ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

April 19, 2021

Steven Sinacori
1251 Avenue of the Americas, 37th Floor
New York, NY 10020

Re:	**Broadway and 11th Street Rezoning**
CEQR No.	21DCP022Q
ULURP No(s).	210025ZMQ, N210026ZRQ
SEQRA Classification:	Unlisted
Queens Community District:	QN01

Dear Steven Sinacori,

Under City Environmental Quality Review, the lead agency is required to determine whether a proposed action may have a significant adverse impact on the environment. In accordance with this regulation, the City Planning Commission has determined that the proposed action would not have a significant adverse impact on the environment.

Enclosed is the Negative Declaration for CEQR No. 21DCP022Q, Broadway and 11th Street Rezoning, including supporting statements for the finding that the proposed actions would not have a significant adverse impact on the environment. The Negative Declaration was issued on April 19, 2021.

Sincerely,

Olga Abinader, *Director* — Date: 4/19/2021

cc: Project File
Marisa Lago, Chair
City Planning Commissioners
Raju Mann, Director, City Council Land Use Division
Donovan Richards, Queens Borough President
Queens Community Board QN01

Olga Abinader, *Director,* (212) 720-3493 | oabinad@planning.nyc.gov
Stephanie Shellooe, AICP, *Deputy Director,* (212) 720-3328 | sshellooe@planning.nyc.gov
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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 proposed actions are a Zoning Map Amendment to rezone the project area (Queens Block 316, Lots 1 and 13) from an R5 district to a Special Mixed Use (MX) District pairing R7A/M1-4, a Zoning Text Amendment to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the rezoning area, and a Zoning Text Amendment to establish a MX(R7A M1-4) district in Northwest Ravenswood in Queens. The project area is located in the Astoria neighborhood of Queens Community District 1. The surrounding area is a mix of residential, commercial, light industrial, community facility, open space, and parking uses. The floor area and bulk allowances of the proposed MX(R7A/M1-4) are similar to existing zoning regulations within the surrounding area. The proposed actions are anticipated to result in a change in land use on Lots 1 and 13 from residential to mixed residential, commercial and light industrial, however, given the existing mixed use character of the area, the change in land use and zoning would not constitute a significant adverse impact. The project area is also located in a coastal zone, and the analysis finds that the proposed actions are consistent with New York City's Waterfront Revitalization Program Policies. Therefore, the Proposed Actions would not result in significant adverse impacts 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 significant adverse impacts on any open space resources. In regards to indirect impacts to open space resources, while a decrease in the open space ratio (OSR) of 1.31% for the study area population would occur in an area with a relatively low existing open space ratio, the existing open space resources within the study area were found to be in acceptable condition and contain a variety of active and passive recreation uses. While the active OSR would continue to be below the City's goal of 2.0 acres per 1,000 residents, the passive OSR would be on par with the City's goal of 0.5 acres per 1,000 residents at 0.52 acres per 1,00 residents. Further, dedicated open spaces for housing complex residents in the defined study area and the presence of Astoria Park, a 59.96-acre public park located less than 1 mile from the project area, alleviate the low open space ratios exhibited in the study area. As such, the Proposed Actions would not result in a significant adverse impact on open space resources.

Shadows

A detailed analysis of shadows is included in the EAS. The proposed actions would result in a building greater than 50 feet in height. Per the CEQR Technical Manual, for open spaces containing vegetated and related natural resources, a minimum of four to six hours of sunlight is generally the minimum requirement to avoid the potential for a significant adverse shadows impact. The detailed shadows analysis considers incremental shadows that could be cast by the proposed project on three sunlight-sensitive resources: Socrates Sculpture Park, Vernon Boulevard Green Streets, and Long Island City High School Athletic Fields. New incremental shadows on Socrates Sculpture Park and the Vernon Boulevard Green Streets would occur during the morning hours of the December 21 analysis period and would last for a duration of 1 hour, 18 minutes and 3 hours, 23 minutes respectively. These new incremental shadows would fall during the winter months outside of the *2020 CEQR Technical Manual* specified growing season, such that the viability of vegetation within these spaces would not be jeopardized. Further, utilization of these spaces would be at an annual low during the winter months due to inclement weather, such that the public's use and enjoyment of these resources for passive recreation would not be significantly affected by these new incremental shadows. The Long Island City High School Athletic Fields would experience new incremental shadows on small, northwestern portions of the athletic fields during the late afternoon or evening hours of the June 21 analysis day for 32 minutes. No portion of the Long Island City High School Athletic Fields contains live vegetation, such that new incremental shadows could not jeopardize the viability of any flora at this resource. Further, these shadows would only fall during the summer months when school is out of session and the fields are therefore not regularly used for organized activities. Additionally, due to the small extent of these new incremental shadows and their presence only towards the end of the analysis day, active recreational uses are not expected to be significantly affected. Therefore, no significant adverse shadows impacts would occur as a result of the proposed actions.

Transportation

A detailed analysis for pedestrians is included in this EAS. A Level 1 screening showed that the proposed actions would generate less than 50 total incremental peak hour vehicle trips, less than 200 incremental peak hour subway trips, less than 50 incremental peak hour bus trips. As such, no further analysis is required for traffic, parking, or transit. The proposed actions would generate a total of 167, 517, 362, and 386 pedestrian trip ends during the

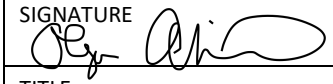
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Weekday AM, Midday, PM, and Saturday Midday peak hours, respectively. A Level 2 pedestrian assessment found that pedestrian trips would exceed the *2020 CEQR Technical Manual* threshold of 200 pedestrian trip ends at 2 corners and 1 sidewalk during the Weekday Midday peak hour, warranting a detailed analysis. Overall, the detailed analysis indicates that all of the study area's pedestrian elements would operate at an acceptable level of service and, therefore, the proposed actions would not result in any significant adverse transportation impacts.

Hazardous Materials and Air Quality

An (E) designation (E-613) 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, 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 Rachel Antelmi at rantelmi@planning.nyc.gov.

TITLE	LEAD AGENCY
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 Olga Abinader	DATE April 16, 2021
SIGNATURE 	

TITLE	
Chair, City Planning Commission	
NAME Marisa Lago	DATE April 19, 2021
SIGNATURE 	

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Determination of Significance Appendix

The Proposed Action 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	QN	316/1, 13

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials and air quality an (E) designation (**E-613**) 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.

Air Quality

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

Projected Development Site 1:

Stationary Source – HVAC Source
Any new residential or commercial or industrial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC), and hot water system(s), ensure that the stack is located at the building's highest level or at least 78 feet above grade, and that the stack is located at least 150 feet from the northern lot line facing Broadway and at least 100 feet from the western lot line facing 11th Street to avoid any potential significant adverse air quality impacts.

Stationary Source – Industrial/Manufacturing Source
To preclude any potential significant adverse air quality impacts from the following light industrial uses (fine arts-related uses as present in the nearby Noguchi Museum and Socrates Sculpture Park such as studios, galleries, storage and conservation, or innovation/maker spaces such as technology and floral design) developed pursuant to Section 74-962 of the Zoning Resolution of the City of New York, the emission stack must be located at the building's highest tier and at least 78 feet above grade. A mechanical ventilation system must be separated from the residential building to provide fresh air to and exhaust from the ground-floor, with vents running above the roof line of the residential towers. Any other processes that require an New York City Department of Environmental Protection Certificate of Operation (C of O) must provide an air quality analysis to OER prior to obtaining a Notice of Satisfaction in order to demonstrate that such process would not cause a significant adverse air quality impact.

In addition, a licensed architect or engineer must certify with the Department of Buildings that the manufacturing use on the above-referenced property will adhere to the following restrictions:

(a) The manufacturing use in the building does not have a New York City or New York State environmental rating of "A", "B" or "C" under Section 24–153 of the New York City Administrative Code for any process equipment requiring a New York City Department of Environmental Protection C of O or New York State Department of Environmental Conservation state facility air permit; and

(b) is not required, under the City Right-to-Know Law, to file a Risk Management Plan for Extremely Hazardous Substances."