DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

M E M O R A N D U M

TO: Sara Avila and Alex Sommer

FROM: Stephanie Shellooe

DATE: February 28, 2025

RE: **TYPE II**

CEQR No.	25DCP060K
Land Use Application No.	240252ZMK; N240253ZRK
Project Name	1946 East 7th Street Rezoning

We have reviewed the above referenced application and determined that, pursuant to 6 NYCRR 617.5, it is a Type II action and not subject to SEQRA/CEQR:

- ☐ **617.5(9)** Construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or use variance, and consistent with local land use controls, but not radio communication or microwave transmission facilities.

- ☐ **617.5(11)** construction or expansion of a single-family, a two-family or a three-family residence on an approved lot.

- ☐ **d** **617.5(12)** Construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density.

- **617.5(25)** Official acts of a ministerial nature involving no exercise of discretion:

  ☐ Special Permits pursuant to Zoning Resolution Section 74-78 (Conversions of Non-Residential Floor Area), for modifications to the requirements relating to the location of loft dwellings or joint living-work quarters for artists and use restrictions.

  ☐ Authorizations pursuant to Zoning Resolution Sections 105-421 (Modification of topographic features on Tier I sites), 105-422 (Authorization of a development, enlargement or site alteration on a Tier II zoning lot or portion of a zoning lot having a steep slope or steep slope buffer), 105-423 (Relocation of erratic boulders), 105-424 (Alteration of rock outcrops), 105-425 (Modification of botanic environment and tree preservation and planting requirements), 105-426 (Alteration of aquatic features), 105-91 (Special District Designation on Public Parks), 107-64 (Removal of Trees), 107-65 (Modifications of Existing Topography), 119-311 (Authorization of a development, enlargement or site alteration on a steep slope or steep slope buffer), 119-313 (Modification of landscaping, tree preservation and tree planting requirements), and 119-319 (Authorization to allow site alterations, the construction of new park-related facilities and improvements to existing park-related facilities within public parks).

  ☐ Other Authorizations*

☐ City Planning Commission and Chair Certifications.

☐ Actions pursuant to Zoning Resolution Sections 93-65, 95-04 and 95-05 relating to transit easements.

- **617.5(32)** License, lease and permit renewals, or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities:

  ☐ Renewal of Special Permit or Authorization.

- **617.5(b)** Residential Development Type II Actions (Green Fast Track) adopted as Section 5-05(e) and (f) of Chapter 5 of Title 62 of the Rules of the City of New York:

  ☑ Green Fast Track for Housing eligible.

- ☐ **Other*** _____

*As determined by DCP's Environmental Assessment and Review Division and Counsel's Office

cc:

City Planning Commissioners

City Environmental Quality Review

GREEN FAST TRACK FOR HOUSING TYPE II: ELIGIBILITY CHECKLIST

FOR GREEN FAST TRACK TYPE II ACTIONS ONLY

Part I: Project Summary

Project Summary	Ahi Ezer Expansion Fund Inc. (the "Applicant") seeks a various actions. A Zoning Map Amendment is sought to rezone from R5 to R6A Block 6682, Lots 39 (p/o), 41, 43, 64 (p/o), 66 (p/o), and 68 (p/o) along with Block 6683 Lots 57 and 61 (p/o). In addition, the Zoning Map Amendment would rezone from R5 to R7A Block 6683, Lots 45, 60 (p/o), and 62 (p/o) along with Block 6683, Lots 49 (p/o), 51, and 52. All of these lots represent the Affected Area in the Homecrest neighborhood of Brooklyn Community District 15. The Applicant also seeks a two zoning text amendments to remove the Affected Area from the Special Ocean Parkway Subdistrict and map a Mandatory Inclusionary Housing Area coterminous with the Affected Area. These actions would facilitate the construction of a seven-story, 85-foot-tall mixed-use building (the "Proposed Development") on Block 6682 Lots 41 and 43 (the "Development Site"). The Proposed Development would include 2,292 gross square feet (GSF) of below-grade community facility space and 43,581 GSF of residential area comprised of 53 dwelling units ("DUs"), 13 to 16 of which would be income-restricted pursuant to MIH, although the Applicant intends for all DUs to be income-restricted. No accessory residential parking spaces would be provided. Aside from the Development Site, there are no other developable sites.
Development Site Blocks and Lots *"Development site" means the zoning lot all or part of which the applicant proposes to develop through the action.*	Brooklyn Block 6682, Lots 41 and 43
Developable Site Blocks and Lots *"Developable site" means a zoning lot, including the development site, within the area that is the subject of the action that the lead agency determines is likely to be developed as a result of the action.*	N/A

Part II: Package Requirements

II.1 Agency Sign-offs	Required Agency Sign-offs and their determinations ***attached.*** List of required agencies include: Landmarks Preservation Commission; Department of Environmental Protection.	✔
II.2 Restrictive Declarations & E-Designations	Required Restrictive Declarations & E-Designations ***attached.***	✔
II.3 Development Increment Table	Development Increment Table ***attached.***	✔
II.4 Project Area Map	Project Area Map (with development sites) ***attached.***	✔

Part III: Eligibility Checklist

§ 3. Section 5-05 of Chapter 5 of Title 62 of the Rules of the City of New York: Subdivisions (e) and (f)

		Eligible?
(e)	**Residential Development Type II Actions. The following actions are not subject to review under City Environmental Quality Review, the State Environmental Quality Review Act (Environmental Conservation Law, Article 8) or the SEQRA Regulations, subject to subdivision (f) of this section:**	
(e) (1)	Actions that enable incremental development of at least 1 and no more than 250 new dwelling units or new income-restricted dwelling units, and no more than 35,000 gross square feet of space for non-residential uses, which includes no more than 25,000 gross square feet of space for commercial uses and no more than 25,000 gross square feet of community facility space, and which at the time of the environmental determination are:	☑
(i)	Located wholly within an existing R5 through R10 Residence zoning district, provided that such action does not include the creation or enlargement of a Special Mixed Use zoning district or a stand-alone Commercial zoning district; or	☑
(ii)	Located in an existing stand-alone Commercial zoning or Manufacturing zoning district and are being developed pursuant to a regulatory agreement or lease with a government agency to develop housing or a decision by the Board of Standards and Appeals authorizing residential development; or	☐
(e) (2)	Actions that enable incremental development of at least 1 and no more than 175 new dwelling units or new income restricted dwelling units, and no more than 20,000 gross square feet of space for non-residential uses, which includes no more than 10,000 gross square feet of space for commercial uses, and no more than 10,000 gross square feet of community facility space, and which at the time of the environmental determination, are located at least partially within an existing R1 through R4 Residence zoning district, provided that such action shall not include actions that include the creation or enlargement of a Special Mixed Use zoning district or a stand-alone Commercial zoning district.	☐
(f)	**Type II Residential Development Prerequisites. An action listed in subdivision (e) of this section must also comply with all of the following to be a Type II action, at or before the time environmental review is required to be completed:**	**Eligible?**
(f) (1)	Any new building or any enlargement of an existing building on the development site shall not burn fossil fuels to supply heat or hot water;	☑
(f) (2)	The applicant or development site owner shall have complied with the following site-specific requirements:	☐
(i)	For developable sites that include one or more tax lots that do not have an (E) designation for hazardous materials pursuant to section 11-15 of the New York City Zoning Resolution at the time of the environmental determination, completed a Phase I Environmental Site Assessment for the development site and either:	☑
(A)	Obtained a written signoff from the lead agency that no further environmental investigation is required or that a plan to address any hazardous materials is acceptable; or	☐
(B)	Consented to the establishment of an (E) designation for hazardous materials pursuant to section 11-15 of the New York City Zoning Resolution and 15 RCNY Chapter 24 on the developable sites, provided that where an (E) designation is not available and the development site will be developed pursuant to a regulatory agreement with a government agency, such government agency shall include protections and development oversight requirements equivalent to an (E) designation found in 15 RCNY Chapter 24 in such regulatory agreement; and	☐
(ii)	Obtained a determination from the New York City Landmarks Preservation Commission (LPC) stating whether any developable site is within an archaeologically sensitive area, is designated, calendared for consideration or eligible for designation as a New York City Landmark or Historic District, is listed on, or formally determined to be eligible for inclusion on, the National Register of Historic Places or the New York State Register of Historic Places, or is substantially contiguous to a sunlight sensitive architectural resource, and	☑
(A)	If LPC determines a developable site is within an archaeologically sensitive area, completed an archaeological document study for the development site and obtained a writing from LPC that the development of such development site does not raise archaeological concerns; and	☐
(B)	If LPC determines a developable site is designated, calendared for consideration or eligible for designation as a New York City Landmark or Historic District or is listed on, or formally determined to be eligible for inclusion on, the National Register of Historic Places or the New York State Register of Historic Places, obtained a writing from LPC that the development of such development site does not raise historic preservation concerns;	☐
(iii)	Agreed to prepare and implement a Construction Protection Plan consistent with the requirements of the New York City Department of Buildings Technical Policy and Procedure #10/88 for a development site located at least partially within 90 feet of a building or site formally determined to be eligible for listing on the National Register of Historic Places or the New York State Register of Historic Places or of a building or site that is eligible for designation as a New York City Landmark or Historic District;	☐
(iv)	For developable sites within 1000 feet of an air emissions source that operates under a permit issued pursuant to subpart 201-5 of title 6 of the New York Codes, Rules and Regulations (New York State facility permits) or subpart 201-6 of such title (Clean Air Act Title V permits) or either within 400 feet of any existing air emission source with an active or expired industrial permit issued by the New York City Department of Environmental Protection or within 400 feet of any unpermitted industrial source, confirmed to the lead agency based on the emission limits in the permit(s) or, for any unpermitted source, the estimated emission limits from similar source permit(s) provided by the lead agency, that concentrations of any pollutant regulated by the permit(s) or identified by the lead agency for any unpermitted source will not exceed the corresponding National Ambient Air Quality Standards (including background concentrations) and Annual Guideline Concentration (AGC) and Short-term Guideline Concentration (SGC) in the New York State Department of Environmental Conservation Division of Air Resources Guidelines for Evaluation and Control of Ambient Air Contaminants (DAR-1) at such developable site, as determined in accordance with the industrial source screen in Appendix B of Chapter 5 of Title 62 of the rules of the city of New York (Industrial Air Quality Checklist).	☑
(v)	With respect to calculation of noise levels, either:	☑
(A)	Provided to the lead agency representative peak hour outdoor noise sampling showing less than 70 A-weighted decibels (dBA) L10 ambient noise levels at all developable sites, and provided outdoor noise sampling for all developable site buildings within the line of sight of any railway or elevated subway showing less than 65 dBA Ldn ambient noise levels and confirmed that all developable sites are outside the 65 Day Night Average Sound Level contours established in the Noise Exposure Map (NEM) Report for John F. Kennedy Airport and LaGuardia Airport, or	☑
(B)	Agreed to establishment of an (E) designation for noise pursuant to section 11-15 of the NYC Zoning Resolution on any developable sites that cannot meet the requirements of item (A) above, provided that where the development site will be developed pursuant to a regulatory agreement with a government agency, such government agency shall include protections equivalent to those imposed by an (E) designation for noise attenuation in such regulatory agreement.	☐
(f) (3)	The projected duration of construction at each development site shall not be greater than 24 months and no consecutive projected construction period for all substantially contiguous developable sites shall be greater than 24 months.	☑
(f) (4)	No portion of any developable site shall:	☑
(i)	Be located adjacent to an arterial highway listed in Appendix H to the New York City Zoning Resolution or a vent structure for a tunnel	☑
(ii)	Be located within in a Special Coastal Risk District mapped pursuant to Article XIII, Chapter 7 of the New York City Zoning Resolution; or	☑
(iii)	Contain a natural resource. *("Natural Resource" means surface water bodies; wetland resources; upland resources, such as beaches, shrublands, meadows, and forests; or other significant or sensitive resources.)*	☑
(f) (5)	The action shall not enable construction of a new building or other structure or enlargement of an existing building or structure with a maximum allowable height greater than 250 feet, including all rooftop bulkheads, mechanical equipment, parapets, and any other parts of the building, or with a maximum possible height greater than 50 feet if substantially contiguous to a public open space other than a street or sidewalk, natural resource or an architectural sunlight sensitive resource identified by LPC under subparagraph (ii) of paragraph (2) of this subdivision above, unless such open space, natural resource or sunlight sensitive resource is entirely within the area between -108° degrees from true north and +108 degrees from true north of the building or other structure or is an architectural resource that is located on a facade that faces directly away from a developable site.	☑

1946 East 7th Street Rezoning
Green Fast Track Eligibility Memo

A. Location & Density

i. Proposed Actions

The proposed zoning map amendment would rezone Block 6682, Lots 41, 43, 45 and portions of ("p/o") Lots 39, 60, 62, 64, 66 & 68; as well as Block 6683, Lot 49 (p/o) and Lots 51, 52, 57 and 61 (hereafter, the "Rezoning Area"). These properties would be amended from R5 to R6A and R7A:

- Block 6682, Lots 39 (p/o), 41, 43, 64 (p/o), 66 (p/o) & 68 (p/o) would be amended from R5 to R6A
- Block 6682, Lots 45, 60 (p/o) & 62 (p/o) would be amended from R5 to R7A
- Block 6683, Lots 57 & 61 (p/o) would be amended from R5 to R6A
- Block 6683, Lots 49 (p/o) 51 and 52 would be amended from R5 to R7A

In addition, three zoning text amendments are sought:

- An amendment to Appendix A of Article XI, Chapter 3 of the Zoning Resolution ("ZR") to remove the Rezoning Area from the Special Ocean Parkway ("SOPD") Subdistrict.
- An amendment to Appendix F of the ZR to establish the Rezoning Area as a Mandatory Inclusionary Housing Area ("MIH"; combined the "Affected Area")

ii. Affected Area

The Affected Area consists of portions of the southern portions of Blocks 6682 and 6683, which include areas to be rezoned and removed from the SOPD Subdistrict, as well as areas added to Appendix F of the Zoning Resolution. These properties are in the Homecrest neighborhood of Brooklyn Community District 15. Block 6682, Lots 41 and 43 consist of the Development Site and would be rezoned from R5 to R6A.

The Affected Area is shown in the figure below (**Figure 1 – Site Location**).

1946 East 7th Street, Brooklyn
Figure 1: Site Location



iii. Proposed Development

The Development Site consists of Lots 41 and 43 on Block 6682. Lot 41 is an Applicant-owned approximately 4,600 sf interior lot with 40 ft. of frontage along East 7th Street. It is improved with a four-story 9,644 gsf multi-family residential building that is unoccupied. Lot 43 is an Applicant-owned approximately 4,600 sf interior lot with 40 ft. of frontage along East 7th Street. It is improved with a four-story 11,262 gsf institutional use building which includes a private school (B'Not Rachel High School for Girls), and private library associated with the nearby synagogue.

The Proposed Actions would facilitate the redevelopment of the Development Site with a 45,873 gsf (35,787 zsf) 7-story building (85 feet tall) with 2,292 gsf (no zsf[1]) of community facility uses and 43,581 gsf (35,787 zsf) of residential space (53 residential units, 100% of which would be

[1] The proposed community facility space would be located below grade and would not count as zoning floor area.

income restricted[2]). The building would have a total FAR of 3.89 (0.0 Community Facility and 3.89 Residential). There would be no accessory parking.

iv. Future-No-Action Scenario

Absent the Proposed Actions, no new development is anticipated and the lots within the Affected Area would remain in their current conditions.

v. Future With-Action Scenario

In the future with the Proposed Actions, the Development Site would be redeveloped. No other development would take place in the Affected Area, as all non-Applicant owned lots are either less than 5,000 SF in area or currently developed with pre-1974 apartment buildings with six or more units, likely subject to rent regulations.

Development Site:
In the future with the Proposed Actions, the Development Site (Block 6682, Lots 41 + 43) would consist of an a new nine-story (95') 45,873 gsf (35,786 zsf or 3.89 FAR) residential-community facility use. The building would contain 53 DUs along with supporting community facility space in the cellar. It would have a maximum height of 95 feet under the proposed R6A district. No parking would be required or provided. Construction would take approximately 12 months. All 53 dwelling units would be income-restricted, where MIH requires at least 25% as income-restricted (14 dwelling units).

vi. Development Increment

Under the With-Action Scenario, the Proposed Actions would result in a net increase of 42 dwelling units (+33,937 gsf) and a net decrease of 8,970 gsf of non-residential space. This is shown in Table 1 below.

[2] The Mandatory Inclusionary Housing (MIH) program requires 25-30% (Options 1 or 2) of dwelling units as income-restricted for residential use. However, the Applicant proposes a fully affordable building, which would comply with MIH under either option.

Table 1: Development Increment Table

Site	Use	No-Action	With-Action	Increment
Development Site	**Residential (GSF)**	9,644	43,581	+33,937
	Units	11	53	+42
	Non-Residential (GSF)	11,262	2,292	-8,970
	Commercial (GSF)	*0*	*0*	*0*
	Community Facility (GSF)	*11,262*	*2,292*	*-8,970*
	Other (GSF)	*0*	*0*	*0*
	Total	20,906	45,873	+24,967
Total for Developable Sites	**Residential (GSF)**	9,644	43,581	+33,937
	Units	11	53	+42
	Non-Residential (GSF)	11,262	2,292	-8,970
	Commercial (GSF)	*0*	*0*	*0*
	Community Facility (GSF)	*11,262*	*2,292*	*-8,970*
	Other (GSF)	*0*	*0*	*0*
	Total	20,906	45,873	+24,967

b. Air Quality

i. Fuel Source

The development would not burn fossil fuels for heating, cooling, or hot water. To ensure that this is the case, an (E) designation (E-821) for air quality would be placed on the Development Site. The text of the (E) designation would be as follows:

Brooklyn Block 6682, Lots 41 and 43

Any new residential and/or community facility development on the above-referenced property must ensure the HVAC system and hot water equipment are powered by electricity only with no venting or stacks, to avoid any potential significant adverse air quality impacts.

ii. Emission Sources

No emissions sources are located within 400 feet of the Development Site. An observational field survey was conducted on December 9, 2024, which confirmed that no manufacturing processing facilities are sited within 400 feet of the Development Site.

c. Noise

i. Time, Date, and Location of Noise Monitoring

The Development Site is not located within line of sight to any railway or elevated subway or within an airport noise exposure zone. Therefore, under Green Fast Track criteria, noise sampling showing less than 70 A-weighted decibels (dBA) L10 ambient noise levels at all developable sites meet the criteria.

Accordingly, monitoring was conducted during typical midweek conditions, on Tuesday, January 7th, 2020. Three locations were provided: (1) North side of Avenue S near Ocean Parkway; (2) the rooftop of the Projected Development Site; and (3) in front of the Projected Development Site on the west side of East 7th Street to the north of Avenue S.

ii. Noise Monitoring Results & Tables

Table 6-4, 7-5, and 6-6 *below contains the results for the measurements taken at the Project Site:*

Table 6-4 *Noise Levels (dB) at Location 1*			
Tuesday, January 7th, 2020			
Time	**7:59 am – 8:20 am**	**12:03 pm – 12:23 pm**	**4:31 pm – 5:51 pm**
L_{max}	72.9	78.8	77.8
L_{10}	59.0	61.0	63.5
L_{eq}	57.2	59.5	60.8
L_{50}	55.5	55.5	52.5
L_{90}	54.5	53.0	47.5
L_{min}	53.7	52.0	37.9

Note: **Bold** denotes L_{10} or L_{eq} noise level exceedances, according to Table 19-2 of the CEQR Technical Manual

Table 6-5 *Noise Levels (dB) at Location 2*			
Tuesday, January 7th, 2020			
Time	**8:22 am – 8:42 am**	**12:26 pm – 12:46 pm**	**4:52 pm – 5:12 pm**
L_{max}	80.7	89.5	75.3
L_{10}	66.5	66.0	64.5
L_{eq}	63.5	66.3	61.7
L_{50}	61.0	61.5	59.5
L_{90}	56.5	57.5	55.5
L_{min}	52.0	51.8	37.6

Note: **Bold** denotes L_{10} or L_{eq} noise level exceedances, according to Table 19-2 of the CEQR Technical Manual

Table 6-6 *Noise Levels (dB) at Location 3*			
Tuesday, January 7th, 2020			
Time	**7:56 am – 8:56 am**	**12:00 pm – 1:00 pm**	**4:30 pm – 5:30 pm**
L_{max}	70.8	69.9	77.5
L_{10}	60.0	60.0	59.0
L_{eq}	59.0	59.0	57.8
L_{50}	59.0	58.5	55.5
L_{90}	58.0	57.5	54.0
L_{min}	56.5	56.0	49.8

iii. Conclusion of Noise Monitoring

The highest recorded Leq at Location One (1) of the subject property was 63.5 dB(A) during the PM monitoring period. The highest recorded L10 at Location Two (2) of the subject property was 66.5 dB(A) during the AM monitoring period. The highest recorded L10 at Location Three (3) of the subject property was 60.0 dB(A) during the AM and midday monitoring periods. Based on the results of the noise monitoring that are below 70 dB(A), the proposed project meets Green Fast Track criteria for Noise.

d. Hazardous Materials

i. Phase I ESA Summary:

The September 2024 Phase I ESA report revealed that historical on-site and surrounding area land uses consisted of a variety of residential and commercial uses including residential buildings, synagogues, a school, a community center, etc. Regulatory databases identified 3 spills within 1/8 mile; 7 underground storage tank sites, 2 dry cleaners and 23 aboveground storage tank sites within 1/4 mile; and 20 leaking storage tank sites within 1/2 mile of the subject property.

ii. DEP response to Phase I ESA

Based upon a review of the Phase I report, DEP concluded on October 23, 2024, that the Phase I ESA report did not identify potential hazardous materials concerns on-site or nearby. Therefore, this project meets Green Fast Track criteria for Hazardous Materials.

e. Natural Resources

The Development Site does not contain a wetland, priority waterbody, significant natural community, forever wild area, recognized ecological complex, special natural waterfront area, or beach and is not located within a wetland check zone. No unmapped natural resource has been identified on or near the site.

f. Historic Resources

The proposed project was sent to the Landmarks Preservation Commission (LPC) for review and the LPC replied in a letter on 2/21/24 that the Development Site is does not contain architectural or archaeological significance. The letter notes that Block 6682 Lot 60, which is partially within the Rezoning Area, is adjacent to the Ocean Parkway Malls, a designated landmark that is also

State/Nationally registered. However, Block 6682 Lot 60 is not a developable site. The only developable site is the Development Site, which is not substantially contiguous to the Ocean Parkway Malls (see section ***G. Shadows*** below). Therefore, the project meets Green Fast Track criteria for historic resources.

g. Shadows

Under the Green Fast Track criteria, a project between 50 feet and 250 feet in height can be eligible if it is not substantially contiguous to a sunlight-sensitive resource. LPC and the Fast Tracker report flagged that the Development Site is within 200 feet of the Ocean Parkway Malls. However, as shown in **Figure 2 – Tier 1 Screening Assessment**, the Development Site is not contiguous to any sunlight-sensitive resource. There are intervening buildings and streets between the Development Site and the Ocean Parkway Malls. Therefore, the project qualifies for Green Fast Track shadows criteria.

1946 East 7th Street, Brooklyn
Figure 2: Tier 1 Screening Assessment

Project Site
Projected Building Footprint
Sunlight-Sensitive Open Space Resource
Potentially Affected Open Space Resource



Environmental Protection

Rohit T. Aggarwala
Commissioner

Angela Licata
Deputy Commissioner
Sustainability

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October 23, 2024

Katherine Nessel
Urban Planning Fellow
New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: 1946 East 7th Street Rezoning
Block 6682, Lots 41 and 43
CEQR # 77DCP348K

Dear Ms. Nessel:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the September 2024 Phase I Environmental Site Assessment (Phase I), prepared by Environmental Studies Corporation on behalf of Ahi Ezer Congregation (applicant) for the above referenced project. It is our understanding that the applicant seeks a zoning map amendment and three zoning text amendments (Proposed Actions) from the New York City Department of City Planning (DCP) for properties in the Homecrest neighborhood of Brooklyn Community District 15. The area is also wholly located in the Special Ocean Parkway District. The Proposed Actions consist of the following: A proposed zoning map amendment would rezone Block 6682, Lots 41, 43, 45 and portions of (p/o) Lots 39, 60, 62, 64, 66 and 68; as well as Block 6683, Lot 49 (p/o) and Lots 51, 52, 57 and 61 (Rezoning Area). These properties would be amended from R5 to R6A and R7A: Block 6682, Lots 39 (p/o), 41, 43, 64 (p/o), 66 (p/o) and 68 (p/o) would be amended from R5 to R6A; Block 6682, Lots 45, 60 (p/o) and 62 (p/o) would be amended from R5 to R7A; Block 6683, Lots 57 and 61 would be amended from R5 to R6A; Block 6683, Lots 49 (p/o) 51 and 52 would be amended from R5 to R7A. In addition, three zoning text amendments are sought: An amendment to Appendix A of Article XI, Chapter 3 of the Zoning Resolution (ZR) to remove the Rezoning Area from the Special Ocean Parkway Subdistrict; An amendment to Appendix F of the ZR to establish the Rezoning Area as a Mandatory Inclusionary Housing Area; An amendment to Appendix I that would enlarge the Transit Zone along portions of three blocks from Ocean Parkway to East 5th Street along Avenue S to encompass the Rezoning Area and properties between: Block 6681, Lots 455, 458, 464, 469, 472, 476, 478, and 480 (p/o); Block 6682, Lots 39 (p/o), 41, 43, 45, 60, 62, 64, 66 and 68 (p/o); and Block 6683, Lots 49 (p/o), 51, 52, 57 and 61. The Proposed Actions would facilitate the development of a new 6-story 32,237 square foot residential-community facility development (Proposed Development) on Block 6682, Lots 41 and 43 (Development Site). The building would contain 47 dwelling units along with supporting 2,515 square feet of community facility space in ground floor, which would not count

towards zoning floor area, as the area is below grade. The ground floor would contain a lobby/reception space, along with mechanical and accessory services. The remaining floors, first through to sixth, would contain the residential units, which would comprise a mix of one- and two-bedroom units. Outdoor recreation space would be provided in the rear of the property in 2,240 square feet, where a 33-foot rear yard would be provided. The building would have a base height of 65 feet, where it would set back 15 feet along East 7th Street before rising to a maximum height of 75 feet, at the roof level. The northern portion of the building would be affected by transition rules between the existing R5 and new R6A district and would include a maximum 45-foot-tall area within 25 feet of the of the boundary of the R5 and proposed R6A district. This would result in the northern 8 feet of the building rising to 45 feet. The building would provide no parking. All of 47 dwelling units would be permanently income-restricted and oriented towards seniors under an agreement with the U.S. Department of Housing and Urban Development for the provision of income-restricted housing for the elderly. As such, no off-street parking would be required with the Development Site under Transit Zone regulations and no curb cuts would be provided in the Proposed Development.

The September 2024 Phase I report revealed that historical on-site and surrounding area land uses consisted of a variety of residential and commercial uses including residential buildings, synagogues, a school, a community center, etc. Regulatory databases identified 3 spills within 1/8 mile; 7 underground storage tank sites, 2 dry cleaners and 23 aboveground storage tank sites within 1/4 mile; and 20 leaking storage tank sites within 1/2 mile of the subject property.

Based upon our review of the submitted documentation, we have the following comments and recommendations to DCP:

- The Phase I report did not identify potential hazardous materials concerns on-site or nearby. Therefore, no further investigation is warranted for the Proposed Development on the Development Site.

Future correspondence and submittals related to this project should include the following CEQR # **77DCP348K**. If DCP has any questions, you may contact Scott Davidow, P.G. at sdavidow@dep.nyc.gov.

Sincerely,

Wei Yu
Deputy Director, Hazardous Materials

c: R. Weissbard
S. Davidow
T. Estesen
M. Wimbish
S. Shellooe – DCP
E. Ulker-Kacar – DCP
J. Mitchell - DCP

Landmarks Preservation Commission
1 Centre Street
9th Floor North
New York, NY 10007
Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / ER.K
Project: 1964 E. 7 ST. REZONING
Date Received: 2/21/2024

Comments:

REVISED PROJECT SITE OF THIS DATE.

Properties with no Architectural or Archaeological significance:
1) 1946 EAST 7 STREET, BBL: 3066820041
2) 1950 EAST 7 STREET, BBL: 3066820043

Properties with Architectural significance:
1) 1887 OCEAN PARKWAY, BBL: 3066820060, LPC FINDINGS: ADJACENT DESIGNATED LANDMARK, STATE/NATIONAL REGISTER FINDINGS: ADJACENT DESIGNATED NR LANDMARK

Gina Santucci 2/21/2024

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

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