A. INTRODUCTION

This section considers the potential for the proposed project to result in significant adverse impacts to land use, zoning, and public policy at the Brooklyn Site. Under the guidelines of the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, this analysis evaluates the uses and development trends in the area that may be affected by the proposed project and determines whether the proposed project is compatible with those conditions or may otherwise affect them. The analysis also considers the proposed project's compatibility with zoning regulations and other applicable public policies.

As described in Chapter 1, "Project Description," with the proposed project, the City would establish a system of four new modern borough-based detention facilities to house a total population of 5,000 people. One facility will be located in each of the Bronx, Brooklyn, Manhattan, and Queens. The proposed project would facilitate the relocation of the detained people from Rikers Island to each of the new facilities and the closure of the jails on Rikers Island. At the Brooklyn Site at 275 Atlantic Avenue, the proposed project would redevelop the existing detention facility with a new detention facility containing approximately 1,190,000 gsf, including support space, community facility and/or retail space, and approximately 292 accessory parking spaces.

To facilitate the overall proposed project, a zoning text amendment is required to create a special permit that will govern permitted use, bulk, density, including floor area ratio, parking, and loading for borough jail facilities. The proposed project at the Brooklyn Site would require approval of the special permit (created by the zoning text amendment) to modify zoning requirements for bulk including floor area and height and setback, as well as for parking and loading. In addition, the Brooklyn Site would require approval of a city map change to demap above- and below-grade volumes of State Street between Boerum Place and Smith Street; and, as Site Selection approval is required for all sites. Collectively, the zoning text amendment, special permit, City Map Change, and Site Selection approval comprise the "proposed actions."

PRINCIPAL CONCLUSIONS

The analysis presented in this chapter concludes that the proposed project would not have the potential to result in significant adverse impacts to land use, zoning, or public policy. The proposed project would introduce a new, larger detention facility to the project site than would exist in the No Action condition. The proposed project would be supportive of and compatible with existing institutional civic uses to the north, especially the Kings County Criminal Court, immediately to the north of the project site. In addition, the scale and density of the proposed project would be in keeping with the high density commercial and residential uses throughout the northern portion of the study area and Downtown Brooklyn. In addition, the special permit would apply only to the detention facility on the project site and would not adversely affect zoning within the study area.

The proposed project would also be supportive of public policies, including the goals of *Smaller, Safer, Fairer*.

B. METHODOLOGY

Following the guidance of the *City Environmental Quality Review (CEQR) Technical Manual*, this analysis of land use, zoning, and public policy examines the area within ¼ mile of the Brooklyn Site at 275 Atlantic Avenue, which is the area within which the proposed project could reasonably be expected to cause potential effects. The land use study area is generally bounded by Columbus Park to the north, Warren Street to the south, Clinton Street to the west, and Bond Street to the east (see **Figure 3.1-1**). The project site and the northern portion of the study area are within Community District (CD) 2, while the remaining southern portion of the study area is within CD 6.

The analysis begins by considering existing conditions in the study area in terms of land use, zoning, and public policy. The analysis then considers land use, zoning, and public policy in the No Action condition in the 2027 build year by identifying developments and potential policy changes expected to occur within that timeframe. Probable impacts of the proposed actions are identified by comparing With Action conditions to No Action conditions. Data sources for this analysis include the New York City Department of City Planning (DCP), the New York City Department of Buildings (DOB), and recent environmental assessment and impact statements for projects in the study area.

C. EXISTING CONDITIONS

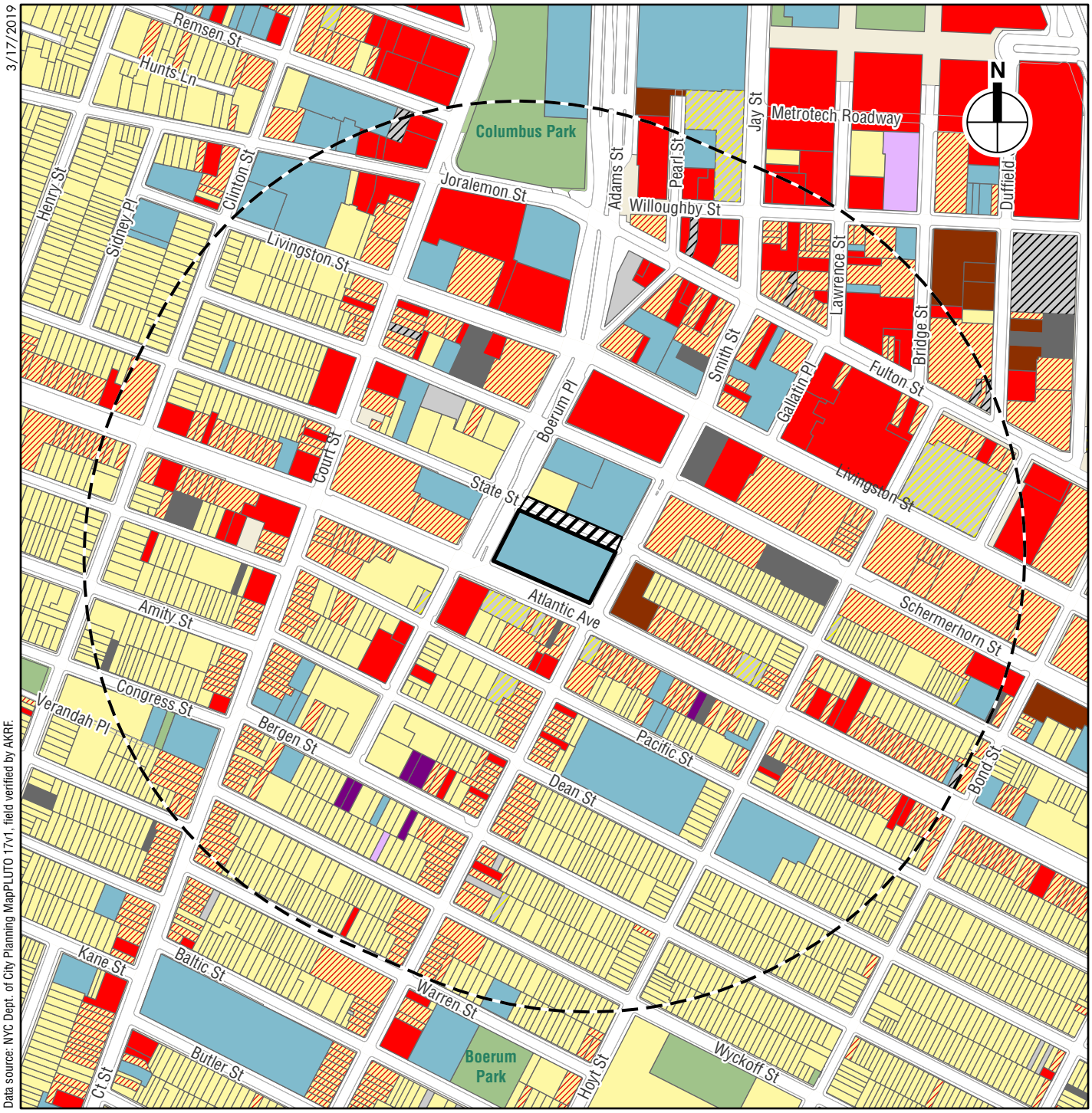
LAND USE

PROJECT SITE

The project site (Block 175, Lot 1) is located on the block bounded by Atlantic Avenue, Smith Street, State Street, and Boerum Place (see **Figure 3.1-1**). The site currently contains the Brooklyn House of Detention, a 14-story building constructed circa 1954-1956, with 815 beds for those undergoing the intake process or awaiting trial in Brooklyn or Staten Island courts. A tunnel below State Street connects the project site to the Brooklyn Central Courts Building at 120 Schermerhorn Street.

STUDY AREA

The study area is characterized by the medium-density residential neighborhoods of Cobble Hill and Boerum Hill to the south of the project site, along with the higher-density commercial neighborhood of Downtown Brooklyn to the north of the project site (see **Figure 3.1-1**). Atlantic Avenue serves as the primary arterial road in the study area, providing access to the project site while also serving as a buffer from the residential neighborhoods to the south. Local retail uses dot the study area, primarily along Court Street, Smith Street, Fulton Street, and Atlantic Avenue. Public institution uses are also predominately located north of the study area, and include the Kings Country Criminal Court at the corner of State and Smith Streets, and the New York City Housing Court at the corner of Smith and Livingston Streets. Several schools are located within the study area, including the Brooklyn Law School, at the corner of Joralemon and Adams Streets, and the Packer Collegiate Institute, located along the northern edge of the study area on Joralemon



Project Site Boundary

Study Area Boundary (1/4-mile boundary)

Proposed Demapped Area

Commercial and Office Buildings

Hotels

Industrial and Manufacturing

Open Space and Outdoor Recreation

Parking Facilities

Public Facilities and Institutions

Residential

Residential with Commercial Below

Transportation and Utility

Vacant Land

Vacant Building

Under Construction

Existing Land Use
Brooklyn Site - 275 Atlantic Avenue

BOROUGH-BASED NYC JAIL SYSTEM

Figure 3.1-1

Street. One house of worship, the Brooklyn Tabernacle, is located on Smith Street between Fulton and Livingston Streets.

The block immediately to the north of the project site contains the 11-story Kings County Criminal Court, Brooklyn Frontiers High School, and a residential tower.

The block immediately to the west of the project site contains an 11-story mixed-use residential and retail development and an adjacent 11-story development, both recently constructed. The block also contains HeartShare St. Vincent's Services, a non-profit organization.

The block immediately to the south of the project site contains several parcels under construction, a recently constructed two-story retail development, a recently constructed mid-rise residential development along Pacific Street, and several mixed-use residential and retail developments on small parcels along Atlantic Avenue.

The block immediately to the east of the project site contains a recently constructed 13-story hotel—Nu Hotel, mixed-use residential and retail developments along Atlantic Avenue (predominately three to four stories), and one- and two-family residences along State Street.

The area to the north of the project site contains a mix of high-density commercial and public institution uses on large parcels. Commercial uses predominate along Fulton Street in the form of two- to three-story buildings. Nevertheless, recently constructed (and under construction) mixed-use buildings reach upwards of 20 stories, particularly along Schermerhorn Street, between State and Livingston Streets.

The area to the west of the project site contains a mix of recently constructed mixed-use buildings along Atlantic Avenue, with the primarily residential neighborhoods of Cobble Hill to the southwest, and Brooklyn Heights to the northwest. These residential neighborhoods primarily contain small one-, two-, and multi-family rowhouses. A retail corridor is located along Court Street, with local retail uses below multi-family residential uses.

The area to the south of the project site contains the residential neighborhood of Boerum Hill. Small lots with rowhouses predominate, along with art galleries and light industrial spaces, such as the Invisible Dog Art Center on Bergen Street. Similar to Court Street, commercial uses line the Smith Street retail corridor.

The area to the east of the project site contains hotels uses, including the Nu Hotel and recently constructed Hilton at the corner of State and Smith Streets, small lots with rowhouses along State Street to the eastern edge of the study area, along with the continuation of local mixed-use residential and retail uses along Atlantic Avenue. As noted above, new construction is concentrated along the northeastern portion of the study area, in the form of mixed-use residential and retail within taller buildings.

Notable uses found throughout the study area include schools and houses of worship. Several schools are located within the study area, including the Brooklyn Law School, at the corner of Joralemon and Adams Streets, the Packer Collegiate Institute, located along the northern edge of the study area along Joralemon Street, and P.S. 26, between Dean and Pacific Streets. Houses of worship include the Brooklyn Tabernacle, located on Smith Street, between Fulton and Livingston Streets, and Saint Paul's Church, located at the corner of Congress and Court Streets. The northern edge of the study area also contains Columbus Park, the primary open space resource in the study area, and the southern portion of the Kings Country Supreme Court Complex.

Parking facilities are dispersed throughout the study area, including a large lot at the intersection of Schermerhorn and Hoyt Streets.

ZONING

PROJECT SITE

The project site is located within a C6-2A zoning district (see **Figure 3.1-2**). C6-2A districts are commercial districts characterized by centralized, high-bulk commercial uses, such as corporate headquarters, hotels, and department stores primarily in the form of high-rise, mixed-use buildings. The residential district equivalent is R8A. A maximum commercial Floor Area Ratio (FAR) of 6.0 is permitted, and as a contextual district, maximum building heights are imposed. Accessory parking is not required.

STUDY AREA

The study area includes the following zoning districts (see **Figure 3.1-2 and Table 3.1-1**):

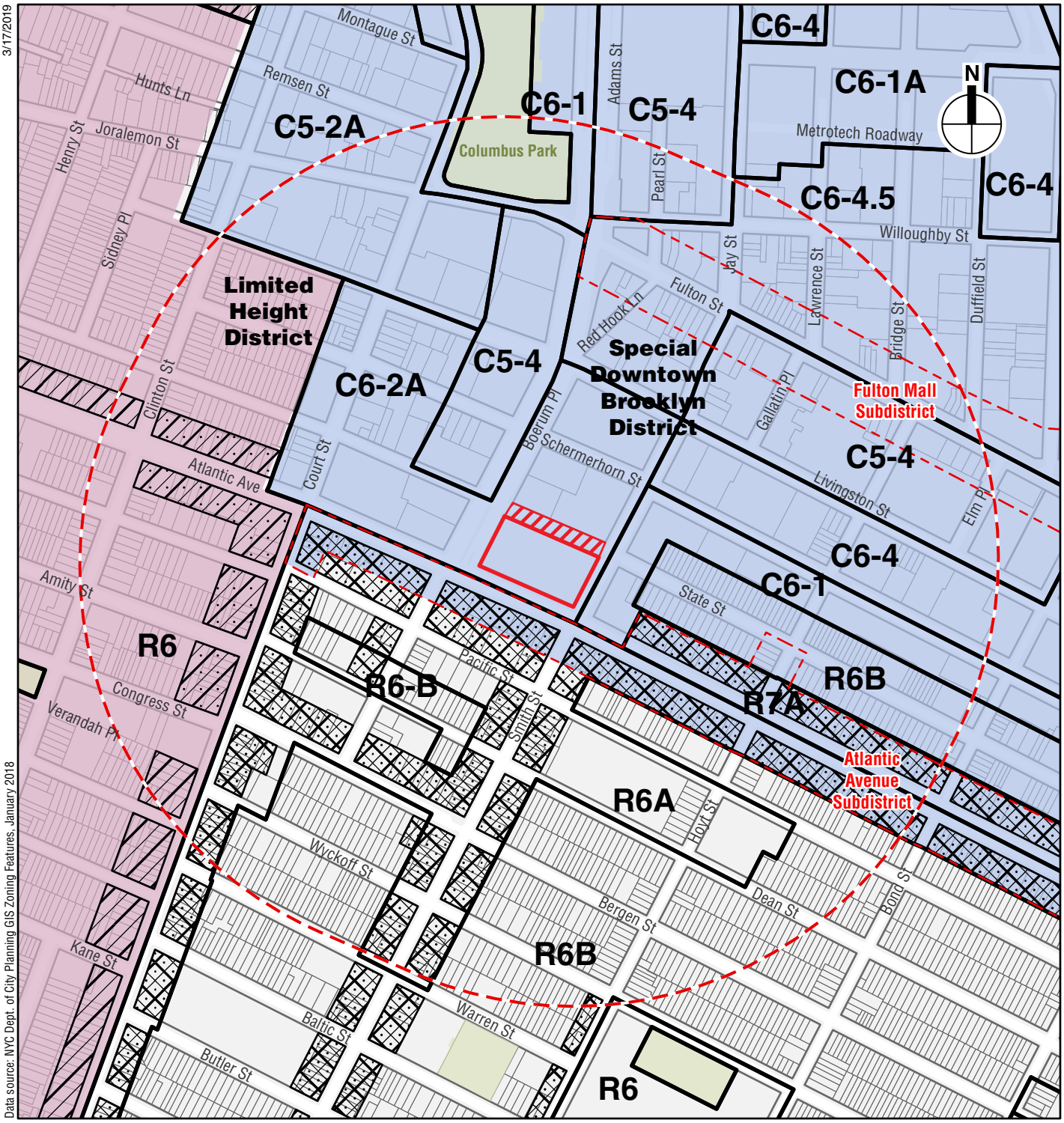
A C5-2A zoning district is located along the northwestern edge of the study area, north of Livingston Street and generally bordered by Clinton Street to the west and Columbus Park to the east. C5-2A districts are commercial districts characterized as centralized uses with continuous retail frontage intended for large offices and retail establishments. The residential district equivalent is R10A, as a contextual district. A maximum commercial FAR of 10.0 is permitted. Accessory parking is not required.

A C5-4 zoning district is located at the northeastern edge of the study area, both along Livingston Street and above Pearl Street along the northern edge of the study area. In addition, a C5-4 district is located to the northwest of the project site, west of Boerum Place. C5-4 districts are commercial districts characterized by centralized uses with continuous retail frontage. Similar to the C5-2A district, a commercial FAR of 10.0 is permitted. Accessory parking is not required.

A C6-1 zoning district is located on the northern edge of the study area east of Smith Street. C6-1 districts are commercial districts characterized by centralized, high-bulk commercial uses, such as corporate headquarters, hotels, and department stores primarily in the form of high-rise, mixed-use buildings. The residential district equivalent is R7-2. A maximum commercial FAR of 6.0 is permitted. Accessory parking is not required.

A C6-2A zoning district surrounds the project site, bordered by Livingston Street to the north, Court Street to the west, Atlantic Avenue to the south, and Smith Street to the east. As described above, C6-2A districts are commercial districts characterized by centralized, high-bulk commercial uses in high-rise, mixed-use buildings. The residential district equivalent is R8A. A maximum commercial FAR of 6.0 is permitted, and as a contextual district, maximum building heights are imposed. Accessory parking is not required.

A C6-4 zoning district is located north of the project site, to the east of Smith Street. C6-4 districts are commercial districts characterized by high-bulk commercial uses in high-rise, mixed-use buildings. The residential district equivalent is R10. A maximum commercial FAR of 10.0 is permitted. Accessory parking is not required.



Project Site Boundary

Proposed Demapped Area

Study Area Boundary (1/4-mile boundary)

Zoning District Boundaries

Limited Height District

Special Purpose District

Special Downtown Brooklyn District

C1-3 Commercial Overlay District

C2-4 Commercial Overlay District

C2-3 Commercial Overlay District

Park Boundary

0 500 FEET

Zoning
Brooklyn Site - 275 Atlantic Avenue

BOROUGH-BASED NYC JAIL SYSTEM

Figure 3.1-2

Table 3.1-1
Existing Zoning Districts in the Study Area

Zoning District	Maximum FAR	Zone Type/Uses
C5-2A	10.0 (commercial) 10.0-12.0[1] (residential)	Commercial district permitting centralized uses and residential (R10 equivalent and contextual district)
C5-4	10.0 (commercial) 10–12.0[1] (residential)	Commercial district permitting centralized uses and residential (R10 equivalent)
C6-1	6.0 (commercial) 0.87-4.6[1] (residential)	Commercial district permitting centralized high-bulk uses and residential (R7-2 equivalent)
C6-2A	6.0 (commercial) 6.02-7.2[1] (residential)	Commercial district permitting centralized high-bulk uses and residential (R8A equivalent)
C6-4	10.0 (commercial) 10–12.0 (residential)	Commercial district permitting centralized high-bulk uses and residential (R10 equivalent)
C6-4.5	12.0 (commercial) 10.0–12.0[1] (residential)	Commercial district permitting centralized high-bulk uses with unique floor area ratios and bonus rules
R6	0.78–2.43 (non-contextual) 2.2–3.6[1] (contextual)	Residential district permitting taller apartment buildings (non-contextual or contextual)
R6A	3.0–3.6[1]	Residential district permitting taller apartment buildings (contextual)
R6B	2.0–2.2[1]	Residential district permitting rowhouses and four- to five-story apartment buildings (contextual)
R7A	4.0-4.6[1]	Residential district permitting six- to seven-story apartment buildings (contextual)
C1-3 Overlay (with R6)	2.0	Commercial overlay permitting local retail uses
C2-3 Overlay (with R6)	2.0	Commercial overlay permitting local retail uses
C2-4 Overlay (with R6A/R7A)	2.0	Commercial overlay permitting local retail uses
Special District	**FAR**	**Uses/Zone Type**
Special Downtown Brooklyn (DB) District	NA	Special Purpose District
DB - Atlantic Avenue Subdistrict	NA	Special Purpose District Subdistrict
DB - Fulton Mall Subdistrict	NA	Special Purpose District Subdistrict
Limited Height (LH-1) District	NA	Limited Height District

Source: *New York City Zoning Resolution.*
Note:
[1] FAR in a Mandatory Inclusionary Housing (MIH) area.

A C6-4.5 zoning district is located along the northern edge of the study area, reaching to the northeast along Willoughby Street. Similar to the C6-4 district, the C6-4.5 district is characterized by high-bulk commercial uses. This district has unique floor area ratio and bonus rules, which sets it apart from a typical C6-4 district.

An R6 zoning district is located along the western portion of the study area, primarily covering the area to the west of Court Street. R6 districts are medium-density residential districts where standard height factor regulations apply, producing tall buildings set back from the street or developers can follow optional *Quality Housing* regulations, producing high lot coverage buildings within set height limits (FAR ranging from 2.2 to 3.6). Buildings developed pursuant to standard height factor regulations are often taller buildings, with an FAR ranging from .78 to 2.43.

The sky exposure plans begins at 60 feet, and parking is required for 70 percent of total dwelling units.

An R6A zoning district is located south of the project site, bordered by Atlantic Avenue to the north, Court Street to the west, and Hoyt Street to the east. R6A districts are medium-density contextual residential districts with high lot coverage buildings within set height limits (FAR ranging from 3.0 to 3.6). Buildings developed pursuant to the required *Quality Housing* regulations have a minimum base height of 40 feet and reach up to eight stories (maximum of 85 feet with a *Qualifying Ground Floor* and inclusionary housing*)*. Parking is required for 50 percent of all dwelling units (25 percent of inclusionary units).

An R6B zoning district is located south of the project site, to the west and east of Boerum Place. In addition, this district covers the southeastern portion of the study area, bordered by Smith Street to the west. The remaining portion of this district is located north of Atlantic Avenue, along State Street. R6B districts are medium-density contextual residential districts that support traditional rowhouses, as well as four- to five-story apartment buildings. As a contextual district, a maximum FAR of 2.0 is permitted, along with a maximum height of 55 feet (with inclusionary housing). Buildings developed pursuant to the required *Quality Housing* regulations require a minimum base height of 45 feet with a *Qualifying Ground Floor*. Parking is required for 50 percent of all dwelling units (25 percent of inclusionary units).

An R7A zoning district is located along the northern edge of Atlantic Avenue, east of Smith Street. R7A districts are medium-density contextual residential districts, which support six- to seven-story apartment buildings rather than the typical rowhouses of the R6B district. As a contextual district, a maximum FAR of 3.0 is permitted, along with a maximum height of 75 feet. Buildings require a minimum base height of 40 feet. Parking is required for 50 percent of all dwelling units (25 percent of inclusionary units).

A C1-3 commercial zoning overlay is located over the southwestern edge of the study area, mapped over the existing R6 district to a depth of 150 feet, and located in the area south of Verandah Place. When combined with R6, C1-3 commercial overlays permit local retail uses at a commercial FAR of 2.0. Parking is required at a rate of one space per 400 square feet.

A C2-3 commercial zoning overlay is located along the western edge of the study area, mapped over the existing R6 district to a depth of 150 feet, and located along the western side of Court Street, and along both sides of Atlantic Avenue to the west of Court Street. Similar to the C1-3 district, local retail uses are permitted at a commercial FAR of 2.0. Parking is required at a rate of one space per 400 square feet.

A C2-4 commercial zoning overlay is located throughout the southern portion of the study area, mapped over the R6A district, primarily along Court and Smith Streets, and along Atlantic Avenue. This overlay is also mapped over the R6B district, which is located on the northern side of Atlantic Avenue. A commercial FAR of 2.0 is permitted, while parking is required at a rate of one space per 1,000 square feet.

Special Districts, Subdistricts, and Limited Height District

The Special Downtown Brooklyn (DB) District is located north of Atlantic Avenue, covering the northern portion of the study area. The DB district establishes special height and setback regulations and urban design guidelines to promote and support the continued growth of Downtown Brooklyn as a unique mixed-use area. The economic, civic, and retail center of the borough, Downtown Brooklyn is the City's third-largest central business district—a hub of office

buildings, courthouses and government buildings, major academic and cultural institutions, and active retail corridors. It is surrounded by historic residential neighborhoods.

The DB Atlantic Avenue Subdistrict is located within the Special Downtown Brooklyn District along Atlantic Avenue, to the east of Smith Street.

The DB Fulton Mall Subdistrict is located within the Special Downtown Brooklyn District along Fulton Street, to the east of Smith Street.

The Schermerhorn Street Height Limitation Area is located immediately east of the Project Site across Smith Street. This area serves as a transition between the high-rise core of the central business district and adjacent residential neighborhoods. Height restrictions range from 140 to 250 feet, with 140 feet closer to Atlantic Avenue and extending to 250 feet further north along Livingston Street. Urban design guidelines promote ground floor retail and street wall continuity, storefront glazing, sidewalk widening, curb cut restrictions and off-street relocation of subway stairs.

A Limited Height (LH-1) District is located along the western edge of the study area, west of Court Street. A limited height district may be superimposed on an area designated as an historic district by the Landmarks Preservation Commission. It is mapped in areas of the Upper East Side, Gramercy Park, Brooklyn Heights and Cobble Hill. The maximum building height is 50 feet in the LH-1 district.

Recent rezonings within the study area include:

In 2011, the Boerum Hill Rezoning (C110252ZMK) rezoned all or part of 31 blocks to the south of the project site from existing R6 and R7B to R6B, R6A, and R7A contextual zoning districts to allow modest growth and reflect existing building forms.

In 2004, parcels to the north of the project site were rezoned as part of the Downtown Brooklyn Rezoning (C040171ZMK), which rezoned seven subareas to C6-2, C6-4, C6-4.5, and R7-1/C2-4, promoting new mixed-use developments.

PUBLIC POLICY

SMALLER, SAFER, FAIRER

Smaller, Safer, Fairer, the City's roadmap to closing Rikers Island, was released by the Mayor's Office of Criminal Justice in June 2017 and includes 18 strategies to ultimately reduce the jail population to 5,000, allow for the closure of the jails on Rikers Island, and transition to the proposed borough-based jail system. Progress on these strategies is underway with the partnership of New Yorkers, the courts, district attorneys, the defense bar, mayoral agencies, service providers, the City Council, and others within the justice system.

This report articulates that the official policy of the City of New York is to close the jails on Rikers Island and provides a plan to create a detention system with a smaller jail population, safer facilities, and fairer culture. As outlined in this report, the City intends to reduce the average daily jail population to 7,000 over the next five years, and further in the future, to 5,000. In addition to reducing the daily jail population, the City intends to reduce the length of jail sentences and in turn promote alternatives to detention. It is critical to also ensure that facilities both on and off Rikers are made safer with capital improvements, officer training, and more effective surveillance. Finally, in an effort to promote fairness, the City intends to provide additional vocational and

training programs for people in detention, improved visitation procedures for their families, and support services for jail staff.

FAIR SHARE

Since 1989, a procedure colloquially known as "Fair Share" has existed to govern how the City sites facilities that it operates either directly or through contracts with third-party service providers. Fair Share was established to require the City to site its facilities in a thoughtful, deliberative manner that takes community input seriously and aims to avoid the uneven distribution of these essential city facilities and services. Fair share analyses are conducted for facilities that bring to communities such environmental burdens as waste transfer stations, sometimes referred to as "local unwanted land uses" or "LULUs."

BUSINESS IMPROVEMENT DISTRICTS (BID)

Business Improvement Districts are areas where local stakeholders oversee and fund the maintenance, improvement, and promotion of their commercial district. BID services can include street cleaning and maintenance, public safety and hospitality, marketing and events, capital improvements, beautification, advocacy, and business development. The following BIDS are located within the study area:

Court-Livingston-Schermerhorn BID

North of Pacific Street, the study area is surrounded by the Court-Livingston-Schermerhorn BID. The Court-Livingston-Schermerhorn Business Improvement District (CLSBID) serves nearly 200 properties along Court, Livingston, and Schermerhorn Streets by providing supplemental sanitation services, retail development services, and streetscape improvements in order to improve the business environment and quality of life for the neighborhood.

Fulton Mall Improvement Association

The Fulton Mall Improvement Association is located further north along Fulton Street. Incorporated in 1976, the Fulton Mall Improvement Association (FMIA) works to improve the economic vitality and quality of life around Brooklyn's premier shopping district, which welcomes more than 100,000 visitors a day. It provides supplementary sanitation, public safety, economic retail development, business, and marketing services to the Fulton Mall shopping district.

Atlantic Avenue BID

South of Atlantic Avenue, the study area is surrounded by the Atlantic Avenue BID. Representing over 300 businesses in the Brooklyn Heights, Boerum Hill, and Cobble Hill neighborhoods, the Atlantic Avenue Business Improvement District (AABID) is dedicated to promoting Atlantic Avenue's long-term economic development, including creating a thriving boulevard that attracts both residents and visitors to its services, shops, and dining, while preserving the Avenue's rich history and diverse character.

D. THE FUTURE WITHOUT THE PROPOSED PROJECT

LAND USE

PROJECT SITE

In the No Action condition, no changes to land use are anticipated on the project site. The existing jail on the site will remain.

STUDY AREA

In the No Action condition, the following background development projects have been identified and are anticipated to be complete by 2027 (see **Table 3.1-2** and **Figure 3.1-3**). These projects, referred to as No Build projects, are located within the ¼-mile land use study area as well as within a ½-mile study area, consistent with the study areas for other analyses within this EIS. The No Build projects would result in the development of new residential and retail within the ¼-mile land use study area and would result in the development of residential, retail, hotel, and office uses within the ½-mile study area, consistent with existing development trends toward higher-density development, primarily within the Downtown Brooklyn neighborhood.

ZONING

In the No Action condition, no changes to zoning are anticipated on the project site or in the study area.

PUBLIC POLICY

In the No Action condition, no changes to public policy are anticipated within the study area.

E. THE FUTURE WITH THE PROPOSED PROJECT

LAND USE

PROJECT SITE

The proposed project would redevelop the existing Brooklyn Detention Complex with a new detention facility containing approximately 1,190,000 gsf, including support space, community facility and/or retail space, and approximately 292 accessory parking spaces. The proposed facility would have a maximum zoning height of 395 feet.

The proposed project would not substantially change the land use of the site compared to the No Action condition, which would be a continuation of the existing detention facility use, but would be larger and would provide approximately double the capacity of people who are detained at the existing facility. The proposed facility would also provide ground floor retail or community facility space which would serve to activate the ground floor of the site as compared to the No Action condition.

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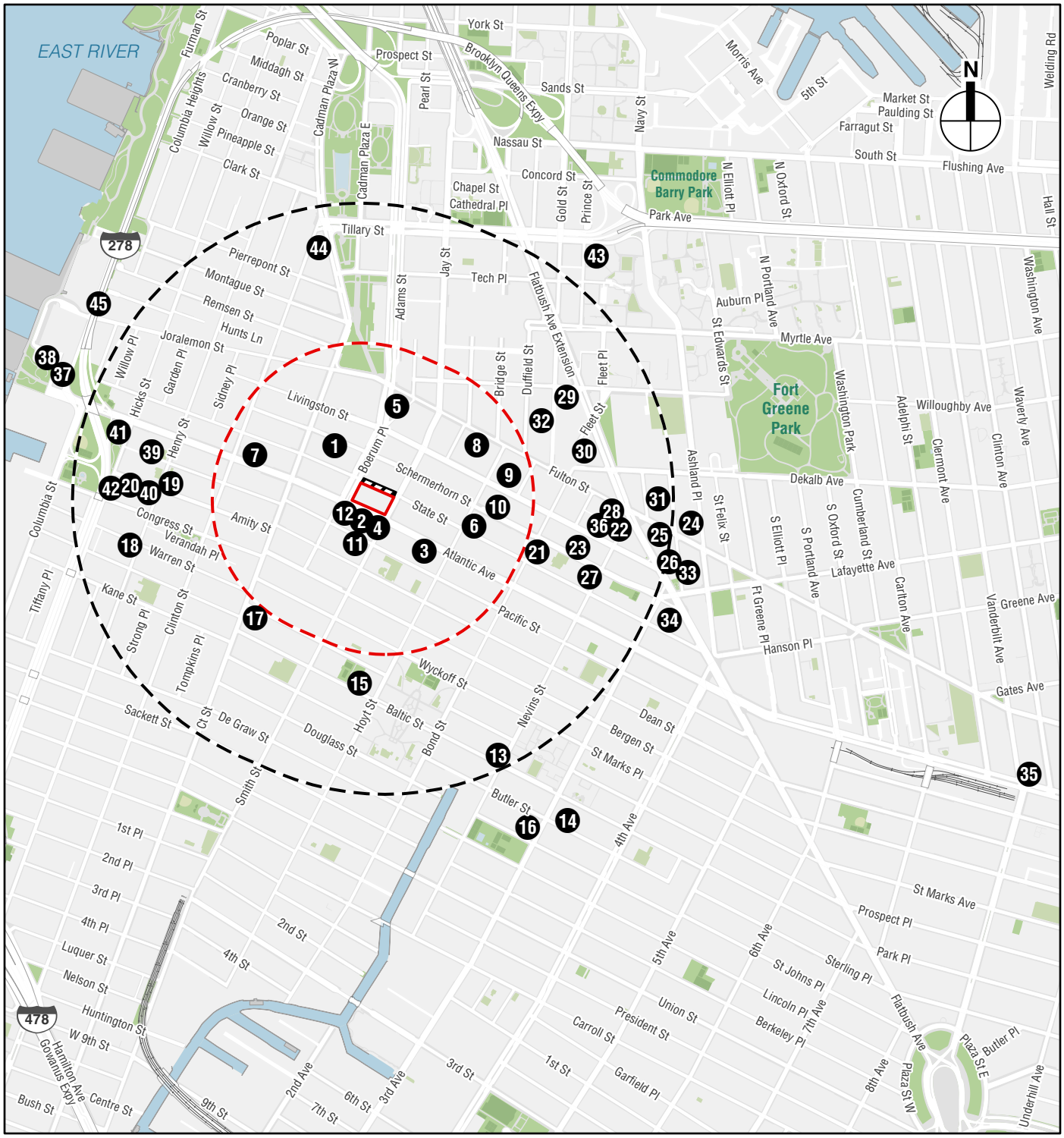

Project Site Boundary

Proposed Depmapped Area

Study Area Boundary (1/4-mile boundary)

Study Area Boundary (1/2-mile boundary)

1 No Build Sites

No Build Sites
Brooklyn Site - 275 Atlantic Avenue Street

BOROUGH-BASED NYC JAIL SYSTEM

Figure 3.1-3

Table 3.1-2
Brooklyn: No Build Projects Anticipated to be Complete by 2027

Map No.	Name/Address (Block/Lot)	Program	Build Year
¼-Mile Study Area – Land Use Analysis			
1	76 Schermerhorn Street (271/34)	59 DU, 1,842 sf retail	*2027
2	280 Atlantic Avenue (181/20)	4 DU, 1,287 sf retail	*2027
3	330 Atlantic Avenue (182/20)	4 DU, 1,500 sf retail	*2027
4	286 Atlantic Avenue (181/23)	2,994 sf retail	*2027
5	7 Boerum Place (153/3)	122 DU, 21,016 sf retail	*2027
6	311-319A State Street (171/201-209)	16 DU, 15,540 sf retail	2021
7	181 Atlantic Avenue (276/12)	6 DU, 2,302 sf retail	*2027
8	The Wheeler/422 Fulton Street (156/1)	114,424 sf retail	*2027
9	11 Hoyt Street (157/1)	476 DU, 41,000 sf retail	2021
10	211 Schermerhorn Street (165/62)	48 DU, 6,308 sf retail	2019
11	264 Pacific Street (187/17)	24 DU, 1,311 sf retail	*2027
½-Mile Study Area – Other Technical Analyses of this DEIS			
12	491 Baltic Street (399/41)	13 DU, 924 sf CF	*2027
13	313 Butler Street (407/52)	47,941 manufacturing	*2027
14	371 Baltic Street (397/43)	4 DU	*2027
15	172 Third Avenue (412/29)	18,775 manufacturing	*2027
16	278 Warren Street (396/12)	5 DU	*2027
17	386 Henry Street (305/23)	1 DU	*2027
18	347-353 Henry Street/115-123 Amity Street (291/1)	25 DU	*2027
19	96 Amity Street (295/113)	8 DU	*2027
20	61 Bond Street (172/5)	154,947 sf hotel (285 rooms)	2019
21	8 Nevins Street (161/47)	147 DU, 6,657 sf retail	2019
22	285 Schermerhorn Street (166/51)	106 DU, 13,684 retail	2025
23	651 Fulton Street (2095/45)	94,765 sf CF	2019
24	570 Fulton Street Rezoning (2106/35)	139 DU, 19,246 sf retail, 89,846 sf office	2021
25	The Pioneer Building/41 Flatbush Avenue (2106/9)	27,000 sf retail, 243,000 sf office	*2027
26	50 Nevins Street (172/37)	128 DU, 3,800 sf retail	2019
27	540 Fulton Street (161/18)	327 DU, 96,592 sf retail	*2027
28	Brooklyn Point/138 Willoughby Street (149/1)	458 DU, 502,460 sf retail	*2027
29	9 Dekalb Avenue (149/100)	417 DU, 92,694 sf retail	*2027
30	625 Fulton Street (2094/1)	902 DU, 50,547 sf retail, 738,000 sf office, 82,500 sf elementary school (640 seats)	2023
31	1 Willoughby Square/420 Albee Square (146/43,46,47)	7,000 sf retail, 317,000 sf office, 61,000 sf CF	2019
32	93 Rockwell Place (2107/2)	107,625 sf hotel (201 rooms)	2021

Table 3.1-2, cont'd
Brooklyn: No Build Projects Anticipated to be Complete by 2027

Map No.	Name/Address (Block/Lot)	Program	Build Year
½-Mile Study Area – Other Technical Analyses of this DEIS			
33	80 Flatbush Avenue (174/1,9,13,18,23,24)	922 DU, 50,000 sf retail, 245,000 sf office, 145,000 sf public school (350 elementary school seats; 350 replacement high school seats); 15,000 sf CF	2025
34	550 Clinton/809 Atlantic Avenue (2010/1,59)	224 DU, 25,000 sf retail, 20,000 sf office	2021
35	291 Livingston Street (161/61)	140,721 sf hotel (100 rooms)	*2027
36	15 Bridge Park Drive (245/25)	140 DU, 3,972 sf retail	2020
37	50 Bridge Park Drive (245/30)	126 DU	2020
38	91 Pacific Street/339 Hicks Street (284/1)	116 DU, 386,583 sf retail	2020
39	350 Henry Street (295/21)	17 DU	2020
40	350 Hicks Street/336 Hicks Street (282/50)	58,757 sf CF	*2027
41	78 Amity Street (285/9)	27 DU, 5,756 sf CF	2020
42	67 Prince Street (2050/100)	262 DU, 14,000 sf retail	*2027
43	BPL Public Library/1 Clinton Street (239/16)	134 DU, 931 sf retail, 17,180 sf CF	*2027
44	BQE Rehabilitation		*2027
45	262 Atlantic Avenue (181/11)	17,080 sf retail	2020
	***½-Mile Study Area* TOTAL**	**5,407 DU, 1,140,187 sf retail, 1,652,846 sf office, 303,293 sf hotel (586 rooms), 868,282 sf CF, 67,716 sf manufacturing,**	

Notes: *Projects for which no build year is known are assumed to be complete by the tentative analysis year of 2027.
sf = square feet; DU = dwelling unit; CF = community facility

STUDY AREA

In the With Action condition, changes would occur only within the project site. The proposed project would continue an existing detention use on the site and within the study area. It would be supportive of and compatible with existing institutional civic uses to the north, especially the Kings County Criminal Court, immediately to the north of the project site. In addition, the scale and density of the proposed project would be in keeping with the high density commercial and residential uses throughout the northern portion of the study area and Downtown Brooklyn. An active ground floor use along Atlantic Avenue would be consistent with surrounding retail and community facility uses along that avenue. Finally, the proposed facility would be buffered from the residential neighborhoods to the south by Atlantic Avenue. Therefore, the proposed project would not result in significant adverse impacts to land use.

ZONING

PROJECT SITE

In order to help facilitate the siting of the proposed 1,437-bed Brooklyn borough-based jail on the proposed development site, the proposed project is seeking the following city approvals:

- Special Permit: Allowing the proposed borough-based jail in Brooklyn to waive or modify certain zoning requirements. These include the following:
  - Floor Area Ratio (FAR): ZR 33-10, et seq. and ZR 101-20, et seq., permit a maximum commercial FAR of 6.0 and maximum overall FAR of 6.5. A modification of maximum commercial and maximum total FAR is requested to allow a total FAR of 17.86, or which up to 0.50 FAR may be Use Group 3, 4, or 6a, and all other space, up to 17.36 FAR, must be Use Group 8d. As the proposed project area is a 59,900-sf zoning lot, under existing

zoning the maximum permitted commercial floor area is 359,400 zsf and the maximum total floor area is 389,350 zsf. With the proposed modification, the maximum permitted floor area for Use Group 8d will be 1,040,000 zsf, the maximum permitted floor area for Use Group 3, 4, or 6a will be 30,000 zsf, and the maximum permitted total floor area will be 1,070,000 zsf. This modification is necessary to accommodate the proposed jail space program, accommodate proposals for ample support spaces, provide pedestrian-oriented ground floor retail and/or community facility uses in character with the area consistent with the general purposes of the Special Downtown Brooklyn District, and achieve the objectives of providing a modern, humane, and safe detention facility.

- Height and Setback: ZR 33-40, et seq. and ZR 101-22, et seq., require a building base with a streetwall height of 60 feet (minimum) to 85 feet (maximum), a setback from the base of at least 15 feet from narrow streets and 10 feet from wide streets, and permit a maximum building height of 120 feet. ZR 33-42 allows permitted obstructions to penetrate the maximum height limit, subject to certain restrictions. A modification of height and setback regulations is requested to allow a building volume, as defined in waiver plan and section drawings, with maximum base and building heights that exceed the contextual zoning envelope. Specifically, the building will be allowed a maximum base and building height of 399.45 feet for areas containing habitable space and a maximum base and building height of 439.45 feet for rooftop mechanical bulkheads, parapets, and rooftop horticultural and related spaces. This building envelope will apply to the entire proposed project area. This modification is necessary to accommodate the proposed jail space program, provide efficient programming, viable floorplans, and achieve the objective of providing a modern, humane, and safe detention facility.
- Permitted Parking: ZR 36-20, et seq., permits a maximum accessory parking facility of up to 150 spaces if one entry/exit is provided. A modification of parking regulations is requested to allow a 292-space accessory parking garage entered via two-way ramp with curb cut on Smith Street. This modification is necessary to fully accommodate the peak parking demand expected to be generated by the New York City Department of Correction staff and other authorized vehicles that will use the garage.
- Required Loading: ZR 36-60 require three loading berths for the proposed project, pursuant to the following requirements applicable to the 1,040,000 zsf of prison space to be provided: none required for the first 10,000 zsf, one for the next 290,000 zsf, one for each additional 300,000 zsf. A modification of loading regulations is requested to allow the zoning lot to provide two loading berths, which will be accessed from curb cuts on Smith and State Streets. This modification is necessary to allow the jail to provide three loading berths, which the applicant believes will be sufficient to accommodate its needs and will minimize any conflicts with pedestrian and vehicular traffic which the applicant believes will be minimal.
- Special Ground Floor Use: ZR 101-11 requires that buildings in the Atlantic Avenue Subdistrict must devote at least 50 percent of ground-floor area to permitted retail or community facility uses in Use Groups 5, 6A, 6C, 6D, 7A, 7B, 8A, 8B, 8D, 9, 10, 11, 12A, 12B, 12C, libraries, museums, and non-commercial art galleries. A modification of special ground-floor uses is requested to allow that the ground-floor area be devoted to Use Groups 3, 4, or 6a. This modification is necessary to accommodate a wider range of community facility uses and limit commercial use to local retail uses in Use Group 6A to

achieve uses considered compatible with the aims of the project to provide neighborhood supportive uses.

- Transparency Requirements: ZR 101-12 requires that at least 50 percent ground floor transparency on the Atlantic Avenue façade. A modification of transparency requirements is requested to allow 30 percent transparency. This modification is necessary to meet security requirements of the borough-based jail.

In addition, the proposed Brooklyn borough-based jail requires other city approvals that are the subject of related, but separate applications. These include:

- City Map Change: To demap above- and below-grade volumes on State Street between Boerum Place and Smith Street;
- Public Facility-Site Selection: To approve the siting of proposed borough-based jails, including the proposed project area as the location for the Brooklyn borough-based jail (this action is subject to a Fair Share analysis); DCAS is a co-applicant for this action; and
- Zoning Text Amendment: To amend Article VII, Chapter 4 of the ZR to create the new special permit for borough-based jail facilities permitting modification of zoning requirements for use, bulk—including floor area, height, and setback—and parking and loading.

STUDY AREA

As noted above, in the With Action condition, changes would occur only within the project site. Existing zoning districts within the study area would remain. While the proposed project would introduce a 395-foot-tall building, the facility would be in keeping with the high-density uses built and planned for construction within the multiple C5 and C6 districts in the study area to the north of the site. In addition, the special permit would apply only to the detention facility on the project site and would not adversely affect zoning within the study area. Therefore, the proposed project would have no significant adverse impacts to zoning.

PUBLIC POLICY

SMALLER, SAFER, FAIRER

The proposed project is specifically intended to facilitate and advance the goals of *Smaller, Safer, Fairer*, the City's roadmap for creating a smaller, safer, and fairer criminal justice system. As discussed in Chapter 1, "Project Description," the proposed project would establish a system of four new modern borough-based detention facilities to house a total population of 5,000 in order to discontinue the use of Rikers Island as a detention facility, consistent with the goals of *Smaller, Safer, Fairer*. In addition, the proposed project would provide for modern, safer facilities with smaller housing units that facilitate better officer supervision as a result of the improved floorplans, sufficient space for effective and tailored programming, and appropriate housing for those with medical, behavioral health and mental health needs. In addition, the proposed facilities would provide a normalized environment of operations that supports the safety and well-being of both staff and the people who are detained in the City's custody. To promote the fairness goals of *Smaller, Safer, Fairer*, the new proposed facilities are intended to provide additional vocational and training programs for people in detention, improved visitation procedures for their families, and support services for jail staff. Overall, the proposed project would advance the goals of *Smaller, Safer, Fairer*.

FAIR SHARE

An analysis of the proposed project's compliance with Fair Share criteria has been completed as part of the proposed project's Uniform Land Use Review Procedure (ULURP) application. As discussed in that analysis, the proposed project is compatible with and will greatly benefit from proximity to the justice and public institution facilities in adjacent and nearby lots, in particular the borough's criminal court. This proximity will significantly increase the project's operational efficiencies, leading to a reduction in time and fewer City resources to transport detained individuals with hearings or arraignments at the courthouse, thereby reducing delays in case processing.

BUSINESS IMPROVEMENT DISTRICTS (BID)

The proposed project would provide new retail or community facility space that could be supportive of the Atlantic Avenue BID. Otherwise, it would not affect local BIDs. Overall, the proposed project would not result in significant adverse impacts to public policy. ✷