DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

April 4, 2017

Hilary Semel
Mayor's Office of Environmental Coordination
253 Broadway, 14th Floor
New York, NY 10007

NOTICE OF LEAD AGENCY DETERMINATION AND REVIEW

Re: **135-01 35th Avenue Rezoning**
CEQR No. 17DCP143Q
ULURP Nos. 170180ZMQ, 170181ZRQ
Queens, Community District 7
SEQRA Classification: Unlisted

The above-referenced application involves discretionary actions subject to City Planning Commission approval. These actions are subject to review under the City Environmental Quality Review (CEQR), Executive Order No. 91, and the State Environmental Quality Review Act (SEQRA), 6 NYCRR 617.

Pursuant to Sections 5.03 and 5.05 of the Rules of Procedure for City Environmental Quality Review (CEQR) as adopted June 26, 1991, the Department of City Planning, acting on behalf of the City Planning Commission, is assuming lead agency status for this application and is initiating the CEQR review.

The Applicant, Stenmax Realty Inc., is seeking a zoning map amendment to rezone Queens Block 4950, Lots 1, 7 and 103 (the "Proposed Rezoning Area"), located at 135-01 35th Avenue in the Flushing neighborhood of Queens Community District 7, from an M1-1 district to an R7A/C2-3 district. In addition, the Applicant is requesting a zoning text amendment pursuant to New York City Zoning Resolution (ZR) Appendix F to map a Mandatory Inclusionary Housing (MIH) area coterminous with the Proposed Rezoning Area. The MIH area would be mapped with MIH Option 2, which requires that 30% of the residential floor area be affordable at an average of 80% of the Area Median Income (AMI), with no units exceeding 130% AMI. The proposed actions would facilitate a proposal by the Applicant to construct an eight-story, approximately 111,312 gross square feet (gsf) mixed-use building on Lot 1 ("the Project Site"), containing 76 residential dwelling units, 22 of which would be affordable pursuant to MIH. A

Robert Dobruskin, AICP, *Director*
Olga Abinader, *Deputy Director*
120 Broadway, New York, N.Y. 10271
Direct (212) 720-3493
FAX (212) 720-3495
oabinad@planning.nyc.gov

total of 68 parking spaces would be provided in the cellar and sub-cellar of the proposed building, accessible via a new, 22 foot wide curb cut on Farrington Street.

The Proposed Rezoning Area is located at the southern portion of Queens Block 4950 in an M1-1 zoning district. It is bounded by Block 4950, Lots 10 and 101 to the north, Linden Place to the east, 35th Avenue to the south, and the Farrington Street the west. Lot 1 is developed with a single-story, approximately 15,750 gsf building occupied with Use Group 6 local retail uses; Lot 7 contains a one-story, approximately 4,000 gsf warehouse; and Lot 103 is improved with an approximately 2,550 gsf City-owned parking lot under the jurisdiction of the Department of Cultural Affairs, and is accessory to the nearby Flushing Town Hall.

The Proposed Rezoning Area is currently mapped with an M1-1 light manufacturing district that permits most commercial uses, light manufacturing uses listed in Use Group 17, and certain community facility uses. The maximum permitted floor area ratio (FAR) is 1.0 for commercial or manufacturing uses and 2.4 for community facility uses. Height regulations in M1-1 districts require that the building not penetrate a sky exposure plane that begins at 30 feet above the front lot line and slopes upwards and rearwards at a 45 degree angle.

R7A districts are medium density contextual residential districts that permit residential uses at an FAR of 4.0, or 4.6 when mapped as a Mandatory Inclusionary Housing area. When mapped with a C2-3 commercial overlay, Use Groups 1 through 9 and 14 are permitted, with a maximum FAR of 2.0 for commercial uses and 4.0 for community facility uses. Manufacturing uses are not permitted. In R7A districts within an MIH area, a maximum building height of 95 feet is permitted for residential or mixed-use buildings containing affordable housing, and a qualifying ground floor of at least 13 feet. Accessory off-street parking spaces must be provided for 50 percent of market-rate dwelling units. No parking spaces are required for income-restricted dwelling units for areas within the Transit Zone.

The proposed actions would facilitate a proposal by the Applicant to construct an eight-story, approximately 111,312 gsf mixed-use building on the Project Site, containing 91,983 gsf of residential floor area (76 dwelling units, of which 22 would be affordable pursuant to MIH Option 2) and 19,329 gsf of commercial floor area. An accessory parking facility containing 68 spaces, accessible via a curb cut along Farrington Street, would be included in the cellar and sub-cellar of the building. The proposed building would maximize the permitted FAR of 4.6 and reach a height of 95 feet.

For the purpose of presenting a conservative analysis, the Environmental Assessment Statement (EAS) for the proposal analyzes a Reasonable Worst Case Development Scenario (RWCDS) With-Action scenario that assumes the same building program for the Project Site, and also assumes that Lot 7, which is not part of the Project Site but is within the Proposed Rezoning Area, would also be redeveloped with a nine-story, approximately 22,400 gsf mixed-use building with 16,400 gsf of residential floor area (15 dwelling units, of which 4 would be affordable pursuant to MIH Option 2) and 6,000 gsf of commercial floor area. This building would maximize the permitted FAR of 4.6 and have a maximum building height of 95 feet. While Lot 103 is within the Proposed Rezoning Area, it is a City-owned lot and is not considered a projected site for analysis, as it is expected that its current use would remain.

Absent the proposed actions, it is assumed that Lots 1, 7 and 103 would remain in their existing conditions.

The analysis year for the proposed project is 2020.

An Environmental Assessment Statement is attached. Please contact Annabelle Meunier of the Department of City Planning at (212) 720-3426, if you have any questions regarding the application.

Sincerely,

Olga Abinader, Deputy Director
Environmental Assessment and Review Division
New York City Department of City Planning

cc:

James Merani	Hye-Kyung Yang	John Young
John Mangin	Farah Mahjabeen	Sunny Bhatt
Johane Clermont	Robert Dobruskin	William Pugliese
Pat Bussey	Susan Wong	