



DEPARTMENT OF CITY PLANNING  
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW

Joseph B. Rose, *Director*  
Department of City Planning

POSITIVE DECLARATION

Date: December 7, 1999

Project Identification

CEQR No. 00DCP034Y  
ULURP Nos. N000244ZRY  
000245ZMK  
000246ZMM  
SEQRA Classification: Type I

Lead Agency

City Planning Commission  
22 Reade Street, Room 1W  
New York, NY 10007  
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Name, Description and Location of Proposal:

**Unified Bulk Program and Related Zoning Map and Text Amendments**

The Department of City Planning (DCP) is proposing to amend the Zoning Resolution to create a unified set of bulk regulations that will replace current regulations citywide. In two related proposals, DCP is applying for zoning map and text amendments to: (1) rezone portions of Lexington Avenue between East 54<sup>th</sup> and East 57<sup>th</sup> Streets in Community District 6, Manhattan from C5-2A to C5-2.5(MiD) and modify the boundaries of the Special Midtown District to include these areas; and (2) create a Special Downtown Brooklyn District within Community District 2, Brooklyn, comprising the existing Special Fulton Mall District, the existing Special Atlantic Avenue District, and adjacent areas, and involving rezonings from C5-2 and C6-4 to C5-2A; C6-1 to C6-2A; C6-1 to R6B; C6-1 and R6 to R6B; R7-1 to C6-1; M1-6 to C6-4; C6-1 to R7A/C2-4; and R6/C2-3 to R6A/C2-4.

The proposed amendment to the Zoning Resolution would establish new height and setback envelopes for non-contextual residential buildings in R6 through R10 and for all non-contextual commercial, community facility and manufacturing buildings. In addition, the proposed amendment would replace the current range of interconnected floor area ratios and open space ratios with a single floor area ratio and coverage requirement for each district, as well as modifying as-of-right bonus regulations. The Lexington Avenue proposal would rezone a district that is being eliminated by the Unified Bulk Program. The Downtown Brooklyn rezoning proposal is intended to establish height and setback controls appropriate for the City's third central business district, and in limited instances to map use controls that better reflect

existing land uses.

The areas affected by the proposed map amendments consist of the Blocks and Lots identified in Tables I and II (attached).

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STATEMENT OF SIGNIFICANT EFFECT

On behalf of the City Planning Commission, the Environmental Assessment and Review Division has determined, pursuant to 6 NYCRR Part 617.7, that the proposed action may have a significant effect on the quality of the environment as detailed in the following environmental impacts, and that an environmental impact statement will be required:

1. The action, as proposed, may have a significant effect related to land use, zoning, and public policy.
2. The action, as proposed, may have a significant effect on socioeconomic conditions.
3. The action, as proposed, may have a significant effect on community facilities and services.
4. The action, as proposed, may have a significant effect on publicly accessible open space.
5. The action, as proposed, may have a significant effect related to shadow impacts.
6. The action, as proposed, may have a significant effect on historic resources.
7. The action, as proposed, may have a significant effect on urban design and visual resources.
8. The action, as proposed, may have a significant effect on neighborhood character.
9. The action, as proposed, may have a significant effect related to hazardous materials.
10. The action, as proposed, may have a significant effect on infrastructure.
11. The action, as proposed, may have a significant effect on solid waste and sanitation services.
12. The action, as proposed, may have a significant effect on energy consumption.

13. The action, as proposed, may have a significant effect on transportation systems including traffic, parking, transit, and pedestrian conditions.
14. The action, as proposed, may have a significant effect on air quality.
15. The action, as proposed, may have a significant effect related to noise.
16. The action, as proposed, may have effects related to other aspects of the environment.

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SUPPORTING STATEMENT:

The above determination is based on an Environmental Assessment Statement prepared for the action which finds that:

1. The proposed action would alter existing zoning and public policy by replacing large sections of the 1961 Zoning Resolution, substantially altering the regulations which govern building bulk in medium and higher-density zoning districts. The proposed action would also alter existing zoning in Downtown Brooklyn and a section of Lexington Avenue between East 54<sup>th</sup> and 57<sup>th</sup> streets in Manhattan.
2. The proposed action would substantially modify the zoning regulations which govern real estate development in large parts of the City. This has the potential to alter conditions in the local real estate market and in the real estate development industry.
3. The proposed action would substantially modify the zoning regulations which govern community facility development in some areas of the City. This has the potential for direct and indirect impacts to community facilities and services. The proposed action would potentially induce residential development in the Downtown Brooklyn area and certain existing Special Districts, thereby increasing the demand for community facilities and services.
4. The proposed action would potentially induce residential development in the Downtown Brooklyn area and certain existing Special Districts, thereby increasing the demand for publicly accessible open space.
5. In certain areas affected by the proposed Downtown Brooklyn rezoning and in certain existing Special Districts, the proposed action could induce new development. The proposed action would permit construction of new buildings which could exceed the 50-

foot threshold identified in the *CEQR Technical Manual* as requiring an assessment of potential shadow impacts.

6. In certain areas affected by the proposed Downtown Brooklyn rezoning and in certain existing Special Districts, the proposed action could induce new development, which could affect the context of existing historic structures and could result in soil disturbance in archaeologically sensitive areas.
7. The proposed action would limit the types of building form available under existing zoning in affected areas, thereby modifying certain urban design elements. The proposed zoning text amendment would affect permitted building bulk, building arrangement on the lot, and streetscape elements in many zoning districts. In certain areas affected by the proposed Downtown Brooklyn rezoning and in certain existing Special Districts, the proposed action could induce new development, which could affect the urban design characteristics of the area.
8. The proposed action would have the potential to alter existing neighborhood character by affecting urban design and socioeconomic conditions, and within certain areas affected by the proposed Downtown Brooklyn rezoning and in certain existing Special Districts, could additionally affect traffic patterns, noise levels, and historic resources.
9. The proposed action would permit as-of-right residential development in a formerly industrial area in Brooklyn where past uses may have resulted in contamination of soil and groundwater, possibly exposing construction workers and new residents to hazardous materials.
10. In certain areas affected by the proposed Downtown Brooklyn rezoning and in certain existing Special Districts, the proposed action could induce new development that may affect demand on the water supply and sewage disposal and treatment systems in that area.
11. In certain areas affected by the proposed Downtown Brooklyn rezoning and in certain existing Special Districts, the proposed action could induce new development that would result in the generation of solid waste and which would require sanitation services.
12. In certain areas affected by the proposed Downtown Brooklyn rezoning and in certain existing Special Districts, the proposed action could induce new development that would result in increased demand for energy.
13. In certain areas affected by the proposed Downtown Brooklyn rezoning and in certain existing Special Districts, the proposed action could induce new development that would

- result in additional vehicular, pedestrian, and transit trips and additional parking demand.
14. In certain areas affected by the proposed Downtown Brooklyn rezoning and in certain existing Special Districts, the proposed action could induce new development that would result in increased mobile source (vehicular) and stationary source (HVAC system) emissions, and in certain areas in Downtown Brooklyn would introduce new residential uses which may be affected by air emissions from nearby industrial activity.
  15. In certain areas affected by the proposed Downtown Brooklyn rezoning, the proposed action could introduce new sensitive receptors into an area which may be characterized by high ambient noise levels, and in certain areas affected by the proposed Downtown Brooklyn rezoning and in certain existing Special Districts, could induce new development which would result in additional mobile-source noise.
  16. The draft Environmental Impact Statement to be prepared for the proposed action will identify and describe any other potential effects on the environment.

#### Public Scoping Meeting

A public scoping meeting has been scheduled for Friday, January 7, 2000 at 10:00 AM at City of New York Department of City Planning, Spector Hall, 22 Reade Street, New York, New York 10007. Written comments will be accepted by the lead agency through the tenth day following the scoping meeting.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law.

The CEQR lead agency hereby requests that the applicant prepare or have prepared at his option, a Draft Environmental Impact Statement in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

Robert Dobruskin

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

**TABLE I**  
**DOWNTOWN BROOKLYN REZONING**  
**Block and Lots to be Rezoned**

**Area I** (From C5-2 and C6-4 to C5-2A)

<u>Tax Block</u>	<u>Lots</u>
243(C5-2)	1, 46, 47
244(C5-2)	1, 11, 13, 15, 17, 26, 7501
249(C5-2)	1, 3, 41, 42, 43
250(C5-2)	1, 7, 13, 14, 16, 17, 18, 19, 20, 23, 28, 30, 34, 36, 39, 44
254(C5-2)	1, 3, 4, 80, 81
255(C5-2)	1, 7, 8, 20, 25, 36, 42, 44
264(C5-2)	15, 17, 23, 24, 25
265(C5-2)	1, 5, 6, 10, 17, 39, 40, 43, 49, 50, 52, 53, 54
266(C5-2, C6-4)	1, 12, 20, 30, 50

**Area II** (From C6-1 to C6-2A)

<u>Tax Block</u>	<u>Lots</u>
163(C6-1)	1
169(C6-1)	9, 17, 36
175(C6-1)	1
268(C6-1)	1, 2, 3, 44, 46, 48, 49, 50, 51, 54, 55

269(C6-1)	1, 14, 16, 19, 21, 23, 24, 25, 26, 27, 30, 33, 36, 40
270(C6-1)	1, 48
271(C6-1)	1, 8, 10, 15, 16, 17, 18, 19, 20, 23, 32, 34, 41, 43, 45, 47
276(C6-1)	1, 40, 41, 43, 44, 45, 46, 47
277(C6-1)	1, 8

**Area III (From C6-1 to R6B)**

Tax Block                      Lots

2109(C6-1)	1, 5, 6, 7, 8, 9, 10, 11,12
2112(C6-1)	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 27, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56

**Area IV (From C6-1 and R6 to R6B)**

Tax Block                      Lots

171(C6-1)	35, 37, 39, 48, 49, 53, 54, 55, 56, 57, 58
172(C6-1)	1, 2, 3, 4, 5, 37, 43, 44, 45, 46, 47, 48, 49, 50, 53, 54, 55, 62, 63, 64, 66, 68
173(C6-1)	31, 32, 33, 34, 35, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56
176(C6-1)	p/o 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, p/o29
177(R6)	1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, p/o53
178(R6)	6, 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 44

179(R6)	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, p/o27
180(R6)	1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22

**Area V (From R7-1 to c6-1)**

Tax Block                      Lots

112(R7-1)                      100

139(R7-1)                      1, 20

**Area VI (From M1-6 to C6-4)**

Tax Block                      Lots

2094(M1-6)                      1, 35

2095(M1-6)                      1, 9, 10, 25, 26, 27, 28, 29, 38, 39, 40, 42, 43, 45, 53, 57, 59, 7501

**Area VII (From C6-1 to R7A/C2-4)**

Tax Block                      Lots

176(C6-1)                      p/o 29, 30, 31, 32, 33, 35, 36, 39, 40, 41, 42, 43, 45, 46, 47, 48, 49, 50, 51

177(C6-1)                      33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, p/o 53, 54, 56, 57, 58, 60

178(C6-1)                      1, 46, 54, 68, 70, 71, 72, 73

179(C6-1)                      p/o 27, 39, 41, 42, 43, 44, 45, 47, 48, 49, 50, 51, 52, 53, 56, 58, 59, 61 7501

180(C6-1)                      23, 27, 46, 47, 48, 49, 50, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65

186(C6-1)	1, 12
192(C6-1)	1
926(C6-1)	1

**Area VIII (From R6/C2-3 to R6A/C2-4)**

<u>Tax Block</u>	<u>Lots</u>
181(R6)	1, 11, 19, 20, 21, 22, 23, 24, 25
182(R6)	1, 3, 4, 5, 6, 7, 8, 9, 10, 12, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26, 27
183(R6)	7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 7501
184(R6)	1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 7501
185(R6)	1, 2, 3, 4, 10, 11, 12, 13, 14, 15, 19, 24, 25, 26, 27, 28, 29
278(R6)	p/o 11, 15, 18, 19, 20, 22, 23, 24, 25, 26, 29, 31, 32, 33

**TABLE II**  
**LEXINGTON AVENUE REZONING**  
**Block and Lots to be Rezoned**

**C5-2A to C5-2.5(MiD)**

<u>Tax Block</u>	<u>Lots</u>
1309	50 <sup>C</sup> , 56 <sup>C</sup>
1310	12 <sup>B</sup> , 14, 20, 21, 22, 59 <sup>C</sup> , 1001-1089 <sup>B</sup> , 1301-1462 <sup>C</sup>
1311	14, 15, 16, 17, 20, 25, 28 <sup>B</sup> , 112, 113, 114, 115

Notes: Lots split by zoning district boundaries are denoted by <sup>A, B, or C</sup> based on the following conditions

- <sup>A</sup> = Split lot with more than 50 percent subject to new zoning designation and remaining portion does not exceed 25 feet. Entire lot subject to new zoning.
- <sup>B</sup> = Split lot with more than 50 percent not subject to new zoning designation and affected portion does not exceed 25 feet. Entire lot not subject to new zoning.
- <sup>C</sup> = Split lot with a portion or portions in excess of 25 feet subject to new zoning designation. Each portion of the lot is subject to separate zoning designations.