A. INTRODUCTION

The Applicant, Astoria Owners, LLC, is seeking a zoning map amendment, a zoning text amendment, a City Map amendment, a waterfront special permit, waterfront authorizations, and a waterfront certification by the New York City Planning Commission (CPC) Chairperson (collectively, "the Proposed Actions") affecting an approximately 3.8-acre site in the Astoria neighborhood of Queens Community District 1 (see **Figure 1-1**).

The Proposed Actions would facilitate a proposal by the Applicant to develop a new approximately 1,154,987 gross square foot (gsf) mixed-use development ("Proposed Project") on approximately 164,392 sf of lot area ("Projected Development Site 1"). The Proposed Project would be comprised of approximately 1,400 dwelling units (DUs) (approximately 1,130,462 gsf of residential area), of which 350 DUs would be affordable; approximately 1,887 gsf of local retail space; approximately 22,638 gsf of community facility space; 525 accessory parking spaces; and 41,363 sf of publicly accessible open space. The anticipated Build Year is 2031.

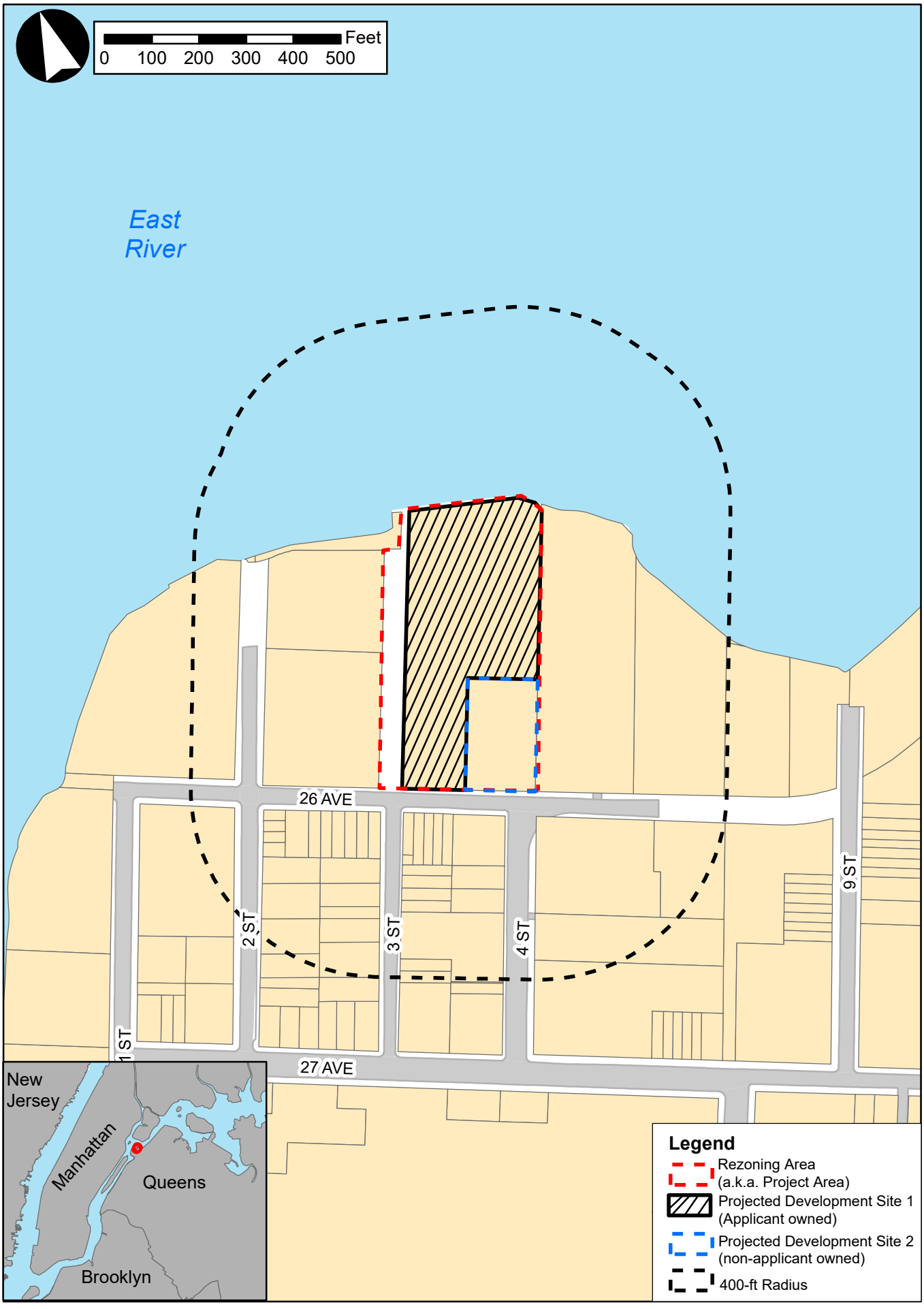
The proposed zoning map amendment would rezone Projected Development Site 1 (Block 911, Lot 1) and one additional site not under the control of the Applicant (Block 911, Lot 49). Together, these lots comprise approximately 199,245 sf (the "Project Area"). As discussed in detail below, it assumed that the Block 911, Lot 49 would be redeveloped as a separate development site as a result of the Proposed Actions.

Development of the Proposed Project requires approvals from the City Planning Commission (CPC) for the following discretionary actions:

- Zoning Map Amendment to rezone the Project Area from an M1-1 to an R7-3/C2-4 district (Zoning Map 9a);
- Zoning Text Amendment to modify Appendix F of the Zoning Resolution (ZR) to include the Rezoning Area as a Mandatory Inclusionary Housing Area (MIHA);
- A City Map amendment to eliminate 3rd Street between 26th Avenue and the waterfront;
- Waterfront Special Permit to waive height and setback regulations (ZR 62-837(a));
- Waterfront Authorization to modify requirements within the waterfront public access area (ZR 62-822(a));
- Waterfront Authorization for phased developments (ZR 62-822(c)).

Development of the Proposed Project requires approvals from the CPC for the following ministerial action:

Figure 1 -1
Project Location



- A certification by the Chairperson of the City Planning Commission (CPC) pursuant to ZR 62-811 pertaining to the provision of waterfront public access areas and visual corridors (not subject to ULURP).

B. EXISTING CONDITIONS

Proposed Rezoning Area (Project Area)

The Applicant-owned Projected Development Site 1 at 3-15 26th Avenue (Queens Block 911, Lot 1) is an irregularly-shaped lot with approximately 128 feet of frontage along 26th Avenue, approximately 581 feet of frontage along 3rd Street, and approximately 306 feet of frontage along the waterfront. The approximately 164,392 sf Projected Development Site 1 is currently zoned M1-1 (see **Figure 1-2**, "Zoning Map"). As shown in **Figure 1-3**, "Existing Conditions Photos," Projected Development Site 1 contains a vacant former industrial site. Third Street, north of 26th Avenue, is a privately-owned mapped street but currently unbuilt and is considered part of Projected Development Site 1.

The site located at 3-17 26th Avenue (Queens Block 911, Lot 49) is not under the control of the Applicant. Block 911, Lot 49 is approximately 34,853 sf and has approximately 151 feet of frontage along 26th Avenue. The site is currently zoned M1-1. As shown in **Figure 1-3**, Block 911, Lot 49 currently contains a vacant two-story 28,750 gsf warehouse building.

M1 districts are light manufacturing districts that often serve as buffers between M2 or M3 districts and adjacent residential or commercial districts. Use Groups 4-14, 16, and 17 are permitted as-of-right. Almost all industrial uses can be located in M1 districts if they meet the stringent M1 performance standards. Offices and most retail uses, including hotels, are also permitted. Certain community facilities, such as hospital, are allowed in M1 districts only by special permit, but houses of worship are allowed as-of-right. M1-1 districts allow a maximum Floor Area Ratio (FAR) of 1.0 for developments containing manufacturing and commercial uses and 2.4 for developments that contain community facility uses. M1-1 districts are subject to parking requirements based on the type of use and size of an establishment. Refer to **Chapter 2, "Land Use, Zoning, and Public Policy,"** for a more detailed discussion of zoning.

Neighborhood Context

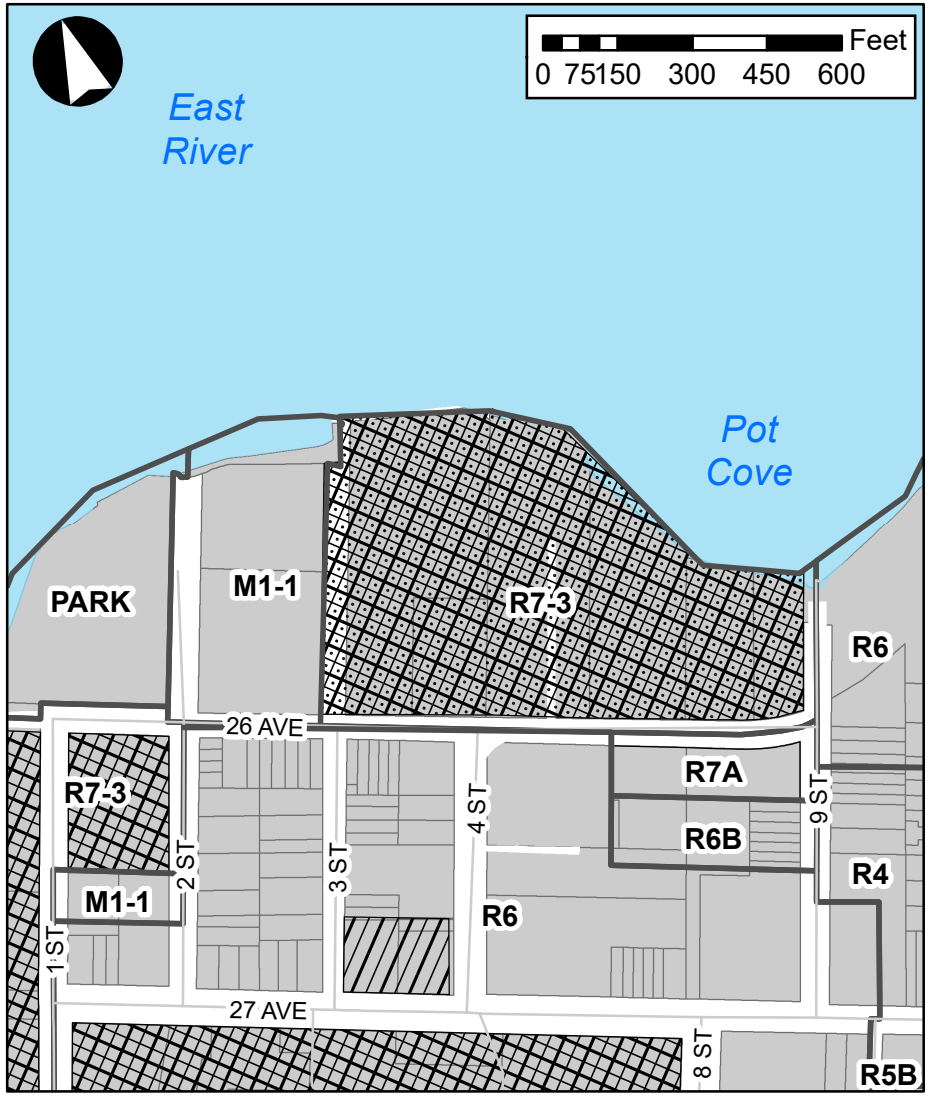
The Surrounding Area is characterized by a variety of land uses, including industrial and manufacturing uses, commercial uses, low- and medium density residential uses, and proposed high-density residential developments including Halletts Point and Astoria Cove.

The Halletts Point Peninsula is home to several sites that are currently undergoing significant change in use and form. Immediately to the east of the Project Area lies Astoria Cove, which is currently improved with several warehouse buildings and vacant industrial buildings. The Halletts Point development, which is located three blocks south and southwest of the Project Area, is currently improved with 10 Halletts Point – residential building with 405 dwelling units and a supermarket. The remainder of the Halletts Point site is vacant.

Existing Zoning M1-1



Proposed Zoning R7-3/C2-4



Legend

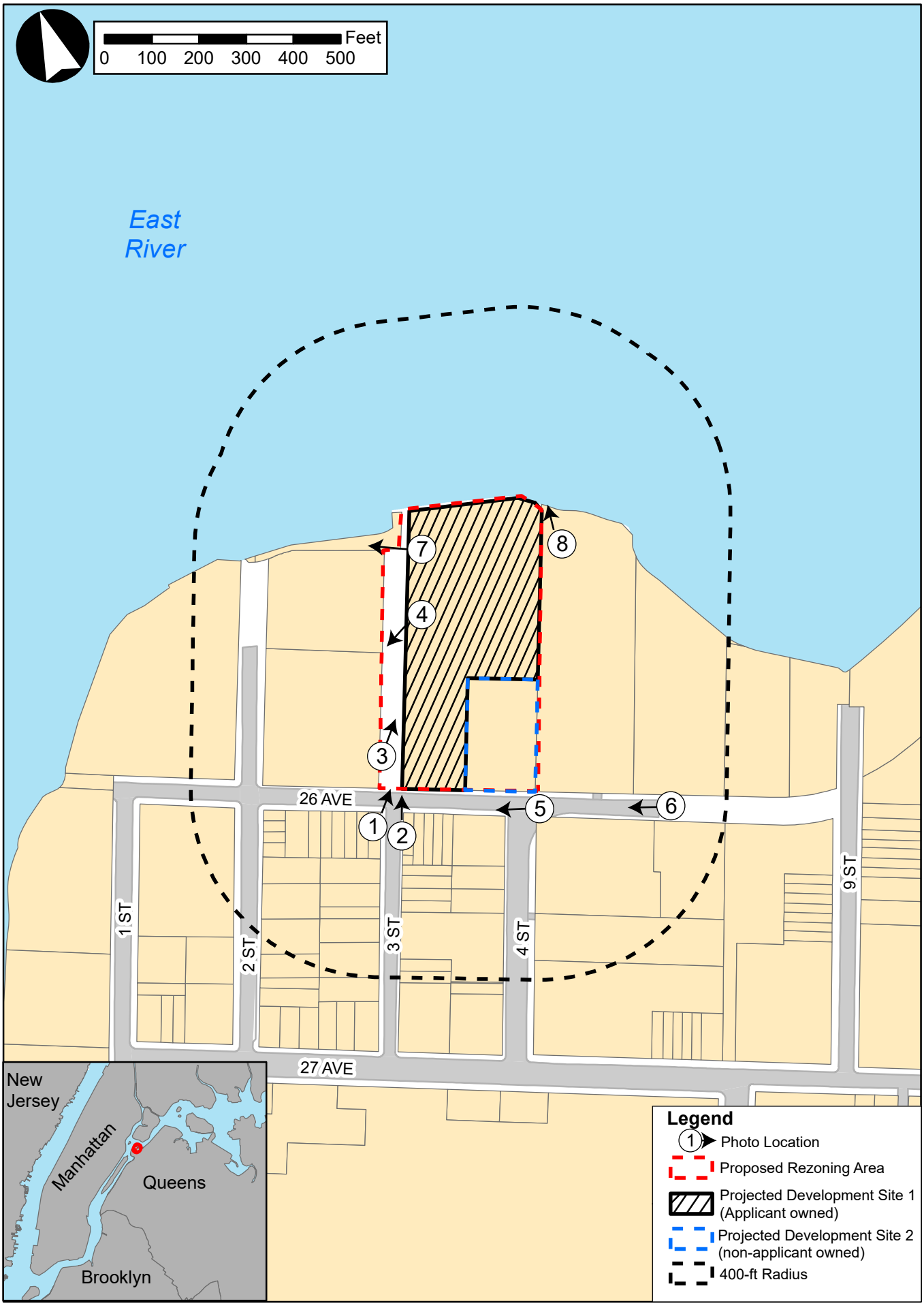
- Zoning District Boundary
- **Commercial Overlay**
- C1-3
- C1-4
- C2-3
- C2-4

Halletts North

Figure 1-2

Exisiting and Proposed Zoning Map

Figure 1-3a
Photo Key





1. View of Projected Development Site 1 looking north from 26th Avenue



2. View of Projected Development Site 1 looking north from 26th Avenue



3. View of Projected Development Site 1 looking northeast



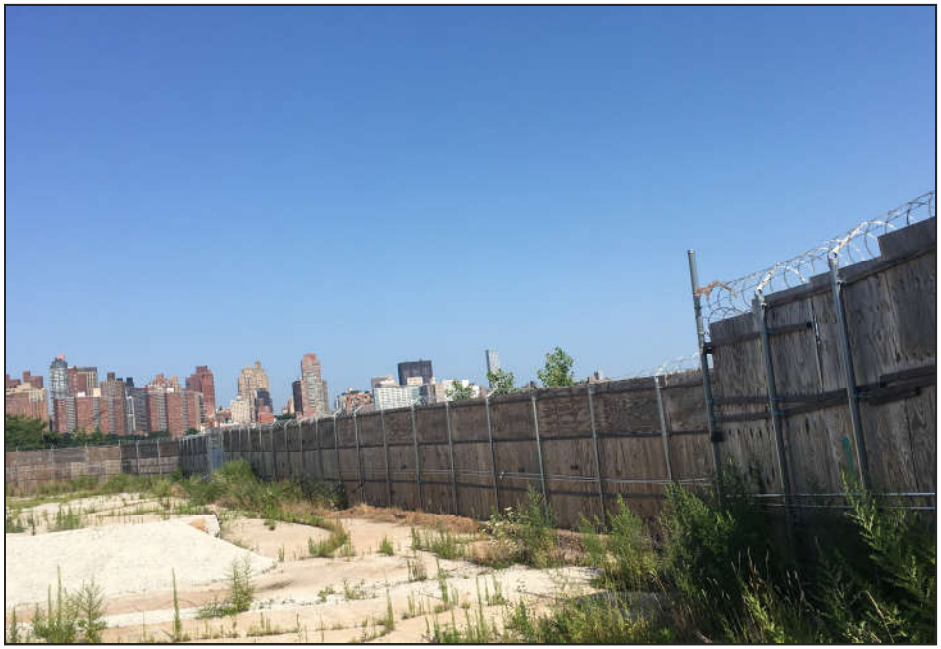
4. View of Projected Development Site 1 looking southwest



5. View of Projected Development Sites 1 & 2 looking west along 26th Avenue



6. View of Projected Development Sites 1 & 2 looking west along 26th Avenue



7. View of Projected Development Site 1 looking west



8. View of Projected Development Site 1's waterfront edge

The blocks south of the Project Area, across 26th Avenue, generally include one- and two-story light industrial buildings (including, among other things, a masonry plant and air conditioning service stations), warehouses, open and enclosed storage yards. The blocks south of the Project Area also include a number of low-scale residential uses including: one- and two-family residences directly south of the Project Area on 26th Avenue between 3rd Street and 4th Street, and several other one- and two-family residences dispersed throughout; four three-story multifamily walkups at the southeast corner of 26th Avenue and 2nd Street; and seven four-story multifamily on the northeast corner of 27th Avenue and 2nd Street. Additionally, the New York City Housing Authority (NYCHA) Astoria Houses, consisting of 1,103 dwelling units across 22 six- and seven-story buildings on a 27-acre campus, encompasses the southern half of the Halletts Point Peninsula and is located approximately one block south of the Project Area. Refer to **Chapter 2, "Land Use, Zoning, and Public Policy,"** for a more detailed discussion of the neighborhood context.

C. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

The Proposed Actions are intended to provide opportunities for new residential, commercial, and community facility development, as well as enhance and upgrade accessibility to the area's waterfront. The Applicant intends for the Proposed Actions to create opportunities for new housing development, including affordable housing, on underutilized and vacant land formerly used for manufacturing purposes and where there is no longer a concentration of industrial activity and strong demand for housing exists.

As described above, the Project Area is currently zoned M1-1. Based on the amount of permitted FAR and available use groups, the existing M1-1 zoning district constrains development opportunities within the Project Area. The proposed zoning map change is needed to permit construction of the Proposed Project. This would allow the redevelopment of Projected Development Site 1, a former waterfront industrial site, into an economically integrated mix of residential, local retail, and community facility uses consistent with the planned and anticipated redevelopment of nearby waterfront sites to the east and west and complementary to the existing neighborhood to the south and east. The extension of the commercial overlay district to the Project Area would permit Use Group 3 uses in the Project Area that are not allowed under existing zoning, as well as retail and commercial Use Groups 5-9. Commercial uses in the Project Area would provide amenities to new residents in the Project Area and surrounding area, provide job opportunities, and improve the streetscape with active ground floor uses. Thus, the Proposed Actions would allow the Applicant to maximize use of its property while producing new waterfront development.

In addition, it is the Applicant's position that the Proposed Actions significantly advances the City's Comprehensive Waterfront Plan by facilitating the redevelopment of the area's inaccessible waterfront and completing the street grid in this area of Astoria. As noted below, the Proposed Actions would allow the Applicant to demap and build out the segment of 3rd Street north of 26th Avenue for improved vehicular and pedestrian circulation. Thus, the Proposed Actions would allow for the creation of physical and visual access to the waterfront, including a publicly accessible waterfront esplanade.

The proposed zoning text amendment, which would designate the Project Area as an MIH Area, would require the Applicant to construct affordable DUs on the Proposed Development Site. Therefore, the Proposed Actions would create new affordable housing in the proposed rezoning area, helping to address affordable housing goals set forth by the City in *Housing New York: A Five-Borough, Ten-Year Plan,* to increase affordable housing and density near transit.

The proposed waterfront special permit for modification of height and setback requirements are needed in order to redistribute floor area across Projected Development Site 1, thereby creating a site plan and building layout and design that would better serve the public realm and permit a greater extent of uses than what would be allowed as-of-right under the proposed zoning district. The proposed modification of waterfront access requirements would serve to facilitate better site planning and an improved open space plan compared to what could be developed as-of-right.

D. DESCRIPTION OF THE PROPOSED ACTIONS

Proposed Zoning Map Changes

The Proposed Actions include an amendment of the City's zoning map to rezone the Project Area from the existing M1-1 to R7-3 with a C2-4 commercial overlay. The proposed zoning district would allow residential uses on the entire Project Area, which is prohibited under the existing M1-1 zoning. It would also allow a wider range of commercial uses through the mapping of a commercial overlay.

From M1-1 to R7-3

The existing low-density M1-1 zoning designation would be replaced with a contextual medium-density R7-3 residential zoning district, which would allow residential development. The Project Area is located directly adjacent to an existing R7-3 zoning district and directly north of a R6 zoning district. Therefore, the proposed zoning map change would extend residential zoning with similar districts.

The existing M1-1 zoning is a light manufacturing district with high performance standards that permits Use Groups 5 through 14, 16, and 17 as-of-right and has a maximum FAR of 1.0 for commercial and industrial uses. Certain community facility uses (Use Group 4) such as houses of worship and schools are also allowed in M1-1 districts up to an FAR of 2.4; residential uses are not permitted. M1-1 zoning districts typically act as buffers between M2 and M3 heavy manufacturing zoning districts and adjacent residential or commercial zoning districts.

The proposed R7-3 zoning district would be mapped on Block 911, Lots 1 and 49. R7-3 is a medium-density residential district that permits Use Groups 1 through 4 as-of-right and permits a maximum FAR of 6.0 with the Mandatory Inclusionary Housing Program for residential uses and permits a maximum FAR of 5.0 for community facility uses on waterfront blocks.

C2-4 Commercial Overlays

A C2-4 commercial overlay is proposed to be mapped on the entirety of the rezoning area. C2 commercial overlays are mapped along streets within residential districts that serve the local retail needs of the surrounding residential neighborhood. Typical retail uses include grocery stores, restaurants, and beauty parlors. C2 districts permit a slightly wider range of uses than C1 districts, such as funeral homes and repair services. In R7-3 districts, C2 commercial overlays permit ground floor retail uses up to 2.0 FAR in mixed residential/commercial buildings; buildings without residential uses would also be allowed 2.0 FAR of commercial uses.
The proposed C2-4 commercial overlay would allow for local retail development in the area.

Proposed Zoning Text Amendment

The Applicant is proposing to map the proposed rezoning area as a Mandatory Inclusionary Housing (MIH) Area (Options 1 or 2) by creating a new map for Queens Community District 1 in Appendix F of the New York City Zoning Resolution. An MIH Area requires affordable housing to be provided equivalent to either 25 percent (60% of Area Median Income, or AMI) or 30 percent (80% AMI) of the residential floor area developed. The MIH Area sets a new maximum permitted residential FAR which supersedes the FAR permitted by the underlying zoning district. With both the designation of the proposed rezoning area as an MIH Area and its rezoning to R7-3/C2-4, the maximum permitted FAR within the proposed rezoning area would be 6.0. Mapping of the MIH Area would facilitate development of approximately 350 affordable housing units on Projected Development Site 1, as the Applicant would provide affordable housing equivalent to 25 percent of the residential floor area pursuant to MIH Option 1.

City Map Amendment

The Proposed Actions involves a change to the City Map, including the elimination of 3rd Street between 26th Avenue and the waterfront. Third Street, north of 26th Avenue, is a privately owned mapped street but currently unbuilt and is considered part of Projected Development Site 1. As a result of the proposed mapping action, 3rd Street would be demapped but would be built to provide public access to the proposed development as well as the proposed waterfront esplanade. Third Street would function as a public right-of-way for vehicular and pedestrian traffic. Third Street would have a width of 50 feet, including a 22-foot travel way and two 13'-6" sidewalks. New infrastructure to support the Proposed Project would be placed within 3rd Street. The proposed new sidewalks and street would connect the proposed new development with the surrounding neighborhood and allow for pedestrian and vehicle use.

Waterfront Special Permit

The Proposed Project would require a waterfront special permit to modify height and setback regulations. A special permit pursuant to ZR 62-837(a) would allow for the granting of waivers for height and setback regulations for a development on a zoning lot within a waterfront block. This is being requested in order to achieve a better site plan and an enhanced relationship between Projected Development Site 1, streets, open space and the waterfront.

Waterfront Authorizations and Certifications

The Proposed Project would require an authorization pursuant to ZR 62-822 (a), ZR 62-822 (b) and ZR 62-822 (c) to modify requirements within the waterfront public access area and for phased development of the waterfront public access area, as modified by the above-referenced authorizations. In addition, the Applicant would seek certification by the CPC Chairperson for compliance with waterfront public access and visual corridor requirements, as modified by the above-referenced authorizations, pursuant to ZR §62-811 (a ministerial action). The proposed authorizations and certification would allow development of a waterfront public access area that is superior in access, layout and amenities that will substantially add to the public use and enjoyment of the waterfront.

Additional Actions - Not Subject to City Planning Commission Approval

As a portion of Projected Development Site 1 falls within a New York State Department of Environmental Conservation (NYSDEC)-regulated tidal wetland adjacent area, the Proposed Project will require approvals

from NYSDEC and the U.S. Army Corps of Engineers (USACE) for the proposed shoreline hardening measures required to raise the site. In addition, a new stormwater outfall is proposed to be located at 3rd Street to enable direct discharge of stormwater flows into the East River. The outfall would be permitted by NYSDEC and USACE, and the stormwater generated on-site would be treated for water quality prior to discharge. Additionally, a State Pollution Discharge Elimination System (SPDES) permit from the NYSDEC will be required for stormwater discharges during the construction period because construction on Projected Development Site 1 involves more than one acre.

E. DESCRIPTION OF THE PROPOSED PROJECT

The Applicant is proposing several actions to facilitate a new mixed-use, predominantly residential, development on Projected Development Site 1. The Proposed Actions described above will facilitate a new approximately 1,154,987 gsf mixed-use development on approximately 164,392 sf of lot area. It is expected that this Proposed Project would include the following components:

- Up to approximately 1,130,462 gsf of residential uses, comprising a total of approximately 1,400 DUs, of which 350 DUs would be affordable;
- Approximately 1,887 gsf of local retail space;
- Approximately 22,638 gsf of community facility space;
- Approximately 525 accessory parking spaces;
- Approximately 41,363 sf (0.95 acres) of publicly accessible open space.

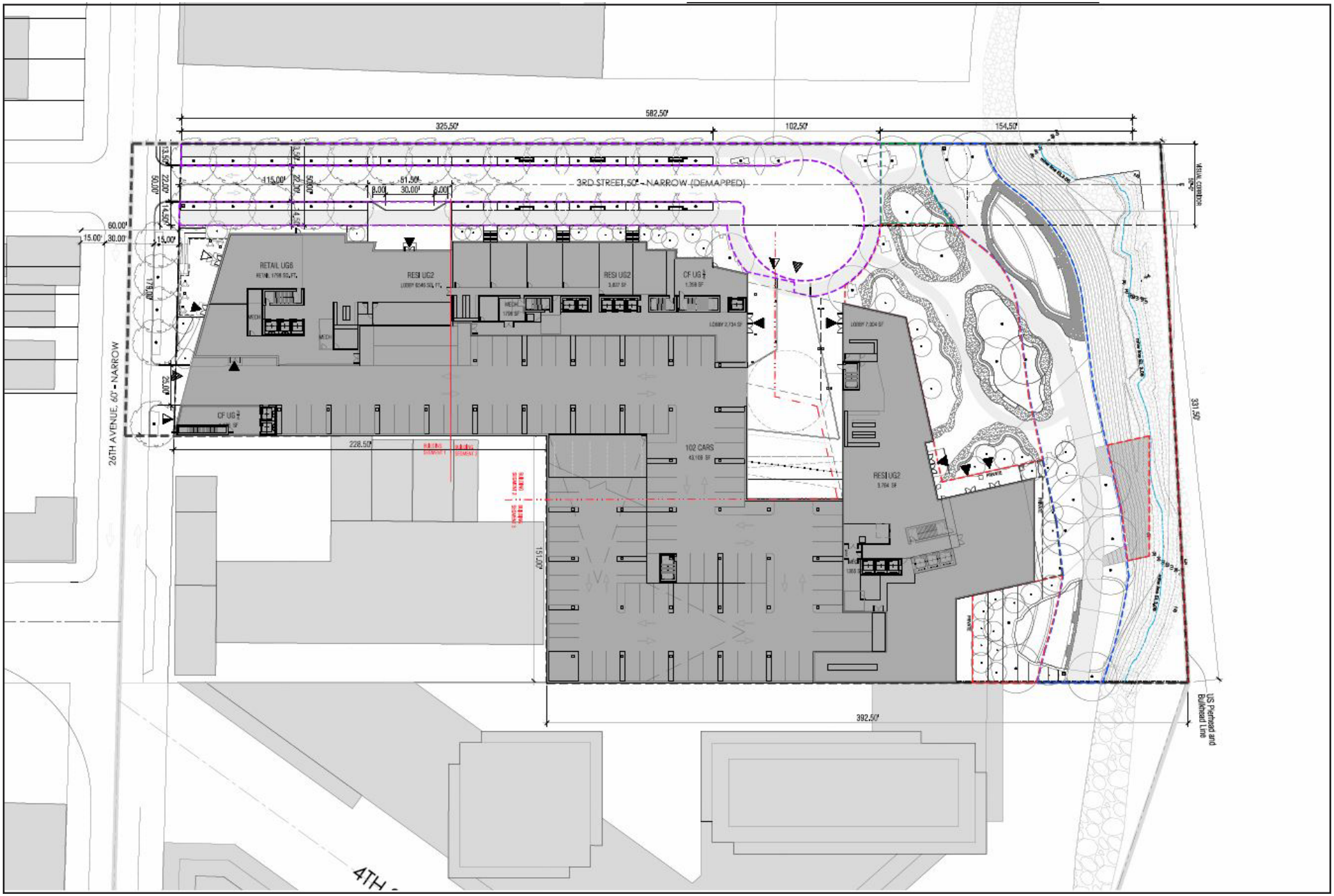
In conjunction with the Proposed Project, the mapped but unbuilt portion of 3rd Street between 26th Avenue and the waterfront, which is privately owned, would be demapped and built out to provide public vehicular and pedestrian access to the Proposed Project and the waterfront (see **Figure 1-4**).

Figure 1-4 provides a preliminary site plan for the Proposed Project. As shown in this preliminary plan, the Proposed Project would be accessible via entrances/exits on the north side of 26th Avenue and the east side of 3rd Street. As shown in **Figure 1-4**, the Proposed Project would be comprised of three towers located along the waterfront north of 26th Avenue.

The Proposed Project would include approximately 41,363 sf (0.95 acres) of publicly accessible open space, which would include a waterfront esplanade that would run along the entire length of Projected Development Site 1, providing multi-layered active and passive recreation space (see **Figure 1-5**).

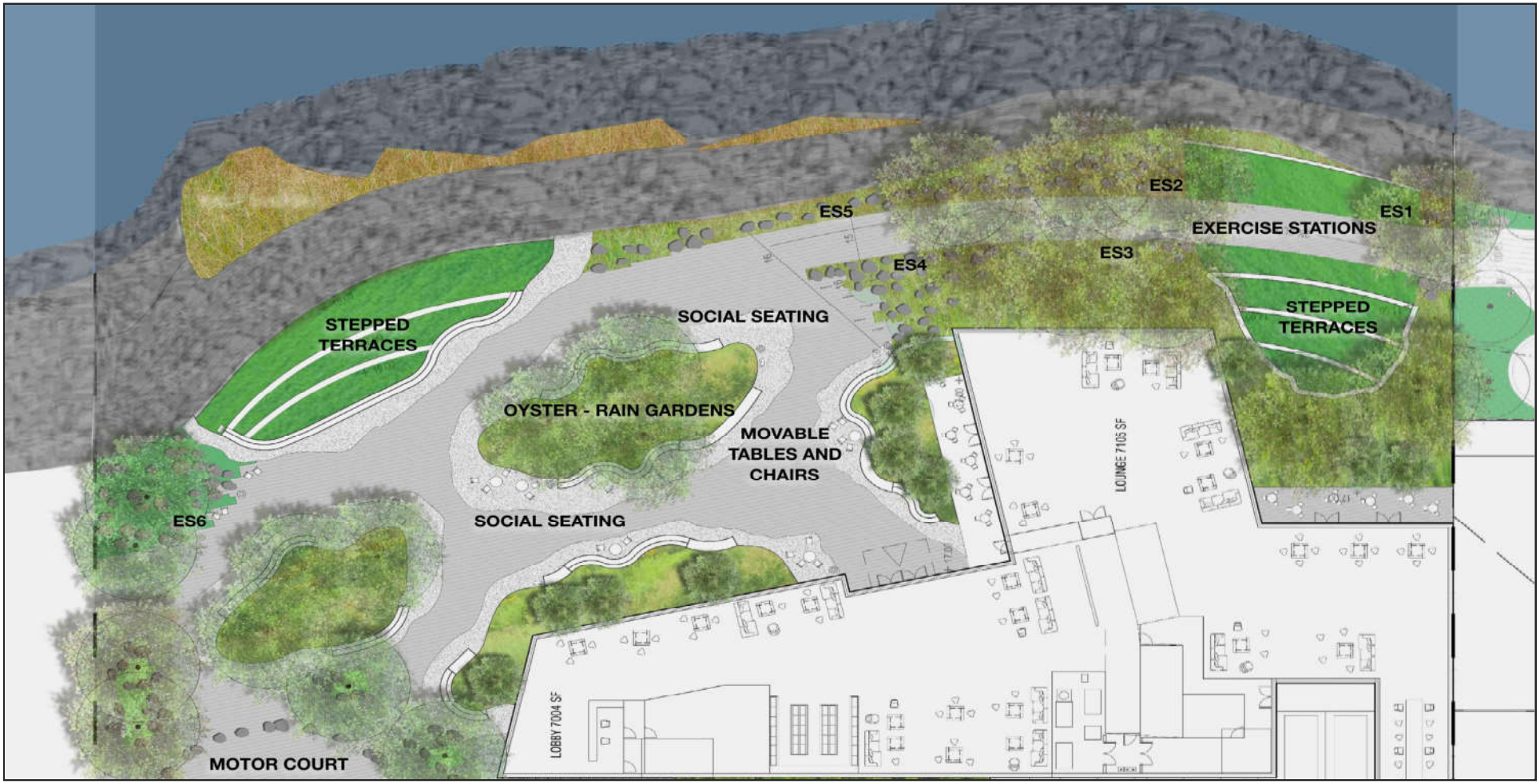
Figure 1-6 provides preliminary massing diagrams. As illustrated in the figure, the buildings comprising the Proposed Project will range in height from 23-stories on the southern portion of Projected Development Site 1 to a maximum of 34-stories on the waterfront. The Proposed Project would have a podium height of 110 feet that would be topped with three towers ranging in heights between 238 feet and 350 feet.[1]

[1] It should be noted that, while the illustrative building heights of the Proposed Project described in the Draft Scope of Work range between 230 feet and 350 feet in height, the proposed height, setback, and tower size waivers established in the proposed waterfront special permit would permit maximum building height envelopes for the three towers that would range between 238



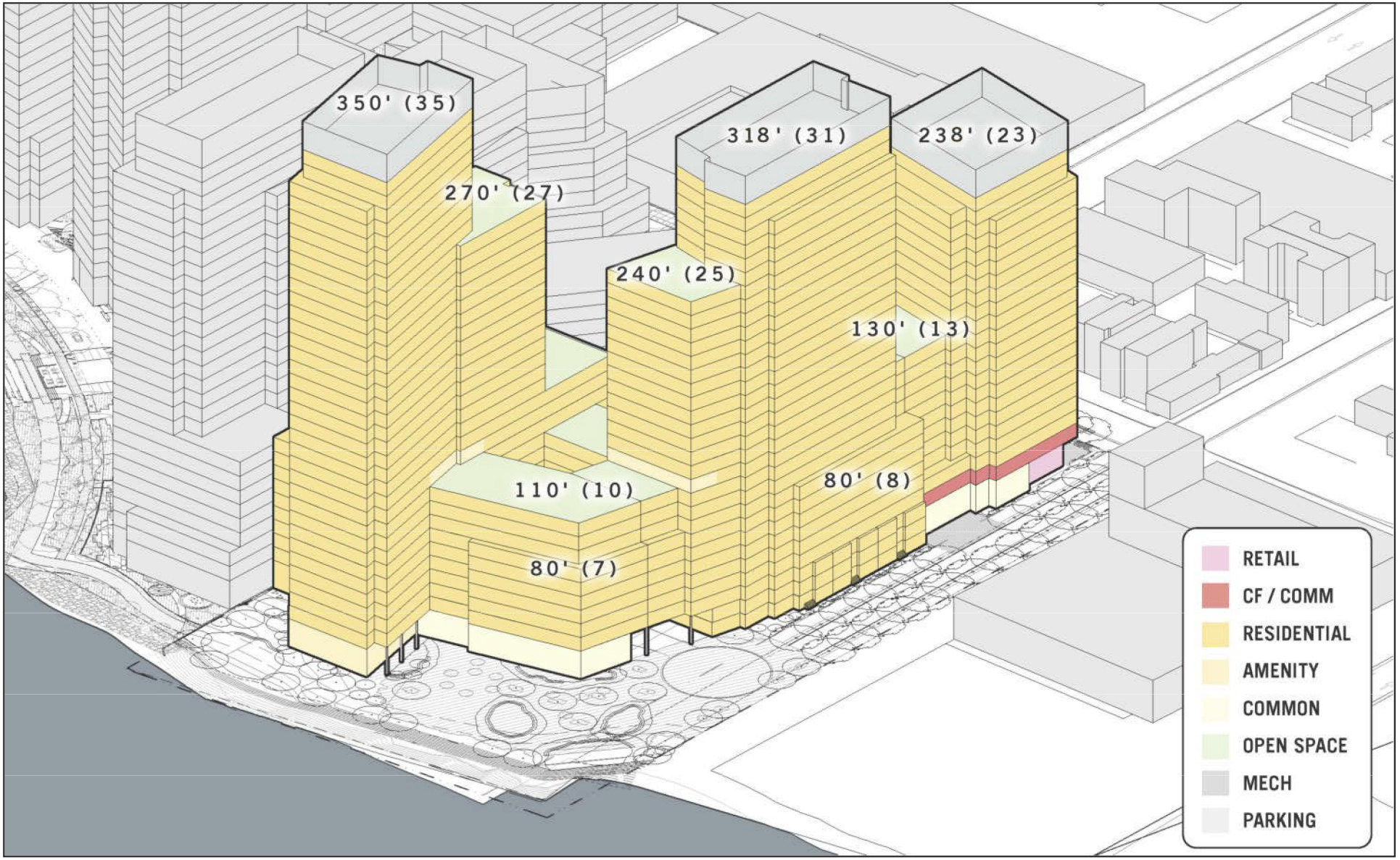
Source: Studio V Architecture, PLLC

Figure 1-4
Projected Development Site 1 - Proposed Ground Floor Plan
For Illustrative Purposes Only



Source: Ken Smith Workshop

Figure 1-5
Projected Development Site 1 - Proposed Waterfront Open Space
For Illustrative Purposes Only



Source: Studio V Architecture, PLLC

Halletts North

Figure 1-6
Projected Development Site 1 - Proposed Massing
For Illustrative Purposes Only

Parking for the Proposed Project would be above-grade and accessed via 3rd Street and 26th Avenue.

F. ANALYSIS FRAMEWORK AND REASONABLE WORST-CASE DEVELOPMENT SCENARIO (RWCDS)

In order to assess the potential effects of the Proposed Actions, a reasonable worst-case development scenario (RWCDS) for both "future No-Action" (No-Action) and "future with the Proposed Action" (With-Action) conditions will be analyzed for an analysis year, or Build Year, of 2031. The future With-Action scenario identifies the amount, type and location of development that is expected to occur by the end of 2031 as a result of the Proposed Actions. The No-Action scenario identifies development projections for 2031 absent the Proposed Actions. The effect of the Proposed Actions would be the incremental change in conditions between the No-Action and With-Action scenarios.

Identification of Development Sites / Affected Area

According to the *CEQR Technical Manual*, the following factors, commonly referred to as "soft site criteria," are generally considered when evaluating whether some amount of development would likely be constructed by the Build Year as a result of Proposed Actions:

- The uses and bulk allowed: Lots located in areas where changes in use would be permitted and/or contain buildings built to substantially less than the maximum allowable floor area ratio (FAR) under the existing zoning are considered "soft" enough such that there would likely be sufficient incentive to develop in the future, depending on other factors specific to the area (e.g., the amount and type of recent as-of-right development in the area, recent real estate trends, site specific conditions that make development difficult, and issues relating to site control or site assemblage that may affect redevelopment potential); and
- Size of the development site: Lots must be large enough to be considered "soft." Generally, lots with a small lot size are not considered likely to be redeveloped, even if they are currently built to substantially less than the maximum allowable FAR. A small lot is often defined for this purpose as 5,000 sf or less, but the lot size criteria is dependent on neighborhood-specific trends, and common development sizes in the study area should be examined prior to establishing this criteria.

However, the following uses and types of buildings that meet the soft site criteria are typically excluded from development scenarios because they are unlikely to be redeveloped as a result of Proposed Action:

- Full block and newly constructed buildings with utility uses, as these uses are often difficult to relocate;
- Lots where construction is actively occurring, or has recently been completed, as well as lots with recent alterations that would have required substantial capital investment, unless recently constructed or altered lots were built to less than or equal to half of the maximum allowable FAR under the proposed zoning;

feet and 350 feet in height. As such, the maximum permitted building height envelopes will be used for CEQR analysis purposes throughout this document, unless otherwise noted.

- Lots whose location or irregular shape would preclude or greatly limit future as-of-right development. Generally, development on irregular lots does not produce marketable floor space;
- Long-standing institutional uses with no known development plans; or
- Multi-unit buildings (existing individual buildings with six or more residential units, and assemblages of buildings with a total of 10 or more residential units, are unlikely to be redeveloped because of the required relocation of tenants in rent-stabilized units).

Definition of Projected and Potential Development Sites

To produce a reasonable, conservative estimate of future growth, identified development sites are typically divided into two categories: projected development sites and potential development sites. Projected development sites are considered more likely to be developed within the analysis period for the Proposed Actions (i.e. by 2031), while potential sites are considered less likely to be developed over the same period.

As shown below in **Table 1-1**, the Applicant-owned Projected Development Site 1 is considered a Projected Development Site, as in the future with the Proposed Actions the Applicant intends to develop the site with a mixed-use building, as detailed above. As shown in **Table 1-1** and discussed below in the "Future with the Proposed Actions" section, one other Projected Development Site has been identified in the proposed rezoning area: Block 911, Lot 49 ("Projected Development Site 2"). This property is not owned or controlled by the Applicant.

Block 911, Lot 49 currently accommodates a vacant 28,750 gsf warehouse/industrial building. Because the Proposed Actions would permit residential and commercial uses within the proposed rezoning area, this lot would be able to redevelop. Therefore, this lot is considered a Projected Development Site in the RWCDS (see **Table 1-1** below).

Future without the Proposed Actions (No-Action Condition)

It is assumed that under the No-Action scenario, Projected Development Site 1 would be developed as a warehouse use. The existing M1-1 zoning permits a 1.0 FAR for manufacturing and commercial uses. It is assumed that Projected Development Site 1 would be developed with a 2-story 172,612 gsf warehouse and 82 accessory parking spaces.

Under the No-Action condition, it is assumed that the existing vacant warehouse building on Projected Development 2 would be re-occupied with 28,750 gsf of warehouse uses and 14 accessory parking spaces.

Future with the Proposed Actions (With-Action Condition)

In the future with the Proposed Actions (the With-Action condition), the proposed zoning map amendment and zoning text amendment would be implemented in the Project Area. As such, the Project Area would be remapped as a R7-3/C2-4 district, and would be designated as an MIH Area. Under With-Action conditions, the maximum allowable FAR in the Project Area would increase to 6.0 when fully utilizing the additional FAR under the MIH Program.

As detailed above in the "Description of the Proposed Development," the Applicant intends to redevelop Projected Development Site 1 with a mixed-use building with an overall FAR of 6.0. Because this would maximize the floor area allowable on the Development Site, the Proposed Project is the RWCDS With-Action condition for Projected Development Site 1.

As detailed in **Table 1-1**, under the With-Action RWCDS, Projected Development Site 1 would be developed with an approximately 1,154,987 gsf development containing 1,400 DUs (of which 350 would be affordable), 1,887 gsf of retail space, 22,638 gsf of community facility space, and 525 accessory parking spaces. It is assumed that the community facility space would be medical office for conservative analysis purposes. As a result of the Proposed Project, 3rd Street, which is a mapped but unbuilt street north of 26th Avenue, would be demapped and built to allow public vehicular and pedestrian access. Access to the 525-space accessory parking garage would be via 3rd Street and 26th Avenue. The Proposed Project would also contain 41,363 sf of publicly accessible open space along the waterfront that would run along the entire length of Projected Development Site 1, providing multi-layered active and passive recreation space.

It is also expected that Lot 49 in the proposed rezoning area would be redeveloped in the future with the Proposed Actions, in accordance with the proposed R7-3/C2-4 zoning district. This site is anticipated to be redeveloped with a 219,296 gsf building containing 265 DUs (of which 66 would be affordable), approximately 15,000 gsf of commercial retail uses, and 115 accessory parking spaces.

In accordance with the City's MIH policy, under the Proposed Actions, the Applicant will choose either MIH Option 1 or 2, which would require 25 or 30 percent of the residential floor area be designated as affordable housing units for residents with incomes averaging between 60 and 80 percent of AMI and none of the units exceeding 130 percent of AMI. As discussed above, the Applicant intends on designating 25 percent of the residential floor area of the Proposed Project as affordable housing units (350 DUs).

As shown in **Table 1-1**, the With-Action RWCDS development would result in approximately 1,334,758 gsf of residential space, 16,887 gsf of retail space, and 22,638 gsf of community facility space on Block 911. The Proposed Actions would result in 1,665 DUs on the Projected Development Sites, of which 416 would be affordable units. In addition, the Proposed Actions would result in a total of 640 accessory parking spaces.

TABLE 1-1
With-Action Scenario – Projected Development Sites on Block 911

Lot	Lot Area (sf)	Max. FAR	Max. Residential		Max. Commercial SF	Max. Community Facility SF	Max. Total Building SF	Max. Parking Spaces	Max. Building Height
			SF	DUs					
Projected Sites									
1 (Projected Development Site 1)	164,392	6.0	963,742 zsf (1,130,462 gsf)	1,400 (350 affordable)	1,787 zsf (1,887 gsf)	21,508 zsf (22,638 gsf)	987,037 zsf (1,154,987 gsf)	525	350′
49 (Projected Development Site 2)	34,853	6.0	194,568 zsf (204,296 gsf)	265 (66 affordable)	14,550 zsf (15,000 gsf)	0	209,118 zsf (219,296 gsf)	115	150′
Total RWCDS With-Action Projected Development on Block 911:			**1,158,310 zsf (1,334,758 gsf)**	**1,665 (416 affordable)**	**16,337 zsf (16,887 gsf)**	**21,508 zsf (22,638 gsf)**	**1,196,155 zsf (1,374,283 gsf)**	**640**	-

Notes: The Applicant-owned Projected Development Site is highlighted.

Reasonable Worst-Case Development Scenario for Analysis Purposes

As summarized in **Table 1-2**, compared to future conditions without the Proposed Actions, the RWCDS anticipates that the Proposed Actions would result in a net increase of 1,665 dwelling units (approximately 1,334,758 gsf), 16,887 gsf of retail space, 22,638 gsf of community facility space, and 544 accessory parking spaces, as well as a reduction of approximately 201,362 gsf of industrial/warehouse space. The Proposed Actions would result in an increase of 3,880 residents and a net reduction of 90 employees. This net increment will represent the basis for environmental analyses in the EIS.

TABLE 1-2
Net Change in Land Uses as a Result of the Proposed Actions

Use	No-Action	With-Action	Net Increment
Residential	--	1,334,758 gsf 1,665 DU	+1,334,758 gsf +1,665 DU
Retail	--	16,887	+16,887gsf
Industrial/Warehouse	201,362	--	-201,362 gsf
Community Facility	--	22,638 gsf	+22,638 gsf
Accessory Parking Spaces	96	640	+544
Public Open Space	--	41,363 sf	+41,363 sf
Employees	252	162	-90
Residents	--	3,880	+3,880

G. PUBLIC REVIEW PROCESS

The Proposed Actions comprise a zoning map amendment, a zoning text amendment, a City Map amendment, a waterfront special permit, waterfront authorizations, and a waterfront certification by the CPC Chairperson. These actions are subject to public review under ULURP, Section 200 of the City Charter, as well as CEQR procedures. The ULURP and CEQR review processes are described below.

Uniform Land Use Review Procedure (ULURP)

The City's ULURP process, mandated by Sections 197-c and 197-d of the New York City Charter, is designed to allow public review of ULURP applications at four levels: Community Board, Borough President, the CPC, and the City Council. The procedure has mandated time limits for review at each stage to ensure a maximum review period of approximately seven months.

The process begins with certification by DCP that the ULURP application is complete. The application is then referred to the relevant Community Board (in this case Queens Community Board (CB) 1). The Community Board has up to 60 days to review and discuss the proposal, hold a public hearing, and adopt an advisory resolution on the ULURP application. The Borough President then has up to 30 days to review the application. CPC then has up to 60 days, during which time a public hearing is held on the ULURP application. If approved by the CPC, the application is then forwarded to the City Council, which has 50 days to review the ULURP application, during which time a ULURP/CEQR public hearing is held. Comments made at the Draft EIS (DEIS) public hearing and subsequent comment period (the record for commenting remains open for ten days after the hearing to receive written comments) are incorporated into a Final EIS (FEIS).

The FEIS must be completed at least ten days before CPC makes its decision on the application. The CPC may approve, approve with modifications or deny the application. If the ULURP application is approved, or approved with modifications, it moves forward to the City Council for review. The City Council has 50 days to review the application and during this time will hold a public hearing on the proposed action, through its Land Use Subcommittee. The Council may approve, approve with modifications or deny the application. If the Council proposes a modification to the proposed action, the ULURP review process stops for 15 days, providing time for a CPC determination on whether the proposed modification is within the scope of the environmental review and ULURP review. If it is, then the Council may proceed with the modification; if not, then the Council may only vote on the actions as approved by the CPC. Following the Council's vote, the Mayor has five days in which to veto the Council's actions. The City Council may override the mayoral veto within 10 days.

City Environmental Quality Review (CEQR)

CEQR is a process by which agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment. The City of New York established CEQR regulations in accordance with the New York State Environmental Quality Review Act (SEQRA). Pursuant to the SEQRA (Article 8 of the Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City has established rules for its own environmental quality review in Executive Order 91 of 1977, as amended, and 62 RCNY Chapter 5, the Rules of Procedure for CEQR. The environmental review process provides a means for decision-makers to systematically consider environmental effects along with other aspects of project planning and design, to propose reasonable alternatives, and to identify, and when practicable mitigate, significant adverse environmental effects. CEQR rules guide environmental review, as follows:

- *Establish a Lead Agency*. Under CEQR, the "lead agency" is the public entity responsible for conducting environmental review. In accordance with CEQR rules (62 RCNY §5-03), DCP, acting on behalf of the CPC, is serving as the CEQR lead agency for environmental review and will coordinate the review of the Proposed Actions, with the NYCIDA acting as an involved agency.

- *Environmental Review and Determination of Significance*. The lead agency determines whether the proposed action(s) may have a significant impact on the environmental. To do so, DCP, in this case, evaluated an Environmental Assessment Statement (EAS) dated February 19, 2021 for the Proposed Actions. Based on information contained in the EAS, and as the Proposed Actions are classified as a "Type I Action," DCP determined that the Proposed Actions may have a significant adverse impact on the environment, as defined by statute, and issued a Positive Declaration on February 23, 2021, requiring that an EIS be prepared in conformance with all applicable laws and regulations.

- *Scoping.* Along with its issuance of a Positive Declaration, DCP issued a Draft Scope of Work for the EIS, dated February 19, 2021, marking the beginning of the comment period on the Draft Scope. "Scoping," or creating the scope of work, is the process of identifying the environmental impact analysis areas, the methodologies to be used, the key issues to be studied, and creating an opportunity for others to comment on the intended effort. CEQR requires a public scoping meeting as part of the process. A public scoping meeting was held on March 22, 2021, at 2:00 PM, online via Zoom. The public review period for agencies and the public to review and comment on the Draft Scope of Work was open through the close of business on April 1, 2021. Modifications to the Draft Scope of Work for the project's EIS were made as a result of public and interested

agency input during the scoping process. A Final Scope of Work document for the Proposed Actions was issued on March 25, 2022.

- *Draft Environmental Impact Statement (DEIS).* The DEIS was prepared in accordance with the Final Scope of Work, and followed the methodologies and criteria for determining significant adverse impacts in the *CEQR Technical Manual*.[2] The lead agency reviewed all aspects of the document, calling on other City and state agencies to participate where the agency's expertise is relevant. Once the lead agency is satisfied that the DEIS is complete, it issues a Notice of Completion and circulates the DEIS for public review.
- *Public Review.* Publication of the DEIS and issuance of the Notice of Completion signal the start of the public review period. During this time, which must extend for a minimum of 30 days, the public has the opportunity to review and comment on the DEIS either in writing or at a public hearing convened for the purpose of receiving such comments. When the CEQR process is coordinated with another City process that requires a public hearing, such as ULURP, the hearings may be held jointly. The lead agency must publish a notice of the hearing at least fourteen (14) days before it takes place, and must accept written comments for at least ten (10) days following the close of the hearing. All substantive comments received at the hearing become part of the CEQR record and must be summarized and responded to in the FEIS.
- *Final Environmental Impact Statement (FEIS).* After the close of the public comment period for the DEIS, the FEIS is prepared. The FEIS must incorporate relevant comments on the DEIS, either in a separate chapter or in changes to the body of the text, graphics and tables. Once the lead agency determines the FEIS is complete, it issues a Notice of Completion and circulates the FEIS.
- *Findings.* To document that the responsible public decision-makers have taken a hard look at the environmental consequences of a proposed project, any agency taking a discretionary action regarding a project must adopt a formal set of written findings, reflecting its conclusions about the significant adverse environmental impacts of the project, potential alternatives, and potential mitigation measures. The findings may not be adopted until ten (10) days after the Notice of

[2] It should be noted that on December 30, 2021, the New York City Mayor's Office of Environmental Coordination (MOEC) published the updated 2021 *CEQR Technical Manual*, which would effectively supersede the previous 2020 *CEQR Technical Manual*, and therefore should be used as the guiding document for any environmental review commenced on or after December 30, 2021. However, as per MOEC's guidance, as the impact analyses for the Halletts North application had commenced prior to the *CEQR Technical Manual* update, and taking into account scheduled timing of completion of the environmental review under the applicable approval process, it was determined that the DEIS analyses be currently based on the 2020 *CEQR Technical Manual*, and that the analyses would be updated to be consistent with the guidance, methodologies, and criteria for determining significant adverse impacts outlined in the updated 2021 *CEQR Technical Manual* between Draft and Final EIS. In making this determination, the Applicant performed a sensitivity study (see **Appendix A**) to consider whether the analyses under the previous *CEQR Technical Manual* would present more conservative analyses as compared to the new guidelines. To summarize the findings of the sensitivity study, with exception to the public elementary schools analysis, updated *CEQR Technical Manual* guidance would not meaningfully alter the analysis findings and mitigation presented in the DEIS. The analysis in the DEIS will be updated to be consistent with the updated 2021 *CEQR Technical Manual* between the Draft and Final EIS. However, based on the updated impact criteria for public elementary and intermediate schools, the sensitivity analysis indicated that the Proposed Actions would result in a significant adverse impact to public elementary schools, whereas under the previous CEQR Technical Manual guidance, the Proposed Actions would not have resulted in significant adverse impacts to public elementary schools. Therefore, as instructed by the lead agency, DCP, the public schools analysis presented in the DEIS has been prepared in accordance with the 2021 *CEQR Technical Manual* for conservative analysis purposes.

Completion has been issued for the FEIS. Once findings are adopted, the lead and involved agencies may take their actions (or take "no action"). This means that the CPC must wait at least ten days after the FEIS is complete to take action on a given application.