



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIRMAN

NEGATIVE DECLARATION

Project Identification

CEQR No. 16DCP060Q
ULURP Nos. N160101ZRQ, N160102ZRQ, 160103ZMQ
SEQRA Classification: Type I

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:

Barnett Avenue Rezoning

The Applicant, Sunnyside-Barnett Associates, an affiliate of Phipps Houses, is seeking a zoning map amendment from M1-1 to an M1-1/R6 mixed use (MX 17) district, and zoning text amendments to modify bulk controls and establish a Mandatory Inclusionary Housing area (the "Proposed Actions") affecting a property located at 50-25 Barnett Avenue (Block 119, 43, the "Project Site") in the Sunnyside neighborhood of Queens Community District 2. The Project Site is located on the north side of Barnett Avenue between 50th and 52nd Streets and is bounded by the Long Island Railroad Sunnyside Rail Yards to the north. The Proposed Actions would facilitate a proposal by the applicant to develop a building with approximately 232,237 gsf of residential use with 220 dwelling units (Use Group 2), 4,800 gsf Universal Pre-K (UPK) center (Use Group 3), and 101 surface accessory parking spaces (the "Proposed Project") on the Project Site.

Additionally, the Applicant is seeking discretionary financing for the residential component of the Proposed Project from the New York City Department of Housing Preservation and Development (HPD), and New York City Housing Development Corporation (HDC). The sources of funding for the project are expected to include construction financing through HPD's Mixed Middle Income (M2) Program, among other potential HPD and HDC funding sources. A coordinated review was conducted for this project, with HPD and HDC acting as involved agencies.

The Proposed Actions include a zoning map amendment that would rezone the Project Site from M1-1 to an M1-1/R6 mixed use (MX 17) district, allowing residential uses up to a maximum residential FAR of 3.6 and increasing the community facility FAR from 2.4 to 4.8, while retaining the maximum commercial and manufacturing FAR's at 1.0. The Applicant is also proposing a text amendment to Zoning Resolution (ZR) Appendix F (Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas) to establish the Project Site as a Mandatory Inclusionary Housing (MIH)

area subject to the requirements of Option 2 of the MIH Program, which require at least 30 percent of the residential floor area to be reserved for residents with incomes averaging 80 percent AMI. Since the Project Site is located beyond 100 feet of a wide street, the R6 component of the proposed mixed use district would receive a floor area compensation of 2.42 for the provision of income-restricted units per the MIH program. To permit additional floor area, the proposal would also include a text amendment to ZR Section 23-154 (Inclusionary Housing) to allow a maximum FAR of 3.6 for zoning lots beyond 100 feet of a wide street, in a R6 district in Mandatory Inclusionary Housing areas.

Additionally, the Applicant is proposing zoning text amendments to ZR Sections 123-90 (Special Mixed Use Districts Specified), 123-63 (Special Bulk Regulations), and 123-662 (Height and Setback Regulations) to, respectively, (1) establish the proposed MX 17 Special Mixed Use District; (2) establish the new MX 17 district as an Inclusionary Housing district with an FAR governed by R6 district bulk controls; and (3) increase the maximum permitted base height for buildings in the proposed MX 17 district located within 15 feet of a narrow street from 60 feet to 85 feet.

The Project Site is currently occupied by a 223-space public parking lot, and under the existing M1-1 district, is restricted to light industrial use (Use Group 17), general services (Use Group 16), and commercial use (Use Group 5 through 14) up to a maximum Floor Area Ratio (FAR) of 1.0, and specific community facility uses (Use Group 4) with a maximum FAR of 2.4. With the Proposed Actions, the Proposed Project would consist of approximately 232,237 gsf of residential use with 220 dwelling units (Use Group 2), 4,800 gsf Universal Pre-K (UPK) center (Use Group 3), and 101 surface accessory parking spaces. In accordance with the HPD and HDC discretionary financing approvals, it is expected that 121 dwelling units would be affordable for households earning up to 80 percent Area Median Income (AMI), and the remaining 99 dwelling units would be affordable at moderate/middle income levels (up to 130 percent AMI). Entrances to the parking area would be provided via two curb cuts along Barnett Avenue, including a 20-foot wide curb cut would be provided at the easternmost edge of the Project Site and a 34-foot wide curb cut would be provided at the westernmost edges of the project site.

The Proposed Project is expected to be completed in 2018. Absent the Proposed Actions, it is assumed that the Project Site would continue to be occupied by an approximately 223-space public parking lot, as under existing conditions.

In connection with the Proposed Actions, an (E) designation (E-376) would be assigned to the project site (Block 1846, Lot 1) to avoid potential significant adverse impacts related to hazardous materials. The text for the (E) designation related to hazardous materials is 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 be 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.

With the assignment of the above-referenced (E) designation for hazardous materials, the Proposed Actions would not result in significant adverse impacts.

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 25, 2016, prepared in connection with the ULURP Application (Nos. N160101ZRQ, N160102ZRQ, 160103ZMQ). The City Planning Commission has determined that the Proposed Action will have no significant effect on the quality of the environment.

Supporting Statement:

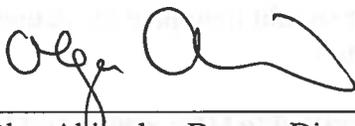
The above determination is based on an environmental assessment which finds that:

1. The (E) designation for hazardous materials would ensure that the Proposed Action would not result in significant adverse impacts.

2. The environmental conditions of ZR Section 123-32 requiring a minimum 35dBA of window wall attenuation and alternate means of ventilation would ensure that the Proposed Actions would not result in significant adverse noise impacts.
3. 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 6NYCRR part 617 (SEQRA).

An Environmental Assessment Statement is attached. Please contact Christopher Lee of the Department of City Planning at (212) 720-3429, if you have any questions regarding the application.



Olga Abinader, Deputy Director
Environmental Assessment & Review Division
Department of City Planning

Date: March 25, 2016

Carl Weisbrod, Chairman
City Planning Commission

Date: March 28, 2016