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 Applicant, 9201 LLC, is seeking a Zoning Map Amendment to rezone an existing C8-2 zoning district to a C4-4D zoning district on a 100-foot-deep section of Block 6108, Lot 22 as measured from 92nd Street in the Bay Ridge neighborhood of Brooklyn Community District 10 (the "Affected Area") and a Zoning Text Amendment to Appendix F to add a Mandatory Inclusionary Housing (MIH) area coterminous with the Affected Area (the "Proposed Actions"). The Proposed Actions would facilitate the development of a 14-story, 145-foot-tall mixed-use building totaling approximately 176,077 gross square feet (GSF), including 121,514 GSF of residential use, 18,547 GSF of commercial use, and 36,016 GSF of underground parking. There would be approximately 143 dwelling units, 20-30% (29-43 units) of which would be affordable at an average of 40-80% AMI pursuant to MIH Option 1, 2 or 3. The underground parking would contain 52 parking spaces. The analysis finds that the Proposed Actions would result in changes in land use and zoning. Although the Proposed Actions would permit residential uses within the Affected Area, which are currently not allowed under the existing C8-2 zoning, the proposed C4-4D commercial district with residential uses permitted would be consistent with the existing R6B/C2-3 district to the east and R6A/C2-3 district to the west of the Affected Area and would be consistent with the 9114 5th Avenue Rezoning which resulted in a R7A/C2-4 district north of the Affected Area. Furthermore, the Proposed Actions would allow for the development of permanently affordable housing and would be supportive of City policies including Housing New York 2.0, Get Stuff Built, or Housing Our Neighbors: A Blueprint for Housing and Homelessness that aim to address the city's affordable housing crisis and retain the diversity and vitality of its neighborhoods. Therefore, the Proposed Actions would not result in significant adverse impacts to land use, zoning or public policy, and no further analysis is warranted.

Shadows

A detailed analysis of shadows is included in the EAS. The Proposed Actions would result in incremental shadows on the P.S./I.S. 104 School Yard. In the March 21st/September 21st analysis period, the incremental shadow would cover approximately 25 square feet of the P.S./I.S. 104 School Yard from 4:19 pm to 4:29 pm. The shadow covers a portion of the paved bench area in the eastern portion of the school yard. Since the new shadows created by the Projected Development cover a small fraction of the school yard for a limited amount of time, the incremental shadows resulting from the Proposed Actions would not significantly alter the public's utility or enjoyability of the sunlight-sensitive resource. Therefore, the Proposed Actions would not affect the vitality or usage of the sunlight-sensitive resources identified within the Study Area and significant adverse impacts from shadows would not result from the Proposed Actions.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-873) 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.

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 Ibrahim Jobe at ijobe@planning.nyc.gov.

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME Evren Ulker-Kacar, AICP	DATE 11/14/2025
SIGNATURE Evren Ulker Kacar	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 11/17/2025
SIGNATURE	

Project Name: 9201 4th Ave Rezoning
CEQR # 25DCP078K
SEQRA Classification: Unlisted

Determination of Significance Appendix

The Proposed Action(s) were determined to have the potential to result in changes to development on the following site(s):

Development Site	Borough	Block and Lot
Projected Development Site 1	Brooklyn	Block 6108, Lot 22

(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-873**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below:

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

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1** 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 and/or commercial development on the above-referenced property must ensure the heating, ventilating, and air conditioning (HVAC) system and hot water equipment's stack is located at the highest tier and at least 148 feet above grade to avoid any potential significant adverse air quality impact.*

Noise

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

> ***Projected Development Site 1:*** *In order to ensure an acceptable interior noise environment, future residential and/or commercial office uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on the eastern, northern, and western façades for all floors and for 50' on the southern façade from the east and west as illustrated in the EAS Figure 2.8-6 to maintain an interior noise level not greater than 45 dBA for residential uses and not greater than 50 dBA for commercial office uses. In order 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, central air conditioning or air conditioning sleeves containing air conditioners.*