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, 30-11 12th Street Realty LLC., is requesting a Zoning Map Amendment to rezone the rezoning area consisting of Queens Block 515, Lots 19, 25, 27, 28, 29, and p/o Lots 8, 9, 10, 11, 12, 13, 14 and 31, and Block 506, Lots 1, 3, 5, and p/o Lots 6 and 67 (the "Rezoning Area") from R4-1, R5B, and R6B zoning districts to an R6A zoning district and to map a C2-3 overlay along 30th Avenue to a depth of 150 feet, and a Zoning Text Amendment to zoning Resolution (ZR) Appendix F to establish a Mandatory Inclusionary Housing area coterminous with the rezoning area (the "Proposed Actions") in the Astoria neighborhood of Queens Community District 1. The Rezoning Area is bounded generally by 30th Avenue to the north, a line 100 feet west of 14th Street to the east, a line approximately midway between 30th Avenue and 30th Road to the south, and Welling Court to the west. The Proposed Actions would facilitate the Applicant's proposed development of an eight-story, approximately 89,600 gross square foot (GSF) mixed-use building on the applicant-owned Projected Development ("PD") Site 1 (Block 515, Lot 19) consisting of 8,300 GSF of retail use on the ground floor and cellar, 8,300 GSF of parking on the ground floor with a total of 41 parking spaces, and 73,000 GSF of residential use containing an approximately 86 dwelling units (DUs) of which 25-30% (22-26 units) would be affordable at an average of 60-80% AMI pursuant to MIH options 1 and 2 at 30-11 12th Street (the "Proposed Project").

The Proposed Project maximizes the permitted Floor Area Ratio ("FAR") of 3.60 under the proposed rezoning and is analyzed as such as Projected Development ("PD") Site 1 in the EAS' with-action condition under the Reasonable Worst Case Development Scenario (RWCDS). To present a conservative analysis, the EAS also analyzes four additional non-applicant owned Projected Development Sites at Block 515, Lot 25 (PD Site 2), Block 515, Lots 27 and 28 (PD Site 3), Block 515, Lot 29 (PD Site 4), and Block 506, Lot 1 (PD Site 5) assumed to be developed by the 2034 build year. Projected Development Sites 1-5 would consist of 144,100 residential GSF containing a total of 181 DUs of which 55 would be affordable pursuant to MIH Option 2, 32,200 commercial GSF, and 74 parking spaces. The Proposed Actions are consistent with the land uses within the study area (400 ft radius from the project area, which includes the entirety of the partially rezoned lots) which includes multifamily apartment buildings and residential buildings with ground floor retail space. The proposed ground floor retail space would be compatible with the existing retail corridor along Astoria Boulevard to the north of the project area where many lots have C2-3 overlays. Although the proposed zoning districts permit a higher FAR and increased density than the existing zoning, the Proposed Actions would result in zoning that would be compatible with the adjacent R6A district surrounding the intersection of Astoria Boulevard and Main Avenue to the northwest of the project area where many lots have C2-3 overlays, the adjacent R6B district lining both sides of 14th Street, and R7A district with C2-3 overlays lining each side of 21st Street to the east of the project area within the study area. The Proposed Actions would be consistent with the policies set forth in the Waterfront Revitalization Program (WRP #18-054). Overall, the Proposed Actions would be consistent with the study area's existing zoning, residential and commercial use character and public policies. Therefore, the Proposed Actions would not result in a significant adverse impact to land use, zoning, or public policy.

Hazardous Materials and Air Quality

An (E) designation (E-733) 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 Erin Whitney at ewhitney@planning.nyc.gov.

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TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 10/16/2023
SIGNATURE	

Project Name: 30-11 12th Street Rezoning
CEQR # 23DCP026Q
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 515, Lot 19
Projected Development Site 2	Queens	Block 515, Lot 25
Projected Development Site 3	Queens	Block 515, Lots 27 and 28
Projected Development Site 4	Queens	Block 515, Lot 29
Projected Development Site 5	Queens	Block 506, Lot 1

(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-733**) would be established as part of approval of the proposed actions on **Projected Development Sites 1, 2, 3, 4, & 5** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1		X	
Projected Development Site 2	X	X	
Projected Development Site 3	X	X	
Projected Development Site 4	X	X	
Projected Development Site 5	X	X	

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Sites 2, 3, 4, and 5** for hazardous materials would apply as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase 1 ESA for the project area along with a soil, soil gas and groundwater 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 sample sites should be selected to adequately characterize the site, the specific source 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 the 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. An OER-approved construction-related health and safety plan would be implemented during evacuation and construction and 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. All demolition or rehabilitation would be conducted in accordance with applicable requirements for disturbance, handling and disposal of suspect lead-paint and asbestos-containing materials. In addition to the requirements for lead-based paint and asbestos, requirements (including those of NYSDEC) should petroleum tanks and/or spills be identified and for off-site disposal of soil/fill would need to be followed.

Air Quality

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

Projected Development Site 1 (Block 515, Lot 19)
Any new residential and/or commercial development on Projected Development Site 1 must utilize only natural gas in any fossil fuel-fired heating and hot water equipment, be fitted with low NOx (30 ppm) burners, and have heating and hot water exhaust stacks located at the highest tier and at least 105 feet above grade, to avoid any potential significant adverse air quality impacts.

Projected Development Site 2 (Block 515, Lot 25)
Any new residential and/or commercial development on Projected Development Site 2 must utilize only natural gas in any fossil fuel-fired heating and hot water equipment, be fitted with low NOx (30 ppm) burners, and have heating and hot water exhaust stacks located at the highest tier and at least 95 feet above grade, at least 50 feet away from the southern lot line facing 30th Road, and at least 20 feet from the western lot line facing 12th Street, to avoid any potential significant adverse air quality impacts.

Projected Development Site 3 (Block 515, Lots 27 and 28)
Any new residential and/or commercial development on Projected Development Site 3 must utilize only natural gas in any fossil fuel-fired heating and hot water equipment, be fitted with low NOx (30 ppm) burners, have heating and hot water exhaust stacks located at the highest tier and at least 94 feet above grade, and at least 50 feet away from the southern lot line facing 30th Road, to avoid any potential significant adverse air quality impacts.

Projected Development Site 4 (Block 515, Lot 29)
Any new residential and/or commercial development on Projected Development Site 4 must utilize only natural gas in any fossil fuel-fired heating and hot water equipment, and have heating and hot water exhaust stacks located at the highest tier and at least 92 feet above grade, no more than 28 feet away from the southern lot line facing 30th Road, and at least 25 feet away from the western lot line facing 12th Street, to avoid any potential significant adverse air quality impacts.

Projected Development Site 5 (Block 506, Lot 1)
Any new residential and/or commercial development on Projected Development Site 5 must utilize only natural gas in any fossil fuel-fired heating and hot water equipment, and have heating and hot water exhaust stacks located at the highest tier and at least 88 feet above grade, and at least 24 feet from the eastern lot line facing 12th Street, to avoid any potential adverse significant air quality impacts.