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, Arrow Linen Supply Co., is seeking a Zoning Map Amendment to rezone Brooklyn Block 1113, Lots 60 (p/o), 61, 66, 166, 67, 68, 69, 70, 71, 72, 172, 73, and 79 (p/o) (the "Project Area") from an R5B zoning district to an R7-1 zoning district, a zoning Text Amendment pursuant to Zoning Resolution (ZR) Appendix F to establish the Project Area as a Mandatory Inclusionary Housing (MIH) area, and a Zoning Special Permit pursuant to ZR section 74-533 "Reduction of parking spaces to facilitate affordable housing" to waive the required accessory off-street parking spaces (collectively the "Proposed Actions") in the Windsor Terrace-South Slope neighborhood of Brooklyn Community District 7. The Project Area is generally bound by Prospect Avenue to the south, Windsor Place to the north, Prospect Park West to the east, and 8th avenue to the west. The Proposed Actions would facilitate the Applicant's proposed development of two new residential buildings (the "Proposed Project") at 441 and 467 Prospect Avenue (applicant-owned Block 1113, Lots 61 and 73). The Proposed Project includes: on Lot 73, a 13-story 130-foot-tall (140 ft tall including 10 ft bulkhead) 150,393 gross square foot (GSF) 2.3 Floor Area Ratio (FAR) residential building consisting of 127 total dwelling units (DUs) of which 25%-30% (32-38 DUs) would be affordable pursuant to MIH options 1 or 2, respectively, and on Lot 61, a 13-story 130-foot-tall (140 ft tall including 10 ft bulkhead) 148,658 GSF 2.3 FAR residential building consisting of 117 total DUs of which 25%-30% (29-35) DUs would be affordable. There would be no parking provided pursuant to the parking Special Permit. To present a conservative analysis in the EAS, the Reasonable Worst Case Development Scenario (RWCDS) associated with the Proposed Project assumes taller buildings with a smaller average dwelling unit size; a 13-story 135-foot-tall (145 ft including bulkhead) 148,658 GSF 2.3 FAR residential building consisting of 175 total DUs including 25%-30% (44-53 DUs) affordable DUs on Lot 61, and a 13-story 135-foot-tall (145 ft tall including a 10 ft bulkhead) 150,393 GSF 2.3 FAR residential building consisting of 177 total DUs including 25%-30% (44 or 53 DUs) affordable DUs on Lot 73. The Proposed Actions would facilitate a residential land use that is consistent with the study area (400-ft radius from the Project Area) which is characterized by mostly residential land uses where several multi-family buildings are located along Prospect Avenue and 8th Avenue within the study area. The Proposed Actions would result in a medium-density zoning district that would be compatible with the R6B district mapped along Windsor Place to the north of the Project Area, the C2-4 commercial overlay along Prospect Park West which are found throughout the City's medium- and high- density neighborhoods, and the R5B zoning district that the study area is primarily zoned which permits for multi-family residential uses. Additionally, the Project Area is located in the Transit Zone and the Proposed Actions would facilitate the creation of affordable housing through the establishment of an MIH area and therefore is consistent with the Special Permit pursuant to ZR section 74-533 to waive accessory parking requirements. Overall, the Proposed Actions are consistent with the study area's existing residential character, zoning, and public policies. Therefore, the Proposed Actions would not result in a significant adverse impact to land use, zoning, or public policy.

Community Facilities and Services

A detailed analysis related to community facilities is included in the EAS. The Proposed Actions would generate 12 eligible children under the age of five which is below the 20 eligible children CEQR Technical Manual threshold for means-tested early childhood programs analysis and no further analysis is warranted. The Proposed Actions would introduce 55 combined elementary and middle school students which surpasses the 50 or more elementary/middle school student threshold for a public schools analysis. The Project Area is located within sub-district 2 of Community School District (CSD) 15. CSD 15 also features a "middle school choice" program and therefore a detailed analysis was performed for middle schools at the CSD level. Therefore, the analysis considers two study areas; CSD 15, sub-district 2 for elementary and middle schools, and CSD 15 for middle schools. For elementary schools in CSD 15, sub-district 2, the addition of 45 elementary school students would increase the utilization rate by 0.9% to 85.3%. For middle schools in CSD 15, sub-district 2, the addition of 10 middle school students would increase the utilization rate by 0.3% to 71.3%. For middle schools in CSD 15, the addition of 10 middle school students would increase the utilization rate by 0.2% to 67.9%. The utilization rate of each study area would not be equal to or greater than 100%, which is the CEQR Technical Manual threshold for a potential significant adverse impact. Therefore, the Proposed Actions would not result in any significant adverse impacts to community facilities and services.

Open Space

A detailed analysis related to open space is included in the EAS. The projected increase of 792 residents exceeds the CEQR Technical Manual threshold of 200 new residents for a detailed indirect open space analysis. The detailed analysis shows that between the no-action and with-action conditions, the total Open Space Ratio (OSR) would decrease from 5.153 to 5.040 per 1,000 residents, the passive OSR would decrease from 3.752 to 3.669 per 1,000 residents, and the active would decrease from 1.401 to 1.370 per 1,000 residents, or a 2.20% decease in each total, active, and passive OSRs. With the Proposed Actions, the study area's total and passive open space ratios per 1,000 residents would continue to exceed the City's optimal planning guidelines for total and passive open space ratios per 1,000 residents (2.5 and .5, respectively), while the study area's active open space ratio per 1,000 residents would continue to be below the City's optimal planning guideline for active open space per 1,000 residents (2.0). The percent changes in the total (-2.20%), passive (-2.20%), and active (-2.20%) would not exceed the percentage changes in the total, passive, and active open space ratios (5%, 5%, and 4%, respectively). In addition, the study area would continue to be served by Prospect Park and Green-Wood Cemetery which are accessible to residents of the study area. Therefore, the Proposed Actions would not result in any significant adverse impacts to open space.

Project Name: 441 & 467 Prospect Avenue Rezoning
CEQR # 24DCP028K
SEQRA Classification: Unlisted

Hazardous Materials and Air Quality
An (E) designation (E-759) 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 and 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 Erin Whitney at ewhitney@planning.nyc.gov.

TITLE	LEAD AGENCY
Deputy 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 | 212.720.3493
NAME Evren Ulker-Kacar, AICP	DATE 6/21/2024
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 6/24/2024
SIGNATURE	

Project Name: 441 & 467 Prospect Avenue Rezoning
CEQR # 24DCP028K
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 1113, Lots 61 & 73

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials and air quality an (E) designation (**E-759**) 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	

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1 (Block 1113, Lots 61 and 73)** for hazardous materials would apply as follows:

Task 1: Sampling Protocol
Prior to construction, the Applicant must submit to the New York City Mayor's Office of Environmental Remediation (OER), for review and approval, a Phase II Investigation protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented.

No sampling should begin until written approval of a protocol is received by OER. The number and location of sample sites should be selected to adequately characterize the site, the specific source 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 the 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 be 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 for the test results, a proposed remedial action plan (RAP) must be submitted by 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.

An OER-approved construction-related health and safety plan (CHASP) would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts

associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.

Air Quality

The (E) designation requirements applicable to **Projected Development Site 1** for air quality would apply as follows:

Block 1113, Lot 61: Any new residential and/or community facility development must utilize only natural gas in any fossil fuel-fired heating, ventilation, and air conditioning (HVAC) systems and hot water equipment, and the HVAC system and hot water equipment stack must be located at the highest tier and at least 133 feet above grade and at least 150 feet from the western lot line abutting Lot 73 to avoid any potential significant adverse air quality impact.

Block 1113, Lot 73: Any new residential and/or community facility development must utilize only natural gas in any fossil fuel-fired heating, ventilation, and air conditioning (HVAC) systems and hot water equipment, and the HVAC system and hot water equipment stack must be located at the highest tier and at least 133 feet above grade and at least 150 feet from the eastern lot to avoid any potential significant adverse air quality impact.