A. INTRODUCTION

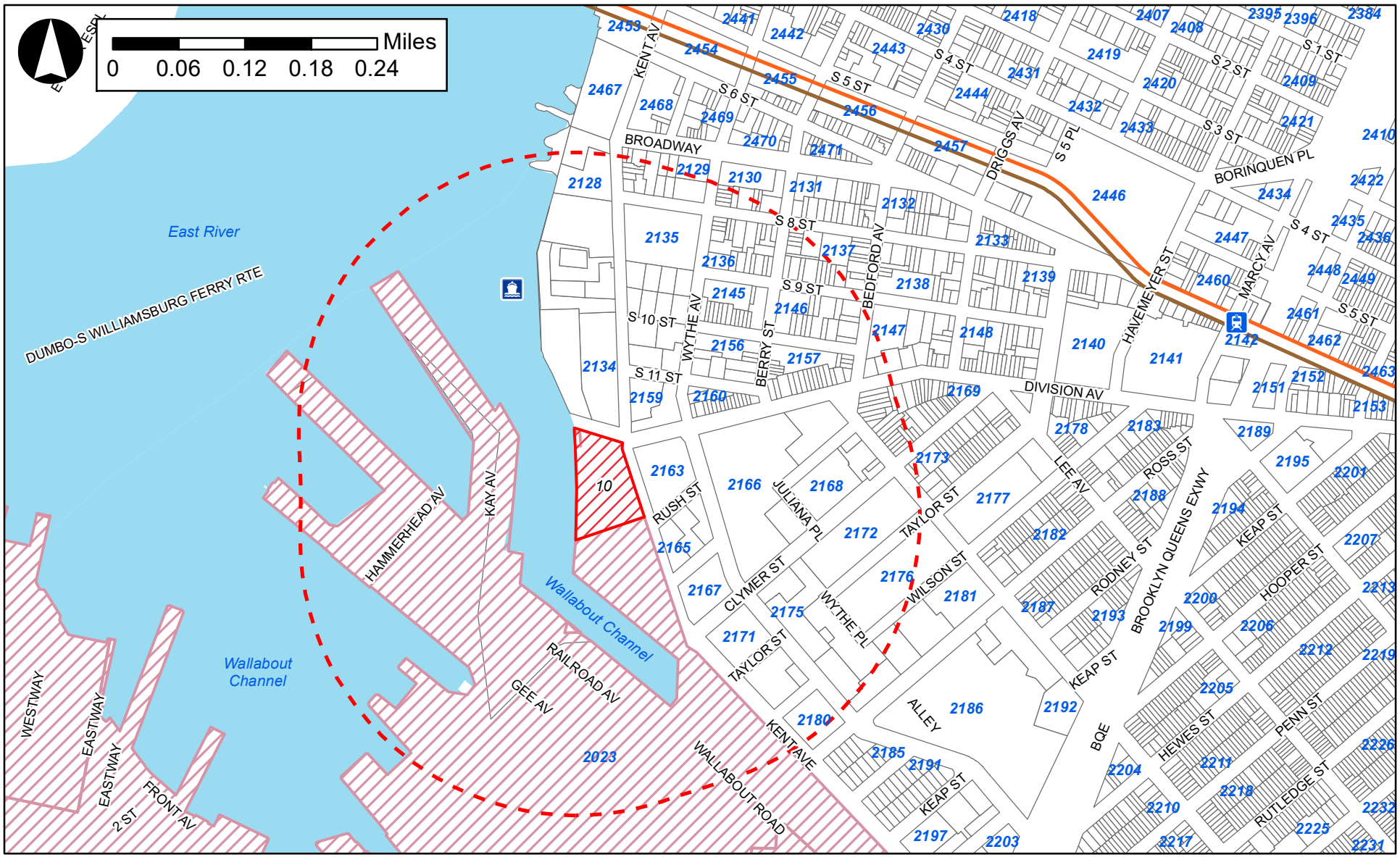
This chapter examines the Proposed Action's compatibility and consistency with land use patterns in the surrounding area, ongoing development trends, land use and zoning policies, as well as other public policies. This analysis has defined a study area within which the Proposed Action would have the potential to affect land use or land use trends. Following guidance provided in the 2021 *City Environmental Quality Review ("CEQR") Technical Manual*, this study area encompasses a quarter-mile radius of the rezoning area, but for analysis purposes has been modified and expanded as appropriate to include entire blocks. The study area boundary is shown in **Figure 2-1**.

As discussed in **Chapter 1, "Project Description,"** the Applicant, Kent Member LLC, is requesting special permits per Zoning Resolution Section (ZR) 62-837 and ZR 74-512, a Zoning Map Amendment establishing the "Project Site" in a newly rezoned M1-5 district, and waterfront zoning certification (the "Proposed Action"). The existing 115,244-square-foot (sf) lot is the site of a former Consolidated Edison power plant and currently lies as vacant land.

If approved, these actions would facilitate the development of a 23-story, approximately 684,242-gross square foot (gsf) commercial building, comprised of: 598,442 gsf of office space, 21,233 gsf of retail, and 234 parking spaces (64,567 gsf) (the "Proposed Project"). The development would also provide 49,453 sf of publicly accessible waterfront open space including a shore public walkway along the Wallabout Channel plus supplemental public access area. It would be 352 feet tall at roof height with mechanical bulkheads of up to 40 feet above the roof. The Proposed Project is expected to be operational by 2026.

Absent approval of the Proposed Action, it is anticipated that the Project Site would be redeveloped on an as-of-right basis under the existing M3-1 zoning district. The No-Action development would have a floor area ratio (FAR) of 2.0 (1.5 FAR of warehouse use and 0.5 FAR of office space) and be 74 feet tall (roof height) with four stories. The Project Site would be occupied by approximately 312,599 gsf, including 58,000 gsf of office space, 181,401 gsf of warehouse space, and 73,198 gsf of accessory parking.

According to the *CEQR Technical Manual*, a land use and zoning analysis is warranted for projects involving a change in land use or zoning. Furthermore, the *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. Both thresholds are applicable. The Proposed Action includes a series of discretionary and non-discretionary actions that would result in changes to permitted use, density, and bulk that would otherwise not be permitted. As such, a detailed land use and zoning assessment is necessary to provide a sufficient description and assessment of the effects on conditions.



Source: NYCDCP (PLUTO 2021, Version I); DOITT (2020); CUNY (2018, 2019); AKRF (2015)

Legend

- Primary Study Area
- Secondary Study Area (Quarter-Mile Radius)
- 26 Blocks
- 10 Lot
- Subway Station
- Ferry Station
- J-Z Subway Line
- M Subway Line
- Brooklyn Navy Yard

In addition, 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 affect 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 that pertain to the study area. If the 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. As the Project Site is located within the Brooklyn Navy Yard Industrial Business Zone (IBZ) and the City's Coastal Zone, a detailed assessment of public policies is warranted and is provided below.

The analysis year for the Proposed Action is 2026. The effect of the Proposed Action represents the incremental effect on conditions resulting from the net change in development between No-Action and With-Action conditions.

B. PRINCIPAL CONCLUSIONS

No significant adverse impacts on land use, zoning, or public policy, per the guidance for determining impact significance found in the *City Environmental Quality Review (CEQR) Technical Manual*, are anticipated in the future with the Proposed Action at the Project Site (the primary study area) or within a quarter-mile radius (secondary study area). The Proposed Project resulting from the Proposed Action would not directly displace any land uses so as to adversely affect surrounding land uses, nor would it generate land uses that would be incompatible with land uses, zoning, or public policies in the secondary study area.

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

C. METHODOLOGY

The purpose of this chapter is to examine the Proposed Action's consistency with land use patterns and development trends, zoning regulations, and other applicable public policies and determine whether it would result in any significant adverse impacts on land use, zoning, or public policy.

This chapter includes a detailed analysis that provides a thorough description of existing land uses within the directly affected area and the broader study area. Following the guidance of the *CEQR Technical Manual*, the detailed analysis describes existing and anticipated future conditions to understand the relationship of the Proposed Action to such conditions, assesses the nature of any changes on these conditions that would be created, and identifies those changes, if any, that could be significant or adverse. As the Project Site is located within the City's Coastal Zone Boundary, an assessment for consistency with the City's WRP is provided as part of the public policy assessment.

Analysis Year

The Proposed Project would be completed and occupied by 2026. As the Proposed Action is site-specific and would not affect other properties, this anticipated completion date is being used as the analysis year for this EIS. Therefore, the assessment discusses existing and future conditions with and without the Proposed Action in the 2026 analysis year for a primary study area and a secondary study area.

Study Area Definition

In order to identify and assess the direct and indirect effects of the Proposed Action, this analysis has defined two study areas within which the Proposed Action would have the potential to affect land use or land use trends. These areas include a primary study area, consisting of the Project Site subject to the zoning text amendment and other requested approvals (Block 2023, Lot 10) which would be affected directly by the Proposed Action, and a secondary study area that encompasses properties that have the potential to experience indirect impacts because of the Proposed Action. According to the *CEQR Technical Manual*, the appropriate size of the secondary study area for land use, zoning, and public policy is related to the type and size of the proposed development, as well as the location and context of the area that could be affected by the project. Study area boundaries vary according to these factors, with suggested study areas ranging from radii of 400 feet for a small project to 0.5 miles for a very large project. Given the geographic scope of the Proposed Action, affecting less than a full block and the scale of the Proposed Project relative to the density of the surrounding area, a quarter-mile radius of the Project Site has been selected as it is considered unlikely that the Proposed Action would have indirect effects beyond.

The secondary study area is generally bound by Broadway on the north, Bedford Avenue on the east, Ross Street on the south, and the Wallabout Channel to the west. Southwest of the Project Site, a portion of the Brooklyn Navy Yard lies within the study area between Ross Street and Wallabout Bay. Lots with a minimum of 50 percent of their area within the secondary study area are included in the study area. Refer to **Figure 2-1**.

Data Sources

Existing land uses in the study area were identified through review of a combination of sources including field surveys and the City's Primary Land Use Tax Lot Output (PLUTO™) data files for 2021 and websites, such as NYC Open Accessible Space Information System (OASIS, www.oasisnyc.net), NYCityMap (http://gis.nyc.gov/doitt/nycitymap/), and ZoLa (zola.planning.nyc.gov). 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 policy 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.

D. EXISTING CONDITIONS

Land Use

Primary Study Area

As described above, the primary study area consists of the Applicant-owned Proposed Project Site at 500 Kent Avenue (Block 2023, Lot 10). It is bound by the Wallabout Channel to the west, Division Avenue to the north, Kent Avenue to the east, and the Brooklyn Navy Yard's Nassau Gas Works site to the south. The lot, which is currently vacant, is a 115,244-sf, irregularly-shaped waterfront property with approximately 528 feet of shoreline along the Wallabout Channel. It is also a corner lot with approximately 227 feet of frontage on Division Avenue and approximately 372 feet of frontage on Kent Avenue.

The Project Site was occupied by power generating plants from the late nineteenth through early twenty-first centuries. In 1893, the Brooklyn City Railroad constructed the Eastern Station powerhouse[1] on the northern part of the property to provide electricity for its trolley lines, replacing the disused Moller, Sierck & Co. sugar refinery. The original power plant was supplanted by a larger one in 1907, as it expanded southward on land previously containing a coal yard and a Knickerbocker Ice Company building. The Brooklyn Rapid Transit Company and its successors, the Brooklyn-Manhattan Transit Corporation (BMT), the City-owned Board of Transportation, and the New York City Transit Authority, operated the larger power plant, which for many years provided power to trolley, elevated, and subway lines. Coal was delivered to the plant by water-borne vessels. In 1959, Consolidated Edison (Con Edison) acquired the property from the City of New York. Con Edison continued to operate the plant until shuttering it in 1999 and subsequently demolished the buildings in 2009. It then performed environmental remediation, which was completed in 2014 under the supervision of the New York State Department of Environmental Conservation (NYSDEC) through the Voluntary Cleanup Program (VCP). A deed restriction running with the land was recorded against the property in 2014 outlining the required long-term engineering and institutional controls placed on the site under the VCP. In 2015, NYSDEC approved the Site Management Plan and Final Engineering Report and then issued an Assignable Release and Covenant Not to Sue (refer to **Chapter 9, "Hazardous Materials"**). The applicant purchased the site from Con Edison in 2019.

The primary study area is served by several public transit options. The Marcy Avenue subway station with J/M/Z lines (to the northeast at the intersection of Broadway and Williamsburg Street) is located approximately 0.7 miles from the Project Site. In addition, the B67 (connecting Williamsburg Bridge Plaza and Long Island City) and the B62 (connecting Downtown Brooklyn/Fulton Mall and Long Island City) run along Kent and Wythe Avenues, and the B32/Q59 (connecting Lefferts Gardens/Prospect Park and Greenpoint) runs along Broadway. The South Williamsburg landing on the East River Ferry route is located less than 0.3 miles to the north of the Project Site at the western terminus of S. 10th Street. Bike lanes on Kent and Wythe Avenues

[1] The name Eastern Station reflects that the site is located in what was at the time called the Eastern District of the City of Brooklyn. Over its long history, the site was known by a variety of other names including: Eastern District Power House; Kent Avenue Power House; Kent Avenue Generating Station; BRT Power Station; and Williamsburg Power Station.

also serve the Project Site. The bike lane on Kent Avenue will eventually be part of the completed Brooklyn Waterfront Greenway, an uninterrupted 26-mile long corridor of bike lanes connecting open space along the waterfront in Brooklyn.

Secondary Study Area (Quarter-Mile Radius)

As shown in **Figure 2-2** and **Table 2-1**, land uses in the secondary study area are predominantly comprised of residential, mixed commercial/residential, and open space. Residential uses comprise the majority of floor area in the secondary study area with 49.6 percent of the total built floor area and occupy 44.8 percent of the lot area in the secondary study area. There are 28 mixed commercial/residential lots, which comprise 44.9 percent of the total building area and 28 percent of the total lot area. Open space is the third largest use in terms of lot area, comprising 8.4 percent in the secondary study area.

Table 2-1: Existing Land Uses within the Quarter-Mile Secondary Study Area

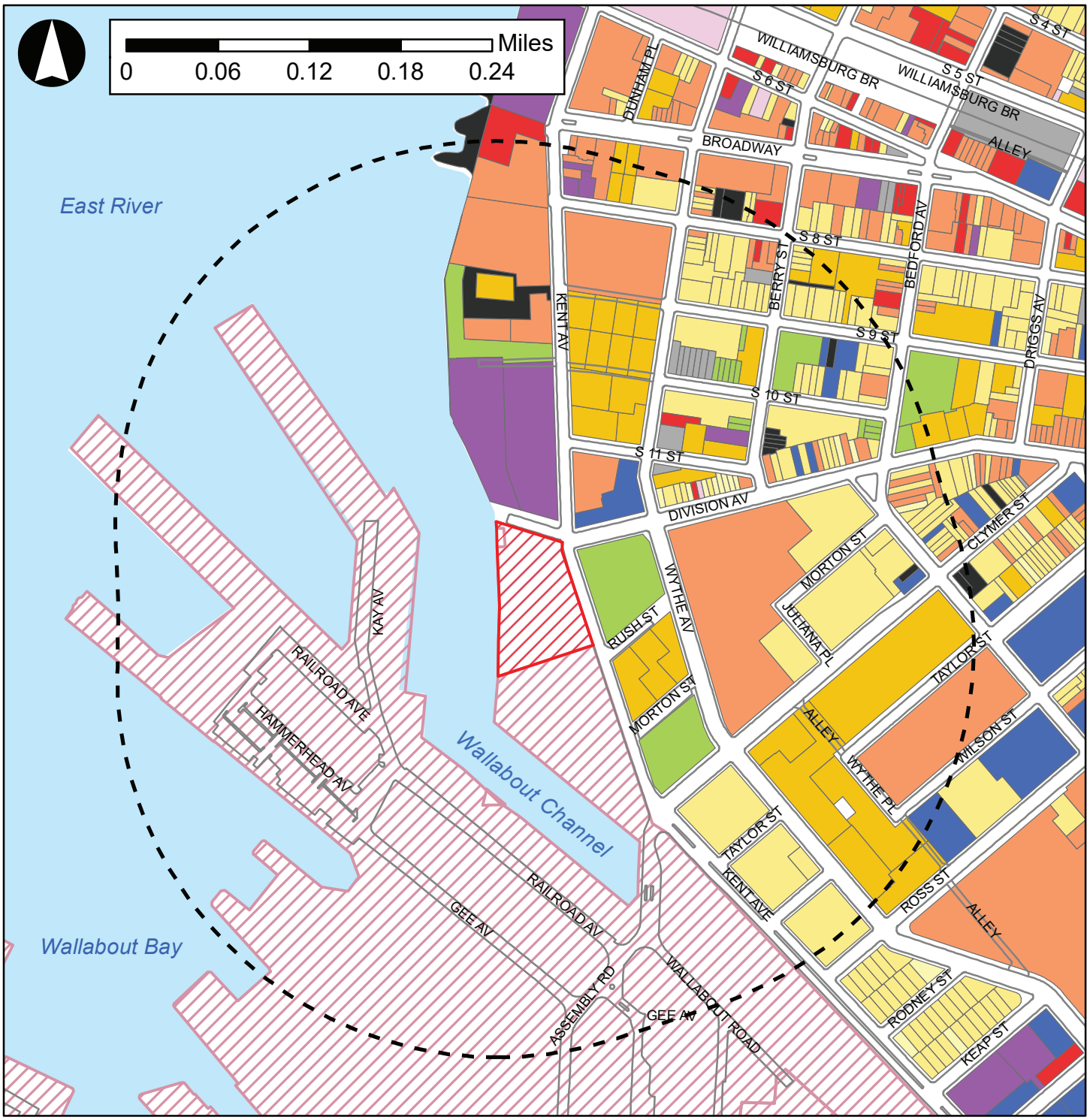
Land Use	No. of Lots	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
Residential						
One- & Two-Family Buildings	11	5.4	14,950	0.6	33,352	0.6
Multi-Family Walkup Buildings	73	36.3	545,476	22.7	964,945	16.4
Multi-Family Elevator Buildings	29	14.4	516,348	21.5	1,919,196	32.7
Mixed Commercial/Residential Buildings	28	13.9	672,422	28.0	2,640,123	44.9
Commercial/Office Buildings	3	1.5	7,315	0.3	9,148	0.2
Industrial/Manufacturing	6	3.0	180,489	7.5	251,478	4.3
Transportation/Utility	1	0.5	1,110	0.0	1,100	0.0
Public Facilities & Institutions	7	3.5	51,204	2.1	58,448	1.0
Open Space	17	8.4	199,325	8.3	0	0.0
Parking Facilities	10	5.0	28,930	1.2	0	0.0
Vacant Land	16	8.0	186,825	7.7	0	0.0
Total[1]	**201**	**100%**	**2,402,394**	**100%**	**5,877,790**	**100%**

Source: NYC Map PLUTO (21v1) 2021
Notes: [1] Total lot area does not include portion of the Brooklyn Navy Yard located within the secondary study area.

Within the Project Site's quarter-mile radius, the northeast portion is mostly comprised of small, rectangular lots, a majority of which is occupied by multi-family walkup buildings. There are also sporadic public facilities, open space, and mixed commercial/residential uses located between the residential uses. The southeast portion of the secondary study area has larger, irregular-shaped lots occupied by multi-family walkup and elevator buildings. Several of these buildings, including Independence Towers, a NYCHA housing complex, occupy entire blocks. The northern portion of the study area has mixed residential/commercial uses, which occupy entire blocks along Kent Avenue. Representative mixed commercial/residential uses within the buildings in the secondary

Figure 2-2

Study Area Land Uses



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

Legend

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

Land Use

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

study area include bars, restaurants, delis, and childcare centers, among other local retail that serve the surrounding community.

In comparison, there are few industrial/manufacturing, public facilities, parking, and vacant land uses in the secondary study area.

Lot sizes and building footprints in the secondary study area vary from townhouses and walk-up apartment buildings typically on 25- to 60-foot wide lots to mixed commercial/residential sites on large, irregular-shaped lots ranging from 100 to 700 feet wide. Buildings in the secondary study area vary from low- to high-rise, 3 to 25 stories tall. New development is common west of Wythe Avenue and close to the waterfront, including two 22-story high luxury apartment buildings located at the northernmost portion of the study area. East of Wythe Avenue has remained largely unchanged, with a mixture of multi-family and mixed-used buildings. At 111 Clymer Street, seven buildings, including a supermarket, home goods store, and publicly funded educational program, have occupied the large, irregularly shaped lot since 1974. There are also 534 residential units.

While the description of existing conditions focuses on a "snapshot-in-time" of the study area, it should be noted that this is a dynamic area experiencing a strong trend of residential and commercial development along the waterfront. This redevelopment often occurs at former industrial and commercial properties that are currently vacant and underutilized.

Brooklyn Navy Yard

The Brooklyn Navy Yard (BNY) is a 300-acre industrial park that accommodates a mix of industrial, maritime, and commercial uses. It is located on the Brooklyn waterfront, adjacent to and south of the Project Site, and comprises a majority of the southwestern and western portions of the secondary study area. It is bound by Navy Street to the west, Flushing Avenue to the south, Kent Avenue to the east, and the Wallabout Bay to the north. It is also part of the Brooklyn Navy Yard IBZ, described in more detail later in this chapter.

The Brooklyn Navy Yard has undergone tremendous transformation in recent years, becoming home to over 450 businesses and more than 11,000 workers, artists, and artisans across more than 5 million gsf of commercial and manufacturing uses. To date, the BNY is comprised of over 80 buildings, including adaptively reused older structures and new structures, several dry docks, and four active piers. Buildings on the campus range in size from one to 15 stories. The BNY offers businesses flexible leases and spaces at affordable, often below-market rents, and is approximately 95 percent leased as of Q1 2021. Notable tenants include Steiner Studios and HITN Television. At Pier 72, located just outside the study area, is the Brooklyn Navy Yard ferry landing and Dock 72, a 16-story, 675,000 sf office building with WeWork (who is a co-developer of the building), Benevolent AI, and Titan Grey as tenants.

The Brooklyn Navy Yard Development Corporation (BNYDC) serves as BNY's real estate developer and property manager on behalf of its owner, the City of New York. In 2017, BNYDC issued "BNY 2030," a $2.5-billion master plan to facilitate growth of the Brooklyn Navy Yard to support 30,000 jobs by 2030 and pioneering vertical manufacturing construction. In January 2018, the BNYDC completed an updated master plan to move forward on an estimated 4.6 million square

feet of zoning floor area to be added to the complex over the following 10 to 15 years, with at least 75 percent dedicated to traditional and advanced manufacturers and the remaining space for complementary businesses in the creative, technology and innovation sectors. With an anticipated technology hub to be built, the estimated additional space at the Brooklyn Navy Yard would be able to accommodate approximately 13,000 additional workers.

Zoning

The Project Site is in an M3-1 heavy manufacturing (high performance) zoning district and other zoning districts present with the quarter-mile radius study area include an M1-2 light manufacturing (high performance) district and a mixture of residential districts.

Primary Study Area Zoning

The primary study area is zoned M3-1 and is located within the Brooklyn Navy Yard IBZ and the Coastal Zone.

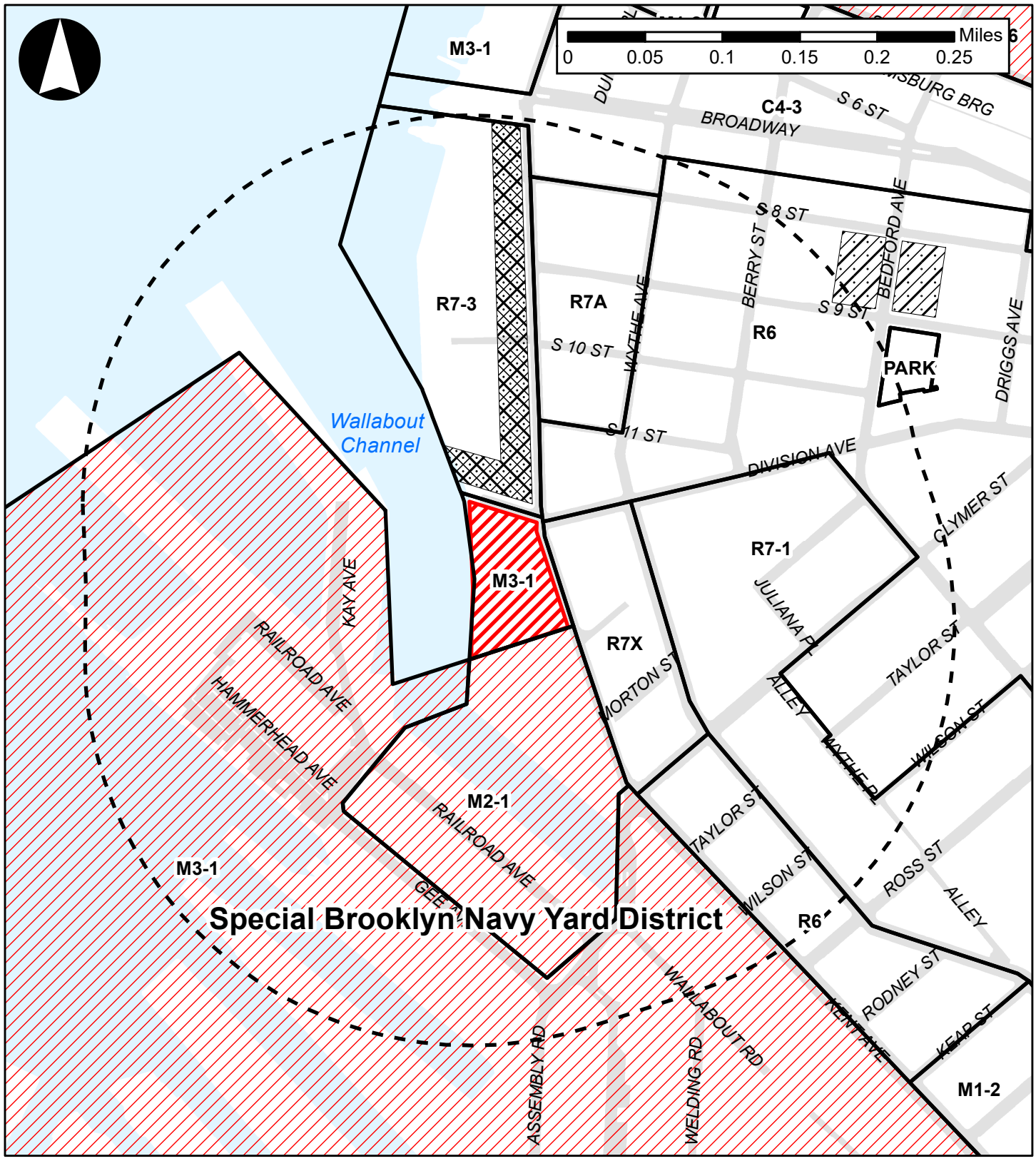
M3 districts are designated for areas with heavy industries that generate noise, traffic or pollutants. Typical uses include power plants, solid waste transfer facilities and recycling plants, and fuel supply depots. Even in M3 districts, uses with potential nuisance effects are required to conform to minimum performance standards. M3 districts are usually located near the waterfront and buffered from residential areas. M3-1 districts allow maximum FAR of 2.0 for manufacturing. M3-1 districts are subject to the same parking requirements as other manufacturing districts.

The M3-1 zoning district, which governs use, density, bulk, parking, and loading requirements on the Project Site, allows M3 zoning districts permit manufacturing, warehouse, automotive uses, many commercial uses, and heavy industrial uses. No new residences or community facilities are permitted as-of-right in M3 districts. Development within M3-1 districts can be built to a maximum floor area ratio (FAR) or 2.0, with a maximum street wall height of 60 feet before mandatory setbacks. In general, developments in M3 districts have no front or side yard requirements, but are required to leave minimum 20-foot-deep rear yards or a rear yard equal to 40 feet for through-lots.

Secondary Study Area (Quarter-Mile Radius) Zoning

The other zoning districts present with the quarter-mile radius study area include an M1-2 light manufacturing (high performance) district, R6 residential district, R7X special mixed use district, R7-A, R7-1, R7-3 residential districts, and a C4-3 commercial district. As presented in **Figure 2-3**, the area to the east of the primary study area is generally zoned for residential uses, with manufacturing zoning mapped directly adjacent to the primary study area to south and southeast. C1-3, C2-2, C2-3 and C2-4 commercial overlays are also found intermittently throughout the secondary study area. A summary of the applicable primary and secondary study area zoning regulations is provided below**.**

Figure 2-3
Zoning Districts



Legend

- Project Site
- Quarter-Mile Radius
- Zoning Districts
- Special Purpose Districts
- C2-3
- C2-4

Table 2-2 lists and describes the zoning districts located within quarter-mile radius study area and provides information about the maximum permitted FAR by use in each zoning district.

Table 2-2: Study Area Zoning Districts

District	Definition/General Use	Maximum FAR
M3-1	Manufacturing—heavy industries. M3 districts are usually located near the waterfront and buffered from industrial uses.	R: Not permitted C: 2.0 CF: Not permitted M: 2.0
R6	R6 districts are widely mapped in built-up, medium-density areas. Developers can choose between Height Factor and Quality Housing bulk regulations.	R: 0.78-2.43[1] C: Not permitted CF: 4.8 M: Not permitted
R7A	R7A contextual residential districts typically produce high lot coverage, seven- and eight-story apartment buildings.	R: 4.0 C: 0.0 CF: 4.0 M: 0.0
R7X	R7X contextual residential districts typically produce taller, bulkier buildings than R7A and R7B districts, with a maximum base height of 60 to 85 feet and a maximum building height of 125 feet.	R: 5.0 C: 0.0 CF: 5.0 M: 0.0
R7-1	R7 districts are medium-density apartment house districts. Developers can choose between Height Factor and Quality Housing bulk regulations. Regulations in R7-1 and R7-3 districts are essentially the same, except that R7-3 districts have a higher community facility FAR have lower parking requirements.	R: 0.87-3.44[1] C: 0.0 CF: 4.8 M: 0.0
R7-3		R: 0.87-3.44[1] C: 0.0 CF: 5.0 M: 0.0
M1-2	Light manufacturing—high performance district. M1 districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts. Sky exposure planes govern building heights. Parking requirements vary with use.	R: Not permitted C: 2.0 CF: 4.8 (Use Group 4 only) M: 2.0 (Use Group 17 only)
C4-3	C4 districts are mapped in regional commercial centers that are located outside of the central business districts and typically comprise commercial uses that serve a larger region. Use Groups 5, 6, 8-10, and 12 are permitted in C4 districts. C4-3 districts are R6 equivalent districts.	R: 078-2.43[1] C: 3.4 CF: 4.8 M: 0.0
C1-5, C2-2, & C2-4 (overlays)	C1 and C2 commercial overlays are mapped within residential districts along streets that serve local retail needs. In mixed-use buildings, commercial uses are limited to one or two floors and must always be located below the residential uses. C2 commercial overlay districts permit a slightly wider range of uses than C1 districts.	R & CF: Same as underlying R district C: 1.0 within R1-R5 districts & 2.0 within R6-R10 districts M: Not permitted

Notes: CF = community facility; R = residential; C = commercial; M = manufacturing

1 Maximum residential FAR for "height factor" residential zoning districts such as R6, R7-1, and R7-3 vary depending on the number of stories and the open space ratio, i.e., lot coverage.

Public Policy

In addition to zoning, officially adopted and promulgated public policies also describe the intended use applicable to an area or particular site(s) in New York City. These include Urban Renewal Plans, 197-a Plans, Industrial Business Zones (IBZs), the New York City Comprehensive Waterfront Plan, the Criteria for the Location of City Facilities ("Fair Share" criteria), Solid Waste Management Plan, Business Improvement Districts ("BIDs"), the New York City Landmarks Law, the Waterfront Revitalization Program ("WRP"), and Sustainability, as defined by PlaNYC/OneNYC. Some of these policies have regulatory status, while others describe general goals. They can help define the existing and future context of the land use and zoning of an area.

Public Policies Applicable to the Project Site and/or the Study Area

The Project Site is located within the boundaries of the Williamsburg Waterfront 197-a Plan area, Brooklyn Navy Yard IBZ, and the NYC Coastal Zone, thereby making it subject to the Waterfront Revitalization Program (WRP). Two Citywide policies considered under CEQR, the OneNYC plan and New York Works, are also particularly relevant to the Project Site and the Proposed Action given that the RWCDS would result in a new development with commercial and industrial uses in a mixed-use neighborhood served by existing transit services and other public infrastructure.

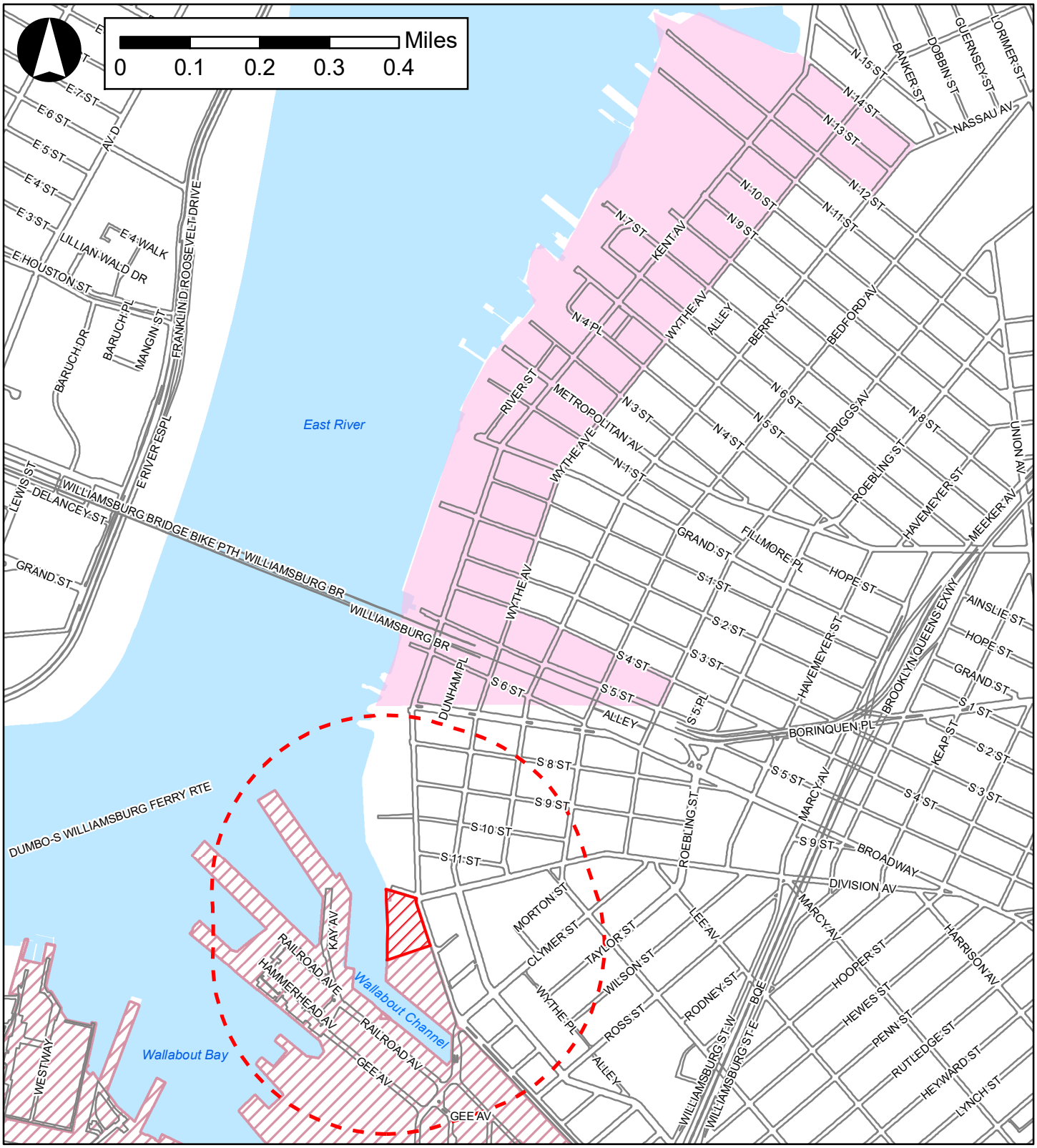
Williamsburg Waterfront 197-a Plan

The Williamsburg Waterfront 197-a Plan (proposed in 1998, and adopted in 2002) focuses on the East River waterfronts of three neighborhoods in the southern portion of Brooklyn Community District (CD) 1: Northside, Southside, and South Williamsburg. The Williamsburg Waterfront 197-a Plan area extends south from Bushwick Inlet (N. 14th Street) to the point at which the BQE passes the Brooklyn Navy Yard, and is generally two blocks deep along the waterfront. The planning area extends farther inland at two points to connect to public open spaces: McCarren Park to the north and Continental Army Plaza at the foot of the Williamsburg Bridge in the central section of the area. As shown in **Figure 2-4**, the Project Site is located just outside the southern section of the Williamsburg Waterfront 197-a Plan. However, other sections within the quarter-mile study area fall within the plan.

The major goals of the Williamsburg Waterfront 197-a Plan are to:

1. Increase waterfront access and public open space
2. Encourage growth along the waterfront consistent with the scale and character of adjacent neighborhoods
3. Foster mixed-use development in the Northside and Southside and residential development in South Williamsburg
4. Promote a clean and safe living and working environment; promote local economic development that provides jobs and strengthens the residential and retail sectors
5. Support and strengthen existing ethnic and income diversity

Williamsburg 197-a Plan Area



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

Legend

- Primary Study Area
- Secondary Study Area (Quarter-Mile Radius)
- Brooklyn Navy Yard
- Williamsburg 197-a Plan Area

The plan's recommendations were largely addressed in the 2005 Greenpoint-Williamsburg Rezoning project.

Brooklyn Navy Yard IBZ

In early 2006, the City created Industrial Business Zones (IBZs), geographic areas that serve as safe havens for manufacturing and industrial firms; today, there are 21 IBZs citywide. This designation fosters high-performing business districts by creating competitive advantages over locating in areas outside of New York City. The IBZs are supported by tax credits for relocating within them, zone-specific planning efforts, and direct business assistance from service providers affiliated with the NYC Department of Small Business Services. As IBZs are meant to foster industrial sector growth by creating real estate certainty, residential rezoning is generally not supported within their boundaries.

The Project Site is located within the Brooklyn Navy Yard IBZ, which encompasses the entirety of the Yard (refer to **Figure 2-5**). The BNY is owned by the City of New York and managed by BNYDC (the Applicant). BNYDC's mission is to create and preserve quality jobs, anchor New York City's modern industrial sector and its businesses, and connect the local community with the resources and economic opportunities at the Yard. The 300-acre industrial park on the Brooklyn waterfront, once the site of one of the nation's most storied naval shipbuilding facilities, is now home to over 450 businesses employing more than 11,000 workers, artists, and artisans. As discussed below, although located in the BNY IBZ, the Project Site is not part of the BNY.

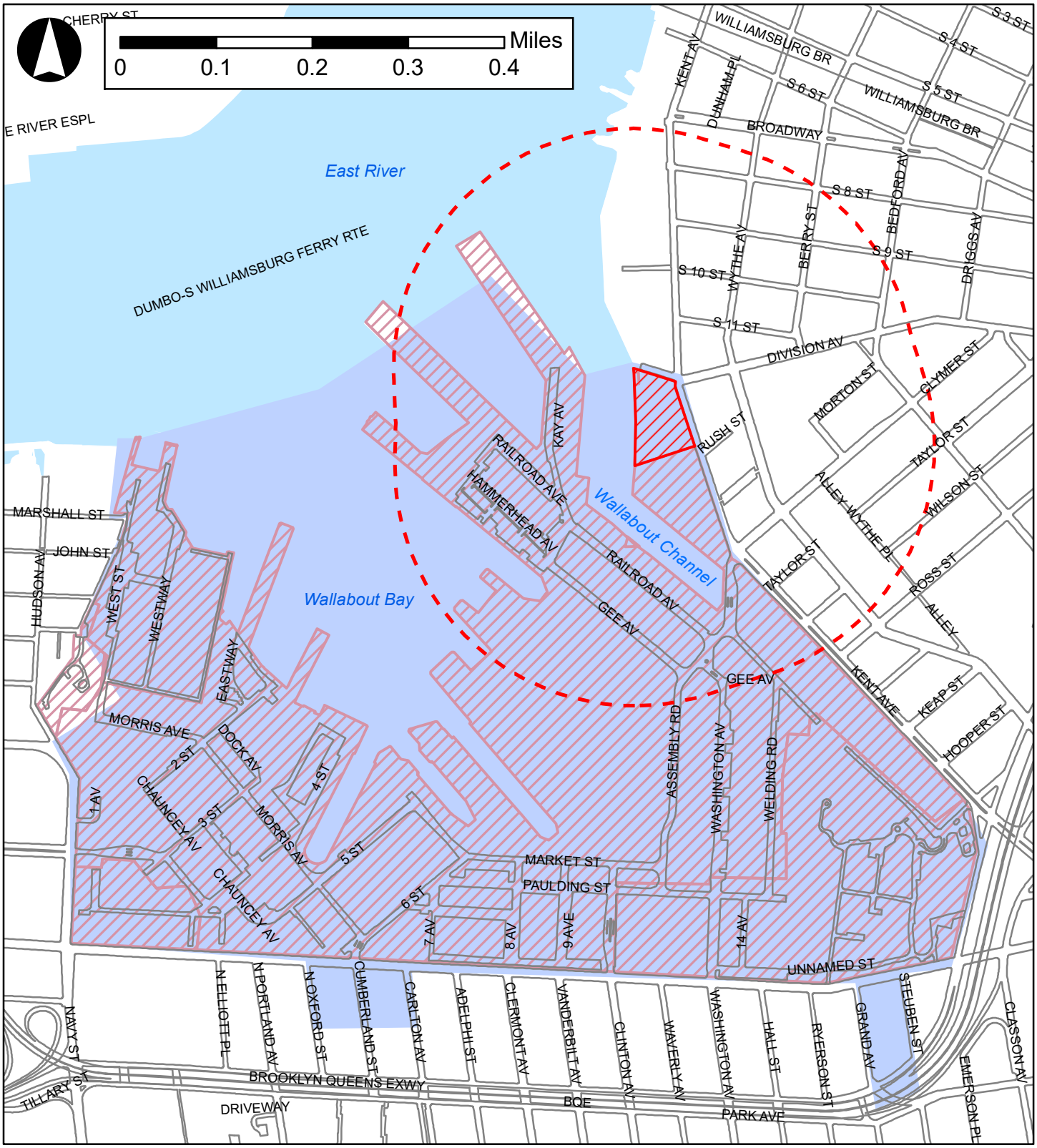
OneNYC 2050: Building a Strong and Fair City

In April 2019, the 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 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 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.

Brooklyn Navy Yard IBZ



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

Legend

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

- **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 education 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 we 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

In June 2017, former Mayor Bill de Blasio released *New York Works*, a 10-year plan to invest in new industries, raise wages, and train New Yorkers for new careers. The plan has three objectives:

1. Invest in the creation of middle-class jobs
2. Ensure those jobs are accessible to New Yorkers
3. Prepare for jobs of the future.

New York Works includes 25 initiatives to spur the creation of 100,000 new jobs in cyber security, freight, life sciences and healthcare, virtual reality, culture, tech, manufacturing, and apprenticeships. As affordability has persisted as an issue for many New Yorkers this plan attempts to identify opportunities to spur job creation for jobs paying more than $50,000 a year, making New York a more affordable place to live and work.

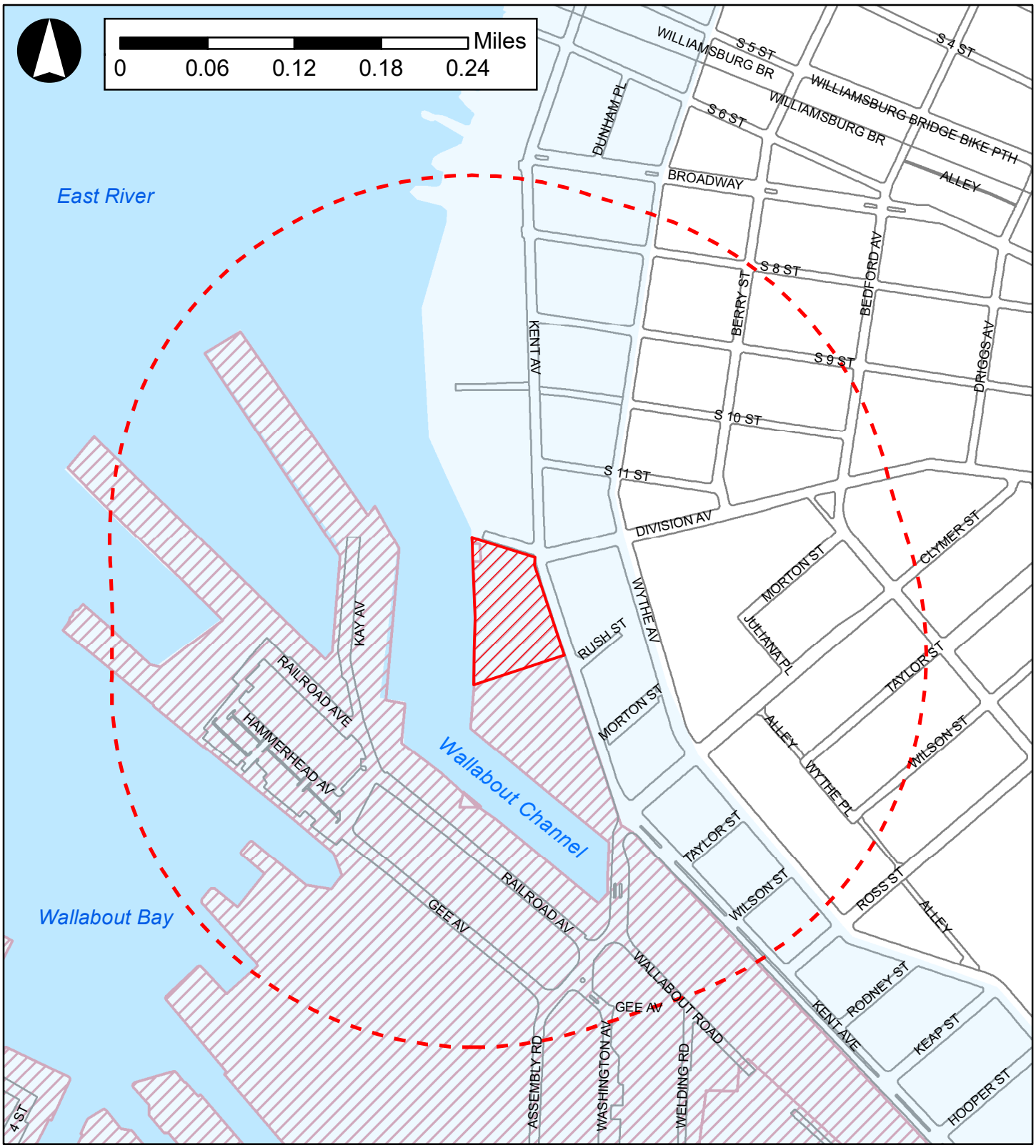
Waterfront Revitalization Program (WRP)

As illustrated in **Figure 2-6**, the primary and secondary study areas are located completely within the City's designated Coastal Zone. Projects that are located within the designated boundaries of New York City's Coastal Zone must be assessed for their consistency with the City's Waterfront Revitalization Program (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

Costal Zone Boundary



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

Legend

- Primary Study Area
- Secondary Study Area (Quarter-Mile Radius)
- Brooklyn Navy Yard
- Coastal Zone Boundary

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 the New York City Department of City Planning (NYCDCP) 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 ten WRP policies for most of the properties located within its boundaries.

In October 2013, the City Council approved revisions to the WRP in order to proactively advance the long-term goals laid out in Vision 2020: The New York City Comprehensive Waterfront Plan, released in 2011. The changes solidify New York City's leadership in the area of sustainability and climate resilience planning as one of the first major cities in the U.S. to incorporate climate change considerations into its Coastal Zone Management Program. They also promote a range of ecological objectives and strategies, facilitate interagency review of permitting to preserve and enhance maritime infrastructure, and support a thriving, sustainable working waterfront. The 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 and accomplish PlaNYC goals, 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 the 2081 to 2100 time period. 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 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. FUTURE WITHOUT THE PROPOSED ACTION

Land Use

Primary Study Area

As discussed in **Chapter 1, "Project Description,"** in the Future without the Proposed Action, it is anticipated that the Project Site would be developed as-of-right under the existing M3-1 zoning. The No-Action development would have an FAR of 2.0 (1.5 FAR of warehouse use and 0.5 FAR of office space) and be 74 feet tall (roof height) with four stories.

The Project Site would be occupied by an approximately 312,599-gsf building, including 58,000 gsf of office space, 181,401 gsf of warehouse space, and 73,198 gsf of accessory parking. As the No-Action development would predominantly have warehouse uses (Use Group 16d), the Project Site would be exempt from waterfront public access area and visual corridor requirements. The Project Site would provide 279 accessory parking spaces on the first and mezzanine floors.

Secondary Study Area (Quarter-Mile Radius)

Existing land use patterns are anticipated to continue in the surrounding area. There are no known zoning changes proposed, and three new developments to be completed or partially completed by the 2026 analysis year in the secondary study area. These anticipated developments are summarized in **Table 2-3** and shown graphically in **Figure 2-7**. In the future without the Proposed Action, it is anticipated that 445 residential DUs, 18,363 gsf, 7,474 sf of community facility space, 0.75 acres of open space, and 178 parking spaces would be developed within the secondary study area.

TABLE 2-3: No-Action Developments within Quarter-Mile of the Project Site

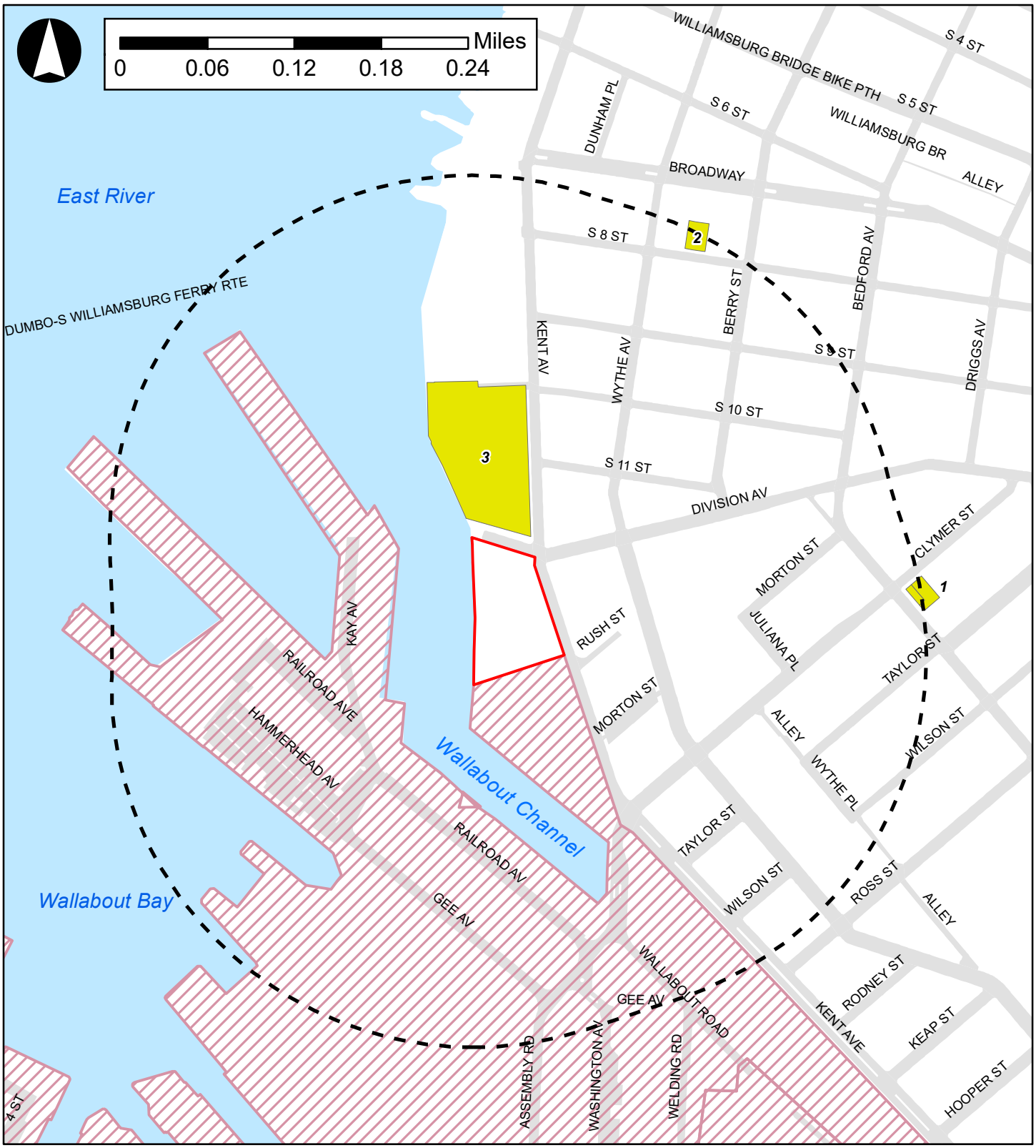
Map No.	Block	Lot	Address	Residential (DUs)	Local Retail (gsf)	Community Facility (gsf)	Open Space (acres)	Parking Spaces
1	2173	6	491 Bedford Avenue	6	0	0	0	0
2	2130	27	75 S. 8th Street	8	0	7,474	0	0
3	2134	1	470 Kent Avenue[1]	431	8,900	0	0.75	178
			Total	***445***	***8,900***	***7,474***	***0.75***	***178***

Sources: NYCDOB, March 2021; NYCDOT, April 2021
Notes: [1] Development of 470 Kent Avenue will occur in two phases. Phase 1 development has a build year of 2024, and therefore the program is included in this analysis.

470 Kent Avenue

470 Kent Avenue refers to a 94,500-sf lot located directly north of the Project Site on Block 2134, Lots 1 and 150; it is one of the last large development sites on the Williamsburg waterfront. The owner plans to develop the site into a mixed-use, five-building development with 935 DUs, 23,053 gsf of local retail space, 386 parking spaces and 0.75 acres of publicly accessible open space.

Figure 2-7
No-Build Developments



Legend

- Primary Study Area
- Secondary Study Area (Quarter-Mile Radius)
- Brooklyn Navy Yard
- No-Build Developments (refer to Table 2-3)

Phase 1 has a build year of 2024, while the build year for Phase 2 is unknown. Phase 1 would contain a 6- to 7-story base building and one 20-story tower and one 21-story tower. The towers would contain 431 total residential units, of which 281 (30 percent) would be affordable. Approximately 8,900 gsf of local retail uses would be on the ground floor and 178 parking spaces would be located in the cellar level. Phase 2, which would be developed at a later date, would contain 504 units and 208 parking spaces. For analysis purposes, only Phase 1 is included in the No-Action development list as presented in **Table 2-3**.

Brooklyn Navy Yard

Following the objectives outlined in the *BNY 2030* master plan, the Brooklyn Navy Yard has undergone and continues to undergo tremendous transformation resulting in development of new commercial and industrial space across its campus. As discussed above, approximately 4.6 million square feet of zoning floor area are expected to be added to the Brooklyn Navy Yard over the next ten to 15 years. While no proposed developments at the BNY would be completed by the Proposed Project's 2026 build year within the secondary study area, it is worth noting the impact that the BNY has on commercial growth in the Williamsburg neighborhood. For a more detailed analysis, refer to **Chapter 3, "Socioeconomic Conditions."**

Zoning

Primary Study Area

In the future No-Action condition, no zoning changes are anticipated within the Project Site. As such, it is anticipated that the existing M3-1 zoning district would be retained.

Secondary Study Area (Quarter-Mile Radius)

In the future without the Proposed Action, there is one zoning change in the quarter-mile study area, located south and adjacent to the Project Site, adopted as this EIS was being completed. Recently, an application to create the Special Brooklyn Navy Yard District was approved in December 2021. The application includes: (1) a zoning text amendment establishing the district with special use, bulk, parking and loading, and publicly accessible space regulations; and (2) a zoning map amendment mapping the BNY and changing an R6B, M1-2, and M3-1 district to an M2-1 district. These actions introduce tailored zoning regulations to facilitate and refine the further development of a modern manufacturing campus at BNY with approximately 4.6 million square feet of new space for manufacturing, commercial, and community facility uses.

Overall, as evidenced by recently completed and ongoing development projects within the study area and surrounding blocks, the land use trend of the South Williamsburg neighborhoods is moving towards more conversions and new construction for residential and mixed-uses, although the neighborhood continues to maintain its residential identity.

Public Policy

There are no anticipated changes to public policy in the study area in the future without the Proposed Action.

F. FUTURE WITH THE PROPOSED ACTION

In the future with the Proposed Action (the With-Action scenario), the proposed rezoning would facilitate development of the proposed approximately 684,242-gsf building (5.0 FAR), including 598,442 gsf of office space and 21,233 gsf of retail space, on the Project Site. The 23-story building would rise to a roof height of 352 feet. It would also provide 234 public parking spaces and two loading berths. The Proposed Project also would include 49,453 sf of waterfront public open space.

It is anticipated that tenants would be companies in the technology and creative media industries, consistent with existing trends in the surrounding area (e.g., Amazon photo studio and Vice magazine). The retail spaces would have relatively small footprints and are expected to be occupied by local retail uses.

Land Use

Primary Study Area

Table 2-4 shows that the Project Site would accommodate new development in both the No-Action and RWCDS With-Action conditions. As shown, the incremental (net) change that would result from the Proposed Action would be the net addition of 540,442 gsf of office space and 21,233 gsf of retail space, as well as net reductions of 181,401 gsf of warehouse space and approximately 30 parking spaces. The Proposed Action would also result in a net increase of 2,045 workers. The With-Action building would be 278 feet and 19 stories taller than the No-Action building. The Proposed Action also would introduce a net increase of 49,453 sf of waterfront public open space.

TABLE 2-4: Comparison of 2026 No-Action and With-Action Scenarios

Land Use	No-Action	With-Action[1]	Increment
Warehouse	181,401 gsf	0 gsf	- 181,401 gsf
Office	58,000 gsf	598,442 gsf	+540,442gsf
Retail	0 gsf	21,233 gsf	+21,233 gsf
Parking	73,198 gsf	64,567 gsf	-8,631 gsf
Total	**312,599 gsf**	**677,438 gsf**	**+364,839 gsf**
Parking Spaces	279 (accessory - attended)	234 (public –attended)	-45
Building height (roof)	74 feet	352 feet	+278 feet
Building stories	4 stories	23 stories	+19 stories
Public Open Space	0 sf (0.00 acres)	49,453 sf (1.14 acres)	+49,453 sf (+1.14 acres)
Population	**No-Action**	**With-Action[1]**	**Increment**
Workers[2]	413	2,458	+2,045

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

Secondary Study Area (Quarter-Mile Radius)

As noted above in the descriptions of existing and No-Action conditions, the study area and nearby blocks have been experiencing a trend of changing land uses that are expected to continue in the future. This is evidenced by existing uses, such as the 420 Kent Avenue towers, and projects currently under construction, like the introduction of eight DUs at 75 S. 8th Street. No additional changes to land use are anticipated within the quarter-mile study area because of the Proposed Action, as ongoing trends would be expected to continue with or without the Proposed Action.

Assessment

Approval of the Proposed Action would facilitate development that is compatible with and contributes to the mixed-use character and ongoing trends in the surrounding area. Residential and mixed residential-commercial buildings, which long have formed part of the mosaic of uses found in the study area and Williamsburg more broadly, have been increasing in recent years, as vacant and underutilized industrial properties are redeveloped. This development trend, typified by 420 Kent Avenue Towers recently completed north of the Project Site and which replaced one-story industrial buildings, is supported by and supportive of the extensive transit infrastructure serving the area, existing public open space resources, and its strengthening pedestrian-oriented land use patterns.

The Proposed Action would facilitate an appropriate transitional use between the commercial-light industrial Brooklyn Navy Yard to the south/southwest and the residential and residential-commercial buildings to the north and east. As such, it would serve as a buffer between uses that may be incompatible if they were immediately adjoining. The Proposed Action also would be beneficial in that it would activate a currently vacant site that under No-Action conditions only would be developed at a lower density with a predominantly manufacturing use group activity. Also, the Proposed Action would enhance the collective land use character of the secondary study area by extending the waterfront public open space network, connecting with the planned shore public walkway to the north at 470 Kent Avenue and a potential future shore public walkway to the south in the Brooklyn Navy Yard.

Furthermore, though the Project Site would be built at a density and bulk that exceeds other properties in the secondary study area, it would be compatible with much of the new development in the neighborhood, particularly on other waterfront sites such as 470 Kent Avenue (under construction) and other development throughout the Brooklyn Navy Yard. As such, the Proposed Action would result in development that would complement the land use character and trends of the neighborhood as a whole.

Accordingly, the Proposed Action would not result in significant adverse impacts to land use on the Project Site or in the secondary study area.

Zoning

In the future with the Proposed Action, the existing zoning at the Project Site would change along Kent Avenue, south of Division Avenue. The existing M3-1 district would be rezoned to a M1-5

mapped on the northern portion of the block to a depth of 350 feet along Kent Avenue. M1 districts are often buffers between M2 or M3 districts and adjacent residential/commercial districts. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Nearly all industrial uses are allowed in M1 districts if they meet the M1 "high performance" standards. Offices and most retail uses are also permitted; hotels (Use Group 5) require a special permit except for those operated exclusively for the public purpose of temporary housing assistance operated or contracted by the City or State. Certain community facilities, such as hospitals, are allowed by special permit, but houses of worship are allowed as-of-right.

The Proposed Action would improve an underutilized industrial lot and allow a mix of uses reflective of the adjacent mixed residential/commercial setting in Williamsburg. The proposed M1-5 zoning district would allow community facility uses (Use Groups 3-4) at 6.5 FAR, which is currently not allowed under existing zoning. Commercial (Use Groups 5-15, 16) and manufacturing (Use Groups 17-18) would be allowed at greater densities than what is currently allowed (5.0 FAR).

TABLE 2-5: Comparison of Allowable Uses & Maximum FAR for Existing and Proposed Zoning

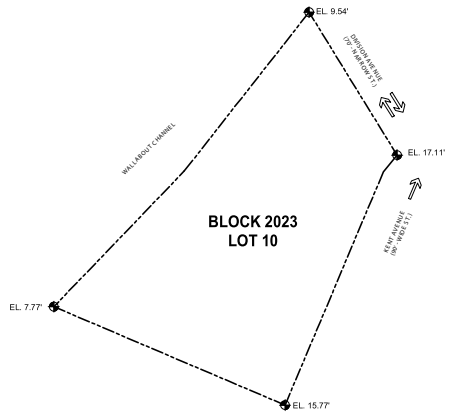
	Existing Zoning	Proposed Zoning
Zoning District	**M3-1**	**M1-5**
Use Groups	UG 6-15, 16, 17-18	UG 3-4, 5[a]-15, 16, 17-18
Maximum Allowable FAR		
Residential	0.0	0.0
Community Facility	0.0	6.5
Commercial	2.0	5.0
Manufacturing	2.0	5.0

Source: *Zoning Resolution of the City of New York*
[a] *Hotels (Use Group 5) in M1 districts require a special permit except for those operated exclusively for the public purpose of temporary housing assistance operated or contracted by the City or State.*

The proposed M1-5 zoning district would have a maximum FAR of 5.0 for commercial and manufacturing uses and 6.5 for community facility uses. Accessory parking would not be required under the proposed zoning; however, the Applicant would provide 234 spaces with approval of a Public Parking Garage Special Permit.

M1 districts on waterfront blocks, such as the Project Site, are subject to special bulk controls, including maximum permitted base height of 65 feet, maximum permitted building height of 185 feet, 100-foot maximum width of walls facing shorelines, and other requirements such as those related to yards, initial setback distances, permitted obstructions, and floor area distribution.

The Proposed Project is seeking modifications to several of the applicable bulk controls through a waterfront bulk modification special permit pursuant to ZR 62-837; for details refer to Section C of **Chapter 1, "Project Description,"**. The special permit would define the limits of permitted modifications based on zoning waiver diagrams provided in the land use application for the Proposed Action. Refer to **Figures 2-8 and 2-9**.



LEGEND:
ZONING LOT LINE
ELEVATION
REFER TO Z-004 FOR BASEPLANE CALCULATIONS

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

ZONING FLOOR AREA SCHEDULE

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

GENERAL 9/25/2023

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

ZONING REGULATION	ZR Sections	PERMITTED/REQUIRED BY UNDERLYING ZONING DISTRICT			PROPOSED		COMPLIANCE COMMENTS
PERMITTED USES	42-12, 62-20	RETAIL AND COMMERCIAL:UG: 6A, 6B, 6C, 6D, 6E, 7A, 7B, 7C. 8, 9A, 9B, 9C, 10A, 10B, 10C, 11, RECREATION: UG: 12A, 12B, 12C, 12D, 12E, 13, 14 & 16 COMMUNITY Facility: UG: UG 3A, 4A, 4B, 4C 5.			RETAIL AND COMMERCIAL: **6A: RETAIL & 6B OFFICE** 8: PUBLIC PARKING GARAGE		COMPLIES
FAR		**MAX FAR**			**FAR**		COMPLIES
	62-324, 43-12	Commercial	5.0		Commercial	5.0	
	62-324, 43-12	Manufacturing	5.0		Manufacturing	0.0	
	62-326, 43-122	Community Facility	6.5		Community Facility	0.0	
		MAX TOTAL	**6.5**			**5.0**	
FLOOR AREA		**MAX FLOOR AREA**			**FLOOR AREA**		COMPLIES
	62-324, 43-12	Commercial	576,220		Commercial	**576,220 zsf**	
	62-324, 43-12	Manufacturing	576,220		Manufacturing	0	
	62-326, 43-122	Community Facility	745,086		Community Facility	0	
		MAX TOTAL	**745,086**		**MAX TOTAL**	**576,220 zsf- 5.0 FAR**	
YARDS	62-331	Front yard	None Required		None Provided		COMPLIES
	62-331	Sideyard	None Required		None Provided		
	62-332	Waterfront yard	40 Feet		40 Feet		
HEIGHT AND SETBACK	62-341 (A)(2)	Initial Setback Distance	KENT AVENUE (Wide Street)	10 Feet	0' SETBACK PROVIDED		DOES NOT COMPLY Waiver required
	62-341 (A)(2)	Initial Setback Distance	DIVISION AVENUE (Narrow Street)	15 Feet	15 Feet		COMPLIES
	62-341 (A)(2)	Initial Setback Distance	SHORE PUBLIC WALKWAY	30 Feet	0' SETBACK PROVIDED		DOES NOT COMPLY Waiver required
	62-341 (A)(2)	Initial Setback Distance	50' VISUAL CORRIDOR	15 Feet	15 Feet		COMPLIES
	62-341 (A)(2)	Initial Setback Distance	SUPPLEMENTAL PUBLIC ACCESS AREA (Wide Street)	10 Feet	12 Feet		COMPLIES
	62-341 (C)(1)	Maximum base height	SITE	65 Feet	130'-0"		DOES NOT COMPLY Waiver required
	62-341 (C)(2)	Maximum Building Height	SITE	185 Feet	355'-0"		DOES NOT COMPLY Waiver required
	62-341 (C)(3)	Floor area distribution	Buildings that exceed the maximum base height shall have a minimum of 30% floor area coverage at a height of 20'. (30% of Lot Area = 115,224*30% = 34,573sf)		Provided lot Coverage at 20' = 50,371sf(43.7%)		COMPLIES
	62-341 (C)(5)	Maximum Width of wall facing shoreline	100 Feet		343'-9" Feet		DOES NOT COMPLY Waiver required
ACCESSORY OFF-STREET PARKING	25-026 62-423	Special Regulations applying in the waterfront area are set forth in Article VI, Chapter 2 (62-40)					COMPLIES
	62-42	The applicable district regulations pertaining to permitted or required off-street parking facilities accessory to non-residential uses shall apply to all developments on waterfront blocks except as modified in this Section or in Section 62-45.					
	44-21	UG 6A: General Retail or service uses	No Required Accessory Off-Street parking		0 Spaces		
	44-21	UG 6B: Commercial uses	No Required Accessory Off-Street parking				
PARKING GARAGE	32-17(c) 74-52	Maximum allowed spaces: 150			Spaces provided: 234		DOES NOT COMPLY ZR 74-52 special permit req'd for public parking garage
ACCESSORY OFF-STREET PARKING LOADING BERTHS	44-52	UG 6A: General Retail or service uses	None required for first 25,000 sf of floor area. Next 15,000 sf of floor area requires 1 required Next 60,000 sf of floor area requires 1 required Each additional 150,000 sf of floor area requires 1 required berth		General Retail area: 20,744zsf No Loading berths		COMPLIES
	44-52	UG 6B: Commercial uses	None required for first 100,000 sf of floor area. Next 200,000 sf of floor area requires 1 berth. Each additional 300,000 sf of floor area requires 1 additional berth		Office area: 555,476zsf 2 Loading berths provided		COMPLIES
	Total Loading Berth		Loading Berths Required = 2		Total Proposed Loading Berths = 2		COMPLIES
BICYCLE PARKING	44-60	In all districts, as indicated, the provisions of Section 36-70 (BICYCLE PARKING), inclusive, shall apply to all permitted commercial uses.					COMPLIES
	36-711	For Use Group 6A (retail uses):	1 per 10,000 sf of floor area (20,744 zsf/10,000 sf = 3 spaces)		3 spaces proposed		
	36-711	For Use Group 6B (Commercial uses):	1 per 7,500 sf of floor area (555,476 zsf/7,500 sf = 74 spaces)		74 spaces proposed		
	36-711	For public parking garage	1 per 10 automobile parking spaces 234/10=23.4		24 spaces proposed		COMPLIES
	Total Bicycle Parking Spaces		Total bicycle spaces Required = 101		Total Proposed bicycle spaces = 101 spaces		
STREET TREES	43-02 26-41	1 tree per 25 Feet of frontage	Kent avenue =370'-4"/25'=14.81 (15 trees required) Division avenue = 227'/25'=9.08 (10 trees required) Total required 25 trees		Kent Avenue: 15 trees provided Division Avenue: 10 trees provided Total: 25		COMPLIES *18 TREES WILL BE PROVIDED ON SITE AND 7 REMAINING TREES WILL BE PROVIDED OFF-SITE OR PAID INTO A FUND PURSUANT TO ZR 26-41.

ZONING SUMMARY

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

2 Waterfront special permit pursuant to ZR § 62-837(a) to waive bulk regulations under ZR § 62-341 for the Proposed Development as follows:
- i. ZR-62-341 (a)(2) initial setback distance
- ii. ZR-62-341 (c)(1) maximum base height,
- iii. ZR-62-341 (c)(2) maximum building height;
- iv. ZR-62-341 (c)(5) maximum width of walls facing shoreline

3 Waterfront Certification for the waterfront public access area ("WPAA") pursuant to ZR §62-811

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

LAND USE ACTIONS

7/14/2023

GENERAL

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



MARVEL
145 HUDSON STREET, FLR.3 NEW YORK, NY 10013
2126162420

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

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

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

LIGHTING DESIGNER
ONE LUX STUDIO
158 WEST 29TH ST, FL 10, NEW YORK, NY 10001

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

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

ID #2019K0330



KEY PLAN:NTS

MA PROJECT NO. 1725

500 KENT

500 KENT AVENUE
BROOKLYN, NY 11249

ZONING ANALYSIS

REGISTERED ARCHITECT
CERTIFICATE FOR PUBLIC DISPLAY
STATE OF NEW YORK

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

DRAWING #:
Z-002 .00
___of ___

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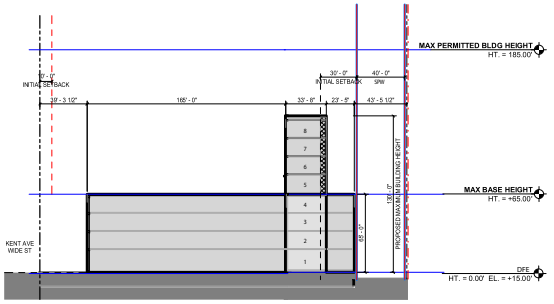
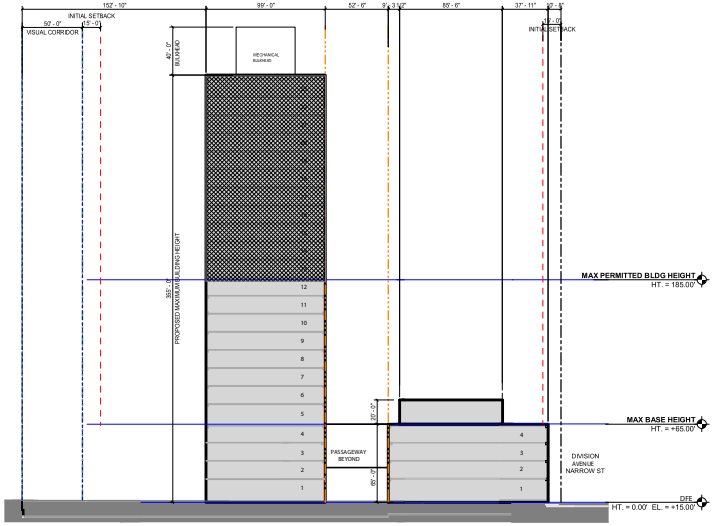
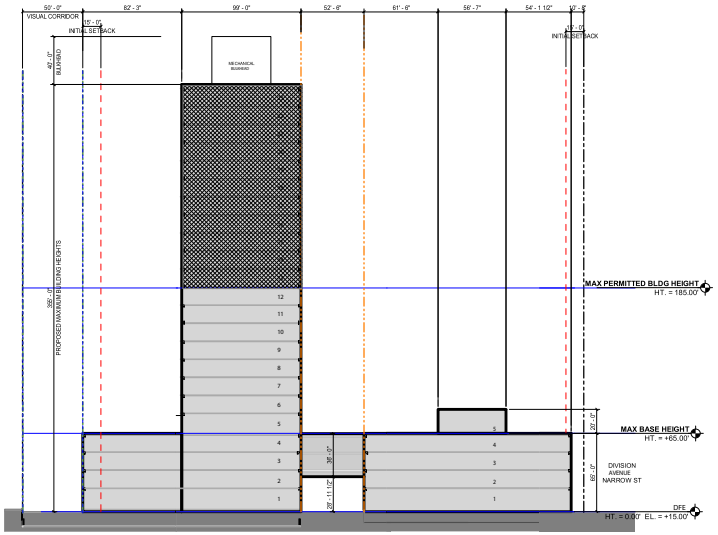


4 ZONING SECTION 4A
1" = 40'-0"



3 ZONING SECTION 3A
1" = 40'-0"



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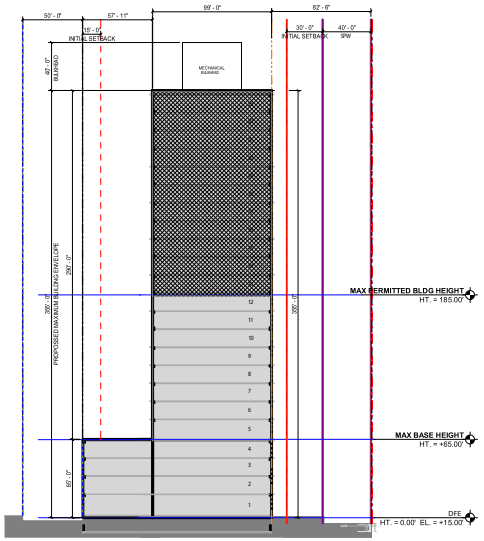

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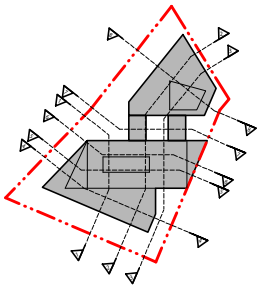

LEGEND

- PROPOSED BUILDING
- ZONING LOT LINE
- PROPOSED BUILDING ENVELOPE
- STREET WALL
- ELEVATION EXTENT
- MAPPED EASEMENT
- HEIGHT LIMITS
- ILLUSTRATIVE BUILDING LINE
- TOTAL SPW & SPAA (WPAA)
- VISUAL CORRIDOR
- PUBLIC ACCESS AREA 1 (PAA1)
- PUBLIC ACCESS AREA 2 (PAA2)
- SHORE PUBLIC WALKWAY (SPW)
- SUPPLEMENTAL PUBLIC ACCESS AREA (SPAA)
- U.S. PIER & BULKHEAD LINES
- INITIAL SETBACK DISTANCE
- PROPERTY LINE
- TITLE — HT XXX HEIGHT FROM BASE PLANE
- HEIGHT AND ELEVATION MARKER
- EL XXX NAVD88 SPOT ELEVATION
- SPOT ELEV MARKER

ZONING WAIVERS:

- MAXIMUM HEIGHT AND SETBACK WAIVER PURSUANT TO ZR 62-341(C)(1), ZR 62-341(C)(2), AND ZR 62-341B(A)(2)

NOTES:

1. APPLICANTS STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. ILLUSTRATIVE BUILDING LINES WITHIN THE PROPOSED MAXIMUM BUILDING ENVELOPE ARE PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO CHANGE.
3. SEE OPEN SPACE DRAWINGS FOR SITE AND LANDSCAPE DETAILS.
4. ADJUSTED BASE PLANE IS +13.61'
5. BASE FLOOD ELEVATION ZONE AE +13'-0" (NAVD-1988)
6. DESIGN FLOOD ELEVATION(DFE) IS +15.00'
7. ALL ELEVATIONS TAKEN FROM DFE



MARVEL

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2126182420

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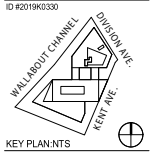
ONE LUX STUDIO
158 WEST 20TH ST, FL 10, NEW YORK, NY 10001

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

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

ID #2019K0330



KEY PLAN:NTS

MA PROJECT NO. 1725

500 KENT

500 KENT AVENUE
BROOKLYN, NY 11249

ZONING SECTIONS



SCALE: As indicated

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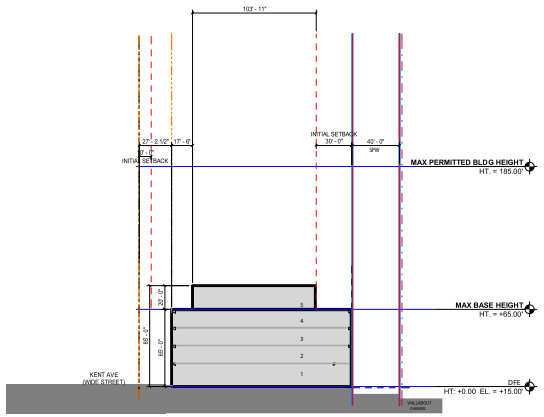

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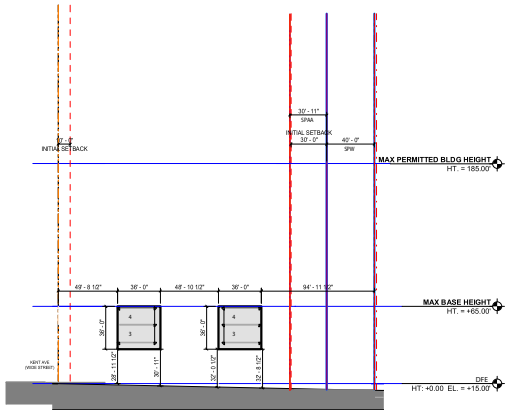

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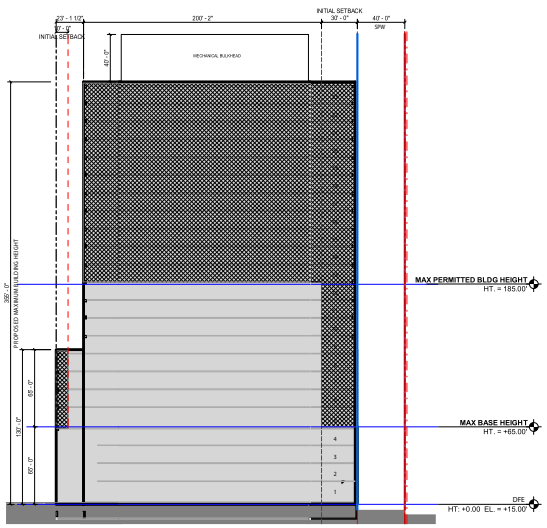

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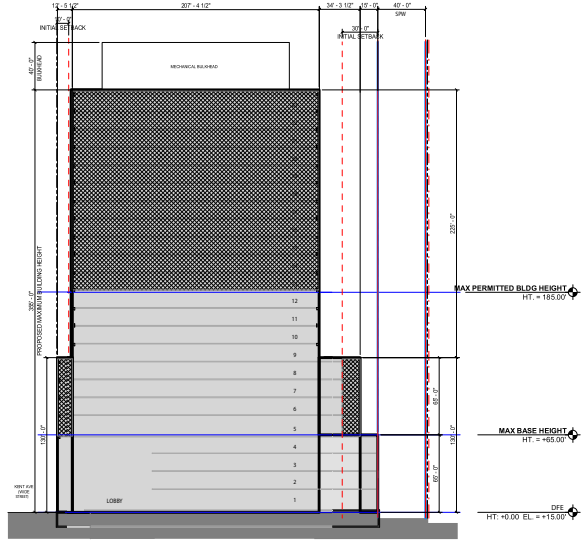

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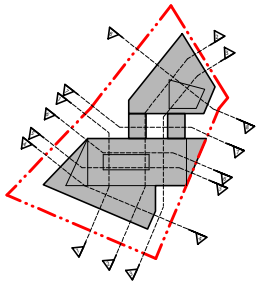

LEGEND

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- ZONING LOT LINE
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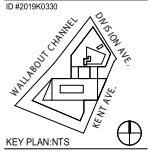
ID #2019K0330



KEY PLAN:NTS

MA PROJECT NO. 1725

500 KENT

500 KENT AVENUE
BROOKLYN, NY 11249

ZONING SECTIONS

SCALE: As indicated

DRAWING #:
Z-031 .00
___ of ___

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Also, as a waterfront site, the Proposed Project is subject to special zoning requirements for the provision of waterfront public access areas, including shore public walkway, a visual corridor, and other elements outlined in Article VI, Chapter 2 of the ZR. The Proposed Action would comply with all applicable requirements subject to a Waterfront Zoning Certification, a non-discretionary ministerial action.

Secondary Study Area (Quarter-Mile Radius)

The study area and nearby blocks have been experiencing a trend of changing land uses that are expected to continue in the future. This may involve small-scale rezoning, especially of industrial/manufacturing lots along the waterfront. As mentioned in the previous section, an application to establish the Special Brooklyn Navy Yard District, which would be located south and adjacent to the Project Site, completed the ULURP public review process in 2021 and was approved in late 2021.

Assessment

The proposed zoning change would increase the allowable density at the Project Site with a bulk envelope pursuant to a waterfront zoning bulk modification special permit in a transit-accessible area to support creation of new commercial and retail space, which is in demand in this neighborhood. It is anticipated that tenants would be companies in the technology and creative media industries, consistent with existing trends in the surrounding area, as well as local retailers. The proposed rezoning area along Kent Avenue is well-suited for additional development, given its proximity to public transit, bicycle lanes, and as the street is a major north-south arterial. As such, the proposed zoning would be consistent with the City's policy to support additional development in transit accessible areas.

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

The Proposed Project's uses, height, and density, although higher than those found in the immediately surrounding area, are comparable to those in nearby waterfront areas of Williamsburg. For example, Dock 72, which is located just south of the secondary study area boundary along the East River, provides the surrounding area with high-rise office, retail, and open space. The 16-story building, located approximately 0.5 miles southwest of the Project Site on Pier 72 at the BNY, also provides publicly-accessible open space along the waterfront in connection with the Brooklyn Navy Yard ferry landing. In addition, development at 470 Kent Avenue, located directly north of the Project Site and described above, is indicative of waterfront development patterns where existing, underutilized industrial land is redeveloped with mixed-use buildings. Moreover, uses of the Proposed Project would align with those to be facilitated by the pending

Special Brooklyn Navy Yard District application. If approved, this special district would introduce 4.6 million square feet of new space for manufacturing, commercial, and community facility uses.

Overall, the proposed zoning changes would not substantially vary from existing zoning controls in the surrounding area and those that may be considered in future rezonings. As the Proposed Action would result in zoning that is compatible with the range of existing uses and densities found in the secondary study area and surrounding neighborhood, it would not result in any significant adverse zoning impacts on the Project Site or in the secondary study area.

Public Policy

As discussed under "Existing Conditions," the proposed rezoning area and the secondary study area fall within the geographic jurisdiction of five public policies. Assessments of each policy are provided below.

Williamsburg Waterfront 197-a Plan

The Proposed Project would introduce 598,442 gsf of office space and 21,233 gsf of local retail space, as well as approximately 49,453 sf of waterfront public open space. The waterfront open space includes a shore public walkway and a supplemental public access area. Generally, in the surrounding neighborhood, there has been a trend of redevelopment of vacant land and underutilized and unoccupied properties formerly occupied by industrial and general service uses with new higher density residential and commercial development, particularly along the waterfront.

The Proposed Project would facilitate the development of a commercial building that promotes local economic development and a safe working environment in an area where the demand for office and retail exists. Moreover, it would provide coveted access to a section of the waterfront, which is currently unimproved and inaccessible. As such, the Proposed Action advances and supports the main objectives of the Williamsburg Waterfront 197-a Plan.

Brooklyn Navy Yard Industrial Business Zone (IBZ)

The Proposed Project would support burgeoning commercial office and retail uses in the existing Brooklyn Navy Yard IBZ, as well as provide increased walk-to-work opportunities within the community district. The addition of 598,442 gsf of office space and 21,233 gsf of local retail space would contribute to an increase in appropriate land uses in an area well served by existing infrastructure and public transportation. It would also strengthen the economic base of the South Williamsburg neighborhood, enhance the value of land and buildings, contribute to a diverse mix of business uses and employment in the neighborhood, and protect the City's tax revenues, all of which complement the goals of the Brooklyn Navy Yard IBZ. Moreover, the Applicant believes that this project, by leveraging demand for office space in Brooklyn, would further the mission of the Brooklyn Navy Yard IBZ by strengthening the non-residential character of the IBZ with an

active commercial use compatible with the mix of uses in present in the Navy Yard. Therefore, the Proposed Action would support the objectives of the IBZ.

New York Works

The *New York Works* plan attempts to identify initiatives that will spur 100,000 new jobs for middle-class households that will lead to careers in several sectors. The Proposed Action and resulting RWCDS are consistent with this policy and its mission. The Proposed Project would be located in a transit accessible area and would create an increment of approximately 598,442 gsf of new commercial office uses and 21,233 gsf of new local retail uses. This mix of commercial office and local retail would create much needed flexible work space in the South Williamsburg neighborhood of Brooklyn, an emerging market, and allow for a wider range of commercial and light industrial uses. The Proposed Action would facilitate a new development that increases the supply of commercial space, which is essential to expanding opportunity and increasing the number of middle income, outer borough, private sector jobs. In total, the Proposed Action is expected to generate an increment of up to approximately 2,045 jobs, as compared to No-Action conditions. Therefore, the Proposed Action is expected to contribute to *New York Works* goal of supporting the growth of emerging commercial areas, and thus, would be consistent with the plan's goals.

OneNYC 2050: Building a Strong and Fair City

OneNYC 2050 is a comprehensive plan for a sustainable and resilient city for all New Yorkers that speaks to the profound social, economic, and environmental challenges faced. The Proposed Action is consistent with the City's sustainability goals, including those outlined in *OneNYC 2050*. Notably, the Proposed Action would support the plan's land use goals of focusing 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; fostering walkable retail destinations; and expanding recreational access to the waterfront.

The Proposed Action is expected to facilitate the development of the Proposed Project, a 23-story building introducing approximately 684,242 gsf of new mixed-use commercial/retail space development. The Proposed Project would be in close proximity to the Marcy Avenue J/M/Z subway station, South Williamsburg ferry landing, and several other transit options. The area is also served by Citi Bike and accessible to bicyclists and pedestrians via the Kent Avenue two-way bicycle lane, which is part of the Brooklyn Waterfront Greenway. Moreover, the Proposed Project would provide an improved waterfront public space for the surrounding neighborhood, creating opportunities for recreation and passive uses. As such, the Proposed Action would be consistent and supportive of the applicable goals and objectives of *OneNYC 2050*.

Waterfront Revitalization Program (WRP)

As the Project Site is located within the City's designated Coastal Zone, the Proposed Action is subject to review for consistency with the policies of the WRP. The WRP includes policies designed to maximize the benefits derived from economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those

objectives. The WRP Consistency Assessment Form (CAF) (see **Appendix A)** lists the WRP policies and indicates whether the Proposed Action would promote or hinder that policy, or if that policy would not be applicable.

Per the recently revised WRP, the following policies and sub-policies (Policy 1.1, 1.2, 1.3, 1.5, 2.1, 2.3, 2.4, 2.5, 3.5, 4.6, 4.7. 5.1, 5.2, 5.5, 6.1, 6.2, 6.3, 7.1, 7.2, 7.3, 8.1, 8.2, 8.3, 8.6, 9.1, 9.2, 10.1, and 10.2) warranted further assessment. Therefore, these policies are addressed below.

Consistency with Applicable WRP 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.***

The Proposed Action would allow redevelopment of an underutilized site in close proximity to established and newly emerging commercial and residential areas that are well-served by public transit, local services, and open space. Additionally, it would bring the surrounding community to the waterfront by providing new public waterfront access via open space on the Wallabout Channel.

For these reasons, the Proposed Action would promote Policy 1.1 of the WRP and would facilitate commercial development in an area well-suited to such development.

Policy 1.2: ***Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.***

The proposed development would include provision of a publicly accessible waterfront area on the Wallabout Channel with slight modifications to Zoning Resolution requirements. Within the Shore Public Walkway, 35 percent of proposed walkway would be planted areas and the rest would be hardscape. The supplemental area would be 58 percent planted area and 42 percent hardscape; given the site's grade, which rises from the waterfront toward Kent Avenue, these hardscape areas would include stepped and sloped paved areas facilitating public access through the site. Ultimately, this would create a new 49,453-sf open space amenity for the surrounding community and public, of which, approximately 19,065 sf, 38 percent, would be planted areas.

For these reasons, the Proposed Action would promote Policy 1.2 of the WRP and encourage non-industrial development that would enliven the waterfront and attract the public.

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

The project would redevelop underutilized sites for commercial and retail uses in close proximity to mass transit infrastructure and would integrate the site into the surrounding area. The Marcy Avenue J/M/Z subway station (to the northeast at the intersection of Broadway and Williamsburg

Street) is located approximately 0.7 miles from the Project Site. In addition, bus routes serving the area include the B67 (connecting Williamsburg Bridge Plaza and Long Island City) running along Kent and Wythe Avenues, the B62 (connecting Downtown Brooklyn/Fulton Mall and Long Island City) running along Wythe and Kent Avenues, and the B32/Q59 (connecting Lefferts Gardens/Prospect Park and Greenpoint) running along Broadway. The South Williamsburg Landing on the East River route of NYC Ferry is located less than 0.3 miles to the north of the Project Site at the western terminus of S. 10th Street. Bike lanes on Kent and Wythe avenues serve the site, too. The bike lane on Kent Avenue is part of the Brooklyn Waterfront Greenway, a long corridor of bike lanes and pedestrian paths connecting open space along the waterfront in Brooklyn which upon completion will extend uninterrupted approximately 26 miles from Greenpoint to East New York. A Citi Bike station (on Kent Avenue between Division Avenue and S. 11th Street) is located 300 feet north of the Project Site.

Overall, the Proposed Action would encourage development in an area adequately served by existing public facilities and infrastructure and would promote Policy 1.3 of the WRP.

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***

As detailed in the Compliance Statement for WRP Policy 6.2 below, the Proposed Action would integrate consideration of the latest projections of climate change and sea level rise in New York City into the Proposed Project's planning and design. All new vulnerable, critical, or potentially hazardous features would be protected through reduction measures for flood damage.

As such, the Proposed Action would promote Policy 1.5 of the WRP.

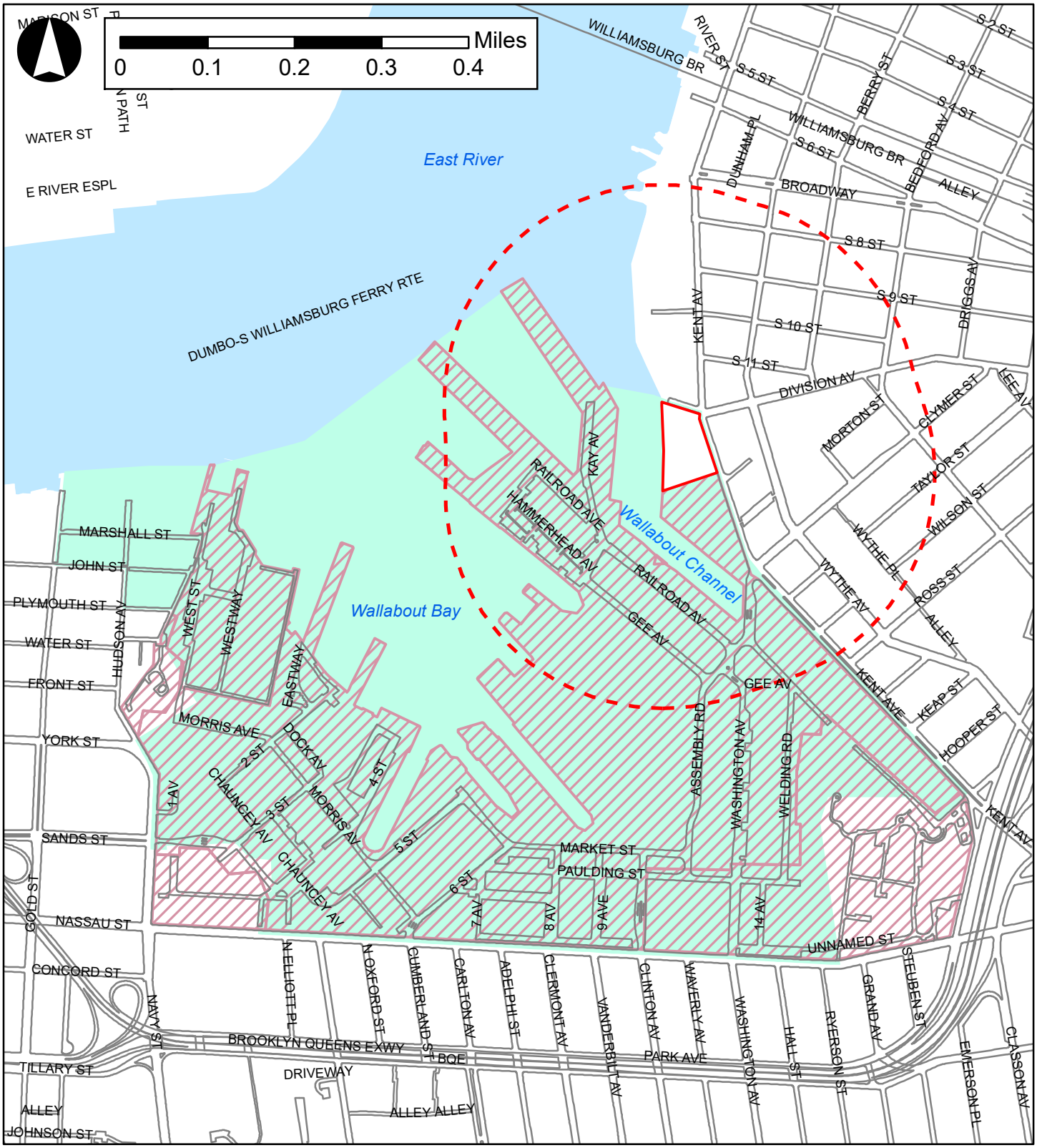
POLICY 2: Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation

Policy 2.1: ***Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.***

As shown in **Figure 2-10**, the Project Site is located in the BNY Significant Maritime and Industrial Area (SMIA). The BNY is one of seven SMIAS in the City, which were designated to protect and encourage concentrated working waterfront uses.

While the Proposed Project would not include any water-dependent or industrial uses, it would introduce uses compatible with the existing blend of commercial light industrial located in nearby areas of the BNY. Furthermore, the BNY provides existing suitable locations and supportive infrastructure for such uses and therefore the local area already promotes water-dependent and industrial uses. By avoiding a rezoning that would allow residential uses, the Proposed Action would not introduce uses that potentially could be incompatible with the maritime/light industrial character of the BNY. Accordingly, the Proposed Action would neither promote nor hinder the WRP Policy 2.1.

Brooklyn Navy Yard SMIA



Source: NYCDCP (PLUTO 2021, Version I; 2016); DoITT (2020)

Legend

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

Policy 2.3: ***Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.***

As discussed above, the Proposed Project is located within the BNY SMIA. As the Project Site is located within the SMIA as opposed to outside it and would not involve any working waterfront uses but also would not conflict with existing or potential working waterfront uses in the BNY, the Proposed Action would neither promote nor hinder the WRP Policy 2.3

Policy 2.4: ***Provide infrastructure improvements necessary to support working waterfront uses.***

The Proposed Project would not include any water-dependent or industrial uses. However, it would introduce uses compatible with the existing blend of commercial and light industrial uses located in nearby areas of the BNY. Furthermore, the BNY provides existing suitable locations and supportive infrastructure for such uses and therefore the local area already promotes working waterfront uses.

As such, the Proposed Action would promote Policy 2.4 of the WRP.

Policy 2.5: ***Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.***

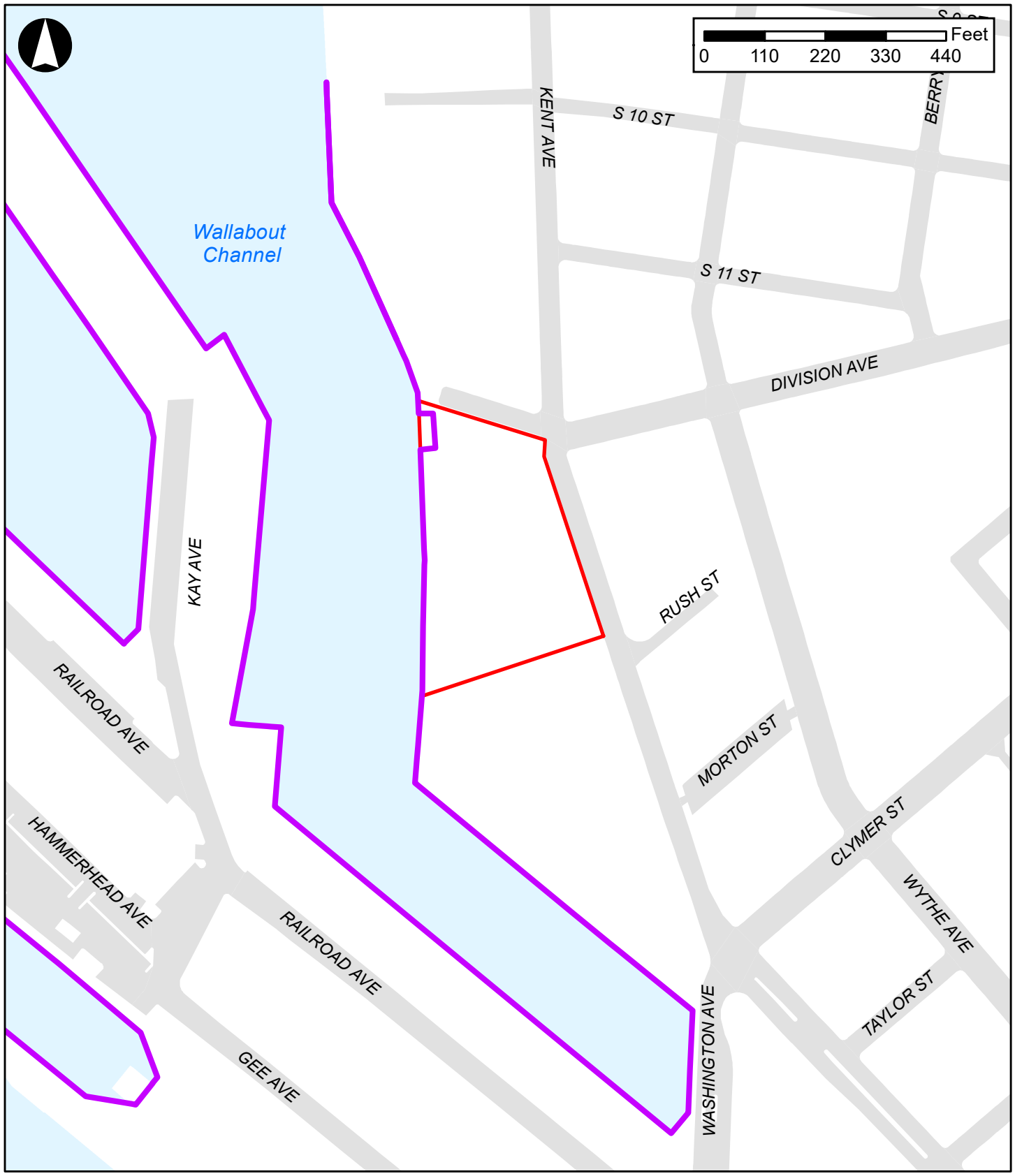
See the response to WRP Policy 6.2, below.

POLICY 3: Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.

Policy 3.5 ***In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.***

As shown in **Figure 2-11**, the waterfront of the Project Site is a Priority Marine Activity Zone (PMAZ). Within the PMAZ, in-kind, in-place replacement and repair of bulkheads, docks, piers, wharves, and other maritime infrastructure should be considered consistent; actions which would preclude the subsequent use or future adaptation of the shoreline for vessel docking, berthing, or tie-up should be discouraged; and priority should be given towards shoreline design, erosion prevention, and flood control measures that allow for water-dependent uses. As discussed in Policy 2.1 above, the Proposed Project would not include any water-dependent or industrial uses. It would introduce uses compatible with the existing blend of commercial light industrial located in nearby areas of the BNY. Furthermore, the BNY provides existing suitable locations and supportive infrastructure for such uses and therefore the local area already promotes water-dependent and industrial uses. The Proposed Project would also not interfere on the remainder of the BNY waterfront PMAZ as it would continue to be used as a working waterfront, and the Proposed Action would not preclude the continued use or future adaptation of this shoreline for vessel docking, berthing, tie-ups, and other water-dependent uses.

Figure 2-11
Priority Marine Activity Zones (PMAZ)



Legend

Project Site — Priority Marine Activity Zone (PMAZ)

As such, the Proposed Action would promote Policy 3.5 of the WRP.

POLICY 4: Protect and restore the quality and function of ecological systems within the New York City coastal area.

Policy 4.6: ***In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.***

As discussed in **Chapter 8, "Natural Resources,"** a landscaping plan developed for the Proposed Project would incorporate several native plant species that currently do not occur on the Project Site, including a mix of grasses, shrubs and trees. Native plants used in the landscaping plans could benefit some species of wildlife, including insects and songbirds. The proposed landscaping along the shoreline would increase the ecological community and plant diversity on the Project Site by adding coastal plants representative of an estuarine tidal system.

Additionally, implementation of a Stormwater Pollution Protection Plan (SWPPP) developed for the Project Site would minimize potential impacts to existing tidal wetland adjacent area, water quality, and aquatic biota. Furthermore, green infrastructure practices, such as bioswales, rain gardens, or rainwater collection and reuse, would be considered for inclusion in the publicly accessible esplanade and visual corridor and would be part of the SWPPP to the extent practical. Therefore, project operation may slightly improve water quality and habitat conditions for aquatic biota by capturing untreated stormwater.

As such, the Proposed Action would promote Policy 4.6 of the WRP.

Policy 4.7: ***Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration of compatibility with the identified ecological community.***

As discussed above, the Proposed Development would design and develop its waterfront in such a way that protects and enhances the plant, fish, and wildlife species. The Project Site does not contain natural wildlife habitat while the Proposed Development would include required landscaping along the shoreline that would increase the ecological community and plant diversity by adding vegetation that could benefit some species of wildlife, such as insects and songbirds. As waterfront public open space is not required for the as-of-right No-Action development, this would be a benefit that would not occur in the absence of the Proposed Action.

As such, the Proposed Action would promote Policy 4.7 of the WRP.

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

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

As discussed in the **Chapter 10, "Water and Sewer Infrastructure,"** the Proposed Project would be required to comply with City stormwater management regulations related to runoff and

stormwater release rates to the combined sewer system and/or sewer outfalls. This compliance would result in an improvement over the Project Site's existing stormwater management and treatment conditions and would be beneficial to the water quality of the Wallabout Channel and East River.

As such, the Proposed Action would manage discharges to waterbodies and would promote Policy 5.1 of the WRP.

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

As discussed above, the Proposed Development would implement treatment of stormwater runoff prior to being discharged into the Wallabout Channel and East River.

As such, the Proposed Action would manage discharges to waterbodies and would promote Policy 5.2 of the WRP.

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

As discussed in **Chapter 10, "Water and Sewer Infrastructure,"** the Proposed Action would not result in significant adverse impacts to the City's water supply or wastewater and stormwater conveyance and treatment infrastructure. On-site stormwater best management practices (BMPs) would be required as part of the DEP site connection approval process for the Proposed Project to bring the proposed building into compliance with the required stormwater release rate.

As such, the Proposed Action would manage discharges to waterbodies and would promote Policy 5.5 of the WRP.

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.***

The Project Site falls within the Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Maps (PFIRMs) 1 percent annual chance floodplain. Therefore, the Proposed Project would be subject to compliance with NYC Building Code Appendix G. Appendix G requires owners of severely damaged or destroyed buildings in the 1 percent annual chance floodplain to comply with the flood resistant construction standards of the Building Code when they rebuild. The same requirements are applicable to any new development, or substantially improved properties, whether the development is located in whole or in part within the 1 percent annual chance floodplain. As further discussed in Policy 6.2 below, the proposed building design will place all critical mechanical and electrical utility systems above the base flood elevation (BFE)

and the design flood elevation (DFE). Therefore, the Proposed Project would meet the requirements of building-scale resiliency measures to reduce the risks of damage from current and future coastal hazards and would be consistent with Policy 6.1.

Policy 6.2: ***Integrate consideration of the latest New York City projections of climate change and sea level rise (as published by the New York City Panel on Climate Change or any successor thereof) into the planning and design of projects in the City's Coastal Zone.***

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 of the WRP. The detailed Policy 6.2 methodology assessment is provided below.

Flood Insurance Rate Maps and Base and Design Flood Elevations

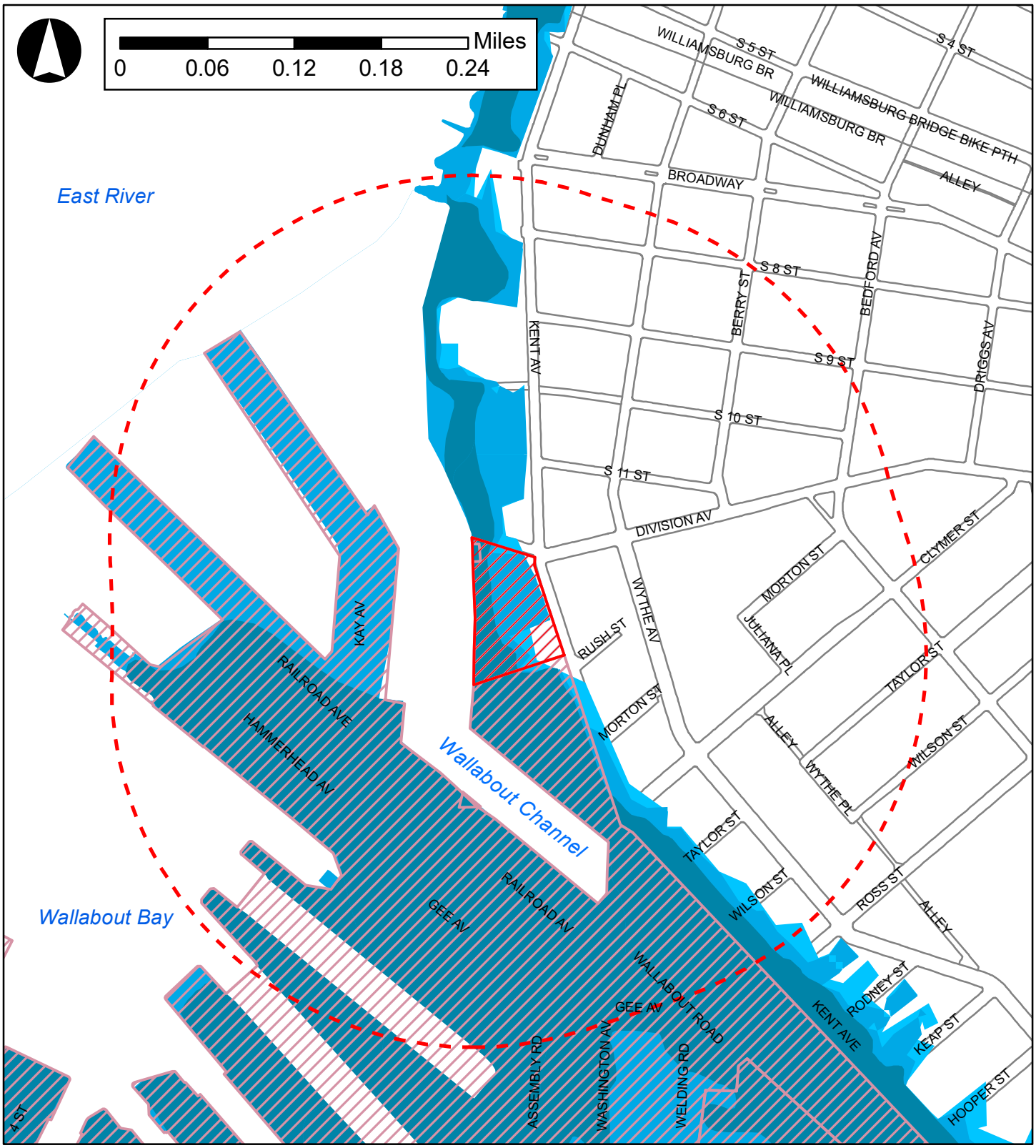
In 2015, FEMA issued updated PFIRMs for New York City. These maps were intended to replace the currently effective FIRMs issued by FEMA in 1983 with adopted revisions dated 2007. However, the City filed a technical appeal of the PFIRMs and FEMA subsequently announced that it agreed with the City's findings, and would work with the City to revise the PFIRMs and issue new maps in the coming years that better reflect current flood risk. They identify the 100-year (1 percent annual chance) floodplain with the 100-year flood water levels projected to reach the specified BFEs. They also identify the 500-year (with an annual probability of flooding between 0.2 percent and 1 percent) floodplain. FEMA does not identify the BFE for the 500-year floodplain. Areas within the 100-year floodplain are subject to NYC Building Code and FEMA flood-resistant construction requirements. These include requirements that all habitable space and critical building systems be located above the design flood elevation (DFE); permitted uses below the DFE include parking, storage, and access areas. As shown In **Figures 2-12** and **2-13**, the Project Site is located within the currently applicable 100-year and 500-year flood zones.

There are two types of 100-year floodplains; "V" zones with the added hazard of high-velocity wave action with a projected wave height of 3 feet or more and "A" zones, which are projected to be inundated with the 100-year flood but without wave action from waves of 3 feet or more. The PFIRMs also introduced a new area defined as the "Coastal A Zone" designated by a boundary called the Limit of Moderate Wave Action (LiMWA). This zone is the portion of an A Zone, also referred to as the "Coastal AE Zone", where moderate wave action with projected wave heights between 1.5 and 3 feet is expected during the base flood event. The City of New York has adopted the BFEs[2] specified in either the PFIRMs or the currently effective FIRMs as revised in 2007. The more restrictive of the two (i.e., having a higher BFE) is applicable until new effective FIRMs are available for determining compliance with all flood-proofing requirements and for establishing

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

Figure 2-12

NPCC 100-Year Floodplain Projections

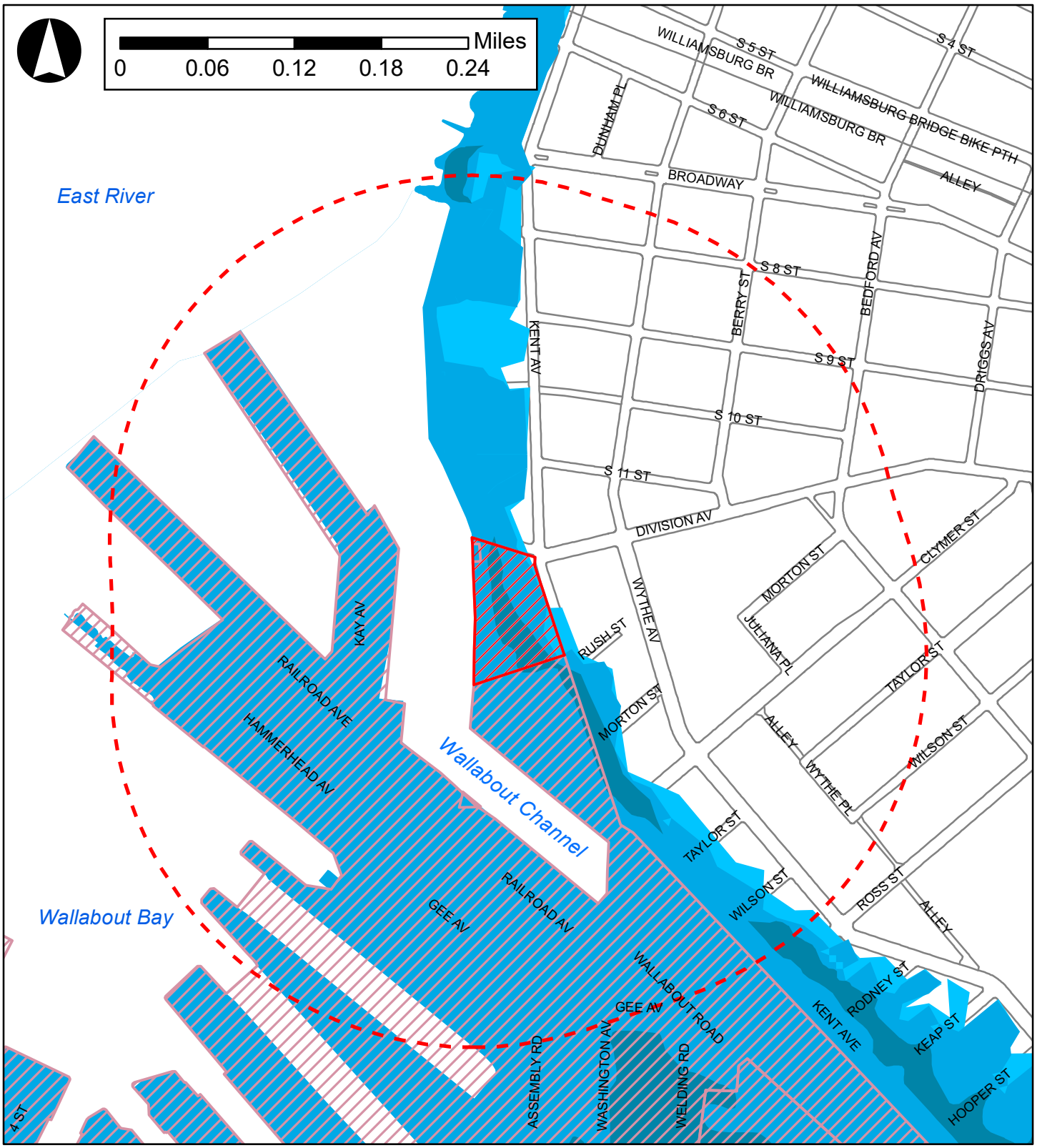


Source: NYCDCP (PLUTO 2021, Version I); DoITT (2020); FEMA (2015)

Legend

- Primary Study Area
- Secondary Study Area (Quarter-Mile Radius)
- Brooklyn Navy Yard
- FEMA PFIRM
- 2020s Projection
- 2050s Projection

NPCC 500-Year Floodplain Projections



Source: NYCDCP (PLUTO 2021, Version I); DoITT (2020); FEMA (2015)

Legend

- Primary Study Area
- Secondary Study Area (Quarter-Mile Radius)
- Brooklyn Navy Yard
- FEMA PFIRM
- 2020s Projection
- 2050s Projection

base plane elevations for new buildings to measure their compliance with zoning building height requirements.[3]

Project Site Location in PFIRM 100-year Floodplain

As defined in both 2015 PFIRM and the 2007 effective FIRM, the Project Site is located within the 100-year floodplain and is designated an "AE" zone with a BFE of +11' NAVD 88. This indicates an area of high flood risk. As the Project Site is located within the boundary of the 100-year floodplain, the City's Building Code and FEMA special requirements for the 100-year floodplain are applicable. Per the Zoning Resolution, in the flood zone, building height may be measured from either the BFE or the flood resistant construction elevation (FRCE). For the Proposed Project, the FRCE is used, which in this case is also the DFE. The DFE/FRCE is measured as the being one foot above the BFE and, for lots with split BFEs, the higher BFE applies to the entire site, i.e., the Project Site's BFE of +11' NAVD plus 1' results in a DFE/FRCE of +12' NAVD 88.

As noted above in the "Existing Conditions" section discussing the WRP, the NPCC predicts:

(1) Mean annual temperatures will increase by 2 to 3˚F and by 4 to 6.5˚F by the 2020s and 2050s, respectively
(2) Total annual precipitation will rise from 0 to 10 percent and 5 to 15 percent by the 2020s and 2050s, respectively
(3) Sea level will rise by 4 to 11 inches and 11 to 31 inches by the 2020s and 2050s, respectively
(4) By the 2050s, heat waves and heavy downpours are very likely to become more frequent, more intense, and longer in duration.

Coastal flooding is also very likely to increase in frequency, extent, and elevation. Based on these projections, the Project Site will remain located within the 100- and 500-year floodplains by the 2020s and 2050s (see **Figures 2-12 and 2-13**, respectively), but BFEs are not indicated in the NPCC prediction. The NPCC recommends assessing the impacts of projected sea level rise on the lifespan of projects. Because of limitations in the accuracy of flood projections, the NPCC recommends that these 2020s and 2050s maps not be used to judge site-specific risks and advises that they are subject to change.

Detailed Assessment

Pursuant to guidance issued by DCP, an assessment of consistency with Policy 6.2 has been prepared consistent with the detailed methodology identified therein. There are three basic steps required under this methodology: (1) identify vulnerabilities and consequences; (2) identify adaptive strategies; and (3) assess policy consistency.

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

Identify Vulnerabilities and Consequences

For this assessment, building features are defined in one of four categories:

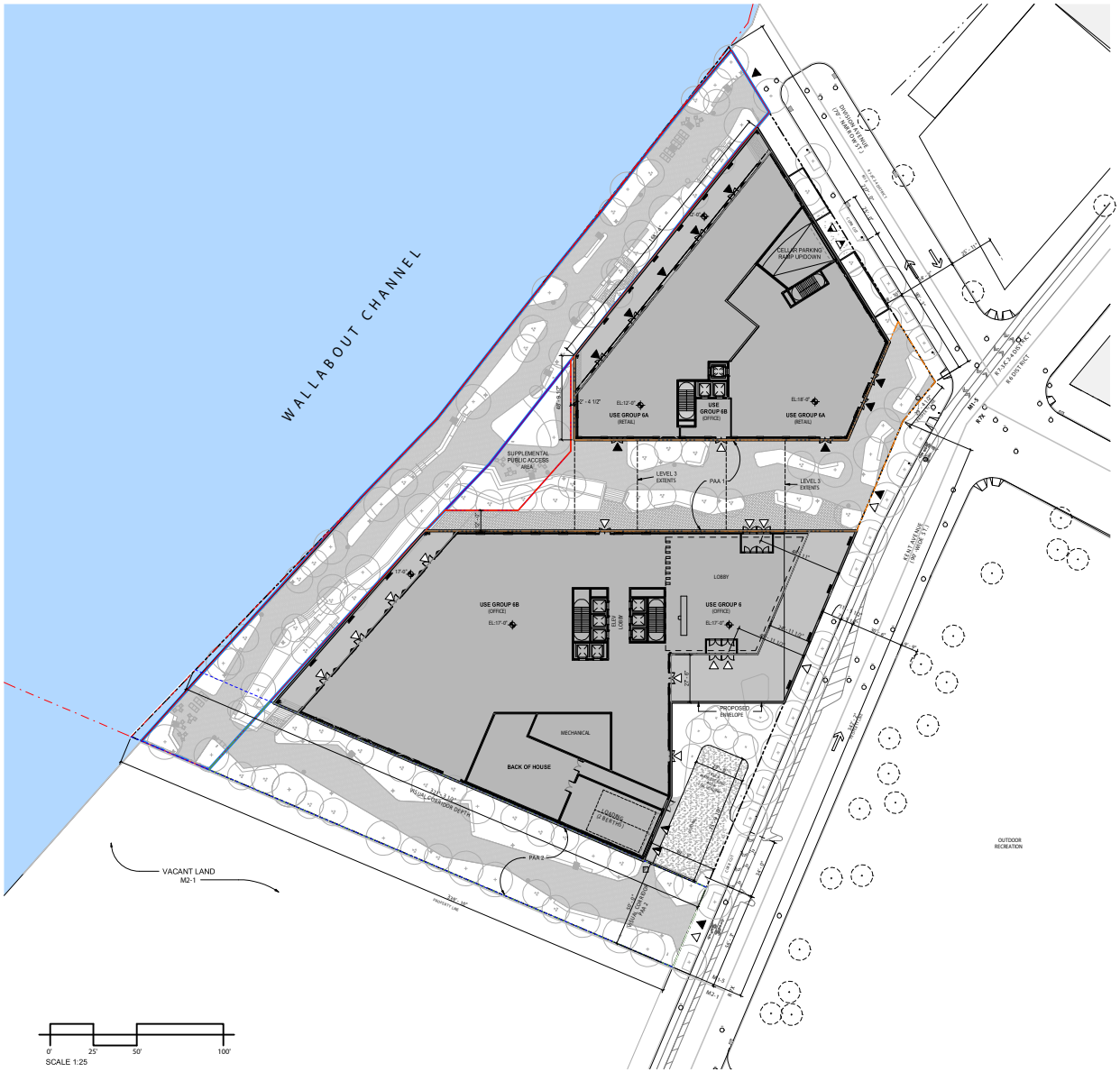
(1) *vulnerable*: project features that have the potential to incur significant damage if flooded
(2) *critical*: project features that if damaged would have severe impacts on the project and its ability to function as designed
(3) *potentially hazardous*: project features that if damaged or made unsecure by flooding could potentially adversely affect the health and safety of the public and the environment
(4) *other*: project features that are entirely open and unenclosed spaces, except the open storage of potentially hazardous materials, which may be damaged by flooding, but are not likely to present significant consequences and are more easily repaired

The Flood Elevation Worksheet was prepared for the Proposed Action, and is provided in **Appendix A**. This is a tool which identifies current and future flood elevations in relation to the elevations of the site and project features, presenting a range of future flood elevations as affected by sea level rise (SLR), from high (90th percentile) to low (10th percentile). In other words, "high" refers not to the predicted likelihood, which is estimated at approximately one in ten, but to being a high-end projected increase in flood elevation.

Project Site

As shown in **Figure 2-14** and also shown in **Figure 1-8** in **Chapter 1**, the building at the Project Site would have two bases with different ground floor elevations. The lower retail space at the northern base would have a ground floor elevation of +12 NAVD 88. The upper retail space at the northern base would have an elevation of +18 NAVD 88. The southern base containing only office space would have an elevation of +17 NAVD 88. For conservative analysis purposes, the DFE elevation of the lower retail building (+12 NAVD 88) is used. As shown in **Figure 2-15** – birds eye aerial view – the Project Site is a waterfront site with a defined and built bulkhead along the Wallabout Channel (refer to **Figure 1-2** in **Chapter 1** and **Figure 7-2a** in **Chapter 7, "Open Space"** for street views of the Project Site and bounding streets).

As shown in **Figure 2-16**, The ground/first floor of the lower retail building would be at the same height as the DFE, +12.0 NAVD 88 and it would house lobbies, retail, and 5,852 sf of non-critical mechanical equipment. The rest of the mechanical equipment (6,011 sf), some of which would be critical, would be accessible on the third floor, which has an elevation of +47.0 NAVD 88. As shown in **Figure 2-17**, the non-critical mechanical infrastructure on the first floor is forecast to be in the 1 percent annual chance floodplain in the future at all forecast levels. The critical mechanical infrastructure on the third floor would remain above the 1 percent annual chance flood elevation through the 2100s at all forecast levels. The +12 NAVD 88 ground/first floor would remain above the elevation of the Mean Higher High Water (MHHW) through the 2100s (refer to **Figure 2-18**). Potential consequences of the ground floor retail space being located within the 1 percent annual chance floodplain include flood damage to property, building structure, loss of inventory, or potentially increased flood insurance costs.



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

ILLUSTRATIVE GROUND FLOOR PLAN LEGEND

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

NOTES:

1. APPLICANTS STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. ILLUSTRATIVE BUILDING LINES WITHIN THE PROPOSED MAXIMUM BUILDING ENVELOPE ARE PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO CHANGE.
3. SEE OPEN SPACE DRAWINGS FOR SITE AND LANDSCAPE DETAILS.
4. ADJUSTED BASE PLANE IS +13.81'
5. BASE FLOOD ELEVATION ZONE AE +13'-0" (NAVD-1988)
6. DESIGN FLOOD ELEVATION(DFE) IS +15.00'
7. ALL ELEVATIONS TAKEN FROM DFE

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MPFP
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ONE LUX STUDIO
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HERRICK FEINSTEIN LLP
TWO PARK AVENUE, NEW YORK, NY 10016

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

ID #2019K0330

KEY PLAN:NTS

MA PROJECT NO. 1725

500 KENT

500 KENT AVENUE
BROOKLYN, NY 11249

ILLUSTRATIVE
GROUND FLOOR
PLAN

SCALE: As indicated

DRAWING #:
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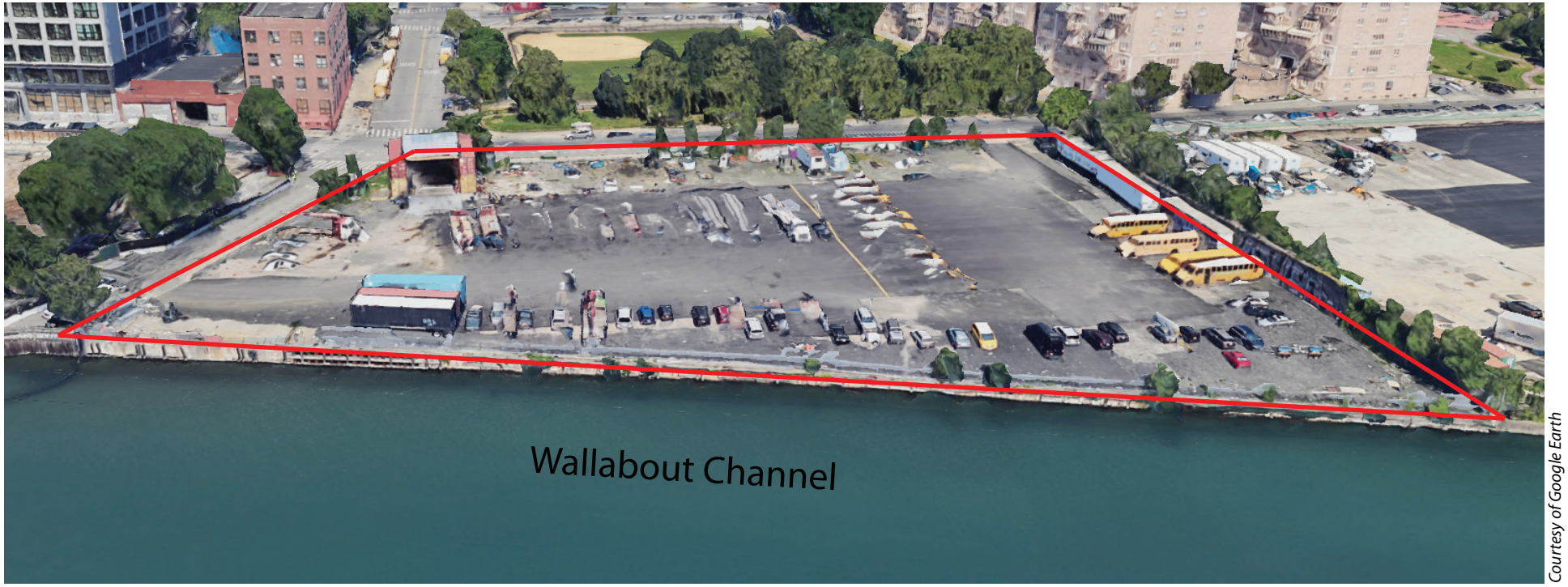
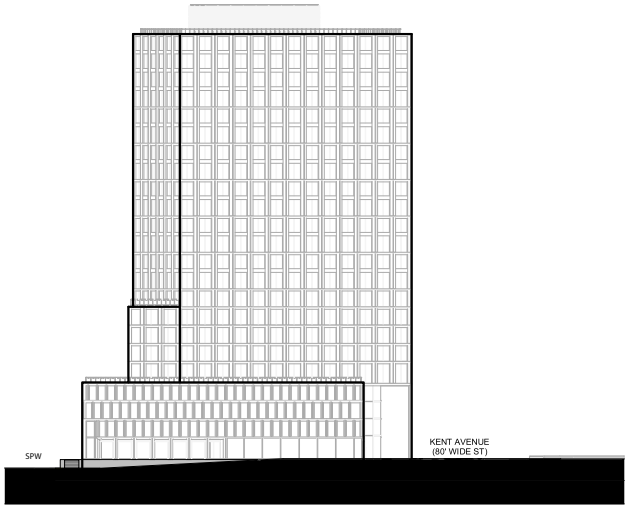


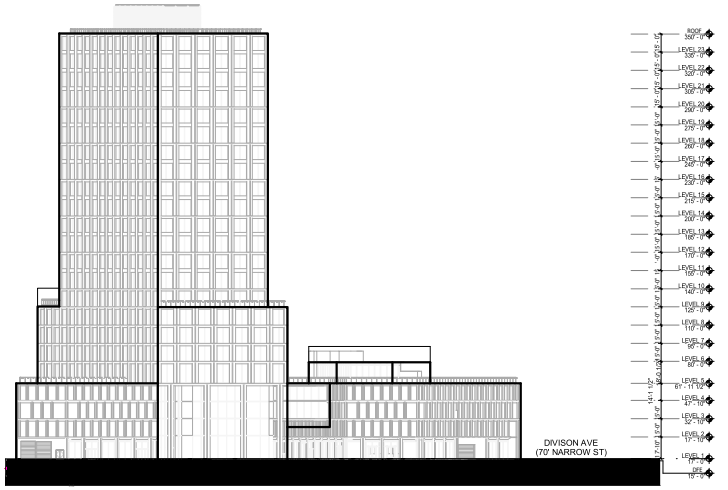
Courtesy of Google Earth

Project Site

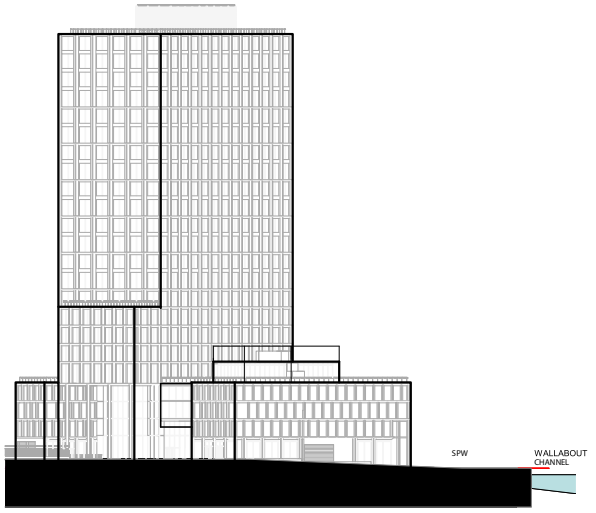
Figure 2-15
Bird's Eye Aerial View



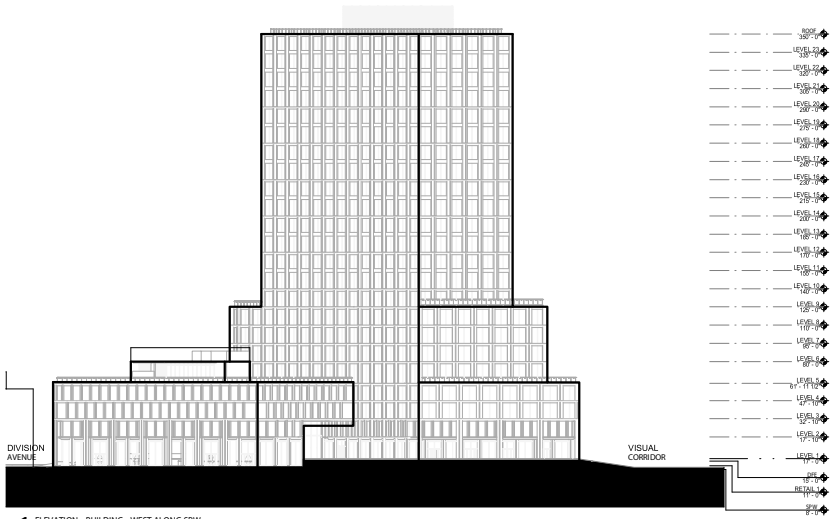
4 ELEVATION - BUILDING - SOUTH ALONG VISUAL CORRIDOR
1" = 40'-0"



2 ELEVATION - BUILDING - EAST ALONG KENT AVE
1" = 40'-0"



3 ELEVATION - BUILDING - NORTH ALONG DIVISION
1" = 40'-0"



1 ELEVATION - BUILDING - WEST ALONG SPW
1" = 40'-0"



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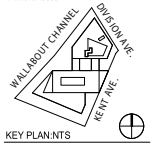
ID #2019K0330



KEY PLAN:NTS

MA PROJECT NO. 1725
500 KENT

500 KENT AVENUE
BROOKLYN, NY 11249

BUILDING ELEVATIONS

SCALE: 1" = 40'-0"

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Figure 2-17

1% Floodplain Graph + Sea Level Rise

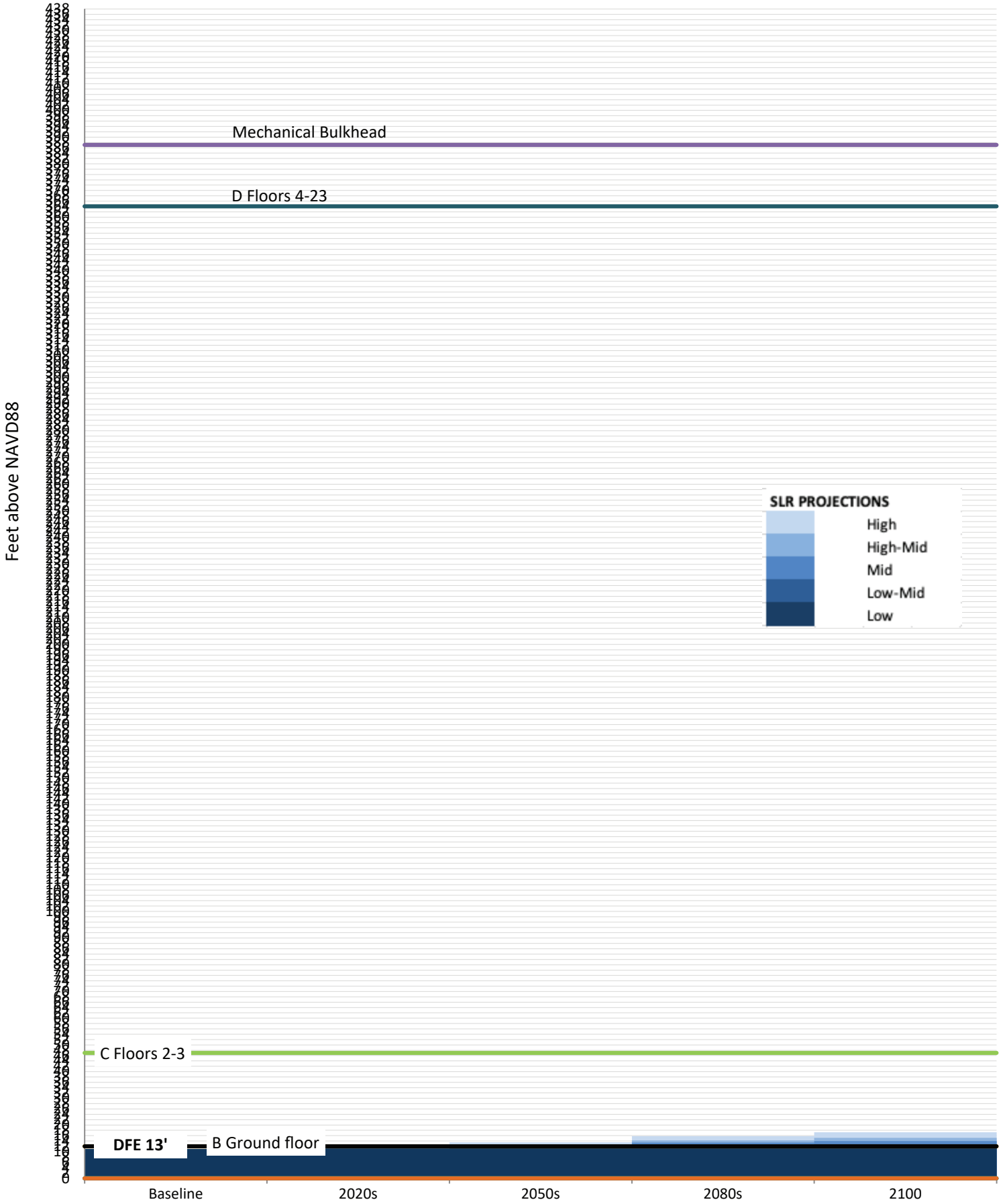
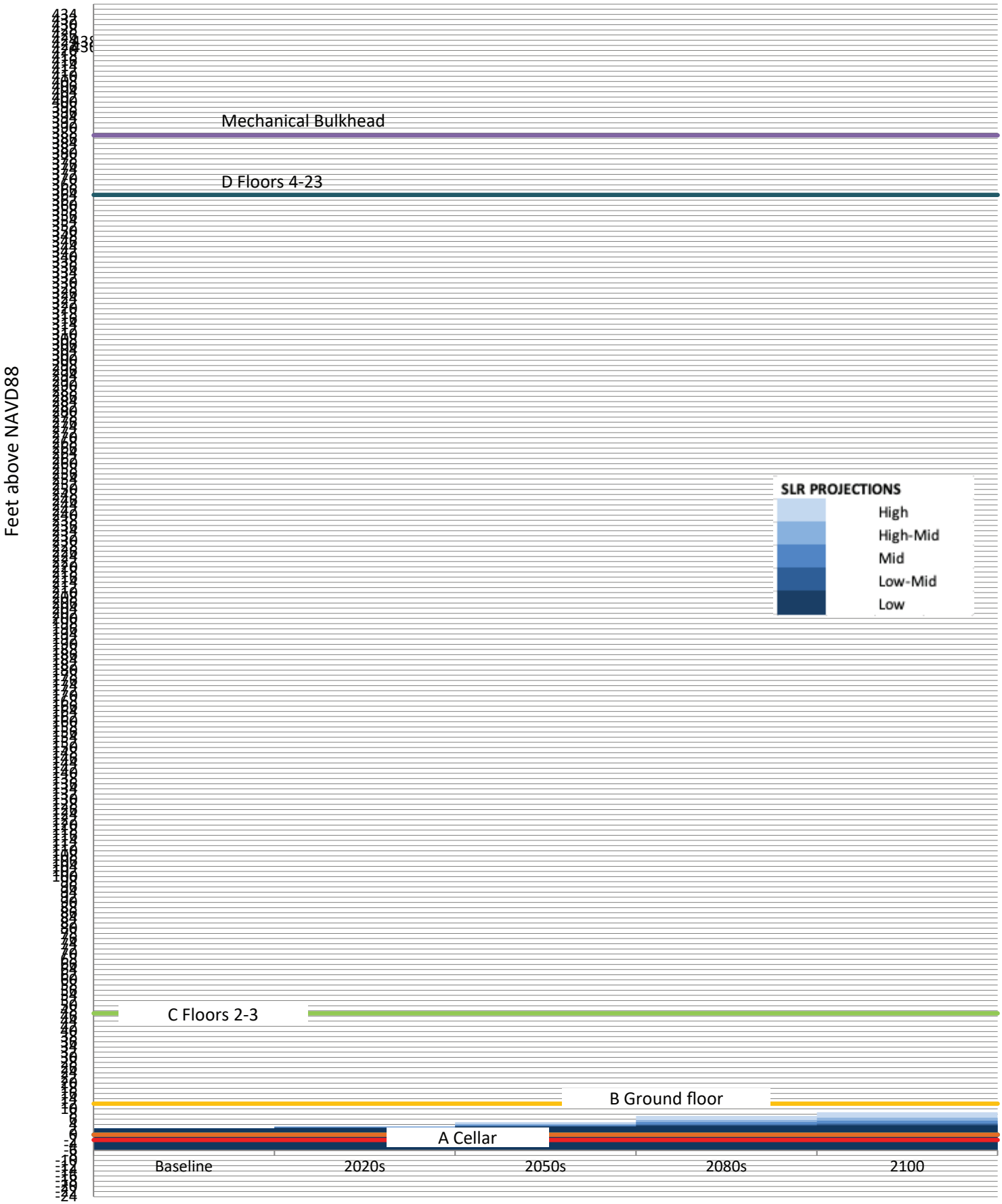


Figure 2-18

Mean Higher High Water + Sea Level Rise



Identify Adaptive Strategies

The design and construction of the Project Site would be required to comply with New York City Building Code requirements for construction within the 100-year floodplain in effect at the time of building construction. As noted above, currently, for structures such as commercial buildings, the required DFE is one foot above the BFE.

Non-habitable space is permitted below the DFE but is subject to dry floodproofing requirements, which entails a combination of design modifications that result in the building being water tight up to the DFE with walls substantially impenetrable to the passage of water and with structural components that have the capacity to resist flood loads. For the Project Site, the critical and vulnerable building systems are elevated above DFE/FRCE and include resilient design features.

Should the BFE rise to the projected elevations shown in **Figure 2-17** in the future, the applicant anticipates retrofitting the perimeter of the building with flood prevention systems (either temporary or permanently installed flood gates/shutters), potentially in conjunction with an emergency flood protection plan. The nature of such retrofits would depend on the specific change to the BFE, possible future changes to Building Code flood regulations, City-led infrastructure measures to address such changes, and other considerations that are unknown as this time. As such, the nature of such retrofits cannot be characterized at this time. As noted above, critical mechanical equipment would be located on the third floor, placing it at +47.0 NAVD elevation, above the 1 percent annual chance flood elevation through the 2100s at all forecast levels, and as such it is anticipated that relocation of critical mechanical equipment as a required flood mitigation measure would not be warranted for the Proposed Action for the foreseeable project lifespan.

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

Assess Policy Consistency

The Proposed Action advances Policy 6.2. All new vulnerable or critical features would be located above the DFE/FRCE as required by FEMA and NYC regulations and would be protected through future adaptive actions that would incorporate flood damage reduction elements. (No potentially hazardous features are anticipated with the Proposed Action, but should such features be included they also would be subject to future adaptive actions.)

Policy 6.3: ***Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.***

The Proposed Action would not receive public funding for flood prevention or erosion control measures.

Therefore, Policy 6.3 of the WRP is not applicable to the Proposed Action.

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 costal ecosystems.***

The Proposed Action would allow for the remediation and reuse of a site that has been adversely affected by hazardous materials. Refer to the discussion in **Chapter 9, "Hazardous Materials"** for a detailed description of past hazardous materials investigations, remediation, and existing institutional and engineering controls applicable to the site.

Based on this information, the Proposed Action would promote Policy 7.1.

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

See the response to WRP Policy 7.1 above, as past site remediation and present institutional and engineering controls includes the prevention and remediation of petroleum product discharges, as warranted by site conditions.

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***

The Proposed Action would follow a Final Engineering Report (FER) and Site Management Plan (SMP) when handling the removal of hazardous materials. As such, to avoid the potential for any significant adverse impacts associated with new construction resulting from the Proposed Action, the Applicant or its successors in title must remain in compliance with the SMP, as outlined in **Chapter 9, "Hazardous Materials."** In following the guidelines therein, the Proposed Action and resultant Proposed Project would not result in any significant adverse impacts related to hazardous materials.

Therefore, the Proposed Action would promote Policy 7.3 of the WRP.

POLICY 8: ***Provide public access to, from, and along New York City's coastal waters.***

Policy 8.1: ***Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.***

The new development would result in creation of new, publicly accessible waterfront open space. This open space would be a new amenity for tenants of the new development, as well as residents, workers, and visitors in the surrounding community. The Proposed Project would provide approximately 49,453 sf of waterfront public open space including a shore public walkway and supplemental public access area. The waterfront esplanade would run the length of the site's

waterfront shoreline, connecting to Division Avenue. The waterfront esplanade would include landscaping and seating along the waterfront; water access would not be permitted from the esplanade. Furthermore, the waterfront open space's design would anticipate the effects of climate change: the planted rip rap buffer would feature a plant palette suitable for inundation with brackish waters, minimal mechanical or electrical equipment (limited to the lights) would be located in the waterfront open space area, which also would include extensive tree canopies, and special rain gardens.

For these reasons, the Proposed Action would promote Policy 8.1 of the WRP.

Policy 8.2: ***Incorporate public access into new public and private development where compatible with proposed land use and coastal location.***

As mentioned above, the new development would result in creation of new, publicly accessible open space along the Wallabout Channel. This open space would be compatible with proposed land use and coastal location.

Therefore, the Proposed Action would promote Policy 8.2 of the WRP.

Policy 8.3: ***Provide visual access to the waterfront where physically practical.***

The publicly accessible waterfront open space, described above, would include a visual corridor linking to the shore public walkway from Kent Avenue along the site's southern edge to the Wallabout Channel.

Therefore, the Proposed Action would promote Policy 8.3 of the WRP.

Policy 8.6: ***Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.***

See response to Policy 8.1, above. The Proposed Action would facilitate the development of inviting public open spaces in the form of publicly accessible waterfront open space that would not occur in the absence of the Proposed Action.

Therefore, the Proposed Action would promote Policy 8.6 of the WRP.

POLICY 9: ***Protect scenic resources that contribute to the visual quality of the New York City coastal area.***

Policy 9.1: ***Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.***

The proposed open space area along the waterfront would provide public access to the Wallabout Channel, and thus enhance the scenic resources that contribute to the visual quality of the area.

Therefore, the Proposed Action would promote Policy 9.1 of the WRP.

Policy 9.2: ***Protect and enhance scenic values associated with natural resources.***

As mentioned above, the proposed open space area along the waterfront would provide public access to the Wallabout Channel. This addition would not only enhance but also protect scenic values associated natural resources by remediating the site and opening it up to the public.

For these reasons, the Proposed Action would promote Policy 9.2 of the WRP.

POLICY 10: ***Protect, preserve, and enhance resources significant to the historical, archeological, architectural, and cultural legacy of the New York City coastline.***

Policy 10.1: ***Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.***

The Project Site is adjacent to the BNY, a site rich in historic resources, particularly those that illustrate the importance of the coastline in American history and in the development of New York City. The Project Site is located adjacent to the S/NR-listed Brooklyn Navy Yard Historic District, which contains three LPC-designated individual landmarks: Dry Dock #1, the Old United States Naval Hospital, and the Surgeon's House. As discussed in **Chapter 6, "Historic & Cultural Resources,"** the Proposed Action would not adversely affect any historic resources through direct or indirect effects.

For these reasons, the Proposed Action would promote Policy 10.1 of the WRP.

Policy 10.2: ***Protect and preserve archeological resources and artifacts,***

The NYC Landmarks Preservation Commission (LPC) determined the Project Site has the potential of containing archeological resources. Therefore, in accordance with an LPC-approved restrictive declaration, the applicant would develop and implement an archaeological monitoring program in consultation with LPC. The scope of work for the monitoring program would be submitted to LPC before construction work on the Proposed Project begins. The restrictive declaration will require that the Department of Buildings cannot issue a building permit until LPC either issues: 1) a notice to proceed; 2) a notice of no objection; or 3) a notice of satisfaction for the archaeological investigation and potential mitigation of any archaeological resources within the Project Site. As discussed in **Chapter 6, "Historic & Cultural Resources,"** with this measure

in place, the Proposed Action would not adversely affect any historic resources through direct or indirect effects.

For these reasons, the Proposed Action would promote Policy 10.2 of the WRP.

Conclusion. As the Proposed Action would promote the advance of applicable public policies, including the WRP, and would not conflict with any other applicable public policy, it would not result in any significant adverse public policy impacts.

Overall, the Proposed Action would not result in any significant adverse public policy impacts as per the analysis presented in this section.