DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Carl Weisbrod, *Director*
Department of City Planning

July 1, 2015

Nilda Mesa
New York City Office of Environmental Coordination
100 Gold Street 2nd Floors
New York, NY 10038

NOTICE OF LEAD AGENCY DETERMINATION AND REVIEW

Re: **1968 Second Avenue**
CEQR No. 15DCP179M
ULURP Nos. Pending
Manhattan, Community District 11
SEQRA Classification: Unlisted

The above-referenced application involves a discretionary action subject to City Planning Commission approval. This 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.

The Applicant, 1968 2nd Avenue Realty LLC, requests a zoning map amendment R7A, to R7A/Cl-5, affecting a portion of a block in the East Harlem neighborhood of Manhattan, Community District 11. The proposed rezoning area consists of Block 1673, portions of Lots 1 and 6, located to the east of Second Avenue between East 101st Street and 102nd Street. The proposed rezoning would extend an existing C1-5 commercial overlay boundary to the south of the affected area from a line parallel to and 100 feet east of Second Avenue, to a line parallel to and 155 feet east of Second Avenue. The proposed rezoning would facilitate a proposal by the applicant to bring a portion of an existing, non-complying and non-conforming two-story commercial building on Lot 1, (the "project site"), into conformance and compliance with zoning regulations.

Robert Dobruskin, AICP. *Director*
Olga Abinader, *Deputy Director*
22 Reade Street, New York, N.Y. 10007-1216 Room 4E
(212) 720-3493 FAX (212) 720-3495
oabinad@planning.nyc.gov

Lot 1 is considered a "split" zoning lot - approximately 8,217 sf of the lot is zoned R8A/C1-5, and the remaining 2,523 sf of the lot is zoned R7A. A two-story, approximately 30,490 gross square foot (gsf), mixed-use building with a mezzanine and cellar occupies the project site. The building contains commercial retail and office uses, including a 19,889 sf supermarket occupying the ground floor, mezzanine, 10,601 sf of office space on the second floor and accessory storage space occupying the cellar. A 500 gsf portion of the building is non-conforming, since it is located within a portion of the lot zoned R7A, which does not permit commercial uses. A fully enclosed loading dock serving the supermarket to the south of the site does not comply with the zoning resolution; per ZR 36-683, the loading dock must be at least 30 feet from the nearest boundary of a residential district. Additionally, the building does not comply with the rear yard requirements that apply to the interior lot portion of the project site. Lot 6 is occupied with a residential development that contains 268 residential units. A 3,027 sf portion of Lot 6 containing part of the existing residential development would be rezoned in connection with the proposed action; the proposed action is not expected to induce development on this lot.

R7A and R8A are medium density contextual residential districts that permit residential and community facility uses but do not allow manufacturing uses or, if not combined with a commercial overlay, commercial uses. C1-5 commercial overlays permit Use Group 5 and 6 commercial uses, such as hotels, stores, offices, and eating and drinking establishments. Where mapped in an R8A district, a C1-5 overlay would permit up to 2.0 FAR of commercial uses. Under the C1-5 regulations, a 20-foot-deep rear yard is required for a commercial building located on an interior lot or the interior portion of a larger lot. The rear yard may be located at ground level or on top of any non-residential portion of a building rising no higher than 23 feet above curb level.

The proposed rezoning would facilitate the correction of the zoning violations at the project site, allowing the existing two-story commercial building on Lot 1 to continue to occupy the project site. To bring the existing building into compliance with rear yard regulations applicable to the interior lot portion of the project site, a 500 square foot portion of the second floor, located at the rear of the building, would be demolished. The analysis year for the proposed action is 2017.

Absent the proposed action, the existing commercial building would be repurposed and re-tenanted to contain community facility uses. As with the future with the proposed action, the 500 square foot portion of the second floor, located at the rear of the building, would be demolished.

An Environmental Assessment Statement is attached. Please contact Annabelle Meunier of the Department of City Planning at (212) 720-3426 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:

Jacquelyn Harris	Robert Dobruskin	Beverly Jimenez-Talavera
Erik Botsford	Kenny Ramnarine	Tina Vultaggio
Susan Wong	Pat Bussey	