



CITY PLANNING COMMISSION  
CITY OF NEW YORK

OFFICE OF THE CHAIR

## **NEGATIVE DECLARATION**

### **Project Identification**

CEQR No. 16DCP118M  
ULURP Nos. 160392ZMM, 160393ZRM  
Manhattan, Community District 12  
SEQRA Classification: Unlisted

### **Lead Agency**

City Planning Commission  
120 Broadway, 31<sup>st</sup> Floor  
New York, NY 10271  
Contact: Robert Dobruskin  
(212) 720-3423

### **Name, Description and Location of Proposal:**

#### **Seaman Avenue Rezoning**

The applicant, Saab Associates LP, is seeking a Zoning Map Amendment from R7-2 to R8A affecting the eastern portion of the block bounded by Payson Avenue, Seaman Avenue and Beak Street (Block 2248, Lots 7501, 109, 111, 112 and 117, the "Rezoning Area") located in the Inwood neighborhood of Manhattan, Community District 12. The applicant also seeks a Zoning Text Amendment to Appendix F to map a Mandatory Inclusionary Housing Area (Option 1 and Option 2) coterminous with the rezoning area. The proposed actions would facilitate a proposal by the applicant to construct a 40-unit, 11-story residential building at 112-114 Seaman Avenue, the "Project Site" (Block 2248, Lots 111 and 112). The building would be comprised of approximately 40,500 gross square feet (gsf) of residential use, of which up to 30 percent of residential floor area would be reserved for households averaging up to 80% AMI, respectively, pursuant to the Mandatory Inclusionary Housing Program.

Currently, the Project Site is developed with two, vacant semi-detached residential buildings. Lot 111 is occupied by a 2.5-story, 3,700 gsf building that formerly contained four residential units and a day care center, and has a built Floor Area Ratio (FAR) of 1.45; Lot 112 contains a two-story, 2,690 gsf building that had two residential units, and an FAR of 1.01. The applicant intends to demolish the existing structures and construct the proposed 40-unit, 40,500 gsf residential building.

The Rezoning Area is currently mapped R7-2, which has a maximum allowable FAR of 3.44 under "Height-Factor" regulations, or 4.0 under "Quality Housing" regulations, and permits community facility with a maximum FAR of 6.5. The proposed actions would include the rezoning of the

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affected area to R8A, allowing an increase in residential FAR to 7.2, with Inclusionary Housing provided pursuant to the MIH program.

While the applicant intends to pursue the development of an 11-story residential building, the proposed project does not reflect the full permitted envelope of buildout of the development site under the R8A zoning regulations. Therefore, for the purposes of presenting a conservative analysis, a Reasonable Worst Case Development Scenario (RWCDS) presented in the Environmental Assessment Statement (EAS) considers an alternate development scenario that maximizes the building envelope. The future development with the Proposed Actions, in the RWCDS, consists of a building up to 14 stories above the Seaman Avenue grade with a base height of 105 feet, and a maximum height of up to 145 feet after a setback of 10 feet. The alternate scenario contains 40,500 gsf of residential space, including cellar and mechanical space, with a floor area of 37,000 square feet (7.2 FAR) containing 40 dwelling units (DU), a rooftop space, and other residential amenities. Parking requirements would be waived per Zoning Resolution (ZR) Section 25-242 (Waiver of Requirements for Small Zoning Lots in High Bulk Districts) and no parking spaces would be provided.

The proposed action would rezone three additional properties that are not under the Applicant's control, but where no new development is anticipated. Lot 7501 contains a six-story, 7,195 gsf building with 12 residential units (3.26 FAR). The site was constructed as a condominium building in 2008 and is unlikely to be redeveloped or enlarged in the foreseeable future. Lot 109 contains a seven-story, 24,239 gsf building with 32 residential units (5.14 FAR); Lot 117 contains an eight-story, 107,012 gsf building with 84 residential units (5.91 FAR). The proposed actions would bring existing legal non-complying conditions on Lots 109 and 117 into compliance. These lots are currently overbuilt pursuant to the existing R7-2 residential FAR of 4.0. These two sites, Lots 109 and 117, are not expected to be redeveloped or enlarged in the foreseeable future.

Absent the proposed actions, it is assumed that the buildings on the Project Site would be demolished and the site would be developed under the current R7-2 Height Factor regulations, with an approximately 18,700 gsf residential building (3.42 FAR), at a height of 141 feet, containing 26 market rate dwelling units. Parking requirements would be waived per ZR Section 25-261 (Waiver of Requirements for Small Number of Spaces for Developments or Enlargements) which allows for parking requirements to be waived in R7-2 districts if fewer than 15 spaces are required.

The analysis year for the proposed action is 2019.

To avoid the potential for significant adverse impacts related to hazardous materials, an (E) designation (E-430) has been incorporated into the proposed actions, as described below.

The (E) designation requirements related to hazardous materials would apply to the following development sites:

**Projected Development Site 1:  
Block 2248, Lots 111, 112**

The (E) designation text 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.**

**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 June 2, 2017, prepared in connection with the ULURP Application (Nos. 160392ZMM and 160393ZRM). 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) designations (E-430) for hazardous materials would ensure that the proposed actions would not result in significant adverse impacts.
2. No other 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 Rupsha Ghosh at (212) 720-3524



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

Date: June 2, 2017

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Marisa Lago, Chair  
City Planning Commission

Date: June 5, 2017