DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

January 25, 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: **O'Neills Rezoning**
CEQR No. 18DCP075Q
ULURP No. 180138ZMQ
Queens, Community District 5
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, O'Neill's of Maspeth, Inc., proposes a zoning map amendment (the "Proposed Action") to rezone portions of two blocks (Block 2374, Lots 101, 106, 197, 198, and 199 and Block 2381, Lots 1, 2, and 3, the "Affected Area") located in the Maspeth neighborhood of Queens Community District (CD) 5. The Proposed Action would rezone an existing R4 zoning district to R5D/C2-2 (Block 2374, Lot 101 and part of (p/o) Lot 199), facilitating a proposal by the Applicant to bring an existing legally non-conforming (in use) Use Group (UG) 6 commercial use located at 64-21 53rd Drive (Block 2374, Lot 101, the "Project Site") into conformance with the zoning and to facilitate construction of a partial second story addition (the "Proposed Project"). This would entail an enlargement from 16,060 gross square feet (gsf) to 20,650 gsf of commercial floor area. The Proposed Action would also rezone the existing R4 district to R5D (Block 2374, Lot 106), bringing legally non-complying (in bulk) residential uses

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into greater compliance, and to R4/C2-2 (Block 2374, Lots 197, 198, p/o 199 and Block 2381, Lots 1, 2, and 3), bringing legally non-conforming (in use) commercial uses into conformance.

The Applicant-controlled Project Site (Block 2374, Lot 101) contains approximately 8,354 sf of lot area and is currently improved with a 15,252 gsf single-story eating and drinking establishment (O'Neills) along with 808 gsf of retail space, totaling 16,060 gsf. In order to facilitate the Applicant's proposed project, the existing building would be expanded with a partial second floor addition. The remaining lots within the Affected Area are developed with a 32,600 gsf legally non-complying residential building with 44 dwelling units (Block 2374, Lot 106), and six 2,480 gsf legally non-conforming mixed-use residential and commercial buildings (Block 2374, Lots 196-198 and Block 2381, Lots 1-3).

The Affected Area is currently zoned R4, a low-density district where residential uses (Use Groups 1 and 2) are permitted at a maximum FAR of .75 and community facility uses (Use Groups 3 and 4) are permitted at an FAR of 1.0. Under the proposed rezoning to R4/C2-2, in addition to the residential uses referenced above, commercial uses (Use Groups 5-9 and 14) would be permitted at an FAR of 1.0. The proposed R5D district, a medium-density district would permit residential uses at an FAR of 2.0. R5D/C2-2 would permit commercial uses at an FAR of 2.0. C2-2 districts generally require one accessory parking space per 300 square feet of commercial floor area, with up to 15 spaces waived.

For the purposes of presenting a conservative environmental analysis, the Environmental Assessment Statement (EAS) analyzes the Applicant's Proposed Project (Block 2374, Lot 101). Under the Reasonable Worst Case Development Scenario (RWCDS), the expanded building would reach a height of 25 feet, with 20,650 gsf of commercial floor area (increment of 4,590 gsf) at an FAR of 1.49. Remaining lots within the Affected Area, not slated for new development or expansion, would be brought into greater compliance with the zoning (Block 2374, Lot 106) or conformance with the zoning (Block 2374, Lots 196-198 and Block 2381, Lots 1-3).

Absent the Proposed Actions, it is assumed that all lots within the Affected Area would remain in their current condition.

The analysis year for the Proposed Actions is 2020.

Sincerely,

Robert Dobruskin

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cc:

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