DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marissa Lago, *Director*
Department of City Planning

March 15, 2018

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: **McDonald Avenue Catering**
CEQR No. 18DCP076K
ULURP Nos. Pending
Brooklyn, Community District 12
SEQRA Classification: Unlisted

The above-referenced application involves a discretionary action subject to City Planning Commission approval. The 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. Due to previous and current actions the Applicant has sought from the Board of Standards and Appeals (BSA), this project is undergoing a coordinated environmental review, with the BSA acting as an Involved Agency.

The Applicant, Congregation Chasdei Belz Beth Malka, seeks a zoning map amendment to map a C2-4 commercial overlay on properties zoned R5 and located at or adjacent to 600 McDonald Avenue (Block 5369, Lots 1, 2, 3, 4, 5, 6, and part of 82) in the Borough Park neighborhood of Brooklyn Community District 12. The proposed action would facilitate a proposal by the Applicant to operate a commercial banquet facility (Use Group 9) located within an interconnected cellar area of two school buildings (Use Group 3) at 317 Dahill Road, as well as a portion of the basement floor of the building at 600 McDonald Avenue (Lots 6 and 82). The facility occupies the cellar of the Dahill Road building (containing the seating, entertainment and toilet areas), the cellar of the McDonald Avenue building (containing the kitchen facilities), and the basement of the McDonald Avenue building (containing the entry to the banquet hall as well as additional toilet facilities).

Robert Dobruskin, AICP, *Director*
Olga Abinader, *Deputy Director*
120 Broadway, 31st Floor, New York, N.Y. 10271
(212) 720-3423
rdobrus@planning.nyc.gov

The commercial banquet hall use would operate within the kitchen and dining facilities of the affected properties, and would accommodate events with up to 400 guests.

Currently, the lots affected by the proposed action are located in an R5 residential district, which permits residential (Use Groups 1-2) and community facility uses (Use Groups 3-4). Commercial banquet hall (Use Group 9) uses are not permitted within the existing R5 zoning. The proposed C2-4 commercial overlay would allow for commercial uses (Use Groups 5-9 and 14) on these lots.

Lots 1-5 are under separate ownership (not controlled by the Applicant) and contain two-story residential buildings with either two or three dwelling units. Lots 6 and 82 (owned by the Applicant) contain a non-profit religious school for girls serving students in grades K-12. The kitchen and dining space located in the cellar of the Applicant's property has been used as a commercial banquet hall after school hours since 2016, when the Department of Buildings (DOB) issued a Temporary Place of Assembly Permit. This DOB permit does not allow for commercial banquet hall use, and this use is therefore considered an illegal conforming use pursuant to zoning. The Applicant seeks the proposed zoning map amendment to legalize the commercial banquet hall use. Additionally, 317 Dahill Road and 600 McDonald Avenue are the subject of bulk zoning variances granted by the BSA, which would retain jurisdiction over the buildings. Approval of the BSA would still be required to allow for the operation of the commercial banquet hall facility on the Applicant's property.

In the future with the proposed actions, commercial uses on the Applicant's property would be permitted and the commercial banquet hall would be able to operate legally. On the lots that are not controlled by the Applicant (Lots 1-5), the Reasonable Worst Case Development Scenario considered in the Environmental Assessment Statement assumes that residential units would be replaced with commercial uses on the ground floors of the five residential buildings, totaling 6,720 gsf. As the proposed commercial overlay would not increase the permitted floor area ratio of Lots 1-5, no redevelopment or enlargement on these lots is anticipated.

Absent the proposed actions, the Applicant's property would continue to operate solely as a school facility. No changes to uses on Lots 1-5 would occur.

The analysis year for the proposed project is 2020.

An Environmental Assessment Statement is attached. Please contact William Pugliese of the Department of City Planning at (212) 720-3334 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

cc: William Pugliese, Winston Von Engel, Pat Bussey, Alex Sommer, Susan Wong, Amy Pivak