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, Stellar 341 LLC, seeks a zoning map amendment to rezone a portion of Brooklyn Block 1010 Lot 26 (the "Project Area" refers to the totality of Block 1010, Lot 26; the "Rezoning Area" constitutes a portion of the "Project Area") from R6A and R6B districts to R7 and R7-3/C2-4 districts; a zoning text amendment to Appendix F of the Zoning Resolution ("ZR") to designate the Rezoning Area a Mandatory Inclusionary Housing (MIH) area; a special permit pursuant to ZR 74-743 to designate the Project Site a Large Scale General Development (LSGD) and modify regulations concerning base height, maximum building height, setbacks, rear yards, and rear yard equivalents; and a special permit pursuant to ZR 74-532 to reduce accessory parking requirements (the "Proposed Actions"). The Proposed Actions would facilitate the development of two new mixed-use buildings consisting of a combined 282,774 gross square feet (gsf) (the "Proposed Project"). The new buildings would consist of a combined approximately 271,380 gsf of residential floor area, approximately 6,750 gsf of commercial retail space, and approximately 4,644 gsf of community facility space. The residential floor area would consist of approximately 319 dwelling units, of which, approximately 64 to 96 would be permanently affordable pursuant to MIH. The building constructed along 9th Street would be 17 stories and 201 feet tall and the building constructed along 10th Street would be 19 stories and 225 feet tall. The existing multifamily apartment building would remain within the Project Area.

The Proposed Actions would not result in significant adverse impacts to Land Use, Zoning, and Public Policy. The Proposed Actions would not displace a land use nor create a land use that would be incompatible with surrounding uses. The Proposed Actions would establish a medium-density residential zoning district with a commercial overlay in an area where similar land uses and zoning districts are prevalent. The residential, commercial, and community facility uses facilitated by the Proposed Actions would be consistent with the medium-density and mixed-use residential and commercial uses that are prevalent along 9th Street and in the surrounding area. The Proposed Actions would allow for an increase in development, bulk, and height on the Project Site relative to the No-Action Condition. The proposed R7-3/C2-4 district would allow for development at an appropriate and comparable scale relative to the medium-density residential R6A/C2-4 district to the Project Site's north and the R6B district to the Project Site's south. The development and bulk facilitated by the Proposed Actions would also be appropriate in scale to the medium-density commercial C4-3A district to the Project Site's east and the C4-4D district to the west of the Project Site. The Proposed Actions would be consistent with relevant public policies including *Housing Our Neighbors* and *OneNYC* by facilitating the development of mixed-use buildings that would include new commercial and community facility operations and permanently affordable housing units pursuant to MIH.

Open Space

A detailed analysis related to Open Space is included in this EAS. The detailed analysis concluded that the Proposed Actions would not result in significant adverse open space impacts. The Proposed Actions would not directly displace any open space resources, nor would it result in in any direct effects related to encroachments on or loss of open space, or changes in open space such that it no longer serves the same user population. In the No-Action Condition, the open space ratio within a .5-mile study area of the Project Area is 0.29 of total open space, 0.18 of active recreation open space, and 0.1 of passive recreation open space for every 1,000 residents, which are below the City's goals of 2.5 total acres of total open space per 1,000 residents, 2.0 acres of active open space for every 1,000 residents and .5 acres of passive recreation open space for every 1,000 residents. In the With-Action Condition, the total open space ratio would decline by 1.7%, the active open space ratio would decline by 1.75%, and the passive open space ratio would decline by 1.72%. Because the Proposed Actions would result in decreases in the open space ratios greater than the 1% threshold, further qualitative assessment was conducted to determine if these changes would result in a significant adverse impact.

The qualitative assessment considers those open space resources that are available to residents within the study area but are not included in the quantitative analysis. The Project Site is approximately 0.7 miles from Prospect Park, a regional park, with ample passive and active recreation assets. There are four existing public parks (Gowanus Canal Sponge Park, Gowanus Waterfront Park, Prospect Expressway Park, and Slope Park Playground) maintained by the NYC Department of Parks and Recreation and six community gardens maintained by the NYC Department of Parks and Recreation's GreenThumb program that are outside of the quantitative study area but are publicly accessible and available to residents. The Gowanus Neighborhood Plan (CEQR# 19DCP157K) will introduce approximately six acres of additional publicly accessible open space that will be available in the future to residents within the study area. The applicant also plans to provide 14,500 square feet of private open space within the Project Site for residents that would include walking paths, seating areas, and a children's play area.

Therefore, the analysis finds that the decreases in the open space ratios would not result in significant adverse open space impacts and no further analysis is necessary.

Project Name: 341 10th Street Rezoning and LSGD Special Permits
CEQR # 23DCP145K
SEQRA Classification: Type I

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-730) 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 Sean O'Rourke at +1 212-720-3425.

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SIGNATURE Evren Ulker Kacar	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 10/2/2023
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 1010, Lot 26

(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-730**) 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 or commercial development shall utilize only electrically powered heating, and hot water systems, 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/community facility uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on the facades facing 4th Avenue within 50 feet of eastern lot line of Block 1010, Lot 1 and the facades facing 9th Street within 50 feet of eastern lot line of Block 1010, Lot 1 to maintain an interior L10 noise level not greater than 45 dBA for community facility uses and interior Ldn noise level not greater than 40 dBA for residential uses as illustrated in the EAS. 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.*