City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☒ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* 91-32 63rd Drive Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
20DCP107Q	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
200178ZMQ N200179ZRQ	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY Department of City Planning (DCP)			NAME OF APPLICANT 63-68 RWKOP LLC		
NAME OF LEAD AGENCY CONTACT PERSON Olga Abinader, Director EARD			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Mr. David Koptiev		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 97-77 Queens Boulevard		
CITY New York	STATE NY	ZIP 10271	CITY Rego Park	STATE NY	ZIP 11374
TELEPHONE 212-720-3493	EMAIL oabinad@planning.nyc.gov		TELEPHONE 718-268-1200	EMAIL gabrieldevelopment@gmail.com	

5. *Project Description*

63-68 RWKOP LLC ("the Applicant") proposes to develop a nine-story, 95 foot high, mixed-use residential and commercial building on Block 3104, Lot 16 in Queens Community District 6 (CD6) ("the Project Site"). As detailed in Attachment A, Project Description, the Applicant seeks discretionary actions in the form of a zoning map amendment for Block 3104, Lot 16 and p/o Lot 14 from an R4/C2-2 zoning district to an R7A/C2-3 zoning district, and a zoning text amendment to designate the Project Site as a Mandatory Inclusionary Housing (MIH) Area pursuant to Option #2, which requires that 30% of the residential area be affordable to households with incomes averaging at 80% of Area Median Income (AMI)("the Proposed Actions").

The Project Site would be redeveloped with an approximately 73,171 gross square foot (gsf) mixed-use residential and commercial building, comprised of approximately 60,401 gsf of residential uses, generating 74 dwelling units (DU) throughout the 2nd through 9th floors of the building, and approximately 12,770 gsf of local retail use on the ground floor of the building (the "Proposed Project"). Of the total 74 DUs introduced to the Project Site, approximately 24 DUs would be designated as Affordable Independent Residences for Seniors (AIRS) residential units, restricted to households with incomes at 80% of AMI. The Proposed Project would provide 45 self-service parking spaces, of which 28 spaces in a garage would be accessory to residential uses and 17 surface parking spaces would be accessory to commercial uses. The anticipated construction completion year is 2022.

Project Location

BOROUGH Queens	COMMUNITY DISTRICT(S) CD 6	STREET ADDRESS 91-32 63rd Drive
TAX BLOCK(S) AND LOT(S) Block 3104, Lot 16 and p/o Lot 14		ZIP CODE 11374
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Corner lot fronting Austin Street to the north and 63rd Drive to the west.		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R4 zoning district with C2-2 commercial overlay		ZONING SECTIONAL MAP NUMBER 14a

6. *Required Actions or Approvals* (check all that apply)

***City Planning Commission*:** ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT ☐ ZONING CERTIFICATION ☐ CONCESSION
☒ ZONING MAP AMENDMENT ☐ ZONING AUTHORIZATION ☐ UDAAP
☒ ZONING TEXT AMENDMENT ☐ ACQUISITION—REAL PROPERTY ☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY ☐ DISPOSITION—REAL PROPERTY ☐ FRANCHISE
☐ HOUSING PLAN & PROJECT ☐ OTHER, explain:
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO
☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)
☐ LEGISLATION ☐ FUNDING OF CONSTRUCTION, specify:
☐ RULEMAKING ☐ POLICY OR PLAN, specify:
☐ CONSTRUCTION OF PUBLIC FACILITIES ☐ FUNDING OF PROGRAMS, specify:
☐ 384(b)(4) APPROVAL ☐ PERMITS, specify:
☐ OTHER, explain:

Other City Approvals Not Subject to CEQR (check all that apply)
☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) ☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

7. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)
Total directly affected area (sq. ft.): 13,730 sf Waterbody area (sq. ft) and type: 0 sf
Roads, buildings, and other paved surfaces (sq. ft.): 13,730 sf Other, describe (sq. ft.): 0 sf

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)
SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 73,171 gsf
NUMBER OF BUILDINGS: 1 GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 73,171 gsf
HEIGHT OF EACH BUILDING (ft.): 95 ft NUMBER OF STORIES OF EACH BUILDING: 9 stories

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: 13,730 sf
The total square feet not owned or controlled by the applicant: 0 sf

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: 13,730 sq. ft. (width x length) VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 13,730 sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	60,401 gsf	12,770 gsf		
Type (*e.g.,* retail, office, school)	74 units	Local retail		

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 158 NUMBER OF ADDITIONAL WORKERS: 51

Provide a brief explanation of how these numbers were determined: Estimated number of residents derived from DCP Population FactFinder, ACS 2012-2016, PUMA 4108 (approx. Queens CD 6) average houshehold size of renter-occupied unit: 2.14 persons. 2.14*74 DUs. Estimated number of workers calculated using multipliers of 1 employee per 250 sf of retail floor area.

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☒ NO

If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly: The No-Action scenario consists of an as-of-right development on the Project Site under existing R4 zoning with a C2-2 commercial overlay for the development of a three-story, approximately 38,446 gsf mixed-use building. The development would consist of approximately 12,358 gsf of residential use to generate 8 DUs, approximately 13,731 gsf of commercial use, approximately 12,358 gsf of community facility use, and 54 accesory parking spaces provided in the cellar space, of which 49 spaces would be accessory to commercial use and five spaces would be accessory to residential use.

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2022

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: Less than 2 years

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO | IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Based on information from the construction manager, the construction of the Proposed Project is anticipated to begin in 2020 and last less than two years.

10. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: Mixed-use commercial and residential, transportation/utility, and vacant land.

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Child Care Centers:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☒	☐
○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☒	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☒
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒

	YES	NO
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. The Project Site neither contains or is located adjacent to any architectural and/or archaeological resources (see Appendix A, "LPC Correspondence"). Therefore, the in-ground disturbance resulting from the construction of the building and cellar space would not present the potential to adversely affaect any architectural or archaeological resources.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☐	☒
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☒
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒

	YES	NO
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 7,069 pounds per week (74 DUs at a rate of 41 lbs/week + 51 employees at a rate of 79 lbs/week)		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 10,414,957 BTU		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☒
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☒
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☒
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☒
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☒
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒

	YES	NO
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. The Proposed Project would not result in any significant adverse impacts in the following technical areas: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; and Noise. Nor would the Proposed Project result in a combination of moderate effects to several elements that cumulatively may affect neighborhood character. Therefore, the Proposed Project would not result in a significant adverse impact on Neighborhood Character.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years?	☐	☒
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
o The operation of several pieces of diesel equipment in a single location at peak construction?	☒	☐
o Closure of a community facility or disruption in its services?	☐	☒
o Activities within 400 feet of a historic or cultural resource?	☐	☒
o Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. Construction of the Proposed Project would be short term and would be completed within two years. Standard construction techniques commonly used in construction projects in New York City would be utilized. Any related sidewalk or lane closure would be temporary. Therefore, no detailed quantitative analysis is anticipated.		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	DATE
Kovid Saxena, Sam Schwart Engineering, D.P.C.	October 2, 2020

SIGNATURE

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE

DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	NO
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☐	☒
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☒ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

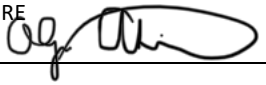
☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	City Planning Commission
NAME	DATE
Olga Abinader	

SIGNATURE



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 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 actions 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 actions sought before the City Planning Commission 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 proposed actions are a Zoning Map Amendment to rezone the project area (Queens Block 3104 Lot 16 and part of Lot 14) from an R4/C2-2 district to an R7A/C2-3 district and a Zoning Text Amendment to establish a Mandatory Inclusionary Housing area with MIH option 2 coterminous with the rezoning area in the Rego Park neighborhood of Queens, Community District 6. The project area is the east blockfront along 63Rd Drive, a wide street, between Austin Street to the north and the Long Island Railroad right-of-way to the south. The proposed actions would facilitate the development of a nine-story (95-feet) mixed use building on Queens Block 3104, Lot 16, containing 74 residential dwelling units, including 24 Affordable Independent Residences for Seniors, 12,707 gross square feet ("gsf") of commercial retail space, and 45 parking spaces.. Zoning controls would also be modified on a part of Lot 14, which is City-owned property. As this site is City-owned, any further development of Lot 16 would require additional discretionary actions, and accordingly Lot 16 is not expected to develop in the future with the proposed actions. As Lot 14 (the project site)is currently vacant, the proposed actions are anticipated to result in a change in land use on Lot 16, however, given current development trends in the surrounding area of mixed-use residential and commercial/retail developments, the proposed actions would not result in significant adverse impacts related to land use, zoning, and public policy.

Urban Design and Visual Resources

A detailed analysis related to urban design and visual resources is included in this EAS. The analysis further notes the Proposed Project would not alter the arrangement or orientation of streets within the study area, and that the Proposed Project would maintain or similar improved streetscape conditions at the perimeter and near the project site. There are no visual resources within the study area. The analysis concludes that no significant adverse impacts related to urban design and visual resources are expected as a result of the proposed actions.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-568) related to hazardous materials, 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 hazardous materials, 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 hazardous materials, 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 Anthony Howard at +1 212-720-3422.

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3493
NAME Olga Abinader	DATE October 2, 2020
SIGNATURE	

TITLE	
Vice Chair, City Planning Commission	
NAME Marisa Lago	DATE October 5, 2020
SIGNATURE	

Project Name: 91-32 63rd Drive Rezoning
CEQR # 20DCP107Q
SEQRA Classification: Unlisted

Determination of Significance Appendix

The Proposed Action(s) were 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 3104, Lot 16

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-568**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1** for hazardous materials would apply as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum-based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

Project Name: 91-32 63rd Drive Rezoning
CEQR # 20DCP107Q
SEQRA Classification: Unlisted

Air Quality

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

> ***Projected Development Site 1:*** *Any new residential and commercial development and/or enlargement on the above-referenced property must ensure that the heating, ventilating, and air conditions (HVAC) system and hot water equipment stack is located at the highest tier or at least 98 feet above grade to avoid any potential significant adverse air quality impacts.*

Noise

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

> ***Projected Development Site 1:*** *To ensure an acceptable interior noise environment, future residential/commercial office uses must provide a closed-window condition with a minimum of 35 dBA window/wall attenuation on the facades facing LIRR railroad and the facades facing 63rd Drive within 50 feet of the southern lot line and the facades facing 64th Road within 50 feet of the southern lot line and 31 dBA of attenuation on the facades facing 63rd Drive beyond 50 feet from the southern lot line and 28 dBA of attenuation on the facades facing Austin Street and the facades facing 64th Road beyond 50 feet from the southern lot line to maintain an interior noise level not greater than 45 dBA for residential uses as illustrated in the EAS. To maintain a closed-window conditions, an alternate means of ventilations must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.*

Attachment A: Project Description

I. INTRODUCTION

63-68 RWKOP LLC (the "Applicant") is seeking discretionary actions in the form of a zoning map and text amendments from the City Planning Commission (CPC) for the development of an approximately 13,730 square feet (sf) site located on Block 3104, Lot 16 at 91-32 63rd Drive in Queens Community District 6 (CD) (the" Project Site"). The proposed zoning map amendment would rezone an area comprised of Block 3104, Lot 16 and portion of ("p/o") Lot 14 from an R4/C2-2 zoning district to an R7A/C2-3 zoning district ("rezoning area"). The Applicant is also seeking a zoning text amendment to Appendix F (Mandatory Inclusionary Housing Areas) of the Zoning Resolution (ZR) to designate the Project Site as an MIH Area pursuant to Option #2. These actions are collectively referred to as the "Proposed Actions." The Proposed Actions are subject to review under the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) requirements and are classified as an Unlisted Action under SEQRA.

The Project Site is currently improved with a vacant lot. The remainder of the Project Site consists of a surface parking lot. The Proposed Actions would facilitate development of a nine-story (95 feet), approximately 73,171 gross square feet (gsf) mixed-use residential and commercial building, comprised of approximately 60,401 gsf of residential uses, generating 74 dwelling units (DUs) throughout the second through ninth floors of the building, and approximately 12,770 gsf of local retail use on the ground floor of the building (the "Proposed Project"). Of the total 74 DUs introduced to the Project Site, approximately 24 DUs would be designated as Affordable Independent Residences for Seniors (AIRS) units, restricted to households with incomes at 80% of Area Median Income (AMI). The Project Site is a corner lot fronting 63rd Drive on the west and Austin Street to the north of the Project Site. The anticipated construction completion year is 2022 **(Figure A-1: Site Location Map** and **Figure A-2: Tax Lot Map)**.

The NYC Department of City Planning (DCP) will serve as the CEQR Lead Agency. This attachment establishes the analytical framework for the technical analyses in this Environmental Assessment Statement (EAS).

II. DESCRIPTION OF THE SURROUNDING AREA

The Project Site is situated in Queens CD 6, which encompasses the neighborhoods of Forest Hills, Forest Hills Gardens, and Rego Park. Major thoroughfares near the Project Site include (1) Woodhaven Boulevard located south of the Project Site, (2) Queens Boulevard located north of the Project Site, and (3) the Long Island Expressway located west of the Project Site. Public transit access includes the 'E', 'M'' and 'R' subway trains accessible from the Queens Boulevard subway station four blocks north of the Project Site. The Long Island Railroad (LIRR) runs adjacent to the Project Site to the south. Bus routes near the Project Site include the Q38 (Rego Park-Corona) and Q60 (South Jamaica-East Midtown, Manhattan).

Existing land uses within a 400-foot radius of the Project Site (the "Study Area") consist primarily of residential land uses **(Figure A-3: Land Use Map)**, a majority of which are multi-family residential buildings. Higher density multi-family elevator apartments are located north of the Project Site and adjacent to the Project Site on the east. Existing commercial uses in the study area consist primarily of local retail uses, such as convenience stores and dry cleaners, and are located to the north, south and west of the Project Site. Commercial uses are primarily comprised of storefronts with local retail establishments located along 63rd Drive. Other uses include religious institutions, Public School 139, the Rego Park Day School and the Rego Park branch of the Queens library, which is located west of the Project Site at 91-41 63rd Drive. The surrounding area includes the R4/C2-2, R4/C1-2, R7-1 and R3-1 zoning districts mapped on properties along 63rd Drive **(Figure A-4: Existing and Proposed Zoning Map)**.

III. DESCRIPTION OF THE PROJECT SITE

The 13,730 square foot (sf) Project Site is a corner lot located on Block 3104, Lot 16, which fronts two narrow streets[1], with a 100" frontage on Austin Street to the north and 140' along 63rd Drive to the west (**Figure A-2: Tax Lot Map**). The Project Site is currently improved with a one-story (14' high) approximately 5,894 gsf vacant building constructed in 1941 that was formerly used as a restaurant (Shalimar Diner). The remainder of the Project Site is vacant land that was formerly used for surface parking (approximately 27 parking spaces) accessory to the former restaurant use **(Figure A-5: Aerial Map** and **Keyed Photographs)**. According to the NYC DCP Waterfront Revitalization Program, the Project Site is not located within the City's Coastal Zone Boundary.

According to NYC Department of Buildings (DOB) records, Certificate of Occupancy (CO) #26039 issued May 16 (year unclear) indicated that the one-story building on Lot 16 was used as a store with storage in the cellar. Certificate of Occupancies available for 1974, 1975 and 1989 indicate that the Project Site was occupied by a single-story building that was occupied by an Eating and Drinking Establishment on the first floor with storage use in the cellar.

The Project Site is mapped with an R4 zoning designation. R4 zoning districts typically produce three-story, single-family to multi-family buildings that may be attached or detached with a maximum residential Floor Area Ratio (FAR) of 0.75 and lot coverage of 45%, except in predominantly built-up areas where the maximum lot coverage is 55%. The height limit is 25 feet before a setback is required up to a maximum height of 35 feet. A minimum front yard of 10 feet is required and parking may be on-site. For detached houses, two side yards are required while semi-detached buildings require one side yard. One off-street parking space is required for each dwelling unit. A C2-2 commercial overlay is mapped within the R4 district and allows for local retail businesses. R4 districts with C2-2 overlays have a maximum FAR of 1.0 for commercial uses, and a FAR of 2.0 with a mix of commercial and community facility uses. The Project Site is not within the NYC Transit Zone in which parking requirements are either eliminated or reduced for a range of affordable and senior housing developments.

IV. DESCRIPTION OF THE PROPOSED PROJECT

The Applicant is seeking a zoning map amendment to rezone Block 3104, Lot 16 and p/o Lot 14 from its existing zoning designation of R4 zoning district with a C2-2 commercial overlay to an R7A zoning district with a C2-3 commercial overlay to facilitate redevelopment of the Project Site. The Applicant proposes to develop a mixed-use development on the Project Site that conforms to Quality Housing program requirements. The Proposed Project would consist of one nine-story (95') approximately 73,171 gsf (68,656 zoning square feet (zsf)) residential and commercial building that would include approximately 60,401 gsf (56,338 zsf) of residential uses generating 74 DUs, and approximately 12,770 gsf (10,318 zsf) of retail space on the ground floor. The Proposed Project would comply with MIH requirements under Option #2 and would have a commercial FAR of 0.82 for UG 6 and a residential FAR of 4.12 for UG 2 for a total FAR of 4.96. The maximum permitted residential (MIH-AIRS) FAR under the proposed R7A/C2-3 zoning is 5.01. Of the 74 DUs introduced by the Proposed Project, approximately 24 DUs would be designated as AIRS residential units, restricted to households with incomes up to 80% of AMI. The residential units, comprising of 24 studios, 24 one-bedroom units, and 26 two-bedroom units would occupy the second through ninth floors of the Proposed Project.

The Proposed Project would provide approximately 45 self-service parking spaces of which 28 spaces in a garage would be accessory to commercial uses and 17 surface parking spaces would be accessory to residential uses. In R7A/C2-3 districts, pursuant to Zoning Resolution (ZR) §36-21, one off-street parking space per 400 sf is required for commercial uses (Use Group 6). Access to parking would be from the southwestern most portion of the Project Site on 63rd Drive. The Proposed Project would also provide

[1] A narrow street is a street that is less than 75 feet in width as defined by the NYC Zoning Resolution.

approximately 38 bicycle parking spaces. One space would be accessory to the proposed commercial uses (one per 10,000 sf pursuant to (ZR) §36-711) and 37 would be accessory to the proposed residential uses (one per two DUs pursuant to (ZR) §25-80).

V. ACTION(S) NECESSARY TO FACILITATE THE PROJECT

The Applicant requests approval of the following public discretionary actions subject to CEQR:

- Zoning map amendment to rezone the Project Site from its existing zoning designation of R4 zoning district with a C2-2 commercial overlay to an R7A zoning district with a C2-3 commercial overlay;

- Zoning text amendment to Appendix F (Mandatory Inclusionary Housing Areas) of the ZR to designate the Project Site as an MIH Area pursuant to Option #2, which requires that 30% of residential area be affordable to households with incomes averaging 80% of AMI.

The zoning map amendment and zoning text amendment are collectively referred to as the "Proposed Actions."

VI. ANALYSIS YEAR

The Proposed Project would to be operational and available for occupancy in 2022. The construction period would be less than two years with the building developed over a single phase of construction.

VII. PURPOSE AND NEED OF THE PROPOSED ACTIONS

The Project Site is in the Rego Park neighborhood of Queens and is surrounded predominately by residential uses ranging from one-to-two family walkup houses to medium-density apartment buildings. The Project Site had been zoned as an R4 zoning district with C2-2 commercial overlay at the time of the enactment of the ZR in 1961 nearly 58 years ago, a designation it has maintained regardless of the current development patterns or needs of the area regarding housing and neighborhood development in 2019. The proposed rezoning of the Project Site from an existing R4 district (max FAR 0.75) with a C2-2 overlay (max FAR 1.0) to an R7A district (max FAR 5.01) with a C2-3 overlay (max FAR 2.0) is requested to facilitate development of the Proposed Project on the Project Site, which is currently subject to height and bulk restrictions under the current zoning district. The amount of residential floor area that could be developed on the Project Site, along with the associated parking requirements, is restricted per current zoning allowances. The bulk restrictions under the proposed rezoning with AIRS units would increase the maximum allowable FAR to facilitate the development of the Proposed Project and, in turn, the production of greater affordable units at the Project Site. The AIRS units proposed at the Project Site would be in accordance with the City's policy goals to generate more affordable housing for seniors.

Between 2010 and 2016, the total Queens population grew by 2.2%. According to the 2013 report by DCP, "New York City Population Projections by Age/Sex & Borough," the population of Queens is projected to increase 3.6% between 2010 and 2020, 1.9% between 2020 and 2030, and 1.6% between 2030 and 2040. This projected increase in population in Queens would require additional housing in the borough. Queens CD 6 has a higher proportion of adults aged 65 and older (18.3%) than Queens (13.7%) and New York City (NYC) (13.0%) as a whole. Only four other community districts in the City have a higher proportion of seniors. In addition, according to the DCP Profile for Queens CD 6, approximately 44.9% of households in CD 6 are rent-burdened, meaning that they spend 35% or more of their income on rent. This is similar to the average NYC rate of rent-burdened households. The affordable housing units, including additional AIRS units dedicated to seniors, under the Proposed Project would help address these community needs.

VIII. KNOWN DEVELOPMENTS WITHIN THE PROJECT VICINTY

Based on active building permits in the area, no known, ongoing or proposed developments were identified within 400 feet of the Project Site with anticipated completion dates in or prior to the 2022 build year.

IX. NO-ACTION CONDITION

Absent the Proposed Actions (the "No-Action condition"), an as-of-right development conforming to the current R4 zoning district with C2-2 commercial overlay would be constructed on the Project Site. The No-Action condition would consist of a three-story development with residential, commercial, and community facility uses. The maximum permitted FAR would be 2.00, including a residential FAR of 0.55, a commercial FAR of 0.89, and a community facility FAR of 0.55. The as-of-right development would have a total FAR of 1.98 and a maximum building height of 30 feet. No-Action development on the Project Site would be comprised of approximately 13,731 gsf (12,164 zsf) of retail use on the ground floor, approximately 12,358 gsf (7,488 zsf) of community facility (medical office) use on the second floor, and eight DUs totaling 12,358 gsf (7,488 zsf) of residential uses on the third floor, and 54 accessory parking spaces in the cellar, of which 49 spaces would be accessory to commercial use and five spaces would be accessory to residential use. The average DU size would be approximately 1,545 gsf (936 zsf), which would be consistent with other as-of-right market-rate developments in the area. The as-of-right development would not provide any income-restricted or age-restricted DUs.

X. WITH-ACTION CONDITION

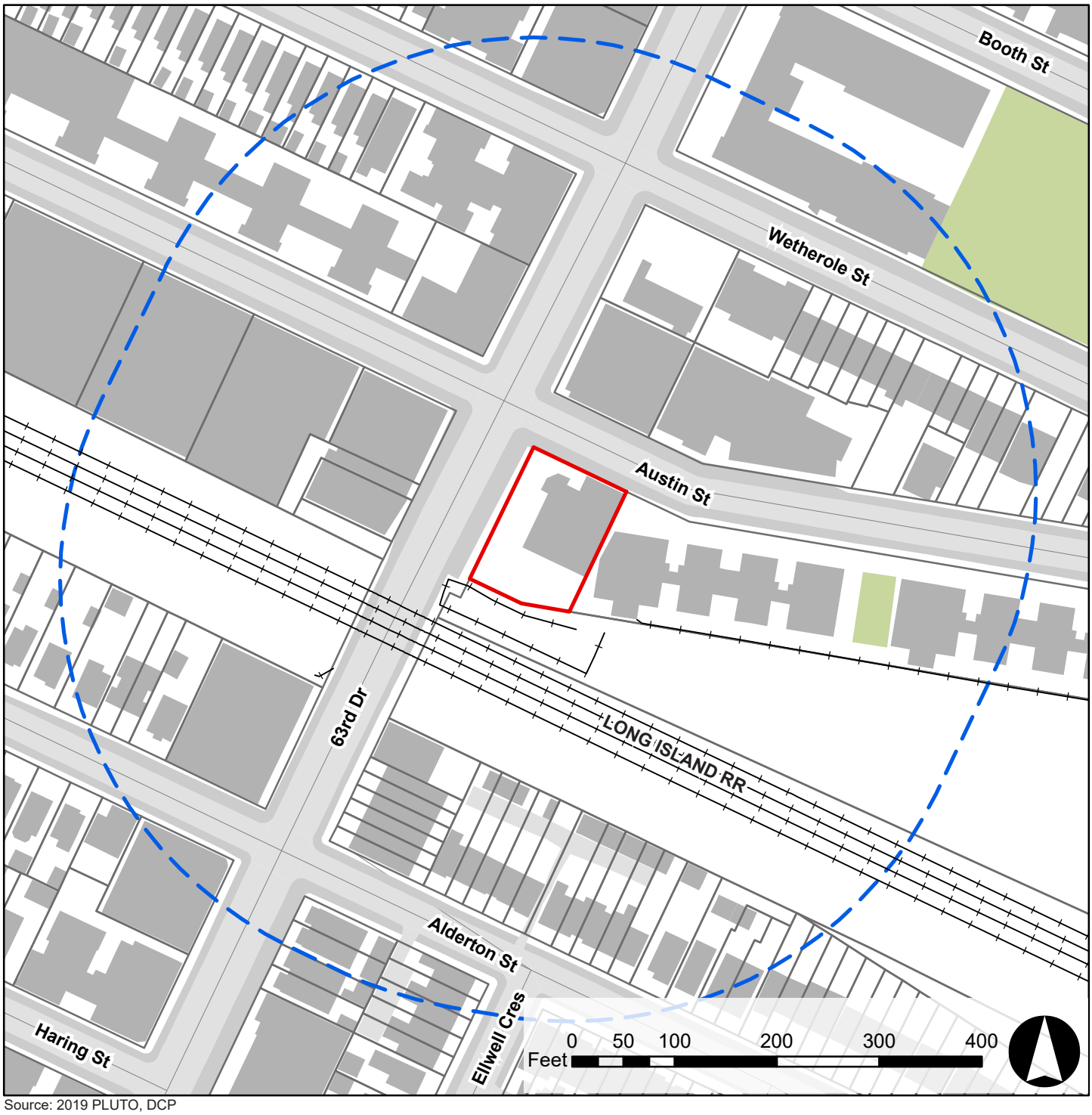
In the future with the Proposed Actions (the "With-Action condition"), the Project Site would be rezoned from its existing R4 zoning district with a C2-2 commercial overlay to an R7A zoning district with C2-3 commercial overlay. In the With-Action condition, the Project Site would be designated as an MIH Area. **(Figure A-4: Existing and Proposed Zoning Map).** Based on the proposed R7A/C2-3 zoning, several uses could be developed on the Project Site. The proposed R7A zoning district permits residential uses (Use Groups 1 and 2), while the proposed C2-3 overlay permits local retail and commercial uses (Use Groups 1-9 and 14). The maximum permitted FAR within an MIH-AIRS designated area is 5.01 pursuant to (ZR) §23-155 for residential uses and 2.0 pursuant to (ZR) §33-121 for commercial uses. The maximum permitted base height is 75 feet at the street line with a maximum building height of 90 feet or 95 feet with a qualifying ground floor after a 15-foot setback (required on a narrow street) or a 10-foot setback (required on a wide street).

The reasonable worst-case development scenario (RWCDS) establishes the appropriate framework for analysis to allow the lead agency to make reasonable conclusions regarding the likely environmental effects of the Proposed Actions. The RWCDS focuses on the increment between potential development that would be permitted on the Project Site with and without the Proposed Actions. **(Table A-1: Increment between No-Action and With-Action Conditions).**

The Proposed Project reflects the RWCDS With-Action condition. The With-Action condition for the RWCDS assumes that the Proposed Project, as described in Section IV of this attachment, would be built on the Project Site. The With-Action condition would permit approximately 96,252 zsf of mixed residential and commercial uses, calculated based on a lot size of 13,730 sf and a maximum FAR of 5.01 (MIH-AIRS). The building would be constructed as a single development and would provide approximately 60,401 gsf of residential space, comprised of 74 DUs and 12,770 gsf of local retail space on the ground floor. The Proposed Project would include approximately 45 parking spaces and approximately 38 bicycle parking spaces**. (Figure A-6 With-Action Site Plan, and Figure A-7: With-Action Massing Diagram)**.

Table A-1: Increment between No-Action and With-Action Conditions

Use	Existing	No-Action	With-Action	Increment
Residential (gsf) (UG2)	**0**	**12,358**	**60,401**	**48,043**
Total Dwelling Units (DUs)	***0***	***8***	***74***	***66***
Market-rate DUs	*0*	*8*	*50*	*42*
Affordable DUs	*0*	*0*	*24*	*24*
(restricted to household incomes not exceeding 80% of Area Median Income)				
Commercial (gsf) (UG6)	**0**	**26,089**	**12,770**	**-13,319**
Local retail	*0*	*13,731*	*12,770*	*-961*
Medical office	*0*	*12,358*		*-12,358*
Parking Spaces	0	**54**	**45**	**-9**
Residential parking spaces	*0*	*5*	*28*	*23*
Commercial parking spaces	*0*	*49*	*17*	*-32*



Source: 2019 PLUTO, DCP

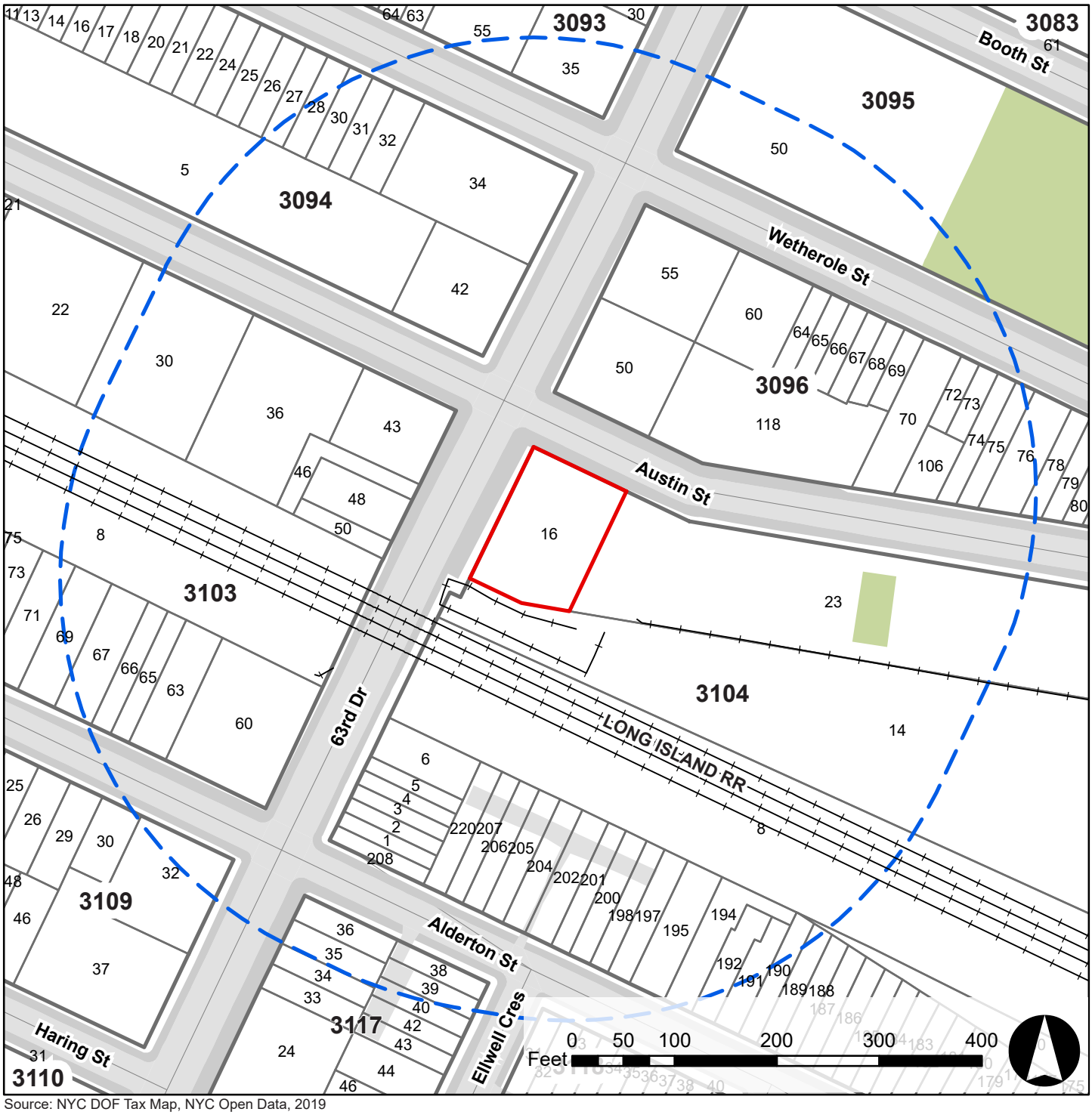
Project Site

400-foot Study Area

SITE LOCATION MAP

Figure A-1

91-32 63rd Drive Rezoning EAS



Source: NYC DOF Tax Map, NYC Open Data, 2019

Project Site

400-foot Study Area

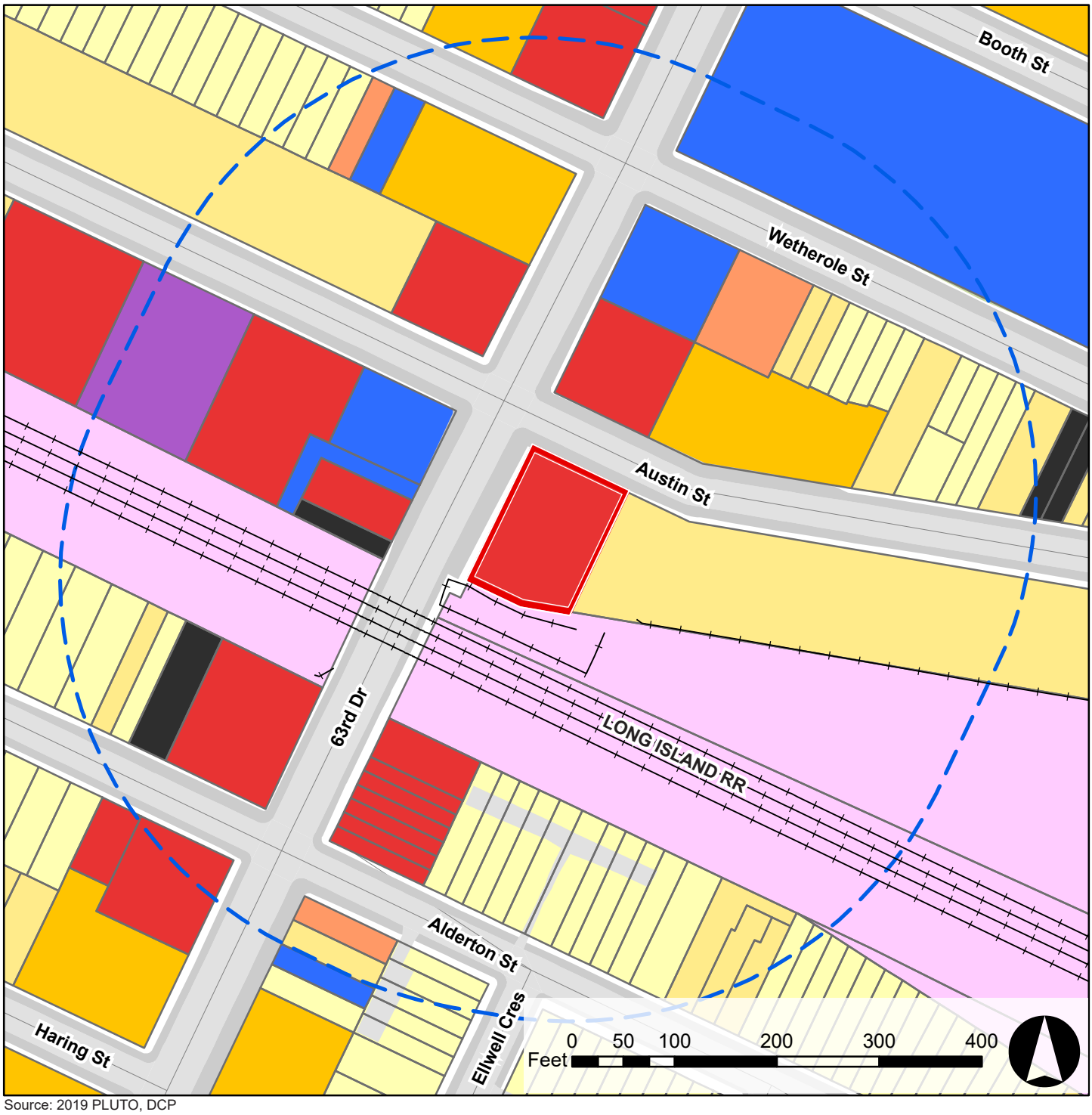
3104 Block

16 Lot

TAX MAP

Figure A-2

91-32 63rd Drive Rezoning EAS



Source: 2019 PLUTO, DCP

Project Site

400-foot Study Area

One & Two Family Residence

Multi-Family Residence (Walkup)

Multi-Family Residence (Elevator)

Mixed Residential & Commercial

Commercial Use

Industrial / Manufacturing

Transportation / Utility

Public Facilities & Institutions

Open Space & Recreation

Parking

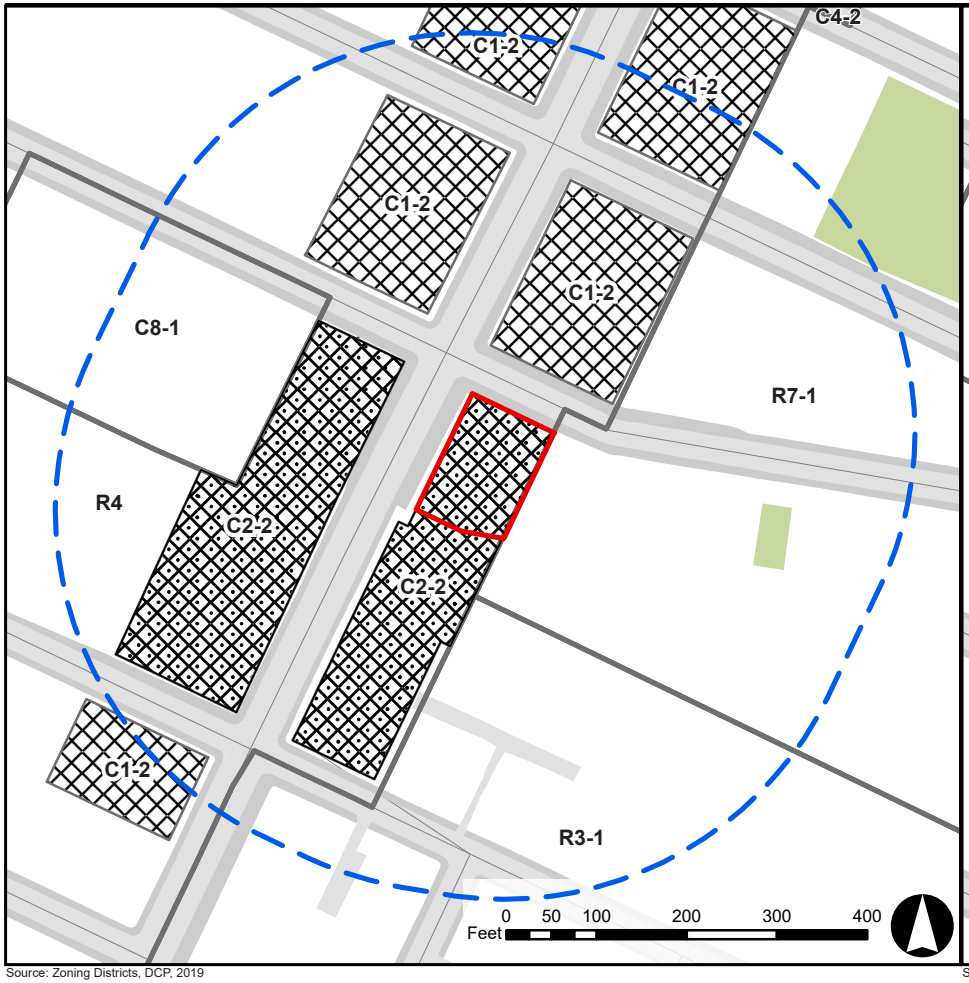
Vacant Land

LAND USE MAP

Figure A-3

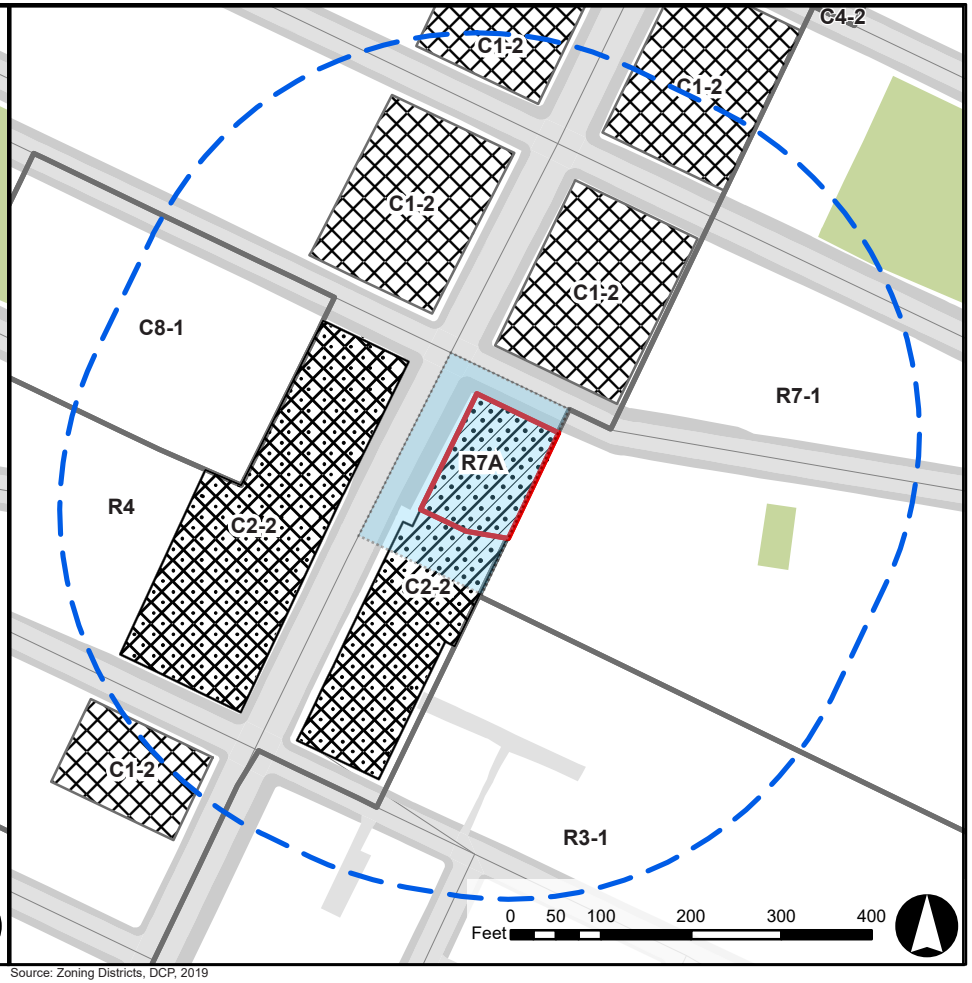
91-32 63rd Drive Rezoning EAS

Existing Zoning



Source: Zoning Districts, DCP, 2019

Proposed Zoning



Source: Zoning Districts, DCP, 2019

Project Site

400-foot Study Area

Proposed Rezoning Boundary

R Residential District

C Commercial District

Commercial Overlay

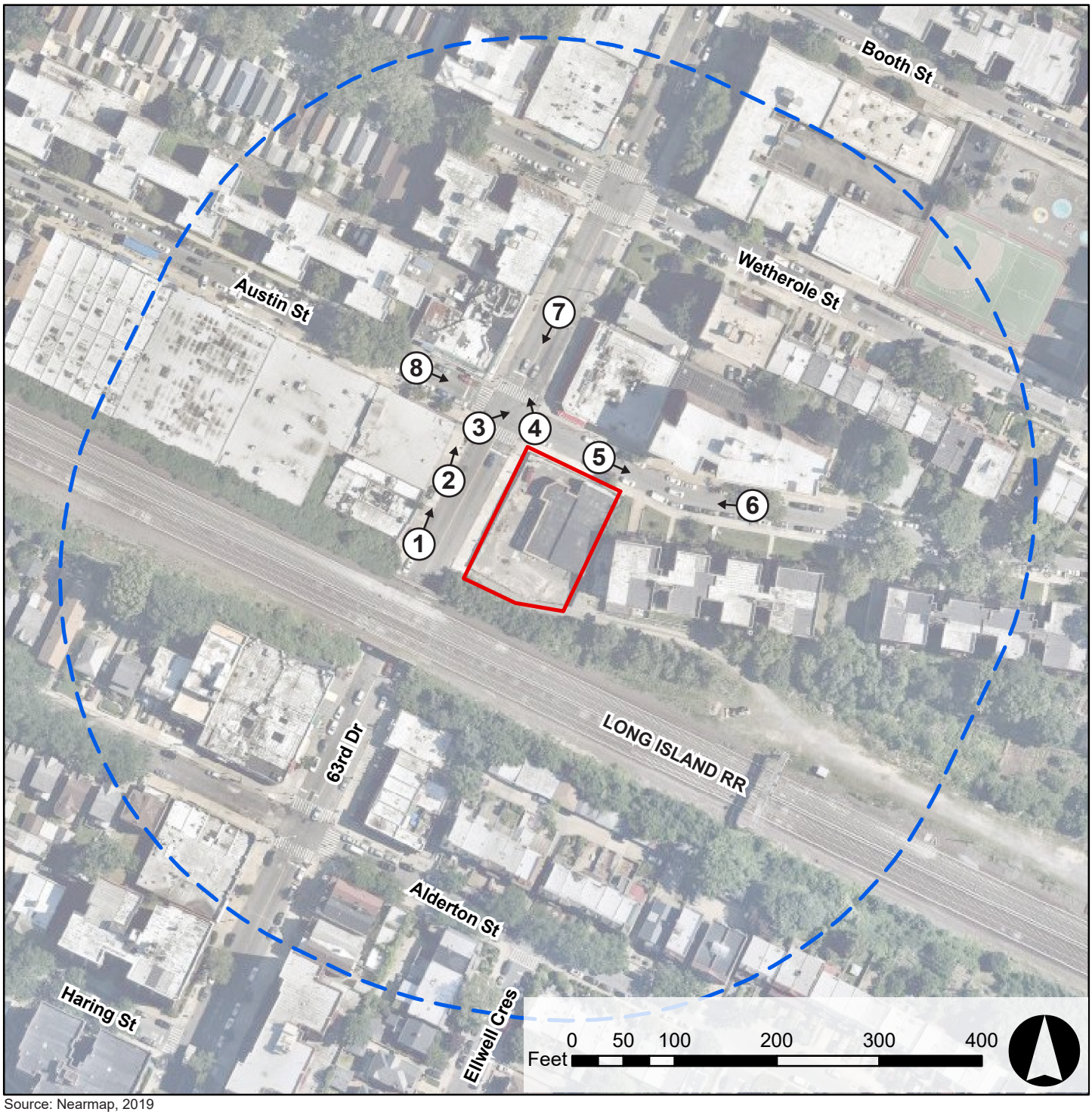
C2-2

C1-2

C2-3

EXISTING AND PROPOSED ZONING MAP

Figure A-4



Source: Nearmap, 2019

Project Site

400-foot Study Area

1 Keyed Photograph

AERIAL MAP

Figure A-5

91-32 63rd Drive Rezoning EAS

Photograph 1: *View of properties west of the Project Site, looking north.*



Photograph 2: *View of properties west of the Project Site, looking north.*



Note: All photographs taken on July 31, 2019

Figure A-5: Keyed Photographs

Photograph 3: *Southwest corner of Austin Street/63rd Drive, looking northeast.*



Photograph 4: *Southeast corner of Austin Street/63rd Drive, looking northwest.*



Figure A-5: Keyed Photographs

Photograph 5: *View of property east of the Project Site, looking east along Austin Street.*



Photograph 6: *View of property east of the Project Site, looking west along Austin Street.*



Figure A-5: Keyed Photographs

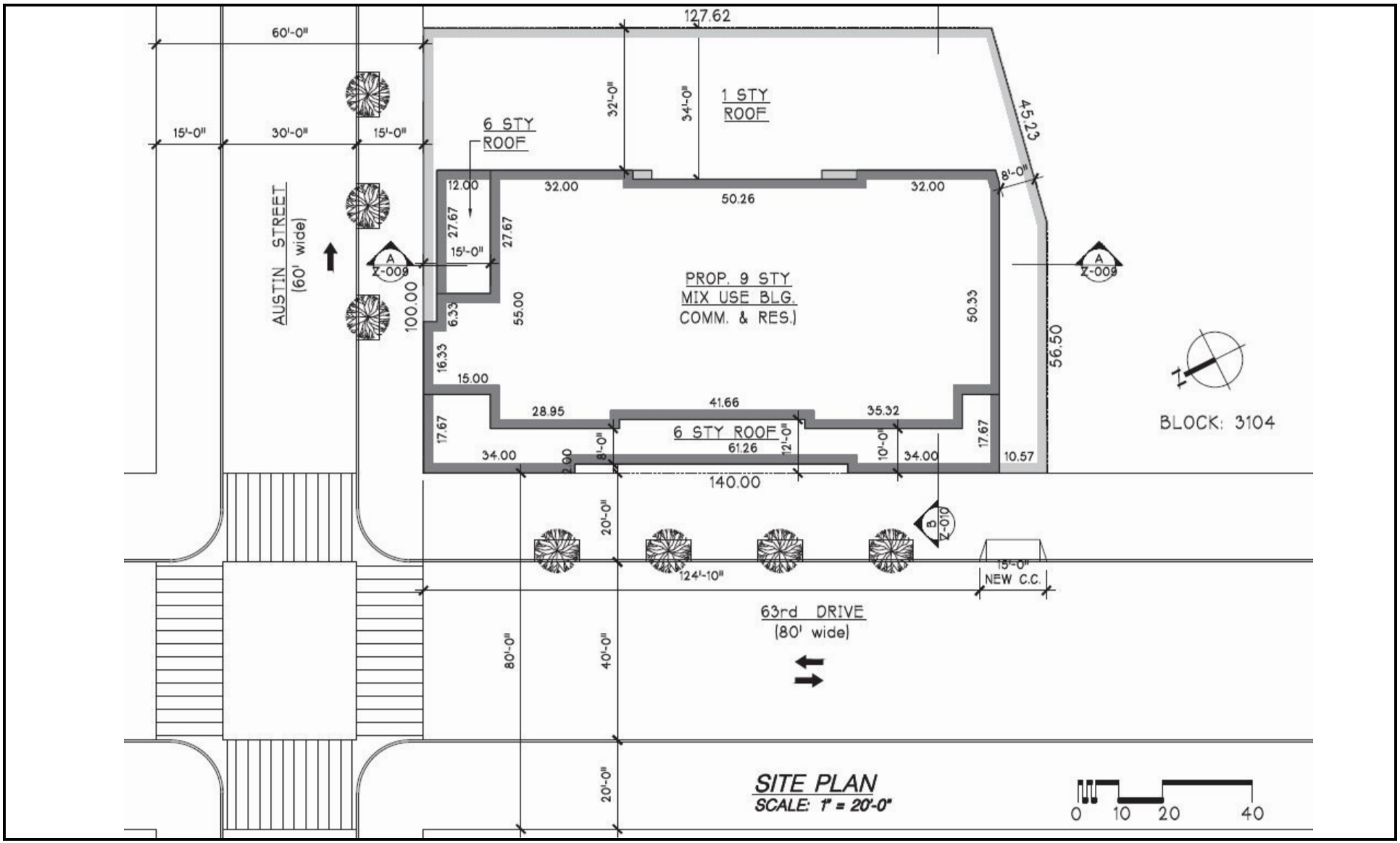
Photograph 7: *View of property north of the Project Site, looking south along 63rd Drive.*



Photograph 8: *View of property west of the Project Site, looking east along Austin Street.*



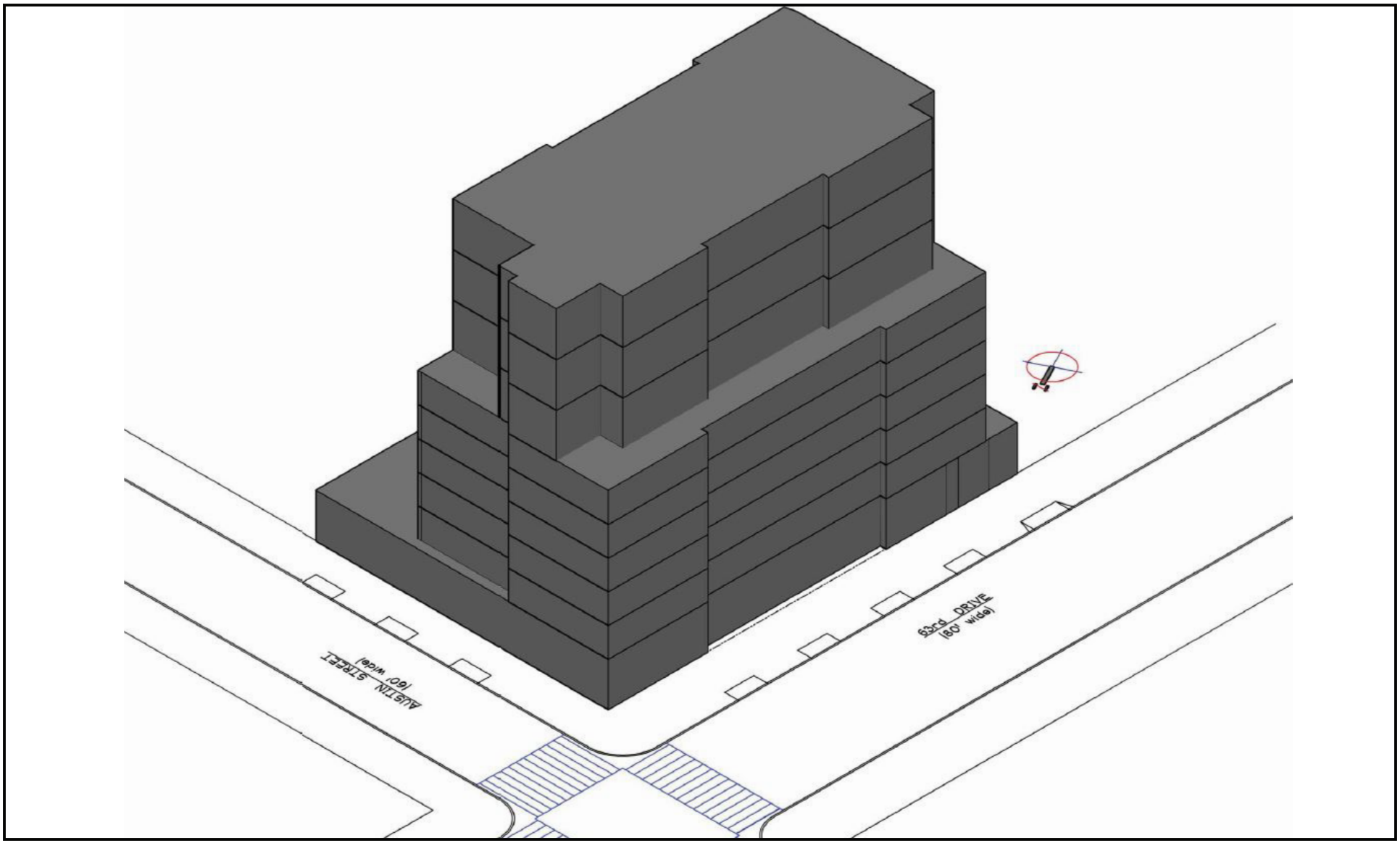
Figure A-5: Keyed Photographs



Source: Gerald J. Caliendo, Architect, P.C.
Note: For Illustrative Purposes Only

WITH-ACTION SITE PLAN

Figure A-6



Source: Gerald J. Caliendo, Architect, P.C.
Note: For Illustrative Purposes Only

WITH-ACTION MASSING DIAGRAM

Figure A-7

Attachment B: Land Use, Zoning, and Public Policy

I. INTRODUCTION

This attachment assesses the potential for significant adverse impacts of the Proposed Project on land use, zoning, and public policy in the surrounding area. As described in Section 210 of Chapter 4 of the *City Environmental Quality Review (CEQR) Technical Manual*, the land use, zoning, and public policy assessment evaluates the uses and development trends in the area and considers whether a Proposed Project is compatible with those conditions or may affect them. Similarly, the assessment considers the project's compliance with, and effect on, the area's zoning and other applicable public policies.

63-68 RWKOP LLC (the "Applicant") is seeking discretionary actions in the form of a zoning map and text amendments from the City Planning Commission (CPC) for the development of an approximately 13,730 square feet (sf) site located on Block 3104, Lot 16 at 91-32 63rd Drive in Queens Community District 6 (CD) (the" Project Site"). The proposed zoning map amendment would rezone an area comprised of Block 3104, Lot 16 and portion of ("p/o") Lot 14 from an R4/C2-2 zoning district to an R7A/C2-3 zoning district ("rezoning area"). The Applicant is also seeking a zoning text amendment to Appendix F (Mandatory Inclusionary Housing Areas) of the Zoning Resolution (ZR) to designate the Project Site as an MIH Area pursuant to Option #2. These actions are collectively referred to as the "Proposed Actions". The new zoning designation would increase the permitted Floor Area Ratio (FAR) from 0.75 to 5.01, permit mixed-use residential and commercial development, and require the provision of affordable housing for seniors on the Project Site. The MIH program offers a construction financing incentive to developers that comply with MIH affordability requirements as part of a rezoning for new construction. The goal of the program is to increase the number of permanently affordable housing units in newly constructed medium- and high-density developments.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate development of a nine-story (95'), approximately 73,171 gross square feet (gsf) mixed-use residential and commercial building, comprising of approximately 60,401 gsf of residential uses, generating 74 dwelling units (DU) throughout the 2nd through 9th floors of the building, approximately 12,770 gsf of local retail use on the ground floor of the building and approximately 45 parking spaces (the "Proposed Project"). Of the total 74 DUs introduced to the Project Site, approximately 24 DUs would be designated as Affordable Independent Residences for Seniors (AIRS) residential units, restricted to households with incomes at 80% of Area Median Income (AMI). The Project Site is a corner lot fronting 63rd Drive on the west and Austin Street to the north of the Project Site. The anticipated construction completion year is 2022.

CEQR guidelines require that an assessment, which includes a basic description of existing and future land uses and zoning, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project's anticipated effects. This assessment describes existing conditions, conditions in the future (2022) without the Proposed Project (No-Action condition), conditions in the future (2022) with the Proposed Project (With-Action condition) related to land use, zoning and public policy issues for the Project Site and within a 400-foot land use study area. Changes that would occur between the No-Action and With-Action conditions are disclosed.

II. PRINCIPAL CONCLUSIONS

The Proposed Project would not result in a significant adverse impact on land use, zoning, or public policy as defined in the *CEQR Technical Manual*. The Proposed Actions would not directly displace any land uses, adversely affect surrounding land uses, or generate land uses that would be incompatible with land uses, zoning, or public policy in the study area. While changes in land use and zoning would occur, the land use changes on the Project Site would be consistent with current development trends of mixed-use residential

and commercial/retail developments in the surrounding area. The Proposed Actions would change zoning designations within the study area in a manner that is intended to promote affordable housing development, encourage economic development, create pedestrian-friendly streets, and improve existing community resources.

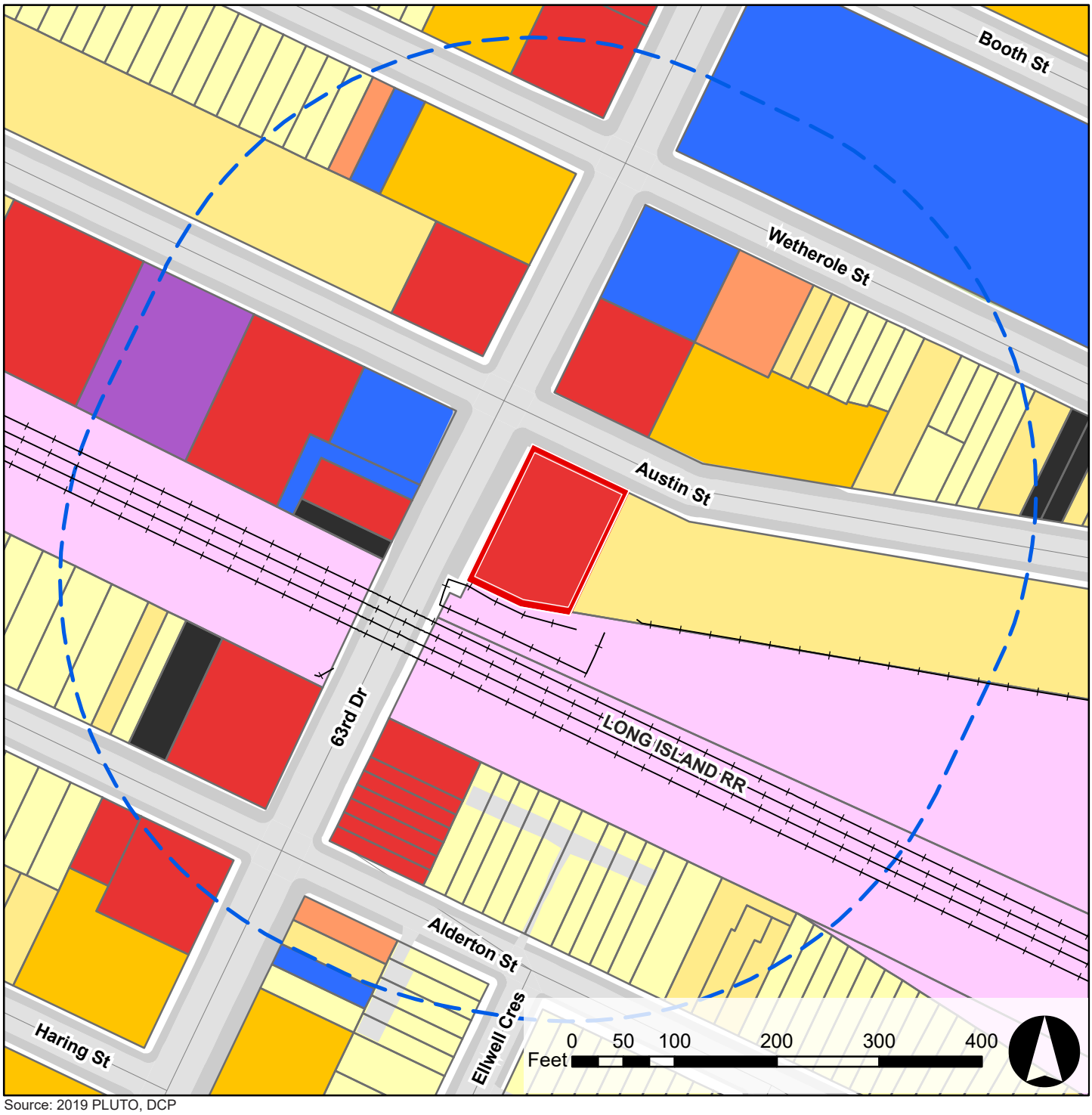
The Proposed Project would be consistent with relevant public policies, including *Housing New York: A Five-Year, Ten-Year Plan* and *Housing New York 2.0 (HNY 2.0)*, since it would utilize the MIH designation to provide income-restricted housing and provide more homeownership options for first-time homebuyers. In addition, the Proposed Project would be consistent with *PlaNYC: A Greener, Greater New York (PlaNYC)* and its continuation, *OneNYC: The Plan for a Strong and Just City (OneNYC)* since the Proposed Project would provide additional housing and encourage thriving neighborhoods through mixed-use development.

III. METHODOLOGY

As described in Attachment A, "Project Description," a Reasonable Worst-Case Development Scenario (RWCDS) was established to assess the potential effects of the Proposed Actions on land use, zoning and public policy for the 2022 analysis year. The identification of potential impacts of the Proposed Actions was based on the assessment of the incremental difference between the Future No-Action and Future With-Action conditions that would occur on the Project Site.

Existing land uses were identified through the NYC Zoning and Land Use (ZoLa) database and PLUTO™ 18v2 shapefiles and verified by a site visit on July 31,2019. NYC Zoning Maps and the ZR of the City of New York were consulted to describe existing zoning districts in the land use study area and provided the basis for the zoning evaluation of the future No-Action and With-Action conditions. Research was conducted to identify relevant public policies recognized by the NYC Department of City Planning (DCP) and other City agencies. In conformance to *CEQR Technical Manual* guidance, land use, zoning, and public policy are addressed and analyzed for a land use study area that extends approximately 400 feet from the boundary of the Project Site and encompasses areas most likely to experience indirect impacts due to the Proposed Project.

The appropriate study area for land use and zoning is related to the type and size of the project proposed as well as the location and neighborhood context of the area that could be affected by the project. Since the Proposed Actions are site-specific, a 400-foot study area was defined based on *CEQR Technical Manual* guidelines and will be used for the land use and zoning assessments **(Figure B-1: Land Use Map)**.



Source: 2019 PLUTO, DCP

Project Site

400-foot Study Area

One & Two Family Residence

Multi-Family Residence (Walkup)

Multi-Family Residence (Elevator)

Mixed Residential & Commercial

Commercial Use

Industrial / Manufacturing

Transportation / Utility

Public Facilities & Institutions

Open Space & Recreation

Parking

Vacant Land

LAND USE MAP

Figure B-1

91-32 63rd Drive Rezoning EAS

IV. EXISTING CONDITIONS

Land Use

Project Site

The 13,730 sf Project Site is located on Lot 16 Block 3104 and is a corner lot that fronts two narrow streets[1], with a 100' frontage on Austin Street to the north, and 140' on 63rd Drive to the west. The Project Site includes two existing curb cuts: one along 63rd Drive on the far west side of the lot, and one along Austin Street at the northern end of the lot, respectively. The Project Site is currently vacant. The Project Site would be coterminous with the rezoning area and, consequently, would be the only projected development site. The Project Site is not within the Transit Zone or the City's designated Coastal Zone.

Study Area

Existing land uses within the study area consist primarily of residential land uses, a majority of which are multi-family residential buildings **(Figure B-1: Land Use Map)**. Higher density multi-family elevator apartments are located north of the Project Site and adjacent to the Project Site on the east. Existing commercial uses in the study area consist primarily of local retail uses, such as convenience stores and dry cleaners, and are located to the north, south and west of the Project Site. Commercial uses are primarily comprised of storefronts with local retail establishments located along 63rd Drive. Other uses include religious institutions and Public School 139 located along 63rd Drive. Queens Library is located across the Project Site at 91-41 63rd Drive. There are no public open spaces or industrial/manufacturing uses within the study area.

Zoning

Project Site

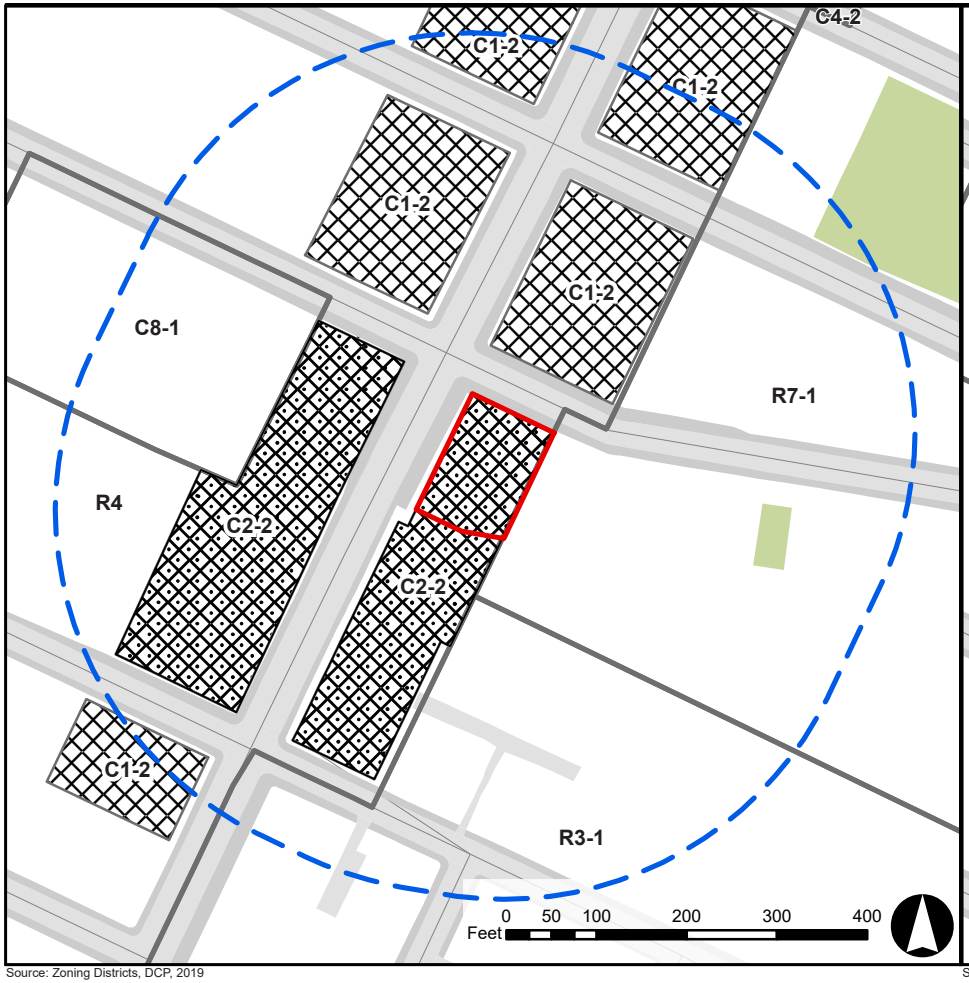
The Project Site is mapped with an R4 zoning designation (**Figure B-2: Existing and Proposed Zoning Map**). R4 zoning districts typically produce three-story, single-family to multi-family buildings that may be attached or detached with a maximum residential FAR of 0.75 and lot coverage of 45%, except in predominantly built-up areas where the maximum lot coverage is 55%. The height limit in R4 zoning districts is 25 feet before a setback is required up to a maximum height of 35 feet. Front yards are required to be 10 feet deep or a minimum of 18 feet in cases where on-site parking is required. Regulations vary for detached and semi-detached houses within R4 zoning districts. For detached houses, two side yards are required while semi-detached buildings require one side yard. One off-street parking space is required for each DU. C2-2 commercial overlays are mapped in residence districts and allow for local retail businesses. R4 districts with C2-2 overlays have a maximum FAR of 1.0 for commercial uses, and a FAR of 2.0 with a mix of commercial and community facility uses.

Study Area

The study area is primarily zoned R4/C2-2 with a transition to R5 zoning west of 63rd Drive. An, R7-1 zoning district is mapped east of the Project Site and an R3-1 zoning district is mapped southeast of the Project Site. There are several C1-2 and C2-2 commercial overlays in the study area as well as a C8-1 commercial overlay west of the Project Site.

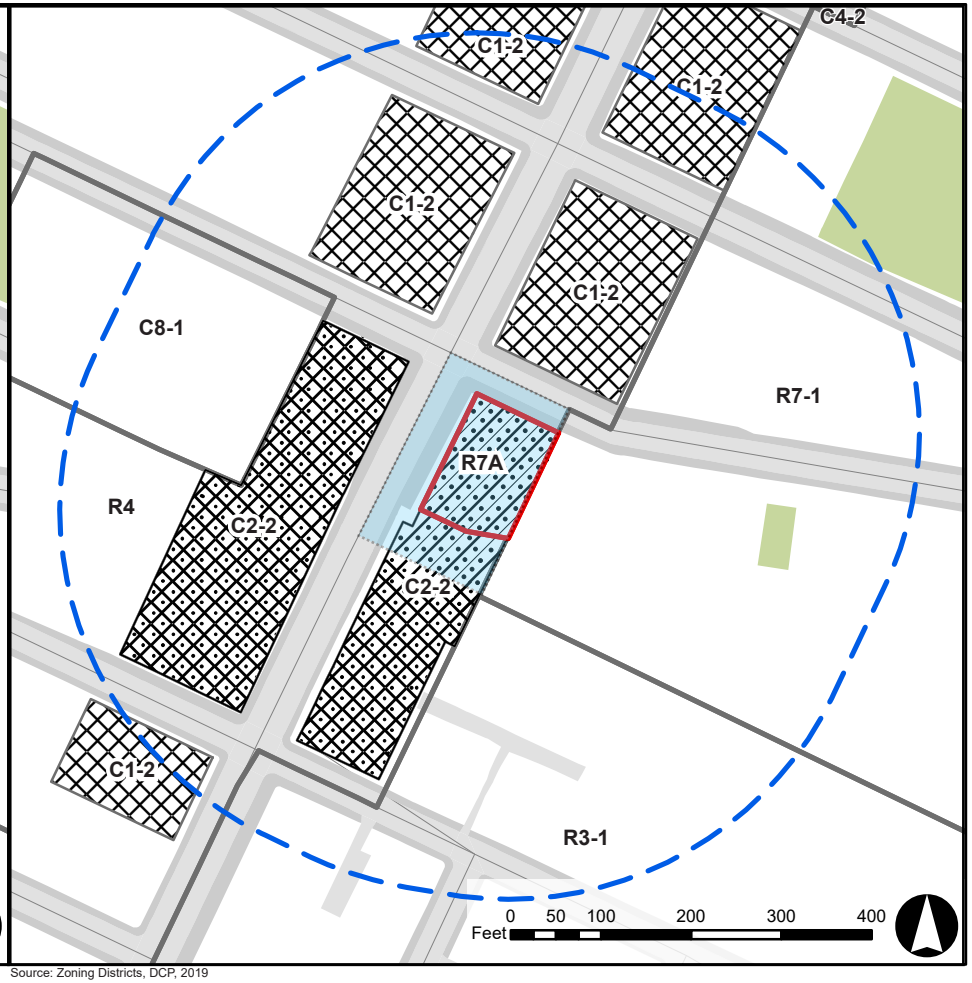
[1] A narrow street is a street that is less than 75 feet wide as defined by the NYC Zoning Resolution.

Existing Zoning



Source: Zoning Districts, DCP, 2019

Proposed Zoning



Source: Zoning Districts, DCP, 2019

Project Site

400-foot Study Area

Proposed Rezoning Boundary

R Residential District

C Commercial District

Commercial Overlay

C2-2

C1-2

C2-3

EXISTING AND PROPOSED ZONING MAP

Figure B-2

Public Policy

Public policies that apply to the Project Site and/or study area include the Food Retail Expansion to Support Health (FRESH) Program, and *Housing New York: A Five-Borough, Ten-Year Plan*. The Project Site is not subject to an Urban Renewal Plan (URP), Solid Waste Management Plan, Business Improvement District (BID), Industrial Business Zone (IBZ), or the New York City Landmarks Law. The Proposed Project is not a large publicly sponsored project and consequently is not subject to the City's long-term sustainability plans, *PlaNYC: A Greener, Greater New York*, and *Housing New York*. The land use study area also falls outside of NYC's coastal zone boundary and consequently would not be subject to the City's Waterfront Revitalization Program. Neither the Project Site nor land use study area are subject to 197-a plans.

Housing New York: A Five-Borough, Ten-Year Plan/Housing New York 2.0

In 2014, the De Blasio administration released *Housing New York: A Five-Borough, Ten-Year Plan*, which was a comprehensive plan to build or preserve 200,000 affordable housing units over the next decade, comprised of 120,000 preserved and 80,000 newly built. In November 2017, the De Blasio administration committed to completing the initial goal of 200,000 affordable homes two years ahead of schedule, by 2022, and generating an additional 100,000 homes over the following four years. To accomplish this accelerated and expanded plan, the administration launched *Housing New York 2.0*, a roadmap for how the City will help reach a new goal of 300,000 homes by 2026. So far, the original *Housing New York* plan has financed over 87,557 affordable homes since its inception in 2014. The plans emphasize affordability for a wide range of incomes, with the program serving households ranging from middle- to extremely low-income (under $25,150 for a family of four). The original plan, which was created through coordination with 13 agencies and with input from more than 200 individual stakeholders, outlined more than 50 initiatives to accelerate affordable construction, protect tenants, and deliver more value from affordable housing. *Housing New York 2.0* also introduced a suite of new initiatives to help thousands more families and seniors afford their rent, buy a first home, and stay in their neighborhoods. *Housing New York 2.0* would apply to the Proposed Project since the redevelopment would result in new, permanently affordable housing for seniors.

V. FUTURE WITHOUT PROPOSED ACTIONS (NO-ACTION CONDITION)

Land Use and Zoning

Project Site

Absent the Proposed Actions (the "No-Action condition"), an as-of-right development conforming to the current R4 zoning district with C2-2 commercial overlay would occur on the Project Site. The No-Action condition would consist of a three-story development with residential, commercial, and community facility uses. The maximum permitted FAR would be 2.00, including a residential FAR of 0.55, a commercial FAR of 0.89, and a community facility FAR of 0.55. The as-of-right development would have a total FAR of 1.98 and a maximum building height of 30 feet. No-Action development on the Project Site would be comprised of approximately 13,731 gsf (12,164 zsf) of retail use on the ground floor, approximately 12,358 gsf (7,488 zsf) of community facility (medical office) use on the second floor, and eight DUs totaling 12,358 gsf (7,488 zsf) of residential uses on the third floor, and 54 accessory parking spaces in the cellar, of which 49 spaces would be accessory to commercial use and five spaces would be accessory to residential use. The average DU size would be approximately 1,545 gsf (936 zsf), which would be consistent with other as-of-right market-rate developments in the area. This as-of-right development would not provide any income-restricted or age-restricted DUs. As-of-right development on the Project Site is reasonable given the City's current housing crisis and the need for more housing options within Queens, including market-rate housing.

Study Area

Absent the Proposed Actions, the study area, inclusive of the Project Site, would remain as under existing conditions in the 2022 analysis year. No zoning changes would occur. The No-Action condition would be compatible with the existing land uses within the land use study area, which primarily consists of multi-family residential apartments with ground floor supportive retail.

Public Policy

Project Site

In the No-Action condition, the Project Site would not be subject to any public policies. Since no grocery store would occur on the Project Site in the No-Action condition, the FRESH Program would not be applicable. The as-of-right development in the No-Action condition would not be a large publicly sponsored project and consequently would not be subject to the City's long-term sustainability plan, *PlaNYC: A Greener, Greater New York*, and *Housing New York.* Since there would not be any affordable housing on the Project Site in the No-Action condition, additional goals *Housing New York/HNY 2.0* policies would not be directly applicable to the Project Site.

Study Area

The No-Action condition would be compatible with and supportive of existing land uses and current development trends in the study area, and consistent with public policy

VI. FUTURE WITH PROPOSED ACTIONS (WITH-ACTION CONDITION)

Land Use and Zoning

Project Site

In the With-Action condition the Project Site would be rezoned from its existing zoning designation of R4 zoning district with a C2-2 commercial overlay to an R7A zoning district with C2-3 commercial overlay. In addition, the Project Site would be designated as an MIH Area (**Figure B-2**).

R7A is a medium-density contextual district that typically produces eight- to nine-story buildings that have high lot coverage and blend with existing buildings in established neighborhoods. R7A districts have an FAR of 4.0, base building heights ranging from 40 feet to 65 feet, and a maximum height of 75 feet if providing a qualifying ground floor. Since the Proposed Actions would designate the Project Site as an MIH-AIRS area (Mandatory Inclusionary Housing – Affordable Independent Residences for Seniors), the QHP would apply to the Project Site and yield a maximum FAR of 5.01, a base building height that ranges from 40 feet to 75 feet, and a maximum building height of nine stories and 95 feet with qualifying ground floors. Lot coverage in R7A districts is 100% on corner lots and 65% on interior lots.

Commercial overlays are mapped within residential districts to provide neighborhood retail, typically in lower- and medium-density areas. The maximum FAR for commercial uses within R7A districts is 2.0 and the depth of the commercial overlay district is 150 feet. The maximum FAR of an underlying residential district is applicable to both the residential and commercial uses on a development site. Requirements for off-street parking for general retail or service uses in a C2-3 overlay are one parking space per 400 sf of commercial floor area.

Based on the proposed R7A/C2-3 zoning, several uses can be developed on the Project Site. The proposed R7A zoning district permits residential uses (Use Groups 1 and 2) and the proposed C2-3 overlay permits local retail and commercial uses (Use Groups 1-9 and 14). The Proposed Project would comply with MIH requirements under Option #2 and would utilize a residential FAR of 4.12 for UG 2 and a commercial FAR of 0.82 for UG 6 for a total FAR of 4.96. The maximum permitted FAR within an MIH-AIRS designated area is 5.01 pursuant to (ZR) §23-155 for residential uses and 2.0 pursuant to (ZR) §33-121 for commercial uses. The maximum permitted base height is 75 feet at the street line with a maximum building height of 90 feet or 95 feet with a qualifying ground floor after a 15-foot setback (required on a narrow street) or a 10-foot setback (required on a wide street). Residential buildings in R7A districts require off-street parking for 50% of DUs (No spaces are required for income-restricted DUs within a Transit Zone).

The RWCDS establishes the appropriate framework for analysis to allow the lead agency to make reasonable conclusions regarding a proposal's likely environmental effects. The RWCDS focuses on the increment between potential development that would be permitted on the Project Site with and without the Proposed Actions(s) in the analysis year of 2022.

As described in Attachment A, "Project Description," and summarized in **Table B-2: Increment between the No-Action and With-Action Conditions**, under the With-Action condition the Project Site would be designated as an MIH Area pursuant to Option 2 and improved with one nine-story (95 feet) constructed as a single development and would provide approximately 60,401 gsf of residential space, comprised of 74 DUs, and 12,770 gsf of local retail space on the ground floor, which would be similar to existing local retail. Of the 74 total DUs introduced by the Proposed Project, approximately 24 DUs would be designated as AIRS residential units, restricted to households with incomes up to 80% of AMI. The residential units, comprising of 24 studios, 24 one-bedroom units, and 26 two-bedroom units would occupy the 2nd through 9th floors of the Proposed Project. The Proposed Project would provide approximately 45 self-service parking spaces of which 28 spaces in a garage would be accessory to commercial uses and 17 surface parking spaces would be accessory to residential uses.

As summarized in **Table B-1: Increment between No-Action and With-Action Conditions**, the No-Action development on the Project Site would be a two-story 30' tall building comprised of approximately 13,731 gsf (12,164 zsf) of retail use on the ground floor, approximately 12,358 gsf (7,488 zsf) of community facility (medical office) use on the second floor, and eight DUs totaling 12,358 gsf (7,488 zsf) of residential uses on the third floor, and 54 accessory parking spaces in the cellar, of which 49 spaces would be accessory to commercial use and five spaces would be accessory to residential use.

The increment between the No-Action condition and the With-Action condition would be a net increase of 24 income-restricted DUs up to 80% of AMI and 42 market-rate DUs, and net decreases of 961 gsf of local

retail and 12,358 gsf of medical office. There would also be a net decrease of 9 parking spaces comprised of a net increase of 23 residential parking spaces and a net decrease of 32 commercial parking spaces.

Table B-1: Increment between No-Action and With-Action Conditions

Use	No-Action (gsf)	With-Action (gsf)	Increment (gsf)
Residential	*12,358 8 DUs*	*60,401 74 DUs*	*48,043 66 DUs*
Income-restricted DUs up to 80% of AMI	0	24	24
Market Rate DUs	8	50	42
Commercial	*26,089*	*12,770*	*-13,319*
Local retail	13,731	12,770	-961
Medical Office	12,358	0	-12,358
Parking Spaces	*54*	*45*	*-9*
Residential Parking Spaces	5	28	23
Commercial Parking Spaces	49	17	-32
Total	**38,447**	**73,171**	**34,724**

Study Area

The Proposed Project would be compatible with land uses within the land use study area, which primarily consist of multi-family residential apartments with ground floor supportive retail. Land use patterns and trends, supporting residential development, would continue as under the No-Action condition. The Proposed Actions would not require zoning changes outside the rezoning area.

Public Policy

Project Site

Under the With-Action condition, *Housing New York 2.0* would apply to the Proposed Project since the redevelopment would result in new, permanently affordable housing for seniors.

Housing New York 2.0

The Proposed Project would directly support the goals and principles outlined in *Housing New York: A Five-Borough, Ten-Year Plan* and its newest iteration, *Housing New York 2.0*. As noted above, *Housing New York*'s five guiding policies and principles are fostering diverse, livable neighborhoods; preserving the affordability and quality of the existing housing stock, building new affordable housing for all New Yorkers promoting homeless, senior, supportive, and accessible housing; and refining City financing tools and expanding funding sources for affordable housing. *Housing New York 2.0* placed additional emphasis and programs to support preserving and rehabilitating housing for seniors, providing more homeownership options for first-time homebuyers, protect neighborhoods through anti-displacement strategies, expand the use of new construction methods, and promote new housing on underutilized sites. The Proposed Project would include development of 74 DUs that would be subject to MIH, out of which, 24 DUs would be restricted to households with incomes below 80% of AMI. Consequently, the Proposed Project would be consistent with the *Housing New York* goal to provide housing that is affordable for all New Yorkers.

Study Area

The Proposed Actions would be compatible with and supportive of existing land uses and current development trends, and consistent with public policy. Therefore, there would be no significant adverse impacts related to public policy.

Attachment C: Open Space

I. INTRODUCTION

This attachment assesses the potential impact of the Proposed Project on open space resources. Open space is defined in the *City Environmental Quality Review (CEQR) Technical Manual* as publicly-accessible, publicly- or privately-owned land that is available for leisure, play, or sport, or serves to protect or enhance the natural environment. *CEQR Technical Manual* guidelines indicate that open space analysis should be conducted if an action would result in a direct effect, such as the physical loss or alteration of public open space, or an indirect effect, such as when a substantial new population could place added demand on an area's open spaces.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate development of a nine-story (95'), approximately 73,171 gross square feet (gsf) mixed-use residential and commercial building, comprised of approximately 60,401 gsf of residential uses, generating 74 dwelling units (DU) throughout the 2nd through 9th floors of the building, approximately 12,770 gsf of local retail use on the ground floor of the building and approximately 45 parking spaces (the "Proposed Project"). Of the total 74 DUs introduced to the Project Site, approximately 24 DUs would be designated as Affordable Independent Residences for Seniors (AIRS) residential units, restricted to households with incomes below 80% of Area Median Income (AMI). The Project Site is a corner lot fronting 63rd Drive on the west and Austin Street to the north of the Project Site. The anticipated construction completion year is 2022.

The Project Site is located at the intersection of 63rd Drive and Austin Street in the Rego Park neighborhood, and encompasses Lot 16, Block 3104, in Queens Community District 6 (CD 6). The incremental increase in residential uses from the No-Action to the With-Action condition would be 66 DUs would consequently result in an incremental increase in residential population of approximately 141 residents[1]. Queens CD 6 is located within an area underserved by open space resources as defined in the *CEQR Technical Manual*. The *CEQR Technical Manual* states that for a project that is in an underserved area for open space resources, a preliminary open space assessment should be conducted provided the project generates more than 50 additional residents or 125 workers. Since the Proposed Project is in an area that is underserved for open space resources and would generate more than 50 residents, an open space assessment was prepared.

II. PRINCIPAL CONCLUSIONS

The Proposed Project would not result in a significant adverse impact on open space. The Proposed Project would neither result in the physical loss of open space resources or result in any significant adverse shadow, air quality, noise, or other environmental impacts that would affect the utilization of any public open space in the study area. There would be a net increase of approximately 141 residents in the With-Action condition compared to the number of residents in the No-Action condition in the residential study area. The study area contains a total of 6.14 acres of publicly-accessible open space, serving approximately 36,472 residents in the With-Action condition, yielding an open space ratio (OSR) of 0.168 acres of open space per 1,000 residents. The residential OSR between the No-Action condition and the With-Action condition would remain substantially unchanged, with a decrease of 0.59%.

In addition, open space resources located outside the study area were considered qualitatively. These are: (1) Saint John Cemetery, (open 9 AM – 5 PM), a 190-acre cemetery located within 0.5 miles of the Project

[1] (Increment of 66 DUs) x (2.14 multiplier for household population, per the *CEQR Technical Manual*) = 141 residents (conservatively rounded up).

Site includes publicly-accessible passive recreation resources, such as pathways; (2) Juniper Valley Park a 55.64-acre a publicly-accessible park that is approximately 0.65 miles from the Project Site; (3) Real Good Playground a playground located on 99th Street and Horace Harding Expressway which is 1.6-acres and located approximately 0.62 miles from the Project Site; and (4) Barrier Playground located at Yellowstone Boulevard and Horace Harding Expressway, which is 0.87-acres and approximately 0.77 miles from the Project Site.

III. METHODOLOGY

Direct Effects

As described in the *CEQR Technical Manual,* the Proposed Project would directly affect open space conditions if it causes the loss of public open space, changes the use of an open space so that it no longer serves the same user population, limits public access to an open space, or results in increased noise or air pollutant emissions, odor, or shadows that would temporarily or permanently affect the usefulness of a public open space. Since the Proposed Actions would not directly displace any public open space, nor change the usefulness of or access to any public open space, it would not result in a direct effect on open space, and further assessment of direct effects on open space resources is not warranted.

Indirect Effects

The *CEQR Technical Manual* indicates that open space can be indirectly affected by the Proposed Actions if the project would add enough population, either non-residential or residential, to noticeably diminish the capacity of open space in the area to serve the future population. An open space analysis is generally conducted if the Proposed Project would generate more than 200 residents or 500 workers. However, the need for an analysis varies in certain areas of the City that have been identified as either underserved, well-served, or neither underserved nor well-served by open space.[2] If a project is in an underserved area, the threshold for an open space analysis is 50 residents or 125 workers. If a project is in a well-served area, the threshold for an open space analysis is 350 residents or 750 workers. If a project is not located within an underserved or well-served area, an open space analysis should be conducted if the project would generate more than 200 residents or 500 workers.

A review of maps in the Open Space Appendix to the *CEQR Technical Manual* indicates that the Project Site is in an area that is underserved by open space. Consequently, a preliminary assessment is warranted if the Proposed Actions would result in an increase of more than 50 residents or 125 workers. Since the Proposed Actions would result in a net increase of approximately 141 residents, a preliminary open space assessment for the residential population is warranted. Since the Proposed Actions would result in a net increase of approximately 51 workers, a preliminary open space assessment for the non-residential population is not warranted.

Study Area

In conformance to *CEQR Technical Manual* guidelines, the first step in assessing potential open space impacts is to establish the appropriate study area(s) for the new residential and/or non-residential population(s) that would be added by the Proposed Actions. According to the *CEQR Technical Manual*, the open space study areas are based on the distance a person is assumed to walk to reach a neighborhood open space. This distance differs by user group. Workers typically use passive open spaces within a short

[2] The *CEQR Technical Manual* defines underserved areas as areas of high population density in the City that are generally the greatest distance from parkland, where the amount of open space per 1,000 residents is currently less than 2.5 acres. Well-served areas are defined as having an OSR above 2.5 accounting for existing parks that contain developed recreational resources; or are located within 0.25 mile (approximately a 10-minute walk) from developed and publicly-accessible portions of regional parks.

walking distance of their workplaces. Residents are more likely to travel farther to reach parks and recreational facilities and use both passive and active open spaces. Workers are assumed to walk up to a 0.25-mile distance to reach neighborhood open spaces, while residents are assumed to walk up to a 0.5-mile distance. While they may visit certain regional parks, such open spaces are not included in the quantitative analysis, but their effects are described qualitatively.

The residential study area for the open space assessment was based on a 0.5-mile distance from the Project Site, which was adjusted in conformance to *CEQR Technical Manual* guidance to include all census tracts with at least 50% of their area within these respective boundaries. The open space assessment for the residential population includes nine Queens census tracts: 679, 687, 693, 695, 697.01, 697.02, 713.06, 717.01 and 717.02. Study Area boundaries are identified in **Figure C-1: Existing Open Space Map**.



Source: 2016 Pluto, NYCDCP

Project Site

0.5-Mile Radius

Existing Public Open Space

1 Open Space ID

Residential Open Space Study Area Census Tracts

01 Study Area Census Tract Number

EXISTING OPEN SPACE MAP

Figure C-1

91-32 63rd Avenue Rezoning EAS

Level of Assessment

According to the *CEQR Technical Manual*, an initial quantitative open space assessment may be useful to determine if a detailed open space analysis is necessary, or whether the open space assessment can be targeted to a user group. In the initial assessment, the Open Space Ration (OSR) is calculated by comparing the existing residential population to the total open space in the study area. It then compares that OSR with the OSR in the future with the Proposed Actions. If there is a decrease in the OSR that would approach or exceed 5%, a detailed analysis is warranted. If the study area exhibits a low open space ratio from the onset (indicating a shortfall of open spaces in an area), a reduction as small as 1% percent may be considered a significant adverse impact and may warrant a detailed analysis. Since the OSR would not substantially change with Proposed Project, a detailed assessment was not warranted since.

Impact Assessment

The availability of open space resources is characterized based on the number of acres of open space per 1,000 residents. In NYC, local open space ratios vary widely, and the median ratio at the Citywide Community District level is 1.5 acres of open space per 1,000 residents. As a planning goal, a ratio of 2.5 acres per 1,000 residents represents an area well-served by open space resources and is consequently used as an optimal benchmark for residential populations in large-scale plans and proposals. Ideally, this would comprise 0.50 acres of passive space and 2.0 acres of active open space per 1,000 residents. Although a typical population mix may call for such a goal, it may not be attainable for some areas of the City or for certain populations skewed toward certain age groups. Therefore, the City does not consider these ratios as its open space policy for every neighborhood and these ratios do not constitute an impact threshold. Rather, the ratios are benchmarks that represent how well an area is served by its open space. In addition, the CEQR Technical Manual recommends consideration of qualitative factors in the assessment of the potential for open space impacts, including the availability of nearby open space resources.

IV. PRELIMINARY OPEN SPACE ASSESSMENT

In conformance to guidelines included in the *CEQR Technical Manual*, a preliminary open space assessment was conducted. The residential study area exhibits an OSR of 0.19 acres per 1,000 residents in the existing condition. This OSR is lower than the median Citywide Community District OSR of 1.5 acres of open space per 1,000 residents, indicating a shortfall of open space.

Existing Conditions

Study Area Residential Population

Data from the 2010 U.S. Decennial Census (2010 Census) was compiled for the census tracts comprising the study area to identify the residential population served by existing open space resources. The study area is comprised of the nine census tracts listed in **Table C-1: Existing Study Area Residential Population**. Data from the 2010 Census shows that the study area had an estimated residential population of 36,155 within these nine census tracts.

Table C-1: Existing Study Area Residential Population

Census Tract	Residential Population[1]
679	4,094
687	4,630
693	2,883
695	2,128
697.01	3,616
697.02	3,911
713.06	5,811
717.01	5,161
717.02	3,921
Study Area Total (2010)	**36,155**

[1] U.S. Census Bureau, 2010 Decennial Census, DP-1

Inventory of Publicly-Accessible Open Space

According to the *CEQR Technical Manual*, open space may be public or private and may be used for active or passive recreational purposes. Public open space is defined as facilities that are open to the public at designated hours on a regular basis and should be assessed for impacts in conformance to the *CEQR Technical Manual*. The *CEQR Technical Manual* indicates that private open space not accessible to the public on a regular basis should only be considered qualitatively.

Publicly-accessible open space resources within the study area were identified by name and size based on information available from the NYC Department of Parks & Recreation ("NYC Parks") and field surveys as conducted on weekdays in the after-school hours in July 2019, **(Table C-2: Inventory of Existing Open Space)**. The geographic locations of these open spaces are shown on **Figure C-1: Existing Open Space Map** and are keyed to **Table C-2**.

Table C-2: Inventory of Existing Open Space

Map No.	Park Name	Location	Owner/ Agency	Total Acres	Active		Passive	
					Acres	%	Acres	%
1	Fleetwood Triangle	63rd Dr., Woodhaven Blvd., and Penelope Ave.	NYC Parks	**0.03**	0.00	0%	0.03	100%
2	Horace Harding Playground	62nd Dr., 98th St., and 97th St.	NYC Parks	**1.06**	1.06	100%	0.00	0%
3	Lost Battalion Hall Recreation Center	Queens Blvd., and 62nd Ave.	NYC Parks	**2.40**	0.96	40%	1.44	60%
4	The Painter's Playground	Alderton St., Dieterie Crescent, and Ellwell Cresent	NYC Parks	**1.70**	1.53	90%	0.17	10%
5	PS 139 Playground	Wetherole St., btw. 63rd Dr. and 64th Rd	NYC Parks/DOE	**0.95**	0.95	100%	0.00	0%
Total, Residential Study Area				**6.14**	**4.50**	**73.29%**	**1.64**	**26.71%**

Sources: NYC Parks; site visit conducted in July 2019

Notes:

[1] The condition of the open spaces are estimates based on observations from a site visit.

[2] Active and passive spaces were calculated based on a list of active spaces (sports fields, playgrounds) from the NYC Parks. Observational estimates from the site visit were also considered.

Assessment of the Adequacy of Open Space Resources

Quantitative Assessment

The *CEQR Technical Manual* indicates that the adequacy of an open space resources in an area is assessed by evaluating the ratio of open space acreage to user population. The residential study area contains a total of 6.89 acres of usable publicly-accessible open space, serving approximately 36,155 residents in the residential study area, yielding an OSR of 0.19 acres of improved open space per 1,000 residents (**Table C-3: Adequacy of Open Space Resources, Existing Condition**). The *CEQR Technical Manual* indicates that the median OSR at the Citywide Community District level is approximately 1.5 acres of open space 1,000 residents. The active OSR is 0.14 acres of active open space per 1,000 residents, and the passive OSR is 0.05 acres of passive open space per 1,000 residents.

Table C-3: Adequacy of Open Space Resources, Existing Condition

Residential Study Area									
Residential Population	**Existing Acreage**			**Existing OSR**			**CEQR Benchmark OSR**		
	Total	**Active**	**Passive**	**Total**	**Active**	**Passive**	**Total**	**Active**	**Passive**
36,155	6.14	3.71	2.43	0.170	0.103	0.068	2.50	2.00	0.50

* Figures in the table are rounded to two-decimal places.

No-Action Condition

Study Area Residential Population

Absent the Proposed Actions, the No-Action condition would result in an as-of-right development on the Project Site under the existing zoning of R4 zoning district with C2-2 commercial overlay. In addition, two new developments were identified in the census tract study areas that together would consist of approximately 62 residential DUs within the residential study area. The 62 residential DUs would result in an increase in population of approximately 133, while the population increase resulting from the development of the eight DUs on the Project Site would be approximately 17 residents in the No-Action condition. (**Table C-4: No-Action Population Increase in the Study Area**). In addition, population in the study area is projected to increase due to background growth not associated with the identified No-Action projects. Queens experienced a population growth rate of 0.06% between 2000 and 2010, which was applied to the residential population at the 2010 Census. This background population growth was added to the increase in population resulting from the No-Action development projects to determine the projected study area population of 36,331 in the 2022 analysis year (**Table C-5: No-Action Open Space Study Area Population**).

Table C-4: No-Action Population Increase in the Study Area

Development	Description	Population Increase
63-24 Saunders Street Block 3081, Lot 110	2 DUs development	4 residents
65-18 Austin Street Block 3104, Lot 79	60 DUs development	129 residents

Table C-5: No-Action Study Area Population Projection

Existing Population 2010	0.006% Annual Population Growth to 2022	No-Action Projects Population Increase	Project Site As-of-Right Population Increase	Total No-Action Population 2022
36,155	26	133	17	36,331

Source: U.S. Decennial Census 2000 & 2010

Assessment of Open Space Adequacy

In the No-Action condition, the overall population increase in the analysis year of 2022 compared to the existing condition would be approximately 176 residents, comprised of approximately 26 residents through background population growth, approximately 133 residents through No-Action development projects in the study area, and approximately 17 residents on the Project Site resulting from as-of-right development. The study area is not projected to have an increase in publicly-accessible open space resources during this time. The study area contains a total of 6.14 acres of publicly-accessible open space, which would serve approximately 36,331 residents in the residential study area in 2022. Therefore, the OSR in the No-Action condition would be 0.170 acres of open space per 1,000 residents, substantially unchanged from the existing condition. The active OSR in the No-Action condition would be 0.103 acres of active open space per 1,000 residents, and the passive OSR would be 0.067 acres of passive open space per 1,000 residents, **(Table C-6: Adequacy of Open Space Resources, No-Action Condition)**.[3] The CEQR Technical Manual establishes a benchmark OSR of 2.50 to define an area as well-served by open space resources, where the benchmark active OSR would be 2.00 and the benchmark passive OSR would be 0.50.

Table C-6: Adequacy of Open Space Resources, No-Action Condition

Residential Population	No-Action Acreage			No-Action OSR			*CEQR* Benchmark OSR		
	Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
36,331	6.14	3.71	2.43	0.170	0.103	0.067	2.50	2.00	0.50

* Figures in the table are rounded to two-decimal places.

[3] Figures are rounded to two-decimal places. The full numbers are: Existing OSR: 0.1905; No-Action OSR: 0.1896; Active OSR- Existing: 0.1387; No-Action: 0.1380; Passive OSR - Existing: 0.0518; No-Action: 0.0516.

With-Action Condition

Study Area Residential and Non-Residential Population

The Proposed Actions in the With-Action condition would result in a mixed-use development with 74 affordable DUs, 12,770 gsf of local retail use on the ground floor of the building, and approximately 45 parking spaces under the proposed R7A/C2-3 zoning, whereas the as-of-right development in the No-Action condition would consist of 8 DUs and 54 parking spaces under the existing R4 zoning with C2-2 commercial overlay. Therefore, the increment between the No-Action and With-Action conditions would be 66 DUs and 141 residents[4], and the total population in the With-Action condition would be 36,472 (**Table C-7: With-Action Study Area Population**).

Table C-7: With-Action Study Area Population

Residential Study Area		
No-Action Population in 2022	**Project Site Incremental Population Increase**	**Total With-Action Population in 2022**
36,331	141	36,472

Assessment of Open Space Adequacy

There would be a net increase of approximately 141 residents in the With-Action condition compared to the number of residents in the No-Action condition in the residential study area. It is not anticipated that there would be an increase in open space resources in the residential study area or the non-residential study area by the 2022 analysis year. The study area contains a total of 6.14 acres of publicly-accessible open space, serving approximately 36,472 residents in the With-Action condition, yielding an OSR of 0.168 acres of open space per 1,000 residents, **(Table C-8: Adequacy of Open Space Resources, With-Action Condition)**. The *CEQR Technical Manual* considers a median Citywide Community District OSR of 1.5 acres per 1,000 residents. The *CEQR Technical Manual* also considers a benchmark OSR of 2.50 to define an area as well-served by open space resources, where the benchmark active OSR would be 2.00 and the passive OSR would be 0.50.

Table C-8: Adequacy of Open Space Resources, With-Action Condition

Residential Study Area									
Residential Population	**With-Action Acreage**			**With-Action OSR**			***CEQR* Benchmark OSR**		
	Total	**Active**	**Passive**	**Total**	**Active**	**Passive**	**Total**	**Active**	**Passive**
36,472	6.14	3.71	2.43	0.168	0.102	0.067	2.50	2.00	0.50

* Figures in the table are rounded to two-decimal places.

[4] Uses a multiplier of 2.14 per household for Queens.

The decrease in the residential OSR between the No-Action condition and the With-Action condition would remain substantially unchanged, with a decrease of only 0.59%. Therefore, the Proposed Actions would not result in a significant adverse impact on open space resources.

Qualitative Assessment

A qualitative assessment was completed to supplement the findings of the quantitative assessment. In addition to the publicly-accessible open space resources available to the residential population in the study area, nearby open space resources include: (1) Saint John Cemetery (open 9 AM – 5 PM), a 190-acre cemetery located within 0.5 mile of the Project Site and includes publicly-accessible passive recreation resources, such as pathways; (2) Juniper Valley Park a 55.64-acre publicly accessible park located approximately 0.65 miles from the Project Site; (3) Real Good Playground, a 1.6-acre playground located at 99th Street and Horace Harding Expressway, approximately 0.62 miles from the Project Site; and (4) Barrier Playground, a 0.87-acre playground located at Yellowstone Boulevard and Horace Harding Expressway, approximately 0.77 miles from the Project Site.

Attachment D: Shadows

I. INTRODUCTION

This attachment assesses the potential for significant adverse impacts related to shadows created by the Proposed Project on sunlight-sensitive resources. Section 200 of Chapter 8 of the *CEQR Technical Manual* states that a shadows assessment is necessary for projects that would either result in new structures (or additions to existing structures) of 50 feet in height or more, or be located adjacent to, or across the street from, a sunlight-sensitive resource. Sunlight-sensitive resources are those that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. Examples include public open spaces, architectural resources, and natural resources.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate development of a nine-story (95'), approximately 73,171 gross square feet (gsf) mixed-use residential and commercial building, comprised of approximately 60,401 gsf of residential uses, generating 74 dwelling units (DUs) throughout the second through ninth floors of the building, approximately 12,770 gsf of local retail use on the ground floor of the building and approximately 45 parking spaces (the "Proposed Project"). Of the total 74 DUs introduced to the Project Site, approximately 24 DUs would be designated as Affordable Independent Residences for Seniors (AIRS) residential units, restricted to households with incomes below 80% of Area Median Income (AMI). The Project Site is a corner lot fronting 63rd Drive on the west and Austin Street to the north of the Project Site. The anticipated construction completion year is 2022.

II. PRINCIPAL CONCLUSIONS

The results of a preliminary screening assessments showed that the Proposed Project would not cast shadows on any sunlight-sensitive resources near the Project Site. As such, no significant adverse shadows-related impacts would occur as a result of the Proposed Project.

III. METHODOLOGY

The assessment of shadows impacts begins with a preliminary screening assessment to determine whether the longest shadow that would be cast by a project would reach any sunlight-sensitive resources at any time of the year. Sunlight-sensitive resources of concern, as defined in the *CEQR Technical Manual,* are those resources that depend of sunlight or require direct sunlight to maintain their usability or architectural integrity. Potential sunlight-sensitive resources include both publicly-accessible open space, as identified in Chapter 7, "Open Space" in the *CEQR Technical Manual*, as well as architectural resources, as defined in Chapter 9, "Historic and Cultural Resources" of the *CEQR Technical Manual,* that depend on direct sunlight for their enjoyment by the public. As indicated in the *CEQR Technical Manual*, only the features that are sunlight-sensitive should be considered in the shadow's assessment, as opposed to the entire architectural resource.

The *CEQR Technical Manual* prescribes the following major steps in the completion of the preliminary assessment of potential shadow impacts:

- ***Base Map.*** Development of a base map that illustrates the proposed site location in relationship to the sunlight-sensitive resources.
- ***Tier 1 Screening Assessment.*** Development of the longest shadow area. The longest shadow study area encompasses the site of the proposed project and a perimeter around the site's boundary with a radius equal to the longest shadow. According to the *CEQR Technical Manual*,

the longest shadow that a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. The purpose of the Tier 1 Screening Assessment is to determine whether the sunlight-sensitive resources are located within the longest shadow study area.

- ***Tier 2 Screening Assessment.*** If any portion of a sunlight-sensitive resource lies within the longest study area, a Tier 2 Screening Assessment is warranted. Due to the path of the sun across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given project site. In New York City, this area lies between -108 and +108 degrees from true north. The purpose of the Tier 2 Screening Assessment is to determine whether the sunlight-sensitive resources identified in the Tier 1 Screening Assessment are located within portions of the longest shadow study area that can receive shadows from the Proposed Development.
- ***Tier 3 Screening Assessment.*** According to the *CEQR Technical Manual*, a Tier 3 Screening Assessment should be performed to determine if, in the absence of intervening buildings, shadows resulting from the Proposed Actions can reach a sunlight-sensitive resource, thereby warranting a detailed shadow analysis. The Tier 3 Screening Assessment is used to determine if shadows resulting from the Proposed Actions can reach a sunlight-sensitive resource at any time between 1.5 hours after sunrise and 1.5 hours before sunset on representative analysis dates.

  For New York City area, the months of interest for an open space resource encompass the growing season (March through October) and one month between November and February (usually December) representing a cold-weather month. Representative days for the growing season are generally the March 21st vernal equinox (or September 21st autumnal equinox), the June 21st summer solstice, and a spring or summer day halfway between the summer solstice and equinoxes such as May 6th or August 6th (which are approximately the same). As the sun rises in the east and travels across the southern part of the sky to set in the west, a project's earliest shadows would be cast in a westward direction. Throughout the day, the shadows would shift clockwise (moving northwest, then north, then northeast) until sunset. Therefore, a project's earliest shadow on a sunlight-sensitive resource would occur in a similar pattern, depending on the location of the resource in relation to the Development Site.

IV. EXISTING CONDITIONS

Base Map and Sunlight-Sensitive Resources of Concern

A base map was developed that identified the study area in relationship to resources of concern (**Figure D-1: Tier 1 Shadow Analysis**). As shown on **Figure D-1**, resources of concern near the Project Site are limited to the playground at PS 139.

PS 139 Playground

The playground at PS 139 is part of the Schoolyards to Playgrounds program, which partners with the Department of Parks and Recreation, the Department of Education, and the nonprofit Trust for Public Land to improve and renovate school yard facilities and allow public access during non-school hours. The PS 139 schoolyard playground is primarily comprised of concrete pavement with an artificial track and field, playground equipment, and basketball/racket ball facilities.

V. PRELIMINARY SCREENING ASSESSMENT

Tier 1 Screening Assessment

In conformance with guidance in Section 312 of Chapter 8 of the *CEQR Technical Manual*, a Tier 1 Screening Assessment was completed that identified the longest shadow that could be cast by the Proposed Project, which is 4.3 times the height of the structure and occurs on December 21st (winter

solstice). As shown on **Figure D-1**, the Proposed Project could cast a shadow to a maximum radius of 408.5 feet from the Project Site.

Tier 2 Screening Assessment

Since the PS 139 Playground is within the longest shadow study area, as described in Section 313 of Chapter 8 of the *CEQR Technical Manual*, a Tier 2 Screening Assessment was performed. In New York City, no shadow can be cast within an area between -108 and +108 degrees from true north of a site. **Figure D-2: Tier 2 Shadow Analysis** depicts the area that could not be shaded as a result of the Proposed Project. As indicated **in Figure D-2**, incremental shadows due to the Proposed Actions could still potentially cast shadows on the PS 139 playground. Consequently, a Tier 3 Screening Assessment was performed.

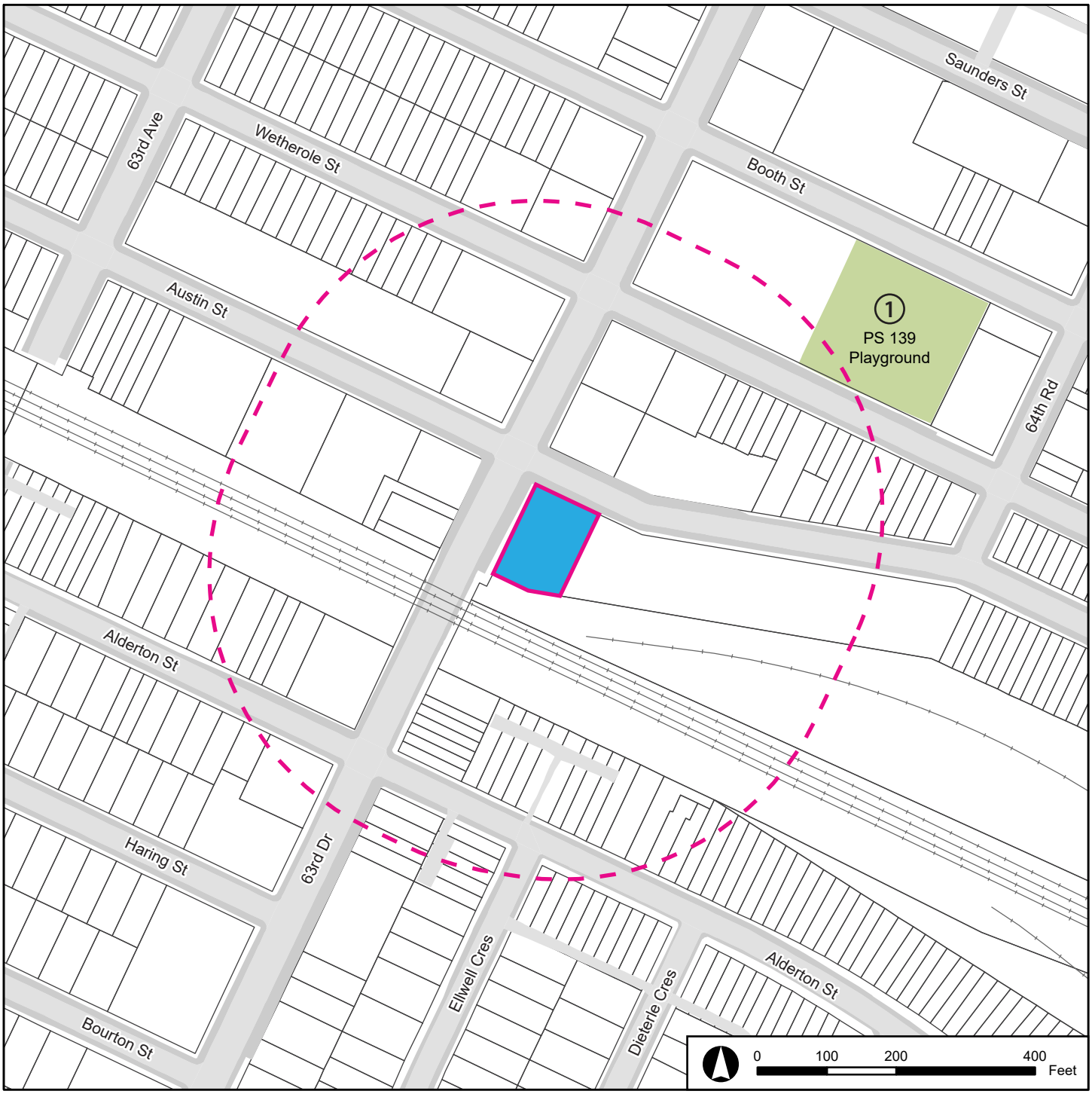
Tier 3 Screening Assessment

The analysis timeframe for the Tier 3 Screening Assessment considers shadows that occur between 90 minutes following sunrise and 90 minutes preceding sunset. In conformance to *CEQR Technical Manual* guidelines, daylight savings time is not used to determine the timeframes for analysis; all times are listed in Eastern Standard Time.

Figure D-3 through **Figure D-6** show the Tier 3 Screening Assessment for the representative days of December 21st, March 21st, May 6th, and June 21st. The results of the Tier 3 Screening Assessment concluded that the Proposed Project would not cast incremental shadows on the playground at PS 139. Therefore, no further detailed shadow analysis is warranted.

VI. CONCLUSION

The results of the Preliminary Screening Assessment indicate that the Proposed Project would not cast a shadow on any sunlight-sensitive resource. Consequently, the Proposed Project would not result in any significant adverse impacts on sunlight-sensitive resources.



Source: 2019 PLUTO, NYCDCP

Development Site

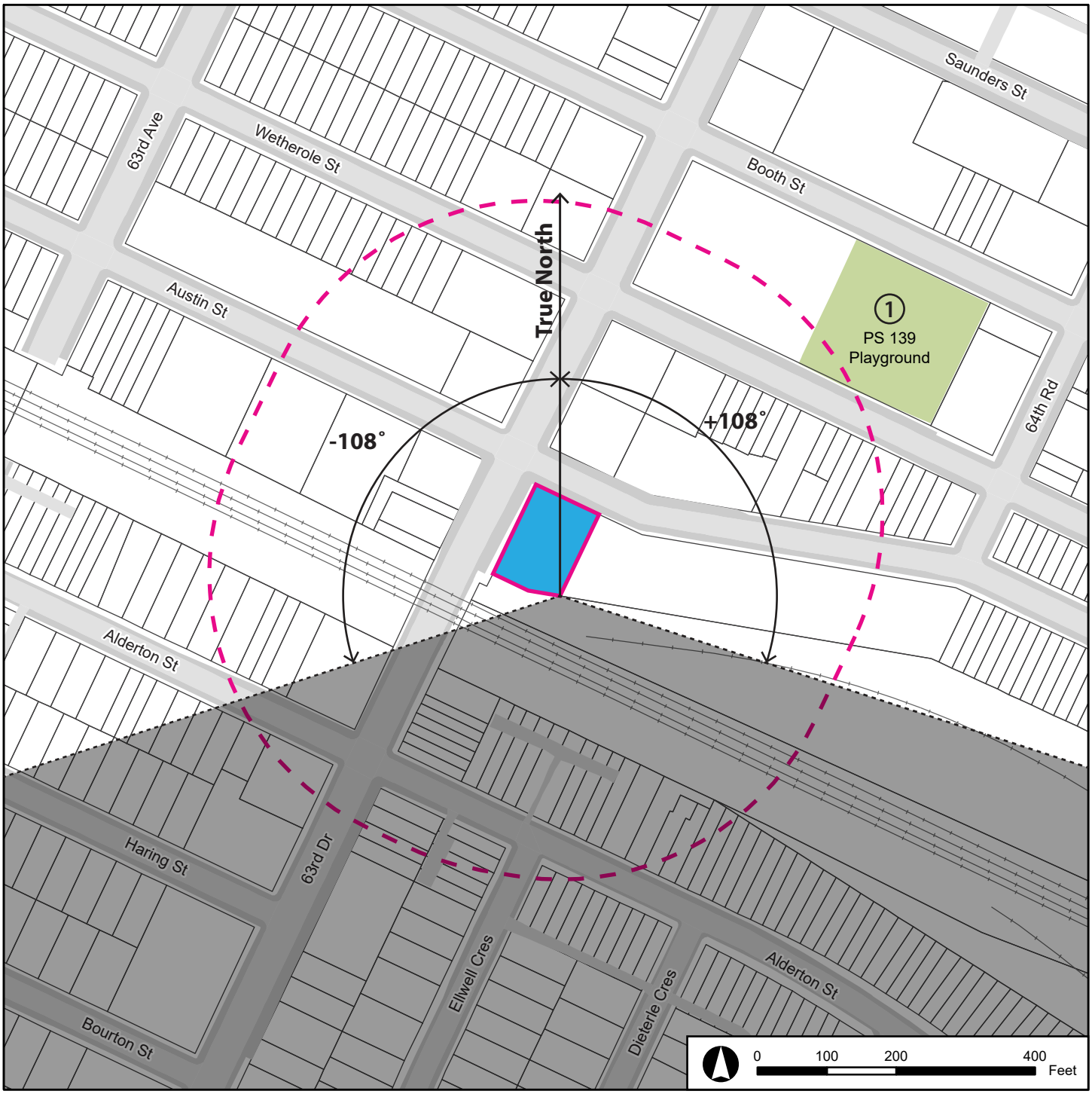
1 Sunlight-sensitive Resources

Longest Shadow Study Area Boundary

TIER 1 SHADOW ANALYSIS

Figure D-1

91-32 63rd Drive Rezoning EAS



Source: 2019 PLUTO, NYCDCP

Development Site

1 Sunlight-sensitive Resources

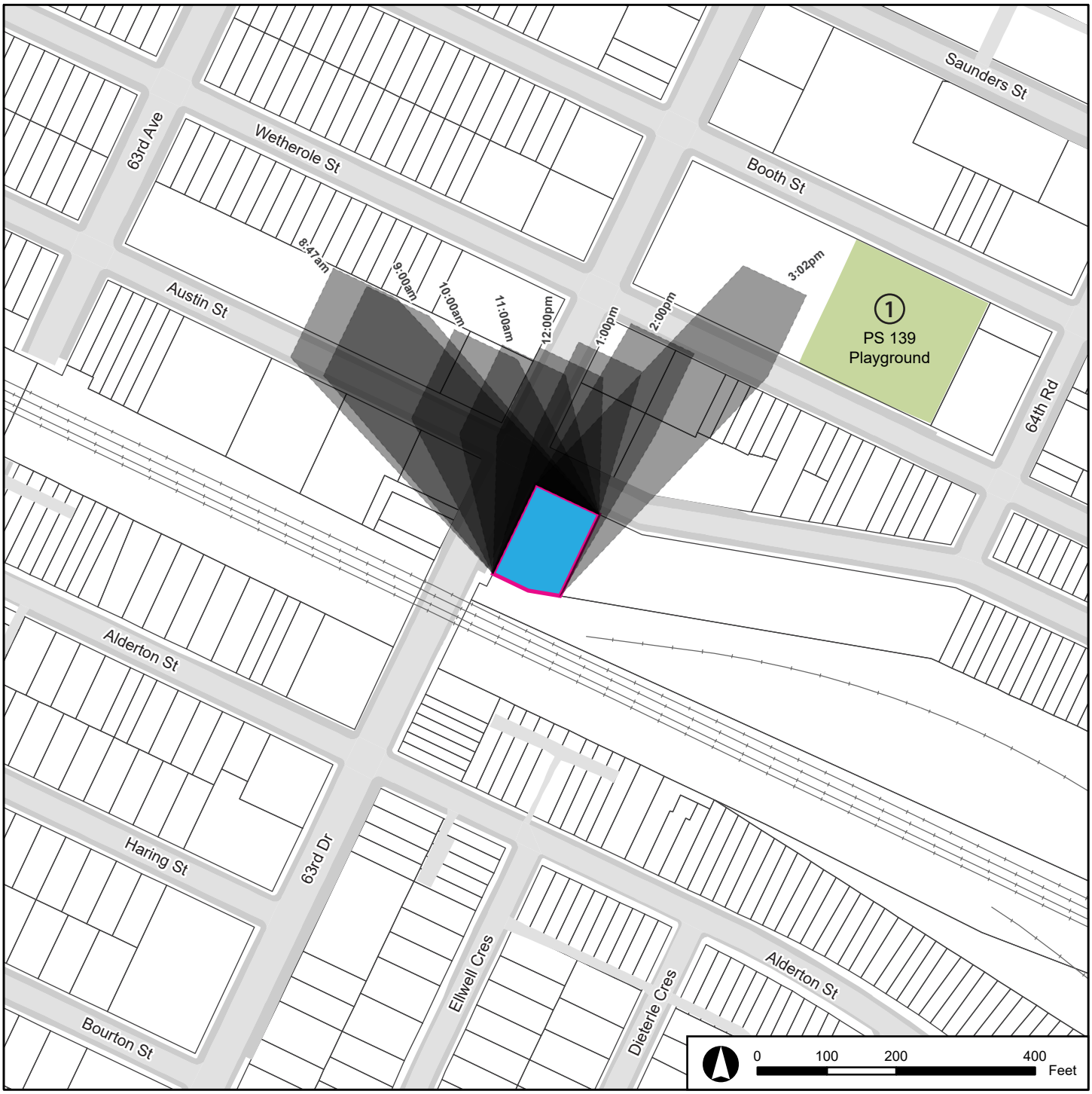
Longest Shadow Study Area Boundary

Area that cannot be shaded by the proposed development

TIER 2 SHADOW ANALYSIS

Figure D-2

91-32 63rd Drive Rezoning EAS



Source: 2019 PLUTO, NYCDCP

Development Site

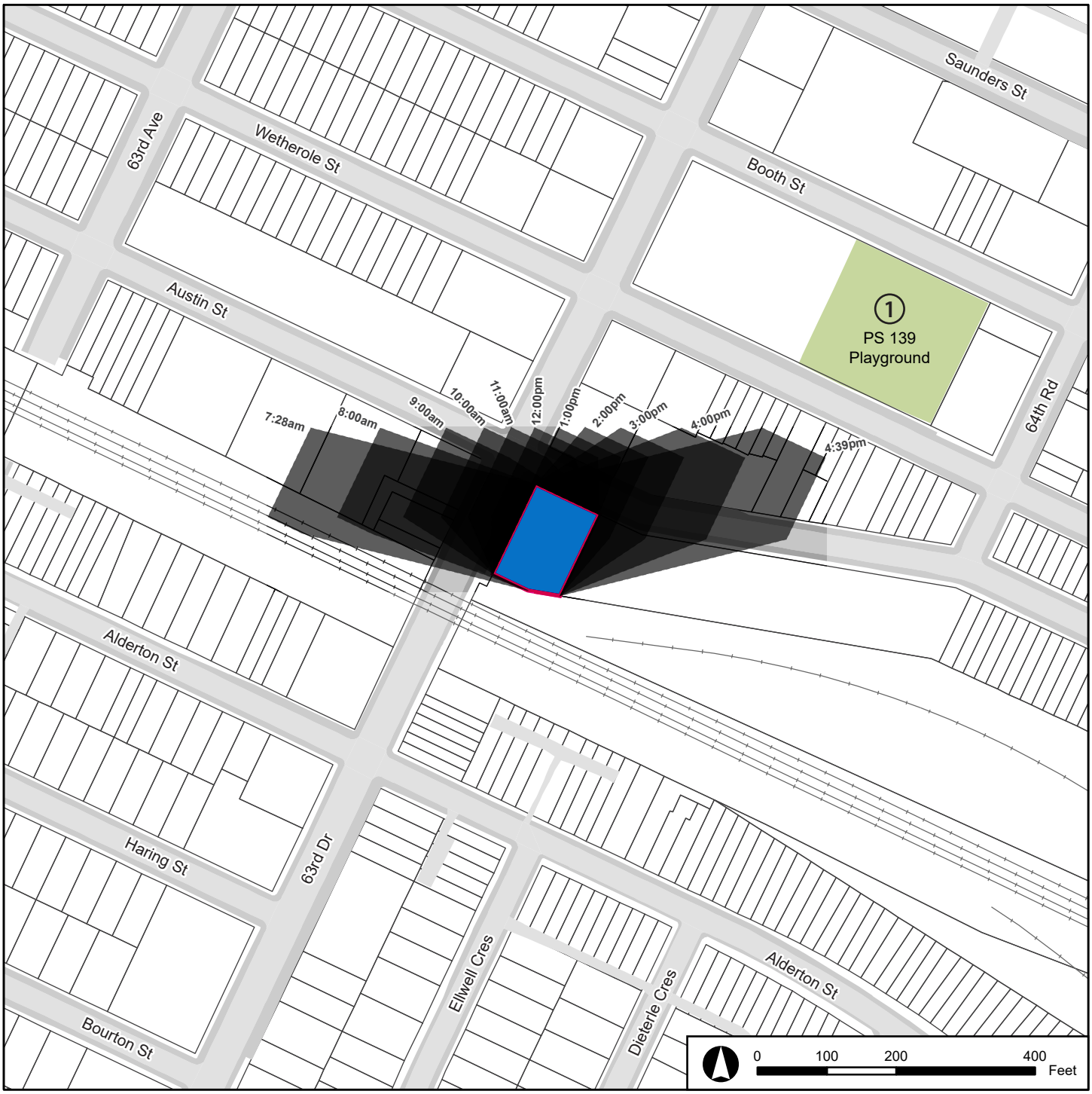
1 Sunlight-sensitive Resources

TIER 3 SHADOW ANALYSIS

December 21st Analysis Day

Figure D-3

91-32 63rd Drive Rezoning EAS



Source: 2019 PLUTO, NYCDCP

Development Site

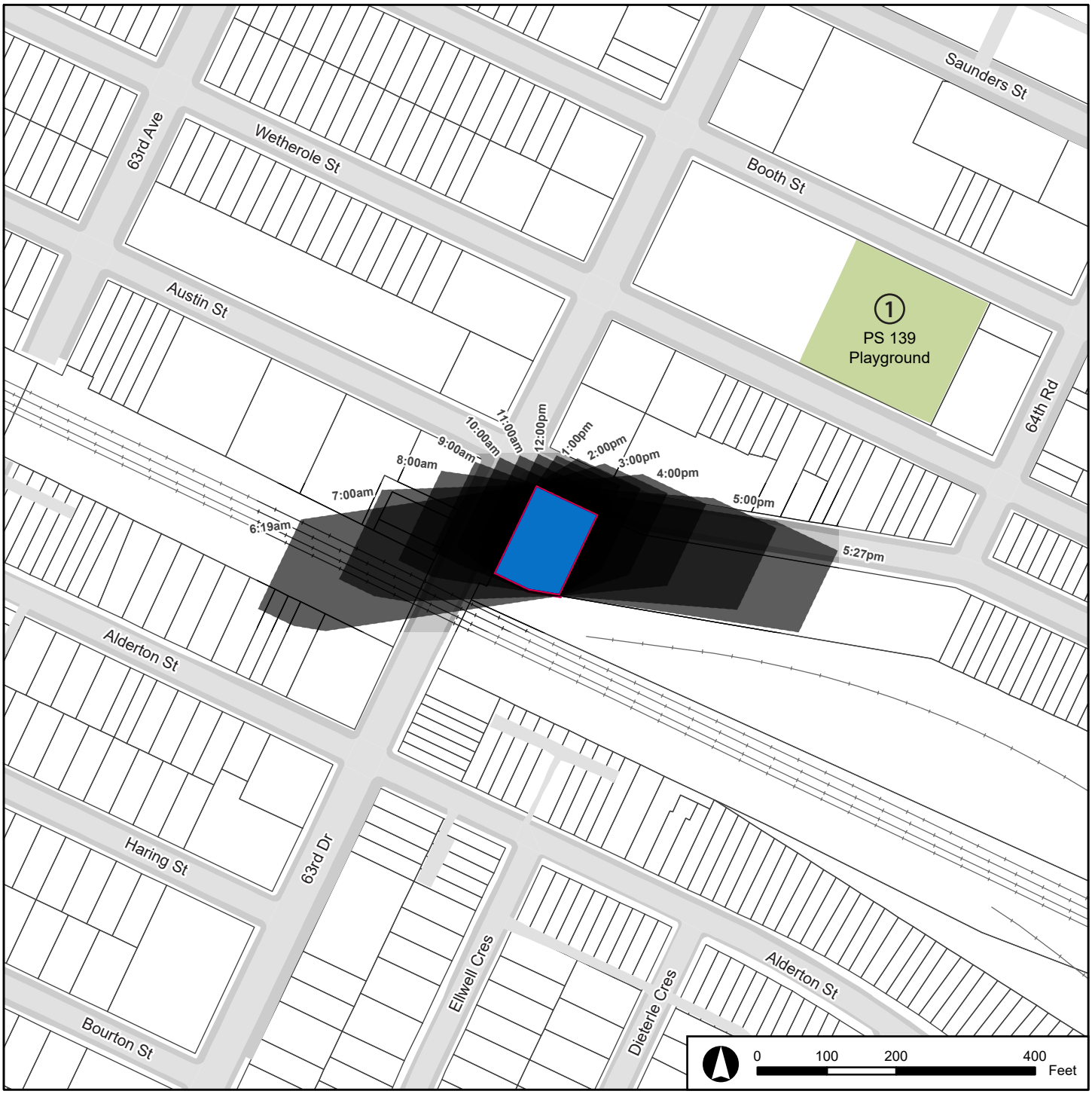
1 Sunlight-sensitive Resources

TIER 3 SHADOW ANALYSIS

March 21st Analysis Day

Figure D-4

91-32 63rd Drive Rezoning EAS



Source: 2019 PLUTO, NYCDCP

Development Site

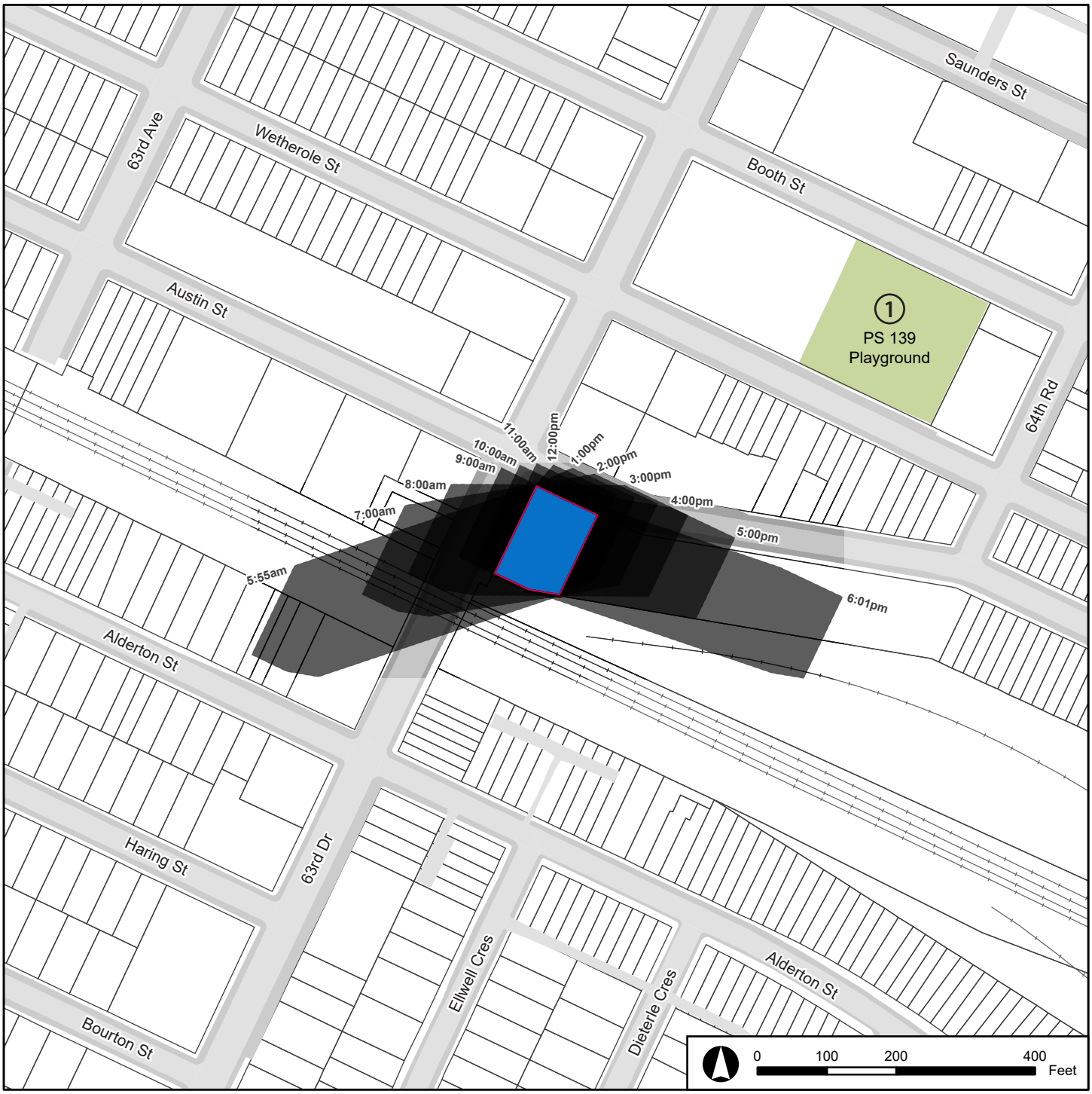
1 Sunlight-sensitive Resources

TIER 3 SHADOW ANALYSIS

May 6th Analysis Day

Figure D-5

91-32 63rd Drive Rezoning EAS



Source: 2019 PLUTO, NYCDCP

Development Site

1 Sunlight-sensitive Resources

TIER 3 SHADOW ANALYSIS

June 21st Analysis Day

Figure D-6

91-32 63rd Drive Rezoning EAS

Attachment E: Historic and Cultural Resources

I. INTRODUCTION

As indicated in Chapter 9 of the *CEQR Technical Manual*, an assessment of archaeological resources is usually needed for projects that require in-ground disturbance, unless such disturbance occurs in an area that has already been excavated. An assessment of architectural resources is needed if the proposed project would result in new construction, demolition, or significant alteration to any building, structure, or object; change in scale, visual prominence, or visual context of a building; construction activities; additions to or significant removal, grading, or replanting of significant historic landscape features; screening or elimination of publicly accessible views; or significant new shadows on a historic structure in which the features that make the structure significant depend on sunlight.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate development of a nine-story (95 feet), approximately 73,171 gross square feet (gsf) mixed-use residential and commercial building, comprised of approximately 60,401 gsf of residential uses, generating 74 dwelling units (DU) throughout the second through ninth floors of the building, and approximately 12,770 gsf of local retail use on the ground floor of the building (the "Proposed Project"). Of the total 74 DUs introduced to the Project Site, approximately 24 DUs would be designated as Affordable Independent Residences for Seniors (AIRS) units, restricted to households with incomes below 80% of Area Median Income (AMI). The residential units, comprising of 24 studios, 24 one-bedroom units, and 26 two-bedroom units would occupy the second through ninth floors of the Proposed Project. The Proposed Project would provide approximately 45 self-service parking spaces of which 28 spaces in a garage would be accessory to commercial uses and 17 surface parking spaces would be accessory to residential uses. The anticipated construction completion year is 2022.

II. ARCHAEOLOGIAL AND ARCHITECTURAL RESOURCES

The Project Site has previously been disturbed and improved with a one-story building. In both the No-Action and With-Action conditions, the existing building on the Project Site would be demolished, and the Project Site would be redeveloped with a new primarily residential development, as described in Attachment A, "Project Description." In a letter dated October 2, 2019, the New York City Landmarks Preservation Commission (LPC) determined that the Proposed Project would not affect properties with archaeological or architectural significance (see Appendix A, "LPC Correspondence"). Therefore, the Proposed Project would not result in a significant adverse impact on historic and cultural resources.

Attachment F: Urban Design and Visual Resources

I. INTRODUCTION

This attachment assesses the potential impact of the Proposed Project on urban design and visual resources. Urban design is the composite of elements that may affect a pedestrian's experience of public space. These elements include streets, buildings, visual resources, open space, natural features, and wind. As described in Chapter 10 of the *City Environmental Quality Review (CEQR) Technical Manual*, the urban design and visual resources assessment evaluates whether the Proposed Project may have effects on one or more elements of pedestrian experience.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate development of a nine-story (95'), approximately 73,171 gross square feet (gsf) mixed-use residential and commercial building, comprising of approximately 60,401 gsf of residential uses, generating 74 dwelling units (DUs) throughout the 2nd through 9th floors of the building, approximately 12,770 gsf of local retail use on the ground floor of the building and approximately 45 parking spaces (the "Proposed Project"). Of the total 74 DUs introduced to the Project Site, approximately 24 DUs would be designated as Affordable Independent Residences for Seniors (AIRS) residential units, restricted to households with incomes below 80% of Area Median Income (AMI). The Project Site is a corner lot fronting 63rd Drive on the west and Austin Street to the north of the Project Site. The anticipated construction completion year is 2022.

A Reasonable Worst-Case Development Scenario (RWCDS) for the Project Site was used as the basis of the assessment for urban design and visual resources, which is defined as the reasonable worst-case development that could be constructed under the Proposed Actions and would have a maximum floor area ratio (FAR) of 4.96 and a maximum height of 95 feet. The height and bulk of the Proposed Project under the RWCDS would have the potential for a pedestrian to observe from the street level a physical alternation beyond that allowed by existing zoning. As such, a preliminary urban design assessment has been conducted.

II. METHODOLOGY

According to *CEQR Technical Manual* guidelines, urban design is the totality of components that may affect a pedestrian's experience of public space, and that the following elements play an important role in that experience:

1. **Streets.** For many neighborhoods, streets are the primary component of public space. The arrangement and orientation of streets define the location and flow of activity in an area, set street views, and create the blocks on which buildings and open spaces are organized. The apportionment of street space between cars, bicycles, transit, and sidewalks and the careful design of street furniture, grade, materials used, and permanent fixtures, including plantings, street lights, fire hydrants, curb cuts, or newsstands are critical to making a successful streetscape.
2. **Buildings.** Buildings support streets. A building's street walls are the most common backdrop in the city for public space. A building's size, shape, setbacks, lot coverage, and placement on the zoning lot and block; the orientation of active uses; and pedestrian and vehicular entrances all play major roles in the vitality of the streetscape. The public realm also extends to building facades and rooftops, offering more opportunity to enrich the visual character of an area.
3. **Visual Resources.** A visual resource is the connection from the public realm to significant natural or built features including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources.

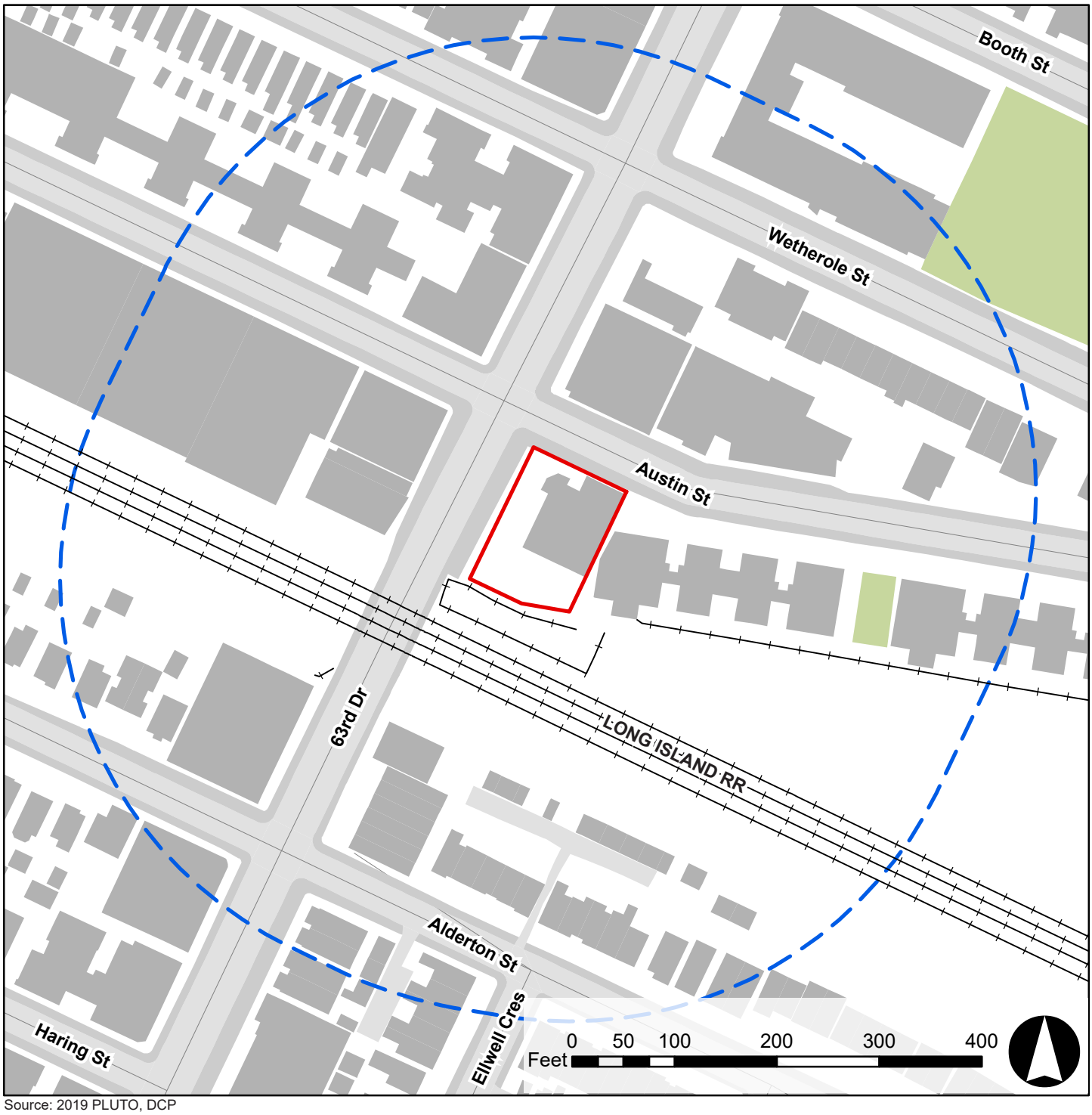
4. **Open Space.** For the purposes of urban design, open space includes public and private areas such as parks, yards, cemeteries, parking lots, and privately owned public spaces.
5. **Natural Features.** Natural features include vegetation and geologic, topographic, and aquatic features. Rock outcroppings, steep slopes or varied ground elevation, beaches, or wetlands may help define the overall visual character of an area.
6. **Wind.** Channelized wind pressure from between tall buildings and downwashed wind pressure from parallel tall buildings may cause winds that affect pedestrian comfort and safety.

An urban design and visual resources assessment is necessary when a project may affect one or more of the defined elements that contribute to the pedestrian experience. According to *CEQR Technical Manual* guidelines, a preliminary assessment for urban design is appropriate when there is the potential for a pedestrian to observe, from the street, a physical alteration beyond that allowed by existing zoning, including projects that:

1. Permit the modification of yard, height, and setback requirements;
2. Result in an increase in built floor area beyond what would be allowed 'as-of-right' or in the future without the Proposed Project.

The Proposed Actions include the rezoning of Lot 16 and p/o Lot 14 of Block 3104 in Queens CD 6 (the "Project Site") from R4/C2-2 to R7A/C2-3 and a zoning text amendment of Zoning Resolution (ZR) Appendix F to designate the Project Site as a Mandatory Inclusionary Housing (MIH) Area pursuant to Option #2 (the "Proposed Actions"). The Proposed Actions would facilitate development that would have the potential for a pedestrian to observe, from the street level, a physical alternation beyond that allowed by existing zoning. Consequently, a preliminary assessment has been completed to determine what, if any, potential impact of the Proposed Project would have on urban design and visual resources. The preliminary assessment describes existing urban design features and visual resources within a 400-foot study area from the Project Site, and future (2022) urban design features and visual resources in the study area in the No-Action and With-Action conditions **(Figure F-1: Urban Design and Visual Resources Study Area Map)**. In conformance to guidance in the *CEQR Technical Manual*, changes that would occur between the No-Action and With-Action conditions are disclosed.

In addition, *CEQR Technical Manual* guidelines state that the construction of projects involving multiple tall buildings at or near waterfront sites may result in exacerbation of wind conditions due to 'channelization' or 'downwash' that may affect pedestrian comfort and safety. The Proposed Actions would not facilitate the construction of a large building at a location along the waterfront, nor would it include multiple tall buildings. Consequently, a wind assessment is not warranted.



Source: 2019 PLUTO, DCP

Project Site

400-foot Study Area

URBAN DESIGN & VISUAL RESOURCES STUDY AREA MAP

Figure F-1

91-32 63rd Drive Rezoning EAS

III. EXISTING CONDITIONS

Project Site

The Project Site has an approximate lot area of 13,730 square feet (sf) and is bound by Austin Street to the north, 63rd Drive to the west, Lot 23 to the east, and Lot 14 to the south. The Long Island Railroad (LIRR) runs adjacent to the Project Site to the south. The Project Site is mapped as an R4 zoning district.

Study Area

The Project Site is situated in Queens CD 6, which encompasses the neighborhoods of Forest Hills, Forest Hills Gardens, and Rego Park. The study area is mainly comprised of residential uses of varying densities, including multi-family elevator and walk-up buildings as well as one- and two-family homes. Higher density multi-family elevator apartments are located north of the Project Site and adjacent to the Project Site on the east. Multi-family housing in the study area range from three to six stories. One- and two-family homes generally range in height between two and three stories, with exteriors of either brick and vinyl or wood siding. Most residential buildings are set back from the sidewalk and have front yards large enough for vehicle parking or a small garden.

Existing commercial uses in the study area consist primarily of local retail uses, such as convenience stores and dry cleaners, and are located to the north, south and west of the Project Site. Commercial uses are primarily comprised of storefronts with local retail establishments located along 63rd Drive. Other uses include religious institutions, Public School 139, the Rego Park Day School and the Rego Park branch of the Queens library, which is located west of the Project Site at 91-41 63rd Drive.

Streets

Streets in the study area generally follow a grid pattern alignment that is broken up by the Long Island Rail Road, which runs in an east-west direction. Located north of the Project Site, Austin Street is designated under the ZR as a narrow[1], one-way local road running east. 63rd Drive, a minor arterial, is located adjacent to and west of the Project Site and is a narrow two-way street that forms a perpendicular intersection with the eastbound Austin Street. On-street parallel parking is located on either side of Austin Street and 63rd Drive.

Streetscape elements within the study area are limited primarily to sidewalks lined with trees without tree guards. Street furniture includes cobra head lampposts, wooden electrical poles, standard street signs, bus stop signs, fire hydrants, trash cans, mail boxes, wrought-iron fencing, and chain-link fencing. All rights-of-way in the study area include sidewalks of varying widths and in good condition. In the lower-density residential areas along Alderton Street, decorative metal gates are common along property lines, and vehicles are seen parked along the street, in garages, or in driveways, which are located either in the front yard or at the rear of residential buildings. Views along 63rd Drive and Austin Street include commercial uses, single-family, two-family, and multi-family walk-up buildings.

Buildings

The study area is generally characterized by a mixture of low, medium, and high-density residential uses with commercial uses along 63rd Drive and Austin Street. Building heights range in height between one and six stories **(Figure F-2: Existing Building Heights);** FARs range between 0.26 and 6.86 **(Figure F-3: Existing Density)**.

The 13,730-sf Project Site is located on a corner lot with a 100’ frontage on Austin Street to the north, and 140’ on 63rd Drive to the west. It is currently improved with a vacant, 5,894 sf one-story (14') building

[1] The Zoning Resolution of the City of New York defines narrow streets as being less than 75 feet in width.

constructed in 1941 that was formerly used as a restaurant (d/b/a Shalimar Diner). The remainder of the Project Site consists of a surface parking lot accessory to the restaurant use. The 5,894-sf building has a built FAR of 1.44 **(Figure F-3)**.

Multi-family walk-up buildings in the study area are typically brick or have vinyl siding and tend to feature flat roofs; low-gabled roofs are also present. Buildings are connected and present a continuous street frontage. Stoops, small front yard gardens, and awnings are also common. Most buildings have shallow front yard setbacks and narrow side yard setbacks. Multi-family elevator buildings in the study area have red brick exteriors and flat roofs, and generally have an unadorned, modernist architectural style. Commercial uses along 63rd Drive and Austin Street use banner and awning-style signage and occasionally use posters in the storefront windows, **(Figure F-4: Aerial Map and Keyed Photographs)**.

Open Space

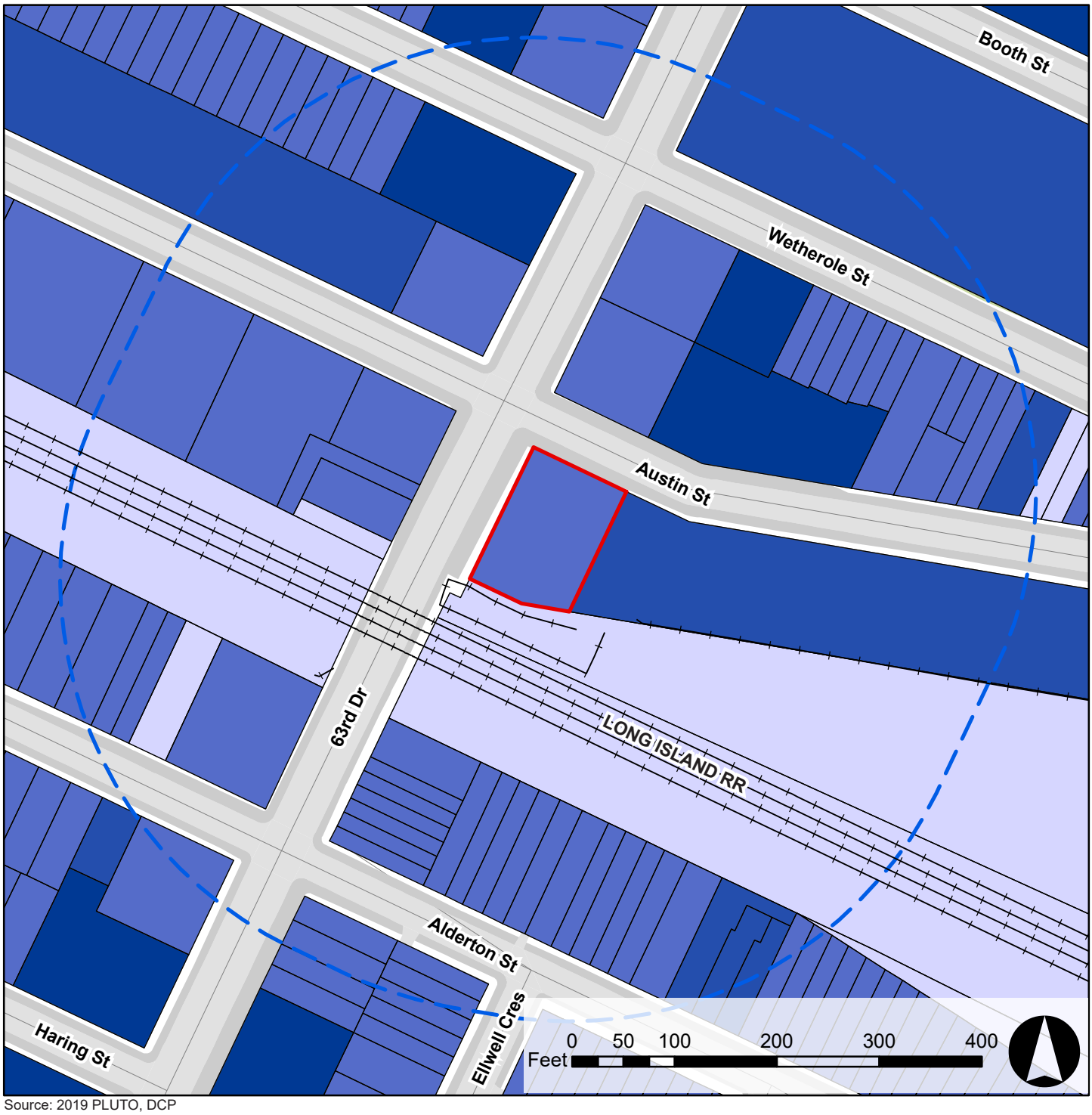
The study area for urban design and visual resources does not contain any publicly-accessible open space resources. Privately-accessible open spaces include a seating area at Lutheran Church of Our Savior, north of the Project Site at 92-14 63rd Drive.

Natural Resources

The study area does not contain any significant natural features as defined in the *CEQR Technical Manual*, such as waterfronts, public parks, landmark structures or districts, or otherwise distinct buildings or groups of buildings.

Visual Resources

There are no significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, distinct buildings, or groups of buildings or natural resources on the Project Site or its immediate surrounding area.



Source: 2019 PLUTO, DCP

Project Site

400-foot Study Area

Number of Floors

0

1

1-3

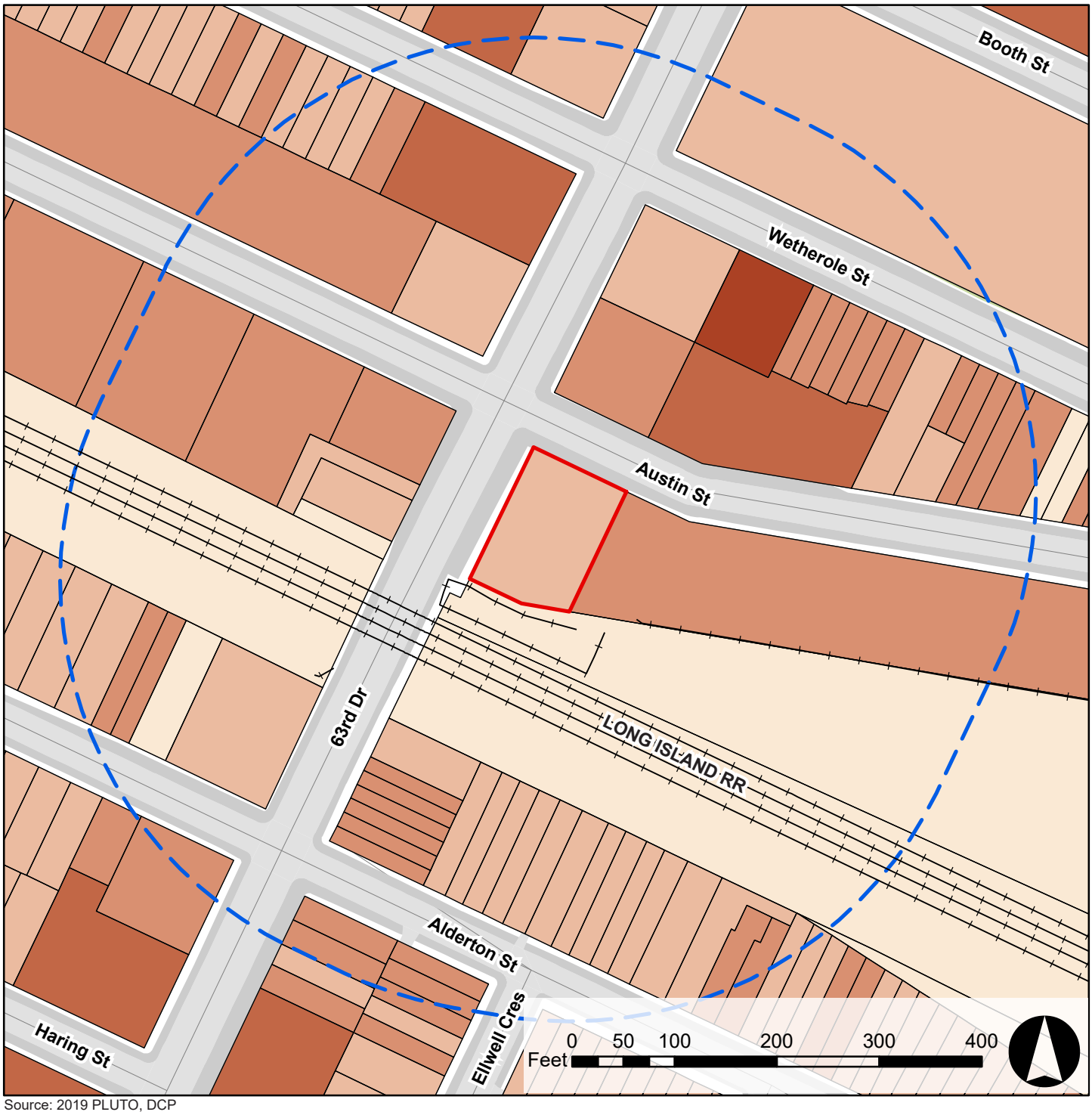
3-5

5+

EXISTING BUILDING HEIGHTS MAP

Figure F-2

91-32 63rd Drive Rezoning EAS



Source: 2019 PLUTO, DCP

Project Site

400-foot Study Area

Built FAR

0

0-1

1-3

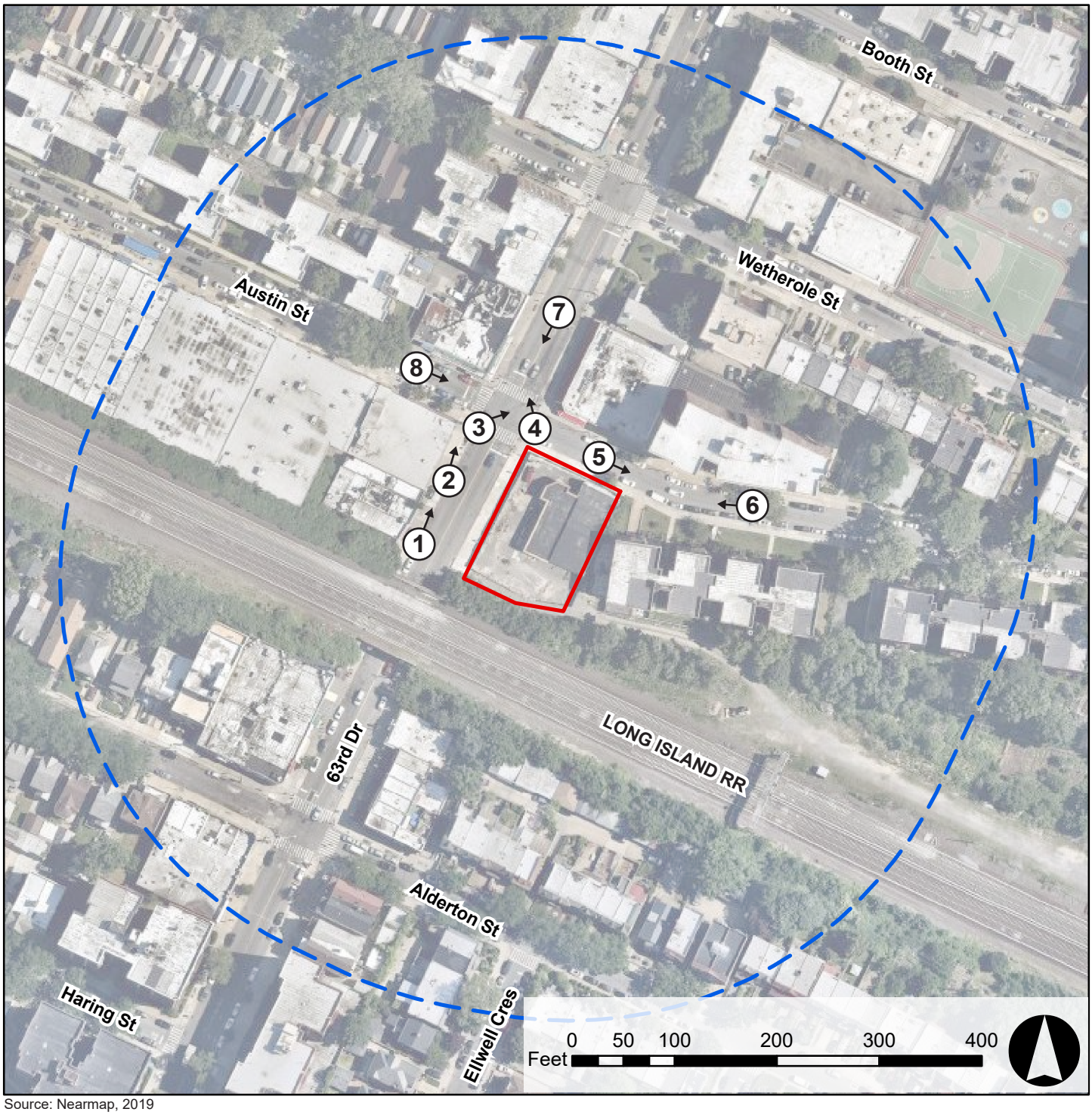
3-5

5+

EXISTING DENSITY (BUILT FAR) MAP

Figure F-3

91-32 63rd Drive Rezoning EAS



Source: Nearmap, 2019

Project Site

400-foot Study Area

1 Keyed Photograph

AERIAL MAP

Figure F-4

91-32 63rd Drive Rezoning EAS

Photograph 1: *View of properties west of the Project Site, looking north.*



Photograph 2: *View of properties west of the Project Site, looking north.*



Note: All photographs taken on July 31, 2019

Figure F-4: Keyed Photographs

Photograph 3: *Southwest corner of Austin Street/63rd Drive, looking northeast.*



Photograph 4: *Southeast corner of Austin Street/63rd Drive, looking northwest.*



Figure F-4: Keyed Photographs

Photograph 5: *View of property east of the Project Site, looking east along Austin Street.*



Photograph 6: *View of property east of the Project Site, looking west along Austin Street.*



Figure F-4: Keyed Photographs

Photograph 7: *View of property north of the Project Site, looking south along 63rd Drive.*



Photograph 8: *View of property west of the Project Site, looking east along Austin Street.*



Figure F-4: Keyed Photographs

IV. FUTURE WITHOUT PROPOSED ACTIONS (NO-ACTION CONDITION)

Land Use and Zoning

Project Site

Absent the Proposed Actions (the "No-Action condition"), an as-of-right development conforming to the current R4 zoning district with C2-2 commercial overlay would occur on the Project Site. The No-Action condition would consist of a three-story development with residential, commercial, and community facility uses. The maximum permitted FAR would be 2.00, including a residential FAR of 0.55, a commercial FAR of 0.89, and a community facility FAR of 0.55. The as-of-right development would have a total FAR of 1.98 and a maximum building height of 30 feet. No-Action development on the Project Site would be comprised of approximately 13,731 gsf (12,164 zsf) of retail use on the ground floor, approximately 12,358 gsf (7,488 zsf) of community facility (medical office) use on the second floor, and eight DUs totaling 12,358 gsf (7,488 zsf) of residential uses on the third floor, and 54 accessory parking spaces in the cellar, of which 49 spaces would be accessory to commercial use and five spaces would be accessory to residential use. The average DU size would be approximately 1,545 gsf (936 zsf), which would be consistent with other as-of-right market-rate developments in the area. The as-of-right development would not provide any income-restricted or age-restricted DUs.

Study Area

Based on active building permits in the area, no known, ongoing or proposed developments were identified within 400 feet of the Project Site with anticipated completion dates in or prior to the 2022 build year.

V. FUTURE WITH PROPOSED ACTIONS (WITH-ACTION CONDITION)

Streets

In the future with the Proposed Actions (the "With-Action condition"), Lot 16 and p/o Lot 14 of Block 3104 would be rezoned from its existing R4 zoning district with a C2-2 commercial overlay to an R7A zoning district with C2-3 commercial overlay. Based on the proposed R7A/C2-3 zoning, several uses could be developed on the Project Site. The proposed R7A zoning district permits residential uses (Use Groups 1 and 2), while the proposed C2-3 overlay permits local retail and commercial uses (Use Groups 1-9 and 14). The Proposed Project would comply with MIH requirements under Option #2 and would utilize a commercial FAR of 0.82 for UG 6 and a residential FAR of 4.12 for UG 2 for a total FAR of 4.96. The maximum permitted FAR within an MIH-AIRS designated area is 5.01 pursuant to (ZR) §23-155 for residential uses and 2.0 pursuant to (ZR) §33-121 for commercial uses. The maximum permitted base height is 75 feet at the street line with a maximum building height of 90 feet or 95 feet with a qualifying ground floor after a 15-foot setback (required on a narrow street) or a 10-foot setback (required on a wide street).

The Proposed Project would not alter the arrangement or orientation of streets within the study area. Streetscape elements include sidewalks lined with trees with tree guards. The Proposed Project would maintain similar or improved streetscape conditions at the perimeter and near the Project Site

Buildings

The With-Action condition would permit approximately 96,252 zsf of mixed residential and commercial uses, calculated based on a lot size of 13,730 sf and a maximum FAR of 5.01 (MIH-AIRS). The building would be constructed as a single development and would provide approximately 60,401 gsf of residential space, comprised of 74 DUs and 12,770 gsf of local retail space on the first floor. The Proposed Project would include approximately 45 parking spaces and approximately 38 bicycle parking spaces**.** Access to parking would be via a new curb cut on 63rd Drive. The local retail on the first floor would have anodized aluminum and glass exterior along 63rd Drive and Austin Street and stucco exterior along the side (south) and rear (east) facades. Floors two through nine would have brick exterior alternating with metal paneling on all facades.

The Proposed Project would extend to the property line on all three frontages. The exterior of the building facing 63rd Avenue would be broken up with small setbacks at the sixth floor and ninth floor. The exterior along Austin Street would also be broken up with small setbacks at the first, sixth and ninth floors respectively, **(Figure F-5: With-Action Site Plan** and **Figure F-6: Urban Design Views)**.

Open Space

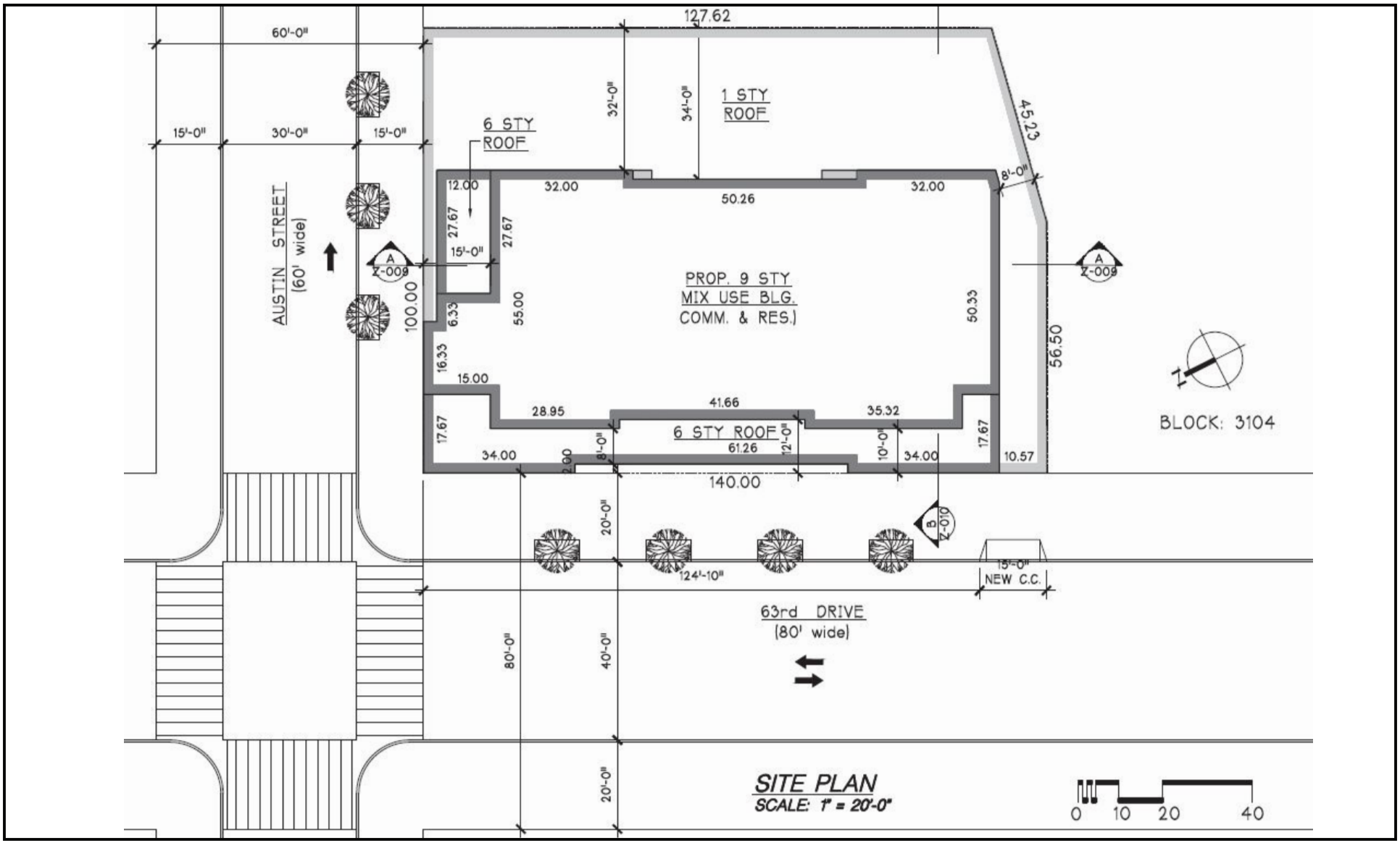
The urban design and visual resources study area does not contain any publicly-accessible open spaces, and there is one privately-accessible open space resource in the study area located at Lutheran Church of Our Savior. Since this open space resource is approximately 170 feet north of the Project Site, the Proposed Project would not result in any significant adverse impacts on this privately-accessible open space resource.

Natural Resources

Since there are no natural resources within the urban design and visual resources study area, the Proposed Project would not result in any direct impact on natural resources.

Visual Resources

Since there are no visual resources within the urban design and visual resources study area, the Proposed Project would not result in any direct impact on visual resources.



Source: Gerald J. Caliendo, Architect, P.C.
Note: For Illustrative Purposes Only

WITH-ACTION
SITE PLAN

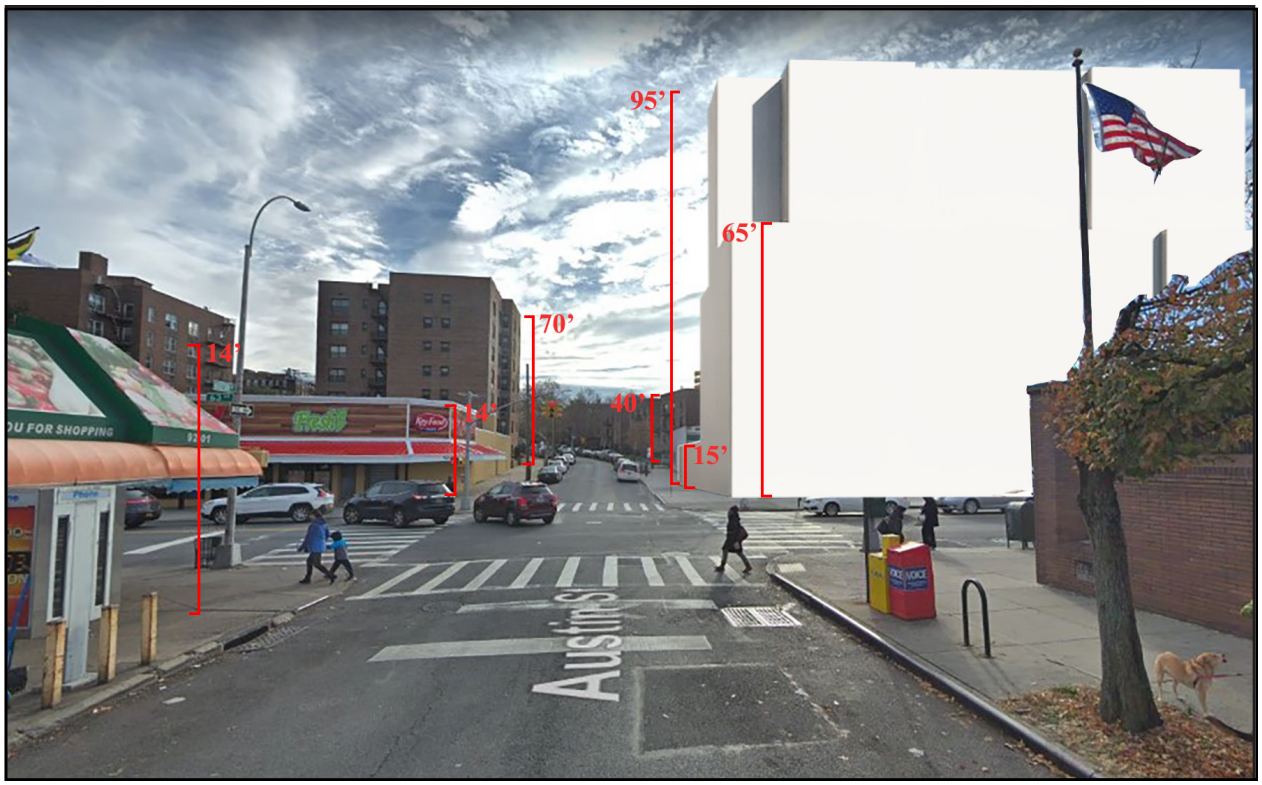
Figure F-5

View 1: *View of Project Site looking east along Austin Street.*

No-Action Condition



With-Action Condition



Source: Gerald J. Caliendo, Architect, P.C.

URBAN DESIGN VIEWS

Figure F-6

View 2: *View of Project Site looking north along 63rd Drive.*

No-Action Condition



With-Action Condition



Source: Gerald J. Caliendo, Architect, P.C.

URBAN DESIGN VIEWS

Figure F-6

91-32 63rd Drive Rezoning EAS

Attachment G: Hazardous Materials

I. INTRODUCTION

This attachment assesses the potential for the presence of hazardous materials in soil, groundwater, and/or soil vapor at the Project Site, and further evaluates the potential for hazardous materials impacts resulting from the discretionary public actions required to implement the Proposed Project as facilitated by the Proposed Actions. According to *City Environmental Quality Review (CEQR) Technical Manual* guidelines, a hazardous materials assessment may be necessary when a proposed action could lead to increased exposure of people or the environment to hazardous materials, or whether increased exposure would lead to significant public health impacts or environmental damage.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate development of the Proposed Project comprised of a nine-story (95 feet), approximately 73,171 gross square feet (gsf) mixed-use residential and commercial building, comprised of approximately 60,401 gsf of residential uses, generating 74 dwelling units (DU) throughout the second through ninth floors of the building, and approximately 12,770 gsf of local retail use on the ground floor of the building. Of the total 74 DUs introduced to the Project Site, approximately 24 DUs would be designated as Affordable Independent Residences for Seniors (AIRS) residential units, restricted to households with incomes not exceeding 80% of Area Median Income (AMI). The Project Site is a corner lot fronting 63rd Drive on the west and Austin Street to the north of the Project Site. The anticipated construction completion year is 2022.

II. PRINCIPAL CONCLUSIONS

Based on the findings of a Phase I Environmental Site Assessment (ESA) completed January 2019 in compliance with the scope and limitations of ASTM International (ASTM) Standard Practice E 1527-13, no Recognized Environmental Conditions (RECs), Controlled Recognized Environmental Conditions (CRECs), or Historical Recognized Environmental Conditions (HRECs) were identified in connection with the Project Site. Additionally, no conditions outside of ASTM E 1527-13 were identified in connection with the Project Site including asbestos containing materials (ACMs), lead based paint (LBP), lead in drinking water, radon, or mold.

The New York City Department of Environmental Protection (DEP), based on its review of the Phase I ESA, concluded that a Phase II Environmental Site Investigation (ESI) is needed. Accordingly, preparation of the Phase II ESI will be required in an (E) designation (E-568). The (E) designation will also require preparation of a Remedial Action Plan (RAP), if applicable based on results of the Phase II ESI, and a Construction Health and Safety Plan (CHASP). With the (E) designation, the Proposed Project would not result in a significant adverse impact related to hazardous materials.

III. METHODOLOGY

The potential presence of contaminated materials on the Project Site was analyzed based on the completion of a Phase I ESA conducted by Middleton Environmental Inc. (MEI) in January 2019 in compliance with the scope and limitations of ASTM International Standard Practice E 1527-13. Findings were based on user provided information, a site inspection interview, a visual inspection of the Project Site, a visual survey of adjacent/contiguous and nearby properties, and a review of available historical property and environmental regulatory agency records.

As disclosed in the Phase I ESA report, the purpose of the Phase I ESA was to identify existing or potential RECs (as defined by ASTM Standard E-1527-13) in connection with the Project Site. Furthermore, the findings presented in the Phase I ESA permits the building representative to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on scope of Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. §9601) liability. ASTM Standard E-1527-13 constitutes "all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice" as defined at 42 U.S.C. §9601(35)(B).

IV. EXISTING CONDITIONS

Phase I ESA

Project Site Reconnaissance

On December 26, 2018, MEI performed a visual site inspection of the Project Site to assess existing conditions of the property to determine the presence or absence of conditions which may present a REC. The site reconnaissance consisted of visual and physical observations of the Project Site and its improvements to include exterior and interior spaces. The site visit was performed with the cooperation of the building representative. No indication or evidence of environmental concerns in connection with the Project Site were uncovered at the time of the site reconnaissance either from visual and/or physical observations, nor as a result of the site interview conducted with the building representative.

Records Review

The history of the Project Site was ascertained by review of historical databases maintained by NYC Department of Buildings (DOB) and historical Sanborn fire insurance/real estate maps from 1902 through 2006. Sanborn maps indicated that prior to the construction of the existing building on the Project Site, the property remained undeveloped land until a commercial building was erected as documented circa 1950 to include a public library. Up to 2006, the Sanborn Maps depict similar building orientation and land improvements on the Project Site as indicated in the 1950 Sanborn Map. Surrounding properties remained predominantly undeveloped land from circa 1902 to circa 1914, when the Long Island Railroad tracks are observed to be improved adjacent the Project Site to the south and southeast. According to Sanborn Maps, a gasoline filling station was in operation along 63rd Drive to the west of the Project Site from circa 1936 to circa 1981 when the property was redeveloped with a one-story building occupied by the Queens Library at Rego Park, which remains in operation to present day.

MEI also reviewed information listed in the DOB Building Information System (BIS) and published city directories as part of the historic review of the Project Site and surrounding properties to ascertain the presence or absence of potential hazardous materials. According to the DOB BIS, a Certificate of Occupancy (CO) was issued in 1941 for the construction of a commercial building improved on the Project Site occupied by retail stores. According to city directories reviewed by MEI, the Project Site was originally improved circa 1941 for occupancy by various retail storefronts, including retail markets, a toy store, a dry cleaners, and appliance stores, as well as the Rego Park Library circa 1945, with COs to follow in 1974, 1975, and 1989 for building alterations for use as an eating and drinking establishment. The Project Site building was reconfigured to house a restaurant or diner in the 1970s, which appears to have been rebuilt as evident from a DOB demolition permit and subsequent new building permit issued in 1986. An on-site dry cleaner formerly occupied the Project Site between circa 1962 and circa 1970. However, MEI determined that the former dry-cleaning operations at the Project Site does not represent an environmental concern since the former building was demolished and replaced with the existing building to include cellar

space. Therefore, the potential for a vapor encroachment condition to adversely impact indoor air quality in future Project Site improvements is obviated with sub-grade cellar space.

A review of historical aerial photographs conducted by MEI did not identify any evidence to suggest the presence of hazardous materials at or near the Project Site. Historical topographic maps were not reviewed in connection with the Project Site for the Phase I ESA.

A review of environmental regulatory records and databases was conducted for the Project Site, adjacent/contiguous properties, and the surrounding neighborhood within search distance requirements set forth in ASTM E 1527-13, Section 8.2.1. The Project Site was not listed in any of the city, state, or federal environmental databases reviewed for the Phase I ESA, and there were no nearby sites that posed a potential REC in connection with the Project Site. Furthermore, MEI reviewed the NYC Mayor's Office of Environmental Remediation Environmental Project Information Center database, which indicated that there have been no investigatory and/or remedial reports submitted for the Project Site, nor is the Project Site mapped as an (E) Designation site per institutional controls for sites otherwise adversely impacted by the confirmed presence of hazardous materials.

Findings and Recommendations

Based on the site reconnaissance, interviews, and records review in accordance with the scope and limitations of ASTM Standard E 1527-13, MEI found that there was no evidence of the presence or potential presence of hazardous substances or petroleum related products in, on, or at the Project Site due to any release to the environment. Therefore, the Phase I ESA identified no RECs, CRECs, or HRECs in connection with the Project Site. Additionally, no conditions outside of ASTM E 1527-13 were identified in connection with the Project Site including ACMs, LBP, lead in drinking water, radon, or mold.

V. FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

Absent the Proposed Actions (the “No-Action condition”), an as-of-right development conforming to the current R4 zoning district with C2-2 commercial overlay would occur on the Project Site. The No-Action mixed-use development on the Project Site would be comprised of approximately 13,731 gsf of retail use on the ground floor, approximately 12,358 gsf of community facility (medical office) use on the second floor, eight DUs totaling 12,358 gsf of residential uses on the third floor, and 54 accessory parking spaces in the cellar, of which 49 spaces would be accessory to commercial use and five spaces would be accessory to residential use. Redevelopment on the Project Site would result in demolition of the existing structure and new construction on the Project Site, including removal of underlying material.

Since the Phase I ESA did not identify any RECs in connection with the Project Site, construction of the No-Action mixed-use development on the Project Site would not have the potential to affect any hazardous materials and a subsequent Phase II ESA would not be warranted to confirm the presence or absence of hazardous materials contamination.

VI. FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

In the future with the Proposed Actions (the "With-Action condition"), redevelopment of the Project Site would result in the construction of one nine-story (95') approximately 73,171 gsf residential and commercial building that would include approximately 60,401 gsf of residential uses generating 74 DUs, and approximately 12,770 gsf of retail space on the ground floor. Of the 74 DUs introduced by the Proposed Project, approximately 24 DUs would be designated as AIRS residential units, restricted to households with incomes below 80% of AMI. As under the No-Action condition, redevelopment on the Project Site would result in demolition of the existing structure and new construction on the Project Site, including removal of underlying material.

Based on its review of the Phase I ESA, DEP concluded that a Phase II Environmental Site Investigation (ESI) is needed. Accordingly, preparation of the Phase II ESI will be required in an (E) designation (E-568). The (E) designation will also require preparation of a Remedial Action Plan (RAP), if applicable based on results of the Phase II ESI, and a Construction Health and Safety Plan (CHASP). With the (E) designation, the Proposed Project would not result in a significant adverse impact related to hazardous materials.

The following (E) designation (E-568) related to hazardous materials will be mapped on the Project Site:

Task 1 – Sampling Protocol

The Applicant must submit to the New York City Mayor's Office of Environmental Remediation (OER), for review and approval, a Phase I of the site along with a soil, groundwater, and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. No sampling should begin until written approval of a protocol is received from OER. The characterization of site conditions based on sampling results should be complete enough to determine what remediation strategy, if any, is necessary.

Task 2 – Remediation Determination and Protocol

A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is necessary based on test results, a proposed remediation plan must be submitted to OER for review and approval. The Applicant must complete such remediation as determined necessary by OER. The Applicants should then provide documentation to establish that the work has been satisfactorily completed.

A Construction Health and Safety Plan (CHASP) should be submitted to OER, and implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater, and/or soil vapor.

Attachment H: Air Quality

I. INTRODUCTION

Ambient air quality, or the quality of the surrounding outdoor air, may be affected by air pollutants produced by motor vehicles, referred to as mobile sources, by fixed facilities, usually referenced as stationary sources, or by a combination of both. This chapter examines the potential for the Proposed Actions to result in significant adverse impacts to ambient air quality. The assessment also evaluates the impact of existing air pollutant sources near the Project Site on the Proposed Project. The analyses conformed to the procedures outlined in the *City Environmental Quality Review (CEQR) Technical Manual* and guidance from the New York City (NYC) Department of Environmental Protection (NYCDEP). The results of the analysis were used to determine the potential for the Proposed Actions to cause exceedances of ambient air quality standards, NYC "de minimis" values for carbon monoxide and particulate matter, or health-related guideline values.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate development of a nine-story (95 feet), approximately 73,171 gross square feet (gsf) mixed-use residential and commercial building, comprised of approximately 60,401 gsf of residential uses, generating 74 dwelling units (DUs) throughout the second through ninth floors of the building, and approximately 12,770 gsf of local retail use on the ground floor of the building (the "Proposed Project"). Of the total 74 DUs introduced to the Project Site, approximately 24 DUs would be designated as Affordable Independent Residences for Seniors (AIRS) units, restricted to households with incomes below 80% of Area Median Income (AMI). The residential units, comprising of 24 studios, 24 one-bedroom units, and 26 two-bedroom units would occupy the second through ninth floors of the Proposed Project. The Proposed Project would provide approximately 45 self-service parking spaces of which 28 spaces in a garage would be accessory to commercial uses and 17 surface parking spaces would be accessory to residential uses. The anticipated construction completion year is 2022.

II. PRINCIPAL CONCLUSIONS

Air quality analyses addressed mobile sources, parking facilities, stationary Heating Ventilation and Air Conditioning (HVAC) systems, and air toxics. Based on the information and analyses provided in this chapter, no significant adverse impacts are projected for air quality due to the Proposed Actions. This includes the effects of the Proposed Project on the surrounding community, and the effects of air pollution sources in the surrounding community on the Proposed Project. Potential "project-on-project" impacts (i.e., the effect of emissions from previously-completed phases of the Proposed Project on subsequent phases of the Proposed Project) were not a concern because the Proposed Project would be developed in one phase and a single HVAC system would serve the entire development.

The results of the analyses are summarized below:

- The project-generated traffic volumes would be less than the 170-vehicle threshold. Consequently, a detailed analysis of intersections for CO is not required. Austin Street is classified by the New York State Department of Transportation as a local road and 63rd Drive is classified as a minor arterial road. Based on these roadway classifications and the Proposed Actions, $PM_{2.5}$ modeling is not warranted because project-generated volumes do not reach or exceed the equivalent of 23 HDDVs.

- Based on the number of the proposed parking spaces (45 spaces), a garage analysis for CO or $PM_{2.5}$ is not required because the Proposed Project does not exceed DCP's threshold of 85 parking spaces.
- Due to the use of a single HVAC system for the Proposed Project, and the distance between the Project Site and the nearest building of similar or greater height, a screening analysis showed no potential for significant adverse air quality impacts to existing or future buildings.

- A review of DEP databases and NYSDEC State Facility Register for online permits indicates that no large or major sources are within 1,000 feet of the Project Site and an assessment of major sources is therefore not warranted.

- A review of permitted industrial facilities within 400-feet of the Project Site identified one auto repair facility and three dry cleaning facilities within 400 feet of the Project Site. According to NYCDEP guidelines, since drycleaners in NYC use the best available technology for controlling dry cleaning emissions and meet stringent NYCDEP regulations, a dry cleaning facility would not lead to any significant adverse impacts. DEP was contacted for additional information, but no information was available when this EAS was prepared. One automotive facility located approximately 360 feet west of the Project Site required assessment, which showed no potential for a significant adverse air quality impact.

Based on the results of these assessments, the Proposed Project would not have a significant adverse impact on air quality and, consequently, no further assessment is necessary.

III. METHODOLOGY

MOBILE SOURCE SCREENING

Localized increases in pollutant levels may result from increased vehicular traffic volumes and modified traffic patterns in the study area due to the Proposed Actions. The mobile source analysis outlined in the *CEQR Technical Manual* addresses such actions to determine whether they may have significant adverse air quality impacts. The first step is a screening analysis for CO and $PM_{2.5}$ based on traffic volume.

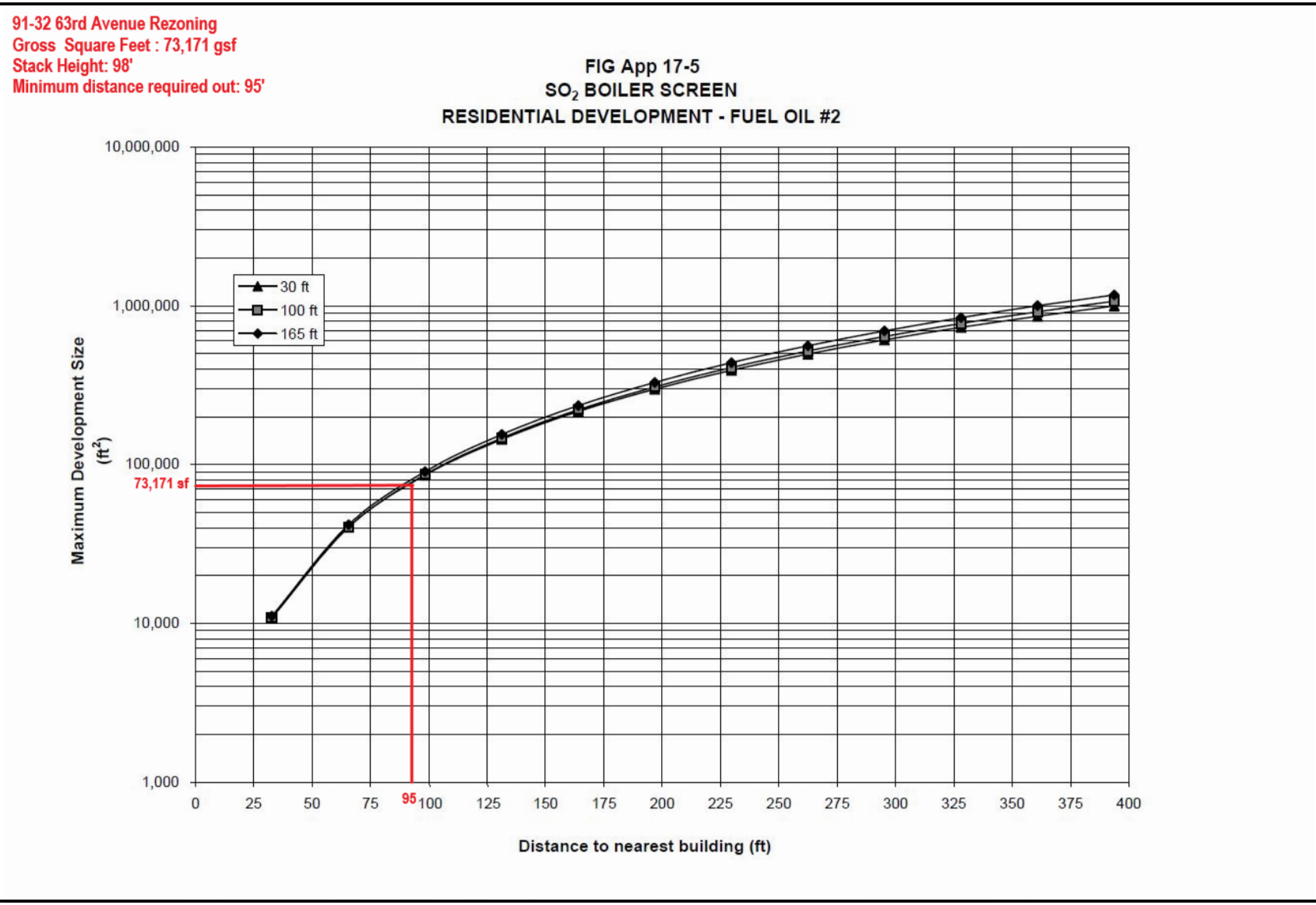
As identified in the *CEQR Technical Manual*, the threshold volume for a more detailed CO analysis is an increment of 170 vehicles through an intersection during a peak traffic hour. Since the project-generated volumes would be less than the 170-vehicle threshold, a detailed analysis of intersections for CO is not required.

The threshold to determine whether an analysis of $PM_{2.5}$ is warranted is based on the exhaust emissions of heavy-duty diesel vehicles (or equivalent volume of mixed traffic). It is calculated using spreadsheets derived from the 2014 *CEQR Technical Manual*. These spreadsheet formulas indicate that the NYC Department of Environmental Protection (DEP) threshold is the equivalent of 12 additional heavy-duty diesel vehicles (HDDV) on roads with <5,000 vehicles per day, 19 or more additional HDDV on collectors, or 23 or more additional HDDV on arterials, expressways, and limited access roads. Austin Street is classified by the New York State Department of Transportation as a local road and 63rd Drive is classified as a minor arterial road. Based on these roadway classifications and the Proposed Actions, $PM_{2.5}$ modeling is not required because project-generated volumes on the major street at this intersection (63rd Drive) do not reach or exceed the equivalent of 23 HDDVs.

The Proposed Project would provide 45 self-serving parking spaces. Based on the number of parking spaces, garage analysis for CO or $PM_{2.5}$ is not required because the Proposed Project does not exceed DCP's threshold of 85 parking spaces.

STATIONARY SOURCE SCREENING ASSESSMENT

Consistent with *CEQR Technical Manual* guidelines, the first step in the assessment of HVAC systems for the Proposed Project is to determine the potential for significant adverse impacts on existing and proposed buildings. The Proposed Project would be approximately 95 feet high. The nearest existing or planned future building of a similar or greater height was used to conservatively assess the potential air quality impact of emissions from the Proposed Project HVAC system. Figure 17-5 in the Air Quality Appendix of the *CEQR Technical Manual* was used to complete a worst-case assessment of potential impacts on the nearest existing or planned future building of a similar or great height is located at 87-30 62nd Avenue. The analysis was conservatively based on the assumed use of No. 2 fuel oil (see **Figure H-1: Air Quality Screening Analysis**). If no air quality impacts are likely when applying this figure for No. 2 fuel oil, then no impacts would likely occur with use of natural gas, which emits lower levels of emissions than with No. 2 fuel oil. Based on application of this figure, the Proposed Project would need to be a minimum of 95 feet away from the nearest building of similar or greater height to avoid a significant adverse impact due to HVAC emissions. The distance between the proposed building and the nearest existing building of similar or greater height, located at 87-30 62nd Avenue (Block 3102, Lot 7501), would be 845 feet. Therefore, the Proposed Project would not result in a significant adverse air quality impact for HVAC emissions.



Source: 2014 CEQR Technical Manual, Air Quality Appendix

Proposed Project

AIR QUALITY SCREEENING ANALYSIS

Figure H-1

Major Sources

Existing land uses within 1,000 feet of the Project Site were reviewed to identify large or major sources. Based on the *CEQR Technical Manual*, major/large emission sources include solid waste or medical waste incinerators, cogeneration facilities, asphalt and concrete plants, or power generating plants. In addition, online permit information from the New York State Department of Environmental Conservation (NYSDEC) State Facility Register were reviewed. A review of available information indicates that no large or major sources are within 1,000 feet of the Project Site and an assessment of major sources is therefore not warranted.

Air Toxics and Odors

The *CEQR Technical Manual* lists the following types of uses as a source of concern for the residential uses that would occur under the Proposed Actions:

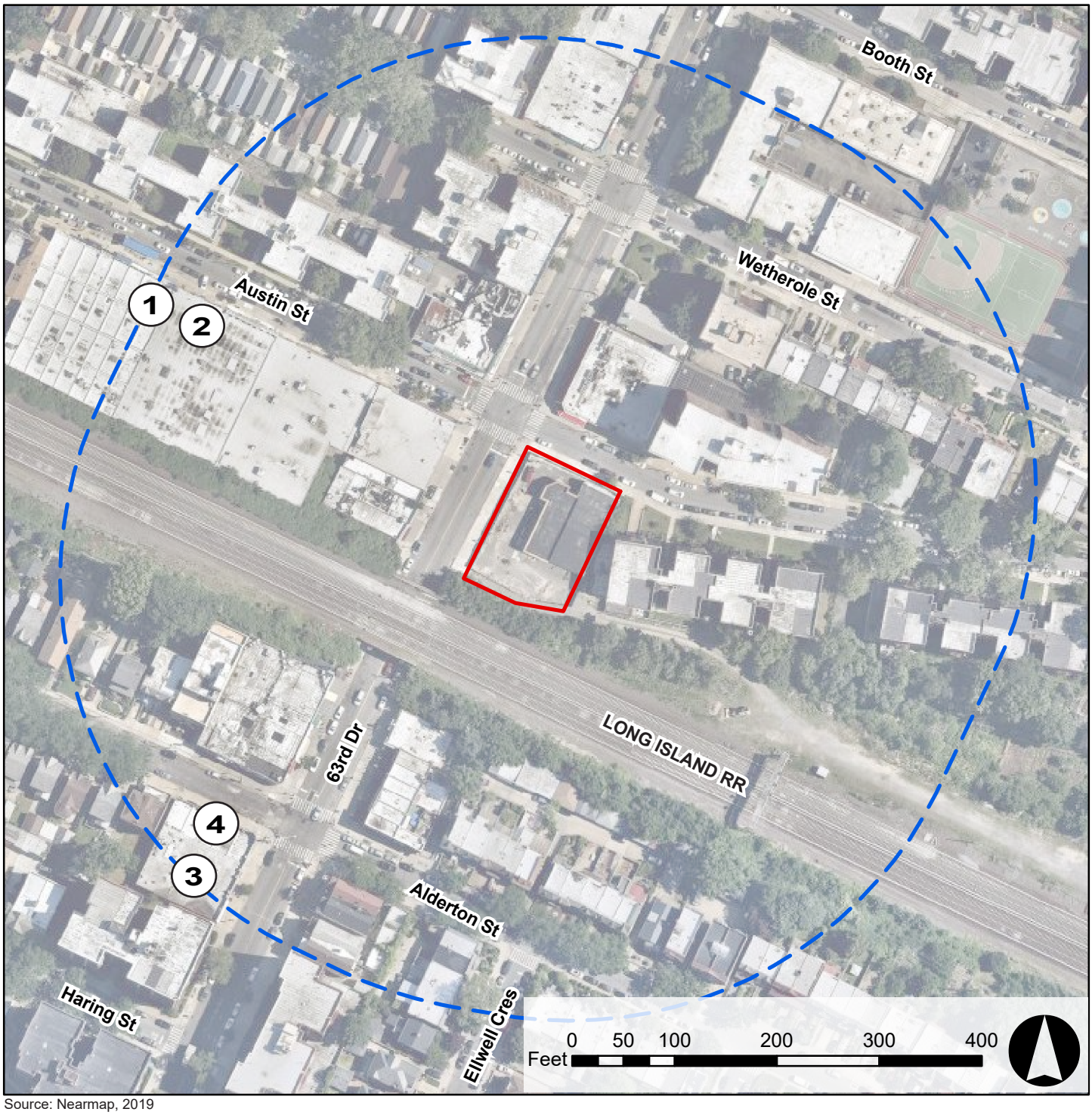
- a medical, chemical, or research laboratory nearby,
- a manufacturing or processing facility within 400-feet, and
- an odor producing facility within 1,000-feet.

Consistent with guidance in the *CEQR Technical Manual*, online searches of the NYSDEC Air Permit Facilities Registry, the EPA Facility Registry System for permitted facilities, the NYC Department of Buildings (DOB) data base, and the NYC Open Accessible Space Information System Cooperative (OASIS) data base were completed. In addition, available aerial photos provided by Google and Bing were reviewed to identify potential sources of air toxics. Field reconnaissance further augmented the gathering of information. No odor producing facilities or medical, chemical, or research laboratories were identified within the search radii. However multiple dry-cleaning facilities and an auto repair site were identified within 400 feet of the Project Site. They are shown in **Table H-1: Sites of Interest for Air Toxics** and **Figure H-2 Sites of Interest within 400' of Project Site.**

Table H-1: Sites of Interest for Air Toxics

Address	Block	Lot	Land Use Code	NYCDEP Permits	Occupant
63-26 Austin Street	3103	22	K1-Store Building	No	Super Lucky Laundromat
63-34B Austin Street	3103	30	G2-Garage/Gas Station	One boiler permit, no operational permits	Z & P Motor, Inc
90-11 63rd Drive	3109	32	K1-Store Building	Two boiler permits canceled or expired. No operational permits	Busy Season Laundromat
90-23 63rd Drive	3109	32	K1-Store Building	Boiler permits and operational permits canceled or expired	Mark's Dry Cleaners

No current industrial permits were identified for Super Lucky Laundromat (Block 3103, Lot 22), Busy Season Laundromat (Block 3103, Lot 32) and Marks Dry Cleaners (Block 3109, Lot 32). Consequently. per guidance from New York City Department of Environmental Protection, a detailed industrial source impact analysis is not required. Z & P Motor, Inc., at 63-34B Austin Street (Block 3103, Lot 30), requires a quantitative assessment. This facility is located approximately 360 feet west of the Project Site as shown in **Figure H-2: Sites of Interest within 400' of Project Site**.



Source: Nearmap, 2019

Project Site

400-foot Study Area

1 63-26 Austin Street

2 63-34B Austin Street

3 90-11 63rd Drive

4 90-23 63rd Drive

SITES OF INTEREST WITHIN 400' OF PROJECT SITE

Figure H-2

91-32 63rd Drive Rezoning EAS

Z&P Motor, Inc (Block 3103, Lot 30), 63-34B Austin Street. This site is classified as a G2-Garage/Gas Station. Two establishments are at 63-34 Austin Street. Versailles Palace, a catering hall, is at 63-34A, and the auto repair shop is at 63-34B. However, only one one-story building is shown on the NYC OASIS site. The most recent CO for the building, dated June 13, 2017, shows the use as "warehouse and assembling of plastic parts, office, maximum 25 persons eating and drinking establishment without restrictions on entertainment and dancing, cabaret, catering establishment. Accessory offices kitchen, utility rooms, with 251 persons." The auto repair use has apparently moved into a space formerly used for assembling plastic parts.

Online research indicates that G&O Auto Body was formerly at this address. Additional field work indicates that the current establishment (Z&P Motor) does auto repairs, including engine work, tire mounting and alignment. The address has one active DEP permit. Permit CA285195 is a boiler registration using No. 2 fuel oil, which is not relevant to the analysis of air toxics.

Because no industrial operational permit is available for Z&P Motor, Inc. emission were estimated based on factors for a similar facility, in consultation with DCP.

The estimated pollutant emissions were analyzed using the Industrial Source Screen provided in the *CEQR Technical Manual*. The Industrial Source Screen provides a table showing pollutant concentrations (ug/m^3) at various distances resulting from a point source emitting 1 gram per second of a generic pollutant (**Table H-2: Generic Pollutant Concentrations for Industrial Source Screen**). It assumes that all inputs represent worst-case conditions for stack temperature, exhaust velocity, and other variables. Both the receptor height and stack height in the Industrial Source Screen are assumed to be 20 feet high. This is like the Z&P Motor, Inc., which has an estimated emission release height of 19 feet. Most point sources emit pollutants at a lower rate than 1 gram per second. Thus, the estimated emissions at each distance would be scaled downward accordingly. For example, if a stack was 360 feet from the Project Site and emitted a pollutant at a rate of 0.0002 grams/second, it would have a 1-hour CO concentration of 0.326 $\mu g/m^3$ (1,553 × 0.0002). For the purposes of the analysis the generic concentrations for 360 feet were interpolated from the concentrations for 330 feet and 365 feet provided in the *CEQR Technical Manual*. Therefore, the generic concentrations for that distance were interpolated from the concentrations for 330 feet and 365 feet provided in the *CEQR Technical Manual*. The resulting concentrations for Z&P Motor were compared with the NYSDEC Short-Term Guideline Concentrations (SGC) and Annual Guideline Concentrations (AGC), as well as relevant NAAQS to determine whether an impact was likely to occur.

Table H-2: Generic Pollutant Concentrations for Industrial Source Screen

Generic Pollutant Concentrations (1 g/s emission rate)				
Distance (ft)	Averaging Periods (ug/m3)			
	1 Hour	8-Hours	24 Hours	Annual
30	126,370	64,035	38,289	6,160
65	27,787	15,197	8,841	1,368
100	12,051	7,037	4,011	598
130	7,345	4,469	2,511	367
165	4,702	2,967	1,643	236
200	3,335	2,153	1,174	167
230	2,657	1,720	924	131
265	2,175	1,377	727	103
300	1,891	1,142	594	84
330	1,703	991	509	73
***360**	**1,553**	**876**	**445**	**64**
365	1,528	857	434	62
400	1,388	755	377	54

*Concentrations interpolated.

Table H-3: Cumulative Air Pollutant Concentrations at the Project Site shows the results of the Industrial Source Screen analysis compared with the NYSDEC SGCs and AGCs. All pollutants would fall within the NYSDEC SGCs and Annual Guideline Concentrations (AGCs) as well as the NAAQS and NYCDEP guidelines. The results of the analysis indicate that air toxics emissions from Z&P Motor, Inc. would not result in a significant adverse air quality impact on the Proposed Project.

Table H-3: Cumulative Air Pollutant Concentrations at the Project Site

Permit	Pollutants	CAS	Concentrations (ug/m3)		NYSDEC DAR-1 (August 10, 2016)		Concentration (ug/m3)			NAAQS (ug/m3)	
			1Hr	Annual	SGC	AGC	1-hr	8-hr	Annual	1-hr	8-hr
770 11th Avenue	Hydrocarbons	NY495-00-0	0.00004	0.0001	98,000	7,000	0.065	0.005	-		
	Carbon Monoxide	00630-08-0	0.0002	0.0004	14,000	-	0.326	0.037	0.03	2280	1482
	Nitrogen Oxide	NY210-00-0	0.00004	0.0001	-	74	-	-	0.005		
Total			**12.9**	**0.12**	380	45	**1.4**	**1.3**	**0.11**		

(E) Designations

Based on the results of this assessment, the Project Site will be mapped with an (E) designation specifying the stack height restriction. Consequently, the following (E) designation would be incorporated for Block 3104, Lot 16:

> **Block 3104, Lots 16: Any new residential and commercial development and/or enlargement on the above-referenced property must ensure that the heating, ventilation and air conditioning (HVAC) system and hot water equipment stack is located at the highest tier or at least 98 feet above grade to avoid any potential significant adverse air quality impacts.**

Attachment I: Noise

I. INTRODUCTION

This attachment assesses the potential for the Proposed Project to result in a significant adverse noise impact. Noise, in its simplest definition, is unwanted sound. While high noise levels may cause hearing loss, the noise levels associated with projects reviewed under the *CEQR Technical Manual* are generally below this hazardous range. However, noise levels that are not considered hazardous may cause stress-related illnesses, disrupt sleep, and interrupt activities requiring concentration. This attachment assesses the potential for the Proposed Actions to result in significant adverse noise impacts. As described in Section 200 of Chapter 19 of the *CEQR Technical Manual*, the noise assessment defines technical terms, identifies evaluation methods and criteria used to assess the potential for noise impacts, and discloses the impacts of the Proposed Actions. Included are assessments of the impact of the Proposed Project on sensitive noise receptors and of the potential effects of ambient noise levels on sensitive noise uses introduced by the Proposed Project.

As described in Attachment A, "Project Description," the Proposed Actions would facilitate the development of a nine-story (95 feet), approximately 73,171 gross square feet (gsf) mixed-use residential and commercial building at 91-32 63rd Drive in Queens (Block 3104, Lot 16). It would consist of 74 dwelling units (DUs) within approximately 60,401 gsf of residential space, approximately 12,770 gsf of ground floor commercial retail space, approximately 45 parking spaces (the "Proposed Project").

The Project Site is currently improved with a one-story, 14-foot high commercial building, formerly occupied by a restaurant (DBA Shalimar Diner) and constructed in 1941. Land uses in the surrounding area consist primarily of commercial, residential, public facility and institutions, and transportation and utility use. Public School 139 on 93-06 63rd Drive is about 300 feet north of the Project Site. The Long Island Rail Road (LIRR) runs adjacent to the Project Site, approximately 45 feet south of the Project Site. The anticipated build year of the Proposed Project is 2022.

II. PRINCIPAL CONCLUSIONS

No noise-related significant adverse impacts would occur as a consequence of the Proposed Actions. The primary source of noise due to the Proposed Project would be increased auto traffic on nearby streets that would be generated by the Proposed Project. The assessment of increased vehicular noise utilized the methods prescribed in the *CEQR Technical Manual.* The results indicated that no sensitive receptors would experience a relative increase of 3 dBA or more with the Proposed Actions. Increases of 3 dBA or less are generally not perceptible to the human ear.

With regard to the potential impact of ambient noise levels on noise-sensitive uses (i.e., residential units) that would be introduced by the Proposed Project, no significant adverse impacts would occur provided that the Proposed Project incorporate window/wall attenuation sufficient to result in interior noise levels of 45 dBA or less. To accomplish this, an (E) designation will be placed on some building facades, requiring a minimum level of window/wall attenuation. An (E) designation provides notice of the presence of an environmental requirement pertaining to potential high ambient noise levels on a particular tax lot. Alternate means of ventilation will be required for all sites with an exterior noise level of 70 dBA. With these measures in place, no significant adverse noise impacts would occur with the Proposed Project.

III. METHODOLOGY

Scope of Analysis

In conformance to guidance in the *CEQR Technical Manual*, the goal of the noise analysis is to determine: 1) the effect of the Proposed Project on sensitive noise receptors, including the effects on noise levels within residential, commercial, and institutional facilities, and at open spaces, and 2) the effects of With-Action noise levels on new sensitive uses introduced by the Proposed Project.

The Proposed Project would introduce new residential and commercial uses to the Project Site. The major sources of existing noise at the Project Site are vehicular traffic on 63rd Drive to the west of the Project Site, and rail traffic on the Long Island Railroad (LIRR) to the south of the Project Site. No new schools or playgrounds are proposed as part of the Proposed Project. No industrial noise sources are within 400 feet of the Project Site. Based on these factors, the scope of noise assessment included:

- Obtain traffic noise levels and vehicular mix at intersections subject to project-generated traffic;
- Project existing traffic noise levels into the future analysis year;
- Determine whether the relative increase in future traffic noise levels would exceed the thresholds identified under the discussion on Evaluation Criteria;
- Estimate the contribution of the nearby LIRR rail line on noise levels at the Project Site;
- Identify new sensitive receptors on the Project Site as part of the Proposed Project that would need protection from ambient noise levels; and
- Identify the needed noise attenuation to provide for acceptable interior noise levels at sensitive receptors on the Project Site.

Analysis Year

The assessment of noise was completed for the year 2022, the year at which the Proposed Project would be complete.

Noise Fundamentals

Noise Descriptors

Noise is measured on the basis of sound pressure level (SPL), which is converted to a decibel scale. The decibel is a relative measure of the sound level pressure with respect to a standardized reference quantity. Decibels on the "A-weighted scale" are termed "dBA." The A-weighted scale is used for evaluating the effects of noise in the environment since it most closely approximates the response of the human ear to noise. On this scale, the threshold of discomfort is 120 dBA, and the threshold of pain is about 140 dBA.

Table I-1: Sound Pressure Level and Loudness of Typical Noises in Indoor and Outdoor Environments shows the range of noise levels for a variety of indoor and outdoor sources. Because the scale is logarithmic, a relative increase of 10 decibels represents an SPL that is 10 times higher than base levels. Humans perceive a 10 dBA increase in noise levels as twice as loud. The following are typical human responses to relative changes in noise level:

- 3 dBA change is the threshold of change detectable by the human ear,
- 5 dBA change is readily noticeable, and
- 10 dBA increase is perceived as a doubling of noise level.

Table I-1: Sound Pressure Level and Loudness of Typical Noises in Indoor and Outdoor Environments

Noise Level (dBA)	Subjective Impression	Typical Sources		Relative Loudness (Human Response)
		Outdoor	Indoor	
120-130	Uncomfortably Loud	Air raid siren at 50 feet (threshold of pain)	Oxygen torch	32 times as loud
110-120	Uncomfortably Loud	Turbo-fan aircraft at take-off power at 200 feet	Riveting machine Rock band	16 times as loud
100-110	Uncomfortably Loud	Jackhammer at 3 feet		8 times as loud
90-100	Very Loud	Gas lawn mower at 3 feet Subway train at 30 feet Train whistle at crossing Wood chipper shredding trees Chain saw cutting trees at 10 feet	Newspaper press	4 times as loud
80-90	Very Loud	Passing freight train at 30 feet Steamroller at 30 feet Leaf blower at 5 feet Power lawn mower at 5 feet	Food blender Milling machine Garbage disposal Crowd noise at sports event	2 times as loud
70-80	Moderately Loud	NJ Turnpike at 50 feet Truck idling at 30 feet Traffic in downtown urban area	Loud stereo Vacuum cleaner Food blender	Reference loudness (70 dBA)
60-70	Moderately Loud	Residential air conditioner at 100 feet Gas lawn mower at 100 feet Waves breaking on beach at 65 feet	Cash register Dishwasher Theater lobby Normal speech at 3 feet	2 as loud
50-60	Quiet	Large transformers at 100 feet Traffic in suburban area	Living room with TV on Classroom Business office Dehumidifier Normal speech at 10 feet	1/4 as loud
40-50	Quiet	Bird calls, Trees rustling, Crickets, Water flowing in brook	Folding clothes Using computer	1/8 as loud
30-40	Very quiet		Walking on carpet Clock ticking in adjacent room	1/16 as loud
20-30	Very quiet		Bedroom at night	1/32 as loud
10-20	Extremely quiet		Broadcast and recording studio	
0-10	Threshold of hearing			

Sources: Noise Assessment Guidelines Technical Background, by Theodore J. Schultz, Bolt Beranek and Newman, Inc., prepared for U.S. HUD, Office of Research and Technology, Washington, D.C., undated; Sandstone Environmental Associates, Inc.; Highway Noise Fundamentals, prepared by the Federal Highway Administration, U.S. Department of Transportation, September 1980; Handbook of Environmental Acoustics, by James P. Cowan, Van Nostrand Reinhold, 1994.

The SPL that humans experience typically varies from moment to moment. Therefore, a variety of descriptors are used to evaluate environmental noise levels over time. Some typical descriptors are defined below:

- L_{eq} is the continuous equivalent sound level. The sound energy from the SPLs is averaged over time to create a single number to describe the mean energy or intensity level. High noise levels during a monitoring period will have greater effect on the L_{eq} than low noise levels. The L_{eq} has an advantage over other descriptors because L_{eq} values from different noise sources can be added and subtracted to determine cumulative noise levels.

- L_{max} is the highest SPL measured during a given period of time. It is useful in evaluating L_{eq}s for time periods that have an especially wide range of noise levels.
- L_{10} is the SPL exceeded 10% of the time. Similar descriptors are the L_{01}, L_{50}, and L_{90}.
- L_{dn} is the day-night equivalent sound level. It is similar to a 24-hour L_{eq}, but with 10 dBA added to SPL measurements between 10pm and 7am to reflect the greater intrusiveness of noise experienced during these hours. L_{dn} is also termed DNL.

Noise Attenuation

Noise levels from a given source reduce with distance. Noise from a "line" source (e.g., roadways) typically attenuates at the rate of 3 dBA per doubling of distance, based on a reference distance of 50 feet, for noise traveling through air or over a hard surface, and 4.5 dBA per doubling of distance for noise traveling over a soft surface. Noise from a stationary source attenuates at a rate of 6 dBA when traveling through air or over a hard surface and up to 7 or 8 dBA when traveling over a soft surface.

Passenger Car Equivalent Values

Noise impacts from vehicular traffic are based on "Passenger Car Equivalents" (PCEs). PCEs are the number of autos that would generate the same noise level as the observed mix of autos, medium trucks (trucks with a gross weight between 9,900 and 26,400 pounds), heavy trucks (trucks with a gross weight of more than 26,400 pounds), and buses (capable of carrying more than nine passengers) As identified in the *CEQR Technical Manual*::

- One auto or light truck = One PCE
- One medium truck = 13 PCEs
- One heavy truck = 47 PCEs
- One bus = 18 PCEs

Motorcycles are considered to be equivalent to medium trucks. PCEs are useful for comparing the effects of traffic noise on different roadways or for different future scenarios.

Where traffic volumes are projected to change, proportional modeling techniques, as described in the *CEQR Technical Manual*, typically are used to project incremental changes in traffic noise levels. This technique uses the change in traffic volumes to project changes between No-Action and With-Action noise levels. The change in future noise levels is calculated using the following equation:

$FNL=ENL + 10 \times \log_{10} (FPCE/EPCE)$ where:

FNL= Future Noise Level

ENL= Existing Noise Level

FPCE= Future PCEs

EPCE= Existing PCEs

Since sound levels use a logarithmic scale, this model proportions logarithmically with traffic change ratios. For example, assuming that traffic is the dominant noise source at a location, if the existing traffic volume on a street is 100 PCEs, and the future traffic volume were increased by 50 PCEs to a total of 150 PCEs, the noise level would increase by 1.8 dBA above the exiting noise level. Similarly, if future traffic increased by 100 PCEs, (i.e., doubled to a total of 200 PCEs), the noise level would increase by 3.0 dBA above the existing noise level.

Rail Noise

The noise impact of the elevated LIRR rail line adjacent to the Project Site was calculated using the Federal Transit Administration's (FTA's) noise assessment spreadsheet. The spreadsheet enables the user to predict noise levels from transit sources and evaluate the impact on noise sensitive receivers. It incorporates the procedures for a General Noise Assessment contained in Section 4.4 of the Federal Transit Administration's guidance manual, "Transit Noise and Vibration Impact Assessment."

Based on the FTA noise assessment spreadsheets, an L_{eq} of 76.5 dBA would occur due to the rail noise at the southern lot line, which is 45 feet from the rail tracks. The L_{eq} was increased by 3 dBA to calculate an L_{10} of 79.5 dBA for rail noise. This value was used in determining noise levels and attenuation requirements at the lot lines of the project under With-Action Conditions. It was not added to monitored noise levels on 63rd Drive and Austin Street for Existing Conditions because those noise levels already include noise from both traffic and rail passbys. Similarly, it was not included in projected No-Action and With-Action noise levels at monitored locations.

Window/Wall Attenuation Ratings

The attenuation of noise for a composite structure is a function of the attenuation provided by each of its component parts and how much of the area is made up of each part. Typically, a building facade is composed of the wall, glazing, and any vents or louvers for heating, ventilation, and air conditioning (HVAC) systems in various ratios of area. All new facades would need to provide composite Outdoor-Indoor Transmission Class (OITC) ratings greater than or equal to the attenuation needed to provide interior noise levels of 45 dBA or less. The OITC classification is defined by the American Society of Testing and Materials (ASTM E1332-90) and provides a single-number rating that is used to design a building facade including walls, doors, glazing, and combinations thereof. The OITC rating is designed to evaluate building elements by their ability to reduce the overall loudness of ground and air transportation. It is designed to evaluate building elements by their ability to reduce the overall loudness of ground and air transportation noise. Higher OITC values reflect greater efficiencies to block airborne sound.

Noise Standards and Guidelines

CEQR Guidelines

In 1983, the New York City (NYC) Department of Environmental Protection (DEP) adopted City Environmental Protection Order - CEQR noise standards for exterior noise levels. These standards are used to classify noise exposure into four categories: Acceptable, Marginally Acceptable, Marginally Unacceptable, and Clearly Unacceptable (see **Table I-2: CEQR Noise Exposure Guidelines for Use in City Environmental Impact Review)**.

Table I-3: Required Attenuation Values to Achieve Acceptable Interior Noise Levels shows the required attenuation for sensitive uses within the last three categories shown in **Table I-2**. For example, an L_{10} may approach 80 dBA provided that buildings are constructed of materials that reduce exterior to interior noise levels by at least 35 dBA in order to achieve an acceptable interior noise level of 45 dBA for residential and community facility uses.

Table I-2: CEQR Noise Exposure Guidelines for Use in City Environmental Impact Review[1]

Receptor Type	Time Period	Acceptable General External Exposure	Airport[3] Exposure	Marginally Acceptable General External Exposure	Airport[3] Exposure	Marginally Unacceptable General External Exposure	Airport[3] Exposure	Clearly Unacceptable General External Exposure	Airport[3] Exposure
1.Outdoor area requiring serenity and quiet[2]		$L_{10} \leq 55$ dBA							
2. Hospital, Nursing Home		$L_{10} \leq 55$ dBA		$55 < L_{10} \leq 65$ dBA		$65 < L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
3. Residence, residential hotel or motel	7 am to 10 pm	$L_{10} \leq 65$dBA		$65 < L_{10} \leq 70$ dBA		$70 < L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
	10 pm to 7 am	$L_{10} \leq 55$dBA		$55 < L_{10} \leq 70$dBA		$70 < L_{10} \leq 80$ dBA		$L_{10} > 80$ dBA	
4. School, museum, library, court house of worship, transient hotel or motel, public meeting room, auditorium, out-patient public health facility		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM- 10 PM)		Same as Residential Day (7 AM –10 PM)	
5. Commercial or office		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM –10 PM)		Same as Residential Day (7 AM-10 PM)	
6. Industrial, public areas only[4]	Note 4	Note 4	$L_{dn} \leq 60$ dBA	Note 4	$L_{dn} \leq 60$ dBA	Note 4	$L_{dn} \leq 60$ dBA	Note 4	$L_{dn} \leq 75$ dBA

Source: DEP (adopted policy 1983).

Notes:

(i) In addition, any new activity shall not increase the ambient noise level by 3 dBA or more;

[1] Measurements and projections of noise exposures are to be made at appropriate heights above site boundaries as given by American National Standards Institute (ANSI) Standards; all values are for the worst hour in the time period.

[2] Tracts of land where serenity and quiet are extraordinarily important and serve an important public need and where the preservation of these qualities is essential for the area to serve its intended purpose. Such areas could include amphitheaters, particular parks or portions of parks or open spaces dedicated or recognized by appropriate local officials for activities requiring special qualities of serenity and quiet. Examples are grounds for ambulatory hospital patients and patients and residents of sanitariums and senior homes.

[3] One may use the FAA-approved L_{dn} contours supplied by the Port Authority, or the noise contours may be computed from the federally approved Integrated Noise Model (INM) Computer Model using flight data supplied by the Port Authority of New York and New Jersey.

[4] External Noise Exposure standards for industrial areas of sounds produced by industrial operations other than operating motor vehicles or other transportation facilities are spelled out in the NYC Zoning Resolution, Sections 42-20 and 42-21. The referenced standards apply to M1, M2, and M3 manufacturing districts and to adjoining residence districts (performance standards are octave band standards).

Table I-3: Required Attenuation Values to Achieve Acceptable Interior Noise Levels

Noise Level with Proposed Project	Marginally Unacceptable				Clearly Unacceptable
	$70<L_{10}\leq 73$	$73<L_{10}\leq 76$	$76<L_{10}\leq 78$	$78<L_{10}\leq 80$	$80<L_{10}$
Attenuation[A]	(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	$36 + (L_{10} - 80)$[B] dB(A)

Note: [A] The above composite window-wall attenuation values are for residential dwellings. Commercial office spaces and meeting rooms would be 5 dB(A) less in each category. All the above categories require a closed-window situation and hence an alternate means of ventilation.

[B] Required attenuation values increase by 1 dB(A) increments for L_{10} values greater than 80 dBA.

Source: DEP; *2014 CEQR Technical Manual*, Table 19-3.

Evaluation Criteria

The selection of incremental values and absolute noise levels should be responsive to the nuisance levels of noise and critical time periods when nuisance levels are most acute. During "daytime" hours (between 7 am and 10 pm), nuisance levels for noise are generally considered to be more than 45 dBA indoors and 70 to 75 dBA outdoors. Indoor activities are subject to task interference above this level, and 70 to 75 dBA is the level at which speech interference occurs outdoors. Nighttime (between 10 pm and 7 am) is a particularly critical time period relative to potential nuisance values for noise level increases. Typical construction techniques used in the past (including typical single-glazed windows) provide a minimum of approximately 20 dBA of noise attenuation from outdoor to indoor areas.

Based on the foregoing, the *CEQR Technical Manual* provides the following relative noise level increases for determining impacts from a proposed action:

- An increase of five dBA or more in With-Action $L_{eq(1)}$ noise levels at sensitive receptors (including residences, play areas, parks, schools, libraries, and houses of worship) over those calculated for the No-Action condition, if the No-Action levels are less than 60 dBA $L_{eq(1)}$ and the analysis period is not a nighttime period.
- An increase of four dBA or more in With-Action $L_{eq(1)}$ noise levels at sensitive receptors over those calculated for the No-Action condition, if the No-Action levels are 61 dBA $L_{eq(1)}$ and the analysis period is not a nighttime period.
- An increase of three dBA or more in With-Action $L_{eq(1)}$ noise levels at sensitive receptors over those calculated for the No-Action condition, if the No-Action levels are greater than 62 dBA $L_{eq(1)}$ and the analysis period is not a nighttime period.
- An increase of three dBA or more in With-Action $L_{eq(1)}$ noise levels at sensitive receptors over those calculated for the No-Action condition, if the analysis period is a nighttime period.

Impact thresholds for proposed projects that introduce sensitive receptors are more straightforward. Typically, potential significant impacts on the newly created receptor relate to absolute noise limits. The Noise Exposure Guidelines shown in **Table I-2** are followed by lead agencies for this purpose. If a project is within an area where the project noise levels exceed the marginally acceptable limit shown in the Noise Exposure Guidelines (as measured at the proposed building line or property line), a significant impact would occur. For this project, a potential significant adverse impact would be identified if the Proposed Project would place new residential uses in an area with an exterior L_{10} noise level of 70 dBA or more.

IV. EXISTING CONDITIONS

Existing noise levels were estimated based on on-site monitoring. Ambient noise levels were monitored on Wednesday, June 5, 2019. Noise monitoring was completed during the peak AM, Midday, and PM weekday traffic periods, and the peak school-related travel period at three locations. Two of the noise monitoring sites were located on the frontages of 63rd Drive and Austin Street. The third monitoring site was located at an elevated location on 67th Avenue to identify rail-associated noise levels that would occur on the higher floors of the Proposed Project. The three monitoring locations were:

- Site frontage on 63rd Drive, a two-way street
- Site frontage on Austin Street, a one-way eastbound street
- Elevated location on the South side of the 67th Avenue Footbridge.

These monitoring locations are shown in **Figure I-1: Noise Monitoring Locations.**



Source: Nearmap, 2019

Project Site

1 Site Frontage on 63rd Drive

2 Site Frontage on Austin Street

3 South Side of 67th Avenue Footbridge

NOISE MONITORING LOCATIONS

Figure I-1

91-32 63rd Drive Rezoning EAS

Monitoring took place for one-hour during each peak hour at each monitoring location. Traffic volumes by vehicle classification were counted concurrently during the noise monitoring periods. The vehicle classifications included:

- Passenger cars and light duty trucks (including small gasoline school buses)
- Medium trucks (two axles, six tires)
- Heavy duty trucks (three or more axles)
- Buses
- Motorcycles (counted as equivalent to medium trucks)

Table I-4: Observed Noise Levels (dBA) summarizes monitored noise levels. Sources of noise at the 63rd Drive and Austin Street monitoring locations included motor vehicles and rail passbys from the elevated LIRR tracks. The locations at 63rd Drive and Austin Street experienced the highest L_{10} noise levels during the peak AM period. Monitored noise levels at the elevated location at the 67th Avenue footbridge were affected only by rail passbys since it was located at the terminus of 67th Avenue, a dead-end street with no vehicular traffic. Monitored noise levels at the elevated 67th Avenue site were highest during the peak PM period.

Table I-4: Observed Noise Levels (dBA)

ID	Location	Time	L_{eq}	L_{10}	L_{min}	L_{max}	L_{01}	L_{90}
1	63rd Drive	7a-8a	**70.0**	**73.8**	56.2	86.1	75.3	60.7
2	Austin Street	8a-9a	**67.3**	**69.8**	53.8	87.5	72.1	56.3
3	67th Ave. Footbridge	8a-9a	73.4	77.7	48.9	90.4	81.9	50.4
1	63rd Drive	12p-1p	67.6	70.7	52.7	85.1	72.5	59.7
2	Austin Street	1p-2p	65.1	67.2	51.7	87.8	69.5	55.9
3	67th Ave. Footbridge[1]	12p-1p	68.4	59.8	47.2	91.3	66.4	49.1
1	63rd Drive	2p-3p	71.2	71.6	54.2	97.5	74.3	59.9
2	Austin Street	2p-3p	65.7	67.0	53.4	89.5	69.6	56.3
1	63rd Drive	5p-6p	69.6	72.8	55.5	87.0	74.7	60.3
2	Austin Street	4p-5p	65.4	68.0	54.1	87.5	70.0	57
3	67th Ave. Footbridge	5p-6p	**74.7**	**78.3**	42.2	98.0	82.2	51.8

Note: Numbers in bold type are the highest for that site. Anomalous rail noise because L_{10} was 9 points higher

Table I-5: Peak Hour Noise Levels (dBA), Traffic Volumes, and Rail Passbys Existing Conditions summarizes the observed noise levels, traffic volumes and equivalent PCEs, and rail passbys at the 63rd Drive, Austin Street, and 67th Avenue periods.

[1]Not included in the analysis due to anomalous rail noise. L_{10} is 9 points lower than the $L_{eq.}$

Table I-5: Peak Hour Noise Levels (dBA), Traffic Volumes, and Rail Passbys, Existing Conditions

ID	Location	L_{eq}	L_{10}	Autos	Medium Trucks	Heavy Trucks	Buses	Total	Traffic PCEs	Rail Passbys
AM Period										
1	63rd Drive	**70.0**	**73.8**	846	6	0	32	884	1,500	24
2	Austin Street	**67.3**	**69.8**	168	0	0	0	168	168	45
3	67th Ave. Footbridge	73.4	77.7							45
Midday Period										
1	63rd Drive	67.6	70.7	730	12	0	6	748	994	11
2	Austin Street	65.1	67.2	118	1	0	2	121	167	12
3	67th Ave. Footbridge [2]	68.4	59.8							12
School Afternoon Period										
1	63rd Drive	71.2	71.6	862	24	0	12	898	1,390	5
2	Austin Street	65.7	67.0	139	2	0	4	145	237	5
PM Period										
1	63rd Drive	69.6	72.8	932	18	0	16	966	1,454	18
2	Austin Street	65.4	68.0	146	3	0	2	151	221	33
3	67th Ave. Footbridge	**74.7**	**78.3**							33

Note: Numbers in bold type are the highest for that site.

As shown in **Tables I-4** and **I-5**, the highest L_{10} noise levels generally correlate with higher numbers of rail passbys and PCEs. Noise levels for the peak AM and PM periods are very similar, while the Midday and School afternoon periods, with lower volumes of traffic and rail passbys, have lower noise levels.

The footbridge site has the highest L_{eq} and L_{10} values during the AM and PM periods because it is adjacent to the rail line, and no walls or other barriers shielded the noise monitor from the rail noise. Variations in noise level do not correlate precisely with the number of rail passbys due to differences in the number of rail cars per pass-by and the use of diesel engines. L_{10} noise levels during all time periods were greater than 70 dBA.

63rd Drive, along the western boundary of the Project Site, has the second highest noise levels since it is exposed to the same number of rail passbys as the 67th Avenue footbridge location, but is 105 feet further away from the tracks than 67th Avenue footbridge location. Construction fencing around the Project Site also blocked the monitoring site from exposure to the elevated tracks east of the Project Site. The relatively high number of PCEs at this location compensates for the lesser influence of rail passbys. L_{10} noise levels during all time periods at the 63rd Drive location were greater than 70 dBA.

Austin Street, along the northern boundary of the Project Site, ranked third in observed noise level. Noise levels were consistently below an L_{10} of 70 dBA for all time periods at this location. This is due to the distance between this monitoring location and the LIRR rail tracks and the relatively fewer PCEs than on 63rd Drive. The monitored site is 225 feet from the elevated rail line and a construction fence partially shielded this location from rail noise.

[2] Not included in the analysis due to anomalous rail noise. L_{10} is 9 points lower than the L_{eq}.

V. FUTURE WITHOUT PROPOSED ACTIONS (NO-ACTION CONDITION)

In the future without the Proposed Actions (the "No-Action condition"), an as-of-right development conforming to the current R4 zoning district with C2-2 commercial overlay would be developed on the Project Site. The No-Action condition would consist of a three-story development with residential, commercial, and community facility uses.

The existing noise levels and traffic volumes for Austin Street and 63rd Drive were projected to 2022 using a growth factor of 0.50% per year as recommended in Table 16-4 of the *CEQR Technical Manual*. In conformance with additional guidance in the *CEQR Technical Manual,* adjustments were made using the proportionality equation for the existing condition volumes and the volumes for the No-Action traffic. The adjustment for the two monitoring locations was 0.065 dBA. **Table I-6: Traffic Volumes and Noise Levels 2022, No-Action Conditions,** summarizes the future one-hour traffic volumes and equivalent PCEs for the 63rd Drive and Austin Street monitoring locations. For the location at the 67th Avenue Footbridge, the existing rail passbys were assumed to remain the same in the future. Although the noise levels at the footbridge are in the Marginally Unacceptable IV category, the noise levels would be lower at the Project Site, which is at a greater distance from the LIRR rail line than the footbridge.

Table I-6: Traffic Volumes and Noise Levels (dBA) 2022, No-Action Condition

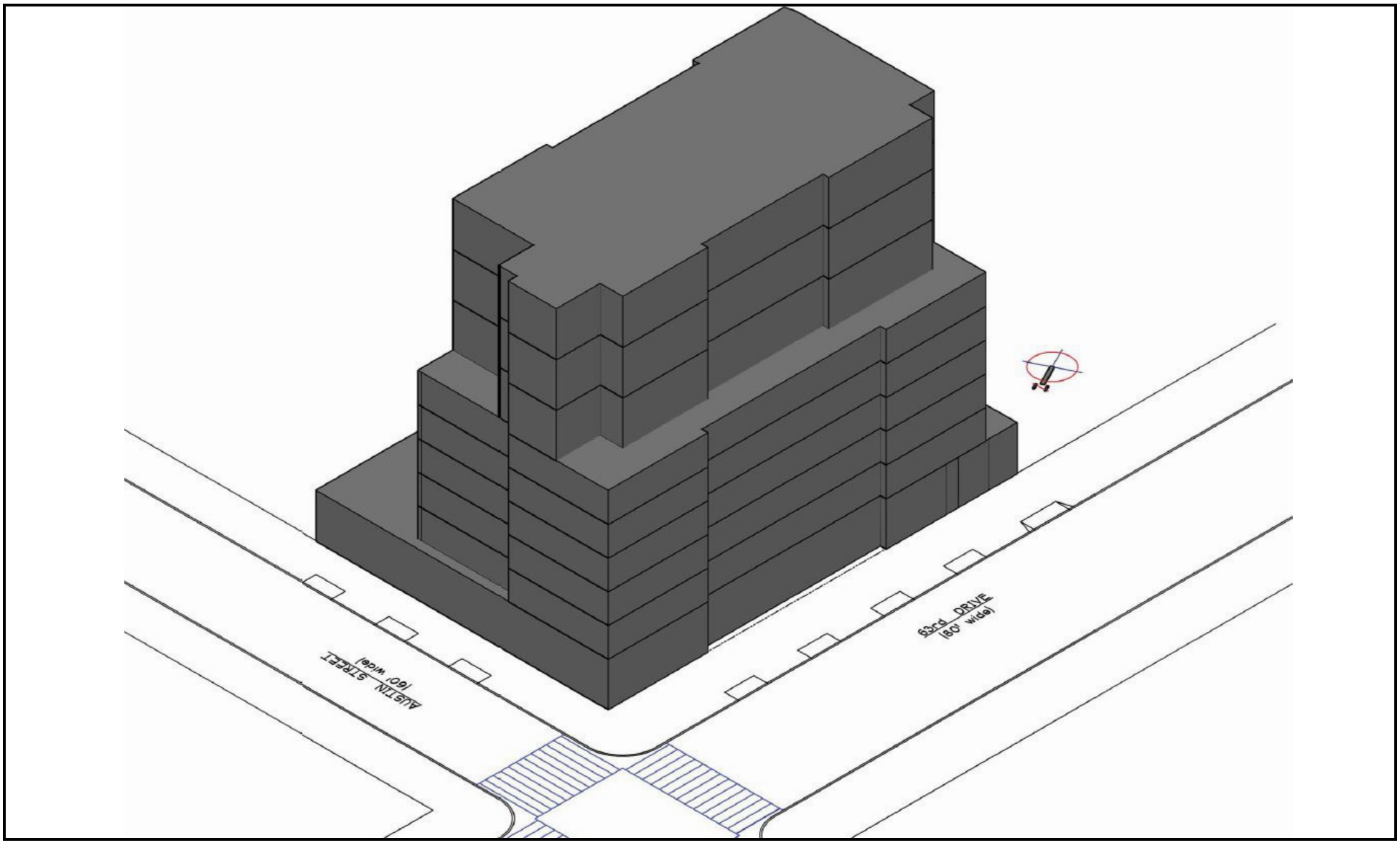
ID	Location	Period	Existing				No-Action					Category
			Volumes	PCEs	L_{eq}	L_{10}	Volumes	PCEs	Noise Increase	L_{eq}	L_{10}	
1	63rd Drive	AM	884	1,500	70	73.8	897	1,523	0.065	70.1	**73.9**	MU II
		MD	748	994	67.6	70.7	759	1,009	0.065	67.7	70.8	
		School	898	1,390	71.2	71.6	912	1,411	0.065	71.3	71.7	
		PM	966	1,454	69.6	72.8	981	1,476	0.065	69.7	72.9	
2	Austin Street	AM	168	168	67.3	69.8	171	171	0.065	67.4	**69.9**	Marginally Acceptable
		MD	121	167	65.1	67.2	123	170	0.065	65.2	67.3	
		School	145	237	65.7	67	147	241	0.065	65.8	67.1	
		PM	151	221	65.4	68	153	224	0.065	65.5	68.1	
3	67th Ave. Footbridge [3]	AM			73.4	77.7				73.4	77.7	MU IV
		MD			68.4	59.8				68.4	59.8	
		PM			74.7	78.3				74.7	**78.3**	

Notes: MU I = Marginally Unacceptable I; MU II = Marginally Unacceptable II; MU III = Marginally Unacceptable III

VI. FUTURE WITH PROPOSED ACTIONS (WITH-ACTION CONDITION)

In the future with the Proposed Actions (the "With-Action condition"), the Project Site would be redeveloped with an approximately 73,171 gsf, nine-story building that would include approximately 60,401 gsf of residential uses comprised of 74 DUs and approximately 12,770 gsf of local retail use on the ground floor. The Proposed Project is depicted on **Figure I-2: With-Action Massing Diagram**.

[3] Not included in the analysis due to anomalous rail noise. L_{10} is 9 points lower than the $L_{eq.}$



Source: Gerald J. Caliendo, Architect, P.C.
Note: For Illustrative Purposes Only

WITH-ACTION MASSING DIAGRAM

Figure I-2

Traffic Noise

To calculate future traffic volumes, the incremental increases in traffic were added to No-Action traffic volumes. Incremental changes in traffic between the No-Action and With-Action conditions were assumed to be autos and passenger vehicles. Medium trucks, heavy trucks, and buses were assumed to remain the same as in the No-Action condition. As summarized in **Table I-7: Traffic Volumes and Noise Levels (dBA) 2022, With-Action Condition,** all monitored sites are projected to have L_{10} levels greater than 70 dBA during at least one analysis period.

Table I-7: Traffic Volumes and Noise Levels (dBA) 2022, With-Action Condition

ID	Location	Period	No-Action				With-Action					Category
			Volumes	PCEs	L_{eq}	L_{10}	Volumes	PCEs	Noise Increase	L_{eq}	L_{10}	
1	63rd Drive	AM	897	1,523	70.1	**73.9**	920	1,546	0.1	70.2	**74.**	MU II
		MD	759	1,009	67.7	70.8	803	1,053	0.2	67.9	71.0	
		School	912	1,411	71.3	71.7	956	1,455	0.1	71.4	71.8	
		PM	981	1,476	69.7	72.9	1,017	1,512	0.1	69.8	73.0	
2	Austin Street	AM	171	171	67.4	**69.9**	194	194	0.5	67.9	**70.4**	MU I
		MD	123	170	65.2	67.3	167	214	1.0	66.2	68.3	
		School	147	241	65.8	67.1	191	285	0.7	66.5	67.8	
		PM	153	224	65.5	68.1	189	260	0.6	66.1	68.7	
3	67th Ave. Footbridge [4]	AM			73.4	77.7			0.0	73.4	77.7	MU IV
		MD			68.4	59.8			0.0	68.4	59.8	
		PM			74.7	**78.3**			0.0	74.7	**78.3**	

Notes: *MU I = Marginally Unacceptable I; MU II = Marginally Unacceptable II; MU III = Marginally Unacceptable III*

Estimated incremental changes in noise levels, ranged between 0.00 and 1.0 dBA. This indicates that the traffic volumes associated with the Proposed Actions would not cause a project-induced increment of 3 dBA compared to No-Action noise levels. For the site at the 67th Avenue Footbridge, the existing rail passbys were assumed to remain the same in the future as observed during the noise monitoring. Consequently, significant adverse noise impacts would not occur at existing receptors due to traffic increments generated by the Proposed Actions. Exterior noise levels would be Marginally Unacceptable II for the 63rd Drive and Marginally Unacceptable I for the Austin Street frontage based on CEQR Noise Exposure guidelines.

Rail Noise

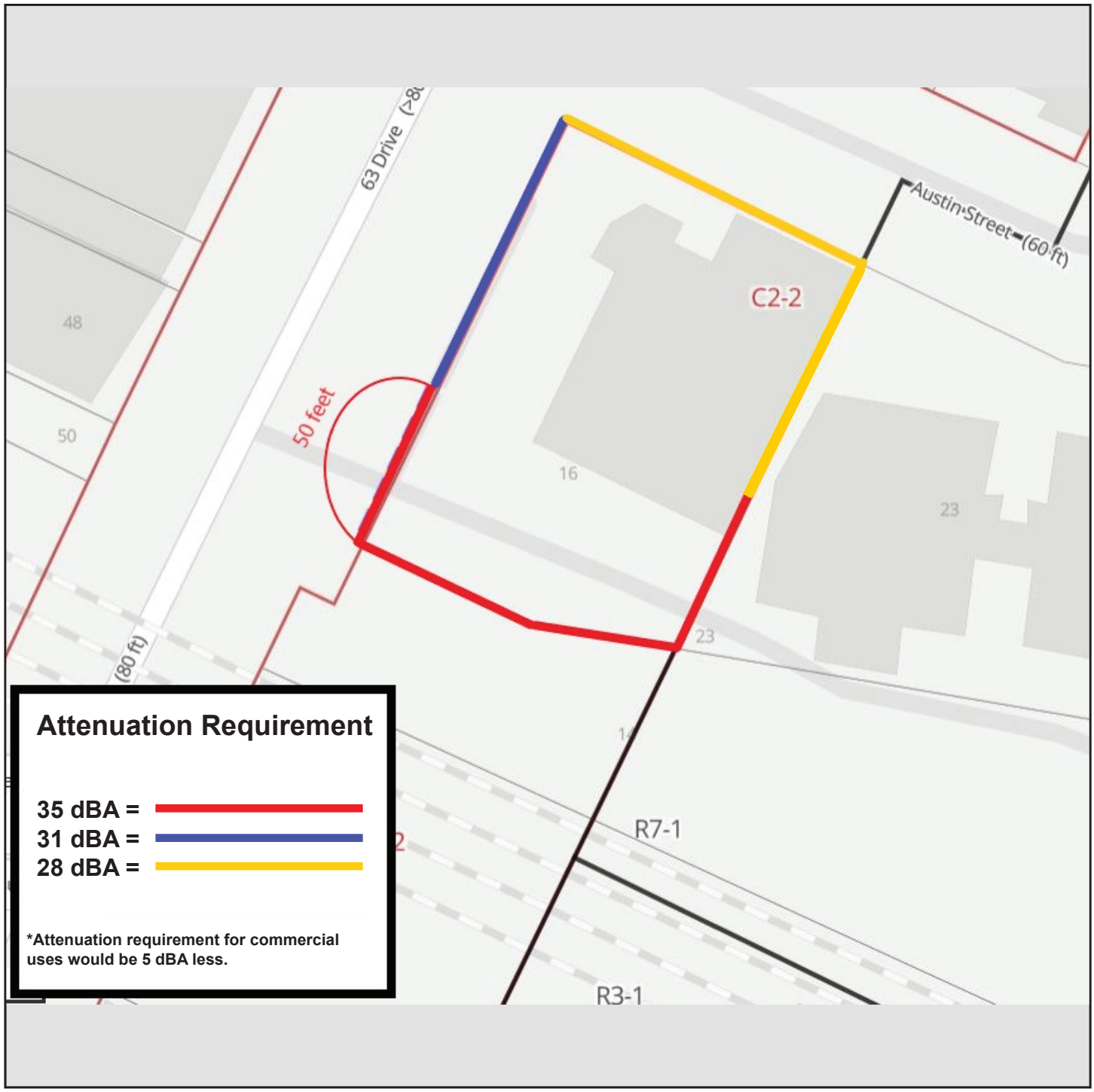
The distance from the southern Project Site boundary (lot line) to the rail line corridor is approximately 45 feet. Noise levels at this location would be an L_{eq} of 76.5 dBA and an L_{10} of 79.5 dBA. The lot lines on the east and west of the building would have exposure to the rail line, but the noise levels would vary due to distance attenuation. Within 50 feet of the southern lot line, they would be an L_{eq} of 76.5 dBA and an L_{10} of 79.5 dBA. The lot line of the Proposed Project facing north would be shielded by the building itself and would not have a direct line of sight to the rail line. Therefore, it would not be affected by rail noise under With-Action Conditions.

[4] Not included in the analysis due to anomalous rail noise. L_{10} is 9 points lower than the $L_{eq.}$

Window/Wall Attenuation

At ground level, noise effects from both traffic and rail sources are evident, but the effect of rail noise is diminished somewhat by its elevated location relative to the noise monitor at ground level. At floors two through nine, the roadway noise is reduced by attenuation, but the rail noise is more prominent because the windows are at or above the rail line. As noted above, no attenuation was calculated for traffic noise on upper floors. As a worst-case, the analysis compared the L_{eq}s for the monitored noise levels (both traffic and rail) with the L_{eq}s for the total rail noise calculated with the FTA formulas (rail only) for each floor. The higher of these noise levels was used to determine the required window attenuation.

The Proposed Project would place sensitive receptors at locations with L_{10} noise levels that exceed 70 dBA. In conformance with guidance in the *CEQR Technical Manual,* there would be no significant adverse impact provided that window/wall noise attenuation measures are implemented to provide L_{10} interior noise levels that would be 45 dBA or less (50 dBA for commercial office uses). **Figure I-3** depicts these noise levels graphically.



WINDOW/WALL ATTENUATION BY LOT LINE

Figure I-3

91-32 63rd Drive Rezoning EAS

(E) Designations

Based on the results of this assessment, the Project Site will be mapped with an (E) designation specifying window/wall attenuation for facades with projected L_{10} noise levels of 70 dBA or more. The (E) designation also requires that alternate means of ventilation, such as air conditioning, be incorporated in the building design so that windows may remain closed during warm weather. Window/wall attenuation for commercial uses would be 5 dBA less than those for residential uses.

Depending on the projected exterior noise levels, window/wall attenuation of 28, 31 or 35 dBA would be required. Consequently, the following (E) designations would be incorporated for Block 3104, Lot 16:

> **Block 3104, Lot 16: To ensure an acceptable interior noise environment, future residential uses must provide a closed-window condition with a minimum of 35 dBA window/wall attenuation on the facades facing LIRR railroad and the facades facing 63rd Drive within 50 feet of the southern lot line and the facades facing 64th Road within 50 feet of the southern lot line and 31 dBA of attenuation on the facades facing 63rd Drive beyond 50 feet from the southern lot line and 28 dBA of attenuation on the facades facing Austin Street and the facades facing 64th Road beyond 50 feet from the southern lot line to maintain an interior noise level not greater than 45 dBA for residential uses as illustrated in the EAS. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.**

With the (E) designation in place, the Proposed Project would not result in a significant adverse noise impact.