

NEGATIVE DECLARATION

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed actions would not have a significant adverse impact on the environment.

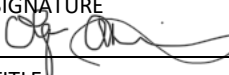
Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The proposed actions include a zoning map amendment from C1-2 to C2-4 affecting Brooklyn Block 2720 Lot 25 and a portion of Lot 4; and a minor modification to a restrictive declaration. The existing building on the Project Site (Lot 25) is occupied by a commercial fast-food restaurant, and accessory drive-through which are the subject of previous approvals. The development on the site is inconsistent with the prior approvals. Collectively, the Proposed Actions would legalize the existing accessory drive-through facility at the Project Site. The zoning change from a C1-2 overlay district to a C2-4 overlay district would allow for the existing drive-through facility to be an as-of-right use. The proposed minor modification would tie the Project Site to the approved site plan. Since the actions would not facilitate a new use, a change in zoning, or an effect on public policy no significant adverse impacts would result from the proposed actions.

No other 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 New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Laura Kenny at +1 212-720-3419.

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