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, Astoria Park Warehouse LLC, is seeking a Zoning Map Amendment to rezone from R5B and R5D/C1-3 districts to an R6A/C1-4 zoning districts and a Zoning Text Amendment to Appendix F of the Zoning Resolution to map Mandatory Inclusionary Housing (MIH) (the "Proposed Actions") at Block 874, Lots 68, 69, 70, 167, 168, 169, 268, 269 and Block 876, Lots 12, 14, 7501 (the "Project Area") in the Astoria neighborhood, Community District 1, Queens. The Proposed Actions are projected to result in two mixed-use buildings on Projected Development Sites 1 and 2. Projected Development Site 1 (Block 876, Lots 12 and 14) would result in a 68,811 gross square foot (gsf) eight-story building (85 feet tall) with ground floor commercial (local retail) uses and 55 residential units (including 13-17 affordable units pursuant to MIH) and 23 parking spaces. Projected Development Site 2 (Block 874, Lot 70) would result in a 60,570 gsf seven-story building (75 feet tall) with ground floor commercial (local retail) uses and 39 residential units (including 10-12 affordable units pursuant to MIH) and 18 parking spaces. The Proposed Actions would result in a change in zoning, land use, and public policy, however the proposed change in land use and zoning would be compatible with the existing residential and commercial uses of the Project Area, and the surrounding Study Area. Therefore, the Proposed Actions would not result in a significant adverse impact to land use, zoning or public policy, and no further analysis is required.

Open Space

A detailed analysis related to open space is included in this EAS. In the quantitative analysis in the Future With-Action condition, the open space ratio would be 2.256 acres per 1,000 residents, which represents a .0616% decrease compared to that in the No-Action condition. This percentage change is below the 5% percentage change impact threshold defined by the CEQR Technical Manual. The qualitative assessment indicates that the area is well served by open space resources, and in located in a Walk-To-A-Park Service Area. As a result of the analysis, the Proposed Actions would not result in a significant adverse impact to open space, and no further analysis is required.

Shadows

A detailed analysis related to shadows is included in this EAS. The proposed development on Projected Development Site 2 is expected to cast shadows on Sitting Area. The shadows created by this building would cover about 2% of the open space for five minutes in the early morning of the June 21st analysis day. Although shadows would be cast on trees within the open space, the incremental shadow will be on such a small area for such a short duration, leaving more than 8 hours of sunlight a day. The shadows generated by the Proposed Actions will not affect the trees within the open space to such an extent that they affect public use and enjoyment of Sitting Area. By 6:02 AM, there are no portions of the open space receiving project-generated shadows. As a result of the detailed analysis, the Proposed Actions would not result in a significant adverse shadows impact, and no further analysis is required.

Urban Design and Visual Resources

A detailed analysis related to urban design and visual resources is included in this EAS. The Proposed Actions would create additional density and allow a greater maximum height in an area along a commercial corridor, however the Projected Developments would not significantly change the pedestrian experience or affect the visual character of the area. The Proposed Actions would not affect any natural resources or public view corridors to notable features or buildings in the immediate vicinity of the Rezoning Area. Accordingly, no impacts to the urban design and/or visual resources of the area are expected.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-762) 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 Louise Cafiero at lcafiero@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 | 212.720.3328
NAME Stephanie Shellooe, AICP	DATE 3/29/2024
SIGNATURE	

Project Name: 21st Street Rezoning
CEQR # 24DCP027Q
SEQRA Classification: Unlisted

TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 4/1/2024
SIGNATURE	

Project Name: 21st Street Rezoning
CEQR # 24DCP027Q
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 876, Lots 12 and 14
Projected Development Site 2	Queens	Block 874, Lot 70

(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-762**) would be established as part of approval of the proposed actions on **Projected Development Sites 1 and 2** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X
Projected Development Site 2	X	X	

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1 and 2** 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: 21st Street Rezoning
CEQR # 24DCP027Q
SEQRA Classification: Unlisted

Air Quality

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

> ***Projected Development Site 1 (Block 876, Lots 12, and 14):*** *Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating and air conditioning (HVAC) system and hot water equipment and ensure that the HVAC system and hot water equipment stack is located at the building's highest level and at a minimum of 88 feet above grade to avoid any potential significant adverse air quality impacts.*
>
> ***Projected Development Site 2 (Block 874, Lot 70):*** *Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating and air conditioning (HVAC) system and hot water equipment and ensure that the HVAC system and hot water equipment stack is located at the building's highest level and at a minimum of 78 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 (Block 876, Lots 12, and 14):*** *In order to ensure an acceptable interior noise environment, future residential/community facility uses must provide a closed-window condition with a minimum of 28 dBA window/wall attenuation on the façade facing 21st Street in order to ensure interior 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, central air conditioning.*