



CITY PLANNING COMMISSION  
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

**NEGATIVE DECLARATION**

**Project Identification**

CEQR No. 16DCP183K

ULURP No. 170086ZSK

SEQRA Classification: Type I

**Lead Agency**

City Planning Commission

120 Broadway, 31<sup>st</sup> Floor

New York, NY 10271

Contact: Robert Dobruskin

(212) 720-3423

**Name, Description and Location of Proposal:**

**120 Kingston Lounge**

The Applicant, 120 Kingston LLC, is seeking a Special Permit (the "Proposed Action") pursuant to New York City Zoning Resolution (ZR) Section 74-711 (Landmark preservation in all districts) to modify use regulations of ZR Section 22-10 (Uses permitted as-of-right). The Proposed Action would facilitate a proposal by the Applicant to restore 3,012 gross square feet (gsf) of commercial use (Use Group 6) on the ground floor and in the cellar of an existing 6,048 gsf vacant building, as well as to restore accessory commercial signage on the exterior, at 120 Kingston Avenue (Block 1222, Lot 40, the "Project Site"), in the Crown Heights neighborhood of Brooklyn, Community District 8. In addition, the applicant intends to restore the second and third floors with 4 dwelling units (totaling 3,036 gsf of residential use) (Use Group 2) pursuant to the underlying R6 Zoning District, on an as-of-right basis. The Project Site is in an R6 zoning district within the Crown Heights North Historic District.

In conjunction with the Proposed Action, the New York City Landmarks Preservation Commission (LPC) issued a Certificate of Appropriateness and Certificate of No Effect on April 21, 2016, approving exterior restorative work to the facade of the building. Upon approval of the Special Permit, the applicant will record a Restrictive Declaration with LPC requiring the owner and any successor in interest to provide for the continuing maintenance of the proposed building, resulting in its preservation.

The Project Site is developed with a 6,048 gsf six-story vacant building. The Project Site encompasses a corner lot, with frontages on Kingston Avenue and Bergen Street. The cellar level (1,516 gsf) and ground floor (1,497 gsf) were formerly occupied by a Use Group 6 commercial

establishment, The Kingston Lounge, while the second and third floor (each 1,517 gsf) were previously occupied by a total of four dwelling units. The Crown Heights North Historic District encompasses a residential community primarily characterized by row houses, attached houses, freestanding residences, churches, flats buildings, and elevator apartment houses dating from the middle of the nineteenth century to the 1930.

The underlying R6 zoning district permits a maximum residential FAR of 3.0 and a maximum community facility FAR of 3.0, and does not permit commercial uses or accessory commercial signage. The Proposed Action would allow the restoration of UG 6 commercial use on the ground floor and in the cellar of the existing building, totaling 3,012 gsf and permit the restoration of existing accessory commercial signage on the exterior. The accessory commercial signage, totaling 130 square feet, would have 28 square feet of illuminated non-flashing signage on Kingston Avenue and 102 square feet of illuminated non-flashing signage on Bergen Street.

Absent the Proposed Action, the existing building would be occupied with 3,012 gsf of community facility use on the ground floor and in the cellar, and 4 dwelling units on the second and third floors, as permitted under the R6 Zoning District.

The proposed project is expected to be completed by 2018.

**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 April 21, 2017, prepared in connection with the ULURP Application (No. 170086ZSK). 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. Provisions have been incorporated into the Special Permit site plan in order to ensure that no significant adverse impacts related to noise would occur. To avoid the potential for significant adverse noise impacts, the site plan for the proposal notes that sound attenuation will be provided between the proposed commercial space and the residential floors, with a floor assembly to achieve Sound Transmission Class (STC) 60 or better. The applicant will also provide new exterior walls at the first floor of the building, with sound attenuation that will achieve STC 60 or better at walls and STC 50 or better at glazing. The noise generated by the proposed lounge use at the project site would not exceed the limits set forth in any

applicable provision of the New York City Noise Control Code. With these measures in place, the proposed action would not result in any significant adverse impacts related to noise.

2. As the project site is located within the Crown Heights North Historic District, a NYC-designated Historic District, the proposed project requires a Certificate of Appropriateness and Certificate of No Effect from LPC. A Certificate of Appropriateness along with a Certificate of No Effect were granted by LPC on April 21, 2016.
3. No significant effects upon the environment that would require the preparation of a Draft 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 Christopher Lee at (212) 720-3429.



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

Date: April 21, 2017

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Marisa Lago, Chair  
City Planning Commission

Date: April 24, 2017