Chapter 1: Project Description

A. INTRODUCTION

The Applicant (a joint venture between Kaufman Astoria Studios, BedRock Real Estate Partners, and Silverstein Properties[1]) 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"; see **Figure 1-1**) 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") (see **Figure 1-2**).

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),[2] approximately

[1] The Applicant entities are Silverstein Astoria Member LLC and Kaufman BedRock Astoria I LLC.

[2] A minimum percentage of housing created by the Proposed Actions would be permanently affordable under MIH. The number of affordable units would be determined by a number of factors, including the MIH option ultimately selected for the Proposed Actions. The number of affordable units presented here is approximate and based on a percentage of floor area that would be affordable housing under the Reasonable Worst Case Development Scenario (RWCDS), which is assumed to be MIH Option 1 (25 percent of residential floor area).

12.1.21



INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

Project Location
Figure 1-1

12.1.21



INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

Project Area
Figure 1-2

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.

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

To facilitate the Proposed Development, the Applicant is requesting several actions from the City Planning Commission (CPC), including 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 (see **Figures 1-3 and 1-4**). The Proposed Actions also include a zoning text amendment to amend Appendix F of the Zoning Resolution to designate the rezoning area as an MIH area. The Applicant is seeking a Special Permit under Section 74-743 (Large Scale General Development [LSGD]) of the Zoning Resolution (ZR) to allow floor area distribution without regard to zoning district boundaries and zoning lot lines; allow waivers of required rear yards and minimum distance between buildings; and allow waivers of height and setback regulations. Finally, the Proposed Actions include additional zoning text amendments and special permits to modify various sections of the Zoning Resolution related to the LSGD, as detailed below, under "Proposed Actions."

The New York City Department of City Planning (DCP), acting on behalf of CPC, will be the lead agency for environmental review. Based on the Environmental Assessment Statement (EAS) that has been prepared, the lead agency has determined that the Proposed Actions have the potential to result in significant adverse environmental impacts, requiring that an EIS be prepared. This chapter includes a description of the Proposed Development and the actions necessary for its implementation, presents the proposed framework for the EIS analysis, and discusses the procedures followed in the preparation of the Draft EIS (DEIS). The 202~~0~~2021 *City Environmental Quality Review (CEQR) Technical Manual* will serve as a general guide on the methodologies and impact criteria for evaluating the Proposed Actions' effects on the various areas of environmental analysis.

The analyses presented in the Draft EIS were generally conducted in accordance with the guidance outlined in the 2020 *CEQR Technical Manual.* In December 2021, a substantive update to the 2020 *CEQR Technical Manual* was released. By its terms, the 2021 *CEQR Technical Manual* is to be used as guidance for "any environmental review commenced on or after the date" of its release. With respect to impact reviews commenced prior to such date that have not been brought to completion with the issuance of a Negative Declaration, Conditional Negative Declaration or a Final EIS, the lead agency is to consider whether it would be appropriate to supplement the impact analyses previously prepared to reflect the methodology set forth in the 2021 update based on whether the 2021 CEQR methodologies could result in potentially greater project-related impacts. ~~The environmental review for the Proposed Actions commenced prior to the issuance of the 2021 *CEQR Technical Manual*, but had not yet been completed, and the guidance of the 2021 *CEQR Technical Manual* is not expected to significantly change the technical analyses such that there~~

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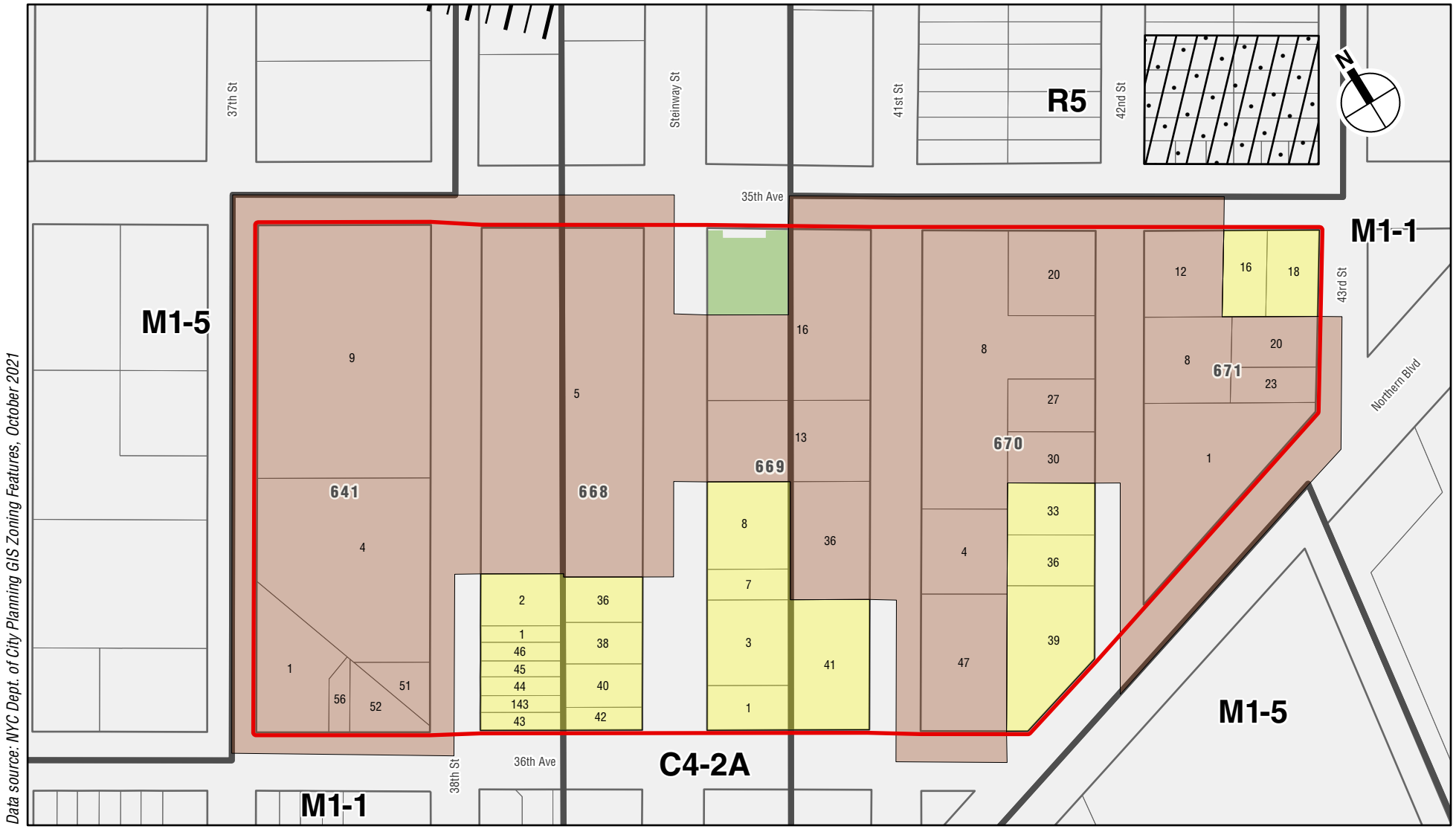
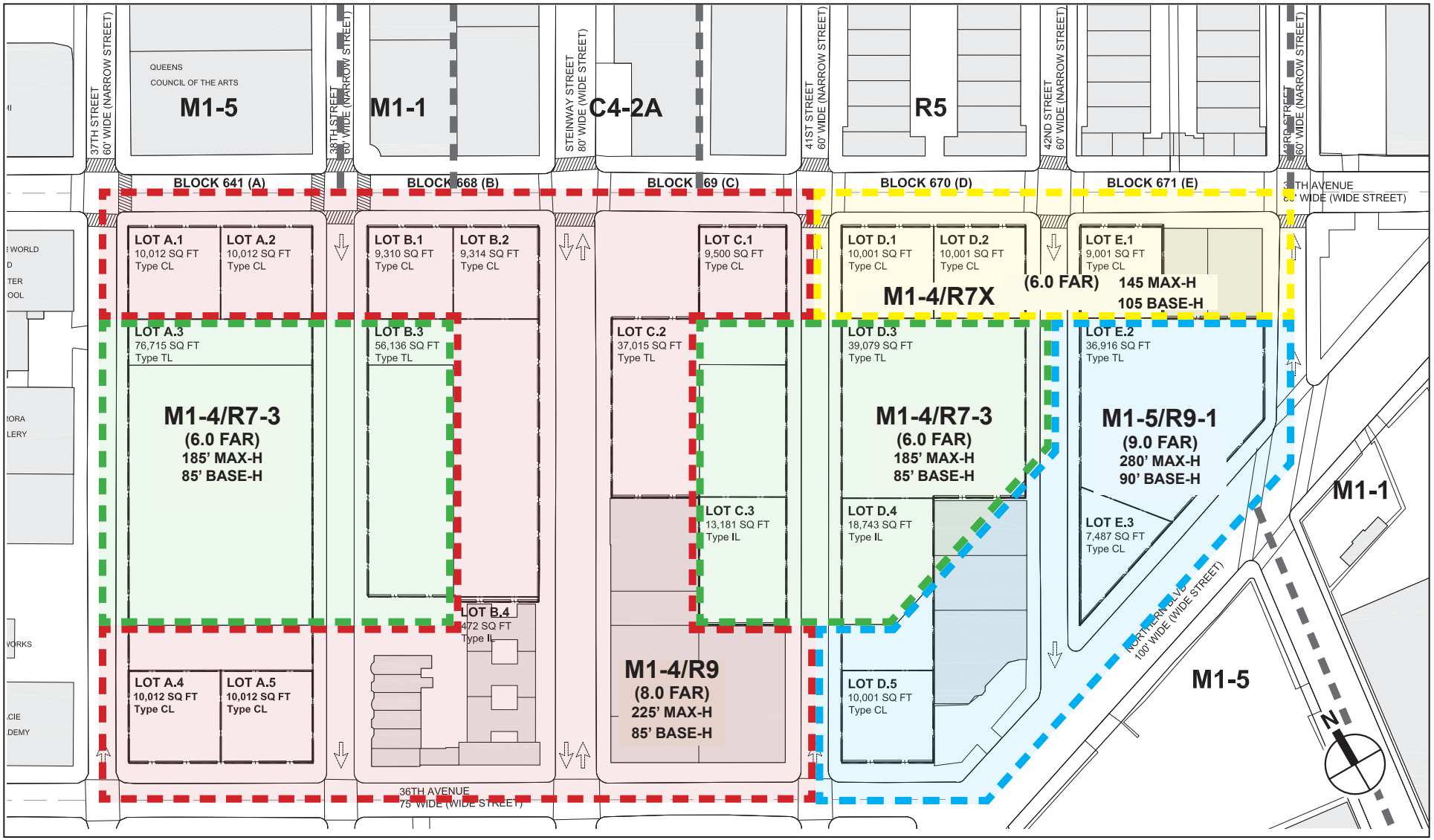


INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

Existing Zoning
Figure 1-3

12.1.21



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INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

Proposed Zoning
Figure 1-4

~~would be new or greater impacts.~~ In consultation with DCP as lead agency and other expert agencies, a preliminary assessment of the methodological changes was conducted in the DEIS, and it was determined that no new or substantially different impacts would occur (see **Appendix A**). ~~The analysis is expected to be updated to the guidance of the 2021 *CEQR Technical Manual* in the Final EIS.~~This Final EIS (FEIS) has been updated to reflect the guidance of the 2021 *CEQR Technical Manual,* where relevant.

C. BACKGROUND TO THE PROPOSED ACTIONS

DESCRIPTION OF THE PROJECT AREA

As shown on **Figure 1-1**, 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 ~~Large Scale General Development (~~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" (see **Figure 1-2**).

- 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 Dwelling Units [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 primarly 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.

Table 1-1 summarizes the lots in the Project Area, distinguishing between those within the Development Site and those within the Additional Affected Area.

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).

Table 1-1
Project Area Lots

Block	Lot	Address	Lot Area (sf)	Existing Use	Owner
Development Site*					
641	1	35-43 37th Street [2]	11,554	Eating Establishment/Salon; Residential	Jered Realty
	4	35-50 38th Street[1]	38,000	Theater (Regal Cinemas)	Kaufman BedRock Astoria I LLC
	9	35-01 37th Street[1]	58,118		
	51	35-30 38th Street[1]	3,010		
	52	37-11 36th Avenue[2]	3,813	Multi Family Residential	Sultan Bacchus
	56	37-09 36th Avenue[2]	1,900	Factory	Bigfoot Realty, LLC
668	5	35-30 Steinway Street[2]	75,335	Retail (P.C. Richard & Son)	35-18 Steinway Street LLC
669	13	35-25 Steinway Street[3]	17,932	Retail	Wilbee Corp
	16	35-19 Steinway Street[3]	28,500	Parking	Queensboro Farm Products Inc
	36	35-42 41st Street[3]	13,216	Warehouse	Mayer Malbin Realty I, LLC
670	4	35-33 41st Street[3]	10,020	Warehouse	Mayer Malbin Realty I, LLC
	8	35-13 41st Street[3]	40,000	Warehouse	Queensboro Farm Products Inc
	20	35-02 42nd Street[3]	10,000	Factory/ Warehouse	Queens Farm Products Inc
	27	35-22 42nd Street[3]	6,000	Warehouse	Queensboro Farm Products Inc
	30	35-28 42nd Street[3]	6,000	Warehouse	Queensboro Farm Products Inc
	47	35-45 41st Street[3]	15,767	Warehouse	Mayer Malbin Realty I,LLC
671	1	42-07 Northern Boulevard[3]	24,387	Retail	42-11 Northern LLC
	8	35-17 42nd Street[3]	10,000	Parking	Queensboro Farm Products Inc
	12	42-08 35th Avenue[3]	9,000	Car Showroom	Queensboro Farm Products Inc
	20	35-10 43rd Street[3]	6,000	Warehouse	Alfess Realty
	23	35-18 43rd Street[3]	4,000	Warehouse	Alfess Realty
Additional Affected Area					
668	1	35-47 38th Street	1,908	Multi Family Residential	Maryann, Terrero
	2	35-43 38th Street	5,779	Parking	Standard Motor Products Inc
	36	35-44 Steinway Street	4,500	Residential / Retail	3544 Steinway Street, LLC
	38	35-48 Steinway Street	4,500	Multi Family Residential	Eera Properties, LLC
	40	35-52 Steinway Street	4,500	Multi Family Residential	Dimitrios Pistikos
	42	35-54 Steinway Street	2,250	Retail	Steven Rigogiannis
	43	35-57 38th Street	1,906	Residential / Retail	Nava, Eliseo
	143	35-55 38th Street	1,907	Multi Family Residential	Kemal Dervisevic
	44	35-53 38th Street	1,907	Multi Family Residential	Rahman Realty Corp.
	45	35-51 38th Street	1,908	Multi Family Residential	Quijano, Genaro
	46	35-49 38th Street	1,908	Multi Family Residential	Pooran Sookpaul
669	1	35-53 Steinway Street	4,750	Warehouse	HHB 53, LLC
	3	35-49 Steinway Street	9,500	Auto Repair Shop	HHB 49, LLC
	7	35-41 Steinway Street	3,515	Auto Repair Shop	Sydney Taylor Properties, LLC
	8	35-31 Steinway Street	9,618	Eating & Drinking Establishment / Auto Repair Shop	HHB 35, LLC
	20	*35-01 Steinway Street*	*9,500*	*Park*	*NYC Department of Environmental Protection*
	41	35-48 41st Street	14,250	Warehouse	Doris Hinsch Lezny, Member
670	33	35-34 42nd Street	6,000	Auto Repair Shop	HHB 34, LLC
	36	35-42 42nd Street	5,967	Auto Repair Shop	HHB 42, LLC
	39	41-15 Northern Boulevard	13,769	Auto Repair Shop	TT & R Realty LLC
671	16	42-12 35th Avenue	5,000	Contractor Shop	42-12 35th Ave LLC
	18	35-06 43rd Street	6,000	Auto Repair Shop	Gardella, Gracene

Notes: The Applicant entities (Kaufman Astoria Studios, BedRock Real Estate Partners, and Silverstein Properties) are the owners and/or contract vendees of all Development Site properties.
[1] Denotes properties owned by Kaufman BedRock Astoria I LLC
[2] Denotes properties under contract to Kaufman BedRock Astoria I LLC
[3] Denotes properties under contract to Silverstein Astoria Member LLC

DESCRIPTION OF THE PROPOSED DEVELOPMENT

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 Mandatory Inclusionary Housing (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 Physical Culture Establishments (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;
- 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).

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.

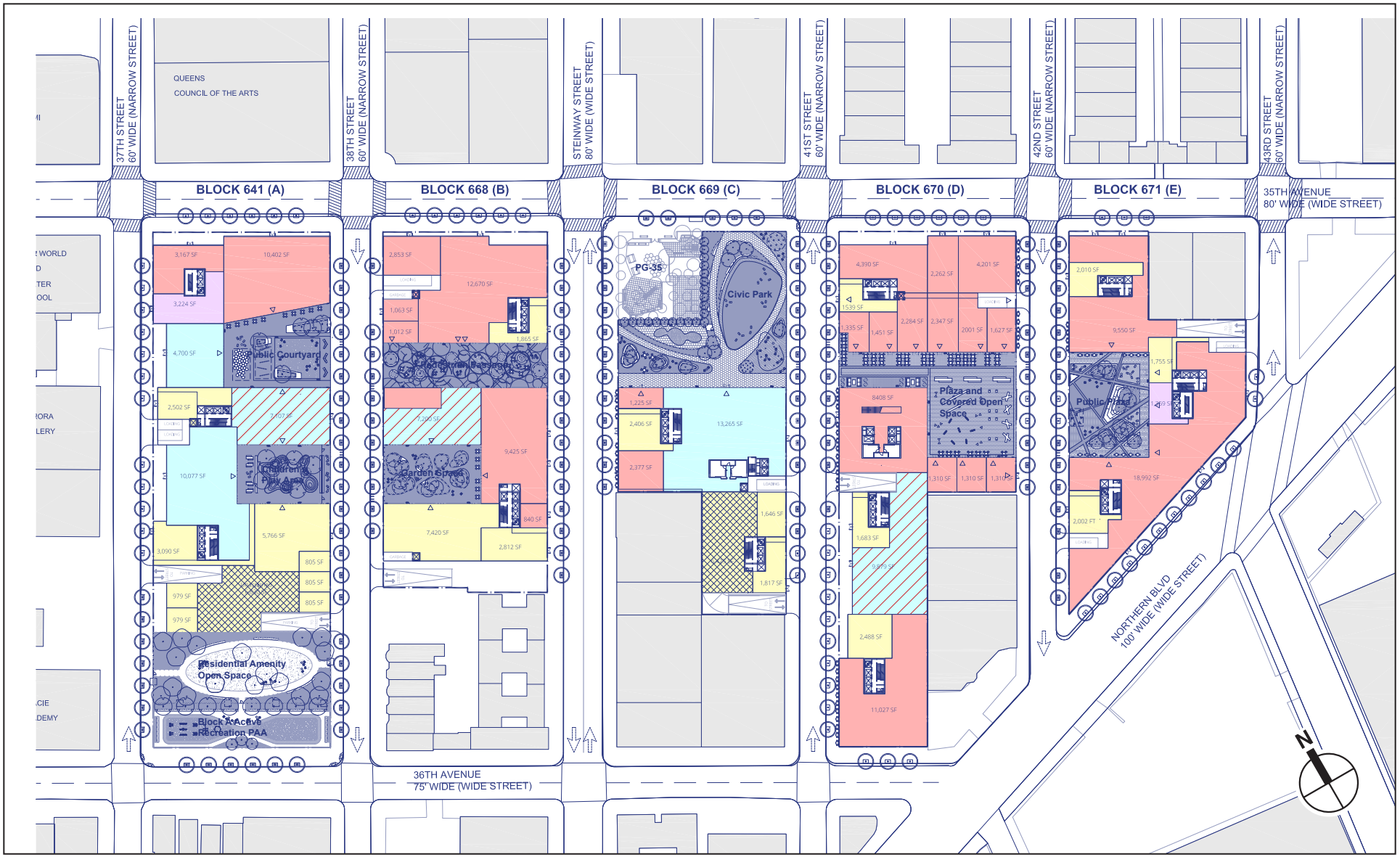
Block 671 (Block E)—The Proposed Development on this block would occupy the portion of the irregularly shaped lot formed by the angle of Northern Boulevard to the regular street grid (Block 671, Lots 1, 8, 12, 20, and 23), excepting the two lots not controlled by the Applicant at the corner of 35th Avenue 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). **Figure 1-5** shows the Proposed Development's ground floor plan, and **Figures 1-6 and 1-7** show the Proposed Development's rooftop plan and massing.

D. EXISTING ZONING

The entire Project Area, with the exception of the block faces on Steinway Street, is located in an M1-1 district. M1 districts commonly contain light manufacturing uses and are typically used as buffers between heavy manufacturing areas and residential and commercial areas, though all manufacturing uses are allowed that meet the M1 performance standards. Commercial uses such as hotels and offices are allowed as-of-right in M1 districts. Certain community facility uses require a special permit, but houses of worship are allowed as-of-right. Residential uses are not permitted.



Source: ODA

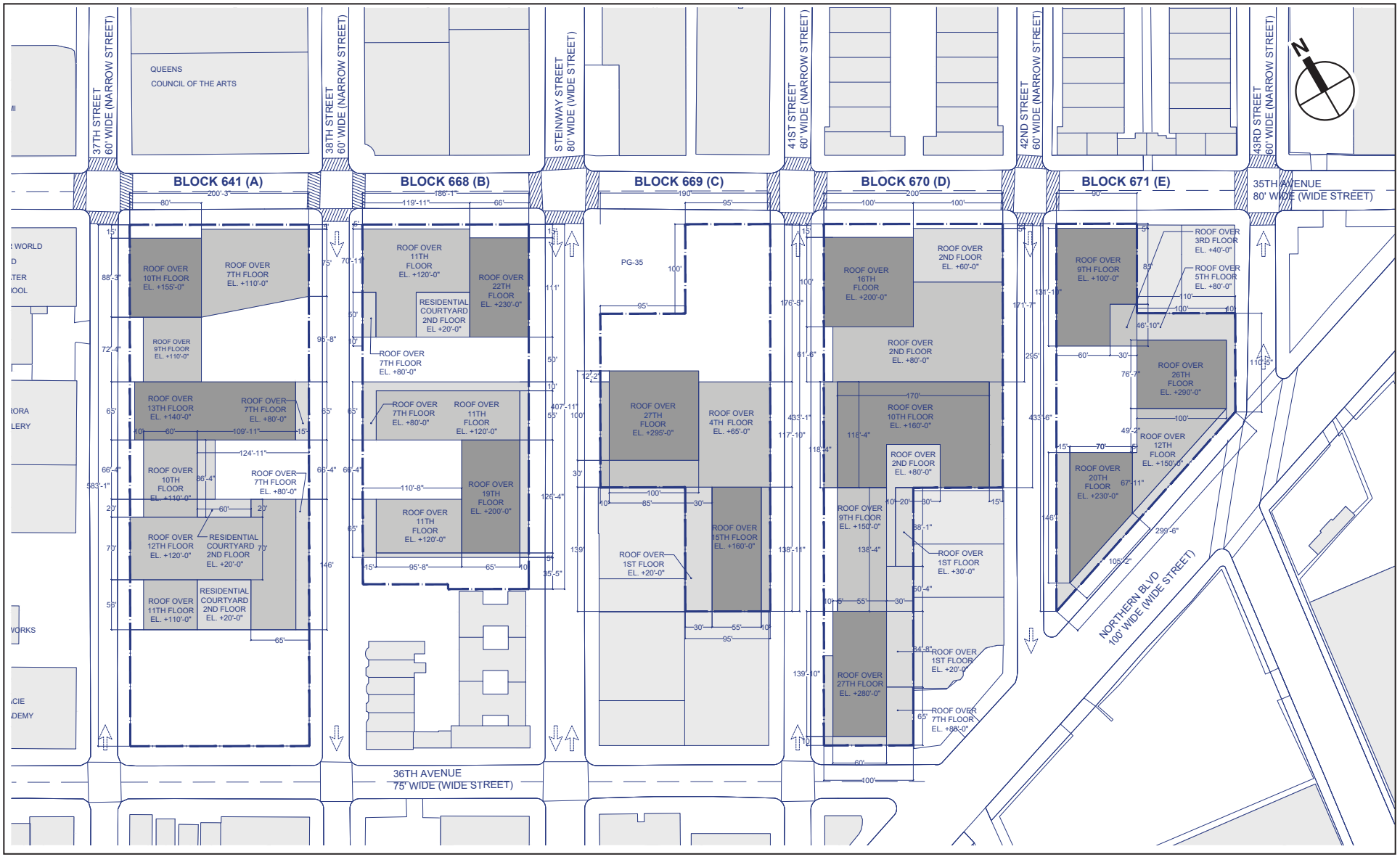
Residential *Cultural/Community Facility (CF)* *Office*

Commercial *CF - Retail*

INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

Proposed Development Ground Floor Plan

Figure 1-5

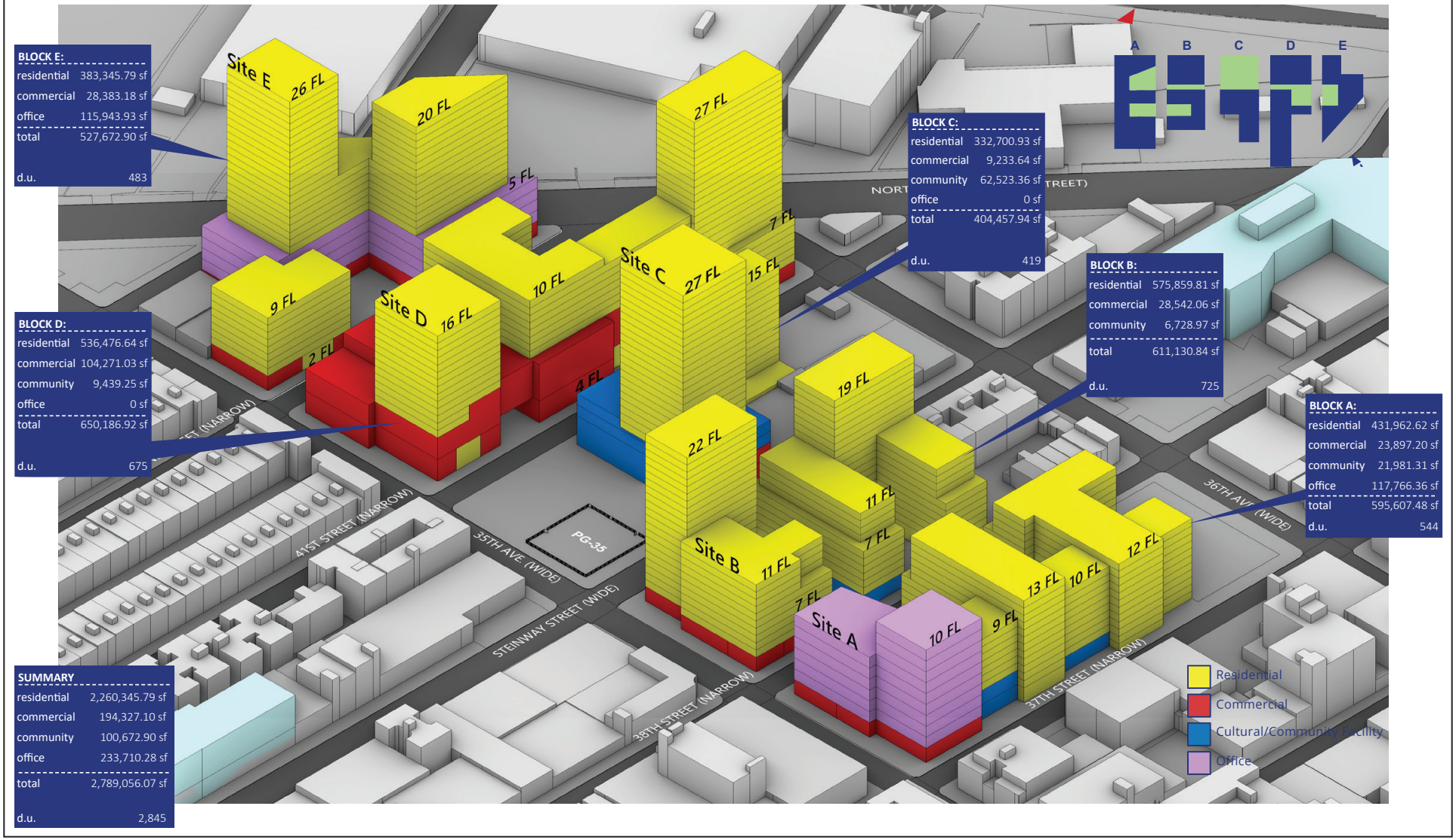


Source: ODA

INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

Proposed Development Rooftop Plan
Figure 1-6

3.28.22



Source: ODA

INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

Proposed Development Massing
Figure 1-7

The block faces on Steinway Street in the Project Area are located in a C4-2A district. C4 districts are mapped in regional commercial centers and permit uses such as specialty and department stores, theaters, offices, and other commercial uses. Residential uses are also permitted: the C4-2A district's residential equivalent is R6A. The C4-2A district is a contextual district, and residential buildings are required to meet the R6A contextual regulations, which apply the Quality Housing zoning regulations that are intended to provide for buildings with high lot coverage set at or near the street line which match the traditional residential neighborhood form.

E. 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 (see **Figures 1-3 and 1-4**). 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 Mandatory Inclusionary Housing (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).The Proposed Actions also include the following Special Permits:

- 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).
- Five Special Permits, one for each of 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).

F. PURPOSE AND NEED

The Applicant seeks to would 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 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.

The Proposed Actions would support the Applicant's goals for the Proposed Development outlined above as follows:

- The proposed Zoning Text Amendment to create a new MX District and the Zoning Map Amendment to map the MX District and M1-4/R7-3, M1-4/R7X, M1-4/R9 and an M1-5/R9-1 Districts would create medium- and higher-density non-contextual and contextual districts that allow a wide range of residential, community facility, commercial and light industrial uses. This wide range of uses supports the Applicant's vision and proposed programming for a mixed-use district with residential uses, arts and cultural venues, a mix of commercial uses (including eating and drinking establishments and local retail) and community facility uses to support the residential population. The bulk regulations provided by the proposed zoning are generous enough to provide for a series of building heights and typologies that would facilitate the Applicant's vision and programming.
- The Zoning Text Amendment to make the rezoning area a MIH Area would require permanently affordable housing units and support the dire need for housing at a range of incomes in Astoria and the city.
- Under the Special Permit pursuant to ZR 74-743, the Applicant-controlled properties would be a LSGD, coterminous with the Development Site. In support of the Applicant's program and vision for the Proposed Development, the Special Permit would allow floor area distribution without regard to zoning district boundaries and zoning lot lines; allow waivers of required rear yards and minimum distance between buildings; and allow waivers of height and setback regulations:
  - The LSGD Special Permit would allow for floor area to be shifted from Block A and Block C and distributed to Blocks B, D, and E. The proposed distribution of floor area would relocate floor area from the the lower density westernmost block to appropriate locations at the intersections of the two wide streets, 35th Avenue and Steinway Street opposite Playground Thirty Five XXXV and the proposed large civic oriented publicly accessible open space and the very wide Northern Boulevard and wide 36th Avenue. This

relocation places the additional floor area in locations best able to accommodate additional density, allowing the creation of the new publicly accessible open spaces.

- The LSGD Special Permit would allow for portions of the buildings on Blocks C, D, and E to be located within required rear yard equivalents. For residential use in developments utilizing Quality Housing regulations in the zoning districts in which the Proposed Development will be located, a 60-foot rear yard equivalent located midway (or within 10 feet of midway) between two opposite streets of the block is required. In addition, for commercial and community facility uses, a 40-foot rear yard equivalent located midway (or within 5 feet of midway) between two opposite streets is required. Certain buildings on each block would be partially located within these rear yard equivalents; however, they would be located in areas that allow for residential uses to receive ample light and air from adjacent setbacks and public open spaces that would not negatively effect the residential units. The waiver of the rear yard equivalent would also allow for the multiplex cinema on Block D to be constructed evenly across the block, which would provide better layouts for each theater. The location of the buildings within the rear yards and rear yard equivalents provides for a better site plan for the Proposed Development and allows the creation of 1.94 acres of publicly accessible open space.
- The LSGD Special Permit would waive the required minimum distance between buildings on Blocks B and E:
    i. On Block B, the waiver would facilitate the buildings along Block B's through-block pedestrian passage. This publicly accessible open space is 50 feet in width and runs from Steinway Street to 38th Street. Under the proposed zoning, the minimum distance between building regulations require that, above a height of 20 feet (where residential required windows are located), a 60 foot minimum distance is required for a window-to-window condition. The buildings adjacent to the pedestrian passageway have a compliant wall-to-wall condition on the ground floor. However, above a height of 20 feet and before a 10-foot setback which begins at a height of 80 feet for the building on the south side of the open space, the buildings have a window-to-window condition of only 50 feet, which does not comply. The waiver to permit a 50 foot window-to-window condition for this building would allow for a stronger, cleaner building wall to be constructed on both sides of the open space.
    ii. On Block E, which is an irregularly shaped zoning lot, the waiver for minimum distance would facilitate efficient layouts of the buildings in relation to the proposed open space, abutting the two outparcels on the block, and the angled Northern Boulevard.
- The LSGD Special Permit would provide for building height and setback waivers primarily located along the 35th Avenue frontages of Blocks A (641), B (668), D (670), and E (671) and along 41st Street and a portion of the tower on 43rd Street. The Special Permit would also provide for height waivers at 4 locations, to single towers on each of Blocks B, C, D and E, as well as rear yard waivers on Blocks C, D, and E. These waivers are required to facilitate the Proposed Development's desired massing: the modifications are intended to provide varying building forms, articulate the street walls, frame public open spaces and respond to certain narrow block configurations. Similar to the distribution of floor area, the waivers would allow for larger envelopes to be located closer to wide streets, which can handle the additional height and density while, in turn, allowing for the construction of a variety of public open spaces throughout the development. These

waivers would help create a unique and distinct built form that supports good urban design and a better site plan.

i. On Block A, certain residential frontages on 37th Street would rise without setback to their total building heights—all of which will be less than the maximum permitted building height. The setback waivers would be minimal encroachments which allow for specific streetwall articulation and create a stronger street wall for portions of the building located at the street line, accommodating some of the density relocated from the public open space provided on this block.

ii. On Block B, the waivers would provide height and setback relief for the buildings along 38th Street as it approaches 35th Avenue, on 35th Avenue and along Steinway Street. This would allow for a sheer streetwall for the building at the corner of 38th Street and the wide 35th Avenue, providing a strong building presence. In addition, the waivers would allow for the 22-story corner tower at the corner of 35th Avenue and Steinway Street to provide a signature building and serve as the gateway to the Proposed Development from the Steinway Street commercial corridor.

iii. On Block C, the waivers would allow for the 23-story residential tower at the center of the block above a 4-story community hub base, which exceeds the maximum height in the M1-4/R7-3 district (185 feet) and M1-4/R9 district (225 feet) by rising up to 295 feet, and minor setback waivers are also proposed along 41st Street. This tower would be located above the arts and cultural facility fronting on Steinway Street and would front on the large open space on the block. The waivers would allow for efficient building floor plates above the setback and contribute to a better site plan because the tower is located at the center of the site, drawing attention to the Proposed Development, while also helping to frame the park and public civic space fronting on 35th Avenue.

iv. On Block D, the waivers would allow for the 16-story tower at the corner of 35th Avenue and 41st Street to be set at the street line along 41st Street and rise to a total height of 200 feet, exceeding the maximum permitted base height of 105 feet and a total building height of 145 feet. This would help the tower frame the park and civic open space opposite 41st Street, and promote a strong streetwall adjacent to the sidewalk widening on 35th Avenue. On the southern end of the block, the waivers would allow the tower located on 36th Avenue and Northern Boulevard to extend up 41st Street for an additional 50 feet with a wide street 10-foot setback and maintain building streetwall and floor plate widths for the tower.

v. On Block E, the waivers would allow for the buildings on an irregularly shaped zoning lot formed by the intersection of 43rd Street and the diagonal Northern Boulevard. The building design is for a mid-rise, 9-story, 100-foot tower without setback on both the 35th Avenue and 42nd Street frontages and for two towers above a mixed-use base along Northern Boulevard and the southern end of 42nd Street. The waivers would allow for the building on 35th Avenue to maintain a consistent height of 100 feet where it extends into the M1-5/R9-1 district (which has an 85 foot maximum base height). The waivers would also allow for the building on Northern Boulevard with two residential towers, the taller of

which (26 stories) would exceed the maximum building height by a minimal 10 feet.

- The five Special Permits under ZR 74-922, Certain Large Retail Establishments, would allow the Proposed Development to include certain retail uses greater than 10,000 sf in M1 districts otherwise limited in size. The Proposed Development would contain primarily community facility and small retail establishments. However, to provide flexibility for future configurations of retail space (e.g., to allow for multiple smaller spaces potentially greater than 10,000 sf, as well as for a possible relocation of the existing P.C. Richard & Son store), the Applicants are seeking to allow UG 6 food stores stores greater than 10,000 square feet of floor area and UG 10 retail uses in retail locations throughout all five blocks of the Proposed Development.
- The Special Permit under ZR 74-744 (c) to modify sign regulations would facilitate appropriate signage for the proposed relocated cinema in the Proposed Development. Portions of Block C and Blocks D and E face a residential zoning district boundary line in the middle of 35th Avenue, making C1 district regulations applicable within 100 feet of 35th Avenue. The Special Permit would waive the applicable C1 sign regulations for the blockfront containing the relocated multiplex cinema, facing 35th Avenue between 41st and 42nd Streets. The main entrance to the theater is midblock within the proposed covered public open space. It will be important to the operation of the theater and the movie going public to have signage appropriate for the theater use which would highlight the cinematic offerings and provide direction for the visiting public. The waiver would modify the regulations only for the theater at this location. The retail uses on the ground floor would abide by the applicable C1 district regulations. The waiver would allow for additional signs for the second floor theater use on the 35th Avenue frontage and on the 41st Street frontage within 100 feet of the corner.
- The Special Permit under ZR 74-745 (a) would allow the required and permitted accessory parking spaces to be located throughout the Proposed Development's five accessory group parking facilities without regard to zoning lot lines. The Proposed Development would encompass five zoning lots each on portions of five city blocks. Each block is a separate zoning lot and each development would have an underground accessory group parking facility with differing levels of capacity. The special permit seeks to relocate required spaces from the smallest parking facility (on Block E) to the largest parking facility (on Block A). In aggregate, the five garages would support the parking demand generated by the Proposed Development.
- The Zoning Text Amendment to make the reduction in loading berths permitted under Special Permit ZR 74-745 (b) applicable to a special mixed-use district in Queens CD1 and the associated Special Permit under ZR 74-745 (b) would allow for a reduction of the loading berths in the Proposed Development. Specifically, the reduction in loading berths would facilitate an efficient site plan. The office, retail and community flex space generates a required four loading berths for Block A. However, the Applicant team, based on operational experience, believes only two berths will be necessary. Similarly, the retail and flex space on Block B generates a required two berths and the Applicant team believes that, operationally, only one berth will be necessary. Finally, the theater and retail and community flex space on Block D generates a total of five required loading berths, primarily from the theater square footage. Operationally, theaters do not need loading berths and the Applicant team believes only one berth will be necessary to serve the retail and community flex space. Accordingly, the Applicant seeks to waive two berths on Block A, one on Block B and four on Block D. By reducing the number of loading berths, the proposed waivers would reduce the number of curb cuts and breaks in the streetscape in the Proposed Development, thereby allowing for a more vibrant street level experience and inviting pedestrian environment.

G. ANALYSIS FRAMEWORK

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 to be 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 (see **Figure 1-8**):

- 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

12.1.21



INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

Projected Development Sites
Figure 1-8

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 (see **Figure 1-8**):

- 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. **Figures 1-9 and 1-10** show the No Action condition in the Project Area, including the new grocery store, retail space, and warehouse in the Development Site. 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 1-2**.

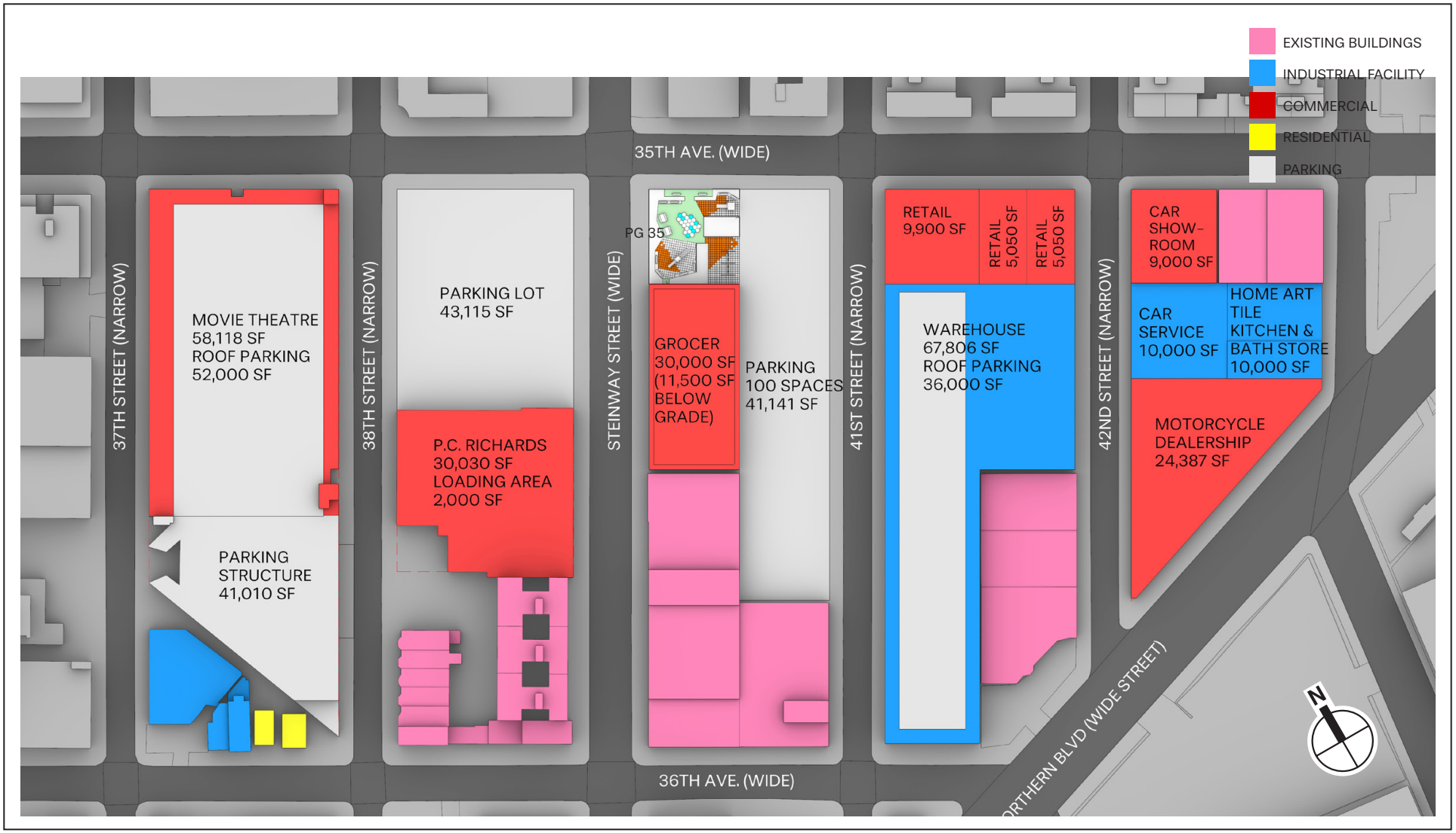
Table 1-2
RWCDS Summary[1]

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)

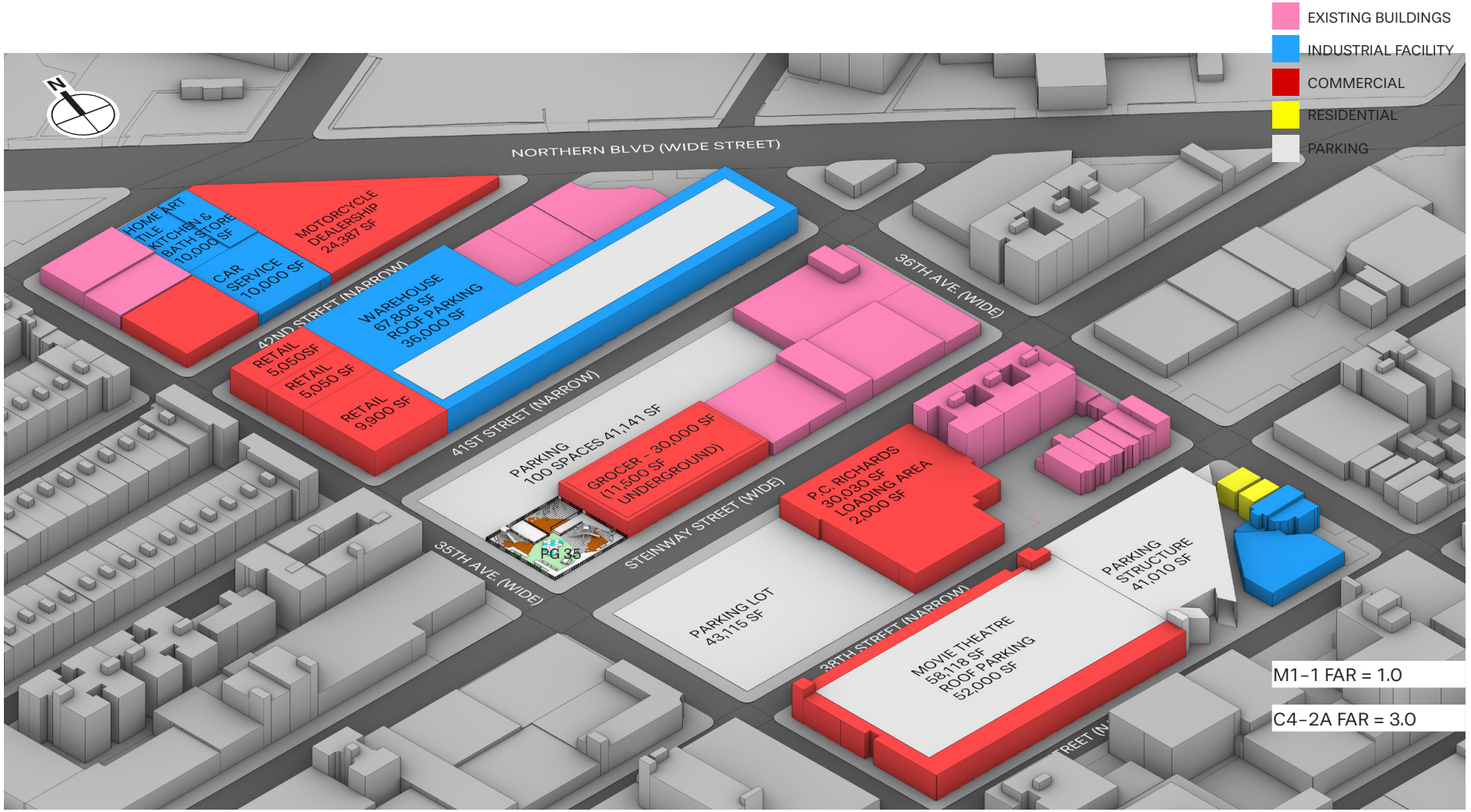
In the Development Site (Projected Development Sites A, B, C, D, and E), the With Action condition is the Proposed Development which would be developed by the Applicant: see the detailed description of the Proposed Development above. In total, the Proposed Development would include 12 buildings with approximately 2.9 million gsf of space, with approximately 2.4



Source: ODA

NOTE: PRELIMINARY FIGURES PENDING DCP REVIEW OF RWCDS

No Action Scenario Site Plan
Figure 1-9



Source: ODA

NOTE: PRELIMINARY FIGURES PENDING DCP REVIEW OF RWCDS

No Action Scenario Massing
Figure 1-10

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 Physical Culture Establishments (PCE's) 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 Chapter 5, "Open Space," and Chapter 20, "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.

Figure 1-11 presents With Action building massing including the developments on Projected Development Sites F, G, H, I, J, and K, and **Table 1-2** presents the With Action floor area totals and increment above the No Action condition.

H. PUBLIC REVIEW PROCESS

The Proposed Actions are subject to the City's Uniform Land Use Review Procedure (ULURP) and CEQR. These review processes are described below.

UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

ULURP, mandated by Sections 197-c and 197-d of the City Charter, is a process especially designed to allow public review of a proposed project at four levels: the Community Board, the Borough President and (if applicable) Borough Board, the CPC, and the City Council. The procedure sets time limits for review at each stage to ensure a maximum total review period of approximately seven months.

The ULURP process begins with a certification by CPC that the ULURP application is complete, which includes satisfying CEQR requirements (see the discussion below). If the particular application is subject to environmental review (see below), a negative declaration, conditional negative declaration, or a notice of completion of a DEIS must be issued before an application can be certified.

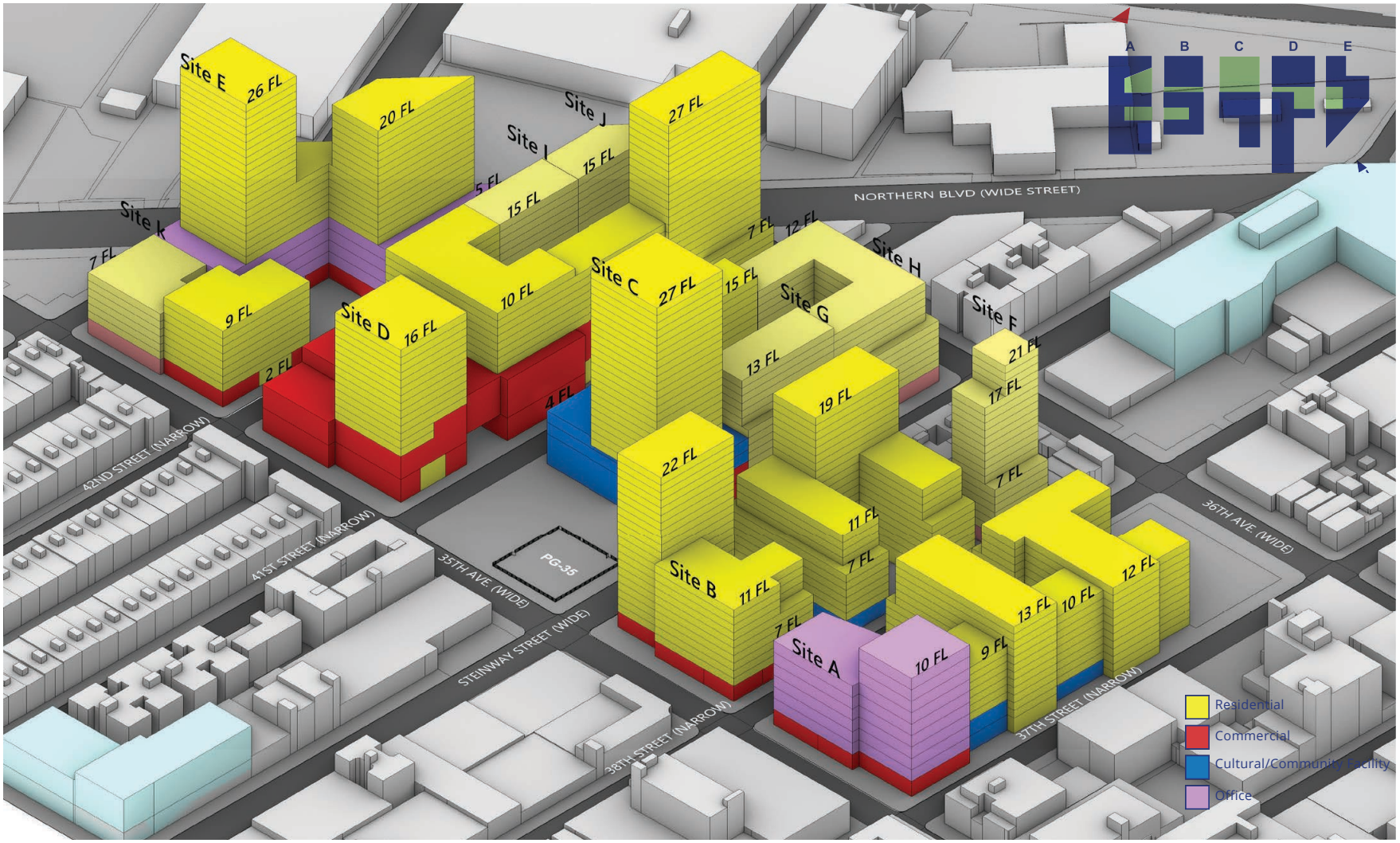
The application is then forwarded to the Community Board (in this case, CB1), which has 60 days to review and discuss the proposal, hold public hearings, and adopt recommendations regarding the application. Once this step is complete, the Borough President reviews the application for up to 30 days. CPC then has 60 days to review the application, during which time a ULURP/CEQR public hearing is held. Comments made at the DEIS public hearing and made in writing within 10 days after the hearing are incorporated into a Final Environmental Impact Statement (FEIS); the FEIS must be completed at least 10 days before CPC makes its decision on the application. CPC may approve, approve with modifications, or deny the application.

If the ULURP application is approved, or approved with modifications, it moves to the City Council for review. The City Council does not automatically review all ULURP actions that are approved by CPC. Zoning map changes and zoning text changes (not subject to ULURP) nevertheless must be reviewed by the City Council; the Council may elect to review certain other actions. The City Council, through the Land Use Committee, has 50 days to review the application and, during this time, will hold a public hearing on the proposed project. The Council may approve, approve with modifications, or deny the application. If the Council proposes a modification to the proposed project, the ULURP review process stops for 15 days, providing time for a CPC determination on whether the modification is within the scope of the environmental review and ULURP review. If it is, then the Council may proceed with the modification; if it is not, then the Council may only vote on the project as approved by CPC. Following the Council's vote, the Mayor has five days in which to veto the Council's actions. The City Council may override a Mayoral veto within 10 days.

CITY ENVIRONMENTAL QUALITY REVIEW

The Proposed Actions are classified as Type 1 as defined under 6 NYCRR 617.4 and NYC Executive Order 91 or 1977, as amended, and are subject to environmental review in accordance with CEQR guidelines. An EAS was completed on May 14, 2021. The EAS analyzes the Proposed Actions' potential to generate significant adverse environmental impacts. A Positive Declaration,

projected development sites - aerial view 35th ave & 37th st



Source: ODA

INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

With Action Scenario Massing
Figure 1-11a

projected development sites - aerial view 36th ave & northern blvd

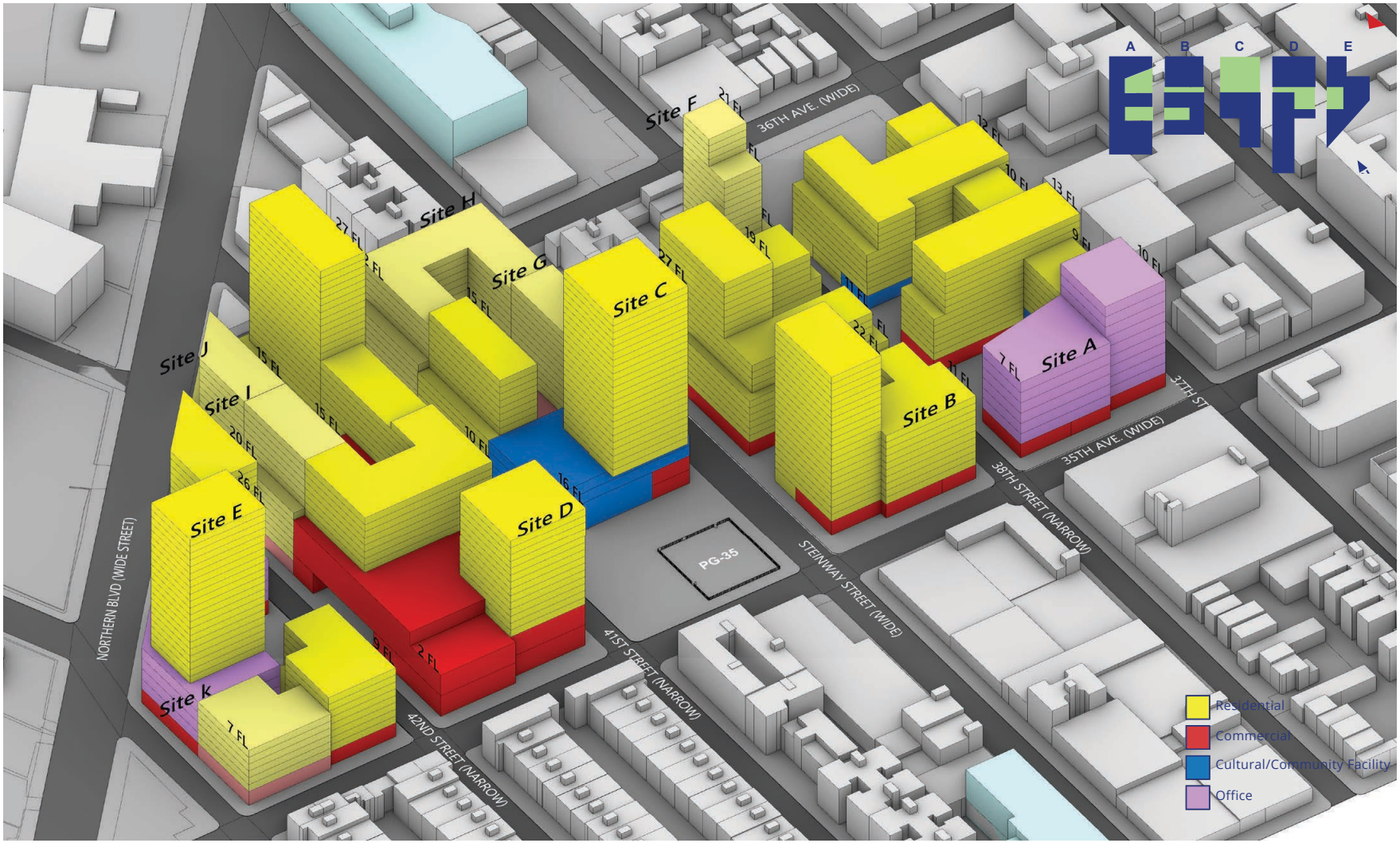


Source: ODA

INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

With Action Scenario Massing
Figure 1-11b

projected development sites - aerial view 35th ave & northern blvd



Source: ODA

INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

With Action Scenario Massing
Figure 1-11c

issued on May 14, 2021, established that the Proposed Actions may have a significant adverse impact on the environment, thus warranting the preparation of an EIS.

The CEQR scoping process is intended to focus the EIS on those issues that are most pertinent to the Proposed Actions. The process allows other agencies and the public a voice in framing the scope of the EIS. The scoping document sets forth the analyses and methodologies to be utilized in the preparation of the EIS. During the period for scoping, those interested in reviewing the Draft Scope may do so and give their comments to the lead agency. The public, interested agencies, CB1, and elected officials were invited to comment on the Draft Scope, either in writing or orally, at a public scoping meeting held on June 14, 2021. In support of the City's efforts to contain the spread of COVID-19, DCP conducted the public scoping meeting remotely. Comments received during the Draft Scope's public meeting and written comments received by June 24, 2021 were considered and incorporated as appropriate into the Final Scope of Work (the "Final Scope"). The lead agency oversaw preparation of the Final Scope, dated April 22, 2022, which incorporateds all relevant comments on the Draft Scope and reviseds the extent or methodologies of the studies, as appropriate, in response to comments made during scoping.

The DEIS has beenwas prepared in accordance with the Final Scope and in conformance with all applicable laws and regulations, including SEQRA (Article 8 of the New York State Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City Executive Order No. 91 of 1977, as amended, and the Rules of Procedure for CEQR, found at Title 62, Chapter 5 of the Rules of the City of New York.

The DEIS is was available for public review and comment. A public hearing will bewas held on the DEIS in conjunction with the CPC hearing on the land use applications, on August 10, 2022, to afford all interested parties the opportunity to submit oral and written comments. The record will remained open for 10 days after the public hearing to allow additional written comments on the DEIS. At the close of the comment period at 5:00 PM on August 22, 2022, An this FEIS will was be prepared. that willThe FEIS responds to all substantive comments on the DEIS, along with any revisions to the technical analyses necessary to respond to those comments. The FEIS will then be used by decision makers to evaluate CEQR findings, which will address project impacts and proposed mitigation measures in deciding whether to approve the requested discretionary actions with or without modifications. ✷