DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Amanda M. Burden, FAICP, *Director*
Department of City Planning

December 13, 2013

Robert Kulikowski
Mayor's Office of Environmental Coordination
100 Gold Street - 2nd Floor
New York, NY 10038

NOTICE OF LEAD AGENCY DETERMINATION AND REVIEW

Re: **Empire Boulevard Rezoning**
CEQR No. 10DCP020K
ULURP No. 100202ZMK
Brooklyn, Community District 9
SEQR 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, 529 Empire Realty Corporation, proposes a zoning map amendment to rezone portions of four city blocks from an R5/C1-3 district to an R7A/C2-4 district and to remove an existing C1-3 commercial overlay. The proposed action would facilitate a proposal by the applicant to develop a seven-story approximately 114,588 square foot (sf) building consisting of 68 dwelling units, 24,289 sf of retail space, and 21,572 sf of community facility space. In addition, the proposed building would include an underground parking garage with 66 accessory parking spaces on the cellar level. The rezoning area is generally bounded by Brooklyn Avenue, Empire Boulevard, Lamont Court, and Montgomery Street and the applicant's proposed project site is located at 521-529 Empire Boulevard (Block 1311, Lots 66, 74, 75, and 76) in the Wingate neighborhood of Brooklyn, Community District 9.

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The rezoning area includes applicant owned lots (Block 1311, Lots 66, 74, 75 and 76) and non-applicant owned lots (Block 1311, Lots 1-5, portions of lots 25 and 64; Block 1317, Lot 39 and portions of lots 38 and 41; Block 1323, Lot 17 and portions of lots 14 and 58; Block 1324, Lots 17-21, 35, 116 and portions of lots 15 and 42). The applicant's site contains two two-story buildings and one three-story building consisting of retail, storage and vacant space. The remainder of the rezoning area is comprised of a mix of six-story multi-family elevator buildings which all have ground floor retail and/or commercial uses and one- to three-story walk-up buildings, many of which have ground floor retail or commercial uses. No development is expected to occur as a result of the rezoning on the non-applicant owned properties located on Blocks 1317, 1323, and 1324 or on Block 1311 Lots 1-5 and 2249 to R7A with a C2-4 commercial overlay and to remove the C1-3 commercial overlay from the existing R7-1 district.

R5 zoning districts allow all housing types at a maximum floor area ratio (FAR) of 1.25. The maximum building height is 40 feet with a maximum perimeter wall height of 35 feet. Community facilities are permitted an FAR of 2.0. R7-1 zoning districts permit residential and community facility uses with a maximum FAR of 3.44 for residential uses and 4.8 for community facility uses. There are no fixed height limits and building envelopes are governed by the sky exposure plane. R7A districts allow all housing types at a max FAR of 4.00 within a contextual envelope. The maximum base and building height is 65 and 80 feet, respectively.

In order to assess the environmental effects of the proposed action, a Reasonable Worst-Case Development Scenario (RWCDS) was established. The applicant has stated their intent to seek a FRESH Certification in the future, which is a ministerial action and does not require CEQR review. Therefore, for the purposes of a conservative analysis, the RWCDS assumed a development consisting of 80 dwelling units, 27,958 gsf of commercial retail space, of which 26,347 gsf would be a FRESH supermarket, 28,930 gsf of community facility space and 66 below grade accessory parking spaces. Absent the proposed action, no new development is expected to occur within the rezoning area and the Applicant has stated that the current uses would remain on the project site. The proposed project is expected to be completed by 2016.

An Environmental Assessment Statement is attached. Please contact Jonathan Keller of the Department of City Planning at (212) 720-3419 if you have any questions regarding the application.

Sincerely,

Celeste Evans, Deputy Director
Environmental Assessment and Review Division
New York City Department of City Planning

cc: Robert Dobruskin, Jonathan Keller, Purnima Kapur, Pat Bussey, Winston Von Engel, Susan Wong, Kiyoshi Yamazaki