NYC PLANNING

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

# Memorandum

**To: Sarah Witham, Alex Sommer**

**From: Evren Ulker-Kacar** EUK

**Date: June 12, 2026**

**Re: Qualified Action Determination**

**Land Use Application No.: 260315ZMK, N260316ZRK**

**Project Name: 1584 Flatbush Avenue Rezoning**

**CEQR No.: 26DCP060K**

**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

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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-922 for hazardous materials will be placed on Brooklyn Block 7558, Lot 1. The existing E-233 to Block 7558, Lot 11 will remain.

Proposed Actions

The Applicant, 1584 Flatbush Avenue Partners LLC, seeks approval of a zoning map amendment and a zoning text amendment (the "Proposed Actions") on Block 7558, Lots 1, 11, 14, 15, 16, and 1 (the "Rezoning Area") in the Flatbush neighborhood of Brooklyn Community District 14. The Rezoning Area is generally bounded by Avenue H to the south, Nostrand Avenue to the west, and Flatbush Avenue to the east.

The proposed zoning map amendment would change the existing C4-4A zoning district to a C6-3 zoning district. 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.

The Proposed Actions would result in development on the applicant-owned Projected Development Site 1 (Block 7558, Lot 1), and non-applicant-owned Projected Development Site 2 (Block 7558, Lot 11). No development is anticipated on Block 7558, Lots 14, 15, 16, and 17, as they do not meet the soft site criteria as described in the CEQR Technical Manual. All six lots in the Rezoning Area are currently occupied by two and three-story buildings, including commercial and office buildings, and mixed-commercial and residential buildings built in the 1930s.

Proposed Project

The Proposed Actions would facilitate the Applicant's proposed development of one new mixed-use residential, community facility, and commercial building at Projected Development Site 1 (the "Proposed Project"). The proposed 165-foot tall, 16-story plus cellar, approximately 130,790-GSF building would have 9,544 GSF of commercial use, 330 GSF of community facility use and 120,916 GSF (112 dwelling units [DUs], including 29 income-restricted pursuant to MIH Option 1) of residential use. The average DU size would be approximately 1,080 GSF. The Proposed Project also includes an approximately 2,784 GSF private open space for building residents in the form of an exterior courtyard on the second floor of the building. The Project Site is located in the Outer Transit Zone; and off-street parking requirements would be waived.

Future Without the Proposed Actions (No-Action Condition)

In the No-Action Condition, the existing buildings at the lots comprising the Rezoning Area would remain. No development is anticipated.

Future With the Proposed Actions (With-Action Condition)

At Projected Development Site 1, the proposed 195-foot tall (185-foot building height w/ 10-foot bulkheads), 18-story plus cellar, approximately 130,790-GSF building would have 9,544 GSF of commercial use, 330 GSF of community facility use, and 120,916 GSF (121 DUs, 24 to 36 income-restricted pursuant to MIH) of residential uses. The average DU size is approximately 1,000 GSF per residential dwelling unit. Projected Development Site 1 also includes an approximately 2,784 GSF private open space for building residents in the form of an exterior courtyard on the second floor of the building. The Project Site is located in the Outer Transit Zone; and off-street parking requirements would be waived.

For the purposes of CEQR, it is assumed that Projected Development Site 2 would be redeveloped in the Future With-Action Condition. Projected Development Site 2 consists of a proposed 195-foot tall (185-foot building height w/ 10-foot bulkheads), 18-story plus cellar, including 5,795 GSF of commercial use, 183 GSF of community facility use, and 62,175 GSF (62 DU, 12-19 income-restricted pursuant to MIH) of residential uses. The average DU size would be approximately 1,000 GSF per unit. The Project Site is located in the Outer Transit Zone; and off-street parking requirements would be waived.

**Table 1: Total Development Increment (All Projected Development Sites)**

| Use | No-Action Condition | With-Action Condition | Increment |
|---|---|---|---|
| Residential GSF | 0 | 183,091 | +183,091 |
| *DUs*[2] | *0* | *183* | *+183* |
| *Affordable DUs* | *0* | *36-55* | *+36-55* |
| Commercial GSF | 32,800 | 15,339 | -17,461 |
| Community Facility GSF | 0 | 513 | +513 |

Attachment: Applicant Hazardous Materials Certification

[2] Average DU size is 1,000 GSF per unit

# 1584 Flatbush Avenue Partners LLC.

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## 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:** | 1584 Flatbush Avenue Rezoning |
| **Applicant Name:** | 1584 Flatbush Avenue Partners LLC |
| **Contact:** | Ezra Mizrachi<br>Bawabeh Brothers LLC<br>539 Eastern Parkway, Third Floor<br>Brooklyn, NY 11216<br>Tel: 718.703.8403<br>Fax: 718.703.8094<br>eddie@bawabehbrothers.com |
| **Date:** | 6/10/2026 |
| **Project Number:** | 2022K0416 (CEQR No. 26DCP060K) |

**Project BBLs:**

Block 7558, Lots 1, 11, 14, 15, 16, and 17 (Brooklyn)

BBL format: 3-07558-0001, 3-07558-0011, 3-07558-0014, 3-07558-0015, 3-07558-0016, 3-07558-0017

I, Ezra Mizrachi, managing member of 1584 Flatbush Avenue Partners LLC, the applicant ("Applicant") for a Zoning Map Amendment (from a C4-4A zoning district to a C6-3 zoning district) and a Zoning Text Amendment (to Appendix F of the Zoning Resolution to map a Mandatory Inclusionary Housing Area coterminous with the proposed Zoning Map 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 Block 7558, Lot 1 (BBL 3-07558-0001) (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, an E-Designation regarding hazardous materials (E-922 for Block 7558, Lot 1; and E-233 for Block 7558, Lot 11) and the completion of a Phase I Environmental Site Assessment.

Applicant hereby certifies that:

- Applicant has followed and will follow all applicable laws, rules, and regulations regarding hazardous waste;
- 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;
- Applicant has followed or will follow all applicable recommendations of such Phase I Environmental Site Assessment for the Property; and
- Applicant will report contamination at, on, or under the Property as required by applicable laws, rules and regulations.

Ezra Mizrachi