REVISED NEGATIVE DECLARATION*

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 actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed actions 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 finds the proposed actions sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The Applicant, CG Stone Realty, LLC, seeks a zoning map amendment to rezone an existing R5/C1-2 zoning district to R6A/C2-4 and an existing R5/C1-2 to R5 on Block 698, Lots 1, 2, 39, 40, 41, 44, 45, 47, and 49 (the "Rezoning Area") in the Astoria neighborhood of Queens Community District 1 , as well as a zoning text amendment to Zoning Resolution ("ZR") Appendix F to establish the R6A/C2-4-zoned portion of the Rezoning Area as a Mandatory Inclusionary Housing ("MIH") Area (together, the "Proposed Actions"). The Proposed Actions would facilitate the enlargement of the existing one-story Key Food grocery store building on Block 698, Lots 41 and 44 (the "Projected Development Site 1") into a five-story, 52,030 gross square feet ("gsf"), mixed-use residential and commercial building (the "Proposed Development"). The Proposed Development would include 32 dwelling units, 20-30% (7 - 10 units) of which would be permanently affordable pursuant to MIH. In order to present a conservative analysis, a 59-foot tall, six-story, 37,974 gsf building with 28 dwelling units at 42-07 30th Avenue (Block 698, Lots 1, 45) is also included in the analysis as Projected Development Site 2. The Proposed Actions would result in an R6A/C2-4 district, while the surrounding study area is mapped R5 with a C1-2 commercial overlay along 30th Avenue. R5 zoning districts, with a maximum permitted residential FAR of 1.50 (2.0 for qualifying residential sites), typically allow a variety of housing and typically result in three-and four-story attached houses and small apartment houses. The study area surrounding the Rezoning Area has a mix of residential, commercial and community facility uses and is characterized by residential and mixed-use buildings ranging from one- to five-stories in height, and commercial buildings range from one- to four-stories. The Proposed Actions would not result in any significant adverse impacts to zoning, as the proposed R6A district would permit a maximum residential FAR of 3.0 (3.90 for qualifying affordable housing) which typically results in six- to eight-story apartment buildings. When C2-4 commercial overlays are mapped in R6 zoning districts, the maximum commercial FAR is 2.0. Although the projected development sites are not subject to the Food Retail Expansion to Support Health ("FRESH") program, the expansion of the existing grocery store on Projected Development Site 1 would advance the City's goal of providing grocery stores in underserved communities. The Proposed Actions would also support policies and goals of *Housing New York: A Five-Borough, Ten-Year Plan* by establishing an MIH area encompassing the R6A/C2-4 portion of the Rezoning Area, which would require future residential development to include permanently income-restricted units. Therefore, the Proposed Actions would not result in significant adverse impacts to land use, zoning or public policy, and no further analysis is warranted.

Transportation

A detailed analysis of transportation is included in the EAS. Based on the results of trip generation and trip assignment screening analyses, the Proposed Actions would not result in any intersection experiencing 50 or more peak hour vehicle trips-ends in the study area and would generate fewer subway trips than 200 peak hour subway trip-ends but would result in more than 200 or more peak hour pedestrian trip-ends. Therefore, a detailed level-of-service (LOS) assessment of pedestrian impacts is included in the EAS. The LOS analysis indicates the study area's pedestrian elements continue to operate at acceptable levels of services. As a result, the Proposed Actions would not result in significant adverse impacts related to transportation and no further analysis is warranted.

Disadvantaged Communities Assessment

An assessment of the Proposed Actions' potential effects on disadvantaged communities is included in this EAS. The Proposed Actions are not located within a designated disadvantaged community according to the NYSDEC Disadvantaged Community Assessment Tool (DACAT); however, the Proposed Actions are located within 0.5 miles from a designated DAC. The closest disadvantaged community is located within 0.1 miles, at the corner/in the vicinity of 42nd Street and 28th Avenue, in the borough of Queens. The Proposed Actions are not anticipated to affect any disadvantaged communities due to the distance from the nearest disadvantaged community. In addition, the EAS analysis concluded that the Proposed Actions would not result in significant adverse impacts in land use, zoning, and public policy, shadows, hazardous materials, historic and cultural resources, urban design and visual resources, transportation, air quality, and noise analysis categories; therefore, the Proposed Actions would not disproportionately affect any disadvantaged communities, nor would it cause or increase a disproportionate pollution burden.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-804) related to hazardous materials, air quality, and noise would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

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). Should you have any questions pertaining to this Negative Declaration, you may contact Ibrahim Jobe at ijobe@planning.nyc.gov.

* Shortly before issuance of the EAS and Negative Declaration on 2/14/2025, the New York State Department of Environmental Conservation (NYSDEC) proposed a rule that provides additional considerations regarding assessment of Disadvantaged Communities. This assessment has been added to this Revised Negative Declaration.

Project Name: 42-11 30th Avenue Rezoning
CEQR # 24DCP070Q
SEQRA Classification: Unlisted

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Determination of Significance Appendix

The Proposed Action(s) were determined to have the potential to result in changes to development on the following site(s):

Development Site	Borough	Block and Lot
Projected Development Site 1	Queens	Block 698, Lots 41 and 44
Projected Development Site 2	Queens	Block 698, Lots 1 and 45

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-804**) would be established as part of approval of the proposed actions on **Projected Development Site 1 and 2** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X
Projected Development Site 2	X	X	

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1 and 2** for hazardous materials would apply as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse

impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

Air Quality

The (E) designation requirements for air quality would apply as follows:

Projected Development Site 1: *Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, and air conditioning (HVAC) system and hot water equipment, ensure that the HVAC system and hot water equipment stack is located at the building's highest level and at a minimum of 66 feet above grade, and at least 35 feet from the western lot line of Block 698, Lot 44 to avoid any potential significant adverse air quality impacts.*

Projected Development Site 2: *Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, and air conditioning (HVAC) system and hot water equipment, ensure that the HVAC system and hot water equipment stack is located at the building's highest level and at a minimum of 65 feet above grade, and at least 25 feet from the western lot line of Block 698, Lot 44 to avoid any potential significant adverse air quality impacts.*

Noise

The (E) designation requirements for noise would apply as follows:

Projected Development Site 1: *In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 28 dBA window/wall attenuation on the eastern facade facing 43rd Street, the southern facade facing 30th Avenue within 50 feet of 43rd Street, and the northern facade facing 28th Avenue within 50 feet of 43rd Street to maintain an interior noise level not greater than 45 dBA for residential and community facility uses or not greater than 50 dBA for commercial office use. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*