DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Carl Weisbrod, *Director*
Department of City Planning

March 31, 2016

Nilda Mesa, Director
Mayor's Office of Sustainability, City of New York
253 Broadway, 7th Floor
New York, NY 10007

NOTICE OF LEAD AGENCY DETERMINATION AND REVIEW

Re: **376-378 Flushing Avenue (Rose Castle) Rezoning**
CEQR No. 16DCP121K
ULURP Nos. 160221ZMK and N160222ZRK
Brooklyn, Community District 3
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, Riverside Developers USA, Inc. is seeking a Zoning Map Amendment from an M1-2 zoning district to R7A/C2-4 district, and an M1-2/R6A (MX-4) zoning district. The area affected by the proposed actions is located at Block 1884, Lots 33, 40, 48, and 53 and part of Lot 57 and Block 1885, Lots 15, 20, 23, 26, and 41 (the "rezoning area") within the Bedford-Stuyvesant neighborhood of Brooklyn Community District 3. The Applicant is also seeking a Zoning Text Amendment to establish the Mandatory Inclusionary Housing Program within an area that is coterminous with the rezoning area. The proposed actions would facilitate two developments on two separate parcels under the Applicant's control (376-378 Flushing Avenue (Block 1884, Lots 40, 48), and 43 Franklin Avenue (Block 1885, Lot 15)). The Applicant's property at 376-378 Flushing Avenue (Block 1884, Lots 40 and 48) would be developed with an eight-story, approximately 176,670 gross square foot (gsf) mixed use building consisting of

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residential uses (168 dwelling units, up to 50 of which would be affordable pursuant to the Mandatory Inclusionary Housing Program) on the building's upper floors and 8,800 gsf of commercial uses on the ground floor. An 84-space accessory parking garage would be provided on the cellar level of the proposed building, and the garage would be accessed via an existing curb cut along Franklin Avenue. The proposed actions would also facilitate a separate, approximately 126,838 gsf, six-story residential building on 43 Franklin Avenue (Block 1885, Lot 15) consisting of 128 dwelling units (up to 38 of which would be affordable pursuant to the Mandatory Inclusionary Housing Program). A 64-space accessory parking garage would be provided on the cellar level of the proposed building, and the garage would be accessed via an existing curb cut along Franklin Avenue.

The rezoning area is currently zoned M1-2, a district which allows community facility uses up to a maximum FAR of 4.8, and commercial/manufacturing uses up to a maximum FAR of 2.0. Residential uses are not permitted within an M1-2 zoning district. The maximum allowable residential FAR within the proposed R7A/C2-4 district is 4.6; commercial uses are allowed at up to 2.0 FAR. The maximum allowable residential FAR within the proposed M1-2/R6A (MX-4) district is 3.6; commercial uses are allowed at up to 2.0 FAR.

Currently, the two Applicant-owned sites are developed with a one and two story catering hall (Block 1884, Lot 48), a one-story warehouse (Block 1884, Lot 40), and a vacant lot utilized for vehicular storage (Block 1885, Lot 15). The remaining non-Applicant owned sites are developed with a variety of residential, commercial developments, most of which are underbuilt. The residential development existing on Block 1884, Lot 7501, located adjacent to the Applicants proposed development site will be brought into conformance with the proposed R7A/C2-4 zoning district.

For conservative analysis purposes the CEQR review considers two additional projected development sites. Under the proposed M1-2/R6A MX-4 zoning district, Block 1885, Lot 41 (a non-applicant owned property), a 7,000 square foot lot located mid-block at 16 Skillman Street could be developed with a 5-story, 26,000 square foot, mixed use building, residential (total 20 dwelling units) and ground floor commercial uses. Under the proposed M1-2/R6A MX-4 zoning district, Block 1885, Lots 20 and 23 (a non-applicant owned property), an assemblage of adjacent properties totaling approximately 6,600 square feet could be developed with a 5-story, 23,849 square foot residential building with 24 dwelling units. Other non-applicant sites within the rezoning area were not considered as development sites due current overbuilt conditions.

A portion of the rezoning area (Block 1885, Lots 15,20,23,26,41) was previously rezoned to its current zoning district, M1-2, in connection with the Flushing/Bedford Rezoning (CEQR # 00DCP015K) which was approved 2001. This rezoning was intended to preserve the industrial and commercial uses in the area. Since the approval of the Flushing/Bedford Rezoning, no development has occurred within the proposed rezoning area. According to the Applicant, the proposed M1-2/R6A and R7A/C2-4 zoning districts would respond to an increased demand for new housing in the area, and would be consistent with neighboring zoning districts.

Absent the proposed actions, the rezoning area is expected to be remain under existing conditions.

The analysis year for the proposed project is 2019.

An Environmental Assessment Statement is attached. Please contact Ingrid Young of the Department of City Planning at (212) 720-3425, 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	Brian Dennis
Jonathan Keller	Kenny Ramnarine	Ingrid Young
John Mangin	Pat Bussey	Susan Wong