ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION
Sideya Sherman, Director Department of City Planning

Memorandum

To: Sarah Whitham, Alex Sommer

From: Evren Ulker-Kacar EUK

Date: June 25, 2026

Re: Qualified Action Determination

Land Use Application No.: 260262ZMQ; 260263ZRQ

Project Name: Yellowstone Boulevard Rezoning

CEQR No.: 25DCP005Q

Department Determination

The Department of City Planning has reviewed the above-referenced application and determined that, pursuant to Subdivision 5 of section 8-0111 of the Environmental Conservation Law, it is a Qualified Action not subject to further review under SEQRA / CEQR.

This Qualified Action:

_X_(Subdivision 5-a(b)(i)(1-6)) is an action for the purposes of the construction of housing that shall:

- Be connected to existing community or public water and sewerage systems at the commencement of habitation;
- Be located at a previously disturbed site;
- Not be located within an area zoned exclusively for industrial uses;
- Contain no more than fifty thousand square feet of commercial, retail, community facility or other non-industrial non-residential uses;
- Either:
  - Not exceed 250 dwelling units, or
  - Not exceed 500 dwelling units within a zoning district where, at the time of application, the standard maximum residential building height is greater than forty-five feet; or the maximum height of a building is regulated by something

Stephanie Shellooe, AICP, Director, (212) 720-3328 | sshellooe@planning.nyc.gov
Evren Ulker-Kacar, AICP, Deputy Director, (212) 720-3493 | eulker@planning.nyc.gov
120 Broadway, 31st Floor, New York, N.Y. 10271 | Fax: (212) 720-3488

other than a horizontal plane and that allows residential buildings to exceed 45 feet, or there is no such maximum building height;

- Not include construction of only one single-family residence on a parcel of one-half or more acres.
- (Subdivision 5-a(c)(i)) is subject to local municipal requirements regarding hazardous materials and is accompanied by an applicant certification where applicable.[1]

___(Subdivision 5-a(b)(iii)) is an action for the purposes of construction of public parks located at a previously disturbed site that do not include performance centers, athletic stadiums, or other venues for mass gatherings, or other buildings or structures which do not serve public park, recreation, or open space purposes;

___Subdivision 5-a(b)(iv) is an action for the purposes of multi-use bicycle and pedestrian trails located at a previously disturbed site;

___Subdivision 5-a(b)(v) is an action for purposes of construction of public school facilities to be connected at the commencement of use to existing community or public water and sewerage systems, including sewage treatment works, (Subdivision 5-a(c)(i)) is subject to local municipal requirements regarding hazardous materials, and is accompanied by an applicant certification where applicable.

___Subdivision 5a(b)(vi) an action for the purposes of water and wastewater infrastructure projects that:

- replace, rehabilitate or reconstruct municipal water or wastewater infrastructure, in-kind and on the same site, including lead service line replacement;
- replace, rehabilitate, upgrade or reconstruct an existing small community water system, including lead service line replacement; or
- provide sewer service to a disadvantaged community served by one or more inadequate sewage treatment systems that has been determined by the department not to require a permit or approval pursuant to articles fifteen, twenty-four or twenty-five of this chapter or any rules or regulations promulgated thereunder;

___Subdivision 5a(b)(vii) an action for the purposes of a retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure.

1 E-813 for hazardous materials will be placed on [Borough Block 3163, Lots 30 and 32]

Applicant Provided Information

Proposed Action

The Applicant, 6040 F.P. FOOD LLC, is seeking a zoning map amendment and a zoning text amendment (the "Proposed Actions) on Block 3163, Lots 30, 32, 40, 41, p/o 42, p/o 43 and p/o 15 in the Forest Hills neighborhood of Queens Community District 6. The Affected Area contains 54,826-SF of lot area within an R4/C1-2 zoning district and is bounded by Yellowstone Boulevard/Dane Place to the east, Dartmouth Street to the north, midblock between Dane Place and Thornton Place/67th Avenue to the west, and Exeter Street to the south. The Projected Development Site (Block 3163, Lots 30 and 32) is approximately 19,979 SF.

The proposed zoning map amendment would change an existing R4/C1-2 zoning district to an R7X/C2-4 zoning district and an existing R4/C1-2 zoning district to an R4 zoning district. The proposed zoning text amendment would amend Appendix F of the Zoning Resolution (ZR) to designate the proposed R7X/C2-4 district as a Mandatory Inclusionary Housing (MIH) area.

The Proposed Actions would result in the development of the applicant-owned Projected Development Site (Block 3163, Lots 30 and 32). No development is anticipated on the remainder of lots included in the proposed actions as they do no meet the soft site criteria identified in the CEQR Technical Manual. For those sites (Block 3163, Lots 40, 41, p/o 42, and p/o 15), the Proposed Actions would only involve the elimination of an existing C1-2 commercial overlay and would not increase allowable Floor Area Ratios or allow additional uses.

Proposed Project

The Proposed Project consists of the redevelopment of the Applicant's site (Projected Development Site - Block 3163, Lots 30 and 32) with a twelve-story plus cellar, 144-foot-tall, mixed-use commercial and residential building, encompassing 141,930 GSF (119,623 ZSF, 6.0 FAR). The ground floor would include approximately 17,433 GSF (16,989 ZSF, 0.85 FAR) of commercial retail space (UG-VI Supermarket), while the second through twelve floors would include approximately 124,497 GSF (102,635 ZSF, 5.15 FAR) of residential space. The Proposed Project would provide 151 DUs (824 GSF/DU), 20-30% (30-45 DUs) of which would be affordable at an average of 40-80% AMI pursuant to Options 1, 2, or 3, depending on the option selected.

Future Without the Proposed Actions (No-Action Condition)

It is assumed that under the No-Action Condition, existing conditions would continue at the Projected Development Site as well as within the remainder of the rezoning area. There are no records of building work permits submitted by the Applicant.

Future With the Proposed Actions (With-Action Condition)

In the With-Action condition, the Projected Development Site would be developed with as a mixed-use development with the same uses as the Proposed Project, but that would maximize the site's development potential under the proposed R7X/C2-4 district. The maximum permitted FAR of 6.0 and building height of 145 feet (14 stories) are assumed. It should be noted that the elimination of the C1-2 commercial overlay on Lots 40, 41, p/o 42, p/o 43 and p/o 15 would not affect the With-Action Condition.

In the future with the Proposed Actions, the Projected Development Site would be developed with a fourteen-story, 145-foot-tall, mixed-use commercial and residential building, encompassing 141,930 GSF (119,874 ZSF, 6.00 FAR). The ground floor would include approximately 17,433 GSF (16,989 ZSF, 0.85 FAR) of commercial retail space, while the remainder of the building would include approximately 124,497 GSF (102,885 ZSF, 5.15 FAR) of residential space. The Proposed Project would provide 151 dwelling units (824 GSF/ per DU), 20-30% (30-45 DUs) of which would be affordable at an average of 40-80% AMI pursuant to Options 1, 2, or 3, depending on the option selected. No parking would be provided.

Table 1: Total Development Increment (All Projected Development Sites)

	Use	No-Action Condition	With-Action Condition	Increment
Projected Development Site	Residential (GSF)	0	124,497	124,497
	Dwelling Units	0	151	151
	Non-Residential (GSF)	14,733	17,433	2,700
	Community Facility (GSF)	0	0	0
	Commercial (GSF)	14,733	17,433	2,700
	Other (GSF)	0	0	0
	Total GSF	**14,733**	**141,930**	**127,197**

Attachment: Applicant Hazardous Materials Certification

Applicant Hazardous Materials Certification

Pursuant to Subdivision 5 of Section 8-0111 of the Environmental Conservation Law, certain applications seeking a Qualifying Action determination by a lead agency must complete an Applicant Certification regarding hazardous materials remediation.

Project Name: Yellowstone Boulevard Rezoning

Applicant Name: 6040 F.P. FOOD LLC

Contact: Joseph Friedman

Date: 6/24/2026

Project Number: 2023Q0211

Project BBLs: 4031630030, 4031630032, 4031630040, 4031630041, p/o 4031630015, p/o 4031630042, p/o 4031630043

I, Joseph Friedman, am managing member of 6040 F.P. FOOD LLC, the applicant ("Applicant") for a Zoning Map Amendment to change an existing R4/C1-2 zoning district to an R7X/C2-4 zoning district and an existing R4/C1-2 zoning district to an R4 zoning district on Block 3163, Lots 30, 32, 40, 41, p/o 42, p/o 43 and p/o 15 and a Zoning Text Amendment to map a Mandatory Inclusionary Housing (MIH) area coterminous with the proposed R7X/C2-4 boundary ("the Application"). Applicant seeks a determination that the Application is a Qualifying Action under Subdivision 5 of Section 8-0111 of the Environmental Conservation Law (the "Qualifying Action"). Applicant is the fee owner of 4031630030 and 4031630032 (the "Property"), subject to the Application.

Applicant acknowledges that the Application is required to comply with local municipal requirements regarding hazardous materials remediation including,

as applicable, an E-Designation regarding hazardous materials (E-813 for Block 3163, Lots 30 and 32) and the completion of a Phase I Environmental Site Assessment.

Applicant hereby certifies that:

(1) Applicant has followed and will follow all applicable laws, rules, and regulations regarding hazardous waste;

(2) a Phase I Environmental Site Assessment has been conducted for the Property in accordance with all appropriate inquiries regulations of the United States Environmental Protection Agency under the federal Comprehensive Environmental Response, Compensation, and Liability Act (40 CFR Section 312) to identify any recognized environmental conditions;

(3) Applicant has followed or will follow all applicable recommendations of such Phase I Environmental Site Assessment for the Property; and

(4) Applicant will report contamination at, on, or under the Property as required by applicable laws, rules and regulations.

[Signature] Joseph Friedman

Applicant Name Joseph Friedman