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, 2118 Avenue U LLC, seeks a zoning map amendment to rezone Brooklyn Block 7354 Lots 1 and 8 from an R4/C1-3 district to a R6A/C2-4 district and Lots 11, 71, 72, and portions of Lots 13 and 70 (the "Affected Area") from R4/C1-3 to R4 district, and a zoning text amendment to Appendix F of the Zoning Resolution to designate Block 7354 Lots 1 and 8 a Mandatory Inclusionary Housing (MIH) area (the "Proposed Actions"). The Proposed Actions would facilitate the development of a new four-story, 55-foot-tall, 20,450 gross square foot (gsf) building consisting of 10 dwelling units, including approximately three permanently affordable dwelling units pursuant to MIH, and 4,800 gsf of ground floor commercial space (the "Proposed Project") on Block 7354 Lot 8 (the "Development Site"). For the purpose of presenting a conservative CEQR analysis, this EAS analyzes a new eight-story, 85-foot-tall, 21,600 gsf development consisting of 24 dwelling units, including approximately 7 permanently affordable dwelling units pursuant to MIH, and 4,800 of ground floor commercial retail on the Development Site.

The Proposed Actions would not result in significant adverse impacts to Land Use, Zoning, and Public Policy. The Proposed Actions would not displace an existing land use nor enable a land use that would be incompatible with the surrounding area. The Proposed Actions would facilitate the development of a mixed-use development that is consistent with the mixed residential and commercial character of Avenue U throughout Sheepshead Bay. The R6A/C2-4 district that is proposed for Block 7354 Lots 1 and 8 would be consistent with the medium-density R4, R4/C1-3, R7A, and R6A districts found within 400 feet of the Affected Area. The proposed C2-4 overlay on Lots 1 and 8 would permit a broader range of commercial uses relative to the existing C1-3, however, these uses would be similar in character to the neighborhood retail uses prevalent along Avenue U. The proposed zoning map amendment to rezone Lots 11, 71, 72, and portions of 13 and 70 from an existing R4/C1-3 to R4 district would not result in non-complying uses within these lots. The Proposed Actions would be consistent with relevant public policies including *Housing New York 2.0* and *Housing Our Neighbors: A Blueprint for Housing and Homelessness* by facilitating the development of new residential dwelling units, including permanently affordable dwelling units pursuant to MIH. The Proposed Actions would be consistent with the policies set forth in the Waterfront Revitalization Program (WRP# 20-190). Therefore, the analysis concludes that the Proposed Actions would not result in significant adverse impacts related to Land Use, Zoning, and Public Policy.

Hazardous Materials and Air Quality

An (E) designation (E-746) 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 Sean O'Rourke at sorourke@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 2/2/2024
SIGNATURE Evren Ulker Kacar	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 2/5/2024
SIGNATURE	

Project Name: 2118 Avenue U
CEQR # 24DCP013K
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 7354, Lot 8

(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-746**) 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** 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

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

> ***Projected Development Site 1:*** *Any new residential and/or commercial development on the above-referenced property must ensure that the heating, ventilating, and air conditioning (HVAC) system and hot water equipment stack is located at the building's highest level and at a minimum of 58 feet above grade to avoid any potential significant adverse air quality impacts.*