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, 2510/18 C.I.A L.L.C., is seeking a zoning map amendment to rezone existing R4 and C8-1 zoning districts within the Special Ocean Parkway District to an R7D/C2-4 zoning district, as well as a zoning text amendment to Appendix F of the Zoning Resolution ("ZR") to establish a Mandatory Inclusionary Housing ("MIH") area (the "Proposed Actions). The Proposed Actions would affect Block 7159, p/o Lot 111, Lot 115, p/o Lot 120, Lot 123, Lot 128, and Lot 130 (the "Affected Area") located in the Sheepshead Bay neighborhood of Brooklyn, Community District 15 and would facilitate the "Proposed Project" or "Projected Development Site 1". The Proposed Project on the applicant-controlled Lot 123 would comprise an 11-story 73,854 gross square foot ("gsf") mixed-use building with a cellar, consisting of approximately 6,439 gsf of commercial floor area and 56,735 gsf of residential floor area, including 60 dwelling units ("DUs"), 25-30% (15-18) of which would be affordable pursuant to MIH. 24 parking spaces and 31 bicycle parking spaces would be provided at the cellar level. In order to present a conservative CEQR analysis, a Reasonable Worst-Case Development Scenario ("RWCDS") was identified that differs from the Proposed Project on the applicant-controlled Projected Development Site 1 and also identified three additional development sites: Projected Development Site 2 (Block 7159, Lots 128 and 130), Projected Development Site 3 (Block 7159, Lot 115), and Projected Development Site 3 (Block 7159, Lot 120), all of which are not controlled by the Applicant. In the EAS, it is assumed that Projected Development Site 1 would comprise a 115-foot tall, 67,883 gsf development consisting of 12,122 gsf of commercial floor area and 55,761 gsf of residential floor area and 61 DUs, 15-18 of which would be affordable pursuant to MIH. 24 parking spaces would be provided in a subsurface parking garage. Projected Development Site 2 would comprise a 115-foot tall 35,604 gsf building, consisting of 6,358 gsf of commercial floor area and 29,246 gsf of residential floor area, including 32 DUs, 8-10 of which would be affordable pursuant to MIH. 13 parking spaces would be provided in a subsurface parking garage. Projected Development Site 3 would consist of a 115-foot tall 72,471 gsf development consisting of 12,941 gsf of commercial floor area and 59,530 gsf of residential floor area, including 66 DUs, 17-20 of which would be affordable pursuant to MIH. Projected Development Site 4 would comprise a 115-foot tall 36,960 gsf development consisting of 6,600 gsf of commercial floor area and 30,360 gsf of residential floor area, including 33 DUs, 8-10 of which would be affordable pursuant to MIH. 13 parking spaces would be provided in a subsurface parking garage.

The Proposed Actions would allow for the productive redevelopment of the Affected Area with new mixed residential and commercial buildings on four Projected Development Sites and the proposed land uses are compatible with the surrounding area which is predominantly developed with residential, institutional, and commercial uses. Therefore, the Proposed Actions would not generate land uses that would be incompatible with surrounding uses. The Proposed Actions would induce development consistent with nearby ground floor retail and adjacent residential multifamily apartment buildings, while maintaining the residential character of nearby side streets, and the proposed zoning district would be mapped at the confluence of Avenue V and Coney Island Avenue. Coney Island Avenue is a wide street with mixed uses and is well served by public transit, which is appropriate for a higher density of mixed residential and commercial uses. Additionally, consistency with the NYC Waterfront Revitalization Program (WRP) in included in this EAS. The WRP Policy Consistency Assessment Form demonstrates that the proposed development is consistent with the policies of the WRP (WRP# 18-181). Therefore, the Proposed Actions would not result in significant adverse impacts to land use, zoning, and public policy, and no further analysis is warranted.

Open Space

A detailed analysis of Open Space is included in the EAS. The quantitative analysis indicates that the Open Space Ratio in the Future With-Action Condition would decrease by 1.33% compared to the Future No-Action Condition. Despite the fact that the existing Open Space Ratio in the study area (both Active and Passive) is below the goals referenced in the *2021 CEQR Technical Manual,* the qualitative analysis reveals a moderate utilization rate of existing active open space resources, all of which are in acceptable condition, and multiple Planned Capital Improvements of the active open spaces, as well as additional open space resources just outside of the study area. Lastly, the Proposed Development on Projected Development Site 1 would provide on-site amenities for residents including private terraces and balconies, and a rooftop recreational open space area as a building wide amenity for future residents. The moderate utilization of the existing open space resources, the proximity to open space resources that are not considered within the Study Area, and the proposed resources to be provided for residential tenants on Projected Development Site 1 would help offset the low open space ration within the Study Area. Therefore, the Proposed Actions would not result in a significant adverse impact to open space and no further analysis is warranted.

Transportation

Because multiple locations were estimated to exceed 200 new pedestrians during the weekday midday peak hour, weekday PM peak hour, and the Saturday midday peak hour, a detailed pedestrian element level of service ("LOS") analysis related to transportation is included in the EAS. Based on the analysis, all pedestrian elements are projected to operate at LOS C or better. As such, according to the significant adverse impact criteria defined for pedestrian elements in the *2021 CEQR Technical Manual,* the Proposed Actions would not result in any significant adverse impacts related to transportation and no further analysis is warranted.

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SEQRA Classification: Unlisted

Urban Design and Visual Resources

A detailed analysis of Urban Design and Visual Resources is included in the EAS. As the Projected Development Sites would be built within the existing lot footprints of the respective lots, the development in the With-Action Scenario would not alter or disrupt the existing street grid or change the arrangement and orientation of streets in the area. Additionally, the Proposed Action would not permanently alter the existing sidewalks that border the Project Site to the East and North and there would be no changes to the existing sidewalk layout. Overall, the development in the Future With-Action would not alter existing streets, the street grid, streetscapes, or sidewalks. The Proposed Development on the Applicant-owned Development Site (Projected Development Site 1) would improve the current streetscape by adding street trees and improving the sidewalk along the Development Site frontage. In addition, as the current segment of Coney Island Avenue in the Affected Area is interrupted by an auto repair parking area, the Projected Development would increase the continuity of the street wall and help to activate the pedestrian realm. While the With-Action Scenario would bring additional density and height to the Study Area that does not currently exist, the Proposed Actions would not negatively affect urban design in the area. The proposed building would be set back 10 feet from the street and would have a base height of 63 feet, and neither the Proposed Project, nor the three additional Projected Development Sites, would significantly impact view corridors. The Proposed Actions would not result in significant adverse impacts to urban design and visual resources and no further analysis is warranted.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-720) 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 Jameson Mitchell at jmitchell@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, AICP	DATE 11/1/2024
SIGNATURE	

TITLE	
Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 11/4/2024
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 7159, Lot 123
Projected Development Site 2	Brooklyn	Block 7159, Lots 128 and 130
Projected Development Site 3	Brooklyn	Block 7159, Lot 115
Projected Development Site 4	Brooklyn	Block 7159, p/o Lot 120

(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-720**) would be established as part of approval of the proposed actions on **Projected Development Sites 1, 2, 3, and 4** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1		X	X
Projected Development Site 2	X	X	X
Projected Development Site 3	X	X	X
Projected Development Site 4	X	X	X

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Sites 2, 3, and 4** for hazardous materials would apply as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase II 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:

Block 7159, Lot 123 (Projected Development Site 1): Any new residential and/or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating and air conditioning (HVAC) system and hot water equipment, ensure that the HVAC system and hot water equipment stack is located at the building's highest tier and at least 123 feet above grade, and that the stack is located at least 25 feet from the northern lot line of Block 7159, Lot 123 to avoid any potential significant adverse air quality impacts.

Block 7159, Lots 128 and 130 (Projected Development Site 2): Any new residential and/or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating and air conditioning (HVAC) system and hot water equipment, ensure that the HVAC system and hot water equipment stack is located at the building's highest tier and at least 121 feet above grade, and that the stack is located at least 30 feet from the northern lot line of Block 7159, Lot 128 to avoid any potential significant adverse air quality impacts.

Block 7159, Lot 115 (Projected Development Site 3): Any new residential and/or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating and air conditioning (HVAC) system and hot water equipment, ensure that the HVAC system and hot water equipment stack is located at the building's highest tier and at least 121 feet above grade, and that the stack is located at least 50 feet from the southern lot line of Block 7159, Lot 115 to avoid any potential significant adverse air quality impacts.

Block 7159, Lot 120 (Projected Development Site 4): Any new residential and/or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating and air conditioning (HVAC) system and hot water equipment, ensure that the HVAC system and hot water equipment stack is located at the building's highest tier and at least 123 feet above grade, and that the stack is located at least 20 feet from the southern lot line of Block 7159, Lot 115 and at least 20 feet from the northern lot line of Block 7159, Lot 123 to avoid any potential significant adverse air quality impacts.

Noise

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

Block 7159, Lot 123 (Projected Development Site 1): To ensure an acceptable interior noise environment, future residential and commercial office uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on the northern façade within 50 feet of Coney Island Avenue and a 28 dBA window/wall attenuation on the remaining portion of the northern façade, the eastern façade, the western façade, and the southern façade to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office uses. 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.

Block 7159, Lots 128 and 130 (Projected Development Site 2): To ensure an acceptable interior noise environment, future residential and commercial office uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on all facades to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office uses. 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.

Block 7159, Lot 115 (Projected Development Site 3): To ensure an acceptable interior noise environment, future residential and commercial office uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on the eastern façade facing Coney Island Avenue and on the northern and southern facades within 50' of Coney Island Avenue and a minimum of 28 dB(A) window/wall attenuation on the remaining facades to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office uses. 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.

Block 7159, Lot 120 (Projected Development Site 4): To ensure an acceptable interior noise environment, future residential and commercial office uses must provide a closed-window condition with a minimum of 31 dBA window/wall attenuation on the eastern façade facing Coney Island Avenue and on the northern and southern façades within 50 feet of Coney Island and a minimum of 28 dB(A) window/wall attenuation on the remaining facades to maintain an interior noise level not greater than 45 dBA for residential uses or not greater than 50 dBA for commercial office uses. 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.