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 project. Based on a review of information about the project contained in this environmental assessment statement 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.

Air Quality and Noise

1. An (E) designation (E-525) for air quality and noise has been incorporated into the proposed actions. Refer to "Determination of Significance Appendix: (E) Designation" for a list of the sites affected by the proposed (E) designation and applicable (E) designation requirements. The analyses conducted for air quality and noise conclude that with these (E) Designation requirements in place, the proposed actions would not result in significant adverse impacts to air quality or noise.

Land Use, Zoning and Public Policy

2. This EAS includes a detailed Land Use, Zoning and Public Policy section, which analyzes the potential significance of the proposed actions on land use, zoning and public policy in the study area. The proposed rezoning from R5B/C2-3 to R6A/C2-3 would facilitate the vertical enlargement of an existing one-story building in an area characterized by diverse uses including residential, commercial, and mixed residential/commercial. The existing R5B/C-2-3 zoning district is bordered by an R6B/C2-3 district that would be extended to include the affected area. The proposed rezoning would not generate new land uses that would be incompatible with existing land uses within the study area. The analysis concludes that no significant adverse impacts related to Land Use, Zoning and Public Policy would result from the proposed actions.

Shadows

3. This EAS includes a CEQR Tier 2 Shadow Screening Assessment to determine if there is a potential for the proposed actions to result in significant shadow impacts on Lady Moody Triangle, a landscaped sitting area located southwest of the project site. The assessment concludes that the open space resource is located outside of the arc in which action-induced development could cast shadows. Therefore, no significant adverse impacts related to shadows would result from the proposed actions.

TITLE	LEAD AGENCY
Acting Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME	DATE
Olga Abinader	2/8/2019
SIGNATURE	

TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE 2/11/2019
SIGNATURE	

Project Name: 273 Avenue U Rezoning
CEQR #: 18DCP104K
SEQRA Classification: Unlisted

Determination of Significance Appendix: (E) Designation (E-525)

To ensure that there would be no significant adverse air quality or noise impacts associated with the proposed project, an (E) designation (E-525) will be placed on the Development Site (Block 7103, Lot 42).

Noise

To ensure an acceptable interior noise environment, future residential/commercial/community facility uses must provide a closed-window condition with a minimum of 28 dB(A) window/wall attenuation on facades facing west (Lake Street) and 35 dB(A) of attenuation on the first floor of all other facades and 31 dB(A) of attenuation on all upper floors of all other facades to ensure 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, air conditioning.

Air Quality

Any new residential or commercial 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 to avoid any potential significant adverse air quality impacts. Stack shall be located at the highest tier and at a minimum of 46 feet above grade to avoid any potential significant adverse air quality impact.