## 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, Full Gospel Mission Church of God in Christ and SBR Equities Inc., is seeking approval of a zoning map amendment and a zoning text amendment on Block 12051, portions of (p/o) Lots 71, 74, 57, 155 and Block 12045, p/o Lots 10, 13, 14, 15 (the "Affected Area") in the South Jamaica neighborhood of Queens Community District 12. The zoning map amendment would rezone Block 12051, p/o Lot 71 from an R3A zoning district to an R6A zoning district; Block 12051 p/o Lot 74 from an R3A/R6 zoning district to an R6A zoning district; Block 12051 p/o Lots 57 and 155 beyond a depth of 150 feet from 147 Street from an R6 zoning district to an R3A zoning district; Block 12045 p/o Lots 10, 13, 14, 15, and 16 within a depth of 100 feet from Sutphin Boulevard street from an R3A/C1-3 zoning district to an R6A/C1-3 zoning district. The zoning text amendment would modify Zoning Resolution ("ZR") Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing ("MIH") Areas to establish an MIH Area coterminous with the proposed R6A zoning boundary. The Proposed Actions would facilitate the development of a 109,527 gross square foot (GSF), 8-story plus cellar, 83 foot-tall mixed residential and community facility building on Block 12051, Lot 74 (Projected Development Site 1). The building would include 99,690 GSF of residential floor area and 9,837 GSF of community facility floor area for planned occupancy by a church. The building would provide 125 dwelling units, 25%-30% (31-38 units) of which would be set aside as permanently affordable units pursuant to MIH and would contain 55 residential accessory vehicular parking spaces and 63 bicycle parking spaces. As part of a conservative analysis, Block 12045, Lot 10 ("Potential Development Site 1") would be developed with an 8-story mixed-use residential and community facility building at a height of 85 feet with 23,437 GSF of floor area. The building would include 3,308 GSF of community facility uses and 20,129 GSF of residential uses with 24 dwellings units, 25-30% (6-7 units) of would be affordable pursuant to MIH. The analysis finds that the Proposed Actions would result in change in land use and zoning, however, it would not generate land uses that would be incompatible with surrounding uses, nor would it directly displace land uses in such a way as to adversely affect surrounding land uses. As the proposed R6A and R6A/C1-3 zoning districts would allow for larger bulks and higher building heights within the Affected Area, which would enhance the zoning conformity in the 400-foot Study Area and predominantly zoned as medium-density residential districts, the Proposed Actions would not result in any significant adverse zoning impacts. The Proposed Actions would be consistent with the goals of Housing New York, as an MIH area would be established over the Affected Area to introduce more affordable residential units to the area; would support OneNYC initiatives by constructing new multi-family housing, as well as community facility spaces on an underbuilt land; and would be consistent with Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery, as it would provide new-built spaces for small-size community facilities (a church), increase the community's economic diversity, and create quality jobs for New Yorkers. Therefore, the Proposed Actions would not result in significant adverse impacts to land use, zoning or public policy, and no further analysis is warranted.

**Shadows**

A detailed analysis of shadows is included in this EAS. The analysis finds that incremental shadow would reach two sunlight-sensitive resources: P.S. 223Q Lyndon B Johnson School Playground and Baisley Pond Park. P.S. 223Q. Lyndon B Johnson School Playground is a playground for a public school that teaches grades pre-kindergarten through 5th grade. The playground is featured with playground equipment, benches, a small running track, small turf fields, tennis courts, and handball courts. Incremental shadow would not reach the playground during the analysis period on December 21st. There would be 29 minutes of incremental shadows cast on March 21st/September 21 analysis days, 2 hours 13 minutes on the May 6th/August 6th analysis days, 3 hours 36 minutes on the June 21st analysis day. As the incremental shadows would cover a small portion of the playground, primarily during afterschool hours, and that the vegetations would receive more than 7 hours of direct sunlight, there would be no significant adverse shadows impact on open space utilization nor on vegetation growth at P.S. 223Q Lyndon B Johnson School Playground. Baisley Pond Park contains various sports fields, public bathrooms, a pond, wildlife, barbecuing areas, walking paths, and outdoor gym equipment. Shadows cast from the Projected Buildings during the analysis periods on December 21st, March 21st/September 21st, and May 6th/August 6th would not reach the Park. Therefore, there would be no adverse impacts on the open space utilization or vegetation growth for the three analysis periods. On the June 21st analysis day, however, the shadows cast from the Projected Buildings would reach the Park for 31 minutes reaching a small number of benches and a grassy area. The vegetations in the park would receive direct sunlight for more than 11 hours, which is considered enough for vegetation growth and survival. Consequently, there would be no adverse impacts for the June 21st analysis period on the open space utilization or vegetation growth of the park. Therefore, the Proposed Actions would not result in significant adverse shadows impacts to both P.S. 223Q Lyndon B Johnson School Playground and Baisley Pond Park.

**Hazardous Materials, Air Quality, and Noise**

An (E) designation (E-778) 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.

**Project Name: 123-12 Sutphin Boulevard Rezoning**
**CEQR # 24DCP015Q**
**SEQRA Classification: Unlisted**

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|---|---|
| *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 +1 212-720-3689.* | |
| TITLE<br>Director, Environmental Assessment and Review Division | LEAD AGENCY<br>Department of City Planning on behalf of the City Planning Commission<br>120 Broadway, 31st Fl. New York, NY 10271 \| 212.720.3328 |
| NAME<br>Stephanie Shellooe, AICP | DATE<br>8/16/2024 |
| SIGNATURE | |
| TITLE<br>Chair, City Planning Commission | |
| NAME<br>Daniel R. Garodnick | DATE<br>8/19/2024 |
| SIGNATURE | 8/19/24 |

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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 | Queens | Block 12051, Lot 74 |
| Potential Development Site 1 | Queens | Block 12045, Lot 10 |

(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-778**) would be established as part of approval of the proposed actions on **Projected Development Site 1 and Potential Development Site 1** as described below:

| Development Site | Hazardous Materials | Air Quality | Noise |
|---|---|---|---|
| Projected Development Site 1 | X | X | X |
| Potential Development Site 1 | X | X | X |

*Hazardous Materials*

The (E) designation requirements applicable to **Projected Development Site 1 and Potential 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:*** *Any new residential or community facility 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) and must ensure that the stack is located at the building's highest level or at least 86 feet above grade to avoid any potential significant adverse air quality impacts.*

***Potential Development Site 1:*** *Any new residential or community facility 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) and must ensure that the stack is located at the building's highest level or at least 88 feet above grade to avoid any potential significant adverse 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 community facility/residential uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on all facades in order to maintain an interior L10 noise level not greater than 45 dBA for community facility and residential uses. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation include, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.*

***Potential Development Site 1:*** *In order to ensure an acceptable interior noise environment, future community facility/residential uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on all the facades in order to maintain an interior L10 noise level not greater than 45 dBA for community facility and residential uses. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation include, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.*