DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Carl Weisbrod, *Director*
Department of City Planning

February 24, 2017

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

NOTICE OF LEAD AGENCY DETERMINATION AND REVIEW

Re: **50 Nevins Street**
CEQR No. 17DCP117K
ULURP Nos. 170029ZMK, N170030ZRK
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, the Institute for Community Living (ICL), seeks two discretionary actions 1) a zoning map amendment from a C6-1 zoning district to a C6-4 zoning district and 2) a zoning text amendment to Appendix F of the Zoning Resolution to establish a Mandatory Inclusionary Housing (MIH) Area (the "Proposed Actions"). The Proposed Actions would affect Block 172, a portion of Lot 37 (the "Project Site" which is under the Applicant's control), and portions of Lots 43, 44, and 45 (collectively the "Rezoning Area") located in the Downtown Brooklyn section of Brooklyn Community District 2. The Rezoning Area extends to a depth of 100 feet west of Nevins Street and 90 feet south of Schermerhorn Street, with a total area of 9,000 square feet, and is located within the Special Downtown Brooklyn District (SDBD). The remainder of Lot 37, as well as the balance of Lots 43, 44, and 45, which are also owned by the Applicant, are located within an R6B zoning district, and would not be affected by the Proposed Actions.

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In addition to the proposed zoning map and text amendments, the Applicant is seeking funding from the New York State Office of Mental Health (NYS OMH) and New York State Housing Finance Agency (HFA) for construction and operational funding of the proposed development. The funding action requires environmental assessment under State Environmental Quality Review (SEQR). As lead agency, the City Planning Commission (CPC), will conduct a coordinated environmental review, with the State Historic Preservation Office (SHPO) and NYC Housing Preservation and Development (HPD) acting as involved agencies.

The Rezoning Area is currently mapped with a C6-1 zoning district. C6-1 is a commercial district (R7 equivalent) which allows for a maximum floor area ratio (FAR) of 6.0 for commercial uses and 6.5 FAR for Community Facility uses. Residential uses are permitted up to an FAR of 3.44. C6-1 districts permit a wide range of commercial uses including offices, hotels and department stores. The Rezoning Area is also located within the Schermerhorn Height Limitation Area B of the SDBD, which permits maximum building heights up to 140 feet.

Currently the Project Site is developed with an eight-story, 68,659 gross square foot (gsf) community facility building licensed by NYS OMH comprised of 150 single room occupancy (SRO) units. The existing building is currently built to an FAR of 4.54. An approximately 3,846 gsf portion of the Project Site within the Rezoning Area is currently occupied with a 10-space surface parking lot, which is accessory to the existing SRO facility. The remaining 4,038 sf portion of the Project Site is located within an R6B zoning district, and would not be affected by the Proposed Actions.

The Proposed Actions would map the Rezoning Area with C6-4 district. Mapping a C6-4 district (R10 equivalent) would allow for an increase in maximum FAR for commercial and community facility uses up to 10.0 FAR. Residential uses would be permitted up to an FAR of 12.0, with the development of affordable housing pursuant to the MIH program. Pursuant to zoning regulations, no parking is required for affordable units, commercial or community facility uses. Parking is required for 20 percent of market rate units in C6-4 districts within the SDBD.

The Mandatory Inclusionary Housing (MIH) program requires that a portion of new residential units to be made permanently affordable. Option 1 requires 25% of residential units to be affordable for residents with incomes at 60% Average Median Income (AMI), with 10% affordable at 40% AMI. Option 2 requires 30% of units to be affordable at 80% AMI. As part of the Proposed Actions, the Applicant seeks to establish an MIH Area (Option 1 and Option 2) over the entire Affected Area. The entire Project Site (Block 172, Lot 37) would be located within an MIH area. Portions of Lots 43, 44 and 45 would be within the MIH area. However, due to the small lot area within the MIH area, the requirements of the MIH program would not apply to these lots.

The Proposed Actions would facilitate a proposal by the Applicant to renovate and enlarge the existing building located at the Project Site (50 Nevins Street, Block 172, Lot 37) and convert the existing 150-unit SRO facility to a 120-unit, 103,823 gsf supportive and affordable housing facility. The proposed development would also include 4,107 gsf of commercial uses. As proposed, the existing building would experience a horizontal enlargement and a vertical enlargement. The horizontal enlargement is proposed to be ten-stories tall (120 feet above grade), and would be constructed on the lot area currently used as a parking lot. The vertical enlargement would comprise a three- story addition to the existing building. The proposed enlargements would occur entirely within the portion of Lot 37 within the proposed Rezoning

Area. The portion of the existing building outside of the Rezoning Area, (zoned R6B), would remain unchanged.

For the purposes of presenting a conservative analysis, two development scenarios were considered for the Project Site. The first scenario analyzes the proposed development, a 10-story, 107,930 gsf community facility building, comprised of 120 units of supportive and affordable housing (Use Group 3) and commercial use. The second scenario considers a 14-story, 121,509 gsf building comprised of 214 units (150 Use Group 3 units to remain, 64 Use Group 2 units including approximately 19 units of affordable housing). In both scenarios, the existing structure on the Project Site would be renovated and enlarged. A three-story enlargement would be added to the existing building, and a ten-story structure would be developed on the lot area currently used for parking.

The remainder of the Rezoning Area (Block 172, parts of Lots 43, 44 and 45) is currently developed with attached four-story buildings. These properties are owned by the Applicant and are utilized as community facilities with sleeping accommodations. As only ten feet of the rearmost portions of these lots would be affected by the Proposed Actions, they are anticipated to remain in their existing condition in the future with the Proposed Action.

Absent the Proposed Actions, all existing structures on the Rezoning Area are expected to remain in their existing condition.

It is expected that the Applicant's proposed development would be completed by 2019.

An Environmental Assessment Statement is attached. Please contact Stephanie Shellooe of the Department of City Planning at 212-720-3328, if you have any questions regarding the application.

Sincerely,

Olga Abinader, Deputy Director
Environmental Assessment and Review Division
New York City Department of City Planning

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