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

Memorandum

To: Sarah Whitham, Erik Botsford

From: Evren Ulker-Kacar

Date: July 9, 2026

Re: Qualified Action Determination

Land Use Application No.: 210495ZMM, N210496ZRM

Project Name: 58-62 East 125th Street Rezoning

CEQR No.: 26DCP055M

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

Stephanie Shellooe, AICP, Director, (212) 720-3328 | sshellooe@planning.nyc.gov
Evren Ulker-Kacar, AICP, Deputy Director, (212) 720-3493 | eulker@planning.nyc.gov
120 Broadway, 31st Floor, New York, N.Y. 10271 | Fax: (212) 720-3488

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;

- 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.

[1] E-932 for hazardous materials will be placed on Manhattan Block 1749, Lot 46. The existing E-201 to Block1749, Lot 48, Lot 49 will remain.

Applicant Provided Information

Proposed Action

The Applicant, AbcNY Inc., seeks approval of a zoning map amendment and a zoning text amendment (the "Proposed Actions") on Block 1749, Lots p/o 46, p/o 48, and p/o 49 (the "Affected Area" and "Project Site") in the East Harlem neighborhood of Manhattan, Community District (CD) 11.

The proposed zoning map amendment would map a C4-7 zoning district in the Affected Area currently zoned as C4-4D. The proposed zoning text amendment would amend Appendix F of the Zoning Resolution (ZR) to designate the Rezoning Area as a Mandatory Inclusionary Housing (MIH) area.

Proposed Project

The Proposed Project facilitated by the Proposed Actions would be a single 129,110 GSF mixed residential and commercial building on the Applicant-owned Lots 46, 48, and 49, containing approximately 5,600 GSF of commercial retail and 123,510 GSF of residential use. The Proposed Development would include 154 dwelling units (DUs), 20-30% (31-46) of which would be income-restricted at an average of 40-80% Area Median Income (AMI) pursuant to MIH Options 1, 2, or 3, depending on the option selected. The building would be 20 stories tall and rise to 227 feet with a base height of 155 feet. At the base height of 115 feet, there would be a 15-foot setback on East 125th Street with a common terrace. A 30'-11"-wide rear yard would be utilized as a common yard for residents. No new curb cuts would be proposed.

Future Without the Proposed Actions (No-Action Condition)

In the future absent the Proposed Actions, it is anticipated that the Applicant would retain the ownership of the Project Site (Block 1749, Lots 46, 48, and 49) and redevelop it "as-of-right" with a new mixed residential and commercial building built to an FAR of 6.0. The Applicant would not utilize the Universal Affordability Preference (UAP) floor area bonus as it would not be financially reasonable.

The No-Action development would be a 65,766-GSF (60,552-ZSF, 6.0-FAR) building containing 8,414 GSF of ground floor retail and 57,352 GSF of residential floor area and 67 market rate dwelling units on a combined 10,092-SF lot. A 500-SF residential lobby space would be present on the first floor alongside the retail. The building would be built to a height of 125 feet and would feature 12 floors with a qualifying ground floor. There would be a 10-

foot setback on East 125th Street at the base height of 95 feet. No curb cuts would be proposed.

Future With the Proposed Actions (With-Action Condition)

Under Future With-Action condition, the development potential of the Project Site (Block 1749, Lot 46, 48, and 49) would be maximized and would be developed with a single 129,992-GSF mixed residential and commercial building. The proposed development would contain approximately 5,600 GSF of commercial retail and 124,392 GSF of residential use. There would be 154 dwelling units, at an average unit size of 850 GSF, 20-30% (31-46) of which would be affordable at an average of 40-80% AMI pursuant to MIH Options 1, 2, or 3, depending on the option selected. The building would be 23 stories tall and rise to 235 feet with a base height of 155 feet. At the base height of 155 feet, there would be a 10-foot setback on East 125th Street with a common terrace. A 30'-11"-wide rear yard would be utilized as a common yard for the residents. No new curb cuts would be proposed.

Table 1: Total Development Increment

Use	No-Action Condition	With-Action Condition	Increment
Commercial GSF	8,414	5,600	-2,814
Manufacturing GSF	0	0	0
Community Facility GSF	0	0	0
Residential GSF	57,352	124,392	+67,040
Total GSF	65,766	129,992	+64,226
Residential DUs	67	154	+87

Attachment: Applicant Hazardous Materials Certification

ABCNY INC

45 North Station Plaza, Suite 315 • Great Neck, NY 11021 • Moris@AbcNY.com

Applicant Hazardous Materials Certification

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

Project Name: 58-62 East 125th Street Rezoning

Applicant Name: AbcNY INC

Contact: Moris Yero-Shalmi

Date: July 8, 2026

Project Number: 2020M0383

Project BBLs: 1017490046, 1017490048, 1017490049

I, Moris Yero-Shalmi, am Principal of AbcNY INC, the applicant ("Applicant") for a Zoning Map Amendment and a Zoning Text Amendment ("the Application"). Applicant seeks a determination that the Application is a Qualifying Action under Subdivision 5 of Section 8-0111 of the Environmental Conservation Law (the "Qualifying Action"). Applicant is the fee owner of 1017490046, 1017490048, 1017490049 (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, E-Designations regarding hazardous materials (E-932, E-201) and the completion of a Phase 1 Environmental Site Assessment.

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.

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Moris Yero-Shalmi, Principal

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