

E-367



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

NEGATIVE DECLARATION

October 5, 2015

Project Identification

CEQR No. 15DCP156K
ULURP Nos. N150342ZRK, 150343ZSK
SEQRA Classification: Unlisted

Lead Agency

City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

3133-3135 Emmons Avenue

The Applicant, STGG Realty LLC, is seeking a zoning text amendment pursuant to New York City Zoning Resolution (ZR) Article IX Chapter 4 Special Sheepshead Bay District (SSBD), and a special permit pursuant to the amended text, in connection with a proposal by the Applicant to enlarge an existing commercial building at 3133-3135 Emmons Avenue (Block 8804, Lot 75, the "project site") within the Sheepshead Bay neighborhood in Brooklyn, Community District 15. The proposed actions would facilitate a proposal by the Applicant to enlarge an existing 22,690 gross square feet (gsf), 25 foot tall, commercial building at the project site by 11,029 gsf to a height of 34'- 8". The actions would further facilitate an increase in the commercial FAR from a (non-compliant) 1.05 to 2.0 and the expansion of the second story and addition of a partial third story to allow for more office uses and circulation. In addition, the number of existing parking spaces located in the cellar would be reduced from 44 to 32 spaces and the required parking from the proposed enlargement would be waived, as permitted under the special permit. In total, the proposed building would be developed with 33,719 gsf of commercial office uses and 32 accessory parking spaces accessed via an existing 11 foot curb cut located along Emmons Avenue.

The project site is located in Area G of the SSBD, in an R5 residential district with a C2-2 commercial overlay district. The underlying R5 district allows residential uses up to an FAR of 1.25, commercial uses up to an FAR of 1.0 and community facility uses up to an FAR of 2.0. However, Area G of the SSBD regulates commercial uses that are restricted to those listed in Use Groups 6, 7, 8, 9, and 14 and Community facility developments or enlargements are restricted to a maximum FAR of 1.25. Building heights are restricted to 35 feet.

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The proposed zoning text amendment would create a new ZR Section 94-096, which would in turn create a new special permit that would allow the enlargement of existing buildings on zoning lots measuring at least 10,000 square feet and located within the eight block area known as “Area G” of the SSBD. Area G includes portions of eight blockfronts (Blocks 8796, 8797, 8800, 8801, 8804, 8805, 8807, 8808) along the north side of Emmons Avenue, bounded by a C2-2 overlay boundary to the north, Knapp Street to the east, Emmons Avenue to the south and Nostrand Avenue to the west. While the proposed text amendment applies to eight blocks within the SSBD, the proposed actions are expected to facilitate development only on the project site. The proposed new special permit would modify: (a) the provisions of ZR Section 94-092, which establish maximum permitted floor area ratios, and (b) the provisions of ZR Section 33-431(a), under which commercial uses in an R5 district with a C1 or C2 overlay are restricted to buildings or portions of buildings not exceeding the lesser of 30 feet or two stories in height. The proposed special permit provisions, applicable solely to enlargements of existing buildings, would allow commercial uses to occupy a building or portion of a building up to the lesser of: 35 feet or three stories in height, and waive or reduce the number of accessory off-street parking spaces required by ZR Section 36-21.

The proposed actions include an (E) designation on the development site (Block 8804, Lot 75) in order to preclude future air quality impacts. The (E) designation number is E-367.

The (E) designation text related to air quality is as follows:

Block 8804, Lot 75

Any new commercial development on the above-referenced property must ensure that the heating, ventilating, and air conditioning stack(s) are located at least 40 feet from the lot line facing Coyle Street and Shore Parkway and the building must use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.

Absent the proposed action, the building located at the project site would remain in its existing conditions.

The analysis year for the proposed project is 2017.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated October 2, 2015, prepared in connection with the ULURP Application (Nos. N150342ZRK, 150343ZSK). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement:

The above determination is based on an environmental assessment which finds that:

1. The (E) designation for air quality would ensure that the proposed actions would not result in significant adverse impacts.
2. No other significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Yasmine Robinson at (212) 720-3321.



Olga Abinader, Deputy Director
Environmental Assessment & Review Division
Department of City Planning

Date: October 2, 2015



Carl Weisbrod, Chairman
City Planning Commission

Date: October 5, 2015