

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, EMBA Holdings LLC, is seeking CPC Authorizations pursuant to ZR Section 107-68, Modification of Group Parking Facility, and Section 107-65, Modification of Topography, Chairperson Certifications pursuant to ZR Sections 36-593, Cross access requirements, and 36-596, Certification that no cross access is required ("the proposed actions"), for a property (Block 7400, Lots 10, 15, 175) within the Special South Richmond Development District in the Charleston neighborhood of Staten Island Community District 3. The proposed actions facilitate the merge of three applicant-owned tax lots, and the construction of two new commercial buildings containing office/warehouse space (Building B and Building C). An existing 18,826 gross square foot (gsf) commercial building at the project site (Building A), currently occupied with a mix of legally conforming and illegal, non-conforming commercial and community facility uses, would be re-tenanted to contain only legal, conforming uses. Building B would be a 21,780 gsf, two-story building, and Building C would be a 19,067 gsf two-story building. The buildings would contain accessory garages for a total of nine cars, and the proposed development would include a parking lot with 52 unenclosed accessory off-street parking spaces. The proposed buildings would be similar to the existing building in both use and size and would therefore intensify but not alter the site's existing land use. Office/warehouse uses occupy many buildings within the surrounding area including many constructed in the past decade. The proposed buildings would be consistent with existing land uses and development trends in the study area. The proposed action would be consistent with all applicable WRP policies as well as the Working West Shore 2030 plan. The proposed actions would not change the zoning on the project site and would conform with use regulations as well as comply with bulk regulations. Thus, no significant adverse impacts related to land use, zoning, or public policy are anticipated as a result of the proposed actions and no further analysis is necessary.

Historic and Cultural Resources

A detailed analysis of architectural resources is included in the EAS. According to correspondence with LPC dated 05/30/18, the existing office/warehouse building and two single-family homes within the project site have no architectural significance. However, there is one designated landmarks near the project site including a church, rectory, and parish hall adjacent the site. The proposed construction activities would not pose a threat to the integrity of the historic structures as excavation for the proposed building nearest the landmarked church would be 100 feet from the property line and less than two feet in depth. The proposed project would not have a substantial effect on the setting of the church buildings which were designed to be seen from Winant Place. The first floor of the nearest proposed building would be recessed 20 feet from the property line so that the façade nearest the landmarked property would be 13 feet, 5 inches in height compared to the landmarked structures of 23, 50, and 70 feet in height. Thus, the proposed actions would not have a significant adverse impact on historical and cultural resources and no further analysis is warranted.

Urban Design and Visual Resources

An analysis of urban design and visual resources is included in the EAS. The proposed actions would result in the development of two low-rise commercial buildings one 24 feet in height and the other 25.5 feet in height. The proposed actions would not have a significant adverse impact on visual resources as no visual resources were identified in the vicinity of the project site. The two newly proposed buildings would be setback from Arthur Kill Road with Building B being slightly visible and Building C not being visible. Additional parking lot landscaping would also be added around the parking area adding a vegetative screen between the street and adjacent properties. Therefore, the proposed actions would not negatively affect a pedestrian's experience of the area nor have a significant adverse impact on urban design or visual resources and no further analysis is warranted.

Air Quality

An (E)-designation (E-635) related to air quality would be established as part of the approval of the proposed actions. Refer to the "Determination of Significance Appendix: (E)-designation" for the applicable requirements. The air quality analyses conclude that with the (E)-designation in place, the proposed actions would not result in a significant adverse impact related to air quality.

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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 George Todorovic at gtodorovic@planning.nyc.gov.

Project Name: 4295 Arthur Kill Road

CEQR # 20DCP019R

SEQRA Classification: Unlisted

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NAME Stephanie Shellooe, AICP	DATE August 13, 2021
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TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE August 16, 2021
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Project Name: 4295 Arthur Kill Road

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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
Development Site 1	SI	Block 7400, Lot 15
Development Site 2	SI	Block 7400, Lot 175

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to air quality, an (E) designation (**E-635**) would be established as part of approval of the proposed actions on **Development Site 1** and **Development Site 2** as described below:

Development Site	Air Quality
Development Site 1	X
Development Site 2	X

Air Quality

The (E) designation requirements for Air Quality would apply as follows:

Development Site 1 (Building B): Any new commercial development on the above-referenced property must ensure that the heating, ventilating, and air conditioning (HVAC) and hot water system(s) stack is located at the building's highest level or at least 27 feet above grade to avoid any potential significant adverse air quality impacts.

Development Site 2 (Building C): Any new commercial development on the above-referenced property must ensure that the heating, ventilation, air conditioning (HVAC) and hot water system(s) stack is located at the building's highest level or at least 24'-9" above grade and that the stack is located at least 25 feet from the western lot line facing Marble Loop to avoid any potential significant adverse air quality impacts.