DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

June 16, 2017

Hilary Semel, Director
Mayor's Office of Environmental Coordination
253 Broadway, 7th Floor
New York, NY 10007

NOTICE OF LEAD AGENCY DETERMINATION AND REVIEW

Re: **Tillary and Prince Streets Rezoning**
CEQR No. 17DCP176K
ULURP Nos. 170400ZMK, 170401ZRK
Brooklyn, Community District 2
SEQRA Classification: Unlisted

The above-referenced application involves discretionary actions subject to City Planning Commission approval. These actions are 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, YYY Brooklyn NY LLC., proposes a zoning map amendment from an R6 district to a C6-4 district, and a zoning text amendment to Zoning Resolution (ZR) Section 23-933 (Inclusionary Housing) Appendix F to establish a Mandatory Inclusionary Housing (MIH) area affecting a portion of a block (Block 2050, p/o Lot 1, Lot 100, and 104, the "Rezoning Area") in the Downtown Brooklyn neighborhood of Brooklyn Community District 2. In addition, the Applicant is seeking a zoning text amendment to ZR Appendix E (Special Downtown Brooklyn District) to extend the Special Downtown Brooklyn District and the Flatbush Avenue Extension height Limitation Area over the Rezoning Area. The proposed zoning and text amendments (collectively the "Proposed Actions") would facilitate a proposal by the Applicant to construct two attached predominantly residential buildings at 202-208 Tillary Street and 67-73 Prince Street (Lot 100, the "Project Site") comprising a combined total of 266,542 gross square feet

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(gsf) of Use Group (UG) 2 residential use, including approximately 262 dwelling units, of which 79 would be affordable, 13,723 gsf of UG 6 local retail space, and 44 vehicular accessory parking spaces and 132 bicycle parking spaces in a cellar-level garage (the "Proposed Development"). The Rezoning Area is located at the corner of Tillary Street and Prince Street.

The Rezoning Area is currently zoned R6. R6 zoning districts allow for two sets of bulk regulations: "Height Factor" regulations, which produce small multi-family buildings on small zoning lots and, on larger lots, tall buildings set back from the street; and "Quality Housing" regulations, which produce high lot coverage buildings with height limits that often reflect the scale of pre-1961 apartment buildings. Under Height Factor regulations, the maximum permitted residential FAR (UG 1 and 2) ranges from 0.78 to 2.43. Under Quality Housing regulations, the maximum permitted residential FAR is 3.0 on wide streets outside of the Manhattan Core (i.e. the area outside of Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8) and 2.2 on narrow streets. Community facility uses (UG 3 and 4) are permitted up to 4.8 FAR in R6 districts.

The Project Site is currently developed with a 114,500 gsf, five-story UG 16 self-storage building. The remainder of the Rezoning Area is developed with a 65,645 gsf, eight-story UG 3 women's and men's homeless shelter (Lot 104), which includes 200 beds operated by the Institute for Community Living ("ICL") and 62 beds operated by Church Avenue Merchant block Association ("CAMBA"). Both ICL and CAMBA are operating under a 20-year lease with the building owner, and a 9-year funding agreement with New York City Department of Homeless Services and the New York City Human Resources Administration. The Rezoning Area also includes 13,700 square feet of New York City Housing Authority's Ingersoll Houses campus (p/o Lot 1), which is currently used as surface loading area by the storage facility on the Project Site under a licensing agreement with NYCHA, and a fenced-off open space. The Ingersoll Houses campus consists of 12 residential buildings ranging from 6-to-11 stories, totaling 1,840 dwelling units.

The proposed C6-4 zoning district and MIH text amendment would allow a maximum FAR of 12 for residential uses (UG 1 and 2), a maximum FAR of 10 for community facility uses (UG 3 and 4), and a maximum FAR of 10 for commercial uses (UG 5-12). The extension of the Special Downtown Brooklyn District, which provides special height and setback regulations and urban design guidelines, and extension of the Flatbush Avenue Extension Height Limitation Area, would establish a height restriction of 400 feet over the Rezoning Area. Upon approval of the Proposed Actions, the Applicant intends to develop two attached 23- and 21-story buildings ("Building A" and "Building B") totaling 266,042 gsf, with 262 dwelling units, of which 79 would be affordable, 13,723 gsf of UG 6 local retail space, and 44 vehicular accessory parking spaces and 132 bicycle parking spaces in a cellar-level garage. With the proposed MIH text amendment, Option 1 would be mapped coterminous with the Rezoning Area. Under Option 1, 25 percent of residential floor area would be affordable for residents with incomes averaging 60% AMI (of which 10% would be affordable at 40% AMI).

For the purposes of presenting a conservative analysis, the Environmental Assessment Statement prepared in connection with the Proposed Actions analyzed two development scenarios. The first scenario, used to analyze density- and bulk-related impacts, assumes 162,634 sf of air rights transfer from the portion of the NYCHA property (p/o Lot 1) within the Rezoning Area to the Project Site, which would require additional discretionary actions. This scenario also assumes 21,991 sf of air rights transfer from the homeless shelter building (Lot 104) to the Project Site.

Under this scenario, the Proposed Development would consist of two attached 42-story buildings totaling 441,363 gsf, with 435 dwelling units, of which 109 units would be affordable at or below 80% of Area Median Income ("AMI"), 13,721 gsf of UG 6 retail use, and a 21,991 gsf of UG 6 health and physical culture facility. For purposes of a more conservative analysis for the HVAC air quality impact assessment, a second scenario was developed and assumes the Proposed Development, which would be built up to 23 stories. In both scenarios, it is assumed that the homeless shelter building on Lot 104 would remain.

The Proposed Development is expected to be completed in 2020. Absent the Proposed Actions, the Project Site would remain as the existing conditions.

An Environmental Assessment Statement is attached. Please contact Christopher Lee of the Department of City Planning at (212) 720-3429, if you have any questions regarding the application.

Sincerely,

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cc:

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