



CITY PLANNING COMMISSION
CITY OF NEW YORK
OFFICE OF THE CHAIR

February 21, 2006

NEGATIVE DECLARATION

Project Identification

CEQR No. 06DCP072Q
ULURP No. 060337 ZMQ and N060338 ZRY
SEQRA Classification: Type I

Lead Agency

City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

Jamaica Hill/Hillcrest Rezoning and R5D Text Amendment

The Department of City Planning proposes to amend the Zoning Map on all or portions of 70 blocks in the central Queens neighborhoods of Jamaica Hill and Hillcrest including 6 block fronts on the eastern edge of the Briarwood neighborhood, Community District 8, Queens, from existing R2, R3-2, R4 and R5 districts, to lower-density or contextual zones where appropriate. The rezoning area is generally bounded by Union Turnpike to the north, 170th Street and 168th Street to the east, 86th Road and Highland Avenue to the south and Parsons Boulevard to the west. The rezoning area adjoins Briarwood to the west, Jamaica to the south and St. John's University to the east. The proposed actions include the creation of a new zoning district-R5D-in order to fill the need for a district that allows for multifamily housing in appropriate auto dependent locations. Residential uses in the proposed R5D district would be governed by the district bulk regulations (ZR section 23-00).

The proposed rezoning and proposed changes to existing commercial overlays aim to preserve the area's predominant lower-density character and ensure that future residential development is consistent with its surrounding neighborhood. Additionally, the proposed rezoning would establish a medium density residential district (R5D) along Union Turnpike, Parsons Boulevard and 164th Street in order to address the need for new housing opportunities. Establishing the proposed new R5D district is intended to facilitate appropriate development on major corridors in predominantly auto dependent areas.

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The amendments to the Zoning Map are as follows:

- a change from an R4 district to an R5 district;
- a change from an R5 district to an R4A district;
- a change from an R4 district to an R4A district;
- a change from an R4 district to an R4-1 district;
- a change from an R4 district to an R4B district;
- a change from an R4 district to an R5D district;
- a change from an R4 district to an R2A district;
- a change from an R4 district to an R3A district;
- a change from an R2 district to an R2A district;
- a change from an R2 district to an R5D district;
- a change from an R3-2 district to an R2 district;
- a change from an R3-2 district to an R5D district;
- a change from an R2 district to an R3-2 district;
- a change from a C1-2 commercial overlays to a C1-3 commercial overlays, and reducing the depth of the existing commercial overlay along one north-facing block front along Union Turnpike between 169th Street and 168th Place, from 150 feet to 100 feet;
- a change from a C1-2 commercial overlays to a C1-3 commercial overlays, and reducing the depth of the existing commercial overlay along one west-facing block front along 164th Street between 81st Avenue and Union Turnpike, from 150 feet to 100 feet;
- a change from a C1-2 commercial overlays to a C1-3 commercial overlays, and reducing the depth of the existing commercial overlay along one east-facing block front along 164th Street between the centerline prolongation of 81st Avenue and Union Turnpike, from 150 feet to 100 feet;

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- a change from a C1-2 commercial overlays to a C1-3 commercial overlays, and reducing the depths of the existing commercial overlays along five north-facing block fronts along Union Turnpike between 164th Street and Parsons Boulevard, from 150 feet to 100 feet; and
- a change from a C1-2 commercial overlays to a C1-3 commercial overlays, and reducing the depth of the existing commercial overlay along one west-facing block front along Parsons Boulevard between 82nd Drive and Grand Central Parkway, from 150 feet to 100 feet.

In addition to the aforementioned zoning map amendments, DCP is also proposing an amendment to the zoning text affecting ZR Section 11-12 to establish the R5D Zoning Designation. The proposed R5D district is a medium density, contextual residence district in which development would permit all housing types up to a maximum FAR of 2.0. In addition to establishment of the R5D district in areas of Jamaica Hill and Hillcrest, DCP is also studying the possibility of mapping it in Pelham Parkway/Indian Village, Bronx Community District 11, in Laurelton, Queens Community District 13, and Dutch Kills, in Queens Community District 1. Additionally, there may be other areas in Queens, the Bronx, Brooklyn, and in limited parts of Staten Island where the mapping of an R5D district may be appropriate.

The establishment of the proposed new R5D district is intended to facilitate appropriate development on major corridors in predominantly auto dependent areas. By introducing mid-density / contextual zoning into the Jamaica Hill/Hillcrest area, the rezoning proposal addresses the demand for appropriate new housing in the area.

The proposed action is expected to result in additional residential development along Parsons Boulevard, Union Turnpike, and 164th Street. A total of 18 projected and potential development sites have been identified in this area. Of the 18 development sites, ten have been identified as projected development sites and 8 have been identified as potential sites.

Without the proposed action, there could be 35 dwelling units built on the ten projected development sites, for a total of 34,508 square feet of residential space; 52,123 square feet of community facilities space. With the proposed rezoning, there could be 144 dwelling units in the ten projected development sites, for a total 143,978 square feet of residential space, 30,032 square feet of community facilities space, and 43,952 square feet would be commercial space. The proposed action is projected to result in approximately 109 additional dwelling units on the ten projected development sites.

As a result of the proposed action, residential development could occur within the Union Turnpike, Parsons Boulevard, and 164th Street corridors. As a result of the environmental review, (E) designations have been mapped on selected development sites in order to preclude

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future hazardous materials, air quality, and noise impacts which could occur as a result of the proposed action.

To avoid the potential for hazardous materials impacts, the proposed rezoning includes (E) designations for hazardous materials on the following properties:

| | |
|------------|-----------------------------------|
| Block 6853 | Lot 23 |
| Block 6854 | Lot 31 |
| Block 6855 | Lots 31, 36 |
| Block 6856 | Lot 38 |
| Block 6857 | Lots 53, 64, 65, 67, 69 |
| Block 6859 | Lot 14 |
| Block 6862 | Lots 340, 341, 344, 323, 327, 331 |
| Block 7014 | Lots 2, 6 |
| Block 7018 | Lot 7 |
| Block 7024 | Lots 29, 32 |
| Block 7038 | Lots 13, 15 |
| Block 9751 | Lots 1, 7 |
| Block 9789 | Lots 6, 11, 13, 14 |

The following is the proposed text of the (E) designations:

Task 1-Sampling Protocol

A. Petroleum

A soil, soil gas, and groundwater testing protocol (including a description of methods), and a site map with all sampling location represented clearly and precisely, must be submitted to the NYCDEP by the fee owner(s) of the lot which is restricted by this (E) designation, for review and approval.

A site map with the sampling locations clearly identified and a testing protocol with a description of methods, for soil, soil gas, and groundwater, must be submitted by the fee owner(s), of the lot which is restricted by the (E) designation, to the NYCDEP for review and approval.

B. Non-Petroleum

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The fee owner(s) of the lot restricted by this (E) designation will be required to prepare a scope of work for any sampling and testing needed to determine if contamination exists and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to NYCDEP for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis. For all non-petroleum (E) designated sites, the three generic NYCDEP soil and ground-water sampling protocols should be followed.

A scope of work for any sampling and testing to be completed, which will determine the extent of on-site contamination and the required remediation, must be prepared by the fee owner(s) of the lot restricted by this (E) designation. The scope of work will include the following: site plans, sampling locations, and all other relevant supporting documentation. The scope of work must be submitted to the NYCDEP for review and confirmation that an adequate testing protocol (i.e., number of samples collected, appropriate parameters for laboratory analysis) has been prepared. The NYCDEP must approve the scope of work before it can be implemented.

For non-petroleum (E) designated sites, one of the three generic soil and groundwater sampling protocols prepared by the NYCDEP should be followed.

The protocols are based on three types of releases to soil and groundwater sampling protocols prepared by the NYCDEP should be followed.

The protocols are based on three types of releases to soil and groundwater, including: the release of a solid hazardous material to ground surface; the release of a liquid hazardous material to the ground surface; and the release of a hazardous material to the subsurface (i.e., storage tank or piping). The type of release defines the areas of soil to be sampled from surface, near-surface, to subsurface. Additionally, it determines the need for groundwater sampling.

A written approval of the sampling protocol must be received from the NYCDEP before commencement of sampling activities. Sample site

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quantity and location should be determined so as to adequately characterize the site, the source of contamination, and the condition of the remainder of the site. After review of the sampling data, the characterization should have been complete enough to adequately determine what remediation strategy (if any) is necessary. Upon request, NYCDEP will provide guidelines and criteria for choosing sampling sites and performing sampling.

Finally, a Health and Safety Plan must be devised and approved by the NYCDEP before the commencement on any on-site activities.

Task 2-Remediation Determination and Protocol

After sample collection and laboratory analysis have been completed on the soil and/or groundwater samples collected in Task 1, a summary of the data and findings in the form of a written report must be presented to the NYCDEP for review and approval. The NYCDEP will provide a determination as to whether remediation is necessary.

If it is determined that no remediation activities are necessary, a written notice will be released to that effect. However, if it is the NYCDEP's determination that remediation is necessary the fee owner(s) of the lot restricted by the (E) designation must submit a proposed remediation plan to the NYCDEP for review and approval. Once approval has been obtained, and the work completed, the fee owner(s) of the lot restricted by the (E) designation must provide proof to the NYCDEP that the work has been completed satisfactorily.

The placement of (E) designations would ensure that no significant impacts related to hazardous materials would occur as a result of the proposed action.

To preclude the potential for significant adverse air quality impacts related to HVAC emissions, an (E) designation would be incorporated into the rezoning proposal for each of the following properties:

Block 6857, Lots 64, 65, 67, 69

Block 6862, Lots 323, 327, 331, 340, 341, 344

Block 9751, Lots 1, 7

Block 9789, Lots 6, 11, 13, 14

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The text for the (E) designations is as follows:

Block 9751, Lot 7 (Projected Development Site 1)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet from the lot line facing 84th Avenue, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

Block 9751, Lot 1 (Projected Development Site 2)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet from the lot line facing 84th Road, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

Block 6857, Lots 64, 65 (Projected Development Site 7)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 45 feet from the lot line facing Goethals Avenue, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

Block 9789, Lots 6, 11, 13, 14 (Potential Development Site 11)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 95 feet from the lot line facing Grand Central Parkway Service Road, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

Block 6862, Lots 340, 341, 344 (Potential Development Site 12)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 65 feet from the lot line facing 84th Road, or use natural gas as

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the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

Block 6862, Lot 323 (Potential Development Site 13)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 40 feet from the lot line facing 84th Road, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

Block 6862, Lots 327, 331 (Potential Development Site 14)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 75 feet from the lot line facing Grand Central Parkway Service Road, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

Block 6857, Lots 67, 69 (Potential Development Site 17)

Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 60 feet from the lot line facing Union Turnpike, or use natural gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant air quality impacts.

With the placement of the (E) designations on the above blocks and lots, no impacts related to stationary source air quality would be expected.

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 February 17, 2006, prepared in connection with the ULURP Application (060337 ZMQ and N060338 ZRY). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

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Supporting Statement:

The above determination is based on an environmental assessment which finds that no significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Gwen Sheinfeld of the Department of City Planning at (212) 720-3419.

Robert Dobruskin

Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning

Date: 02/17/06

A.M.

Amanda M. Burden, AICP, Chair
City Planning Commission

Date: 02/21/06

