



DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Amanda M. Burden, A.I.C.P., *Director*
Department of City Planning

March 12, 2007

James Heineman
Lemonides Heineman Associates
139 Fulton Street, Suite 207
New York, NY 10038

Re: R7X Rezoning - 74th Street Between Broadway and 41st Avenue
CEQR No. 07DCP009Q
ULURP No. 070065 ZMQ
Queens, Community District 4

Dear Mr. Heineman

Under City Environmental Quality Review, the lead agency is required to determine whether a proposed action may or will not have a significant effect on the environment. In accordance with this regulation, the City Planning Commission has determined that the proposed action will not have a significant effect on the environment.

Enclosed is the Negative Declaration for R7X Rezoning - 74th Street Between Broadway and 41st Avenue (CEQR No. 07DCP009Q), including supporting statements for the finding that the project will not have a significant effect.

The proposal involves an application by Plaza 75, LLC, for a zoning map amendment to change existing R6B and R6B/C2-3 zoning districts to R7X and R7X/C2-3 districts. The rezoning area is located on the west side of 75th Street, between 41st Avenue and Broadway (Block 1485, Lots 35, 37, 43, 45, 47, 49 and 51) in Elmhurst, Queens, Community District 4.

The proposed action would facilitate a proposal by the applicant to redevelop a 12,000-square-foot site at 40-46 through 40-42 75th Street ('Project Site') with a new, 60,000-square-foot, 9-story residential building containing 63 dwelling units, 9,819 square feet of community facility space and accessory parking for 32 vehicles. The 12,000-square-foot project site is currently vacant. The remaining portion of the rezoning area is presently occupied with approximately 120 dwelling units (largely contained in two, 7-story apartment houses), a 3-story residential building containing one dwelling unit (with a commercial office use on the ground floor) and a 2-story commercial retail building.

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

The existing R6B zoning district is a contextual district which allows residential use and has an FAR of 2.0. The Quality Housing regulations, which are mandatory in R6B districts, set height limits and allow high lot coverage buildings that are set near or at the street line. The regulations also include amenities related to the planting of trees, landscaping and recreation space. The C2-3 commercial overlay allows neighborhood retail uses. When mapped in R6 districts, it is mapped to a depth of 150 feet and has an FAR of 2. The C2-3 commercial overlay is presently mapped over the northern portion of the rezoning area. The proposed R7X district is a contextual zoning district which allows residential uses and has an FAR of 5. R7X districts have maximum building height of 125 feet. Although the applicant has stated that the proposed building on the Project Site would be developed to a height of 9 stories (87 feet), the shadows analysis in the EAS conservatively assumes a maximum building height of 125 feet. Like the existing R6B district, Quality Housing requirements are mandatory. With the proposed action, the C2-3 commercial overlay would remain. The provisions of the C2-3 commercial overlay would be the same when mapped in the proposed R7X district.

The applicant intends to develop the new residential building described above on the Project Site (Block 1485, Lots 43, 45 and 47); no other projected development is expected to occur as a result of the proposed action. The proposal has a build year of 2008. According to the EAS, the rezoning could also potentially result in the development of a new residential building on Block 1485, Lot 49 and a potential enlargement to an existing apartment house on Block 1485, Lot 37. Although development on these sites is less likely to occur than development on the Project Site, they are assessed in the EAS for site-specific categories. Absent the proposed action, under no-build conditions, development would occur pursuant to the existing zoning regulations and would include a residential building with 24 dwelling units on the Project Site. As discussed in the attached negative declaration, the proposed action includes (E) designations related to air quality.

Sincerely,



Robert Dobruskin

cc. Hon. Helen Marshall, Queens Borough President
Robert Kulikowski
David Karnovsky
Angela Licata
Laurence Parnes
Gail Benjamin
Phil Sperling
Sam Voyages
James Merani
Patrick Blanchfield
John Young
Pat Bussey
Paul Philps
Susan Wong
Chair, Community Board 4 Queens
District Manager, Community Board 4 Queens



CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

March 12, 2007

NEGATIVE DECLARATION

Project Identification

CEQR No. 07DCP009Q
ULURP No. 070065 ZMQ
SEQRA Classification: Unlisted

Lead Agency

City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

R7X Rezoning – 75th Street Between Broadway and 41st Avenue

The proposal involves an application by Plaza 75, LLC, for a zoning map amendment to change existing R6B and R6B/C2-3 zoning districts to R7X and R7X/C2-3 districts. The rezoning area is located on the west side of 75th Street, between 41st Avenue and Broadway (Block 1485, Lots 35, 37, 43, 45, 47, 49 and 51) in Elmhurst, Queens, Community District 4.

The proposed action would facilitate the redevelopment of a 12,000-square-foot site at 40-46 through 40-42 75th Street ('Project Site') with a new, 60,000-square-foot, 9-story residential building containing 63 dwelling units, 9,819 square feet of community facility space and accessory parking for 32 vehicles. The 12,000-square-foot project site is currently vacant. The remaining portion of the rezoning area is presently occupied with approximately 120 dwelling units (largely contained in two, 7-story apartment houses), a 3-story residential building containing one dwelling unit (with a commercial office use on the ground floor) and a 2-story commercial retail building.

The existing R6B zoning district is a contextual district which allows residential use and has an FAR of 2.0. The *Quality Housing* regulations, which are mandatory in R6B districts, set height limits and allow high lot coverage buildings that are set near or at the street line. The regulations also include amenities related to the planting of trees, landscaping and recreation space. The C2-3 commercial overlay allows neighborhood retail uses. When mapped in R6 districts, it is mapped to a depth of 150 feet and has an FAR of 2. The C2-3 commercial overlay is presently mapped over the northern portion of the rezoning area. The proposed R7X district is a contextual zoning district which allows residential uses and has an FAR of 5. Like the existing R6B district, *Quality Housing* requirements are mandatory. With the proposed action, the C2-3

Amanda M. Burden, AICP, *Chair*
22 Reade Street, New York, N.Y. 10007-1216
(212) 720-3200 FAX (212) 720-3219
nyc.gov/planning

R7X Rezoning – 74th Street Between Broadway and 41st Avenue
CEQR No. 07DCP009Q

commercial overlay would remain. The provisions of the C2-3 commercial overlay would be the same when mapped in the proposed R7X district.

The proposed action would result in the development of the new residential building described above on the Project Site (Block 1485, Lots 43, 45 and 47); no other projected development is expected to occur as a result of the proposed action. According to the EAS, the rezoning could also potentially result in the development of a new residential building on Block 1485, Lot 49 and a potential enlargement to an existing apartment house on Block 1485, Lot 37. Although development on these sites is unlikely, they are assessed in the EAS for site-specific categories. Absent the proposed action, under no-build conditions, development would occur pursuant to the existing zoning regulations and would include a residential building with 24 dwelling units on the Project Site. The proposal has a build year of 2008.

To avoid the potential for impacts related to air quality, the proposed action includes (E) designations for air quality on the Project Site (Block 1485, Lots 43, 45 and 47). The text of the (E) designation for air quality on Block 1485, Lots 43, 45 and 47 is as follows:

Any new residential, community facility and/or commercial development on the above-referenced properties must use natural gas as the type of fuel for space heating and hot water (HVAC) systems and must locate the vent stack at least 50 feet from the edge of the roof.

To avoid the potential for impacts related to air quality, the proposed action includes (E) designations for air quality on Block 1485, Lot 49. The text of the (E) designation for air quality on Block 1485, Lot 49 is as follows:

Any new residential, community facility and/or commercial development on the above-referenced property must use natural gas as the type of fuel for space heating and hot water (HVAC) systems.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated March 8, 2007, prepared in connection with ULURP Application No. 070065 ZMQ. The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement:

The above determination is based on an environmental assessment which finds that no significant effects on the environment which would require an Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6 NYCRR Part 617.

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CEQR No. 07DCP009Q

Should you have any questions pertaining to this Negative Declaration, you may contact Patrick Blanchfield at (212) 720-3346.



Robert Dobruskin, Director
Environmental Assessment & Review Division
Department of City Planning

Date: March 9, 2007



Amanda M. Burden, AICP, Chair
City Planning Commission

Date: 3/12/07

