DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

August 17, 2018

Hilary Semel, Director
Mayor's Office of Environmental Coordination
253 Broadway, 7th Floor
New York, NY 10007

NOTICE OF LEAD AGENCY DETERMINATION AND REVIEW

Re: **100-03 North Conduit Avenue Rezoning**
CEQR No. 18DCP017Q
ULURP Nos. 170492ZMQ, 170493ZRQ
Queens, Community District 10
SEQRA Classification: Unlisted

The above-referenced application involves a discretionary action subject to City Planning Commission approval. This action is subject to review under the City Environmental Quality Review (CEQR), Executive Order No. 91, and the State Environmental Quality Review Act (SEQRA), 6 NYCRR 617.

Pursuant to Sections 5.03 and 5.05 of the Rules of Procedure for City Environmental Quality Review (CEQR) as adopted June 26, 1991, the Department of City Planning, acting on behalf of the City Planning Commission, is assuming lead agency status for this application and is initiating the CEQR review.

The Applicant, Kamali Organization LLC proposes a Zoning Map Amendment to map a C1-3 local retail overlay within an R3X Zoning District on the northeast corner of North Conduit Avenue and Cohancy Street (Block 11562, Lot 1 (part of), 5 (part of), 100, 106, 111, 113, 119 (part of), and 206 (part of), the "Affected Area") located in the Ozone Park neighborhood of Queens Community District (CD) 10. The Applicant also seeks a Zoning Text Amendment to Zoning Resolution (ZR) Section 73-211 ("Location in C2, C4, C6 or C7 Districts") to modify a Board of Standards and Appeals (BSA) Special Permit for Use Group (UG) 16 automotive service centers at certain locations within commercial districts in which such a use is not permitted as-of-right. Collectively, the map amendment and text amendment (the "Proposed Actions") would facilitate a proposal by the Applicant to develop a UG 16 automotive service station (gas station) and accessory convenience store (the "Proposed Development") at 100-01 to

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100-15 North Conduit Avenue and 150-05 to 150-21 Cohancy Street (Block 11562, Lots 106, 111, 113, and 119 (part of), the Applicant-owned "Development Site"). The Proposed Development, which would ultimately be dependent upon BSA's future approval of the revised Special Permit described above, consists of a single-story, 3,990 gross square foot (gsf) building containing a convenience store, gasoline pumping stations, and ten unenclosed accessory parking spaces, accessed by five curb cuts. The Development Site is located within an R3X Zoning District.

The Applicant-owned Development Site (Block 11562, Lots 106, 111, 113, and 119 (part of)) contains approximately 13,220 sf of lot area and currently contains two one-story vacant buildings (Lot 113), a one-story vacant building (Lot 119), and vacant land (Lots 106 and 111). The Development Site is entirely within the Affected Area, except for a 667 sf sliver along the northern property line of Lot 119. The remaining lots within the Affected Area (Lots 1, 5, 100, and 206) are New York City Transit properties that constitute a portion of the A line transit right-of-way.

The Development Site is currently zoned R3X. R3X zoning districts permit residential and community facility uses listed in Use Groups 1-4. The maximum permitted Floor Area Ratio (FAR) is .50. The proposed C1-3 local retail overlay would allow the same uses as the existing zoning, but with the addition of UG 6 local commercial uses, with a maximum permitted FAR of 1.00.

The Proposed Actions also include a Zoning Text Amendment to ZR Section 73-211, which provides a BSA Special Permit for UG 16 automotive service centers at certain locations within commercial districts in which such a use is not permitted as-of-right. Currently, ZR Section 73-211 authorizes the BSA to permit an automotive service center in a C2, C4, C6, or C7 district "whose longer dimension is 375 feet or more (exclusive of land in streets)," provided that the use would occupy a site with a minimum area of 7,500 square feet (sf), or, if the site is not located on an arterial highway or major street, of 15,000 sf. As amended, Section 73-211 would authorize the BSA to permit automotive service uses "in any C1-3 District within Community District 10, in the Borough of Queens, on a zoning lot whose longer dimension is 250 feet or more (exclusive of land in streets), is located in whole or in part within a 400-foot radius of the entrance or exit of a limited-access expressway or parkway which prohibits direct vehicular access to adjoining land and provides complete separation of conflicting traffic flows, measured from the centerline of the entrance or exit ramp at its intersection with the nearest adjacent street. No C1-3 districts are currently mapped at any location that is both within Community District 10 and within a 400-foot radius of a highway or entrance exit. Therefore, no other site would satisfy the expanded criteria for the Special Permit.

For the purposes of presenting a conservative environmental analysis, the Environmental Assessment Statement (EAS) analyzed two Reasonable Worse Case Development Scenarios (RWCDS). RWCDS 1 analyzed development without approval of the BSA Special Permit on the Applicant-owned site (Block 11562, Lots 106, 111, 113, and 119 (part of)), which would consist of a 24,000 gsf two-story retail strip mall, reaching 30 feet in height. 60 accessory surface parking spaces would be provided, accessed by two 30-foot-wide curb cuts, one on North Conduit Avenue, and the other on Cohancy Street. RWCDS 2 analyzed the Applicant's Proposed Development with approval of the BSA Special Permit, which would consist of a single-story,

3,990 gross square foot (gsf) building containing a convenience store and gasoline pumping stations. 10 unenclosed accessory parking spaces would be provided, and the development would be accessed by five curb cuts; three on North Conduit Avenue and two on Cohancy Street.

Within the Affected Area four lots (Lots 1, 5, 100, and 206) would not be considered for future development under the Reasonable Worst Case Development Scenario (RWCDS) due to their location within a transit right-of-way. Therefore, the Affected Area for the purposes of environmental assessment consists of Lots 106, 111, 113 and 119 (part of).

Absent the Proposed Actions, it is assumed that the Applicant-owned Development Site would remain as under the existing conditions.

The analysis year for the Proposed Actions is 2020.

Sincerely,

Olga Abinader, Deputy Director
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cc: James Merani, Deborah Carney, Mary Bruch, Renee Ferguson, Kirsti Jutila, Johane Clermont, Thomas Smith, Robert Dobruskin, Susan Wong, Pat Bussey