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Lefferts Boulevard Rezoning

104-12 & 104-14 Lefferts Boulevard
Block 9572, Lots 10 & 11
Jamaica, NY 11419

CEQR: 18DCP117Q
ULURP: 180304 ZMQ

Environmental Assessment Statement

Lead Agency:
Department of City Planning
120 Broadway, 31St Floor
New York, NY 10271

Prepared for:
Opos Sou Kapnisi Inc.
c/o Tony Prassos
30-09 34th Street
Astoria, NY 11103

Prepared by:
Equity Environmental Engineering
500 International Drive, Suite 150
Mount Olive, NJ 07828

May, 2018

City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☒ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* Lefferts Boulevard EAS

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
18DCP117Q	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
180304ZMQ	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
Department of City Planning			Opos Sou Kapnisi Inc.		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Robert Dobruskin, Director of Environmental Assessment & Review			Kevin Williams, Equity Environmental Engineering LLC		
ADDRESS 120 Broadway			ADDRESS 500 International Drive, Suite 150		
CITY New York	STATE NY	ZIP 10271	CITY Mount Olive	STATE NJ	ZIP 07828
TELEPHONE 212-720-3423	EMAIL rdobrus@planning.nyc.gov		TELEPHONE 973-527-7451x301	EMAIL kevin.williams@equityenvironmental.com	

5. *Project Description*

The Applicant, Opos Sou Kapnisi, Inc., is seeking a Zoning Map Amendment affecting Block 9572, Lots 10 (part) and 11 (the "Project Area") on Lefferts Boulevard in Queens Community District 10. Lot 11 and all of lot 10 except for a 3.5' strip at its northern edge are currently zoned R4-1, with a small portion of Tax Lot 10 within the R6A/C2-3 district mapped within 100 feet of Liberty Avenue. The Project Site on Lot 10 is a 1,900 sf lot with a 20 foot frontage facing Lefferts Blvd that is 95.03 feet deep. Lot 10 is bound by Lots 6, 7, 8 and 9 to the North that face Liberty Blvd and is bound by Lot 63 to the east and Lot 11 to the south. The proposed rezoning would extend the current C2-3 overlay district along Lefferts Boulevard from a depth of 100 feet south from Liberty Avenue to a line 500-feet north from 107th Avenue. Therefore, Lot 11 and the portion of Lot 10 currently within the R4-1 district would be rezoned from R4-1 to R4-1/C2-3. The proposed depth of the C2-3 overlay within the affected area would match the current depth of the C2-3 district mapped to the east and west of the affected area. Pursuant to the proposed Zoning Map Amendment, the applicant proposes to build one new building under the proposed zoning at 104-12 Lefferts Boulevard (Lot 10). The proposed C2-3 commercial overlay would facilitate the development of a one-story plus cellar commercial building on Lot 10. The proposed development would use all of the allowable commercial floor area under the proposed zoning district. The proposed development would contain 1,000 square feet of floor area in the cellar level and 1,900 square feet on the first-floor level for a total floor area of 2,900 gross square feet (1,900 zoning square feet) and an FAR of 1.00. Additionally, 104-14 Lefferts Boulevard (Lot 11), currently developed with a two-family frame dwelling that is semi-detached and occupied by a non-conforming real estate and tax office, would become conforming under the proposed action.

Project Location

BOROUGH Queens	COMMUNITY DISTRICT(S) 10	STREET ADDRESS 104-12 & 104-14 Lefferts Boulevard
TAX BLOCK(S) AND LOT(S) Block 9572, Lot 11 & 10.		ZIP CODE 11419

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Projected Development Site 1 is on Lot 10 - a 1,900 sf lot with a 20 foot frontage facing Lefferts Blvd that is 95.03 feet deep. Lot 10 is bound by Lots 6, 7, 8 and 9 to the North that face Liberty Blvd and is bound by Lot 63 to the east and Lot 11 to the south.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R4-	ZONING SECTIONAL MAP NUMBER 18a

1/p/o C2-3 - Lot 10 and R6A C2-3 - Lot 11

6. *Required Actions or Approvals* (check all that apply)

***City Planning Commission*:** ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☐ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO

☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION	☐ FUNDING OF CONSTRUCTION, specify:
☐ RULEMAKING	☐ POLICY OR PLAN, specify:
☐ CONSTRUCTION OF PUBLIC FACILITIES	☐ FUNDING OF PROGRAMS, specify:
☐ 384(b)(4) APPROVAL	☐ PERMITS, specify:
☐ OTHER, explain:	

Other City Approvals Not Subject to CEQR (check all that apply)

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)	☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
	☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

7. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP	☒ ZONING MAP	☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP	☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	

☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 3,800 within rezoning area and 1,900 within Projected Development Site 1

Waterbody area (sq. ft) and type:

Roads, buildings, and other paved surfaces (sq. ft.): 2,826 - buildings

Other, describe (sq. ft.):

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 2,900

NUMBER OF BUILDINGS: 1 building

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 2,900

HEIGHT OF EACH BUILDING (ft.): the Applicant's proposed project will be 15 feet

NUMBER OF STORIES OF EACH BUILDING: 1 story

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO

If "yes," specify: The total square feet owned or controlled by the applicant: 1,900

The total square feet not owned or controlled by the applicant: 1,900

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO

If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: 1,900 sq. ft. (width x length)

VOLUME OF DISTURBANCE: 22,800 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 22,800 sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)		2,900		
Type (*e.g.,* retail, office, school)	units	local retail		

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 0 NUMBER OF ADDITIONAL WORKERS: 2

Provide a brief explanation of how these numbers were determined: approximately 2 additional workers planned over the current uses - per Applicant

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☒ NO

If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2020

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18 months

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO | IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

10. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Child Care Centers:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☐
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒

	YES	NO
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☐	☒
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. In reference to item b - the project would not result in an in ground disturbance to a depth not previously excavated…however a historic and cultural resources section is provided with a determineation by LPC in a technical section of the EAS		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☐	☒
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☐	☒
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☒
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒

	YES	NO
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 316		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 627,270		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☐	☒
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☐	☒
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒

	YES	NO
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☐	☒
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	DATE
Kevin Williams	05/3/ 2018

SIGNATURE 

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

	Potentially Significant Adverse Impact	
IMPACT CATEGORY	**YES**	**NO**
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☐	☒
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ ☒

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME	**DATE**
Olga Abinader	May 4, 2018

SIGNATURE



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 EAS, which that finds the proposed project:
and related actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this Determination are noted below.

1. The Land Use, Zoning and Public Policy analysis concludes that the Proposed Action would facilitate the types of development found adjacent to the Project Site along Lefferts Boulevard and Liberty Avenue to the north, east, and west, where mixed-use buildings with a strong neighborhood retail corridor dominate the built form of the area. The EAS further concludes that the Proposed Action would not conflict with existing land use, and would further not alter the overall land use pattern of the area. Finally, the Proposed Action would not cause any impacts with respect to Zoning or Public Policy.

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	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME	DATE
Olga Abinader	5/4/2018
SIGNATURE	

TITLE	
Chair, Department of City Planning	
NAME	DATE
Marisa Lago	5/6/2018
SIGNATURE	

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1.0 PROPOSED ACTION

1.1 Introduction

The Applicant, Opos Sou Kapnisi, Inc., is proposing a Zoning Map Amendment affecting Block 9572, Lots 10 (part) and 11 (the "Project Area") on Lefferts Boulevard in Queens Community District 10. Lot 11 and all of lot 10 except for a 3.5' strip at its northern edge are currently zoned R4-1, with a small portion of Tax Lot 10 within the R6A/C2-3 district mapped within 100 feet of Liberty Avenue. The proposed rezoning would extend the current C2-3 overlay district along Lefferts Boulevard from a depth of 100 feet south from Liberty Avenue to a line 500-feet north from 107th Avenue. Therefore, Lot 11 and the portion of Lot 10 currently within the R4-1 district would be rezoned from R4-1 to R4-1/C2-3. The proposed depth of the C2-3 overlay within the Project Area would match the current depth of the C2-3 district mapped to the east and west of the Project Area. **Figure 1-4: *Zoning Change Map*** below shows existing and proposed zoning for the Project Area. The proposed action would permit a commercial use to occupy 104-12 Lefferts Boulevard (Lot 10), which is currently developed with a two-family frame dwelling that is semi-detached and occupied by a residential use. Additionally, 104-14 Lefferts Boulevard (Lot 11), currently developed with a two-family frame dwelling that is semi-detached and occupied by a non-conforming real estate and tax office, would become conforming under the proposed action.

1.2 Description of the Project Area and Proposed Development Site

The Project Area is in the South Ozone Park neighborhood of Queens Community District 10. As mentioned above, the tax lots are currently zoned R4-1, with a small portion of Tax Lot 10 covered by the R6A/C2-3 district mapped to a 100-foot depth along Liberty Avenue. The adjacent Lots fronting on Liberty Avenue (Lots 6, 7, 8, and 9) are between 93.9 feet and 96.58 feet in depth. Therefore, approximately 3.5 feet of Lot 10 is within a R6A/C2-3 district. Prior to 2013, the frontage along Liberty Avenue was zoned C4-2 to a depth of 200 feet covering the Project Area in entirety. In 2013, the C4-2 district, with some boundary changes was rezoned (Pursuant to C 140079 ZQM) to an R6A district with a C2-3 overlay as part of the Ozone Park Rezoning. East and west of the Project Area the C2-3 overlay was extended beyond the R6A district and mapped to lines measuring 500 feet north from 107th Avenue along 188th Street and 540 feet north from 107th Avenue along Lefferts Boulevard. As a result of this zoning map amendment, all of Lot 11 and most of Lot 10 were placed outside of the commercial overlay. The underlying R4 district beyond 100 feet from Liberty Avenue was rezoned to R4-1 to reflect the character of semi-detached houses.

The existing R4-1 zoning designation allows a residential FAR of 0.75, with an attic allowance of up to 20% for inclusion of space under the pitched roof common in these districts, allowing a residential FAR of 0.9 in such instances. R4-1 districts allow a maximum perimeter wall height of 25 feet and a maximum building height of 35 feet. Rear yard depth must be a minimum of 30 feet and front yard depth must be a minimum of 10 feet. Zero lot line buildings require only one side yard, at least 8 feet wide and a minimum of 8 feet is required between buildings on adjacent zoning lots. Lot coverage is governed by yard requirements. One parking space is required per dwelling unit. Community Facilities (Use Groups 3 and 4) are permitted in R4-1 zones with a maximum FAR of 2.0.

Both lots subject to the proposed rezoning are developed with semi-detached residences:

Lot 10 ("The Proposed Development Site") is an approximately 1,900 square foot lot with depth

of 95 feet and a width of 20 feet. This lot is applicant owned and currently occupied by a two-family 1,434 sf dwelling that is semi-detached.

Lot 11 ("Other Affected Site") is an approximately 1,900 SF lot with depth of 95 feet and a width of 20 feet. The lot contains a two-story 1,392 sf building with an FAR of .74. Lot 11 is currently occupied by a non-conforming realty and tax office.

1.3 Description of the Surrounding Area

The Surrounding Area consists primarily of residential and commercial land uses. The nearest cross street, Liberty Avenue, is a major commercial street built with three-story buildings with ground floor retail and service uses and, in some instances, commercial uses on the upper floors and in others residential use on the upper floors. A branch of the A train runs on elevated tracks above Liberty Avenue. and ends just west of Lefferts Boulevard. The commercial uses along Liberty Avenue extend south along Lefferts Boulevard, with a jewelry and cell phone store immediately to the north of the Project Area, which is situated on the west side of Lefferts Boulevard. On the east side of Lefferts Boulevard across from the Project Area, the commercial overlay extends to 510 feet north from 107th Avenue.

1.4 Description of the Proposed Action

The proposed Zoning Map Amendment would extend the current C2-3 overlay district along Lefferts Boulevard from a depth of 100 feet from Liberty Avenue to a line 500 feet north from 107th Avenue. This line would match the current depth of the C2-3 district mapped to the east and west of the Project Site.

C2 districts permit uses that serve local retail needs such as grocery stores, restaurants, beauty parlors, funeral homes and repair services. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use. The proposed C2-3 overlay would permit commercial development with a maximum allowable FAR of 1.0. Residential and Community Facility development would continue to be governed by the Project Area's R4-1 zoning.

1.5 Description of the Proposed Development

The Proposed Development Site: Pursuant to the proposed Zoning Map Amendment, the applicant proposes to build one new building under the proposed zoning at 104-12 Lefferts Boulevard (Lot 10). The proposed C2-3 commercial overlay would facilitate the development of a one-story plus cellar commercial building on Lot 10. The proposed development would use all of the allowable commercial floor area under the proposed zoning district. Therefore, the project as proposed constitutes a 'worst-case' development scenario for the Proposed Development Site. The proposed development would contain 1,000 square feet of floor area in the cellar level and 1,900 square feet on the first-floor level for a total floor area of 2,900 gross square feet (1,900 zoning square feet) and an FAR of 1.00. Pursuant to ZR 36-231, while five parking spaces are required, if the required spaces for all uses is less than 15, parking shall be waved.

Other Affected Site: Pursuant to the Proposed Action, 104-14 Lefferts Boulevard (Lot 11), currently occupied by a non-conforming realty and tax office, would become a conforming use.

Build Year: Factoring the ULURP process and an 18-24-month construction schedule, the projected build year will be 2020.

1.6 Purpose and Need

The Project Area's current R4-1 zoning permits Use Groups 1-4. R4-1 is a contextual district that permits detached and semi-detached residences at an FAR of .75, with an attic allowance of up to 20% for inclusion of space under the pitched roof common in these districts. R4-1 districts allow a maximum lot coverage of 45%, a maximum perimeter wall height of 25 feet and a maximum building height of 35 feet. One parking space is required per dwelling unit. Community Facilities (Use Groups 3 and 4) are permitted in R4-1 zones with a maximum FAR of 2.0.

While the buildings within the Project Area have a built form typical of an R4-1 district, the Project Area is contextually more related to the adjacent C2-3 district directly north, east and west of the Area. The existing commercial occupancy of Lot 11 within the Project Area does not match the intended use of the R4-1 district and would become a conforming use under the Proposed Rezoning. In addition, the Project Area's location at the end of Block 9572, with a direct line of sight to the Lefferts Boulevard elevated subway station, adjacency to a predominately commercial corridor and directly abutting commercial land uses make the proposed C2-3 zone extension a proper transition from a mixed-use commercial/transit corridor to the residential districts covered by the existing R4-1 zoning. Thus, the Proposed Action would induce optimal utilization of the Project Area and would facilitate a commercial development on Lot 10 that would serve the needs of the local community. In conclusion, the Proposed Rezoning is within character of surrounding land uses and would provide a buffer between residential uses and the adjacent elevated subway.

1.7 Analysis Framework

This EAS studies the potential for individual and cumulative environmental impacts related to the proposed action occurring in a study area of approximately 400-feet around the Project Area. As shown below in **Figure 1-2: Project Area**, the area affected by the proposed Rezoning Action consists of Block 9572, Lots 10 (part) and 11. This environmental assessment considers the potential effects of the proposed action compared to future conditions without the approvals sought by the project sponsor. The use of these lots is presented in **Table 1: Proposed Rezoning Area – Project Area** below**.**

Table 1: Proposed Rezoning Area Existing Conditions – Project Area

Block/ Lot	Address	Owner	Lot Size (sf)	# of buildings	# of Floors	Height	Existing Use	D U	Floor Area	Existing FAR	Maximum FAR Under Proposed Action	Built FAR (percentage of proposed FAR)
9572/10	104-12 Lefferts Blvd.	Opos Sou Kapnisi, Inc.	1,900	1	2-story plus cellar	25'	Residential	2	1,434	0.75	1.0 Comm	75%
9572/11	104-14 Lefferts Blvd.	Omchand Harnanan	1,900	1	2-story plus cellar	25'	Commercial	0	1,392	0.74	1.0 Comm	74%

Note: The property highlighted in grey is the applicant owned Proposed Development Site.

No-Action Scenario:

Under future no-action conditions, it is expected that the existing residential use of Lot 10 would remain. The non-conforming commercial occupancy of Lot 11 would be replaced by a conforming residential use.

With-Action Scenario:
Pursuant to the proposed Zoning Map Amendment, the Applicant proposes to construct a new building at 104-12 Lefferts Boulevard (Lot 10). The proposed C2-3 commercial overlay would facilitate the development of a one-story plus cellar commercial building on Lot 10. The proposed development would contain 1,000 square feet in the cellar level and 1,900 square feet on the first-floor level for a total floor area of 2,900 gross square feet (1,900 zoning square feet) and an FAR of 1.00. The proposed commercial development would have full lot coverage and be built to a height of 15-feet. Pursuant to ZR 36-231, parking is waived if the required spaces for all uses is less than 15, therefore parking shall be waved.

Other Affected Sites
The existing building on Lot 11 is currently developed to a FAR of 0.74 and is occupied by a non-conforming commercial use. The proposed C2-3 overlay would permit a maximum Commercial FAR of 1.0. As Lot 11 is built to 74% of the FAR available under the proposed rezoning it is unlikely to be induced to redevelop because of the Proposed Action.

Table 2 *below provides the Existing, No-action and With-Action Programs for the Project Area:*

Table 2: Existing, No-Action, and With Action Programs for the Proposed Rezoning Area

SITE			EXISTING							NO-ACTION							WITH-ACTION					
	Block/Lot	*Lot Area (SF)*	*Residential Floor Area*	*Residential Units*	*Commercial Floor Area*	*Vacant Land*	*FAR*	*Height (Stories)*	*Existing Jobs*	*Residential Floor Area*	*Residential FAR*	*Residential Units*	*Commercial Floor Area*	*Vacant Land*	*No-Action Jobs*	*Height (Stories)*	*Residential Floor Area*	*Residential Units*	*Commercial Floor Area ZSF/GSF*	*Commercial FAR*	*Height (Stories)*	*With Action Jobs*
Proposed Development Site	9572/10	1,900	1,434	2	0	0	0.75	2 Plus Cellar	0	1434	0.75	2	0	0	0	2 Plus Cellar	0	0	1,900/2,900	1.0	1 Story Plus Cellar	6
Other Affected Site	9572/11	1,900	0	0	1,392	0	0.74	2 Plus Cellar	4	1392	0.74	2	0	0	0	2 Plus Cellar	0	0	1,392/1,392	0.74	2 Story Plus Cellar	4
	Total	**3800**	**1434**	**2**	**1392**	**0**	**N/A**	**N/A**	**4**	**2826**		**4**	**0**	**0**	**0**	**N/A**	**0**	**0**	**3,292/4,292**	**N/A**	**N/A**	**10**

Note: The property highlighted in grey is the applicant owned Proposed Development Site.

Table 3: Comparative Existing, No-Action and With-Action Conditions

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Land Use				
Residential	☑Yes ☐No	☑Yes ☐No	☐Yes ☒No	
If "yes," specify the following:				
Describe type of residential structures	Lot 10: One (1) two-family semi-detached residence	Two (2) two-family semi-detached residence		
No. of dwelling units	2	4	0	-4
No. of low- to moderate-income units	0	0	0	0
Gross floor area (sq. ft.)	1,434	2,826	0	-2,826
Commercial	☑Yes ☐No	☐Yes ☒No	☑Yes ☐No	
If "yes," specify the following:				
Describe type (retail, office, other)	Lot 11: Realty and Tax office occupying a two-family semi-detached residential building		Lot 11: Realty and Tax office occupying a two-family semi-detached residential building and Lot 10: to be developed with a 2,900 gsf commercial structure	
Gross floor area (sq. ft.)	1,392	0	4,292	4,292
Manufacturing/Industrial	0	0	0	0
If "yes," specify the following:				
Type of Use		N/A		
Gross floor area (sq. ft.)		N/A		
Open storage area (sq. ft.)		N/A		
If any enclosed activities, specify:		N/A		
Community Facility	☐Yes ☑No	☐Yes ☒No	☐Yes ☒No	
If "yes," specify the following:				
Type of Use				
Gross floor area (sq. ft.)				
Vacant Land	☐Yes ☑No	☐Yes ☒No	☐Yes ☒No	
If "yes", describe:				
Publicly Accessible Open Space	☐Yes ☑No	☐Yes ☒No	☐Yes ☒No	
If "yes," specify type (mapped City, State, or Federal Parkland, wetland-mapped or otherwise known, other):	N/A	N/A	N/A	
Other Land Uses	☐Yes ☑No	☐Yes ☒No	☐Yes ☒No	
If "yes," describe:	N/A	N/A	N/A	
Parking				
Garages	☐Yes ☑No	☐Yes ☒No	☐Yes ☒No	

If "yes," specify the following:				
No. of public spaces	N/A	N/A	N/A	
No. of accessory spaces				
Operating hours				
Attended or non-attended				
Lots	☐Yes ☑No	☐Yes ☒No	☐Yes ☒No	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	N/A	
No. of accessory spaces	N/A	N/A	N/A	
Operating hours	N/A	N/A	N/A	
Other (includes street parking)	☐Yes ☐No	☐Yes ☒No	☐Yes ☒No	
If "yes," describe:				
Population				
Residents	☑Yes ☐No	☑Yes ☒No	☐Yes ☒No	
If "yes," specify number:	7	14	0	-14
Briefly explain how the number of residents was calculated:	Calculated using the 2014 ACS profile average household size of 3.36 persons per houshold in the ozone park neighborhood tabulation area of queens (location of affected area) and multiplying by the number of units			
Businesses	☑Yes ☐No	☐Yes ☒No	☑Yes ☐No	
If "yes," specify the following:				
No. and type	Lot 11 is currently occupied by a non-conforming realty and tax office		Lot 11 would continue to be occupied by its existing commercial use. Lot 10 would be occupied by a commercial (local retail) use.	1 new local retail buisiness
No. and type of workers by business	4	0	6	6
No. and type of non-residents who are not workers	0	0	0	0
Briefly explain how the number of businesses was calculated:	3 per 1000 SF for commercial office & 2 per 1000 SF local retail			
Other (students, visitors, concert-goers, *etc* .)	☐Yes ☑No	☐Yes ☒No	☐Yes ☒No	
If any, specify type and number:				
Briefly explain how the number was calculated:				

Zoning				
Zoning classification	R4-1 with a small portion (approximately 336 sf) of Tax Lot 10 covered by the adjacent R6A/C2-3 overlay district	R4-1 with a small portion (approximately 336 sf) of Tax Lot 10 covered by the adjacent R6A/C2-3 overlay district	R4-1 and R6A/C2-3 (Lot 10) & R4-1/C2-3 (Lot 11)	
Maximum amount of floor area that can be developed	.0.75 FAR residential (with a 20% increase for attic allowance); 2.0 FAR community facilitly. Base Height 25'-0" Max height 35'-0"	.0.75 FAR residential (with a 20% increase for attic allowance); 2.0 FAR community facilitly. Base Height 25'-0" Max height 35'-0"	.0.75 FAR residential (with a 20% increase for attic allowance); 2.0 FAR community facilitly.; and 1.0 FAR commercial. Base Height 25'-0" Max height 35'-0"	
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Residential/commercial/ R6A/C2-3, R4-1, R4A	Residential/commercial/ R6A/C2-3, R4-1, R4A	Residential/commercial/ R6A/C2-3, R4-1, R4A	

Figure 1-1: Project Location Map

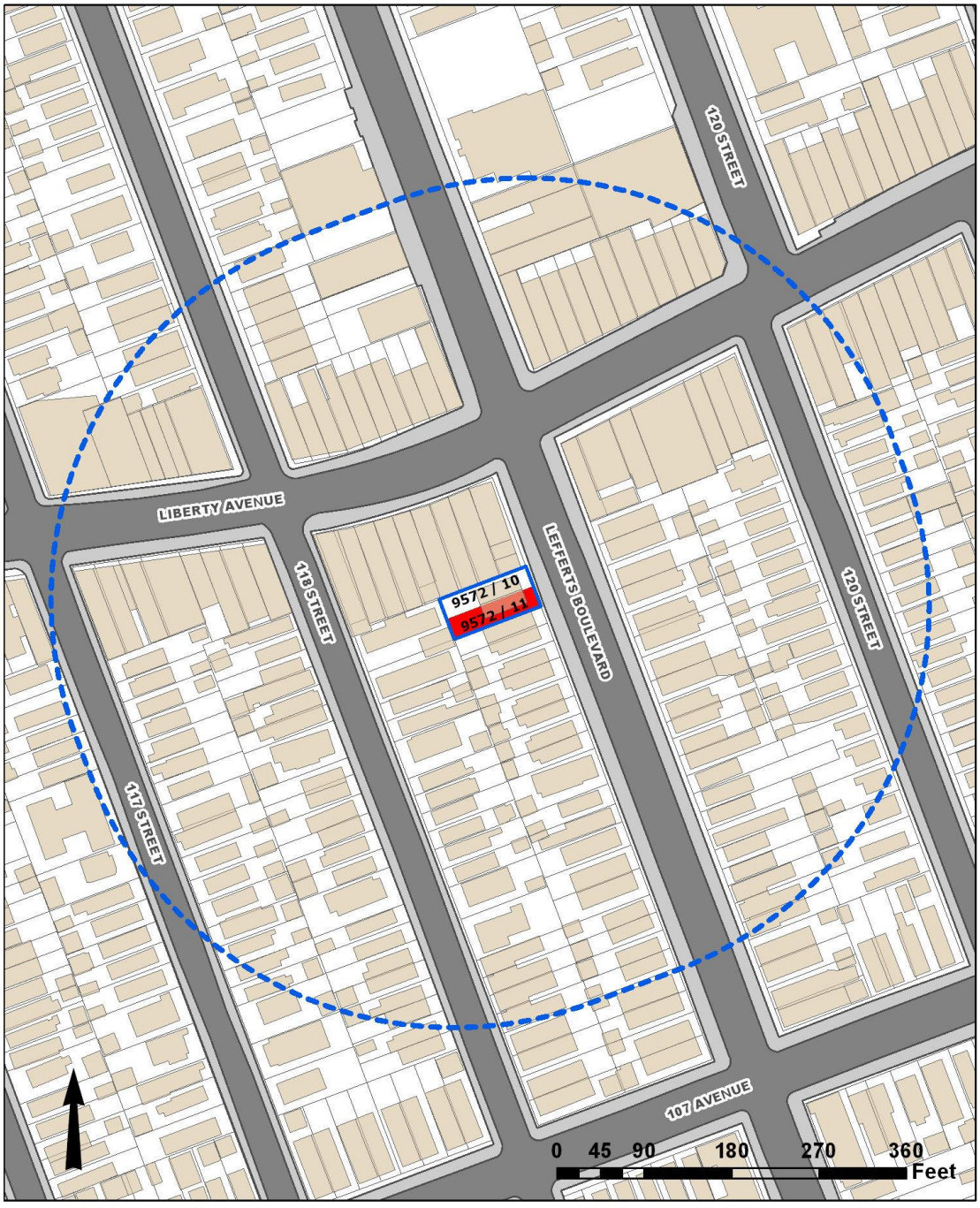


Figure 1-2: Tax Map



Figure 1-3: Zoning Map

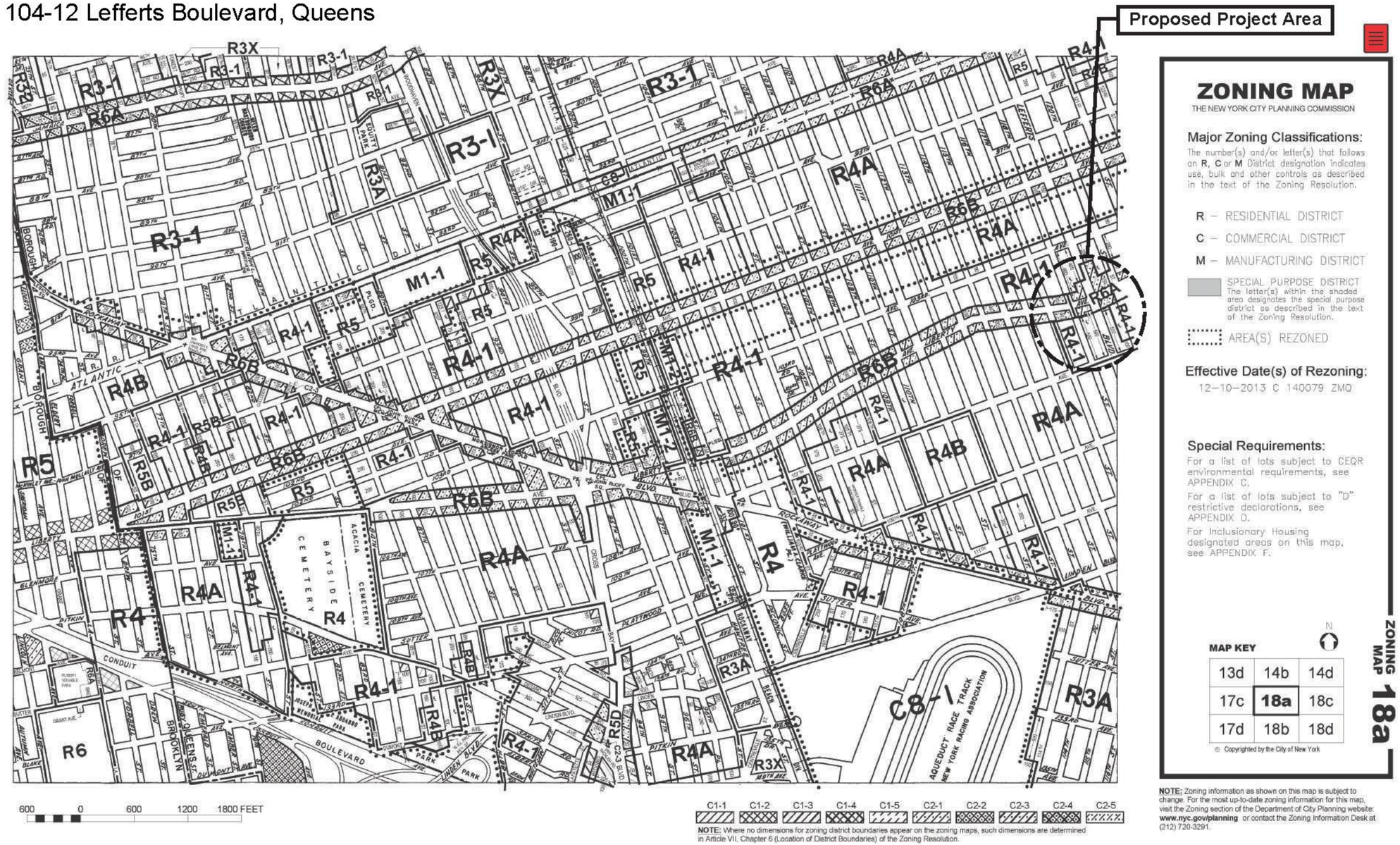


Figure 1-4: Zoning Change Map

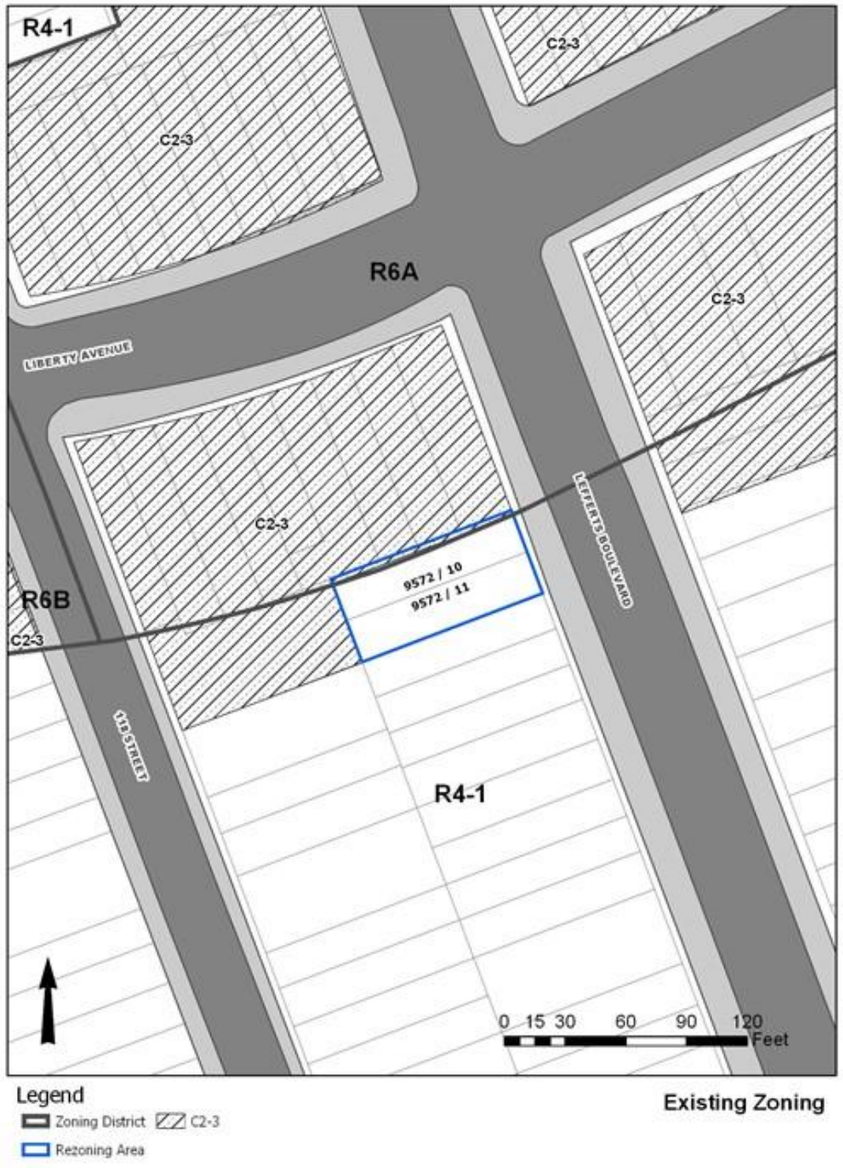
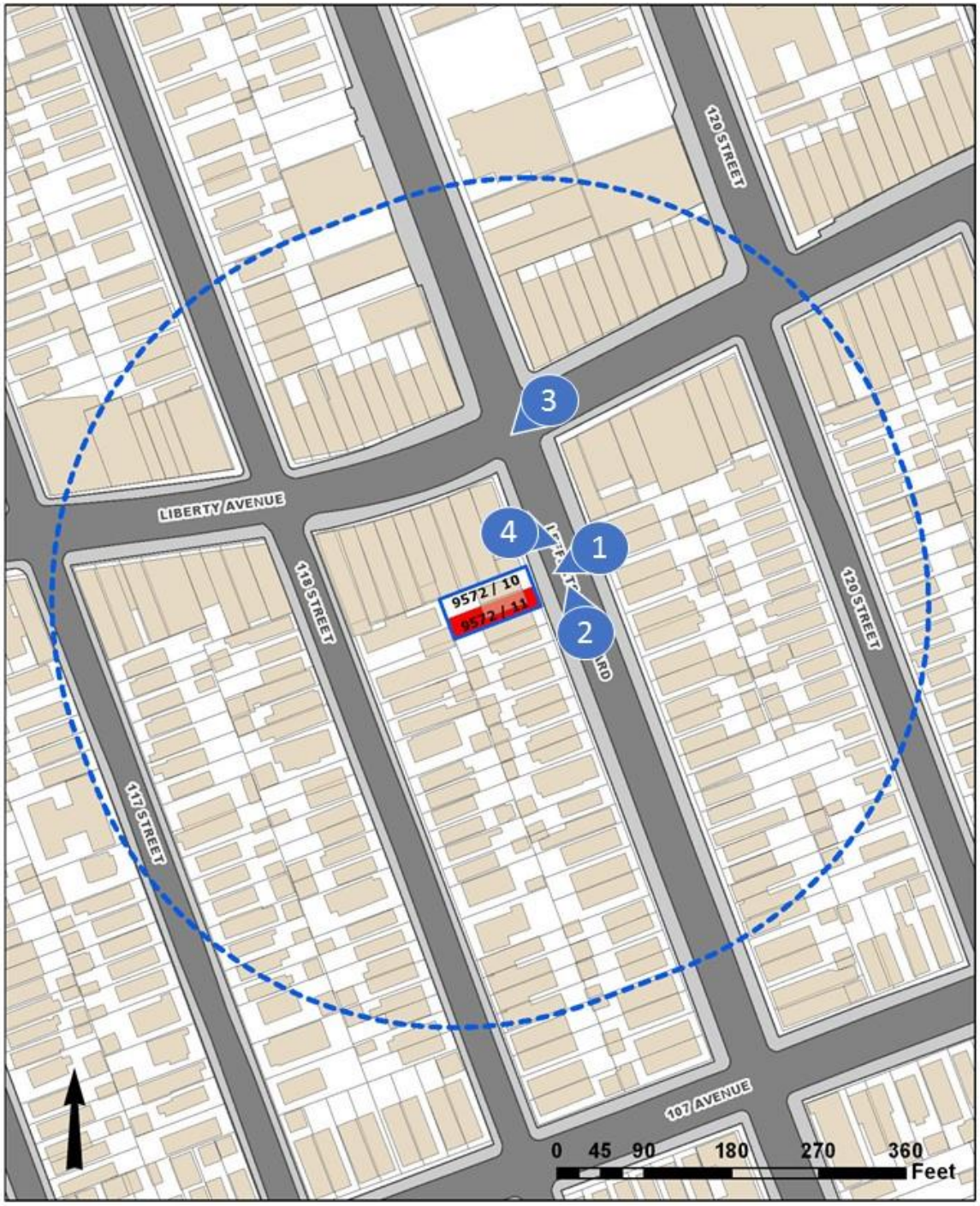




Figure 1-5: Photo Key Map and Photographs[1]



[1] All Photos Taken April 24, 2018

Photo 1: View of the Rezoning Area Looking West on Lefferts Blvd



Photo 2: View of Lefferts Blvd Looking North from Rezoning Area



Photo 3: View West from Northeast Corner of Liberty Ave and Lefferts Blvd



Photo 4: View East from Project Site Across Lefferts Blvd



2.0 ENVIRONMENTAL REVIEW

The following technical sections are provided as supplemental assessments to the Environmental Assessment Statement ("EAS") Short Form. Technical Analyses of the EAS forms a series of technical thresholds for each analysis area in the respective chapter of the *CEQR Technical Manual*. If the proposed project was demonstrated not to meet or exceed the threshold, the 'NO' box in that section was checked; additional analyses were not needed. If the proposed project was expected to meet or exceed the threshold, or if this was not able to be determined, the 'YES' box was checked on the EAS Short Form, resulting in a preliminary analysis to determine whether further analyses were needed. For those technical sections, the relevant chapter of the *CEQR Technical Manual* was consulted for guidance on providing additional analyses (and supporting information, if needed) to determine whether detailed analysis was needed.

A 'YES' answer was provided in the following technical analyses areas on the EAS Short Form:

- ***Land Use Zoning and Public Policy:*** The Proposed Action would result in development that is consistent with many of the City's stated policy goals for job creation and the provision of first floor commercial development that serves the needs of the local community. The proposed Zoning Map Amendment would facilitate the extension of the adjacent C2-3 commercial overlay onto Lots 10 and 11, thus permitting commercial use to occupy the Project Area, which is directly adjacent to a heavily trafficked roadway. Therefore, the Proposed Action would facilitate land use that is consistent with surrounding uses and would provide an appropriate transitional zone and buffer between residential uses and the adjacent elevated subway and commercial corridor along Liberty Avenue. In conclusion, the Proposed action would not create a conflict with established zoning patterns or the intent of the Zoning Resolution and would not adversely affect surrounding uses.
- ***Historic and Cultural Resources:*** To determine whether the Proposed Action has the potential to affect nearby off-site historic or architectural resources, the Study Area was screened for historic, cultural and architectural resources. No resources were found within the project area that would be considered historic or significant. The LPC was contacted for their initial review of the project's potential to impact nearby historic, archeological and cultural resources, and a response was received on September 22, 2017 indicating that the Project Area does not contain any known architectural or archeological or historic significance (see **Appendix A**).
- ***Urban Design:*** The Project Area's adjacency to a predominately commercial corridor make the proposed C2-3 zone extension a proper transition from the mixed-use commercial/transit corridor to the residential development covered by the existing R4-1 zoning district. The Project Area contextually more related to the adjacent R6A/C2-3 district. The Proposed Action would serve as a buffer between residential uses and the Lefferts Boulevard elevated subway station and adjacent Lefferts Boulevard bus stop, thus reducing the nuisance of noise for residential occupants. Thus, the applicant feels that the Proposed Action would induce optimal utilization of the Project Area and would assist in reinforcing and complementing the relationship of the adjacent commercial/transit corridor by effectuating the continuity of ground floor commercial use. As such, the development facilitated by the Proposed Action would not adversely impact any of the constituent urban design elements or impact the overall character of the neighborhood. Therefore, no further analysis is warranted.

- ***Noise:*** The Proposed Rezoning would extend a C2-3 overlay onto Lots 10 and 11, permitting commercial use to occupy the Project Area. The Project Area currently has non-conforming commercial uses present and the extension of the C2-3 would legalize these uses – therefore new uses will not be introduced into the Project Area. Further, a C2-3 overlay zone permits commercial uses that are local in nature and generally serve low to medium density residential districts. As such, the Proposed and Projected Development, respectively of lots 10 and 11 would not create a significant noise generator as commercial activity would primarily be by foot. Additionally, due to the small footprint of the lots, project-generated traffic would not double vehicular traffic on nearby roadways, and therefore would not result in a perceptible increase in vehicular noise. As the Proposed Action would neither introduce a new noise sensitive land use that would subject occupants to a significant source of existing ambient noise, nor would the Proposed Action create a significant new source of noise, a detailed noise analysis is not required.

2.1 Land Use, Zoning and Public Policy

The *CEQR Technical Manual* recommends procedures for analysis of land use, zoning and public policy to ascertain the impacts of a project on the surrounding area. Land use, zoning and public policy are described in detail below.

Methodology

Existing land uses determined by reference the New York City Zoning and Land Use (Zola) database and PLUTOTM 16v2 shapefiles. These uses were then confirmed through site visits. Identifying existing Zoning districts related to the 400-foot Study Area were performed with reference to New York City Zoning Maps and the Zoning Resolution of the City of New York and served as the basis for the zoning evaluation of the Future No Action and Future With-Action Scenarios. Public Policy research was performed through an evaluation of New York City Department of City Planning (NYCDCP) and other city agencies programs and documentation.

2.1.1 Land Use

The *CEQR Technical Manual* suggests that a land use, zoning and public policy study area should extend 400 feet from the site of the proposed action. Existing land use patterns of city blocks within approximately 400 feet of the Project Site are presented in **Figure 2.1-1**.

Existing Conditions-Project Area

The Project Area is in the South Ozone Park neighborhood of Queens Community District 10 and consists of the following two lots, both of which are built as semi-detached residences:

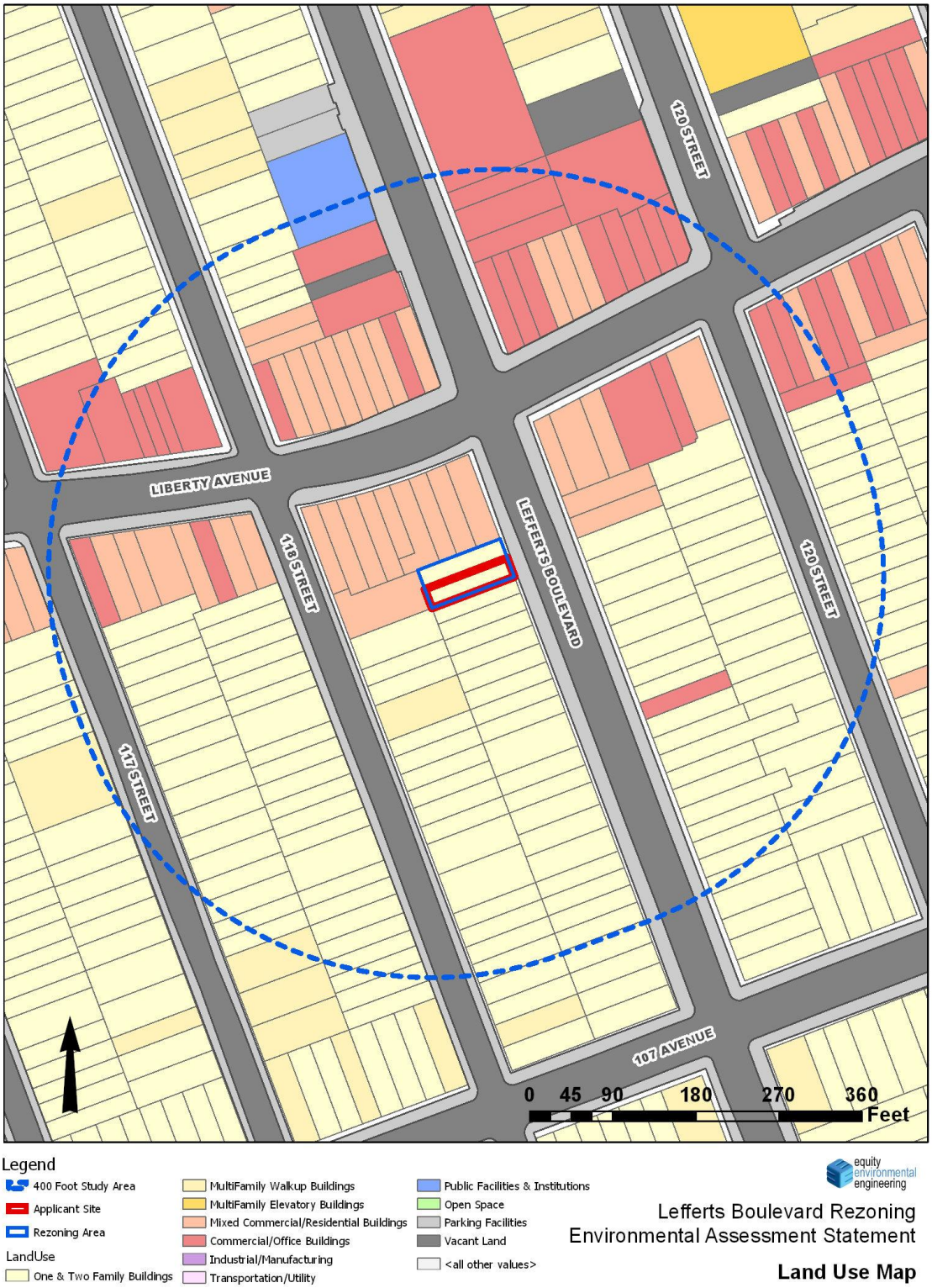
Lot 10 ("The Proposed Development Site") is an approximately 1,900 square foot lot with depth of 95 feet and a width of 20 feet. This lot is applicant owned and currently occupied by a two-family 1,434 sf semi-detached residential building. The lot contains a two-story 1,392 sf building with an FAR of .74. Lot 11 is currently occupied by a non-conforming realty and tax office.

The Project Area currently zoned R4-1, except for a 3.5' strip along the northern edge of Lot 10 covered by the R6A/C2-3 commercial overlay district currently mapped to a 100-foot depth along Liberty Avenue.

Existing Conditions-Surrounding Area

The Surrounding Area consists primarily of residential, mixed-use and commercial land uses. The nearest cross street, Liberty Avenue, is a major commercial street built with three-story buildings with ground floor retail and service uses and, in some instances, commercial uses on the upper floors and in others residential use on the upper floors. Liberty Avenue is the terminus of the A train which runs on an elevated track above the street and ends just east of Lefferts Boulevard. The commercial uses along Liberty Avenue extend south along Lefferts Boulevard, with a jewelry and cell phone store immediately to the south of the three-story Liberty Avenue fronting building. South of that is the Project Area, which is situated on the west side of Lefferts Boulevard and subject to the proposed rezoning. On the east side of Lefferts Boulevard, the commercial overlay extends to 510 feet from 107th Avenue to include two additional lots with medical offices. The area south of the Project Area consists primarily of one and two family residential buildings.

Figure 2.1-1: Land Use Map



No-Action Scenario:
Under future no-action conditions, it is expected that the existing residential use of Lot 10 would remain. The non-conforming commercial occupancy of Lot 11 would be replaced by a conforming residential use.

With-Action Scenario:
Pursuant to the proposed Zoning Map Amendment, the applicant proposes to build one new building under the proposed zoning at 104-12 Lefferts Boulevard (Lot 10). The proposed C2-3 commercial overlay would facilitate the development of a one-story plus cellar commercial building on Lot 10. The proposed development would contain 1,000 square feet in the cellar level and 1,900 square feet on the first-floor level for a total floor area of 2,900 gross square feet (1,900 zoning square feet) and an FAR of 1.00. The proposed commercial development would have full lot coverage and be built to a height of 15-feet. Pursuant to ZR 36-231, parking is waived if the required spaces for all uses is less than 15, therefore parking shall be waved.

Other Affected Sites
The existing building on Lot 11 is currently developed to a FAR of 0.74 and is occupied by a non-conforming commercial use. The proposed C2-3 overlay would permit a maximum Commercial FAR of 1.0. Therefore, Lot 11 is built to 74% of the FAR available under the proposed rezoning and is unlikely to be induced to develop as a result of the Proposed Action.

Conclusion

The Proposed Action would facilitate a development that is consistent with the surrounding land uses, specifically the adjacent commercial corridor along Liberty Avenue. The proposed Zoning Map Amendment would not create conflicts with existing land uses, and would not alter the overall land use pattern in the area. The provision of local serving retail strengthens the proposed developments relationship and contribution to the surrounding area, by serving the needs of and providing jobs to the surrounding community. No other changes to land use on the Project Site or parcels adjacent to the Project Site or within the 400-foot Study Area are foreseen as a result of the action or resulting from other known actions in the area.

2.1.2 Zoning

The *New York City Zoning Resolution* dictates the use, density and bulk of developments within New York City. The City has three basic zoning district classifications – residential (R), commercial (C), and manufacturing (M). These classifications are further divided into low, medium, and high-density districts.

Background

Prior to 2013, the frontage along Liberty Avenue was zoned C4-2 to a depth of 200 feet covering the Project Area in entirety. In 2013, the C4-2 district, with some boundary changes was rezoned (Pursuant to C 140079 ZQM) to an R6A district with a C2-3 overlay as part of the Ozone Park Rezoning. The C2-3 overlay was mapped to lines measuring 500 feet from 107th Avenue along 188th Street and 540 feet from 107th Avenue along Lefferts Boulevard, leaving all of Lot 11 and most of Lot 10 outside of the commercial overlay as part of the previous action. The underlying R4 district was rezoned to R4-1 to reflect the character of semi-detached houses.

Existing Conditions

Zoning designations within and around the project study area are depicted in Zoning Sectional Map 18a (**Figure 1-3**), while **Table 2.1-2** summarizes use, floor area and parking requirements for the zoning districts in the study area.

Project Area

The Project Area consists of part of Lot 10 and all of Lot 11; While Lot 11 is entirely covered by an R4-1 zoning District, a 3.5' strip of the northern edge of Lot 10 is covered by the R6A/C2-3 commercial overlay district mapped to a 100-foot depth along Liberty Avenue. This is attributed to the adjacent Lots fronting on Liberty Avenue (Lots 6, 7, 8, and 9) ranging between 93.9 feet and 96.58 feet in depth.

Study Area:

The R6A/C2-3 district is located directly north, east and west of the Project Area. An R4-1 district is located north of the Project Area and north of the adjacent R6A/C2-3 district beyond Liberty Avenue. Additionally, An R4A district is located east of the Project Area along 120th Street.

R4-1: The existing R4-1 zoning designation allows a residential FAR of 0.75, with an attic allowance of up to 20% for inclusion of space under the pitched roof (0.9 FAR) common in these districts. R4-1 districts allow a maximum perimeter wall height of 25 feet and a max building height of 35 feet. Rear yard depth must be a minimum of 30 feet and front yard depth must be a minimum of 10 feet. Zero lot line buildings require only one side yard, at least 8 feet wide and a minimum of 8 feet is required between buildings on adjacent zoning lots. Lot coverage is governed by yard requirements. One parking space is required per dwelling unit. Community Facilities (Use Groups 3 and 4) are permitted in R4-1 zones with a maximum FAR of 2.0.

R6A/C2-3:

R6A is a contextual residential district where the Quality Housing bulk regulations are mandatory. These regulations produce high lot coverage, six- or seven-story apartment buildings set at or near the street line. The floor area ratio (FAR) in R6A districts is 3.0 (3.6 with inclusionary Housing designated area bonus). Above a maximum base height of 60 feet, the building must set back by at least 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 70 feet. To preserve the traditional streetscape, the street wall of a new building can be no closer to the street line than any building within 150 feet on the same block, but need not be farther than 15 feet. The area between a building's street wall and the street line must be planted. R6A buildings must have interior amenities for the residents pursuant to the Quality Housing Program Off-street parking, which is not allowed in front of a building, is required for 50% of a building's dwelling units, or can be waived if five or fewer spaces are required. A lot coverage of 80% is permitted for corner lots and 65% for interior or through lots.

C2-3 overlay districts permit uses that serve local retail needs such as grocery stores, restaurants and beauty parlors. C2-3 districts also permit a slightly wider range of uses, such as funeral homes and repair services. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use. R6A/C2-3 overlays permit commercial development with a maximum allowable FAR of 2.0.

R4A:

R4A contextual districts are similar to R3A and R3X districts in that only one- and two-family detached residences are permitted. Differences in the maximum permitted floor area ratio (FAR) and minimum required lot size, however, result in variations in the typical building envelope found in each district. Characterized by houses with two stories and an attic beneath a

pitched roof, R4A districts have an FAR of up to 0.75 (plus a 20% attic allowance) and a minimum lot width of 30 feet. A maximum height base height of 21 feet, and a maximum wall height of 35 feet is permitted in these districts.

Table 2.1-2 Summary of Existing/Proposed Zoning Districts and Regulations within the Study Area

Zoning District	Type and Use Group (UG)	Floor Area Ratio (FAR)	Building Height	Parking (Required Spaces)
Existing Zoning Districts				
R4-1	Contextual Residential District UG 1-4	0.75 -- Residential 0.9 -- Residential with attic allowance 2.0 -- Community Facility	Base Height: 25' Max Height: 35'	1 Per Dwelling Unit
R6A/C2-3	Contextual Medium Density Residential/ Commercial Overlay UGs 1-9 & 14	3.0 -- Residential; 3.6 with inclusionary Housing designated area bonus 2.0 -- Commercial	Base Height: 40-60' Max Height: 70'	Residential – Off Street parking required for 50% of dwelling units. Commercial --
R4A	Contextual Residential District UG 1-4	0.75 – Residential 0.9 – Residential with attic allowance	Base Height: 21' Max Height: 35'	1 Per Dwelling Unit
Proposed Zoning District*				
R4-1/C2-3	Contextual Residential/ Commercial Overlay UGs 1-9 & 14	0.75 -- Residential 0.9 -- Residential with attic allowance 2.0 -- Community Facility 1.0 – Commercial	Base Height: 25' Max Height: 35'	Residential -- 1 Per Dwelling Unit Commercial -- 1 Per 400 SF of floor area (waived if less than 15)

Source: Zoning Handbook, New York City Department of City Planning, January 2006
Rows Highlighted grey are the current Zoning designations within the Project Area
*Note: While Part of Lot 10 (3.5') would remain R6A/C2-3, the Lot would be mainly governed by the proposed R4-1/C2-3 overlay

Proposed Zoning Map Amendment:

While a portion of Lot 10 (3.5 feet) would remain within an R6A/C2-3 zoning district, the Project Area would be governed by the provisions of an R4-1/C2-3 overlay district.

R4-1/C2-3:

The existing R4-1 Project Area zoning designation allows a residential FAR of 0.75, with an attic allowance of up to 20% for inclusion of space under the pitched roof (0.9 FAR) common in these districts. R4-1 districts allow a maximum perimeter wall height of 25 feet and a max building height of 35 feet. Rear yard depth must be a minimum of 30 feet and front yard depth must be a minimum

of 10 feet. Zero lot line buildings require only one side yard, at least 8 feet wide and a minimum of 8 feet is required between buildings on adjacent zoning lots. Lot coverage is governed by yard requirements. One parking space is required per dwelling unit. Community Facilities (Use Groups 3 and 4) are permitted in R4-1 zones with a maximum FAR of 2.0. In R4-1/C2-3 overlay districts, a maximum commercial FAR of 1.0 is permitted.

Conclusion

The Project Area, is contextually more related to the adjacent R6A/C2-3 district directly north, east and west of the Area. The existing structure on Lot 11 of the Project Area does not match the intended use of the R4-1 district and would become a conforming use under the Proposed Action. In addition, the Project Area's location at the end of Block 9572, with a direct line of sight to the Lefferts Boulevard elevated subway station, adjacency to a predominately commercial corridor and directly abutting commercial land-use make the proposed C2-3 zone extension a proper transition from mixed-use commercial/transit corridor to the residential districts covered by the existing R4-1 zoning.

2.1.3 Public Policy

For public policy, the 2014 CEQR Technical Manual stipulates that a preliminary assessment should identify and describe any public polices (formal plans, published reports) that pertain to the study area, and should determine whether the proposed project could alter or conflict with identified policies. If so, a detailed assessment should be conducted. Otherwise no further assessment is needed.

The Project Site is located in a Foot Retail Expansion to Support Health Program (FRESH) area. The FRESH Program offers zoning incentives and financial benefits in these underserved communities. Its goal is to encourage the development and retention of convenient, accessible stores that provide fresh meat, fruit and vegetables, and other perishable goods in addition to a full range of grocery products. The new program offers a set of zoning incentives that provide additional floor area in mixed buildings, reduce the amount of required parking for food stores and permit larger grocery stores as-of-right in light manufacturing districts. The Proposed Development and requested Actions would not have an effect on this program.

Conclusion

Pursuant to the above actions, the proposed development would not impact the essential character of the neighborhood or district or substantially impair the appropriate use or development of adjacent property, nor would it be detrimental to the public welfare.

2.2 Historic & Cultural Resources

An assessment of historic and cultural resources is usually necessary for projects that are located in close proximity to historic or landmark structures or districts, or for projects that require inground disturbance, unless such disturbance occurs in an area that has been formerly excavated. The term "historic resources" defines districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, architectural and archaeological importance. In assessing both historic and cultural resources, the findings of the appropriate city, state, and federal agencies are consulted. Historic resources include: the New York City Landmarks Preservation Commission (LPC) designated landmarks, interior landmarks, scenic landmarks, and historic districts; locations being considered for landmark status by the LPC; properties/districts listed on, or formally determined eligible for, inclusion on the State and/or National Register (S/NR) of Historic Places; locations recommended by the New York State Board for Listings on the State and/or National Register of Historic Places and National Historic Landmarks.

Architectural Resources

Per *CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the Proposed Action and in the area surrounding identified development sites. The historic resources Study Area is defined as the Project Site, plus an approximately 400-foot radius around the Proposed Action area. To determine whether the Proposed Development has the potential to affect nearby off-site historic or architectural resources, the Study Area was screened for historic and architectural resources. No architectural resources were found within the Study Area that would be considered historic or significant. The LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on September 19, 2017, indicating that the Study Area does not contain any known architectural or archeological significance (see **Appendix A**).

Cultural and Archaeological Resources

Unlike the architectural evaluation of a Study Area that extends beyond the footprint of a project's block and lot lines, the analysis of potential and/or projected impacts to archaeological resources is controlled by the actual footprint of the limits of soil disturbance. Archeological resources are physical remains, usually subsurface, of the prehistoric and historic periods such as burials, foundations, artifacts, wells and privies. The *CEQR Technical Manual* requires a detailed evaluation of a project's potential effect on the archeological resources if it would potentially result in an in-ground disturbance to an area not previously excavated. The project would result in an in-ground disturbance to develop the proposed building on Lot 10 of the Project Area. As noted, the LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on September 19, 2017 (see **Appendix A**). The LPC has indicated that no cultural or architectural resources are associated with the Project Area. Therefore, significant adverse impacts to archaeological resources are not expected because of the Proposed Action, and further analysis is not warranted.

2.3 Urban Design

According to the *CEQR Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space. Elements that play an important role in the pedestrian's experience include streets, buildings, visual resources, open space, and natural features, as well as wind as it relates to channelization and downwash pressure from tall buildings. Pursuant to the 2014 *CEQR Technical Manual*, an assessment of Urban Design may be warranted when a Proposed Action may affect one or more of the elements that contribute to the pedestrian experience of an area, specifically the arrangement, appearance, and functionality of the built environment. As stated in the *CEQR Technical Manual*, the Study Area for urban design is the area where the project may influence land use patterns and the built environment, and is generally consistent with the Study Area used for the land use analysis (i.e., 400 feet around the project sites). For visual resources, existing publicly accessible view corridors within the Study Area should be identified. The purpose of the preliminary assessment is to determine whether any physical changes proposed by a project may raise the potential to significantly and adversely affect elements of urban design, which would warrant the need for a detailed urban design and visual resources assessment.

2.3.1 Preliminary Assessment

Existing Conditions-Project Area

The Project Area is in the South Ozone Park neighborhood of Queens Community District 10 and consists of Block 9572, Lots 10 (part) and 11. The tax lots are currently zoned R4-1, with a small portion of Tax Lot 10 covered by the R6A/C2-3 district mapped to a 100-foot depth along Liberty Avenue.

Lot 10 ("The Proposed Development Site") is an approximately 1,900 square foot lot with depth of 95 feet and a width of 20 feet. This lot is applicant owned is currently developed with a two-story (25') 1,434 sf semi-detached residential building. The building contains two dwelling units.

Lot 11 ("Other Affected Site") is an approximately 1,900 SF lot with depth of 95 feet and a width of 20 feet. The lot contains a two-story (25') 1,392 sf building with an FAR of .74. Lot 11 is currently occupied by a non-conforming realty and tax office.

Existing Conditions-Surrounding Area

The Surrounding Area consists predominantly of residential, mixed-use and commercial land uses. The nearest cross street, Liberty Avenue, is a major commercial street built with three-story buildings with ground floor retail and service uses and, in some instances, commercial uses on the upper floors and in others residential use on the upper floors. Liberty Avenue is the terminus of the A train which runs on an elevated track above the street and ends just east of Lefferts Boulevard. Additionally, the Lefferts Bl/Liberty Avenue bus stop, which serves the Q10/QM18 buses is located directly adjacent to the Project Area on the west side of Lefferts Boulevard. The commercial uses along Liberty Avenue extend south along Lefferts Boulevard, with a jewelry and cell phone store immediately to the south of the three-story Liberty Avenue fronting building. South of that is the Project Area, which is situated on the west side of Lefferts Boulevard and subject to the proposed rezoning.

No-Action Scenario:

Under future no-action conditions, it is expected that the existing residential use of Lot 10 would remain. The non-conforming commercial occupancy of Lot 11 would be replaced by a conforming residential use.

With-Action Scenario:
Pursuant to the proposed Zoning Map Amendment, the applicant proposes to build one new building under the proposed zoning at 104-12 Lefferts Boulevard (Lot 10). The proposed C2-3 commercial overlay would facilitate the development of a one-story plus cellar commercial building on Lot 10. The proposed development would contain 1,000 square feet in the cellar level and 1,900 square feet on the first-floor level for a total floor area of 2,900 gross square feet (1,900 zoning square feet) and an FAR of 1.00. The proposed commercial development would have full lot coverage and be built to a height of 15-feet. Pursuant to ZR 36-231, parking is waived if the required spaces for all uses is less than 15, therefore parking shall be waved.

The existing building on Lot 11 is currently developed to a FAR of 0.74 and is occupied by a non-conforming commercial use. The proposed C2-3 overlay would permit a maximum Commercial FAR of 1.0. Therefore, Lot 11 is built to 74% of the FAR available under the proposed rezoning and is unlikely to be induced to develop as a result of the Proposed Action.

Figure 2.3-1 shows the Existing Condition, 2.3-2 shows the No-Action building massing and Figure 2.3-3 shows the With-Action building massing from a pedestrian perspective.

Figure 2.3-1: Existing Condition



Figure 2.3-2: No-Action Massing



Figure 2.3-3: With-Action Massing



The Project Area's adjacency to a predominately commercial corridor make the proposed C2-3 zone extension a proper transition from the mixed-use commercial/transit corridor to the residential districts covered by the existing R4-1 zoning. The Project Area is contextually related to the adjacent R6A/C2-3 district and consistent with the application of the C2-3 on neighboring streets. The Proposed Action simply legalizes those uses that have been present in recent memory and continue the provision of local retail to the neighborhood. The Proposed Action would continue the relationship of the adjacent commercial/transit corridor and support the continuity of the historical land uses that have been present in this area.

Conclusion

As discussed above, the development facilitated by the Proposed Action would not increase height or alter the uses that have long been present at this location and therefore would not adversely impact any of the constituent urban design elements or impact the overall character of the neighborhood. Therefore, no further analysis is warranted.

Appendix A: LPC Environmental Review

Landmarks Preservation Commission
1 Centre Street
9th Floor North
New York, NY 10007
Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-Q
Project:
Date received: 9/15/2017

Properties with no Architectural or Archaeological significance:
1) ADDRESS: 104-12 LEFFERTS BOULEVARD, BBL: 4095720010
2) ADDRESS: 104-14 LEFFERTS BOULEVARD, BBL: 4095720011

Gina Santucci 9/19/2017

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 32781_FSO_DNP_09192017.doc