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, Kent Development LLC, and the Co-Applicant, 123 Taaffe LLC, request a Zoning Map Amendment to rezone an area from an M1-1 district to an MX-4 (M1-4/R6A) special mixed-use district affecting Brooklyn Block 1897, Lots 5, 6, 9, 11, (portion of ("p/o")) 12, p/o 47, 48, 49, 54, 55, p/o 56, 7504, p/o 7505, 7509, and 7510 (the "Affected Area" or "Proposed Rezoning Area") in the Bedford-Stuyvesant neighborhood of Brooklyn Community District 3; and a Zoning Text Amendment pursuant to Zoning Resolution Appendix F to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the Affected Area (the "Proposed Actions"). The Affected Area fronts Kent Avenue and Taaffe Place on the block between Myrtle and Park Avenues. The Proposed Actions would facilitate the Applicant's proposed development on Lot 49 (the "Projected Development Site 1") of a new 94 foot tall (104 feet with mechanical bulkhead), 67,312 gross square foot (gsf), 3.9 floor are ratio (FAR) multifamily residential building containing 56 dwelling units ("DU's"), of which 20%-30% (11 to 17 units) would be income-restricted units pursuant to MIH options 1, 2, or 3 at an average of 60%, 80%, or 40% area median income (AMI), respectively, and 19 cellar parking spaces. The Proposed Actions would also facilitate the Co-Applicant's proposed development on Lot 9 (the "Projected Development Site 2") of a new 84 foot tall (94 feet with mechanical bulkhead), 19,558 gsf, 3.9 FAR multifamily residential building containing 19 DU's, of which 20% to 30% (4-6 units) would be income-restricted units pursuant to MIH options 1, 2, or 3 at an average of 60%, 80%, or 40%, respectively, and 6 cellar parking spaces. For purposes of a conservative analysis, the Reasonable Worst Case Development Scenario (RWCDS) assumes that Projected Development Site 1 would contain 74 DU's and that Projected Development Site 2 would contain 21 DU's and both Projected Development Site's would be built to 95 feet tall in building height and up to 120 feet tall with bulkhead. The analysis considers a study area reflecting a 400-foot radius from the Affected Area which is predominately residential with community facility and open space uses interspersed, commercial and mixed residential and commercial buildings are located mostly along Myrtle Avenue, and industrial uses are located within the westernmost portion of the study area. The Proposed MX-4 district would continue to permit commercial, community facility, and manufacturing uses consistent with these study area characteristics. While the Proposed Actions would permit residential uses, the two new residential buildings facilitated would be consistent with land use trends in the Affected Area where the Board of Standards and Appeals (BSA) has approved several use variances for residential developments, and with the study area's residential land uses along Taaffe Place, Kent Avenue, and Franklin Avenue. The proposed MX-4 district would provide a transition between the M1-1 light industrial district to the east and the adjacent R7A/C2-4 district to the south along Mrytle Avenue in the study area and would be consistent with an existing MX-4 district that is partially located within the northern portion of the study area established through 446-448 Park Avenue Rezoning. The Proposed Actions would be consistent with the OneNYC 2050, Housing Our Neighbors, and with the Myrtle Avenue Brooklyn Business Improvement District (BID) policy goals by providing income-restricted DU's and supporting residential growth that reinforces local economic activity. Therefore, the Proposed Actions would not result in any significant adverse impacts to land use, zoning, or public policy.

Shadows

A detailed analysis of shadows is included in this EAS. The Projected Development Sites 1 and 2 facilitated by the Proposed Actions would cast incremental shadows on the sunlight-sensitive open space resource of Taaffe Playground. Taaffe Playground would receive incremental shadow on the December 21 analysis day for 1 hour and 35 minutes (8:51am-10:26am), the March 21/September 21 analysis day for 2 hours and 38 minutes (7:36am-10:14am), the May 6/August 6 analysis day for 3 hours and 22 minutes (6:27am-9:49am), and the June 21 analysis day for 3 hours and 51 minutes (5:57am-9:48am). The vegetation in the playground consists of mature tree canopies along the eastern and western edges and would continue to receive direct sunlight in excess of four to six hours on each analysis day. In addition, during the spring and summer analysis days when the playground would be most in use, the eastern edge of the playground containing small areas of the soccer field would receive incremental shadow in the morning which would exit the playground before 10:00am. Therefore, the Proposed Actions would not result in a significant adverse shadows impact.

Historic and Cultural Resources

A detailed analysis of historic and cultural resources is included in this EAS. There is an architectural resource eligible for inclusion on the State and National Register of Historic Places (S/NR Eligible) within the 400-foot radius historic and cultural resources study area: P.S./I.S. 157 at 850 Kent Avenue (Block 1897, Lot 13). There are also two Landmarks and Preservation Commission (LPC)-designated landmarks at the southwestern edge of the study area: M.H. Renken Diary Company Office Building and Engine Room Building (Block 1909, Lots 7501 and 32). The Proposed Actions would not directly affect the LPC-designated landmarks as they are 355 feet away from the nearest point of the study area and 400 feet away from the nearest Projected Development Site and the Proposed Actions are limited to the Affected Area. The LPC-designated landmarks are protected from construction damage through Department of Buildings (DOB) Technical Policy and Procedure Notice (TPPN) #10/88. The S/NR Eligible Resource of P.S./I.S. 157 would not be directly affected by the Proposed Actions as the Proposed Actions would be limited to the Affected Area. The Projected Development Sites 1 and 2 are located within 90 feet of the S/NR Eligible Resource of P.S./I.S. 157 (approximately 50 feet north of Projected Development Site 1, and approximately 75 feet north of Projected Development Site 2) and an LPC-approved Construction Protection Plan (CPP) incorporating provisions similar to those mandated by TPPN #10/88 is required to protect this S/NR eligible historic resource. This requirement will be recorded in conjunction with the Proposed Actions in a Restrictive Declaration (RD) to be placed on the Applicant-owned Projected Development Site 1 (Lot 49) and Co-Applicant-owned Projected Development Site 2 (Lot 9).

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With the implementation of the CPP, the Proposed Actions would not result in significant adverse impacts to architectural resources. Additionally, the Proposed Actions would result in in-ground disturbance on Projected Development Site's 1 and 2. LPC identified Projected Development Sites 1 and 2 as having the potential for recovery of remains from 19th Century occupation in a letter dated February 6, 2020, and a Phase IA Documentary Study was subsequently prepared by the applicant team which concluded that further archaeological consideration is recommended and LPC concurred with the report's conclusion. Therefore, an LPC-approved archaeological work plan for fieldwork is needed. Field testing would be done prior to the onset of excavation. If testing indicates that significant resources are present, further measures would be taken and completed under LPC's review and approval per the Guidelines for Archaeological Work in New York City. To ensure this, the Restrictive Declaration placed on the Projected Development Site 1 (Lot 49) and Projected Development Site 2 (Lot 9) would incorporate the measures pertaining to the archaeological work. With the Restrictive Declaration in place, the Proposed Actions would not result in significant adverse impacts to archaeological resources. Therefore, the Proposed Actions would not result in significant adverse impacts to Historic and Cultural Resources.

Disadvantaged Communities Assessment

An assessment of the Proposed Actions' potential effects on disadvantaged communities is included in this EAS. The Affected Area is located within a designated disadvantaged community according to the NYSDEC Disadvantaged Community Assessment Tool (DACAT). The Proposed Actions would not result in significant adverse impacts in the following technical areas analyzed in the EAS: land use, zoning, and public policy, open space, shadows, historic and cultural resources, urban design and visual resources, hazardous materials, transportation, air quality, noise, and construction. As such, the Proposed Actions would not disproportionately affect any disadvantaged communities, nor would they cause or increase a disproportional pollution burden on disadvantaged communities.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-883) 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 Erin Whitney at ewhitney@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 | 212.720.3493
NAME Evren Ulker-Kacar, AICP	DATE February 26, 2026
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE March 2, 2026
SIGNATURE	

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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 1897, Lot 49
Projected Development Site 2	Brooklyn	Block 1897, Lot 9

(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-883**) would be established as part of approval of the Proposed Actions on **Projected Development Site 1** and **Projected Development Site 2** as described below:

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

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1 (**Block 1897, Lot 49**) and Projected Development Site 2 (**Block 1897, Lot 9) 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 be 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:

> *Block 1897, Lot 49 (Projected Development Site 1): Any new residential 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 HVAC stack is located at the building's highest level at a minimum of 108 feet above grade, and that the stack is located no more than 60 feet from Block 1897, Lot 49 eastern lot line facing Kent Avenue to avoid any potential significant adverse air quality impacts.*
>
> *Block 1897, Lot 9 (Projected Development Site 2): Any new residential 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 ensure that the stack is located at the building's highest level or at least 108 feet above grade to avoid any potential significant adverse air quality impacts.*

Noise

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

> *Block 1897, Lot 49 (Projected Development Site 1): To ensure an acceptable interior noise environment, future residential and community facility uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on the eastern façade of Projected Development Site 1 facing Kent Avenue and on its northern and southern facades within 50 feet from Kent Avenue, to maintain an interior noise level not greater than 45 dBA (L10). For future commercial office uses, the required window/wall attenuation along each respective façade would be 5 dBA lower to maintain interior noise level no greater than 50 dBA (L10). 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.*