DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

January 17, 2020

307 Kent Associates c/o Lisa Lau
440 Park Avenue South, 7th Floor
New York, NY, 10016

Re: 307 Kent Avenue
CEQR No. 20DCP100K
ULURP No(s). Pending
Brooklyn, Community District BK01

Dear Ms. Lau:

Under City Environmental Quality Review, it is required that if the lead agency determines that proposed actions may have significant effect on the environment, it shall issue a Positive Declaration and request that the applicant prepare a Draft Environmental Impact Statement.

Based upon review, the Department of City Planning, acting on behalf of the City Planning Commission as CEQR lead agency, has found that the proposed actions fall within this category and that an Environmental Impact Statement (EIS) will be required. Accordingly, enclosed is the Positive Declaration for CEQR No. 20DCP100K, 307 Kent Avenue.

A public scoping meeting has been scheduled for Thursday, February 13, 2020 and will be held at the New York City Department of City Planning Commission Hearing Room, 120 Broadway, Concourse Level, New York, New York, 10271. The public meeting will be starting at 2:00 pm. Written comments will be accepted by the lead agency through Monday, February 24, 2020.

Enclosed are the Environmental Assessment Statement, Positive Declaration, Draft Scope of Work, and Public Notice of a Scoping Meeting.

If you have any questions regarding this application, please contact the Project Manager, Rupsha Ghosh, at (212) 720-3250.

Sincerely,

Stephanie Shellooe, AICP

cc:

Marisa Lago, Chair
City Planning Commission
Hon. Eric L. Adams, Brooklyn
Borough President
Dealice Fuller, Chair, Brooklyn,
Community District 1
Raju Mann, City Council
Anita Laremont
Susan Amron
Winston Von Engel
Alex Sommer
Kerensa Wood
Alexandra Paty Diaz
Olga Abinader
Susan Wong

Olga Abinader, *Director*
Stephanie Shellooe, AICP, *Deputy Director*
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DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

January 10, 2020

POSITIVE DECLARATION

Project Identification
307 Kent Avenue
CEQR No. 20DCP100K
ULURP Nos. Pending
SEQRA Classification: Unlisted

Lead Agency
City Planning Commission
120 Broadway
New York, NY 10271
Contact: Olga Abinader
(212) 720-3493

Name, Description and Location of Proposal:

307 Kent Avenue
The Applicant, 307 Kent Associates, is seeking City Planning Commission approval of a zoning map amendment of the western half of a block (Block 2415, Lots 1, 6, 10, 7501, 7502, and p/o 16 and 38) bounded by Kent Avenue, South 2nd Street, Wythe Avenue, and South 3rd Street in the Williamsburg neighborhood of Brooklyn, Community District 1 (the "Project Area") from M3-1 to M1-5 and MX-8 (M1-4/R6A). A zoning text amendment to amend Appendix F of the Zoning Resolution (ZR) to establish Mandatory Inclusionary Housing (MIH) Area is also proposed for the portion of the Project Area proposed as MX-8 (M1-4/R6A) (together, the "Proposed Actions"). The Proposed Actions would facilitate the development of a nine-story commercial and community facility building with approximately 101,000 gross square feet (gsf) on Block 2415, Lot 1 (the "Projected Development Site 1"), comprised of 70,000 gsf of office uses, 22,000 gsf of community facility uses, and 9,000 gsf of retail uses.

The Applicant seeks the following discretionary actions to facilitate the Proposed Project:

- **Zoning Map Amendment**
  The proposed zoning map amendment would change a portion of the Project Area within 120 feet of Kent Avenue (Block 2415, Lots 1, 10, and p/o 6, 7501, and 7502) from M3-1 to M1-5. In addition, the remainder of the Project Area (Block 2415, p/o Lots 6, 16, 38, 7501, 7502) would be rezoned from M3-1 to MX-8 (M1-4/R6A). The proposed M1-5 zoning district increases the permitted floor area ratio (FAR) from 2.0 to 5.0 for commercial and manufacturing uses (and up to 6.5 FAR for community facility uses). The proposed MX-8 (M1-4/R6A) zoning district would permit 2.0 FAR for commercial and manufacturing and 3.0 FAR for residential and community facility.

- **Zoning Text Amendment**
  The proposed zoning text amendment to Map 2 within Appendix F of the ZR would establish a MIH area on a portion of the Project Area proposed to be rezoned to MX-8 (M1-4/R6A).

The Project Area, located within an M3-1 zoning district, includes a mix of single- and multi-story residential, commercial, retail, and warehouse uses. Lot 1, the Development Site, is currently occupied by a single-story warehouse with a mezzanine. Lot 6 is occupied by a single-story warehouse. Lot 10 is occupied by a single-story commercial building containing a restaurant and Lots 7501 and 7502 are occupied by two four-story residential condominium buildings. Lot 16 currently contains a private accessory parking lot associated with an adjacent daycare use at 56 South 2nd Street, while Lot 38 contains a four-story residential walkup with ground floor retail.

Absent the Proposed Actions, the existing M3-1 zoning would remain and no new development is anticipated to occur within the Project Area.

For the purposes of a conservative analysis, it is assumed that the Projected Development Site 1 would be redeveloped with a nine-story mixed use building with approximately 101,000 gsf, including approximately 47,000 gsf of light industrial use, 23,000 gsf of office use, 22,000 gsf of community facility use, and 9,000 gsf of retail use.

The Proposed Actions would also facilitate the development of a nine-story commercial and community facility building with approximately 80,500 gsf on Block 2415, Lot 6 (the "Projected Development Site 2") including 55,000 gsf of office uses, 17,500 gsf of community facility uses, and 8,000 gsf of retail uses.

The analysis year for the Proposed Actions is 2022.

Statement of Significant Effect:
On behalf of the City Planning Commission (CPC), the Department of City Planning has determined, pursuant to 6 NYCRR Part 617.7, that the Proposed Actions may have a significant adverse effect on the environment as detailed in the following areas, and that an environmental impact statement will be required:

> The Proposed Actions may result in significant adverse impacts related to: land use, zoning, and public policy; hazardous materials; transportation; air quality; noise; public health; and neighborhood character.
>
> The Proposed Actions would not result in significant adverse impacts related to socioeconomic conditions; community facilities; open space; shadows; historic and cultural resources; urban design and visual resources; natural resources; water and sewer infrastructure; solid waste and sanitation services; energy; greenhouse gas emissions and climate change; and construction.

Supporting Statement:

The above determination is based on an Environmental Assessment Statement prepared for the Proposed Actions which finds that:

1. The Proposed Actions would affect the land use and change the zoning within the Project Area. The applicant is requesting a zoning map amendment from M3-1 to an M1-5 and MX-8 (M1-4/R6A) and a zoning text amendment to establish a new MIH area in Appendix F of the ZR conterminous with the area to be rezoned as MX-8 (M1-4/R6A). The Proposed Actions may substantially affect land use regulations or policies controlling land use. Additionally, the Project Area is within the Coastal Zone and review of consistency with the City's Waterfront Revitalization Program (WRP) policies is necessary to determine if the Proposed Actions will or will not substantially hinder the achievement of any WRP policy. The Proposed Actions have the potential to result in significant adverse impacts related to land use, zoning, and public policy.

2. The Proposed Actions do not have the potential to result in significant adverse impacts related

to direct or indirect displacement or impacts to a specific industry and would not exceed any of the analysis thresholds specified in the CEQR Technical Manual. Therefore, the Proposed Actions do not have the potential to result in significant adverse impacts related to socioeconomic conditions.

3. The Proposed Actions would not directly affect any community facility. Additionally, the Proposed Actions would not exceed any threshold warranting additional analysis for indirect effects to community facilities and services. Therefore, the Proposed Actions would not result in significant adverse impacts to community facilities and services.

4. The Proposed Actions would not result in direct or indirect effects on open space resources in the vicinity of the Project Area as identified in the CEQR Technical Manual. Therefore, the Proposed Actions do not have the potential to result in significant adverse impacts related to open space.

5. The Proposed Actions would result in incremental shadows to three sunlight-sensitive resources. However, due to the limited extent and duration of the project generated shadows, the Proposed Actions would not result in significant adverse impacts related to shadows.

6. The Proposed Actions are anticipated to affect architectural and archaeological resources within the vicinity of the Project Area. However, with the preparation and implementation of the Construction Protection Plan, the Proposed Actions would not result in significant adverse impacts to historic and cultural resources.

7. The Proposed Actions would introduce new building height and built-form not currently allowed by zoning. However, the proposed buildings would be consistent with the surrounding context and would not negatively affect the pedestrian experience. Therefore, the Proposed Actions would not result in significant adverse impacts related to urban design and visual resources.

8. The Proposed Actions would result in development in an area with no significant natural resources and the project area is located within a fully developed urban area, consisting of paved lots. Therefore, the Proposed Actions would not result in significant adverse impacts related to natural resources.

9. The Proposed Actions have the potential to result in an increase in pathways to human or environmental exposure to hazardous materials. Therefore, the Proposed Actions have the potential to result in significant adverse impacts related to hazardous materials.

10. The Proposed Actions would introduce new commercial, industrial, and community facility density in a combined sewer area. However, the Proposed Actions would not generate more than one-million gallons per day of incremental water demand and would meet sewer infrastructure demands. Therefore, the Proposed Actions do not have the potential to result in significant adverse impacts related to water and sewer infrastructure.

11. The Proposed Actions would not result in a substantial increase in solid waste production that would overburden available waste management capacity and would not result in solid waste generation greater than the threshold of 50 tons per week. Therefore, the Proposed Actions would not result in significant adverse impacts related to solid waste and sanitation services.

12. The Proposed Actions would not significantly affect the transmission or generation of energy or generate substantial consumption of energy. Therefore, the Proposed Actions would not result in significant adverse impacts related energy.

13. The Proposed Actions would generate additional vehicular, pedestrian, and transit volumes and an increase demand for parking. These new trips have the potential to affect the area's transportation systems. Therefore, the Proposed Actions have the potential to result in significant adverse impacts related to transportation.

14. The Proposed Actions would have the potential to increase or cause a redistribution of traffic, add new uses near mobile sources of pollutants, create new stationary sources of pollutants, and introduce new emissions stacks so that changes in the dispersion of emissions from the stacks may affect surrounding uses. Therefore, the Proposed Actions have the potential to result in significant adverse impacts related to air quality.

15. The Proposed Actions would not result in development that would affect the City's greenhouse gases reduction goal. Therefore, the Proposed Actions do not have the potential to result in significant adverse impacts related to greenhouse gas emissions and climate change.

16. The Proposed Actions would generate mobile sources of noise and be in an area with existing high ambient noise levels. Therefore, the Proposed Actions have the potential to result in significant adverse impacts related to noise.

17. The Proposed Actions have the potential to result in unmitigated significant adverse impacts related to air quality or hazardous materials, noise. Therefore, the Proposed Actions could have the potential to result in significant adverse impacts related to public health.

18. The Proposed Actions have the potential to result in significant adverse impacts in the constituent technical areas related to neighborhood character or in moderate effects to several elements that define neighborhood character. Therefore, the Proposed Actions have the potential to result in significant adverse impacts related to neighborhood character.

19. The Proposed Actions have the potential to result in short-term construction. However, the limited severity and duration of the construction effects and with the implementation of regulatory construction measures, the Proposed Actions do not have the potential to result in significant adverse impacts related to construction.

Public Scoping:

The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting will be held on Thursday, February 13, 2020 at 2:00 PM at the New York City Department of City Planning Commission Hearing Room, 120 Broadway, Concourse Level, New York, New York, 10271. Written comments will be accepted by the lead agency through Monday, February 24, 2020.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Should you have any questions pertaining to this Positive Declaration, you may contact the Project Manager, Rupsha Ghosh, at (212) 720-3250.

Olga Abinader, Director
Environmental Assessment & Review Division
New York City Department of City Planning

1/10/2020
Date