



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

May 10, 2010

NEGATIVE DECLARATION

Project Identification

CEQR No. 10DCP014Q
ULURP No. 100145ZMQ
SEQRA Classification: Unlisted

Lead Agency

City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
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Name, Description and Location of Proposal

Hour Children -- Long Island City Rezoning

The applicant, Hour Children Inc., is proposing a zoning map amendment to rezone the area bounded by 37th Avenue to the south, 36th Avenue to the north, 11th Street to the west and the midblock of Block 351 to the east (Block 351, Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 17; and Block 352, Lots 1 and 35) from M1-1 to R5D. Additionally, the proposed rezoning would establish a 100-foot-deep C1-3 commercial overlay along Block 351, Lot 17 and p/o Lot 14. The proposed rezoning area is located in the Long Island City neighborhood of Queens, Community District 1.

The proposed action would facilitate a proposal by the applicant to redevelop a property (the project site) located at 36-11 12th Street (Block 351, Lot 14) with a four-story, eight-unit, 25,700 SF supportive residence (Use Group 3). The project site is currently developed with a two-story transitional residence, a single-story office, a single-story furniture store and a children's playground.

In addition to facilitating development on the project site, the proposed action would facilitate new residential and community facility development on seven sites (the projected development sites) not under the control of the applicant. Development on the projected development sites would consist of 48 residential units on six sites (Block 351, Lots 1, 6, 7, 8, 10 and 11), including 12 units each on Block 351, Lots 1 and 11, and 6 units each on Block 351, Lots 6, 7, 8 and 10. In addition, a vacant school building on Block 352, Lot 1, would be re-tenanted with a 283-seat school.

The projected development sites currently contain legal nonconforming residential uses (Block 351, Lots 6, 7, 8 and 10), mixed-use residential with ground-level commercial uses (Block 351, Lot 11) a manufacturing site with surface parking (Block 351, Lot 1), and community facility uses, (the St. Rita church complex on Block 352, Lot 1).

The remainder of the rezoning area contains mixed-use residential with ground-level commercial uses (Block 351, Lots 3 and 4), commercial uses (Block 351, Lot 17), industrial and manufacturing uses (Block 351, Lots 5 and 9), and community facility uses (Block 352, Lot 5).

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The rezoning area is currently zoned M1-1, which allows Use Groups 5 through 14, 16, 17 at an FAR of 1.0, and Use Group 4 at an FAR of 2.4. The proposed action would establish an R5D residential district over the rezoning area, permitting residential and community facility uses with an FAR of 2.0. In addition, the proposed C1-3 overlay would permit a maximum FAR of 2.0 for community facility and commercial uses and allow commercial uses to occupy the ground floor of a mixed-use building.

Absent the proposed action, new development under the existing M1-1 zoning is not anticipated on the project site or the seven projected development sites.

The build year for the proposed rezoning is 2012.

To avoid any potential significant adverse impacts, an (E) designation for hazardous materials (E-250) would be mapped as part of the proposed rezoning on the non-applicant owned projected development sites (Block 351, Lots 1,6,7,8, 10 and 11, and Block 352, Lot 1). The text of the (E) designation for hazardous materials for the properties identified below is as follows:

Queens Block 351, Lots 1,6,7,8, 10 and 11, and Block 352, Lot 1

Task 1

The fee owner of the lots restricted by this (E) designation will be required to prepare a scope of work for soil and groundwater sampling and testing to determine whether contamination exists and, if so, the extent of the contamination and the nature and extent of required remediation. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. The scope of work will be submitted to DEP for review and approval prior to implementation, to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis.

No sampling program may begin until written approval of a work plan and sampling protocol is received from DEP. The number and location of sampling sites should be selected to adequately characterize the type and extent of any contamination and the condition of the remainder of the site. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for the choice of sampling sites, sampling procedures, and tests to be performed will be provided by DEP upon request.

Task 2

A written report with findings and a summary of the data must be submitted to DEP after completion of the testing phase and laboratory analysis for review and approval. After reviewing the test results, DEP will determine whether the results indicate that remediation is necessary.

If DEP determines that no remediation is necessary, the agency will give written notice.

If DEP determines that remediation is necessary, a proposed remediation plan will be prepared and submitted to DEP for its review and approval. The fee owner of the lots restricted by the (E) designation must perform such remediation as determined by DEP to be

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necessary. After completing the remediation, the fee owner should provide DEP with proof that the work has been completed satisfactorily. Once DEP determines that the required remediation has indeed been completed satisfactorily, the agency will give written notice.

A DEP-approved construction-related health and safety plan (HASP) would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. The HASP must be submitted to DEP for review and approval prior to implementation.

With the placement of the (E) designation for hazardous materials, no impacts related to hazardous materials are expected and no further assessment is warranted.

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 May 7, 2010, prepared in connection with the ULURP Application (No. 100145ZMQ). 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 due to hazardous materials.
2. No other significant adverse 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.



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

Date: May 7, 2010



 Amanda M. Burden, FAICP, Chair
 City Planning Commission

Date: May 10, 2010