

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 (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 the 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.


Land Use, Zoning, and Public Policy

This EAS includes a detailed analysis of the effects of the proposed actions on Land Use, Zoning, and Public Policy and determined that no significant impacts would occur. The proposed zoning text amendment to alter Zoning Resolution (ZR) Sections 14-41 and 14-42, Locations Where Certain Sidewalk Cafes Are Not Permitted, would facilitate an unenclosed sidewalk café, which would occupy a 365 sf area that would be 51'6" long and 7'1" wide. The reasonable worst case development scenario analyzed the proposed project. The proposed action would not permit any new land uses that are not permitted under existing or no-action conditions, which represents the thresholds of impact significance in the *CEQR Technical Manual*. The analysis concludes that the proposed action would not result in any significant adverse Land Use, Zoning, or Public Policy impacts.

Urban Design

A detailed analysis related to urban design is included in this EAS. The 2014 CEQR Technical Manual considers a significant adverse impact for urban design to be one that has the potential to diminish the arrangement, appearance, and functionality of the built and natural environment. The proposed 365 sf unenclosed sidewalk café would be in keeping with the existing built environment of the surrounding area, which is characterized by high density residential and local retail uses; sidewalk cafés are currently permitted on York Avenue between East 85th and East 87th Streets and along East 85th and East 87th Streets within 100 feet of York Avenue. The proposed sidewalk café that would be facilitated by the Proposed Action on the Development Site would not be incompatible with the existing character of the surrounding area. Therefore, the analysis concludes that the proposed action would not result in impacts to urban design or visual resources.

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 Katherine Glass at (212) 720-3425.

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| <p>NAME Olga Abinader</p> | <p>DATE January 17th, 2020</p> |
| <p>SIGNATURE </p> | |
| <p>TITLE Chair, City Planning Commission</p> | |
| <p>NAME Marisa Lago</p> | <p>DATE January 22nd, 2020</p> |
| <p>SIGNATURE</p> | |