CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

March 12, 2018

NEGATIVE DECLARATION

Project Identification
CEQR No. 15DCP083K
ULURP Nos. 170164ZMK, N170165ZRK
SEQRA Classification: Unlisted

Lead Agency
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

205 Park Avenue Rezoning

The Applicant, 462 Lexington Avenue LLC, seeks a Zoning Map Amendment to rezone a property located on the southern portion of Park Avenue between Vanderbilt Avenue and Clermont Avenue, facing the Brooklyn Queens Expressway (I-278) (Brooklyn Block 2033, Lot 50), from an M1-2 manufacturing district to an R7D/C2-4 district; and a Zoning Text Amendment pursuant to Appendix F of the New York City Zoning Resolution (ZR) to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the proposed rezoning area. The two actions, collectively the "Proposed Actions," would facilitate a proposal by the Applicant to develop an 8-story, approximately 81,465 gsf mixed-use residential and commercial building on a property located at 205 Park Avenue (Block 2033, Lot 50, the project site) in the Wallabout neighborhood of Brooklyn Community District (CD) 2. The proposed building would rise to 95 feet in height, and contain approximately 7,908 gsf of retail space on the ground floor and approximately 73,557 gsf of residential floor area on the second through eighth floors. The building is expected to include 70 Dwelling Units, of which up to 17 would be affordable pursuant to MIH. The Applicant's intended development would also include 35 parking spaces, all of which would be located in the cellar of the proposed building and which would be accessed via a curb cut along Vanderbilt Avenue. The building would also contain 35 enclosed bicycle parking spaces.

The project site, which was previously developed with a three-story commercial building, is

currently vacant. The site is currently located within an M1-2 zoning district, which allows light manufacturing and commercial uses (Use Groups 4-14 and 17) at a floor area ratio (FAR) of 2.0; and community facilities uses (Use Groups 3 and 4) up to an FAR of 4.8. The proposed rezoning to R7D/C2-4 and proposed text amendment would allow residential development up to 5.6 FAR as well as commercial uses up to 2.0 FAR.
The proposed project is anticipated to be completed by 2020.

To avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (E-464) has been incorporated into the Proposed Actions, as described below.

The (E) designation requirements related to hazardous materials are noted below:

Block 2033, Lot 50
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.

The (E) designation text related to air quality is as follows:

Block 2033, Lot 50
Any new development on the above-referenced property must ensure that the HVAC stack(s) is located at highest tier and at least 95 feet above grade to avoid any significant adverse air quality impacts.

The (E) designation text related to noise is as follows:

Block 2033, Lot 50
To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 35 dBA window/wall attenuation on all facades facing south (Park Avenue) or west (Clermont Avenue) and 28 dBA of attenuation on all facades facing east (Vanderbilt Avenue) to maintain an interior noise level of 45 dBA. 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, air conditioning.

Supporting Statement:

The above determination is based on an environmental assessment which finds that:

1. The (E) designation (E-464) would ensure that the Proposed Action would not result in significant adverse impacted related to hazardous material, air quality and noise.

2. No other significant effect on the environment which would require an Environmental Impact Statement are foreseeable.

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 March 9, 2018, prepared in connection with the ULURP Application (Nos. 170164ZMK and N170165ZRK). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

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 Rachel Antemi at (212) 720-3621.

Robert Dobruskin

Date: March 9, 2018

Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning

Marisa Lago

Date: March 12, 2018

Marisa Lago, Chair
City Planning Commission