

NEGATIVE DECLARATION (Use of this form is optional)

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 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 this Environmental Assessment Statement (EAS), which finds the proposed action sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this determination are noted below.

Socioeconomic Conditions : The proposed action would alter the existing controls and protective measures established by the Special Garment Center District (SGCD) to preserve the fashion and related apparel/garment manufacturing industry. While the proposed action would remove special zoning preservation requirements, underlying zoning would continue to allow fashion and apparel manufacturing uses as-of-right. The EAS includes a detailed analysis of the effects of the proposed actions on socioeconomic conditions in the SGCD. The EAS includes an analysis of the historical trends of the garment industry, recent land-use and employment trends in the SGCD, and city initiatives to bolster the presence of the garment industry in Manhattan. The EAS concludes that the proposed action would not result in direct or indirect business displacement nor that the proposed actions have the potential for adverse socioeconomic impacts.

Historic and Cultural Resources : The proposed action is classified as a Type I pursuant to SEQRA as the Special Garment Center District contains historic resources listed in the State and National Register. The projected and potential development sites identified in this EAS do not contain historic resources but these sites are substantially contiguous to historic resources. The EAS concludes that development resulting from the proposed action would not significantly alter the setting of contributing buildings in the historic district or surrounding individual landmarks. The Landmarks Preservation Committee has reviewed the analysis of potential contextual, shadows, and construction impacts presented in this EAS and concurs with this conclusion in a letter dated May 10th, 2018.

Hazardous Materials, Air Quality and Noise : An (E) designation for Hazardous Materials, Air Quality and Noise has been incorporated into the proposed action. Refer to "Appendix I: (E) Designation" for a list of the sites affected by the proposed (E) designation and applicable (E) designation requirements. With these measures in place, the proposed actions would not result in significant adverse impacts to Hazardous Materials, Air Quality or Noise.

Conceptual Analysis: The proposed action would establish a special permit for hotel uses in the Special Garment Center District. In the future with the proposed action, hotel uses would not be allowed as of right in the special district. This EAS considers whether future utilization of the hotel special permit has the potential to result in significant adverse impacts. The conceptual analysis included in the this EAS identifies one site in the SGCD as a likely location for development that would require a hotel special permit. A preliminary assessments of development on this site does not identify potential significant adverse impacts related to density. Potential site specific impacts related to air quality, noise and hazardous materials were identified in the conceptual analysis. These impacts could be avoided through an (E) designation placed at the time of any future special permit application.

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)

TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission
NAME Robert Dobruskin, AICP	DATE 06/08/2018
SIGNATURE <i>Robert Dobruskin</i>	

TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE 06/11/2018
SIGNATURE	

Appendix 1: (E) Designations

To ensure that the proposed action would not result in significant adverse **hazardous material** impacts, an E designation (E-486) will be placed on the following sites:

The E designation requirements related to hazardous materials would apply to:

Projected Development Site 1: Block 813, Lot 64
Potential Development Site 4: Block 785, Lot 49

Hazardous Material

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, 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.

To ensure that the proposed action would not result in significant adverse **air quality** impacts, an E designation (E-486) will be placed on the following sites:

Projected Development Site 1: Block 813, Lot 64

Any new commercial (office/retail) development on Block 813, Lot 64 must ensure that the heating system boilers be fitted with low NO_x (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest tier or at least 208 feet above grade and at least 95 feet from the easterly lot line facing Broadway and 23 feet from the northerly lot line facing W. 38th Street.

Projected Development Site 3: Block 761, Lot 5,7

Any new residential and/or commercial (retail) development on Block 761, Lots 7 and 5 must ensure that the heating system boilers be fitted with low NO_x (30 ppm) burners and fire only natural gas and that the stack(s) are located at the highest tier or at least 243 feet above grade and at least 45 feet away from the easterly lot line facing 8th Avenue.

Potential Development Site 4: Block 785, Lot 49

Any new commercial (office/retail) development on Block 785, Lot 49 must ensure that the heating system boilers be fitted with low NO_x (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest tier or at least 289 feet above grade and at least 45 feet away from the northerly lot line facing W. 36th Street.

Potential Development Site 5: Block 762, Lot 46

Any new residential and/or commercial (retail) development on Block 762, Lot 46 must ensure that the heating system boilers be fitted with low NO_x (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest tier or at least 243 feet above grade and at least 46 feet away from the easterly lot line facing 8th Avenue and at least 34 feet from the southerly lot line facing W. 38th Street.

To ensure that the proposed action would not result in significant adverse **air quality** impacts, an E designation (E-486) will be placed on the following sites:

Projected Development Site 1: Block 813, Lot 64

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum OITC rating of 31 dBA window/wall attenuation. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning. The minimum composite building façade attenuation for commercial uses would be 5 dBA less than that for residential/community facility uses.

Projected Development Site 3: Block 761, Lot 5, 7

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum OITC rating of 35 dBA window/wall attenuation. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning. The minimum composite building façade attenuation for commercial uses would be 5 dBA less than that for residential/community facility uses.

Potential Development Site 4: Block 785, Lot 49

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum OITC rating of 33 dBA window/wall attenuation. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning. The minimum composite building

façade attenuation for commercial uses would be 5 dBA less than that for residential/community facility uses.

Potential Development Site 5: Block 762, Lot 46

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum OITC rating of 28 dBA window/wall attenuation. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning. The minimum composite building façade attenuation for commercial uses would be 5 dBA less than that for residential/community facility uses.