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 (CPC) 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 action 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 action sought before CPC 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, Dr. Robert Thomas, is seeking approval of a zoning map amendment to rezone Queens Block 3776, Lots 30 and 31 (the "proposed rezoning area") from the existing R5 zoning district to an R5D/C2-3 zoning district (the "Proposed Action") in the Middle Village neighborhood of Queens Community District 5. The Proposed Action would facilitate the alteration and enlargement of the existing single-story commercial building located at Block 3776, Lot 31 ("Projected Development Site 1"), currently used as an animal hospital, with two additional stories and two dwelling units (the "proposed project"). The proposed three-story mixed commercial and residential building would include the existing animal hospital on the ground floor, and residential use on the upper floors – one dwelling per floor—with a building height of 33'9". The Proposed Action would allow for commercial use, increase the permitted bulk and range of uses in the proposed rezoning area and result a modest increase the density of development along the commercial corridor of Metropolitan Avenue. The Proposed Action would not introduce any new uses that are not already located within the surrounding area and would bring the existing legal non-conforming ground floor veterinary medicine use into conformance, as well as the existing legal non-conforming and noncomplying building on Lot 30 into conformance and compliance. In addition, the proposed rezoning would not conflict with any relevant public policies. Therefore, the analysis concludes that no significant adverse impacts are anticipated for land use, zoning, and public policy, and no further analysis is required.

Urban Design and Visual Resources

A detailed analysis related to urban design and visual resources is included in this EAS. The with-action scenario assumes the existing one-story commercial building on Projected Development Site 1 would be enlarged and result in a three-story, 5,484 gross square foot (gsf) mixed-use building consisting of 2,679 gsf of existing animal hospital to remain on the ground floor, 2,805 gsf of residential use (two dwelling units) on upper floors, with a worst-case building height of 45 feet. The proposed rezoning would allow for the development of buildings that would be slightly taller and larger than existing buildings in the surrounding area; however, the proposed R5D zoning would be compatible with the surrounding area that is predominantly mapped as an R5 district. The proposed C2-3 commercial overlay would also be consistent with active local retail uses in the surrounding area and would reinforce the commercial character along this section of Metropolitan Avenue by creating a continuous commercial frontage and activating the streetscape. As demonstrated by the comparative massing diagrams depicting the proposed development under the no-action and with-action scenarios, the development with the Proposed Action would remain compatible with the scale and character of other buildings within the surrounding area. Furthermore, the Proposed Action would not adversely affect any visual resources. Therefore, the analysis concludes that the Proposed Action would not result in significant adverse impacts to urban design or visual resources, and no further analysis is required.

Air Quality, and Noise

An (E) designation (E-664) related 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 a significant adverse impact 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 Stacey Barron at +1 212-720-3419.

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	DATE April 22, 2022
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE April 25, 2022
SIGNATURE	

Project Name: 78-46 Metropolitan Avenue Rezoning
CEQR # 22DCP092Q
SEQRA Classification: Unlisted

Determination of Significance Appendix

The Proposed Action was 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 3376, Lot 31

(E) Designation Requirements

To ensure that the Proposed Action would not result in significant adverse impacts related to air quality and noise an (E) designation (**E-664**) would be established as part of approval of the Proposed Action 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 residential development on Block 3376, Lot 31 must ensure heating, ventilation, and air conditioning (HVAC) system and hot water equipment stack(s) is located at the highest tier and at least 36'9" above grade, to avoid any significant adverse air quality impacts.*

Noise

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

> ***Projected Development Site 1:*** *In order to ensure an acceptable interior noise environment, new residential/commercial development on the above referenced property must provide a closed window condition with a minimum of 28 dB(A) window/wall attenuation on the facades facing Metropolitan Avenue (northern facade) to maintain an interior noise level of 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but not limited to, central air conditioning or air conditioning sleeves containing air conditioners.*