DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

May 5, 2017

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: **587-597 Bergen Street Rezoning**
CEQR No. 17DCP163K
ULURP Nos. Pending
Brooklyn, Community District 8
SEQRA Classification: Type 1

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, 1121 of Delaware, LLC, is seeking two discretionary actions in connection with a proposed development located at 597 Bergen Street (Block 1137, Lots 77, 81, and 82) in Prospect Heights, Brooklyn, Community District 8: a zoning map amendment from M1-1 to R6B affecting Lots 15, 16, 17, 77, 81, 82 and part of Lot 18 (the "Proposed Rezoning Area"); and a zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the Proposed Rezoning Area. The Proposed Rezoning Area affects an approximately 20,586 sf portion of Block 1137 and is located east of Carlton Avenue between Bergen and Dean Streets. The Project Area is also adjacent to the Prospect Heights Historic District, mapped to the west, south and east of the Development Site, and is located within the Transit Zone as defined in Appendix I of the Zoning Resolution of the City of New York ("Transit Zone"). The proposed actions

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would facilitate a proposal by the Applicant to construct a four-story, 34,497 gross square foot (gsf) multi-family residential building that contains 16 market rate and 10 affordable housing units pursuant to MIH and a subsurface parking garage containing 13 parking spaces. The Applicant proposes Mandatory Inclusionary Housing Option 2 which requires that 30% of the residential floor area be affordable to tenants at 80% of AMI. The proposed rezoning would also bring conforming status to the existing residential uses occupying Tax Lots 15, 16, and 17.

The Applicant-controlled site (the "Development Site") is currently occupied by a surface parking lot and an open-air storage for surrounding industrial uses. Lot 18 is a flag-shaped zoning lot with a lot frontage on Dean Street and is improved with a one-story manufacturing building. The rear portion of this lot, which does not have street frontage, is within the proposed rezoning area. Lots 15, 16, and 17 are each developed with a legal non-conforming, two-family residence.

The Project Area is currently within an M1-1 zoning district established in 1961. The M1-1 zoning district permits light industrial uses, such as woodworking shops, repair shops, wholesale service, storage facilities, limited community facility uses, and commercial uses. The maximum FAR for permitted manufacturing and commercial uses within the M1-1 district is 1.0 and 2.4 for permitted community facility uses. Residential uses are not permitted in the M1-1 zoning district.

The proposed zoning map amendment would rezone the Project Area from an M1-1 zoning district to an R6B district. R6B districts are often traditional row house districts, which preserve the scale and harmonious streetscape of neighborhoods of four-story attached buildings developed during the 19th century. Many of these houses are set back from the street with stoops and small front yards that are typical of Brooklyn's "brownstone" neighborhoods, such as Park Slope, Boerum Hill and Bedford Stuyvesant. The Floor Area Ratio (FAR) of 2.0 (2.2 with MIH) and the mandatory Quality Housing regulations also accommodate apartment buildings at a similar four- to five-story scale. The base height of a new building before setback must be between 30 and 40 feet; the maximum height is 50 feet. Curb cuts are prohibited on zoning lot frontages less than 40 feet. The street wall of a new building, on any lot up to 50 feet wide, must be as deep as one adjacent street wall but no deeper than the other. Buildings must have interior amenities for the residents pursuant to the Quality Housing Program. Off-street parking is required for 50% of dwelling units, but is waived for certain affordable units located within the Transit Zone. Parking is not allowed in front of a building.

For the purpose of presenting a conservative analysis, an Environmental Assessment Statement (EAS) prepared by the Applicant analyzes a Reasonable Worst Case Development Scenario (RWCDS) With-Action scenario that assumes the same building program described above (16 market rate and 10 affordable housing units pursuant to MIH and a subsurface parking garage containing 13 parking spaces). No additional development is anticipated on the lots not under the Applicant's control.

Absent the Proposed Actions, the Applicant may not construct new residential uses on the Development Site and the No-Action Scenario would remain consistent with existing conditions.

The Proposed Development is anticipated to be completed in 2019.

An Environmental Assessment Statement is attached. Please contact Evan Lemonides of the Department of City Planning at (212) 720-3509, if you have any questions regarding the application.

Sincerely,

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cc:

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