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, 783 4th Ave LLC, is seeking a zoning map amendment and a zoning text amendment (the "Proposed Actions") at 783 Fourth Avenue (Block 661, Lots 1-5, 13, 14, and 66, 68, and 69 (the "Project Area") in the Sunset Park neighborhood of Brooklyn Community District 7. The Proposed Actions include (i) a zoning map amendment to rezone the Project Area from an M1-1D zoning district to R7A and R8A/C2-4 zoning districts; and (ii) a zoning text amendment to Appendix F of the Zoning Resolution of the City of New York ("ZR") to establish the Project Area as a Mandatory Inclusionary Housing ("MIH") area. The Proposed Actions would facilitate an approximately 242,898 gross square feet ("gsf", 184,446 zoning square feet ("zsf"))mixed used development in three separate new buildings on Applicant-controlled Projected Development Site 1 (Block 661, Lots 5, 13, 14, and 66) including 2,743 gsf of community facility uses, 9,375 gsf of commercial retail uses, and 227,780 gsf of residential uses, comprising 268 total dwelling units ("DUs"), 20-30% (54-80 DUs) of which would be income restricted pursuant to MIH Options 1, 2, or 3. No parking would be required; however, nine parking spaces are proposed in a 3,000-gsf at-grade space. Building A of the Proposed Project would reach 13-stories (144-foot-tall including bulkhead) along Fourth Avenue; Building B of the Proposed Project would reach nine-stories (104-foot-tall including bulkhead) along 27th Street; and Building C of the Proposed Project would reach eight-stories (94-foot-tall including bulkhead) along 28th Street.

In addition, it is assumed that non-Applicant controlled Projected Development Site 2 (Block 661, Lots 1-3), and Potential Development Site 1 (Block 661, Lots 68 and 69) would develop as a result of the Proposed Actions. Projected Development Site 2 could be developed with an approximately 62,661-gsf (50,508-zsf [7.2 FAR]) 14-story mixed residential/commercial building. The building would be occupied by approximately 60,645 gsf (48,754 zsf) of residential uses including 61 DUs (12-18 income restricted pursuant to MIH) and 2,017 gsf (1,754-zsf) of commercial retail uses, with no accessory off-street parking spaces. For the purposes of the environmental analysis, Potential Development Site 1 could be developed with an approximately 32,607-gsf (25,090 zsf) 11-story residential building, containing 31 DUS (6-9 income restricted pursuant to MIH), with no accessory off-street parking spaces. The Proposed Actions would result in a change in land use and zoning, including the introduction of new mixed residential uses in an industrial area, however these uses would be compatible with surrounding residential developments. Overall, the Proposed Actions would facilitate the development of new housing, commercial and community facility opportunities that are compatible with uses adjacent to the Project Area. In addition, the Proposed Project would be consistent with public policies such as OneNYC 2050, the Housing Blue Print, Where We Live NYC, and New Connections/New Opportunities – Sunset Park 197-a Plans. Therefore, the Proposed Actions would not result in any significant adverse impacts to land use, zoning, or public policy.

Disadvantaged Communities Assessment

The Proposed Actions are located within a disadvantaged community identified as having comparatively lower burdens and vulnerabilities according to the New York State Department of Environmental Conservation Disadvantaged Community Assessment Tool (DACAT) and an assessment of the Proposed Actions' potential effects on disadvantaged communities is included in the EAS. The Proposed Actions would not result in significant adverse impacts to the following technical areas analyzed in the EAS: land use, zoning, and public policy; socioeconomic conditions; shadows; historic and cultural resources; urban design and visual resources; hazardous materials; air quality; noise; neighborhood character; or construction. As such, the Proposed Actions would not disproportionately affect any disadvantaged communities, nor would it cause or increase a disproportionate pollution burden.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-953) 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 Louise Cafiero at lcafiero@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 9/3/2026
SIGNATURE Evren Ulker Kacar	

Project Name: 783 Fourth Avenue Rezoning
CEQR # 25DCP015K
SEQRA Classification: Unlisted

TITLE Chair, City Planning Commission	
NAME Sideya Sherman	DATE 9/9/2026
SIGNATURE	

Project Name: 783 Fourth Avenue Rezoning
CEQR # 25DCP015K
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 661, Lots 5, 13, 14, and 66
Projected Development Site 2	Brooklyn	Block 661, Lots 1, 2, and 3
Potential Development Site 1	Brooklyn	Block 661, Lots 68 and 69

(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-953**) would be established as part of approval of the proposed actions on **Projected Development Sites 1 and 2, and Potential Development Site 1** as described below:

Development Site		Hazardous Materials	Air Quality	Noise
Projected Development Site 1	Lots 5, 14, 66	X	X	X
	Lot 13	X	X	
Projected Development Site 2		X	X	X
Potential Development Site 1		X	X	X

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Sites 1, 2 and Potential 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

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

Block 661, Lots 5, 13, 14, and 66 (Projected Development Site 1): *Any new residential or commercial development on the above-referenced property must exclusively use electrically powered HVAC systems and hot water equipment with no venting or stacks, to avoid any potential significant adverse air quality impacts.*

Block 661, Lots 1, 2, and 3 (Projected Development Site 2): *Any new residential or commercial development on the above-referenced property must exclusively use electrically powered HVAC systems and hot water equipment with no venting or stacks, to avoid any potential significant adverse air quality impacts.*

Block 661, Lots 68 and 69 (Potential Development Site 1): *Any new residential development on the above-referenced property must exclusively use electrically powered HVAC systems and hot water equipment with no venting or stacks, to avoid any potential significant adverse air quality impacts.*

Noise

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

Block 661, Lot 5 (Projected Development Site 1 – Building A of Proposed Project): *In order to ensure an acceptable interior noise environment, future residential uses must provide a closed-window condition with a minimum of 31 dB(A) window/wall attenuation on the western façade facing Fourth Avenue, on the northern façade facing 27th Street within 50 feet of Fourth Avenue, and on the southern façade facing 28th Street within 50 feet of Fourth Avenue to maintain an interior L10 noise level not greater than 45 dB(A) for residential uses as illustrated in the EAS. 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 661, Lots 14 and 66 (Projected Development Site 1 – Building C of Proposed Project): *In order to ensure an acceptable interior noise environment, future residential and community facility uses must provide a closed-window condition with a minimum of 31 dB(A) window/wall attenuation on the southern façade facing 28th Street, on the western façade facing Fourth Avenue within 50 feet of 28th Street, and on the eastern façade facing Fifth Avenue within 50 feet of 28th Street to maintain an interior L10 noise level not greater than 45 dB(A) for residential uses as illustrated in the EAS. 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 661, Lots 1, 2 and 3 (Projected Development Site 2): *In order to ensure an acceptable interior noise environment, future residential uses must provide a closed-window condition with a minimum of 31 dB(A) window/wall attenuation on the western façade facing Fourth Avenue, on the northern façade facing 27th Street within 50 feet of Fourth Avenue, and on the southern façade facing 28th Street, and on the eastern façade facing Fifth Avenue within 50 feet of 28th Street to maintain an interior L10 noise level not greater than 45 dB(A) for residential uses as illustrated in the EAS. 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 661, Lots 68 and 69 (Potential Development Site 1): *In order to ensure an acceptable interior noise environment, future residential uses must provide a closed-window condition with a minimum of 31 dB(A) window/wall attenuation on the southern façade facing 28th Street, on the western façade facing Fourth Avenue within 50 feet of 28th Street, and on the eastern façade facing Fifth Avenue within 50 feet of 28th Street to maintain an interior L10 noise level not greater than 45 dB(A) for residential uses as illustrated in the EAS. 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.