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, Nick Efraim, seeks a zoning map amendment to rezone Queens Block 793 Lots 72, 73, 75 and 171 (p/o) and Block 795 Lots 1, 2, 3, and 61 from an R5D to R6A/C2-4 and Block 803 Lots 43, 45, and 46 and Block 805 Lot 64 and 61 (p/o) from R5D/C2-3 to R6A/C2-4 (the "Affected Area") and a zoning text amendment to Appendix F of the Zoning Resolution to designate the Affected Area as a Mandatory Inclusionary Housing (MIH) area (the "Proposed Actions"). The Proposed Actions would facilitate the development of a new approximately 39,811 gross square foot (gsf) 6-story mixed-use building composed of 22 residential dwelling units of which approximately six would be permanently affordable pursuant to MIH, and 2,794 gsf of ground floor commercial retail (the "Proposed Project") on the applicant owned Projected Development Site 1 (Block 793, Lots 73 and 75). For a conservative analysis, the EAS considered a development that maximizes the Floor Area Ratio on the Projected Development Site 1, and a second projected development site on Block 805 Lots 61 (p/o) and 64 was also identified and analyzed (Projected Development Site 2). Projected Development Site 1 is analyzed as an eight-story, 100-foot-tall mixed-use building with 33 residential dwelling units and 2,794 gsf of commercial retail and Projected Development Site 2 is analyzed as an eight-story, 100-foot-tall, 61,871 gsf mixed-use building consisting of 45 dwelling units and 10,002 gsf of commercial retail.

The Proposed Actions would not result in significant adverse impacts to Land Use, Zoning, and Public Policy. The Proposed Actions would not displace a land use nor enable a land use that would be incompatible with the surrounding area. The Proposed Actions would facilitate a development consistent with the medium-density, mixed-use buildings with high lot coverages that are prevalent along 23rd Avenue and in the surrounding area. While the Proposed Actions would allow for an increase in development and bulk relative to the No-Action Condition, the proposed R6A/C2-4 district would allow for development at a comparable and appropriate scale relative to the moderate-density R5, R5B, and R5D in close proximity to the Affected Area. The proposed R6A district is mapped extensively throughout Astoria including to the east, northwest, and southwest of the Affected Area. The proposed C2-4 overlay would allow the same commercial uses as C2-3 overlays that are south and directly to the north and west of the Affected Area. The Proposed Actions would also be consistent with relevant public policies including *Housing New York 2.0*, *Housing Our Neighbors: A Blueprint for Housing and Homelessness* and *OneNYC* by facilitating the development of mixed-use buildings that would include new commercial floor area and permanently affordable housing units pursuant to MIH. The analysis concludes that the Proposed Actions would not result in significant adverse impacts to land use, zoning, and public policy.

Shadows

A detailed shadows analysis is included in this EAS. Utilizing a Reasonable Worst-Case Development Scenario (RWCDS) for shadows analysis, a building height of 100 feet that includes rooftop mechanical equipment was analyzed for both Projected Development Sites 1 and 2. The detailed shadows analysis indicates that developments facilitated by the Proposed Actions would cast incremental shadows on one sunlight-sensitive resource, the Ditmars Playground, a .92-acre park and playground with active and passive recreation assets, on four of the analysis days analyzed. Incremental shadows resulting from the Proposed Actions would reach the Ditmars Playground for 28 minutes on the December 21st analysis day, 51 minutes on the March 21st/September 21st analysis day, one hour and 53 minutes on the May 6th/August 6th analysis day, and two hours and 31 minutes on the June 21st analysis day. Incremental shadows resulting from the Proposed Actions would reach small portions of the playground and bench areas on the December 21st and March 21st/September 21st analysis days. The shadows on the analysis days would be brief and the entirety of the Ditmars Playground would receive five hours and 34 minutes of direct sunlight on the December 21st analysis day and eight hours and two minutes of direct sunlight on the March 21st/September 21st analysis day. Incremental shadows from the Proposed Actions would be cast on the southern portion of Ditmars Playground, including a portion of the playground area on the southern side of Ditmars Playground, on the May 6th/August 6th analysis days, however, the entirety of the Playground would still receive nine hours and 58 minutes of direct sunlight. Incremental shadows from the Proposed Actions would be cast on the southern portion of Ditmars Playground, including a portion of the playground area, on the June 21st analysis day, however, the entirety of the Playground would still receive nine hours and 33 minutes of direct sunlight. Shadows resulting from the Proposed Actions would not significantly affect or eliminate sunlight on Ditmars Playground nor any of the active or passive recreational assets within it. Incremential shadows resulting from the Proposed Actions would not significantly alter the public's usability or enjoyment of this sunlight-sensitive resource and no further analysis is required.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-744) 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 (E) designation (E-744) will supersede (E-245) on Block 793, Lot 73 and (E-524) on Block 805, Lot 61. 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 Sean O'Rourke at sorourke@planning.nyc.gov.

Project Name: 23-01 Steinway Street Rezoning
CEQR # 23DCP167Q
SEQRA Classification: Unlisted

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NAME Evren Ulker-Kacar, AICP	DATE 10/13/2023
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NAME Daniel R. Garodnick	DATE 10/16/2023
SIGNATURE	

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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	Queens	Block 793, Lots 73 and 75
Projected Development Site 2	Queens	Block 805, Lots 61 and 64

(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-744**) would be established as part of approval of the proposed actions on **Projected Development Sites 1 and 2** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X
Projected Development Site 2	X	X	x

Hazardous Materials

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

Projected Development Site 1: *Block 793, Lots 73 and 75: Any new residential and/or commercial development on the above-referenced property must ensure the heating, ventilation, and air conditioning (HVAC) and hot water equipment stack is located at the highest tier and at least 88 feet above grade to avoid any potential significant adverse air quality impact.*

Projected Development Site 2: *Block 805, Lots 61 and 64: Any new residential and/or commercial development on the above-referenced property must ensure the heating, ventilation, and air conditioning (HVAC) and hot water equipment stack is located at the highest tier and at least 88 feet above grade to avoid any potential significant adverse air quality impact.*

Noise

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

Projected Development Site 1: *Block 793, Lots 73 and 75: To ensure an acceptable interior noise environment, future residential uses must provide a closed-window condition with a minimum attenuation set forth in Table 2.7-11:Minimum Attenuation of 23-01 Steinway Street Rezoning EAS to maintain an interior L10 noise level not greater than 45 dB(A) and interior Ldn noise level not greater than 40 dB(A) for residential uses as illustrated in the EAS. To maintain a closed-window condition, alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*

Projected Development Site 2*: Block 805, Lots 61 and 64: To ensure an acceptable interior noise environment, future residential uses must provide a closed-window condition with a minimum attenuation set forth in Table 2.7-11: Minimum Attenuation of 23-01 Steinway Street Rezoning EAS to maintain an interior L10 noise level not greater than 45 dB(A) and interior Ldn noise level not greater than 40 dB(A) for residential uses as illustrated in the EAS. To maintain a closed-window condition, alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*