DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Amanda M. Burden, AICP, *Director*
Department of City Planning

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OFFICE OF
ENVIRONMENTAL COORDINATION

April 8th, 2008

Robert Kulikowski, Director
New York City Office of Environmental Coordination
253 Broadway, 14th Floor
New York, New York 10007

NOTICE OF LEAD AGENCY DETERMINATION AND REVIEW

Re: **38th Street Rezoning**
CEQR No. 08DCP045Q
ULURP No. 070043ZMQ
Queens, Community District 1

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

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

The applicant, Domenico and Maria Pinto, is proposing a zoning map amendment pursuant to sections 197-c and 201 of the New York City Charter to change existing M1-1 and M1-5 zoning districts to M1-1/R6A and M1-5/R7A respectively. The area proposed to be rezoned is the block bounded by 37th Street, 38th Street, 34th Avenue, and 35th Avenue (Block 645) in the Astoria neighborhood of Queens, Community District 1. The proposed action would rezone Lots 1 and 10 of Block 645 from M1-5 to M1-5/R7A and the remainder of the block from M1-1 to M1-1/R6A (Lots 15, 17, 19, 20, 22-25, 28, 30-38, 40, 42, 44-47, 126, 127, and 131). Once rezoned, the applicant would construct 80 dwelling units and 62 accessory parking spaces on the sponsor owned lots 1, 38, 40, and 42. According to the applicant, this proposed residential development is designed to house employees and people working at the Kaufman Astoria Studios and museum located across 37th Street from the development site.

The proposed development would consist of one new five-story building containing 28 dwelling units and a below grade 62-space accessory parking garage on lots 38, 40, and 42. Access for the parking garage would be via a driveway connection to the 38th Street frontage of the site and would serve both this building and the building to be expanded on lot 1. On lot 1, the proposed

Robert Dobruskin, AICP, *Director*
James P. Merani, R.A., *Deputy Director*
22 Reade Street, New York, N.Y. 10007-1216 Room 4E (212) 720-3420
FAX (212) 720-3495
R_DOBRUS@planning.nyc.gov

project would add four residential floors containing 52 dwelling units to the top of the existing office structure. The proposed development would require the demolition of the existing two-family and three-family dwellings and the one-story commercial/warehouse structure on lots 38, 40, and 42. The office and retail uses in the existing three-story building on lot 1 would remain.

The proposed action would also legalize the existing non-conforming residential uses on most of the lots occupying the remainder of Block 645 and the existing commercial development on these lots would remain conforming.

An Environmental Assessment Statement is attached. Please contact Diane McCarthy of the Department of City Planning at (212) 720-3417 if you have any questions regarding the application.

Sincerely,

James P. Merani, R.A., Deputy Director
Environmental Assessment and Review Division
New York City Department of Planning

cc:

Laurence Parnes	Robert Dobruskin	Phil Sperling	Penny Lee
Sam Voyages	Susan Wong	Diane McCarthy	
Pat Bussey	John Young	Joy Chen	