ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

Kaufman Bedrock Astoria I LLC
c/o Jerald Johnson, Fox Rothschild LLP
101 Park Avenue, 17th Floor
New York, NY 10178

Re:	**Innovation QNS Rezoning and LSGD**
CEQR No.	21DCP180Q
ULURP No(s).	**Pending**
SEQRA Classification:	Type I
Queens Community District:	1

Dear Mr. Johnson,

Under City Environmental Quality Review, it is required that if the lead agency determines that proposed actions may have significant effect on the environment, it shall issue a Positive Declaration and request that the applicant prepare a Draft Environmental Impact Statement.

Based upon review, the Department of City Planning, acting on behalf of the City Planning Commission as CEQR lead agency, has found that the proposed action falls within this category and that an Environmental Impact Statement (EIS) will be required. Accordingly, enclosed is the Positive Declaration for CEQR No. 21DCP180Q, Innovation QNS Rezoning and LSGD. A public scoping meeting has been scheduled for Monday, June 14, 2021, and in support of the City's efforts to contain the spread of COVID-19, DCP will hold the public scoping meeting remotely. The public meeting will be starting at 2:00 pm. Written comments will be accepted by the lead agency through Thursday, June 24, 2021. Enclosed are the Environmental Assessment Statement, Positive Declaration, Draft Scope of Work, and Public Notice of a Scoping Meeting.

Sincerely,

Olga Abinader, *Director*

May 14, 2021
Date

cc: Project File
Marisa Lago, Chair
City Planning Commissioners
Raju Mann, Director, City Council Land Use Division
Donovan Richards, Jr., Queens Borough President
Queens Community Board 1

Olga Abinader, *Director,* (212) 720-3493 | oabinad@planning.nyc.gov
Stephanie Shellooe, AICP, *Deputy Director,* (212) 720-3328 | sshellooe@planning.nyc.gov
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DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

May 14, 2021

POSITIVE DECLARATION

Project Identification
Innovation QNS
CEQR No. 21DCP180Q
ULURP Nos. Pending
SEQRA Classification: Type I

Lead Agency
City Planning Commission
120 Broadway
New York, NY 10271
Contact: Olga Abinader
(212) 720-3493

Name, Description and Location of Proposal:

Innovation QNS

The Applicant (a joint venture between Kaufman Astoria Studios, Bedrock Real Estate Partners, and Silverstein Properties) is requesting a rezoning and other discretionary actions (the Proposed Actions) to facilitate the Proposed Development, which would redevelop a portion of the five (5) 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 Board 1. The Project Area (Blocks 641, 668, 669, 670, and 671) contains 43 tax lots, of which 21 are controlled by the Applicant while the remaining lots are controlled by others. The Applicant-controlled lots would be declared a Large Scale General Development (LSGD) and would contain the Proposed Development also known as the Innovation QNS project.

The Innovation QNS project is intended create a series of arts and cultural venues, eating and drinking establishments, a grocery store and world market and other local retail, service and community facility uses, as well as approximately 2,800 new residential dwelling units of which 25% of the residential floor area (approximately 711 dwelling units) would be permanently set aside as affordable units under the Mandatory Inclusionary Housing (MIH) Option 1 program.

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

- Zoning Text Change to Section ZR 123-00 creating a new MX District
- Zoning Map Amendment to Map 9b changing the Project Area from M1-1, M1-5, 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

- Zoning Text Change to make the rezoning area a Mandatory Inclusionary Housing Area (MIH)
- Zoning Text Change to exempt the school square footage from Floor Area in the LSGD, if a school is determined to be required as part of the Proposed Actions
- Special Permit under ZR 74-743: to modify ZR 23-10, 43-10, 123-64 (Floor Area), 23-40, 43-40, 123-65 (Rear Yards), 23-711 (minimum distance between buildings), 123-66 (height and setback)
- Special Permit under ZR 74-922, Certain Large Retail Establishments: to modify ZR 42-10 to permit a food store and retail uses greater than 10,000 sf of floor area
- Special Permit under ZR 74-744 (c) to modify sign regulations: to modify ZR 123-40, 32-60
- Zoning Text Change to Special Permit ZR 74-744 (a) 4 to make Physical Culture Establishments (PCE's) as of right in a Special MX District in Community Board 1 (CB1) Queens
- Special Permit under ZR 74-531 to increase the number of spaces in an accessory group parking facility in the LSGD, Modifying ZR 123-70, 44-10, 25-10, 25-20
- Special Permit under ZR 74-745 to locate required spaces throughout the five (5) LSGD accessory group parking facilities
- Special Permit under ZR 74-745 (a) to allow the distribution of parking spaces across the LSGD
- Zoning Text Change to make the reduction in loading berths permitted under Special Permit ZR 74-745 (b) applicable to a Special MX District in CB1 Queens
- Special Permit under ZR 74-745 (b) to reduce loading berths: to modify ZR 44-50, 123-70.

Implementation of the proposed actions would require review and approval of the discretionary actions pursuant to the City's Uniform Land Use Review Procedure (ULURP). DCP is acting as lead agency on behalf of the CPC and is conducting a coordinated environmental review under the City Environmental Quality Review (CEQR) process.

The analysis year for the Proposed Actions is 2032.

Statement of Significant Effect:
On behalf of the City Planning Commission (CPC), the Department of City Planning has determined, pursuant to 6 NYCRR Part 617.7, that the Proposed Actions may have a significant adverse effect on the environment as detailed in the following areas, and that an environmental impact statement will be required:

> The Proposed Actions may result in significant adverse impacts related to: land use, zoning, and public policy; socioeconomic conditions; community facilities; open space; shadows; historic and cultural resources; urban design and visual resources; hazardous materials; water and sewer infrastructure; solid waste and sanitation services; energy; transportation, air quality; greenhouse gas emissions and climate change; noise; public health; neighborhood character; and construction.
>
> The Proposed Actions would not result in significant adverse impacts related to natural resources.

Supporting Statement:
The above determination is based on an Environmental Assessment Statement prepared for the Proposed Actions which finds that:

1. Land Use, Zoning, and Public Policy - As the Proposed Project requires a number of zoning actions including a zoning map amendment, zoning text amendments and special permits, the potential effects of the Proposed Actions on land use trends, zoning and applicable public policies in the study area will be assessed in the EIS.
2. Socioeconomic Conditions – The Proposed Actions warrant an assessment of socioeconomic conditions with respect to all but one principal issue of concern —direct residential displacement. Direct displacement of fewer than 500 residents would not typically be expected to alter the socioeconomic characteristics of a neighborhood. The assessment of the remaining four areas of concern - indirect residential displacement, direct and indirect business displacement, and adverse effects on specific industries will be provided in the EIS.

3. Community Facilities – The Proposed Actions would exceed the thresholds requiring analysis of elementary/middle and high schools, child care centers, and libraries, and these analyses will be provided in the EIS.
4. Open Space – The proposed project area is located in an area that is considered "underserved" for public open space as defined by the CEQR Technical Manual. The Proposed Actions would result in a net increment of approximately 8,300 residents and approximately 1,200 workers in an area that is partially considered "underserved" by open space; therefore, an open space analysis will be provided in the EIS.
5. Shadows – The Proposed Actions would permit development of buildings greater than 50 feet in height, some of which would be located in the vicinity of sunlight sensitive resources (e.g., Playground Thirty-Five, a City-owned public playground). Therefore, the Proposed Actions have the potential to cast new shadows on nearby sunlight sensitive resources. As such, an analysis of the new buildings' potential to result in shadow impacts on sunlight sensitive resources is warranted and will be included in the EIS.
6. Historic and Cultural Resources – A historic and cultural resources assessment is required if a project has the potential to affect either archaeological or architectural resources. The New York City Landmarks Preservation Commission (LPC) will be consulted to determine of archaeological sensitivity, and to identify any potential architectural resources. Therefore, a historic and cultural resources analysis will be prepared for the EIS.
7. Urban Design and Visual Resources – The Proposed Actions and subsequent development on the Development Site could result in physical changes to the proposed rezoning area beyond the bulk and form currently permitted as-of-right. These changes could affect a pedestrian's experience, requiring an urban design assessment. Therefore, an assessment of urban design and visual resources will be provided in the EIS.
8. Hazardous Materials – The EIS will include an assessment of hazardous materials to address the potential presence of hazardous materials, petroleum products, and/or other environmental concerns in the Project Area, as well as necessary measures that would be required, either prior to or during demolition, excavation, construction and/or operation of the Proposed Development.
9. Water and Sewer Infrastructure – For the Proposed Actions, an analysis of water supply is warranted because the proposed incremental development associated with the Proposed Actions would result in a water demand of more than one million gallons per day. In addition, because the Proposed Actions would introduce an incremental increase above the No Action scenario of more than 400 DUs, as well as more than 150,000 sf of commercial space, and is located in a combined sewer area within Queens, an analysis of wastewater and stormwater infrastructure is warranted. Therefore, the EIS will include an assessment of water and sewer infrastructure.
10. Solid Waste and Sanitation – The Proposed Actions are expected to result in a net increase of more than 50 tons per week, compared with the No Action condition, an assessment of solid waste and sanitation services is warranted. Therefore, the EIS will provide an estimate of the additional solid waste expected to be generated by the projected development sites under the RWCDS and assesses its effects on the City's solid waste and sanitation services.
11. Energy – An analysis of the anticipated incremental demand from the Proposed Actions will be provided in the EIS. The EIS will disclose the projected amount of energy consumption during long-term operation resulting from the Proposed Development and development on the Projected Development Sites not controlled by the Applicant. The projected amount of energy c onsumption
    during long-term operation will be estimated based on the project specific information, if available, and will be consistent with the energy consumption estimated as part of the greenhouse gas (GHG) assessment.
12. Transportation – The Proposed Actions are expected to introduce new residential, commercial, and community facility uses including on-site accessory parking of approximately three million square feet as well as replace 98,810 gsf of cinema use within the Project Area, which would generate additional vehicular travel and demand for parking, as well as additional subway and bus riders and

pedestrian traffic. Therefore, the Proposed Actions have the potential to result in significant adverse impacts related to transportation systems.

13. Air Quality – The Proposed Actions warrant an air quality analysis including both mobile and stationary sources (i.e., industrial and/or large emission source analyses) as it introduce new sensitive receptors on the Project Area.
14. Greenhouse Gas Emissions (GHG) – The proposed development associated with the Proposed Actions would exceed 350,000 sf, and therefore a GHG assessment will be provided in the EIS.
15. Noise – A noise analysis will be included in the EIS as the Proposed Actions would result in additional vehicle trips to and from the proposed rezoning area as well as introduce new sensitive receptors to the area. Building attenuation required to provide acceptable interior noise levels for the Projected Development Sites will also be examined and discussed in the EIS.
16. Public Health – As none of the relevant analyses that typically determine the need for a Public Health Assessment have been completed yet the potential for an impact in these analysis areas, and thus potentially to public health, cannot be ruled out at this time. Therefore, an assessment of public health will be provided in the EIS.
17. Neighborhood Character – The proposed action could affect land use, zoning, and public policy, urban design and visual resources and historic and cultural resources, and consequently, the Proposed Actions could have the potential to result in significant adverse impacts related to the affected area's neighborhood character. Consequently, a Neighborhood Character analysis will be provided in the EIS.
18. Construction – Because the construction duration of the proposed project is anticipated to be long-term (i.e., greater than two years), would involve the construction of multiple buildings, and the construction activities would occur in proximity to sensitive receptors (i.e., residences), the Proposed Project could have substantial and extended construction effects. Large-scale developments near sensitive receptor locations with a construction duration longer than two years typically require a quantitative assessment of the potential impacts of construction activities.

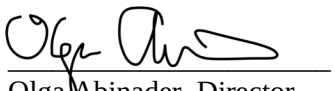
Public Scoping:
The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting has been scheduled for Monday, June 14, 2021 at 2:00 PM. In support of the City's efforts to contain the spread of COVID-19, DCP will hold the public scoping meeting remotely. To join the meeting and comment, please visit the NYC Engage site, https://www.nyc.gov/engage.

Written comments will be accepted through Thursday, June 24, 2021.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Should you have any questions pertaining to this Positive Declaration, you may contact the Project Manager, Evren Ulker-Kacar, AICP, at eulker@planning.nyc.gov or (212) 720-3493.



May 14, 2021
Date

Olga Abinader, Director
Environmental Assessment and Review Division
New York City Department of City Planning