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 the project area, Brooklyn Block 6680, Lots 39 and 42, and Block 7087, Lots 1 and 5, from R5B and M1-1 to C4-4L, and a Zoning Text Amendment to establish a Mandatory Inclusionary Housing area coterminous with the project area in the Gravesend neighborhood of Brooklyn Community District 11. The project area is situated directly west of the elevated F train line over McDonald Avenue. The proposed actions would facilitate the development of a mixed use building containing approximately 122 dwelling units, 19,650 gsf of commercial retail space, and 3,150 gsf of medical office space. For the purpose of a conservative analysis, the EAS also analyzes projected development on a non-applicant-owned site, Block 7087, Lot 1, that would include 63 dwelling units and 16,400 gsf of commercial retail space. The proposed actions are anticipated to result in a change in land use within the project area, however, given the existing mixed use character of McDonald Avenue, a wide commercial corridor, the change in land use and zoning would facilitate development that is consistent with nearby existing uses and would not constitute a significant adverse impact. Additionally, there would be no significant adverse impact to public policy.

Open Space

A detailed analysis related to open space is included in this EAS. The proposed actions would result in an increase of approximately 502 new residents, which is above the threshold described in the CEQR Technical Manual for a detailed analysis of residential open space. The open space ratio for residents in the study area would decrease by approximately 1.17% as a result of the proposed actions, which is below the 5% threshold for impacts to open space, but above 1%, which may be considered if the existing open space ratio is low. The analysis finds that while there would be a decrease in the open space ratio as a result of the increase in population, a number of qualitative factors would help to prevent an impact to open space resources, including low to moderate usage of existing open spaces within the study area, suggesting that these resources can absorb additional open space users, as well as proximity to the Ocean Parkway Malls, a large linear open space resource not included in the quantitative analysis. Additionally, the proposed development would include a private open space for building residents, which would defray some of the demand for open space generated by the proposed actions. Therefore, the proposed actions would not result in any significant adverse impacts to open space, and no further analysis is required.

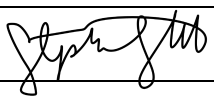
Shadows

A detailed analysis of shadows is included in the EAS. The analysis concludes that incremental shadows from the development facilitated by the proposed actions would be cast on one sunlight sensitive resource: McDonald Playground. New incremental shadows would be cast on portions McDonald Playground on three analysis days. New shadows would cover portions of the park for periods ranging from 59 minutes on the March/September analysis day; 1 hour, 59 minutes on the May/August analysis day; and 2 hours 24 Minutes on the June analysis day. Incremental shadow would be cast upon the bocce courts, playground equipment, and a small corner of the concrete open space. No part of the park would be in constant shadow, as the shadow would move across the park during the course of the day. As a result, the park would receive sufficient sunlight during the growing season, of at least four to six hours, per the CEQR Technical Manual, and the shadows would not affect user enjoyment of this resource. No other sunlight-sensitive resources would be affected by shadows generated by the proposed actions. As such, the proposed actions would not result in any significant adverse shadows impacts, and no further analysis is warranted.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-662) 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 Rachel Antelmi at rantelmi@planning.nyc.gov.

TITLE	LEAD AGENCY
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 Stephanie Shellooe	DATE April 8, 2022
SIGNATURE 	

Project Name: 2080 McDonald Avenue
CEQR # 21DCP132K
SEQRA Classification: Unlisted

TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE April 11, 2022
SIGNATURE	

Project Name: 2080 McDonald Avenue
CEQR # 21DCP132K
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	BK	Block 6680, Lots 39 and 42
Projected Development Site 2	BK	Block 7087, Lot 1

(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-662**) 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
Projected Development Site 2	X	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. 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.

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 exclusively use natural gas as the type of fuel for the heating, ventilation, air conditioning (HVAC) and hot water system(s), ensure that the stack is located at the building's highest level or at least 118 feet above grade, and that the stack is located at least 100 feet from the southern lot line facing Avenue S 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 118 feet above the grade, and that the stack is located at least 145 feet from the northern lot line facing Avenue S to avoid any potential significant adverse air quality impacts.*

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/community facility uses must provide a closed window condition with a minimum of 35 dBA window/wall attenuation on the facades facing McDonald Avenue for floors below the rail line and the facades facing Kings Highway within 50 feet of McDonald Avenue for floors below the rail line and the facades facing Avenue S within 50 feet of McDonald Avenue for floors below the rail line and 31 dBA of attenuation on all remaining facades below and above the rail line in order to maintain an interior noise level not greater than 45 dBA for residential and community facility uses as illustrated in the EAS. 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.*

Projected Development Site 2: *In order to ensure an acceptable interior noise environment, future residential/commercial office uses must provide a closed window condition with a minimum of 35 dBA window/wall attenuation on the facades facing McDonald Avenue for floors below the rail line and the facades facing Avenue S within 50 feet of McDonald Avenue for floors below the rail line and the facades facing Avenue T within 50 feet of McDonald Avenue for floors below the rail line and 31 dBA of attenuation on all remaining facades below and above the rail line in order to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office uses as illustrated in the EAS. 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.*