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

# Memorandum

**To: Sarah Whitham, Alex Sommer**
**From: Evren Ulker-Kacar**
**Date: 10/22/2026**

**Re: Qualified Action Determination**

**ULURP No(s):** 260232ZMK
**Project Name:** 2601 86th Street Rezoning
**CEQR No.:** 26DCP117K

## 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 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;

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- 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.

___Otherwise exempt pursuant to _____.

[1] E-929 for hazardous materials will be placed on Brooklyn Block 7092, Lots 20, 21, 22, and 24.

# Qualified Action Determination Form

Version 2.0 | October 2026

**Project Name:** *2601 86th Street Rezoning*
**CEQR #:** *26DCP117K*

*The Qualified Action Determination Form may be used for projects seeking a Qualified Action Determination under Subdivision 5 of Section 8-0111 of the Environmental Conservation Law. If there are questions about whether a project qualifies, contact the Environmental Assessment and Review Division (EARD) Project Manager. For City guidance on Qualified Actions, see here. For instructions on how to receive a Qualified Action determination from the Department of City Planning, see here.*

**Date:** October 22, 2026

**ULURP No.:** 260232ZMK, N260233ZRK

**Project Name:** 2601 86th Street Rezoning

**CEQR No.:** 26DCP117K

Proposed Action

The Applicant, Stillwell 86 Associates, LLC, seeks a zoning map amendment and zoning text amendment (the "Proposed Actions") affecting Brooklyn Block 7092, Lots 20, 21, 22, and 24, and portions of Lots 48, 49, and 50 (the "Affected Area") in the Gravesend neighborhood of Brooklyn Community District 11. The Affected Area is bounded by West 13th Street to the east, Stillwell Avenue to the west, and 86th Street to the south.

The proposed zoning map amendment would change the existing C8-2 and R5B zoning districts to C4-4D and R6A zoning districts, respectively, and would rezone portions of Lots 48, 49 and 50 from C8-2 to R5B/C2-3 zoning districts. The proposed zoning map amendment would amend Appendix F of the Zoning Resolution (ZR) to designate the Affected Area as Mandatory Inclusionary Housing (MIH) area.

The Proposed Actions would result in development on the Applicant-owned Projected Development Site 1 (Block 7092, Lot 20). Non-Applicant-owned Lots 21, 22 and 24 are identified as Potential Development Site 1. Lots 48, 49 and 50 are not anticipated to be redeveloped, as they do not meet the soft site criteria described in the CEQR Technical Manual. The Lots are not controlled by the Applicant, are all less than 5,000 square feet in area, not under common ownership, and were built in the 1930s. As a result, no development is anticipated on the aforementioned lots.

**Project Name:** *2601 86th Street Rezoning*
**CEQR #:** *26DCP117K*

Description of Site and Previous Disturbance

Block 7092, Lot 20 (the "Development Site") is a 40,826 square foot lot. The site is located on the North side of 86th Street, between Stillwell Avenue and West 13th Street with approximately 74 feet of frontage. The Development Site is currently zoned R5B/C8-2. The Development Site is currently occupied by a one-story building, approximately 10,266 gross square feet (GSF) commercial building. The occupied use is storefront retail. Potential Development Site 1 consists of Lots, 21, 22, and 24, which are 4,793 GSF, 4,582 GSF, and 3,677 GSF, respectively. They are currently developed with two-story buildings with commercial use on the ground floor. The remaining lots in the Affected Area contain buildings with residential and commercial uses.

Proposed Project

The Proposed Actions would facilitate the Applicant's proposed development which consists of a new mixed-use residential, commercial and community facility building on Projected Development Site 1 (Block 7092, Lot 20) (the "Proposed Project"). The proposed 14-story (165-foot-tall), approximately 165,327 GSF building would include approximately 152,160 GSF of residential use developed with up to approximately 169 dwelling units (DUs), approximately 20-30% of which (34-51 DUs) would be permanently affordable pursuant to MIH. The building would also include approximately 9,480 gsf of local retail use and 3,687 gsf of community facility (medical office) use. The average DU size would be approximately 900 GSF per unit. The Proposed Project would not include a cellar and parking requirements would be waived. The Project Area is located within the Outer Transit Zone, and no parking spaces would be provided.

Future Without the Proposed Actions (No-Action Condition)

In the No-Action Condition, absent the Proposed Actions, the Applicant has no plans to redevelop Projected Development Site 1 (Block 7092, Lot 20), which would remain in its existing condition as a 10,226 GSF one-story commercial building with 30 accessory parking spaces. Potential Development Site 1 (Block 7092, Lots 21, 22 and 24) would also remain in its existing condition, subject to the underlying C8-2 and R5B zoning districts. No development is anticipated in the No-Action Condition.

**Project Name:** *2601 86th Street Rezoning*
**CEQR #:** *26DCP117K*

Future With the Proposed Actions (With-Action Condition)

In the With-Action Condition, the existing commercial building on Projected Development Site 1 (Block 7092, Lot 20) would be demolished to facilitate the development of a new 14-story (165-foot-tall), approximately 165,327 GSF mixed-use building, including approximately 152,160 GSF of residential use, which would include approximately 152,160 GSF of residential use developed with up to approximately 169 dwelling units (DUs), approximately 20-30% of which (34-51 DUs) would be permanently affordable pursuant to MIH. 9,480 gsf of commercial use, and 3,687 gsf of community facility use. The average DU size is assumed to be approximately 900 GSF per unit. No accessory parking would be required or provided. Block 7092, Lots 21, 22 and 24 are identified as Potential Development Site 1. As this site is considered a potential (rather than projected) development site, it is not quantified in the development increment shown below.

Summary of Development Information for Qualified Action

**Table: Total Projected Development Sites Increment**

| **Use** | **No-Action Condition** | **With-Action Condition** | **Increment** |
|---|---|---|---|
| Residential GSF | 0 | 152,160 | 152,160 |
| *DU*[2] | *0* | *169* | *169* |
| *Affordable DUs* | *0* | *51* | *51* |
| Commercial GSF | 10,226 | 9,480 | -746 |
| Community Facility GSF | 0 | 3,687 | +3,687 |

See attached for Applicant Hazardous Materials Certification

**Stillwell 86 Associates, LLC**
530 SW 24 Road, Miami, Florida 33129
Tel: 718-755-0123 | matthew@thespecialty.com

## 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: 2601 86th Street Rezoning

Applicant Name: Stillwell 86 Associates, LLC

Contact: Matthew Scherr / matthew@thespecialty.com / 718-755-0123

Date: July 8, 2026

Project Number: 2025K0374

CEQR Number: 26DCP117K

Project Block & Lots: Brooklyn Block 7092, Lots 20, 21, 22, 24, and p/o 48, 49, 50

Project BBLS: 3070920020, 3070920021, 3070920022, 3070920024, 3070920048, 3070920049, 3070920050

I, Matthew Scherr, am Managing Member of Stillwell 86 Associates, LLC, the applicant ("Applicant") for a zoning map amendment to rezone Block 7092, Lots 20, 21, 22 and 24 from C8-2 and R5B zoning districts to C4-4D and R6A zoning districts, respectively, and p/o Lots 48, 49 and 50 from C8-2 to R5B/C2-3, and a zoning text amendment to Appendix F of the Zoning Resolution to establish 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 "Qualified Action"). Applicant is the fee owner of Block 7092, Lot 20 (BBL 3070920020) (the "Property"), subject to the Application.

**Stillwell 86 Associates, LLC**
530 SW 24 Road, Miami, Florida 33129
Tel: 718-755-0123 | matthew@thespecialty.com

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-9 2 9 ) 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.

Matthew Scherr

Matthew Scherr, Managing Member, Stillwell 86 Associates, LLC