CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

February 18, 2014

NEGATIVE DECLARATION

Project Identification
CEQR No. 14DCP088Q
ULURP No. 140111ZMQ
SEQRA Classification: Unlisted

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

Woodward Avenue Rezoning
The Applicant, 176 Woodward Owner, LLC, is seeking a zoning map amendment to rezone portions of three city blocks from M1-1 to R5B, R6B and R6B with a C1-3 overlay. The proposed action would rezone portions of Block 3395 and 3377 from M1-1 to R6B and R6B with a C1-3 overlay and portions of Block 3394 from M1-1 to R5B and R6B. The proposed action would facilitate a proposal by the applicant to develop two four-story buildings on two sites consisting of 101,020 gross square feet and containing 91 dwelling units, 6,707 gsf of retail space, 3,115 gsf of medical office space and 123 accessory parking spaces. In addition to the applicant-owned properties, the rezoning area includes non-applicant owned lots (Block 3377, Lots 1, 86, 90, 92; Block 3394, Lots 20-24, 28 (partial), 37-46, 48-57, 76-91; and Block 3395, Lots 12-15, 39-44). The rezoning area is generally bounded by Starr Street to the south, Onderdonk Avenue to the west, Flushing Avenue to the north, and Woodward Avenue to the east in the Ridgewood neighborhood of Queens, Community District 5.

In order to assess the environmental effects of the proposed action, a Reasonable Worst-Case Development Scenario (RWCDS) was established. The proposed action is expected to result in the development of five buildings on five projected development sites; two buildings on the applicant owned properties (Sites 1-2) and three buildings on non-applicant owned properties (Sites 3-5). Site 1, located at 18-70 Troutman Street (Block 3395, Lot 16) would be developed with a 90,020 gsf building containing 80 dwelling units, and 3,115 gsf of medical space and 6,707 gsf of retail space on the ground floor, and 107 below-grade accessory parking spaces. Site 2, located at 1901 Starr Street (Block 3377, Lot 84) would be developed with an 11,000 gsf mixed-use building containing 8

dwelling units, 2,350 gsf of retail space and 16 at-grade accessory parking spaces. Sites 3-5 (Block 3395, Lots 12-15; Block 3377, Lot 1) would be developed with three buildings consisting of 28 dwelling units and 2,369 gsf of retail space. In total, the proposed actions are expected to result in the addition of 116 dwelling units, 3,115 gsf of medical office space, 11,426 gsf of retail space and 128 accessory parking spaces. Absent the proposed action, the applicant has stated that their properties would be redeveloped with 23,280 gsf of retail space and 71 at-grade parking spaces.

No development is expected to occur as a result of the rezoning on Block 3394; Block 3377, Lots 1, 86, 90, 92; Block 3395, Lots 39-44. The build year is 2016.

The rezoning area is developed with small two- to three-story, two- to six-family residential buildings. It also contains a small retail store (delicatessen), a restaurant, a contractor's yard with a small accessory office building, a warehouse and accessory office structure, a small storage use, and a truck storage lot. The applicant owned lots are currently used for motor vehicle storage and as a contractor yard.

M1-1 zoning districts permit selected community facility uses within Use Group 4, commercial uses in Use Groups 5 – 14 and 16 and manufacturing uses in Use Group 17. Residential use is not permitted. The permitted floor area ratio (FAR) for community facility use is 2.4, while the FAR's for both commercial and manufacturing uses are limited to 1.

The proposed R5B and R6B zoning district permits residential uses found in Use Groups 1-2 and community facility uses in Use Groups 3 and 4. In R6B districts Quality Housing regulations are mandatory. The FAR permitted is 2, for both residential and community facility uses. The maximum permitted height of building in a R6B district is 50 feet with a required base height no greater than 30-40 feet. R5B districts permit detached and semi-detached buildings. The residential FAR is limited to 1.35, while the community facility FAR is a maximum of 2. The maximum height of a building is limited to 33 feet with a maximum street wall height of 30 feet. Parking is not required for one and two-family buildings but is required for other types of buildings for two-thirds of the dwelling units. C1-3 districts are mapped as commercial overlays and are found throughout the city's lower and medium density neighborhoods. C1-3 districts permit commercial uses that generally cater to the immediate neighborhood. C1-3 districts, when mapped within R6B districts, have a commercial FAR of 2.0.

The proposed action includes (E) designations on one of the applicant's property (Block 3395, Lot 16) and non-applicant owned properties (Block 3395, Lots 12-15; Block 3377, Lot 1) in order to preclude future air quality and hazardous materials impacts, which could occur as a result of the proposed action. The (E) designation number is E-336.

The (E) designation for air quality would preclude the potential for significant adverse air quality impacts related to heating and hot water systems (HVAC) emissions. The (E) designation text for air quality would apply to the following properties:

Block 3395, Lot 16 (Site 1)
Any new residential/commercial development on the above referenced properties must ensure that fossil fuel-fired heating and hot water system(s) utilize only natural gas, and that the heating and hot water system(s) exhaust stack(s) are located at least 43 feet above ground level and at least 25 feet from the lot line facing Woodward Avenue and 75 feet from the lot line facing Onderdonk Avenue, to avoid any potential significant air quality impacts.

Block 3395, Lot 12, 13 (Site 3)
Any new residential/commercial development on the above referenced properties must ensure that fossil fuel-fired heating and hot water system(s) utilize only natural gas, and that the heating and hot water system(s) exhaust stack(s) are located at least 43 feet above ground level and at least 10 feet from the lot line facing Woodward Avenue and 10 feet from the lot line facing Onderdonk Avenue, to avoid any potential significant air quality impacts.

Block 3395, Lot 14, 15 (Site 4)
Any new residential/commercial development on the above referenced properties must ensure that fossil fuel-fired heating and hot water system(s) utilize only natural gas, and that the heating and hot water system(s) exhaust stack(s) are located at least 43 feet above ground level and at least 10 feet from the lot line facing Woodward Avenue and 10 feet from the lot line facing Onderdonk Avenue, to avoid any potential significant air quality impacts.

The (E) designation requirements related to hazardous materials would apply to the following non-applicant owned block and lots:

Block 3395, Lots 12, 13 (Site 3)
Block 3395, Lots 14, 15 (Site 4)
Block 3377, Lot 1 (Site 5)

The (E) designations text related to hazardous materials is as follows:

Task 1 - The fee owner(s) of the lot(s) restricted by this (E) designation will be required to prepare a scope of work for any soil, gas, or groundwater sampling and testing needed to determine if contamination exists, the extent of the contamination, and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to the New York City Mayor's Office of Environmental Remediation (OER) for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that

appropriate parameters are selected for laboratory analysis.

No sampling program may begin until written approval of a work plan and sampling protocol is received from OER. The number and location of sample sites should be selected to adequately characterize the type and extent of the contamination, and the condition of the remainder of the site. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for choosing sampling sites and performing sampling will be provided by OER upon request.

Task 2 - A written report with findings and a summary of the data must be presented to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such test results, a determination will be provided by DEP 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 necessary according to test results, a proposed remediation plan must be submitted to OER for review and approval. The fee owner(s) of the lot(s) restricted by this (E) designation must perform such remediation as determined necessary by OER. After completing the remediation, the fee owner(s) of the lot restricted by this (E) designation should provide proof that the work has been satisfactorily completed.

An OER-approved construction-related health and safety plan would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.

With the placement of the (E) designation on the above block and lots, no significant air quality or hazardous materials impacts would be expected as the result of the proposed action.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated February 14, 2014, prepared in connection with the ULURP Application (No. 140111ZMQ). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement:

The above determination is based on an environmental assessment which finds that:

1. The (E) designation for air quality and hazardous materials would ensure that the proposed action would not result in significant adverse impacts.

2. Hazardous materials remediation on the applicant owned properties will occur pursuant to a New York City Department of Environmental Protection (DEP) approved Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP), which includes the removal of all materials in accordance with New York State Department of Environmental Conservation regulations, incorporation of a sub-slab depressurization system into the design of the applicant's proposed developments, and a minimum of two feet of clean fill/top soil on any uncapped area. DEP will review the Remedial Closure Report from a certified Professional Engineer upon proper completion and implementation of the approved RAP and CHASP.

3. No other significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Jonathan Keller at (212) 720-3419.

Celeste Evans

Date: February 14, 2014

Celeste Evans, Deputy Director
Environmental Assessment & Review Division
Department of City Planning

Date: February 18, 2014

Kenneth J. Knuckles, Esq., Vice Chair
City Planning Commission