



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

NEGATIVE DECLARATION

Project Identification

CEQR No. 18DCP050K
ULURP No. N 180140 ZAK
SEQRA Classification: Unlisted

Lead Agency

City Planning Commission
120 Broadway, 31st Floor
New York, NY 10217
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

805 Washington Avenue

The Applicant, Happy Living Development, is seeking an authorization to modify maximum building height pursuant to ZR Section 63-22 (Authorization to Modify Maximum Building Height for a Food Retail Expansion to Support Health Food Store). The Proposed Action would facilitate a proposal by the Applicant to develop a nine-story (99'), approximately 57,883 gross square foot (gsf) mixed-use building (the "Proposed Project") at 805 Washington Avenue (Block 1180, Lot 6) in an R7A/ C1-4 zoning district in the Prospect Heights neighborhood of Brooklyn Community District (CD) 8 (the "Project Site"). The Proposed Project is expected to include approximately 37 dwelling units (DUs), 7,730 gsf of ground-floor commercial space to be occupied by a FRESH food store, and 19 accessory parking spaces.

Additionally the applicant is seeking a certification by the City Planning Commission (CPC) for a FRESH food store pursuant to Zoning Resolution (ZR) Section 63-30 (Certification for a FRESH Food Store). This approval is a ministerial action and is not subject to City Environmental Quality Review (CEQR).

The Project Site is bounded by Lincoln Place to the north, an irregularly shaped six-story residential building (Block 1180 Lot 1) to the east and south, and Washington Boulevard to the west and is currently a vacant lot. The Project Site is located in an R7A zoning district with a C1-4 commercial overlay. R7A districts permit a maximum Floor Area Ratio (FAR) of 4.0 for residential and community facility uses (Use Groups 1-4). C1-4 commercial overlay allows for a maximum commercial FAR of 2.0. Additionally, off-street parking is required for 50 percent of DUs and a maximum building height of 85 feet is permitted. The Use Groups permitted on the site

allow for construction of a food store however, construction of a FRESH food store requires certification by the Chair of the City Planning Commission. The Project Site is currently being excavated and construction of a building with DOB approved plans (pursuant to underlying zoning) has begun. The Proposed Actions would allow for the development of a FRESH food store and allow for increase height and floor area.

For the purposes of presenting a conservative analysis, the Reasonable Worst Case Development Scenario (RWCDs) used for analysis in the Environmental Assessment Statement (EAS) assumes development that differs from the Applicant's Proposed Project. In the future With-Action scenario it is assumed that the Project Site would be developed with a nine-story (99'), approximately 57,883 gross square foot (gsf) mixed-use building. This building would include approximately 50 dwelling units (DUs), 7,730 gsf of ground-floor commercial space to be occupied by a FRESH food store, and 25 accessory parking spaces. The With Action Scenario projects 13 additional DUs and 6 additional parking spaces compared to the Applicant's Proposed Development for conservative analysis purposes.

Absent the Proposed Actions, it is assumed the Project Site would be developed pursuant to underlying zoning, with an eight-story (85'), approximately 31,147 gsf, mixed-use commercial/residential building. This building would contain 25 DUs, approximately 6,618 gsf of ground-floor commercial space, and no accessory parking spaces.

The analysis year for the environmental review is 2020.

To avoid the potential for significant adverse impacts related to noise, an **(E) designation** has been assigned to the Project Site, as described below.

The (E) designation requirements related to noise would apply to the following sites:

Block 1180, Lot 6 (Project Site)

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

In order to ensure an acceptable interior noise environment, future residential and/or community facility uses must provide 31.0 dBA of composite window/wall attenuation for future building facades along Washington Avenue in order to maintain an interior noise level of 45 dBA. The minimum composite window/wall attenuation for commercial uses would be 5 dBA less than that for residential and community facility uses. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided.

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 November 9th 2017, prepared in connection with the ULURP

Application (No. N 180140 ZAK). The City Planning Commission has determined that the Proposed Actions will have no significant effect on the quality of the environment.

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 William Pugliese of the Department of City Planning at (212) 720-3334.



Robert Dobruskin, AICP, Director
Environmental Assessment and Review Division
Department of City Planning

Date: November 9, 2017

Kenneth Knuckles, Vice Chair
City Planning Commission

Date: November 13, 2017

