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, Flushing Condo Holdings LLC, is seeking a zoning map amendment to rezone an existing M1-2 district to an M1-5 district and an R7-1 district with a C2-4 overlay, as well as a zoning text amendment pursuant to Appendix F of the New York City Zoning Resolution (ZR) to establish a Mandatory Inclusionary Housing (MIH) area (collectively, the "Proposed Actions") on Block 2260, Lots 35 and 7501 in the Williamsburg neighborhood of Brooklyn Community District 1 (the "Rezoning Area"). The Proposed Actions would facilitate the conversion of approximately 12,890 gross square feet (gsf) of parking and approximately 59,945 gsf of community facility resulting in an increase of approximately 71,251 gsf of commercial uses in an existing 236,380 gsf mixed-use building. The proposed M1-5 zoning district would eliminate parking requirements for the proposed as-of-right eight-story commercial and community facility building on Block 2260, Lot 35 (the "Project Site"). Of the existing 313 parking spaces, the Applicant intends to retain 86 parking spaces on the Project Site. The rezoning of Lot 7501 from M1-2 to R7-1/C2-4 would bring the existing residential development into conformance with zoning. The analysis finds that the Proposed Actions would result in changes in zoning and public policy. The existing M1-2 zoning district is a light manufacturing district that permits mainly two to four-story industrial buildings, with a maximum allowable Floor Area Ratio (FAR) of 2.0 (4.8 for community facility use). Parking regulations require one space per 300 square feet (sf). The proposed M1-5 district has a maximum allowable FAR of 5.0 (6.5 for community facility use) and would eliminate the parking space requirements. The proposed zoning change for Lot 7501 would change the existing M1-2 zoning to R7-1/C2-4 with MIH. R7 districts have an allowed floor area (FAR) ranging from 0.87-3.44. C2 commercial overlays are usually mapped within residential districts typically for local retail and service uses within a mixed-use building and allow for a commercial FAR of 2.0. This zoning change on Lot 7501 would bring the current residential building into conformance with zoning. The Project Site is located within New York City's Coastal Zone and, as such, is subject to review for its consistency with the City's Waterfront Revitalization Program (WRP). An assessment was conducted, and the development facilitated by the Proposed Actions was found to be consistent with the policies outlined in the WRP (WRP #22-020). Although the proposed zoning change from M1-2 to M1-5 and R7A/C2-4 would allow for developments with greater bulk and allow for residential use within the Rezoning Area, the Proposed Actions would not adversely affect surrounding land uses or generate land uses that would be incompatible with land uses, zoning, or public policy in the study area. The Proposed Actions would also incorporate adaptive and resiliency strategies consistent with the policies set forth in NYC's WRP. Therefore, the Proposed Actions would not result in any significant adverse impact to land use, zoning, and public policy and no further analysis is warranted.

Hazardous Materials and Air Quality

An (E) designation (E-819) related to hazardous materials and air quality 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 and air quality.

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 Ibrahim Jobe at ijobe@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 1/31/2025
SIGNATURE	

TITLE	
Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 2/3/2025
SIGNATURE	

Project Name: 347 Flushing Avenue
CEQR # 24DCP111K
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
Project Site	Brooklyn	Block 2260, Lot 35

(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-819**) would be established as part of approval of the proposed actions on **Project Site** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Project Site	X	X	

Hazardous Materials

The (E) designation requirements applicable to **Project Site** 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.

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Air Quality

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

> ***Project Site:*** *Any new community facility and/or commercial development on the above-referenced property must use natural gas as the type of fuel for heating, ventilation, and air conditioning (HVAC) system and hot water equipment, and ensure the HVAC system and hot water equipment stack is located at the highest tier and at least 112'-11" above grade to avoid any potential significant adverse air quality impact.*