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 are a Zoning Map Amendment to rezone Brooklyn Block 6722 Lots 1 (p/o), 73, 71, 70, 69, 67, and 65(p/o) (the "Rezoning Area") from an R5/C2-3 district to C4-5D and a Zoning Text Amendment (the "Proposed Actions") to establish a Mandatory Inclusionary Housing area coterminous with the Rezoning Area in the Midwood neighborhood of Brooklyn Community District 14. The project area (the "Affected Area"), in addition to the Rezoning Area also includes Block 6722, Lot 12 which is not proposed to be rezoned but is part of the applicant-owned Projected Development Site 1 (Block 6722, Lots 73 and 12). The Affected Area is bound by Avenue K to the north, the eastern side of Block 6722 to the east, Block 6617, Lot 65 to the south and Coney Island Avenue to the west. The Proposed Actions would facilitate the development of a nine-story long term care facility with a total of 210,840 gross square feet (gsf) (157,399 zoning square feet (zsf)) (5.56 FAR) on Projected Development Site 1. As part of the Proposed Actions, Projected Development site 2 (Block 6722, Lots 70 and 71) would develop a 21,101 gsf, 12-story mixed-used building containing approximately 18 dwelling units and 4,615 gsf of commercial uses and Projected Development Site 3 (Block 6722, Lot 67) would develop a 21,101 gsf, 12-story mixed-use building containing approximately 18 dwelling units and 4,615 gsf commercial uses, which are found throughout the study area. The study area consists of a 400-foot radius from the site and is generally bound by the midblock of Avenue K to the north; East 14th Street to the east; Avenue L to the south; and East 9th Street to the west. The analysis concluded that the Proposed Actions would not introduce land uses that are different from the surrounding uses or not permitted by existing zoning, with residential, community facility, and mixed-use developments observed throughout the study area. Existing conditions include multifamily apartment buildings and retail uses located along Coney Island Avenue, as well as large community facility uses, with medical office buildings and Yeshivas present. Furthermore, the Proposed Actions would not conflict with the identified public policies, including Housing New York 2.0 and OneNYC. The Proposed Actions would advance several public policy objectives through the inclusion of permanently income-restricted dwelling units and a long-term care facility with therapy and amenity spaces for residents. Therefore, the Proposed Actions would not result in significant adverse impacts to land use, zoning, or public policy.

Shadows

A detailed analysis related to shadows is included in this EAS. Shadows analysis has identified one sunlight sensitive open space resource, P.S. 99 playground, that has the potential to receive incremental shadows. A detailed analysis shows that the Proposed Actions would briefly cast shadows on P.S. 99 Playground for 5, 17, and 30 minutes on March 21st, May 6th, and June 21st analysis days, respectively. Since the shadows cast by Proposed Actions would affect the playground for short periods of time and during times when the resource is generally not in use in the early morning, this would not significantly reduce the amount of sunlight the playground receives or enjoyment of the playground by residents. In addition, other areas within the playground with access to direct sunlight for the whole day contain benches that would provide sufficient opportunities for using the outdoor space with access to sunlight during periods when incremental shadows would be cast. Therefore, the Proposed Actions would not result in significant adverse shadow impacts.

Transportation

A detailed analysis related to transportation is included in this EAS due to two intersections in the study area receiving more than 50 peak hour vehicle trip-ends. The analysis of traffic concluded that none of the lane groups would experience increases in delays that would impact any of the analyzed intersections, and therefore no significant adverse impacts would occur. Pedestrian elements would not be impacted by the proposed actions and would operate at levels of service acceptable during peak hours. The Proposed Actions would result in pedestrian, transit, and traffic conditions that would continue to be considered clearly acceptable as defined by the CEQR Technical Manual. The Proposed Actions would result in excess demand for parking with overflows expected to be accommodated by on-street parking. The total parking available in the study area would accommodate the Proposed Actions' parking demand and it would not result in a parking shortfall. Therefore, the Proposed Actions would not result in significant adverse transportation impacts.

Effects on Disadvantaged Communities

An assessment of the Proposed Actions' potential effects on disadvantaged communities is included in this EAS. The project area is located within a designated disadvantaged community according to the New York State Department of Environmental Conservation Disadvantaged Community Assessment Tool (DACAT). The proposed actions would not result in significant adverse impacts in any technical area analyzed in the EAS. As such, the proposed actions would not disproportionately affect any disadvantaged communities, nor would they cause or increase a disproportionate pollution burden on disadvantaged communities.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-772) related to hazardous materials, air quality, and noise would be established as part of the approval of the Proposed Actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

Project Name: 1455 Coney Island Avenue Rezoning
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SEQRA Classification: Unlisted

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 Alexander Plackis at +1 212-720-3332.	
TITLE Deputy Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3493
NAME Evren Ulker-Kacar, AICP	DATE 5/7/2026
SIGNATURE Evren Ulker Kacar	
TITLE Chair, City Planning Commission	
NAME Sideya Sherman	DATE 5/11/2026
SIGNATURE Sideya	

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Determination of Significance Appendix

The Proposed Actions were determined to have the potential to result in changes to development on the following sites:

Development Site	Borough	Block and Lot
Projected Development Site 1	Brooklyn	Block 6722, Lot 73, 12
Projected Development Site 2	Brooklyn	Block 6722, Lots 70 and 71
Projected Development Site 3	Brooklyn	Block 6722, Lot 67

(E) Designation Requirements

To ensure that the Proposed Actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-772**) would be established as part of approval of the Proposed Actions on **Projected Development Sites** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X
Projected Development Site 2	X	X	X
Projected Development Site 3	X	X	X

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Sites 1, 2, and 3** for hazardous materials would apply as follows:

Task 1-Sampling Protocol
The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol
A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

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Air Quality

The (E) designation requirements for air quality would apply as follows:

> ***Projected Development Site 1:*** *Any new residential, commercial, or community facility development on the above-referenced property must ensure that the heating, ventilation, air conditioning (HVAC) and hot water system(s) stack is located at the building's highest level or at least 131 feet above grade and that the stack is located at least 130 feet from the southern lot line facing Avenue L to avoid any potential significant adverse air quality impacts.*
>
> ***Projected Development Site 2:*** *Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s) and must be fitted with low NOx (30 ppm) burners, ensure that the stack is located at the building's highest level at a minimum of 133 feet above the grade, and that the stack is located at least 20 feet from the northern lot line facing Avenue K to avoid any potential significant adverse air quality impacts.*
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> ***Projected Development Site 3****: Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s), ensure that the stack is located at the building's highest level at a minimum of 133 feet above the grade to avoid any potential significant adverse air quality impacts.*

Noise

The (E) designation requirements for noise would apply as follows:

> ***Projected Development Site 1:***
> *To ensure an acceptable interior noise environment, future residential/commercial office/ community facility uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level not greater than 45 dBA for residential/ community facility uses or not greater than 50 dBA for commercial office uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*
> ***Projected Development Site 2:***
>
> *To ensure an acceptable interior noise environment, future residential/commercial office/ community facility uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level not greater than 45 dBA for residential/ community facility uses or not greater than 50 dBA for commercial office uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*
> ***Projected Development Site 3:***
>
> *To ensure an acceptable interior noise environment, future residential/commercial office/ community facility uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on all facades to maintain an interior noise level not greater than 45 dBA for residential/ community facility uses or not greater than 50 dBA for commercial office uses. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*