DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

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Department of City Planning

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NOTICE OF COMPLETION AND NOTICE OF AVAILABILITY OF A FINAL ENVIRONMENTAL IMPACT STATEMENT

Innovation QNS Rezoning and LSGD

Project Identification
CEQR No. 21DCP180Q
ULURP Nos. C220364ZMQ; C220365ZSQ; C220366ZSQ; N220367ZRQ; C220368ZSQ; C220369ZSQ; C220370ZSQ; C220371ZSQ; C220372ZSQ; C220373ZSQ; C220374ZSQ; N220375LDQ

SEQRA Classification: Type I

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Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Final Environmental Impact Statement (FEIS) has been prepared for the action described below. Copies of the FEIS are available for public inspection at the office of the undersigned as well as online via the Innovation QNS project page on ZAP: https://zap.planning.nyc.gov/projects/2021Q0106 . To view the Innovation QNS FEIS and Appendix, navigate to the project page in ZAP and select Public Documents, then "FEIS_21DCP180Q". The proposal involves actions by the City Planning Commission (CPC) and the New York City Council pursuant to Uniform Land Use Review Procedure (ULURP). The proposal involves actions by the City Planning Commission (CPC) and the New York City Council pursuant to Uniform Land Use Review Procedure (ULURP). A public hearing on the DEIS was held on August 10, 2022, in conjunction with the City Planning Commission's citywide public hearing pursuant to ULURP. Written comments on the DEIS were requested and were received and considered by the Lead Agency until 5:00 p.m. on August 22, 2022. The FEIS incorporates responses to the public comments received on the DEIS and additional analysis conducted subsequent to the completion of the DEIS.

A. INTRODUCTION

The Applicant (a joint venture between Kaufman Astoria Studios, BedRock Real Estate Partners, and Silverstein Properties) is seeking a series of land use actions, including zoning map amendments, zoning

text amendments, and special permits (the Proposed Actions), to facilitate the Applicant's intended development and programming. The area subject to the Proposed Actions is the five city blocks bounded by 35th Avenue to the north, 43rd Street/Northern Boulevard to the east, 36th Avenue to the south and 37th Street to the west (the "Project Area") in the Astoria neighborhood of Queens in Community District 1. The Project Area (Blocks 641, 668, 669, 670, and 671) contains 43 lots, of which 21 are controlled by the Applicant while the remaining lots are controlled by others. With the Proposed Actions, the Applicant-controlled lots would be controlled by a Large Scale General Development (LSGD) Special Permit and would contain the Proposed Development (referred to as the "Development Site"). The 22 lots outside of the Development Site that are not controlled by the Applicant would be rezoned with approval of the Proposed Actions (referred to as the "Additional Affected Area").

The Proposed Development (branded as the Innovation QNS project) would redevelop the Development Site with a series of mixed-use buildings and publicly accessible open spaces. Innovation QNS is intended to create a series of arts and cultural venues including a multi-purpose arts and culture center, a re-envisioned multiplex movie theater that would provide a state of the art cinematic experience, galleries, artists' workshops and tech and general office space. In addition to art and cultural venues, the project would include eating and drinking establishments, a grocery store and world market and other local retail, service and community facility uses to support the new residential population, the existing business and residential community and provide a strong anchor for the Steinway Street and 35th Avenue commercial corridors.

In addition to the Proposed Development with approximately 2.9 million gross square feet (gsf) of space, the Proposed Actions would facilitate the redevelopment of several projected development sites in the Additional Affected Area that are not controlled by the Applicant. These additional developments would include approximately 800,000 gsf of residential and commercial space, similar to the Proposed Development. Overall, the Proposed Actions would facilitate the development of a total of approximately 3.7 million gsf in the Project Area.

Overall, as compared to the No Action condition (discussed below), the Proposed Actions are expected to result in a net increase of approximately 3,643 new housing units, of which 914 would be permanently affordable pursuant to Mandatory Inclusionary Housing (MIH), approximately 278,133 gsf of commercial space (retail, eating and drinking establishments, grocery store, Physical Culture Establishments [PCEs], and the relocated cinema and potential automotive showroom), approximately 107,720 gsf of community facility space (e.g., day care, community center, and arts and cultural center), and approximately 933 parking spaces. The Proposed Actions are also expected to result in approximately 2.17 acres of publicly accessible open space to be constructed in the Development Site—including 1.94 acres to be provided in 7 Public Access Areas (PAAs) that are assumed for the purposes of analysis (discussed further below) and one additional PAA that is planned for active uses. On the Applicant-controlled Development Site, the Proposed Actions could result in a net increase of 2,837 new dwelling units (DUs), including 711 permanently affordable DUs pursuant to MIH. On non-Applicant controlled sites in the Additional Affected Area, the Proposed Actions could result in an additional 806 new units, including 203 permanently affordable DUs pursuant to MIH.

The project approvals would also include recordation of an (E) Designation (E-675) on all 21 lots included in the Development Site and 12 lots in the Additional Affected Area, as well as a Restrictive Declaration to codify commitments made in the FEIS related to the environmental review.

Since the publication of the DEIS, the Applicant has submitted a modified application with proposed changes to the project—this modified version of the project is described and considered in the FEIS as the "Proposed Modified Application Alternative." The Proposed Modified Application Alternative reduce the massing and scale along the northern side of the Development Site, resulting in reductions to building heights on the northern side of Blocks C, D, and E, and additional floors added to other building in the Proposed Development to redistribute floor area. The modified site plan would also remove two proposed

Public Access Areas (PAAs) along 38th Street on Blocks A and B, while adding an approximately 22,000 sf active space PAA at the southern end of Block A that would serve as mitigation for the active open space impact. The alternative would also reconfigure the Proposed Development's below-grade space to reduce the number of parking spaces to 949 (the minimum required under the proposed zoning).

B. EXISTING CONDITIONS

Description of the Project Area

The proposed Project Area encompasses the five city blocks bounded by 35th Avenue to the north, 43rd Street/Northern Boulevard to the east, 36th Avenue to the south and 37th Street to the west. Of the 43 lots on the Project Area blocks, 21 are controlled by the Applicant while the remaining lots are controlled by others. As described above, the Applicant-controlled lots will be controlled by an LSGD Special Permit with the Proposed Actions and will contain the Proposed Development: these lots are referred to as the "Development Site." The lots outside of the Development Site that are not included in the Proposed Development but will be rezoned with the Proposed Actions are referred to as the "Additional Affected Area."

- Block 641, the westernmost block (between 37th Street and 38th Street), is primarily occupied by the two-story Regal Cinemas with rooftop parking (Lots 4, 9, and 51). The 36th Avenue frontage of the block (Lots 1, 52, and 56) is occupied by three low rise residential buildings (6 DUs total) and two commercial buildings.
- Block 668, between 38th Street and Steinway Street is occupied primarily by P.C. Richard & Son Appliance Store with a large at-grade parking area fronting on 38th Street, Steinway and 35th Avenue (Lot 5). On the southern half of the block, along 38th Street, there is a parking lot (Lot 2) and several two- and three-story multi-family town houses (containing 2 to 4 DUs apiece). Along the Steinway Street frontage, the southern portion of the block contains three four-story walk-up apartment buildings (Lots 36, 38, and 40) containing 20 DUs apiece. Lot 36 also contains some ground floor commercial uses. At the southeastern end of the block, at the intersection of Steinway Street and 36th Avenue (Lot 42), there is a two-story retail building. Lot 43 has residential (4 DUs) above ground floor commercial use.
- Block 669, between Steinway Street and 41st Street, contains Playground Thirty Five XXXV (Lot 20), a City Park that features playground equipment including swings, picnic tables, and benches, and primarily serves children who live in the nearby residential area. The playground was recently renovated, which included installation of new playground equipment, a spray shower area, planting beds, lighting, and fencing. The remainder of the block also includes part of the former Queensboro Farms Dairy and a mix of low-rise manufacturing and automotive uses. At the northern end of the block, adjacent to Playground Thirty Five XXXV (Lot 16), there is a parking lot used by an auto dealership. Immediately to south of the parking lot, there is a one-story billiard club (Lot 13) that occupies the through-block area. The southern half of the block (Lots 1, 3, 7, 8, 36, and 41) contains several one-story buildings with warehouse and auto repair facilities.
- Block 670, between 41st Street and 42nd Street contains a two-story warehouse operated by the Queensboro Farms Dairy (Lot 8), which occupies the majority of the northern portion of the block. The remainder of the block contains one-story warehouse and auto repair facilities: this includes the property adjacent to the Dairy building along 35th Avenue (Lot 20) and the properties south of the Dairy building along 41st Street and 42nd Street (Lots 4, 27, 30, 33, 36, 39, and 47).

- Block 671, the easternmost block between 42nd Street and 43 Street, contains primarily one-story auto showroom/dealership and repair facilities. This includes Showroom Auto, Koeppel Subaru,

and Harley Davidson Motorcycles, located along the 42nd Street and Northern Boulevard frontages (Lots 1, 8, and 12—Lots 8 and 12 are controlled by the Applicant). The other properties along the 35th Avenue frontage (Lots 16 and 18) and along the 43rd Street frontage (Lots 20 and 23) also contain one-story warehouse and auto repair facilities.

Description of the Surrounding Area

The Project Area is located in the Astoria neighborhood of Queens in Community District 1. The surrounding area is primarily developed with manufacturing and commercial uses to the south and east with the Long Island City Industrial Business Zone (IBZ) located to the south. To the east is Northern Boulevard, a major traffic thoroughfare lined with large footprint commercial uses with parking lots, including car dealerships and destination retail stores. The area along Northern Boulevard also contains recently built mixed-use buildings, such as the Silver Star apartment building on 36th Street and Northern Boulevard, reflecting a trend toward higher density development extending from Long Island City to the south. These portions of the study area primarily contain manufacturing zoning districts (M1-1, M1-5). To the north of the Project Area is a low- to medium-density residential area with 3- and 4-story walk-up apartment buildings; this area primarily contains residential (R5, R6A, R6B) zoning districts. To the immediate west of the Project Area is a higher density district which houses a mix of commercial and manufacturing uses (this area is located within an M1-5 district). In particular, the area west of Steinway Street contains the Kaufman Arts District, which is a collaboration of local organizations involved in the creative arts that anchor the area as a cultural destination and a center for the creative industries. The Arts District is led by Kaufman Astoria Studios, a film and television production studio which occupies the entire block bounded by 34th and 35th Avenues and 35th and 36th Streets, with additional buildings on the adjacent block to the east. Originally opened in 1920, the studio was a home for Paramount Pictures and was a major location for silent and sound film production before World War II, when it was taken over by the U.S. Signal Corps and became known as the Army Pictorial Center. Under the Signal Corps, the studio was used for the production of Army training films. In the early 1980s, the studio was revived back into a popular television and film production facility, and it remains one of the most prominent studios in New York City (notably, it is the only studio which features a backlot in the city). The Kaufman Arts District also features the Museum of the Moving Image, which is located on the Kaufman Astoria Studios campus and open to the public: the museum is dedicated to the history of the film and movie industry and is a major destination that attracts visitors to the area. The Kaufman Arts District is also supported by the Queens Council on the Arts, a local nonprofit that provides support to individual artists and arts organizations in the community.

Two blocks north along the west side of Northern Boulevard, a recent rezoning (44-01 Northern Boulevard, ULURP no. C 190124 ZMQ) created a residential district with a commercial overlay (R7X/C2-4) to facilitate a new medium density mixed use development. Steinway Street, which extends from Northern Boulevard north bisecting the Project Area, is a major commercial corridor through the area and connects to the nearby local intersecting commercial streets, 34th Avenue and Broadway; this corridor contains a commercial zoning district (C4-2A). The Steinway Street corridor features the Steinway Astoria Partnership, a Business Improvement District (BID) made up of over 300 businesses, including many local small businesses and a handful of national chain retailers such as Express and Zales; the BID provides support to local businesses including marketing and promotion, holiday lighting, and sanitation services.

The surrounding area is well served by mass transit. In particular, there are three subway stations in the immediate vicinity: two stations served by M and R trains operating on the IND Queens Boulevard Line—the 36th Street station located below Northern Boulevard, and the Steinway Street station located below Steinway Street—and a third station, the 36th Avenue station (located on an elevated structure above 31st Street) which is served by N and W trains operating on the BMT Astoria Line. There are also bus lines along Steinway Street (Q101) and along Northern Boulevard and 35th Avenue (Q66).

C. DESCRIPTION OF THE PROPOSED ACTIONS

In order to facilitate the Proposed Development, the Applicant is requesting the following zoning actions:

ZONING MAP AMENDMENTS

The Proposed Actions would change the zoning of the Project Area from M1-1 and C4-2A districts to a Special Mixed Use District (MX-24) consisting of M1-4/R7-3, M1-4/R7X, M1-4/R9 and M1-5/R9-1 districts. The proposed MX district with paired manufacturing and residential districts would allow for the mix of residential, community facility, and commercial uses intended for the Proposed Development, and would provide for the densities and varied building profiles responding to the surrounding neighborhood context.

ZONING TEXT AMENDMENTS

The Proposed Actions include zoning text amendments to:

- Amend Section ZR 123-00 to create a new MX-24 District.
- Amend Appendix F to establish a MIH Option 1 area over the Project Area to require a share of new housing to be permanently affordable.
- Amend Section ZR 74-745 (b) to make the reduction in loading berths permitted under the Special Permit ZR 74-745 (b) applicable to Special MX-24 District in Queens Community District 1.

SPECIAL PERMITS

The Proposed Actions include a Special Permit pursuant to ZR 74-743, Special Provision for Bulk Modifications:

- Pursuant to ZR 74-743 (a)(1) to allow the distribution of floor area without regard zoning lot and district boundary lines.
- Pursuant to ZR 74-743 (a)(2) to modify rear yard regulations as per ZR 23-40 (Yard Regulations), ZR 43-40 (Yard Regulations), ZR 123-65 (Special Yard Regulations).
- Pursuant to ZR 74-743 (a)(2) to modify minimum distance between buildings as per ZR 23-711 (Standard Minimum Distance Between Buildings).
- Pursuant to ZR 74-743 (a)(2) to modify height and setback regulations as per ZR 23-662 (Height and Setback Requirements for Quality Housing Buildings) and ZR 123-66 (Height and Setback Regulations).
- A Special Permit pursuant to ZR 74-744 (c) to modify sign regulations on Zoning Lot D to modify ZR 123-40 (Sign Regulations) and ZR 32-60 (Sign Regulations).
- A Special Permit pursuant to ZR 74-745 (a) to locate required and permitted accessory parking spaces to be located throughout the five accessory group parking facilities in the LSGD without regard to zoning lot lines.
- A Special Permit pursuant to ZR 74-745 (b) to reduce loading berths as per ZR 44-50 (General Purposes) and ZR 123-70 (Parking and Loading).
- Special Permits on Zoning Lots A through E pursuant to ZR 74-922, Certain Large Retail Establishments, to permit certain retail uses greater than 10,000 sf of floor area as per ZR 42-10 (Uses Permitted As-Of-Right), and ZR 123-20 (Special Use Regulations).

RESTRICTIVE DECLARATION

The Applicant will enter into a Restrictive Declaration to reflect the approvals described above. The Restrictive Declaration would require that the Proposed Project is developed in substantial accordance with the approved special permits and will establish any environmental mitigation conditions as necessary, as identified through the environmental review for the project.

D. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

The Applicant seeks to transform the Project Area into a vibrant, mixed-use community offering a wide variety of housing options, office space for the creative industries, neighborhood-serving healthcare facilities (e.g., local medical offices), retail, a state-of-the-art multiplex cinema, a full-service grocery store, and thoughtfully programmed publicly accessible open spaces throughout. The Proposed Actions are necessary because the existing zoning does not allow for the range of uses intended for the Proposed Development: in particular, the majority of the Project Area is zoned M1-1, which does not permit residential use and limits community facility uses. Similarly, the permitted density in the Project Area under existing zoning is low (maximum floor area ratio [FAR] of 1.0 or 3.0), and does not provide for the density that is needed to achieve the Proposed Development's goals.

The Project Area is occupied by light intensity automotive uses, surface parking lots, a nearly full-block cinema, and a destination retail store among other commercial uses scattered throughout. The Project Area is located at the intersection of and is a transition point between four distinct areas. The area to the north is a low- to mid-density residential neighborhood, containing a mix of one- to two-family buildings and multi-family buildings. The area to the northwest is a commercial and arts district centered around Kaufman Astoria Studios. The area to the southwest primarily contains low-scale, one- to two- story light manufacturing, auto-related, and warehouse uses. The Long Island City (LIC) high-density mixed-use neighborhood is located to the south. Steinway Street, a major commercial street, bisects the site and Northern Boulevard, a major north-south commercial corridor running through Queens, borders the Project Area on the east. Further, the area is well served by mass transit—including three subway stations (the 36th Street and Steinway Street Stations, served by M and R trains on the IND Queens Boulevard Line, and the 36th Avenue Station, served by the N and W trains on the BMT Astoria Line) and four local bus services (Q66, Q101, Q102, and Q104)—and located adjacent to well established vehicular thoroughfares.

In consideration of the surrounding conditions and the nearby major corridors and mass transit resources, in the Applicant's opinion, the Project Area provides a unique opportunity for a vibrant mixed-use development. The Applicant has undertaken extensive engagement with the community and has designed the Proposed Development to provide for a revitalizing mix of uses that serve the needs of neighborhood residents. In particular, the Applicant found that the area was underserved by open space and that arts, culture, and media constitute a significant portion of the Western Queens Economy. To serve these local needs, the Proposed Development creates a substantial amount of publicly accessible open space, and builds upon the neighborhood's existing arts, culture, and media sector by forming a creative hub with a mix of office, open space and cultural uses. Aside from bolstering this important sector of the economy centered around Kaufman Astoria Studios and building on other nearby cultural assets (including the Museum of the Moving Image and the Frank Sinatra School of the Arts), this creative hub is intended to serve as an anchor for the synergistic expansion of the neighborhood's existing business and residential communities.

In addition, affordable housing and services for seniors were two issues routinely raised during the Applicant's outreach efforts and listed in the Community Board 1 (CB1) District Needs Statement. The Proposed Development will provide over 700 units of permanently affordable housing pursuant to the City's Mandatory Inclusionary Housing Program, some of which will be dedicated to seniors helping to address these needs within the Astoria community. The massing and scale of the Proposed Development has been designed to serve as a transition between the low- and mid-rise areas to the north and west, the heavily trafficked commercial centered Northern Boulevard corridor and the higher-density mixed LIC area to the south. The Applicant believes that proposed density with the mix of building types and mix of unit sizes, connecting open spaces and uses is an appropriate development scale to support this new 21st century community without overwhelming the surrounding areas.

As a neighborhood-focused vision, the Applicant's plan is anchored by a total of 2.17 acres of publicly accessible open space that will offer amenities to a wide variety of users, including plazas for the community to gather, inviting courtyards surrounded by local cafes and restaurants, and landscaped pedestrian pathways for families to stroll. Other amenities would include immersive playscapes for children, open markets, kiosks, and specialty food stores; art galleries, public art installations, and sculptures; and enhanced streetscapes. The ground floor open spaces and adjacent program uses have been planned to enhance the public realm and create a uniquely engaging pedestrian experience while simultaneously breaking the monotony of the long city blocks.

E. DESCRIPTION OF THE PROPOSED PROJECT

The Proposed Development, also known as the Innovation QNS project, would redevelop the Development Site with a series of mixed-use buildings and publicly accessible open space. The Innovation QNS project is intended to complement the mission of the existing Kaufman Arts District with the Development Site by creating a series of arts and cultural venues including a multi-purpose arts and culture center, a re-envisioned multiplex movie theater that would provide a state of the art cinematic experience, galleries, artists' workshops and tech and general office space. In addition to art and cultural venues, the project would include eating and drinking establishments, a grocery store and world market and other local retail, service and community facility uses to support the new residential population, the existing business and residential community and provide a strong anchor for the Steinway Street and 35th Avenue commercial corridors. Residential towers and lower rise buildings would house approximately 2,843 new residential DUs offering a wide range of housing options for a varied population. Pursuant to the MIH Option 1 program, 25 percent of the residential floor area would be dedicated to permanently affordable units (approximately 711 DUs), a portion of which would be senior affordable housing units (subject to the availability of existing programs). The commercial space in the Proposed Development would also potentially include one or more PCEs, i.e., a gym or fitness center.

A series of seven primarily passive publicly accessible open spaces (designated as Public Access Areas [PAAs]) on the northern and mid-block portions of the Development Site, totaling 1.94 acres, would link the blocks: these spaces have been designed and programmed as publicly accessible open space, pursuant to community input. At the southern end of the Development Site on Block A, along 36th Avenue, the Proposed Development would include an additional 10,000-sf publicly accessible open space that is planned for active use (including this space, the Proposed Development would include a total of 2.17 acres of publicly accessible open space). Adjacent to this publicly accessible open space on Block A that is planned for active uses, the Proposed Development would include 16,000 sf of private open space for residential tenants. Across the Development Site, all of the Proposed Development's open space would be owned and maintained by the Applicant.

The current conceptual design shows the amenities proposed to be provided in the seven open spaces on the northern and mid-block areas, as well as the additional active open space and private open space on the southern end of Block A. These amenities have been designed to include various forms of public seating (i.e., occupiable public art, raised seating decks, movable tables and chairs); multipurpose lawns; water features; landscaped areas, large planters, and shade trees; a dog park; promenades and pavilions; interactive public art; and temporary recreational features (e.g., cornhole, seesaws, adult swings). Other amenities could include an immersive playscape for children, open markets, kiosks, public art installations, sculptures, and enhanced streetscapes. Programming in the open spaces may include art exhibits, holiday markets, performances, farmer's markets, and events. Parking would be provided in below-grade parking facilities on each of the project blocks.

Within the Proposed Development, the five blocks have been designed around a series of guiding principles**:**

Varied height profiles from east to west, responding to the surrounding neighborhood context accordingly;

Largest towers at Steinway / 35th Avenue to anchor the Steinway commercial corridor and on Northern Blvd;

Lower-scale buildings along 35th Avenue opposite the low-density residential buildings;

Base heights between 65' and 85' with standard zoning setbacks and building heights (except where waivers are being sought under the Proposed Actions);

Increased sidewalk widths along the south site of 35th Avenue to 20' along all blocks but Block 671; and

Open spaces that would be publicly accessible and activated to support the surrounding ground floor uses and enhance the pedestrian experience.

Block 641 (Block A)—The Proposed Development would occupy all of the block (Block 641, Lots 1, 4, 9, 51, 52, and 56) which currently houses the Regal Cinemas. This block would form the gateway from the west to the Innovation QNS development with a new technology and general office building fronting on 35th Avenue with ground floor retail and service uses supporting the existing commercial nature of this stretch of the avenue. The remainder of the block would be developed with residential buildings and a mix of local commercial/community facility flexible space on the lower levels. These buildings would be lower-rise buildings designed around three publicly accessible open spaces and one residential amenity open space.

The commercial building would be a 10-story (155 feet tall) story structure with a setback at the 7th floor (110 feet tall). The residential buildings would be a mix of structures ranging from 9 stories (110 feet tall) to 13 stories (140 feet tall). In total, these buildings would contain approximately 637,000 gsf of space, including approximately 462,000 gsf of residential (544 DUs, including 136 permanently affordable DUs pursuant to MIH), approximately 25,500 gsf of retail, approximately 126,000 gsf of office, and approximately 23,500 gsf of community facility space. The sidewalk along 35th Avenue would be widened to 20 feet with additional pedestrian circulation space provided along 35th Avenue at the corner of 37th Street. A loading berth would be provided on 37th Street, and entrances to the below-grade parking would be provided on 37th and 38th Streets (3 curb cuts). The southern end of the site along 36th Avenue would contain a 26,000 sf area that is being planned as two open spaces with trees, lawns and landscaping, walking paths and seating for residential tenants, with a 10,000 sf area extending along the entire 36th Avenue blockfront from 37th to 38th Streets that is planned for potential active public use.

Two proposed publicly accessible open spaces on Block A would be located on 38th Street between 35th and 36th Avenues. Based on a conceptual design, one of these proposed open spaces is planned as a passive community gathering space which would include public seating, planted areas, a multipurpose lawn, and a water feature; the other space is planned as a playscape for children, with additional seating including tables and chairs. A third open space on the southern end of the block, with frontage along both 37th and 38th Streets and spanning the width of the block, would contain a 16,000-sf area containing trees, lawns, landscaping, walking paths, and seating for residential tenants. A fourth open space, (the third publicly accessible open space on the block) would be 10,000 sf in area and abut the private open space, extending along the entire 36th Avenue blockfront from 37th to 38th Streets. This additional open space is planned for potential active public use. This residential amenity space and the publicly accessible space would be connected and both would be accessible from the street in order to provide complementary passive and active spaces, in keeping with the Proposed Development's goal of providing open space amenities for both the existing community and new residents.

Block 668 (Block B)—The Proposed Development would occupy the block to a depth approximately 400 feet measured from 35th Avenue (Block 668, Lot 5). The block would be developed with two primarily residential buildings with ground floor retail, service and community facility uses. The 38th Street frontage would be lower-scale, similar to the buildings opposite on Block A. The streetscape on 38th Street would be broken up with a publicly accessible through-block passage and a courtyard. The 35th Avenue frontage

would be developed with a lower-scale building with 11 stories (120 feet tall) at 38th Street rising to a 22-story (230 feet tall) tower along Steinway Street at 35th Avenue with a 19 story (200 feet tall) tower further south on Steinway. The ground floors would provide street level retail, service and community facility uses along with residential lobbies. In total, these buildings would contain approximately 654,000 gsf of space, including approximately 616,000 gsf of residential (725 DUs, including 181 permanently affordable DUs pursuant to MIH), approximately 30,500 gsf of retail, and approximately 7,000 gsf of community facility space. A loading berth and an entrance to the below-grade parking would be provided on 38th Street (2 curb cuts). The sidewalk along 35th Avenue would be widened to 20 feet.

The planned open spaces for Block B would include a through-block pedestrian plaza with large planted areas and shade trees, public seating, wayfinding art and other public art installations such as overhead art/lighting, artistic pavement, and a flexible lawn. The block would also include an open space in the midblock area along 38th Street planned as a community gathering space with seating, planting, and a skim fountain.

Block 669 (Block C)—This block is notable for Playground Thirty Five XXXV, a City Park located at the southeast corner formed by Steinway Street and 35th Avenue. The Proposed Development would occupy the area east and south of the Park (Block 669, Lots 13, 16, and 36). In order to complement the Park, the Proposed Development would enhance the arts district by providing a large at grade publicly accessible open space surrounding the Park along 35th Avenue to a depth of 176 feet connected to the cultural and arts center; this open space would provide for outdoor cultural and arts-related events. The sidewalk along 35th Avenue would be widened to 20 feet. On the south side of the open space, the Proposed Development would include a mixed-use building with a 4-story community centered multi-purpose arts and cultural facility with retail and service uses on Steinway Street. Above the 4-story base there would be a 27-story (295 feet tall) residential tower fronting on the open space and Steinway Street. Further south on 41st Street would be a 15-story (160 feet tall) residential building. In total, these buildings would contain approximately 430,000 gsf of space, including approximately 354,000 gsf of residential (416 DUs, including 104 permanently affordable DUs pursuant to MIH), approximately 10,000 gsf of retail, and approximately 67,000 gsf of community facility space. A loading berth and an entrance to the below-grade parking would be provided on 41st Street (2 curb cuts).

The planned open space on Block C would augment the existing Playground Thirty Five XXXV by surrounding it with a large civic oriented public open space. Based on a conceptual design, the open space would include a dog run and a walkway area along the playground's southern border and shade trees and seating along its eastern border. This open space is also planned to include other passive amenities such as large planters, public seating, a pedestrian promenade, a water feature, a pavilion, a multipurpose lawn, and interactive public art.

Block 670 (Block D)—The Proposed Development would occupy the majority of Block D (Block 670, Lots 4, 8, 20, 27, 30, and 47), and would include the relocated and re-envisioned multiplex cinema above local commercial and service uses, the world market with smaller retail uses bordering a large, covered, publicly accessible open space. At the corner of 35th Avenue and 42nd Street above the cinema there would be a private outdoor space accessory to the cinema. At the corner of 35th Avenue and 41st Street there would be a 16-story (200 feet tall) residential tower. Further south and separated from the corner residential tower would be a U-shaped through-block 10-story (160 feet tall) residential building with a 9-story (150 feet tall) base. On the southern end of the block, there would be a 7-story (130 feet tall) residential building along 41st Street, with a 27-story (280 feet tall) residential tower at the corner of 41st Street and 36th Avenue. In total, these buildings would contain approximately 696,000 gsf of space, including approximately 574,000 gsf of residential (675 DUs, including 169 permanently affordable DUs pursuant to MIH), approximately 111,500 gsf of retail, and approximately 10,000 gsf of community facility space. A loading berth would be provided on 42nd Street and an entrance to the below-grade parking would be provided on 41st Street (2 curb cuts).

The planned open space on Block D would be a covered, publicly accessible space linking 41st and 42nd Streets, between 35th Avenue and Northern Boulevard/36th Avenue. Based on the conceptual design, the proposed open space is planned as a through-block pedestrian promenade and plaza which includes the entrance to the cinema. The open space is planned to include amenities such as public art installations, holiday and farmer's markets, interactive plaza furnishings, and communal tables. Additionally, the plaza space is planned to be flexible space to include temporary recreational features such as seesaws, communal games, and adult swings.

Block 671 (Block E)—The Proposed Development on this block would occupy the portion of the irregularly shaped lot formed by the angle of Northern Boulevard to the regular street grid (Block 671, Lots 1, 8, 12, 20, and 23), excepting the two lots not controlled by the Applicant at the corner of 35th Avenue and 43rd Street. The Proposed Development would include a stand-alone 9-story (100 feet tall) mixed-use building above a 5-story (80 feet tall) base on the corner of 35th Avenue and 42nd Street. Just south fronting on 42nd Street opposite the covered open space on Block D would be an at-grade publicly accessible open space. The remainder of the block fronting on Northern Boulevard and 42nd Street would include a large mixed-use building with a 5-story (80 feet tall) office and ground floor retail base. Above and setback on both frontages would be a multi-story residential building with a 12-story base (150 feet tall) and two towers, one with 20 stories (total height 230 feet) and one with 26 stories (total height 290 feet). In total, these buildings would contain approximately 565,000 gsf of space, including approximately 410,000 gsf of residential (483 DUs, including 121 permanently affordable DUs pursuant to MIH), approximately 30,000 gsf of retail, and approximately 124,000 gsf of office space. One of the commercial spaces on Block E may include automotive or showroom uses. Loading berths would be provided on 42nd and 43rd Streets and an entrance to the below-grade parking would be provided on 43rd Street (3 curb cuts).

The publicly accessible open space on Block E is planned as a community plaza, which, based on a conceptual design, would include public seating, planters, and interactive public art installations.

In total, the Proposed Development would include 12 buildings with approximately 2.9 million gsf of space, of which approximately 2.4 million gsf would be residential space (approximately 2,843 DUs, of which 711 would be permanently affordable DUs pursuant to MIH). A portion of the MIH units may be senior affordable housing units, subject to the availability of existing programs. Office space in the Proposed Development would total approximately 250,000 gsf, and other commercial uses (retail, eating and drinking establishments, grocery store, and the relocated cinema and potential automobile showroom) would total approximately 209,000 gsf. The Proposed Development would include approximately 108,000 gsf of community facility uses (e.g., day care, community center, and arts and cultural center).

F. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW

Under CEQR, the lead agency is required to take a "hard look" at the environmental impacts of proposed actions and, to the maximum extent practicable, avoid or mitigate potentially significant adverse impacts on the environment, consistent with social, economic, and other essential considerations. An EIS is a comprehensive document used to systematically consider environmental effects, evaluate reasonable alternatives, and identify and mitigate, to the maximum extent practicable, any potentially significant adverse environmental impacts. The EIS provides a means for the lead and involved agencies to consider environmental factors and choose among alternatives in their decision-making processes related to a proposed action.

This section outlines the conditions examined in the EIS.

BUILD YEAR

In addition to the Development Site, the Proposed Actions would rezone the Additional Affected Area and are expected to facilitate additional development on lots that are not controlled by the Applicant (discussed below). The build year was determined assuming that the Proposed Actions are approved by

the CPC and City Council in 2022. For purposes of analysis, it is assumed that development within the Project Area, including new development in the Additional Affected Area, would occur over a 10-year period, which is typically the length of time over which developers would act on the area-wide zoning map changes such as those proposed. Therefore, the Analysis Year is 2032.

REASONABLE WORST CASE DEVELOPMENT SCENARIO (RWCDS)

In order to assess the possible effects of the Proposed Actions, a Reasonable Worst Case Development Scenario (RWCDS) was developed to account for existing conditions, the Future without the Proposed Actions (No Action condition) and the Future with the Proposed Actions (With Action condition). The incremental difference between the future No Action condition and future With Action condition serves as the basis for identifying potential environmental impacts, as described below.

IDENTIFICATION OF DEVELOPMENT SITES

The first step in establishing the RWCDS for the Proposed Actions is to identify those sites where new development could be reasonably expected to occur. The Proposed Actions include a rezoning of the Project Area from M1-1 and C4-2A districts to a Special Mixed Use District (MX) consisting of M1-4/R7-3, M1-4/R7X, M1-4/R9 and M1-5/R9-1 districts. As noted above, the Project Area includes properties controlled by the Applicant (the Development Site), which the Applicant proposes to redevelop with the Proposed Development, also known as the Innovation QNS project. For the purposes of the RWCDS, the parcels that are included in the Development Site (Blocks A, B, C, D, and E) are identified as Projected Development Sites A, B, C, D, and E:

Projected Development Site A—Block 641, Lots 1, 4, 9, 51, 52, and 56

Projected Development Site B—Block 668, Lot 5

Projected Development Site C—Block 669, Lots 13, 16, and 36

Projected Development Site D—Block 670, Lots 4, 8, 20, 27, 30, and 47

Projected Development Site E—Block 671, Lots 1, 8, 12, 20, and 23

In addition, the Project Area includes properties outside of the Development Site that are controlled by others; these properties (the Additional Affected Area) would also be rezoned with the Proposed Actions. As with the Development Site, the Additional Affected Area is currently zoned primarily for manufacturing and commercial uses (M1-1, C4-2A), with lower-density residential use only permitted in the C4-2A district. The proposed zoning would permit new uses not currently allowed in the M1-1 district, including residential use, and would permit a higher density throughout the Additional Affected Area. Therefore, the Proposed Actions have the potential to result in new development on the Additional Affected Area in addition to the Proposed Development.

In order to determine which properties in the Additional Affected Area are projected development sites under the proposed zoning ("soft sites"), a screening assessment was performed. In projecting the amount and location of new development, several factors have been considered in identifying likely development sites. These include known development proposals, past development trends, and the development site criteria described below. Generally, for area-wide rezonings that create a broad range of development opportunities, new development can be expected to occur only on selected sites. The first step in establishing the development scenario was to identify those sites where new development could reasonably be expected to occur.

The following soft site screening criteria are based on guidance in the *CEQR Technical Manual* and RWCDS memorandums developed for other similar neighborhood-wide rezoning projects.
Projected Development Sites include:

Lots located in areas where a substantial increase in permitted FAR is proposed and/or where residential use would be allowed where it currently is not permitted;

Lots with a total size of 4,000 sf or larger (may include potential assemblages totaling 4,500 sf, respectively, if assemblage seems probable)

Assemblages are defined as a combination of adjacent lots, which satisfy one of the following conditions: (1) the lots share common ownership and, when combined, meet the aforementioned soft site criteria; or (2) at least one of the lots, or combination of lots, meets the aforementioned soft site criteria, and ownership of the assemblage is shared by no more than three distinct owners.

Certain smaller-sized lots (2,000 sf or greater) that are substantially underdeveloped;

Underdeveloped lots are defined as vacant lots or lots with buildings containing a single occupied floor, or lots constructed to less than or equal to half of the maximum allowable FAR under the proposed zoning.

Potential Development Sites include:

Slightly irregularly shaped or encumbered sites that would make as-of-right development difficult;

Lots with a significant number of commercial or industrial tenants;

Active businesses, which may provide unique services or are prominent and successful neighborhood businesses or organizations unlikely to move; and/or

Sites divided between disparate zoning districts.

Other Sites (not Projected or Potential):

Lots where construction and/or renovations are actively occurring, or have recently been completed, as well as lots with recent alterations that would have required substantial investment.

Multi-unit buildings (existing individual buildings with six or more residential units are unlikely to be redeveloped because of the required relocation of tenants in rent-stabilized units).

Lots whose location, highly irregular shape, or other physical encumbrances (like easements) would preclude or greatly limit future as-of-right development. Generally, development on these types of lots does not produce marketable floor space.

Based on these screening criteria, several lots on Block 668 were determined to be unlikely to be redeveloped as a result of the Proposed Actions. Lots 36, 38, and 40 each contain multi-family apartment buildings (20 DUs apiece). Lots 42, 43, 44, 45, 46, and 143 are each small lots (roughly 2,000 sf) under different ownership and developed with small residential and commercial buildings; these conditions make the lots are unlikely to be redeveloped individually or assembled into feasible development parcels. Therefore, these lots on Block 668 are identified as Other Sites.

The remaining lots in the Additional Affected Area are generally larger lots that currently contain parking, auto repair, and warehouse uses. As these lots are currently underdeveloped and would see a substantial increase in permitted FAR, and exceed the 4,000 sf of lot area threshold, they meet the criteria for Projected Development Sites. For purposes of the RWCDS, these parcels have been assembled into feasible development sites and designated as follows:

Projected Development Site F—Block 668, Lots 1 and 2

Projected Development Site G—Block 669, Lots 7 and 8

Projected Development Site H—Block 669, Lots 1, 3, and 41

Projected Development Site I—Block 670, Lots 33 and 36

Projected Development Site J—Block 670, Lot 39

Projected Development Site K—Block 671, Lots 16 and 18

THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO ACTION CONDITION)

As outlined above, the Applicant believes that the Project Area is largely underutilized; as the majority of the Project Area is zoned M1-1, which permits a maximum FAR of 1.0 and only permits low density manufacturing, automotive, and commercial uses, it is reasonable to assume that redevelopment of the active commercial and auto-related facilities on the majority of the properties in the Project Area would not occur under existing zoning. However, portions of the Applicant-controlled properties are feasible development sites under existing zoning since they contain vacant buildings and open parking areas for vehicular storage. The Applicant controls the properties in the Development Site with the purpose of transforming the area into a mixed-use district serving the nearby neighborhood and would seek to make a return on those properties absent the Proposed Actions (the No Action condition) by redeveloping the underutilized parcels on Blocks C and D to the maximum extent feasible under the existing zoning. Specifically:

On Projected Development Site C (Block C), the Applicant would develop a 1-story, approximately 30,000 gsf grocery store. The grocery store building would be located along the site's Steinway Street frontage adjacent to Playground Thirty Five XXXV, which is zoned C4-2A. The grocery store is a permitted use under the C4-2A regulations and would be an extension of the Steinway Street retail corridor. The remainder of Projected Development Site C along the 41st Street frontage would contain a surface parking lot with 100 spaces (approximately 29,000 sf) to provide the required accessory parking for the grocery store.

On Projected Development Site D (Block D), the Applicant would develop local retail uses on the 35th Street frontage (approximately 20,000 gsf) with a 1-story, approximately 68,000 gsf warehouse on the remainder of the site. This site is zoned M1-1, and the retail and warehouse uses are permitted uses.

The Applicant would not seek to redevelop the more active existing uses on Projected Development Sites A, B, and E (the Regal Cinemas, the P.C. Richard & Son retail store, and the Harley Davidson Motorcycles dealership, respectively) absent the Proposed Actions. Likewise, the remaining Projected Development Sites not controlled by the Applicant (Sites F, G, H, I, J, and K) are expected to remain in their current condition, described above under Existing Conditions of All Areas Affected by the Proposed Actions. In the No Action condition (inclusive of the new grocery store, retail, and warehouse facility), the Projected Development Sites would contain a total of approximately 423,000 gsf of space, with approximately 265,000 gsf of commercial uses (retail, the cinema, and the grocery store), approximately 151,000 gsf of manufacturing uses (warehouses and auto related facilities), approximately 7,500 gsf of residential space (the existing small multi-family homes on Projected Development Sites A and F, with a combined total of 9 DUs). As noted above, the No Action condition would also include an approximately 29,000 sf parking lot for the grocery store on Projected Development Site C (see also **Table 1**).

Table 1
RWCDS Summary[1]

Use	Existing Condition	No Action Condition	With Action Condition	Increment
Total GSF	407,942	423,079	3,755,013	3,331,934
Residential GSF	7,512	7,512	3,104,308	3,096,796
Total Dwelling Units (DU)	9	9	3,652	3,643
Affordable DU (80% AMI)	0	0	914	914
Commercial GSF	203,571	264,852	542,985	278,133
Retail GSF	104,761	136,042	159,915	23,873
Office GSF	0	0	250,070	250,070
Cinema GSF	98,810	98,810	73,000	(25,810)
Supermarket GSF	0	30,000	30,000	0
Physical Culture Establishment (PCE) GSF	0	0	30,000	30,000
Community Facility GSF	0	0	107,720	107,720
Medical Office GSF	0	0	5,000	5,000
Arts and Cultural Center GSF	0	0	21,900	21,900
Daycare Center GSF	0	0	10,000	10,000
Community Center GSF	0	0	70,820	70,820
Manufacturing GSF	196,859	150,715	0	(150,715)
Warehouse GSF	0	67,806	0	(67,806)
Other Man. GSF	196,859	82,909	0	(82,909)
Parking Spaces	550	700	1,633	933
Publicly Accessible Open Space (Acres)	0	0	1.94[2]	1.94

Notes:
[1] Totals for Projected Development Sites A through K.
[2] Total includes publicly accessible open space in the Proposed Development excepting the approximately 10,000 sf area at the southern end of Block A that is planned for potential active public space; total including this additional area would be 2.17 acres.

THE FUTURE WITH THE PROPOSED ACTIONS (WITH ACTION CONDITION)

In the Development Site (Projected Development Sites A, B, C, D, and E), the With Action condition is the Proposed Development which would be developed by the Applicant: see the detailed description of the Proposed Development above. In total, the Proposed Development would include 12 buildings with approximately 2.9 million gsf of space, with approximately 2.4 million gsf of residential space (approximately 2,843 DUs, of which 711 would be permanently affordable DUs pursuant to MIH), approximately 250,000 gsf of office space, approximately 209,000 gsf of other commercial uses (retail, eating and drinking establishments, grocery store, and the relocated cinema and potential automobile showroom), approximately 108,000 gsf of community facility uses (e.g., day care, community center, and arts and cultural center), and approximately 2.17 acres of publicly accessible open space in 8 proposed locations across the Development Site: this includes 7 PAAs on the northern and mid-block portions of the Development Site and the additional PAA planned at the southern end of Block A of the Development Site. The Proposed Development would also include two private open spaces for residents (one at the southern end of Block A and one in the mid-block area on Block B) totaling 0.47 acres, as well as expanded pedestrian circulation space near the building entrances, totaling 0.27 acres. Combined, the publicly accessible open space, private open space, and circulation spaces would total approximately 2.91 acres.

As discussed above, the Proposed Actions would allow the Proposed Development to include certain retail uses greater than 10,000 sf that would otherwise be limited in size and would also allow for PCEs as of right. Although these facilities would be permitted anywhere within the Proposed Development's commercial space, and there are currently no specifically planned locations, reasonable potential locations have been identified for the purposes of the RWCDS. Specifically, the With Action condition for the Proposed Development includes a food store and three retail facilities of more than 10,000 sf: a proposed food store at the corner of Steinway Street and 35th Avenue and retail locations along Steinway Street on Projected Development Site B; along 36th Avenue on Projected Development Site D; and along Northern Boulevard on Projected Development Site E. Similarly, the With Action condition for the Proposed

Development includes an approximately 10,000 sf PCE (a gym or fitness center) in the commercial building on Projected Development Site A, and an approximately 20,000 sf PCE in the commercial building on Projected Development Site E.

In addition to the Proposed Development, the With Action condition includes new developments that would be facilitated on the Projected Development Sites not controlled by the Applicant (Sites F, G, H, I, J, and K). As with the Development Site, under the Proposed Actions, these additional Projected Development Sites would be rezoned to mixed-use districts which would permit higher densities and a wider variety of uses than permitted under existing zoning. In particular, the proposed zoning districts would permit higher density residential uses (maximum FARs of 6.0 to 9.0). For the purposes of the RWCDS, each of the additional Projected Development Sites are assumed to contain mixed-use buildings with ground floor retail and residential space above the ground floor, as outlined below; the residential space is assumed to contain one DU per 850 gsf of space, and 25 percent of the residential floor area is assumed to be permanently affordable housing pursuant to MIH (the same residential development assumptions as the Proposed Development). Each building would contain parking as required by the proposed zoning, which is proposed to be located below-grade.

On Projected Development Site F, the With Action development would be a 21-story (approximately 220 foot tall), 90,200 gsf building with 82,500 gsf of residential space (97 DUs, of which 24 DUs would be permanently affordable pursuant to MIH), 7,700 gsf of retail space, and 29 parking spaces. The site is located adjacent to the Other Sites on the block which would be rezoned but are not expected to be redeveloped (see Part 4); therefore, unused development rights are expected to be available on these sites. The With Action scenario on Projected Development Site F is assumed to utilize unused development rights that could be purchased from one or more of the Other Sites on an as-of-right basis. However, as development on the site would be restricted by height and setback limits, not all of the available development rights can be incorporated in the development. Therefore, in the With Action scenario, a portion of the development rights on Block 668 would remain unused.

On Projected Development Site G, the With Action development would be a 13-story (approximately 140 foot tall), 115,500 gsf building with 102,400 gsf of residential space (121 DUs, of which 31 DUs would be permanently affordable pursuant to MIH), 13,100 gsf of retail space, and 36 parking spaces.

On Projected Development Site H, the With Action development would be a 12-story (approximately 130 foot tall), 250,800 gsf building with 223,300 gsf of residential space (263 DUs, of which 66 DUs would be permanently affordable pursuant to MIH), 27,500 gsf of retail space, and 79 parking spaces.

On Projected Development Site I, the With Action development would be a 15-story (approximately 160 foot tall), 107,300 gsf building with 95,400 gsf of residential space (112 DUs, of which 28 DUs would be permanently affordable pursuant to MIH), 11,900 gsf of retail space, and 34 parking spaces.

On Projected Development Site J, the With Action development would be a 15-story (approximately 160 foot tall), 136,600 gsf building with 112,500 gsf of residential space (144 DUs, of which 36 DUs would be permanently affordable pursuant to MIH), 13,700 gsf of retail space, and 43 parking spaces.

On Projected Development Site K, the With Action development would be a 7-story (approximately 80 foot tall), 72,600 gsf building with 61,600 gsf of residential space (72 DUs, of which 18 DUs would be permanently affordable pursuant to MIH), 11,000 gsf of retail space, and 22 parking spaces.

In total, in the With Action condition, the Projected Development Sites (inclusive of the Proposed Development in the Development Site and the sites in the Additional Affected Area) would contain approximately 3.7 million gsf of space, an increase of approximately 3.3 million gsf above the No Action scenario. The With Action condition would include a total of approximately 3.1 million gsf of residential space (approximately 3,652 DUs, of which 914 would be permanently affordable pursuant to MIH), approximately 542,985 gsf of commercial space (retail, eating and drinking establishments, grocery store, PCEs, and the relocated cinema and potential automotive showroom), approximately 107,720 gsf of community facility space (e.g., day care, community center, and arts and cultural center), and approximately 1,633 parking spaces.

As outlined above, the Proposed Development would also introduce a total of 2.17 acres of publicly accessible open spaces to be enjoyed by residents in the study area in 8 proposed locations across the Development Site: this includes 7 PAAs on the northern and mid-block portions of the Development Site and the additional PAA planned at the southern end of the Development Site. The additional PAA, located at the southernmost portion of Block A, is intended as potential mitigation for an anticipated significant adverse active open space impact (see "Open Space" and "Mitigation" below for more details) and is currently being planned for active uses. In order to provide a conservative analysis, this PAA with active programming is excluded from the total acreage of the publicly accessible open space listed in the RWCDS table: the total of 1.94 acres included in the 7 other PAAs is assumed for the purposes of analysis. The Proposed Development would include two private open space areas for building residents (one at the southern end of Block A and one in the mid-block area on Block B) for building residents, totaling 0.47 acres, as well as expanded pedestrian circulation space near the building entrances, totaling 0.27 acres. Combined, the publicly accessible open space, private open space, and circulation spaces would total approximately 2.91 acres.
Table 1 presents the With Action floor area totals and increment above the No Action condition.

G. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

LAND USE, ZONING, AND PUBLIC POLICY

An analysis of the Proposed Actions' potential effects on land use, zoning, or public policy determined that they would not result in any significant adverse impacts. The Proposed Actions would not adversely affect surrounding land uses, nor would the Proposed Actions generate land uses that would be incompatible with existing zoning and land uses. Furthermore, the Proposed Actions would not result in development that conflicts with adopted public policies.

The Proposed Actions would not result in any significant adverse impacts to land use. The With Action condition land uses would be compatible with the existing land uses in the Project Area that would not be affected by the Proposed Actions (which include residential uses, mixed residential and commercial uses, and open space) as well as land uses in the study area, which is mixed-use in nature, with residential, commercial, light manufacturing, and community facility uses. The increase in residential uses in the With Action condition would connect the residential portion of the Astoria neighborhood to the Project Area and would be consistent with the trends toward higher-density residential development seen in the study area. The Proposed Actions are also consistent with recent developments that brought mixed residential and commercial uses to the Northern Boulevard corridor. The new residential population in the With Action condition would support the existing ground floor commercial uses on the Steinway Street and 35th Avenue commercial corridors. Furthermore, the Proposed Development's arts and cultural spaces would add to the existing concentration of these uses in the study area and strengthen the Kaufman Arts District.

The Proposed Development would also introduce a total of 2.17 acres of publicly accessible open spaces to be enjoyed by residents in the study area in 8 proposed locations across the Development Site: this includes 7 PAAs on the northern and mid-block portions of the Development Site and an additional PAA planned at the southern end of the Development Site. The additional PAA, located at the southernmost portion of Block A, is intended as potential mitigation for an anticipated active open space impact (see "Open Space" and "Mitigation" for more details) and is currently being planned for active uses. In order to provide a conservative analysis, this PAA with active programming is excluded from the total acreage of the publicly accessible open space listed in the RWCDS table: the total of 1.94 acres included in the 7 other PAAs is assumed for the purposes of analysis. The Proposed Development would include two private open space areas for building residents (one at the southern end of Block A and one in the mid-block area on Block B), totaling 0.47 acres, as well as expanded pedestrian circulation space near the building entrances, totaling 0.27 acres. Combined, the publicly accessible open space, private open space, and circulation

spaces would total approximately 2.91 acres

The Proposed Actions would result in a loss of manufacturing space in the Project Area of 150,715 gsf. This loss of manufacturing space is small compared to the total manufacturing space in the study area (over 1.2 million gsf). In particular, the Proposed Actions would not affect the manufacturing space located within the LIC IBZ, which is outside of the Project Area.

The Proposed Action would not result in significant adverse impacts to zoning. The proposed Special Mixed-Use District is compatible with the mixed-use nature of the study area and would be consistent with the Long Island City Special Mixed-Use District in the southwest portion of the study area. The proposed LSGD and special permits for the Proposed Development would facilitate comprehensive site planning and create a cohesive development in the Project Area. The Proposed Actions would permit higher density development than is allowed under current zoning, but the massing and scale of the Proposed Development and the proposed zoning districts have been designed to serve as a transition between the low- and mid-rise areas to the north and west of the Project Area and the heavily trafficked commercial area centered on the Northern Boulevard corridor and the higher-density mixed Long Island City area to the south.

The Proposed Actions do not conflict with any applicable public policies. The Proposed Actions would support new housing, create jobs in an area with access to transit, and promote economic development. The Proposed Development's arts and cultural uses would strengthen the existing cluster of these uses in the study area and the support the goals of the Kaufman Arts District. The Proposed Actions would also support the development of affordable housing and publicly accessible open space.

SOCIOECONOMICS

A screening-level assessment of direct residential displacement; preliminary assessments of direct business displacement, indirect business displacement, and adverse effects of specific industries; and a detailed assessment of indirect residential displacement determined that the Proposed Actions would not result in significant adverse impacts related to Socioeconomic Conditions.

DIRECT RESIDENTIAL DISPLACEMENT

The screening-level assessment determined that the Proposed Actions would not result in significant adverse impacts due to direct residential displacement. Under the RWCDS, the Proposed Actions could directly displace an estimated 20 residents living in nine DUs by 2032. The nine DUs in the Project Area that would be displaced are located on Projected Development Sites A (six DUs) and F (three DUs).

According to the CEQR Technical Manual, direct displacement of fewer than 500 residents would not typically be expected to substantially alter the socioeconomic character of a neighborhood. The potentially displaced residents represent less than one percent of the estimated 36,569 residents within the socioeconomic study area; therefore, this potential direct displacement would not substantially alter the socioeconomic character of the neighborhood.

DIRECT BUSINESS DISPLACEMENT

A preliminary assessment determined that the Proposed Actions would not result in significant adverse impacts due to direct business displacement. Under the RWCDS, projected development generated by the Proposed Actions by the 2032 Build Year could directly displace an estimated 20 businesses on projected development sites and an estimated 170 jobs associated with those businesses. The 20 potentially displaced businesses include: two Construction sector businesses; one Manufacturing sector businesses; two Wholesale Trade sector businesses; five Retail Trade sector businesses; one Transportation and Warehousing sector businesses; one Information sector business; one Accommodation and Food Services sector business; and seven "Other Services (except Public Administration)" sector businesses. The 20 businesses do not represent a majority of study area businesses or employment for any given industry sector. While all businesses contribute to neighborhood character and provide value to the City's economy, there are alternative sources of goods, services, and employment provided within the socioeconomic study area;

therefore, the potential displacement of these businesses does not constitute a significant adverse impact on the socioeconomic conditions of the area as defined by CEQR. None of the potentially displaced businesses are within a category of business that is the subject of regulations or publicly adopted plans to preserve, enhance, or otherwise protect it.

INDIRECT RESIDENTIAL DISPLACEMENT

A detailed assessment determined that the Proposed Actions would not result in significant adverse impacts due to indirect residential displacement. The primary concern of indirect residential displacement analyses is the introduction of a higher income population that could cause increased rents in the study area and could displace low-income renters in unprotected housing. By 2032, the Proposed Actions would introduce 3,643 incremental DUs and approximately 8,123 incremental residents. The preliminary assessment found the average household income of the new population in the With Action condition would be higher than the average household income of the existing study area population and that the Proposed Actions would increase the study area population by approximately 21 percent; therefore, a detailed analysis was conducted. The detailed analysis determined that currently, approximately 8.8 percent of the study area population is potentially vulnerable to indirect residential displacement if their rents were to increase. However, this population would be vulnerable to displacement in the future with or without the Proposed Actions. Rents are already rising in the neighborhood and are expected to continue to rise as there is new development occurring without the Proposed Actions. This project would increase the supply of market rate housing, but would also add affordable housing that would otherwise not exist absent the Proposed Actions. The Proposed Actions would be the largest MIH project in Queens and would add affordable units in the community for those of moderate means. This housing would serve to preserve a more diverse mix of incomes in the study area as compared with the No Action condition. Therefore, the Proposed Actions do not have the potential to alter or significantly accelerate trends, and no significant adverse impacts related to socioeconomic conditions are anticipated.

INDIRECT BUSINESS DISPLACEMENT

A preliminary assessment determined that the Proposed Actions would not result in significant adverse impacts due to indirect business displacement. Concerns under CEQR are whether the Proposed Actions could lead to changes in local market conditions that could lead to increases in commercial property values and rents within the study area, making it difficult for some categories of businesses to remain in the area, and whether the Proposed Actions could lead to displacement of a use type that directly supports businesses in the study area or brings people to the area that forms a customer base for local businesses.

The Project Area and broader study area have well-established residential, retail, and office markets such that the Proposed Actions would not introduce new economic activities to the projected development sites or to the study area and would not add to a concentration of a particular sector of the local economy enough to significantly alter or accelerate existing economic patterns. The Proposed Actions would add an increment above the No Action Condition of 3,643 DUs, providing significant amounts of new housing for current and future residents. This would introduce a new residential population, but the demand for goods and services from existing residents has already established a strong commercial market such that the influence of new residents would not markedly increase commercial property values and rents throughout the study area. Planned development outside of the Project Area also shows a trend toward mixed-use residential development near Northern Boulevard. In addition, the introduction of a new residential population would increase demand for the goods and services provided by existing businesses. The Proposed Actions would add an increment of 23,873 gsf of retail space and an increment of 250,070 gsf of office space. There is an existing trend of retail development in mixed-use residential and commercial buildings in the study area. The retail added in the With Action condition would not be enough to alter or accelerate ongoing trends. In terms of office uses, the study area already has a strong commercial office market, particularly in the southwest portion of the study area in the Long Island City neighborhood. The office space in the With Action condition would connect the Project Area to Long Island City and would not alter or accelerate trends. The community facility and office uses in the Proposed Development would be targeted toward arts-related uses and would include studio space, flexible office space, and an arts and

cultural center, which would strengthen the existing cluster of arts and cultural uses found in the study area. In addition to arts-related uses, the community facility space would include English classes for speakers of other languages, health and wellness uses, and after-school programs.

The Proposed Actions would not directly displace uses that provide substantial direct support for businesses in the area or that bring people into the area that form a substantial portion of the customer base for local businesses. The Proposed Actions would result in increased economic activity in the study area. The residential and worker population (increment of 3,643 DU, and 1,133 employee population) generated by the Proposed Actions on the projected development sites would become new customers at many of the existing retail businesses in the study area.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

A preliminary assessment determined that the Proposed Actions would not result in significant adverse impacts due to adverse effects on specific industries. An analysis is warranted if a substantial number of residents or workers depend on the goods or services provided by the affected businesses or if an action would result in the loss or substantial diminishment of a particularly important product or service within the industry. The Proposed Actions would not significantly affect the business conditions in any industry or any category of business within or outside the study area. By 2032, the Proposed Actions could directly displace an estimated 20 businesses and 170 employees in several economic sectors. The businesses that could be displaced do not represent a critical mass of businesses within any City industry, category of business, or category of employment. The goods and services offered by potentially displaced uses can be found elsewhere within the socioeconomic study area, within a broader trade area, and within the City as a whole. The products and services offered by potentially displaced businesses are not essential to the viability of other businesses within or outside the study area. The Proposed Actions would not result in significant adverse impacts due to indirect business displacement, and therefore would not indirectly substantially reduce employment or have an impact on the economic viability in any specific industry or category of business.

COMMUNITY FACILITIES

Pursuant to *CEQR Technical Manual* guidelines, detailed analyses of potential indirect impacts on public schools, libraries and publicly financed early childhood programs were conducted for the Proposed Actions. In addition, as the Proposed Actions would not create a sizeable new neighborhood, a detailed analysis of potential impacts on police and fire services, hospitals, and public health clinics is not warranted. The Proposed Actions would result in a significant adverse impact to library services and to publicly financed early childhood programs. The Proposed Actions would not result in a significant adverse impact to schools.

PUBLIC SCHOOLS

Following the methodologies in the *CEQR Technical Manual*, the study area for the analysis of elementary and intermediate schools is the school districts' "subdistrict" (also known as a "region" or "school planning zone") in which the project is located. The Project Area is located in Subdistrict 2 of Community School District (CSD) 30. High school students routinely travel outside their neighborhoods for school; the *CEQR Technical Manual* provides for environmental review on a borough-wide basis and the study area for high schools is the entire borough of Queens.

Elementary Schools

In the future with the Proposed Actions (the With Action condition), the overall utilization rate of elementary schools would not exceed 100 percent. Therefore, the Proposed Actions would not result in a significant adverse impact to elementary schools.

Intermediate Schools

In the With Action condition, the overall utilization rate of intermediate schools would not exceed 100 percent. Therefore, the Proposed Actions would not result in a significant adverse impact to intermediate schools.

High Schools

In the With Action condition, the overall utilization rate of Queens public high schools would remain above 100 percent but the percentage increase in utilization between the No Action and With Action conditions would be substantially lower than the five percentage point increase in utilization that, according to the *CEQR Technical Manual*, could be considered a significant adverse impact. Therefore, the Proposed Actions would not result in a significant adverse impact to high schools.

LIBRARIES

The With Action scenario population would represent an increase of 4.48 percent over the Future without the Proposed Actions (the "No Action" scenario) population at the Broadway Branch of the Queens Library and an increase of 5.94 percent at the Long Island City Branch of the Queens Library. The increase at the Long Island City Branch is greater than the 5 percent increase that CEQR defines as the threshold for a potential significant adverse impact. Although residents would have access to the entire Queens Library through the inter-library loan system and could have volumes delivered directly to their nearest library branch, there would be a significant adverse impact on library services in the study area as a result of the Proposed Actions.

PUBLICLY FINANCED EARLY CHILDHOOD PROGRAMS

In both the No Action and With Action scenarios, publicly financed early childhood programs in the study area are predicted to operate over capacity. In the With Action scenario, the predicted increase of 80.5 percentage points in the utilization rate would exceed 5 percentage points. Therefore, the Proposed Actions would result in a significant adverse impact to publicly financed early childhood programs.

OPEN SPACE

A detailed open space analysis for the residential study area determined that the Proposed Actions would result in a significant adverse impact related to active open space. This impact is due to the added residential demand on active open space resources in an area that currently has limited availability. According to Table 7-5 of the *CEQR Technical Manual*, a decrease in an active open space ratio of 1 percent or more compared to the No Action condition is considered to be a significant adverse impact for a project in a study area where the active open space ratio is between 0.010 and 0.400 acres per 1,000 residents. As outlined below, in the With Action condition, the active open space ratio in the residential study area would decrease by approximately 15 percent. Mitigation measures to address the significant adverse impacts related to open space are discussed in the "Mitigation" section below.

DIRECT EFFECTS

The Proposed Actions would not result in any direct effects related to encroachments on or loss of open space, or changes in open space such that it no longer serves the same user population. There are no anticipated direct effects related to air quality or operational noise on open space resources from the Proposed Actions. However, as described below in "Shadows," the Proposed Development would cast new shadows on Playground Thirty Five XXXV and cause significant adverse impacts to the user experience in all seasons. Furthermore, as described in below in "Construction," construction noise associated with the Proposed Actions would result in a temporary significant adverse impact at Playground Thirty Five XXXV. An increase in shadows and construction noise on a public open space, such as Playground Thirty Five XXXV, has the potential to affect its function, usability, and enjoyment, on a permanent basis in the case of shadows, and on a temporary basis in the case of construction noise. The mitigation for the shadows and construction noise impacts to Playground Thirty Five XXXV is discussed further below in the "Mitigation" section.

The Proposed Development would also result in an increase of open space in the Project Area. The Proposed Development would include seven primarily passive publicly accessible open spaces on the northern and mid-block portions of the Development Site, totaling 1.94 acres. These spaces, which includes a large space adjacent to Playground Thirty Five XXXV, would bifurcate and link the blocks in the Project Area. At the

southern end of the Development Site along 36th Avenue, the Proposed Development would include an additional 10,000 sf publicly accessible open space that is planned for active use (including this space, the Proposed Development would include a total of 2.17 acres of publicly accessible open space). The current designs include various forms of public seating (i.e., occupiable public art, raised seating decks, movable tables and chairs); multipurpose lawns; water features; landscaped areas, large planters, and shade trees; a dog park; promenades and pavilions; interactive public art; and temporary recreational features (e.g., communal games, seesaws, adult swings). Other amenities currently being considered include an immersive playscape for children, open markets, kiosks, public art installations, sculptures, and enhanced streetscapes. These spaces have been designed and programmed as publicly accessible open space, pursuant to community input.

INDIRECT EFFECTS

Non-Residential Study Area

The detailed analysis of open space for the non-residential study area concluded that the passive open space ratio would increase to 0.220 acres per 1,000 workers, a 1,317 percent increase, and the combined passive open space ratio would also increase to 0.069 acres per 1,000 combined workers and residents, a 1,011 percent increase, in the With Action condition. In the future with the Proposed Actions, the 1.943 acres of open space that would be introduced by the Proposed Development would substantially increase the worker and combined worker and resident ratios in the non-residential study area, such that the open space ratio would exceed the City's guideline of 0.150 acres of passive open space per 1,000 residents for workers, which is considered adequate. The combined passive open space ratio would remain below the combined goal of 0.390 acres of passive space per 1,000 workers and residents. As the open space ratios would increase, it is concluded that the Proposed Actions would not result in a significant adverse impact to open space in the non-residential study area.

Residential Study Area

The detailed analysis of open space for the residential study area concluded that with the Proposed Actions, the total open space ratio would increase by approximately 30 percent, to 0.105 acres per 1,000 residents; the active open space ratio would decrease by approximately 15 percent, to 0.055 acres per 1,000 residents; and the passive open space ratio would increase by approximately 221 percent, to 0.050 acres per 1,000 residents. The total and passive open space ratios in the study area are currently low and would remain low in the future with the Proposed Actions; however, there is no decrease in the open space ratios for total and passive open space. Therefore, the Proposed Actions would not result in a significant adverse indirect impact to total and passive open space. There is, however, a decrease in the active open space ratio. This decrease is above the *CEQR Technical Manual* threshold of 1 percent in an area with an active open space ratio of between 0.010 and 0.400 acres per 1,000 residents. Therefore, based on the quantitative analysis, this decrease is considered a significant adverse indirect impact to active open space.

Qualitative Assessment

While the determination of the open space impact is based on quantitative analyses per *CEQR Technical Manual* guidelines, a qualitative assessment can provide additional context and consideration. While the study area is not near a regional park that could augment the existing open space in the study area, there are several open spaces located just beyond the open space study area that could be used by residents, which provide an additional 15.30 acres of open space. Additionally, the members-only Sunnyside Gardens Park provides an additional 3.16 acres of open space to the residents of Sunnyside Gardens and is open to the public several times a year for community events, partially serving the open space needs of the area. While the Proposed Development would result in a significant adverse indirect impact to active open space in the residential study area based on the quantitative analysis, the Proposed Development would include private residential amenities as well as one or more PCEs, i.e., a gym or fitness center, which would support active recreation for both existing and future residents of the study area. In addition, the Proposed Development's open space is intended to be flexible and provide for a wide variety of activities, including potential active recreation; for example, the largely passive courtyards would provide space for fitness or yoga classes. While these qualitative factors should be considered as part of the overall picture of the area's future open

space resources, they do not offset the expected demand from the new resident population.

SHADOWS

A detailed shadows analysis determined that the Proposed Actions would result in a significant adverse impact related to shadows. Specifically, development resulting from the Proposed Actions would cast new shadows on Playground Thirty Five XXXV, moving throughout the day in all seasons, covering large areas of the playground at times, eliminating much or all of the remaining sunlight in the park at times—particularly in the fall, winter, and early spring—and affecting the user experience in all seasons. Trees and plantings in the park would continue to receive adequate direct sunlight through the May to August heart of the growing seasons, but those in the southern part of the park would receive up to an hour less than generally desired during the March and September "shoulders" of the growing season, potentially impacting the health of those trees or plantings. The Proposed Actions would not cause significant shadows on any other sunlight-sensitive resources.

HISTORIC AND CULTURAL RESOURCES

A detailed analysis determined that the Proposed Actions would not result in a significant adverse impact related to historic and cultural resources. There are no known or potential architectural resources on the Development Site, and thus the Proposed Actions would not result in any adverse impacts to such resources on the Development Site. In addition, in comments dated March 25, 2021, the New York City Landmarks Preservation Commission (LPC) determined that the lots within the Development Site and the Additional Affected Area have no archaeological significance.

The Proposed Actions would not result in any significant adverse visual or contextual impacts to the known architectural resource in the study area. The Proposed Actions would result in the construction of a number of new buildings within the Project Area, including buildings that would be larger and taller than the known and potential architectural resources within the study area. In particular, the Proposed Development would include new buildings up to 27 stories tall; this would be a notable change to the context of these resources, which are all between two and four stories tall. However, the massing and articulation of the proposed buildings is intended to minimize the perceived scale of the new development. Development resulting from the Proposed Actions would not obstruct public views of any known or potential architectural resources in the study area, and would not introduce incompatible visual, audible, or atmospheric elements to a historic resource's setting. Therefore, the Proposed Actions would not result in any significant adverse impacts to historic and cultural resources.

URBAN DESIGN AND VISUAL RESOURCES

A detailed analysis determined that the Proposed Actions would not result in a significant adverse impact related to urban design and visual resources.

URBAN DESIGN

With the Proposed Actions, the urban design of the Development Site and Additional Affected Area would be transformed. The land uses of the Development Site would be predominantly mixed-use with residential, office, commercial, and cultural/community facility uses. The new land uses within the Additional Affected Area would be residential with ground-floor retail. Today the area is primarily characterized by warehouse, auto-related, and commercial uses on the Development Site in existing and No Action conditions. The mix of land uses in the Proposed Development and the Additional Affected Area would be compatible with one another and with the surrounding area, and in the Applicant's opinion this mix of uses would create a cohesive neighborhood, The proposed arts and cultural venues, including the multi-purpose arts and culture center, re-envisioned multiplex movie theater, galleries, and artists' workshops, would complement the existing Kaufman Arts District. The proposed eating and drinking establishments, grocery store and world market, and other local retail, service and community facility uses would support both the new residential population and the existing business and residential communities. These new uses are anticipated to bring more pedestrian activity to the Project Area, and to enhance the pedestrian experience by replacing low-scale buildings of utilitarian design, windowless streetwalls, and surface parking lots with active ground-

floor uses and approximately 2.17 acres of new publicly accessible open spaces. According to required zoning regulations, street trees would be planted along the sidewalks throughout the Project Area, with a 5-foot sidewalk widening along 35th Avenue, improving the pedestrian environment. With the Proposed Actions, land uses, lot coverage, natural features, and street patterns in the surrounding study area would not change. It is the Applicant's intent to build upon the neighborhood's existing arts, culture, and media uses by forming a creative hub with a mix of office, open space and cultural uses, and the Proposed Development is anticipated to serve as an anchor for the synergistic expansion of the neighborhood's existing business and residential communities. The Proposed Actions would also extend the mixed-use corridors of Steinway Street and 34th Avenue, replacing light-industrial uses in the Project Area with residential, commercial, and cultural/community facility uses that are consistent with the existing uses along Steinway Street and 34th Avenue to the north and west.

The proposed publicly accessible open spaces would link the blocks in the Project Area. The proposed open space on Block C would augment the existing Playground Thirty Five XXXV by surrounding it with a large, civic-oriented public open space. Based on a conceptual design, this open space could include a dog run and a walkway area along the playground's existing fence. This plaza is also planned to include passive amenities such as large planters, public seating, a through-block pedestrian promenade, a water feature, a pavilion, a multipurpose lawn, and interactive public art. The amenities proposed to be provided at the other proposed open spaces, pursuant to the Public Access Area (PAA) drawing packages, include a plaza, courtyards, and landscaped pedestrian pathways; additional amenities could include playscapes for children, open markets, kiosks, public art installations, sculptures, and enhanced streetscapes. The street pattern within the Project Area would not be altered.

With the Proposed Actions, the built FAR of the Development Site and the Additional Affected Area would increase. The Projected Development Sites in the Development Site currently have built FARs ranging from 0.43 to 1.14; in the With Action scenario, these sites would have built FARs ranging from 5.47 to 10.58. (As proposed, the blended FAR of the Development Site would be 7.1). The Projected Development Sites in the Additional Affected Area currently have built FARs ranging from 0.39-1.06; in the With Action scenario, these sites would have built FARs ranging from 6.60 to 11.73. below). As in existing conditions and the No Action condition, lot coverage within the Project Area would remain high.

The Proposed Development was designed around a series of guiding principles intended to respond to the surrounding neighborhood context. These include: varied height profiles from east to west; location of the largest towers along Steinway Street, to anchor the Steinway Street commercial corridor, and along the major thoroughfare of Northern Boulevard; lower-scale buildings along 35th Avenue, opposite low-density residential buildings; base heights between 65 feet and 85 feet; increased sidewalk widths along the south side of 35th Avenue; and new open spaces that would be publicly accessible and activated to support the surrounding ground floor uses and enhance the pedestrian experience.

The buildings that would be developed in the Project Area in the With Action condition would be substantially taller than the surrounding built context. The tallest building in the study area is the 10-story, approximately 120-foot-tall residential building on the north side of Northern Boulevard at 36th Street; therefore, the tallest building in the Proposed Development (at 295 feet / 27 stories) would be approximately 175 feet taller than the tallest existing building in the study area. Most buildings within the study area are between 35 and 60 feet in height; thus, the buildings in the Proposed Development would be approximately 235-260 feet taller than most buildings in the study area. However, the massing and scale of the Proposed Development reflects the guiding design principles described above, and the Proposed Development has been designed by the Applicant to serve as a transition between the low- and mid-rise areas to the north and west of the Project Area, the heavily trafficked, commercial-centered Northern Boulevard corridor, and the higher-density mixed-use Long Island City area to the south. The tallest proposed buildings would be oriented, as planned, toward the Steinway Street corridor and the wide Northern Boulevard corridor, which forms a transitional space between the Sunnyside Yard rail yard to the southeast of the Project Area and the residential neighborhoods to the north and west and includes views to high rise buildings in Long Island

City in the distance. The proposed 110-foot-tall and 155-foot-tall (7- and 10-story) streetwalls at the northwestern corner of the Project Area would be compatible in height to the taller buildings immediately west of the Project Area along 35th Avenue, including the approximately 80-foot-tall (5-story) Frank Sinatra School of the Arts, the approximately 75-foot-tall (3-story) Kaufman Astoria Studios, and the 73-foot-tall (4-story) Public School 166. The study area is also in an area designated as a Transit Zone in the Zoning Resolution and is well-served by mass transit, which would support dense development. Overall, the Applicant believes that the proposed density is an appropriate scale to support a new community without overwhelming the surrounding areas.

As described above in "Open Space," the Proposed Actions would result in a decrease to the study area's active open space ratio, but the new publicly accessible open spaces to be constructed in the Project Area also would result in increases to the study area's total open space ratio and in particular the passive open space ratio. The Proposed Development would include approximately 2.17 acres of publicly accessible open space as well as two private open spaces for residents (one at the southern end of Block A and one in the mid-block area on Block B) totaling 0.47 acres, and expanded pedestrian circulation space near the building entrances. As described above in "Shadows," development resulting from the Proposed Actions would cast new shadows on Playground Thirty Five XXXV throughout the day in all seasons, at times covering large areas of the playground at times or eliminating much or all of the remaining sunlight in the park; however, the proposed publicly accessible open space adjacent to Playground Thirty Five XXXV is intended to set back the buildings on Projected Development Site C and create a more open area surrounding the playground, and would complement this resource.

In conclusion, the Proposed Actions would not have a significant adverse effect on urban design in the Project Area or the study area. While the urban design of the Development Site and the Additional Affected Areas would be transformed in the future with the Proposed Actions with dense, tall development, the mix of proposed land uses would be compatible with one another and with the surrounding area.

Based on the *CEQR Technical Manual*, context is not the only benchmark for measuring urban design impacts, as the determination of the significance of an urban design impact requires consideration of the built environment's arrangement, appearance, functionality, and whether the change would negatively affect a pedestrian's experience of the area. While the size and height of the Proposed Development would constitute a substantial change to the Development Site and study area, the Proposed Development would also positively contribute to the pedestrian's experience of the area.

VIEW CORRIDORS AND VISUAL RESOURCES

The Project Area does not contain any visual resources, views along the north-south streets within the Project Area are limited by mature street trees, and views south along these streets end at the buildings along Northern Boulevard. These factors would be expected to limit the visibility of the Proposed Development along north-south streets.

In the future with the Proposed Actions, views toward the Project Area from the area's view corridors would change. The new development in the Project Area would be most visible along Northern Boulevard, 35th Avenue, and 39th Street as it crosses over Sunnyside Yard. The tallest buildings of the Proposed Development would be prominent in these views; however, this change would not adversely affect these view corridors. The tallest buildings of the Proposed Development would be prominent in these views; however, this change would not adversely affect these view corridors. High rise buildings in Long Island City, including the curved Queens Plaza Park building, also would be visible to the southwest along the Northern Boulevard view corridor, beyond the tall buildings of the Proposed Development. Along 39th Street as it passes over Sunnyside Yard, the tall buildings of the Proposed Development would be prominent in the foreground—along with the massive Standard Motor Products building on Northern Boulevard—and the towers in Long Island City and the Manhattan skyline would be visible in the distance.

The Proposed Development would not block views to the Most Precious Blood Roman Catholic Church,

and it would not affect the public's enjoyment or use of the resource. The Proposed Development would be visible along 35th Avenue, and thus could change the context of views to the Paramount Studios Complex buildings along this corridor; however, the Proposed Actions would not obstruct any views to the buildings, and the changed context of views along 35th Avenue would not be expected to diminish the pedestrian's experience of this visual resource. The Proposed Development also would not obstruct any important visual resources or block any view corridors.

In conclusion, the Proposed Actions would not have a significant adverse effect on view corridors or visual resources in the Project Area or the study area.

HAZARDOUS MATERIALS

An assessment of the potential presence of hazardous materials, petroleum products, and/or other environmental concerns in the Project Area determined that, with the incorporation of recommended measures to avoid or reduce exposure to construction workers during subsurface disturbance required for the project and future occupants, the Proposed Actions would avoid the potential for significant adverse impacts related to hazardous materials. Based on this assessment, potential concerns as it relates to hazardous materials were identified at all 43 lots included in the Development Site and Additional Affected Area. The Applicant controls 21 of these lots which make up the Innovation QNS LSGD. The remaining 22 lots are under different ownership and not under the control of the Applicant. The Applicant-controlled lots are primarily occupied by existing businesses and active uses such as the Regal Cinemas, P.C. Richard & Son, Harley Davidson and other retail and automotive uses. Subsurface testing on these lots would be disruptive to these ongoing active businesses. The 22 non-Applicant-controlled lots are also occupied by existing business and active uses and testing would be equally disruptive.

In the absence of such testing, the recommended measures would be implemented in accordance with an (E) Designation (E-675) that would be incorporated into to the Proposed Actions for all 21 lots included in the Development Site and the 12 of the 22 lots in the Additional Affected Area where future development would be projected (the 10 lots in the Additional Affected Area which would not receive an (E) Designation are Block 668, Lots 36, 38, 40, 42, 43, 44, 45, 46, and 143, and Block 669, Lot 20). This (E) Designation requires, prior to change of use or redevelopment requiring ground disturbance, that the owner of the property conduct a Phase I Environmental Site Assessment (ESA), subsurface testing and, where appropriate, remediation to the satisfaction of the New York City Mayor's Office of Environmental Remediation (OER). New York City Department of Buildings (DOB) permits associated with such actions cannot be issued without OER approval. The OER review would ensure protection of human health and the environment from known or suspected hazardous materials. With the above measures in place, the Proposed Actions would avoid the potential for significant adverse impacts related to hazardous materials.

WATER AND SEWER INFRASTRUCTURE

The Proposed Actions would not result in significant adverse impact on the City's water and sewer infrastructure. Based on the methodology set forth in the *CEQR Technical Manual*, while the Proposed Actions would result in increased demand for water and treatment of sewage, the incremental increases would not constitute a significant adverse impact on the City's water supply, wastewater treatment, or stormwater management and treatment infrastructure.

WATER SUPPLY

In the 2032 analysis year, in the future with the Proposed Actions (the With Action condition) the Projected Development Sites would generate an incremental water demand of approximately 1.4 million gallons per day (mgd) as compared to the future without the Proposed Actions (the No Action condition). This represents an approximately 0.13 percent increase in demand on the New York City water supply system compared to the City's average daily water use of approximately 1.1 billion gallons per day (gpd). It is expected the existing water mains in the Project Area would be capable of handling the increase in water demand, and there would be no significant adverse impacts on the City's water supply in the With Action condition.

SEWER SYSTEM AND WASTEWATER TREATMENT

In the 2032 analysis year, the With Action condition would generate an incremental 820,250 gpd of sewage over the No Action condition. This incremental volume in sanitary flow to the combined sewer systems would represent approximately 0.55 percent of the average daily flow to the Bowery Bay Wastewater Treatment Plant (WWTP). This volume would not result in an exceedance of the Bowery Bay WWTP's capacity and is not anticipated to create a significant adverse impact on the City's sanitary sewage treatment system. In addition, in accordance with the New York City Plumbing Code (Local Law 33 of 2007), all developments on the Projected Development Sites would be required to utilize low-flow plumbing fixtures, which would help to further reduce sanitary flows to the WWTP. All developments on the Projected Development Sites would be required to file a Site Connection Proposal Application (SCP) for approval from the New York City Department of Environmental Protection (DEP) to tie into the sewer system. In this process, before a building permit can be issued, site connection proposals must be certified for sewer availability by DEP. This analysis and any improvements would be undertaken, as necessary, in coordination with DEP.

STORMWATER FLOWS

The Project Area is located within two sub catchment areas of the Bowery Bay WWTP. As compared to existing conditions, in the With Action condition there would be an increase in flows from the Project Area to the WWTP. The increase in volume under the With Action condition as compared with the existing conditions is attributable to the increase in sanitary flow resulting from denser development (particularly residential development); stormwater runoff would be similar to or lower than runoff under existing conditions, as the With Action condition would result in an increase in semi-impervious paved space and soft scape space on the Development Site. However, a reduction in stormwater peak flows to the combined sewer system would be achieved with the incorporation of stormwater source control best management practices (BMPs), specifically on-site detention, that would be required as part of the DEP site connection approval process. DEP's detention performance standard is intended to reduce peak discharges to the City's sewer system during rain events by requiring greater onsite storage of stormwater runoff and slower release to the sewer system. The implementation of DEP's stormwater performance standard over time is expected to provide additional capacity to the existing sewer system, thereby improving its performance. In addition, as a New York State Department of Environmental Conservation (DEC) State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001) is required for any development that would involve soil disturbance of one or more acres, a Stormwater Pollution Prevention Plan (SWPPP), consisting of both temporary erosion and sediment controls and post-construction stormwater BMPs, may be required of the Applicant.

The Proposed Actions would result in marginally increased flows to the City's combined sewer system that may be discharged as combined sewer overflows (CSOs) during rain events. Because of the available capacity of the Bowery Bay WWTP, the projected increased flows to the combined sewer system would not have a significant adverse impact on water quality. In addition, with the incorporation of BMP measures to meet the City site connection requirement, development under the Proposed Actions would not result in a significant increase in stormwater runoff or CSO volumes/frequencies. Therefore, it is concluded that the Proposed Actions would not result in significant adverse impacts to local water supply or wastewater and stormwater conveyance and treatment infrastructure.

SOLID WASTE AND SANITATION SERVICES

A preliminary analysis was conducted based on the methodology set forth in the *CEQR Technical Manual* and determined that the Proposed Actions would not result in a significant adverse impact on solid waste and sanitation services. The Proposed Actions would not directly affect a solid waste management facility. Development in the With Action condition would generate an increment above the No Action condition of approximately 82.8 tons per week of solid waste, of which 75.5 tons (91 percent), from residential and institutional uses, would be handled by the New York City Department of Sanitation (DSNY); 7.3 tons (9 percent), from commercial uses, would be handled by private carters. This incremental increase in solid

waste correlates to the addition of approximately six additional truckloads per week of solid waste handled by DSNY and one truckload per week handled by private carters.

When compared with the solid waste generated by the No Action condition, the additional solid waste resulting from the With Action condition would constitute an increase that would not reach the level of impact significance, as it would be considered negligible relative to the approximately 12,260 tons of solid waste handled by the DSNY every day, or the 13,000 tons handled by private carters. As such, the Proposed Actions would not result in an increase in solid waste that would overburden available waste management capacity. The Proposed Actions would also not conflict with, or require any amendment to, the City's solid waste management objectives as stated in the SWMP.

ENERGY

A preliminary analysis was conducted based on the methodology set forth in the *CEQR Technical Manual* and determined that the Proposed Actions would not result in a significant adverse impact related to energy systems. Development assumed in the future with the Proposed Actions (the With Action condition), would result in demand of approximately 534,063,294 thousand British thermal units (MBTUs) of energy per year, which represents an increase of approximately 443,470,023 as compared with future conditions without the Proposed Actions (the No Action condition). The total With Action energy consumption represents an increase of approximately 0.29 percent of the projected service demand for New York City in the 2032 analysis year. The Proposed Actions would generate an incremental increase in energy demand that would be considered negligible when compared with the overall demand within Consolidated Edison's (Con Edison's) New York City and Westchester County service area. Any new development resulting from the Proposed Actions would be required to comply with the NYCECC, which governs performance requirements of heating, ventilation, and air condition systems, as well as the exterior building envelope of new buildings. In compliance with this code, new development must meet standards for energy conservation, which include requirements related to energy efficiency and combined thermal transmittance. In addition, should there be a voluntary utilization of higher performance standard designs on the Projected Development Sites, there would then be a reduction in the forecast energy load, detailed below. Therefore, no significant adverse impacts related to energy are expected to occur.

TRANSPORTATION

A detailed transportation analysis was conducted and concludes that the Proposed Actions would result, as detailed below, in significant adverse impacts to: a) vehicular traffic at 21 intersections, b) subway line haul conditions on southbound N/W trains in the AM peak hour, and c) pedestrian conditions at three sidewalks and two crosswalks. Potential measures to mitigate these impacts are described in the "Mitigation" section below.

TRAFFIC

Traffic conditions were evaluated for the weekday 7:45–8:45 a.m., 1:00–2:00 p.m. (midday), 4:00–5:00 p.m., and Saturday 2:00–3:00 p.m. peak hours at 42 intersections in the traffic study area where additional traffic resulting from the Proposed Actions would be most heavily concentrated. As summarized in **Tables 2 and 3**, the traffic impact analysis indicates the potential for significant adverse impacts at 23 intersections (all signalized) during one or more analyzed peak hours. Significant adverse impacts were identified to 31 lane groups at 19 intersections during the weekday AM peak hour, 21 lane groups at 13 intersections in the midday peak hour, 29 lane groups at 18 intersections in the PM peak hour, and 25 lane groups at 16 intersections during the Saturday peak hour. "Mitigation," below, discusses potential measures to mitigate these significant adverse traffic impacts.

Table 2
Number of Impacted Intersections and Lane Groups by Peak Hour

	Peak Hour			
	Weekday AM	**Weekday Midday**	**Weekday PM**	**Saturday Midday**
Impacted Lane Groups	31	21	29	25
Impacted Intersections	19	13	18	16

TRANSIT

Subway

Subway Stations

The Proposed Actions would generate a net increment of approximately 2,642 and 2,958 new subway trips during the weekday AM and PM commuter peak hours, respectively. The analysis of subway station conditions focuses on three Metropolitan Transportation Authority (MTA) New York City Transit (NYCT) subway stations in proximity to the Project Area where incremental demand from the Proposed Actions would exceed the 200-trip *CEQR Technical Manual* analysis threshold in one or both peak hours. Two of these stations, the 36th Street station and the Steinway Street station, are served by M and R trains on the Queens Boulevard Line. The third station, the 36th Avenue station, is served by the N and W trains on the Astoria Line. The Proposed Actions are not expected to result in significant adverse impacts in either the AM or PM peak hour at any of the three analyzed subway stations.

Table 3
Summary of Significantly Impacted Intersections

Signalized Intersections	Peak Hour			
	Weekday AM	Weekday Midday	Weekday PM	Saturday
Broadway & 43rd Street	X	X	X	X
34th Ave & 43rd Street			X	X
35th Ave & 38th Street			X	
35th Ave & Steinway Street	X	X	X	X
35th Ave & 41st Street		X	X	X
36th Ave & 38th Street	X			
36th Ave & Steinway Street	X	X	X	X
Northern Blvd & Queensboro Bridge	X	X	X	X
Northern Blvd & 35th St/ 38th Ave	X			
Northern Blvd & 37th St/ Standard Lane	X		X	
Northern Blvd & 38th Street	X	X	X	
Northern Blvd & 39th St/ Steinway St	X	X	X	X
Northern Blvd & 41st St	X			
Northern Blvd & 42nd St/ Driveway	X	X	X	X
Northern Blvd & 42nd Pl/ 43rd Street	X	X	X	X
Northern Blvd & 44th St/ 35th Ave	X	X	X	X
Northern Blvd & 46th Street	X			X
Northern Blvd & 48th St/ 34th Ave	X	X	X	X
Northern Blvd & 51st St/ Woodside Ave	X	X	X	X
Skillman Ave & 39th Street		X	X	
43rd Ave & 39th Street	X	X	X	X
Greenpoint Ave & 39th Street	X			
Greenpoint Ave & Hunts Point Ave	X	X	X	X
Greenpoint Ave & Borden Ave	X	X	X	X
Total Impacted Intersections	**20**	**16**	**19**	**16**

X - denotes intersection significantly impacted in peak hour.

Subway Line Haul

The Project Area is directly served by four NYCT subway routes—M and R trains operating on the Queens Boulevard Line and N and W trains operating on the Astoria Line. The peak direction of travel is typically Manhattan-bound (southbound) in the AM peak hour and Queens-bound (northbound) in the PM peak hour.

In the With Action condition, southbound N/W trains are expected to be operating over capacity in the AM peak hour, and would experience an average incremental increase of 5.25 persons/car during this period, just above the five persons/car *CEQR Technical Manual* impact threshold. As summarized in **Table S-5**, southbound N/W service would therefore be considered significantly adversely impacted by the Proposed Actions in the AM peak hour. All other analyzed subway routes are projected to operate below capacity in the peak direction in both the AM and PM peak hours and would therefore not be significant adversely impacted by the Proposed Actions in either period. “Mitigation,” below, discusses potential measures to mitigate the significant adverse subway line haul impacts.

Table 4
Summary of Significant Subway Line Haul Impacts

Route	Direction	Impacted Time Period
N/W	SB	AM

Bus

The Proposed Actions are expected to generate a net total of approximately 142 and 181 incremental bus trips during the weekday AM and PM peak hours, respectively, on the four MTA Bus Company local bus routes serving the Project Area—the Q66, Q101, Q102, and Q104. The number of incremental trips in one direction is expected to reach the 50-trip *CEQR Technical Manual* analysis threshold for a detailed bus analysis on eastbound Q66 buses in the AM and PM peak hours and on westbound Q66 buses in the PM peak hour. As Q66 buses would continue to operate with available capacity in both directions in both the AM and PM peak hours in the With Action condition, the Proposed Actions are not expected to result in significant adverse impacts to local bus service in either period.

CITYWIDE FERRY SERVICE (CWFS)

As there are no ferry landings proximate to the Project Area, the Proposed Actions are not expected to generate appreciable demand on the CWFS. Therefore, a detailed analysis of CWFS conditions under the Proposed Actions is not warranted and not included in the EIS.

PEDESTRIANS

The Proposed Actions would generate a net increment of approximately 1,593 walk-only trips in the weekday AM peak hour, 2,615 in the weekday midday, 3,089 in the weekday PM peak hour, and 3,372 in the Saturday peak hour. Persons en route to and from subway station entrances and bus stops would add 682, 1,474, 2,494, and 2,538 additional pedestrian trips to Project Area sidewalks and crosswalks during these same periods, respectively. Peak hour pedestrian conditions were evaluated at 138 pedestrian elements where new trips generated by projected developments are expected to be most concentrated. These elements—40 sidewalks, 65 corner areas, and 33 crosswalks—are primarily located in the immediate vicinity of the Project Area and along corridors connecting the Project Area to nearby subway station entrances. As shown in **Table 5**, based on *CEQR Technical Manual* criteria, three sidewalks and two crosswalks would be significantly adversely impacted by the Proposed Actions in one or more of the analyzed peak hours, and there would be no significant impacts to any corner areas. "Mitigation," below, discusses potential measures to mitigate these significant adverse pedestrian impacts.

Table 5
Summary of Significant Pedestrian Impacts

		Peak Hour			
Corridor/Intersection	Impacted Element	AM	Midday	PM	Saturday
36th Avenue between 38th and Steinway Streets	North Sidewalk	X		X	X
36th Avenue between 32nd and 33rd Streets	North Sidewalk	X			X
36th Avenue between 32nd and 33rd Streets	South Sidewalk	X			
35th Avenue and 41st Street	East Crosswalk				X
35th Avenue and Steinway Street	South Crosswalk				X

VEHICULAR AND PEDESTRIAN SAFETY

Under the 2015 *Vision Zero Queens Pedestrian Safety Action Plan*, and the 2019 *Boroughs Pedestrian Safety Action Plan Update,* the Project Area is located within a "Priority Area," where safety issues were found to occur systematically at an area-wide level. Northern Boulevard, 34th Avenue and Broadway are identified as Priority Corridors and Northern Boulevard is also identified as a Truck Priority Corridor.

Crash data for intersections in the traffic and pedestrian study areas were obtained from the New York City Department of Transportation (DOT) for the three-year period between January 1, 2017, and December 31, 2019 (the most recent three-year period for which data are available). During this period, 911 reportable and non-reportable crashes, 115 pedestrian/bicyclist-related injury crashes, and two fatalities occurred at analyzed study area intersections.

Under *CEQR Technical Manual* guidance, high crash locations are defined as those with five or more pedestrian/bicyclist injury crashes occurring in any consecutive 12 months of the most recent three-year period for which data are available. A review of the crash data identified two study area intersections as high crash locations—Northern Boulevard at 43rd Street/42nd Place, which experienced five pedestrian/bicyclist-related crashes in 2017, and Northern Boulevard at 39th Street/Steinway Street, which experienced five pedestrian/bicyclist-related crashes in 2019 (see **Table 6**). After safety improvements were implemented by DOT at Northern Boulevard/43rd Street/42nd Place in 2017 and 2018, there were no pedestrian or bicycle injury crashes reported in 2018 and only two bicycle injury crashes in 2019. At Northern Boulevard/39th Street/Steinway Street, only two pedestrian crashes occurred in 2017 and only one bicycle-related crash in 2018. The increase in crashes in 2019 may have been due in part to construction activity, including sidewalk and lane closures, associated with a new development at the northwest corner of the intersection.

Table 6
High Crash Locations

Intersection	Total Pedestrian/Bicycle Injury Crashes			Total Crashes (Reportable + Non-Reportable)		
	2017	2018	2019	2017	2018	2019
Northern Blvd at 43rd Street/42nd Place	5	0	2	15	14	13
Northern Boulevard at 39th Street/Steinway Street	2	1	5	23	17	19

PARKING

Parking demand from the proposed local retail, supermarket, office and community facility uses would typically peak in the midday and would decline during the late afternoon and evening. By contrast, demand from the cinema and physical cultural establishment uses would typically peak in the evening hours and residential demand would peak overnight. Therefore, some of the spaces used by residents would be available to accommodate commercial and community facility demand during daytime hours. Weekday parking demand from the Proposed Development (Sites A through E) would peak at approximately 1,411 spaces from 8:00 p.m. to 9:00 p.m., primarily due to the overlapping of residential and cinema demand. On a Saturday, parking demand from the Proposed Development would peak at approximately 1,788 spaces, also between 8:00 p.m. to 9:00 p.m. These forecasts assume 100 percent occupancy of the cinema, which should be considered very conservative as multiplex cinemas typically operate at substantially lower occupancy levels. Even when blockbuster movies are released (typically five to seven times per year), total occupancy will generally not exceed 60 percent, even on opening weekend, as the hit movie will not be showing on all of the screens at the cinema.

In addition to parking demand from the Proposed Development, new demand would also be generated by the Additional Affected Area (Sites F through K) under the Proposed Actions' RWCDS. Parking demand generated by the Additional Affected Area is expected to peak at approximately 308 spaces during the overnight period on weekdays, and at 336 spaces during the 5:00 p.m. to 6:00 p.m. period on Saturdays.

Overall, parking demand generated by the Projected Development Site (Sites A through K) under the Proposed Actions' RWCDS would peak at approximately 1,710 spaces during the 8:00 p.m. to 9:00 p.m. period on weekdays, and at 2,099 spaces during the same period on Saturdays, primarily due to the overlapping of residential and cinema demand (conservatively assuming 100 percent occupancy at the cinema).

The Proposed Actions' RWCDS includes a total of approximately 1,633 on-site accessory parking spaces. These would include 1,390 spaces located in five below-grade parking garages on the Development Site, and approximately 243 parking spaces in the Additional Affected Area. No existing off-street public parking would be displaced from the Project Area under the Proposed Actions; however, 39 spaces of existing on-street parking would be displaced to accommodate truck access to the Proposed Development's loading berths. Therefore, the total increase in parking demand under the Proposed Actions' RWCDS would result in parking shortfalls of approximately 116 spaces during the 8:00 p.m. to 9:00 p.m. period on weekdays, and approximately 505 spaces during the same period on Saturdays (conservatively assuming 100 percent occupancy at the cinema). This excess demand would need to be accommodated in nearby off-street public parking facilities, or by on-street parking. Consequently, the Proposed Actions may potentially contribute to, or result in, off-street and on-street parking shortfalls in the 2032 With Action condition. Based on *CEQR Technical Manual* guidance, any projected shortfall in parking capacity would not be considered significant due to the magnitude of available alternative modes of transportation.

AIR QUALITY

The Proposed Actions would not result in significant adverse air quality impacts. In terms of industrial sources, no businesses were found to have a New York State Department of Environmental Conservation (NYSDEC) air permit or DEP certificate of operation within the study area, and no other potential sources of concern were identified. Therefore, no analysis was required.

Based on a detailed dispersion modeling analysis, there would be no potential significant adverse air quality impacts from emissions of nitrogen dioxide (NO_2), sulfur dioxide (SO_2), and particulate matter (PM), from the proposed heating and hot water systems for the Proposed Project. An (E) Designation (E-675) would be mapped in connection with the Proposed Actions to ensure that future developments would not result in any significant adverse air quality impacts from fossil fuel-fired heat and hot water systems emissions.

The mobile source analyses determined that concentrations of CO and fine particulate matter less than ten microns in diameter (PM_{10}) due to project-generated traffic at intersections would not result in any violations of National Ambient Air Quality Standards (NAAQS), and furthermore, CO concentrations were predicted to be below CEQR *de minimis* criteria. The results show that the daily (24-hour) $PM_{2.5}$ increments are predicted to be below the *de minimis* criteria. At the two intersection sites analyzed for $PM_{2.5}$, the maximum annual incremental $PM_{2.5}$ concentration is predicted to exceed the *de minimis* criteria. This would be considered a significant adverse air quality impact in the absence of traffic mitigation measures.

Between the Draft and Final EIS, additional review and evaluation was performed which determined that the identified impacts related to mobile source Annual $PM_{2.5}$ increments were avoided, without the need for mitigation measures. This analysis was performed based on updated travel demand factors reflecting *CEQR Technical Manual* guidance, the use of newer vehicle registration data provided by NYSDEC, and additional modeling of $PM_{2.5}$ concentrations (grid analysis) that was performed using a more comprehensive analysis procedure to determine the magnitude and extent of annual neighborhood-scale $PM_{2.5}$ impacts from mobile sources, which confirmed that annual incremental $PM_{2.5}$ concentrations are below the Annual *de minimis* Criterion threshold.

The parking facilities assumed to be developed as a result of the Proposed Project were analyzed for potential air quality effects. The analysis found that these parking facilities would not be expected to result in any significant adverse air quality impacts.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

The Proposed Actions would not result in significant adverse GHG emission or climate change impacts. The assessment of GHG emissions estimates that the building energy and vehicle use associated with the Proposed Actions would result in up to approximately 41 thousand metric tons of carbon dioxide equivalent (CO_2e) emissions per year. Of that amount, approximately 33 thousand metric tons of CO_2e would be generated by the Applicant's Projected Development Sites (Projected Development Sites A through E). Other projected sites in the Additional Affected Area (Projected Development Sites F through K) would result in approximately 8 thousand metric tons of CO_2e. It was determined that the Proposed Actions are consistent with the applicable citywide GHG emissions reduction and climate change goals, and that there would be no significant adverse GHG emission or climate change impacts.

The *CEQR Technical Manual* defines five goals by which a project's consistency with the City's emission reduction goal is evaluated: (1) efficient buildings; (2) clean power; (3) sustainable transportation; (4) construction operation emissions; and (5) building materials' carbon intensity.

Overall, the Proposed Actions would support other GHG goals by virtue of its density and location in an area well-served by public transportation, and through requirements to utilize natural gas in new developments (i.e., natural gas would be required to address the air quality [E] Designations). As compared to the No Action condition, the Proposed Actions would provide opportunities for increased residential density, including affordable housing, and space for new jobs in an area with very good transit access. These changes could potentially result in less GHG emissions associated with auto use and suburban sprawl, and can also serve to lessen the pressure of rising rents in the area by increasing the supply of housing, including affordable housing. Therefore, the Proposed Actions would align with the City's emissions reduction goals, as defined in the *CEQR Technical Manual*.

Furthermore, for the Proposed Development, the Applicant is evaluating a number of certification programs and sustainable design features to be incorporated into the design and construction of each new development on the Development Sites (Projected Development Sites A through E) in order to improve energy efficiency and reduce GHG emissions, consistent with the City's emission reduction goals. In particular, the Applicant is considering the incorporation of sustainability measures in certain buildings and components of the Proposed Development that are consistent with the design principles among several building-level and community-level certifications such as LEED, WELL, Living Community Challenge, EcoDistricts, and Passive House principles. The design measures under consideration would ensure that the Proposed Development would achieve the substantially increased stringency of the building energy efficiency requirements under the 2020 Energy Conservation Code of New York State (2020 ECCNYS) Code, and would likely exceed them.

NOISE

The Proposed Actions would not result in significant adverse noise impacts. A noise assessment was undertaken to determine the levels of noise attenuation that may be needed to achieve interior noise levels that are acceptable and in accordance with *CEQR Technical Manual* guidance. The *CEQR Technical Manual* has noise attenuation values for buildings where vehicular traffic is the dominant noise source based on exterior $L_{10(1)}$ noise levels for the purposes of achieving interior noise levels of 45 dBA or lower for residential and community facility uses and 50 dBA or lower for commercial office uses. The With Action Condition $L_{10(1)}$ noise levels were determined by adjusting the existing noise measurements to account for future increases in traffic with the Proposed Actions based on the Noise Passenger Car Equivalent (PCE) proportional analysis results, including the noise contribution from vehicular traffic on adjacent roadways, and by calculating the cumulative noise level in the future condition based on the playground noise and future vehicular traffic noise on adjacent roadways.

Based on the projected noise levels, up to 33 dBA window/wall attenuation would be required to achieve acceptable interior noise levels per the *CEQR Technical Manual* noise exposure guideline at residential and community facility uses. Additionally, all dwelling units within the Special Mixed-Use District would require

a minimum of 35 dBA window/wall attenuation per ZR Section 123-32. To implement the attenuation requirements at the development sites, an (E) Designation (E-675) or equivalent mechanism for noise would be applied specifying the appropriate window/wall attenuation. By meeting the design guidelines specified in ZR Section 123-32, the Noise (E) Designation or equivalent mechanism, buildings developed as a result of the Proposed Actions would provide sufficient attenuation to achieve the *CEQR Technical Manual* interior noise level guidelines of 45 dBA L_{10} for residential or community facility uses and 50 dBA L_{10} for commercial cinema and office uses.

PUBLIC HEALTH

An analysis of the Proposed Actions' potential effects on public health was conducted based on the methodology set forth in the *CEQR Technical Manual*. The analyses presented in the EIS concluded that the Proposed Actions would not result in unmitigated significant adverse impacts in the areas of water quality, hazardous materials, air quality, or operational noise.

The analysis presented below in "Construction" determined that construction activities would result in unmitigated significant adverse construction-period noise impacts at receptors in the vicinity of the Project Area, including at Projected Development Sites that are completed and occupied while other nearby or adjacent Projected Development Sites are under construction. However, construction resulting from the Proposed Actions would not result in chronic exposure to high levels of noise, prolonged exposure to noise levels above 85 dBA, or episodic and unpredictable exposure to short-term impacts of noise at high decibel levels, as per the *CEQR Technical Manual*. Consequently, construction activities resulting from the Proposed Actions would not result in a significant adverse public health impact.

NEIGHBORHOOD CHARACTER

A preliminary neighborhood character analysis determined that the Proposed Actions would not result in a significant adverse impact on neighborhood character.

As described below and elsewhere in this EIS, the Proposed Actions would not result in any significant adverse impacts to land use, zoning, and public policy; socioeconomic conditions; historic and cultural resources; urban design and visual resources; or noise. While the Proposed Actions would result in significant adverse impacts in the contributing technical areas of open space, shadows, and transportation, these effects would not be of such a degree that they would result in significant adverse impacts to neighborhood character. The Proposed Actions would also not be expected to result in a combination of moderate effects to several elements that could cumulatively impact neighborhood character.

The Proposed Actions would activate the Development Site and Additional Affected Area, which currently primarily contain low-scale commercial, manufacturing, and parking uses, with new mixed-use buildings containing residential apartments, open space, arts and cultural uses, retail, and community facility spaces. In particular, the Proposed Actions would introduce a large amount of residential space, including affordable housing, and would extend the residential portion of the Astoria neighborhood to the Project Area. The Proposed Actions would support the Kaufman Arts District, enhancing the existing concentration of arts, cultural, film, television, and educational uses near the Project Area. Furthermore, the Proposed Actions would introduce open space in the Project Area that would complement the existing Playground Thirty Five XXXV and would offer amenities to a wide variety of users in the neighborhood, including immersive playscapes for children, a plaza for the community to gather, inviting courtyards surrounded by local cafes and restaurants, and landscaped pedestrian pathways for families to stroll. Overall, the Proposed Actions would be consistent with the existing character of the study area, maintaining and enhancing the current arts and culture uses within the surrounding neighborhood, while simultaneously providing essential commercial, community facility, and open space uses for an expanded residential population in the future.

CONSTRUCTION

Construction associated with the Proposed Actions would result in temporary disruptions in the surrounding

area. As described below, the Proposed Actions' construction activities would result in significant adverse transportation and noise impacts. For all other technical areas, construction activities associated with the Proposed Actions would not result in significant adverse impacts. Findings specific to each of the key technical areas are summarized below.

TRANSPORTATION

Construction travel demand is expected to peak in the fourth quarter of Year 2 construction, and this period is therefore analyzed for potential transportation impacts during construction.

Traffic

During construction, traffic would be generated by construction workers commuting via autos and by trucks making deliveries to projected development sites. Based on the anticipated numbers of vehicle trips from construction trucks and construction worker autos, and operational trips from completed portions of the Proposed Actions' RWCDS, incremental vehicle trips during the Year 2 construction (fourth quarter) peak construction period are expected to be less than the incremental peak hour trips that would be generated during the weekday AM and PM peak hours with full build-out of the Proposed Actions. In addition, there is typically less overall traffic on the study area street network during the 6:00–7:00 a.m. and 3:00–4:00 p.m. construction peak hours than during the analyzed 7:45–8:45 a.m. and 4:00–5:00 p.m. operational peak hours.

Construction traffic conditions were evaluated during the Year 2 construction (fourth quarter) construction AM and PM peak hours at 24 intersections (19 signalized and five unsignalized) in the traffic study area where construction vehicle trips would exceed the 50-trips/hour *CEQR Technical Manual* analysis threshold in one or both construction peak hours. As summarized in **Tables 7 and** 8 the construction traffic impact analysis indicates the potential for significant adverse impacts at 11 lane groups at 8 intersections in the weekday AM construction peak hour, and 19 lane groups at 11 intersections in the weekday PM construction peak hour. "Mitigation," below, discusses potential measures to mitigate these significant adverse traffic impacts.

Table 7
Number of Impacted Intersections and Lane Groups by Peak Hour
Year 2 Construction (Fourth Quarter) Peak Construction Period

	Construction Peak Hour	
	AM	**PM**
Impacted Lane Groups	9	16
Impacted Intersections	7	9

Table 8
Summary of Significantly Impacted Intersections

Year 2 Construction (Fourth Quarter)
Peak Construction Period

Signalized Intersections	Construction Peak Hour	
	Weekday AM	Weekday PM
35th Avenue and Steinway Street		X
36th Avenue and Steinway Street		X
Northern Boulevard and 39th Street / Steinway Street	X	X
Northern Boulevard and 41st Street	X	
Northern Boulevard and 42nd Street / Driveway		X
Northern Boulevard and 42nd Place / 43rd Street		X
Northern Boulevard and 44th Street / 35th Avenue	X	
Northern Boulevard and 48th Street / 34th Avenue	X	X
Northern Boulevard and 51st Street / Woodside Avenue	X	X
43rd Avenue and 39th Street		X
Greenpoint Avenue and Hunters Point Avenue	X	
Greenpoint Avenue and Borden Avenue	X	X
Total Impacted Intersections	**7**	**9**
Notes: X – denotes intersection significantly impacted in rush hour.		

Transit

The Project Area is located in a neighborhood that is well served by public transportation, with a total of three subway stations and four bus routes located in the vicinity of the Project Area. In the Year 2 construction period, transit conditions during the 6:00–7:00 a.m. and 3:00–4:00 p.m. construction peak hours are expected to be generally better than during the analyzed operational peak hours with full build-out of the Proposed Actions' RWCDS in 2032, as incremental demand would be lower during construction, and most construction trips would not occur during the peak hours of commuter demand. Consequently, there would be less likelihood of significant adverse subway and bus transit impacts during the peak construction period than with full build-out of the RWCDS in 2032. It is anticipated that the proposed mitigation measure for the line haul impact from the operational demand in 2032 under the Proposed Actions would also be effective at mitigating any potential impacts from construction subway trips during the peak construction period. Should any significant adverse line haul impacts occur in either of these periods, they would potentially remain unmitigated pending the implementation of practicable mitigation measures.

Pedestrians

In the Year 2 peak construction period, pedestrian trips by construction workers would be dispersed among the four projected development sites that would be under construction in this period (sites C, D, G, and H), and would be substantially fewer in number than with full build-out of the Proposed Actions' RWCDS. They would also primarily occur during the weekday 6:00–7:00 a.m. and 3:00–4:00 p.m. construction peak hours, outside of the weekday AM and PM commuter peak periods and the weekday midday and Saturday peak periods when area pedestrian facilities typically experience the greatest demand. Pedestrian conditions during the construction peak hours in the peak construction period are expected to be generally better than during the analyzed operational peak hours with full build-out of the Proposed Actions' RWCDS in 2032, and significant adverse sidewalk, corner area and crosswalk impacts are not expected to occur.

Parking

Construction worker parking demand would total approximately 337 spaces in the Year 2 peak construction period. This demand would need to be accommodated in nearby off-street public parking facilities, or by on-street parking. Consequently, construction worker parking demand may potentially contribute to, or result in, off-street and on-street parking shortfalls in the peak construction period. Any such shortfalls would not be considered significant under *CEQR Technical Manual* criteria given the availability of alternative modes of transportation near the Project Area.

AIR QUALITY

Measures would be taken to reduce pollutant emissions during construction under the Proposed Actions in accordance with all applicable laws, regulations, and building codes. These include the use of ultra-low sulfur diesel (ULSD) fuel, dust suppression measures, idling restrictions, and diesel equipment reduction. In addition, construction of the Proposed Development would utilize newer equipment (i.e., equipment meeting the U.S. Environmental Protection Agency's [EPA] Tier 3 emission standard) and best available tailpipe reduction technologies to further reduce air pollutant emissions. With the implementation of these emission reduction measures, the dispersion modeling analysis of construction-related air emissions for both non-road and on-road sources determined that particulate matter ($PM_{2.5}$ and PM_{10}), annual average NO_2, and carbon monoxide (CO) concentrations would be below the National Air Quality Ambient Standards (NAAQS). Therefore, construction under the Proposed Actions would not result in significant adverse air quality impacts due to construction sources.

NOISE

Based on the projected construction activities predicted at each Projected Development Site, construction-generated noise is expected to exceed the *CEQR Technical Manual* noise impact thresholds as well as result in "objectionable" and "very objectionable" noise level increases at receptors adjacent to the construction area. Receptors where noise level increases were predicted to exceed the construction noise evaluation thresholds for extended durations were identified.

Fifteen construction time periods were analyzed and the results from each of these analysis time periods were utilized to represent the entire duration of construction from 2022 through 2032. The construction noise analysis predicted noise levels due to construction could exceed the *CEQR Technical Manual* impact criteria throughout the Project Area, including at Projected Development Sites that are completed and occupied while other nearby or adjacent Projected Development Sites are under construction. Construction could produce noise levels that would be noticeable and potentially intrusive during the most noise-intensive construction activities at some receptors. While the highest levels of predicted construction noise would not persist throughout construction, and noise levels would fluctuate resulting in noise increases that would be intermittent, these locations would experience construction noise levels whose magnitude and duration could constitute significant adverse impacts.

At most locations predicted to experience an exceedance of the noise impact threshold criteria, the exceedances would be due primarily to noise generated by on-site construction activities (rather than construction-related traffic). The construction noise analysis examined the reasonable worst-case peak hourly noise levels resulting from construction in each analyzed time period, and is therefore conservative in predicting increases in noise levels. Typically, the loudest hourly noise level during each analysis period would not persist throughout the entire time that the analysis period represents. Additionally, this analysis is based on RWCDS conceptual site plans and construction schedules. It is possible that the actual construction may be of less magnitude, or that construction on multiple Projected Development Sites may not overlap, in which case construction noise would be less than the analysis predicts. Finally, the construction noise analysis accounts for the cumulative effects of construction of all Projected Development Sites, including both the Proposed Development and the Additional Affected Area. Construction of the Sites included in the Additional Affected Area may not occur simultaneously with that of the Proposed Development or not occur at all, in which case construction noise would also be less than the analysis predicts.

VIBRATION

The buildings of most concern with regard to the potential for structural or architectural damage due to vibration are the existing buildings and structures immediately adjacent to the Projected Development Sites. However, given their distances from anticipated locations of rock excavation, vibration levels at these buildings and structures would not be expected to exceed 0.50 in/sec Peak Particle Velocity (PPV), including during pile driving, which would be the most vibration intensive activity. Additional receptors

farther away from the Project Area would experience less vibration than those listed above, and similarly would not be expected to cause structural or architectural damage.

In terms of potential vibration levels that would be perceptible and annoying, the equipment that would have the most potential for producing levels that exceed the 65 vibration decibels (VdB) limit is the impact pile driver, which would have the potential to produce perceptible vibration levels (i.e., vibration levels exceeding 65 VdB) at receptor locations within a distance of approximately 550 feet, depending on soil conditions. However, the operation of this equipment would occur for limited periods of time at any given location, and therefore would not result in any significant adverse impacts.

Consequently, there is no potential for significant adverse vibration impacts from construction under the Proposed Actions.

H. MITIGATION

Based on the analysis provided in the EIS, the Proposed Actions are expected to result in significant adverse impacts related to community facilities and services (publicly financed early childhood programs; libraries), open space, shadows, transportation (traffic, transit and pedestrian conditions), and construction (traffic and noise). Mitigation measures to address those impacts, where feasible and practicable, are described below. DCP, as the Lead Agency, has coordinated with City agencies to examine and refine these recommended measures between the DEIS and FEIS. Where no feasible and practicable mitigation has been identified, the impacts would remain an unavoidable significant adverse impact of the Proposed Actions.

Community Facilities

Early Childhood Programs

The Proposed Actions would result in a significant adverse impact on publicly funded early childhood programs. In both the No Action and With Action scenarios, publicly financed early childhood programs in the study area are predicted to operate over capacity. In the With Action scenario, the predicted increase of 80.5 percentage points in the utilization rate would exceed 5 percentage points. With the assumption of 914 affordable DUs at 80 percent AMI, the Proposed Actions would generate 128 eligible children, and the addition of 79 child care slots would be required to result in an increase in utilization in the study area of less than 5 percent.

The Restrictive Declaration for the Proposed Development will require the Applicant to work with DOE to consider the need for and the implementation of one or more measures to provide additional capacity, if required, to mitigate the significant adverse impact to publicly funded child care facilities within the 1.5-mile study area or within Queens Community District 1. Possible mitigation measures for this significant adverse impact may include provision of suitable space within the Proposed Development for early childhood programs, provision of a suitable location off-site within the study area and within a reasonable distance (at a rate affordable to New York City Department of Education [DOE] providers), or funding/making program or physical improvements to support adding capacity to existing facilities if determined feasible through consultation with DOE's Division of Early Childhood Education. The Applicant would coordinate with DOE to determine the required mitigation at the time that 53 affordable units are developed in the Project Area (which may include development in the Additional Affected Area on sites that are not controlled by the Applicant). As the Proposed Development may include senior housing units, the determination of mitigation will only consider the need generated by affordable units that would be expected to generate children eligible for publicly financed early childhood programs. Absent the implementation of such mitigation measures, if needed, the Proposed Actions would have an unmitigated significant adverse impact on publicly funded early childhood programs.

Libraries

The Proposed Actions would result in a significant adverse impact on library services in the study area. The With Action scenario population would represent an increase of 4.48 percent over the No Action scenario population at the Broadway Branch of the Queens Public Library and an increase of 5.94 percent at the Long Island City Branch of the Queens Public Library. The increase at the Long Island City Branch is greater than the 5 percent increase that CEQR defines as the threshold for a potential significant adverse impact.

The Applicant has coordinated with the Queens Public Library concerning a partnership with the Proposed Development and potential mitigation. Between DEIS and FEIS, the Applicant refined possible mitigation measures in coordination with QPL and DCP. The Restrictive Declaration for the Proposed Development will require the Applicant to coordinate with QPL and to commit to one of, or some combination of, the following mitigation measures, which will be implemented before the Temporary Certificate of Occupancy is issued for the final building in the Proposed Development. Potential mitigation measures include funding or provision of improvements and maintenance to the QPL Broadway branch facility that would support the branch's programming and services year-round, such as improvements to the branch's garden to provide space for public gatherings and community enjoyment; provision of space within the Proposed Development for the library, the size and location of which would be determined in coordination with QPL; and/or support for QPL for the continued operation of a space for the Library within the Proposed Development. If measures to fully mitigate the significant adverse impact are not implemented, the Proposed Actions would result in unmitigated significant adverse impacts on libraries.

OPEN SPACE

The Proposed Actions would result in a significant adverse impact associated with the active open space ratio. As mitigation for the significant adverse impact, the Proposed Development would include an approximately 10,000 sf area at the southern end of Block A (along 36th Avenue) that would be additional publicly accessible open space. This publicly accessible open space would include active uses to provide partial mitigation for the significant adverse impact to active open space by providing an additional resource for active recreation for residents of the study area, where there is limited active open space. The specific active amenities to be provided would be determined in consultation with NYC Parks.

SHADOWS

The Proposed Actions would result in a significant adverse shadow impact to one sunlight-sensitive resource: Playground Thirty Five XXXV, which is adjacent to the Development Site. In particular, development resulting from the Proposed Actions would cast new shadows on Playground Thirty Five XXXV throughout the day in all seasons, covering large areas of the playground at times, eliminating much or all of the remaining sunlight in the park at times—particularly in the fall, winter, and early spring—and causing significant adverse impacts to the user experience in all seasons. Trees and plantings in the park would continue to receive adequate direct sunlight through the May to August heart of the growing seasons, but those in the southern part of the park would receive up to an hour less than generally required in the March and September "shoulders" of the growing season, potentially impacting the health of those trees or plantings.

Potential mitigation measures were explored by the Applicant in consultation with DCP and NYC Parks, and have been refined between the DEIS and FEIS. The active publicly accessible open space at the southern end of Block A would provide partial mitigation for the significant adverse shadows impact to Playground Thirty Five XXXV by providing an additional active resource, which may include children's active play space, in an area that would receive less shadow. This additional publicly accessible resource would serve residents of the study area seeking sunny active space. The specific active amenities to be provided would be determined in consultation with NYC Parks.

TRANSPORTATION

As described below, the Proposed Actions would result in significant adverse impacts to: a) vehicular traffic at 23 intersections, b) subway line haul conditions on southbound N/W trains in the AM peak hour, and d) pedestrians at three sidewalks and two crosswalks. Mitigation measures that could address the significant adverse transportation impacts are discussed below.

Traffic

As described in greater detail above in "Transportation," the Proposed Actions would result in significant adverse traffic impacts at 23 study area intersections (all signalized) during one or more analyzed peak hours; specifically 31 lane groups at 19 intersections during the weekday AM peak hour, 21 lane groups at 13 intersections in the midday peak hour, 29 lane groups at 18 intersections in the PM peak hour, and 25 lane groups at 16 intersections during the Saturday peak hour. Implementation of traffic engineering improvements such as signal timing changes and modifications to lane striping and curbside parking regulations would mitigate a number of the projected traffic impacts. These proposed traffic engineering improvements are subject to review and approval by the DOT. If, prior to implementation, DOT determines that an identified mitigation measure is infeasible, an alternative mitigation measure will be identified, if possible. In the absence of the application of mitigation measures, the impacts would remain unmitigated.

Assuming all the proposed mitigation measures are implemented, **Table 9** shows that significant adverse impacts would be fully mitigated at 13 lane groups in each of the weekday AM, midday, and PM peak hours, and 11 lane groups in the Saturday peak hour. Intersections where all impacts would be fully mitigated would total 9, 11, 10, and 9 during these same periods, respectively. **Table 10** provides a more detailed summary of the intersections and lane groups that would remain unmitigated. In total, impacts to one or more lane groups would remain unmitigated in one or more peak hours at 12 intersections.

Table 9
Summary of Lane Groups/Intersections with Significant Adverse Traffic Impacts

Peak Hour	Lane Groups/ Intersections Analyzed	Lane Groups/ Intersections With No Significant Impacts	Lane Groups/ Intersections With Significant Impacts	Mitigated Lane Groups/ Intersections	Unmitigated Lane Groups/ Intersections
Weekday AM	182/42	151/23	31/19	11/7	20/12
Weekday Midday	182/42	161/29	21/13	8/6	13/7
Weekday PM	182/42	153/24	29/18	12/8	17/10
Saturday	182/42	157/26	25/16	7/5	18/11

Table 10
Lane Groups With Unmitigated Significant Adverse Traffic Impacts

	Peak Hour			
	Weekday AM	**Weekday Midday**	**Weekday PM**	**Saturday**
Signalized Intersections				
Broadway & 43rd Street	---	---	---	NB-LTR
35th Avenue and Steinway Street	---	EB-LTR, WB-LTR	EB-LTR, WB-LTR	EB-LTR. WB-LTR
35th Ave & 41st Street			NB-LTR	NB-LTR
36th Avenue and Steinway Street	EB-LTR	EB-LTR	EB-LTR	EB-LTR
Northern Boulevard and 35th Street/38th Avenue	EB-L	---	---	---
Northern Boulevard and 37th Street/Standard Lane	EB-L	---	---	---
Northern Boulevard and 39th Street/Steinway Street	EB-L, WB-L, NB-TR, SB-LTR	WB-L, NB-TR, SB-LTR	EB-TR, WB-L, NB-TR, SB-LTR	EB-L, WB-L, NB-TR, SB-LTR
Northern Boulevard and 41st Street	EB-L, WB-TR	---	---	---
Northern Blvd & 42nd Street/Driveway	WB-T, SB-LTR	SB-LTR	SB-LTR	SB-LTR
Northern Boulevard and 43rd Street/42nd Place	EB-LTR	---	EB-LTR, WB-TR	EB-LTR, WB-L
Northern Boulevard and 44th Street/35th Avenue	WB-TR, SB-LTR	SB-LTR	SB-LTR	SB-LTR
Northern Boulevard and 48th Street/34th Avenue	WB-TR, NB-L	EB-TR, WB-L, WB-TR, NB-L	EB-TR, WB-TR, NB-L	EB-TR, WB-TR, NB-L

Transit

Subway Line Haul

In the 2032 future with the Proposed Actions, southbound N/W trains are expected to be operating over capacity in the AM peak hour, and the Proposed Actions would increase this demand by an average of approximately 5.25 passengers per car. Fully mitigating this significant adverse impact would require the addition of one southbound N/W train during the AM peak hour. As standard practice, NYCT routinely conducts periodic ridership counts and adjusts subway frequency to meet its service criteria, within fiscal and operating constraints. Due to operating constraints where the N/W trains share tracks with the R train, adding one train to AM peak N/W southbound service would mean subtracting one train from AM peak R southbound service, which would result in longer wait times and higher average ridership loads on the remaining R trains. In the absence of this recommended mitigation, the significant adverse line haul impact to southbound N/W trains in the AM peak hour would remain unmitigated.

Pedestrians

Incremental demand from the Proposed Actions would significantly adversely impact three sidewalks and two crosswalks in one or more analyzed peak hours. There would be no significant impacts to any corner area in any period. Pedestrian flow along the three impacted sidewalks is constrained by the presence of outdoor dining areas. These sidewalks are outside the boundaries of the LSGD and are not under the control of the applicant. Therefore, the significant adverse sidewalk impacts would remain unmitigated. The applicant is fully committed to working with the affected restaurants on a cooperative basis to explore relocation or reconfiguration of these restaurants in the future. Recommended mitigation measures for the two crosswalk impacts would consist of the widening of crosswalks. Implementation of the widening of crosswalks, which would fully mitigate the impacts to both crosswalks, would be subject to review and approval by DOT. If, prior to implementation, DOT determines that an identified mitigation measure isinfeasible, an alternative mitigation measure will be identified, if possible. In the absence of the application of mitigation measures, the significant adverse pedestrian crosswalk impacts would remain unmitigated.

AIR QUALITY

As described in above in "Air Quality," compared with the No Action condition, $PM_{2.5}$ impacts with the Proposed Actions would exceed the *de minimis* criterion of 0.1 µg/m^3 for the annual averaging period for Analysis Site 2, at 35th Avenue and 41st Street, and Analysis Site 3, at Northern Boulevard and 43rd Street/42nd Place.

However, additional review and evaluation was performed which determined that the identified impacts related to the mobile source Annual $PM_{2.5}$ increments were avoided, without the need for mitigation measures. This analysis was performed using updated travel demand factors reflecting the *CEQR Technical Manual* guidance, the use of newer vehicle registration data provided by NYSDEC and based on additional modeling of $PM_{2.5}$ concentrations (Grid Analysis) performed using a more comprehensive analysis procedure to determine the magnitude and extent of annual neighborhood-scale $PM_{2.5}$ impacts from mobile sources, which confirmed that maximum incremental $PM_{2.5}$ concentrations on a neighborhood scale are below the Annual *de minimis* Criterion threshold.

CONSTRUCTION

Transportation (Traffic)

Construction traffic conditions during the Year 2 (fourth quarter) peak construction period were evaluated at 24 intersections (19 signalized and five unsignalized) in the traffic study area where combined construction and incremental operational vehicle trips would exceed the 50-trips/hour *CEQR Technical Manual* analysis threshold in the AM and/or PM construction peak hours. As discussed above in "Construction," the construction traffic impact analysis identified the potential for significant adverse impacts to 9 lane groups at 7 intersections in the weekday AM construction peak hour, and 16 lane groups at 9 intersections in the weekday PM construction peak hour.

As shown in **Tables 11 and 12**, implementation of recommended traffic engineering improvements including modifications to signal timing and phasing, modifications to lane restriping and changes to curbside parking regulations, would fully mitigate the significant adverse impacts to two lane groups in the construction AM peak hour and seven lane groups in the construction PM peak hour. Intersections where all impacts would be fully mitigated would total two and four, during these same periods, respectively. Impacts to seven lane groups in the construction AM peak hour and 12 lane groups in the construction PM peak hour would remain at a total of eight intersections.

Implementation of the recommended traffic engineering improvements is subject to final review and approval by DOT. If, prior to implementation, DOT determines that a recommended mitigation measure is infeasible, an alternative mitigation measure will be identified, if possible. In the absence of the application of mitigation measures, the impacts would remain unmitigated.

Table 11
Summary of Lane Groups/Intersections with Significant Adverse Construction Traffic Impacts

Peak Hour	Lane Groups/ Intersections Analyzed	Lane Groups/ Intersections With No Significant Impacts	Lane Groups/ Intersections With Significant Impacts	Mitigated Lane Groups/ Intersections	Unmitigated Lane Groups/ Intersections
Construction AM	113/24	104/17	9/7	2/2	7/5
Construction PM	113/24	97/15	16/9	4/3	12/6

Table 12
Lane Groups With Unmitigated Significant Adverse Construction Traffic Impacts

Signalized Intersections	Construction AM Peak Hour	Construction PM Peak Hour
35th Avenue & Steinway Street	----	EB-LTR, WB-LTR
Northern Blvd & 39th Street/Steinway Street	EB-L, NB-TR, SB-LTR	WB-L, NB-TR, SB-LTR
Northern Blvd & 41st Street	EB-L	----
Northern Blvd & 42nd St/Driveway	----	SB-LTR
Northern Blvd & 44th Street/35th Avenue	WB-TR	----
Northern Blvd & 48th Street/34th Avenue	WB-TR	EB-TR, WB-TR, NB-L
Greenpoint Avenue & Borden Avenue	----	SW-L
Notes: NB – Northbound, SB – Southbound, EB – Eastbound, WB – Westbound, SW – Southwest-bound, L – Left-turn, T – Through, R – Right-turn		

Noise

The Proposed Actions would have the potential to result in temporary significant adverse construction noise impacts at various receptors within the Study Area. As discussed below in more detail, partial mitigation is proposed for some of the significant adverse impacts of the Proposed Actions. Construction under the Proposed Actions would follow the requirements of the *New York City Noise Control Code* (also known as Chapter 24 of the *Administrative Code of the City of New York*, or Local Law 113) for construction noise control measures. Specific noise control measures (including measures beyond what are required by the New York City Noise Code) would be incorporated in noise mitigation plan(s) required under the *New York City Noise Control Code*.

Proposed mitigation could include a variety of source and path controls. At existing building façades that are predicted to experience significant adverse impacts, the Applicant would offer to make available at no cost the installation of storm windows for façades that do not already have insulated glass windows and/or one window air conditioner per living room, bedroom, classroom, office space, or other noise sensitive spaces on impacted façades that do not already have alternative means of ventilation. Any mitigation measures identified would be implemented prior to the start of construction. Building façades with insulated glass windows or storm windows and alternative ventilation would provide sound attenuation such that even during warm weather conditions, interior noise levels would be approximately 25 dBA less than exterior noise levels. However, the most noise-intensive construction activity nearest the receptors experiencing significant adverse impacts would result in interior noise levels up to 64 dBA L_{10}, which is 19 dBA greater than the level considered acceptable according to *CEQR Technical Manual* noise exposure guidelines. Consequently, significant adverse noise impacts predicted to occur at the above-mentioned receptors would be only partially mitigated and thus unavoidable. In the event no practicable or feasible mitigation measures are determined, the significant adverse construction noise impacts would be unavoidable.

I. ALTERNATIVES

NO ACTION ALTERNATIVE

The No Action Alternative examines the future (2032) conditions in the Project Area under the existing zoning without the Proposed Actions (i.e., assumes none of the proposed discretionary approvals proposed as part of the Proposed Actions would be adopted). Under the No Action Alternative, the existing active commercial and auto-related facilities on the majority of the properties in the Project Area would remain in their current condition. However, in the No Action condition, the Applicant would redevelop underutilized parcels (parcels that contain vacant buildings and open parking areas for vehicular storage) that are feasible development sites under existing zoning. On Projected Development Site C (Block C), the Applicant would develop a 1-story, approximately 30,000 gsf grocery store, as well as a surface parking lot with 100 spaces (approximately 29,000 sf) to provide the required accessory parking for the grocery store. On Projected Development Site D (Block D), the Applicant would develop local retail uses on the 35th Street frontage (approximately 20,000 gsf) with a 1-story, approximately 68,000 gsf warehouse on the remainder of the site. The Applicant would not seek to redevelop the more active existing uses on Projected Development Sites A, B, and E (the Regal Cinema, the P.C. Richards & Sons retail store, and the Harley Davidson Motorcycles dealership, respectively) absent the Proposed Actions. Likewise, the remaining Projected Development Sites not controlled by the Applicant (Sites F, G, H, I, J, and K) are expected to remain in their current condition.

Under the No Action Alternative, there would be no change to zoning and MIH would not apply to the Project Area. The substantial amount of affordable housing expected under the Proposed Actions would not be provided. In addition, the No Alternative would not provide for arts and cultural spaces to add to the existing concentration of these uses in the study area, and would not provide for new publicly accessible open space in an area where there is currently limited open space. Unlike the Proposed Actions, under the No Action Alternative, the significant adverse impacts related to community facilities (early childhood programs, libraries), open space, shadows, transportation (traffic, transit, and pedestrians), and construction (noise) would not occur.

NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Actions are modified to avoid the unmitigated significant adverse impacts associated with the Proposed Actions. There is the potential for the Proposed Actions to result in unmitigated significant adverse impacts to community facilities and services (publicly financed early childhood programs; libraries), open space, shadows, traffic, and construction.

While this alternative considers development that would not result in any unmitigable significant adverse impacts, to eliminate all unmitigated significant adverse impacts, the Proposed Actions would have to be modified to such a degree that the principal goals and objectives of the Proposed Actions would not be fully realized.

The Proposed Actions would result in a significant adverse impact to publicly funded early childhood programs. The Proposed Actions would introduce 128 children under the age of five who would be eligible for publicly funded early childhood programs. With the addition of these children, early childhood programs within the study area would operate at 229.6 percent utilization, an increase in the utilization rate of approximately 80.5 points over the No Action condition. The Restrictive Declaration for the Proposed Development will require the Applicant to work with DOE to consider the need for and the implementation of one or more measures to provide additional capacity, if required, to mitigate the significant adverse impact to publicly funded childcare facilities within the 1.5-mile study area or within Queens Community District 1. Should practical and feasible mitigation measures not be found, the significant adverse impact to early childhood programs would remain unmitigated. To avoid the identified significant adverse impact to early childhood programs, the number of affordable DUs that could be introduced by the Proposed

Actions would have to be reduced from 914 DUs to 53 DUs, a reduction of 861 affordable units. A substantial reduction in the number of affordable housing units developed in the Project Area would be less supportive of the goals and objectives of the Proposed Actions.

The Proposed Actions would result in a significant adverse impact to libraries with the addition of 8,144 residents. With the additional residential population, the population served by the Long Island City branch of the Queens Public Library would increase by 5.94 percent over the No Action scenario, which is greater than the 5-percent change threshold, and this change may impair the delivery of library services within the study area. The Applicant has coordinated with the Queens Public Library concerning a partnership with the Proposed Development and potential mitigation. Between DEIS and FEIS, the Applicant refined possible mitigation measures in coordination with QPL and DCP. The Restrictive Declaration for the Proposed Development will require the Applicant to coordinate with QPL and to commit to one of, or some combination of, the following mitigation measures, which will be implemented before the Temporary Certificate of Occupancy is issued for the final building in the Proposed Development. Potential mitigation measures include funding or provision of improvements and maintenance to the QPL Broadway branch facility that would support the branch's programming and services year-round, such as improvements to the branch's garden to provide space for public gatherings and community enjoyment; provision of space within the Proposed Development for the library, the size and location of which would be determined in coordination with QPL; and/or support for QPL for the continued operation of a space for the Library within the Proposed Development. If measures to fully mitigate the significant adverse impact are not implemented, the Proposed Actions would result in unmitigated significant adverse impacts on libraries. To avoid the identified significant adverse impact to libraries (i.e., to reduce the population increase to a level below the 5 percent impact threshold at the Long Island City branch), the number of DUs that could be introduced by the Proposed Actions would have to be reduced from 3,652 DUs to 3,070 DUs, a reduction of 582 units. This reduction in the number of housing units developed in the Project Area would also reduce the number of affordable units that would be required under MIH and would be less supportive of the goals and objectives of the Proposed Actions.

The Proposed Actions would result in a significant adverse quantitative impact associated with the active open space ratio. Under the Proposed Actions, the active open space ratio would decrease by approximately 15 percent from the No Action condition. This impact is primarily the result of the low existing active open space ratio in the study area and the addition of a substantial project-generated residential population. As mitigation for the significant adverse impact, the Proposed Development would provide an approximately 10,000 sf area at the southern end of Block A (along 36th Avenue) that would be additional publicly accessible open space. Because these measures would only partially mitigate the significant adverse impact, even with the implementation of these measures, the impact would not be fully mitigated. Since the study area has such a low open space ratio, changes in the ratio as low as 1 percent may result in result in a significant adverse impact. A reduction of approximately 3,450 DUs would result in a decrease of 0.9 percent, which is below the 1 percent threshold; however, such a reduction in housing, including affordable housing, would conflict with one of the primary goals of the Proposed Actions.

Development resulting from the Proposed Actions would cast new shadows that would have a significant adverse impact on Playground Thirty Five XXXV. In particular, development resulting from the Proposed Actions would cast new shadows on Playground Thirty Five XXXV throughout the day in all seasons, covering large areas of the playground at times, eliminating much or all of the remaining sunlight in the park at times—particularly in the fall, winter, and early spring—and causing significant adverse impacts to the user experience in all seasons. Potential mitigation measures were explored by the Applicant in consultation with DCP and NYC Parksbetween the DEIS and FEIS. The additional active publicly accessible open space at the southern end of Block A would provide partial mitigation for the significant adverse shadows impact to Playground Thirty Five XXXV by providing an additional active resource in an area that would receive less shadow. In order to avoid the significant adverse shadow impact, the height of development on the Projected Development Sites, in particular the Proposed Development's buildings closest to Playground Thirty Five XXXV would have to be substantially reduced. In some cases, one or

more of the Proposed Development's towers would need to be eliminated, resulting in a significant reduction of floor area, in particular residential floor area. Therefore, this alternative would substantially compromise the Proposed Actions' goals.

The Proposed Actions would result in significant adverse traffic impacts at 21 study area intersections during one or more analyzed peak hours. Because of the anticipated congestion at a number of these intersections, even small increases in incremental With Action traffic volumes at some of the congested intersection approach movements would result in significant adverse impacts that could not be fully mitigated during one or more analysis peak hours, and almost any new development in the rezoning area could result in unmitigated traffic impacts. Therefore, no reasonable alternative could be developed to completely avoid such impacts without substantially compromising the Proposed Actions' stated goals.

Finally, temporary noise level increases exceeding *CEQR Technical Manual* impact criteria are expected at various receptors within the study area during construction. While construction activity is expected to follow the requirements of the New York City Noise Control Code, to completely avoid significant adverse construction noise impacts, project-generated construction would have to be limited in such a way so as to occur neither on the same block as, nor within one block of any noise receptors, which would require elimination of the rezoning area in the vicinity of these sensitive receptors. This would compromise the Proposed Actions' goals and objectives.

Overall, given the above-described limitations, in order to fully avoid all identified significant adverse impacts, the Proposed Actions would have to be modified to a point where their principal goals and objectives would not be realized.

PROPOSED MODIFIED APPLICATION ALTERNATIVE

Under the Proposed Modified Application Alternative, the Proposed Development would be modified to reduce its massing and scale along the northern side of the Development Site, in particular the scale along 35th Avenue opposite the lower-density residential buildings (located on the northern side of the avenue) and surrounding Playground Thirty Five XXXV and the proposed civic oriented public open space on Block C. Under this alternative, there would be reductions to building heights on the northern side of Blocks C, D, and E, and additional floors on other buildings in the Proposed Development to redistribute floor area, including modifications to the building massings on Blocks A and B. The modified site plan would remove two of the proposed PAAs along 38th Street on Blocks A and B. With the Proposed Actions, these two spaces include approximately 14,500 sf (0.33 acres). However, the alternative would also include the approximately 22,000 sf (0.50 acre) active space PAA proposed on Block A as mitigation. Therefore, including the mitigation PAA, the Proposed Development would continue to provide over two acres of publicly accessible open space. The alternative would also a reconfiguration of the Proposed Development's below-grade spaces to reduce the number of parking spaces to 949 (the minimum required under the proposed zoning) from the 1,390 total assumed with the Proposed Actions. The modification is being considered by the CPC in response to concerns raised during the public review process. The development program under this alternative is equal to the RWCDS prepared for the Proposed Actions. While the massing configuration would be different compared to the Proposed Development, the Proposed Modified Application Alternative would include an equivalent amount of floor area in the Proposed Development that would be generated as a result of the Proposed Actions, and would only affect the distribution of the floor area across the Proposed Development's blocks. Accordingly, the Proposed Modified Application Alternative would result in the same or similar significant adverse impacts as the Proposed Actions, requiring the same or similar mitigation measures, while still meeting the objectives of the Proposed Actions.

The modification under consideration by the CPC is proposed by the Applicant in response to concerns raised during the public review process. The development program under this alternative is equal to the RWCDS prepared for the Proposed Actions. While the massing configuration would be different compared

to the Proposed Development, the Proposed Modified Application Alternative would include an equivalent amount of floor area in the Proposed Development that would be generated as a result of the Proposed Actions and would only affect the distribution of the floor area across the Proposed Development's blocks. Accordingly, the Proposed Modified Application Alternative would result in the same or similar significant adverse impacts as the Proposed Actions, requiring the same or similar mitigation measures, while still meeting the objectives of the Proposed Actions. Specifically, the Proposed Modified Application Alternative would result in the same or similar significant adverse impacts related to community facilities and services (publicly financed early childhood programs and libraries), open space, shadows, transportation (traffic, transit, and pedestrian conditions), and construction (traffic and noise). Concerning open space, with the reduction of passive open space on Blocks A and B under the Proposed Modified Application Alternative, the total and passive ratios would be slightly lower than under the Proposed Actions. However, as under the Proposed Actions, the total and passive open space ratios would see a substantial increase, while the decrease in active open space would remain the same. As such, the Proposed Modified Application Alternative would result in the same significant adverse active open space impacts as Proposed Actions. However, with the provision of the approximately 22,000 sf PAA with active uses at the southern end of Block A, the impact would be fully mitigated under the Proposed Modified Application Alternative, whereas the Proposed Actions would only provide partial mitigation for the significant adverse impact.

J. UNAVOIDABLE ADVERSE IMPACTS

As described above in "Mitigation," the Proposed Actions are expected to result in significant adverse impacts related to community facilities and services (publicly financed early childhood programs and libraries), open space, shadows, transportation (traffic, transit, and pedestrian conditions), and construction (traffic and noise). To the extent practicable, mitigation has been proposed for these identified significant adverse impacts. However, in some instances no practicable mitigation has been identified to fully mitigate the significant adverse impacts, and there are no reasonable alternatives to the Proposed Actions that would meet the purpose and need of the Proposed Actions, eliminate potential impacts, and not cause other or similar significant adverse impacts.

COMMUNITY FACILITIES—PUBLICLY FINANCED EARLY CHILDHOOD PROGRAMS

As detailed above in "Community Facilities," in both the No Action and With Action scenarios, publicly financed early childhood programs in the study area are predicted to operate over capacity. In the With Action condition, with additional children under the age of five who would be eligible for publicly funded early childhood programs, the predicted increase in the utilization rate would exceed 5 percentage points. With the addition of these children, early childhood programs in the study area would operate at 170.8 percent utilization with a deficit of 242 slots. Total enrollment in the study area would increase to 584 children, compared with a capacity of 342 slots, which represents an increase in the utilization rate of approximately 37 percentage points over the No Action condition. Therefore, the Proposed Actions would result in a significant adverse impact on early childhood programs. With the assumption of 914 affordable DUs at 80 percent AMI, the Proposed Actions would generate 128 eligible children, and the addition of 79 child care slots would be required to result in an increase in utilization in the study area of less than 5 percent.

Mitigation measures for this significant adverse impact have been developed in consultation with the DOE. The Restrictive Declaration for the Proposed Development will require the Applicant to work with DOE to consider the need for and the implementation of one or more measures to provide additional capacity, if required, to mitigate the significant adverse impact to publicly funded child care facilities within the 1.5-mile study area or within Queens Community District 1. Possible mitigation measures for this significant adverse impact may include the provision of suitable space on-site for a child care center within the Proposed Development, provision of a suitable location off-site and within a reasonable distance (at a rate affordable to DOE providers), funding or making program or physical improvements to support adding

capacity to existing facilities if determined feasible through consultation with DOE's Division of Early Childhood Education, or providing new early childhood programs within or near the Project Area. The Applicant would coordinate with DOE to determine the required mitigation at the time that 53 affordable units are developed in the Project Area (which may include development in the Additional Affected Area on sites that are not controlled by the Applicant). As the Proposed Development may include senior housing units, the determination of mitigation will only consider the need generated by affordable units that would be expected to generate children eligible for publicly financed early childhood programs. However, absent the implementation of such mitigation measures, if needed, the significant adverse impact on publicly funded early childhood programs would be an unavoidable adverse impact.

COMMUNITY FACILITIES—LIBRARIES

As detailed above in "Community Facilities," the With Action scenario population would represent an increase of 4.48 percent over the No Action scenario population at the Broadway Branch of the Queens Public Library and an increase of 5.94 percent at the Long Island City Branch of the Queens Public Library. The increase at the Long Island City Branch is greater than the 5 percent increase that CEQR defines as the threshold for a potential significant adverse impact. Therefore, the Proposed Actions would result in a significant adverse impact on library services in the study area.

Mitigation measures for this significant adverse impact have been developed in consultation with the Queens Public Library (QPL). The Applicant has coordinated with the Queens Public Library concerning a partnership with the Proposed Development and potential mitigation. Between DEIS and FEIS, the Applicant refined possible mitigation measures in coordination with QPL and DCP. The Restrictive Declaration for the Proposed Development will require the Applicant to coordinate with QPL and to commit to one of, or some combination of, the following mitigation measures, which will be implemented before the Temporary Certificate of Occupancy is issued for the final building in the Proposed Development. Potential mitigation measures include funding or provision of improvements and maintenance to the QPL Broadway branch facility that would support the branch's programming and services year-round, such as improvements to the branch's garden to provide space for public gatherings and community enjoyment; provision of space within the Proposed Development for the library, the size and location of which would be determined in coordination with QPL; and/or support for QPL for the continued operation of a space for the Library within the Proposed Development. However, if measures to fully mitigate the significant adverse impact are not implemented or full mitigation is determined to be impractical of infeasible, the significant adverse impact on libraries would be an unavoidable adverse impact.

OPEN SPACE

As detailed above in "Open Space," the Proposed Actions would introduce a substantial new residential population, plus 1.94 acres of publicly accessible open space, which would be primarily passive space. In the future with and without the proposed projects, the total, active, and passive open space ratios in the residential study area would remain below the City's planning goals. While the approximately 1.94 acres of dedicated publicly accessible open space that would be developed with the Proposed Actions would reduce the significant adverse open space impacts, it is not sufficient to fully avoid significant adverse open space impacts as determined by *CEQR Technical Manual* guidelines. Specifically, with the Proposed Actions (including the new publicly accessible open space to be constructed in the Project Area), the study area's total open space ratio would increase by approximately 30 percent; the active open space ratio would decrease by approximately 15 percent; and the passive open space ratio would increase by approximately 221 percent. As the Proposed Actions would result in a decrease in the active open space ratio exceeding the *CEQR Technical Manual* threshold of 1 percent in an area lacking in open space, the reductions in the active open space ratio would result in a significant adverse open space impact based on quantitative analysis of indirect effects, as set forth in the *CEQR Technical Manual*.

Potential mitigation measures for the open space impacts have been explored by the Applicant in consultation with DCP and NYC Parks. In particular, the Proposed Development would include an approximately 10,000 sf area at the southern end of Block A (along 36th Avenue) that would be additional publicly accessible open space. This publicly accessible open space would include active uses to provide partial mitigation for the significant adverse impact to active open space by providing an additional resource for active recreation for residents of the study area, where there is limited active open space.
However, if the proposed mitigation is not feasible, or if the significant adverse impacts on open space would not be fully mitigated, the significant adverse impact on active open space would be an unavoidable adverse impact.

SHADOWS

As detailed above in "Shadows," development resulting from the Proposed Actions would cast new shadows that would have a significant adverse impact on Playground Thirty Five XXXV. In particular, development resulting from the Proposed Actions would cast new shadows on Playground Thirty Five XXXV throughout the day in all seasons, covering large areas of the playground at times, eliminating much or all of the remaining sunlight in the park at times—particularly in the fall, winter, and early spring—and causing significant adverse impacts to the user experience in all seasons. Trees and plantings in the park would continue to receive adequate direct sunlight through the May to August heart of the growing seasons, but those in the southern part of the park would receive up to an hour less than generally required in the March and September "shoulders" of the growing season, potentially impacting the health of those trees or plantings.

While the Applicant has stated that, at this time, there is no massing alternative to remove the impact and be financially feasible, potential mitigation measures are being explored by the Applicant in consultation with DCP and NYC Parks and have been refined between the DEIS and FEIS. In particular, the additional 10,000-sf active publicly accessible open space at the southern end of Block A would provide partial mitigation for the significant adverse shadows impact to Playground Thirty Five XXXV by providing an additional active resource, which may include children's active play space, in an area that would receive less shadow. This additional publicly accessible resource would serve residents of the study area seeking sunny active space. However, as no feasible and practicable mitigation has been identified to fully mitigate the significant adverse shadows impact, the increase in shadows on Playground Thirty Five XXXV would be an unavoidable adverse impact.

TRANSPORTATION

Traffic

The Proposed Actions would result in significant adverse traffic impacts at 23 study area intersections (all signalized) during one or more analyzed peak hours; specifically, 31 lane groups at 19 intersections during the weekday AM peak hour, 21 lane groups at 13 intersections during the weekday midday peak hour, 29 lane groups at 18 intersections during the weekday PM peak hour, and 25 lane groups at 16 intersections during the Saturday peak hour. Implementation of traffic engineering improvements, such as signal timing changes and modifications to lane striping and curbside parking regulations, would mitigate a number of the projected traffic impacts. Specifically, assuming all the proposed mitigation measures are implemented, the significant adverse impacts would be fully mitigated at 11, 8, and 12 lane groups in the weekday AM, midday, and PM peak hours, respectively, and 7 lane groups in the Saturday peak hour. Intersections where all impacts would be fully mitigated would total 7, 6, 8, and 5 during these same periods, respectively. In total, impacts to one or more lane groups would remain unmitigated in one or more peak hours at 15 intersections. Because of existing congestion at a number of these intersections, especially those along Northern Boulevard, even a minimal increase in traffic would result in unmitigated impacts. Specifically, in the No Action Condition, a total of 27 intersections (all signalized) would have at least one congested lane group in one or more peak hours, and a total of 15, 13, 16, and 15 intersections would have one or more lane groups operating at or over capacity in the weekday AM, midday and PM, and Saturday peak hours, respectively. According to the *CEQR Technical Manual*, for a lane group that would operate at LOS

F in the No Action Condition, a projected delay of four or more seconds is considered a significant impact. As such, even small increases in incremental With Action traffic volumes at some of the congested intersection approach movements would result in significant adverse impacts that could not be fully mitigated during one or more analysis peak hours, and almost any new development in the rezoning area could result in unmitigated traffic impacts. Consequently, the Proposed Actions would result in unavoidable adverse traffic impacts.

Transit

In the 2032 future with the Proposed Actions, southbound N/W trains are expected to be operating over capacity in the AM peak hour, and the Proposed Actions would increase this demand by an average of approximately 5.25 passengers per car. Fully mitigating this significant adverse impact would require the addition of one southbound N/W train during the AM peak hour. As standard practice, NYCT routinely conducts periodic ridership counts and adjusts subway frequency to meet its service criteria, within fiscal and operating constraints. Due to operating constraints where the N/W trains share tracks with the R train, adding one train to AM peak N/W southbound service would mean subtracting one train from AM peak R southbound service, which would result in longer wait times and higher average ridership loads on the remaining R trains. In the absence of this recommended mitigation, the significant adverse line haul impact to southbound N/W trains in the AM peak hour would remain unmitigated, and the Proposed Actions would result in an unavoidable adverse impact.

Pedestrians

Incremental demand from the Proposed Actions would significantly adversely impact three sidewalks and two crosswalks in one or more analyzed peak hours. There would be no significant impacts to any corner area in any period. Pedestrian flow along the three impacted sidewalks is constrained by the presence of outdoor dining areas. These sidewalks are outside the boundaries of the LSGD and are not under the control of the applicant. Therefore, the significant adverse sidewalk impacts would remain unmitigated. The applicant is fully committed to working with the affected restaurants on a cooperative basis to explore relocation or reconfiguration of these restaurants in the future. Recommended mitigation measures for the two crosswalk impacts would consist of the widening of crosswalks. Implementation of the widening of crosswalks, which would fully mitigate the impacts to both crosswalks, would be subject to review and approval by DOT. If these measures are deemed infeasible and no additional feasible mitigation measures can be identified, the significant adverse pedestrian crosswalk impacts would remain unmitigated, and the Proposed Actions would result in unavoidable adverse pedestrian impacts.

CONSTRUCTION

Traffic

The construction traffic impact analysis identified the potential for significant adverse impacts to 12 study area intersections in the analyzed AM and/or PM construction peak hours. Specifically, there would be impacts to 9 lane groups at 7 intersections in the weekday AM construction peak hour, and 16 lane groups at 9 intersections in the weekday PM construction peak hour. Implementation of recommended traffic engineering improvements including modifications to signal timing and phasing, modifications to lane restriping and changes to curbside parking regulations, would fully mitigate the significant adverse impacts to two lane groups in the construction AM peak hour and seven lane groups in the construction PM peak hour. Intersections where all impacts would be fully mitigated would total two and three, during these same periods, respectively. Impacts to seven lane groups in the construction AM peak hour and 12 lane groups in the construction PM peak hour would remain unmitigated at a total of eight intersections.

Because of existing congestion at study area intersections, especially those along Northern Boulevard (a designated truck route), even a minimal increase in construction-related traffic would result in significant adverse impacts that could not be fully mitigated during one or both construction peak hours. Consequently, the Proposed Actions' unmitigated construction traffic impacts would be considered unavoidable adverse impacts.

Noise

As described in the "Construction" and "Mitigation" sections, the construction noise analysis determined that construction of the Proposed Actions has the potential to result in temporary significant adverse impacts related to construction noise at various receptors within the Study Area.

At existing building façades that are predicted to experience significant adverse impacts, the Applicant would offer to make available at no cost the installation of storm windows for façades that do not already have insulated glass windows and/or one window air conditioner per living room, bedroom, classroom, office space, or other noise sensitive spaces on impacted façades that do not already have alternative means of ventilation. Any mitigation measures identified would be implemented prior to the start of construction. With the provision of these measures, the façades of buildings would be expected to provide approximately 25 dBA window/wall attenuation. As described above in "Noise," residential dwelling units to be constructed at Projected Development Sites A, B, C, D, E, F, I, and J would be required to provide at least 35 dBA window/wall attenuation; whereas community facility and office development would be expected to provide at least 30 dBA attenuation assumed for newly constructed modern buildings. Even with these measures, interior $L_{10(1)}$ noise levels at buildings predicted to experience construction noise impacts would at times during the construction period exceed the 45 dBA guideline recommended for residential and community spaces according to CEQR noise exposure guidelines by up to approximately 19 dBA. Because interior noise levels could still exceed the acceptable threshold even with the provision of receptor noise mitigation, the significant adverse construction noise impacts identified in "Construction" would be only partially mitigated. In addition, some building owners may not accept the offer of storm windows and/or alternative means of ventilation; at these locations, the significant adverse construction noise impacts would be unmitigated. Because these impacts cannot be fully mitigated, the impacts would constitute an unavoidable adverse impact.

For outdoor residential balconies and newly introduced publicly accessible open space areas that would be completed and occupied while construction under the Proposed Actions is ongoing, noise levels from construction activities at adjacent Projected Development Sites would increase above the construction noise impact criteria and would result in significant adverse noise impacts. While construction of the Proposed Action would follow the noise control measures required by Code and specific noise control measures (including measures beyond what are required by the New York City Noise Code) as discussed above in "Mitigation," no practical and feasible mitigation measures have been identified that could be implemented to reduce noise levels below the construction noise impact criteria at these outdoor locations. Consequently, construction activities would result in noise levels at these outdoor locations that would constitute a significant adverse noise impact. Therefore, at these outdoor locations, the significant adverse construction noise impacts would be unavoidable. However, as construction would not regularly occur during evening or weekend hours, the balconies and open spaces would be free of construction noise during these times.

K. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS

The term "growth-inducing aspects" generally refers to "secondary" impacts of a proposed action that trigger further development outside the directly affected area. The *CEQR Technical Manual* indicates that an analysis of the growth-inducing aspects of a proposed action is appropriate when the project: (1) adds substantial new land use, residents, or new employment that could induce additional development of a similar kind or of support uses, such as retail establishments, to serve new residential uses; and/or (2) introduces or greatly expands infrastructure capacity.

The Proposed Actions would facilitate the development of residential space, including affordable housing, and create new commercial, arts-related, and community facility space to support job creation. The Proposed Actions are intended to transform the five city blocks in the Project Area into a vibrant, mixed-use community offering a wide variety of housing options, maker space and office space for the creative

industries, neighborhood-serving healthcare facilities, retail, a state-of-the-art multiplex cinema, a full-service grocery store, and thoughtfully programmed publicly accessible open spaces throughout.

The projected increase in residential population is likely to increase the demand for neighborhood services in the Project Area, ranging from community facilities to local goods and services. This would enhance the growth of local commercial corridors in the Project Area. The potential growth that would be generated by the Proposed Actions is taken into account as part of the RWCDS under the assumed commercial, arts-related, and community facility space. The Proposed Actions could also lead to additional growth in the City and State economies, primarily due to employment and fiscal effects during construction on the projected development sites and operation of these developments after construction completion. However, this secondary growth would be expected to occur incrementally throughout the region and is not expected to result in any significant impacts in any particular area or at any particular site.

The Proposed Actions would result in more intensive land uses within the Project Area. However, it is not anticipated that the Proposed Actions would generate significant secondary impacts resulting in substantial new development in nearby areas. As stated above in "Socioeconomic Conditions," the Proposed Actions would not introduce a new economic activity that would significantly alter or accelerate existing economic patterns in the study area. As the study area includes portions of older surrounding Queens neighborhoods, it already has a well-established residential market and a critical mass of non-residential uses, including retail, light industrial, and community facility uses, and therefore the Proposed Actions would not create the critical mass of uses or populations that would induce additional development outside of the Project Area. The community facility and office uses in the Proposed Development would be targeted toward arts-related uses and would include studio space, flexible office space, and an arts and cultural center, which would support and strengthen the existing cluster of arts and cultural uses found in the study area. Therefore, the Proposed Actions would not induce significant new growth in the surrounding area.

L. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Resources, both natural and human-made, would be expended in the construction and operation of developments and open space projected to occur as a result of the Proposed Actions. These resources include the building materials used in construction; energy in the form of gas and electricity consumed during construction and operation of project-generated development by various mechanical and processing systems; and the human effort (time and labor) required to develop, construct, and operate various components of project-generated development. These are considered irretrievably committed because their reuse for some other purpose would be highly unlikely.

The projected development under the Proposed Actions also constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future. However, the land use changes that would occur as a result of the Proposed Actions would be compatible in terms of use and scale with existing conditions and trends in the area as a whole. None of the projected development sites possess any natural resource of significant value, and the sites are in large part developed or have been previously developed.

The public services anticipated to be provided in connection with the projected development under the Proposed Actions (e.g., police and fire protection, public education, open space, and other City resources) also constitute resource commitments that might otherwise be used for other programs or projects. However, the Proposed Actions would allow new uses under the proposed zoning changes and produce economic growth that would generate substantial tax revenues providing a new source of public funds that would offset these expenditures.

The commitments of resources and materials are weighed against the benefits of the Proposed Actions. The

Proposed Actions would facilitate the redevelopment of the Project Area with a series of mixed-use buildings, affordable housing, publicly accessible open space, arts and cultural venues including a multi-purpose arts and culture center, movie theatre, galleries, artists' workshops, and tech and general office space. In addition to art and cultural venues, the project would include eating and drinking establishments, a grocery store, a world market, and other local retail, service and community facility uses to support the new residential population, the existing business and residential community, and provide a strong anchor for the Steinway Street and 35th Avenue commercial corridors.

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