ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION
Sideya Sherman, *Director* Department of City Planning

Memorandum

To: Sarah Whitham, Alex Sommer
From: Evren Ulker-Kacar EUK
Date: 9/3/2026

Re: Qualified Action Determination
ULURP No(s): 260409ZMK, 260410ZRK
Project Name: 1550 Bedford Avenue Rezoning
CEQR No.: 27DCP017K

Department Determination

The Department of City Planning has reviewed the above-referenced application and determined that, pursuant to Subdivision 5-a of section 8-0111 of the Environmental Conservation Law, it is a Qualified Action not subject to further review under SEQRA / CEQR.

This Qualified Action:

_X__(Subdivision 5-a(b)(i)(1-6)) is an action for the purposes of the construction of housing that shall:

- Be connected to existing community or public water and sewerage systems at the commencement of habitation;
- Be located at a previously disturbed site;
- Not be located within an area zoned exclusively for industrial uses;
- Contain no more than fifty thousand square feet of commercial, retail, community facility or other non-industrial non-residential uses;
- Either:
  - Not exceed 250 dwelling units, or
  - Not exceed 500 dwelling units within a zoning district where, at the time of application, the standard maximum residential building height is greater than 45 feet, the maximum height of a building is regulated by something other than a horizontal plane and that allows residential buildings to exceed 45 feet, or there is no such maximum building height;

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- Not include construction of only one single-family residence on a parcel of one-half or more acres.
- (Subdivision 5-a(c)(i)) is subject to local municipal requirements regarding hazardous materials and is accompanied by an applicant certification where applicable.[1]

___(Subdivision 5-a(b)(iii)) is an action for the purposes of construction of public parks located at a previously disturbed site that do not include performance centers, athletic stadiums, or other venues for mass gatherings, or other buildings or structures which do not serve public park, recreation, or open space purposes;

___Subdivision 5-a(b)(iv) is an action for the purposes of multi-use bicycle and pedestrian trails located at a previously disturbed site;

___Subdivision 5-a(b)(v) is an action for purposes of construction of public school facilities to be connected at the commencement of use to existing community or public water and sewerage systems, including sewage treatment works, (Subdivision 5-a(c)(i)) is subject to local municipal requirements regarding hazardous materials, and is accompanied by an applicant certification where applicable.

___Subdivision 5-a(b)(vi) an action for the purposes of water and wastewater infrastructure projects that:

- replace, rehabilitate or reconstruct municipal water or wastewater infrastructure, in-kind and on the same site, including lead service line replacement;
- replace, rehabilitate, upgrade or reconstruct an existing small community water system, including lead service line replacement; or
- provide sewer service to a disadvantaged community served by one or more inadequate sewage treatment systems that has been determined by the department not to require a permit or approval pursuant to articles fifteen, twenty-four or twenty-five of this chapter or any rules or regulations promulgated thereunder;

___Subdivision 5-a(b)(vii) an action for the purposes of a retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure.

___Otherwise exempt pursuant to _____

[1] E-952 for hazardous materials will be placed on Brooklyn Block 1266, Lot 36

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Qualified Action Determination Form

The Qualified Action Determination Form may be used for projects seeking a Qualified Action Determination under Subdivision 5 of Section 8-0111 of the Environmental Conservation Law. If there are questions about whether a project qualifies, contact the Environmental Assessment and Review Division (EARD) Project Manager. For City guidance on Qualified Actions, see here. For instructions on how to receive a Qualified Action determination from the Department of City Planning, see here.

Date: September 3, 2026

Land Use Application No.: 260409ZMK, 260410ZRK

Project Name: 1550 Bedford Avenue Rezoning

CEQR No.: 27DCP017K

Proposed Action

The Applicant, Bedford Acquisition Partners LLC, is seeking a zoning map amendment and zoning text amendment (the "Proposed Actions") to facilitate the development of a mixed-use building at 1550 Bedford Avenue (Brooklyn Block 1266, Lot 36) in the Crown Heights neighborhood of Brooklyn, Community District 9 (the "Development Site"). The zoning map amendment would rezone the Development Site (the "Rezoning Area") from a C8-2 district to a R9A district with a C2-4 overlay. The proposed zoning text amendment would modify Appendix F of the ZR to establish the Rezoning Area as a Mandatory Inclusionary Housing (MIH) Area. In conjunction with the Proposed Actions, an E-designation for hazardous materials (E-952) would be placed on Brooklyn Block 1266, Lot 36.

The Proposed Actions would only affect Block 1266, Lot 36 and would not facilitate development on any other properties.

Description of Site and Previous Disturbance

The Development Site is currently zoned C8-2, a commercial district mapped at the adoption of the 1961 Zoning Resolution. The Development Site is comprised of Block 1266, Lot 36 and has a lot area of approximately 19,200 sf. The Development Site is located on the west side of Bedford Avenue between Eastern Parkway and Union Street in the Crown Heights neighborhood of Brooklyn, Community District 9. Both Eastern Parkway and Bedford Avenue are wide streets, with Eastern Parkway having a mapped width of 210 feet and an effective width of 270 feet, taking into account the

30-foot at-grade setback required under the New York City Administrative Code. In 2017, the former owner of the Development Site obtained building permits for a hotel. Foundation work was undertaken, but the project was not completed, and the property has since been vacant.

Proposed Project

The Proposed Actions would facilitate the Applicant's proposed development of a new, 18-story (185-feet), approximately 277,340 gross-square-foot (gsf) mixed-use residential building containing a total of approximately 254 dwelling units (DUs), 25-30% (approximately 64-77 DUs) of which would be income restricted and approximately 20,000 gsf of commercial space (the "Proposed Project"). While the commercial space use is undetermined at this stage, the Applicant is considering a range of potential local retail or neighborhood services, including a grocery store.

Income-restricted units would be provided in accordance with the MIH program. Under MIH Option 1, 25% of residential floor area (approximately 64 DUs) would be income-restricted at 60% of Area Median Income (AMI) or lower. Under MIH Option 2, 30% of residential floor area (approximately 77 units) would be income-restricted at 80% of Area Median Income (AMI) or lower.

The Development Site is located in the Outer Transit Zone and proximate to multiple public transit options; no parking is required for the number of dwelling units anticipated and none is proposed.

The proposed R9A/C2-4 zoning district would permit a maximum residential FAR of 9.02 for zoning lots containing Qualifying Affordable Housing under the MIH program (ZR 23-22), which is approximately 173,184 zoning square feet (zsf) on the 19,200-sf zoning lot. Where a FRESH food store is provided on a zoning lot, ZR 63-21 permits the maximum floor area to be increased by one square foot for each square foot of FRESH food store floor area, up to 20,000 square feet. While not currently part of the Proposed Actions, the Applicant may pursue a FRESH certification, subject to administrative certification by the Chairperson of the City Planning Commission (CPC) at a future time. Accordingly, it is assumed that the maximum potential FRESH floor area bonus would currently be available. The total floor area would be approximately 187,856 zsf (9.78 FAR), comprising approximately 173,184 zsf of residential floor area, together with approximately 14,672 zsf of commercial floor area, for a total of

approximately 187,856 zsf (9.78 FAR). Absent a FRESH certification, the total floor area on the zoning lot would be limited to the maximum FAR of 9.02 (173,184 zsf), of which approximately 158,512 zsf would be residential floor area (approximately 250 DUs, of which approximately 63-75 DUs would be income-restricted in accordance with MIH), and approximately 14,672 zsf of commercial floor area.

Future Without the Proposed Actions (No-Action Condition)

In the No Action condition, absent the Proposed Actions, the Applicant would redevelop the Development Site in accordance with the existing C8-2 zoning. The No Action building would consist of commercial and community facility uses without the benefit of market rate and income-restricted housing. The No Action development consists of a five-story (82-foot) 76,332 gsf mixed-use development containing approximately 16,972 gsf of office space, 13,200 gsf of medical office space, 21,460 gsf of grocery space, 18,200 gsf of parking/loading space, and 6,500 gsf of mechanical space. 97 accessory parking spaces would be provided in a below grade garage.

Future With the Proposed Actions (With-Action Condition)

The Proposed Project, as described above, would be developed on the Development Site. The Proposed Project maximizes the permitted FAR and height allowance under the proposed zoning; therefore, the Proposed Project is the With Action condition.

Table 1, below, summarizes the increment between the With Action and No Action conditions for the Development Site.

Table 1
Comparison of No-Action to With-Action Development

Use	No Action Condition	With Action Condition	Increment
Residential GSF	0	257,340	257,340
Residential DUs[1]	0	254	254
Affordable Dus[2]	0	64 to 77	64 to 77
Commercial GSF	21,460	20,000	-1,460
Regular Office GSF	16,972	0	-16,972
Medical Office GSF	13,200	0	-13,200
Parking	97	0	-97
Total GSF	51,632	277,340	225,708

Notes:
GSF = Gross Square Feet
DU = Dwelling Units
[1]Derived from residential GSF; average DU size is approximately 1,000 gsf per unit.
[2] 25% to 30% affordable units, based on MIH Options 1 and 2, respectively.
Sources: 1550 Bedford Avenue LLC, Avery Hall, August 2026.

See attached for Applicant Hazardous Materials Certification

AveryHall

Applicant Hazardous Materials Certification

Pursuant to Subdivision 5 of Section 8-0111 of the Environmental Conservation Law, certain applications seeking a Qualified Action determination by a lead agency must complete an Applicant Certification regarding hazardous materials remediation.

Project Name: 1550 Bedford Avenue Rezoning

Applicant Name: Bedford Acquisition Partners LLC

Contact: Jesse Wark, jesse@averyhallinvestments.com

Avery Hall LLC
497 Carroll Street, 6th Flr.
Brooklyn, NY 11215

Date: 7/24/2026

CEQR Number: 27DCP017K

Project BBLs: 3012660036

I, Jesse Wark, am a partner and managing member of Avery Hall LLC, the applicant ("Applicant") for a zoning map amendment from C8-2 to R9A/C2-4 and a zoning text amendment to Appendix F of the Zoning Resolution ("the Application"). Applicant seeks a determination that the Application is a Qualified Action under Subdivision 5 of Section 8-0111 of the Environmental Conservation Law (the "Qualified Action"). Applicant is the fee owner of Brooklyn Block 1266, Lot 36 (the "Property"), subject to the Application.

Applicant acknowledges that the Application is required to comply with local municipal requirements regarding hazardous materials remediation including, as applicable, an E-Designation regarding hazardous materials, and the completion of a Phase 1 Environmental Site Assessment.

AveryHall

Applicant hereby certifies that:

(1) Applicant has followed and will follow all applicable laws, rules, and regulations regarding hazardous waste;

(2) a Phase I Environmental Site Assessment has been conducted for the Property in accordance with all appropriate inquiries regulations of the United States Environmental Protection Agency under the federal Comprehensive Environmental Response, Compensation, and Liability Act (40 CFR Section 312) to identify any recognized environmental conditions;

(3) Applicant has followed or will follow all applicable recommendations of such Phase I Environmental Site Assessment for the Property; and

(4) Applicant will report contamination at, on, or under the Property as required by applicable laws, rules and regulations.



Jesse Wark

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