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, Crosscap Holdings LLC, seeks a zoning map amendment to rezone Manhattan Block 2101, Lots 58 and portions of Lots 55 and 60 (the "Project Area") from a M1-1 district to a R7-2/C2-4 district; a zoning text amendment to Appendix F of the Zoning Resolution (ZR) to designate the Project Area a Mandatory Inclusionary Housing (MIH) area; a zoning text amendment to Article X, Chapter 4, Appendix A of the ZR to add the Project Area to the Special Manhattanville Mixed-Use District as "Other Area"; a zoning text amendment to ZR 104-60 to allow a special permit to modify the applicable bulk regulations, except floor area regulations, for developments within or over a railroad right-of-way; a special permit pursuant to ZR 74-681 to allow for development within and over a railroad right-of-way; and a special permit pursuant to ZR 104-60 to allow for the construction of the Proposed Development which does not comply with rear yard and lot coverage requirements (the "Proposed Actions"). The Proposed Actions would facilitate the development of a new 71.5-foot-tall, 53,548 gross square foot (gsf) mixed-use building consisting of 60 residential dwelling units, including approximately 15 income-restricted dwelling units pursuant to MIH, 7,419 gsf of ground floor commercial space, and 689 gsf of ground floor community facility space (the "Proposed Project").

The Proposed Actions would not result in significant adverse impacts to Land Use, Zoning, and Public Policy. The Proposed Actions would establish a medium-density residential zoning district with a commercial overlay to the west of where similar medium-density districts are mapped throughout West Harlem and the Upper West Side of Manhattan. The Proposed Actions would facilitate the development of a mixed-use residential, commercial, and community facility building and would not generate land uses that would be incompatible with existing residential, commercial, and light manufacturing uses located within the surrounding area. The Project Area is within the Coastal Zone Boundary, and the Proposed Actions would be consistent with the policies of the NYC Waterfront Revitalization Program (WRP #21-199). Therefore, the Proposed Actions would not result in significant adverse impacts to Land Use, Zoning, and Public Policy and no further analysis is required.

Shadows

A detailed Shadows analysis is included in this EAS. The detailed shadows analysis indicates that of six sunlight-sensitive resources identified within the shadows study area, development facilitated by the Proposed Actions would cast incremental shadows on three sunlight-sensitive resources during at least one of the analysis days pursuant to the CEQR Technical Manual guidance. The three sunlight-sensitive resources that would receive incremental shadows are Riverside Park, the 12th Avenue Green Street, and the Hudson River.

Incremental shadows resulting from the Proposed Actions would reach portions of Riverside Park on the March 21st/September 21st analysis days for one hour and 28 minutes, two hours and 29 minutes on the May 6th/August 6th analysis days, and for three hours and one minute on the June 21st analysis day. On each of the analysis days, incremental shadows facilitated by the Proposed Actions would reach a portion of Riverside Park that is elevated above 12th Avenue and supported by a retaining wall to the east of the Project Area. The portion of Riverside Park that would receive incremental shadow from the Proposed Project has trees, underbrush, and a walking path but does not have benches or other passive or active recreational features. Vegetative areas that include trees and underbrush within this portion of Riverside Park would still receive ample sunlight including during the growing season. The incremental shadows resulting from the Proposed Actions would not significantly reduce sunlight exposure on this resource on any analysis day and would not affect the public's usability or enjoyment of Riverside Park.

Incremental shadows resulting from the Proposed Actions would reach portions of the 12th Avenue Green Street on the March 21st/September 21st analysis days for one hour and 13 minutes, for one hour and 47 minutes on the May 6th/August 6th analysis days, and one hour and 57 minutes on the June 21st analysis day. The 12th Avenue Green Street is a small, planted median directly adjacent to the east of the Project Area. The Green Street contains planted bushes and trees and does not have active or passive recreational assets. Portions of the northern Green Street would receive incremental shadows facilitated by the Proposed Actions, however, plantings within this portion of the Green Street would continue to receive ample sunlight, including during the growing season. Incremental shadows resulting from the Proposed Actions would not significantly reduce sunlight exposure on the 12th Avenue Green Street.

Incremental shadows resulting from the Proposed Actions would reach small portions of the Hudson River on all analysis days. Incremental shadows would be cast on the Hudson River for one hour on the December 21st analysis day, for 39 minutes on the March 21st/September 21st analysis days, for 12 minutes on the May 6th/August 6th analysis days, and for 10 minutes during the June 21st analysis day. Shadows facilitated by the Proposed Actions would be brief in duration and would cover small portions of the eastern edge of the Hudson River. The small area and brief duration of shadows resulting from the Proposed Project would not significantly reduce sunlight exposure on this sunlight-sensitive resource.

Incremental shadows resulting from the Proposed Actions would not significantly reduce the amount of direct sunlight available to any sunlight-sensitive resource including specific features that define any resource's character, use, or survival of the resource's vegetation. Incremental shadows resulting from the Proposed Actions would not significantly affect the public's enjoyment of any sunlight-sensitive resources. Therefore, no significant adverse impacts related to shadows would occur as a result of the Proposed Actions and no further analysis is required.

Project Name: 135th Street Rezoning
CEQR # 23DCP140M
SEQRA Classification: Unlisted

Hazardous Materials, Air Quality, and Noise An (E) designation (E-761) 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 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.

TITLE 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 | 212.720.3328
NAME Stephanie Shellooe, AICP	DATE 3/29/2024
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 4/1/2024
SIGNATURE	

Project Name: 135th Street Rezoning
CEQR # 23DCP140M
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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	Manhattan	Block 2101, Lot 58

(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-761**) 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	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: 135th Street Rezoning
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Air Quality

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

> ***Projected Development Site 1:*** *Any new residential, commercial and/or community facility development must exclusively use natural gas as the type of fuel for heating, ventilating, and air conditioning system and hot water equipment, and ensure the HVAC system and hot water equipment stack is located at the highest tier and at least 75 feet above grade to avoid any potential significant air quality impacts.*

Noise

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

> ***Projected Development Site 1:*** *In order to ensure an acceptable interior noise environment, future residential/community facility uses must provide a closed-window condition with a minimum of 35 dBA window/wall attenuation on the western facades facing Henry Hudson Parkway, the southern facades facing West 135th Street, and the northern facades facing West 138th Street and 33 dBA of attenuation on the facades facing Twelfth Avenue for floors at or above Riverside Drive and 31 dBA of attenuation on the facades facing Twelfth Avenue for floors below Riverside Drive to maintain an interior noise level not greater than 45 dBA for residential and community facility 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, well-sealed air conditioners, package-terminal air conditioners, or central air conditioning.*