



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

NEGATIVE DECLARATION

Project Identification

CEQR No. 16DCP167K
ULURP No. 160282ZRK
SEQRA Classification: Unlisted

Lead Agency

City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

13-15 Greenpoint Avenue

The Applicant, Kent/Greenpoint LLC, is seeking a Zoning Text Amendment to Zoning Resolution (ZR) Section 62-35 (Special Bulk Regulations in Certain Areas within Community District 1, Brooklyn) to modify height, setback, and rear yard regulations, and rooftop landscaping requirements governing Parcel 12(b) on Waterfront Access Plan BK-1 (Block 2556, Lots 45 and 46, the "Project Site" or "13-15 Greenpoint Avenue"). The Zoning Text Amendment would permit a proposal by the Applicant to reorient and reconfigure the building envelope of a proposed 11-story mixed-use development on the Project Site that is otherwise permitted on an as-of-right basis per floor area ratio and use provisions of the Zoning Resolution. The proposed development would total approximately 86,300 gross square feet (gsf), including 72,570 gsf of residential floor area (77 dwelling units, of which 23 units are income-restricted), 4,700 gsf of commercial floor area, and 9,030 gsf of accessory parking (36 accessory parking spaces). In connection with the proposed development, the Applicant anticipates transferring up to 5,700 zoning square feet (zsf) of floor area from up to four of five adjacent parcels on Block 2556 (Lots, 48, 49, 50, 51, and 52, collectively the "Air Rights Parcels"). The Project Site, which is adjacent to WNYC Transmitter Park ("Transmitter Park"), is located on the block bounded by Kent Street, West Street, Greenpoint Avenue and the East River, in the Greenpoint neighborhood of Brooklyn, Community District 1.

The Project Site is currently occupied with five manufacturing buildings containing approximately 23,425 gsf of warehouse (Use Group 18) and related accessory use. In 2005, the City Planning Commission and City Council adopted the Greenpoint-Williamsburg Rezoning (CEQR No. 04DCP003K, the "2005 Rezoning"), covering a 183-block area that includes the Project Site. The 2005 Rezoning included zoning map amendments to permit residential uses along the Greenpoint-Williamsburg waterfront, residential and mixed use on most of the upland rezoning area, and other zoning map amendments. The Project Site, previously situated within a M3-1 zoning district prior to the 2005 Rezoning, is currently zoned R6 and R6/C2-4, and is included within an Inclusionary Housing Designated Area ("IHDA"). R6 districts allow 2.43 FAR of residential (Use Group 1 and 2) and community facility use (Use Group 3 and 4), while C2-4

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overlays permit up to 2.0 FAR of floor area for a variety of local commercial retail and service uses (Use Groups 5-9 and 14).

The Project Site is governed by New York City Zoning Resolution height, setback and rear yard provisions. Since the Project Site is a "through lot" (e.g. any lot adjoining two street lines opposite to each other) with a depth greater than 180 feet from street to street, a 60-foot "rear yard equivalent" (e.g. an open area on a through lot) is required per ZR Section 23-532 (Required Rear Yard Equivalents). Subject to ZR Section 23-861 (General Provisions), development on the Project Site may not locate "legally required windows" within 30 feet from any "side lot line" (e.g. any lot line which is not a front lot line or a rear lot line). The Project Site shares a side lot line with Transmitter Park and therefore may not include legally required windows within 30 feet from the park. The Project Site is also subject to special regulations governing the Waterfront Access Plan BK-1. Per ZR Section 62-354(h), a building on the Project Site must locate at least 70 percent of the width of its "street wall" (e.g. a wall or portion of a wall of a building facing a street) within 8 feet of the "street line" (e.g. a lot line separating a street from other land). The street wall must reach at least 30 feet in height. Additionally, per ZR Sections 62-354(g) (Special Height and Setback Regulations) any roof of a facility containing off-street parking spaces on the Project Site, not otherwise covered by a building, is required to be landscaped.

The proposed text amendment to ZR Section 62-35 would modify applicable bulk regulations with respect to the Project Site, primarily to allow the massing of the proposed development to be oriented towards Transmitter Park. The proposed text amendment would redefine the side lot line separating the Project Site from the park as a street line (the "Park Street Line"), creating a condition where a rear yard would not be required. Since the side lot line separating the Project Site from the park would constitute a street line under the proposed text amendment, legally required windows would be permitted within 30 feet of the Park Street Line. The proposed zoning text amendment would also waive landscaping requirements applicable to the roof of the proposed parking facility, permitting additional parking on the 1-story roof of the proposed building. Under the proposed action, the Project Site would be subject to a setback of at least 8 feet from the Park Street Line. A building on the Project Site would be required to locate at least 90 percent of the width of its street wall within 8 feet of the street line fronting Kent Street. The street wall would be required to have a minimum height of 30 feet.

Absent the proposed action, it is expected that Applicant would proceed with the transfer of 5,700 zsf of floor area from the Air Rights Parcels and develop the Project Site with a 88,520 gsf mixed-use building containing 71,550 gsf of residential floor area (76 dwelling units, of which 23 units are income-restricted), 4,200 gsf of commercial floor area, and 12,500 gsf of off-street accessory parking (35 accessory parking spaces). This development, which would be allowed on as-of-right basis, would comply with existing height setback and rear yard regulations, and rooftop landscaping provisions under the Zoning Resolution.

The analysis year for the proposed project is 2019.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated November 23, 2016, prepared in connection with the ULURP Application (No. 160282ZRK). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.


Supporting Statement:

The above determination is based on an environmental assessment which finds that:

1. An existing (E) Designation for hazardous materials and noise (E-138), assigned as part of the Greenpoint-Williamsburg Rezoning (CEQR No. 04DCP003K) will continue to apply. No significant adverse impacts related to hazardous materials and noise are expected to result from the proposed action.
2. No other significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Christopher Lee at (212) 720-3429.



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

Date: November 23, 2016

Carl Weisbrod, Chairman
City Planning Commission

Date: November 28, 2016