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, 31 17 19 1Z LLC, is requesting approval of the proposed actions consisting of a Zoning Map Amendment to rezone Queens Block 518, Lots 6, 7, 8, 9, 10, 13, 16, 17, 18 and part of Lots 5 and 19 (the "Rezoning Area") from an R5B zoning district to an R6B zoning district; and a Zoning Text Amendment to establish a Mandatory Inclusionary Housing ("MIH") area with MIH options 1 and 2 coterminous with the rezoning area in the Astoria neighborhood of Queens Community District 1 (collectively, the "Proposed Actions"). The Rezoning Area is bound by 12th Street to the east, 31st Avenue to the north, 31st Drive to the south, and midblock between 14th Street and 12th Street to the west. The Proposed Actions would facilitate the development of the applicant-owned Projected Development Site 1 (Block 518, Lot 13) consisting of a 29,209 gross square foot ("GSF"), five-story, 2.2 FAR residential building containing 35 dwelling units ("DUs"), of which 25-30% (9-11 DUs) would be affordable at an average of 60-80% area median income (AMI) pursuant to MIH options 1 or 2, respectively, and 15 surface-level parking spaces. To present a conservative analysis, the EAS also analyzes non-applicant owned Projected Development Site 2 on Block 518, Lots 16, 17, and 18. In total, the proposed actions would facilitate the development of two residential buildings within the rezoning area consisting of 43,900 GSF, 52 dwelling units (of which 25-30% (14-17 DUs) would be affordable at an average of 60-80% AMI pursuant to MIH options 1 or 2), and 22 parking spaces. The Proposed Actions are consistent with the residential land uses within the study area (400ft radius from the Rezoning Area) which includes several multi-family residential buildings throughout. The proposed R6B zoning district would serve as an extension of and be compatible with the R6B district that is directly adjacent to the north of the Rezoning Area. The Proposed Actions would be consistent with the policies set forth in the Waterfront Revitalization Program (WRP #21-003). Overall, the Proposed Actions would be consistent with the study area's existing zoning, residential land use character, and public policies. Therefore, the Proposed Actions would not result in a significant adverse impact to land use, zoning, or public policy.

Shadows

A detailed analysis related to Shadows is included in this EAS. The Proposed Actions would cast incremental shadows on the sunlight-sensitive open space resource of the Astoria Health Playground on March 21, May 6, and June 21 analysis days with durations of 12 minutes, 44 minutes, and 68 minutes, respectively. However, no part of the resource would be in constant shadow, as the shadow would sweep across the playground throughout the day. At no point would any portion of the park be unusable due to the incremental shadows and all plantings would continue to receive direct periods of sunlight during the day. Therefore, there would be no significant adverse impacts to with respect to shadows as a result of the Proposed Actions.

Hazardous Materials and Air Quality

An (E) designation (E-757) 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 Erin Whitney at ewhitney@planning.nyc.gov.

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NAME Evren Ulker-Kacar, AICP	DATE 3/1/2024
SIGNATURE Evren Ulker Kacar	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 3/4/2024
SIGNATURE	

Project Name: 31-17 12th Street Rezoning
CEQR # 22DCP098Q
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	Queens	Block 518, Lot 13
Projected Development Site 2	Queens	Block 518, Lots 16, 17, and 18

(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-757**) 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
Projected Development Site 1	X	X
Projected Development Site 2	X	X

Hazardous Materials

The (E) designation requirements applicable to Projected Development Site 1 (Block 518, Lot 13; applicant-owned) & Projected Development Site 2 (Block 518, Lots 16, 17, and 18; non-applicant-owned) 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 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 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 518, Lot 13 (Projected Development Site 1):
Any new residential development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s) and must be fitted with low NOx (30 ppm) burners, ensure that the stack is located at the building's highest level or at least 58 feet above grade, and that the stack is located at most 20 feet from the southern lot line facing 31st Drive to avoid any potential significant adverse air quality impacts.

Block 518, Lots 16, 17, and 18 (Projected Development Site 2):
Any new residential development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s) and must be fitted with low NOx (30 ppm) burners, ensure that the stack is located at the building's highest level or at least 58 feet above grade, and that the stack is located at least 37 feet from the southern lot line facing 31st Drive and at least 37 feet from the eastern lot line facing 14th Street to avoid any potential significant adverse air quality impacts.