DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Daniel R. Garodnick, *Director*
Department of City Planning

September 15, 2023

POSITIVE DECLARATION

Project Identification
Atlantic Avenue Mixed-Use Plan (AAMUP)
CEQR No. 24DCP019K
ULURP Nos. Pending
SEQRA Classification: Type I

Lead Agency
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271
Contact: Stephanie Shellooe
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Name, Description and Location of Proposal:

Atlantic Avenue Mixed-Use Plan (AAMUP)
The New York City Department of City Planning (DCP), together with New York City Department of Housing Preservation and Development (HPD) and other partner agencies, is proposing a series of land use actions, including zoning map amendments and zoning text amendments (including establishing a new Special District and Mandatory Inclusionary Housing [MIH]) (the "Proposed Actions") that would facilitate the implementation of a multi-year planning process conducted along Atlantic Avenue in Prospect Heights, northwestern Crown Heights, and southern Bedford Stuyvesant in partnership with elected officials, city agencies, community boards, and local stakeholders.

The Proposed Actions would affect an approximately 20-block area, primarily along Atlantic Avenue in Brooklyn Community Districts 3 and 8, and generally bounded by Vanderbilt Avenue to the west, Nostrand Avenue to the east, Herkimer Street to the north, and Bergen Street to the south. In addition, the Proposed Actions would affect a separate, non-contiguous area located on a portion of two blocks in Prospect Heights bounded by 6th Avenue to the west, Carlton Avenue to the east, Dean Street to the north, and St. Marks and Flatbush Avenues to the south.

The Proposed Actions are as follows:

- **Zoning Map Amendment** to:
  - Rezone portions of existing M1-1, C6-3A, M1-4/R7A, R7A/C2-4, R7D/C2-4, C6-2A, R6B, and R6A districts to R7A, R7D, C6-3A, M1-4/R6B, M1-4/R6A, M1-4/R7D, M1-5/R9A, C4-3A, C4-5D, and M1-4 districts and C2-4 commercial overlays.
- **Zoning Text Amendments** to:
  - Establish the Special Atlantic Avenue Mixed Use District largely coterminous with

the Rezoning Area. The proposed special purpose district will include modifications to underlying use, bulk, parking and loading, and streetscape regulations. The proposed special district will include requirements and incentives related to active ground floor uses and job-generating uses and establish controls for building articulation and streetscape improvements along key corridors.

- Modify Appendix F for the purpose of establishing proposed R7A, R7D, C6-3A, M1-4/R6B, M1-4/R6A, M1-4/R7D, M1-5/R9A, C4-3A, and C4-5D as Mandatory Inclusionary Housing (MIH) areas, applying the MIH program to require a share of new housing to be permanently affordable where significant new housing capacity would be created.

- **Designation of an Urban Development Action Area ("UDAA"),** project approval of an Urban Development Action Area Project ("UDAAP"), and acquisition and/or disposition of the City-owned property within the project area.
- **Site Selection and/or Acquisition,** related to the potential acquisition of land by the City for the purpose of establishing publicly accessible open space.

The Proposed Actions seek to accomplish the following land use objectives:

- Implement community-identified priorities for housing, services, and job growth, and reinforce proposed investments into community amenities and the streetscape.
- Allow for new housing where appropriate and require permanently affordable housing in new residential developments.
- Reinforce the area as a local job hub that serves surrounding neighborhoods, new residents, and promotes a walk-to-work environment.
- Ensure the area evolves into a mixed-use neighborhood that supports new housing and space for local retail, community facilities and services, and commercial and light industrial uses.
- Encourage the investment in, and expansion of, loft-style buildings to help the growth of job-dense uses in appropriate locations.
- Strengthen the quality of the Atlantic Avenue streetscape, improve safety along the corridor and at key intersections, and enhance the pedestrian experience along the sidewalk and find opportunities for publicly accessible open space for existing and future residents.
- Support active ground floor uses along key corridors, including Atlantic Avenue, Grand Avenue, Classon Avenue, and Bedford Avenue.
- Create special zoning rules to improve urban design and accommodate unique development conditions.

The Reasonable Worst-Case Development Scenario ("RWCDS") for the Proposed Actions identifies 51 projected development sites under the With-Action Condition which would consist of approximately 5,511,773 sf of floor area, including 4,382,630 sf of residential floor area (approximately 4,283 dwelling units (DU), a substantial proportion of which are expected to be affordable pursuant to MIH and city-based programs), 368,408 sf of local retail uses, 56,686 sf of destination retail uses, 534,542 sf of office uses, 48,114 sf of industrial uses, and 121,393 sf of community facility uses, as well as no accessory parking spaces. The estimated population under the With-Action Condition would include a total of approximately 10,279 residents and 3,524 workers on these projected development sites. The projected incremental (net) change between the No-Action and With-Action conditions that would result from the Proposed Actions would be an increase of 4,216,657 sf of residential floor area (4,108 DU), 301,471 sf of local retail space, 56,686 sf of destination retail space, 511,894 sf of office space, 97,807 sf of community facility

space, a net reduction of 319 accessory parking spaces, and a net decrease of 189,257 sf of industrial and 81,000 sf of automotive related uses on the projected development sites. The RWCDS also identifies 16 potential development sites that are considered less likely to be developed by the analysis year, but will be analyzed in the EIS for site-specific effects such as archaeology, shadows, hazardous materials, air quality, and noise.

The analysis year of the Proposed Actions is 2034.

Statement of Significant Effect:
On behalf of the City Planning Commission, the Environmental Assessment and Review Division has determined, pursuant to 6 NYCRR Part 617.7, that the Proposed Actions may have a significant effect on the quality of the environment as detailed in the following areas, and that an environmental impact statement will be required: land use, zoning and public policy; socioeconomic conditions; community facilities and services; open space; shadows; historic and cultural resources; urban design and visual resources; hazardous materials; water and sewer infrastructure; solid waste and sanitation services; transportation; air quality; greenhouse gas emissions and climate change; noise; public health; neighborhood character and construction.

The Proposed Actions would not result in significant adverse impacts related to: natural resources; and energy.

Supporting Statement:
The above determination is based on an Environmental Assessment Statement prepared for the actions which finds that:

1. Land Use, Zoning and Public Policy – The Proposed Actions, including a zoning map amendment, a zoning text amendment (including the establishment of a special zoning district and an MIH area), designation of UDAA and UDAAP, disposition of city-owned property and potential acquisition of private property, would affect the land use, zoning and public policies within the Project Area. The Proposed Actions could have the potential to result in significant adverse impacts related to land use, zoning, and public policy.

2. Socioeconomic Conditions – The Proposed Actions would have the potential to result in the direct displacement of existing residents and businesses from projected development sites identified as part of the RWCDS. The Proposed Actions are expected to increase the number of residential units in the area, including affordable unites, and would result in a net increment of more than 200 new residential units, and would introduce more than 200,000 sf of new commercial uses to the project area. Therefore, the Proposed Actions could have the potential to result in a significant adverse impact related to socioeconomic conditions, and further analysis is warranted.

3. Community Facilities and Services – The Proposed Actions would not result in the direct displacement of any community facilities or services, or result in indirect impacts to police, fire, and health care services. However, the Proposed Actions would result in a substantial increase in residential units and increase demand at public schools, publicly funded childcare facilities and libraries. The Proposed Actions could have the potential to result in a significant adverse impact to community facilities and services.

4. Open Space – The Proposed Actions would not result in a direct impact to open space. The Proposed Actions would introduce 9,859 residents to the project area, which exceeds the analysis threshold of 200 residents generated by the Proposed Actions. The Proposed Actions would also introduce 2,998 workers to the project area, which exceeds the threshold of 500 additional non-residents generated by the Proposed Actions. Therefore, an indirect analysis of open space is warranted. The Proposed Actions could have the potential to result in a significant adverse impact on open space.

5. Shadows – The Proposed Actions would allow an increase in development density and greater building heights in the Project Area, and are expected to result in new structures, or additions to existing structures, that are greater than 50 feet in height and/or adjacent to existing sunlight-sensitive resources. This exceeds the threshold for shadows analysis on potential sunlight sensitive resources in the Project Area which could result in new incremental shadows on a sunlight-sensitive resources. The Proposed Actions could have the potential to result in a significant adverse impact on shadows.

6. Historic and Cultural Resources – The Proposed Actions may affect architectural resources including designated landmarks, historic districts and/or buildings that may be eligible for designation. In addition, the Proposed Actions may result in additional in-ground disturbance and therefore has the potential to affect archaeological resources that may be present. As a result, the Proposed Actions have the potential to result in a significant adverse impact on historic and cultural resources.

7. Urban Design and Visual Resources– The Proposed Actions are expected to result in physical changes to the Project Area beyond the bulk and form currently permitted as-of-right. These changes could affect the pedestrian's experience of public space, requiring an urban design assessment. Therefore, the Proposed Actions could result in a significant adverse impact related to urban design and visual resources.

8. Natural Resources – The Proposed Actions affect an area located in a developed urban environment that is generally devoid of ecologically sensitive areas and does not provide a critical habitat supporting any rare, threatened, or endangered species. The Proposed Actions do not have the potential to create a significant adverse impact on natural resources.

9. Hazardous Materials – The Proposed Actions would result in new construction including new in-ground excavation and subsurface disturbance within the Project Area. Therefore, the Proposed Actions could result in a significant adverse impact on hazardous materials.

10. Water and Sewer Infrastructure – The Proposed Actions would result in increased development within the Project Area which could place additional demands on infrastructure, including water supply and storm water management. Therefore, the Proposed Actions could result in a significant adverse impact on wastewater and stormwater infrastructure.

11. Solid Waste and Sanitation Services – Due to increased development in the Project Area, the Proposed Actions would increase the demand on solid waste and sanitation services and could result in significant adverse impacts on solid waste and sanitation services.

12. Energy – Although the Proposed Actions are not anticipated to result in significant adverse energy impacts, the EIS will disclose the projected amount of energy consumption during long-term operation resulting from the Proposed Actions.

13. Transportation – A preliminary assessment of the Proposed Actions concluded that Proposed Actions would increase the number of vehicular trips and increase ridership on mass transit facilities including bus, subway, or railroads. The Proposed Actions would also affect pedestrian movements in the area due to the increased number of residents and workers expected to be introduced to the area. Additionally, the Proposed Actions could have the potential to increase demand for parking. Therefore, a detailed analysis of is warranted, and the Proposed Actions could result in significant adverse impacts on transportation.

14. Air Quality – The Proposed Actions would result in an increased demand for heating, ventilating, and air conditioning (HVAC). The Proposed Actions would also result in additional project-generated vehicle trips, exceeding the screening thresholds for a significant adverse mobile source air quality analysis. A detailed assessment is warranted to consider the potential air quality impacts from project-generated vehicle trips, as well as heat and hot water systems, and from existing industrial uses in the surrounding area on the new development resulting from the Proposed Actions. Therefore, the Proposed Actions could result in a significant adverse impact on air quality.

15. Greenhouse Gas (GHG) Emissions and Climate Change – The threshold for detailed analysis of GHG emissions is highly dependent on the nature of the project and its potential impact. The Proposed Actions would result in development that would exceed the development threshold of 350,000 sf, which warrants a GHG assessment. Based on the project location, the Project Area does not meet the requirements for a climate change impact. Therefore, the Proposed Actions would not result in a significant adverse impact to climate change, and no further analysis is warranted. As a result of the preliminary screening, the Proposed Actions could result in a significant adverse impact on greenhouse gas emissions.

16. Noise – The Proposed Actions would introduce new noise-sensitive receptors in an area with existing high ambient noise levels. Additionally, the Proposed Actions would generate additional vehicular trips to and from the Project Area that could potentially impact existing and project-generated sensitive receptors within and in the vicinity of the Project Area. As a result, detailed noise analysis is warranted. Therefore, the Proposed Actions could result in a significant adverse impact on noise.

17. Public Health – The Proposed Actions could result in effects related to air quality, water quality, hazardous materials, or noise. Therefore, the Proposed Actions could have the potential to result in significant adverse impacts related to public health.

18. Neighborhood Character – The Proposed Actions could affect land use, socioeconomic conditions, open space, urban design and visual resources, historic and cultural resources, transportation, and noise. As a result, the Proposed Actions could have the potential to result in a significant adverse impact related the affected area's neighborhood character.

19. Construction – The Proposed Actions would increase the allowable density of the area resulting in new development that involves activities which may result in construction-related impacts. Therefore, the Proposed Actions could have the potential to result in significant adverse impacts related to construction.

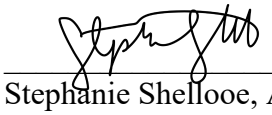
Public Scoping:
The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting has been scheduled for Tuesday, October 17, 2023 at 2:00 PM. To continue to allow for broad public participation options, DCP will hold the public scoping meeting remotely. To join the meeting and comment, please visit NYC Engage (https://www1.nyc.gov/site/nycengage/events/index.page).

Written comments will be accepted by the lead agency through 5:00 PM, Friday, October 27, 2023.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Should you have any questions pertaining to this Positive Declaration, you may contact Louise Cafiero, at lcafiero@planning.nyc.gov.



September 15, 2023

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New York City Department of City Planning

Date