245-06 SOUTH CONDUIT AVENUE REZONING

Environmental Assessment Statement (EAS) and Supplemental Studies to the EAS

CEQR No: 23DCP006Q

ULURP No: 230006ZMQ

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

Prepared for:
Tire Heaven LLC

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

4 World Trade Center
50 Greenwich Street
Suite 2963
New York, NY 10007

Location:
Block 13614, Lots 6, 8, 12, 14, 23, 28
Community District 13
Queens, New York 11422

Date Submitted:
November 2, 2022

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* 245-06 South Conduit Avenue Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
23DCP006Q	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
230006ZMQ	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY Department of City Planning			NAME OF APPLICANT Tire Heaven LLC		
NAME OF LEAD AGENCY CONTACT PERSON Stephanie Shellooe, Director, EARD			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Kevin Williams, Equity Environmental Engineering LLC		
ADDRESS 120 Broadway 30th Floor			ADDRESS 500 International Drive, Suite 150		
CITY New York	STATE NY	ZIP 10271	CITY Mount Olive	STATE NJ	ZIP 07828
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 973-527-7451x301	EMAIL kevin.williams@equityenvironmental.com	

5. *Project Description*

The Applicant, Tire Heaven LLC, requests a Zoning Map Amendment to affect a portion of Block 13614 in the Rosedale neighborhood of Queens Community District 13. The "Affected Area" consists of Block 13614, Lots 6, 8, 12, 14, 23, and 28, an irregular shaped area of approximately 29,259 sf bounded in part by South Conduit Avenue, 245th Street, 139th Avenue, and 246th Street.The Zoning Map Amendment would rezone Block 13614, Lots 6, 8, 12, 14, 23, and 28 from an R3-2/C1-3 zoning district to an R3-2/C2-3 zoning district (the "Proposed Action"). The Proposed Action would facilitate the legalization of the existing tire shop at the Applicant-Owned Projected Development Site 1 (Block 13614, Lots 14 and 28). The Proposed Action would not induce development.

The Proposed Action is a discretionary action subject to environmental review. The NYC Department of City Planning shall be the lead agency on behalf of the City Planning Commission for environmental review under CEQR.

Project Location

BOROUGH Queens	COMMUNITY DISTRICT(S) 13	STREET ADDRESS 245-06 South Conduit Avenue
TAX BLOCK(S) AND LOT(S) Block 13614 / Lots 6, 8, 12 ,14, 23, 28		ZIP CODE 11422
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Affected Area is an irregularly shaped area in part bounded by 139th Avenue to the east, South Conduit Avenue to the north, 245th Street to the west, and 246th Street to the south.		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R3-2/C1-3		ZONING SECTIONAL MAP NUMBER 19d

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 ☐ Cogeneration Facility ☐ Title V Permit

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

☐ LEGISLATION

☐ RULEMAKING

☐ CONSTRUCTION OF PUBLIC FACILITIES

☐ 384(b)(4) APPROVAL

☐ OTHER, explain:

☐ FUNDING OF CONSTRUCTION, specify:

☐ POLICY OR PLAN, specify:

☐ FUNDING OF PROGRAMS, specify:

☐ PERMITS, specify:

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.): 29,259

Waterbody area (sq. ft) and type: 0

Roads, buildings, and other paved surfaces (sq. ft.): 29,259

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): 2,456

NUMBER OF BUILDINGS: 2

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 776, 1680

HEIGHT OF EACH BUILDING (ft.): 26, 21

NUMBER OF STORIES OF EACH BUILDING: 2.5, 2

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: 8,563

The total square feet not owned or controlled by the applicant: 20,696

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: sq. ft. (width x length) VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 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.)	2,456	2,456		
Type (*e.g.,* retail, office, school)	2 units	tire shop (UG 7D)		

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

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

Provide a brief explanation of how these numbers were determined:

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): 2023		
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: N/A		
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☐ YES ☐ NO		IF MULTIPLE PHASES, HOW MANY?
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Assuming an environmental review period of 12 months and an approximately 7-month long ULURP process		
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		
○ **Early Childhood Programs:** 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)	☐	☒
○ **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)	☐	☒
○ **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)	☐	☒
○ **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 project change or eliminate existing open space?	☐	☒
(b) Would the project generate more than 200 additional residents or 500 additional employees?	☐	☒
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		

	YES	NO
(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.		
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 Protection Plan Project Tracking 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) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure?	☐	☒
(c) 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?	☐	☒
(d) 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 the Hazardous Materials Appendix (including nonconforming uses)?	☐	☒
(e) 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?	☐	☒
(f) 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)?	☐	☒
(g) 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?	☐	☒
(h) 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?	☐	☒
(i) Has a Phase I Environmental Site Assessment been performed for the site?	☐	☒
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed?	☐	☐
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?	☐	☒
(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?	☐	☒

	YES	NO
(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): 477 = (41 * 2) + (79 * 5)		
○ 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): 762,096.8 = (94 * 2,456) + (216.3 * 2,456)		
(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, bus trips, or 50 Citywide Ferry Service ferry 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), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☒
○ 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, or Citywide Ferry Service landing?	☐	☒
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 114 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?	☐	☒
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;	☐	☒

	YES	NO
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
Kira Xiang	11/2/2022

SIGNATURE Kira Xiang

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.

IMPACT CATEGORY	Potentially Significant Adverse Impact 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? ☐ YES ☒ NO

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).

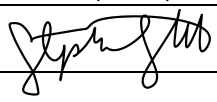
☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. 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
Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission
NAME	DATE
Stephanie Shellooe, AICP, Director	November 4, 2022

SIGNATURE



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 proposed action is a zoning map amendment to change the commercial overlay from a C1-3 to a C2-3 in an existing R3-2 zoning district, affecting a portion of Block 13614 in the Rosedale neighborhood of Queens Community District 13. The project would rezone an area bounded by South Conduit Avenue, 245th Street, 139th Avenue, and 246th Street, affecting Lots 6, 8, 12, 14, 23, and 28 of Block 13614. The proposed actions would facilitate legalization of the existing, applicant-owned tire shop on Lots 14 and 28, which is in a Use Group not allowed by the current C1-3 commercial overlay. As this rezoning does not increase the maximum Floor Area Ratio (FAR) of any use category, the proposed action is not anticipated to induce development, and the change in zoning would not constitute a significant adverse impact.

Natural Resources

A detailed analysis of natural resources is included in the EAS. While the Affected Area is an urban environment without significant natural resources, the projected development site falls within the boundaries of the Jamaica Bay Watershed. Therefore, the applicant prepared the Jamaica Bay Watershed Protection Plan Tracking Form, included in this EAS. Due to the fact that the proposed action would not facilitate in-ground disturbance, vegetation removal, or other disturbances to natural resources listed in the Tracking Form or CEQR Technical Manual, the proposed action would not constitute a significant adverse impact.

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 Abraham Abreu at aabreu@planning.nyc.gov.

TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME Stephanie Shellooe, AICP	DATE November 4, 2022
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE November 7, 2022
SIGNATURE	

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Appendix A: Jamaica Bay Watershed Protection Plan Project Tracking Form

Figure 1.1-1: Site Location Map

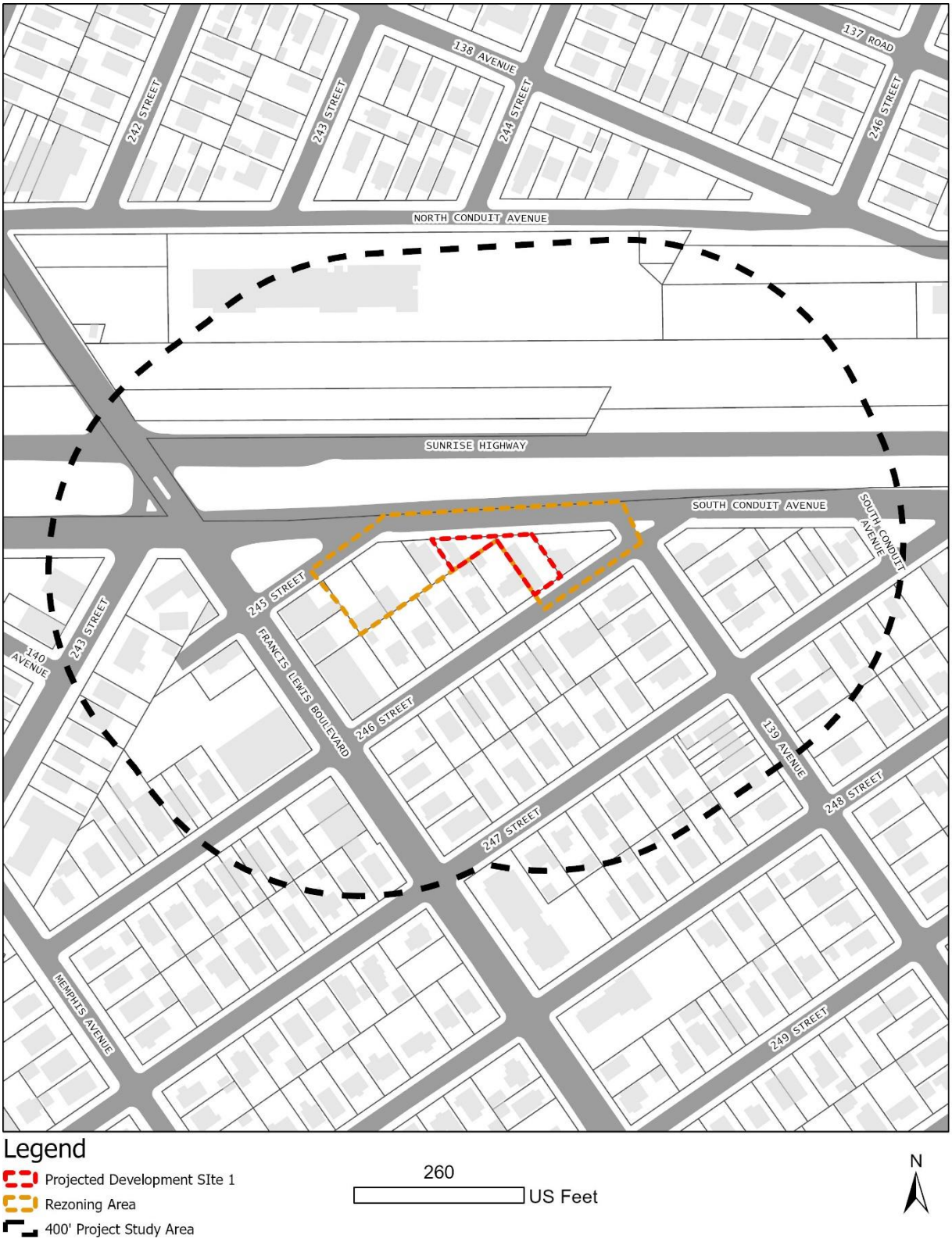


Figure 1.1-2: Existing Land Use Map

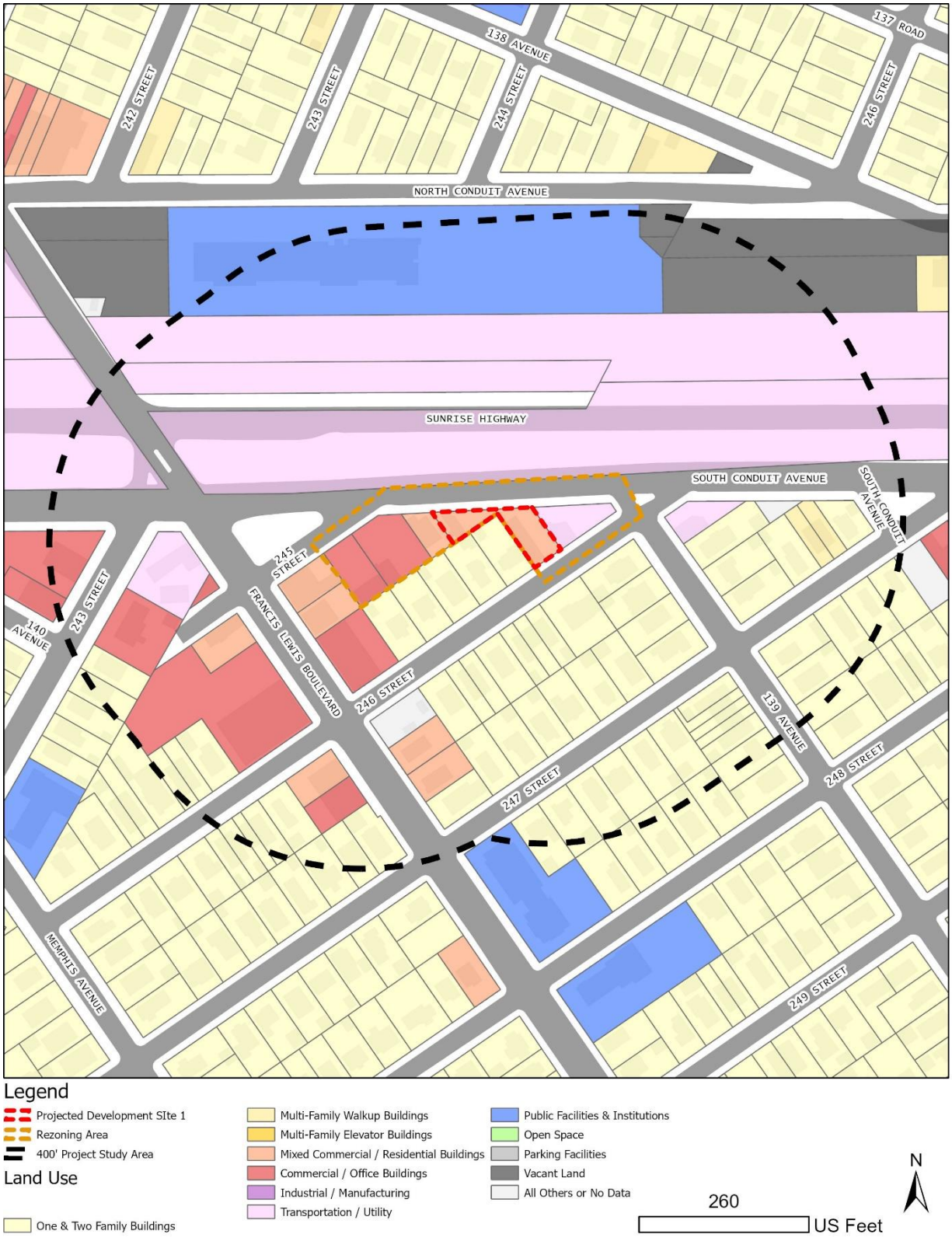


Figure 1.1-3: Zoning Sectional Map

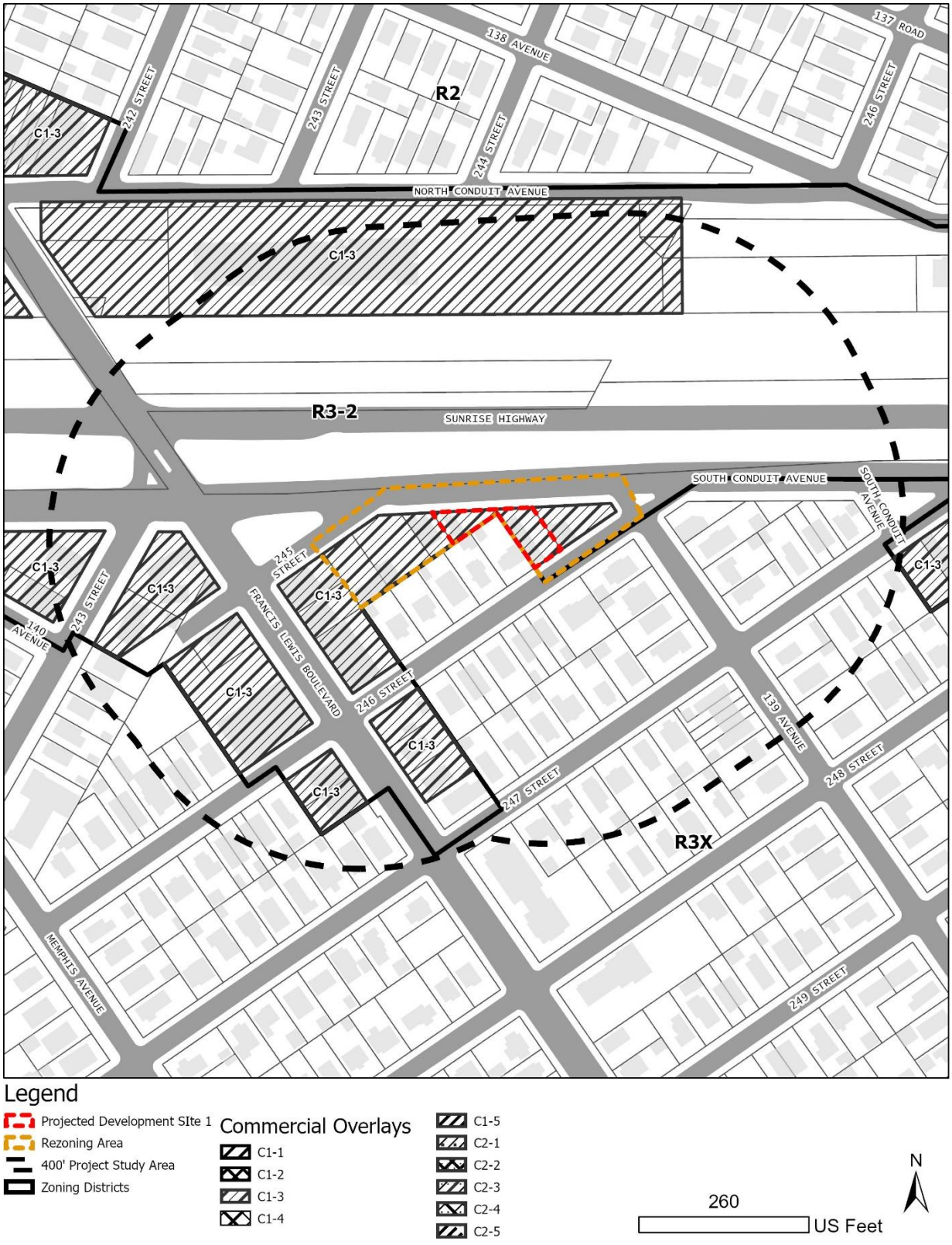
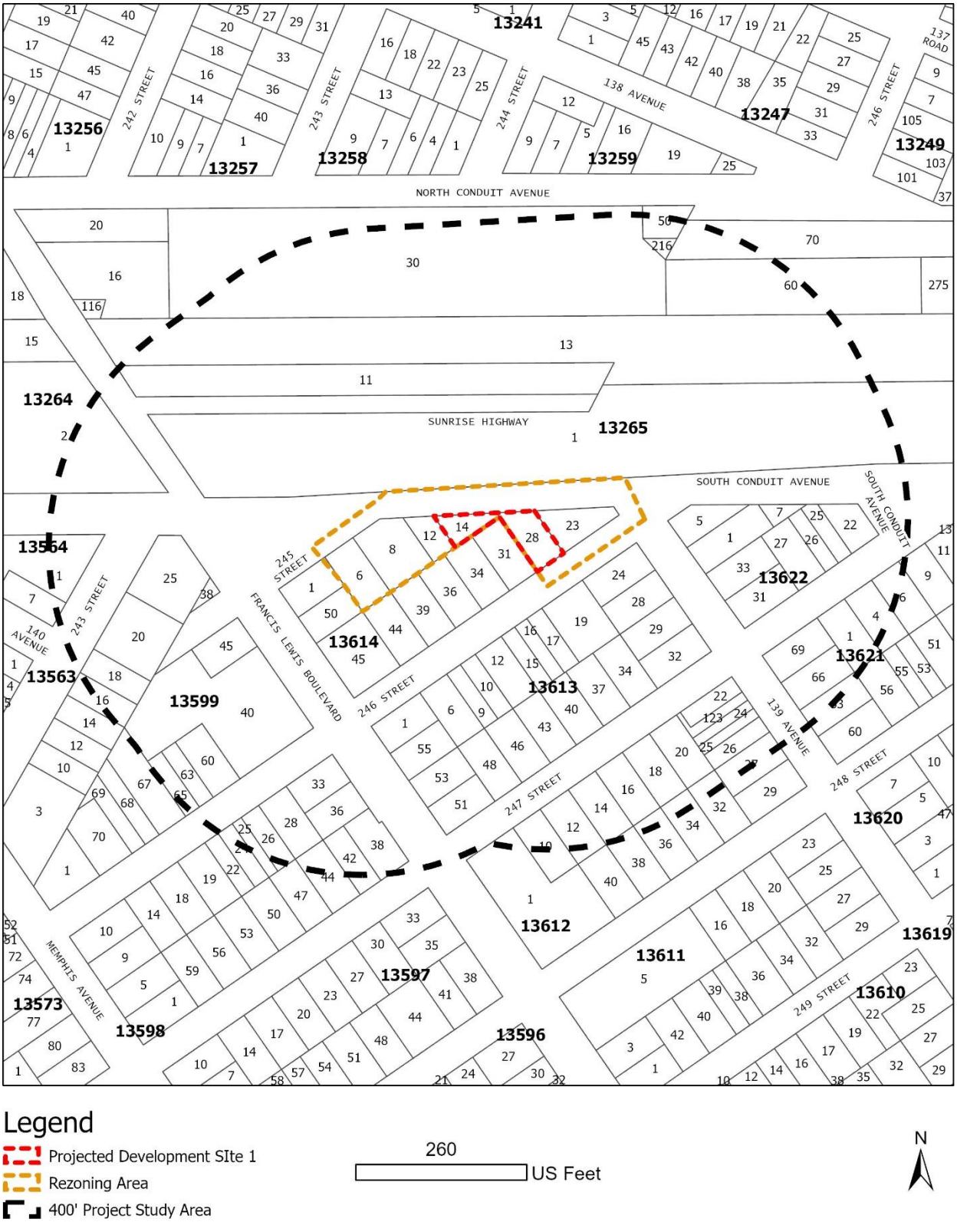


Figure 1.1-4: Tax Map





1. View of the Project Area facing east from 245th Street.



2. View of 245th Street facing northeast (Project Area at right).



3. View of the Project Area facing southeast from 245th Street.

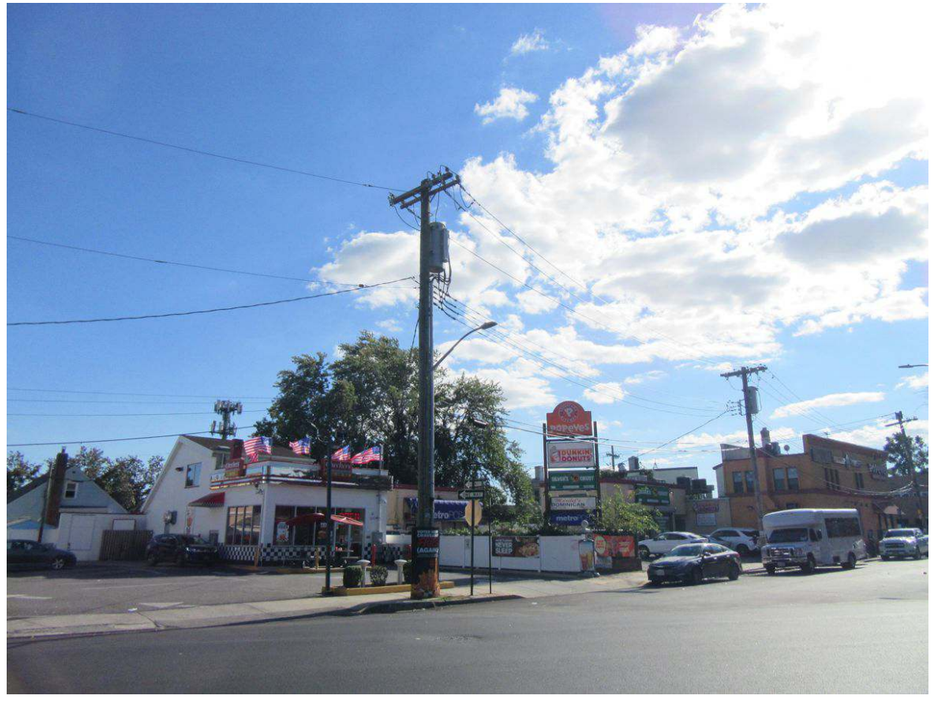




4. View of South Conduit Avenue facing east from 245th Street (Project Area at right).



5. View of the Project Area facing southeast from the intersection of South Conduit Avenue and 245th Street.



6. View of the Project Area facing southwest from the intersection of South Conduit Avenue and 245th Street.





7. View of the Project Area facing southeast from South Conduit Avenue.



8. View of the Development Site facing southeast from South Conduit Avenue.



9. View of 245th Street facing southwest from South Conduit Avenue (Project Area at left).





10. View of the Development Site facing southeast from South Conduit Avenue.



11. View of the Development Site facing southwest from South Conduit Avenue.



12. View of the Development Site facing southeast from South Conduit Avenue.





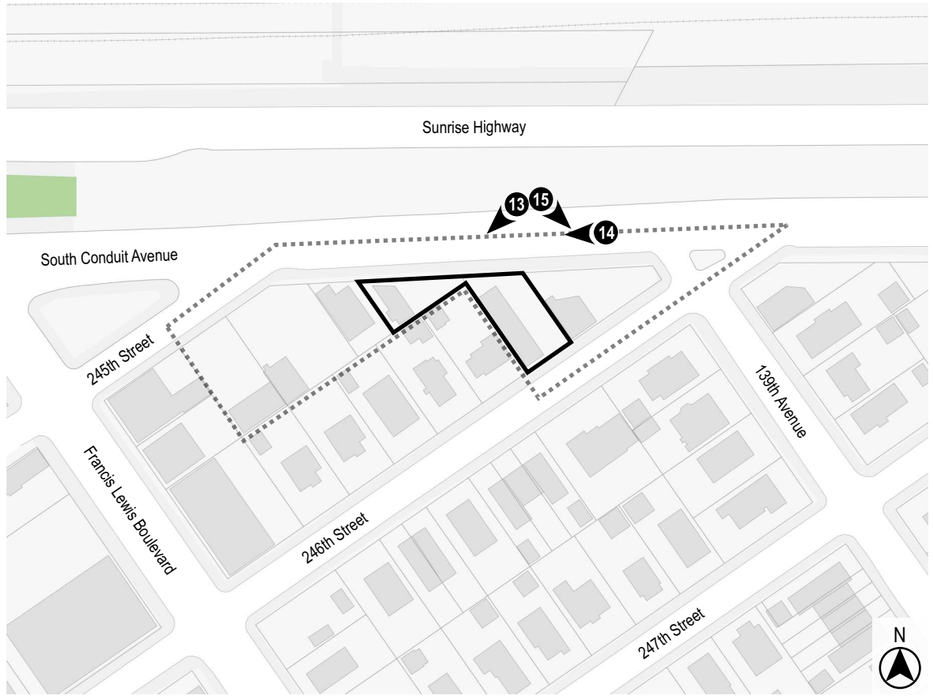
13. View of the Development Site facing southwest from South Conduit Avenue.

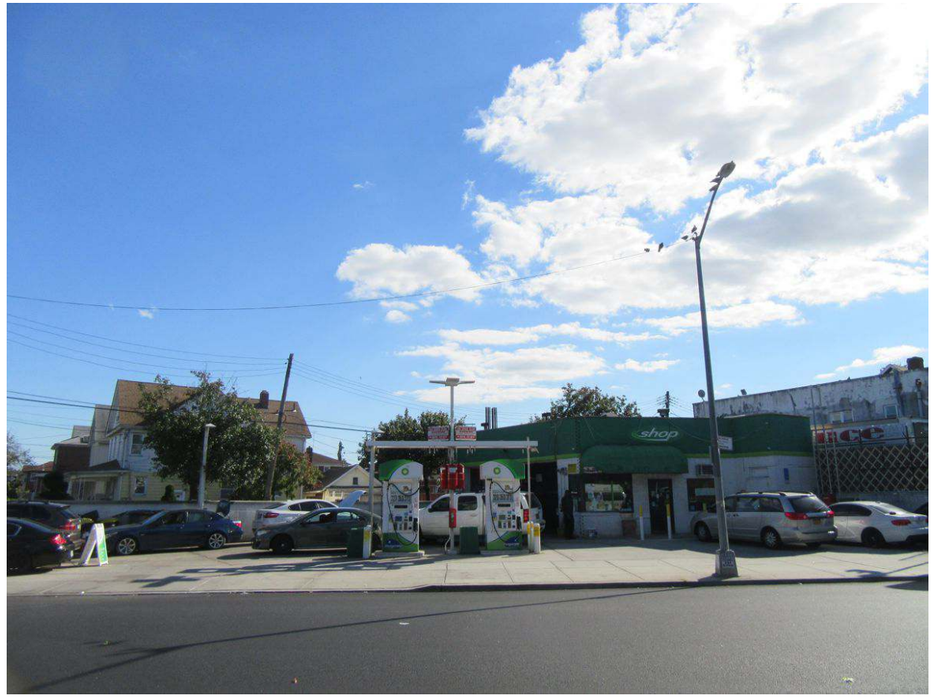


14. View of South Conduit Avenue facing west (Development Site at left).



15. View of the Project Area facing southeast from South Conduit Avenue.





16. View of the Project Area facing south from South Conduit Avenue.



17. View of the Project Area facing southwest from South Conduit Avenue.



18. View of South Conduit Avenue facing west from 139th Avenue (Project Area at left).





19. View of the Project Area facing southwest from the intersection of South Conduit Avenue and 139th Avenue.



20. View of 246th Street facing southwest from 139th Avenue (Project Area at right).



21. View of the Project Area facing west from the intersection of 139th Avenue and 246th Street.





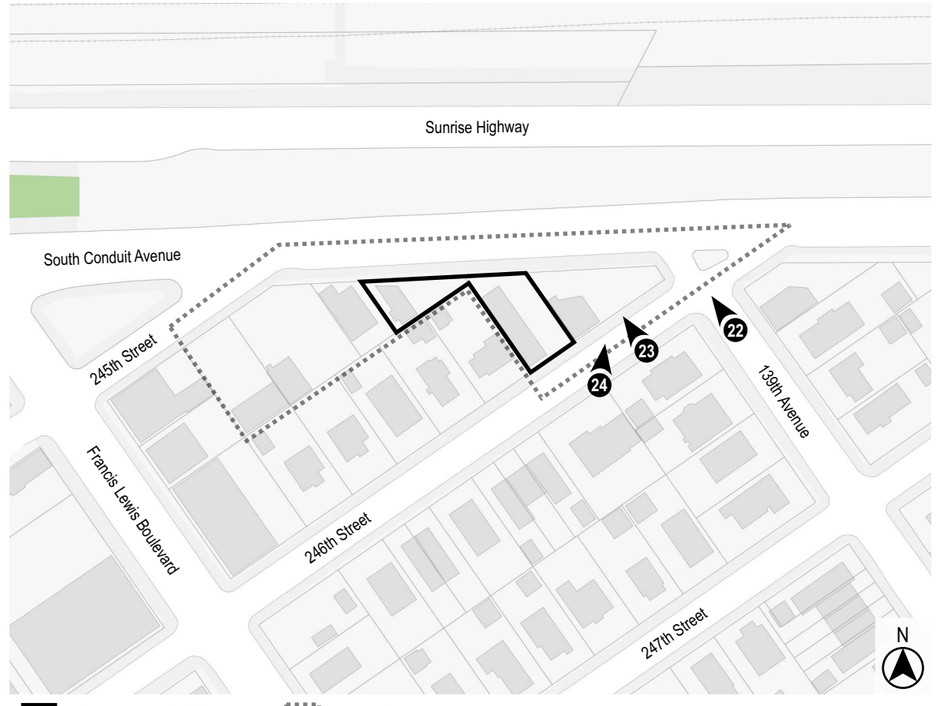
22. View of 139th Avenue facing northwest from 246th Street (Project Area at left).



23. View of the Project Area facing northwest from 246th Street.



24. View of the Project Area facing north from 246th Street.





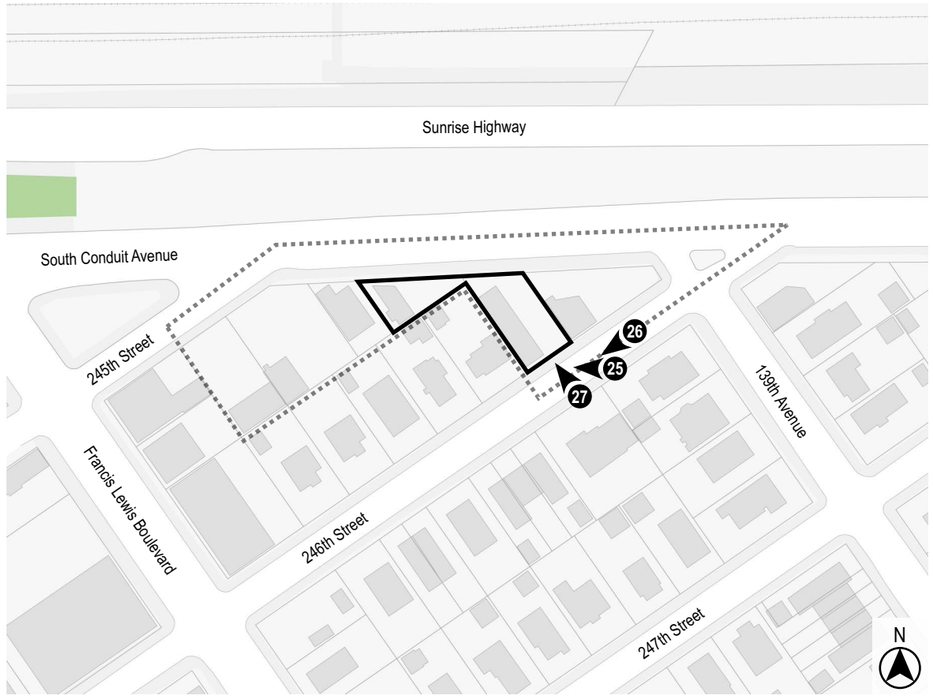
25. View of the Development Site facing west from 246th Street.



26. View of 246th Street facing southwest (Development Site at right).



27. View of the Development Site facing northwest from 246th Street.





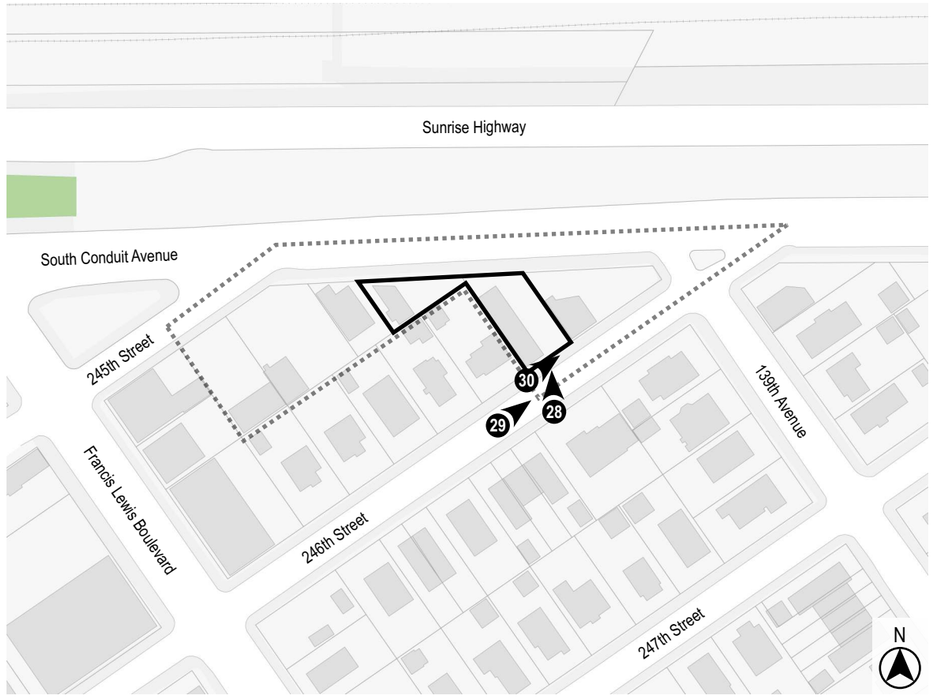
28. View of the Development Site facing north from 246th Street.



29. View of 246th Street facing northeast (Development Site at left).

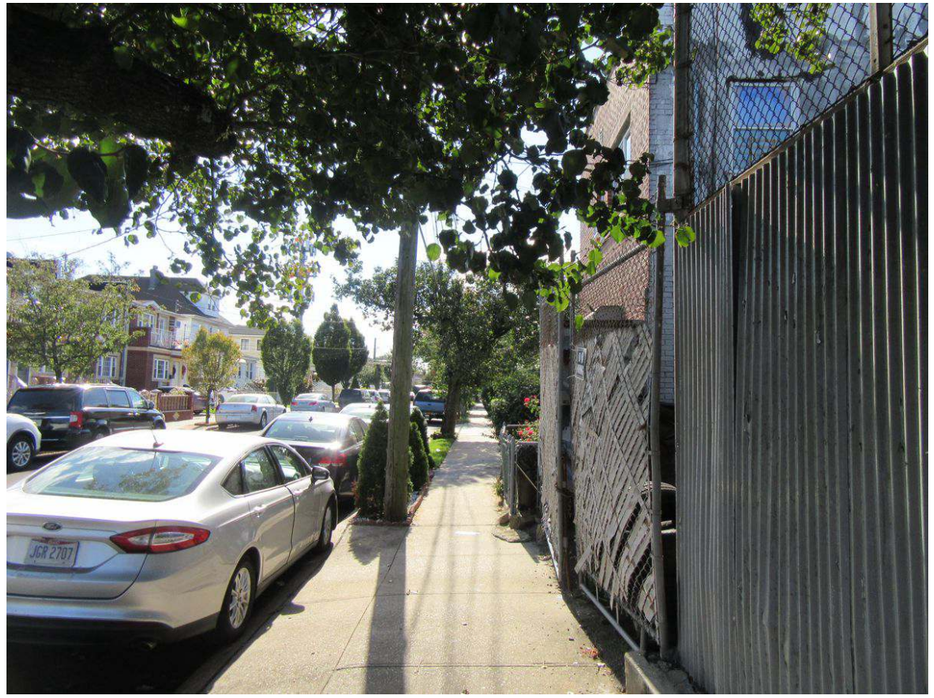


30. View of the sidewalk along the northwest side of 246th Street facing northeast (Development Site at left).





31. View of the southeast side of 246th Street facing south from the Development Site.

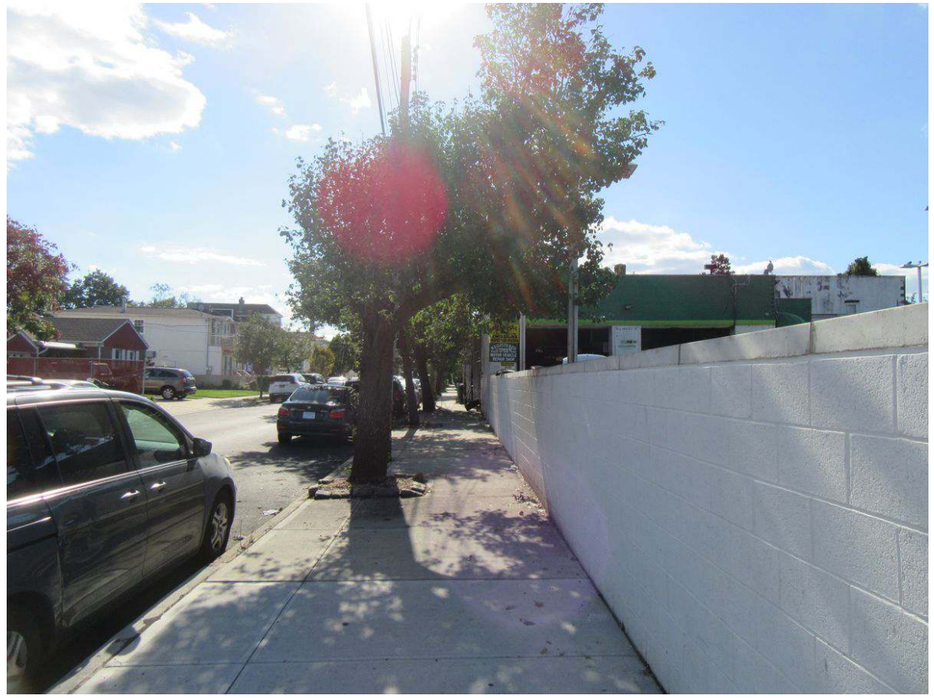


32. View of the sidewalk along the northwest side of 246th Street facing southwest (Development Site at right).



33. View of the sidewalk along the northwest side of 246th Street facing northeast (Project Area at left).





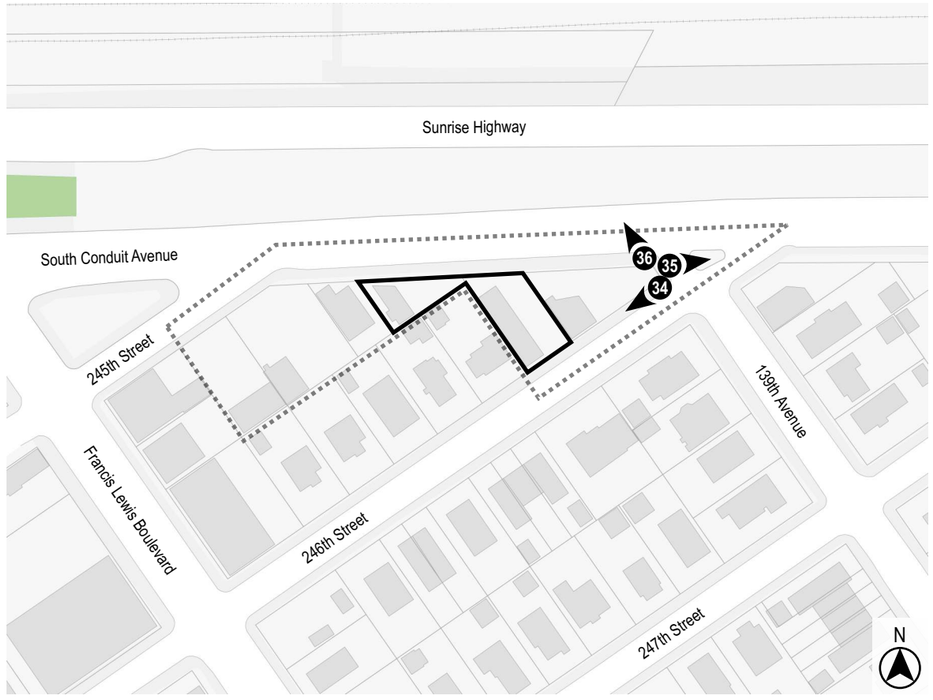
34. View of the sidewalk along the northwest side of 246th Street facing southwest from 139th Avenue (Project Area at right).



35. View of the intersection of South Conduit Avenue, 139th Avenue, and 246th Street facing east from the Project Area.



36. View of the north side of South Conduit Avenue facing northwest from the Project Area.





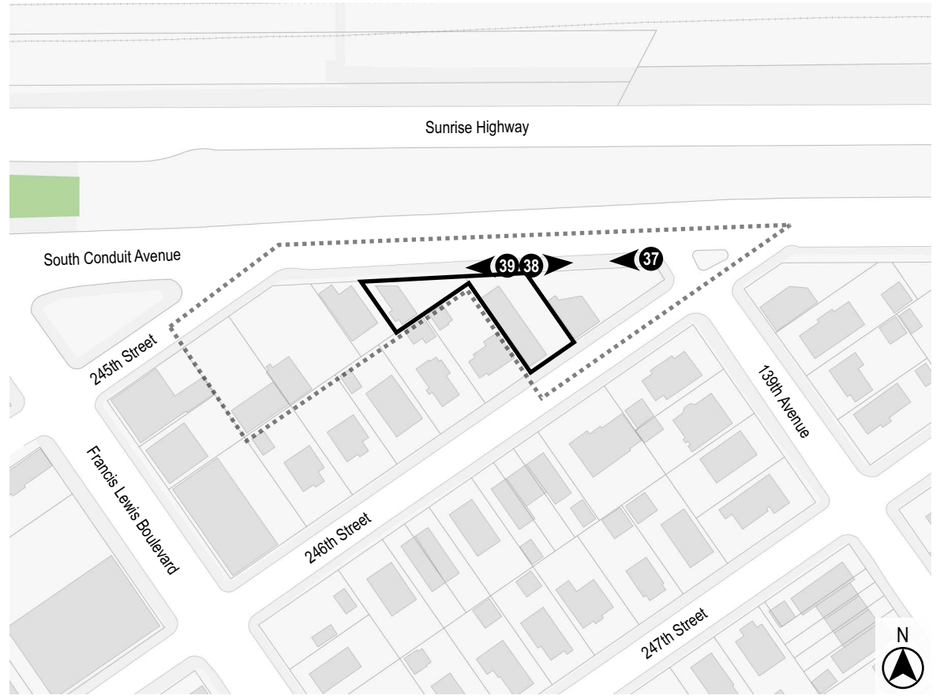
37. View of the sidewalk along the south side of South Conduit Avenue facing west from 139th Avenue (Project Area at left).



38. View of the sidewalk along the south side of South Conduit Avenue facing west (Development Site at left).

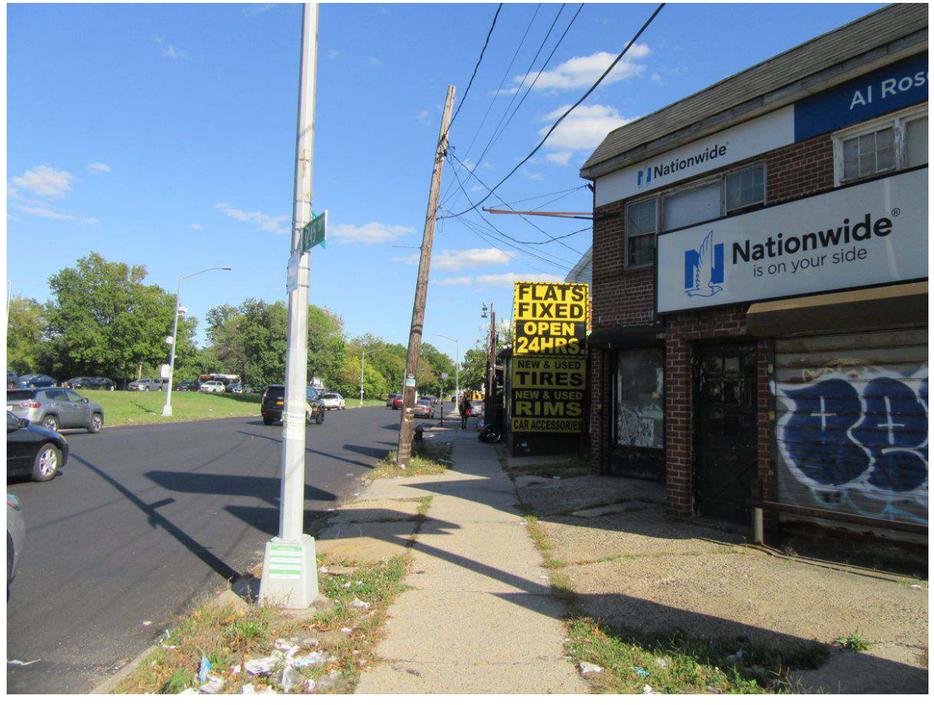


39. View of the sidewalk along the south side of South Conduit Avenue facing east (Project Area at right).





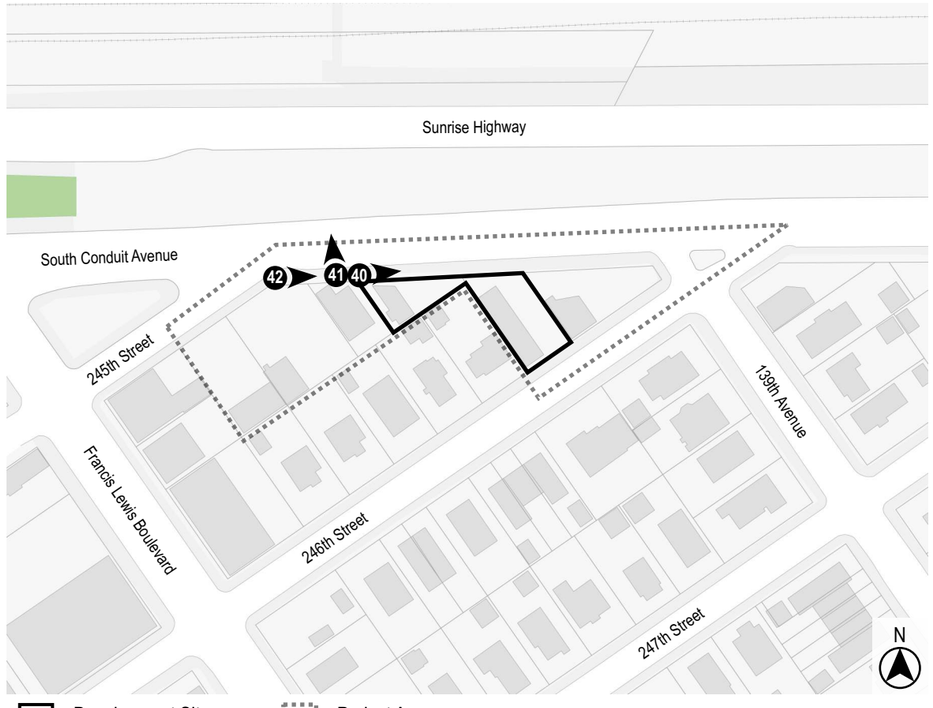
40. View of the sidewalk along the south side of South Conduit Avenue facing east (Development Site at right).



42. View of the sidewalk along the south side of South Conduit Avenue facing east from 245th Street (Project Area at right).



41.View of the north side of South Conduit Avenue facing north from the Development Site.



245-06 South Conduit Avenue, Queens

Urban Cartographics
Photographs Taken on October 1, 2021



43. View of the sidewalk along the southeast side of 245th Street facing southwest from South Conduit Avenue (Project Area at left).



44. View of the sidewalk along the southeast side of 245th Street facing northeast (Project Area at right).



45. View of the northwest side of 245th Street facing west from the Project Area.



1 Project Description

1.1 Introduction

The Applicant, Tire Heaven LLC, requests a Zoning Map Amendment to affect a portion of Block 13614 in the Rosedale neighborhood of Queens Community District 13. The "Affected Area" consists of Block 13614, Lots 6, 8, 12, 14, 23, and 28, an irregular shaped area of approximately 29,259 sf bounded in part by South Conduit Avenue, 245th Street, 139th Avenue, and 246th Street. The Zoning Map Amendment would rezone Block 13614, Lots 6, 8, 12, 14, 23, and 28 from an R3-2/C1-3 zoning district to an R3-2/C2-3 zoning district. The approval of the Zoning Map Amendment would legalize the existing tire shop at the Applicant-Owned Projected Development Site 1 (Block 13614, Lots 14 and 28). The Zoning Map Amendment constitutes the "Proposed Action".

The Proposed Action is a discretionary action subject to environmental review. The NYC Department of City Planning (DCP) shall be the lead agency on behalf of the City Planning Commission for environmental review under CEQR.

1.2 Background and Site History

The Affected Area consists of Block 13614, Lots 6, 8, 12, 14, 23, and 28 in the Rosedale neighborhood of Queens Community District 13. It has been zoned R3-2/C1-3 since the adoption of the 1961 zoning resolution. Within the Affected Area, each of the six lots has Certificate of Occupancy (CO) identified in the NYC Department of Building (DOB) Building Information System.

- Lot 6: A 1964 CO exists for Lot 6 to be used as a community facility building with three car garages and office for Rosedale Volunteer Ambulance Corps, Inc.
- Lot 8: A 1975 CO for Lot 8 permits the building's use as a community facility building with two ambulance garages and storage for Rosedale Volunteer Ambulance Corps, Inc. and a 2012 CO for the lot permits outdoor ground parking for 6 cars and a restaurant with accessory uses.
- Lot 12: A 1967 CO for Lot 12 permits the building to be used as a store and a residential accessory parking garage for 1 car on the ground floor and two dwelling units on the second floor.
- Lot 14: A 1962 CO for Lot 14 permits the building to be operated as a mixed-use building with one dwelling unit and one store.
- Lot 23: There are multiple COs identified for Lot 23, including a 1953 CO that allows the building to be operated for sales of mason's supplies and storage of three trucks, 1957 and 1971 COs that allow the building to be used as gasoline station, office, utility room, and lubritorium; and 2004 and 2012 COs that allow the building to be used as gasoline station, office, utility room, and lubritorium as well as accessory retail food shop.

- Lot 28: A 1955 CO for Lot 28 permits a boiler room, storage of mason's supplies, and cased beverages at the cellar level; a store, an office, and a warehouse for cased beverages as well as a loading and unloading berth on the ground floor; and a residential unit on the second floor.

DCP has initiated two large-scale rezonings in the past decade adjacent to the Affected Area:

- In 2008, DCP proposed zoning map changes for approximately 220 blocks located to the northwest of the Affected Area in the southeast Queens neighborhood of Laurelton in Community District 13 as part of the Laurelton Rezoning (C 080462 ZMQ, effective September 4, 2008). The Laurelton Rezoning eliminated C1-2 and C2-2 districts from within an existing R3-2 district, changed R2, R3-2, and C8-1 districts to R2, R2A, R3A, R3X, R3-1, R3-2, R4B, and R5D districts, and established C1-3 and C2-3 districts within the adopted R3X, R3-2, and R5D districts. The proposed rezoning and changes to the commercial overlay districts would protect Laurelton's established lower density, one- and two-family character and ensure that future residential development reflects the context of the surrounding neighborhood. The proposed rezoning would also provide modest housing opportunities along a section of Merrick and Springfield Boulevards by establishing a medium-density residential district where the existing zoning does not permit residential development. In addition, establishing new commercial overlays on the area's primary corridors and reducing the depth of existing overlay districts would match existing land use patterns and prevent commercial uses from encroaching on residential side streets.

- In 2010, Rosedale Rezoning (C 100436 ZMQ, effective September 16, 2010) was proposed by DCP, the area of which covers the Affected Area near the northern boundary. The Rezoning affected an approximately 193-block triangular-shaped area in the Rosedale neighborhood of Community District 13, southeast Queens. The rezoning area is generally bounded by South Conduit Avenue on the north, 235th Street, Brookville Boulevard, and Laurelton Parkway on the west, the boundary of the City of New York and Nassau County on the east, and Hook Creek and Idlewild Park on the south. The 193-block area was rezoned by eliminating C1-1, C1-2, and C2-1 district from existing R2 and R3-2 districts, by changing an R3-2 district to R2, R3A, R3X, and R3-1 districts, and by establishing C1-2, C1-3, and C2-3 districts within existing R2 and R3-2 districts. The proposed rezoning seeks to preserve the neighborhood's low-density character and builds on three recent rezonings in the nearby neighborhoods of Brookville, Cambria Heights, and Laurelton.

In addition to the large-scale rezonings proposed by DCP, there is also a small-scale rezoning proposed by the New York City Police Department (NYPD) and the Department of Citywide Administrative Services (DCAS) in the adjacent area. In 2018, NYPD 116th Precinct Rezoning (C 180209 ZMQ, effective May 9, 2018), proposed by NYPD and DCAS, established a C1-3 zoning district within an existing R3-2 district to facilitate the construction of an approximately 45,000-

square-foot, two-story police stationhouse at 242-20 North Conduit Avenue (Block 13265, Lot 30).

1.3 Description of the Surrounding Area

Existing land uses within the 400-foot buffer around the Affected Area primarily consist of residential, commercial, mixed commercial and residential, transportation and utility, and public facility uses. The residential uses include one-and two-family residences and multiple family walk-up buildings ranging from 1 to 2.5 stories in height. The commercial uses mainly consist of standalone store buildings (local retail) of 1 story while the 2-to-2.5-story mixed commercial and residential buildings are featured with local retail on the ground floor and dwelling units on the upper floor. Transportation and utility uses are located along South Conduit Avenue, most operated as gas stations with retail stores or auto repair services. Public facility uses include NYC police station along North Conduit Avenue and churches along Francis Lewis Boulevard, all of which are from 1 to 2 stories.

The Affected Area is within an R3-2/C1-3 zoning district. Around the Affected Area, R2 and R3-2 zoning districts are mapped to the north and R3X zoning district is mapped to the south. C1-3 commercial overlays are mapped along North Conduit Avenue between Brookville Boulevard and Hook Creek Boulevard and along South Conduit Avenue between 241st Street and 139th Avenue, within the R3-2 zoning districts. Other rezonings in the area included the Laurelton Rezoning (C 080462 ZMQ, effective September 4, 2008), Rosedale Rezoning (C 100436 ZMQ, effective September 16, 2010), and NYPD 116th Precinct Rezoning (C 180209 ZMQ, effective May 9, 2018).

The area is fairly served by public transit. Though there are no MTA subway stations located within the walking distance of the Affected Area, the Long Island Rail Road (LIRR) Rosedale Station is seated at an elevated platform at Sunrise Highway and Francis Lewis Boulevard, with staircases going down to either side of Francis Lewis Boulevard, which passes under the station. The LIRR Rosedale station is currently served by two Long Island Rail Road lines, including Far Rockaway Branch and Long Beach Branch. The Far Rockaway Branch connects Jamaica and Far Rockaway in Queens while the Long Beach Branch links 34th Street-Penn Station in Manhattan and Long Beach in Nassau County.

There are three bus lines (Q5/ Q85/ X63) that are accessible to the people living and working in the Affected Area within 10-minute walking distance. The Q5 bus, which connects Rosedale and Jamaica via Merrick Boulevard, has two bus stops on different directions located approximately 1,000 feet north of the Affected Area, one at Francis Lewis Boulevard and Sunrise Highway and the other at Sunrise Highway and South Conduit Avenue. Also serving as a link between Rosedale and Jamaica, the Q85 bus line runs along South Conduit Avenue and 243rd Street near the Affected Area with bus stops on different directions. The X63 bus, an express route that runs between Rosedale and Midtown Manhattan via Merrick Boulevard, Linden Boulevard, Van Wyck Expressway, and Queens Boulevard, passes the Affected Area along Francis Lewis Boulevard. There are two X63 bus stops on different directions located within 5-minute walking distance

west and northeast from the Affected Area, one at the corner of Francis Lewis Boulevard and 245th Street and the other at the corner of Hook Creek Boulevard and North Conduit Avenue.

1.4 Description of the Affected Area

The Affected Area consists of Block 13614, Lots 6, 8, 12, 14, 23, and 28 in the Rosedale neighborhood of Queens Community District 13, which is an irregularly shaped area containing approximately 29,259 SF lot area that is in part bounded by 139th Avenue to the east, South Conduit Avenue to the north, 245th Street to the west, and 246th Street to the south. 139th Avenue is a two-way narrow road (60 feet) classified as a Local Road with one moving lane of traffic in each direction and curbside parking. South Conduit Avenue is a one-way west-to-east narrow road (60 feet) classified as a Principal Arterial Road by the New York State Department of Transportation with four moving lanes of traffic. 245th Street is a one-way southwest-to-northeast narrow road (50 feet) with two moving lanes of traffic and curbside parking. 246th Street is a one-way northeast-to-southwest narrow road (50 feet) with two moving lanes of traffic and curbside parking.

The Applicant-Owned Development Site

The Applicant-Owned Development Site is located at 245-06 South Conduit Avenue (Block 13614, Lot 14) and 139-14 246th Street (Block 13614, Lot 28). Lot 14 is a 2,763-sf interior lot with 94 feet of frontage on South Conduit Avenue, which is occupied by a 1,552-gsf, 2.5-story mixed-use residential and commercial building (0.56 FAR) comprised of an automobile tire shop (UG 7D) on the ground floor and a residential unit on the second floor. Lot 28 is a 5,800-sf through lot with 58 feet of frontage on South Conduit Avenue and 50 feet of frontage on 246th Street. The lot is improved with a 3,360-gsf, 2-story mixed-use residential and commercial building (0.58 FAR), including 1,680 gsf of commercial uses on the ground floor and 1,680 gsf of residential uses (1 dwelling unit) on the second floor. The commercial floor area is associated with the tire shop on the adjacent Lot 14.

Non-Applicant Controlled Sites

The other lots in the Affected Area are Lots 6, 8, 12, and 23 and are all independently owned:

- Lot 6 is a 5,000-sf interior lot with 50 feet of frontage on 245th Street. It is improved with a 1,400 gsf, 1-story commercial building which includes UG 6 local retail uses as a deli and a cell phone provider store.
- Lot 8 is a 7,700-sf interior lot improved with a 2,000 gsf, 2-story UG 6 fast food retail establishment on the lot. This lot has 75 feet of frontage on 245th Street.
- Lot 12 is a 3,520-sf interior lot with 47 feet of frontage on South Conduit Avenue and is improved with a 3,000 gsf mixed residential and commercial building with UG 6 local retail uses on the ground floor and 2 dwelling units on the second floor. The floor area

distribution is mixed evenly between the two uses (1,500 gsf of retail and 1,500 gsf of residential use).

- Lot 23 is a 4,476-sf corner lot that is occupied by a Use Group 16 automotive service station with 1,000 gsf of floor area. It has 100 feet of lot frontage on South Conduit Avenue, 100 feet of lot frontage on 246th Street, and 15 feet of lot frontage on 139th Avenue.

1.5 Description of the Proposed Project

The Proposed Development is the legalization of the existing tire shop located on Block 13614, Lots 14 and 28. The tire shop is classified as Use Group 7D, which is not allowed as-of-right in an R3-2/C1-3 zoning district, but would be allowed within an R3-2/C2-3 zoning district.

No change of use is proposed and no new floor area would be constructed with the Proposed Action. Lots 14 and 28 would still contain a total of 4,912 gsf of floor area, including 2,456 gsf of residential uses (2 dwelling units) and 2,456 gsf of commercial uses (UG 7D). The existing FAR on Lot 14 is 0.56 and the FAR on Lot 28 is 0.58, which would remain the same for the Proposed Development.

1.6 Action(s) Necessary to Facilitate the Project

The action necessary to facilitate the Proposed Development is the approval of:

(1) a Zoning Map Amendment to map a R3-2/C2-3 zoning district in the Affected Area currently zoned as R3-2/C1-3.

1.7 Purpose and Need

The zoning map amendment would rezone Queens Block 13614, Lots 6, 8, 12, 14, 28, and 23 from the existing R3-2/C1-3 district to an R3-2/C2-3 district. The Proposed Action would grant legal, conforming status to the Use Group 7D use tire shop currently occupying the Applicant's site. The proposed C2 zoning district would permit a wider array of commercial uses than those that are permitted by the existing C1 district. The C1 district permits commercial uses in Use Group 6, while C2 additionally permits Use Groups 5, 7, 8, and 9. The Applicant believes that the expansion of new commercial use groups would provide more flexibility to the ground-floor commercial uses along South Conduit Avenue, a major thoroughfare in the area.

1.8 Analysis Framework

The analysis framework compares the incremental difference between the proposed and potential development under the Proposed Actions (With-Action) and the development which could occur under the existing zoning (No-Action). This EAS studies the potential for individual and cumulative environmental impacts related to the Proposed Actions occurring in a study area of approximately 400 feet around the rezoning area. This environmental assessment considers

the potential effects of the Proposed Actions compared to future conditions without the approvals sought by the project sponsor. This analysis framework is described below:

Reasonable Worst-Case Development Scenario

Discretionary actions sometimes permit a range of project characteristics, or development scenarios, to occur even though the action may be sought in order to facilitate a specific development. From the range of possible scenarios that are considered reasonable and likely, the scenario with the worst environmental consequences is chosen for analysis. This is considered to be the Reasonable Worst-Case Development Scenario (RWCDS), the use of which ensures that, regardless of which scenario actually occurs, its impacts would be no worse than those considered in the environmental review. The environmental assessment examines the incremental differences between the RWCDS of the future without the project in place (No-Action Scenario) and the future with the project in operation (With-Action Scenario).

Build Year

The build year for the analysis is anticipated to be 2023 in consideration of a 19-month Environmental Approval process (approximately 12 months) and ULURP process (approximately 7 months). No construction would happen on the Projected Development Site as the Applicant's Proposed Project is simply the legalization of the tire shop (UG 7D) on the ground floor of the existing buildings on Block 13614, Lots 14 and 28.

Future Without the Proposed Actions (No-Action Scenario)

The No-Action Scenario for the Affected Area would be the same as existing conditions with the exception of the Applicant-owned Lots (Block 13614, Lots 14 and 28). It is assumed that the commercial space that occupies the two Applicant owned lots would be re-tenanted by conforming UG 6 local retail uses under the R3-2/C1-3 zoning districts, as opposed to the existing non-conforming and illegal UG 7D use of a tire shop.

Future With the Proposed Actions (With-Action Scenario)

Projected Development Site 1 (Block 13614, Lots 14 and 28; Applicant-Owned Lots)

No change of use would be proposed and no new floor area would be constructed under the With-Action Scenario, which would be congruent to the existing conditions as the Applicant only seeks to legalize the existing tire shop (UG 7D) located on Projected Development Site 1 (Block 13614, Lots 14 and 28). The tire shop is illegal under the existing R3-2/C1-3 zoning district. However, with the Proposed Action, the commercial overlay that covers Projected Development Site 1 would be changed from C1-3 to C2-3, which would additionally permit Use Groups 5, 7, 8, and 9, making the non-conforming tire shop into conformity.

Lot 14 would remain as a 2,763-sf interior lot with 94 feet of frontage on South Conduit Avenue, which would be occupied by a 1,552-gsf, 2.5-story mixed-use residential and commercial building (0.56 FAR) comprised of an automobile tire shop (UG 7D) on the ground floor and a residential

unit on the second floor. Lot 28 would also remain as a 5,800-sf through lot with 58 feet of frontage on South Conduit Avenue and 50 feet of frontage on 246th Street. The lot would continue to be improved with a 3,360-gsf, 2-story mixed-use residential and commercial building (0.58 FAR), including 1,680 gsf of commercial uses on the ground floor and 1,680 gsf of residential uses (1 dwelling unit) on the second floor. The commercial floor area on Lot 28 is associated with the tire shop on the adjacent Lot 14.

The other lots within the Affected Area are all independent owned and are not projected to redevelop as the lots are all currently in active use, and the development potential would not be increased with the Proposed Action. The other lots within the Affected Area include:

- Lot 6 is a 5,000 SF interior lot that is improved with a 1,400 GSF (0.28 FAR) single-story store building in 1931 with two retail units, accommodating a deli and a cell phone provider store.
- Lot 8 is a 7,700 SF interior lot that is improved with a 2,000 GSF (0.26 FAR) two-story store building in 1931 with one retail unit used as a standalone food establishment.
- Lot 12 is a 3,520 SF interior lot that is improved with a 3,000 GSF (0.85 FAR) two-story mixed residential and commercial building in 1931 with two UG 6 local retail units on the ground floor and two dwelling units on the second floor. The floor area distribution is mixed evenly between the two uses (1,500 GSF of retail and 1,500 GSF of residential use).
- Lot 23 is a 4,476 SF corner lot that is improved with a 1,000 GSF (0.22 FAR) single-story gas station building offering UG 16 automotive service. The existing building was built in 1955 and altered in 2003.

Because the Projected Development Site is considered in the increment between the No-Action and With-Action, the Other Affected Sites will not be considered in the analysis of density-related aspects of the environmental review. No change of use would be proposed and no new floor area would be constructed under the With-Action Scenario, which would be congruent to the existing conditions as the Applicant only seeks to legalize the existing tire shop (UG 7D) located on Projected Development Site 1. The Projected Development Site and Other Affected Sites are shown in **Figure 1.1-1**, while the RWCDS Analysis Framework is shown below in **Table 1.8-1**.

The Existing, No-Action, and With-Action Scenarios on the lots within the Affected Area are presented in **Table 1.8-2**.

Table 1.8-1: RWCDS Analysis Framework - Existing, No-Action, and With-Action Calculations and Tables

Site Info				No-Action Condition				Existing/ With-Action Condition				Net Increment		
Site ID	Block	Lot	Lot Area	Zoning	Res. (gsf)	DU	Com. (gsf) UG 6	Zoning	Res. (gsf)	DU	Com. (gsf) UG 7D	Res. (gsf)	DU	Com. (gsf)
Projected Site 1	13614	14	2,763	R3-2/C1-3	776	1	776	R3-2/C2-3	776	1	776	0	0	0
		28	5,800		1,680	1	1680		1,680	1	1680			
Total			**8,563**		**2,456**	**2**	**2,456**		**2,456**	**2**	**2,456**	**0**	**0**	**0**

DU = Dwelling Units

gsf = gross square feet

Res. = Residential

Com. = Commercial

Table 1.8-2: RWCDS Incremental Analysis Table

	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	UG 2	UG 2	UG 2	
No. of dwelling units	2	2	2	
No. of low- to moderate-income units	0	0	0	
Gross floor area (sq. ft.)	2456	2456	2456	
Commercial	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify the following:				
Describe type (retail, office, other)	UG 7D	UG 6	UG 7D	UG7D ; (-UG 6)
Gross floor area (sq. ft.)	2456	2456	2456	
Manufacturing/Industrial	NA	NA	NA	
If "yes," specify the following:				
Type of Use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any enclosed activities, specify:				
Community Facility	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes," specify the following:				
Type of Use	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Vacant Land	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If "yes", describe:	N/A	N/A	N/A	
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	N/A	N/A	N/A	
Operating hours	N/A	N/A	N/A	
Attended or non-attended	N/A	N/A	N/A	
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:	N/A	N/A	N/A	
Population				
Residents	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
If "yes," specify number:	6	6	6	
Briefly explain how the number of residents was calculated:	Approx. 3.32 People per DU in CB 13 Queens			
Businesses	☑ Yes ☐ No	☑ Yes ☐ No	☑ Yes ☐ No	
If "yes," specify the following:				
No. and type	Tire Shop	Local Retail	Tire Shop	
No. and type of workers by business	5	5	5	
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:	Assumes two retail employees per 1,000 square feet			
Other (students, visitors, concert-goers, *etc*.)	☐ Yes ☑ No	☐ Yes ☑ No	☐ Yes ☑ No	
If any, specify type and number:	N/A	N/A	N/A	
Briefly explain how the number was calculated:				
Zoning				
Zoning classification	R3-2/C1-3	R3-2/C1-3	R3-2/C2-3	C2-3 (- C1-3)
Maximum amount of floor area that can be developed	1.0 FAR Commercial; 0.6 FAR Res; 1.0 FAR CF	1.0 FAR Commercial; 0.6 FAR Res; 1.0 FAR CF	1.0 FAR Commercial; 0.6 FAR Res; 1.0 FAR CF	
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Transportation, Residential, Commercial, Mixed Res and Commercial	Transportation, Residential, Commercial, Mixed Res and Commercial	Transportation, Residential, Commercial, Mixed Res and Commercial	
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

2 Environmental Review

The following technical sections are provided as supplemental assessments to the Environmental Assessment Statement ("EAS") Short Form. Part II: 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; thus, 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
- Natural Resources

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. This section considers existing conditions, development trends, and zoning and other public policies in relation to the Projected Development Site and the Surrounding Area as well as the larger area in which the Proposed Action may have an effect. Because the Proposed Actions would permit the development of multiple family residential uses with a larger bulk and would also reduce the parking requirements for commercial uses compared to existing zoning regulations, a preliminary assessment of Land Use, Zoning, and Public Policy is provided.

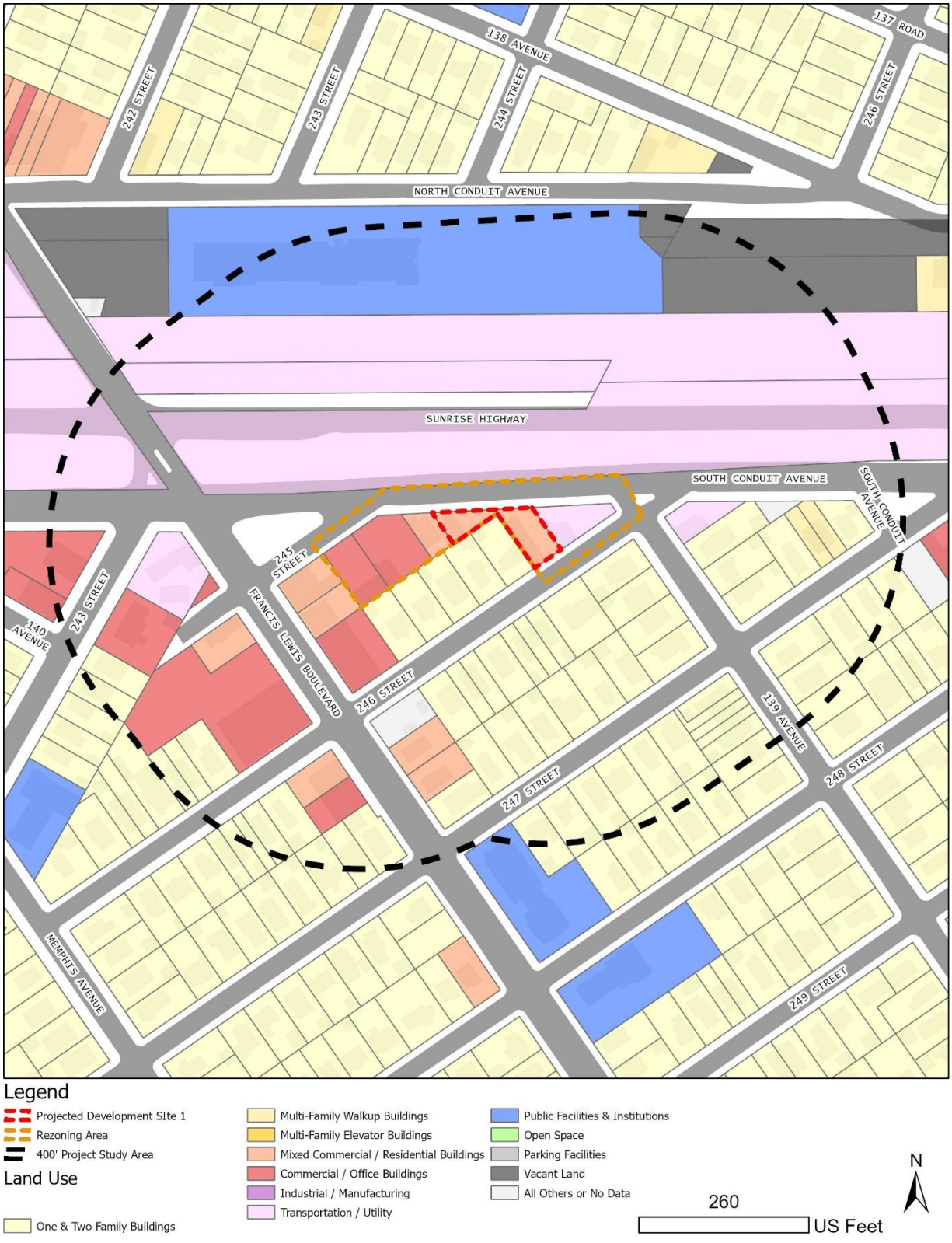
Methodology

Existing land uses were determined by reference to the New York City Zoning and Land Use (Zola) database and PLUTOTM 20v4 shapefiles. These uses were then confirmed through site visits. The evaluation of lots within the 400-foot Study Area was 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 Conditions. 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 generally extend 400 feet from the Affected Area. Existing land uses within approximately 400 feet of the Affected Area are presented in **Figure 2.1-1**.

Figure 2.1-1: Land Use Map



Existing Conditions

Land Use Study Area

As shown in **Figure 2.1-1** and stated in **Section 1.3**, the surrounding area is predominantly one- and two-family buildings, commercial and office buildings, mixed commercial and residential buildings, transportation and utility uses, and public facilities and institutions. The residential uses include one-and two-family residences and multiple family walk-up buildings ranging from 1 to 2.5 stories in height. The commercial uses mainly consist of standalone store buildings of 1 story while the 2-to-2.5-story mixed commercial and residential buildings are featured with local retail on the ground floor and dwelling units on the upper floor. Transportation and utility uses are located along South Conduit Avenue, most operated as gas stations with retail stores or auto repair services. Public facility uses include NYC police station along North Conduit Avenue and churches along Francis Lewis Boulevard, all of which are from 1 to 2 stories.

Affected Area

A full breakdown of each lot within the Affected Area can be found in **Section 1.4**.

The Applicant-Owned Development Site is located at 245-06 South Conduit Avenue (Block 13614, Lot 14) and 139-14 246th Street (Block 13614, Lot 28). Lot 14 is a 2,763-sf interior lot with 94 feet of frontage on South Conduit Avenue, which is occupied by a 1,552-gsf, 2.5-story mixed-use residential and commercial building (0.56 FAR) comprised of an automobile tire shop (UG 7D) on the ground floor and a residential unit on the second floor. Lot 28 is a 5,800-sf through lot with 58 feet of frontage on South Conduit Avenue and 50 feet of frontage on 246th Street. The lot is improved with a 3,360-gsf, 2-story mixed-use residential and commercial building (0.58 FAR), including 1,680 gsf of commercial uses on the ground floor and 1,680 gsf of residential uses (1 dwelling unit) on the second floor. The commercial floor area is associated with the tire shop on the adjacent Lot 14.

Other lots within the Affected Area include a 1-story, 1,400 GSF commercial building with two UG 6 local retail units accommodating a deli and a cell phone provider store on Lot 6 (0.28 FAR); a 2-story, 2,000 GSF commercial building with one UG 6 local retail unit used as a standalone food establishment on Lot 8 (0.26 FAR); a 2-story, 3,000 GSF mixed residential and commercial building with two UG 6 local retail units (1,500 GSF) on the ground floor and two dwelling units (1,500 GSF) on the second floor on Lot 12 (0.85 FAR); and a 1-story, 1,000 GSF gas station building offering UG 16 automotive service on Lot 23 (0.22 FAR).

Future No-Action Condition

Land Use Study Area

There is one active construction permit in the 400-foot study area, which is located at 140-05 245th Street (Block 13599, Lot 45). The proposed new building is a 2-story 8,218 GSF (6,265 ZSF,

1.46 FAR) mixed residential, commercial, and community facility building, which will include local retail and medical office on the ground floor and two dwelling units on the second floor.

Affected Area

The No-Action Scenario for the Affected Area would be the same as existing conditions with the exception of the Applicant-owned Lots (Block 13614, Lots 14 and 28). It is assumed that the commercial space that occupies the two Applicant owned lots would be re-tenanted by conforming UG 6 local retail uses under the R3-2/C1-3 zoning districts, as opposed to the existing non-conforming and illegal UG 7D use of a tire shop.

Future With-Action Condition

Land Use Study Area

Land use and development patterns in the study area are anticipated to remain unchanged in the future with the Proposed Actions. Any new development in the surrounding area would be consistent with the underlying zoning regulations.

Affected Area

Projected Development Site 1 (Block 13614, Lots 14 and 28)

No change of use would be proposed and no new floor area would be constructed under the With-Action Scenario, which would be congruent to the existing conditions as the Applicant only seeks to legalize the existing tire shop (UG 7D) located on Projected Development Site 1 (Block 13614, Lots 14 and 28). The tire shop is illegal under the existing R3-2/C1-3 zoning district. However, with the Proposed Action, the commercial overlay that covers Projected Development Site 1 would be changed from C1-3 to C2-3, which would additionally permit Use Groups 5, 7, 8, and 9, making the non-conforming tire shop into conformity.

Lot 14 would remain as a 2,763-sf interior lot with 94 feet of frontage on South Conduit Avenue, which would be occupied by a 1,552-gsf, 2.5-story mixed-use residential and commercial building (0.56 FAR) comprised of an automobile tire shop (UG 7D) on the ground floor and a residential unit on the second floor. Lot 28 would also remain as a 5,800-sf through lot with 58 feet of frontage on South Conduit Avenue and 50 feet of frontage on 246th Street. The lot would continue to be improved with a 3,360-gsf, 2-story mixed-use residential and commercial building (0.58 FAR), including 1,680 gsf of commercial uses on the ground floor and 1,680 gsf of residential uses (1 dwelling unit) on the second floor. The commercial floor area on Lot 28 is associated with the tire shop on the adjacent Lot 14.

Conclusion

The Applicant believes that the density and uses permitted by the Proposed Action would be consistent with nearby low-density low-rise mixed residential and commercial buildings along South Conduit Avenue. The Proposed Action would not be incompatible with surrounding uses,

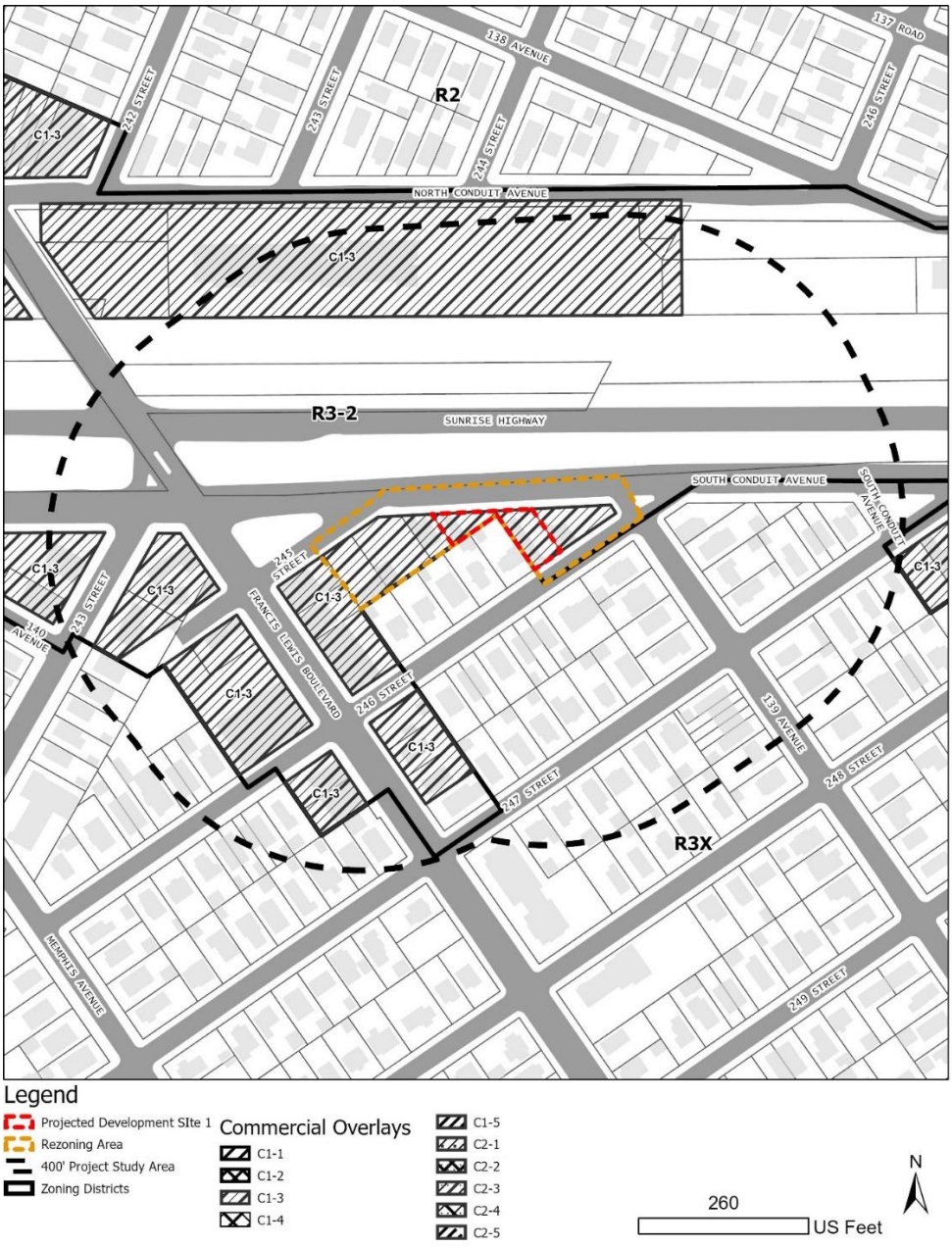
which are predominantly residential and commercial, and would not alter or accelerate development patterns in the area. Therefore, there would be no adverse impacts to land use as a result of the Proposed Action, and further analysis is not required.

2.1.2 Zoning

The *CEQR Technical Manual* suggests that a zoning study area should extend 400 feet from the Affected Area. The proposed zoning map amendment would affect Block 13614, Lots 6, 8, 12, 14, 23, and 28 from R3-2/C1-3 to R3-2/C2-3. Existing zoning districts within approximately 400 feet of the Affected Area are presented in

Figure 2.1-2.

Figure 2.1-2: Area to be Rezoned Overlaid Existing Zoning Map


R2
R3-2
R3X
C1-3
NORTH CONDUIT AVENUE
SOUTH CONDUIT AVENUE
SUNRISE HIGHWAY
138 AVENUE
137 ROAD
242 STREET
243 STREET
244 STREET
246 STREET
245 STREET
140 AVENUE
FRANCIS LEWIS BOULEVARD
139 AVENUE
248 STREET
247 STREET
249 STREET
MEMPHIS AVENUE
Legend
Projected Development SIte 1
Rezoning Area
400' Project Study Area
Zoning Districts
Commercial Overlays
C1-1
C1-2
C1-3
C1-4
C1-5
C2-1
C2-2
C2-3
C2-4
C2-5
260
US Feet
N

Existing Conditions

Zoning Study Area

The zoning districts within 400 feet of the Affected Area are R2, R3-2, R3X, and C1-3 commercial overlays as illustrated in **Table 2.1-1**.

Table 2.1-1: Zoning Districts in the Surrounding Area[1]

Zoning District	Type and Use Group	Floor Area Ratio (FAR)	Parking
R2	Residential UGs 1, 3, 4	0.5 FAR – Residential 1.0 FAR – Community Facility	1 per DU
R3-2	Contextual Residential UGs 1-4	0.5 FAR – Residential 1.0 FAR – Community Facility	1 per DU; 50% for IRHU[2] and AIRS[3]
R3X	Contextual Residential UGs 1-4	0.5 FAR – Residential 1.0 FAR – Community Facility	1 per DU
C1-3 Commercial Overlay	Local Retail UGs 1-6	1.0 FAR - Commercial (R1-R5) 2.0 FAR - Commercial (R6 - R10)	1 per 400 sf

Existing zoning districts in the surrounding area include:

R2

Residential development in R2 districts is limited exclusively to single-family detached houses. The smaller lot area and lot width requirements in R2 districts allow a higher density than in R1 districts, although the maximum floor area ratio (FAR) of 0.5 is the same. The minimum lot width is 40 feet. The maximum height of buildings is not fixed but is governed by a sky exposure plane. As in other lower-density residence districts, one off-street parking space is required for each dwelling unit.

R3-2

R3-2 districts are general residence districts that allow a variety of housing types, including low-rise attached houses, small multi-family apartment houses, and detached and semi-detached one- and two-family residences. It is the lowest density zoning district in which multiple dwellings are permitted.

The maximum permitted 0.5 residential FAR may be increased to 0.60 with an attic allowance of up to 20% for the inclusion of space beneath a pitched roof. The perimeter wall may rise to 21

[1] Zoning Handbook, New York City Department of City Planning, 2019
[2] Income-Restricted Housing Units
[3] Affordable Independent Residences for Seniors

feet before sloping or being set back to a maximum building height of 35 feet. Lots with detached homes must be at least 40 feet wide; if occupied by semi-detached and attached buildings, lots must be at least 18 feet wide. The maximum street wall length for a building on a zoning lot is 125 feet. The maximum lot coverage of any residence is 35%. Front yards must be at least 15 feet deep.

Cars may park in the side or rear yard, in the garage or in the front yard within the side lot ribbon; parking is also allowed within the front yard when the lot is wider than 35 feet. One off-street parking space is required for each dwelling unit. However, off-street parking spaces are required for 50% of income-restricted housing units (IRHU) and affordable independent residences for seniors (AIRS) outside of the Transit Zone, which could further be waived within the Transit Zone.

R3X

R3X contextual districts, mapped extensively in lower-density neighborhoods, permit only one- and two-family detached homes on lots that must be at least 35 feet wide. The maximum permitted 0.5 residential FAR in R3X districts may be increased to 0.60 with an attic allowance of up to 20% for the inclusion of space beneath a pitched roof. The perimeter wall may rise to 21 feet before sloping or being set back to a maximum building height of 35 feet. The amount of required open space on a lot is governed by yard requirements. Two side yards that total at least 10 feet are required and there must be a minimum distance of eight feet between houses on adjacent lots. The front yard of a new home must be at least 10 feet deep and, to promote a unified streetscape, it must be at least as deep as an adjacent front yard but need not exceed a depth of 20 feet. An in-house garage is permitted within the building provided the driveway is at least 18 feet deep. One off-street parking space is required for each dwelling unit.

C1-3 Commercial Overlay

C1 districts are commercial overlays mapped within residential districts. Mapped along streets that serve local retail needs, they are found extensively throughout the city's lower- and medium-density areas and occasionally in higher-density districts. Typical retail uses include neighborhood grocery stores, restaurants and beauty parlors. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use.

When commercial overlays are mapped in R1 through R5 districts, the maximum commercial FAR is 1.0; when mapped in R6 through R10 districts, the maximum commercial FAR is 2.0. Commercial buildings are subject to commercial bulk rules.

Overlay districts differ from other commercial districts in that residential bulk is governed by the residence district within which the overlay is mapped. All other commercial districts that permit residential use are assigned a specific residential district equivalent. Unless otherwise indicated on the zoning maps, the depth of overlay districts ranges from 100 to 200 feet.

Generally, the lower the numerical suffix, the more off-street parking is required. For C1-2 districts, 1 parking space is required for every 300 sf of commercial floor area while for C1-3

districts, 1 parking space is required for every 400 sf of commercial floor area. Meanwhile within C1-4 districts, 1 parking space is required for every 1,000 sf of commercial floor area.

Affected Area

The Affected Area is zoned R3-2/C1-3, which permits low-density residential developments along with commercial or community facility uses.

Future No-Action Condition

Zoning Study Area and Affected Area

No proposed rezoning was identified within the 400-foot zoning study area. The 400-foot study area would continue to be regulated by the underlying zoning districts described above.

No changes to zoning would occur in the future without the Proposed Action in the Affected Area. Existing zoning patterns would remain, and the Affected Area would continue to be subject to R3-2/C1-3 zoning regulations.

Future With-Action Condition

Zoning Study Area

Changes to zoning would only occur in the Affected Area in the future with the Proposed Actions.

Affected Area

Block 13614, Lots 6, 8, 12, 14, 23, and 28 would be rezoned from an existing R3-2/C1-3 zoning district to an R3-2/C2-3 zoning district, bringing the existing tire shop (UG 7D) on Lots 14 and 28 (currently legally nonconforming) into conformance with the Zoning Resolution.

Under the With-Action condition, the maximum permitted FAR and building bulk would remain the same as the existing and No-Action conditions. The proposed R3-2/C2-3 district would still permit a maximum of 0.5 FAR for residential uses (0.6 FAR with an attic allowance), 1.0 FAR for commercial uses, and 1.0 for community facility uses. The perimeter wall may rise to 21 feet before sloping or being set back to a maximum building height of 35 feet.

In comparison with the existing C1-3 commercial overlays mapped in the Affected Area currently, the proposed C2-3 commercial overlays would permit a wider array of commercial uses, adding UGs 7, 8, 9, and 14 as-of-right, which would allow for more flexibility of the commercial spaces within the Affected Area. As such, the zoning change would enhance the zoning conformity in the surrounding area which is predominantly zoned as residential and commercial districts.

Conclusion

The Applicant believes that the Proposed Action would be consistent with nearby low-density mixed-use buildings mostly along South Conduit Avenue. The proposed C2-3 commercial overlay is mapped along South Conduit Avenue, which, from the Applicant's perspective, is appropriate

for a wider range of commercial uses while maintaining the low-density low-rise residential character of nearby side streets. The rezoning would not adversely affect surrounding land uses, nor would it be incompatible with those land uses. Therefore, no significant adverse impacts are anticipated to zoning, and further analysis is not required.

2.1.3 Public Policy

The Projected Development Site is not part of, or subject to, an Urban Renewal Plan (URP), adopted community 197-a Plan, Solid Waste Management Plan, Business Improvement District (BID), Industrial Business Zone (IBZ), or the New York City Landmarks Law. The Proposed Action is also not a large publicly sponsored project, and as such, consistency with the City's PlaNYC 2030 for sustainability is not warranted. In addition, the Projected Development Site is not located within Mandatory Inclusionary Housing Areas, Inclusionary Housing Designated Areas, Fresh Zones, Coastal Zones, or Historic Districts. Therefore, no public policy was identified for the Proposed Action.

Conclusion

The development that is projected as a result of the Proposed Action would not create a land use conflict, nor would itself conflict with public policies and plans for the site or surrounding area. The Proposed Action would also not result in significant material changes to existing regulations or policy. Therefore, no significant adverse impacts are anticipated to public policies and no further analysis is warranted.

2.2 Natural Resources

Natural resources are defined in the *CEQR Technical Manual* as the City's biodiversity (plants, wildlife and other organisms); any aquatic or terrestrial areas capable of providing suitable habitat to sustain the life processes of plants, wildlife or other organisms; and any areas capable of functioning in support of the ecological systems that maintain the City's environmental stability.

An assessment of a proposed development's impacts on natural resources is typically performed for projects that either would occur on or near natural resources (e.g., wetlands, woodlands, meadows, etc.), or for projects that would result in either the direct or indirect disturbance of such resources. Based on the initial field observations, the Projected Development Site is essentially paved and devoid of natural resources, which is actively used as mixed-use buildings with a tire shop on the ground floor and a total of 2 dwelling units on the second floor. The Projected Development Site contains no landscaped features with natural resources values, has no subsurface conditions, the disruption of which might affect the function or value of an adjacent or nearby natural resource, and is neither near nor contiguous to any natural resources. Any vegetation on the Affected Area under the existing condition would be typical urban invasive vegetation with no vegetation or wildlife habitat value. Wildlife in the Affected Area is also urban mammals and transitory avian wildlife. There are no streams, ponds, or lakes that would provide any habitat for aquatic-related wildlife within the Affected Area. In sum, the Projected Development Site is within a disturbed urban environment and no natural resource impacts are anticipated. Therefore, there would be no impact to the area's natural resources and no further assessment is necessary.

According to the *CEQR Technical Manual*, however, the Projected Development Site is located within the Jamaica Bay Watershed. As such, the Jamaica Bay Watershed Protection Plan, Project Tracking Form was completed (see **Appendix A**). The Jamaica Bay Watershed Protection Plan, developed pursuant to Local Law 71 of 2005, mandates that the New York City Department of Environmental Protection (DEP) work with the Mayor's Office of Environmental Coordination (MOEC) to review and track Projected Development projects in the Jamaica Bay Watershed that are subject to CEQR, in order to monitor growth and trends. If a project is in the Jamaica Bay Watershed, the Applicant should complete the Project Tracking Form and submit it to DEP and MOEC. The information in the Form is to be used for tracking purposes only. It is not intended to indicate whether further CEQR analysis is needed or to substitute for the guidance offered in the relevant chapters of the *CEQR Technical Manual*.

Appendix A: Jamaica Bay Watershed Protection Plan Project Tracking Form

Print Form

Jamaica Bay Watershed Protection Plan
Project Tracking Form

The Jamaica Bay Watershed Protection Plan, developed pursuant to Local Law 71 of 2005, mandates that the New York City Department of Environmental Protection (DEP) work with the Mayor's Office of Environmental Coordination (MOEC) to review and track proposed development projects in the Jamaica Bay Watershed (http://www.nyc.gov/html/oec/downloads/pdf/ceqr/Jamaica_Bay_Watershed_Map.jpg) that are subject to CEQR in order to monitor growth and trends. If a project is located in the Jamaica Bay Watershed, (the applicant should complete this form and submit it to DEP and MOEC. This form must be updated with any project modifications and resubmitted to DEP and MOEC.

The information below will be used for tracking purposes only. It is not intended to indicate whether further CEQR analysis is needed to substitute for the guidance offered in the relevant chapters of the CEQR Technical Manual.

A. GENERAL PROJECT INFORMATION

1. CEQR Number: TBD 1a. Modification ☐
2. Project Name: 245-06 South Conduit Avenue Rezoning
3. Project Description:

   The Applicant requests a Zoning Map Amendment to affect Block 13614, Lots 6, 8, 12, 14, 23, and 28 from an R3-2/C1-3 zoning district to an R3-2/C2-3 zoning district, legalizing the existing tire shop at the Applicant-Owned lots (Block 13614, Lots 14 and 28).

4. Project Sponsor: Tire Heaven LLC
5. Required approvals: Zoning Map Amendment
6. Project schedule (build year and construction schedule): 2023

B. PROJECT LOCATION:

1. Street address: 245-06 South Conduit Avenue/ 139-14 246th Street
2. Tax block(s): 13614 Tax Lot(s): 14 and 28
3. Identify existing land use and zoning on the project site: Mixed-use (res. & com.); R3-2/C1-3
4. Identify proposed land use and zoning on the project site: Mixed-use (res. & com.); R3-2/C2-3
5. Identify land use of adjacent sites (include any open space): Res., Com., Mixed-use,Transportation
6. Describe existing density on the project site and the proposed density:

Existing Condition	Proposed Condition
4,912 GSF	4,912 GSF

7. Is project within 100 or 500 year floodplain (specify)? ☐ **100 Year** ☐ **500 Year** ☒ **No**

C. GROUND AND GROUNDWATER

1. Total area of in-ground disturbance, if any (in square feet): No in-ground disturbance would occur
2. Will soil be removed (if so, what is the volume in cubic yards)? No
3. Subsurface soil classification:
   (per the New York City Soil and Water Conservation Board): Urban Land Complex
4. If project would change site grade, provide land contours (**attach** map showing existing in 1' contours and proposed in 1' contours).
5. Will groundwater be used (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: Rates:
6. Will project involve dewatering (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: Rates:
7. Describe site elevation above seasonal high groundwater:

   Approximately 47.5 feet

D. HABITAT

1. Will vegetation be removed, particularly native vegetation? ☐ **Yes** ☒ **No**

   If YES,
   - **Attach** a detailed list (species, size and location on site) of vegetation to be removed (including trees >2" caliper, shrubs, understory planting and groundcover).
   - **List** species to remain on site.
   - **Provide** a detailed list (species and sizes) of proposed landscape restoration plan (including any wetland restoration plans).
2. Is the site used or inhabited by any rare, threatened or endangered species? ☐ **Yes** ☒ **No**
3. Will the project affect habitat characteristics? ☐ **Yes** ☒ **No**

   If YES, describe existing wildlife use and habitat classification using "Ecological Communities of New York State." at http://www.dec.ny.gov/animals/29392.html.
4. Will pesticides, rodenticides or herbicides be used during construction? ☐ **Yes** ☒ **No**

   If YES, estimate quantity, area and duration of application.
5. Will additional lighting be installed? ☐ **Yes** ☒ **No**

   If YES and near existing open space or natural areas, what measures would be taken to reduce light penetration into these areas?

E. SURFACE COVERAGE AND CHARACTERISTICS

(describe the following for both the existing and proposed condition):

	Existing Condition	Proposed Condition
1. ***Surface area:***		
Roof:	2,456	2,456
Pavement/walkway:	6,107	6,107
Grass/softscape:		
Other (describe):		
2. ***Wetland*** (regulated or non-regulated) area and classification:		
3. ***Water surface area:***		

4. ***Stormwater management*** (describe):

Existing – how is the site drained?

Stormwater sewers in street

Proposed – describe, including any infrastructure improvements necessary off-site:

Stormwater sewers in street