DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

October 6, 2017

Hilary Semel
Mayor's Office of Environmental Coordination
253 Broadway, 14th Floor
New York, NY 10007

NOTICE OF LEAD AGENCY DETERMINATION AND REVIEW

Re: **35 Underhill Avenue Rezoning**
CEQR No. 18DCP041K
ULURP No. Pending
Brooklyn, Community District 8
SEQRA Classification: Unlisted

The above-referenced application involves a discretionary action subject to City Planning Commission approval. This action is subject to review under the City Environmental Quality Review (CEQR), Executive Order No. 91, and the State Environmental Quality Review Act (SEQRA), 6 NYCRR 617.

Pursuant to Sections 5.03 and 5.05 of the Rules of Procedure for City Environmental Quality Review (CEQR) as adopted June 26, 1991, the Department of City Planning, acting on behalf of the City Planning Commission, is assuming lead agency status for this application and is initiating the CEQR review.

The Applicant, Silvershore Properties 97 LLC., is seeking a zoning map amendment to rezone a portion of Brooklyn Block 1131, Lots 1, 3, 1001-1040 and a sliver of Lot 9 (the Rezoning Area), currently zoned R6B to entirely R6A/C2-4 in the Prospect Heights neighborhood, Brooklyn Community District 8. The proposed Rezoning Area consists of the triangular R6B portion of Block 1131, generally bounded by Dean Street and Underhill Avenue, and located approximately 100 feet from Washington Avenue. The proposed action would facilitate a proposal by the Applicant to convert a 4,086 square foot (sf) portion of the ground floor space within an existing building (Block 1131, Lots 1001-1040, the Project Site) currently used for 15 permitted parking spaces into new commercial space.

The Project Site is an irregularly shaped tax lot split between the R6A/C2-4 and R6B zoning districts mapped on the block. Currently, it is improved with a 4-story residential building

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measuring a floor area of 17,921 gross square feet (gsf), a 6-story residential building measuring a floor area of 59,057 gsf, and 15 permitted parking spaces. The two residential buildings contain 39 dwelling units (DU). A 3,635 sf portion of the Project Site is located within the R6B zoning district and a 13,159 sf portion is located within the R6A/C2-4 zoning district. The 4-story residential building fronts on Underhill Avenue, and the 6-story building fronts on Washington Avenue and Dean Street. A cellar level within the Project Site contains 20 parking spaces accessible from Underhill Avenue, in addition to the 15-space parking area located along the ground floor of the 6-story residential building. The cellar level parking meets the 50 percent residential parking requirement for the existing residential uses. Under the proposed rezoning, the 39 DU and the cellar level parking would remain unchanged.

The proposed zoning map amendment would rezone a portion of the Project Site (Block 1131, Lots 1001-1040) from R6B to R6A/C2-4, increasing the maximum allowable FAR from 2.0 to 3.0. The existing buildings on the Project Site are fully built to the maximum allowable FAR in the current R6B and R6A/C2-4 split zoning. Absent the proposed rezoning, provision of additional commercial floor area is not permitted. The increased FAR from the proposed rezoning would facilitate the use-conversion of the 15-space parking area (which does not account for FAR) into a new 4,086 sf commercial space. The parking requirement in C2-4 (1 space/1,000 sq. ft.) for the proposed new commercial floor area would be waived per ZR 36-232 ("In Districts with Low Parking Requirements").

The remaining properties within the Rezoning Area include Block 1131, Lots 1 and 3, and a sliver of Lot 9. The proposed rezoning is not expected to induce new development on Lots 1, 3, and 9. Lot 1 is improved with a 4-story commercial and residential building containing a ground floor restaurant, Use Group (UG) 6, and 10 DU on the remaining floors (UG 2). Lot 3 is improved with a 4-story residential building (UG 2) with 12 dwelling units. Lot 9 is a 1,485 sf lot, the majority of which is zoned with a C2-4 overlay, containing an outdoor café. Lot 9 is not a projected development site; a sliver of the lot (150 sf) is located within the proposed rezoning area, and the proposed action would bring the entirety of Lot 9 into conformance with zoning.

Absent the proposed action, it is anticipated that the Project Site would remain in its existing condition.

The analysis year for the proposed action is 2020.

An Environmental Assessment Statement is attached. Please contact Rupsha Ghosh of the Department of City Planning at (212) 720-3524, if you have any questions regarding the application.

Sincerely,

Olga Abinader, Deputy Director
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cc:	Robert Dobruskin	Jonah Rogoff	Johnathan Keller
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