ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION
Sideya Sherman, Director Department of City Planning

Memorandum

To: Sarah Whitham, Alex Sommer

From: Evren Ulker-Kacar EUK

Date: July 9, 2026

Re: Qualified Action Determination

Land Use Application No.: 260132ZMK, 260133ZRK

Project Name: 364 Coney Island Avenue Rezoning

CEQR No.: 26DCP050K

Department Determination

The Department of City Planning has reviewed the above-referenced application and determined that, pursuant to Subdivision 5-a of section 8-0111 of the Environmental Conservation Law, it is a Qualified Action not subject to further review under SEQRA / CEQR.

This Qualified Action:

_X_(Subdivision 5-a(b)(i)(1-6)) is an action for the purposes of the construction of housing that shall:

- Be connected to existing community or public water and sewerage systems at the commencement of habitation;
- Be located at a previously disturbed site;
- Not be located within an area zoned exclusively for industrial uses;
- Contain no more than fifty thousand square feet of commercial, retail, community facility or other non-industrial non-residential uses;
- Either:
    - Not exceed 250 dwelling units, or
    - Not exceed 500 dwelling units within a zoning district where, at the time of application, the standard maximum residential building height is greater than

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45 feet, the maximum height of a building is regulated by something other than a horizontal plane and that allows residential buildings to exceed 45 feet, or there is no such maximum building height;

- Not include construction of only one single-family residence on a parcel of one-half or more acres.
- (Subdivision 5-a(c)(i)) is subject to local municipal requirements regarding hazardous materials and is accompanied by an applicant certification where applicable.[1]

___(Subdivision 5-a(b)(iii)) is an action for the purposes of construction of public parks located at a previously disturbed site that do not include performance centers, athletic stadiums, or other venues for mass gatherings, or other buildings or structures which do not serve public park, recreation, or open space purposes;

___Subdivision 5-a(b)(iv) is an action for the purposes of multi-use bicycle and pedestrian trails located at a previously disturbed site;

___Subdivision 5-a(b)(v) is an action for purposes of construction of public school facilities to be connected at the commencement of use to existing community or public water and sewerage systems, including sewage treatment works, (Subdivision 5-a(c)(i)) is subject to local municipal requirements regarding hazardous materials, and is accompanied by an applicant certification where applicable.

___Subdivision 5-a(b)(vi) an action for the purposes of water and wastewater infrastructure projects that:

- replace, rehabilitate or reconstruct municipal water or wastewater infrastructure, in-kind and on the same site, including lead service line replacement;
- replace, rehabilitate, upgrade or reconstruct an existing small community water system, including lead service line replacement; or
- provide sewer service to a disadvantaged community served by one or more inadequate sewage treatment systems that has been determined by the department not to require a permit or approval pursuant to articles fifteen, twenty-four or twenty-five of this chapter or any rules or regulations promulgated thereunder;

___Subdivision 5-a(b)(vii) an action for the purposes of a retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure.

[1] E-918 for hazardous materials will be placed on Brooklyn Block 5322, Lots 73 and 124

Applicant Provided Information

Proposed Actions

The Applicant, 364 Coney Island Ave, LLC, is seeking a zoning map amendment to rezone Brooklyn Block 5322, Lots 51, 73, 124, 125, 7501, and part of Lot 69 (the Rezoning Area) from C8-2 and R5B zoning districts to a C4-4D zoning district, and a zoning text amendment to Appendix F of New York City Zoning Resolution (ZR) to designate a Mandatory Inclusionary Housing (MIH) area coterminous with the Rezoning Area boundary (the Proposed Actions). The Proposed Actions would facilitate development on Block 5322, Lots 73 and 124 (the Development Site), at 364 Coney Island Avenue in the Windsor Terrace neighborhood of Brooklyn, Community District 7.

The Development Site comprises the southeastern corner of the block bounded by Caton Place to the north, Coney Island Avenue to the east, Kermit Place to the south, and East 8th Street to the west. Lot 73 is a corner lot with frontage on Coney Island Avenue and Kermit Place. Lot 124 is a relatively small triangular lot with frontage on Kermit Place.

The Development Site is Applicant owned, vacant, and fenced in, with one curb cut on Coney Island Avenue. Within the Development Site, Lot 73 is currently zoned C8-2, and Lot 124 is zoned R5B. Both lots are located within the Special Ocean Parkway (OP) District.

Regarding the non-Applicant-owned lots within the Rezoning Area, Lots 51, 69, and 7501 are substantially built out and/or recently developed and are therefore not expected to redevelop in the future with or without the Proposed Actions. Non-Applicant-owned Lot 125 is a relatively small lot with less than 21 feet of frontage, measuring 1,560 sf, and therefore is not expected to be redeveloped as a result of the Proposed Actions, per CEQR Technical Manual soft site guidance.

Description of Development Site and Previous Disturbance

The Development Site has a lot area of 8,292 square feet (sf), with approximately 106 feet of frontage along Coney Island Avenue and 83 feet along Kermit Place. The Development Site is currently vacant and fenced in, with one curb cut on Coney Island Avenue. The Development Site was first developed with a one-story structure

identified as a store and was redeveloped by at least 1905. By at least 1929, the subject property was developed with a store and radiator repair. By at least 1979, the subject property was utilized for used auto sales and a bar and grill. By at least 2006, the structures on the subject property were demolished and the site has remained undeveloped through present-day.

Proposed Project

The Applicant, 364 Coney Island Ave, LLC, is seeking approval for the Proposed Actions to facilitate the development of a new 80,367-gsf (59,702 zoning-square-foot [zsf]), 12-story (128-foot-tall [148 feet with bulkhead])) mixed-use building with 71,947 gsf of residential space, 5,191 gsf of retail space within the ground floor and cellar levels, and 3,229 gsf of mechanical space (the Proposed Project). The development would include 71 DUs, 20 to 30 percent (14 to 21 DUs) of which would be affordable pursuant to MIH. The Applicant intends to pursue MIH Option 1, which requires that 25 percent (18) of dwelling units be affordable, on average, to households making 60 percent of area median income (AMI). The Proposed Project would also include a private open space area at the residential entry along Kermit Place.

The Proposed Project would have a total FAR of 7.2, including 6.85 residential FAR, and 0.35 commercial FAR. The building would rise to a base height of 83 feet along Coney Island Avenue, before setting back 10 feet and rising to 12 stories (128 feet plus bulkhead). The western façade of the building fronting Lot 25 would reach a base height of 52.5 feet (5 stories) stepping down to the existing R5B zoning district. No vehicle parking would be provided, as none is required under City of Yes for Housing Opportunity, with the Development Site located in the Inner Transit Zone. The Proposed Project would provide 36 spaces for bicycle parking. No new curb cuts are proposed.

Future Without the Proposed Actions (No-Action Condition)

In the No-Action condition, it is conservatively assumed that existing conditions on the Development Site and within the Rezoning Area would remain. All existing buildings are substantially built out under existing zoning and, in the future without the Proposed Actions, no new development is expected to occur on the Applicant-owned Development Site, nor the non-Applicant-owned Lots 125, 69, 7501, and 51.

Future With the Proposed Actions (With-Action Condition)

The Proposed Project, as described above, would be developed on the Development Site. The Proposed Project maximizes the permitted FAR and height allowance under the proposed zoning.

Table 1: Future No-Action and With-Action Comparison

	Existing Conditions	No-Action Condition	With-Action Condition	Increment
Local Retail (gsf)	0	0	5,191	+ 5,191
Residential (gsf)	0	0	71,947	+ 71,947
DUs	0	0	71 (14 to 21 MIH)	+ 71 (+ 14 to 21 MIH)
Mechanical	0	0	3,229	+ 3,229
Total GSF	0	0	80,367	+ 80,367

1. Average unit size assumed is about 1,000 gsf

Attachment: Applicant Hazardous Materials Certification

364 Coney Island Avenue, LLC
1 Park Point PH204
Brooklyn, NY 11218

Applicant Hazardous Materials Certification

Pursuant to Subdivision 5 of Section 8-0111 of the Environmental Conservation Law, certain applications seeking a Qualified Action determination by a lead agency must complete an Applicant Certification regarding hazardous materials remediation.

Project Name:	364 Coney Island Avenue Rezoning
Applicant Name:	364 Coney Island Ave, LLC
Contact:	Bobby Dweck bobby@thefocuspropertygroup.com
Date:	July 8, 2026
Project Number:	CEQR No. 26DCP050K ULURP Nos. 260132ZMK, 260133ZRK
Project BBLs:	Brooklyn Block 5322, Lots 51, 73, 124, 125, 7501, and part of Lot 69 BBLs: 3053220051, 3053220073, 3053220124, 3053220125, 3053227501, 3053220069

I, Bobby Dweck, am managing member of 364 Coney Island Ave, LLC, the applicant ("Applicant") for a Zoning Map Amendment (from C8-2 and R5B zoning districts to a C4-4D zoning district) and a Zoning Text Amendment (to Appendix F of the Zoning Resolution to map a Mandatory Inclusionary Housing Area Coterminous with the proposed Zoning Map Amendment) ("the Application"). Applicant seeks a determination that the Application is a Qualified Action under Subdivision 5 of Section 8-0111 of the Environmental Conservation Law (the "Qualifying Action"). Applicant is the fee owner of Brooklyn Block 5322, Lots 73 and 124 (BBLs 3053220073, 3053220124) (the "Property"), subject to the Application.

Applicant acknowledges that the Application is required to comply with local municipal requirements regarding hazardous materials remediation including,

as applicable, an E-Designation regarding hazardous materials (E-918) and the completion of a Phase 1 Environmental Site Assessment.

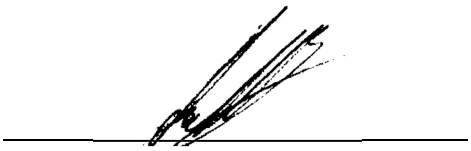
Applicant hereby certifies that:

(1) Applicant has followed and will follow all applicable laws, rules, and regulations regarding hazardous waste;

(2) a Phase I Environmental Site Assessment has been conducted for the Property in accordance with all appropriate inquiries regulations of the United States Environmental Protection Agency under the federal Comprehensive Environmental Response, Compensation, and Liability Act (40 CFR Section 312) to identify any recognized environmental conditions;

(3) Applicant has followed or will follow all applicable recommendations of such Phase I Environmental Site Assessment for the Property; and

(4) Applicant will report contamination at, on, or under the Property as required by applicable laws, rules and regulations.



Bobby Dweck