DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Carl Weisbrod, *Director*
Department of City Planning

July 15, 2016

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

NOTICE OF LEAD AGENCY DETERMINATION AND REVIEW

Re: **723-733 Myrtle Avenue Rezoning**
CEQR No. 16DCP177K
ULURP Nos. Pending
Brooklyn, Community District 3
SEQRA Classification: Unlisted

The above-referenced application involves discretionary actions subject to City Planning Commission approval. These actions are 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, JMS Realty Corporation, is seeking a Zoning Map Amendment from M1-1 and M1-2 to an R7D zoning district with a C2-4 commercial overlay affecting 22 lots (Block 1736, Lots 35, 37, 137, 38 and 39; Block 1737, Lots 35, 40, 41 and 42; Block 1752, Lots 18, 19, 20 and 21; and Block 1753, Lots 21, 22, 23, 24, 25, 26, 27, 28 and 30) located in the Bedford-Stuyvesant neighborhood of Brooklyn Community District 3. The applicant also seeks a text amendment to Appendix F of the New York City Zoning Resolution ("ZR") to establish a Mandatory Inclusionary Housing Area ("MIHA") coterminous with the rezoning area. In accordance with the MIH program, both Option 1 and Option 2 would be available to all affected sites. MIH Option 1 requires at least 25% of residential units for persons with incomes averaging 60% Area Median Income ("AMI") (including 10% of residential units intended for persons with incomes averaging 40% AMI); and MIH Option 2 requires at least 30% of residential units for persons with incomes averaging 80% AMI.

Robert Dobruskin, AICP, *Director*
Olga Abinader, *Deputy Director*
120 Broadway, 31st Floor, New York, N.Y. 10271
(212) 720-3493 FAX (212) 720-3488
oabinad@planning.nyc.gov

The proposed actions would facilitate a proposal by the applicant to develop an 8-story, mixed-use residential, commercial and community facility building at 723-733 Myrtle Avenue (Block 1736, Lots 35, 37, 137, 38 and 39, "Projected Development Site 1"). The proposed development would include approximately 77 dwelling units (19 of which would be affordable pursuant to the MIH program), 14,640 gsf of retail space, and 14,640 gsf of community facility space for a medical office. The proposed actions would also facilitate affordable residential, commercial, and community facility development on the remainder of the rezoning area.

Currently, the rezoning area is zoned M1-1 and M1-2, which allow for manufacturing and certain commercial uses up to 1.0 Floor Area Ratio (FAR) and 2.0 FAR, respectively. New residential uses are not permitted in these zoning districts. The proposed R7D district would permit residential uses up to 5.6 FAR, assuming inclusionary housing is provided pursuant to the MIH program, and community facility uses up to 4.2 FAR. The maximum allowable building height in R7D districts is 125 feet, with qualifying ground floors. The proposed C2-4 commercial overlay, which would be mapped over the entire rezoning area, would allow commercial uses at a maximum FAR of 2.0.

The applicant-owned project site, Projected Development Site 1 (Block 1736, Lots 35, 37, 137, 38, and 39), is currently used as a surface parking lot for commercial vehicle storage. The remaining sites are occupied by mixed use commercial and non-conforming residences, as well as industrial and manufacturing uses. Absent the proposed actions, it is expected that all sites within the rezoning area would remain in their existing condition.

For the purposes of a conservative analysis, eight projected development sites within the rezoning area were identified which could be developed in the future with the proposed actions (Block 1736, Lots 35, 37, 137, 38 and 39 (Projected Development Site 1, the applicant-controlled site); Block 1737, Lot 35 (Projected Development Site 2); (Block 1737, Lot 41 (Projected Development Site 3); Block 1737, Lot 42 (Projected Development Site 4); Block 1752, Lot 18 (Projected Development Site 5); Block 1752, Lot 21 (Projected Development Site 6); Block 1753, Lots 21 and 22 (Projected Development Site 7); and Block 1753, Lots 28 and 30 (Projected Development Site 8)). The eight projected development sites could be developed with a total of 311,416 gsf of residential uses (including 244 residential development units, 61 of which would be affordable pursuant to the MIH program), 51,243 gsf of ground floor commercial uses, and 60,783 gsf of community facility uses. In addition, the remaining eight lots (Block 1752, Lots 19 and 20; Block 1737, Lot 40; and Block 1753, Lots 23, 24, 25, 26 and 27) with existing non-conforming residential uses would be brought into conformance with zoning upon approval of the proposed actions.

The analysis year for the proposed action is 2021.

An Environmental Assessment Statement is attached. Please contact Stephanie Shellooe of the Department of City Planning at (212) 720-3328, 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	Xiomara Chang	Stephanie Shellooe
Pat Bussey	Susan Wong	