



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007

POSITIVE DECLARATION

NOTICE OF INTENT TO PREPARE A DRAFT ENVIRONMENTAL IMPACT STATEMENT

<u>PROJECT:</u> Admirals Row Plaza Block 2023, Lot 50 Community District 2 Borough of Brooklyn CEQR: 11DME001K	<u>LEAD AGENCY:</u> Office of the Deputy Mayor for Economic Development 253 Broadway—14th Floor New York, NY 10007
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DATE ISSUED: November 12, 2010

TYPE OF ACTION: Type I

NAME, LOCATION, AND DESCRIPTION OF PROPOSAL:

Admirals Row Plaza
Community District 2, Borough of Brooklyn

The Brooklyn Navy Yard Development Corporation (BNYDC) is proposing a mixed-use development project called Admirals Row Plaza (the “proposed project”) on a 6.07-acre site at the corner of Navy Street and Flushing Avenue in the Borough of Brooklyn, Block 2023, Lot 50 (see Figure 1). A principal objective of the proposed project is the siting of a full-service supermarket to serve neighborhood residents, in an area that is underserved by grocery stores carrying fresh food. BNYDC also seeks to further its core mission of providing light industrial space for small businesses. The project would also provide for the renovation or reconstruction and adaptive reuse of two historic structures.

The proposed project, which is expected to be constructed and operational by 2014, would be developed by BNYDC’s developer partner, PA Developers. It would contain approximately 270,000 total square feet of development, including a supermarket of approximately 60,000 square feet, approximately 76,000 square feet of retail ranging from small local stores to destination retailers, approximately 7,000 square feet of community facility/non-profit office space, approximately 126,000 square feet of light industrial space, and approximately 1,000 square feet of enclosed bicycle parking space. In addition, approximately 300 accessory parking spaces would be provided in a surface lot. The on grade parking, accessed from both Flushing Avenue and Navy Street, will be provided on the project site for the retail and community facility/non-profit office uses. The light industrial space would be developed above the supermarket and would have a separate entrance from inside the Brooklyn Navy Yard industrial park, which borders the project site. Parking for the light industrial space would be provided in existing parking areas inside the industrial park. Accessory signage for the proposed uses would be developed within the parameters generally allowed for M1 zoning districts. Development would incorporate both new construction and

renovation or reconstruction of two existing historic structures, known as Building B and the Timber Shed (see Figure 2). In total, three new buildings would be developed, ranging in height from approximately 32 to 92 feet (see Figure 3). The new development would be compliant with New York City Local Law 86 of 2005 and would be designed to meet the standards for LEED Silver Certification by the U.S. Green Building Council. Work on the two existing historic structures would meet the Secretary of the Interior's Standards for the Treatment of Historic Properties. The proposed project would result in the demolition of the remainder of the existing structures located on the project site.

The project site is currently owned and controlled by the United States Department of the Army–The National Guard Bureau (NGB), which proposes to sell it to the City of New York in accordance with Congressional authorization under Public Law 100-202. The City would in turn lease the site to BNYDC to facilitate the proposed project. Beginning in 2007, the NGB has led a National Historic Preservation Act Section 106 process in anticipation of disposition of the project site.¹

PROPOSED ACTIONS

The proposed project would require several City approvals. Some of these are discretionary actions requiring review under the City Environmental Quality Review (CEQR) process; others are ministerial and do not require environmental review. The discretionary actions required for the proposed project include:

- Acquisition of Admirals Row by the City of New York from the federal government;
- Lease of Admirals Row from the City of New York to BNYDC with approval of the Mayor and the Brooklyn Borough Board pursuant to City Charter Section 384(b)(4);
- Rezoning of the site from an M1-2 zoning district to an M1-4 zoning district (see Figure 4);
- Special Permit from the City Planning Commission (CPC) pursuant to ZR Section 74-922 to allow, in an M1 zoning district, up to three stores in excess of 10,000 square feet per establishment, including a food store and department store;
- Special permit from CPC pursuant to ZR Section 74-74, for a General Large-Scale Development (GLSD);
- Special permit from CPC pursuant to ZR Section 74-744, for modification of signage restrictions within a GLSD; and
- Special permit from CPC pursuant to ZR Section 74-53, for modification of the permitted size of an accessory group parking facility for a GLSD.

Disposition of the project site by the NGB to the City of New York is subject to separate review under the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act of 1966 (NHPA), as implemented by Federal regulations appearing at 36 Code of Federal Regulations (CFR) Part 800.

STATEMENT OF SIGNIFICANT EFFECT:

In accordance with Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York (CEQR), the Office of the Deputy Mayor for Economic Development, lead agency for the referenced project, has reviewed information regarding the proposed actions contained in an Environmental Assessment Statement (EAS), dated November 12, 2010 pursuant to Article 8 of the New York State Environmental Conservation Law and 6 NYCRR, Part 617, and has determined that the proposed actions

¹ The NGB has recently indicated to the Section 106 consulting parties that the future of the Timber Shed remains under discussion.

may have a significant effect on the quality of the human environment. Accordingly, an Environmental Impact Statement (EIS) is required to evaluate and disclose the extent to which impacts may occur. The actions, as proposed, have the potential to result in significant adverse impacts related to the following technical areas, and therefore, will be studied in more detail in an EIS:

- 1) Land Use, Zoning, and Public Policy
- 2) Open Space
- 3) Shadows
- 4) Historic Resources
- 5) Natural Resources
- 6) Hazardous Materials
- 7) Water and Sewer Infrastructure
- 8) Transportation
- 9) Air quality
- 10) Noise
- 11) Neighborhood character
- 12) Construction Impacts

Statement in Support of Determination:

The above determination is based on a review of the EAS prepared for the action that finds that:

- 1) The proposed project would require a rezoning as well as several zoning special permits, and the project site is within the City's Waterfront Revitalization Program (WRP) boundaries. Based on the WRP Consistency assessment, the project has the potential to effect WRP Policies 1.1, 4.2, 4.3, 5.2, 6, 7.2, 8, 9.1, and 10. Potential effects on land use and land use trends, zoning, and public policy will be further examined as well.
- 2) The proposed project would result in at least one building taller than 50 feet, and the project site is adjacent to a publicly-accessible park, the Commodore John Barry Park. The project also involves and would be adjacent to historic resources. Therefore, the project's potential to cast shadows on sensitive resources will be further examined.
- 3) According to the New York State Department of Environmental Conservation (correspondence dated September 17, 2010), the New York Natural Heritage Program has no records of rare or state-listed animals or plants, significant natural communities, or other significant habitats on or in the immediate vicinity of the project site. However, the combination and size of the vegetative communities on the project site, which include numerous food sources for wildlife, provide habitat for species commonly found in urban areas, along with migratory birds. Several species of migrating warblers were observed during a recent site visit. It is likely that the project site would also host migratory bird species returning to their nesting grounds in the spring. Therefore, a full characterization of the natural resources present on the site, the potential effects caused by the proposed project, and a discussion of the potential preservation of mature trees along the site's Flushing Avenue frontage, will be provided in the EIS.
- 4) Some hazardous materials remediation activities are currently being undertaken on the project site by the federal government, independent of the proposed project. The level of health and safety and investigative/remedial measures that would need to precede or govern demolition, renovation, and soil disturbance activities on the project site would be dependent on the results of those activities, which are not known at this time. Therefore, the EIS will summarize the results of the hazardous materials studies and testing that have been and are being prepared for the project site, and will describe the measures required to be implemented prior to or during

construction of the proposed project to avoid significant impacts, such as implementation of a Remedial Action Plan and Construction Health and Safety Plan.

- 5) A preliminary assessment of water and sewer infrastructure is being conducted to determine the potential for the project to significantly impact the study area's water and sewer infrastructure, and will be presented in the EIS. Based on the conclusions of the preliminary sewer infrastructure assessment and a determination from the New York City Department of Environmental Protection, a more detailed infrastructure analysis may be required.
- 6) The proposed project would result in approximately 270,000 square feet of development, and could have significant impacts related to traffic, parking, bus service, and pedestrians. Therefore, a detailed transportation analysis will be undertaken.
- 7) The project site has been determined eligible for listing on the State and National Registers of Historic Places as a historic district. Archaeological studies, including a Phase 1A Documentary Study and Phase 1B field investigations, have been undertaken by the NGB to assess the site's archaeological sensitivity and potential significance. Based on the results of the Phase 1A and Phase 1B investigations, the NGB has determined that further archaeological study of the site, in the form of archaeological monitoring and further investigations of the front and rear of the residences, is required. In addition, it is anticipated that a number of the historic properties would be demolished, and thus the proposed project could potentially affect historic resources.
- 8) Due in part to the number of vehicular trips anticipated to be generated by the proposed project, the surface parking facility, the use of fossil fuels for heat and hot water systems, and the addition of community uses within 400 feet of manufacturing uses, the proposed project has the potential to result in significant mobile and stationary source air quality and noise impacts, warranting further analyses.
- 9) Given the level of trips generated by the project and the potential for impacts related to transportation and noise and the potential for an impact in these and other analysis areas, the proposed project could result in significant impacts to neighborhood character, warranting detailed analyses.
- 10) Based on the screening assessments outlined in the *CEQR Technical Manual*, the following environmental areas would not require detailed analysis: socioeconomic conditions, community facilities, urban design and visual resources, solid waste, energy, and greenhouse gas emissions.

Accordingly, the Office of the Deputy Mayor for Economic Development directs that a Draft Environmental Impact Statement be prepared in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-09 of Executive Order No. 91 of 1977, as amended.

Public Scoping:

Public Scoping is a process whereby the public is invited to comment on the proposed scope of analysis planned for the Draft EIS. A Draft Scope of Work has been prepared outlining the study areas and analysis methodologies proposed for use in the Draft EIS.

The Public Scoping meeting will be held on Tuesday, December 14, 2010 at 6:00 PM at Brooklyn Borough Hall, 209 Joralemon Street, 2nd Floor, Brooklyn, New York. A copy of the EAS, Positive Declaration, and Draft Scope of Work for the project may be obtained by any member of the public from:

Mayor's Office of Environmental Coordination
253 Broadway – 14th Floor
New York, New York 10007
(212) 788-9956

A copy of these documents may also be downloaded from: www.brooklynnavyyard.com or www.nyc.gov/oec.

Requests for additional information may be directed to:

Brooklyn Navy Yard Development Corporation
Attn: Shani Leibowitz, VP, Director of Development & Planning
63 Flushing Avenue, Unit 300 - Bldg. 292, 3rd Floor
Brooklyn, New York 11205
Email: sleibowitz@brooklynnavyyard.com

Written comments on the Draft Scope of Work will be accepted until 5:00 PM on Wednesday, January 5, 2010, and may be submitted at the public scoping meeting or to Ms. Shani Leibowitz at the above address.

The Positive Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law.



Robert R. Kulikowski, Ph.D.
Assistant to the Mayor

November 12, 2010
Date