Project Name: La Hermosa Rezoning
CEQR #: 19DCP116M
SEQRA Classification: Unlisted

REVISED NEGATIVE DECLARATION (Use of this form is optional)

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 project. 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 project 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 have no significant effect on the quality of the environment. Reasons supporting this determination are noted below.

A detailed analysis of the potential for the proposed actions to result in significant adverse impacts related to hazardous materials and noise was included in the EAS. To ensure that the proposed actions would not result in significant adverse hazardous materials and noise impacts, an (E) Designation (E-538) will be placed on the Project Site (Block 1594, Lot 41). Refer to "Determination of Significance Appendix: (E) Designation" for the applicable (E) designation requirements. The analysis for hazardous materials and noise concluded that with the (E) Designation requirements in place, the proposed actions would not result in significant adverse impacts.

Land Use, Zoning, and Public Policy

The EAS includes an analysis of the effects of the proposed actions on Land Use, Zoning, and Public Policy and determined that no significant ipmacts would occur. The proposed zoning map amendment from R7-2/R8 district with a partial C1-4 commercial overylay to C1-9 district; proposed zoning text amendment to establish the affected area as a Mandatory Inclusionary Housing Area; and special permits to waive required parking and modify underlying bulk regulations (the Proposed Actions) would not result in impacts related to Land Use, Zoning or Public Policy. The Proposed Actions would facilitate the development of a mixed-use tower building containing residential and community facility uses. The study area primarily comprises residential and community facility uses and the development facilitated by the proposed actions would reflect those surrounding land uses. Furthermore, the proposed C1-9 zoning district would be an extension of the existing zoning immediately eat of the directly affected area. Finally, the proposed actions would facilitate the development of mixed-income affordable housing which promotes the goals defined by OneNYC and Housing New York.

Shadows

The EAS includes a detailed analysis related to Shadows and determined that no significant impacts would occur. According to the CEQR Technical Manual, a significant adverse impact occurs when the incremental shadow from a proposed project falls on a sunlight-sensitive resource or feature and depending on extent and duration, reduces its direct sunlight exposure. The proposed project would have the potential to generate incremental shadows on six sunlight-sensitive open space resources. However, due to the duration and time of day of the incremental shadow, size of the resources, and hours of operation of the resources, the incremental shadows would not adversely affect the enjoyment of the sunlight-sensitive resources. The analysis concludes that the proposed actions would not result in any significant adverse shadows impacts.

Urban Design and Visual Resources

The EAS includes an analysis related to Urban Design and Visual Resources and determined that no significant impacts would occur. The proposed actions would facilitate the development of a mixed residential and community facility building. While the proposed actions would allow for a larger building than the existing zoning and would modify the underlying bulk restrictions, the proposed development would evenly distribute bulk between the tower and the building base and would not change the pedestrian experience or obstruct any views to visual resources within the study area. It is therefore concluded that the proposed actions would not result in significant adverse impacts on urban design and visual resources.

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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 Rupsha Ghosh at (212) 720-3250.

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | (212) 720-3493
NAME Olga Abinader	DATE October 11, 2019
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE October 15, 2019
SIGNATURE	

*Following the certification of the related land use application (ULURP Nos. 190434ZMM, N190433ZRM, 190435ZSM, 190436ZSM) on May 6, 2019, the Applicant has revised the Proposed Actions to reflect an increase in bulk at the base of the building and decrease the overall building height to 385 feet. The modifications are assessed in the Revised EAS dated October 11, 2019. This Revised Negative Declaration supersedes the Negative Declaration issued on May 6, 2019. As described in the Revised EAS, the changes would not alter the conclusions of the previous EAS.

Appendix 1: (E) Designations

To ensure that there would be no significant adverse hazardous materials, air quality, or noise impacts associated with the proposed project, an E designation (E-538) will be placed on the project sites as follows:

The E designation requirements related to hazardous materials, air quality, and noise would apply to:

Project Site:
Block 1594, Lot 41

Hazardous Material

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.

An OER-approved 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

Block 1594, Lot 41: Any new residential and/or community facility development on the above-referenced property must use natural gas as the type of fuel for heating, ventilating, and air conditioning systems (HVAC) and ensure that the HVAC stack is located at the highest tier to avoid any potential significant adverse air quality impacts.

Noise

Block 1594, Lot 41: In order to ensure an acceptable interior noise environment, future residential/commercial/community facility uses must provide a closed-window condition with a minimum of 33 dB(A) window/wall attenuation on façades in order to maintain an interior noise level not greater than 45 dB(A) for residential and community facility uses or not greater than 50 dB(A) for commercial 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.