Project Name: 80-01 Broadway Commercial Overlay
CEQR # 23DCP159Q
SEQRA Classification: Unlisted

NEGATIVE DECLARATION

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed actions would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The Applicant, GWY Realty Inc., seeks a Zoning Map Amendment (the Proposed Action) to rezone Queens Block 1509, Lot 1 and parts of (p/o) Lots 17 and 6 (the Project Area) from an R7A to an R7A/C2-4 zoning district in the Elmhurst neighborhood of Queens, Community District 4. The Proposed Action is sought to bring the existing legal nonconforming commercial uses on Lot 1 into conformance. While the Applicant does not have any plans to redevelop the properties on the Applicant-owned Lot 1, the Proposed Action would afford them the flexibility to invite new tenants into their currently non-conforming commercial space in the future.

For the purposes of a conservative analysis, this EAS assumes that the Proposed Actions would facilitate the development of an additional 9,104 gross-square-feet (gsf) of commercial use on Lot 1 (Projected Development Site 1). In total, with the existing development on Lot 1, Projected Development Site 1 would include 19,525-gsf of commercial use and 7,385-gsf of community facility use, with a total of 26,910-gsf. The two-story building would be 25.68 feet tall, and all existing legal nonconforming commercial uses would be brought into conformance. The EAS land use and zoning analyses concludes that the density and uses permitted by the Proposed Action would be consistent with nearby residential and mixed-use buildings, and that the proposed C2-4 commercial overlay would align with the existing commercial character of this section of Broadway. The Proposed Action would also not conflict with plans or public policies concerning the Project Area or greater EAS Study Area. Therefore, the EAS concludes that the Proposed Action would not have significant adverse impacts on land use, zoning, or public policy.

Air Quality and Noise

An (E) designation (E-745) related to air quality and noise would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The air quality and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in significant adverse impacts related to air quality or noise.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Max Marinoff at +1 212-720-3621.

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3493
NAME Evren Ulker-Kacar, AICP	DATE 10/27/2023
SIGNATURE Evren Ulker Kacar	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 10/30/2023
SIGNATURE	

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Determination of Significance Appendix

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

Development Site	Borough	Block and Lot
Projected Development Site 1	Queens	Block 1509, Lot 1

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to air quality and noise, an (E) designation (**E-745**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below:

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

Air Quality

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

> ***Projected Development Site 1:*** *Any new commercial and/or community facility development and/or enlargement on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating and air conditioning (HVAC) system and hot water equipment, ensure that the HVAC system and/or the hot water equipment stack is located at the building's highest level and at a minimum of 28.68 feet above grade, and that the stack is located at least 45 feet from the northern lot line facing Layton Street and at least 60 feet from the eastern lot line facing Pettit Avenue to avoid any potential significant adverse air quality impact.*

Noise

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

> ***Projected Development Site 1:*** *To ensure an acceptable interior noise environment, future community facility and commercial office uses must provide a closed window condition with a minimum of 31 dB(A) window/wall attenuation on the facade facing Broadway and the facades facing Baxter Avenue and Pettit Avenue within 50 feet of Broadway, and a minimum of 28 dB(A) window/wall attenuation on the facade facing Baxter Avenue beyond 50 feet of Broadway to maintain an interior noise level not greater than 45 dB(A) for community facility uses or not greater than 50 dB(A) for commercial office use. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*