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, 88-66 Myrtle LLC, is seeking a Zoning Map Amendment to rezone an existing R3-2 zoning district to an R6A/C2-4 zoning district on Block 6967, Lots 1, 28, 30, and parts of (p/o) 5, 23, 25 in the Hillcrest neighborhood of Queens Community District 8 (the "Rezoning Area") and a Zoning Text Amendment to Appendix F to add Mandatory Inclusionary Housing (MIH) area coterminous with the Rezoning Area (the "Proposed Actions"). The Proposed Actions would facilitate the development of a new, six-story mixed-use building totaling approximately 120,515 gross square feet (gsf), including 17,627 gsf of community facility use, 84,869 gsf of residential use, and 18,019 gsf of enclosed cellar accessory parking on the Applicant owned lots (Block 6967, Lots 1, 25, 28, and 30). There would be approximately 80 dwelling units, 20-30% of which (16-24 dwelling units) would be affordable at an average of 40-80% AMI pursuant to MIH Option 1, 2, or 3. The Proposed Actions would not result in any uses that would be incompatible with the surrounding uses, nor would it introduce any new land uses. The analysis finds that while the Proposed Actions would result in a change in zoning, it would bring the existing nonconforming commercial uses into conformance. The proposed C2-4 commercial overlay would be consistent with the existing C2 overlays mapped along nearby blocks of 164th Street. Furthermore, the Proposed Actions would facilitate the development of permanently affordable housing and would be supportive of City policies including OneNYC 2050 and Housing Our Neighbors: A Blueprint for Housing and Homelessness that aim to address the City's affordable housing crisis and retain the diversity and vitality of its neighborhoods. Therefore, the Proposed Actions would not result in any significant adverse impacts related to land use, zoning, and public policy.

Open Space

A detailed analysis of open space is included in the EAS. The Proposed Actions would not result in any direct impacts on any open space resources. The Proposed Actions would result in a decrease of approximately 1.2 percent in the active open space ratio in an area with a relatively low existing ratio. This reduction would not rise to the level of significant adverse impact given that all open space resources within the study area were rated acceptable and field observations indicated low utilization and remaining capacity. Additionally, residents in portions of the study area have convenient access to several high-quality public open space resources located just outside the ½-mile study area boundary, including Kissena Park, Cunningham Park, Captain Tilly Park, Vleigh Playground, and Joseph Austin Playground. Given the acceptable condition of existing facilities, their demonstrated capacity, and the presence of substantial high-quality open space resources immediately outside the study area, the exceedance of the 1-percent threshold would not result in significant adverse impact. Therefore, the Proposed Actions would not result in any significant adverse impacts on open space.

Disadvantaged Community Assessment

The Proposed Actions are located within the ½ mile threshold of potential impacts to a disadvantaged community according to the New York State Department of Environmental Conservation Disadvantaged Community Assessment Tool (DACAT) and an assessment of the Proposed Actions' potential effects on disadvantaged communities is included in the EAS. The Proposed Actions would not result in significant adverse impacts on the following technical areas analyzed in the EAS: land use, zoning, and public policy; open space; shadows; historic and cultural resources; urban design and visual resources; hazardous materials; transportation; air quality; noise; or construction. As such, the Proposed Actions would not disproportionately affect any disadvantaged communities, nor would it cause or increase a disproportionate pollution burden.

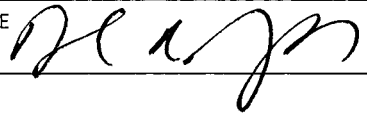
Hazardous Materials, Air Quality, and Noise

An (E) designation (E-880) 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 and 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 Ibrahim Jobe at ijobe@planning.nyc.gov.

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	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 1/2/2026
SIGNATURE Evren Ulker Kacar	

Project Name: 164th Street Rezoning
CEQR # 25DCP053Q
SEQRA Classification: Unlisted

TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 1/5/2026
SIGNATURE 	

Project Name: 164th Street Rezoning
CEQR # 25DCP053Q
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 6967, Lots 1, 25, 28 and 30

(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-880**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below:

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

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1** 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.

Project Name: 164th Street Rezoning
CEQR # 25DCP053Q
SEQRA Classification: Unlisted

Air Quality

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

> ***Projected Development Site 1:*** *Any new residential and/or community facility development on the above-referenced property must ensure the heating, ventilating, and air conditioning (HVAC) system and hot water equipment stack located at the highest tier and at least 58 feet above grade to avoid any potential significant adverse air quality impacts.*