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. 21-31 46th Street Holdings, LLC, (the Applicant) is seeking a Zoning Map Amendment to rezone Queens Block 76, Lot 11 (the Affected Area or Project Site) from an M1-4/R6B to an R7X/C2-5 zoning district and a Zoning Text Amendment to Appendix F of the New York City Zoning Resolution (ZR) to establish Mandatory Inclusionary Housing (MIH) coterminous with the Affected Area, (together, the Proposed Actions). The Affected Area, located in the Hunters Point subdistrict of the Special Long Island City Mixed Use District, has an area of approximately 13,500 square-feet (sf) and is located on a block bounded by 45th Road to the north, Jackson Avenue to the east, 46th Avenue to the south, and 21st Street to the west. The Proposed Actions would facilitate the development of a 11-story, (112-foot-tall excluding mechanical bulkhead) 99,030 gross-square-foot (gsf) mixed-use commercial and residential building (the Proposed Project) in Queens, Community District 2. The Proposed Project would include 76,963-gsf of residential floor area, including 70 dwelling units (DUs), 14-21 of which would be set aside as permanently affordable units pursuant to MIH, 8,567-gsf of commercial retail floor area, and 22 enclosed parking spaces in the cellar level which would be accessed via a ramp along 46th Avenue. To provide a conservative analysis where height is pertinent to the assessment, the With-Action condition in this EAS assumes the Proposed Project is 145-feet-tall (160-feet-tall with mechanical bulkhead), the maximum building height under the proposed R7X district.

The Proposed Actions would only apply to the Affected Area and would redevelop an underutilized lot with affordable housing in an area experiencing substantial new residential growth. Land use changes would be compatible with the nearby high-density mixed-use buildings along Jackson Avenue and 21st Street, as well as the residential and commercial uses within the study area. Therefore, the Proposed Actions would not result in significant adverse impacts related to land use. The proposed R7X/C2-5 zoning district is consistent with City zoning patterns that position higher density developments near transit and along wide streets that can support such development. Therefore, there would be no significant adverse impacts related to zoning. Through the addition of permanently affordable housing, the Proposed Actions would support New York City public policies like *Housing New York 2.0* and *Housing Our Neighbors: A Blueprint for Housing and Homelessness.* The Affected Area is within the Coastal Zone Boundary, and the Proposed Actions would be consistent with the policies set forth in the New York City Waterfront Revitalization Program (WRP #22-170) and therefore, would not result in significant adverse impacts on public policies. Therefore, there would be no significant adverse impacts related to land use, zoning, or public policy.

Shadows

A detailed analysis related to shadows is included in this EAS. The detailed shadows analysis found that action-generated incremental shadow would be cast on one open space resource – the Short Triangle, on Jackson Avenue and 23rd Street – for a total of 30 minutes, from 4:20 PM- 4:50 PM on the May 6/August 6 analysis day. While incremental shadows would be cast on the Short Triangle's passive uses, there is additional bench seating within the open space resource that would receive direct sunlight during this time. Therefore, the shadow coverage would not have a significant effect on the utilization or enjoyment of Short Triangle. As the extent and duration of action-generated incremental shadow wouldn't significantly reduce or completely eliminate direct sunlight exposure on any of the sunlight sensitive features found within the open space resource, and the shadows wouldn't alter the public's use of the resource or threaten the viability of vegetation within the resource, there would be no significant adverse shadows impacts.

Effects on Disadvantaged Communities

An assessment of the Proposed Action's potential effects on Disadvantaged Communities is included in the EAS. The Development Site is in a disadvantaged community (DAC) identified as having comparatively lower burdens and vulnerabilities according to New York State Department of Environmental Conservation's Disadvantaged Community Assessment Tool (DCAT). The Project Site, in census tract 36081000700, is also within a 1/2-mile radius of one DAC census tract identified as having comparatively lower burdens and vulnerabilities (36081001900) and two DAC census tracts identified as having comparatively higher burdens and vulnerabilities (36081002500 and 36081003300). The Proposed Action would not result in any significant adverse impacts related to land use, zoning, and public policy; transportation; air quality; or noise and does not exceed the CEQR thresholds that would warrant detailed analyses for other areas related to DACs. Therefore, the Proposed Action would not disproportionately affect disadvantaged communities, nor would it cause or increase a disproportionate pollution burden.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-129) related to hazardous materials that was placed on the Project Site (Queens Block 76, Lot 11) as part of the Hunters Point Subdistrict Rezoning (CEQR No. 04DCP011Q) would remain. An (E) designation (E-837) for air quality and noise would be established for the Project Site 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) designations in place, the proposed actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

Project Name: 21-31 46th Avenue Rezoning
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SEQRA Classification: Unlisted

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 Max Marinoff at mmarinoff@planning.nyc.gov .

TITLE Deputy Director, Environmental Assessment and Review Division	LEAD AGENCY 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 2/26/2026
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 3/2/2026
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
Affected Area	Queens	Block 76, Lot 11

(E) Designation Requirements

An (E) designation (E-129) related to hazardous materials was placed on Queens Block 76, Lot 11 (the Affected Area) as part of the *Hunters Point Subdistrict Rezoning (CEQR No. 04DCP011Q).* To ensure that the proposed actions would not result in significant adverse impacts related to air quality and noise an (E) designation (**E-837**) would be established as part of approval of the proposed actions on **the Affected Area** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Affected Area		X	X

Hazardous Materials

The existing (E) designation (E-129) requirements applicable to **Queens Block 76, Lot 11 (the Affected Area)** 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.

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Air Quality

The (E) designation (E-837) requirements for air quality would apply as follows:

> ***Affected Area:*** *Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating and air conditioning (HVAC) system and hot water equipment and must be fitted with low NOx (15 ppm) burners, ensure that the HVAC systems and/or the hot water equipment stack(s) is located at the building's highest level and at a minimum of 115 feet above grade, and that the stack is located at least 80 feet from the eastern lot line of Block 76, Lot 11 to avoid any potential significant adverse air quality impacts.*

Noise

The (E) designation (E-837) requirements for noise would apply as follows:

> ***Affected Area:*** *To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on all facades in order to maintain an interior L10 noise level not greater than 40 dBA for residential uses or not greater than 45 dBA for commercial office uses. 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, central air conditioning or air conditioning sleeves containing air conditioners.*