ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION
Sideya Sherman, Director Department of City Planning

Memorandum

To: Sarah Witham, Lin Zeng

From: Evren Ulker-Kacar

Date: June 25, 2026

Re: Qualified Action Determination

Land Use Application No.: 250003ZMQ, N250004ZRQ

Project Name: 138-23 Queens Boulevard Rezoning

CEQR No.: 24DCP103Q

Department Determination

The Department of City Planning has reviewed the above-referenced application and determined that, pursuant to Subdivision 5-a of section 8-0111 of the Environmental Conservation Law, it is a Qualified Action not subject to further review under SEQRA / CEQR.

This Qualified Action:

_X_(Subdivision 5-a(b)(i)(1-6)) is an action for the purposes of the construction of housing that shall:

- Be connected to existing community or public water and sewerage systems at the commencement of habitation;
- Be located at a previously disturbed site;
- Not be located within an area zoned exclusively for industrial uses;
- Contain no more than fifty thousand square feet of commercial, retail, community facility or other non-industrial non-residential uses;
- Either:
  - Not exceed 250 dwelling units, or
  - Not exceed 500 dwelling units within a zoning district where, at the time of application, the standard maximum residential building height is greater than

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45 feet, the maximum height of a building is regulated by something other than a horizontal plane and that allows residential buildings to exceed 45 feet, or there is no such maximum building height;

- Not include construction of only one single-family residence on a parcel of one-half or more acres.
- (Subdivision 5-a(c)(i)) is subject to local municipal requirements regarding hazardous materials and is accompanied by an applicant certification where applicable.[1]

___(Subdivision 5-a(b)(iii)) is an action for the purposes of construction of public parks located at a previously disturbed site that do not include performance centers, athletic stadiums, or other venues for mass gatherings, or other buildings or structures which do not serve public park, recreation, or open space purposes;

___Subdivision 5-a(b)(iv) is an action for the purposes of multi-use bicycle and pedestrian trails located at a previously disturbed site;

___Subdivision 5-a(b)(v) is an action for purposes of construction of public school facilities to be connected at the commencement of use to existing community or public water and sewerage systems, including sewage treatment works, (Subdivision 5-a(c)(i)) is subject to local municipal requirements regarding hazardous materials, and is accompanied by an applicant certification where applicable.

___Subdivision 5-a(b)(vi) an action for the purposes of water and wastewater infrastructure projects that:

- replace, rehabilitate or reconstruct municipal water or wastewater infrastructure, in-kind and on the same site, including lead service line replacement;
- replace, rehabilitate, upgrade or reconstruct an existing small community water system, including lead service line replacement; or
- provide sewer service to a disadvantaged community served by one or more inadequate sewage treatment systems that has been determined by the department not to require a permit or approval pursuant to articles fifteen, twenty-four or twenty-five of this chapter or any rules or regulations promulgated thereunder;

___Subdivision 5-a(b)(vii) an action for the purposes of a retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure.

[1] E-923 for hazardous materials will be placed on Queens Block 9649, Lots 17, 25, 37, 42, and 44.

Proposed Actions

The Applicant, RJ Capital Holdings LLC, seeks approval of a zoning map amendment and a zoning text amendment (the Proposed Actions) at Block 9649, Lots 17, 25, 37, 42, 44, and 53 (the Rezoning Area) in the Briarwood neighborhood of Queens Community District 8. The Rezoning Area is generally bound by 84th Drive to the north, Manton and 139th Streets to the east, 86th Avenue to the south, and Queens Boulevard to the west.

The proposed zoning map amendment would rezone Block 9649, Lots 17, 25, 42 in their entirety, and portions of (p/o) Lots 37, 44, and 53 from an R6A/C1-4 zoning district to R6A, R6A/C2-4 and R8X/C2-4 zoning districts. The proposed zoning text amendment to Appendix F of the Zoning Resolution (ZR) to establish the rezoning area as a Mandatory Inclusionary Housing (MIH) area.

The Proposed Actions would result in development on the applicant-owned Projected Development Site 1 (Block 9649, Lots 17, 25, and 37), and non-applicant-owned Projected Development Site 2 (Block 9649, Lots 42 and 44). No development is anticipated on Block 9649, Lot 53, which would be partially rezoned, and is currently developed with a multi-family residential building.

Proposed Project

The Proposed Actions would facilitate the applicant's proposed development of one new mixes residential and commercial building on Projected Development Site 1. The 17-story development (approximately 195-foot-tall including a 20-foot-tall bulkhead) would contain 395,931-gsf of total building space inclusive of all building uses. In sum, the Proposed Project would contain approximately 33,020-gsf of commercial retail uses, 51,757-gsf of mechanical and parking garage uses, and 311,154-gsf of residential uses (approximately 364 Dwelling Units [DUs], including 73-109 DUs income-restricted pursuant to MIH). The Proposed Project would include an approximately 128-space above-grade parking garage accessed via a new, 22-foot-wide curb cut on 139th Street. The Proposed Project would not include a cellar.

Future Without the Proposed Actions (No-Action Condition)

In the No-Action condition, Projected Development Site 1 would be developed with an approximately 207,327-gsf, seven-story (85-foot-tall including bulkhead) mixed-use commercial and residential building. The building would contain approximately 33,020-gsf of commercial retail uses, 51,757-gsf of mechanical and parking garage uses, and 122,550-gsf (144 DUs) of residential uses. The average unit size is assumed to be 850 gsf per unit. Approximately 69 above-grade accessory parking spaces would be provided.

On Projected Development Site 2, an approximately 79,942-gsf, seven-story (85-foot-tall including bulkhead) mixed-use commercial and residential building would be developed. The building would contain approximately 18,094-gsf of commercial retail uses, 9,928-gsf of mechanical and parking garage space, and 51,921-gsf (61 DUs) of residential uses. The average unit size is assumed to be 850 gsf per unit. Approximately 33 above-grade accessory parking spaces.

Future With the Proposed Actions (With-Action Condition)

In the With-Action condition, Projected Development Site 1 comprises an approximately 17-story (195-foot-tall including bulkhead) development containing 33,020-gsf of commercial retail uses, 51,757-gsf of mechanical and parking garage space, and 311,154-gsf (364 DUs, 73-109 income-restricted pursuant to MIH) of residential uses. The average unit size is assumed to be 850 gsf per unit. The development would include an 128-space above-grade parking garage, accessed via a new 22 foot-wide curb cut on 139th Street.

The With-Action condition for Projected Development Site 2 comprises an approximately 17-story (195-foot-tall including bulkhead) mixed-use commercial and residential building. The building would contain approximately 12,790-gsf of commercial retail uses, 20,297-gsf of mechanical and parking garage uses, and 102,520-gsf (121 DUs, 24-36 income-restricted pursuant to MIH) of residential uses. The average unit size is assumed to be 850 gsf per unit. Approximately 36 above-grade parking spaces would be provided.

Table 1: Total Development Increment (All Projected Development Sites)

Use	No-Action Condition	With-Action Condition	Increment
Residential GSF	174,471	413,674	+239,203
DUs[2]	*205*	*485*	*+280*
Affordable DUs	*0*	*97-145*	*+97-145*
Commercial GSF	51,114	45,810	-5,304
Parking Spaces	102	164	+62

Applicant certification on hazardous materials is attached.

[2] Average DU size is assumed to be 850 GSF per unit

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RJ CAPITAL HOLDINGS
DEVELOPMENT & INVESTMENT

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Applicant Hazardous Materials Certification

Pursuant to Subdivision 5 of Section 8-0111 of the Environmental Conservation Law, certain applications seeking a Qualifying Action determination by a lead agency must complete an Applicant Certification regarding hazardous materials remediation.

Project Name: 138-23 Queens Boulevard Rezoning

Applicant Name: RJ Capital Holdings LLC

Contact:

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Rego Park, NY 11374
718-631-0800
michael@rjcapny.com

Date: 6/25/2026

Project Number: 2022Q0248 (24DCP103Q)

Project BBLs: 4096490017, 4096490025, 4096490037

I, Michael Abramov am the Chief Executive Officer of RJ Capital Holdings LLC, the applicant ("Applicant") for a zoning map amendment from R6A/C1-4 to R6A, R6A/C2-4 and R8X/C2-4, as well as a zoning text amendment to Appendix F of the Zoning Resolution("the Application"). Applicant seeks a determination that the Application is a Qualifying Action under Subdivision 5 of Section 8-0111 of the Environmental Conservation Law (the "Qualifying Action"). Applicant is the fee owner of 4096490017, 4096490025, 4096490037 (the "Property"), subject to the Application.

Applicant acknowledges that the Application is required to comply with local municipal requirements regarding hazardous materials remediation, including, as applicable, an E-Designation regarding hazardous materials (E-923) and the completion of a Phase 1 Environmental Site Assessment.

Applicant hereby certifies that:

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(1) Applicant has followed and will follow all applicable laws, rules, and regulations regarding hazardous waste;

(2) a Phase I Environmental Site Assessment has been conducted for the Property in accordance with all appropriate inquiries regulations of the United States Environmental Protection Agency under the federal Comprehensive Environmental Response, Compensation, and Liability Act (40 CFR Section 312) to identify any recognized environmental conditions;

(3) Applicant has followed or will follow all applicable recommendations of such Phase I Environmental Site Assessment for the Property; and

(4) Applicant will report contamination at, on, or under the Property as required by applicable laws, rules and regulations.

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Michael Abramov
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Michael Abramov