Project Name: 446-448 Park Avenue Rezoning
CEQR # 21DCP094K
SEQRA Classification: Unlisted

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, 446-448 Park Realty Corp., seeks a Zoning Map Amendment affecting portions of the southern blockfronts of Park Avenue east and west of Franklin Avenue in the Bedford Stuyvesant neighborhood of Brooklyn Community District 3 from M1-1 to a Special Mixed-Use ("MX") District, which would consist of an R6A zoning district paired with an M1-4 zoning district. The Applicant also proposes a Zoning Text Amendment to Map 1 of Appendix F, to establish a Mandatory Inclusionary Housing (MIH) Area over the proposed rezoning area. The Affected Area consists of Block 1898, Lots 35, 37, 38, and 7501, and Block 1899, Lots 26, 27, 28, 29, and 30, located on the south side of Park Avenue on either side of Franklin Avenue. Park Avenue is a two-way, east-west street with one moving lane in each direction and curbside parking and loading. Franklin Avenue is a one-way southbound street with one moving lane and a painted bicycle lane, with curbside parking and loading. Existing land uses within the 400-foot buffer around the Affected Area primarily consist of attached and multi-family residential, industrial and manufacturing, mixed residential and commercial, and vacant land. The proposed actions would facilitate the development of two projected development sites, that would result in two 8-story, 85 foot-tall plus cellar mixed-use residential and commercial buildings with MIH. Projected Development Site 1 (Block 1898, Lots 37 and 38) is applicant owned and would consist of an approximately 12,894 gross square foot (gsf) building with 13 dwelling units, of which 3-4 would be affordable pursuant to MIH, and 2,013 gsf of retail use. Projected Development Site 2 (Block 1899, Lots 27, 28, 29) is non-applicant owned and is projected to include approximately 12,414 gsf of residential use (15 units, of which 4-5 would be affordable pursuant to MIH), and 4,421 gsf of retail use The proposed actions are anticipated to result in a change in land use to Projected Development Sites 1 and 2, however, given the existing character if Park Avenue and the affected area that includes low and mid-rise residential buildings and industrial and commercial land uses, the change in land use and zoning would not constitute a significant adverse impact.

Hazardous Materials and Air Quality

An (E) designation (E-681) related to hazardous materials and air quality 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 and air quality analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials or air quality.

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 Louise Cafiero at lcafiero@planning.nyc.gov.

TITLE 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 | 212.720.3328
NAME Stephanie Shellooe, AICP	DATE July 8, 2022
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE July 11, 2022
SIGNATURE	

Project Name: 446-448 Park Avenue Rezoning
CEQR # 21DCP094K
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 1898, Lots 37, 38
Projected Development Site 2	Brooklyn	Block 1899, Lots 27, 28, 29

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials or air quality, an (E) designation (**E-681**) would be established as part of approval of the proposed actions on **Projected Development Sites 1 and 2** as described below:

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

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 2** 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. Guide lines 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.

Air Quality

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

Projected Development Site 1 (Block 1898, Lots 37, 38): *Any new residential and/or commercial development on the above-referenced property must ensure the heating, ventilating and air conditioning (HVAC) systems and hot water equipment stack is located at the highest tier and at least 88 feet above grade to avoid any potential significant adverse air quality impacts.*

Projected Development Site 2 (Block 1899, Lots 27, 28, 29): *Any new residential and/or commercial development on the above-referenced property must ensure the heating, ventilating and air conditioning (HVAC) systems and hot water equipment stack is located at the highest tier and at least 88 feet above grade to avoid any potential significant adverse air quality impacts.*