DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Daniel R. Garodnick, *Director*
Department of City Planning

July 24, 2024

NOTICE OF PUBLIC HEARING ON THE
DRAFT ENVIRONMENTAL IMPACT STATEMENT
(CEQR No. 23DCP165K)

962-972 Franklin Avenue Rezoning

Project Identification
CEQR No. 23DCP165K
ULURP No. C230356ZMK, N230357ZRK,
N230357(A)ZRK, C230358ZSK
SEQRA Classification: Type I

Lead Agency
City Planning Commission
120 Broadway, 31st Floor
New York, New York 10271

Contact Person
Stephanie Shellooe, AICP, Director, 212-720-3328
Environmental Assessment and Review Division
New York City Department of City Planning

The City Planning Commission (CPC), acting as lead agency, issued a Notice of Completion on May 10, 2024 for a Draft Environmental Impact Statement (DEIS) for the 962-972 Franklin Avenue Rezoning proposal in accordance with Article 8 of the Environmental Conservation Law. **A public hearing on the DEIS will be held on Wednesday, August 7, 2024, at 10:00 AM at the City Planning Commission Hearing Room, located at 120 Broadway, Lower Concourse, New York, New York 10271, in conjunction with the CPC's public hearing pursuant to ULURP. The public hearing will also consider a modification to the Proposed Action (ULURP No. N230357 (A) ZRK. Comments are requested on the DEIS and will be accepted through 5:00 PM, Monday August 19, 2024. To continue to allow for broad public participation, DCP will hold the public hearing accessible both in-person and remotely via the teleconferencing application Zoom. Anyone attending the meeting in-person is encouraged to wear a mask.**

To join the meeting and comment remotely, please visit the NYC Engage site, https://www.nyc.gov/engage
If you would like to register to testify remotely via phone, need assistance with technical issues, or have any questions about participation you may call any of the phone numbers listed below, then enter the following Meeting ID.

(877) 853-5247 (Toll-free)
(888) 788-0099 (Toll-free)

(213) 338-8477 (Toll)
(253) 215-8782 (Toll)

Then enter the following meeting ID and password when prompted.

Meeting ID: 618 237 7396
Password: 1
[The Participant ID can be skipped by pressing #]

Instructions on how to participate remotely, as well as materials relating to the hearing, will be posted on the NYC Engage site on the day of the Public Hearing, no later than 1 hour prior to the hearing. To help the meeting host effectively manage members of the public who sign up to comment, those who do not intend to actively participate are invited to watch the livestream or the recording that will be posted after the meeting. The Public Hearing livestream can be found in the above referenced NYC Engage site and will be made available on the day of the Public Hearing.

Comments are requested on the DEIS and will be accepted through 5:00 PM, Monday, August 19, 2024. They can be submitted via email to 23DCP165K_DL@planning.nyc.gov or mailed to Stephanie Shellooe, AICP, Director, Environmental Assessment and Review Division, New York City Department of City Planning, 120 Broadway, 31st Floor, New York, New York 10271. Copies of the DEIS may also be obtained by contacting the Environmental Assessment and Review Division, at the contact address above, by calling (212) 720-3328 or by emailing sshellooe@planning.nyc.gov.

In addition, the DEIS and Final Scope of Work are available for download on the project ZAP page: https://zap.planning.nyc.gov/projects/2022K0423 . To view the 962-972 Franklin Avenue Rezoning Final Scope of Work, DEIS Notice of Completion and full DEIS and Appendix, navigate to the 962-972 Franklin Avenue Rezoning project page in ZAP and select Public Documents, then "Final Scope of Work," "DEIS_Notice of Completion" and "DEIS_23DCP165K".

Please inform the Department of City Planning if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. Requests for a reasonable accommodation or foreign language assistance during the meeting should be emailed to AccessibilityInfo@planning.nyc.gov or by calling 212-720-3508. Requests must be submitted at least ten business days before the meeting.

The Applicant, Franklin Ave. Acquisition LLC, seeks a series of discretionary actions that would facilitate the development of a mixed-use residential and commercial building at 970 Franklin Avenue (Block 1192, Lots 63 and 66) (the "Proposed Development Site"). The Proposed Development Site is located on the block bound by Montgomery Street, Franklin Avenue, Sullivan Place, and Washington Avenue, on the eastern side of the Franklin Avenue subway shuttle right-of-way, in the Crown Heights neighborhood of Brooklyn Community District (CD) 9. The Proposed Development Site is located within the larger Project Area which consists of Block 1192, parts of Lots 1, 46, 63, 66, 77, and 85.

The Proposed Actions consist of a zoning map amendment, zoning text amendment, and special permit. The Proposed Actions are outlined below:

1. The proposed zoning map amendment would rezone the Project Area from R6A to R8A with a C2-4 commercial overlay (mapped in the Project Area within 100 feet of Franklin Avenue)

2. The proposed zoning text amendment to Appendix F of the Zoning Resolution (ZR) would designate the Project Area as a Mandatory Inclusionary Housing Area (MIH) and would require a portion (25-30%) of the residential floor area be designated as permanently affordable housing units.
3. A special permit pursuant to ZR section 74-533 would waive the parking requirements per ZR section 25-23. The requested parking reduction would facilitate the development of additional affordable housing in a development site located within a transit zone.

Approval of the Proposed Actions would facilitate the development of a 14-story, 145-foot-tall (excluding mechanical bulkhead, which could reach an additional 55-feet on a portion of the roof), 471,495 gross square foot (gsf) mixed-used residential and commercial building containing 475 dwelling units (DUs) (419,346 gsf), 119 of which would be permanently affordable pursuant to MIH, 8,128 gsf of local retail space, 27,349 gsf of parking area, 2,752 gsf of loading area, and approximately 13,920 gsf of mechanical/storage space (the "Proposed Project"). The Proposed Project would be constructed on underbuilt and vacant land near public transportation and other public amenities. Parking for approximately 20 percent of all market-rate units would be provided at the Proposed Project (approximately 71 parking spaces). The accessory parking garage would be accessed via a curb cut on Franklin Avenue.

It is expected that the Proposed Project would be constructed over an approximately 31-month period following project approval, with completion and occupancy expected to occur in 2027.

The DEIS identifies potential significant adverse impacts related to shadows, open space, natural resources, and construction (noise). Mitigation measures to address those impacts, where feasible and/or practical, are proposed in the DEIS. DCP, as the Lead Agency, will continue to coordinate with interested and involved agencies and further examine and refine these recommended measures between the DEIS and FEIS. If no feasible and practicable mitigation can be identified, the impacts would remain an unavoidable significant adverse impact of the Proposed Actions. Four alternatives to the Proposed Project that have the potential to reduce, eliminate or avoid significant adverse impacts were explored in the DEIS: the No-Action Alternative, R7D Alternative, R7A Alternative, and the No Unmitigated Significant Adverse Impacts Alternative. Under the No-Action Alternative, which assumes an as-of-right R6A development at the Proposed Development Site, no significant adverse impacts related to shadows, open space, natural resources, or construction (noise) would occur. The R7D Alternative would result in significant adverse impacts to open space, shadows, natural resources and construction (noise). The R7A Alternative would also result in significant adverse impacts to open space, shadows, natural resources, and construction (noise). Under the No Unmitigated Significant Adverse Impacts Alternative, the Proposed Project would have to be modified to a point where the principal goals and objectives would not be realized.

Since the issuance of the Notice of Completion for the DEIS, the Applicant has prepared and filed an amended zoning text application (ULURP No. N230357(A)ZRK) intended to reduce the significant adverse impacts related to shadows, open space, and natural resources raised in the DEIS. A technical memorandum assessing whether this amended application would alter the conclusions presented in the DEIS is available on DCP's website (https://www.nyc.gov/site/planning/applicants/eis-documents.page). The analysis presented in the technical memorandum will be incorporated into the Final Environmental Impact Statement (FEIS).