ENVIRONMENTAL ASSESSMENT STATEMENT

500 Kent Avenue

CEQR No. 21DCP139K

Lead Agency:
NYC Department of City Planning

Applicant:
Kent Member LLC

Prepared by:
Philip Habib & Associates

17 February 2021

500 Kent Avenue

Environmental Assessment Statement (EAS)

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City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

PROJECT NAME 500 Kent Avenue

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
21DCP139K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
Pending	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
NYC Department of City Planning			**Kent Member LLC, c/o Herrick Feinstein**		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Olga Abinader			**Raymond H. Levin, Esq.**		
ADDRESS **120 Broadway, 31st floor**			ADDRESS **2 Park Avenue, 14th FL**		
CITY **New York**	STATE **NY**	ZIP **10271**	CITY **New York**	STATE **NY**	ZIP **10016**
TELEPHONE **212.720.3423**	EMAIL **OAbinad@planning.nyc.gov**		TELEPHONE **212.592.1400**	EMAIL **rlevin@herrick.com**	

3. *Action Classification and Type*

SEQRA Classification

☐ UNLISTED ☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): **6 NNCRR 617.4(b)(6)(vi)**

Action Type (refer to Chapter 2, "Establishing the Analysis Framework" for guidance)

☒ LOCALIZED ACTION, SITE SPECIFIC ☐ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

4. *Project Description*

The proposed actions consist of four discretionary approvals through ULURP: (1) a zoning map amendment that would rezone the 2.65-acre Project Site from M3-1 to M1-5; (2) a waterfront zoning special permit pursuant to Zoning Resolution section (ZR) 62-837 to modify various bulk requirements in sub-sections of ZR 62-341, including (i) ZR 62-341(a)(2) - initial setback distance, (ii) ZR 62-341(c)(1) - maximum base height, (iii) ZR 62-341(c)(2) - maximum building height, (iv) ZR 62-341(c)(5) - maximum width of wall facing shoreline, and (v) 62-341(a)(4)(ii) - permitted obstruction lot coverage maximum for penthouses; (3) a public parking garage special permit pursuant to ZR 74-512 to allow a 308-space public parking garage; (4) a waterfront zoning authorization to permit modification of certain otherwise applicable waterfront zoning regulations. The project also requires one non-discretionary ministerial action by the City Planning Commission: a waterfront zoning certification pursuant to ZR 62-81 to demonstrate compliance with other applicable waterfront zoning regulations not modified pursuant to the authorization. (Refer to Attachment A for details). The proposed development, located at 500 Kent Avenue (Block 2023, Lot 10) in the South Williamsburg neighborhood of Brooklyn Community District 2, would be a new 23-story, approximately 757,431-gross-square-foot (gsf) commercial building, comprised of: 593,435gross square feet (gsf) of office space, 20,476 gsf of retail, and 143,520 gsf of below-grade parking space. The development would provide 37,233 sf of publicly-accessible waterfront open space along Wallabout Channel. It would be 350 feet tall (roof height) with mechanical bulkheads reaching a maximum height of approximately 365 feet. It is expected that the proposed development would be completed by 2024.

Project Location

BOROUGH **Brooklyn**	COMMUNITY DISTRICT(S) **2**	STREET ADDRESS **500 Kent Avenue. Full range: 492-518 Kent Avenue (even); 2-18 Division Avenue (even)**
TAX BLOCK(S) AND LOT(S) **Block 2023, Lot 10**		ZIP CODE **11249**
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS **Property at southwest corner of Kent Avenue and Division Avenue**		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY **M3-1**		ZONING SECTIONAL MAP NUMBER **12d**

5. *Required Actions or Approvals* (check all that apply)

City Planning Commission: ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☒ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☒ ZONING AUTHORIZATION	☐ UDAAP
☐ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE

☐ HOUSING PLAN & PROJECT ☐ OTHER, explain:
☒ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION **This information is provided above in 4. Project Description**

***Board of Standards and Appeals*:** ☐ YES ☒ NO
☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)
☐ LEGISLATION
☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:
☐ FUNDING OF CONSTRUCTION, specify:
☐ POLICY OR PLAN, specify:
☐ FUNDING OF PROGRAMS, specify:
☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)
☒ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☒ OTHER, explain: **Work Permit from NYS SBS Waterfront Unit (for waterfront structures reconstruction) and Construction Permits from NYC DOB**

***State or Federal Actions/Approvals/Funding*:** ☒ YES ☐ NO If "yes," specify:
Joint Permit Application for in-kind reconstruction of waterfront structures (ministerial action)

6. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)
Total directly affected area (sq. ft.): **115,244 sf**
Roads, buildings, and other paved surfaces (sq. ft.): **115,244 sf**
Waterbody area (sq. ft.) and type: **0**
Other, describe (sq. ft.): **N/A**

7. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)
SIZE OF PROJECT TO BE DEVELOPED (gross square feet): **757,431 gsf**
NUMBER OF BUILDINGS: **1**
GROSS FLOOR AREA OF EACH BUILDING (sq. ft **757,431 gsf**
HEIGHT OF EACH BUILDING (ft.): **350' (roof); 365' (bulkhead)**
NUMBER OF STORIES OF EACH BUILDING: **23**

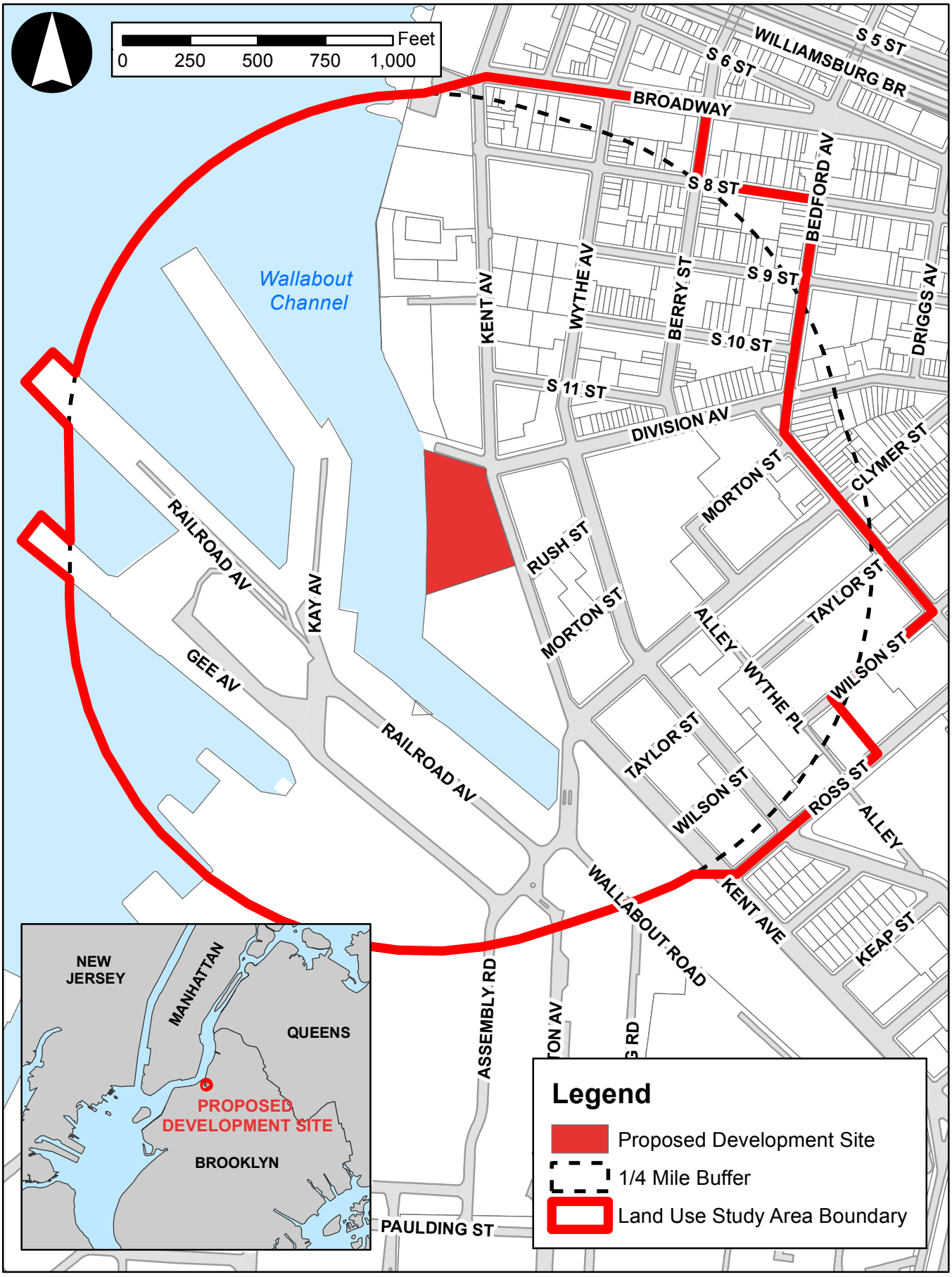
Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: **115,244**
The total square feet not owned or controlled by the applicant: **0**

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO **Some, but lesser amount of excavation would occur under No-Action**
If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length) **±96,370** VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length) **±96,370** **±1,927,400**

8. *Analysis Year* CEQR Technical Manual Chapter 2
ANTICIPATED BUILD YEAR (date the project would be completed and operational): **2024**
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: **20 months**
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: **N/A**

9. *Predominant Land Use in the Vicinity of the Project* (check all that apply)
☒ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☒ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: **vacant, institutional**

Figure 1
Project Location



NYC Finance

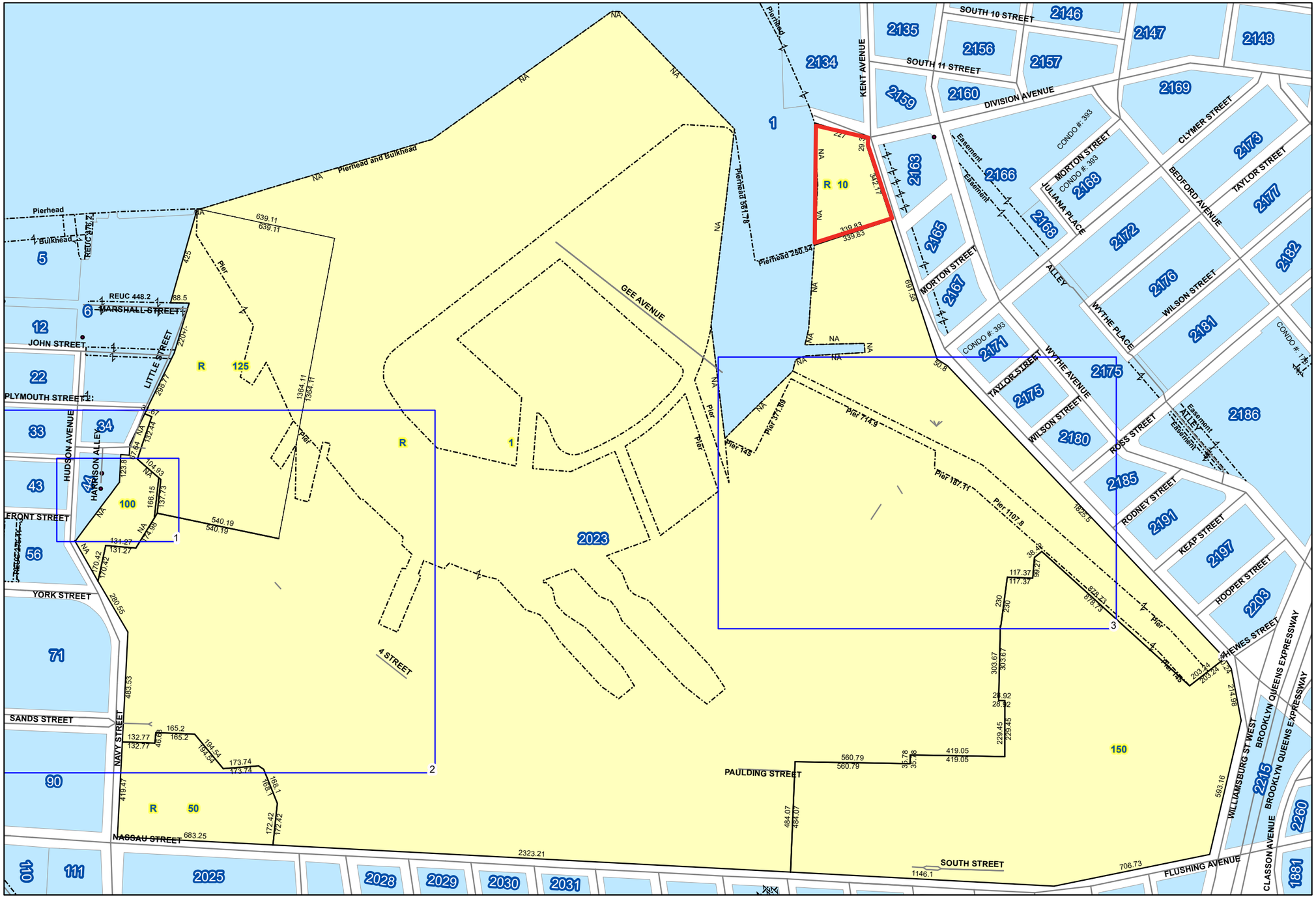
NYC Digital Tax Map

Effective Date : 01-07-2015 10:56:39
End Date : Current

Brooklyn Block: 2023

Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Proposed Development Site



Feet
0 4080 160 240 320

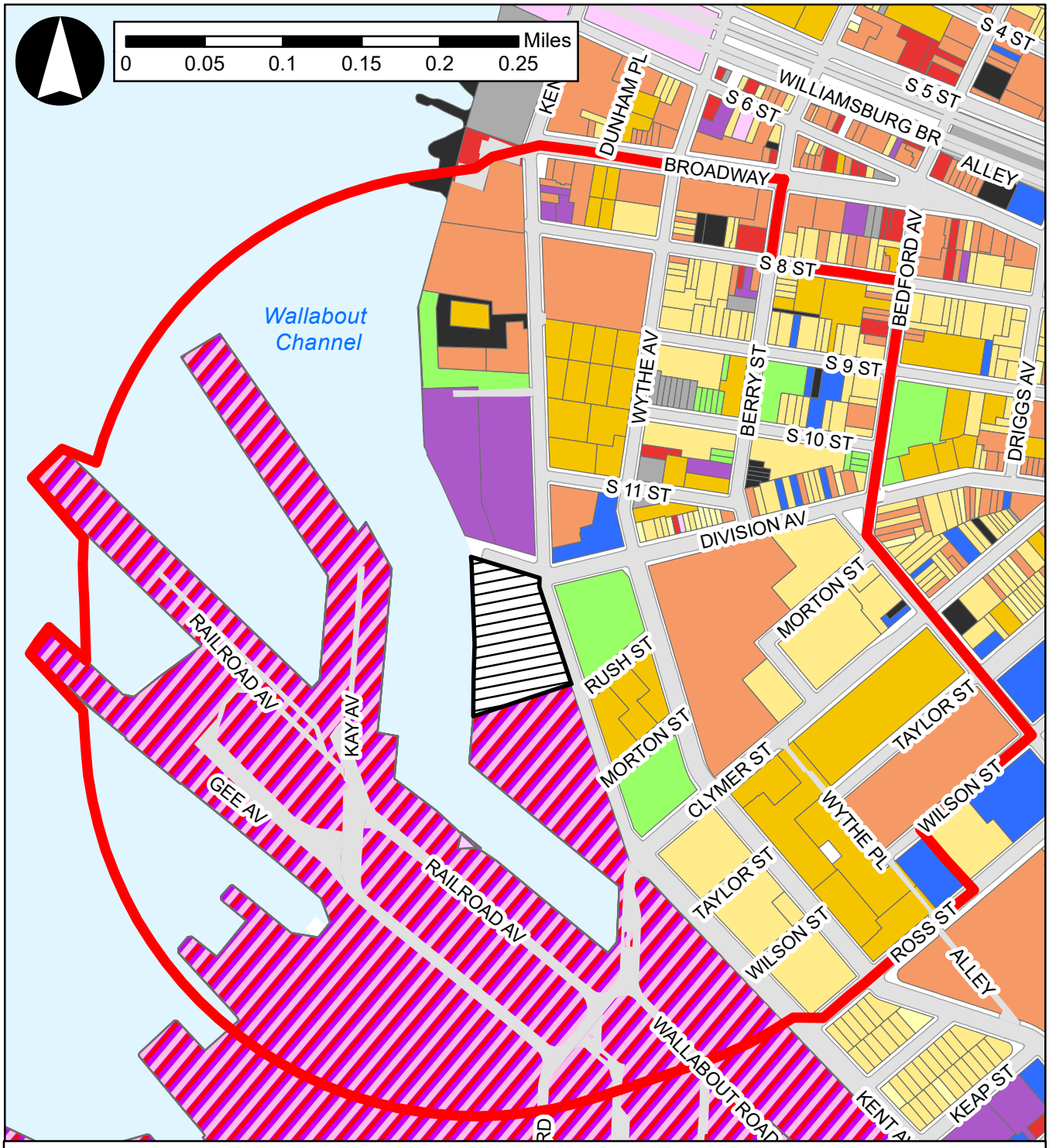
500 Kent Avenue EAS

Figure 2

Tax Map

Figure 3

Land Use Study Area



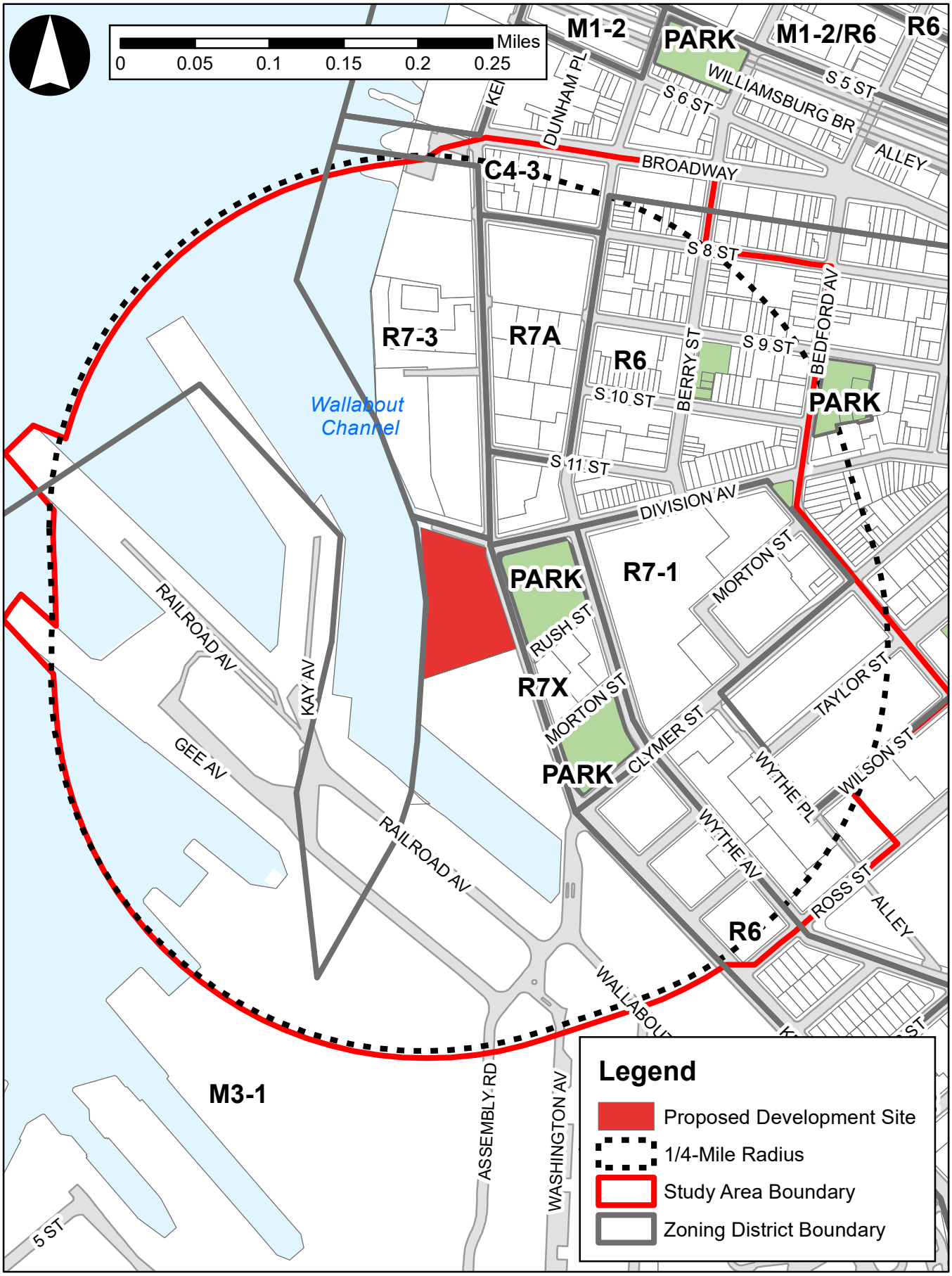
Legend

- Proposed Development Site
- Land Use Study Area Boundary

LandUse

- All Others of No Data
- One & Two Family Buildings
- Multi-Family Walk-Up Buildings
- Multi-Family Elevator Buildings
- Mixed-Residential & Commercial Buildings
- Commercial & Office Buildings
- Industrial & Manufacturing
- Transportaion & Utility
- Public Facilities & Institutions
- Open Space & Outdoor Recreation
- Parking Facilities
- Vacant Land
- Brooklyn Navy Yard

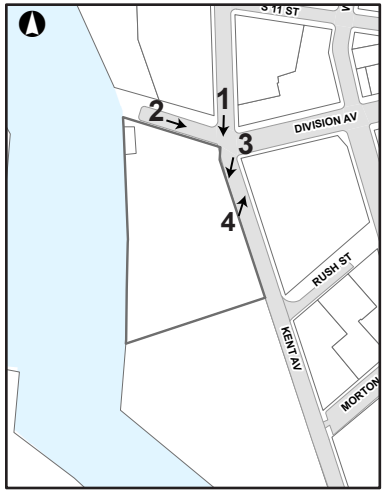
Figure 4
Zoning Map



Note: "PARK" is not a zoning designations. Zoning does not apply to areas mapped as park land on the City map.

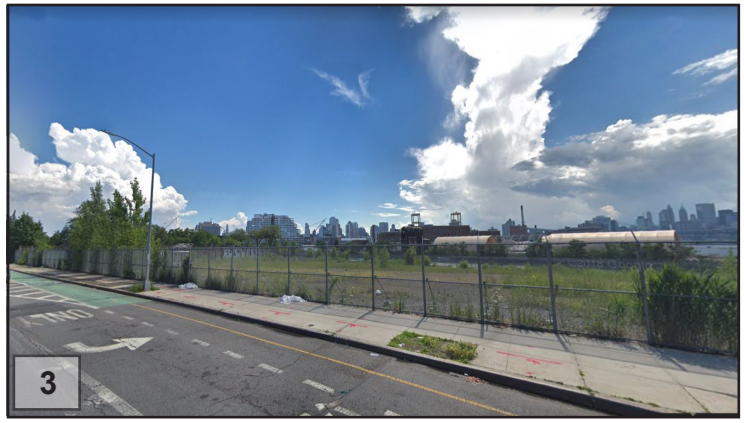


Looking south from the corner of Kent Avenue and Division Avenue towards the Project Site





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



Looking south towards the Project Site from Kent Avenue



Looking northeast from the Project Site towards Roberto Clemente Ballfield

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

Refer to Attach. A; information is provided for RWCDS for development site.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Describe type of residential structures				
No. of dwelling units				
No. of low- to moderate-income units				
Gross floor area (sq. ft.)				
Commercial	☐ YES ☒ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)		**Office, & warehouse**	**Office, retail**	**+ retail; - warehouse**
Gross floor area (sq. ft.)		**58,000 office; 181,401 warehouse**	**593,435office 20,476 retail 613,911 total**	**+535,435 office; +20,476 retail; -181,401 warehouse**
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	☒ YES ☐ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:	**Previous utility buildings demolished, site remediated**			
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):			**37,233 sf waterfront public open space**	**+37.233 sf waterfront public open space**
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
PARKING				
Garages	☐ YES ☒ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces		**0**	**196**	**+196**
No. of accessory spaces		**279**		**-279**
Operating hours		**TBD (24/7 for analysis purposes)**	**TBD (24/7 for analysis purposes)**	
Attended or non-attended		**Attended**	**Non-attended**	**Attended to non-attended**
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Operating hours				
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:	**N/A**	**N/A**	**N/A**	
POPULATION				
Residents	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify number:				
Briefly explain how the number of residents was calculated:				
Businesses	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type		**Office, 1 or more; warehouse 1 or more**	**Office: 1 or more; local retail: 1 or more**	**Increased office space, add local retail; remove warehouse**
No. and type of workers by business		**232 office; 181 warehouse**	**2,374 office; 61 local retail;**	**+2,142 office; +61 local retail; - 181 warehouse**
No. and type of non-residents who are not workers		**N/A**	**N/A**	**N/A**
Briefly explain how the number of businesses was calculated:	**1 warehouse worker per 1,000 gsf; 1 office worker per 250 gsf; 1 retail worker per 333.3 gsf;**			
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If any, specify type and number:		**Office visitors; number N/A; warehouse visitors number N/A**	**Office visitors: number N/A; retail patrons: number N/A**	**Increased office visitors; add retail patrons**
Briefly explain how the number was calculated:	**N/A**			
ZONING				
Zoning classification	**M3-1**	**M3-1**	**M1-5**	**Rezoning M3-1 to M1-5**
Maximum amount of floor area that can be developed	**230,488 zsf commercial or manufacturing**	**230,488 zsf commercial or manufacturing**	**576,220 zsf commercial, manufacturing; 749,086 zsf community facility**	**+345,732 zsf commercial, manufacturing; +749,086 zsf community facility**
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	**Land Uses: industrial/ manufacturing, commercial, residential, mixed-use, open space, institutional; zoning: M3-1, R6, R7A, R7X, R7-3**	**Land use: similar to existing, but with a trend toward additional residential and mixed-use development; zoning: same as existing**	**Same as No-Action**	**No change**
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Full EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☒	☐
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. **EIS will provide**		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☒	☐
○ If "yes," complete the Consistency Assessment Form. **EIS will provide**		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☒	☐
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
○ Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
○ Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
○ Affect conditions in a specific industry?	☐	☒
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement **N/A**		
○ If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☐
○ If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement **N/A**		
○ Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☐
○ If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☐
○ If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement **N/A**		
○ Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	☐	☐
○ Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?	☐	☐
iv. Indirect Business Displacement **EIS will provide**		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☐
○ Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☐
v. Effects on Industry **N/A**		
○ Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☐
○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☐
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		

	YES	NO
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. Child Care Centers		
○ Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	☐	☐
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. Libraries		
○ Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iii. Public Schools		
○ Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iv. Health Care Facilities		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees? **N/A**	☐	☐
(d) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees? **N/A**	☐	☐
(f) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☒	☐
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following: **EIS will provide**		
○ If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	☐	☐
○ If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5 percent?	☐	☐
○ If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:	☐	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☒	☐
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year. **EIS will provide**		
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9 **EIS will provide**		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic	☐	☒

	YES	NO
Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)		
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. **EIS will provide**		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
(c) If "yes" to either of the above, please provide the information requested in Chapter 10. **EIS will provide**		
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☒	☐
○ If "yes," list the resources and attach supporting information on whether the project would affect any of these resources. **EIS will provide**		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Form and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☒	☐
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☒	☐
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☒	☐
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☒	☐
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☒	☐
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☒	☐
(h) Has a Phase I Environmental Site Assessment been performed for the site? **See Attach. A**	☐	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: **See Attach. A**	☐	☐
(i) Based on the Phase I Assessment, is a Phase II Investigation needed? **See Attach. A**	☐	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☒	☐
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than that listed in Table 13-1 in Chapter 13? **N/A**	☐	☐
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase? **N/A**	☐	☐
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☐
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation. **EIS will provide**		

	YES	NO
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week) **35,715**		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
○ If "yes," would the proposed project comply with the City's Solid Waste Management Plan? **N/A**	☐	☐
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): **132,789 MMBTU**		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16 **EIS will provide detailed analyses as warranted**		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☒	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☒	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☒	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	☒	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☒	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☒	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☐
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. **EIS will provide**		
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) Would the proposed project result in the development of 350,000 square feet or more?	☒	☐
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☒	☐
○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation. **EIS will provide**	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☐	☒
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. **EIS will provide**		

	YES	NO
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☒	☐
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. **EIS will provide**		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. **EIS will provide**		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years?	☐	☒
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
o The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
o Closure of a community facility or disruption in its services?	☐	☒
o Activities within 400 feet of a historic or cultural resource?	☐	☒
o Disturbance of a site containing or adjacent to a site containing natural resources?	☒	☐
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	SIGNATURE	DATE
Philip A. Habib, P.E.		2/10/2021

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact: YES	NO
Land Use, Zoning, and Public Policy	☒	☐
Socioeconomic Conditions	☒	☐
Community Facilities and Services	☐	☒
Open Space	☒	☐
Shadows	☒	☐
Historic and Cultural Resources	☒	☐
Urban Design/Visual Resources	☒	☐
Natural Resources	☒	☐
Hazardous Materials	☒	☐
Water and Sewer Infrastructure	☒	☐
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☒	☐
Air Quality	☒	☐
Greenhouse Gas Emissions	☒	☐
Noise	☒	☐
Public Health	☒	☐
Neighborhood Character	☒	☐
Construction	☒	☐

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ ☒

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

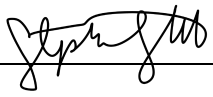
☒ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☐ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission
NAME	DATE
Stephanie Shellooe, AICP	February 19, 2021

SIGNATURE 

ATTACHMENT A:
PROJECT DESCRIPTION

A. INTRODUCTION

This environmental assessment statement (EAS) considers the discretionary approvals requested by Kent Member LLC, the applicant, that would facilitate the development of a 23-story, 350-foot tall (roof height) commercial building with approximately 757,431 gross square feet (gsf), including 593,435 gsf of office space, and 20,476 gsf of retail space (the "Proposed Project"). This 5.00 built floor area ratio (FAR) building would have 576,220 zoning square feet (zsf) of floor area. It would provide 196 (143,520 gsf) public parking spaces and two loading berths. The Proposed Project would be constructed at 500 Kent Avenue (Block 2023, Lot 10), a 115,244-sf, irregular-shaped corner lot located on at the southwest corner of the Kent Avenue and Division Avenue intersection in the South Williamsburg neighborhood of Brooklyn Community District 2 (CD 2) (the "Project Site"). It is also a waterfront site with shoreline along Wallabout Channel. Figure 1 (attached to the EAS Form) shows the Project Site location and Figure A-1 shows an aerial view of the Project Site and the surrounding area.

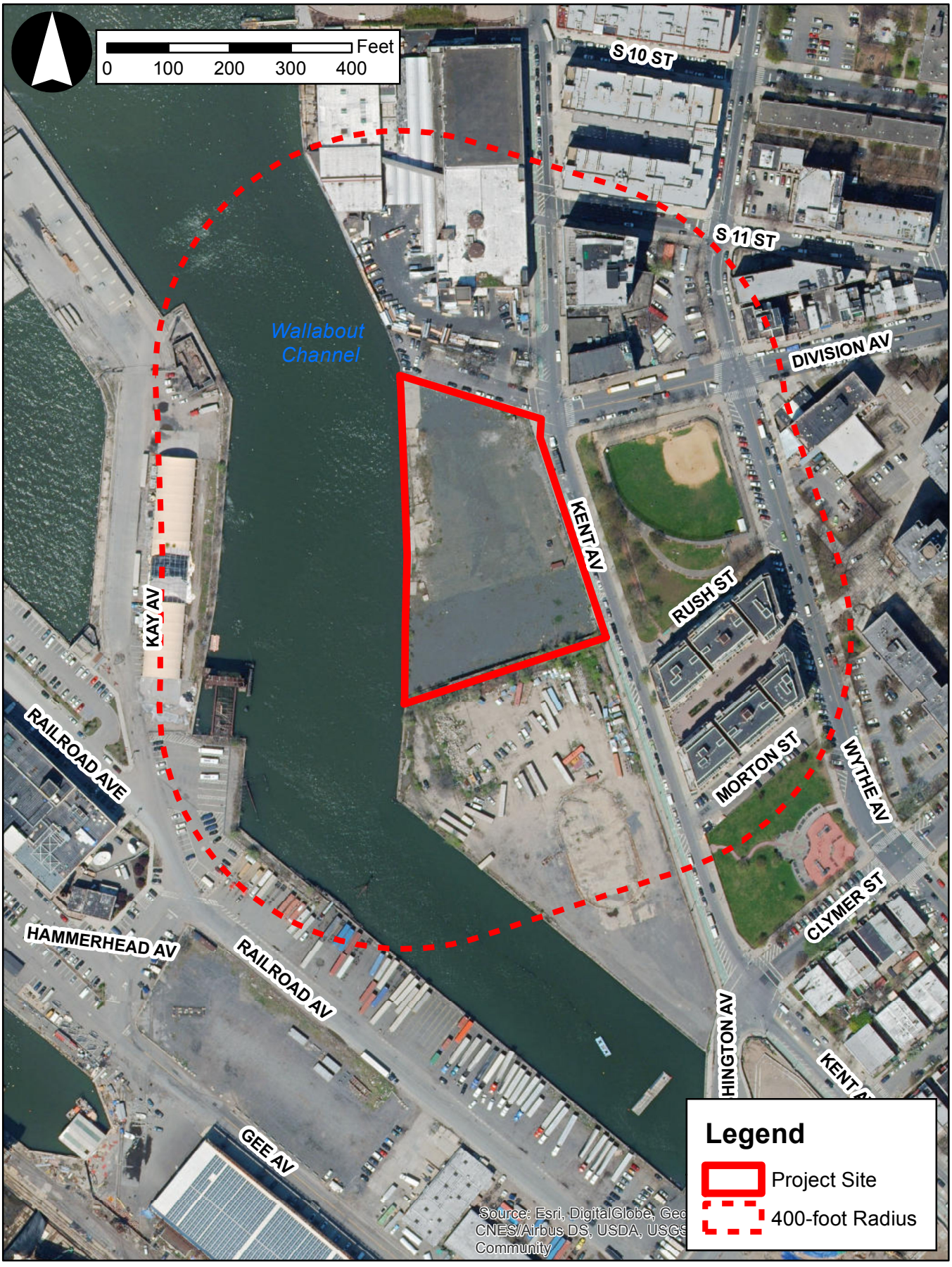
To facilitate the Proposed Project, the Applicant is seeking the following discretionary approvals (the "Proposed Actions"): (1) a zoning map amendment that would rezone the 2.65-acre Project Site from M3-1 to M1-5; (2) a special permit pursuant to ZR 62-837 to modify various bulk requirements in sub-sections of ZR 62-341, including (i) ZR 62-341(a)(2) - initial setback distance, (ii) ZR 62-341(c)(1) - maximum base height, (iii) ZR 62-341(c)(2) - maximum building height, (iv) ZR 62-341(c)(5) - maximum width of wall facing shoreline, and (v) 62-341(a)(4)(ii) - permitted obstruction lot coverage maximum for penthouses; (3) a special permit pursuant to ZR 74-512 to allow a 196-space public parking garage; (4) a waterfront zoning authorization to permit modification of certain otherwise applicable waterfront zoning regulations. The project also requires one non-discretionary ministerial action by the City Planning Commission: a waterfront zoning certification pursuant to ZR 62-81 to demonstrate compliance with other applicable waterfront zoning regulations not modified pursuant to the authorization.

The Project Site is in an M3-1 heavy manufacturing (low performance) district. The M3-1 zoning district, which governs use, density, bulk, parking, and loading requirements in the project area, 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. Within M1-1 districts, off-street parking is required and varies by use. The Project Site, which is owned by the applicant, is a 115,244-sf zoning lot.

Reasonable Worst Case Development Scenario (RWCDS)

As discussed in the accompanying Draft Scope of Work, the analysis build year for the RWCDS is 2024.

Figure A-1
Aerial Photo



No-Action Scenario

In the future without the proposed actions, 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 an FAR of 2.00 (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. In terms of zoning floor area, it would have 57,622 zsf of office space and 172,866 zsf of warehouse space. As the No-Action development would be predominantly Use Group 16d warehouse, the Project Site will be exempt from waterfront public access area and visual corridor requirements and therefore no on-site public open space would be provided.) The Project Site would provide 279 accessory parking spaces on the first and mezzanine floors, meeting the minimum requirement that the site provide 1 space per 300 zsf of office space and 1 space per 2,000 zsf of warehouse space.

With-Action Scenario

In the future with the proposed actions, it is anticipated that the Project Site would be redeveloped pursuant to the Proposed Actions, consistent with the applicant's Proposed Project. In the With-Action Scenario, a new 23-story commercial building would be constructed on the site, which would rise to a height of approximately 350 feet (365 feet inclusive of the bulkhead), with approximately 613,911 gsf of above-grade space, 143,520 gsf of below-grade space of gross floor area, and a total of 757,431 gsf. In terms of zoning floor area, the building would have 576,220 zsf (built FAR of 5.0, maximizing the permitted floor area). The building would include approximately 593,435 gsf of office space on first through 23rd floors, approximately 20,476 gsf of Use Group 6A retail on the first and fifth floors, and a 196-space public parking garage (non-attended) in the cellar occupying approximately 143,520 gsf (parking, which is not required by zoning, would be allowed via the ZR 74-512 special permit). Approximately 37,233 sf of waterfront public open space including a shore public walkway, supplemental public access area, and open space located within a visual corridor linking to the shore public walkway from Kent Avenue along the site's southern edge. It would be a single building with a northern and southern base with a tower above part of the southern base, an open area at grade will be providing pedestrian access through the central portion of the site; the two bases would connect below- and above-grade, with two double-height bridges at the third and fourth levels,. The northern base fronts Division Avenue and the southern base faces Clymer Street. The location of uses by floors described above is per preliminary plans and is provided for illustrative purposes.

Net Increment

The incremental (net) change that would result from the Proposed Actions would be the net addition of 535,435 gsf of office space, 20,476 gsf of retail space, and 196 off-street public parking spaces, as well as a net reduction of approximately 181,401 gsf of warehouse space and 279 off-street accessory parking spaces (a net decrease of 83 parking spaces and a switch from accessory to public parking). There would be a net increase of approximately 37,233 sf of waterfront public open space. The With-Action Scenario building would be approximately 276 feet taller than the

No-Action Scenario building. The incremental change in workers that would result from the Proposed Actions is the net addition of 2,022 workers.

This attachment provides a summary and description of the existing conditions of the project area and vicinity, requested approvals, purpose and need for the Proposed Action, associated development scenario, and the required review procedures.

B. BACKGROUND AND EXISTING CONDITIONS

Description of the Project Site

The 115,244-sf Project Site, which consists of one tax lot (Lot 10) on Block 2023, is an irregularly-shaped, waterfront property and corner lot bound by Wallabout Channel to the west, Division Avenue to the north, Kent Avenue to the east, and the Brooklyn Navy Yard's Nassau Gas Works site to the south. The lot, which is currently vacant, has approximately 227 feet of frontage on Division Avenue, approximately 372 feet of frontage on Kent Avenue and approximately 528 feet of shoreline along Wallabout Channel. It was occupied by power generating plants from the late nineteenth to early twenty-first centuries. In 1959, Consolidated Edison (Con Edison) acquired the property from the City of New York. Con Edison continued to operate the power plant until shuttering it in 1999 and subsequently demolished the plant buildings in 2009. Con Edison performed environmental remediation which was completed in 2014 under New York State Department of Environmental Conservation supervision through the Voluntary Cleanup Program. (Refer to the "Hazardous Materials" section of Attachment B for further information.) The Project Site has been vacant since 2009 and the applicant acquired it from Con Edison in 2019 with the intent of redeveloping it.

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

Table A-1 provides a summary of information about the site.

Table A-1, Project Site Conditions

Block	Lot	Address	Street Frontage	Existing Condition	Zoning	Lot Area
2023	10	500 Kent Av.	Division Av.: 227'; Kent Av.: 372'	Vacant	M3-1	115,244 sf

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

community facilities are permitted as-of-right in M3 districts. Development within M3-1 districts can be built to a maximum FAR of 2.0, with bulk subject to special waterfront regulations as it is located on a waterfront block. Within M3-1 districts, off-street parking is required and varies by use.

Description of the Surrounding Area

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

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

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

Brooklyn. There is also a Citi Bike station located at Kent Avenue and S. 11th Street, 300 feet to the north of the Project Site.

Table A-2: Study Area Zoning Districts

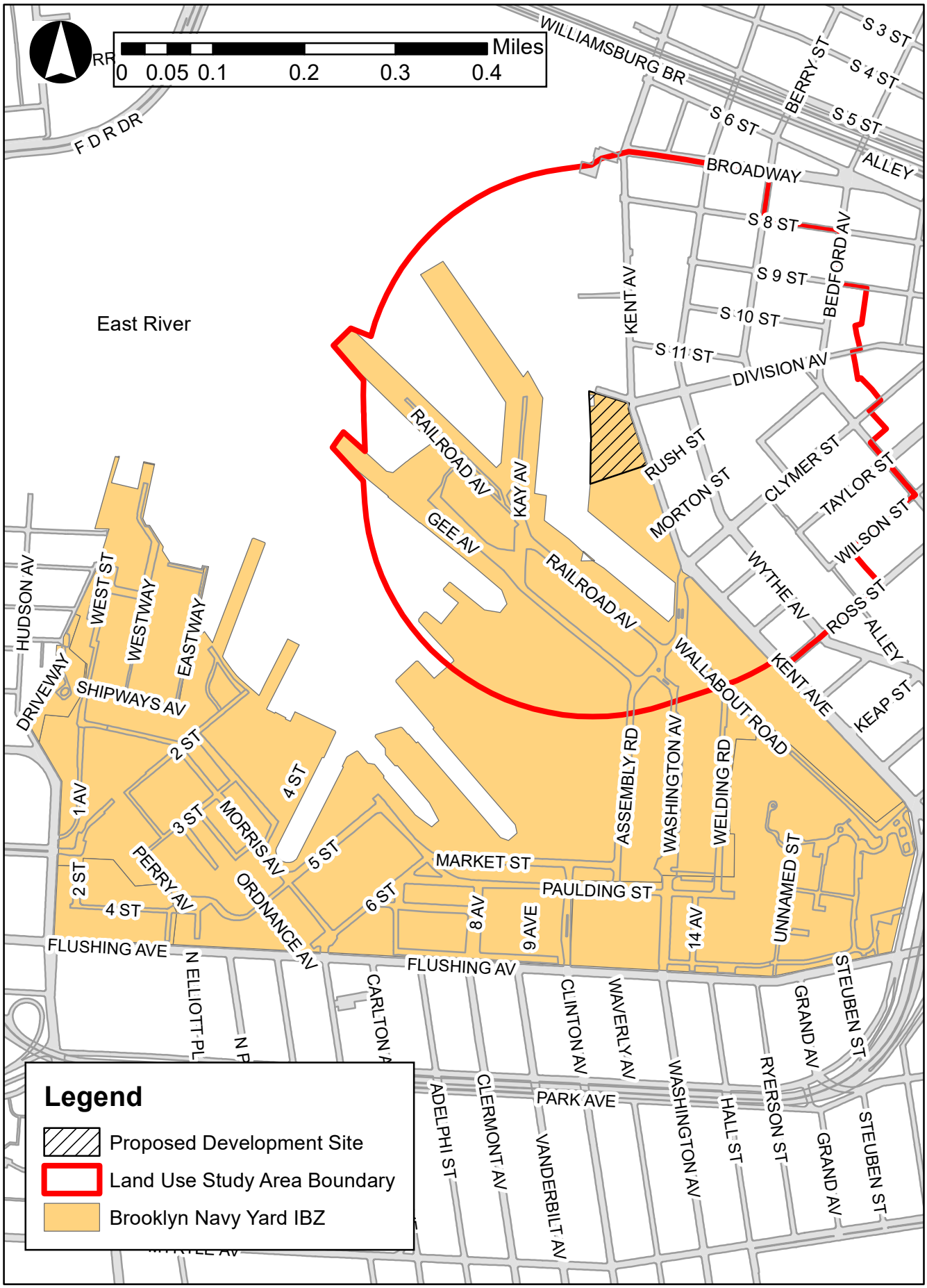
District	Definition/General Use	Maximum FAR
M3-1	Manufacturing—heavy industries. M3 districts are usually located near the waterfront and buffered from industrial uses.	R: Not permitted C: 2.0 CF: Not permitted M: 2.0
R6	R6 districts are widely mapped in built-up, medium-density areas.	R: 0.78-2.43[1] C: 0.0 CF: 4.8 M: 0.0
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[2] C: 0.0 CF: 4.8 M: 0.0
R7-3		R: 0.87-3.44[2] C: 0.0 CF: 5.0 M: 0.0
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
C1-3, 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: 0.0

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

Brooklyn Navy Yard Industrial Business Zone

As shown in Figure A-2, the Project Site and the adjoining area to the south is in the Brooklyn Navy Yard Industrial Business Zone (IBZ). The designation of an IBZ seeks to foster high-

Brooklyn Navy Yard IBZ



performing business districts by creating competitive advantages over locating in areas outside of New York City. The IBZs are supported by tax credits for relocating within them, zone-specific planning efforts, and direct business assistance from Industrial Providers of NYC Business Solutions Industrial and Transportation. In light of the purpose of IBZs to foster industrial sector growth by creating real estate certainty, residential rezonings are generally not supported within IBZs. Unlike the other properties in this IBZ, the Project Site is privately-owned and was not historically part of the Navy Yard.

C. REQUIRED APPROVALS

The Proposed Actions would encompass discretionary approvals that are subject to review under the Uniform Land Use Review Procedure (ULURP), Section 200 of the City Charter, and CEQR process. These include:

- A zoning map amendment (Zoning Sectional Map 12d) approval by the CPC to change the zoning in the Proposed Rezoning Area from the existing M3-1 heavy manufacturing zoning district to an M1-5 light manufacturing zoning district (see Figure A-3);
- A Special Permit approval by the CPC pursuant to ZR 62-837 to modify various waterfront bulk requirements contained in sub-sections of ZR 62-341, including: (i) initial setback distance, (ii) maximum base height, (iii) maximum building height, (iv) maximum width of wall facing shoreline, and (v) permitted obstruction lot coverage requirement for penthouses;
- A Special Permit pursuant to ZR 74-512 to allow a below-grade public parking garage with 196 spaces in the Proposed Project so that the site can fully accommodate the project-generated peak parking demand;
- A Waterfront Zoning Authorization pursuant to ZR 62-822(b) to allow modification of ZR 62-62 (c)(1) planting area requirements.

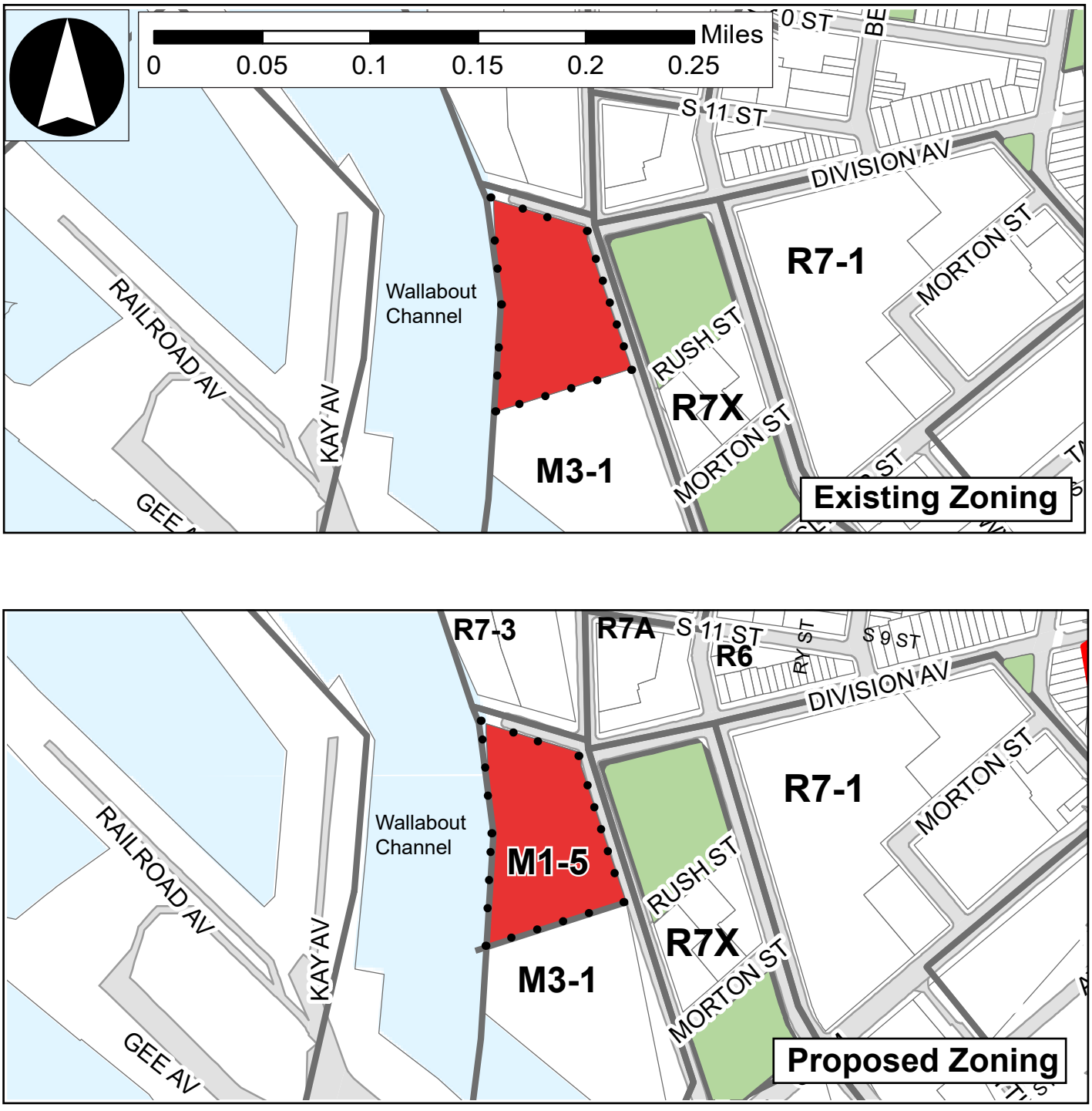
The project is also seeking a non-discretionary Waterfront Zoning Certification by the CPC pursuant to ZR 62-81 to demonstrate compliance with other applicable visual corridor and waterfront public access regulations.

All of these approvals would only apply to the Project Site.

Zoning Map Amendment

The proposed zoning map amendment would rezone the Project Site (see Figure A-3) from M3-1 to M1-5. As a result, changes to what is permitted/prohibited would include: prohibiting heavy manufacturing uses (Use Group 18) allowed under M3-1 and permitting certain types of community facility (Use Group 4) and transient accommodations (Use Group 5) not allowed under M3-1 while continuing to allow other types of commercial uses (Use Groups 6-14 and 16) and light manufacturing uses (Use Group 17) as-of-right; allowing higher densities of commercial and light manufacturing by increasing permitted FAR from 2.0 to 5.0 and allowing a community facility maximum FAR of 6.5; allowing a larger maximum permitted bulk envelope including increasing maximum base height from 60 to 65 feet and maximum building height from 110 to

Figure A-3
Existing & Proposed Zoning



185 feet; and eliminating accessory parking requirements for most permitted uses including those included in the Proposed Project. This would create opportunities for increased development at densities comparable to other waterfront developments in the area; for example, the area immediately to the north was rezoned from M3-1 to R7-3/C2-4 in 2006, increasing the maximum permitted FAR from 2.0 to 5.0 (Kedem Winery Redevelopment Rezoning: ULURP No. C 020518 ZMK).

ZR 62-837 Bulk Modifications on Waterfront Block Special Permit

The proposed Special Permit pursuant to ZR 62-837 would modify:

(i) initial setback distance: ZR 62-341(a)(2) requires a 10-foot setback from a wide street, a 15-foot setback from a narrow street, and a 30-foot setback from a shore public walkway above the required base height of 65 feet; the Proposed Project would provide a 10-foot setback at a height of 125 feet along Kent Avenue for a width of approximately 109 feet, i.e., setting back 65 feet higher than required;

(ii) maximum base height: ZR 62-341(c)(1) allows a maximum base height of 65 feet; the Proposed Project would have a base height of 125 feet;

(iii) maximum building height: ZR 62-341(c)(2) allows a maximum building height of 185 feet; the Proposed Project would have a building height of 350 feet;

(iv) maximum width of wall facing shoreline: ZR 62-341(c)(5) allows a maximum width of 100 feet for walls above the base height and facing the shoreline; however, the 23-story tower portion of the Proposed Project would have a wall facing the shoreline with a width of 135 feet;

(v) permitted obstruction lot coverage maximum for penthouses: ZR 62-341(a)(4)(ii) requires that penthouses, i.e., enclosed areas above the maximum permitted building height, have a gross area lot coverage equivalent to at least 50 percent and not more than 85 percent of highest story of building that is located entirely below the maximum permitted height; the Proposed Project penthouse would only cover 10.5 percent of said area.

ZR 74-512 Public Parking Garage Special Permit

The proposed Public Parking Garage Special Permit pursuant to ZR 74-512 by the CPC would allow the Proposed Project to provide a public parking garage in excess of 150 spaces on the Proposed Development. Without the proposed Public Parking Garage Special Permit, the Project Site would provide only the maximum number of spaces permitted pursuant to the proposed M1-5 zoning, i.e., 150 spaces if a single entry/exit curb cut provided or 225 spaces if complying separate entry/exit curb cuts are provided, which in either case would not fully address the Proposed Project's anticipated site-generated parking demand. (NB: with the proposed M1-5 zoning no parking would be required.) The Public Parking Garage Special Permit would enable the building to provide 196 parking spaces and to make productive use of its cellar space and fully accommodate its own on-site demand.

ZR 62-822(b) Waterfront Zoning Authorization

A waterfront zoning authorization pursuant to ZR 62-822(b) by the CPC is being sought to allow the Proposed Project to modify its compliance with ZR 62-62c)(1) planting area requirements in order to provide additional hardscape areas connecting the shore public walkway and upland waterfront public access areas. Within the Shore Public Walkway, 35.5% of proposed walkway would be planted areas and the rest would be hardscape. The supplemental area would be 60% planted area and 40% 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.

ZR 62-81 Waterfront Public Access and Visual Corridor Certification

Certification pursuant to ZR 62-81 by the CPC Chair to the DOB demonstrating compliance with other waterfront public access and visual corridor regulations.

D. PROJECT PURPOSE AND NEED

Overview

In the vicinity of the Project Site both the demand for workspace and the residential population have increased substantially in recent years. The Brooklyn Navy Yard (BNY), immediately south and southwest of the Project Site, has undergone a transformation and is now home to over 400 commercial and light industrial businesses employing approximately 8,000 people with further growth anticipated. At the same time, there has been a resurgence of residential development in Williamsburg and other nearby neighborhoods. There are multiple new, high rise residential buildings near the Project Site and additional development expected in the future. The City is now promoting the increase of walk-to-work commuting patterns and new forms of public transportation along the waterfront including the NYC Ferry service. By providing a new hub of business development, the Proposed Project would be compatible with the ongoing development of the neighboring BNY and would be complementary to the increased residential uses in the area, providing space for work (office) and shopping (retail) that could reduce travel times and distances for local residents.

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

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

Need for the Proposed Actions

The Proposed Actions are intended to facilitate the applicant's proposed 23-story, approximately 757,431-gsf (576,220-zsf) commercial building on the Project Site.

Proposed Zoning Map Amendment

The site's existing M3-1 zoning district, in place since the adoption of the 1961 Zoning Resolution, limits the maximum floor area ratio (FAR) for the site to 2.0 for permitted manufacturing and commercial uses (Use Groups 6-14, 16-18), specifies sky exposure plane bulk requirements as modified by waterfront zoning regulations, and requires parking at a rate of 1 space per 300 zsf for general retail and office uses. The Proposed Project could not be facilitated as-of-right under the existing zoning as M3-1 would not allow the project's proposed density and bulk envelope and would require substantially more parking spaces than the project's anticipated demand.

Given the Proposed Project's location in the BNY Industrial Business Zone (IBZ), City policy is that IBZ land be retained for potential industrial uses and should not allow for residential rezonings; accordingly, the applicant seeks a rezoning to M1-5 which would limit the site to permitted commercial, light manufacturing uses, and community facility uses; commercial hotel uses only would be allowed by special permit and the applicant is not seeking such a special permit.

The proposed zoning map amendment from M3-1 to M1-5 would establish maximum FAR of 5.0 for permitted manufacturing and commercial uses (Use Groups 5-14, 16-17) and 6.5 for community facility uses (Use Group 4), which the applicant considers to be a more appropriate density to achieve the development on the site. The M1-5 district regulations would act as a buffer between the future residential uses at 470 Kent Avenue to the north and the BNY to the south.

Proposed Special Permits

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 M1-5 zoning and allow for a provision of parking at a level commensurate to the site-generated demand.

Proposed Waterfront Zoning Authorization

The proposed waterfront zoning authorization pursuant to ZR Section 62-81 would allow a modification of planting requirements in the upland public access area. The applicant believes that strict compliance with planting coverage requirements would adversely affect the utility of the public open space. The increased hardscape area that would be permitted by the authorization would facilitate better pedestrian circulation between the shore public walkway and upland areas, thereby improving visitor experience and encouraging better public realm linkages between the

waterfront and Kent Avenue. The modification allowed by the proposed authorization would not, in the applicant's opinion, detract from the public's use and enjoyment of the waterfront public access area.

E. REASONABLE WORST-CASE DEVELOPMENT SCENARIO (RWCDS)

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

Analysis Year

Accounting for the ULURP approval timeline and based on the Proposed Project's anticipated 20-month construction timeline, it is assumed that full build-out would occur by 2024. Accordingly, the EIS will use a 2024 analysis year. As development facilitated by the Proposed Actions is expected to be operational in 2024, its environmental setting is not the current environment, but the future environment. Therefore, the technical analyses assess current conditions and forecast these conditions to the analysis year of 2024 for the purposes of determining potential impacts.

Project Site

As noted above, the Proposed Actions would only have the potential to result in new development on the Project Site, i.e., there are no other areas that may have the potential to be directly affected by the Proposed Actions.

The Future without the Proposed Actions (No-Action Condition)

The future without the Proposed Actions condition—also known as the "No-Action condition"—assumes the future without approval of the Proposed Actions. Absent the Proposed Actions, 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 2.00 (1.5 FAR of warehouse use and 0.5 FAR of office space) and be 74 feet tall (roof stories) 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. In terms of zoning floor area, it would have 57,622 zsf of office space and 172,866 zsf of warehouse space. As the No-Action development will would be predominantly Use Group 16d warehouse, the Project Site will be exempt from waterfront public access area and visual corridor requirements. The Project Site would provide 279 accessory parking spaces on the first and mezzanine floors, meeting the minimum requirement that the site provide 1 space per 300 zsf of office space and 1 space per 2,000 zsf of warehouse space. A summary of the No-Action uses on the Project Site is provided in **Table A-3**, below. Refer to Figures A-4 and A-5.

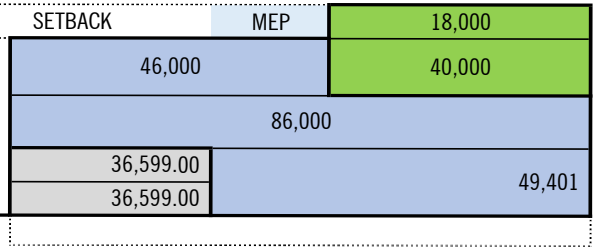
ZONING CALCULATIONS M3-1 - 500 KENT (BLOCK 2023,LOT 10)

LOT AREA: 115,244
FAR MAX 2.0: 230,488
HEGHT/BULK: 62-332 -WATERFRONT YARD: 40 FT.
62-341 -SETBACK WIDE STREET: 10 FT.
62-341 -SETBACK NARROW STREET: 15 FT.
62-341 -MAX. BASE HEIGHT: 60 FT
62-341 -MAX HEIGHT: 110 F

	Proposed FAR Calculation		Parking Calculation	
WAREHOUSE	**1.5**	**172,866.0**	86.4	1 per 2000
OFFICE	**0.5**	**57,622.0**	192.1	1 per 300
	2.0	**230,488.0**	278.5	Total

BLDG HT	LVL	FLR TO FLR HEIGHT	Parking space
74.0	ROOF		
60.0	4	14	
43.0	3	17	
26.0	2	17	
10.0	1 mezz	16	192
0.0	1	10	88
	CELLAR	Partial mechanical only	

AREA DIAGRAM



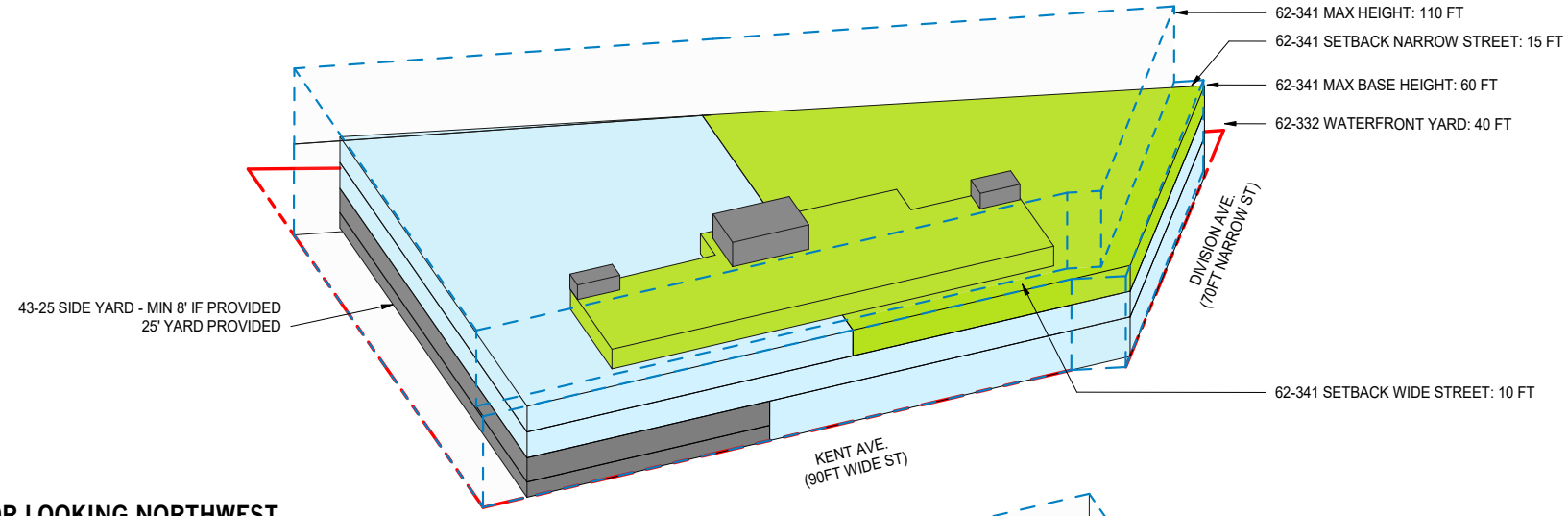
	MEP	**GFA**
4	OFFICE	18,000
3	OFFICE WAREHOUSE	40,000 46,000
2	WAREHOUSE	86,000
1M	PARKING STACKERS	
1	PARKING/WAREHOUSE	49,401

Legend
Parking
Office
Warehouse

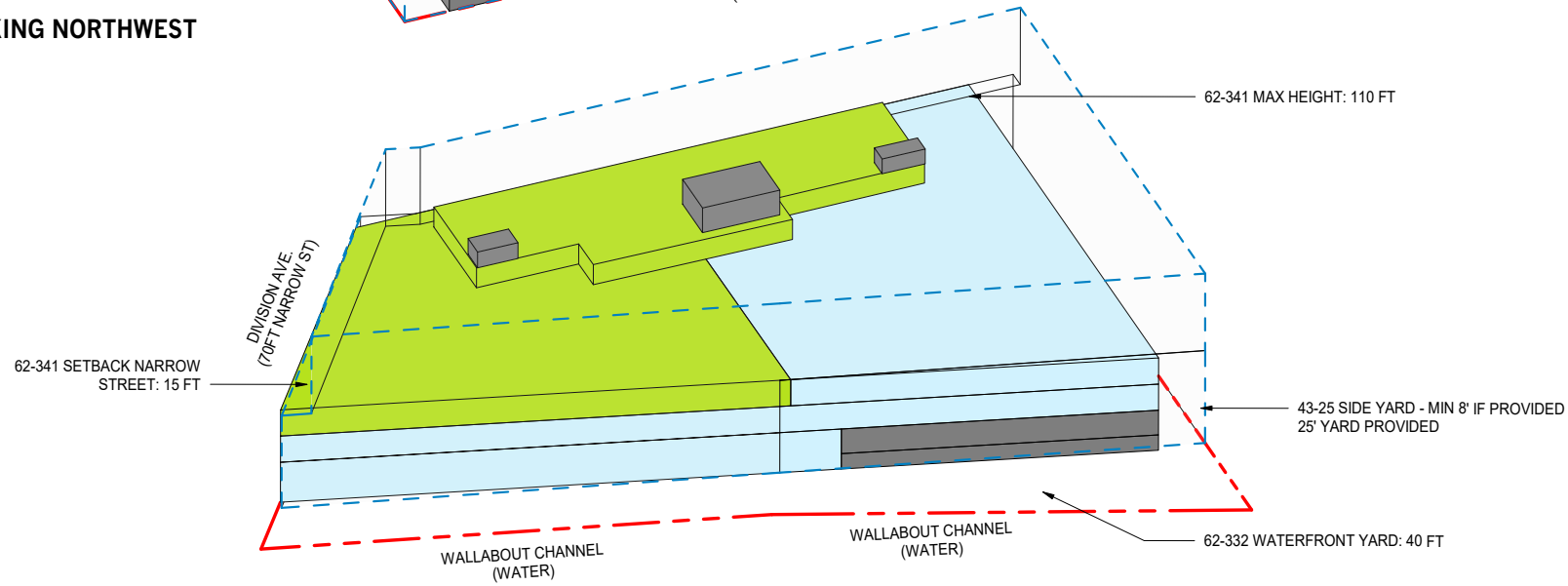
TOTAL OFFICE (GFA)	58,000
TOTAL WAREHOUSE (GFA)	181,401
TOTAL PARKING (GFA)	73,198

GROSS	**239,401.00**
MECH DEDUCT 3.87%	**8,913.00**
ZFA	**230,488.00**
FAR	**2.00**

500 KENT AVENUE



M3-1 AOR LOOKING NORTHWEST



M3-1 AOR - LOOKING SOUTHEAST

Marvel Architects

0 32' 64' 128'

500 KENT AVENUE

The Future with the Proposed Actions (With-Action Condition)

The future with the Proposed Actions condition—also known as the "With-Action condition"—assumes the Project Site would be redeveloped as proposed by the Applicant, pursuant to the Proposed Actions.

As a result, the With-Action development scenario for the Project Site would include 593,435 gsf of commercial office uses, 20,476 gsf of retail uses, and 143,520 gsf of below-grade parking area (comprising 196 public parking spaces) (see **Table A-3**). Refer to Figures A-6, A-7, A-8, and A-9.

Net Increment: Possible Effects of the Proposed Actions

Table A-3 provides a comparison of the No-Action and With-Action scenarios identified for analysis purposes of the Proposed Actions. As shown, the incremental (net) change that would result from the Proposed Actions would be the net addition of 535,435 gsf of office space, 20,476 gsf of retail space, and approximately 196 off-street public parking spaces, as well as a net reduction of 181,401 gsf of warehouse space and approximately 279 off-street accessory parking spaces. **Table A-3** also provides an estimate of the number of workers generated by the Proposed Actions. As shown in **Table A-3**, based off these ratios, the incremental change in workers that would result from the Proposed Actions is the net addition of 2,022 workers. The With-Action building would be 276 feet and 19 stories taller than the No-Action building.

Table A-3: Comparison of 2024 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	593,435 gsf	+535,435gsf
Retail	0 gsf	20,476 gsf	+20,476 gsf
Parking	73,198 gsf	143,520 gsf	+70,322 gsf
Total	**312,599 gsf**	**575,431 gsf**	**+444,832 gsf**
Parking Spaces	279 (accessory - attended)	196 (public – self-park)	-83
Building height (roof)	74 feet	350 feet	+276 feet
Building stories	4 stories	23 stories	+19 stories
Population	**No-Action**	**With-Action[1]**	**Increment**
Employees[2]	413	2,435	+2,022

Notes:
[1] The With-Action scenario is consistent with the applicant's special permit application plans
[2] See EAS Form for employee generation rates.

F. REVIEW PROCEDURES

The Proposed Action is subject to the City's land use and environmental review processes, described below.

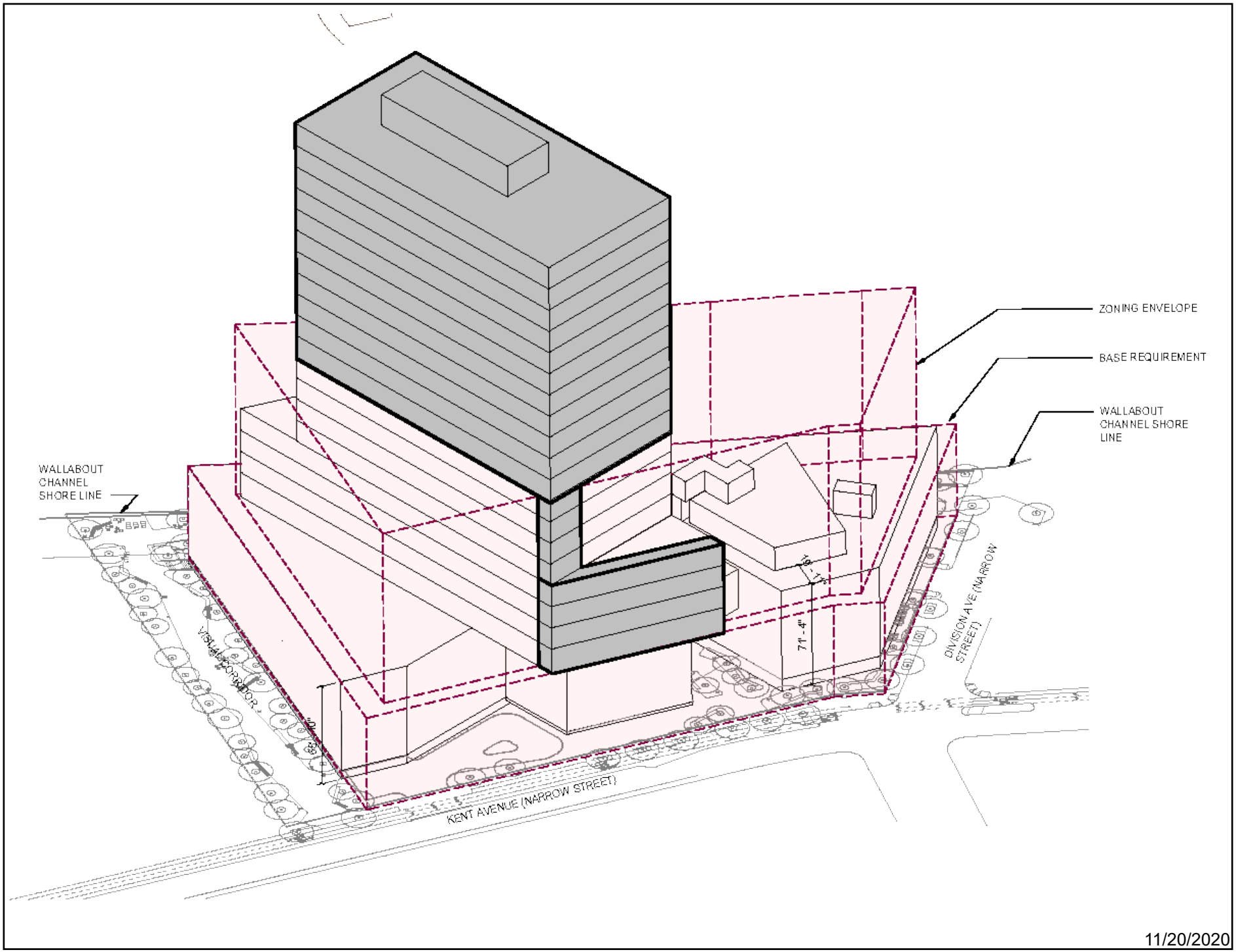


500 Kent Avenue EAS

Figure A-6

With - Action Ground Floor Plan

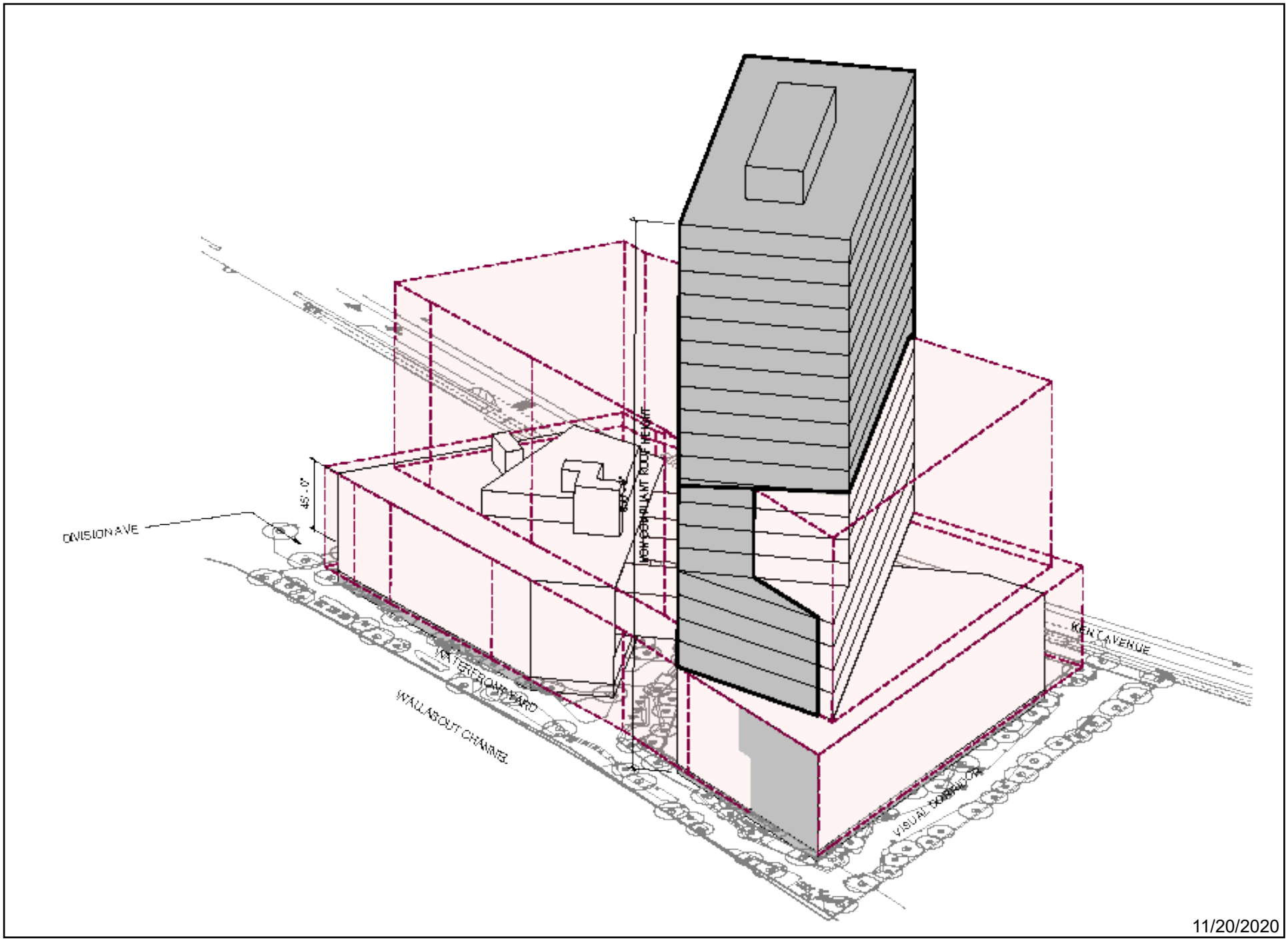
11/20/2020



500 Kent Avenue EAS

Figure A-7

With - Action Axonometric, Kent Avenue View



500 Kent Avenue EAS

Figure A-8

With - Action Axonometric, Wallabout Channel View

11/20/2020

FAR/PROGRAM DISTRIBUTION S M1-5 - 500 KENT (BLOCK 2023,LOT 10)

LOT AREA: 115,244
FAR MAX 5.0: 576,220
HEGHT/BULK: 62-332 -WATERFRONT YARD: 40 FT.

BLDG HT	LVL	FLR TO FLR HEIGHT	PARK/MECH	TOWER	CORE	BRIDGES	NORTH BASE	SOUTH BASE	RETAIL		GFA
350.0'		ROOF									
335.0'	23	15.0'		15,666 SF	1,246 SF					=	16,912.00 SF
320.0'	22	15.0'		19,412 SF	1,246 SF					=	20,658.00 SF
305.0'	21	15.0'		19,412 SF	1,246 SF					=	20,658.00 SF
290.0'	20	15.0'		19,412 SF	1,246 SF					=	20,658.00 SF
275.0'	19	15.0'		19,412 SF	1,246 SF					=	20,658.00 SF
260.0'	18	15.0'		19,412 SF	1,246 SF					=	20,658.00 SF
245.0'	17	15.0'		19,412 SF	1,246 SF					=	20,658.00 SF
230.0'	16	15.0'		19,412 SF	1,246 SF					=	20,658.00 SF
215.0'	15	15.0'		19,412 SF	1,246 SF					=	20,658.00 SF
200.0'	14	15.0'		19,412 SF	1,246 SF					=	20,658.00 SF
185.0'	13	15.0'		15,800 SF	1,246 SF					=	17,046.00 SF
170.0'	12	15.0'		19,310 SF	1,246 SF					=	20,556.00 SF
155.0'	11	15.0'		19,310 SF	1,246 SF					=	20,556.00 SF
140.0'	10	15.0'		15,900 SF	1,246 SF					=	17,146.00 SF
125.0'	9	15.0'		19,310 SF	1,246 SF					=	20,556.00 SF
110.0'	8	15.0'		23,500 SF	1,246 SF					=	24,746.00 SF
95.0'	7	15.0'		23,500 SF	1,246 SF					=	24,746.00 SF
80.0'	6	15.0'		23,500 SF	1,246 SF				ROOFTOP RETAIL ACCESS	=	24,746.00 SF
65.0'	5	15.0'		23,500 SF	1,246 SF				4,750 SF	=	29,496.00 SF
50.0'	4	15.0'			3,420 SF	3,328 SF	19,755 SF	31,350 SF		=	57,853.00 SF
35.0'	3	15.0'	6,011 SF		3,420 SF	3,328 SF	19,755 SF	25,339 SF		=	57,853.00 SF
20.0'	2	15.0'			2,207 SF		17,165 SF	26,807 SF		=	46,179.00 SF
0.0'	1	20.0'	5,852 SF	6,603 SF	2,752 SF			18,665 SF	15,726.0 SF	=	49,598.00 SF
-10.0'	MZ CLLR	10.0'	47,150 SF							=	47,150.00 SF
-20.0'	CELLAR	10.0'	96,370 SF							=	96,370.00 SF
BLDG HT	FLR #	FLR HT	PARK/MECH	TOWER	CORE	BRIDGES	NORTH BASE	SOUTH BASE	RETAIL 1		TOTAL
											757,431 SF GFA

TOTAL OFFICE (GFA)	581,572 SF
TOTAL RETAIL (GFA)	20,476 SF
TOTAL PARK/MECH (GFA)	155,383 SF
DEDUCTIONS *3% OFFICE	17,447 SF
DEDUCTIONS *3% RETAIL	614 SF
DEDUCTIONS PARK/MECH	7,767 SF
TOTAL OFFICE (ZFA)	564,125 SF
TOTAL RETAIL (ZFA)	19,862 SF

TOTAL ZFA	576,220 SF
FAR	5.000

Uniform Land Use Review Procedure

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

The ULURP process begins with a certification by the Department of City Planning (DCP) that the land use application is complete, which includes a CEQR determination by the lead agency. The application is then forwarded to the community board, in this case Brooklyn CB 1, which has up to 60 days in which to review the proposal, hold public hearings, and adopt recommendations regarding the application. Once this step is complete, the Borough President reviews the application for up to 30 days and may elect to hold a public hearing. CPC then has 60 days to review the application, during which time a public hearing is held. CPC may approve, approve with modifications or deny the application. If the ULURP application is approved, or approved with modifications, certain types of applications, including zoning map and text amendments, are subject to a mandatory review by the City Council, while the City Council may elect to review ("call-up") other types of applications, including special permits. The City Council has 50 days to review the application and during this time hold a public hearing, through its Subcommittee on Zoning and Franchises and Land Use Committee. The Council may approve, approve with modifications or deny the application. If the Council proposes a modification to the application, the ULURP review process stops for 15 days, providing time for a CPC determination on whether the proposed modification is within the scope of the environmental review and ULURP review. If it is, then the Council may proceed with the modification; if not, then the Council may only vote on the actions as approved by the CPC. Following the Council's vote, the Mayor has five days in which to veto the Council's actions, or otherwise it is adopted. The City Council may override the mayoral veto by a two-thirds vote within 10 days.

Environmental Review

The Proposed Actions are subject to CEQR. CEQR is a process by which agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment. The CEQR process requires City agencies to assess, disclose, and mitigate to the greatest extent practicable the significant environmental consequences of their decisions to fund, directly undertake, or approve a project. DCP, acting on behalf of the CPC, is the lead agency for the Proposed Action.

ATTACHMENT B:
EAS PART II- TECHNICAL ANALYSIS

TECHNICAL AREAS

This Environmental Assessment Statement (EAS) has been prepared in accordance with the guidance and methodologies presented in the 2020 *City Environmental Quality Review (CEQR) Technical Manual*. For each technical area, thresholds are defined, which, if met or exceeded, require that a detailed technical analysis be undertaken. Part II of the EAS Form identifies the technical areas that warrant additional assessments. The technical areas that warranted a "Yes" answer in Part II of the EAS form were: land use, zoning and public policy; socioeconomic conditions; open space; shadows; historic and cultural resources; urban design and visual resources; natural resources; hazardous materials; water and sewer infrastructure; transportation; air quality; greenhouse gas emissions; noise; public health; neighborhood character; and construction. All remaining technical areas detailed in the *CEQR Technical Manual* were not deemed to require further analysis as they do not trigger initial CEQR thresholds and are unlikely to result in significant adverse impacts, including community facilities, solid waste and sanitation services, and energy.

As detailed in Attachment A, "Project Description," the Applicant, Kent Member, LLC, seeks City Planning Commission (CPC) approval of discretionary actions through the Uniform Land Use Review Procedure (ULURP) to facilitate the development of a new 23-story commercial building at 500 Kent Avenue (Block 2023, Lot 10; the "Project Site") in the South Williamsburg neighborhood of Brooklyn Community District (CD) 2. The building would contain 593,435 gross square feet (gsf) of office space, 20,476 gsf of retail, and 196 (143,520 gsf) public parking spaces (the "Proposed Project"). The Proposed Project would also include 37,233 sf of waterfront public open space.

The Proposed Actions include: (1) a zoning map amendment that would rezone the 2.65-acre Project Site from M3-1 to M1-5; (2) a special permit pursuant to ZR 62-837 to modify various bulk requirements in sub-sections of ZR 62-341, including (i) ZR 62-341(a)(2) - initial setback distance, (ii) ZR 62-341(c)(1) - maximum base height, (iii) ZR 62-341(c)(2) - maximum building height, (iv) ZR 62-341(c)(5) - maximum width of wall facing shoreline, and (v) 62-341(a)(4)(ii) - permitted obstruction lot coverage maximum for penthouses; (3) a special permit pursuant to ZR 74-512 to allow a 324-space public parking garage; (4) a waterfront zoning authorization to permit modification of certain otherwise applicable waterfront zoning regulations. The project also requires one non-discretionary ministerial action by the City Planning Commission: a waterfront zoning certification pursuant to ZR 62-81 to demonstrate compliance with applicable waterfront zoning regulations not modified pursuant to the authorization.

A reasonable worst-case development scenario (RWCDS) has been established for the Proposed Actions for an analysis year of 2024, by when all construction would be completed. Under the RWCDS, the Proposed Project would be constructed pursuant to the Proposed Actions. Combined, under the RWCDS the Proposed Actions are expected to result in a net increase of 535,435gsf of commercial office space, 20,476 gsf of retail space, and196 off-street public parking spaces, as well as a net reduction of approximately 181,401 gsf of warehouse space and 279 off-street

accessory parking spaces. There also would be a net increase of 37,233 sf of waterfront open space.

This information was used to determine whether the potential for significant adverse impacts exists in each of the impact categories. The project increments described above and in Table A-3 of Attachment A, "Project Description," are the basis for the analysis in each technical area.

1. Land Use, Zoning, and Public Policy

Under New York City Environmental Quality Review (CEQR), a land use analysis characterizes the uses and development trends in the area that may be affected by a proposed project. The analysis also considers the project's compliance with and effect on the area's zoning and other applicable public policies. Even when there is little potential for a project to be inconsistent with or affect land use, zoning, or public policy, a description of these issues is appropriate to establish conditions and provide information for use in other technical areas. A detailed assessment of land use is appropriate if a project would result in a significant change in land use or would substantially affect regulation or policies governing land use. CEQR also requires a detailed assessment of land use conditions if a detailed assessment has been deemed appropriate for other technical areas, or in generic or area-wide zoning map amendment.

The Proposed Actions include a zoning map amendment, a height and setback special permit, public parking garage special permit, and waterfront zoning authorization to allow modification of plantings requirements. The Proposed Actions would affect regulations and policies governing land use within the Project Area. In addition, several public policies are applicable to the Project Area and surrounding area, including the Williamsburg Waterfront 197-a Plan area, Brooklyn Navy Yard IBZ, Waterfront Revitalization Program (WRP), the OneNYC plan and New York Works. Therefore, consistent with the guidelines of the *CEQR Technical Manual*, an assessment of land use, zoning, and public policy is warranted, and will be provided in the Environmental Impact Statement (EIS), as described in the Draft Scope of Work (DSOW).

2. Socioeconomic Conditions

The *CEQR Technical Manual* identifies five principal issues of concern with respect to socioeconomic conditions are whether a proposed project would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; and (5) adverse effects on specific industries. A socioeconomic assessment should be conducted if a project may reasonably be expected to create substantial socioeconomic changes in an area. This can occur if a project would directly displace a residential population, substantial numbers of businesses or employees, or eliminate a business or institution that is unusually important to the community. It can also occur if a project would bring substantial new development that is markedly different from existing uses and activities in the neighborhood, and therefore would have the potential to lead to indirect displacement of businesses or residents from the area.

The Project Site does not contain any active businesses, therefore, no businesses would be directly displaced as a result of the Proposed Actions. Therefore, the Proposed Actions would not result in significant adverse impacts on specific businesses, and no further analysis of this issue is warranted.

Likewise, the Project Site does not contain any residences. Therefore, the Proposed Actions would not have the potential to result in any direct residential displacement significant adverse impacts, and no further analysis of this issue is warranted. Furthermore, as the Proposed Actions would not introduce any new residents, it would not have the potential to result in any indirect residential displacement significant adverse impacts, per *CEQR Technical Manual* guidance.

The socioeconomic assessment with respect to indirect business and institutional displacement considers whether a proposed project could lead to increases in property values, and thus rents, making it difficult for some businesses or institutions to remain in the area. As the Proposed Actions would introduce more than 200,000 square feet (sf) of new commercial uses to the Project Site, which is the CEQR threshold for "substantial" new development, an assessment of potential socioeconomic effects due to indirect business and institutional displacement is warranted for the Proposed Actions and will be included in the EIS, as described in the DSOW.

In addition, the Proposed Actions are site-specific to the Project Site and do not include any citywide regulatory changes that would adversely affect the economic and operational conditions of certain types of businesses or processes. Therefore, the Proposed Actions would not result in significant adverse impacts on specific industries, and no further analysis of this issue is warranted.

3. Community Facilities and Services

Community facilities are public or publicly funded schools, libraries, child care centers, health care facilities, and fire and police protection services. The *CEQR Technical Manual* states that a community facilities assessment is appropriate if a project would have a direct effect on a community facility or if it would have an indirect effect by introducing new populations that would overburden existing facilities. The Proposed Actions would not introduce a residential population and would therefore not exceed *CEQR Technical Manual* thresholds requiring detailed analyses of public schools, publicly funded child care facilities, or libraries.

A detailed analysis of police and fire services and health care facilities is required if a proposed project would (a) introduce a sizeable new neighborhood where one has not previously existed, or (b) would displace or alter a hospital or public health clinic, fire protection services facility, or police station. As the Proposed Actions would not result in any of the above, no significant adverse impacts would be expected to occur, and a detailed analysis of police/fire services and health care facilities is not required.

Based on the guidance of the *CEQR Technical Manual*, an analysis of community facilities is not warranted and therefore will not be included in the EIS.

4. Open Space

An open space assessment is typically warranted if a project would directly affect an open space or if it would increase the area population by more than:

- 350 residents or 750 workers in areas classified as "well-served areas;"
- 25 residents or 125 workers in areas classified as "underserved areas;"

- 200 residents or 500 workers in areas that are not within "well-served" or "underserved areas."

Based on maps provided in the Open Space appendix of the *CEQR Technical Manual*, the Project Site is not located within an area that is either under-served or well-served by open space, and, therefore, the 200 resident or 500 worker increments are the appropriate analysis thresholds for the Proposed Actions. As shown in Table A-3 in Attachment A, "Project Description," the Proposed Actions would generate a net increment of approximately 2,022 workers. Therefore, an open space assessment for the worker population generated by the Proposed Actions is warranted, and will be provided in the EIS, as described in the DSOW.

5. Shadows

A shadow assessment is required for a proposed project that would result in a new structure(s), or addition(s) to existing structure(s) that are greater than 50 feet in height and/or adjacent to an existing sunlight-sensitive resource. As the Proposed Actions would result in increases in height of over 50 feet, the Proposed Actions have the potential to result in new shadows on nearby sunlight-sensitive resources. As such, consistent with the guidelines of the *CEQR Technical Manual*, an analysis of the Proposed Actions' potential to result in shadow impacts on sunlight sensitive resources is warranted and will be included in the EIS, as described in the DSOW.

6. Historic and Cultural Resources

Architectural Resources

A historic resources assessment is required if there is the potential to affect either archaeological or architectural resources. Impacts on historic resources are considered on those sites directly affected by a proposed project and in the area surrounding a project site. The Project Site does not encompass any designated historic architectural resources.

Based on a preliminary review, there is one designated historic resource located within the 400-foot radius of the Project Area: the State/National Register (S/NR) of Historic Places-listed Brooklyn Navy Yard, located one block south of the Project Area. As such, an analysis of the Proposed Actions' potential indirect (contextual) impacts on this designated historic resource and any others (if identified subsequently) will be provided in the EIS, as described in the DSOW.

Archaeological Resources

According to the *CEQR Technical Manual*, archaeological resources are only considered in those areas where new excavation and ground disturbance would occur, i.e., the Project Site. Development of the Proposed Project would entail excavation at depths greater than may have previously occurred on the site. Therefore, in consultation with Landmarks Preservation Commission, an archaeological resources assessment will be provided in the EIS, as described in the DSOW.

7. Urban Design and Visual Resources

An assessment of urban design is required when a project may have effects on one or more of the elements that contribute to a pedestrian's experience of public space. These elements include streets, buildings, visual resources, open spaces, natural resources, wind, and sunlight. A preliminary analysis of urban design and visual resources is considered appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following: (1) projects that permit the modification of yard, height, and setback requirements; and (2) projects that result in an increase in built floor area beyond what would be allowed "as-of-right" or in the future without the proposed project. A detailed analysis is stipulated for projects that would result in substantial alterations to the streetscape of the neighborhood by noticeably changing the scale of buildings.

The Proposed Actions would result in physical changes to the Project Site beyond the bulk and form currently permitted as-of-right. These proposed changes could affect a pedestrian's experience of public space, requiring an urban design assessment. Therefore, an assessment of urban design and visual resources will be provided in the EIS, as described in the DSOW.

8. Natural Resources

Under CEQR, a natural resource is defined as the City's biodiversity (plants, wildlife and other organisms); any aquatic or terrestrial areas capable of providing suitable habitat to sustain the life processes of plants, wildlife, and other organisms; and any areas capable of functioning in support of the ecological systems that maintain the City's environmental stability. Such resources include ground water, soils and geologic features; numerous types of natural and human-created aquatic and terrestrial habitats (including wetlands, dunes, beaches, grasslands, woodlands, landscaped areas, gardens, parks, and built structures); as well as any areas used by wildlife.

According to the *CEQR Technical Manual*, a natural resources assessment may be appropriate if a natural resource is present on or near the site of a project, and the project would, either directly or indirectly, cause a disturbance of that resource. There is a natural resource immediately adjacent to the Project Site that, given its proximity, potentially may be affected by the Proposed Actions. Therefore, an assessment of natural resources is warranted and will be provided in EIS, as described in the DSOW.

9. Hazardous Materials

The potential for significant impacts from hazardous materials can occur when: (a) hazardous materials exist on a site and (b) a project would increase pathways to their exposure; or (c) a project would introduce new activities or processes using hazardous materials, thereby increasing the risk of human or environmental exposure. An analysis should be conducted for any site with the potential to contain hazardous materials or if any future redevelopment is anticipated. Given the existing and historic industrial uses located on the Project Site and surrounding area as well as past hazardous materials remediation completed on the Project site, the EIS will include an assessment of hazardous materials, as described in the DSOW.

10. Water & Sewer Infrastructure

A preliminary analysis of a project's effects on the water supply system is warranted if a project would result in an exceptionally large demand for water (e.g., those that would use more than one million gallons per day), or would be located in an area that experiences low water pressure (e.g., Rockaway Peninsula or Coney Island). A preliminary analysis of a project's effects on wastewater or stormwater infrastructure is warranted depending on a project's proposed density, its location, and its potential to increase impervious surfaces.

As shown in **Table B-1**, based on the average daily water use rates provided in Table 13-2 of the *CEQR Technical Manual*, it is estimated that the RWCDS would use a maximum net total of approximately 168,623 gallons of water per day (gpd), or 103,684 gpd over the No-Action condition. As the Proposed Actions would not generate more than one million gpd of incremental water demand, an analysis is not warranted in accordance with CEQR, and no significant adverse impacts are anticipated. However, water demand estimates will be provided in the EIS to inform the wastewater and stormwater conveyance and treatment analysis.

Table B-1, Project Area RWCDS Water Demand and Wastewater Generation– No-Action vs. With-Action[1]

			Gallons Per Day (gpd)		
	Land Use	**GSF**	**(Domestic only) Water/ Wastewater Generation**	**(AC only) Air Conditioning**	**Total (Domestic + AC)**
No-Action	Commercial Office	58,000	5,800	9,860	15,660
	Warehouse*	181,401	18,140	30,838	48,978
		No-Action Total	**23,940**	**40,698**	**64,638**
With-Action	Commercial Office	593,435	59,344	100,844	160,227
	Retail	20,476	4,914	3,481	8,395
		With-Action Total	***664,258***	***104,365***	***168,623***
			Net Difference: No-Action vs. With-Action Condition		**103.984**

Notes:

[1]Uses *CEQR Technical Manual* water demand rates from Table 13-2 "Water Usage and Sewer Generation rates for Use in Impact Assessment"

Commercial Office: domestic- 0.24 gpd/sf and A/C- 0.17 gpd/sf;

Retail: domestic – 0.1 gpd/sf and A/C – 0.17 gpd/sf

*Warehouse- Assumes the same rate as a retail space: 0.1 gpd/sf and A/C – 0.17 gpd/sf

For wastewater and stormwater conveyance and treatment, a preliminary assessment would be needed if a project is located in a combined sewer area and would exceed the following incremental development of residential units or commercial space above the predicted No-Action scenario: (a) 1,000 residential units or 250,000 sf of commercial space or more in Manhattan; or, (b) 400 residential units or 150,000 sf of commercial space or more in the Bronx, Brooklyn, Staten Island or Queens. As the Proposed Actions would result in a net increase of more than 150,000 sf of commercial space, a preliminary assessment of wastewater and stormwater infrastructure is warranted and will be provided in the EIS, as described in the DSOW.

11. Solid Waste and Sanitation Services

A solid waste assessment is warranted if a proposed project would cause a substantial increase in solid waste production that would overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan (SWMP) or with state policy related to the City's integrated solid waste management system. Few projects have the potential to generate substantial amounts of solid waste (defined as 50 tons [100,000 pounds] per week or more), thereby resulting in a significant adverse impact. As shown in **Table B-2**, based on the average daily solid waste generation rates provided in Table 14-1 of the *CEQR Technical Manual*, it is estimated that, under the RWCDS, the Proposed Actions would result in a net decrease of approximately 10,741pounds (lbs) of solid waste per week (5.37 tons) compared to No-Action conditions, and no significant adverse impacts on solid waste and sanitation services are anticipated. Therefore, an analysis of solid waste and sanitation services is not warranted and will not be provided in the EIS.

Table B-2, Project Area RWCDS Solid Waste Generation–No-Action vs. With-Action[1]

	Use	Employees	Total Solid Waste (lbs/wk)
No-Action Condition	Office	232	3,016
	Warehouse*	181	43,440
	No-Action Total	**413**	**46,456**
With-Action Condition	Office	2,374	30,862
	Retail	61	4,853
	With Action Total	**2,360**	**35,1715**
	Net Difference: No-Action v. With Action Condition		***-10,741***

Notes:
[1] Solid waste generation is based on citywide average waste generation rates presented in Table 14-1 of the *CEQR Technical Manual* –
Office: 13 lbs/wk per employee
General retail: 79 lbs/wk per employee
*Warehouse: Assumes rate of a restaurant worker; 240 lbs/wk per employee

12. Energy

A detailed assessment of energy impacts would be limited to projects that could significantly affect the transmission or generation of energy or that generate substantial indirect consumption of energy (such as a new roadway). Although significant adverse energy impacts are not anticipated for the Proposed Actions, the EIS will disclose the projected amount of energy consumption during long-term operation resulting from the RWCDS, as this information is required for the assessment of greenhouse gas (GHG) emissions (see below). Further detail is provided in the DSOW.

Based on the rates presented in Table 15-1 of the *CEQR Technical Manual* and as shown below in **Table B-3**, it is estimated that the Proposed Actions would result in an increase in annual energy consumption of approximately 19.7 billion British Thermal Units (BTUs). This represents a very small percentage of overall consumption in New York City, and as described in the *CEQR Technical Manual*, a significant adverse impact to the energy generation, transmission, and distribution system is very unlikely, and a detailed energy analysis is not warranted and will not be provided in the EIS. The *CEQR Technical Manual* recommends that projects subject to an

assessment of greenhouse gas emissions should estimate energy consumption, and therefore, the Greenhouse Gas Emissions chapter of the EIS will disclose the projected amount of energy consumption during long-term operation resulting from the RWCDS Project Area development, as described in the DSOW.

Table B-3, Project Area RWCDS Energy Consumption – No-Action vs. With-Action Condition[1]

	Use[2]	Size (GSF)	Consumption Rates (Thousand BTU (MBTU)/sf/yr.)	Annual Energy Use (MBTUs)
No-Action	Commercial	58,000	216.3	12,545,400
	Industrial	181,401	554.3	100,550,574
			No-Action Total	***113,095,974***
With-Action	Commercial	613,911	216.3	132,788,949
			With Action Total	***132,788,949***
			Net Difference: No-Action v. With Action Condition	**19,692,975**

Notes:
[1] Consumption rates are from the *CEQR Technical Manual* Table 15-1, "Average Annual Whole-Building Energy Use in New York City"
[2] Commercial area excludes parking.

13. Transportation

An assessment of transportation will be provided in the EIS. Based on preliminary estimates, the RWCDS is expected to generate more than 50 additional vehicular trips in the weekday AM, midday, and PM peak hours, as well as the Saturday midday peak hour through one or more intersections. Therefore, detailed traffic analysis is warranted and will be provided in the EIS, as detailed in the DSOW and accompanying Preliminary Transportation Planning Factors (TPF) memo.

Based on preliminary estimates, the RWCDS is expected to generate more than 200 subway trips at one or more stations in one or more peak hours. Therefore, a detailed subway analysis is warranted and would be provided in the EIS, as detailed in the DSOW and Preliminary TPF memo. The transit analyses will focus on the weekday AM and PM commuter peak hours as it is during these periods that the overall demand on the subway and bus systems is usually highest.

Based on preliminary estimates, no one bus route is expected to experience 50 or more bus passenger trips in one direction in any peak hour. Therefore, a bus line haul analysis is not warranted per *CEQR Technical Manual* analysis criteria.

There are expected to be more than 200 action-generated pedestrian trips in all peak hours, including walk-only trips, as well as the pedestrian component associated with walking between the Project Site and other modes of travel, such as subway stations and bus stops. Although these pedestrian trips would also be dispersed throughout the surrounding area, concentrations of new pedestrian trips exceeding the 200-trip *CEQR Technical Manual* threshold may occur during one or more peak hours along corridors in the immediate vicinity of Project Site and along corridors connecting the site to area transit services. Therefore, detailed pedestrian analysis is warranted and will be provided in the EIS, as described in the DSOW.

14. Air Quality

Under CEQR, an air quality analysis determines whether a proposed project would result in stationary or mobile sources of pollutant emissions that could have a significant adverse impact on ambient air quality, and also considers the potential of existing sources of air pollution to impact the proposed uses.

The Proposed Project would result in the conditions outlined in Section 210 of Chapter 17 of the *CEQR Technical Manual*. Specifically, the Proposed Project would introduce a new parking facility in proximity to new sensitive uses. In addition, if the Proposed Actions would generate or divert 170 or more peak hour auto trips through an intersection, or exceed other screening thresholds related to vehicle trips specified in Section 210, detailed air quality mobile source analyses will be provided, as described in the DSOW.

In addition, the Proposed Actions would result in the conditions outlined in Section 220 in Chapter 17. Specifically, the RWCDS Project Area buildings would use fossil fuels for heat and hot water systems. Therefore, consistent with the guidelines of the *CEQR Technical Manual*, as warranted an assessment of stationary air quality sources, including the effects of building boilers on neighboring buildings and the effects of existing emissions sources on the Proposed Project will be provided in the EIS, as detailed in the DSOW.

15. Greenhouse Gas Emissions and Climate Change

While the need for a greenhouse gas (GHG) emissions assessment is highly dependent on the nature of the project and its potential impacts, the GHG consistency assessment currently focuses on city capital projects, projects proposing power generation or a fundamental change to the City's solid waste management system, and projects being reviewed in an EIS that would result in development of 350,000 sf or more (or smaller projects that would result in the construction of a building that is particularly energy-intense, such as a data processing center or health care facility). The development associated with the Proposed Actions would exceed 350,000 sf, and, therefore, a GHG assessment will be provided in the EIS, as discussed in the DSOW. As a GHG emissions analysis will be provided in the EIS, the RWCDS energy consumption will be calculated and provided in the EIS, as described in the DSOW.

Depending on a project's sensitivity, location, and useful life, it may be appropriate to provide a qualitative discussion of the potential effects of climate change on a proposed project in environmental review. Rising sea levels and increases in storm surge and coastal flooding are the most immediate threats in New York City for which site-specific conditions can be assessed, and an analysis of climate change may be deemed warranted for projects at sites located within the 100- or 500-year flood zone (also known as the 1 percent and 0.5 percent annual chance floodplains, respectively). Per the Preliminary Flood Insurance Rate Maps for New York City dated 1/30/2015, which are issued by the Federal Emergency Management Agency (FEMA) and considered the best available flood hazard data, the Project Site is partly located within the 100-year floodplain by the 2050s the coverage of the 100-year floodplain will increase Therefore, an assessment of climate change is warranted and will be included in the EIS.

16. Noise

A noise analysis is appropriate if a project would generate any mobile or stationary sources of noise or would be located in an area with high ambient noise levels. Specifically, an analysis would be required if a project generates or reroutes vehicular traffic, if a project is located near a heavily trafficked thoroughfare, or if a project would be within one mile of an existing flight path or within 1,500 feet of existing rail activity (and with a direct line of sight to that rail facility). A noise assessment would also be appropriate if the project would result in a playground or would cause a stationary source to be operating within 1,500 feet of a receptor (with a direct line of sight to that receptor), or if the project would include unenclosed mechanical equipment for manufacturing or building ventilation purposes, or if the project would be located in an area with high ambient noise levels resulting from stationary sources.

A noise analysis will be included in the EIS. Building attenuation required to provide acceptable interior noise levels for the Project Site will also be examined and discussed in the EIS, as described in the DSOW.

17. Public Health

Public health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Many public health concerns are closely related to air quality, hazardous materials, construction, and natural resources. For most projects, a public health analysis is not necessary. Where no significant unmitigated adverse impact is found in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, no public health analysis is warranted. If, however, an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, the lead agency may determine that a public health assessment is warranted for that specific technical area.

As none of the relevant analyses have yet been completed, the potential for an impact in these analysis areas, and thus potentially to public health, cannot be ruled out at this time. Should the technical analyses conducted for the EIS indicate that significant unmitigated adverse impacts would occur in the areas of air quality, water quality, hazardous materials, or noise, then an assessment of public health will be provided in the EIS, as described in the DSOW.

18. Neighborhood Character

A neighborhood character assessment considers how elements in the environment combine to create the context and feeling of a neighborhood and how a project may affect that context and feeling. To determine a project's effects on neighborhood character, a neighborhood's contributing elements are considered together.

An assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in the areas of land use, socioeconomic conditions, open space, urban design and visual resources, historic and cultural resources, transportation, and noise, or when the project may have moderate effects on several of these elements that define a neighborhood's character. The Proposed Actions are expected to affect one or more of the constituent elements of the surrounding area's neighborhood character, including land use patterns,

urban design, and levels of traffic and noise. Therefore, an analysis of the Proposed Actions' effects on neighborhood character will be provided in the EIS, as described in the DSOW.

19. Construction

Construction impacts, although temporary, can include disruptive and noticeable effects of a project. Determination of their significance and need for mitigation is generally based on the duration and magnitude of the impacts. Construction impacts are considered when construction activity could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise levels, and air quality conditions. In addition, because soils are disturbed during construction, any project proposed for a site that has been found to have the potential to contain hazardous materials should also consider the possible construction impacts that could result from contamination.

A preliminary construction assessment is typically warranted for construction activities (a) lasting longer than two years; (b) located along an arterial highway or major thoroughfare; (c) involving the closing, narrowing, or otherwise impeding of traffic, transit, or pedestrian elements; (d) involving multiple buildings; (e) involving the operation of several pieces of diesel equipment in a single location; (f) resulting in the closure or disruption of a community facility service; (g) located within 400 feet of a historic or cultural resource; (h) disturbing a site containing or adjacent to a natural resource; and/or (i) occurring on multiple sites in the same geographic area. The Project Site is located adjacent to Wallabout Channel, a natural resource. Construction of the proposed building and public open space would occur upland from this waterbody and the Proposed Project would not include any in-water disturbance, excavation, filling, or any other activities beyond the existing bulkhead or shoreline except for any repairs required or necessary to maintain the integrity of the bulkhead, subject to permitting processes. As construction of the Proposed Project could involve one of the aforementioned conditions, a preliminary construction analysis will be undertaken in the EIS. The preliminary assessment will evaluate the duration and severity of the disruption or inconvenience to nearby sensitive receptors (see DSOW).