

**REVISED NEGATIVE DECLARATION - supersedes the Negative Declaration issued September 21, 2018\***

**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 project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project 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 that finds the proposed project and related actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this Determination are noted below.

**Hazardous Materials, Air Quality, Noise:** An (E) designation (E-499) for hazardous materials, air quality, and noise has been incorporated into the sites affected by the proposed development. Refer to "Determination of Significance Appendix: (E) Designation" for a list of the sites affected by the proposed (E) designation and applicable requirements. With these measures in place, the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, or noise.

**Open Space:** A detailed analysis of open space resources is included in this EAS. The analysis incorporates quantitative and qualitative data to determine no significant impact for open space resources is expected as a result of the Proposed Actions. Though the total, active, and passive open space ratios in the open space study area are below City guidelines of 2.5, 2.0, and 0.5 acres per thousand residents, respectively, the proposed project would reduce the open space ratios by approximately 1 percent, well below the CEQR Technical Manual threshold of a 5 percent or more reduction to constitute a significant adverse impacts. Additionally, large open space resources such as Prospect Park, while outside the open space study area and thus excluded from quantitative analysis, were discussed qualitatively. That analysis concludes that the proposed project would not result in significant adverse impacts on open space resources.

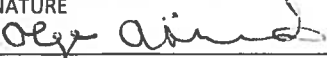
**Shadows:** A detailed shadows analysis is included in this EAS. As a result of the proposed actions, three sunlight-sensitive resources, including Gateway Triangle, Brown Memorial Baptist Church, and the Church of St. Luke and St. Matthew are anticipated to experience incremental shadows cast from the proposed project. Considering the following factors: the projected duration of the incremental shadows, the percentage of incremental shadow coverage on the affected resources, the availability of other sunlit areas nearby, the effect on peak usage times, and the number of analysis days a shadow is projected to reach affected sunlight-sensitive resources, the analysis finds that the shadows cast by the proposed project would not result in significant adverse impacts related to shadows.

**Historic and Cultural Resources and Construction:** The proposed project is situated within a zoning lot that contains the Church of St. Luke and St. Matthew, a Landmarks Preservation Commission (LPC) designated individual landmark and architectural resource, as well as 528 Clinton Avenue, a contributing building within the S/NR eligible Clinton Avenue Historic District. The design of the proposed project has been developed in coordination with LPC; a Construction Protection Plan (CPP) has also been developed to avoid the potential for construction-related on architectural resources. A restoration and ongoing maintenance for the landmarked property has also been developed in coordination with LPC. Additionally, LPC has determined the potential for archaeological significance beneath the development site. As such, the applicant has entered into a Restrictive Declaration dated January 28, 2019, binding the applicant to conduct any necessary archaeological study and remediation prior to construction on the Development Site. The analysis finds that with these measures in place, the proposed project would not significantly alter or affect the setting, visual relationship, or publicly accessible views of the identified historic resources within the study area, and that no significant adverse impacts related to historic and cultural resources or construction would result from the proposed actions.

**Urban Design and Visual Resources:** A detailed analysis of urban design and visual resources is included in this EAS. The analysis concludes that the proposed actions would not result in significant adverse impacts related to urban design or visual resources.

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).

**Project Name: 809 Atlantic Avenue Rezoning**  
**CEQR #: 18DCP179K**  
**SEQRA Classification: Type I**

TITLE Acting Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission
NAME Olga Abinader	DATE 2/22/2019
SIGNATURE 	

TITLE Chair, Department of City Planning	
NAME Marisa Lago	DATE 2/25/2019
SIGNATURE	

\*Following certification of the related land use application (ULURP Nos. 190073 ZSK, 190072 ZSK, 190071 ZMK, N 190075 ZRK) on 9/24/2018, the applicant has entered into a Restrictive Declaration binding the applicant and all successors and heirs to conduct required archaeological study and remediation, if deemed necessary. This Revised Negative Declaration supersedes the Negative Declaration issued on 9/21/2018 and reflects the Revised EAS dated 2/22/19, which incorporates the executed Restrictive Declaration. As described in the Revised EAS, the change would not alter the conclusions of the previous EAS.