

December 28, 2022

Hilary Semel, Director
Mayor's Office of Environmental Coordination
100 Gold Street 2nd Floor
New York, New York 10038

NOTICE OF LEAD AGENCY DETERMINATION AND REVIEW

Re: **777 Rutland Road Rezoning**
Location: 777-783 Rutland Road
Brooklyn, New York Community District 9
(Block 4808, Lots 31 and 37)
CEQR No.: 23HPD022K
SEQRA Classification: Unlisted

Dear Ms. Semel:

The above referenced proposal involves discretionary actions subject to review under City Environmental Quality Review (CEQR), Executive Order 91, and the State Environmental Quality Review Act (SEQRA), 6 NYCRR 617. In conformance with Executive Order 91, as modified by the CEQR rules, the Department of Housing Preservation & Development (HPD) proposes to assume lead agency status for the CEQR review.

The assumption of lead agency status is consistent with the underlying mandate of CEQR that the appropriate lead agency should be the agency “primarily responsible for carrying out, funding, or approving an action,” as well as the criteria listed in Section 5-03(h) of CEQR.

The proposal involves an application by the New York City Department of Housing Preservation and Development (“HPD”) and the New York City Department of Citywide Administrative Services on behalf of the Project Sponsor, NHP Foundation, for several actions (the “Proposed Actions”) subject to City Planning Commission approval, to facilitate the construction of a new 12-story, 188,929 gross square feet (“gsf”) mixed-use building containing approximately 186 total affordable dwelling units, approximately 21,752 gsf of house of worship space, and approximately 12,741 gsf of medical office space (the “Proposed Project”) at 777 Rutland Road (Block 4808, Lot 37) (the “Development Site”) in the Crown Heights South neighborhood of Brooklyn Community District 9. The Development Site measures approximately 26,000 square feet and is located at the northwestern corner of the intersection of Rutland Road and Schenectady Avenue. The Development Site is currently occupied by an approximately 22,000 gsf house of worship (Faith Gospel Church) and a 45-space gated parking lot.

The Proposed Actions include:

- (1) A Zoning Map Amendment to rezone Block 4808, Lots 31 and 37 (the “Project Area”) from R6 to R7X;

(2) A Zoning Text Amendment to Appendix F of the *Zoning Resolution of the City of New York* to designate the Project Area as a Mandatory Inclusionary Housing area, which would require the construction of permanently affordable residential units in the Project Area, in accordance with City policy; and

(3) The Disposition of Real Property, as the Development Site (Block 4808, Lot 37) contains a community facility restriction.

(4) A request by the Project Sponsor for construction financing through HPD's Extremely Low and Low Income Affordability ("ELLA") program.

The disposition would facilitate the removal of the community facility restriction and permit the redevelopment of the Development Site with additional community facility uses and new residential uses.

The analysis year established for this project was 2025, the year when proposed project would be complete and fully occupied.

An EAS is available upon request. Should you have any objections concerning the CEQR environmental review or HPD's assumption of lead agency status for the above-described proposal, please do not hesitate to contact Alexander Schaefer at schaefer@hpd.nyc.gov.

Sincerely,



Anthony Howard
Deputy Director, Environmental Planning
Division of Building and Land Development Services (BLDS)
City of New York Department of Housing Preservation and Development