowed classroom space, minimize construction costs, and provide a continuous roof deck for active recreation. The schools' programming includes recreational activities that require sufficient space. To accommodate recreational activity, the schools are exploring development plans that include the provision of roof decks roughly the size of the building footprints.

Projected Development Site 3 - Block 1716; Lot 61 (533 Park Avenue) - At 533 Park Avenue (Applicant-controlled site), it is assumed for RWCDS purposes that an 11-story, 125-foot-tall mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 72,244 gsf building would include approximately 66 DUs, 17 of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 10,054 gsf of ground floor local retail. No accessory off-street parking spaces are required for the residential units.

Projected Development Site 4 - Block 1717; Lot 60 (547 Park Avenue) - At 547 Park Avenue (Applicant-controlled site), it is assumed for RWCDS purposes that an 11-story, 125-foot-tall mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 66,778 gsf building would include approximately 61 DUs, 16 of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 9,293 gsf of ground floor local retail. No accessory off-street parking spaces are required for the residential units.

Projected Development Site 5 - Block 1736; Lot 1 (528 Park Avenue) - At 528 Park Avenue (Applicant-controlled site), it is assumed for RWCDS purposes that an 11-story, 125-foot-tall mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 101,949 gsf building would include approximately 93 DUs, 24 of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 14,188 gsf of ground floor local retail. No accessory off-street parking spaces are required for the residential units.

Projected Development Site 6 - Block 1736; Lots 10, 18, 61-63 (76-82 Sanford Street, 96 Sanford Street, 79-89 Walworth Street) - At 84 Sanford Street (Applicant-controlled site), the Applicant intends to expand the existing 384-seat K-12 Central United Talmudic Academy on Lot 14 across two new buildings. On Lot 10, the Applicant would construct a five-story 43,700 gsf building on Sanford Street as part of the expansion of the existing school on Lot 14 described above. The building on Lot 10 would be constructed to the maximum 60-foot base height permitted in the requested M1-4/R6-1 zoning district. On Lots 18, 61, 62, and 63, the Applicant would construct a five-story 112,988 gsf building. The building would be constructed to the maximum 60-foot base height permitted in the requested M1-4/R6-1 zoning district. The built FAR on Projected Development Site 6 would be approximately 3.81. As discussed above, the RWCDS assumes that schools would maximize their as-of-right zoning envelope without building above maximum base height, which would require setback floors, as developing setback floors would hamper their programmatic needs. The building would have frontage on Sandford Street and

[5] Assumes 110 gsf per student.

Walworth Street. The existing building on Lot 14 would remain unchanged. Assuming one student per 110 gsf, it is expected that the development of this Projected Development Site would add an additional 1,425 students.

Projected Development Site 7 - Block 1716; Lots 59-60 (535-537 Park Avenue) - At 535-537 Park Avenue, a site that is not under control of the Applicant, it is assumed for RWCDS purposes that an 11-story, 125-foot-tall mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 30,293-gsf building would include approximately 28 DUs, 7 of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 4,216 gsf of ground floor local retail. No off-street accessory parking spaces are required for the residential units.

Projected Development Site 8 - Block 1735; Lots 13-14 (86-88 Walworth Street) - A 298-seat private K-12 school, Yeshiva Bnos Ahavas Israel, is proposed at 86-88 Walworth Street (Applicant-controlled site). The school would be an approximately 32,775 gsf (3.8 FAR) five-story building and would be constructed to the maximum 60-foot base height permitted in the proposed M1-4/R6-1 zoning district. Similar to the Beth Chana School (Projected Development Site 2), the school is designed to maximize the size of windowed classroom space, minimize construction costs, and allow the Applicant to construct an approximately 7,500 sf outdoor recreation space on the roof.

Projected Development Site 9 - Block 1735; Lots 5, 11-12 (520 Park Avenue, 82-84 Walworth Street) - At 520 Park Avenue (Applicant-controlled site), it is assumed for RWCDS purposes that an 11-story, 125-foot-tall mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 87,956-gsf building (5.06 FAR) would include approximately 79 DUs, 20 of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 13,563 gsf of ground floor local retail. No accessory off-street parking spaces are required for the residential units. Given the lot configuration of Projected Development Site 9, Lots 11 and 12 are fully within the proposed M1-4/R6-1 district, which has a maximum allowable residential FAR of 4.80, whereas Lot 5 is mostly within the proposed M1-4/R7D district, which has a maximum allowable residential FAR of 5.60. The development assumed under the RWCDS maximizes the blended FAR reflecting the two zoning districts.

Projected Development Site 10 - Block 1735; Lot 3 (514 Park Avenue) - At 514 Park Avenue (Applicant-controlled site), it is assumed for RWCDS purposes that an 11-story, 125-foot-tall mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 40,978 gsf building would include approximately 38 DUs, 10 of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 5,703 gsf of ground floor local retail. No parking would be required.

Projected Development Site 11 - Block 1735; Lots 61-62 (75-77 Spencer Street) - At 75-77 Spencer Street, a site not under the control of the Applicant, it is assumed for RWCDS purposes that a nine-story, 95-foot-tall mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 21,638-gsf building would include approximately 19 DUs, five of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 4,313 gsf of ground floor local retail. No off-street accessory parking spaces would be required at this site. Projected Development Site 11 is located within the proposed M1-4/R6-1 district, which has a maximum allowable residential FAR of 3.9 and a maximum allowable commercial FAR of 2.0. The development assumed under the RWCDS maximizes the allowable residential/commercial FAR at 3.9, which includes a blended total FAR comprising a residential FAR of 3.15 and a commercial FAR of 0.75. Per ZR Section 23-434, Projected Development Site 11 would have a maximum building height of 95 feet. Although height

modifications are allowed to a maximum building height of 125 feet for eligible sites under R6-1, as listed in ZR Section 23-435, Projected Development Site 11 is not considered an eligible site based on the criteria listed in ZR Section 23-435. As such, the maximum building height for Projected Development Site 11 is 95 feet.

Projected Development Site 12 - Block 1717; Lot 2 (55 Walworth Street) - At 55 Walworth Street, a site not under the control of the Applicant, is assumed for RWCDS purposes that an 11-story, 125-foot-tall mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 47,095-gsf building, with an FAR of 3.13, would include approximately 43 DUs, 11 of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 6,554 gsf of ground floor local retail. No accessory off-street parking spaces are required for the residential units. The lot configuration of Projected Development Site 12 splits the lot so that approximately 7,500 sf of the site is located within the proposed M1-4/R7D zoning district and the remaining 6,113 sf is located outside of the Project Area (existing M1-2 district). The RWCDS assumes a maximum build-out (both height and FAR) of the portion of Projected Development Site 12 within the proposed M1-4/R7D zoning district; the total FAR of 3.13 referenced above reflects the overall FAR for the lot accounting for portions of the site outside the proposed M1-4/R7D district.

Potential Development Sites

Potential Development Site A - Block 1736; Lot 68 (75 Walworth Street) – At Potential Development Site A, it is assumed for RWCDS purposes that redevelopment of the site would include ~~a~~an 11-story, 95-foot-tall mixed-use residential and community facility building and would incorporate 23 DUs, six of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 4,200 gsf of house of worship space on the ground floor.

Potential Development Site B - Block 1735; p/o Lot 59 (81 Spencer Street) – At Potential Development Site B, it is assumed for RWCDS purposes that the redevelopment of the site would include ~~a~~an 11-story, 95-foot-tall mixed-use residential and community facility building and would incorporate 34 DUs, nine of which would be permanently affordable pursuant to MIH (assuming the Applicant's Option 1), and 6,700 gsf of house of worship space on the ground floor.

TABLE 2-4
With-Action Scenario Projected Development Sites

Projected Development Site	Total GSF	Residential GSF	Total DU	Affordable DU	Retail GSF	Medical Office GSF	School GSF	Parking Spaces
1*	76,627	52,766	56	14	12,271	11,590	-	21
2*	54,625	-	-	-	-	-	54,625	-
3*	72,244	62,190	66	17	10,054	-	-	26
4*	66,778	57,485	61	16	9,293	-	-	23
5*	101,949	87,761	93	24	14,188	-	-	35
6*	156,688	-	-	-	-	-	156,688	-
7	30,293	26,077	28	7	4,216	-	-	-
8*	32,775	-	-	-	-	-	32,775	-
9*	87,956	74,393	79	20	13,563	-	-	30
10*	40,978	35,275	38	10	5,703	-	-	-
11	21,638	17,325	19	5	4,313	-	-	-
12	47,095	40,541	43	11	6,554	-	-	16
Total	**789,646**	**453,813**	**483**	**124**	**80,155**	**11,590**	**244,088**	**151**

Notes: * Applicant-controlled site

Assessment

In the 2031 future with the Proposed Actions, the requested zoning map amendment and zoning text amendment would result in changes to land use within the Project Area. As described above, the Project Area is currently occupied by institutional, commercial, industrial, residential, and mixed-uses, as well as vacant lots. Under the total RWCDS for the Proposed Actions, the Projected Development Sites would be redeveloped with mixed-use buildings that would accommodate additional commercial uses and residential uses, as well as additional community facility buildings for new and/or expanded school uses. The proposed residential, commercial, and community facility land uses would be compatible with the existing mixed-use character of the surrounding secondary study area, as well as the planned mixed commercial/community facility, mixed residential/community facility, and mixed-use commercial/residential development projects listed on **Table 2-3** and at 703, 709-713, 712, and 716 Myrtle Avenue, 83-87 Franklin Avenue, and 448 Park Avenue. As noted in **Table 2-2**, approximately 57.6 percent and approximately 15.7 percent of the secondary study area is comprised of residential and mixed-use residential and commercial uses, respectively, while industrial/manufacturing uses comprise approximately 7.7 percent of the secondary study area land uses. As such, the Project Area's proposed residential, commercial, and community facility uses would be compatible with the secondary study area uses, of which approximately 73 percent is comprised wholly or partially of residential uses, through the Proposed Actions.

Therefore, the Proposed Actions would not generate land uses that would be incompatible with surrounding land uses, nor would the Proposed Actions displace existing land uses within the Project Area in such a way as to adversely affect surrounding land uses. Therefore, the Proposed Actions would support land use trends, and no significant adverse land use impacts are expected within the Project Area. In addition, the secondary study area would not undergo any land use changes as a result of the Proposed Actions. As noted above, the secondary study area includes a mixture of residential, mixed-use commercial/residential, commercial/office, industrial/manufacturing, transportation/utility, public facilities and institutions, and open space land uses. Therefore, the Proposed Actions would not introduce any new land uses that would be incompatible with their surroundings, and no significant adverse land use impacts would occur within the secondary study area in accordance with the criteria set forth in the 2025 *CEQR Technical Manual*.

Zoning

Approval of the Proposed Actions would rezone the Project Area from M1-1 and M1-2 to M1-4/R7D and M1-4/R6-1 Special Mixed-Use District MX-4 (Flushing/Bedford) districts. A zoning text amendment to Appendix F of the Zoning Resolution is requested to establish the Project Area as a MIH Area. **Figure 1-4** of **Chapter 1, "Project Description,"** compares the existing and proposed zoning maps.

Sites within the proposed M1-4/R7D district would be permitted to develop up to 5.6 FAR of residential uses, 2.0 FAR of commercial uses, 2.0 FAR of manufacturing uses, and 4.66 FAR of community facility uses. Sites within the proposed M1-4/R6-1 district would be permitted to develop up to 3.9 FAR of residential uses, 2.0 FAR of commercial uses, 2.0 FAR of manufacturing uses, and 4.8 FAR of community facility uses. The proposed zoning map amendment would allow residential uses to an FAR between 3.9-5.6 FAR that is not currently permitted within the Project Area. The proposed zoning map amendment would allow the maximum commercial and manufacturing FAR within the Project Area on sites currently zoned M1-1 to increase from 1.0 to 2.0. For sites currently zoned M1-1, the proposed zoning map amendment would increase the maximum permitted community facility FAR to increase from 2.4 to 4.66-4.8, depending on

whether the site is rezoned to M1-4/R7D or M1-4/R6-1, respectively. Sites that would be rezoned from M1-2 to M1-4/R7D would reduce their maximum permitted community facility FAR from 4.8 to 4.66. Sites that would be rezoned from M1-2 to M1-4/R6-1 would experience no change in the maximum permitted community facility FAR (refer to **Figure 1-4** of **Chapter 1, "Project Description"**).

The proposed zoning text amendment would establish the Project Area as an MIH Area. Within MIH Areas, all housing developments, enlargements, and conversions that meet the criteria set forth in the MIH program must comply with the requirements of MIH Option 1, Option 2, or Option 3. Option 1 requires that, for new residential developments, an amount of affordable floor area equivalent to at least 25% of the residential floor area within the development be provided, with the weighted average of all income bands not exceeding 60% AMI. No more than three income bands may be provided, with no income band exceeding 130% of the income index, and at least 10% of the residential floor area shall be affordable to an income band at 40% of the income index. Option 2 requires that, for new residential developments, an amount of affordable floor area equivalent to at least 30% of the residential floor area within the development be provided, with the weighted average of all income bands not exceeding 80% AMI. No more than three income bands may be provided, with no income band exceeding 130% of the income index. Option 3 requires that, for new residential developments, an amount of affordable floor area equivalent to at least 20% of the residential floor area within the development be provided, with the weighted average of all income bands not exceeding 40% AMI. No more than three income bands may be provided, with no income band exceeding 130% of the income index. The Applicant proposes to map MIH Option 1 over the Project Area.

Assessment

The Proposed Actions would not result in significant adverse impacts to zoning as a result of the proposed zoning map and zoning text amendments. While the existing M1-1 and M1-2 zoning is reflective of the fact that the Project Area and much of the surrounding area was previously used for manufacturing purposes, there is no longer a concentration of industrial activity in the area. A strong demand for affordable and market-rate housing and schools exists in the area. The proposed zoning changes would provide a framework for development that, as noted above, would be compatible with current land use trends and market conditions in the study area. As such, the Proposed Actions would not result in significant adverse zoning impacts.

The Proposed Actions would allow for the development of a mix of residential, commercial, and community facility uses in the Project Area. Although the Proposed Actions would increase the allowable density in the Project Area on sites currently zoned M1-1 or within 100-feet of Park Avenue, this increase would be appropriate given the context of zoning in the secondary study area. The Project Area's zoning designation and proposed uses would be compatible with the existing and permitted uses in the MX-4 Special Mixed-Use District located directly west of the Project Area and the MX-4 Special Mixed-Use District would broaden its applicability as the special district would be mapped on the Project Area as part of the Proposed Actions. The Proposed Actions would therefore be compatible with zoning in the surrounding secondary study area and would not affect the relationship between the Project Area and secondary study area. Therefore, the Proposed Actions would not result in any significant adverse impacts on zoning in the secondary study area.

Public Policy

An assessment of the Proposed Actions for each applicable public policy is provided below.

Housing Our Neighbors

The Proposed Actions would support the policies and goals of *Housing Our Neighbors: A Blueprint for Housing and Homelessness* by allowing residential development in the Project Area and establishing an MIH Area, which would require future residential development in the Project Area to include permanent income-restricted housing units (IRHUs). An MIH Area requires compliance with one of the income-restricted housing options provided in ZR Section 23-154(d)(3). The proposed zoning text amendment to designate the Project Area as an MIH Area would result in the construction of approximately 124 affordable units reserved for families earning 80 percent AMI. The income-restricted units provided at the Projected Development Sites in the Project Area would help foster a diverse and livable neighborhood as well as preserve affordability and quality of housing stock in the Project Area and secondary study area. Therefore, the Proposed Actions would support the City's effort to increase the overall supply of housing, including affordable housing options, and would be compatible with the policy goals and objectives of *Housing Our Neighbors: A Blueprint for Housing and Homelessness*.

Housing New York

Similar to Housing our Neighbors, the Proposed Actions directly support the goals and principles outlined in Housing New York through the development of approximately 483 new units of housing, approximately 124 units of which would be affordable (assuming the Applicant's proposed Option 1).

Where We Live NYC Plan

The Proposed Actions would facilitate the development new affordable housing in an area with growing demand for housing. The Proposed Actions would be supportive of Goal 2 of the *Where We Live NYC Plan* by facilitating the development of affordable housing with proximity to public transportation. The Proposed Actions would be supportive of Goal 4 by providing affordable and supportive housing in an amenity-rich neighborhood. Therefore, the Proposed Actions would be compatible with Goals 2 and 4 of the *Where We Live NYC Plan*.

OneNYC 2050: Building a Strong and Fair City

The Proposed Actions are compatible with the City's sustainability goals, including those outlined in OneNYC 2050. Notably, the Proposed Actions would support the policy's land use goals of concentrating higher density development in areas that are served by mass transit; increasing walk-to-work opportunities; creating jobs in proximity to established and/or growing residential neighborhoods; and fostering walkable retail destinations. The Proposed Actions are expected to facilitate mixed-use developments containing residential, community facility, and commercial uses. The Project Area would be near the Flushing Avenue and Myrtle-Willoughby Avenues Stations served by the G train and several bus lines (B44, B54, and B44 SBS buses). Therefore, the Proposed Actions would be compatible with the applicable goals and objectives of OneNYC 2050.

New York Works

The Proposed Actions would result in the net addition of up to approximately 335,833 gsf of community facilities and commercial space. The construction of additional community facilities and commercial spaces would promote economic development in the Project Area and secondary study area, introducing new employment opportunities for residents. Therefore, the Proposed Actions would be compatible with the goals of New York Works.

Get Stuff Built

As discussed above, the Proposed Actions would result in the net addition of up to approximately 483 new units of housing, of which approximately 124 units would be designated as permanently affordable (assuming the Applicant's proposed Option 1). If the recommendations of Get Stuff Built are implemented, the new residential development facilitated under the Proposed Actions may benefit from these policy changes, thereby allowing for expedited development of new housing, including affordable housing. Therefore, the Proposed Actions would be compatible with the goals of Get Stuff Built.

Block by Block

Block by Block is the Mamdani Administration's plan to address the City's housing affordability crisis through a coordinated, citywide approach that combines large-scale production of new housing with strategies to preserve existing affordable housing, enhance tenant protections, and reform the City's land-use review procedures. The total RWCDS for the Proposed Actions would be supportive of the vision and goals outlined in *Block by Block* because it would introduce a substantial amount of new housing, including affordable housing, in a neighborhood with strong access to transit.

Waterfront Revitalization Program

As noted above, portions of the Project Area and secondary study area (i.e. generally north of Park Avenue) are located within New York City's CZB, and therefore, the Proposed Actions are subject to review for consistency with the policies of the city's WRP. The WRP includes policies designed to maximize the benefits derived from economic development, environmental preservation, and public use of the city's waterfront, while minimizing the conflicts among those objectives. The WRP Consistency Assessment Form ("CAF") is provided in **Appendix A**. This section provides additional information for the policies that have been checked "promote" or "hinder" in the WRP CAF.

CONSISTENCY WITH APPLICABLE WRP CAF POLICIES

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

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

Compliance Statement: The Project Area is not located on the waterfront. The Project Area is an upland area that is located approximately 3,800 feet southeast from the waterfront.

Within the Project Area, the Proposed Actions would facilitate the development of nine new mixed-use buildings containing eight mixed-use residential and commercial buildings and one mixed-use residential, commercial, and community facility building, as well as three new community facility buildings, containing school space. The Project ~~Site~~ Area is located in an appropriate area for residential development in Bedford-Stuyvesant, a diverse neighborhood in Brooklyn comprised of mainly residential, community facility, and commercial land uses and building types that is well-served by existing infrastructure and public transportation. The Proposed Actions are necessary to facilitate the development of new housing, retail, and school uses in the Project Area. The Proposed Actions would introduce land uses that would be complementary to the neighborhood's existing land uses. The Project Area is not located within a Significant Maritime and Industrial Area (SMIA), Recognized Ecological Complex (REC), Priority Maritime Activity Zone (PMAZ), Special Natural Waterfront Area (SNWA), or West Shore Ecologically Sensitive

Maritime and Industrial Area (ESMIA), as defined in the WRP, and is therefore not located in a special area that may be inappropriate for the development of new residential uses. As such, the Proposed Actions would promote Policy 1.1 of the WRP.

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

Compliance Statement: The Proposed Actions would encourage new development in an area served by existing public facilities and infrastructure. The density of the Proposed Actions' RWCDS is compatible with the capacity of surrounding roadways, public transportation, infrastructure, and essential community services. It is anticipated that the mix of residential, commercial, and community facility land uses, and the scale of the resultant development would not overburden the surrounding Bedford-Stuyvesant neighborhood and the Project Area would continue to be adequately served by existing public facilities and infrastructure. Overall, the Proposed Actions would encourage redevelopment in an area adequately served by existing public facilities and infrastructure. For these reasons, the Proposed Actions would advance Policy 1.3.

Policy 1.4: ***In areas adjacent to SMIAs, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.***

Compliance Statement: The Project Area is located approximately 0.49 miles from the boundary of the nearest SMIA – Brooklyn Navy Yard. In addition, the Brooklyn-Queens Expressway (BQE) divides the Brooklyn Navy Yard SMIA from the Project Area, thereby separating maritime activities from land uses located on the other side of the BQE. As such, in consideration of the distance between the Project Area and the nearest SMIA (Brooklyn Navy Yard) and the BQE acting as a barrier, the Project Area is not located adjacent to the SMIA. For these reasons, Policy 1.4 is not applicable and the Proposed Actions would neither hinder nor advance Policy 1.4.

Policy 1.5: ***Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.***

Compliance Statement: As detailed in the Compliance Statement for WRP Policy 6.2 below, the RWCDS buildings on the Applicant-controlled Projected Development Sites 1-6 and 8-10 would integrate consideration of the latest projections of climate change and sea level rise in New York City into the RWCDS buildings' planning and design. All new vulnerable, critical, or potentially hazardous features would be protected through flood damage reduction measures or future adaptive actions. For these reasons, the Proposed Actions would advance Policy 1.5.

Policy 5: Protect and improve water quality in the New York City coastal area.

Policy 5.1: ***Manage direct or indirect discharges to waterbodies.***

Compliance Statement: As detailed in **Chapter 7, "Water and Sewer Infrastructure,"** the Project Area is located in a combined sewer area, where sanitary wastewater and stormwater runoff is transported for treatment at the Newtown Creek WRRF. All future development located within the Project Area would incorporate on-site stormwater Best Management Practices ("BMPs") measures to reduce stormwater runoff volumes and ensure that direct drainage of stormwater runoff into nearby waterbodies would be properly managed.

As part of the site connection approval process for future development on the Projected Development Sites, a stormwater analysis would be required in order to ensure that Projected

Development Sites would comply with the required stormwater release rate. The New York City Department of Environmental Protection ("DEP") would review future site connection applications and stormwater analyses performed for the Projected Development Sites. DEP has published a Unified Stormwater Rule ("USWR") that increases the amount of stormwater to be managed on-site as part of new development. For sites within municipal separate storm sewer system ("MS4") areas, the release rate will be limited to 1.0 cubic feet per second ("cfs") per acre or 0.046 cfs, whichever is greater. The new rules became effective on February 15, 2022 and will apply to the Projected Development Sites.

Stormwater BMPs would be required as part of the DEP site connection approval process in order to bring the future buildings on the Projected Development Sites into compliance with the required stormwater release rate in effect at the time of building construction. Specific BMP methods will be determined with further refinement of the design of the future buildings and in consultation with DEP.

The following stormwater BMP measures could be used to help manage stormwater flows: the implementation of stormwater BMPs described in the New York City Green Infrastructure Plan and/or green technologies, such as blue and green roofs, subsurface detention and infiltration, porous pavement, enhanced tree pits, and rain cisterns, depending on conditions at each site.

Therefore, with the incorporation of appropriate stormwater BMPs that would be required as part of the site connection approval process to be reviewed and approved by DEP, stormwater absorption would be enhanced and the overall volumes of stormwater runoff into nearby waterbodies, as well as the peak stormwater runoff rate, would likely be reduced. For these reasons, the Proposed Actions would advance Policy 5.1.

Policy 5.2: ***Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.***

Compliance Statement: The RWCDS associated with the Proposed Actions will comply with all city and state regulations to minimize nonpoint source pollution, including the Unified Stormwater Rule, which went into effect in February 2022. The RWCDS associated with the Proposed Actions would facilitate the development of mixed-use residential and commercial buildings as well as three community facility buildings. There are no proposed industrial uses in the RWCDS associated with the Proposed Actions, and thus, no activities would generate nonpoint source pollution. In addition, the Project Area is located in an upland area, with no direct drainage to any of New York City's waterbodies, and therefore construction activities associated with the Proposed Actions would not result in any direct discharge to any water body. Therefore, the Proposed Actions would advance WRP Policy 5.2.

Policy 5.5: ***Protect and improve water quality through cost-effective grey-infrastructure and in water ecological strategies.***

Compliance Statement: As detailed in **Chapter 7, "Water and Sewer Infrastructure,"** the Proposed Actions would not result in significant adverse impacts to the city's water supply or wastewater and stormwater conveyance and treatment infrastructure. All future development located within the primary study area would incorporate on-site stormwater BMPs, such as blue and green roofs, subsurface detention and infiltration, porous pavement, enhanced tree pits, and rain cisterns, which would be required as part of the DEP site connection approval process in order to bring all future building(s) into compliance with the required stormwater release rate in effect at the time of the future building(s) completion. For these reasons, the Proposed Actions would advance Policy 5.5.

Policy 6: Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.

Policy 6.1: ***Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.***

Compliance Statement: The Project Area is not located within an area of special flood hazard. The Project Area is not located in the 100-year flood zone (Zone AE) or 500-year flood zone (Zone X) (refer to **Figure 2-5**). The Base Flood Elevation ("BFE") of the nearby 100-year flood zone is approximately 11 feet (NAVD88).

As such, Appendix G of the New York City Building Code would not apply to the RWCDS buildings. The RWCDS buildings' ground floor would feature a proposed Design Flood Elevation ("DFE") of approximately 15 feet (NAVD88). The RWCDS buildings would contain a cellar, which would feature a depth of approximately 12 feet below grade. The RWCDS buildings would be designed and constructed in accordance with city and state flooding and erosion regulations, where applicable, including New York City Administrative Code, Title 28, Section 104.9 ("Coastal Zones and Water-Sensitive Inland Zones"). For these reasons, the Proposed Actions would advance Policy 6.1.

Policy 6.2: ***Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in the New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms) into the planning and design of projects in the city's Coastal Zone.***

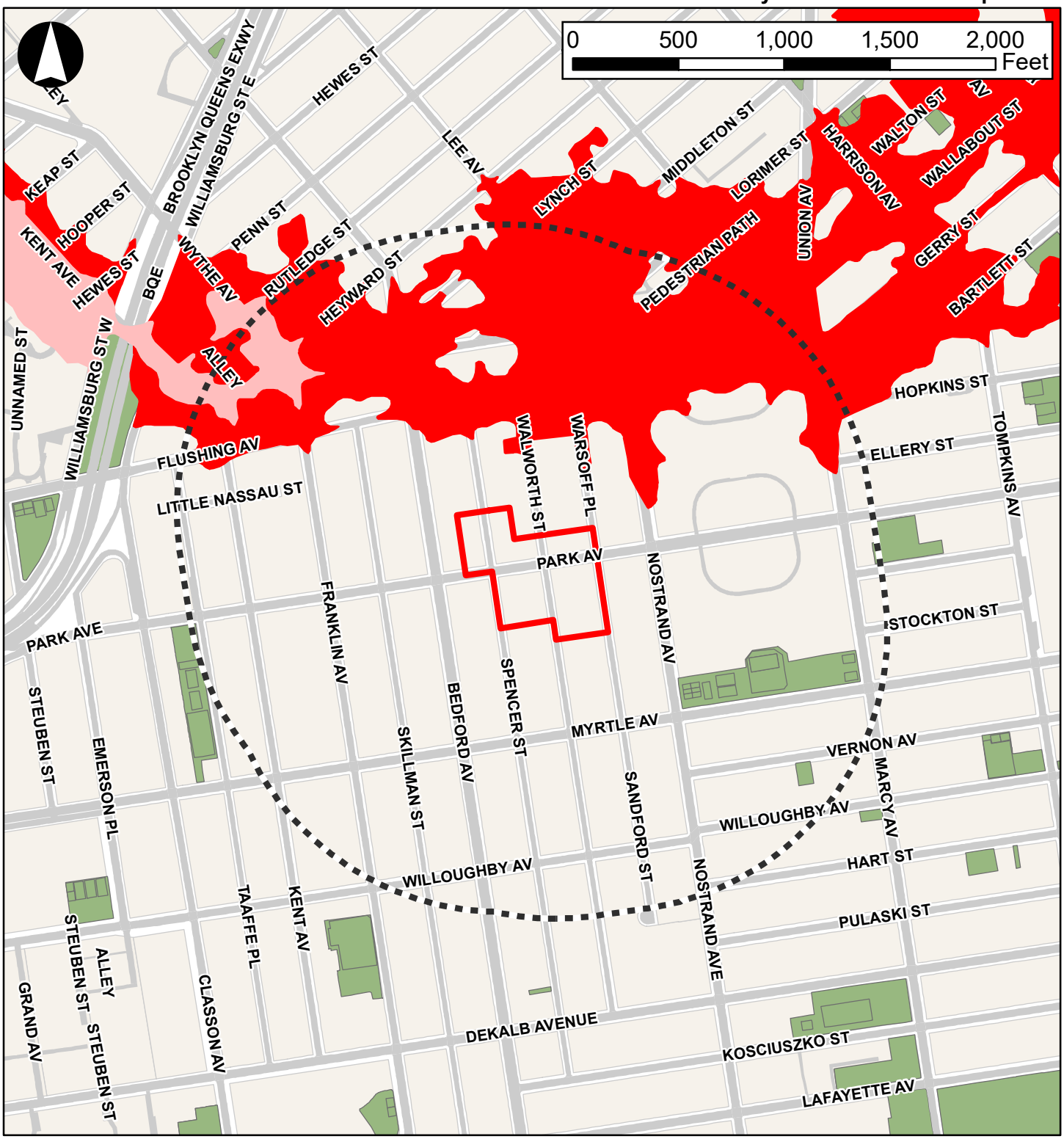
Compliance Statement: The RWCDS associated with the Proposed Actions has considered potential risks related to coastal flooding to features specific to the RWCDS buildings, including, but not limited to, the location of critical mechanical, electrical, and plumbing ("MEP") services and residential dwelling units. As outlined in *The New York City Waterfront Revitalization Program Climate Change Adaptation Guidance* document, for site-specific actions that include (or would facilitate the development of) new vulnerable, critical, or potentially hazardous features, the detailed methodology approach should be utilized to assess a project or action's consistency with Policy 6.2. Flood Elevation Worksheets were prepared for the three building types of the Applicant-controlled Projected Development Sites: 1) mixed-use residential, commercial and community facility building at Projected Development Site 1; 2) mixed-use residential and commercial building at Projected Development Sites 3-5, 9, and 10; and 3) school building at Projected Development Sites 2, 6, and 8; the worksheets are provided in **Appendix A**.

Step 1: Identify Vulnerabilities and Consequences

1. *Identify vulnerabilities and consequences.* The goal of this first step is to assess the project's vulnerabilities to future coastal hazards and what potential consequences may result.

As stated previously, portions of the Project Area north of Park Avenue, while located within New York City's CZB, is located outside of the limit of the 100-year flood zone (Zone AE) and 500-year flood zone (Zone X) (refer to **Figure 2-5**). Therefore, the Project Area does not have a BFE. The BFE of the nearby 100-year flood zone is approximately 11 feet (NAVD88); the RWCDS buildings' height measurements would be made from this base plane. The RWCDS buildings' DFE would be approximately 15 feet (NAVD88).

FEMA Preliminary Flood Insurance Maps 2015



Legend

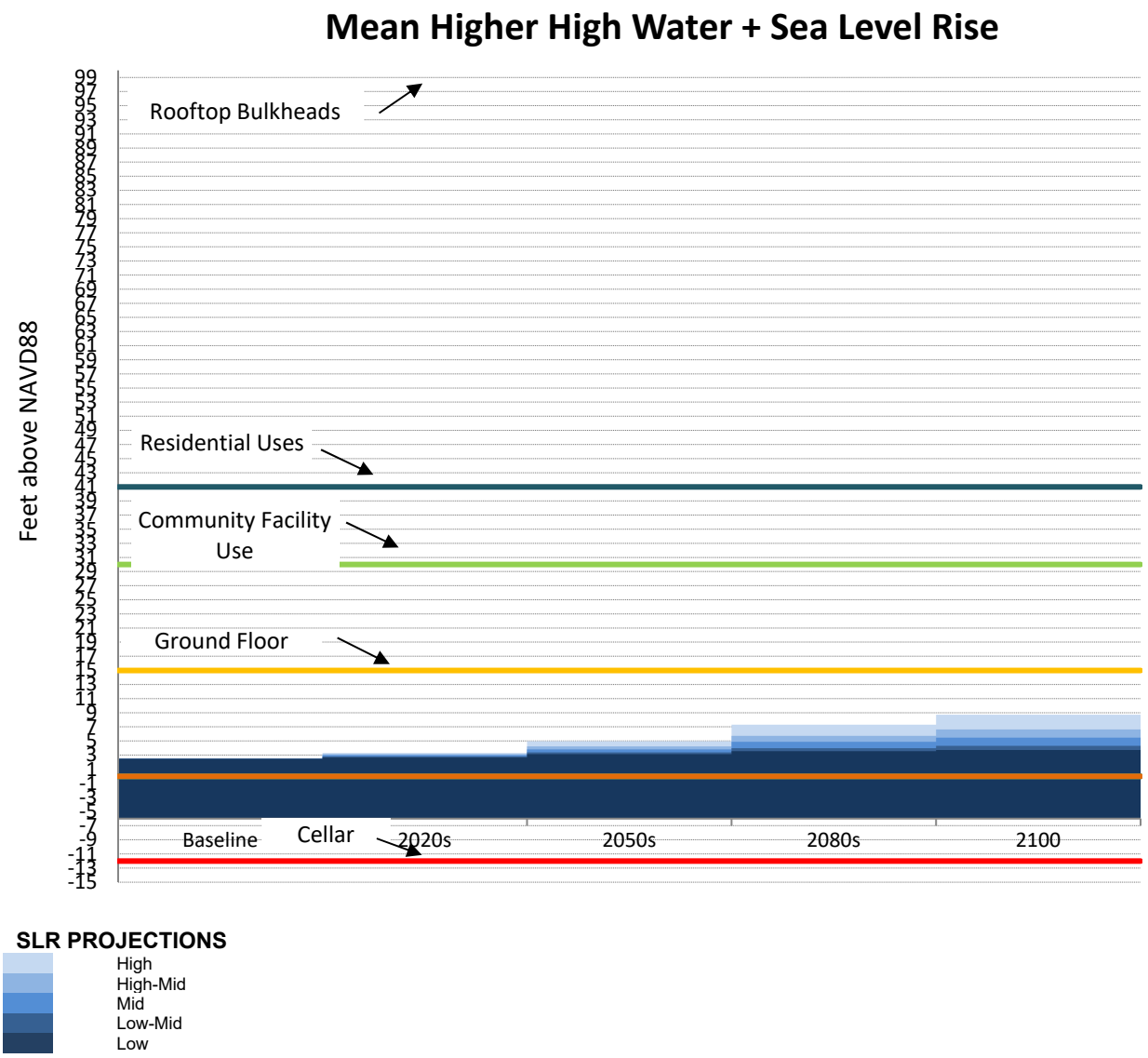
- Proposed Rezoning Area (Project Area)
- 1/4-mile Radius
- 100-Year Floodplain
- 500-Year Floodplain

Note: This map is for advisory purposes only. It uses the most current data available and is deemed accurate, but is not guaranteed.
Source: United States Federal Emergency Management Agency (FEMA). NYC Revised Preliminary FIRMs: January, 2015.

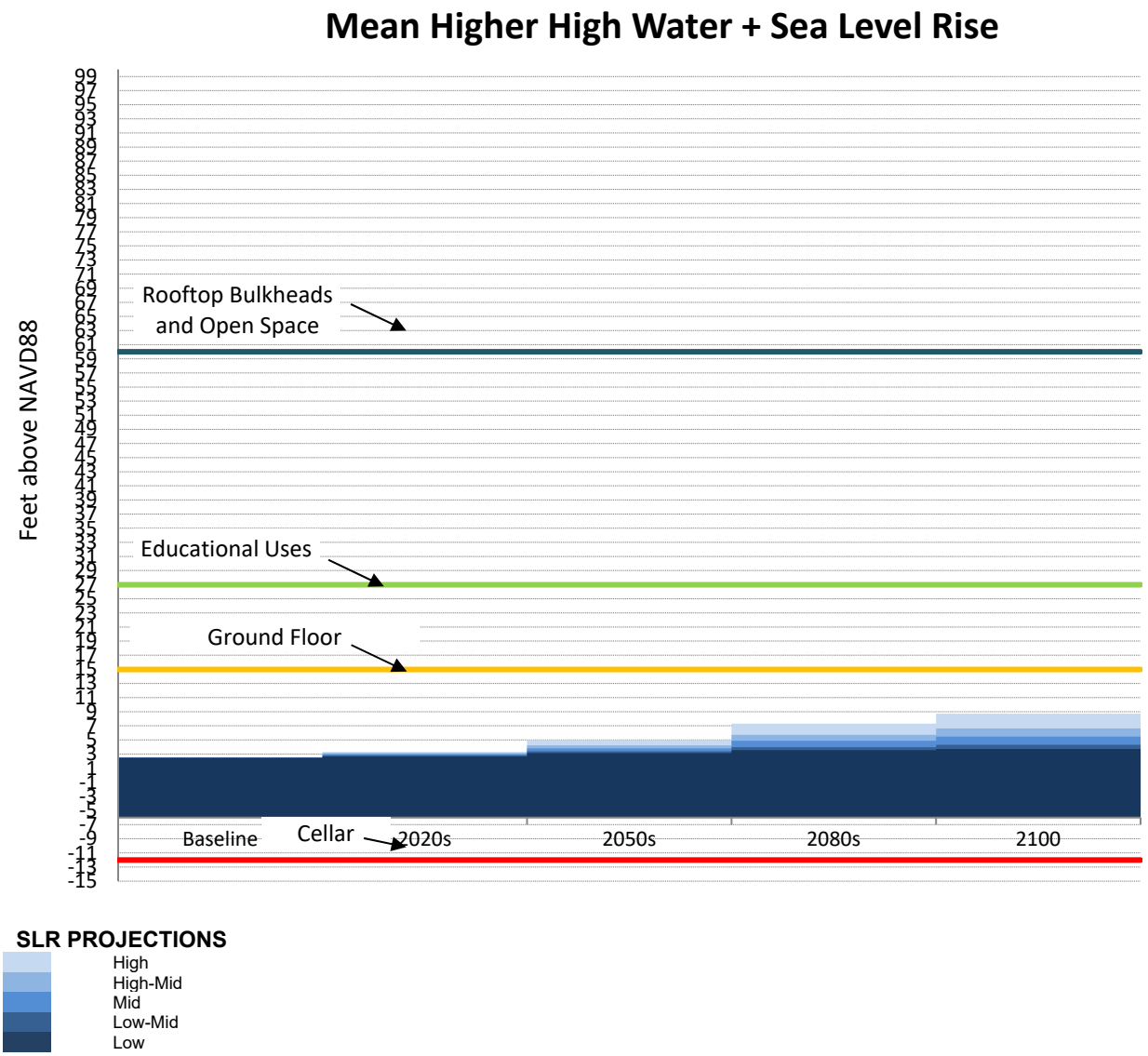
Coastal storms could bring high winds in addition to flood hazards to the Project Area. However, the Project Area is not located within a Coastal A or V zone. The RWCDS associated with the Proposed Actions is not expected to make flooding on adjacent properties worse, nor would the RWCDS associated with the Proposed Actions conflict with other plans for flood protection on adjacent properties.

Nearby waterbodies, including Wallabout Channel, connect to the East River, a tidal estuary. Therefore, the flood elevation is controlled by the tidal conditions within New York Bay, Long Island Sound, and the Atlantic Ocean. Because the coastal floodplain adjacent to the Project Area is affected by coastal flooding, rather than local or fluvial flooding, the operation of the RWCDS buildings would not exacerbate flooding conditions on or near the Project Area. Furthermore, coastal floodplains are influenced by astronomic tide and meteorological forces (e.g., northeasters and hurricanes) and not by fluvial flooding (e.g., rivers and streams overflowing their banks), and, as such, are not affected by the placement of obstructions (e.g., buildings) within the coastal floodplain. Between the 2020s and 2100s, the RWCDS buildings would not fall within an area that is anticipated to be impacted by tidal flooding. In addition, as shown in the Mean Higher High Water + Sea Level Rise graphs for the three building types below, only the RWCDS buildings' cellar, a critical feature, would be located below the elevation of the Mean Higher High Water for the RWCDS buildings' lifespan (spanning an estimated 70 years subsequent to completion in 2101). As shown in the graph, no other critical and vulnerable features of the RWCDS buildings are anticipated to be located below the elevation of the Mean Higher High Water at any point over the RWCDS buildings' lifespan. Therefore, operation of the RWCDS buildings is not expected to exacerbate future projected coastal flooding conditions.

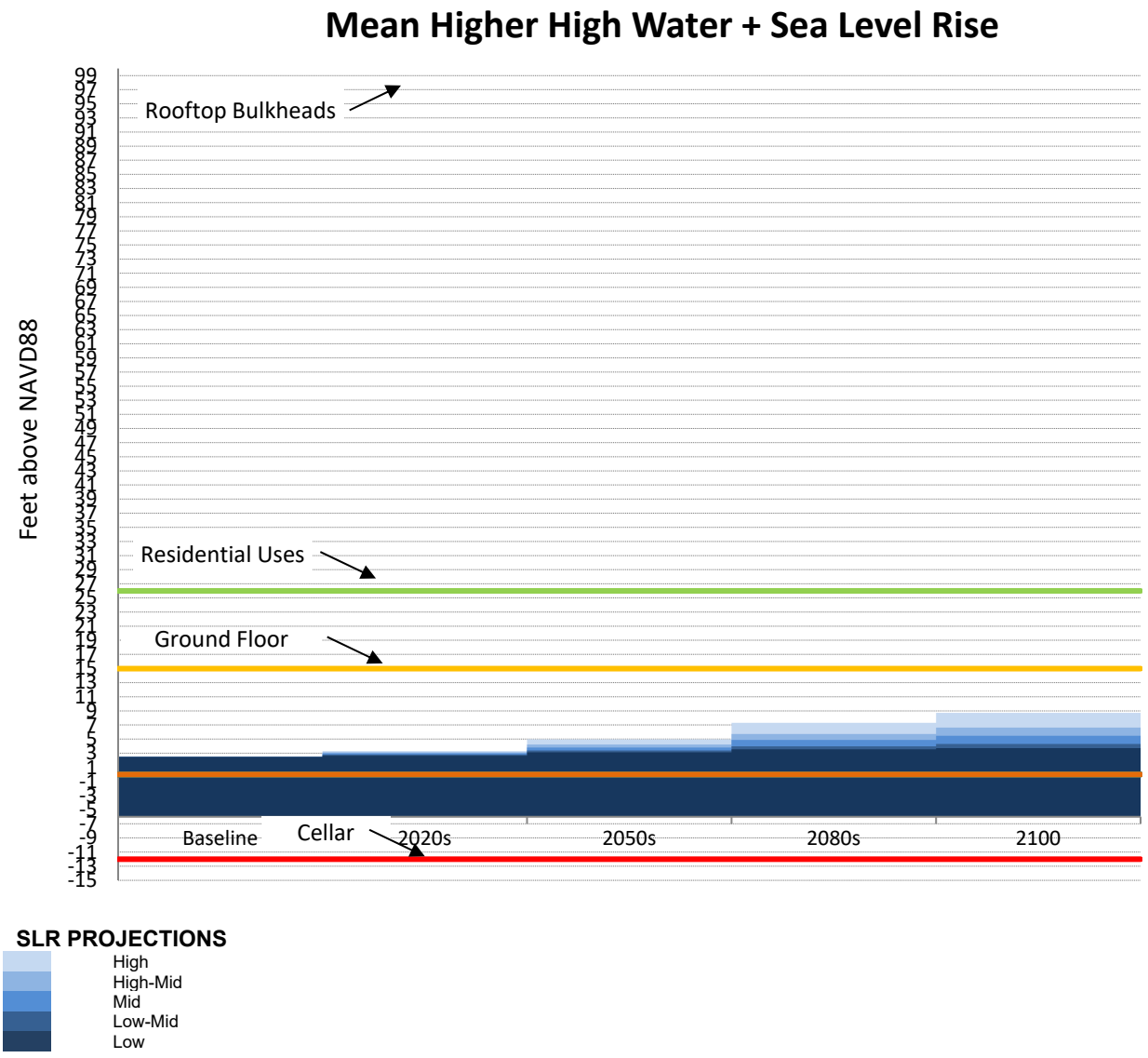
Projected Development Site 1: Mean Higher High Water + Sea Level Rise



Projected Development Sites 2, 6, and 8: Mean Higher High Water + Sea Level Rise



Projected Development Sites 3-5, 9, and 10: Mean Higher High Water + Sea Level Rise



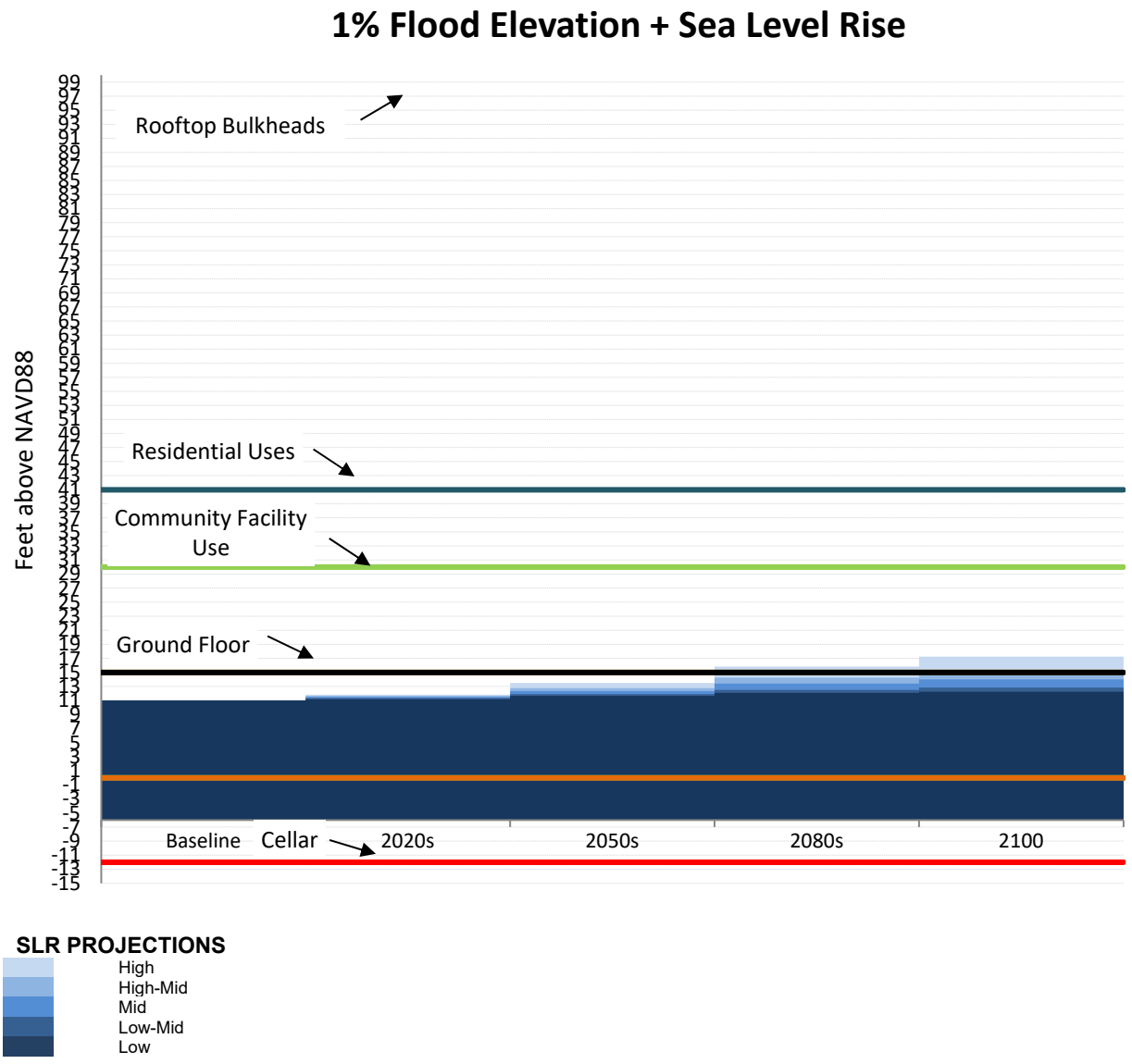
In June 2013, the Federal Emergency Management Agency ("FEMA") issued Preliminary Work Maps for New York City to show coastal flood hazard data. Subsequently, the city made immediate accommodations to zoning regulations and upgrades to the *New York City Building Code* to ensure that new construction would be built to these higher standards. In January 2015, FEMA issued Revised Preliminary Flood Insurance Rate Maps ("FIRMs") for New York City, which are considered the best available flood hazard data, replacing the FEMA Preliminary Work Maps. As noted previously, the Project Area is not located within an area of special flood hazard (Zone AE or Zone X) (refer to **Figure 2-5**).

The New York City Panel on Climate Change ("NPCC") recommends assessing the impacts of projected sea level rise on the lifespan of projects. While the NPCC developed a series of flood projection maps that incorporate sea level rise projections with FEMA's January 2015 FIRMs, because of limitations in the accuracy of flood projections, the NPCC recommends that these flood projection maps not be used to judge site-specific risks. However, in general, the NPCC estimates that in the New York City area, sea level will rise up to a high estimate of 10 inches by

the 2020s, and up to a high estimate of 30 inches by the 2050s. As such, areas not currently within the currently applicable 100-year and 500-year flood zones will be in the future based on the NPCC projections. Furthermore, the NPCC projects that the frequency, extent, and height of 100-year and 500-year floods will increase by the 2050s. As illustrated in **Figure 2-6**, portions of the Project Area are anticipated to fall within the future projected 500-year flood zone, but not within the future projected 100-year flood zone by the 2050s, as published by the NPCC. As illustrated in **Figure 2-7**, a small portion of the Project Area is anticipated to fall within the future projected 100-year flood zone by the 2080s, as published by the NPCC. Therefore, the RWCDS buildings is anticipated to fall within the future projected 100-year flood zone by the 2080s and would remain within the future projected 100-year flood zone for the remaining lifespan of the RWCDS buildings (refer to **Figures 2-7** and **2-8**).

Per 2025 *CEQR Technical Manual* guidance, the Flood Elevation Worksheet was prepared for the RWCDS buildings and is provided herein and in **Appendix A**.

Projected Development Site 1: 1% Flood Elevation + Sea Level Rise



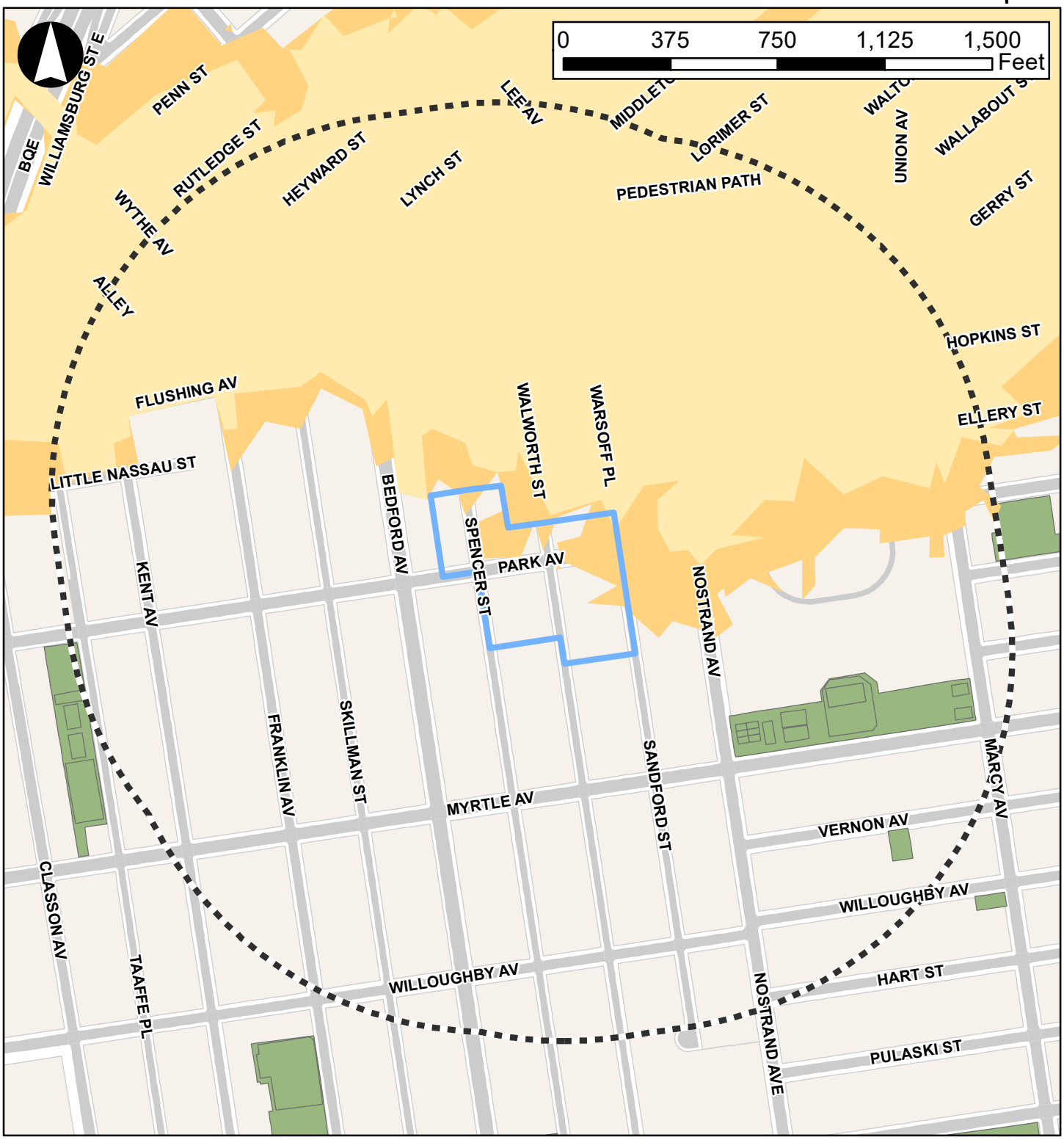
NPCC 2050s Flood Zone Floodplain



Legend

- Proposed Rezoning Area (Project Area)
- 1/4-mile Radius
- 2050s 100-Year Floodplain
- 2050s 500-Year Floodplain

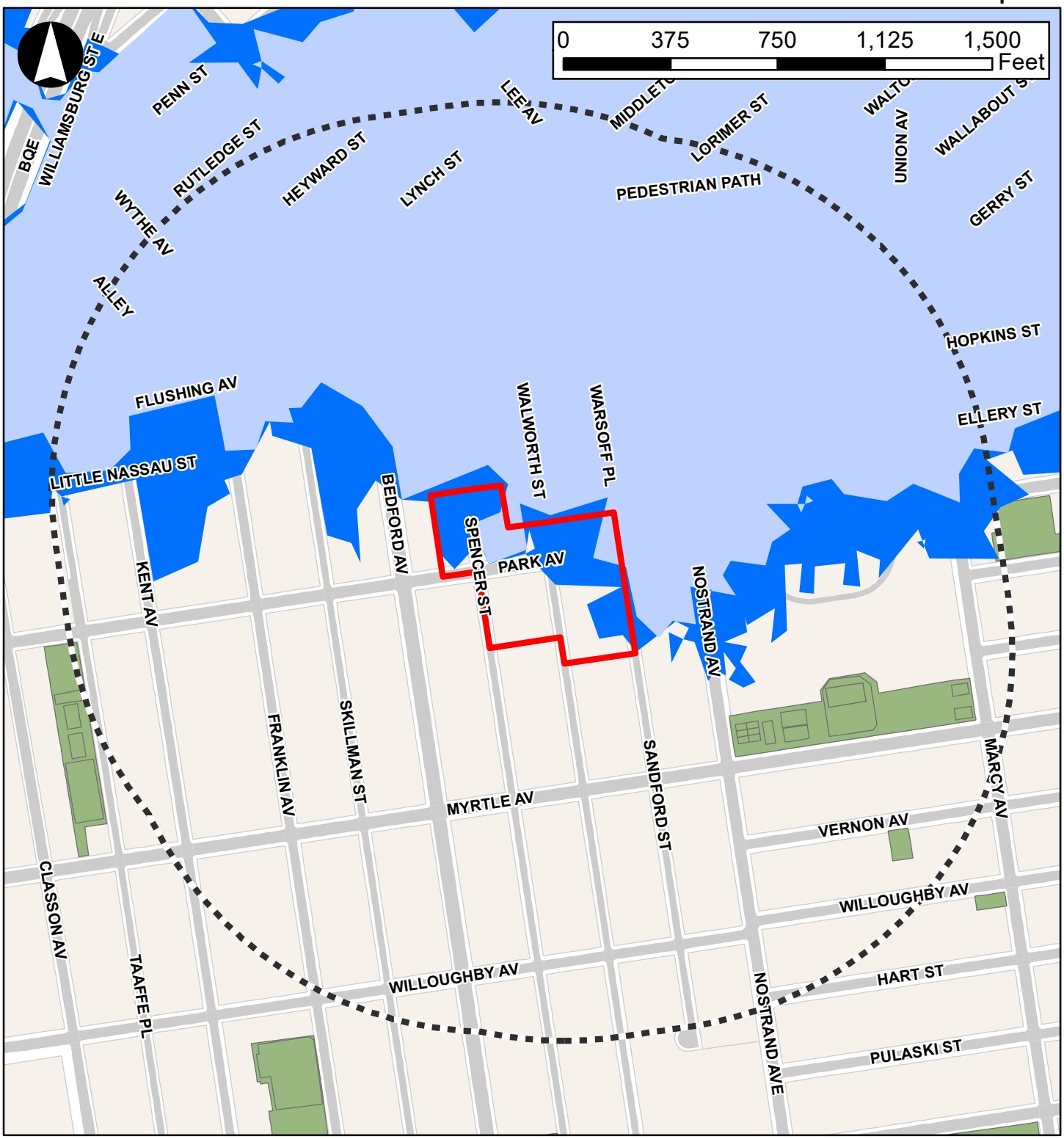
NPCC 2080s Flood Zone Floodplain



Legend

- Proposed Rezoning Area (Project Area)
- 1/4-mile Radius
- 2080s 100-Year Floodplain
- 2080s 500-Year Floodplain

NPCC 2100s Flood Zone Floodplain



Legend

- Proposed Rezoning Area (Project Area)
- 1/4-mile Radius
- 2100s 100-Year Floodplain
- 2100s 500-Year Floodplain

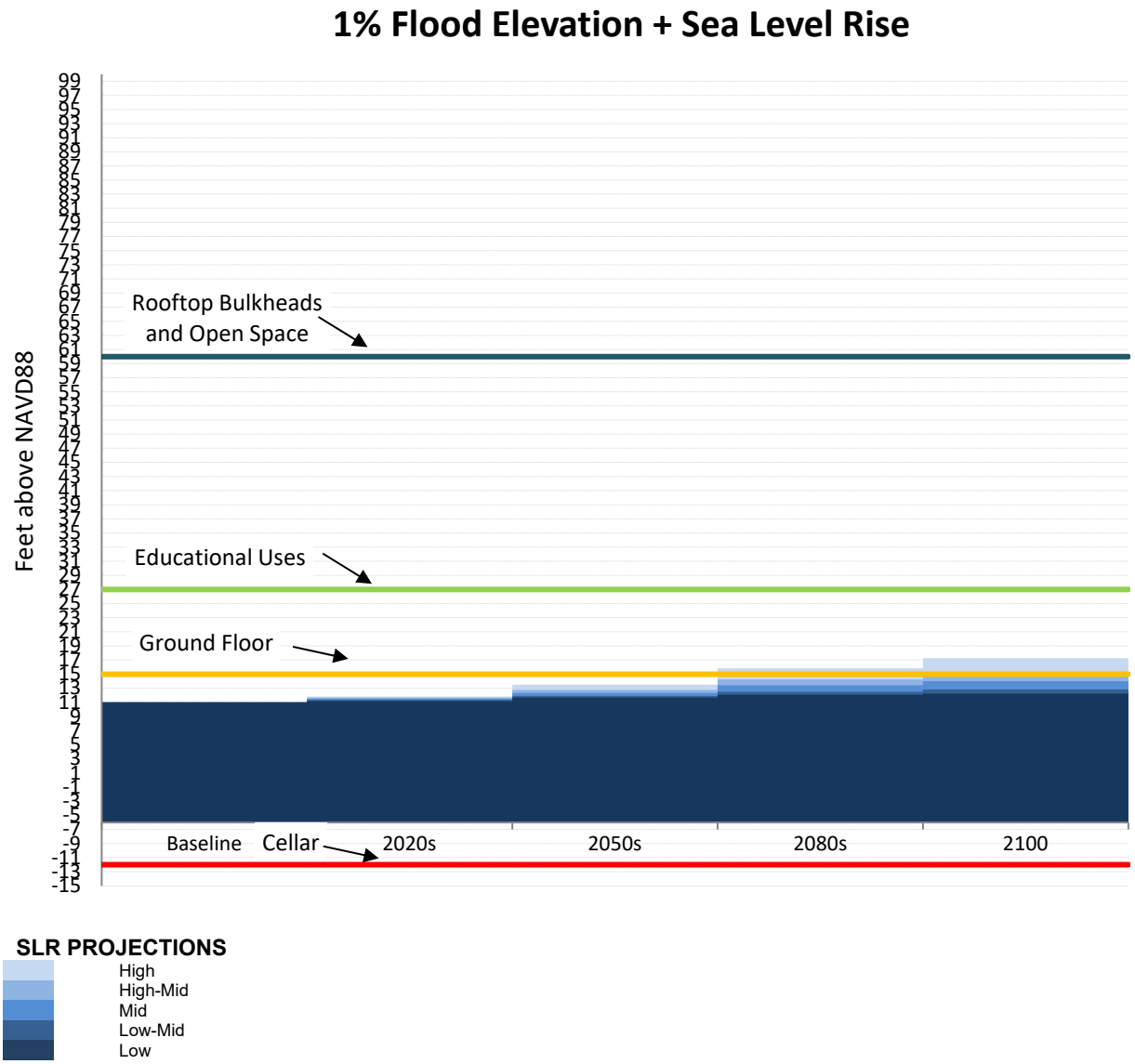
As shown in the 1% Flood Elevation + Sea Rise graph, Projected Development Site 1's cellar, which would contain back of house space for the residential, commercial, and community facility uses, would feature a depth of approximately 12 feet below grade. The back of house space located within the cellar would likely contain critical features, as these spaces could contain MEP equipment, such as electrical, gas, and water meter rooms, as well as telecom rooms. As illustrated in **Figure 2-7**, beginning in the 2080s, Projected Development Site 1's cellar would be located below the BFE of the future projected 100-year flood zone (11 feet [NAVD88]) and the cellar's critical features would remain below the elevation of the future projected 100-year flood zone for the remainder of Projected Development Site 1's lifespan (approximately 21 years from 2080 to 2101). If any of the critical features located within the cellar were to fall below the elevation of the future one percent annual chance flood zone, future flooding events could result in a loss of building services, temporary displacement of residents, structural damage and loss of inventory, or potentially increased flood insurance costs. However, the NPCC recommends that these flood projection maps not be used to judge site-specific risks and they are subject to change. The cellar would be designed and constructed in accordance with all applicable city and state flooding and erosion regulations, including New York City Administrative Code, Title 28, Section 104.9 ("Coastal Zones and Water-Sensitive Inland Zones"). As noted previously, Appendix G of the *New York City Building Code* would not apply to the RWCDS buildings; therefore, the Projected Development Site 1's cellar is not required to be floodproofed at this time and would not be floodproofed at the time of construction.

Projected Development Site 1's ground floor (the lowest occupied floor of Projected Development Site 1), which would contain a residential lobby, two commercial spaces, and back of house space, would feature a proposed elevation of approximately 15 feet (NAVD88); these building features would be located above the BFE of the future projected 100-year flood zone (11 feet [NAVD88]). The residential lobby and two commercial spaces located on Projected Development Site 1's ground floor would be vulnerable features; though the future design has not been finalized, the back of house space located Projected Development Site 1's ground floor would likely contain critical features, as this space could contain MEP equipment such as electrical, gas, water meter, and telecom rooms. However, as illustrated in **Figure 2-7**, beginning in the 2080s, the elevation of the Projected Development Site 1's ground floor would fall below the elevation of the future one percent annual chance flood zone, under high sea level rise projections, and would remain below the elevation of the future one percent annual chance flood zone for the remainder of Projected Development Site 1's lifespan (approximately 21 years from 2080 to 2101). If any of Projected Development Site 1's critical and vulnerable features located on the ground floor were to fall below the elevation of the future one percent annual chance flood zone, future flooding events could result in a loss of building services, temporary displacement of residents, structural damage, loss of inventory, or potentially increased flood insurance costs. However, the NPCC recommends that these flood projection maps not be used to judge site-specific risks and they are subject to change. The Projected Development Site 1's ground floor would be designed and constructed in accordance with all applicable city and state flooding and erosion regulations, including New York City Administrative Code, Title 28, Section 104.9 ("Coastal Zones and Water-Sensitive Inland Zones").

As shown in the 1% Flood Elevation + Sea Rise graph above, Projected Development Site 1's lowest community facility space (vulnerable features at an elevation of approximately 30.0 feet [NAVD88]), residential units (vulnerable features at an elevation of approximately 41.0 feet [NAVD88]) and lowest mechanical bulkhead (critical features at an elevation of approximately 125.0 feet [NAVD88]) would be located well above the current and future one percent annual chance flood zone under high sea level rise projections. Projected Development Site 1's mechanical bulkheads would likely contain critical features, as these spaces could contain elevator and MEP equipment (i.e., space for electrical, gas, water meter, and telecom features).

Projected Development Site 1's lowest community facility and residential units, and lowest mechanical bulkhead would remain above the elevation of the future one percent annual chance flood zone for the full lifespan of Projected Development Site 1.

Projected Development Sites 2, 6, and 8: 1% Flood Elevation + Sea Level Rise



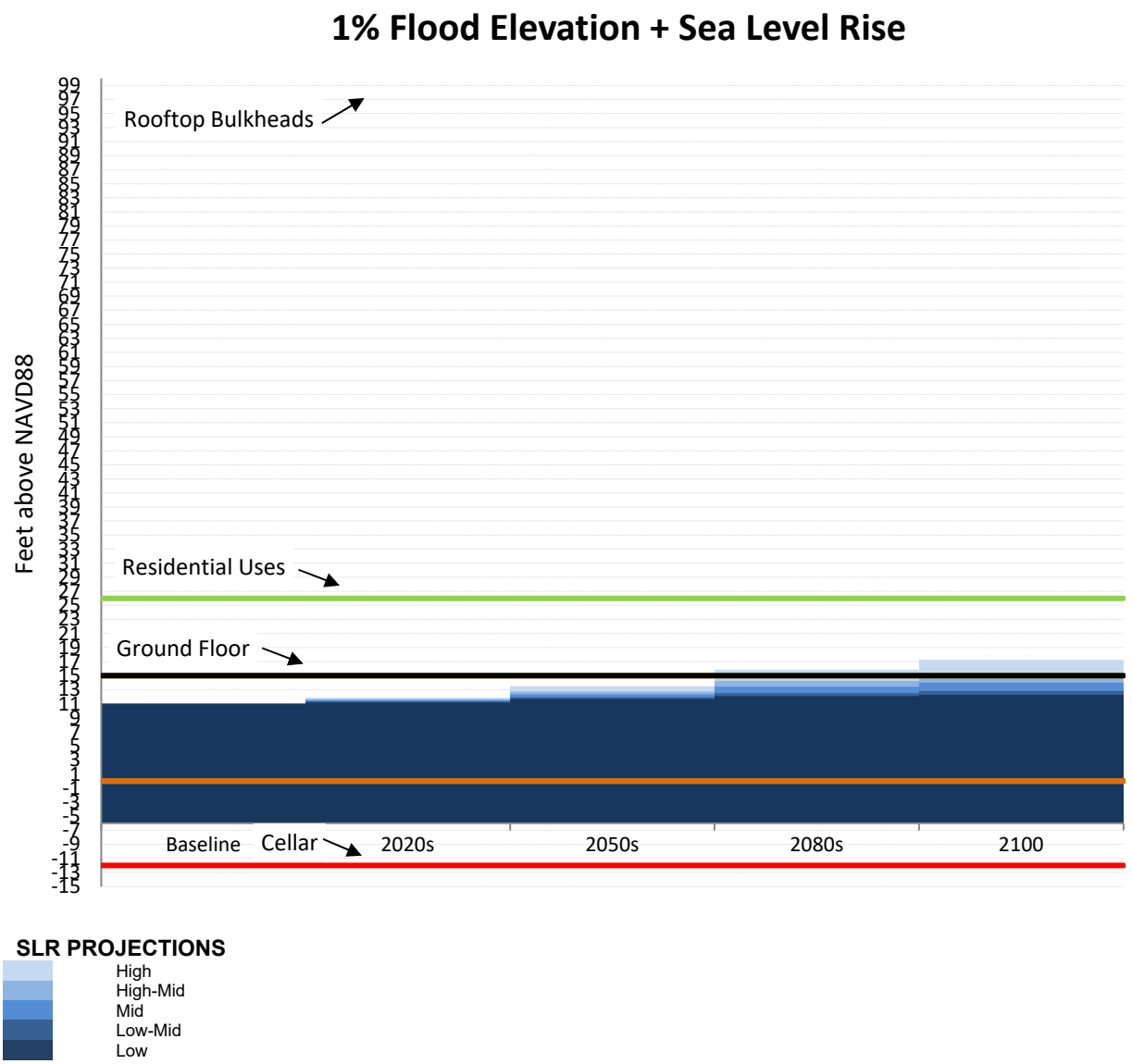
As shown in the 1% Flood Elevation + Sea Rise graph, Projected Development Sites 2, 6, and 8's cellar, which would contain back of house space for the community facility uses, would feature a depth of approximately 12 feet below grade. The back of house space located within the cellar would likely contain critical features, as these spaces could contain MEP equipment, such as electrical, gas, and water meter rooms, as well as telecom rooms. As illustrated in **Figure 2-7**, beginning in the 2080s, Projected Development Sites 2, 6, and 8's cellar would be located below the BFE of the future projected 100-year flood zone (11 feet [NAVD88]) and the cellar's critical features would remain below the elevation of the future projected 100-year flood zone for the remainder of Projected Development Sites 2, 6, and 8's lifespan (approximately 21 years from 2080 to 2101). If any of the critical features located within the cellar were to fall below the elevation of the future one percent annual chance flood zone, future flooding events could result in a loss

of building services, structural damage and loss of inventory, or potentially increased flood insurance costs. However, the NPCC recommends that these flood projection maps not be used to judge site-specific risks and they are subject to change. The cellar would be designed and constructed in accordance with all applicable city and state flooding and erosion regulations, including New York City Administrative Code, Title 28, Section 104.9 ("Coastal Zones and Water-Sensitive Inland Zones"). As noted previously, Appendix G of the *New York City Building Code* would not apply to the RWCDS buildings; therefore, the Projected Development Sites 2, 6, and 8's cellar is not required to be floodproofed at this time and would not be floodproofed at the time of construction.

Projected Development Sites 2, 6, and 8's ground floor (the lowest occupied floor of Projected Development Sites 2, 6, and 8), which would contain lobbies, administrative spaces, a cafeteria, multi-purpose rooms and/or storage rooms, would feature a proposed elevation of approximately 15 feet (NAVD88); these building features would be located above the BFE of the future projected 100-year flood zone (11 feet [NAVD88]). The lobbies, administrative spaces, cafeteria, multi-purpose rooms and/or storage rooms located on Projected Development Sites 2, 6, and 8's ground floor would be vulnerable features. However, as illustrated in **Figure 2-7**, beginning in the 2080s, the elevation of the Projected Development Sites 2, 6, and 8's ground floor would fall below the elevation of the future one percent annual chance flood zone, under high sea level rise projections, and would remain below the elevation of the future one percent annual chance flood zone for the remainder of Projected Development Sites 2, 6, and 8's lifespan (approximately 21 years from 2080 to 2101). If any of Projected Development Sites 2, 6, and 8's vulnerable features located on the ground floor were to fall below the elevation of the future one percent annual chance flood zone, future flooding events could result in a loss of building services, structural damage, loss of inventory, or potentially increased flood insurance costs. However, the NPCC recommends that these flood projection maps not be used to judge site-specific risks and they are subject to change. The Projected Development Sites 2, 6, and 8's ground floor would be designed and constructed in accordance with all applicable city and state flooding and erosion regulations, including New York City Administrative Code, Title 28, Section 104.9 ("Coastal Zones and Water-Sensitive Inland Zones").

As shown in the 1% Flood Elevation + Sea Rise graph above, Projected Development Sites 2, 6, and 8's lowest educational spaces (vulnerable features at an elevation of approximately 27.0 feet [NAVD88]) and lowest mechanical bulkhead and accessory open spaces (critical features at an elevation of approximately 60.0 feet [NAVD88]) would be located well above the current and future one percent annual chance flood zone under high sea level rise projections. Projected Development Sites 2, 6, and 8's mechanical bulkheads would likely contain critical features, as these spaces could contain elevator and MEP equipment (i.e., space for electrical, gas, water meter, and telecom features). Projected Development Sites 2, 6, and 8's lowest educational uses and lowest mechanical bulkhead would remain above the elevation of the future one percent annual chance flood zone for the full lifespan of Projected Development Sites 2, 6, and 8.

Projected Development Sites 3-5, 9, and 10: 1% Flood Elevation + Sea Level Rise



As shown in the 1% Flood Elevation + Sea Rise graph, the Projected Development Sites 3-5, 9, and 10's cellar, which would contain back of house space for residential and commercial uses, would feature a depth of approximately 12 feet below grade. The back of house space located within the cellar would likely contain critical features, as these spaces could contain MEP equipment, such as electrical, gas, and water meter rooms, as well as telecom rooms. As illustrated in **Figure 2-7**, beginning in the 2080s, the Projected Development Sites 3-5, 9, and 10's cellar would be located below the BFE of the future projected 100-year flood zone (11 feet [NAVD88]) and the cellar's critical features would remain below the elevation of the future projected 100-year flood zone for the remainder of Projected Development Sites 3-5, 9, and 10's lifespan (approximately 21 years from 2080 to 2101). If any of the critical features located within the cellar were to fall below the elevation of the future one percent annual chance flood zone, future flooding events could result in a loss of building services, temporary displacement of residents, structural damage and loss of inventory, or potentially increased flood insurance costs. However, the NPCC recommends that these flood projection maps not be used to judge site-

specific risks and they are subject to change. The cellar would be designed and constructed in accordance with all applicable city and state flooding and erosion regulations, including New York City Administrative Code, Title 28, Section 104.9 ("Coastal Zones and Water-Sensitive Inland Zones"). As noted previously, Appendix G of the *New York City Building Code* would not apply to the RWCDS buildings; therefore, the Projected Development Sites 3-5, 9, and 10's cellar is not required to be floodproofed at this time and would not be floodproofed at the time of construction.

Projected Development Sites 3-5, 9, and 10's ground floor (the lowest occupied floor of Projected Development Sites 3-5, 9, and 10), which would contain residential lobbies, commercial spaces, other residential amenity spaces, and back of house space, would feature a proposed elevation of approximately 15 feet (NAVD88); these building features would be located above the BFE of the future projected 100-year flood zone (11 feet [NAVD88]). The residential lobbies, commercial spaces, and other residential amenity spaces located on Projected Development Sites 3-5, 9, and 10's ground floor would be vulnerable features; though the future design has not been finalized, the back of house space located Projected Development Sites 3-5, 9, and 10's ground floor would likely contain critical features, as this space could contain MEP equipment such as electrical, gas, water meter, and telecom rooms. However, as illustrated in **Figure 2-7**, beginning in the 2080s, the elevation of the Projected Development Sites 3-5, 9, and 10's ground floor would fall below the elevation of the future one percent annual chance flood zone, under high sea level rise projections, and would remain below the elevation of the future one percent annual chance flood zone for the remainder of Projected Development Sites 3-5, 9, and 10's lifespan (approximately 21 years from 2080 to 2101). If any of Projected Development Sites 3-5, 9, and 10's critical and vulnerable features located on the ground floor were to fall below the elevation of the future one percent annual chance flood zone, future flooding events could result in a loss of building services, temporary displacement of residents, structural damage, loss of inventory, or potentially increased flood insurance costs. However, the NPCC recommends that these flood projection maps not be used to judge site-specific risks and they are subject to change. The Projected Development Sites 3-5, 9, and 10's ground floor would be designed and constructed in accordance with all applicable city and state flooding and erosion regulations, including New York City Administrative Code, Title 28, Section 104.9 ("Coastal Zones and Water-Sensitive Inland Zones").

As shown in the 1% Flood Elevation + Sea Rise graph above, Projected Development Sites 3-5, 9, and 10's lowest residential units (vulnerable features at an elevation of approximately 26.0 feet [NAVD88]) and lowest mechanical bulkhead (critical features at an elevation of approximately 125.0 feet [NAVD88]) would be located well above the current and future one percent annual chance flood zone under high sea level rise projections. Projected Development Sites 3-5, 9, and 10's mechanical bulkheads would likely contain critical features, as these spaces could contain elevator and MEP equipment (i.e., space for electrical, gas, water meter, and telecom features). Projected Development Sites 3-5, 9, and 10's lowest residential units and lowest mechanical bulkhead would remain above the elevation of the future one percent annual chance flood zone for the full lifespan of Projected Development Sites 3-5, 9, and 10.

Step 2: Identify Adaptive Strategies

As illustrated in **Figure 2-7**, the RWCDS buildings is anticipated to fall within the future projected 100-year flood zone by the 2080s and would remain within the future projected 100-year flood zone for the remaining lifespan of the RWCDS buildings (refer to **Figure 2-8**). As stated previously, the BFE of the nearby 100-year flood zone is approximately 11 feet (NAVD88) and the RWCDS buildings' DFE would be approximately 15 feet (NAVD88).

The RWCDS buildings would be designed and constructed in accordance with all applicable city and state flooding and erosion regulations, including New York City Administrative Code, Title 28, Section 104.9 ("Coastal Zones and Water-Sensitive Inland Zones"). As noted previously,

Appendix G of the *New York City Building Code* would not apply to the RWCDS buildings; therefore, the RWCDS buildings' cellar (for Applicant-controlled Projected Development Sites 1-6 and 8-10) is not required to be floodproofed at this time and would not be floodproofed at the time of construction.

The RWCDS buildings' cellars would be located below the BFE of the future projected 100-year flood zone (11 feet [NAVD88]) and the DFE of approximately 15 feet (NAVD88) beginning in the 2080s. If any of the RWCDS buildings' critical and vulnerable features located within the RWCDS buildings' cellars were to fall below the elevation of the future one percent annual chance flood zone and the DFE, future flooding events could result in a loss of building services, temporary displacement of residents, loss of inventory, or potentially increased flood insurance costs. However, the NPCC recommends that these flood projection maps not be used to judge site-specific risks and they are subject to change. As noted above, beginning in the 2080s, the RWCDS buildings' cellars would be located below the BFE of the future projected 100-year flood zone (11 feet [NAVD88]) and the DFE of approximately 15 feet (NAVD88); therefore, the cellars could be dry floodproofed beginning in the 2080s. At this time, the RWCDS buildings' cellars are not required to be floodproofed, as Appendix G of the *New York City Building Code* would not apply to the RWCDS buildings; the Applicant does not propose to floodproof the RWCDS buildings' cellars at the time of its construction, with completion of the RWCDS buildings anticipated to occur in 2031, prior to the 2080s. In addition, potential adaptive actions to be considered may include elevating critical features (i.e., the back of house spaces within the cellar that would likely contain MEP equipment and telecom rooms) from the RWCDS buildings' cellars to the RWCDS buildings' second floors. If elevated, these critical features would feature an elevation of at least approximately 27.0 feet (NAVD88) for Projected Development Sites 2, 6, and 8, and would be located well above the future one percent annual chance flood zone and the DFE under high sea level rise projections for the remaining lifespan of the RWCDS buildings (circa 2080s to 2101). Therefore, all critical features located within the RWCDS buildings' cellars would be protected through future flood damage reduction measures or future adaptive actions, where applicable, beginning in or around the 2080s.

The RWCDS buildings' ground floors would fall below the BFE of the future projected 100-year flood zone (11 feet [NAVD88]) and the DFE of approximately 15 feet (NAVD88) beginning in the 2080s. If any of the RWCDS buildings' critical and vulnerable features located on the RWCDS buildings' ground floors were to fall below the elevation of the future one percent annual chance flood zone and the DFE, future flooding events could result in a loss of building services, temporary displacement of residents, structural damage, loss of inventory, or potentially increased flood insurance costs. However, the NPCC recommends that these flood projection maps not be used to judge site-specific risks and they are subject to change. As noted above, beginning in the 2080s, the RWCDS buildings' ground floors would be located below the BFE of the future projected 100-year flood zone (11 feet [NAVD88]) and the DFE of approximately 15 feet (NAVD88). Therefore, potential adaptive actions to be considered may include elevating critical features (i.e., the back of house spaces on the ground floor that would likely contain MEP equipment and telecom rooms) from the RWCDS buildings' ground floors to the RWCDS buildings' second floors. If elevated, these critical features would feature an elevation of at least approximately 27.0 feet (NAVD88) for Projected Development Sites 2, 6, and 8, and would be located well above the future one percent annual chance flood zone and the DFE under high sea level rise projections for the remaining lifespan of the RWCDS buildings (circa 2080s to 2101). Therefore, all critical features located on the RWCDS buildings' ground floors would be protected through future flood damage reduction measures or future adaptive actions, where applicable, beginning in the 2080s.

As described above, if the elevation of the floodplains increase, potential adaptive actions to be considered may include elevating critical features (i.e., the back of house spaces within the cellar and on the ground floor that would likely contain MEP equipment and telecom rooms) from the RWCDS buildings' cellar and ground floor to the RWCDS buildings' second floor. If elevated, these critical features would feature an elevation of at least approximately 27.0 feet (NAVD88) for Projected Development Sites 2, 6, and 8, and would be located well above the current and future one percent annual chance flood zone and the DFE under high sea level rise projections. An additional potential adaptive action may include the utilization of portable flood barriers at all of the RWCDS buildings' points of ingress and egress. Such portable flood barriers could be mobilized and installed prior to future storm events that may result in extreme flooding. In addition, potential retrofits could be pursued to floodproof, as appropriate, the cellar and ground floor of the RWCDS buildings. The RWCDS associated with the Proposed Actions is not expected to make flooding on adjacent properties worse, nor would the RWCDS associated with the Proposed Actions conflict with other plans for flood protection on adjacent properties.

Step 3: Assess Policy Consistency

The Proposed Actions would advance Policy 6.2 and there would be no significant adverse impacts associated with the Project Area's location within the 100- and 500-year flood zones. At present, the Project Area is susceptible to minimal flooding risk. In the future, according to NPCC projections, the Project Area would continue to be susceptible to minimal flooding risk. In addition, the NPCC recommends that these flood projection maps not be used to judge site-specific risks and they are subject to change. All new vulnerable, critical, or potentially hazardous features would be protected through flood damage reduction measures or future adaptive actions, where applicable. Therefore, the RWCDS buildings would be consistent with New York City policies regarding adaptation to climate change.

Policy 7: Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.

Policy 7.1: Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.

Compliance Statement: The RWCDS associated with the Proposed Actions would facilitate the development of mixed-use residential and commercial buildings and community facility buildings in the Project Area. No industrial uses are proposed in the RWCDS associated with the Proposed Actions. Thus, under the With-Action condition, none of the RWCDS buildings would generate activities that would produce solid waste materials, hazardous wastes, toxic pollutants, industrial materials or substances hazardous to the environment.

In addition, as discussed in **Chapter 6, "Hazardous Materials,"** under the Proposed Actions, (E) Designations are proposed on all 12 Projected Development Sites and two Potential Development Sites, which would provide the legal mechanism for regulatory oversight for future remedial action as a pre-construction requirement that would reduce or eliminate the potential for future risk or exposure as it relates to hazardous materials to the maximum extent practicable. These measures would ensure that investigation and remediation, if warranted, of any hazardous materials under the Proposed Actions would be completed in a safe, and comprehensive manner. Compliance with the hazardous materials (E) Designation on each of the development sites would be conducted under the oversight of the Mayor's Office of Environmental Remediation (OER). Furthermore, regulatory requirements relating to asbestos, lead-based paint and PCBs in building

materials would be followed as part of standard demolition practices. For these reasons, the Proposed Actions would advance Policy 7.1.

Policy 7.2: ***Prevent and remediate discharge of petroleum products.***

Compliance Statement: Refer to Policy 7.1 above.

Policy 7.3: ***Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.***

Compliance Statement: Refer to Policy 7.1 above.

Based on the CAF completed for the Proposed Actions, which is provided in **Appendix A**, four WRP policies required further assessment. The assessment provided herein found that the Proposed Actions would be consistent with all applicable WRP policies. Therefore, the Proposed Actions would not result in any significant adverse impacts related to the WRP. DCP's ~~Waterfront Open Space~~ Climate and Sustainability Planning Division, on behalf of the New York City Coastal Commission, has reviewed the WRP assessment, and has found that the Proposed Actions would not substantially hinder the achievement of any WRP policy and has determined that the total RWCDS ~~associated with~~for the Proposed Actions would be consistent with the WRP. The total RWCDS ~~associated with~~for the Proposed Actions has been assigned WRP No. 22-075 (refer to **Appendix A**).