CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

NEGATIVE DECLARATION

August 22, 2016

Project Identification
CEQR No. 17DCP023Q
ULURP No. 170031ZMQ
SEQRA Classification: Unlisted

Lead Agency
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10217
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

227th Street Rezoning
The Applicant, Idlelots LLC, is seeking to map a C2-2 commercial overlay over an existing R3-1 zoning district (the "Proposed Action") on two lots (Block 13484, Lots 1 and 36, the "Project Site") located on 145th Street between 227th and 228th Street in the Brookville neighborhood of Queens, Community District 13. The Proposed Action would facilitate a proposal by the Applicant to develop a 27-space public parking lot (Use Group 8C) on the Project Site.

The existing R3-1 zoning district allows residential uses (Use Group 1 and 2) at a maximum floor area ratio (FAR) of 0.5, community facility uses (Use Group 3 and 4) at a maximum FAR of 1.0, and parking that is accessory to the permitted residential and community facilities uses. The Project Site was previously paved and unlawfully utilized as a parking lot for an offsite commercial business under the Applicant's control. Since the Project Site was unlawfully utilized as a parking lot, three Environmental Control Board (ECB) violations were issued in February of 2016, pertaining to the use of the lot without a valid Certificate of Occupancy and unlawful use within a residential district. An additional ECB violation was issued in May of 2016 for continued use of the lot without a valid Certificate of Occupancy. The Project Site is currently enclosed with a fence, locked, and unutilized.

The proposed C2-2 commercial overlay would permit commercial uses (Use Groups 5 through 9) at a maximum FAR of 1.0 on the Project Site, as well as public parking lots (Use Group 8C) with a capacity of up to 150 parking spaces. The Proposed Action would facilitate the development of a 27-space public parking lot (Use Group 8C) accessed from an existing curb cut located on 145th Street. The proposed parking lot would be configured so as to comply with the provisions of ZR Sections 37-90 (Parking Lots) and 37-921 (Perimeter Landscaping), as applicable, and the provisions of ZR Sections 36-53 (Width of Curb Cuts and Locations of Access to the Street), 36-55 (Surfacing) and 36-56 (Screening), in accordance with ZR Section 32-17.

For the purposes of presenting a conservative analysis, the Environmental Assessment Statement (EAS) prepared in connection with the proposed rezoning accounts for the range of commercial uses that would be permitted on the Project Site in the future with the Proposed Action. A Reasonable Worst Case Development Scenario presented in the EAS assumes that in the future with the proposed C2-2 commercial overlay, the Project Site could be developed with commercial-retail uses at a maximum floor area of 5,100 gross square feet and 17 accessory parking spaces. Absent the Proposed Action and as permitted under the existing R3-1 district, the Project Site could be developed with two semi-detached residential buildings (containing a total of 8 dwelling units) and 8 accessory parking spaces.

The proposed project is expected to be completed by 2018.

A similar application to rezone the Project Site from R3-1 to R3-1/C2-2 was filed by the Applicant on October 9, 2015. In connection with the October 2015 application, an Environmental Assessment Statement was issued on March 4, 2016, and a Negative Declaration was issued on March 7, 2016 (CEQR No. 16DCP058Q). The application was certified by the City Planning Commission on March 7, 2016, and was subsequently withdrawn by the Applicant on June 23, 2016.

Statement of No Significant Effect:
The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated February 19, 2016, prepared in connection with the ULURP Application (No. 170031ZMQ). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement:
The above determination is based on an environmental assessment which finds that no other significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Christopher Lee of the Department of City Planning at (212) 720-3429.

Olga Abinader, Deputy Director
Environmental Assessment & Review Division
Department of City Planning

Date: August 19, 2016

Carl Weisbrod, Chairman
City Planning Commission

Date: August 22, 2016