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135-27 Sapphire Street Rezoning

Environmental Assessment Statement

Address: 135-27 Sapphire Street, Queens, New York 11414

Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, 45

CEQR Reference: 78DCP081Q

ULURP Reference: xxxxxxxx; xxxxxxxx

Lead Agency:
New York City Department
of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Prepared for:
135 Sapphire LLC

Prepared by:
GZA GeoEnvironmental



Date Submitted:
September 9, 2025

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EAS SHORT FORM

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

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

Part I: GENERAL INFORMATION

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

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

2. *Project Name* 135-27 Sapphire Street Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
78DCP081Q	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY New York City Department of City Planning			NAME OF APPLICANT 135 Sapphire LLC		
NAME OF LEAD AGENCY CONTACT PERSON Stephanie Shellooe, AICP, Director of Environmental Assessment and Review Division (EARD)			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Qianyu Xiang, GZA GeoEnvironmental, Inc.		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 104 West 29th Street, 10th Floor		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10001
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 917-470-3077	EMAIL qianyu.xiang@gza.com	

5. *Project Description*

The Applicant, 135 Sapphire LLC, requests approval of a zoning map amendment and a zoning text amendment (the "Proposed Actions") for an approximately 57,524 square foot (sf) area comprising Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45 (the "Affected Area") bounded by Linden Boulevard to the north, 79th Street to the east, 149th Avenue (Loring Avenue) to the south, and Sapphire Street to the west in the Lindenwood neighborhood of Queens Community District 10.

The zoning map amendment would rezone Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45 from an R4 zoning district to an R6A zoning district. The zoning text amendment would modify Zoning Resolution ("ZR") Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing ("MIH") Areas for Community District 10, Queens to establish an MIH Area coterminous with the Affected Area.

The Proposed Actions would facilitate the development of a new 6-story plus cellar, 68-foot-2-inch-tall, 217,433 GSF (156,431 ZSF, 2.84 FAR) residential building (the "Proposed Development") on Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45 with a combined lot area of approximately 55,173 square feet (the "Projected Development Site"). The Proposed Development would consist of approximately 41,212 gross square feet (GSF) of parking at the cellar level and 176,221 GSF (156,431 zoning square feet (ZSF), 2.84 Floor Area Ratio (FAR)) of residential uses above grade. The Proposed Development would include 234 dwelling units, 25% (59 units) of which are permanently income restricted at an average of 60% AMI as the Applicant intends to pursue MIH Option 1. A below-grade off-street parking garage would contain 117 residential accessory vehicular parking spaces, which would be accessible from both 79th Street and Sapphire Street and would be wet flood-proofed with FEMA-approved foundation flood vents. In addition, the building would have a residential entrance on 79th Street and an interior court for the outdoor enjoyment of the residents. New sidewalks would be paved and new street trees would be planted around the building.

For the purposes of a more conservative analysis, a Reasonable Worst-Case Development Scenario (RWCDS) has been developed for the Affected Area, which would maximize the allowable height and bulk within the proposed R6A zoning district. With a combined lot area of approximately 55,173 square feet, the Projected Development Site would be

developed with a new 9-story plus cellar, 95-foot-tall, 287,592 GSF (215,173 ZSF, 3.90 FAR) residential building, which would consist of approximately 55,205 GSF of parking at the cellar level and 232,387 GSF (215,173 ZSF, 3.90 FAR) of residential uses above grade. The building would include 273 dwelling units (assuming 850 GSF per dwelling unit), 20-30% (55-82 units) of which would be affordable at an average of 40-80% AMI pursuant to MIH Option 1, 2, or, 3 respectively. A below-grade off-street parking garage would contain 120 residential accessory vehicular parking spaces, which meets the minimum parking requirement for buildings within an R6A district beyond the Greater Transit Zone (50% of the market-rate units and 25% of the qualifying affordable units). For the purposes of Early Childhood Programs analysis, 20% of residential floor area (55 units) is assumed to be affordable at or below 80% AMI. A 10-foot mechanical bulkhead would be assumed for a conservative shadows analysis under CEQR, reaching a total building height of 105 feet.

The Proposed Actions are discretionary actions subject to environmental review. The NYC Department of City Planning is the lead agency on behalf of the City Planning Commission for environmental review under CEQR.

Project Location

BOROUGH Queens	COMMUNITY DISTRICT(S) 10	STREET ADDRESS 135-27 Sapphire Street
TAX BLOCK(S) AND LOT(S) Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45		ZIP CODE 11414

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Affected Area is bounded by Linden Boulevard to the north, 79th Street to the east, 149th Avenue (Loring Avenue) to the south, and Sapphire Street to the west.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R4 | ZONING SECTIONAL MAP NUMBER 18b

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

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

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

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO

- ☐ VARIANCE (use)
- ☐ VARIANCE (bulk)
- ☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO ☐ Cogeneration Facility ☐ Title V Permit

Other City Approvals Subject to CEQR (check all that apply)

- ☐ LEGISLATION
- ☐ RULEMAKING
- ☐ CONSTRUCTION OF PUBLIC FACILITIES
- ☐ 384(b)(4) APPROVAL
- ☐ OTHER, explain:
- ☐ FUNDING OF CONSTRUCTION, specify:
- ☐ POLICY OR PLAN, specify:
- ☐ FUNDING OF PROGRAMS, specify:
- ☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)

- ☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
- ☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
- ☐ OTHER, explain:

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

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

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

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP

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

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 55,173 Waterbody area (sq. ft) and type:

Roads, buildings, and other paved surfaces (sq. ft.): 55,173 Other, describe (sq. ft.):

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 287,592

NUMBER OF BUILDINGS: 1 GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 287,592

HEIGHT OF EACH BUILDING (ft.): 95' (105' inclusive of building bulkhead) NUMBER OF STORIES OF EACH BUILDING: 9

Does the proposed project involve changes in zoning on one or more sites? ☐ YES ☒ NO

If "yes," specify: The total square feet owned or controlled by the applicant:

The total square feet not owned or controlled by the applicant:

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO

If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: 55,173 sq. ft. (width x length) VOLUME OF DISTURBANCE: 551,730 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 55,173 sq. ft. (width x length)

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

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	287,592			
Type (*e.g.,* retail, office, school)	273 units			

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

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 840 NUMBER OF ADDITIONAL WORKERS: 11

Provide a brief explanation of how these numbers were determined: Queens CD 10 average household size of 3.11 x 270 incremental units per 2020 Decennial Census; 1 employee per 25 dwelling units

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

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

If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2028

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18 months

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: The Projected Development Site is assumed to start construction shortly after ULURP completion in 2026 - excavation and demolition through foundation activities are expected for 6 months, superstructure core and shell for 6 months, and interior finishes and fit out for 6 months.

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

☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: Vacant Lands

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☒	☐
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☒	☐
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Early Childhood Programs:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☒	☐
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Would the project generate more than 200 additional residents or 500 additional employees?	☒	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		

	YES	NO
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☒	☐
○ If "yes," complete the Jamaica Bay Watershed Protection Plan Project Tracking Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure?	☐	☒
(c) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(d) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in the Hazardous Materials Appendix (including nonconforming uses)?	☐	☒
(e) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(f) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(g) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(h) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(i) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: See Chapter 2.8 Hazardous Materials. The Phase I ESA revealed evidence of several RECs in connection with the Projected Development Site, including oil stains, suspected gasoline stains, and open containers of oil and dumped/tipped drums.	☒	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed?	☒	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☐
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒

	YES	NO
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 41 * 252 = 10,332		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 126.7 * 269,716 = 34,173,017.2		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☒	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☒
○ Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☒
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop, or Citywide Ferry Service landing?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☒	☐
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) See Chapter 2.10 AQ	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒

	YES	NO
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☒	☐
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. No significant unmitigated adverse impact would occur in the CEQR analysis areas of air quality, water quality, hazardous materials, or noise; accordingly, no public health analysis is warranted.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. The Proposed Actions do not result in a significant impact in the related technical areas nor a combination of moderate effects. Therefore, no significant neighborhood character impact would occur.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☒	☐
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. See Chapter 2.12 Construction		

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	DATE
Qianyu Xiang	9/9/2025

SIGNATURE QIANYU XIANG

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

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Appendices

Appendix A: Illustrative Architectural Plans

Appendix B: Agency Correspondence

Appendix C: WRP CAF Form and Flood Evaluation Worksheet

Appendix D: Phase I ESA

Appendix E: Noise Backup Data

Figure 1.1-1: Project Location Map - Aerial

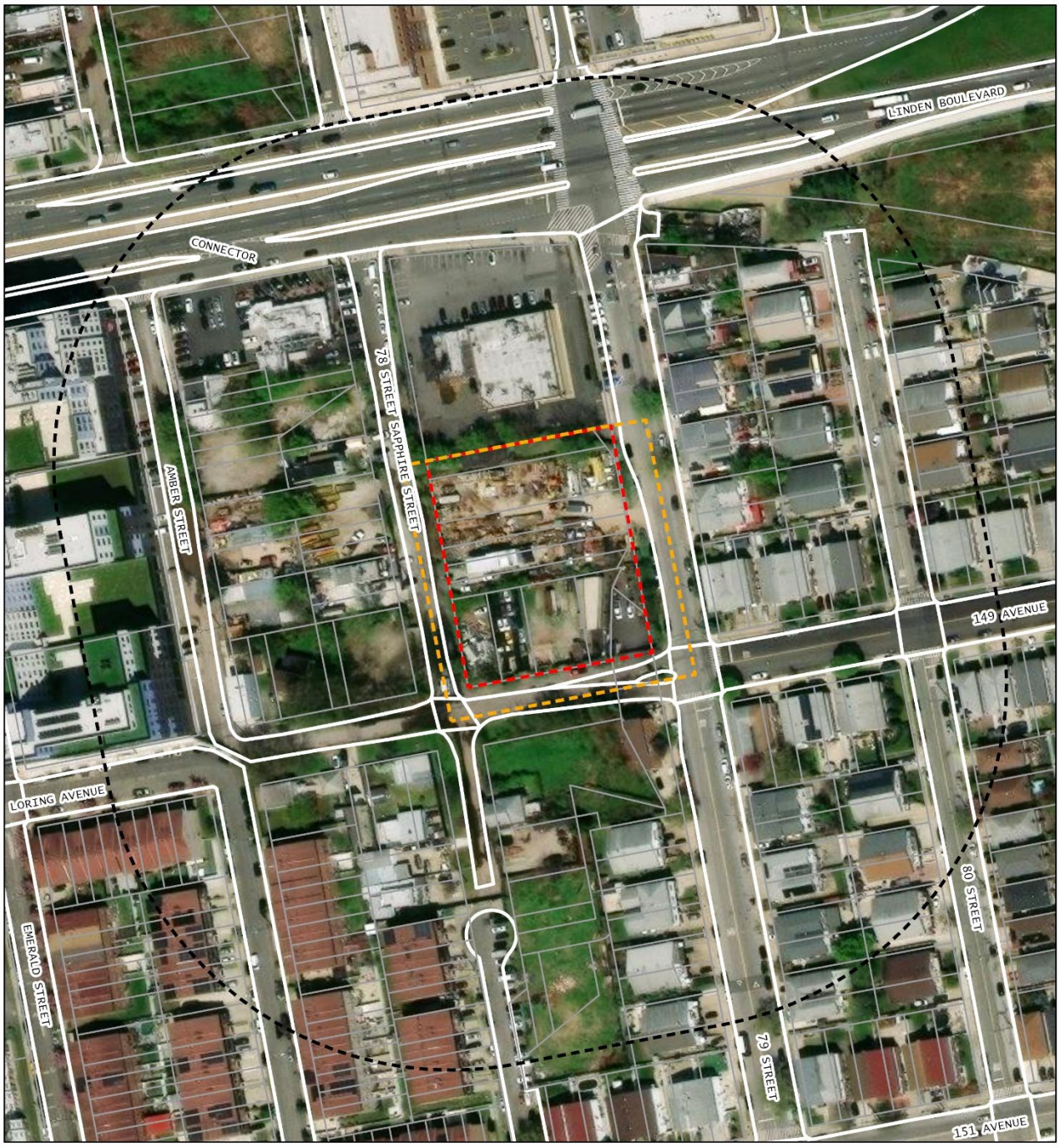


Figure 1.1-2: Project Location Map

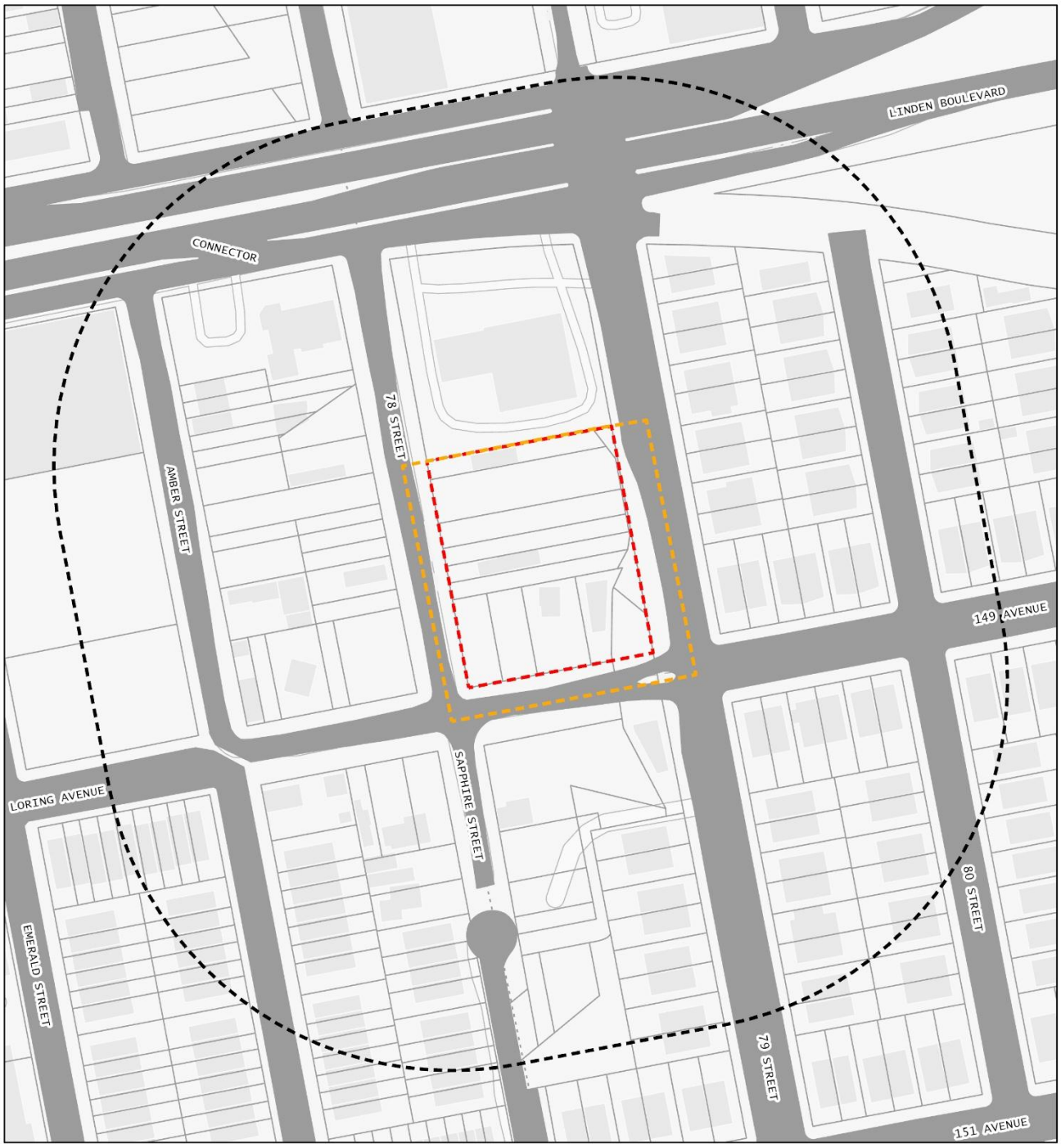


Figure 1.1-3: Zoning Map

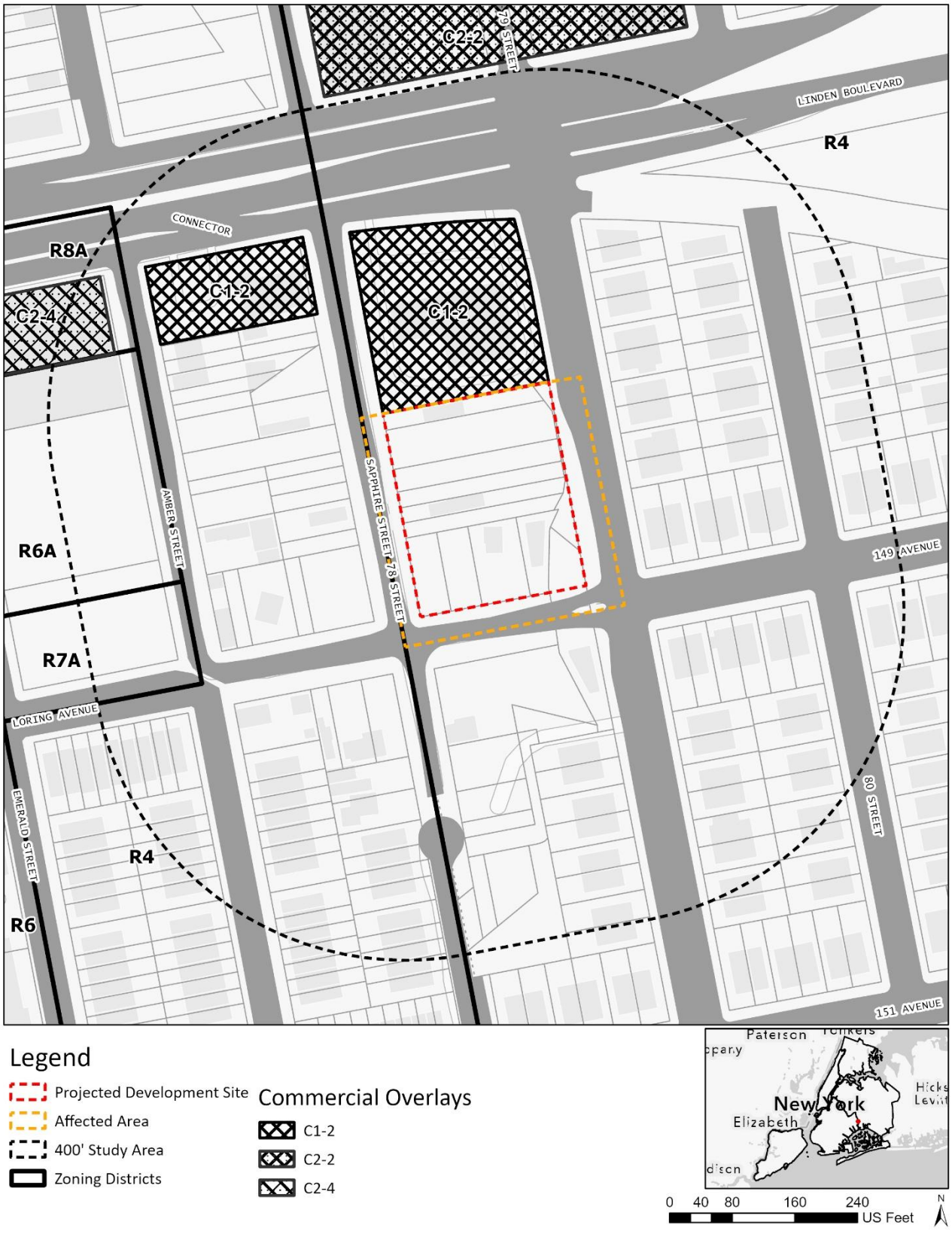


Figure 1.1-4: Zoning Change Map



Existing R4 Zoning District

Proposed R6A Zoning District

Figure 1.1-5: Tax Map

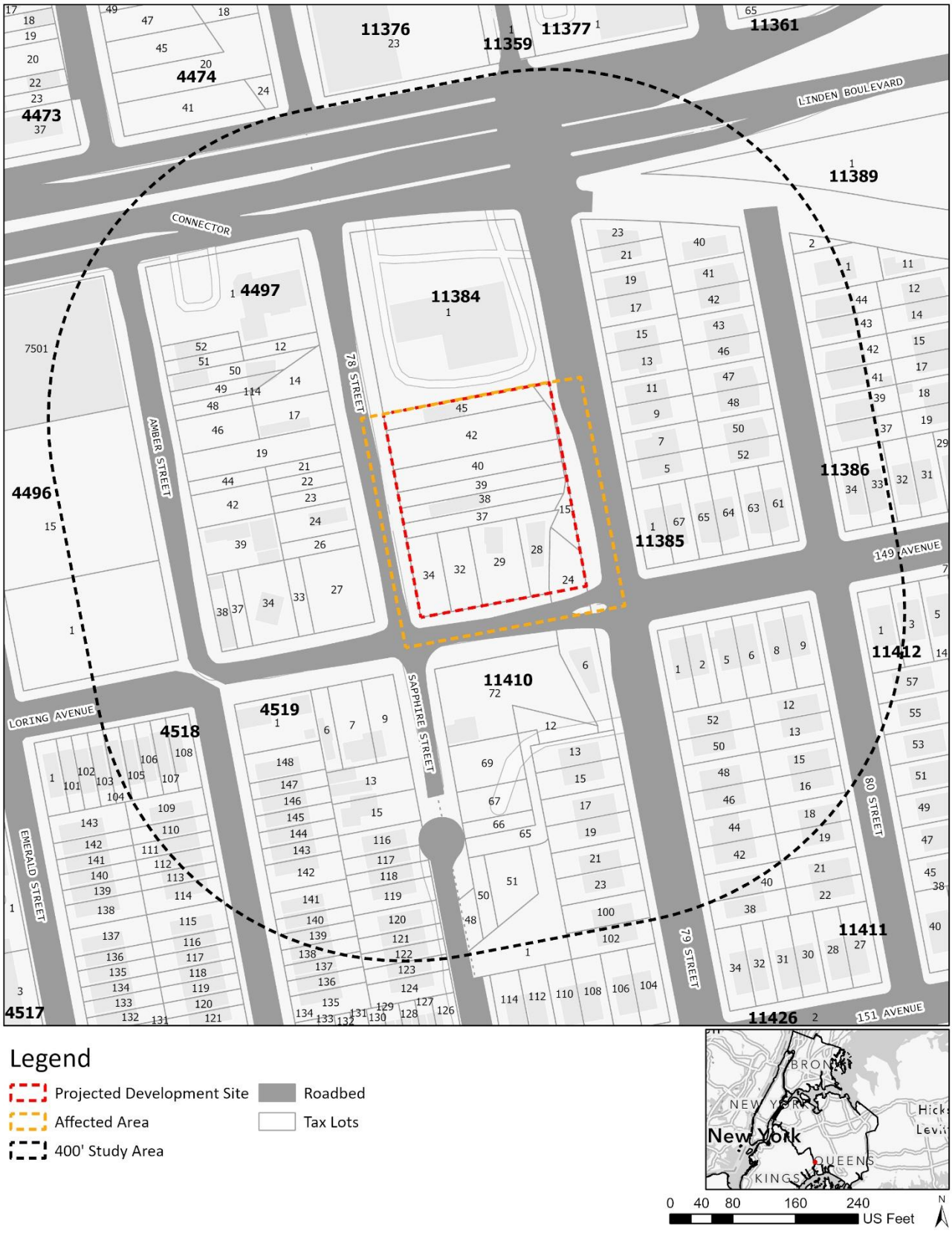


Figure 1.1-6: Land Use Map

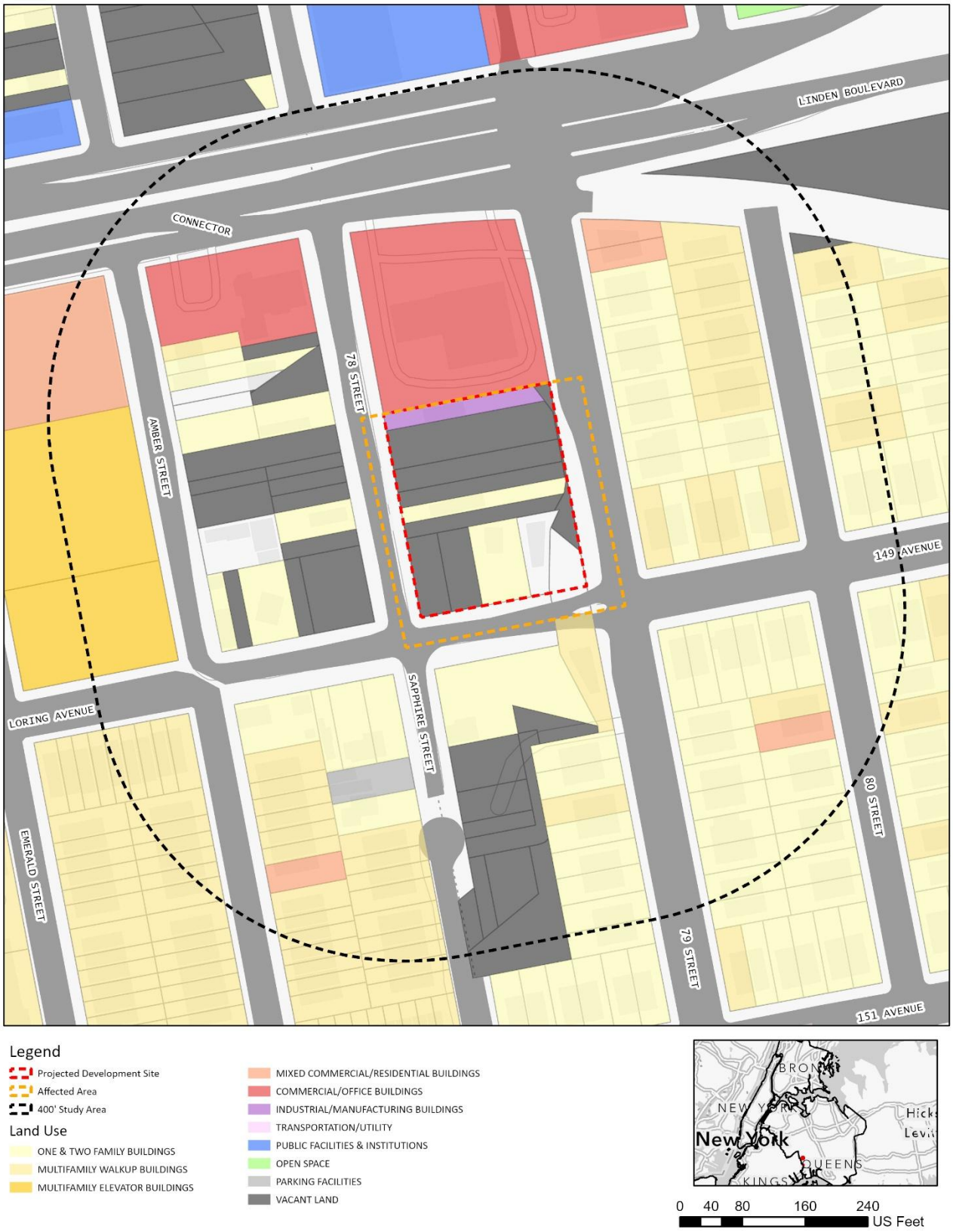


Figure 1.1-7: Site Photos 1-3

01 View of Linden Boulevard facing east



02 View of Linden Boulevard facing west



03 View of Sapphire Street facing southeast



Photo Key



Figure 1.1-8: Site Photos 4-6

04 View of Sapphire Street facing north



05 View of Projected Development Site facing southeast



06 View of Block 4497 from Projected Development Site facing northwest



Photo Key



Figure 1.1-9: Site Photos 7-9

07 View of 149th Avenue facing west



08 View of 149th Avenue facing east



09 View of Sapphire Street facing south



Photo Key



Figure 1.1-10: Site Photos 10-12

10 View of Projected Development Site facing northwest



11 View of 79th Street facing south



12 View of 149th Avenue facing east



Photo Key



Figure 1.1-11: Site Photos 13-15

13 View of Projected Development Site facing northwest



14 View of 79th Street facing south



15 View of Projected Development Site facing southwest



Photo Key



Figure 1.1-12: Site Photos 16-18

16 View of 79th Street facing south



17 View of Linden Boulevard facing east



18 View of Linden Boulevard facing west



Photo Key



1 PROJECT DESCRIPTION

1.1 Introduction

The Applicant, 135 Sapphire LLC, requests approval of a zoning map amendment and a zoning text amendment (the "Proposed Actions") for an approximately 55,173 square foot (sf) area comprising Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45 (the “Affected Area”). The Affected Area is located on the southern portion of Block 11384, which is bounded by Linden Boulevard to the north, 79th Street to the east, 149th Avenue (Loring Avenue) to the south, and Sapphire Street to the west in the Lindenwood neighborhood of Queens Community District 10.

The zoning map amendment would rezone Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45 from an R4 zoning district to an R6A zoning district. The zoning text amendment would modify Zoning Resolution (“ZR”) Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing (“MIH”) Areas for Community District 10, Queens to establish an MIH Area coterminous with the Affected Area.

The Proposed Actions would facilitate the Applicant’s Proposed Project of a new 6-story plus cellar, 65-foot-tall, 247,989 gross square foot (GSF) (186,374 zoning square feet (ZSF), 3.4 Floor Area Ratio (FAR)) residential building on Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45 with a combined lot area of approximately 55,173 sf (the “Projected Development Site”). The Proposed Project would consist of approximately 41,212 GSF of parking at the cellar level and 206,777 GSF (186,374 ZSF, 3.4 FAR) of residential uses above grade. The Proposed Project would provide 270 dwelling units, 25% (68 units) of which are permanently income restricted at an average of 60% AMI as the Applicant intends to pursue MIH Option 1. A below-grade off-street parking garage would contain 118 residential accessory vehicular parking spaces, which would be accessible from both 79th Street and Sapphire Street and would be wet flood-proofed with FEMA-approved foundation flood vents. In addition, the building would have a residential entrance on 79th Street and an interior court for the outdoor enjoyment of the residents. New sidewalks would be paved, and new street trees would be planted around the Projected Development Site.

The Proposed Actions are discretionary actions subject to environmental review. The New York City Department of City Planning (DCP) is the lead agency on behalf of the City Planning Commission for environmental review under City Environmental Quality Review (CEQR).

1.2 Background and Site History

The Affected Area has been zoned R4 since the zoning ordinance of 1961 and has not been rezoned since then. The existing residential buildings on Block 11384, Lots 29 and 38 within the Affected Area are legal conforming uses, while the manufacturing warehouse building on Block 11384, Lot 45 is non-conforming. There are no existing E-designations, historic or other designations within the Affected Area.

There are two rezonings that have occurred within the surrounding area since 2010. In 2017, the Linden Boulevard Rezoning (C170430ZMK, N170431ZRK, effective October 31, 2017) rezoned Block 4496 in Brooklyn Community District 5, which is located two blocks to the west of the Affected Area. The zoning map amendment changed from R4/C1-2 to R8A/C2-4 and from R4 to R6A and R7A and the zoning text

amendment established a Mandatory Inclusionary Housing area (Option 2) on the block, in an effort to facilitate a mixed use and affordable housing development.

In 2013, a large-scale area of 530 blocks in Ozone Park of Queens Community Districts 9 and 10 was rezoned as part of the Ozone Park Rezoning (C140079ZMQ, effective December 10, 2013), which is located to the north of the Affected Area across North Conduit Avenue. The rezoning aimed to protect the area's predominant one-and two-family residential character, while directing moderately scaled new residential and mixed-use development to locations along the area's main commercial corridors and near mass transit resources.

In addition to the completed rezoning actions described above, there is also an active ongoing rezoning project at 78-08 Linden Boulevard (Block 11384, Lot 1; CEQR Number: 24DCP123Q) directly on the northern boundary of the Affected Area, which is currently under the Uniform Land Use Review Procedure (ULURP) process. The 78-08 Linden Boulevard Rezoning project would rezone Block 11384, Lot 1 from an R4/C1-2 zoning district to R7D/C2-4 and R6A zoning districts. The R7D/C2-4 district would cover the northern portion of the lot, and the R6A district would be mapped on the southern portion of the lot. A zoning text amendment is also proposed pursuant to Appendix F to map a Mandatory Inclusionary Housing (MIH) area over the lot. In addition, it is proposed that a restrictive declaration recorded against the lot would be canceled in connection with a prior rezoning action. With the approval of the proposed zoning actions, it is expected that, in the worst-case scenario, a 260,272 GSF mixed-use building would be constructed, containing 248,174 GSF of residential floor area for 292 dwelling units on all building floors and 12,108 GSF of commercial (local retail) uses. The building would be 12 stories with a rooftop height of 125 feet. Of the proposed residential dwelling units, between 58 and 88 units would be reserved as moderate to low-income units under MIH Option 1, 2, and 3, at an average of 40% to 80% of Area Median Income (AMI).

Department of Buildings records indicate that Block 11384, Lot 28 (78-11 149th Avenue) was issued a Certificate of Occupancy (CO) in 2005 for agricultural uses (including greenhouses, nurseries, or truck gardens) with two accessory parking spaces. One historic CO was identified on Block 11384, Lot 29 (78-09 149th Avenue) that allows for residential uses. No records exist for Block 11384, Lots 15, 24, 32, 34, 37, 38, 39, 40, 42, and 45.

1.3 Description of Surrounding Area

The Affected Area is located in the Lindenwood neighborhood of Queens Community District 10 and consists of Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45. Existing land uses in the 400-foot Surrounding Area is a mix of residential buildings, commercial structures, and vacant land.

The residential buildings mainly consist of detached and semi-detached one- to two-family buildings and multi-family walk-up buildings of three dwelling units, with a building height ranging from one story to three stories. Intersected with the 400-foot area boundary, one 12-story, 194,901 GSF mixed residential and commercial building including 234 dwelling units and two 8-story elevator apartment buildings including 171,145 GSF (160 dwelling units) and 146,150 GSF (156 dwelling units) are located on Block 4496, two blocks to the west of the Affected Area and was facilitated by Linden Boulevard Rezoning. The commercial structures are mainly 1-story local retail store buildings located within the C1-2 and C2-4 commercial overlays along the south side of Linden Boulevard to the north of the Affected Area. Commercial uses in the area include a diner (Lindenwood Diner), a pharmacy (Walgreens), a liquor store

(Lindenwood Cut Rate Liquors), a Chinese restaurant (Jade Linden), and a gym (Planet Fitness). A significant portion of the lots in the surrounding area are vacant, including nine lots within the Affected Area and several more on blocks to the west, south, and north of the Affected Area.

The Surrounding Area currently falls within a 0.2-percent annual chance flood hazard zone, also known as a 500-year flood zone, which is considered a moderate-risk area. The Surrounding Area is low-lying with high water table and lack of comprehensive stormwater and sanitary sewer infrastructure, which contribute to year-round flooding, even on sunny days.

1.4 Description of Affected Area

The Affected Area is located on the southern portion of Block 11384, which is bounded by Linden Boulevard to the north, 79th Street to the east, 149th Avenue (Loring Avenue) to the south, and Sapphire Street to the west. Linden Boulevard (part of New York State Route 27) is a 170-foot-wide, east-west principal arterial road with six moving lanes of traffic (three westbound lanes and three eastbound lanes separated by a median strip) and two local service roads. 79th Street is an 80-foot-wide south-to-north one-way local road with two moving lanes of traffic and curbside parking. 149th Avenue is a 70-foot-wide west-to-east one-way local road with a single moving lane of traffic and curbside parking. Sapphire Street is a 60-foot-wide north-to-south one-way local road with a single moving lane of traffic and curbside parking. Both Sapphire Street and 149th Avenue are dilapidated roads where they are adjacent to the Affected Area, with broken asphalt and overgrown weeds encroaching on the roadway.

The Projected Development Site includes Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45. Except for Lot 45, all the other lots within the Projected Development Site are owned by the Applicant. It should be noted that the Applicant is currently in contract on Lot 45 and the lot will be acquired by the Applicant before the construction begins. Combined, the twelve lots consist of approximately 55,173 sf, with nine vacant and unimproved lots and three developed lots. Lot 29 is improved with a 1.5-story, 500 GSF (0.08 FAR) one-family home; Lot 38 is improved with a 2-story, 952 GSF (0.23 FAR) two-family home; and Lot 45 is improved with a 2-story, 600 GSF (0.15 FAR) warehouse. Lots 37, 38, 39, 40, 42, and 45 are rectangular interior lots with frontage on Sapphire Street; Lot 34 is a rectangular corner lot with frontages on Sapphire Street and 149th Avenue; Lots 29 and 32 are rectangular interior lots with frontage on 149th Avenue; Lot 28 is an irregular-shaped interior lot with frontage on 149th Avenue; Lot 24 is an irregular-shaped corner lot with frontage on 79th Street and 149th Avenue, and its southern lot boundary is mapped into the 149th Avenue roadway; and Lot 15 is an 80-foot-long interior lot with frontage on 79th Street that runs across the eastern edge of the block, with a lot depth of 35 feet at its deepest point.

1.5 Description of Proposed Project

The Applicant's Proposed Project would develop a new 6-story plus cellar, 65-foot-tall, 247,989 GSF (186,374 ZSF, 3.4 FAR) residential building on the Applicant-owned Projected Development Site (Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45) with a combined lot area of approximately 55,173 square feet. The Proposed Project would consist of approximately 41,212 GSF of parking at the cellar level and 206,777 GSF (186,374 ZSF, 3.4 FAR) of residential uses above grade. The Proposed Project would provide 270 dwelling units, 25% (68 units) of which are permanently income restricted at an average of 60% AMI as the Applicant intends to pursue MIH Option 1. A below-grade off-street parking garage would contain 118 residential accessory vehicular parking spaces, which would be accessible from both 79th Street and Sapphire Street and would be wet flood-proofed with FEMA-approved foundation

flood vents. In addition, the building would have a residential entrance on 79th Street and an interior court for the outdoor enjoyment of the residents.

With regard to flood resiliency, the Proposed Development would be raised above the flood plain including the mechanical spaces. The ground floor is proposed as parking and storage and would have a wet-floodproofed permeable ground floor along with an exterior gabion wall system. The Proposed Project would include streetscape treatment to mitigate any blank wall conditions and would include plantings. Any blank walls would be mitigated through the use of openings simulating windows as per the upper façade and the proposed gabion wall system would provide a dynamic permeable envelope, which would allow for shadow play and a palette of natural colors. The proposed landscaping would further enhance the streetscape condition as a 10- to 15-foot setback is proposed around all three frontages with plantings, including a variety of trees and bushes native to the area. Street trees are also proposed within a 10-foot-wide sidewalk around all three frontages. A covered lobby entrance would also contribute to the streetscape mitigation elements. Should the street grade be raised by DOT, the Proposed Project would be able to accommodate it. The ground floor would be treated as a soft story with the building set back from the sidewalk/street line with planted areas. If/when the street is raised; the plantings would be spayed, the planted areas would be infilled with topsoil, and the landscaping elements would be replanted. With regard to stormwater runoff, the Proposed Project would adhere to the Unified Stormwater Rule through the utilization of onsite retention and detention as required, with use of the CSO outlet, as previously discussed with DEP, that runs down 79th Street as the stormwater outlet. In addition, the Applicant is considering a blue roof design to implement green infrastructure practices in accordance with the Unified Stormwater Rule.

1.6 Actions Necessary to Facilitate the Proposed Project

The actions necessary to facilitate the Proposed Project are:

- A Zoning Map Amendment to rezone Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45 from an R4 zoning district to an R6A zoning district.
- A Zoning Text Amendment to establish an area coterminous with Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45 as a Mandatory Inclusionary Housing Area (MIH) with MIH Option 1.

1.7 Purpose and Need

The Applicant is seeking redevelopment of the Projected Development Site to be more consistent with the existing residential community in the surrounding area. A significant portion of the Projected Development Site is currently vacant and unimproved, which is ideally suited near a major corridor (Linden Boulevard) to support residential growth for the neighborhood. Linden Boulevard is an unusually wide street, at 170 feet, and is a major thoroughfare with a wide range of building heights and a diverse mix of uses, which is considered suitable for redevelopment of residential uses at a higher density.

Rezoning the Affected Area from R4 to R6A would permit development of the underutilized sites with multifamily residential housing at a density that would be compatible with the surrounding area. The provision of permanently affordable housing through the zoning text amendment would also further the City's goals for the provision of affordable units.

Approximately two blocks to the west of the Affected Area, Block 4496 was rezoned from R4/C1-2 to R8A/C2-4 and from R4 to R6A and R7A in 2017 as part of the Linden Boulevard Rezoning (C170430ZMK, N170431ZRK). Three new developments were built on Block 4496 after the approval of the Linden Boulevard Rezoning – one 12-story mixed residential and commercial building at 2858 Linden Boulevard (Block 4496, Lot 7501) in 2018, one 8-story residential elevator apartment building at 573 Emerald Street (Block 4496, Lot 15) in 2021, and one 8-story residential elevator apartment building at 583 Emerald Street (Block 4496, Lot 1) in 2023. The upzoning of the nearby sites and the new residential developments illustrates the increased demand for higher density multifamily housing in the neighborhood.

1.8 Analysis Framework

The analysis framework compares the incremental difference between the proposed and potential development under the Proposed Actions (With-Action) and the development which could occur under the existing zoning (No-Action). This EAS studies the potential for individual and cumulative environmental impacts related to the Proposed Actions occurring in a study area of approximately 400 feet around the Affected Area. This environmental assessment considers the potential effects of the Proposed Actions compared to future conditions without the approvals sought by the Applicant. This analysis framework is described below:

Reasonable Worst-Case Development Scenario

Discretionary actions sometimes permit a range of project characteristics, or development scenarios, to occur even though the action may be sought in order to facilitate a specific development. From the range of possible scenarios that are considered reasonable and likely, the scenario with the worst environmental consequences is chosen for analysis. This is considered to be the Reasonable Worst-Case Development Scenario (RWCDS), the use of which ensures that, regardless of which scenario actually occurs, its impacts would be no worse than those considered in the environmental review. The environmental assessment examines the incremental differences between the RWCDS of the future without the Proposed Actions (the "Future No-Action Condition") and the future with the Proposed Actions (the "Future With-Action Condition").

The Projected Development Site includes Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45. Except for Lot 45, all the other lots within the Projected Development Site are owned by the Applicant. It should be noted that the Applicant is currently in contract on Lot 45 and the lot will be acquired by the Applicant before the construction starts. As a result, the common ownership of the lots represents the rationale for the selection of the Projected Development Site.

There are no known active projects in the Affected Area. No public financing or other land use approvals are required for the Applicant's Proposed Project.

Build Year

The build year to be analyzed will be 2028. The Projected Development Site is assumed to start construction shortly after ULURP completion in 2026, with excavation and demolition through foundation activities for 6 months, superstructure core and shell for 6 months, and interior finishes and fit out for 6 months.

Future Without the Proposed Actions

The No-Action Condition for the Affected Area would be the same as the existing conditions. Lot 29 would continue to be developed with a 1.5-story, 500 GSF (0.08 FAR) one-family home, Lot 38 would continue to be improved with a 2-story, 952 GSF (0.23 FAR) two-family building, Lot 45 would continue to be improved with a 2-story, 600 GSF (0.15 FAR) warehouse, and the remaining nine lots would remain vacant.

Redevelopment on the Projected Development Site is not feasible given the low density (1.00 FAR for residential uses and 2.00 FAR for community facility uses) permitted within the underlying R4 zoning district. Infrastructure improvements would also be required due to sewer capacity and flooding issues in the immediate area, and the costs associated with these improvements would make any development at this scale economically infeasible.

In addition, there are no records of building work permits submitted by the Applicant within the Affected Area. Therefore, it is conservatively assumed that under the No-Action Condition, existing conditions would continue on the Projected Development Site.

Future With the Proposed Actions

Given that the Projected Development Site is underutilized in the existing conditions, the With-Action Condition under the RWCDS would reach its full development potential in the proposed R6A zoning district. The proposed building would reach the maximum permitted total FAR of 3.90 and the maximum permitted building height of 95 feet. The average dwelling unit size is assumed to be 850 GSF. 20-30% of the proposed dwelling units are assumed to be permanently affordable at an average of 40-80% AMI pursuant to MIH Option 1, 2, or 3, respectively. Since the Projected Development Site is located beyond the Greater Transit Zone, accessory off-street parking spaces would be provided at the cellar level with the combined number of 50% of market-rate units and 25% of affordable units.

Projected Development Site (Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45)

Similar to the Applicant's Proposed Project, the lots would be combined and developed with a multifamily residential building. The Projected Development Site would have a combined lot area of approximately 55,173 sf and would be developed with a new 9-story plus cellar, 95-foot-tall (reaching a total building height of 105 feet inclusive of a 10-foot mechanical bulkhead), 287,592 GSF (215,173 ZSF, 3.90 FAR) residential building, which would consist of approximately 55,205 GSF of parking at the cellar level and 232,387 GSF (215,173 ZSF, 3.90 FAR) of residential uses above grade. The building would provide 273 dwelling units (assuming 850 GSF per dwelling unit), 20-30% (55-82 units) of which would be affordable at an average of 40-80% AMI pursuant to MIH Option 1, 2, or 3, respectively. For the purposes of Early Childhood Programs analysis, 20% of residential floor area (55 units) is assumed to be affordable at or below 80% AMI. A below-grade off-street parking garage would contain 120 residential accessory vehicular parking spaces and 120 enclosed bicycle parking spaces, which would be accessible from both 79th Street and Sapphire Street. The cellar level would be wet flood-proofed with FEMA-approved foundation flood vents. In addition, the building would have a residential entrance on 79th Street and an interior court for the outdoor enjoyment of the residents.

With regard to flood resiliency, the proposed building would be raised above the flood plain including the mechanical spaces. The ground floor would be used as parking and storage and would have a wet-floodproofed permeable ground floor along with an exterior gabion wall system. The proposed building

would include streetscape treatment to mitigate any blank wall conditions and would include plantings. Any blank walls would be mitigated through the use of openings simulating windows as per the upper façade and the proposed gabion wall system would provide a dynamic permeable envelope, which would allow for shadow play and a palette of natural colors. The proposed landscaping would further enhance the streetscape condition as a 10- to 15-foot setback is proposed around all three frontages with plantings, including a variety of trees and bushes native to the area. Street trees would be planted within a 10-foot-wide sidewalk around all three frontages. A covered lobby entrance would also contribute to the streetscape mitigation elements. Should the street grade be raised by DOT, the proposed building would be able to accommodate it. The ground floor would be treated as a soft story with the building set back from the sidewalk/street line with planted areas. If/when the street is raised; the plantings would be spayed, the planted areas would be infilled with topsoil, and the landscaping elements would be replanted. With regard to stormwater runoff, the proposed building would adhere to the Unified Stormwater Rule through the utilization of onsite retention and detention as required, with use of the CSO outlet, as previously discussed with DEP, that runs down 79th Street as the stormwater outlet. In addition, the Applicant is considering a blue roof design to implement green infrastructure practices in accordance with the Unified Stormwater Rule.

The Projected Development Site is shown in **Figure 1.1-1** and the RWCDS Analysis Framework for existing, No-Action, and With-Action Conditions on the Projected Development Site is shown in **Table 1.8-1**. **Table 1.8-2** shows the increment between the No-Action and With-Action Conditions under RWCDS, including a decrease of 600 GSF of manufacturing uses (warehouse) and an increase of 230,935 GSF of residential uses (270 dwelling units, including 55-82 affordable units) and 55,205 GSF of parking area (120 accessory parking spaces). Accordingly, an increment of 840 residents (average household size of 3.11 persons per household in Queens Community District 10 – 2020 Decennial Census) and 11 employees (1 employee per 25 dwelling units) are analyzed in the technical analysis below.

Table 1.8-1: RWCDS Analysis Framework – Existing, No-Action and With-Action Calculations

Site Info			Existing/No-Action Condition				With-Action Condition				
Block	Lot	Lot Area (sf)	Zoning	Res. (gsf)	DU	Manu. (gsf)	Zoning	Res. (gsf)	DU	Parking (gsf)	Parking Spaces
11384	45	4087	R4	0	0	600	R6A	232,387	273	55,205	120
	42	10217		Vacant							
	40	6353									
	39	4235									
	38	4142		952	2	0					
	37	3800		Vacant							
	34	4000									
	32	4000									
	29	6000		500	1	0					
	28	4000		Vacant							
	15	1689									
	24	2650									
Total		**55,173**		**1,452**	**3**	**600**		**232,387**	**273**	**55,205**	**120**

DU = Dwelling units; gsf = gross square feet; Res. = Residential; Manu. = Manufacturing

Table 1.8-2: RWCDS Increments between No-Action and With-Action Conditions

	No-Action Condition	**With-Action Condition**	**Net Increment**
Residential GSF	1,452	232,387	+230,935
Residential DUs	3	273	+270
Affordable DUs	*0*	*68*	*+68*
Manufacturing GSF	600	0	-600
Parking GSF	0	55,205	+55,205
Parking Spaces	0	120	+120
Residents[1]	9	849	+840
Workers[2]	0	11	+11
Building Height	20 feet	95 feet (105 feet inclusive of bulkhead)	+75 feet (85 feet inclusive of bulkhead)

1. Queens Community District 10 average household size of 3.11 persons per unit per 2020 Decennial Census Data
2. 1 employee per 25 dwelling units

2 ENVIRONMENTAL REVIEW

2.1 Land Use, Zoning, and Public Policy

The *2021 CEQR Technical Manual* recommends procedures for analysis of land use, zoning and public policy to ascertain the impacts of a project on the surrounding area. Land use, zoning and public policy are described in detail below. This section considers existing conditions, development trends, and zoning and other public policies in relation to the Projected Development Site and the 400-foot Study Area as well as the larger area in which the Proposed Actions may have an effect. Though the Proposed Actions would permit development of uses (multiple family residential and community facility uses) that are permitted as of right under the Projected Development Site's existing R4 zoning, the proposed R6A zoning district would permit a larger bulk and a higher building height. Therefore, a preliminary assessment of Land Use, Zoning, and Public Policy is provided.

Methodology

Existing land uses were determined by reference to the New York City Zoning and Land Use (ZoLa) database and PLUTO 24v1 shapefiles. These uses were then confirmed through site visits. The evaluation of lots within the 400-foot Study Area were performed with reference to New York City Zoning Maps and the Zoning Resolution of the City of New York and served as the basis for the zoning evaluation of the Future No-Action and Future With-Action Conditions. Public Policy research was performed through an evaluation of the New York City Department of City Planning (DCP) and other city agencies programs and documentation.

The *2021 CEQR Technical Manual* suggests that a Land Use, Zoning and Public Policy study area should extend 400 feet from the Affected Area. Accordingly, the 400-foot Study Area for Land Use, Zoning and Public Policy analysis is roughly bounded by 151st Avenue to the south, 80th Street to the east, Linden Boulevard to the north, and Emerald Street to the west.

2.1.1 Land Use

Existing land use patterns of city blocks and lots within the 400-foot Study Area are presented in **Figure 1.1-6** above.

Existing Conditions

Land Use Study Area

Existing land uses in the 400-foot Study Area primarily consist of a mix of residential buildings, commercial structures, and vacant land. The residential buildings mainly consist of detached and semi-detached one- to two-family buildings and multi-family walk-up buildings of three dwelling units, with a building height ranging from one story to three stories. Intersected with the 400-foot area boundary, one 12-story, 194,901 GSF mixed residential and commercial building of 234 dwelling units and two 8-story elevator apartment buildings of 171,145 GSF (160 dwelling units) and 146,150 GSF (156 dwelling units) respectively are located on Block 4496, which is two blocks to the west of the Affected Area and was facilitated by the Linden Boulevard Rezoning (C170430ZMK, N170431ZRK) in 2017. The commercial structures are mainly 1-story local retail store buildings located within the C1-2 and C2-4 commercial overlays along the southern side of Linden Boulevard to the north of the Affected Area. Commercial uses in the area include

a diner (Lindenwood Diner), a pharmacy (Walgreens), a liquor store (Lindenwood Cut Rate Liquors), a Chinese restaurant (Jade Linden), and a gym (Planet Fitness). A significant portion of the lots in the surrounding area are vacant, including nine lots within the Affected Area and several more on blocks to the west, south, and north of the Affected Area.

Affected Area

The Affected Area is located in the Lindenwood neighborhood of Queens Community District 10 and consists of Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45, which is also considered as the Projected Development Site. Except for Lot 45, all the other lots within the Projected Development Site are owned by the Applicant. It should be noted that the Applicant is currently in contract on Lot 45 and the lot will be acquired by the Applicant before construction begins. Combined, the twelve lots consist of approximately 55,173 square feet, with nine vacant and unimproved lots and three developed lots. Lot 29 is improved with a 1.5-story, 500 GSF (0.08 FAR) one-family home; Lot 38 is improved with a 2-story, 952 GSF (0.23 FAR) two-family home; and Lot 45 is improved with a 2-story, 600 GSF (0.15 FAR) warehouse. Lots 37, 38, 39, 40, 42, and 45 are rectangular interior lots with frontage on Sapphire Street; Lot 34 is a rectangular corner lot with frontages on Sapphire Street and 149th Avenue; Lots 29 and 32 are rectangular interior lots with frontage on 149th Avenue; Lot 28 is an irregular-shaped interior lot with frontage on 149th Avenue; Lot 24 is an irregular-shaped corner lot with frontage on 79th Street and 149th Avenue, and its southern lot boundary is mapped into the 149th Avenue roadway; and Lot 15 is an 80-foot-long interior lot with frontage on 79th Street that runs across the eastern edge of the block, with a lot depth of 35 feet at its deepest point.

Future No-Action Condition

Land Use Study Area

There are no active construction permits or proposed rezonings identified within the 400-foot Study Area. Development in the Study Area would continue to be governed by the underlying zoning regulations. Therefore, land use and development patterns in the Study Area are anticipated to remain unchanged in the future without the Proposed Actions.

Affected Area

The No-Action Condition for the Affected Area would be the same as the existing conditions. Lot 29 would continue to be developed with a 1.5-story, 500 GSF (0.08 FAR) one-family home, Lot 38 would continue to be improved with a 2-story, 952 GSF (0.23 FAR) two-family building, Lot 45 would continue to be improved with a 2-story, 600 GSF (0.15 FAR) warehouse, and the remaining nine lots would remain vacant.

Redevelopment in the future without the Proposed Actions is not considered feasible given the low density (1.00 FAR for residential uses and 2.00 FAR for community facility uses) permitted within the underlying R4 zoning district. Infrastructure improvements would also be required due to sewer capacity and flooding issues in the immediate area, and the costs associated with these improvements would make any development at this scale economically infeasible.

In addition, there are no records of building work permits submitted by the Applicant within the Affected Area. Therefore, it is conservatively assumed that under the No-Action Condition, existing conditions would continue on the Projected Development Site.

Future With-Action Condition

Land Use Study Area

Except for the Affected Area, land use and development patterns in the Study Area would remain unchanged in the future with the Proposed Actions. Any new development in the 400-foot Study Area would be consistent with the underlying zoning regulations.

Affected Area

Projected Development Site (Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45)

The Applicant-owned Projected Development Site would have a combined lot area of approximately 55,173 sf and would be developed with a new 9-story plus cellar, 95-foot-tall (reaching a total building height of 105 feet inclusive of a 10-foot mechanical bulkhead), 287,592 GSF (215,173 ZSF, 3.90 FAR) residential building, which would consist of approximately 55,205 GSF of parking at the cellar level and 232,387 GSF (215,173 ZSF, 3.90 FAR) of residential uses above grade. The building would provide 273 dwelling units (assuming 850 GSF per dwelling unit), 20-30% (55-82 units) of which would be affordable at an average of 40-80% AMI pursuant to MIH Option 1, 2, or 3, respectively. For the purposes of Early Childhood Programs analysis, 20% of residential floor area (55 units) is assumed to be affordable at or below 80% AMI. A below-grade off-street parking garage would contain 120 residential accessory vehicular parking spaces and 120 enclosed bicycle parking spaces, which would be accessible from both 79th Street and Sapphire Street. The cellar level would be wet flood-proofed with FEMA-approved foundation flood vents. In addition, the building would have a residential entrance on 79th Street and an interior court for the outdoor enjoyment of the residents. New sidewalks would be paved, and new street trees would be planted around the building.

Conclusion

The density and uses permitted by the Proposed Actions would be consistent with nearby medium-density residential buildings located two blocks to the west of the Affected Area, which was facilitated by Linden Boulevard Rezoning (C170430ZMK, N170431ZRK) in 2017. The Proposed Actions would permit residential and community facility uses on an underutilized land, which would be compatible with surrounding uses that are predominantly a mix of residential and commercial uses. Therefore, there would be no significant adverse impacts on land use as a result of the Proposed Actions, and further analysis is not required.

2.1.2 Zoning

Existing zoning districts within the 400-foot Study Area are presented in **Figure 1.1-3** above.

Existing Conditions

Zoning Study Area

The zoning districts that intersect with the 400-foot Study Area are R4, R6A, R7A, R8A, and C1-2 and C2-4 commercial overlays.

R4

R4 districts are low-density non-contextual residential districts designed to provide for all types of residential buildings with a broad range of housing types. These districts also include community facilities and open uses which serve the residents of these districts or benefit from a residential environment. R4 districts permit the following Use Groups: UGs I, II, III(A), III(B), IV(B), IV(C).

R4 districts permit a minimum lot width of 30 feet, and a minimum lot area of 2,850 square feet. The maximum permitted residential FAR is 1.0 for standard and 1.5 for qualifying residential sites[1]. The maximum community facility FAR is 2.0. The maximum height of a residential building is governed by either a pitched roof or a flat roof envelope. For the pitched roof envelope, the height of a building is governed by a perimeter wall height of 25 feet before additional height must conform to the sky exposure plane. Above the 25-foot perimeter wall height, sloping planes control the maximum height of the building or other structure requiring either a setback or a pitched roof. These planes start at the maximum permitted height of the perimeter walls and meet at a ridge line of 35 feet above the base plane. For a flat roof envelope, the maximum permitted height is 35 feet. For qualifying residential sites and qualifying senior housing, the maximum building height is 45 feet, and the maximum base height is 35 feet. Above the permitted base height, a setback of 15 feet (for narrow streets) or 10 feet (for wide streets) is required from the street wall of the building.

The front yard of a new home must be at least 10 feet deep. For qualifying residential sites with a lot width of at least 150 feet, and for corner lots the front yard depth may be reduced by five feet, except that a front yard shall be no shallower than 5 feet. New single or two-family detached homes must have two side yards totaling at least five feet, but there is no minimum width requirement for either one. R4 districts also permit semi-detached and zero lot line buildings which are set along a side lot line, and require one side yard at least five feet wide, subject to certain modifications per ZR Section 23-33. For all other residences, no side yards are required subject to certain modifications per ZR Section 23-33. The minimum required rear yard depth is 20-30 feet, subject to modifications pursuant to ZR Section 23-343.

Parking requirements vary depending on the use and transit zone designation. In the Inner Transit Zone, one off-street parking space is required for each standard market dwelling unit within multiple dwellings, while no parking is required for affordable dwelling units and qualifying senior units and can be waived if 1 space is required. In the Outer Transit Zone, parking is required for 35% of all standard market dwelling

[1] Qualifying residential sites generally consist of (a) lots in the Greater Transit Zone that are 5,000 SF or greater on a wide street or the short end of a block, (b) lots in the Greater Transit Zone that include a building with community facility space as of December 5, 2024, (c) lots located outside of the Greater Transit Zone that have a minimum lot area of at least 5,000 square feet and include a building with community facility space as of December 5, 2024 or (d) lots located in an R3-2, R4, R5 or R5B District containing qualifying senior housing.

units, while no parking is required for affordable dwelling units and qualifying senior units and can be waived if 5 spaces or fewer are required. Beyond the Greater Transit Zone, parking is required for 50% of market rate and affordable dwelling units, and 10% of qualifying senior units; here, parking can be waived if fewer than 3 spaces are required. In the Outer Transit Zone and beyond the Greater Transit Zone the following applies: For qualifying residential sites parking is waived where the number of dwelling units is 75 or less. Further, no parking is required for zoning lots existing on December 5, 2024, where the lot width is 25 feet or less.

R6A

R6A is a contextual district widely mapped in built-up, medium-density areas. These districts are designed to provide for residential buildings, and also include community facilities and open uses which serve the residents of these districts or benefit from a residential environment. R6A districts permit the following Use Groups: UGs I, II, III(A), III(B), IV(B), IV(C).

For single or two-family detached and zero lot line buildings, R6A districts require a minimum lot width of 25 feet and a minimum lot area of 2,375 square feet. All other buildings require a minimum lot width of 18 feet and a minimum lot area of 1,700 square feet. There are no front yard requirements in R6 districts. New single or two-family detached homes must have two side yards, each within a minimum of at least five feet. For all other residences, no side yards are required. However, if any open area extending along a side lot line is provided at any level, it shall have a minimum width of five feet, measured perpendicular to the side lot line. The minimum required rear yard depth is 20-30 feet, subject to certain modifications pursuant to ZR Section 23-343.

The FAR in R6A districts is 3.0 for standard residences and community facility use. For buildings participating in the UAP program, a maximum residential FAR of 3.9 (for qualifying affordable or senior housing) is permitted, so long as any residential floor area exceeding the standard FAR is permanently income-restricted to an average of 60% AMI. The minimum base height is 40 feet. The maximum base height is 65 feet, and the maximum building height is 75 feet (for standard residences). The maximum base height is 65 feet, and the maximum building height is 95 feet (for qualifying affordable or senior housing).

Where a zoning lot located in an R6 through R12 District abuts a zoning lot located within an R1 through R5 District, the height of a building within a transition area measured parallel to the district boundary shall not exceed the maximum heights outlined in ZR Section 23-443, depending on the zoning district adjacency, the adjacent zoning lot condition, and the width of the zoning lot. For zoning lots in an R6 through R12 District with a lot width less than or equal to 30 feet, the maximum permitted height within the transition area equal to one-third of the lot width of the district boundary is 45 feet abutting non-qualifying residential sites and 65 feet abutting qualifying residential sites in the R1 through R3 Districts; 65 feet abutting non-qualifying residential sites and 85 feet abutting qualifying residential sites in the R4 and R5 Districts. For zoning lots in an R6 through R12 District with a lot width greater than 30 feet, the maximum permitted height within 15 feet of the district boundary is 45 feet abutting non-qualifying residential sites and 65 feet abutting qualifying residential sites in the R1 through R3 Districts; 65 feet abutting non-qualifying residential sites and 85 feet abutting qualifying residential sites in the R4 and R5 Districts. For zoning lots in an R6 through R12 District with a lot width greater than 30 feet, the maximum permitted height beyond 15 feet and within 25 feet of the district boundary is 65 feet abutting non-

qualifying residential sites and 85 feet abutting qualifying residential sites in the R1 through R3 Districts; 85 feet abutting all residential sites in the R4 and R5 Districts.

Parking requirements vary depending on the use and transit zone designation. In the Inner Transit Zone, off-street parking is required for 50% of standard market dwelling units within multiple dwellings, while no parking is required for income restricted housing or qualifying senior units and can be waived if 5 spaces or fewer are required. In the Outer Transit Zone, parking is required for 25% of all standard market dwelling units, while no parking is required for income restricted housing or qualifying senior units and can be waived if 15 spaces or fewer are required. Beyond the Greater Transit Zone, parking is required for 50% of market rate dwelling units, 25% of affordable dwelling units, and 10% of qualifying senior units; here, parking can be waived if fewer than 10 spaces are required. Further, no parking is required for zoning lots existing on December 5, 2024, where the lot width is 25 feet or less in the Outer Transit Zone/Beyond the Greater Transit Zone.

R7A

R7A is a contextual district widely mapped in built-up, medium-density areas. These districts are designed to provide for residential buildings and also include community facilities and open uses which serve the residents of these districts or benefit from a residential environment. Designed to be compatible with older buildings found in medium-density neighborhoods, R7A districts are mapped along Prospect Park South and Ocean Parkway in Brooklyn, Jackson Heights in Queens, and in Harlem and along the avenues in the East Village in Manhattan. R7A districts permit the following Use Groups: UGs I, II, III(A), III(B), IV(B), IV(C).

For single or two-family detached and zero lot line buildings, R7A districts require a minimum lot width of 25 feet and a minimum lot area of 2,375 square feet. All other buildings require a minimum lot width of 18 feet and a minimum lot area of 1,700 square feet. There are no front yard requirements in R7 districts. New single or two-family detached homes must have two side yards, each within a minimum of at least five feet. For all other residences, no side yards are required. However, if any open area extending along a side lot line is provided at any level, it shall have a minimum width of five feet, measured perpendicular to the side lot line. The minimum required rear yard depth is 20-30 feet, subject to certain modifications pursuant to ZR Section 23-343.

The residential FAR in R7A districts is 4.0 for standard residences and community facility use. For buildings participating in the UAP program, a maximum residential FAR of 5.01 (for qualifying affordable or senior housing) is permitted, so long as any residential floor area exceeding the standard FAR is permanently income-restricted to an average of 60% AMI.

The minimum base height is 40 feet. The maximum base height is 75 feet, and the maximum building height is 85 feet (for standard residences). The maximum base height is 85 feet, and the maximum building height is 115 feet (for qualifying affordable or senior housing). Where a zoning lot located in an R6 through R12 District abuts a zoning lot located within an R1 through R5 District, the height of a building within a transition area measured parallel to the district boundary shall not exceed the maximum heights outlined in ZR Section 23-443, depending on the zoning district adjacency, the adjacent zoning lot condition, and the width of the zoning lot.

Parking requirements vary depending on the use and transit zone designation. In the Inner Transit Zone, off-street parking space is required for 50% of standard market dwelling units within multiple dwellings, while no parking is required for income restricted housing or qualifying senior units and can be waived if 25 spaces or fewer are required. In the Outer Transit Zone, parking is required for 15% of all standard market dwelling units, while no parking is required for income restricted housing or qualifying senior units and can be waived if 15 spaces or fewer are required. Beyond the Greater Transit Zone, parking is required for 50% of market rate dwelling units, 12% of affordable dwelling units, and 10% of qualifying senior units; here, parking can be waived if fewer than 15 spaces are required. The parking requirement per standard dwelling unit shall be reduced to 30 percent where the lot area is 10,000 square feet or less beyond the Greater Transit Zone. Further, no parking is required for zoning lots existing on December 5, 2024, where the lot width is 25 feet or less in the Outer Transit Zone/Beyond the Greater Transit Zone.

R8A

R8A are medium-density contextual residential zoning districts mapped in part of DUMBO in Brooklyn and West Chelsea in Manhattan. These districts are designed to provide for residential buildings and also include community facilities and open uses which serve the residents of these districts or benefit from a residential environment. R8 districts permit the following Use Groups: UGs I, II, III(A), III(B), IV(B), and IV(C).

For single or two-family detached and zero lot line buildings, R8A districts require a minimum lot width of 25 feet and a minimum lot area of 2,375 square feet. All other buildings require a minimum lot width of 18 feet and a minimum lot area of 1,700 square feet. There are no front yard requirements in R8A districts. New single or two-family detached homes must have two side yards, each with a minimum width of five feet. For all other residences, no side yards are required. However, if any open area extending along a side lot line is provided at any level, it shall have a minimum width of five feet, measured perpendicular to the side lot line. The minimum required rear yard depth is 20-30 feet, subject to certain modifications pursuant to ZR Section 23-343.

R8A districts permit a maximum standard FAR of 6.02. Community facility use is permitted at a maximum FAR of 6.50. For buildings participating in the UAP program, a maximum residential FAR of 7.20 (for qualifying affordable or senior housing) is permitted, so long as any residential floor area exceeding the standard FAR is permanently income-restricted to an average of 60% AMI.

The minimum base height is 60 feet. The maximum base height is 95 feet, and the maximum building height is 125 feet (for standard residences). The maximum base height is 105 feet, and the maximum building height is 145 feet (for qualifying affordable or senior housing). Where a zoning lot located in an R6 through R12 District abuts a zoning lot located within an R1 through R5 District, the height of a building within a transition area measured parallel to the district boundary shall not exceed the maximum heights outlined in ZR Section 23-443, depending on the zoning district adjacency, the adjacent zoning lot condition, and the width of the zoning lot.

Parking requirements vary depending on the use and transit zone designation. In the Inner Transit Zone, off-street parking space is required for 40% of standard market dwelling units within multiple dwellings and can be waived if 30 spaces or fewer are required, while no parking is required for income restricted housing or qualifying senior units. In the Outer Transit Zone, parking is required for 12% of all standard market dwelling units, while no parking is required for income restricted housing or qualifying senior units

and can be waived if 30 spaces or fewer are required. Beyond the Greater Transit Zone, parking is required for 40% of market rate dwelling units, 12% of affordable dwelling units, and 10% of qualifying senior units; here, parking can be waived if fewer than 15 spaces are required. In R8 districts, the parking requirement per standard dwelling unit shall be reduced to 20 percent where the lot area is between 10,001 and 15,000 square feet and waived where the lot area is 10,000 square feet or less when the zoning lot is located beyond the Greater Transit Zone. Further, no parking is required for zoning lots existing on December 5, 2024, where the lot width is 25 feet or less in the Outer Transit Zone/beyond the Greater Transit Zone.

C1-2 and C2-4 Commercial Overlay

C1-2 and C2-4 districts are commercial overlays mapped within residential districts. Mapped along streets that serve local retail needs, they are found extensively throughout the city's lower- and medium-density areas and occasionally in higher-density districts. Typical retail uses include neighborhood grocery stores, restaurants and beauty parlors. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use. Compared to C1-2 districts, C2-4 districts permit a slightly wider range of uses, such as funeral homes and repair services.

The residential bulk is governed by the residential district within which the commercial overlay is mapped. The maximum commercial or community facility FAR is also determined by the residence district, per Section 33-121 of the NYC Zoning Resolution.

For this location, the C1-2 overlays are mapped over an R4 zoning district, where:

- The maximum FAR for a zoning lot containing only commercial use, only community facility use, or both commercial and community facility uses is 2.0 FAR.
    - The maximum FAR for a zoning lot containing only community facility uses or both commercial and community facility uses, may be increased to 2.4 provided that:

      (a) on interior lots, a front yard not less than 30 feet in depth is provided;

      (b) on corner lots, two front yards, each not less than 20 feet in depth, are provided; or

      (c) on through lots, a front yard not less than 30 feet in depth is provided along each front lot line.
- The maximum height of a front wall and the required front setback of a building or other structure shall be determined by the Residence District within which such Commercial District is mapped with the following exceptions:
    - In accordance with the provisions of Section 32-42 (Location Within Buildings), no commercial building or portion thereof occupied by non-residential uses listed under Use Groups VI through X shall exceed in height 30 feet or two stories, whichever is less.
    - For commercial buildings, the maximum height of a front wall shall be 30 feet or two stories, whichever is less, and the height above street line shall be 30 feet.
    - For community facility buildings or buildings used for both community facility use and commercial use, the maximum height of a front wall shall be 35 feet or three stories, whichever is less, and the height above street line shall be 35 feet.

- The residential bulk remains subject to the R4 zoning regulations, which govern setbacks, yard requirements, and other dimensional controls.
- On qualifying residential sites located on any zoning lot or portion of a zoning lot in any commercial district in which such building is permitted and subject to the individual maximum floor area ratios for commercial, community facility and residential uses, the maximum permitted floor area for a zoning lot with buildings containing residential and non-residential uses is 2.5 FAR within the Greater Transit Zone, and 2.0 FAR outside of the Greater Transit Zone.

For this location, the C2-4 overlays are mapped over an R8A zoning district, where:

- The maximum FAR for a zoning lot containing only commercial use is 2.0 FAR, while for a zoning lot containing only community facility use or both commercial and community facility uses is 6.5 FAR.
- The maximum height of a front wall and the required front setback of a building or other structure shall be determined by the Residence District within which such Commercial District is mapped with the following exceptions:
    - In accordance with the provisions of Section 32-42 (Location Within Buildings), no commercial building or portion thereof occupied by non-residential uses listed under Use Groups VI through X shall exceed in height 30 feet or two stories, whichever is less.
    - For commercial buildings, community facility buildings, or buildings used for both community facility use and commercial use, the maximum height of a front wall shall be 85 feet or six stories, whichever is less, and the height above street line shall be 85 feet.
- The residential bulk remains subject to the R8A zoning regulations, which govern setbacks, yard requirements, and other dimensional controls.

Parking for commercial and community facility use varies depending on the use, size, and transit zone designation.

Affected Area

The Affected Area is zoned R4, which permits residential uses at a maximum FAR of 1.00 (for standard housing) or 1.50 (for qualifying affordable or senior housing) and community facility uses at a maximum FAR of 2.0.

Table 2.1-1: Summary of Existing Zoning Regulations[2]

Zoning District	Type and Use Group (UG)	Floor Area Ratio (FAR)	Parking
R4	General Non-Contextual Residential District UGs I, II, III(A), III(B), IV(B), IV(C)	1.00 – Residential (Standard) 1.50 – Residential (Qualifying Affordable or Senior) 2.00 – Community Facility	Inner TZ: 1 per standard DU within multiple dwellings Outer TZ: 35% of standard DU Beyond Greater TZ: 50% of affordable and market rate DU; 10% of qualifying senior units
R6A	General Contextual Residential District UGs I, II, III(A), III(B), IV(B), IV(C)	3.00 – Residential (Standard) 3.90 – Residential (Qualifying Affordable or Senior) 3.00 – Community Facility	Inner TZ: 50% of standard DU within multiple dwellings Outer TZ: 25% of standard DU Beyond Greater TZ: 50% of standard DU; 25% of affordable DU; 10% of qualifying senior units
R7A	General Contextual Residential District UGs I, II, III(A), III(B), IV(B), IV(C)	4.00 – Residential (Standard) 5.01 – Residential (Qualifying Affordable or Senior) 4.00 – Community Facility	Inner TZ: 50% of standard DU within multiple dwellings Outer TZ: 15% of standard DU Beyond Greater TZ: 50% of standard DU; 12% of affordable DU; 10% of qualifying senior units
R8A	General Contextual Residential District UGs I, II, III(A), III(B), IV(B), IV(C)	6.02 – Residential (Standard) 7.20 – Residential (Qualifying Affordable or Senior) 6.50 – Community Facility	Inner TZ: 40% of standard DU within multiple dwellings Outer TZ: 12% of standard DU Beyond Greater TZ: 40% of market rate DU; 12% of affordable DU; 10% of qualifying senior units
C1-2 (mapped over R4)	Local Non-Contextual Commercial District UGs I, II, III(A), III(B), IV(A), IV(B), IV(C), V, VI, VII, VIII, IX(A), IX(C), X	2.00 – Commercial Use 2.00 – Commercial and Community Facility Use 2.00 – Community Facility Use	Varies by use and size of establishment
C2-4 (mapped over R8A)	Local Non-Contextual Commercial District UGs I, II, III(A), III(B), IV(A), IV(B), IV(C), V, VI, VII, VIII, IX(A), IX(C), X	2.00 – Commercial 6.50 – Commercial and Community Facility 6.50 – Community Facility	Varies by use and size of establishment

* DU = Dwelling Units; TZ = Transit Zone

[2] Zoning Resolution

Notes:

1. For qualifying residential sites in R4 Districts in the Outer Transit Zone or beyond the Greater Transit Zone, accessory off-street parking spaces shall be waived where the number of dwelling units is 75 or less.
2. For zoning lots existing on December 5, 2024 where the lot width is 25 feet or less in the Outer Transit Zone or beyond the Greater Transit Zone, no parking shall be required.
3. For zoning lots in R7A Districts beyond the Greater Transit Zone, the parking requirement per standard dwelling unit shall be reduced to 30 percent where the lot area is 10,000 square feet or less.
4. For zoning lots in R8A Districts, the parking requirement per standard dwelling unit shall be reduced to 20 percent where the lot area is between 10,001 and 15,000 square feet beyond the Greater Transit Zone and waived where the lot area is 10,000 square feet or less in the Outer Transit Zone or beyond the Greater Transit Zone.
5. Non-residential parking requirement in the residential districts varies by use and size of establishment, and Transit Zone designation.

Future No-Action Condition

Zoning Study Area

No changes to zoning would occur in the future No-Action Condition, and the existing R4, R6A, R7A, R8A zoning districts and C1-2 and C2-4 commercial overlays would remain.

Affected Area

No changes to zoning would occur in the future without the Proposed Actions within the Affected Area. The Affected Area would continue to be subject to the existing R4 zoning district.

Future With-Action Condition

Zoning Study Area

No changes to zoning would occur in the future with the Proposed Actions in the 400-foot Study Area except for the Affected Area.

Affected Area

The Affected Area would be rezoned from the existing R4 district to an R6A zoning district. A Zoning Text Amendment would also map the Affected Area as an MIH area. The Proposed Actions would effectuate the development of Projected Development Site with a maximum permitted residential FAR of 3.90, a maximum permitted community facility FAR of 3.00, and a maximum permitted building height of 95 feet at 9 stories.

Because of the Affected Area's adjacency to an R4 zoning district, the provisions of ZR 23-693 would apply, requiring that portions of any building in the proposed R6A district be limited in height to 45 feet tall within 25 feet from the adjacent R4 district. While the building portion in the proposed R6A district located within 25 feet from the adjacent R4 district is capped at a maximum building height of 45 feet, the provisions of ZR 23-693 would not impact the maximum permitted base height and building height located more than 25 feet from the adjacent R4 district.

Conclusion

The Proposed Actions would increase the allowable residential floor area density within the Affected Area but would not introduce new Use Groups that would be incompatible with the existing predominantly residential and commercial uses in the 400-foot Study Area. The Proposed Actions would result in development that is in character in height and bulk of the existing medium-density mid-rise buildings in the R6A, R7A, and R8A zoning districts located two blocks to the west of the Affected Area, which was facilitated by Linden Boulevard Rezoning (C170430ZMK, N170431ZRK) in 2017, including one 12-story, 194,901 GSF mixed residential and commercial building of 234 dwelling units and two 8-story elevator apartment buildings of 171,145 GSF (160 dwelling units) and 146,150 GSF (156 dwelling units) respectively on Block 4496.

Given that there are existing residential buildings with similar bulk and height as permitted in the proposed R6A zoning district in the adjacent R6A, R7A, and R8A zoning districts intersecting with the 400-foot Study Area, the Proposed Actions would not alter or accelerate development patterns, nor would it be expected to affect the real estate market in the 400-foot Study Area. For these reasons, the Proposed

Actions are not expected to have significant adverse impacts on zoning, and further analysis is not required.

2.1.3 Public Policy

For public policy, *2021 CEQR Technical Manual* stipulates that a preliminary assessment should identify and describe any public policies (formal plans, published reports) that pertain to the study area, and should determine whether the proposed project could alter or conflict with identified policies. If so, a detailed assessment should be conducted. Otherwise, no further assessment is needed.

The Proposed Actions are not part of, or subject to, an Urban Renewal Plan (URP), adopted community 197-a Plan, Solid Waste Management Plan, Business Improvement District (BID), Industrial Business Zone (IBZ), or the New York City Landmarks Law. The Proposed Actions are also not a large publicly sponsored project, and as such, consistency with the City's OneNYC for sustainability is not warranted.

The Projected Development Site is located within the New York City Coastal Zone Boundary. As a result, an analysis of the Proposed Actions' consistency with the Waterfront Revitalization Program is warranted. In addition, the Proposed Actions include a Zoning Text Amendment to ZR Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Queens Community District 10, to establish the Affected Area as an MIH Area under Program Option 1. As a result, the Proposed Actions would potentially affect the public policies related to housing and an analysis of the Proposed Actions' consistency with the relevant public policies is warranted.

It should be noted that the New York City Department of Housing Preservation and Development (HPD) will soon launch an area-wide affordable housing and community resilience planning process in the Jewel Streets, which includes the north-south streets named after various jewels - Ruby, Emerald, Amber, and Sapphire Streets. Given that the Affected Area is located on Sapphire Street within the Jewels Streets area, an analysis of the Proposed Actions' consistency with this neighborhood plan is warranted.

Below is a list of the related public policies the Proposed Actions would have an impact on:

- Waterfront Revitalization Program
- Housing New York 2.0
- Where We Live NYC
- Get Stuff Built
- Housing Our Neighbors: A Blueprint for Housing and Homelessness
- Jewel Streets Neighborhood Plan

Existing Conditions

Waterfront Revitalization Program

Actions that are located within the designated boundaries of New York City's Coastal Zone are subject to an assessment for consistency with the City's Local Waterfront Revitalization Program (WRP). The goal of the program is to maximize the benefits derived from economic development, environmental conservation and public use of the waterfront, while minimizing any potential conflicts among these

objectives. The WRP includes policy objectives that prioritize the development of water-dependent and water-enhancing uses on Coastal Zone properties, mandate public access to the waterfront within certain zoning districts, offer construction guidelines for flood zones, and address the maintenance of water quality.

Housing New York 2.0

Carried out by Housing Preservation and Development (HPD), Housing New York is the Mayor's plan to build or preserve 300,000 affordable homes by 2026. The plan outlines a comprehensive set of policies and programs to address the city's affordable housing crisis and retain the diversity and vitality of its neighborhoods.

Where We Live NYC

Where We Live NYC is a collaborative planning process led by the City of New York to better understand how challenges like segregation and discrimination impact New Yorker's everyday lives. Through Where We Live NYC, the City of New York is developing the next chapter of fair housing policies that fight discrimination, breakdown barriers to opportunity, and build more just and inclusive neighborhoods. The Plan is separated into six key goals that will guide the City's work in advancing fair housing through 2025:

Goal 1. Combat persistent, complex discrimination with expanded resources and protections;

Goal 2. Facilitate equitable housing development in New York City and the region;

Goal 3. Preserve affordable housing and prevent displacement of long-standing residents;

Goal 4. Enable more effective use of rental assistance benefits, especially in amenity-rich neighborhoods;

Goal 5. Create more independent and integrated living options for people with disabilities;

Goal 6. Make equitable investments to address the neighborhood-based legacy of discrimination, segregation, and concentrated poverty.

Get Stuff Built

Get Stuff Built is a strategy to address affordable housing crisis with the goal of 500,000 new homes. Carried out by the Building and Land Use Approval Streamlining Task Force (BLAST), "Get Stuff Built" includes 111 concrete actions the city will take to create more housing more quickly by streamlining processes and removing bureaucratic obstacles that are slowing housing production and economic recovery. These actions will increase the speed and lower the cost of development by accelerating project timelines by 50 percent, ensure environmental protection and meaningful public participation, and stimulate the creation of affordable housing across New York City.

Housing Our Neighbors: A Blueprint for Housing and Homelessness

Housing Our Neighbors: A Blueprint for Housing and Homelessness is a plan to get New Yorkers into Safe, High-Quality, Affordable Homes. Crafted with insight from New Yorkers who experienced homelessness, blueprint focuses not just on creating homes but also on getting New Yorkers into them more quickly. The blueprint contains five main strategies, including:

1. Transforming NYCHA,
2. Addressing Homelessness and Housing Instability,
3. Creating and Preserving Affordable Housing,
4. Improving the Health and Safety of New Yorkers, and
5. Reducing Administrative Burden.

Jewel Streets Neighborhood Plan

The Jewel Streets refer to the north-south streets named after various jewels: Ruby, Emerald, Amber, and Sapphire Streets. The 12-block neighborhood straddles East New York, Brooklyn and Lindenwood, Queens and is known to residents as "The Hole" due to its sunken streets. The low-lying area's high water table and lack of comprehensive stormwater and sanitary sewer infrastructure contribute to year-round flooding, even on sunny days. The goal of the neighborhood plan is to develop concrete strategies to alleviate flooding, redevelop vacant city-owned land, increase housing stability, and create economic opportunities in the identified area, which can help remediate the long-lasting impacts from historic disinvestment and environmental injustice. The neighborhood plan is currently in public outreach.

Future No-Action Condition

No changes affecting Waterfront Revitalization Program, Housing New York 2.0, Where We Live NYC, Get Stuff Built, Housing Our Neighbors: A Blueprint for Housing and Homelessness, or Jewel Streets Neighborhood Plan would occur under the Future No-Action Condition.

Future With-Action Condition

Waterfront Revitalization Program

Since the Projected Development Site is located in the Coastal Zone, a consistency review is warranted for the Proposed Actions (See **Appendix C**). The Proposed Actions would support and facilitate redevelopment in appropriate Coastal Zone areas, integrate consideration of climate change and sea level rise into the planning and design of waterfront development, minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change. The WRP Consistency Assessment Form (CAF) was completed and is provided in **Appendix C**. The CAF assists the Applicant in identifying the relevant WRP policies and certifying that the project is consistent with the WRP.

The Proposed Actions would place a 9-story, 95-foot-tall residential structure in a designated "Zone X" within the 0.2% annual chance floodplain as per the 2015 FEMA Preliminary Flood Insurance Rate Maps (PFIRMs). Properties in Zone X are considered to be at moderate risk of flooding under the National Flood Insurance Program (NFIP). Property owners in Zone X are not required to purchase flood insurance unless they have received federal disaster assistance in the past. Though buildings within Zone X are not required to comply with Appendix G of the Building Code, the cellar level parking spaces of the Proposed Development would be wet flood-proofed with FEMA-approved foundation flood vents to ensure the security of the building in the event of potential flooding.

The CAF was completed to determine the consistency of the proposed project with the WRP's ten policies. Additionally, as the site is located within the boundaries of a flood zone, the Flood Evaluation Worksheet was also completed. The Flood Evaluation Worksheet allows the Applicant to calculate future flood elevations and assess site-specific risks to vulnerable or critical project features.

Based on the information provided in the CAF, a detailed methodology and policy response is provided in **Appendix C**, which incorporates the findings of the Flood Evaluation Worksheet, and the Proposed Action's consistency with the applicable WRP Policies.

Housing New York 2.0

The Proposed Actions are consistent with the goals of Housing New York as an MIH area would be established over the Affected Area to introduce more affordable residential units to the area. The development of the Projected Development Site would set aside 55-82 dwelling units, far more than the total three existing market-rate residential units, as permanently affordable units for households making incomes averaging 40-80% AMI, which makes up 20-30% of the total 273 project induced dwelling units per MIH Option 1, 2, or 3, respectively. The affordable units that would be provided pursuant to the Proposed Actions would foster diverse and livable neighborhoods, preserve the affordability and quality of the housing stock, and build new affordable housing for all New Yorkers.

Where We Live NYC

The Proposed Actions would facilitate the development of a new residential building within the Affected Area. By facilitating the construction of affordable units in an area with accessibility to jobs, amenities, and services, the Proposed Actions would contribute to Goal 2 (Facilitate equitable housing development in New York city and the region) of Where We Live NYC.

The Proposed Actions would facilitate the development on an underutilized site with income-restricted units with resident selection procedures, including an occupancy bonus for a percentage of the units to applicants who, at the time of application and processing, are residents of the Community District in which the building is located. Therefore, the Proposed Actions would contribute to Goal 3 (Preserve affordable housing and prevent the displacement of long-standing residents) of Where We Live NYC.

Get Stuff Built

The Proposed Actions would facilitate the construction of 270 incremental dwelling units within the Affected Area, including 68 dwelling units permanently affordable for households making an income at or below 80% AMI. The units that would be provided pursuant to the Proposed Actions would help address affordable housing crisis and contribute to the goal of 500,000 new homes expressed in the "Get Stuff Built" strategy.

Housing Our Neighbors: A Blueprint for Housing and Homelessness

The Proposed Actions would facilitate the construction of 270 incremental dwelling units within the Affected Area, including 68 dwelling units that would be permanently affordable. By creating affordable housing, the Proposed Actions would contribute to the goal of getting New Yorkers into safe, high-quality, affordable homes expressed in "Housing Our Neighbors: A Blueprint for Housing and Homelessness".

Jewel Streets Neighborhood Plan

In order to construct a new residential building on the Projected Development Site in an area with sewer capacity and flooding issues, the Proposed Actions would include infrastructure improvements to help remediate the sewer issue, including but not limited to incorporate wet floodproof building features for the cellar level parking spaces to ensure the safety of the building in the event of potential flooding, improving the sewer system under the Projected Development Site to avoid flooding, and providing on-site green infrastructures such as landscaping areas to retain water. These measures are consistent with the primary goal of the plan to reduce flooding. Meanwhile, the Proposed Actions would facilitate the construction of 270 incremental dwelling units within the Affected Area, including 68 dwelling units that would be permanently affordable. By creating affordable housing, the Proposed Actions would also contribute to the goal of ensuring residents with access to safe and affordable homes listed as one of the goals on the Jewel Streets Neighborhood Plan.

Conclusion

The Proposed Actions would facilitate the construction of 273 high-quality dwelling units (270 incremental dwelling units) within the 400-foot Study Area, including 20-30% of the residential floor area or 55-82 dwelling units that would be permanently affordable to households with incomes averaging 40-80% AMI pursuant to MIH Option 1, 2, or 3, respectively. The Proposed Development would incorporate wet floodproof building features for the cellar level parking spaces to ensure the safety of the building in the event of potential flooding. As a result, the Proposed Actions would comply with the intent of public policies including Waterfront Revitalization Program, Housing New York 2.0, Where We Live NYC, Get Stuff Built, Housing Our Neighbors: A Blueprint for Housing and Homelessness, and Jewel Streets Neighborhood Plan. Therefore, the Proposed Actions would not result in significant adverse impacts on public policy, and further analysis is not required.

Land Use, Zoning, and Public Policy Conclusion

As analyzed above, the Proposed Actions would not create a land use or zoning conflict, nor would itself conflict with public policies for the site or the Study Area. Therefore, the Proposed Actions would not result in significant adverse impacts on land use, zoning, or public policy. Accordingly, no further analysis is warranted.

2.2 Socioeconomic Conditions

According to the *2021 CEQR Technical Manual*, a socioeconomic assessment should be conducted if a project may be reasonably expected to create socioeconomic changes within the area affected by the project that would not be expected to occur without the project. The following circumstances would typically require a socioeconomic assessment:

- The project would directly displace residential population to the extent that the socioeconomic character of the neighborhood would be substantially altered. Displacement of less than 500 residents would not typically be expected to alter the socioeconomic character of a neighborhood. For projects exceeding this threshold, assessments of the direct residential displacement, indirect residential displacement, and indirect business displacement are appropriate.

- The project would directly displace more than 100 employees. For projects exceeding this threshold, assessments of direct business displacement and indirect business displacement are appropriate.

- The project would directly displace a business that is unusually important because its products or services are uniquely dependent on its location; that, based on its type or location, is the subject of other regulations or publicly adopted plans aimed at its preservation; or that serves a population uniquely dependent on its services in its present location. Information provided in Chapter 4, "Land Use, Zoning, and Public Policy," may be useful in determining whether an assessment is appropriate. If any of these conditions is considered likely, assessments of direct business displacement and indirect business displacement are appropriate.

- The project would result in substantial new development that is markedly different from existing uses, development, and activities within the neighborhood. Such a project may lead to indirect displacement. Typically, projects that are small to moderate in size would not have significant socioeconomic effects unless they are likely to generate socioeconomic conditions that are very different from existing conditions in the area. Residential development of 200 units or less or commercial development of 200,000 square feet or less would typically not result in significant socioeconomic impacts. For projects exceeding these thresholds, assessments of indirect residential displacement and indirect business displacement are appropriate.

- The project would add to or create a retail concentration that may draw a substantial number of sales from existing businesses within the Study Area to the extent that certain categories of business close and vacancies in the area increase, thus resulting in a potential for disinvestment on local retail streets. Projects resulting in less than 200,000 square feet of retail on a single development site would not typically result in socioeconomic impacts. If the proposed development is located on multiple sites located across an Affected Area, a preliminary analysis is likely only warranted for retail developments in excess of 200,000 sq. ft. that are considered regional serving (not the type of retail that primarily serves the local population). For projects exceeding these thresholds, an assessment of the indirect business displacement due to market saturation is appropriate.

- If the project is expected to affect conditions within a specific industry, an assessment is appropriate. For example, a citywide regulatory change that would adversely affect the economic and operational conditions of certain types of businesses or processes may affect socioeconomic conditions in a neighborhood: (1) if a substantial number of residents or workers depend on the goods or services provided by the affected businesses; or (2) if it would result in the loss or substantial diminishment of a particularly important product or service within the city. Since the range of possible types of projects that may require an analysis of specific industries varies, the lead agency, in consultation with the Mayor's Office of Environmental Coordination (MOEC), should provide guidance as to whether an analysis is warranted.

Methodology

Typically, the socioeconomic Study Area boundaries are similar to those of the land use Study Area. The Study Area encompasses the project site and adjacent area within 400 feet, 0.25 mile, or 0.5 mile, depending on project size and area characteristics. The socioeconomic assessment seeks to examine the potential to change socioeconomic character relative to the Study Area population. For projects that result in an increase in residential population, the scale of the relative change is typically represented as a percent increase in population.

Existing Conditions

The Projected Development Site is located in the Lindenwood neighborhood of Queens Community District 10 and consists of Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45. Except for Lot 45, all the other lots within the Projected Development Site are owned by the Applicant. It should be noted that the Applicant is currently in contract on Lot 45 and the lot will be acquired by the Applicant before the construction starts. Combined, the twelve lots consist of approximately 55,173 square feet, with nine vacant and unimproved lots and three developed lots. Lot 29 is improved with a 1.5-story, 500 GSF (0.08 FAR) one-family home; Lot 38 is improved with a 2-story, 952 GSF (0.23 FAR) two-family home; and Lot 45 is improved with a 2-story, 600 GSF (0.15 FAR) warehouse.

Future No-Action Condition

In the future without the Proposed Actions, existing conditions would remain. Lot 29 would continue to be developed with a 1.5-story, 500 GSF (0.08 FAR) one-family home, Lot 38 would continue to be improved with a 2-story, 952 GSF (0.23 FAR) two-family building, Lot 45 would continue to be improved with a 2-story, 600 GSF (0.15 FAR) warehouse, and the remaining nine lots would remain vacant.

Future With-Action Condition

In the future with the Proposed Actions, the Projected Development Site would have a combined lot area of approximately 55,173 sf and would be developed with a new 9-story plus cellar, 95-foot-tall (reaching a total building height of 105 feet inclusive of a 10-foot mechanical bulkhead), 287,592 GSF (215,173 ZSF, 3.90 FAR) residential building, which would consist of approximately 55,205 GSF of parking at the cellar level and 232,387 GSF (215,173 ZSF, 3.90 FAR) of residential uses above grade. The building would provide 273 dwelling units (assuming 850 GSF per dwelling unit), 20-30% (55-82 units) of which would be affordable at an average of 40-80% AMI pursuant to MIH Option 1, 2, or 3, respectively. For the purposes of Early Childhood Programs analysis, 20% of residential floor area (55 units) is assumed to be affordable at or below 80% AMI. A below-grade off-street parking garage would contain 120 residential accessory

vehicular parking spaces and 120 enclosed bicycle parking spaces, which would be accessible from both 79th Street and Sapphire Street and would be wet flood-proofed with FEMA-approved foundation flood vents. In addition, the building would have a residential entrance on 79th Street and an interior court for the outdoor enjoyment of the residents. New sidewalks would be paved, and new street trees would be planted around the building.

2.2.1 Preliminary Socioeconomic Screening

Direct Residential Displacement

There are three residential dwelling units within the Affected Area under existing conditions. Assuming an average occupancy of 3.11 persons based on the average household size within Queens Community District 10 (2020 Decennial Census Data), the Proposed Actions would displace approximately 9 residents, which is far below the threshold of 500 directly displaced residents as listed in the *2021 CEQR Technical Manual* and doesn't represent a substantial or significant portion of the population within the Study Area. Therefore, and assessment of direct residential displacement is not warranted.

Direct Business Displacement

The Proposed Actions would replace the existing 600 GSF of manufacturing uses (warehouse) and 1 worker (assuming 1 employee per 1,000 GSF of warehouse uses). As the number of directly displaced employees is less than 100, an assessment of direct business displacement is not required.

Indirect Residential Displacement

The Proposed Actions would result in a net induced development of 270 dwelling units, 20% or 68 units of which would be affordable per MIH Option 1. Assuming an average occupancy of 3.11 persons based on the average household size within Queens Community District 10 (2020 Decennial Census Data), the Proposed Actions would introduce approximately 840 incremental residents. Pursuant to the *2021 CEQR Technical Manual*, for a project exceeding 200 dwelling units, an assessment of indirect residential displacement is appropriate. Therefore, further analysis of the potential for indirect displacement due to increased rents is warranted.

Indirect Business Displacement due to Retail Market Saturation

As noted above, the Proposed Actions are projected to eliminate 600 GSF of manufacturing uses (warehouse). The induced development would not include any commercial uses, and further analysis of indirect business displacement is not warranted.

Adverse Effects on Specific Industries

The Proposed Actions would not affect a business that provides goods or services to a substantial number of residents or workers and would not result in the loss or substantial diminishment of a particularly important product or services within the city. Therefore, no adverse impacts to any industries would occur because of the Proposed Actions.

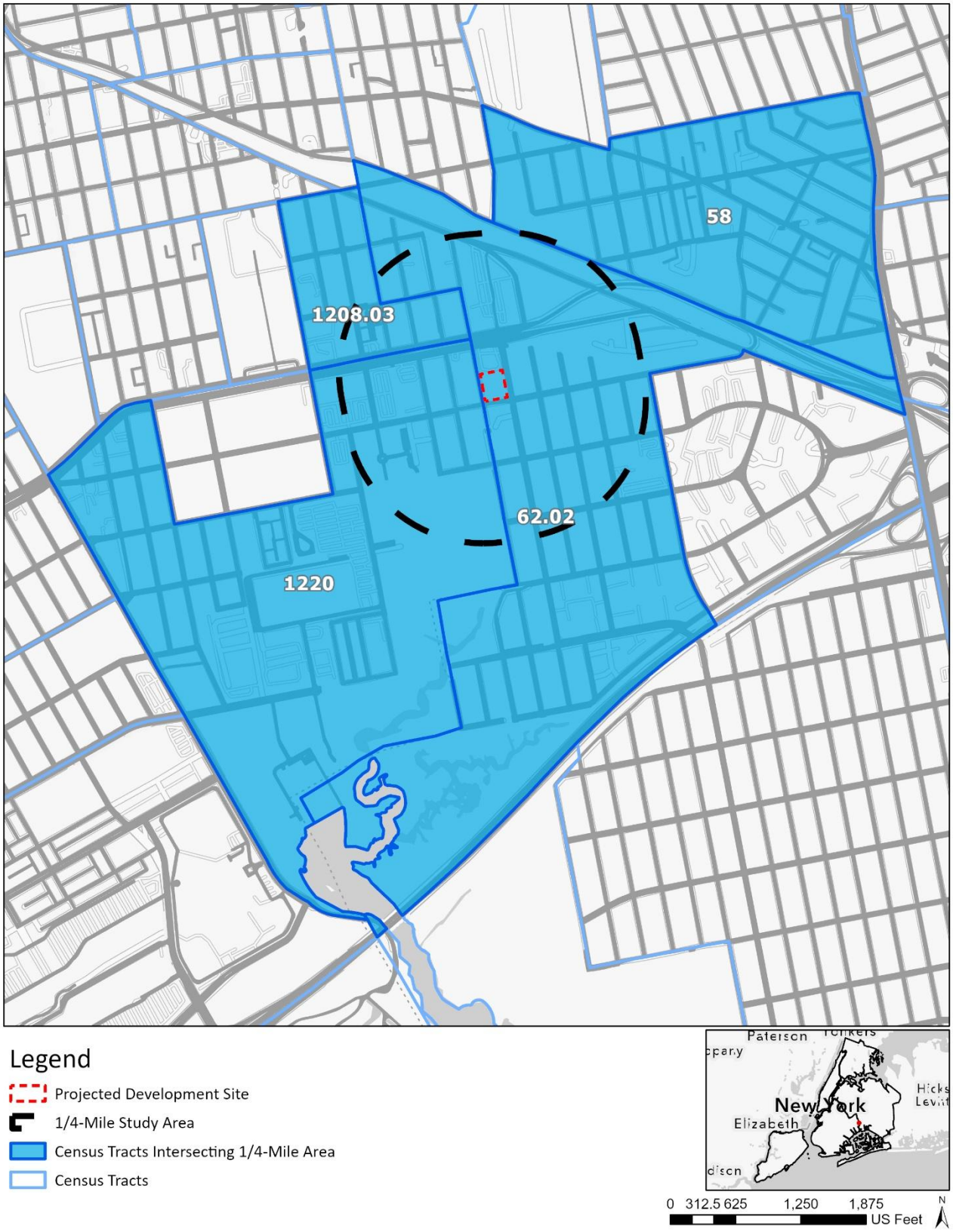
2.2.2 Preliminary Indirect Residential Displacement Assessment

Because the Proposed Actions would result in the development of over 200 residential units, further analysis of the potential for indirect impacts associated with increased rents was conducted. Pursuant to

the *2021 CEQR Technical Manual*, a 1/4-mile study area is appropriate for a project producing a small increase (below 5 percent) to the population size in the area. The Proposed Actions would introduce a net increment of 840 residents, which is an approximately 3.94 percent increase to the existing population (based on 21,322 residents per 2020 Decennial Census Data) in the 1/4-mile study area, which is defined to include census tracts within the 1/4-mile radius of the Affected Area. Accordingly, the 1/4-mile Study Area is appropriate for the purpose of socioeconomic condition analysis. As shown in **Figure 2.2-1**

Figure 2.2-1 below, the 1/4-mile study area includes Brooklyn Census Tracts 1208.03 and 1220 and Queens Census Tracts 62.02 and 58.

Figure 2.2-1: Socioeconomic Study Area – 1/4 Mile



Step 1

Step 1 of the socioeconomics analysis requires a determination of whether or not the Proposed Actions would add a new population to the Study Area with higher average incomes compared to the average incomes of the existing populations and any new population expected to reside in the Study Area without the project.

Study Area Household Income

Household income characteristics within the 1/4-mile Study Area can be revealed with the median household income, the mean household income, and the percentage of households below poverty level. The median household income divides the household income distribution into two equal parts with half having income above that amount and half having income below that amount. Unlike the median household income, the mean household income is the amount obtained by dividing the total aggregate income of all households by the number of households, which is more affected by the relatively unequal distribution of the income that tilts towards the top. As a result, the mean household income is typically higher than the median household income given that the top earning households could boost the number. The percentage of households below poverty level is also important in forming a comprehensive understanding of the household income as the poverty level is determined by the Census Bureau with an official poverty measure that compares pre-tax cash income against a threshold that is set at three times the cost of a minimum food diet in 1963 and adjusted for family size.

Referencing the NYC Planning Population FactFinder[3], as shown below in **Table 2.2-1**, the 1/4-mile Study Area census tracts had a lower median household income ($66,500) and mean household income ($80,806) than those in Queens ($74,604 for median household income and $94,732 for mean household income) and in NYC ($67,850 for median household income and $105,106 for mean household income) as of 2010. In 2022, the median household income within the 1/4-mile Study Area has increased to $73,555, which remains lower as compared to Queens ($82,431) and in NYC ($76,607). The mean household income within the 1/4-mile Study Area has experienced a jump to $90,697 in 2022, though it is still slightly lower than the mean household income in Queens ($109,287) and NYC ($122,667).

Table 2.2-1: Household Income Characteristics of 1/4-Mile Study Area, Queens, and NYC

	Median Household Income			Mean Household Income		
	2006-2010 ACS	2018-2022 ACS	Percent Change	2006-2010 ACS	2018-2022 ACS	Percent Change
1/4-Mile Study Area	$66,500	$73,555	--[1]	$80,806	$90,697	--[1]
Queens	$74,604	$82,431	10.5	$94,732	$109,287	15.4
New York City	$67,850	$76,607	12.9	$105,106	$122,667	16.7

Source: Bureau of the Census, 2018-2022 and 2006-2010 Five-Year ACS Estimates, as reported on DCP's Population FactFinder
Notes: [1]The statistical reliability of the data included in this table has been vetted using DCP's Population FactFinder. For the study area, the directionality of change over time was not statistically reliable due to sampling variability and therefore the change is not reported for the median and mean household income.

[3] https://popfactfinder.planning.nyc.gov/

Study Area Market Rent

The US Census provides information on median contract rent, which reflects the range of rents for both units of different sizes and ages and occupants who may have moved in recently or lived in their units for a long time. However, these data are of limited use because they fail to distinguish between units subject to market rents and those under some form of rent regulation. To understand the current trends, particularly trends affecting unregulated rental units, the rental data from the ACS should be supplemented by information from real estate brokers and examination of current rental apartment listings.

Though utilizing the median gross rent from the ACS data to determine market rents in a Study Area is not recommended as ACS rents do not distinguish between market and rent-regulated units, often making the data difficult to parse, the value of ACS rent data lies in its ability to show trends over time as opposed to the actual values. Therefore, the 2006-2010 ACS and 2018-2022 ACS have been included to show the trend of rent change in the 1/4-mile Study Area, Queens, and NYC.

Table 2.2-2: Median Gross Rent of the 1/4-Mile Study Area, Queens, and NYC

	2006-2010 ACS	2018-2022 ACS	Change
1/4-Mile Study Area	1,568	1,581	--[1]
Queens	1,594	1,847	+253
New York City	1,445	1,714	+269

Source: Bureau of the Census, 2018-2022 and 2006-2010 Five-Year ACS Estimates, as reported on DCP's Population FactFinder
Notes: [1]The statistical reliability of the data included in this table has been vetted using DCP's Population FactFinder. For the study area, the directionality of change over time was not statistically reliable due to sampling variability and therefore the change is not reported for the median gross rent.

As shown in **Table 2.2-2** above, the median gross rent within the 1/4-mile Study Area was in the middle at around $1,568, compared to that in Queens ($1,594) and in New York City ($1,445) in 2010. In 2022, the 1/4-mile Study Area has a lowest median gross rent of $1,581 compared to that in Queens ($1,847) and in New York City ($1,714). As described above, though the ACS median gross rent data is considered to be of limited use, it still indicates that the 1/4-mile Study Area may have experienced a readily observable trend toward relatively stable rents in the last decade.

In addition to the ACS data, a more appropriate data source for determining market rents in the 1/4-Mile Study Area would be from professional market reports of real estate agency websites. Since most real estate reports use the neighborhood as the basic geographic unit, Howard Beach - Lindenwood, where the Affected Area is located, and Jamaica, the nearest neighborhood that witnessed a robust rental market recently, were used as the alternative and comparable of the 1/4-Mile Study Area in the market rate rental price research respectively.

According to the data from *StreetEasy Data Dashboard* website[4], the median asking rent in Howard Beach was $2,700 in October 2023, which increased to $2,900 in October 2024. The *M.N.S Real Estate NYC 2023 Year End market report*[5], which features a more detailed perspective in the average rental prices of different unit types in both Queens and specific neighborhoods, also proves the trend of steadily increasing rent in the area. The report shows that the average rental prices in Queens increased across all

[4] https://streeteasy.com/blog/data-dashboard/
[5] http://www.mns.com/pdf/queens_year_end_market_report_2023.pdf

unit types in 2023. Average studio rental prices increased by 8.92% from $2,038 to $2,219, one-bedroom rental prices increased by 10.57% from $2,470 to $2,731, and two-bedroom rental prices increased by 7.99% from $3,215 to $3,472. Overall, the average rental price for a unit in Queens was $2,808, up 9.06% from 2022's overall average of $2,574. Since the report doesn't include Howard Beach-Lindenwood, Jamaica was analyzed as a comparable for the Study Area. The 2023 studio average rental price in Jamaica decreased approximately 0.9% from 2022 to $2,086. From 2022 to 2023, the average one-bedroom rental price went up by 5.86% to $2,687, and the average two-bedroom rental price also increased by 5.74% to $3,453.

To determine market rents for the Study Area, the website StreetEasy[6] was consulted. For the Study Area, rental prices ranged from $1,500 to $3,900, which is indicative of an area in transition that has seen a number of private developments in recent years. The range of market rents is shown below in **Table 2.2-3,** along with columns showing the estimated annual household incomes to afford the rents. Typically, rents are estimated to be 30% of the household incomes.

Table 2.2-3: StreetEasy Market Rent in Howard Beach-Lindenwood

Bedrooms	Low Rent	Median Rent	High Rent	Annual Household Income Estimate (Low)	Annual Household Income Estimate (Median)	Annual Household Income Estimate (High)
Studio	$1,500	$1,650	$1,800	$60,000	$66,000	$72,000
1BR	$1,600	$1,780	$2,000	$64,000	$71,200	$80,000
2BR	$2,500	$2,775	$3,200	$100,000	$111,000	$128,000
3BR	$2,800	$3,500	$3,900	$112,000	$140,000	$156,000

Proposed Building Household Income and Market Rent Estimates

Since new development tends to be at the higher end of the rents, the third quartile of market rent range in Howard Beach-Lindenwood would be referred to as the potential rent of the proposed market-rate units on the Projected Development Site, which is approximately $1,725 for studio, $1,900 for one-bedroom, $3,025 for two-bedroom, and $3,625 for three-bedroom. Accordingly, the estimated annual household income to afford the rent would be $69,000 for studio, $76,000 for one-bedroom, $121,000 for two-bedroom, and $145,000 for three-bedroom. Of the proposed units, approximately 28.21% would be studios, 43.59% would be one-bedroom, 28.21% would be two-bedroom, and 0% would be three-bedroom. Accordingly, it is estimated that the average income of households occupying the market-rate units on the Projected Development Site would be $86,718.

The Proposed Actions would introduce an increment of 270 dwelling units on the Projected Development Site, with 20-30% of the proposed residential floor area (55-82 units) permanently set aside as affordable to households with incomes averaging 40-80% AMI pursuant to MIH Option 1, 2, or 3, respectively. Accordingly, the average expected household income in the proposed affordable units would be based on the New York City Area Median Income provided on the New York City Department of Housing

[6] https://streeteasy.com/blog/data-dashboard/

Preservation and Development (HPD) shown in **Table 2.2-4** below. Since the average household size is 3.11 in Queens Community District 10 per 2020 Decennial Census, it is estimated that the average income of households occupying the affordable units on the Projected Development Site would be $84,903.

Table 2.2-4: New York City Area Median Income in 2024[7]

Family Size	30% AMI	50% AMI	60% AMI	80% AMI	100% AMI	120% AMI	165% AMI
1 Person	$32,610	$54,350	$65,220	$86,960	$108,700	$130,440	$179,355
2 Persons	$37,290	$62,150	$74,580	$99,440	$124,300	$149,160	$205,095
3 Persons	$41,940	$69,900	$83,880	$111,840	$139,800	$167,760	$230,670
4 Persons	$46,590	$77,650	$93,180	$124,240	$155,300	$186,360	$256,245

As described above, the Proposed Project would be subject to MIH Option 1, with 25% of the units as affordable and 75% as market-rate. Accordingly, the average household income of the residents in the Proposed Project would be $86,264.

As shown in **Table 2.2-1** above, the 1/4-mile Study Area census tracts have a median household income of $73,555 and an average household income of $90,697 according to the 2018-2022 ACS data. With 68 units or 25% of all the proposed dwelling units permanently set aside as affordable for households earning incomes averaging 60% AMI, the overall average income of the introduced population would be comparable to that of the 1/4-Mile Study Area. Therefore, the Proposed Actions would not have significant adverse impacts on the socioeconomic conditions in the surrounding study area, and further analysis is not required.

2.2.3 Conclusion

Though the induced development resulting from the Proposed Actions would continue the established trend of population growth in the area, the Proposed Actions would add new population with a comparable average income ($86,264) compared to the median household income ($73,555) and the average household income ($90,697) of the existing population. Therefore, no significant adverse impact is expected on the socioeconomic conditions in the area and no further analysis is warranted.

[7] https://www1.nyc.gov/site/hpd/services-and-information/area-median-income.page

2.3 Community Facilities

A community facilities assessment may be necessary if an action could potentially affect the provision of services provided by public or publicly funded community facilities such as schools, hospitals, libraries, daycare/Head Start facilities, and fire and police protection. Per the screening levels established in the *2021 CEQR Technical Manual*, there are direct and indirect effects. An assessment of the project's impacts on community facilities is generally warranted if:

- a project would add new population to an area that would increase the demand for services and cause potential indirect effects on service delivery. Depending on the size, income characteristics, and age distribution of the new population there may be effects on public or publicly funded schools, libraries, health care facilities, or daycare/Head Start facilities.
- a project would physically alter a community facility, whether by displacement of the facility or other physical change. This direct effect triggers the need to assess the service delivery of the facility and the potential effect that the change may have on that service delivery.

2.3.1 Preliminary Screening

In the future without the Proposed Actions, existing conditions within the Affected Area would remain. Lot 29 would continue to be developed with a 1.5-story, 500 GSF (0.08 FAR) one-family home, Lot 38 would continue to be improved with a 2-story, 952 GSF (0.23 FAR) two-family building, Lot 45 would continue to be improved with a 2-story, 600 GSF (0.15 FAR) warehouse, and the remaining nine lots would remain vacant.

In the future with the Proposed Actions, the Projected Development Site (Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45) would have a combined lot area of approximately 55,173 sf and would be developed with a new 9-story plus cellar, 95-foot-tall (reaching a total building height of 105 feet inclusive of a 10-foot mechanical bulkhead), 287,592 GSF (215,173 ZSF, 3.90 FAR) residential building, which would consist of approximately 55,205 GSF of parking at the cellar level and 232,387 GSF (215,173 ZSF, 3.90 FAR) of residential uses above grade. The building would provide 273 dwelling units (assuming 850 GSF per dwelling unit), 20-30% (55-82 units) of which would be affordable at an average of 40-80% AMI pursuant to MIH Option 1, 2, or 3, respectively. For the purposes of Early Childhood Programs analysis, 20% of residential floor area (55 units) is assumed to be affordable at or below 80% AMI. A below-grade off-street parking garage would contain 120 residential accessory vehicular parking spaces and 120 enclosed bicycle parking spaces.

The incremental development effectuated by the Proposed Actions under the RWCDS would include 270 residential units. For the purposes of Early Childhood Programs analysis, 20% of residential floor area (55 units) is assumed to be affordable at or below 80% AMI.

Based on a preliminary assessment of CEQR thresholds in Queens Community School District (CSD) 27, the Proposed Actions trigger a detailed CEQR analysis for public schools but does not trigger a detailed CEQR analysis for Early Childhood Programs, Libraries, Health Care Facilities, or Fire and Police Protection Services. The incremental development scenario results in 58 combined elementary and middle school students and 40 high school students. As shown below in **Table 2.3-1**, this is above the applicable

threshold of 50 combined elementary and middle school students and below the threshold of 150 high school students.

Table 2.3-1: Community Facilities Preliminary Assessment

Community Facility	Threshold	Proposed Project		Exceeds Criteria Threshold
Public Schools Elementary School and Middle School Students High School Students	>50 elementary and middle school children (combined) >150 high school students	0.15 0.06 0.15	41 17 40	Yes No
Early Childhood Programs <6 years old	>139 permanently affordable residential DUs in Queens	55		No
Libraries >5% Increase in ratio of residential units	>663 DUs in Queens	270		No
Health Care Facilities	Direct Effect	N/A		No
Fire Protection	Direct Effect	N/A		No
Police Protection	Direct Effect	N/A		No

* The Proposed Actions would introduce an increment of 270 dwelling units, including 20% or 55 affordable units.
** Multipliers for Public Schools are defined by the School Construction Authority Data Package for Queens CSD 27.

2.3.2 Primary and Intermediate Schools—Detailed Assessment

Based on the preliminary analysis, the Proposed Actions are expected to result in a total of 58 additional public-school students (41 primary school students and 17 middle school students), which is above the threshold of 50 students.

Study Area

Per the *2021 CEQR Technical Manual*, the study area for the analysis of primary and middle schools is to be conducted in the school district's sub-district in which the project is located. The Affected Area is located entirely within Community School District 27 (CSD 27), Sub-District 4. CSD 27, Sub-District 4 has three primary schools, two middle schools, and three K-8 schools for a total of eight primary and middle schools combined. **Figure 2.3-1** shows public schools within Queens CSD 27, Sub-District 4.

Existing Conditions

Primary Schools in CSD 27 Sub-District 4

As shown in **Table 2.3-2** (excluding charter schools and special education schools) CSD 27, Sub-District 4 has a capacity of 2,992 seats at the primary school level with a current enrollment of 3,181 students. Primary schools are currently over capacity by 189 seats resulting in a utilization rate of 106 percent.

Middle Schools in CSD 27 Sub-District 4

As shown in **Table 2.3-3** (excluding charter schools and special education schools) CSD 27, Sub-District 4 has a capacity of 3,312 seats at the middle school level with a current enrollment of 3,269 students. Middle schools are currently under capacity by 43 seats resulting in a utilization rate of 99 percent.

Figure 2.3-1: Public School Study Area

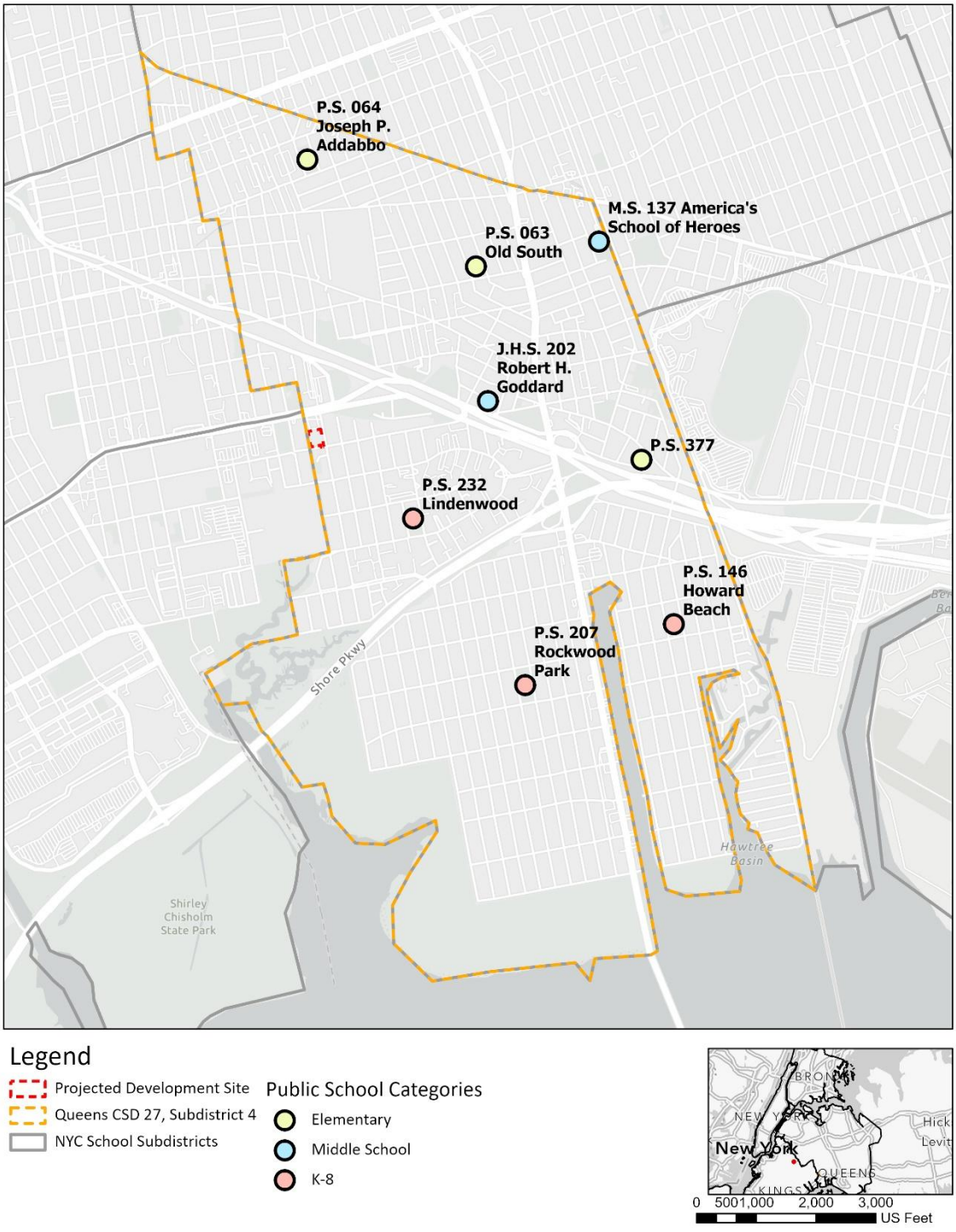


Table 2.3-2: Primary Schools Enrollment, Capacity and Utilization Within Study Area

Org. ID	Bldg. ID	School Name	Address	Grades	Enrollment	Capacity	Available Seats	Utilization (%)
Q063	Q063	P.S. 063 Old South	90-15 Sutter Ave	0K,01,02,03,04,05	999	1,035	36	97%
Q064	Q064	P.S. 064 Joseph P. Addabbo	82-01 101 Ave	0K,01,02,03,04,05	474	372	-102	127%
Q377	Q335	P.S. 377	150-15 Raleigh St	0K,01,02,03,04,05	497	459	-38	108%
Q146*	Q146	P.S. 146 Howard Beach	98-01 159 Ave	PK,0K,01,02,03,04,05,06,07,08	323	268	-56	121%
Q207*	Q207	P.S. 207 Rockwood Park	159-15 88 St	PK,0K,01,02,03,04,05,06,07,08	403	444	41	91%
Q232*	Q232	P.S. 232 Lindenwood	153-23 83 St	0K,01,02,03,04,05,06,07,08	484	414	-70	117%
Totals (School District 27 - Subdistrict 4)					**3,181**	**2,992**	**-189**	**106%**

* These schools are K-8 schools with both primary and middle school grades. Only the primary school grades are accounted in this table.
Source: SCA Enrollment, Capacity, and Utilization (Blue Book) [2023-2024]

Table 2.3-3: Middle Schools Enrollment, Capacity and Utilization Within Study Area

Org. ID	Bldg. ID	School Name	Address	Grades	Enrollment	Capacity	Available Seats	Utilization (%)
Q202	Q202	J.H.S. 202 Robert H. Goddard	138-30 Lafayette St	06,07,08	882	1,035	153	85%
Q137	Q137	M.S. 137 America's School of Heroes	109-15 98 St	06,07,08	1,661	1,602	-59	104%
Q146*	Q146	P.S. 146 Howard Beach	98-01 159 Ave	PK,0K,01,02,03,04,05,06,07,08	194	161	-33	121%
Q207*	Q207	P.S. 207 Rockwood Park	159-15 88 St	PK,0K,01,02,03,04,05,06,07,08	242	266	24	91%
Q232*	Q232	P.S. 232 Lindenwood	153-23 83 St	0K,01,02,03,04,05,06,07,08	291	249	-42	117%
Totals (School District 27 - Subdistrict 4)					**3,269**	**3,312**	**43**	**99%**

* These schools are K-8 schools with both primary and middle school grades. Only the middle school grades are accounted in this table.
Source: SCA Enrollment, Capacity, and Utilization (Blue Book) [2023-2024]

Future No-Action Condition

The Department of Education works with city agencies to develop a comprehensive list of new housing starts and incorporates the expected increase in school-age population into its projections, which is served as the basis of school enrollment and utilization in the No-Action Condition.

Meanwhile, it should be noted that there is an active ongoing rezoning project at 78-08 Linden Boulevard (Block 11384, Lot 1; CEQR Number: 2022Q0154) directly on the northern boundary of the Affected Area, which is currently under the Uniform Land Use Review Procedure (ULURP) process. The 78-08 Linden Boulevard Rezoning project would rezone Block 11384, Lot 1 from an R4/C1-2 zoning district to R7D/C2-4 and R6A zoning districts. The R7D/C2-4 district would cover the northern portion of the lot, and the R6A district would be mapped on the southern portion of the lot. A zoning text amendment is also proposed pursuant to Appendix F to map a Mandatory Inclusionary Housing (MIH) area over the lot. In addition, it is proposed that a restrictive declaration recorded against the lot would be canceled in connection with a prior rezoning action. With the approval of the proposed zoning actions, it is expected that, in the worst-case scenario, a 260,272 GSF mixed-use building would be constructed on Block 11384, Lot 1, containing 248,174 GSF of residential floor area for 292 dwelling units on all building floors and 12,108 GSF of commercial (local retail) uses. For a more conservative analysis result, this adjacent rezoning is also included in the analysis.

Table 2.3-4 below shows the projected enrollment for the 2027-2028 school year, incorporating the projections from the Department of Education and the adjacent active rezoning.

Table 2.3-4: No-Action 2028 Enrollment

Study Area	Projected 2028 Enrollment	Capacity	Available Seats	Utilization (%)
Primary Schools				
District 27 - Subdistrict 4	2,798	2,992	194	94%
Middle Schools				
District 27 - Subdistrict 4	2,605	3,312	707	79%

Future With-Action Condition

The Proposed Actions would effectuate 270 incremental dwelling units. Based on the number of dwelling units, it is projected that 41 primary school students and 17 middle school students would be introduced into the Study Area by the Proposed Actions. **Table 2.3-5** below shows the With-Action enrollment for the 2028 build year.

Table 2.3-5: Projected 2028 Public Primary and Middle School Enrollment

School Level	Projected Enrollment Without Project	Students Generated by Project	Projected Enrollment with Project	Projected Capacity	Available Seats	Utilization (%) with Project	Change in Utilization (%) from No Action
Primary Schools	2,798	41	2,839	2,992	153	95%	1.45%
Middle Schools	2,605	17	2,622	3,312	690	79%	0.67%

2.3.3 Primary and Middle Schools Conclusion

As stated in the *2021 CEQR Technical Manual*, a significant impact may result, warranting consideration of potential mitigation if a proposed project would result in both of the following conditions:

- A collective utilization rate of the primary or intermediate schools that is equal to or greater than 100 percent in the With-Action Condition; and
- An increase of five percent or more in the collective utilization rate between the No-Action and With-Action conditions.

This analysis indicates that in the Future With-Action Condition, the utilization rate for primary schools would be 95 percent, and the utilization rate for middle schools would be 79 percent. In addition, the Proposed Actions would result in only a 1.45 percent increase in utilization for primary schools and a 0.67 percent increase in utilization for middle schools, compared to the No-Action Condition. Therefore, pursuant to *2021 CEQR Technical Manual* methodology, the Proposed Actions would not result in significant adverse impacts related to public primary or middle school utilization.

2.4 Open Space

The *2021 CEQR Technical Manual* defines the need for an open space assessment if the proposed action(s) would have a direct or indirect effect on open space resources. Direct effects would occur if the proposed action(s) would result in the physical loss of a public open space; change of use of an open space so that it no longer serves the same user population; limit public access to an open space; or cause increased noise or air pollutant emissions, odors, or shadows on public open space that would affect its usefulness, whether temporary or permanent. Indirect effects would occur if the proposed action(s) would result in an increase of population sufficiently large enough to noticeably diminish the ability of an area's open space to serve future population.

Open space is defined as publicly or privately-owned land that is publicly accessible and operates, functions, or is available for leisure, play, or sport, or set aside for the protection and/or enhancement of the natural environment.

Pursuant to Chapter 7, Section 100 of the *2021 CEQR Technical Manual*, Open Space Resources are defined as active and/or passive, and may include, but is not limited to, the following:

- Parks operated or managed by the City, State, or Federal governments and include neighborhood and regional parks, beaches, pools, golf courses, boardwalks, playgrounds, ballfields, and recreation centers that are available to the public at no cost or through a nominal fee, as in the case of recreation centers and golf courses;
- Open space designated through regulatory approvals (such as zoning), including large-scale permits that prescribe publicly accessible open space, such as public plazas;
- Outdoor schoolyards if available to the public during non-school hours;
- Publicly-accessible institutional campuses;
- Esplanades;
- Designated greenways, as shown on the City's Bike Map, and defined as multi-use pathways for non-motorized recreation and transportation along natural and manmade linear spaces such as rail and highway rights-of-way, river corridors, and waterfront spaces;
- Landscaped medians with seating;
- Housing complex grounds, if publicly accessible;
- Nature preserves, if publicly accessible;
- Gardens, if publicly accessible.

Methodology

According to the guidelines of the *2021 CEQR Technical Manual* for analysis of residential development, census tracts with at least half of their geographic area within a one-half mile radius of the Affected Area comprise the open space study area. Using current population figures, an open space ratio is calculated for both the future no-action and future with-action conditions, expressed as the amount of open space acreage per 1,000 user population. Typically, a comparison is made to the city's planning goal of 2.50 acres per 1,000 residents, which would ideally comprise of 0.50 acres (20 percent) of passive space and 2.0 acres (80 percent) of active open space per 1,000 residents. For nonresidents who tend to use passive open space, for example workers taking a break in a park, the optimal ratio for nonresidential populations is 0.15 acres of passive open space per 1,000 nonresidents. Information from the NYC Department of City Planning's Community District Needs Statements, NYC Department of Parks and Recreation (DPR) website, and U.S. Census data were utilized in preparing the open space analysis.

2.4.1 Direct Effects

Direct effects to open space are addressed in the sections for those specific technical areas where warranted. Construction impacts to open space are not anticipated as there would be no physical loss of public open space, no change in existing open space so that it no longer serves the same user population, would not limit public access, and would not increase noise or air pollutant emissions, odors, or shadows on public open space that would affect its usefulness. An assessment of the effects of the Proposed Actions related to shadows on open space resources is provided in **Chapter 2.5: Shadows**.

2.4.2 Indirect Effects

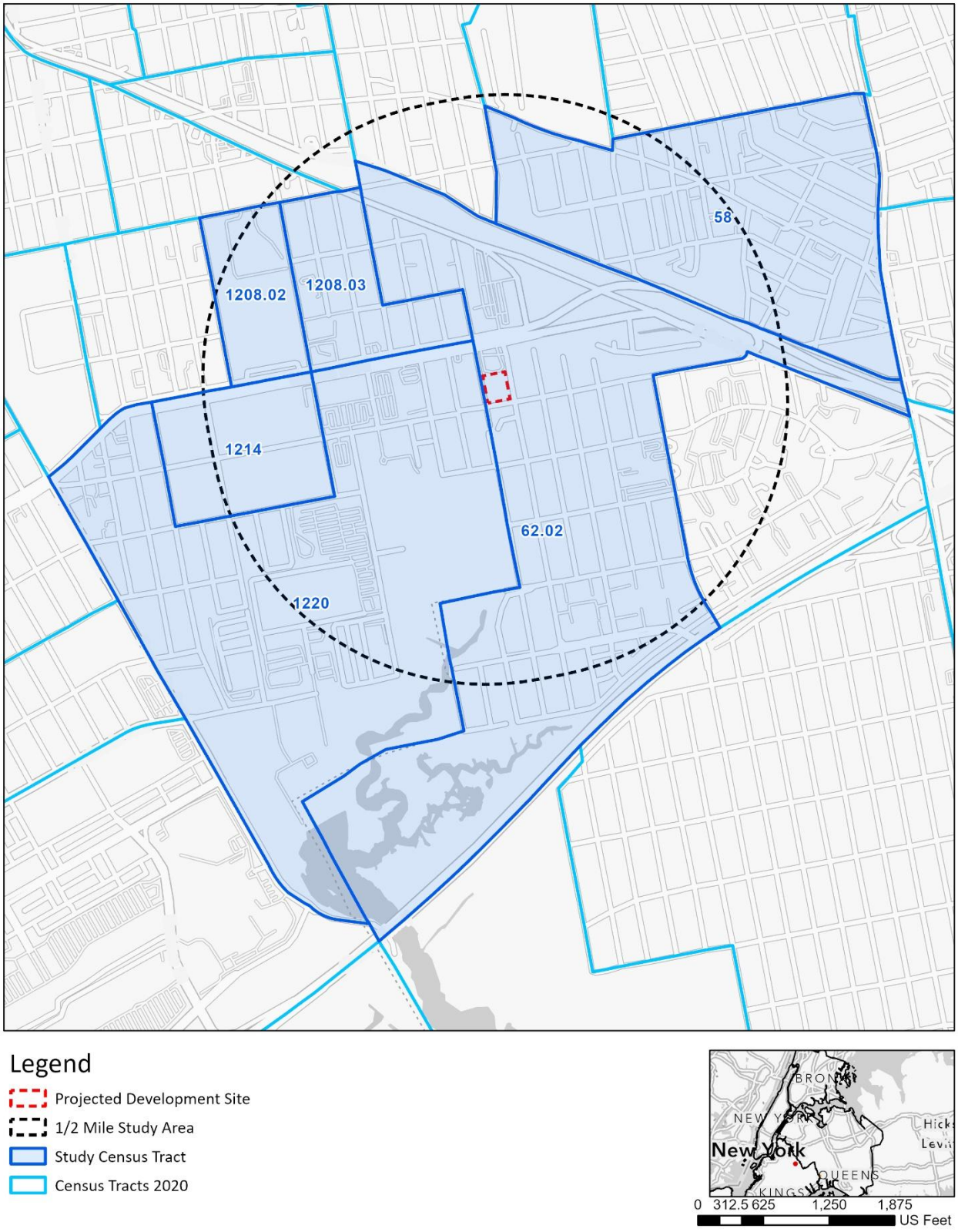
Preliminary Open Space Assessment

The Proposed Actions would result in a net increase of 230,935 GSF of residential uses and 55,205 GSF of accessory parking as well as a net decrease of 600 GSF of manufacturing uses. The Proposed Actions would result in an incremental development of 270 dwelling units. Assuming an average occupancy of 3.11 persons based on the average household size within Queens Community District 10 (2020 Decennial Census), the incremental population introduced by the Proposed Actions would be approximately 840 residents. Assuming 1 employee per 25 dwelling units, there would be approximately 11 more employees as a result of the Proposed Actions. The threshold for assessment of the potential for indirect impacts is 200 new residents or 500 additional employees. Therefore, an assessment of indirect effects on public open space resources is warranted and the preliminary assessment addresses the residential population introduced by the Proposed Actions.

Study Area Definition

In accordance with the guidelines established in the *2021 CEQR Technical Manual*, the open space study area is defined to analyze both the nearby open spaces and the population using those open space resources. It is generally defined by a reasonable walking distance that users would travel to reach local open spaces and recreational areas. Pursuant to the *2021 CEQR Technical Manual*, the open space study area includes all U.S. Census Tracts that have 50 percent or more of their area within a half-mile radius of the Affected Area for residential users. As shown in **Figure 2.4-1** below, the Census Tracts with 50% or more of their area within the 1/2-Mile Study Area are Brooklyn 1214, 1208.02, 1208.03, and 1220 and Queens 62.02 and 58.

Figure 2.4-1: Open Space Study Area Census Tracts



Existing Condition

Based on the 2020 Decennial Census Data, the study area had a population of 29,192 residents. According to the Project-Level DCP Housing Database, 14 permits were completed within the Study Area since January 1, 2020. As shown in **Table 2.4-1** below, an increment of 565 dwelling units were introduced into the 1/2-Mile Study Area as a result of the completed DOB permits since January 1, 2020. The 565 dwelling units multiplied by the average household size (3.11) for Queens Community District 10 (2020 Decennial Census Data) comes out to 1,757 additional residents. In total, there would be 30,949 existing residents in the 1/2-Mile Study Area.

Table 2.4-1: Completed Construction Projects in 1/2-Mile Study Area Since 2020

Address	CT #	Job Type	Completion Year	Permit Year	Initial DU	Proposed DU	Net DU
1387 Stanley Ave	BK 1220	New Building	2022	2007	0	3	3
842 Euclid Ave	BK 1220	Alteration	2022	2017	2	3	1
714 Wortman Ave	BK 1220	New Building	2020	2017	0	2	2
2858 Linden Blvd	BK 1220	New Building	2021	2018	0	235	235
573 Emerald St	BK 1220	New Building	2023	2021	0	160	160
781 Fountain Ave	BK 1220	New Building	2022	2021	0	7	7
583 Emerald St	BK 1220	New Building	2023	2022	0	154	154
1435 Blake Ave	BK 1208.03	Demolition	2021	2021	1	0	-1
1435 Blake Ave	BK 1208.03	New Building	2023	2021	0	3	3
1437 Blake Ave	BK 1208.03	New Building	2023	2021	0	3	3
994 Crescent St	BK 1220	Demolition	2021	2021	1	0	-1
151-05 82 St	QN 62.02	Alteration	2020	2019	2	2	0
77-09 Dumont Ave	QN 62.02	Demolition	2021	2021	1	0	-1
91-55 Gold Rd	QN 58	Alteration	2022	2021	2	2	0
				Total	**9**	**574**	**565**

No-Action Condition

No residential development would occur in the future without the Proposed Actions within the Affected Area. There are 3 active construction permits with 314 proposed new dwelling units within the open space study area. Using the average household size figure of 3.11 residents per household within Queens Community District 10 per 2020 Decennial Census, the No-Action Condition would have 977 new residents introduced by the 3 active construction projects to the study area by the build year.

Meanwhile, it should be noted that there is an active ongoing rezoning project at 78-08 Linden Boulevard (Block 11384, Lot 1; CEQR Number: 2022Q0154) directly on the northern boundary of the Affected Area, which is currently under the Uniform Land Use Review Procedure (ULURP) process. The 78-08 Linden Boulevard Rezoning project would rezone Block 11384, Lot 1 from an R4/C1-2 zoning district to R7D/C2-4 and R6A zoning districts. The R7D/C2-4 district would cover the northern portion of the lot, and the R6A district would be mapped on the southern portion of the lot. A zoning text amendment is also proposed pursuant to Appendix F to map a Mandatory Inclusionary Housing (MIH) area over the lot. In addition, it is proposed that a restrictive declaration recorded against the lot would be canceled in connection with a

prior rezoning action. With the approval of the proposed zoning actions, it is expected that, in the worst-case scenario, a 260,272 GSF mixed-use building would be constructed on Block 11384, Lot 1, containing 248,174 GSF of residential floor area for 292 dwelling units on all building floors and 12,108 GSF of commercial (local retail) uses. For a more conservative analysis result, this adjacent rezoning is also included in the analysis. Accordingly, using the average household size figure of 3.11 residents per household within Queens Community District 10, this active rezoning would introduce 908 new residents to the study area by the build year.

The No-Action population would therefore be the existing population of 30,949 residents plus the 977 new residents introduced by the active construction permit projects and the 908 new residents introduced by the adjacent active rezoning project, for a total no-action population of 32,834 residents.

With-Action Condition

The With-Action population would be the No-Action population described above plus the 840 residents anticipated as a result of the Proposed Actions. The With-Action population would be 33,674 residents as shown below in **Table 2.4-2**.

Table 2.4-2: Existing, No-Action, and With-Action Populations

Existing	No-Action	With-Action
30,949	32,834	33,674

2.4.3 Open Space Resources

There are 11 open space resources with regular open access to the public within the study area identified in **Table 2.4-3**. There are 197.73 acres of open space resources in the Study Area—78.34 are considered active and 119.40 are considered passive. The location of these resources is shown in **Figure 2.4-2**.

Existing Condition

The Study Area has 197.73 acres of open space and an existing residential population of 30,949. The open space ratio (OSR) under existing conditions is 6.39 acres per thousand residents.

No-Action Condition

In the future without the Proposed Actions, the population for the Study Area in the 2028 build year is forecasted to be 32,834 and would be served by the same 197.73 acres of open space as in the existing condition. With this population, the OSR would be 6.02.

With-Action Condition

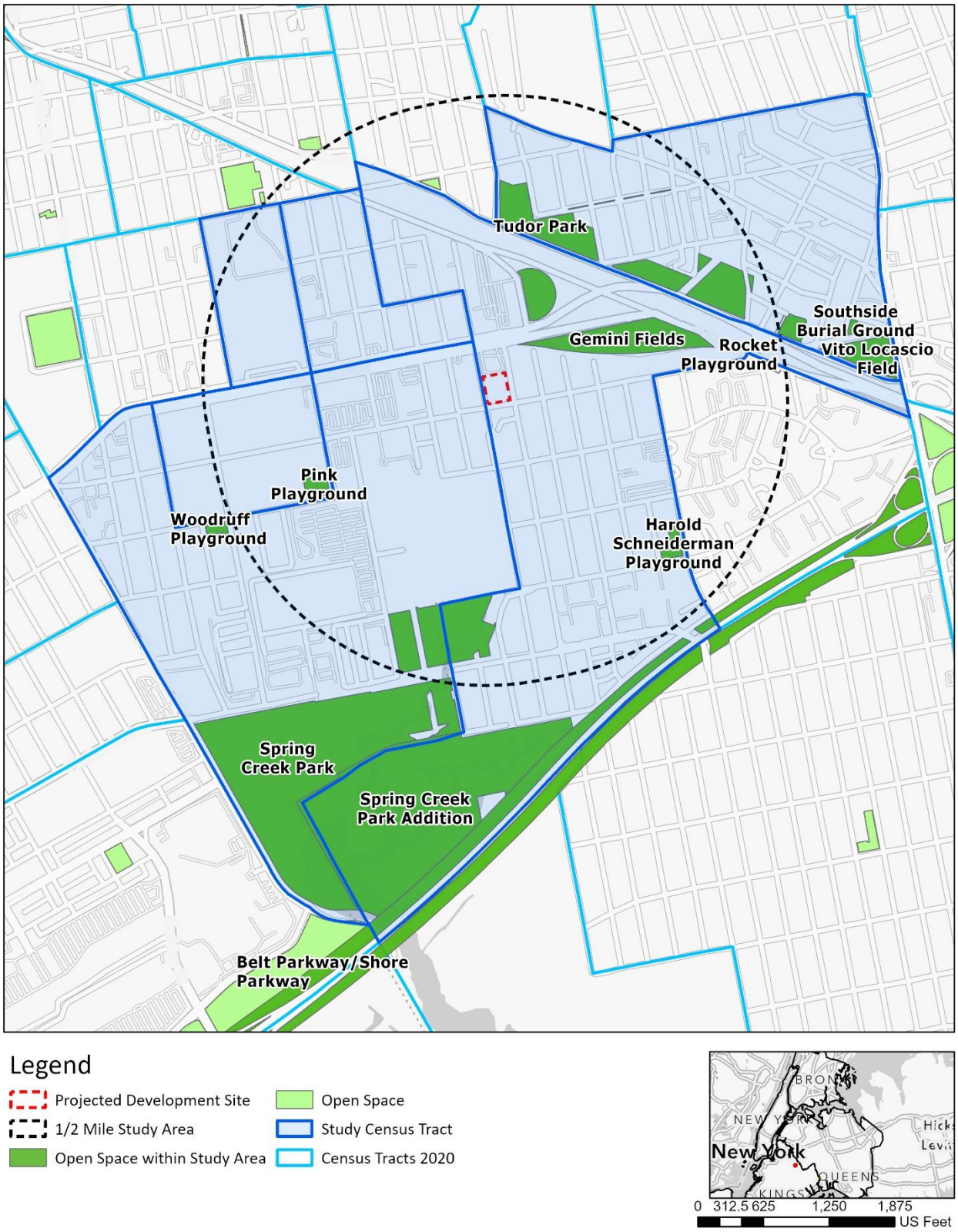
The Proposed Actions would result in an increase in the No-Action population by 840 residents by the 2028 build year. The total 2028 build year With-Action population would be 33,674. With this increase in population, the OSR would be 5.87 acres per 1,000 residents, or a 2.49 percent reduction from the No-Action OSR.

Table 2.4-3: Open Space Resources

Name	Park ID Number	Property Type	Ownership	Acreage	% Active	% Passive	Total Active	Total Passive	Features
Tudor Park	Q094	Community Park	DPR	13.54	75%	25%	10.16	3.39	BF, BC, CF, HC, PG, SS
Pink Playground	B309	Playground	DPR/NYCHA	1.00	75%	25%	0.75	0.25	BC, HC, PG, PR, SS
Harold Schneiderman Playground	Q408	Jointly Operated Playground	DPR/DOE	0.88	75%	25%	0.66	0.22	BC, HC, PG, PR, SS
Southside Burial Ground	Q481	Cemetery	DPR	0.23	0%	100%	0.00	0.23	-
Spring Creek Park*	B165	Park Group	DPR	54.78	25%	75%	13.70	41.09	CF, HT, PR
Vito Locascio Field	Q095	Recreation Field/Courts	DPR	3.26	75%	25%	2.44	0.81	BF, PR
Belt Parkway/Shore Parkway*	B166	Parkway	DPR/DOT	53.78	50%	50%	26.89	26.89	PK
Woodruff Playground	B312	Jointly Operated Playground	DPR/DOE	0.54	75%	25%	0.40	0.13	BC, HC, PG
Rocket Playground	Q414	Jointly Operated Playground	DPR/DOE	1.05	75%	25%	0.79	0.26	BC, FE, HC, PG
Spring Creek Park Addition*	Q165	Park Group	DPR	57.92	25%	75%	14.48	43.44	CF, HT, PR
Gemini Fields	Q094D	Recreation Field/Courts	DPR	10.76	75%	25%	8.07	2.69	BF, HRT
			Total	197.73	40%	60%	78.34	119.40	
BF = Baseball Fields, BC = Basketball Courts, CF = Cricket Fields, HC = Handball Courts, HRT = Horseback Riding Trails, HT = Hiking Trails, PK = Parkways, PG = Playgrounds, PR = Public Restrooms, SS = Spray Showers									

* Only the portions within the Study Area of these large parks are accounted for in the acreage.

Figure 2.4-2: Open Space Location in Study Area



Walk-to-a-Park Service Area Assessment

New York City, as part of the OneNYC 2050 Building a Strong and Fair City plan, has put forth a goal for 85 percent of New York City residents living within walking distance of a park by 2030. To help the City reach this goal, DPR has a Walk-to-a-Park initiative that focuses on increasing access to parks and open space in areas of the City where residents live further than walking distance to a park. Areas outside of Walk-to-a-Park Service Areas are considered "walk gaps" – i.e., areas of the city that are not within walking distance to a park.

Per the *2021 CEQR Technical Manual*, part of the preliminary assessment for open space, a project should be reviewed to determine if it is located in an area of the city within a Walk-to-a-Park Service Area. Project sites that are located outside of a Walk-to-a-Park Service Area (i.e., located in a known walk gap areas) suggests there is a need for a detailed analysis to be performed to determine if the project may further exacerbate a condition of residents living in areas of the city with inadequate park access, potentially leading to a significant impact. While the focus of the Walk-to-a-Park initiative is on residents living within walking distance to a park, projects that create a non-residential population (e.g., new workers) should also review if the project is located within a known walk gap and assess if the project would generate a new non-residential population within areas of the City with inadequate access to open space resources. As per the *2021 CEQR Technical Manual*, when determining if a detailed open space assessment is warranted, the preliminary assessment should include a discussion of the project site's proximity to nearby regional parks, or other substantial open space resources located within or just outside the 1/2-mile study area boundary.

As shown below in **Figure 2.4-3**, the Projected Development Site is located within a Walk-to-a-Park Service Area.

2.4.4 Conclusion

Pursuant to the *2021 CEQR Technical Manual*, projects expected to result in a decrease in the open space ratio should consider the following to determine if a more detailed analysis is warranted:

- Projects in study areas where the open space ratio approaches or exceeds the City's planning goal of 2.5 acres per 1,000 residents, may generally tolerate up to a five percent decrease of the open space ratio before considering the need for more detailed analysis.
- For projects in study areas where the open space ratio is not near the City's planning goal of 2.5 acres per 1,000 residents, the percentage decrease in open space ratio is weighed against how the open space ratio of the study area compares to the City's planning goal for open space. Table 7-1 of the CEQR Technical Manual (**Table 2.4-4** below) provides general guidelines for ranges of open space ratios and acceptable percentage changes.
- Projects that have an effect on a nonresidential population's use of passive open space would not follow the guidelines presented in the table below and should consider the need for a detailed assessment based on a comparison of the open space ratio to the optimal ratio of 0.15 acres of passive space per 1,000 nonresidents. Projects that lead to the non-residential open space ratio dropping below the optimal ratio of 0.15 acres of passive open space per 1,000 non-residents may warrant a more detailed assessment.

As an optimal planning goal, the City tries to achieve an overall residential OSR of 2.5 acres per 1,000 population (80 percent active and 20 percent passive) for large-scale plans and proposals. However, this goal is often not feasible for many areas of the city (especially higher density areas) but serves as a benchmark that represents an area that is well served by open spaces. As 1.5 acres of total open space per 1,000 residents is the median community district ratio in New York City, it generally represents adequate open space conditions and is used as the CEQR standard for this project.

The open space resources that exist within the study area are sufficient in meeting the community's open space needs according to the City's guidelines for the provision of open space. According to the With-Action Condition calculation above, the OSR would be 5.87 acres per 1,000 residents in the future with the Proposed Actions, which is well above the City's planning goal of 2.5 acres per 1,000 residents and the Citywide median of 1.5 acres per 1,000 residents. In addition, the study area has an acceptable mixture of recreational facilities, with approximately 40 percent dedicated to active uses and 60 percent dedicated to passive use as indicated in **Table 2.4-3** above. Per the inspection reports conducted by DPR, the overall conditions of the open spaces within the study area are clean and acceptable.

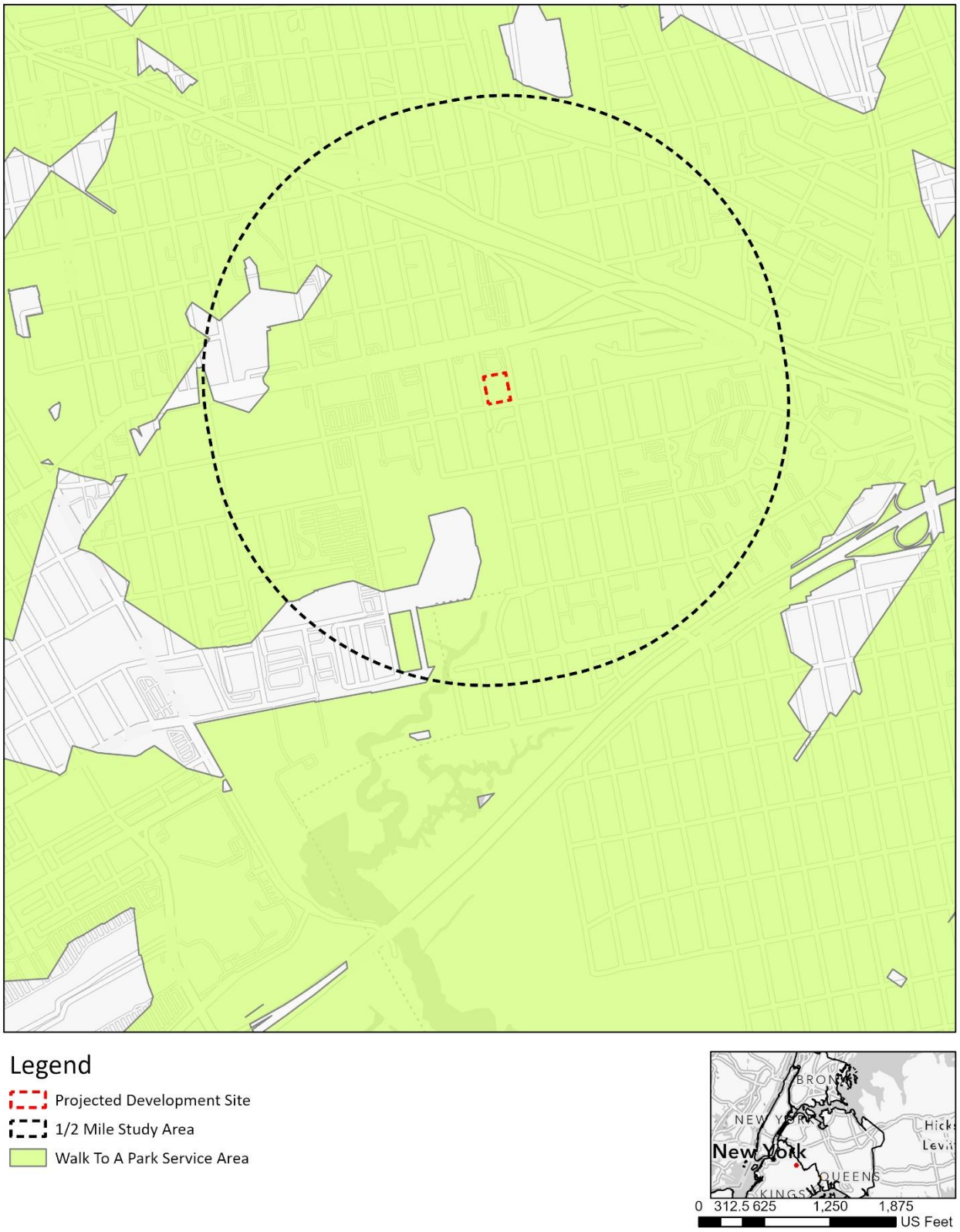
As shown in **Table 2.4-4** below, an area with an OSR of 2.50 or greater can tolerate up to a 5 percent decrease in the OSR between the Future No-Action and Future With-Action Condition without warranting additional analyses. As analyzed above, the area has a relatively high OSR of 5.87 acres per 1,000 residents under the With-Action Condition, and the OSR decrease induced by the Proposed Actions would be 2.49 percent compared to the No-Action Condition, which is lower than the CEQR threshold for areas with an OSR of 2.50 or greater. In addition, the Projected Development Site is located within a Walk-to-a-Park Service Area and is therefore not identified as a walk gap area. Accordingly, the Proposed Actions would not warrant a detailed analysis of open space. Therefore, no significant adverse impacts on open space would occur as a result of the Proposed Actions.

Table 2.4-4: Preliminary Assessment Guidance for Percentage Change in Open Space Ratio

Open Space Ratio Range	Percentage Change in Open Space Ratio
2.01 to 2.50* or greater	5%
1.51 to 2.00	4%
1.01 to 1.50	3%
0.51 to 1.00	2%
0.50 or Less	1%
*2.5 OSR is the planning goal in NYC	

Source: Table 7-1 of the 2021 CEQR Technical Manual

Figure 2.4-3: Walk to Park Service Area



2.5 Shadows

The *2021 CEQR Technical Manual* defines a shadow as the condition that results when a building or other built structure blocks the sunlight that would otherwise directly reach a certain area, space, or feature. An incremental shadow is the additional or new shadow that a building or other built structure resulting from a proposed project would cast on a sunlight-sensitive resource during the year. The sunlight-sensitive resources of concern are those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity, including public open space, architectural resources, and natural resources. Shadows can have impacts on publicly accessible open spaces or natural features by adversely affecting their use and important landscaping and vegetation. In general, increases in shadow coverage make parks feel darker and colder, affecting the experience of park patrons. Shadows can also have impacts on historic resources whose features are sunlight-sensitive, such as stained-glass windows, by obscuring the features or details, which make the resources significant.

The duration and dimensions of shadows are determined by the geographic location of the area from which the shadow is cast and the time of day and season. Shadows cast during the morning and evening, when the sun is low in the sky, are longer, while midday shadows are shorter in length. Shadows in winter, when the sun arcs low across the southern sky, are also longer throughout the day than at corresponding times in spring and fall seasons. In summer, the high arc of the sun casts shorter shadows than at any other time of year, and early and late shadows during the summer are cast towards the south than shadows cast in early and late winter months.

The *CEQR Technical Manual* states that a shadow assessment considers projects that result in new shadows long enough to reach a sunlight-sensitive resource. Therefore, a shadow assessment is warranted only if the project would either result in (a) new structures (or additions to existing structures including the addition of rooftop mechanical equipment) of 50 feet or more; or (b) be located adjacent to, or across the street from, a sunlight-sensitive resource. However, a project located adjacent to or across the street from a sunlight-sensitive open space resource (which is not a designated New York City Landmark or listed on the State/National Registers of Historic Places, or eligible for these programs) may not require a detailed shadow assessment if the project's height increase is ten feet or less.

The sunlight-sensitive resources of concern are those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity, including public open space, architectural resources and natural resources. In general, shadows on city streets and sidewalks or on other buildings are not considered significant. Some open spaces also contain facilities that are not sensitive to sunlight. These are usually paved such as handball or basketball courts, contain no seating areas and no vegetation, no unusual or historic plantings, or contain only unusual or historic plantings that are shade tolerant. These types of facilities do not need to be analyzed for shadow impacts. Additionally, it is generally not necessary to assess resources located to the south of projected development site, as shadows cast by the action-generated development would not be cast in the direction of these resources. Furthermore, shadows occurring within one and one-half hour of sunrise or sunset generally are not considered significant in accordance with the *CEQR Technical Manual*.

Methodology

A preliminary analysis of shadows follows the guidelines set forth in Chapter 8, Section 310 of *the 2021 CEQR Technical Manual*. According to the *2021 CEQR Technical Manual*, a preliminary shadow assessment includes the development of a base map showing the site location in relation to any sunlight-sensitive resources. Following these guidelines, the longest shadow study area is determined, and a Tier 1 screening assessment is conducted to determine if any sunlight-sensitive resources fall within the study area. If no resources are found, no further analysis will be needed. If sunlight-sensitive resources lie within the longest shadow study area, the next tier of screening assessment should be conducted. This preliminary assessment includes a basic description of the proposed project that would be facilitated by the Proposed Actions, in order to determine whether a more detailed assessment would be appropriate.

A shadows assessment is warranted as the Proposed Actions would result in new structures of 50 feet or more and are located adjacent to a sunlight-sensitive resource.

2.5.1 Tier 1 Screening Assessment

The shadow assessment begins with a preliminary screening assessment to determine whether a project's shadow may reach any sunlight-sensitive resources at any time of the year. If the screening assessment does not eliminate this possibility, a detailed shadow analysis may be warranted to determine the extent and duration of the net incremental shadow resulting from the project. The effects of shadows on a sunlight-sensitive resource are site-specific; therefore, as directed in the *2021 CEQR Technical Manual*, the screening assessment was performed for the relevant project site and projected development site to determine whether they fall within the range of maximum possible shadow cast on potential sunlight sensitive resources as described above. To determine this, a Tier 1 Screening Assessment was performed in accordance with the *2021 CEQR Technical Manual*.

According to the *2021 CEQR Technical Manual*, the longest shadow that a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. The maximum shadow radius for the With-Action condition (451.5 feet) was determined using a maximum building height of 105 feet (including the building height of 95 feet plus a 10-foot rooftop bulkhead).

A base map was prepared (refer to **Figure 2.5-1**) for the Projected Development Site, which identifies all potentially sunlight-sensitive resources within the maximum shadow radius. As shown in **Figure 2.5-1**, within the longest shadow study area, there is one potentially sunlight-sensitive public open space resource as defined by the *2021 CEQR Technical Manual*. Therefore, further screening was warranted to determine whether these resources could be affected by project-generated shadows.

2.5.2 Tier 2 Screening Assessment

The *CEQR Technical Manual* states that if any portion of a sunlight-sensitive resource lies within the longest shadow study area, a Tier 2 screening assessment should be performed. Because of the path the sun travels across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given project site. In New York City, this area lies between -108 and +108 degrees from true north. For a Tier 2 screening assessment, sunlight-sensitive resources within the triangular area cannot be shaded by new development sites and are screened out. The complementing portion to the north within the longest shadow study area is the area that can be shaded by the proposed project.

As shown in **Figure 2.5-2** below, there is one sunlight-sensitive public open space resource (Gemini Fields) that warrants further assessment based on the Tier 2 screening assessment. Accordingly, a Tier 3 shadows assessment was prepared.

2.5.3 Tier 3 Screening Assessment

The *2021 CEQR Technical Manual* states that if any portion of a sunlight-sensitive resource is within the area that could be shaded by the proposed project, a Tier 3 screening assessment should be performed. Because the sun rises in the east and travels across the southern part of the sky to set in the west, a project's earliest shadows would be cast almost directly westward. Throughout the day, they would shift clockwise (moving northwest, then north, then northeast) until sunset, when they would fall east. Therefore, a project's earliest shadow on a sunlight-sensitive resource would occur in a similar pattern, depending on the location of the resource in relation to the project site. For a Tier 3 screening assessment, if the assessment determines that no shadows from the development would reach any of the sunlight-sensitive resources on any of the representative analysis days then no further assessment for those days is needed. If, however, in the absence of intervening buildings shadows from the proposed buildings would reach sunlight-sensitive resources on any of the representative analysis days then a detailed shadow analysis would be warranted for those days.

As shown in **Figure 2.5-3** to **Figure 2.5-6** below, based on the Tier 3 screening assessment, the potential for new incremental shadows to be cast on Gemini Fields, could be ruled out, as the incremental shadows will not fall on the sunlight-sensitive resource for any representative analysis day. Therefore, a detailed shadows analysis is not warranted for this sunlight-sensitive public open space resource and the Proposed Actions would not result in any significant adverse shadow impacts.

2.5.4 Conclusion

As discussed above, the shadows from the Projected Development Site would not reach the sunlight sensitive resource, Gemini Fields on any of the representative analysis days. Therefore, no significant adverse impacts on sunlight sensitive resources would occur as a result of the Proposed Actions and no further analysis is warranted.

Figure 2.5-1: Tier 1 Shadow Assessment



Figure 2.5-2: Tier 2 Shadow Assessment



Figure 2.5-3: Tier 3 Shadow Screening December 21st (Winter Solstice)



Figure 2.5-4: Tier 3 Shadow Screening March 21st/September 21st (Vernal and Autumnal Equinox)



Figure 2.5-5: Tier 3 Shadow Screening May 6th/August 6th

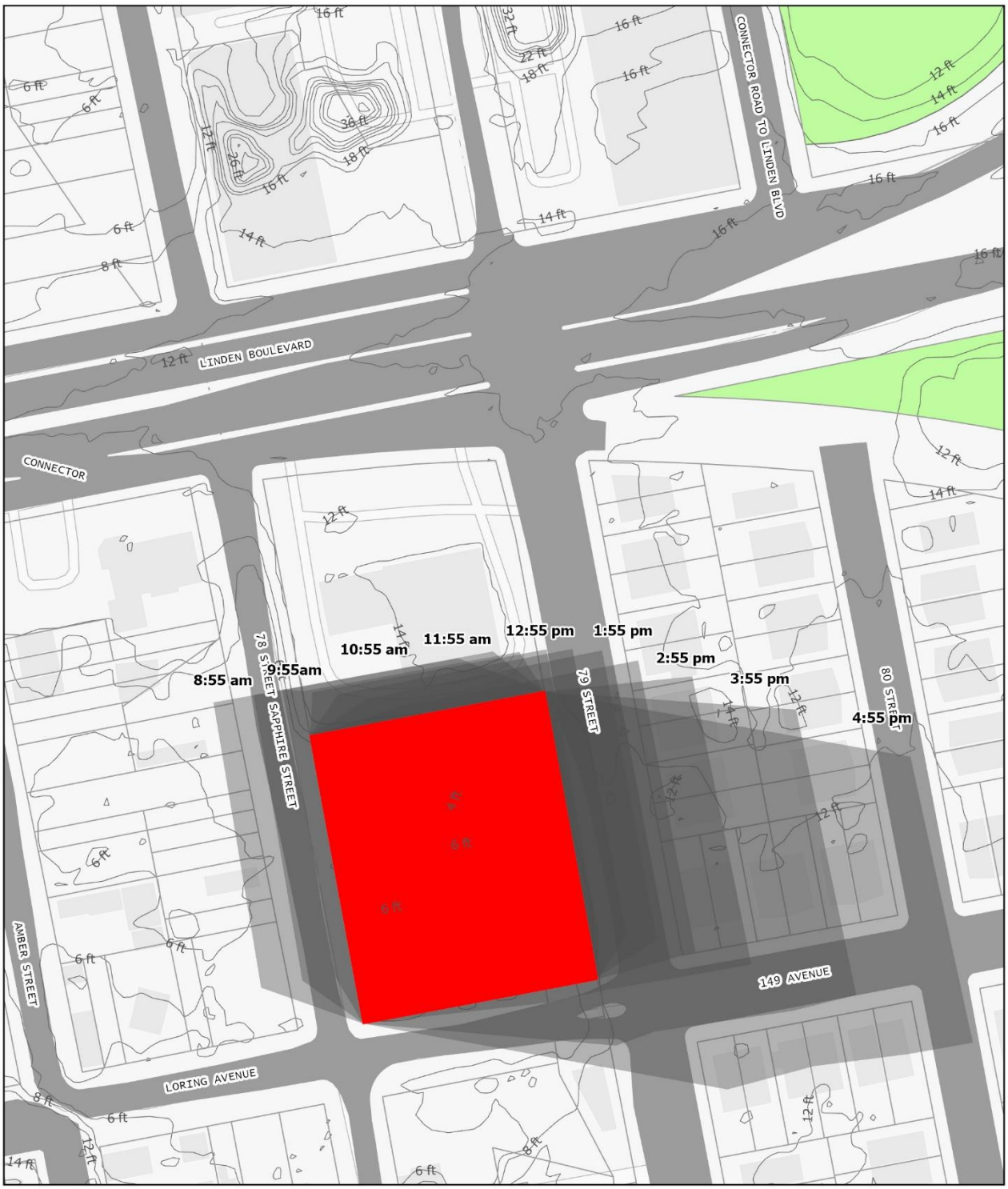


Figure 2.5-6: Tier 3 Shadow Screening June 21st (Summer Solstice)



2.6 Historic and Cultural Resources

An assessment of historic and cultural resources is usually necessary for projects that are located in close proximity to historic or landmark structures or districts, or for projects that require in-ground disturbance, unless such disturbance occurs in an area that has been formerly excavated, according to the *2021 CEQR Technical Manual*.

The term "historic resources" defines districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, architectural and archaeological importance. In assessing both historic and cultural resources, the findings of the appropriate city, state, and federal agencies are consulted. Historic resources include the New York City Landmarks Preservation Commission (LPC) designated landmarks, interior landmarks, scenic landmarks, and historic districts; locations being considered for landmark status by the LPC; properties/districts listed on, or formally determined eligible for, inclusion on the State and/or National Register (S/NR) of Historic Places; locations recommended by the New York State Board for Listings on the State and/or National Register of Historic Places and National Historic Landmarks.

Methodology

Archaeological and architectural resources usually need to be assessed for projects that would result in any in-ground disturbance. In-ground disturbance is any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site.

For projects that may affect historic or cultural resources, the first step in evaluating a project's potential effects on historic resources is to consider what area the project might affect and then identify historic resources—whether officially recognized or eligible for such recognition—within that area. The area of subsurface work for the proposed project is considered the impact area for archaeological resources, while the study area for architectural resources is the area in which any resources may be affected by the project, which is defined by the radius of 400 feet from the borders of the project site.

After the study areas have been established, all known archaeological and architectural resources within the study areas are identified, and the potential for unknown resources is investigated. It is recommended that lead agencies and applicants contact LPC for archaeological and architectural resources review. Based on the report from LPC, if any listed historic or cultural resources are located in the study areas, then further analysis of the project's impact on these resources must be performed. The proposed project's effects on any designated or potential archaeological and architectural resources are then analyzed under Existing, No-Action, and With-Action conditions. The assessment specifically considers whether the project may result in the disturbance or destruction of those archaeological and architectural resources as a result of the Proposed Actions.

2.6.1 Architectural Resources

Per *2021 CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the proposed action(s) and in the area surrounding identified development sites. The historic resources study area is defined as an approximately 400-foot radius around the Affected Area. According to the *2021 CEQR Technical Manual*, significant adverse impacts to historic and cultural resources could potentially result if a proposed action affects those characteristics that make a resource eligible for LPC

designation or S/NR listing. This section assesses the potential for the Proposed Actions to result in significant adverse impacts on identified historic and cultural resources.

The LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources. In a letter dated September 26th, 2024, LPC indicated that the study area does not contain any buildings of known architectural significance (see **Appendix B**). Therefore, significant adverse impacts to architectural resources are not expected because of the Proposed Actions, and further analysis is not warranted.

2.6.2 Archaeological Resources

Unlike the architectural evaluation of a study area that extends beyond a project's property lines, the analysis of potential and/or projected impacts to archaeological resources is limited to the actual extent of soil disturbance. Archaeological resources are physical remains, usually subsurface, of the prehistoric and historic periods such as burials, foundations, artifacts, wells, and privies. The *2021 CEQR Technical Manual* requires a detailed evaluation of a project's potential effect on the archeological resources if it would potentially result in an in-ground disturbance to an area not previously excavated. The project would result in an in-ground disturbance to develop the proposed residential building. As noted, the LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received on September 26th, 2024 (see **Appendix B**). The LPC has indicated that no archaeological significance is associated with the Affected Area. Therefore, no significant adverse impacts on archaeological resources would occur because of the Proposed Actions, and further analysis is not warranted.

Conclusion

The project would require in-ground disturbance to develop the proposed residential building with a cellar for parking. LPC was contacted for their initial review of the proposed project's potential to impact historic and cultural resources on or near the Affected Area. In a letter dated September 26th, 2024, LPC indicated that the study area does not contain any sites or buildings of known architectural or archaeological significance (see **Appendix B**). Therefore, the Proposed Actions would not result in significant adverse impacts to historic resources.

2.7 Urban Design and Visual Resources

According to the *2021 CEQR Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space. Elements that play an important role in the pedestrian's experience include streets, buildings, visual resources, open space, and natural features, as well as wind as it relates to channelization and downwash pressure from tall buildings.

Pursuant to the *2021 CEQR Technical Manual*, an assessment of Urban Design may be warranted when a Proposed Action may affect one or more of the elements that contribute to the pedestrian experience of an area, specifically the arrangement, appearance, and functionality of the built environment. Since the Proposed Actions would result in an increase in bulk and building height in the proposed R6 zoning district, which is beyond what is allowed as-of-right in the underlying R5 zoning district, an analysis on Urban Design and Visual Resources is warranted for the Proposed Actions.

As stated in the *2021 CEQR Technical Manual*, the Study Area for urban design is the area where the project may influence land use patterns and the built environment and is generally consistent with the Study Area used for the land use analysis (i.e., 400 feet around the Affected Area). For visual resources, existing publicly accessible view corridors within the Study Area should be identified. The purpose of the preliminary assessment is to determine whether any physical changes proposed by a project may raise the potential to significantly and adversely affect elements of urban design, which would warrant the need for a detailed urban design and visual resources assessment.

2.7.1 Urban Design

This analysis focuses on the components of the Projected Development Site facilitated by the Proposed Actions that may have the potential to alter the arrangement, appearance, and functionality of the built environment. The analysis relies on drawings, maps, renderings, photographs and photo montages taken from the pedestrian eye level.

Chapter 10 of the *2021 CEQR Technical Manual* provides guidance to assess whether and how a project might change the experience of a pedestrian in the project area. More precisely, this section is concerned with "the arrangement, appearance, and functionality of the built environment." The With-Action Condition under RWCDS would include a new 9-story plus cellar, 95-foot-tall (reaching a total building height of 105 feet inclusive of a 10-foot mechanical bulkhead), 287,592 GSF (215,173 ZSF, 3.90 FAR) residential building on the Projected Development Site (Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45).

An analysis of the potential impacts on Urban Design and Visual Resources requires consideration of the degree to which a project would result in a change to the built environment's arrangement, appearance, or functionality and whether the change would negatively affect a pedestrian's experience of the area. One important consideration is a project's context, such as the scale and use of surrounding buildings. However, matching context is not necessarily the sole benchmark for measuring urban design impacts.

Photographic evaluation of the project area as well as a photomontage with project massing is provided to illustrate the built form of the Projected Development Site in context of surrounding conditions. A narrative describing the existing built environment and the Projected Development Site's relationship to

the 400-foot Study Area in the No-Action and With-Action Conditions is included as part of this technical section.

Existing Conditions

Affected Area

The Affected Area is located on the southern portion of Block 11384, which is bounded by Linden Boulevard to the north, 79th Street to the east, 149th Avenue (Loring Avenue) to the south, and Sapphire Street to the west. Linden Boulevard (part of New York State Route 27) is a 170-foot-wide, west-east principal arterial road with six moving lanes of traffic (three westbound lanes and three eastbound lanes separated by a median strip) and two local service roads. To the immediate north of Block 11384 is one of the two local service roads for the highway, which is a 70-foot-wide west-to-east one-way road with a single moving lane of traffic and curbside parking. 79th Street is an 80-foot-wide south-to-north one-way local road with two moving lanes of traffic and curbside parking. 149th Avenue is a 70-foot-wide west-to-east one-way local road with a single moving lane of traffic and curbside parking. Sapphire Street is a 60-foot-wide north-to-south one-way local road with a single moving lane of traffic and curbside parking. Both Sapphire Street and 149th Avenue are dilapidated roads where they are adjacent to the Affected Area, with broken asphalt and overgrown weeds encroaching on the roadway.

The Projected Development Site includes Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45. Except for Lot 45, all the other lots within the Projected Development Site are owned by the Applicant. It should be noted that the Applicant is currently in contract on Lot 45 and the lot will be acquired by the Applicant before the construction starts. Combined, the twelve lots consist of approximately 55,173 square feet, with nine vacant and unimproved lots and three developed lots. Lot 29 is improved with a 1.5-story, 500 GSF (0.08 FAR) one-family home; Lot 38 is improved with a 2-story, 952 GSF (0.23 FAR) two-family home; and Lot 45 is improved with a 2-story, 600 GSF (0.15 FAR) warehouse. Lots 37, 38, 39, 40, 42, and 45 are rectangular interior lots with frontage on Sapphire Street; Lot 34 is a rectangular corner lot with frontages on Sapphire Street and 149th Avenue; Lots 29 and 32 are rectangular interior lots with frontage on 149th Avenue; Lot 28 is an irregular-shaped interior lot with frontage on 149th Avenue; Lot 24 is an irregular-shaped corner lot with frontage on 79th Street and 149th Avenue, and its southern lot boundary is mapped into the 149th Avenue roadway; and Lot 15 is an 80-foot-long interior lot with frontage on 79th Street that runs across the eastern edge of the block, with a lot depth of 35 feet at its deepest point. In summary, the Projected Development Site is largely vacant or used for the open storage of materials or vehicles, which is not compatible with the surrounding area that is predominantly residential and commercial.

The Affected Area currently falls within a 0.2-percent annual chance flood hazard zone, also known as a 500-year flood zone, which is considered a moderate-risk area. The Affected Area is low-lying with high water table and lack of comprehensive stormwater and sanitary sewer infrastructure, which contribute to year-round flooding, even on sunny days. In addition, the roads and sidewalks on Sapphire Street and 149th Avenue adjacent to the Projected Development Site are dilapidated with broken asphalt and overgrown weeds, which are not well connected to the local networks due to the adjacent wide busy 8-lane Linden Boulevard with dangerous crossings. Overall, the pedestrian experience in the existing conditions near the Affected Area is unpleasant due to a lack of sidewalks, accessibility issues, and flooding issues.

400-Foot Study Area

The *CEQR Technical Manual* suggests that the Study Area should extend 400 feet from the Affected Area (See **Figure 2.7-1**), which is roughly bounded by 151st Avenue to the south, 80th Street to the east, Linden Boulevard to the north, and Emerald Street to the west.

Existing land uses in the 400-foot Study Area primarily consist of a mix of residential buildings, commercial structures, and vacant lands. The residential buildings mainly consist of detached and semi-detached one- to two-family buildings and multi-family walk-up buildings of three dwelling units, with a building height ranging from one story to three stories. Intersected with the 400-foot area boundary, one 12-story, 194,901 GSF mixed residential and commercial building of 234 dwelling units and two 8-story elevator apartment buildings of 171,145 GSF (160 dwelling units) and 146,150 GSF (156 dwelling units) respectively are located on Block 4496, which is two blocks to the west of the Affected Area and was facilitated by Linden Boulevard Rezoning (C170430ZMK, N170431ZRK) in 2017. The commercial structures are mainly 1-story local retail store buildings located within the C1-2 and C2-4 commercial overlays along the southern side of Linden Boulevard to the north of the Affected Area. Commercial uses in the area include a diner (Lindenwood Diner), a pharmacy (Walgreens), a liquor store (Lindenwood Cut Rate Liquors), a Chinese restaurant (Jade Linden), and a gym (Planet Fitness). A significant portion of the lots in the surrounding area are vacant, including nine lots within the Affected Area and several more on blocks to the west, south, and north of the Affected Area.

The traffic grid in the Study Area is irregular, due to the area's adjacency to the Linden Boulevard (a roadway with a width of approximately 170 feet). Both Sapphire Street and 149th Avenue are dilapidated roads where they are adjacent to the Affected Area, with broken asphalt and overgrown weeds encroaching on the roadway. Meanwhile, flooding is a critical concern for many residents and is connected to other issues in the Study Area. While originally planned as a residential neighborhood, the lack of sewer infrastructure makes it costly to maintain or construct a home. Currently, most streets in the Study Area contain open industrial uses or overgrown, vacant lots. And though wild plants grow tall along street edges, industrial uses and septic tank leaks have contaminated the land and groundwater.

Pedestrians have few sidewalks or crosswalks, and it is typical to see tractor trailers, RVs and other abandoned vehicles stored on the street. While the adjacent wide, busy Linden Boulevard (an eight-lane major commercial roadway) provide important connections outside of the neighborhood, it also creates barriers due to its width and dangerous crossings.

No-Action Condition

Affected Area

The No-Action Condition for the Affected Area would be the same as the existing conditions. Lot 29 would continue to be developed with a 1.5-story, 500 GSF (0.08 FAR) one-family home, Lot 38 would continue to be improved with a 2-story, 952 GSF (0.23 FAR) two-family building, Lot 45 would continue to be improved with a 2-story, 600 GSF (0.15 FAR) warehouse, and the remaining nine lots would remain vacant.

Redevelopment on the Projected Development Site is not feasible given the low density (1.00 FAR for residential uses and 2.00 FAR for community facility uses) permitted within the underlying R4 zoning district. Infrastructure improvements would also be required due to sewer capacity and flooding issues in

the immediate area, and the costs associated with these improvements would make any development at this scale economically infeasible.

In addition, there are no records of building work permits submitted by the Applicant within the Affected Area. Therefore, it is conservatively assumed that under the No-Action Condition, existing conditions would continue on the Projected Development Site.

400-Foot Study Area

There are no active construction permits or proposed rezonings identified within the 400-foot Study Area. In the future without the Proposed Actions, development in the Study Area would continue to be governed by the underlying R4 zoning regulations. As a result, the existing conditions would remain in the No-Action Condition, which features a mix of residential buildings, commercial structures, and vacant lands.

With-Action Condition

Affected Area

In the future with the Proposed Actions, the Affected Area would be rezoned from an R4 zoning district to an R6A zoning district, which would permit the construction of residential uses with a larger bulk and a higher building height. The Projected Development Site (Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45) would have a combined lot area of approximately 55,173 sf and would be developed with a new 9-story plus cellar, 95-foot-tall (reaching a total building height of 105 feet inclusive of a 10-foot mechanical bulkhead), 287,592 GSF (215,173 ZSF, 3.90 FAR) residential building, which would consist of approximately 55,205 GSF of parking at the cellar level and 232,387 GSF (215,173 ZSF, 3.90 FAR) of residential uses above grade. The building would provide 273 dwelling units (assuming 850 GSF per dwelling unit), 20-30% (55-82 units) of which would be affordable at an average of 40-80% AMI pursuant to MIH Option 1, 2, or 3, respectively. For the purposes of Early Childhood Programs analysis, 20% of residential floor area (55 units) is assumed to be affordable at or below 80% AMI. A below-grade off-street parking garage would contain 120 residential accessory vehicular parking spaces and 120 enclosed bicycle parking spaces, which would be accessible from both 79th Street and Sapphire Street. The cellar level would be wet flood-proofed with FEMA-approved foundation flood vents. In addition, the building would have a residential entrance on 79th Street and an interior court for the outdoor enjoyment of the residents.

With regard to flood resiliency, the proposed building would be raised above the flood plain including the mechanical spaces. The ground floor would be used as parking and storage and would have a wet-floodproofed permeable ground floor along with an exterior gabion wall system. The proposed building would include streetscape treatment to mitigate any blank wall conditions and would include plantings. Any blank walls would be mitigated through the use of openings simulating windows as per the upper façade and the proposed gabion wall system would provide a dynamic permeable envelope, which would allow for shadow play and a palette of natural colors. The proposed landscaping would further enhance the streetscape condition as a 10- to 15-foot setback is proposed around all three frontages with plantings, including a variety of trees and bushes native to the area. Street trees would be planted within a 10-foot-wide sidewalk around all three frontages. A covered lobby entrance would also contribute to the streetscape mitigation elements. Should the street grade be raised by DOT, the proposed building would be able to accommodate it. The ground floor would be treated as a soft story with the building set back

from the sidewalk/street line with planted areas. If/when the street is raised; the plantings would be spayed, the planted areas would be infilled with topsoil, and the landscaping elements would be replanted. With regard to stormwater runoff, the proposed building would adhere to the Unified Stormwater Rule through the utilization of onsite retention and detention as required, with use of the CSO outlet, as previously discussed with DEP, that runs down 79th Street as the stormwater outlet. In addition, the Applicant is considering a blue roof design to implement green infrastructure practices in accordance with the Unified Stormwater Rule.

400-Foot Study Area

In the future with the Proposed Actions, the existing conditions would remain in the 400-foot Study Area except for the Projected Development Site, which would be developed with a new 9-story plus cellar, 95-foot-tall (reaching a total building height of 105 feet inclusive of a 10-foot mechanical bulkhead) residential building. There are no active construction permits or other proposed rezonings identified within the 400-foot Study Area.

As detailed above, the proposed improvements on the Projected Development Site would benefit the 400-foot Study Area with better connected sidewalk network, repaved roadways, improved flooding condition with landscaping and controlled stormwater runoff.

Analysis

To determine how the Proposed Actions may affect urban design relative to the No-Action Condition, the assessment describes the Projected Development Site in terms of how the Proposed Actions would affect the 400-foot Study Area's defining elements of urban design.

The Affected Area is located in the Lindenwood neighborhood of Queens Community District 10, containing Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45. Vacant and under-utilized parcels are relatively common in the Study Area as shown in **Figure 2.7-2** to **Figure 2.7-5**. The With-Action Massing Views (**Figure 2.7-6** to **Figure 2.7-9**) show the continuation of the built environment under the With-Action Condition.

In the future with the Proposed Actions, the Projected Development Site would have a maximum permitted FAR of 3.90 for residential uses. Meanwhile within the proposed R6A zoning district, the Projected Development Site would have a maximum permitted base height of 65 feet before a required setback of 10 feet along a wide street (75 feet or more in width) or 15 feet along a narrow street (less than 75 feet in width), and a maximum permitted building height of 95 feet with a qualifying ground floor and inclusionary housing units. Because of the Affected Area's adjacency to an R4 zoning district, the provisions of ZR 23-693 would apply, requiring that portions of any building in the proposed R6A district be limited in height to 45 feet tall within 25 feet from the adjacent R4 district, which would help form a smooth transition from the low-density to medium-density residential areas.

The Proposed Actions would result in a structure taller than the other buildings on Block 3230, however, they would not be incompatible with the existing buildings in the area. As described above, the 400-foot Study Area contains residential buildings of varying sizes, including low-rise detached and semi-detached one- to two-family buildings and multi-family walk-up buildings of three dwelling units, with a building height ranging from one story to three stories, as well as mid-rise multi-family buildings with similar bulk compared to what would be permitted within the proposed R6A zoning district. Intersected with the 400-

foot area boundary, one 12-story, 194,901 GSF mixed residential and commercial building of 234 dwelling units and two 8-story elevator apartment buildings of 171,145 GSF (160 dwelling units) and 146,150 GSF (156 dwelling units) respectively are located on Block 4496, which is two blocks to the west of the Affected Area and was facilitated by Linden Boulevard Rezoning (C170430ZMK, N170431ZRK) in 2017. With a maximum 3.90 residential FAR at 9 stories or 95-foot roof height (105-foot total building height inclusive of an additional 10 feet for bulkhead), the building on the Projected Development Site as effectuated by the Proposed Actions would not be out of character for the Study Area in terms of height and FAR.

Compared to the No-Action Condition, the With-Action Condition would provide infill development of long underutilized parcels in the neighborhood. A significant portion of the Projected Development Site is currently vacant and unimproved, which is ideally suited near a major corridor (Linden Boulevard) to support residential growth for the neighborhood. Linden Boulevard is an unusually wide street, at 170 feet, and is a major thoroughfare with a wide range of building heights and a diverse mix of uses, which is considered suitable for redevelopment of residential uses at a higher density. The proposed infill development on a mostly vacant Projected Development Site with residential uses would also create a more consistent pedestrian experience extending from the mid-rise residential buildings to the west. Therefore, the Proposed Actions would not be out of character for the neighborhood.

With regard to flood resiliency, the With-Action Condition would see significant improvement as the proposed building would be raised above the flood plain including the mechanical spaces. The ground floor would be used as parking and storage and would have a wet-floodproofed permeable ground floor along with an exterior gabion wall system. The ground floor would be treated as a soft story with the building set back from the sidewalk/street line with planted areas. If/when the street is raised; the plantings would be spayed, the planted areas would be infilled with topsoil, and the landscaping elements would be replanted. The Proposed Actions would also help remediate the widespread flooding issue in a larger area. As part of the Proposed Development, the proposed building would adhere to the Unified Stormwater Rule through the utilization of onsite retention and detention as required, with use of the CSO outlet, as previously discussed with DEP, that runs down 79th Street as the stormwater outlet. In addition, the Applicant is considering a blue roof design to implement green infrastructure practices in accordance with the Unified Stormwater Rule. All these measurements would reduce the stormwater runoff on the public streets and prevent the long-lasting flooding issue.

In addition, the Proposed Actions would include streetscape treatment to mitigate any blank wall conditions and would include plantings. Any blank walls would be mitigated through the use of openings simulating windows as per the upper façade and the proposed gabion wall system would provide a dynamic permeable envelope, which would allow for shadow play and a palette of natural colors.

As a result, the pedestrian experience would be greatly enhanced due to the improved flooding issue, better connected sidewalks, freshly paved roadways, and upgraded landscaping.

Conclusion

As described above, the context of built form within the 400-foot Study Area mainly consists of a mix of residential buildings, commercial structures, and vacant lands. The residential buildings are built in varying sizes, including low-rise detached and semi-detached one- to two-family buildings and multi-family walk-up buildings of three dwelling units, with a building height ranging from one story to three stories, as well as mid-rise multi-family buildings with similar bulk compared to what would be permitted within the

proposed R6A zoning district. Intersected with the 400-foot area boundary, one 12-story, 194,901 GSF mixed residential and commercial building of 234 dwelling units and two 8-story elevator apartment buildings of 171,145 GSF (160 dwelling units) and 146,150 GSF (156 dwelling units) respectively are located on Block 4496, which is two blocks to the west of the Affected Area and was facilitated by Linden Boulevard Rezoning (C170430ZMK, N170431ZRK) in 2017. Accordingly, the building on the Projected Development Site as effectuated by the Proposed Actions would not be out of character for the Study Area in terms of height and FAR. In addition, the proposed infill developments on a mostly vacant Projected Development Site along major roads with residential and commercial uses could create a more consistent pedestrian experience extending from the mid-rise residential buildings on the west.

In addition, the Proposed Development on the Projected Development Site would adhere to the Unified Stormwater Rule through the utilization of onsite retention and detention as required, implement streetscape treatment with new planting and paved sidewalks and roadways, which would significantly improve the pedestrian experiences within the Study Area.

In summary, the proposed uses (residential), bulk (3.90 FAR for residential uses), and building height (105-foot total building height inclusive of an additional 10 feet for bulkhead) on the Projected Development Site within the proposed R6A zoning district would not be out of character with the built context within the 400-foot Study Area. Meanwhile, the pedestrian experience would be greatly enhanced due to the improved flooding issue, better connected sidewalks, freshly paved roadways, and upgraded landscaping. Thus, the Proposed Actions would not result in significant adverse impacts on urban design, and no further analysis is warranted.

2.7.2 Visual Resources

As per Chapter 10 of the *2021 CEQR Technical Manual*, a visual resource is the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources. As defined by the *2021 CEQR Technical Manual*, there are no visual resources or natural features identified in the 400-foot Study Area.

In the future with the Proposed Actions, the Projected Development Site (Applicant-owned Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45) would be developed with a 9-story plus cellar, 95-foot-tall (105-foot total building height inclusive of an additional 10 feet for bulkhead) residential building. The existing street grid would not be changed with the Proposed Actions as the proposed building would be constructed on existing blocks and lots. The Projected Development Site would fit within the currently built context.

Conclusion

As analyzed above, no visual resources were identified in the Study Area. In addition, the Proposed Actions would facilitate the development of a 95-foot-tall (105-foot total building height inclusive of an additional 10 feet for bulkhead) residential building on the Projected Development Site on existing blocks and lots, which would not change the existing street grid, and thus would not obstruct any view corridor if any. Therefore, the Proposed Actions would not have any significant adverse impacts on visual resources within the 400-foot Study Area, and no further analysis is warranted.

2.7.3 Urban Design and Visual Resources Conclusion

As analyzed above, the proposed 95-foot-tall (105-foot total building height inclusive of an additional 10 feet for bulkhead) residential building on the Projected Development Site would not adversely impact any of the constituent urban design elements or impact the overall character of the neighborhood. It would not significantly change the pedestrian experience, nor would it disturb the vitality, walkability, or the visual character of the area. Therefore, no significant adverse impacts would occur on the urban design or visual resources, and no further analysis is warranted.

Figure 2.7-1: Urban Design Study Area and Photo Montage Location

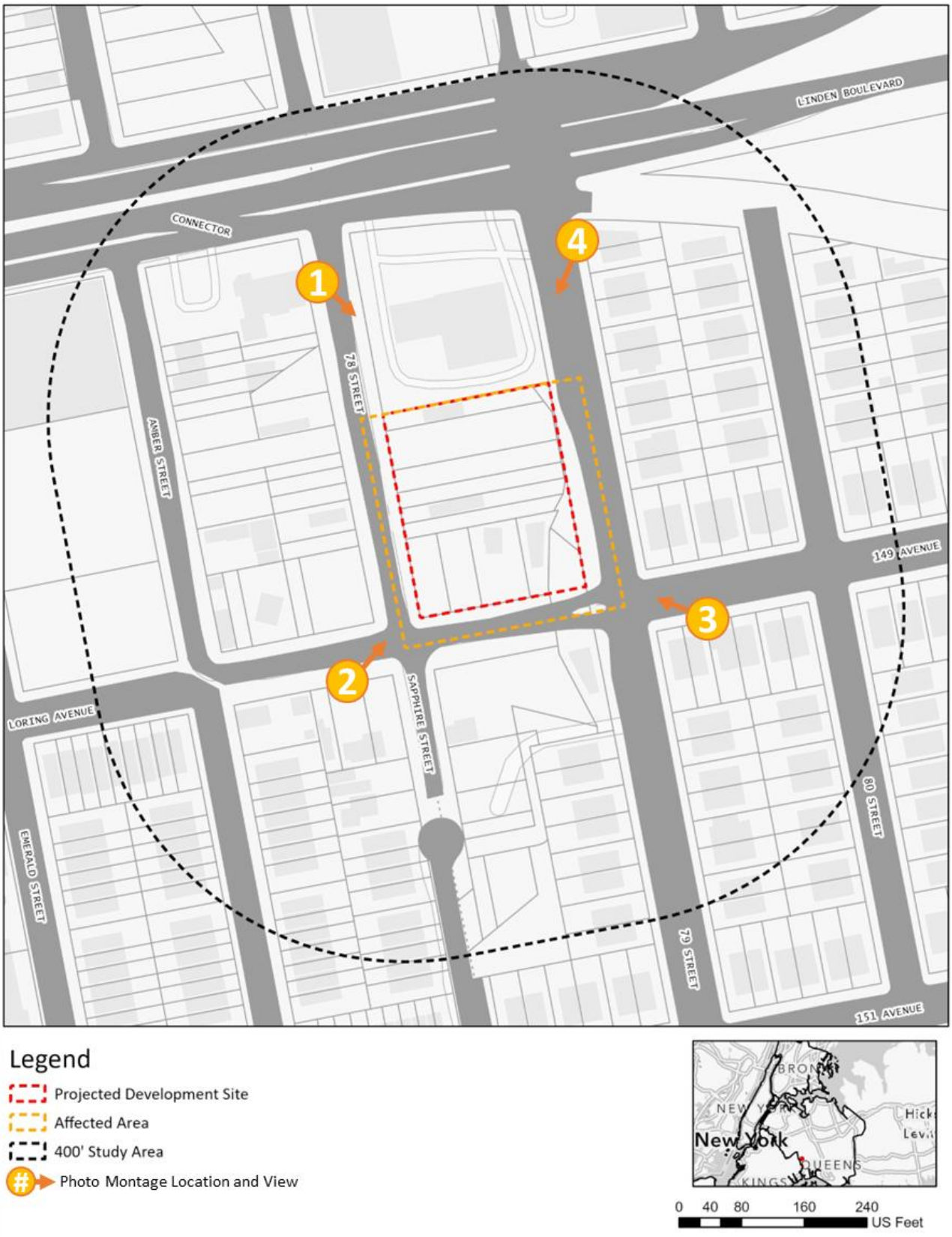


Figure 2.7-2: Existing and No-Action Massing View 1



Figure 2.7-3: Existing and No-Action Massing View 2



Figure 2.7-4: Existing and No-Action Massing View 3



Figure 2.7-5: Existing and No-Action Massing View 4



Figure 2.7-6: With-Action Massing View 1

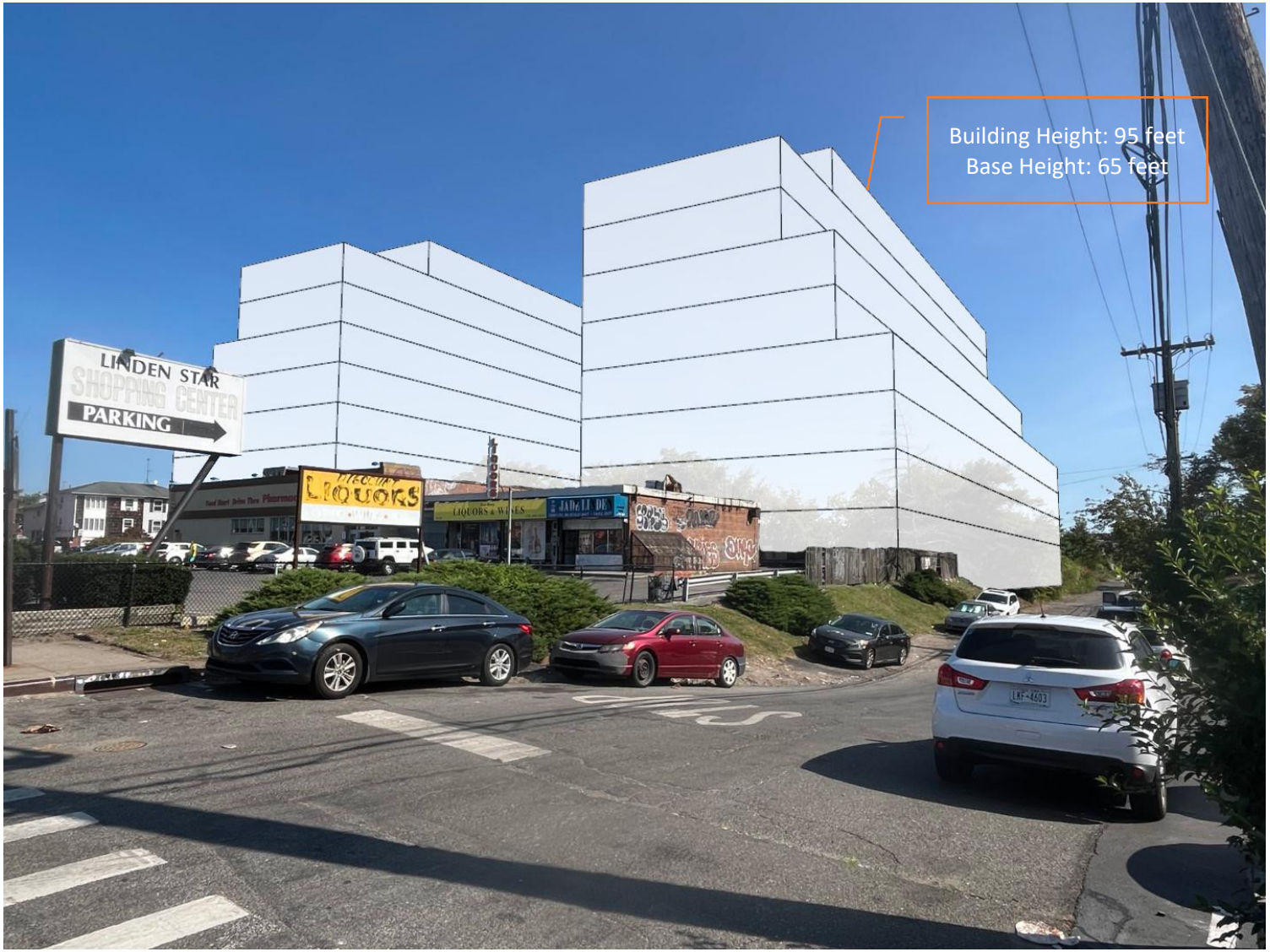


Figure 2.7-7: With-Action Massing View 2



Figure 2.7-8: With-Action Massing View 3



Figure 2.7-9: With-Action Massing View 4



2.8 Hazardous Materials

Per the *2021 CEQR Technical Manual*, a hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semi- volatile organic compounds (VOCs and SVOCs), methane, polychlorinated biphenyls (PCBs), and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). Per the *2021 CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when: a) hazardous materials exist on a site; and b) action would increase pathways to their exposure; or c) an action would introduce new activities or processes using hazardous materials.

Pursuant to *2021 CEQR Technical Manual* methodology, actions that would result in ground disturbance in an area where current or past uses on or near the site raise the potential for the presence of hazardous materials should be assessed for hazardous materials.

Methodology

The hazardous materials assessment generally begins with a Phase I Environmental Site Assessment (ESA), which is a qualitative evaluation of the environmental conditions present at a site, based on a review of available information site observations, and interviews. Pursuant to the *2021 CEQR Technical Manual*, the Phase I ESA is conducted in accordance with the standards established by the current ASTM Phase I ESA Standard and includes research and field observations to determine whether the site may contain contamination from either past or present activities on the site or as a result of activities on adjacent or nearby properties. If a potential REC is identified during this assessment, then building any subsurface investigations are usually conducted as part of a Phase II ESA to confirm the presence and extent of the contamination.

Introduction

The Affected Area is located within an R4 zoning district, which would be rezoned to R6A under the Proposed Actions. The Applicant is seeking the Proposed Actions in order to develop a new 6-story plus cellar, 68-foot-2-inch-tall, 217,433 GSF (156,431 ZSF, 2.84 FAR) residential building on the Applicant-owned Projected Development Site (Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45) with a combined lot area of approximately 55,173 square feet. The Proposed Project would consist of approximately 41,212 GSF of parking at the cellar level and 176,221 GSF (156,431 ZSF, 2.84 FAR) of residential uses above grade. The Proposed Project would provide 234 dwelling units, 25% (59 units) of which are permanently income restricted at an average of 60% AMI as the Applicant intends to pursue MIH Option 1. A below-grade off-street parking garage would contain 117 residential accessory vehicular parking spaces.

Under the With-Action Condition of RWCDS, the Projected Development Site would be developed with a new 9-story plus cellar, 95-foot-tall (reaching a total building height of 105 feet inclusive of a 10-foot mechanical bulkhead), 287,592 GSF (215,173 ZSF, 3.90 FAR) residential building, which would consist of approximately 55,205 GSF of parking at the cellar level and 232,387 GSF (215,173 ZSF, 3.90 FAR) of residential uses above grade. The building would provide 273 dwelling units (assuming 850 GSF per dwelling unit), 20-30% (55-82 units) of which would be affordable at an average of 40-80% AMI pursuant

to MIH Option 1, 2, or 3, respectively. A below-grade off-street parking garage would contain 120 residential accessory vehicular parking spaces and 120 enclosed bicycle parking spaces.

2.8.1 Phase I Environmental Site Assessment

Conditions at the project site resulting from previous and existing uses and those in surrounding areas were determined from a review of a Phase I ESA prepared by GZA GeoEnvironmental, Inc. (GZA) in October 2024. The Phase I ESA was performed in general conformance with the guidelines described in American Society for Testing and Materials (ASTM) *International's Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (ASTM E 1527-21). The purpose of this Phase I ESA is to determine whether any type of hazardous substance or petroleum product exists within or adjacent to the property in question. Environmental hazards would include, but not be limited to, hazardous/toxic wastes or raw chemicals stored, dumped, or spilled on the site, underground and above ground storage of petroleum or hazardous materials; and identification of potential off-site sources of hazardous waste contamination, such as industrial facilities adjacent to the subject property.

Projected Development Site (Applicant-owned Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45) consists of approximately 55,173 square feet and is located within the Lindenwood neighborhood of Queens Community District 10.

Scope of Work

The Phase I ESA conducted at Projected Development Site was in general accordance with ASTM Standard E 1527-21 and included the following:

- Site and vicinity reconnaissance;
- Description of current site operations;
- Historical source review and description of historical site conditions;
- Interviews with owners, operators, and/or occupants of the Site, and/or local officials, as applicable;
- Review of environmental databases and regulatory agency records;
- Review of previous environmental reports/documentation, as applicable;
- Review of environmental liens, if provided or authorized to be obtained by the user; and
- Preparation of a report summarizing findings, opinions, and conclusions

Typically, a Phase I ESA does not include sampling or testing of air, soil, groundwater, surface water, or building materials. These activities would be carried out in a Phase II ESA, if required. No additions to the ASTM E 1527-21 standard were made.

Standard Environmental Records Sources

GZA conducted a search of Federal and State databases containing known and suspected sites of environmental contamination. The number of listed sites identified within the approximate minimum search distance (AMSD) from the Federal and State environmental records database listings specified in

ASTM Standard E 1527-21 are summarized in the following table. Detailed information for sites identified within the AMSDs is provided below, along with an opinion about the significance of the listing to the analysis of recognized environmental conditions in connection with the Projected Development Site.

The database search is a tool to identify various environmental situations and/or activities within the required radius of the subject property. Many of these databases will only acknowledge the presence of a specific item on a property such as an underground storage tank or a dry cleaner. They do not determine the potential impact to the to the subject property and cannot consider natural and man-made impediments that would limit or prevent the migration of contaminants from on site to another. Other databases provide sufficient knowledge to determine if there was an incident and what the severity of that incident was. For example, the majority of items within the LTANKS (leaking tanks) and/or HIST LTANKS (historic leaking tanks) deal with tank test failure's that have de minimus releases or small enough quantity releases that are addressed by the owner/operator and do not migrate beyond the location of the tank.

Findings of the Phase I ESA

Recognized Environmental Conditions (RECs) are defined as the presence or likely presence of any hazardous substances or petroleum products under conditions that indicate an existing release, past release, or a material threat of a release into structures on the property or into the ground, groundwater or surface waters of the property. Historic RECs (HRECs) are RECs previously remediated to government standards. Controlled RECs (CRECs) are RECs in which some form or institutional or engineering control has been implemented to contain the REC. De Minimis Conditions are those that do not present a threat to health or the environment and would not be the subject of an enforcement action by a government agency. A Data Gap is a lack of or inability to obtain information required by E1527-21 despite good faith efforts by the Environmental Professional to gather such information. Business Environmental Risks (BERs) are risks which can have a material environmental or environmentally driven impact on the business associated with the current or planned use of commercial real estate, not necessarily limited to those environmental issues required to be investigated under ASTM E1527-21. All RECs, data gap, and BER are discussed below. The Phase I ESA has revealed the following environmental conditions:

- **RECs** – In GZA's opinion, the Phase I ESA revealed evidence of several RECs in connection with the Projected Development Site.
    - Oil stains were observed on the east side of the asphalt parking area on Lot 24.
    - Suspected gasoline stains were observed beneath the generator on the east side of the Projected Development Site on Lots 39 and 40.
    - Stained soil was observed around the first hydraulic oil drum storage area near the center of Lot 42.
    - Staining was observed around the second hydraulic oil drum storage area in the northeastern corner of Lot 42.
    - Staining was observed near a suspected open container of gasoline in the northwestern portion of Lot 42.

  - There were numerous open containers of oil and dumped/tipped drums observed on Lots 39, 40, and 42.

- **HRECs** – GZA found no HRECs associated with the property.
- **CRECs** – GZA found no CRECs associated with the property.
- **De Minimis Conditions** – GZA found no VECs associated with the property.
- **Data Gap** - In GZA's opinion, the Phase I ESA revealed three data gaps that affected the ability to identify RECs, CRECs, or HRECs at the Projected Development Site.
  - At the time of the GZA's site reconnaissance, the yellow storage container in the northwestern portion of Lot 42 was inaccessible.
  - Lots 32, 34, and 45 were inaccessible at the time of the GZA's site reconnaissance.
  - A few areas on Lots 39, 40, and 42 were inaccessible due to unsafe conditions or being blocked off by heavy machinery/debris.
- **BERs** - In GZA's opinion, the Phase I ESA revealed several Business Environmental Risks that could have a material environmental or environmentally driven impact on the business associated with the current or planned use of commercial real estate at the Projected Development Site.
  - Potential Vapor Encroachment Conditions (VECs) of concern to the Projected Development Site have been identified. Based on their distance from the Projected Development Site, description provided, closed regulatory status, or the anticipated hydrogeologic gradient, it is GZA's opinion that the listed sites in the Third-Party Database Report, including spills and staining on the Projected Development Site, historical hazardous waste sites, offsite spills, and historic gasoline service stations are potential VECs of concern to the Projected Development Site.
  - General upkeep of the Projected Development Site and the amount of improperly stored petroleum products increases the potential for unseen RECs not identified above.
  - Several stockpiles of solid waste were observed between Lots 39, 40, and 42.
  - Two unidentified metal covers were on the east side of Lot 38.

Based on the findings of the Phase I ESA, a Phase II ESA is required.

2.8.2 Assessment

It is anticipated that Phase II ESA testing will require site investigative work in multiple locations on the Projected Development Site. As discussed above, the Projected Development Site is currently occupied by two residential buildings and storage for construction vehicles/equipment. The portion of the site that is utilized for construction vehicles/equipment storage is currently leased to a private tenant and access to the site for Phase II testing would not be permitted per the current lease agreement. As such, Phase II ESA testing is infeasible at this time and an (E) Designation is required to undertake the Phase II ESA testing once the Projected Development Site is vacated following approval of the Proposed Actions. The (E) Designation that would be assigned to the Projected Development Site for a Phase II ESA Investigation

Protocol/Work Plan, the potential for a significant adverse impact to human health and the environment regarding hazardous materials resulting from the Proposed Actions would be avoided. The (E) Designation provides the impetus to identify and address environmental conditions so that the significant adverse impacts would be avoided, with the New York City Department of Environmental Remediation (OER) providing the regulatory oversight for the environmental investigation and remediation during the development process. Building permits are not issued by the DOB without prior OER approval of the investigation and/or remediation pursuant to the provisions of Section 11-15 of the Zoning Resolution of the City of New York. The text of the hazardous materials (E) Designation (E-XXX) for Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45 would be as follows:

E-XXX Requirements

Task 1-Sampling Protocol

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

Task 2-Remediation Determination and Protocol

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

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

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

With this (E) Designation in place, no significant adverse impacts related to hazardous materials would occur, and no further analysis is warranted.

2.9 Transportation

Pursuant to *2021 CEQR Technical Manual* methodology, a transportation assessment may be necessary when a proposed action would alter the transportation network by closing, opening, or realigning an element of the transportation system such as a roadway, pedestrian way, or transit route, or if it would generate new trips on the transportation network. The objective of the transportation analyses is to determine whether a proposed project may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, bicyclists and vehicles), on- and off-street parking, or goods movement.

2.9.1 Preliminary Assessment

Future No-Action Condition

The No-Action Condition for the Affected Area would be the same as the existing conditions. Lot 29 would continue to be developed with a 1.5-story, 500 GSF (0.08 FAR) one-family home, Lot 38 would continue to be improved with a 2-story, 952 GSF (0.23 FAR) two-family building, Lot 45 would continue to be improved with a 2-story, 600 GSF (0.15 FAR) warehouse, and the remaining nine lots would remain vacant.

Future With-Action Condition

Pursuant to the Proposed Actions, the Projected Development Site (Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45) would have a combined lot area of approximately 55,173 sf and would be developed with a new 9-story plus cellar, 95-foot-tall (reaching a total building height of 105 feet inclusive of a 10-foot mechanical bulkhead), 287,592 GSF (215,173 ZSF, 3.90 FAR) residential building, which would consist of approximately 55,205 GSF of parking at the cellar level and 232,387 GSF (215,173 ZSF, 3.90 FAR) of residential uses above grade. The building would provide 273 dwelling units (assuming 850 GSF per dwelling unit), 20-30% (55-82 units) of which would be affordable at an average of 40-80% AMI pursuant to MIH Option 1, 2, or 3, respectively. A below-grade off-street parking garage would contain 120 residential accessory vehicular parking spaces and 120 enclosed bicycle parking spaces.

In total, there would be an addition of 270 incremental dwelling units as a result of the construction of the new residential building on the Projected Development Site.

The Affected Area is within Traffic Zone 4. According to Table 16-1 of the *2021 CEQR Technical Manual*, a residential development of fewer than 200 residential units, 10,000 square feet of local retail, or 15,000 square feet of community facility space, or a weighted average below 1.00 of any of the above, typically does not warrant further assessment of the potential for adverse effects on Transportation. Incremental development under the Proposed Actions, compared to No-Action condition, would consist of 270 more residential dwelling units, exceeding the density threshold of 200 residential units. Therefore, a Tier 1 trip generation is required.

2.9.2 Level 1 Trip Generation

The *2021 CEQR Technical Manual* states that a preliminary trip generation assessment should be prepared to determine whether a quantified analysis of any technical areas of the transportation system is necessary. Except in unusual circumstances, a further quantified analysis would typically not be needed for a technical area if the proposed development would result in fewer than the following increments:

- 50 peak hour vehicle trips;
- 200 peak hour subway/rail or bus transit riders (or 50 bus trips in a single direction on a single route during a peak hour);
- 50 peak hour CWFS Ferry Trips; or
- 200 peak hour pedestrian trips.

The *2021 CEQR Technical Manual* also states that if the threshold for traffic is surpassed, a parking assessment may also be warranted.

Transportation Planning Assumptions

As shown below in **Table 2.9-1**

Table 2.9-1, the Level 1 travel demand factors were based on the *2021 CEQR Technical Manual*, the Linden Boulevard Rezoning EAS, and American Community Survey 2015-2019 data for Brooklyn census tracts 1202, 1208 and 1220, as well as Queens census tracts 44.01, 58, 62.01, 62.02, 88, 884 and 892.

Table 2.9-2 and **Table 2.9-3** below show the resulting person trips and vehicular trips, and pedestrian trips generated from the travel demand factors presented in **Table 2.9-1**.

Level 1 Trip Generation Conclusion

The incremental project generated trip ends are summarized in **Table 2.9-4** below.

Traffic

As shown in **Table 2.9-4**, the Proposed Project would generate greater than 50 vehicle trips during the Weekday AM, Midday, PM, and Saturday Midday peak hours. Therefore, a Level 2 screening assessment of vehicular trips during all four peak hours is warranted.

Subway

As shown in **Table 2.9-4**, the Proposed Project would generate fewer than 200 subway trips during all identified peak hours and therefore no further analysis of subway trips is warranted.

Bus

As shown in **Table 2.9-4**, the Proposed Project would generate fewer than 200 bus trips during all identified peak hours and therefore no further analysis of bus trips is warranted.

Pedestrians

As shown in **Table 2.9-4**, the Proposed Project would generate fewer than 200 combined pedestrian trip ends (including pedestrians walking to / from subway stations and bus stops as well as walk-only trips) during all identified peak hours and therefore no further analysis of pedestrian trips is warranted.

Table 2.9-1: Travel Demand Factors

	Residential	
Trip Generation	(1)	
Weekday	8.18	
Saturday	9.08	
	per dwelling unit	
Temporal Distribution	(1)	
AM	9.3%	
MD	5.6%	
PM	8.5%	
Sat MD	8.4%	
Modal Splits	(2)	
Auto	51.6%	
Taxi	1.3%	
Bus	8.5%	
Subway	34.8%	
Walk/Other	3.7%	
In/Out Splits	In (1)	Out (1)
AM	22%	78%
MD	50%	50%
PM	62%	38%
Sat MD	55%	45%
Vehicle Occupancy	(2)(3)	
Auto	1.08	
Taxi	1.30	
Truck Trip Generation	(1)	
Weekday	0.06	
Saturday	0.02	
Temporal Distribution	(1)	
AM	12.0%	
MD	9.0%	
PM	2.0%	
Saturday	9.0%	
In/Out Splits	In (1)	Out (1)
AM/MD/PM/Sat	50.0%	50.0%

1 = 2021 CEQR Technical Manual
2 = ACS 5yr JTW (2015-2019) QN CT# 44.01, 58, 62.01, 62.02, 88, 884, 892 and BK CT# 1202, 1208 and 1220
3 = Linden Boulevard Rezoning EAS, 2017

Table 2.9-2: Total Project Generated Person Trips

	Residential		Total	
Size (gsf)	270 du			
Peak Hour Trips				
AM	205		205	
MD	124		124	
PM	188		188	
Sat MD	206		206	
Person Trips				
AM	In	Out	In	Out
Auto	23	83	23	83
Taxi	1	2	1	2
Bus	4	14	4	14
Subway	16	56	16	56
Walk/Other	2	6	2	6
Total	45	160	45	160
MD	In	Out	In	Out
Auto	32	32	32	32
Taxi	1	1	1	1
Bus	5	5	5	5
Subway	22	22	22	22
Walk/Other	2	2	2	2
Total	62	62	62	62
PM	In	Out	In	Out
Auto	60	37	60	37
Taxi	2	1	2	1
Bus	10	6	10	6
Subway	41	25	41	25
Walk/Other	4	3	4	3
Total	116	71	116	71
Saturday	In	Out	In	Out
Auto	58	48	58	48
Taxi	2	1	2	1
Bus	10	8	10	8
Subway	39	32	39	32
Walk/Other	4	3	4	3
Total	113	93	113	93

Table 2.9-3: Total Project Generated Vehicle Trips

Vehicle Trips				
AM	In	Out	In	Out
Auto	22	77	22	77
Taxi	0	2	0	2
Taxi Balanced	2	2	2	2
Truck	1	1	1	1
Total	25	80	25	80
MD	In	Out	In	Out
Auto	30	30	30	30
Taxi	1	1	1	1
Taxi Balanced	2	2	2	2
Truck	1	1	1	1
Total	33	33	33	33
PM	In	Out	In	Out
Auto	56	34	56	34
Taxi	1	1	1	1
Taxi Balanced	2	2	2	2
Truck	0	0	0	0
Total	58	36	58	36
Saturday	In	Out	In	Out
Auto	54	44	54	44
Taxi	1	1	1	1
Taxi Balanced	2	2	2	2
Truck	1	1	1	1
Total	57	47	57	47

Table 2.9-4: Summary of Project Generated Trip Ends

Peak Hour	AM Peak Hour	Midday Peak Hour	PM Peak Hour	Saturday Peak Hour
Total Walk-Only Trip-Ends	8	5	7	8
Total Subway Trip-Ends	72	43	65	72
Total MTA Bus Trip-Ends	18	11	16	18
Total Pedestrian Trip-Ends	**97**	**58**	**88**	**97**
Total Vehicular Trip-Ends	**105**	**65**	**94**	**104**

Note: Highlighted cells denote trips in exceedance of 200 transit/pedestrian trip ends or 50 vehicles per peak hour

2.9.3 Level 2 Trip Assignment

As discussed above, the Proposed Project would generate greater than 50 vehicle trips during the Weekday AM, Midday, PM, and Saturday Midday peak hours. Therefore, a Level 2 screening assessment of vehicular trips during all four peak hours is warranted. The Level 2 screening assessment assigns vehicular trips to the street network surrounding the Affected Area to determine if any intersections would experience an increase of 50 vehicle trips or more.

Assignment Assumptions

The most likely travel routes to and from the Projected Development Site, prevailing travel patterns, commuter origin-destination (O-D) summaries from the most recent census data, the configuration of the roadway network, and the anticipated locations of site access and egress by site and land use were examined and utilized to perform vehicular trip assignments.

The vehicular trip assignment O-D patterns are based on the Journey-to-Work (JTW) data for residential uses from Table A302103: Means of Transportation for Workers 16 years and over of 2012-2016 Census Transportation Planning Products (CTPP).

Based on the combination of census data and the Projected Development Site's location in relation to the road network, vehicular trips to / from the Affected area are anticipated to primarily utilize Cross Bay Boulevard, Linden Boulevard, and Conduit Avenue, which serve as connectors to the Belt Parkway and Jackie Robinson Parkway and other area highways.

All vehicular trips were assumed to access the Projected Development Site via the proposed parking garage access drive that would connect Sapphire Street and 79th Street along the north frontage of the Projected Development Site (refer to **Appendix A** the architectural plans for the Projected Development Site).

The resulting vehicular trip assignments for the Weekday AM, Midday, PM, and Saturday Midday peak hours are shown below in **Figure 2.9-1** through **Figure 2.9-4**.

Level 2 Vehicular Trip Assignment Conclusion

As shown in **Figure 2.9-1** through **Figure 2.9-4** below, based on the assignment of vehicular trips, none of the intersections in the study area would exceed the 50 vehicular trips analysis threshold during any of the four peak hours. As such, a detailed Level of Service traffic analysis is not warranted.

2.9.4 Conclusion

As detailed in the analysis above, the Level 1 Trip Generation indicates that the Proposed Project would generate greater than 50 vehicle trips during Weekday AM, Midday, PM, and Saturday Midday peak hours. However, according to the Level 2 Trip Assignment, none of the intersections in the study area would exceed the 50 vehicular trips analysis threshold during any of the four peak hours. As such, further traffic analysis is not warranted, and the Proposed Project would not have significant adverse impacts on the ambient traffic condition.

Figure 2.9-1: Weekday AM Peak Hour Vehicular Trip Assignment Summary

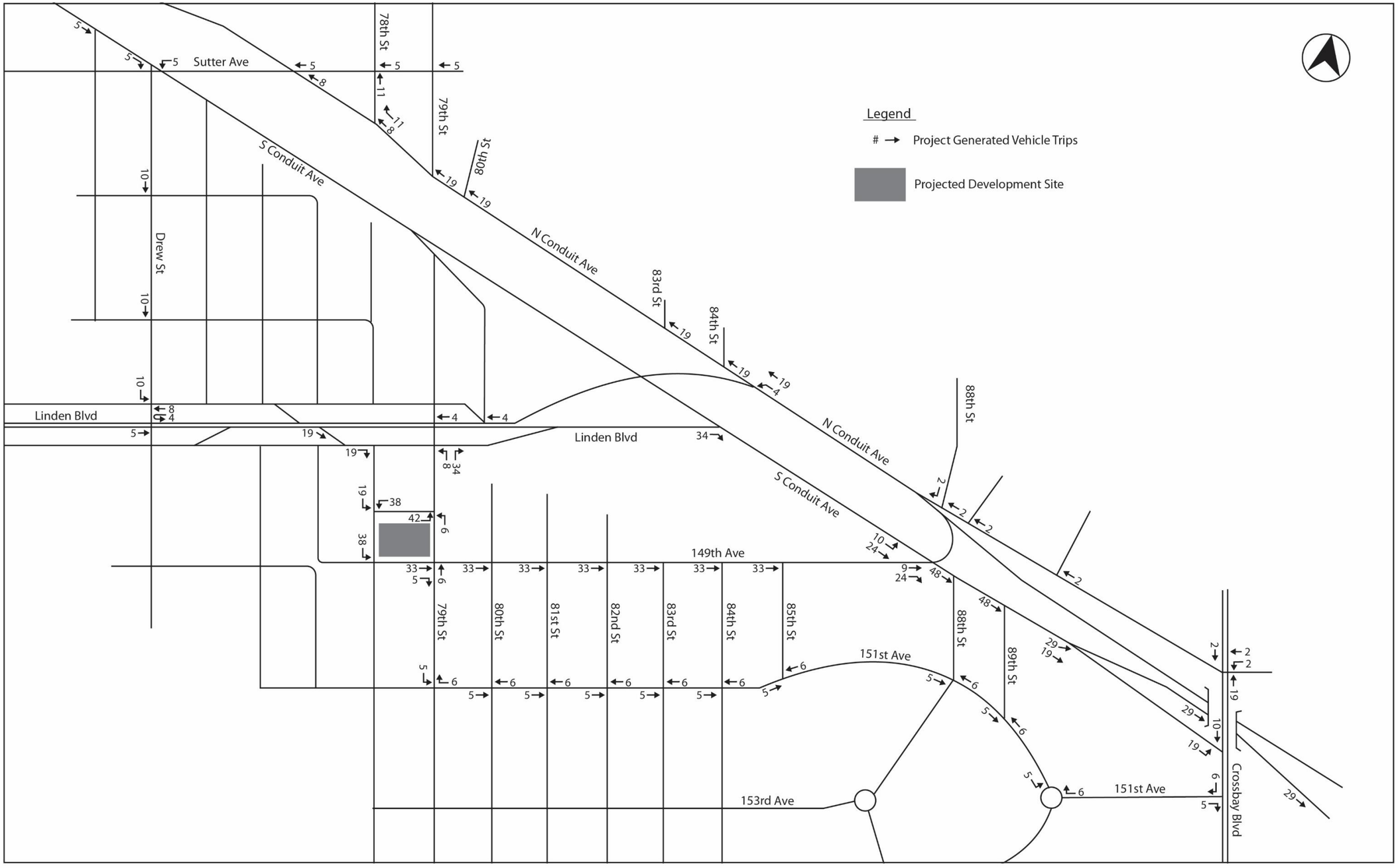


Figure 2.9-2: Weekday MD Peak Hour Vehicular Trip Assignment Summary

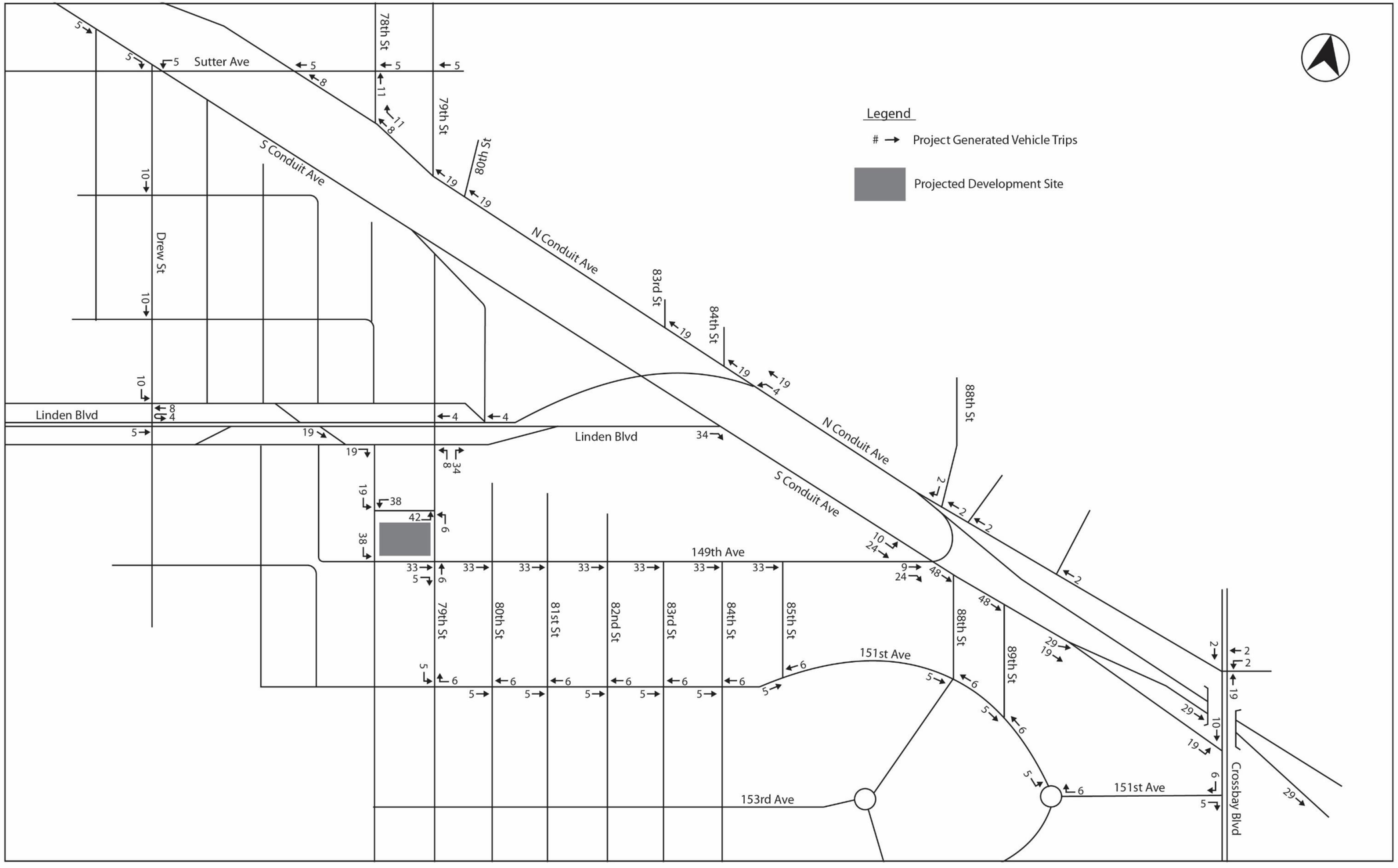


Figure 2.9-3: Weekday PM Peak Hour Vehicular Trip Assignment Summary

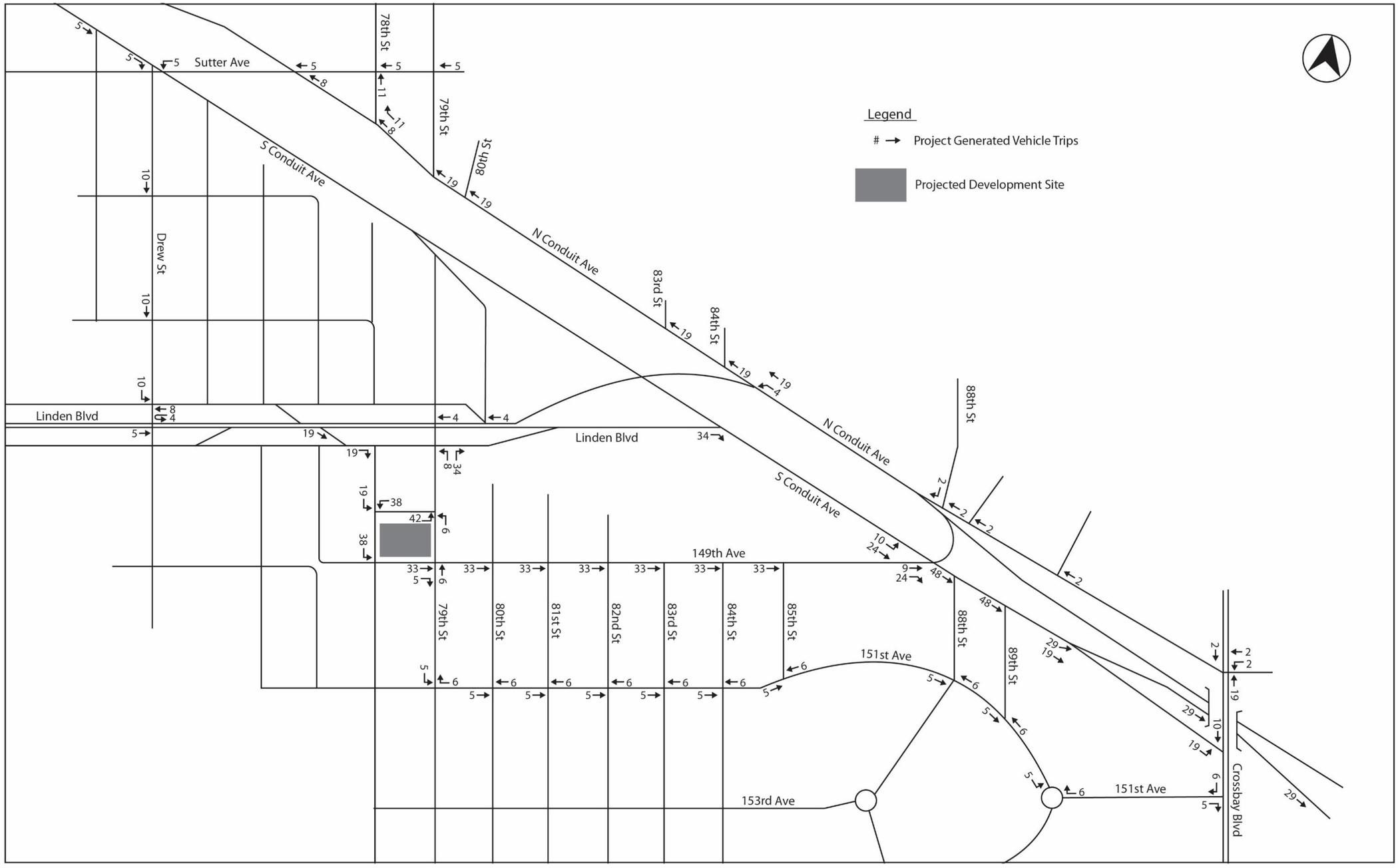
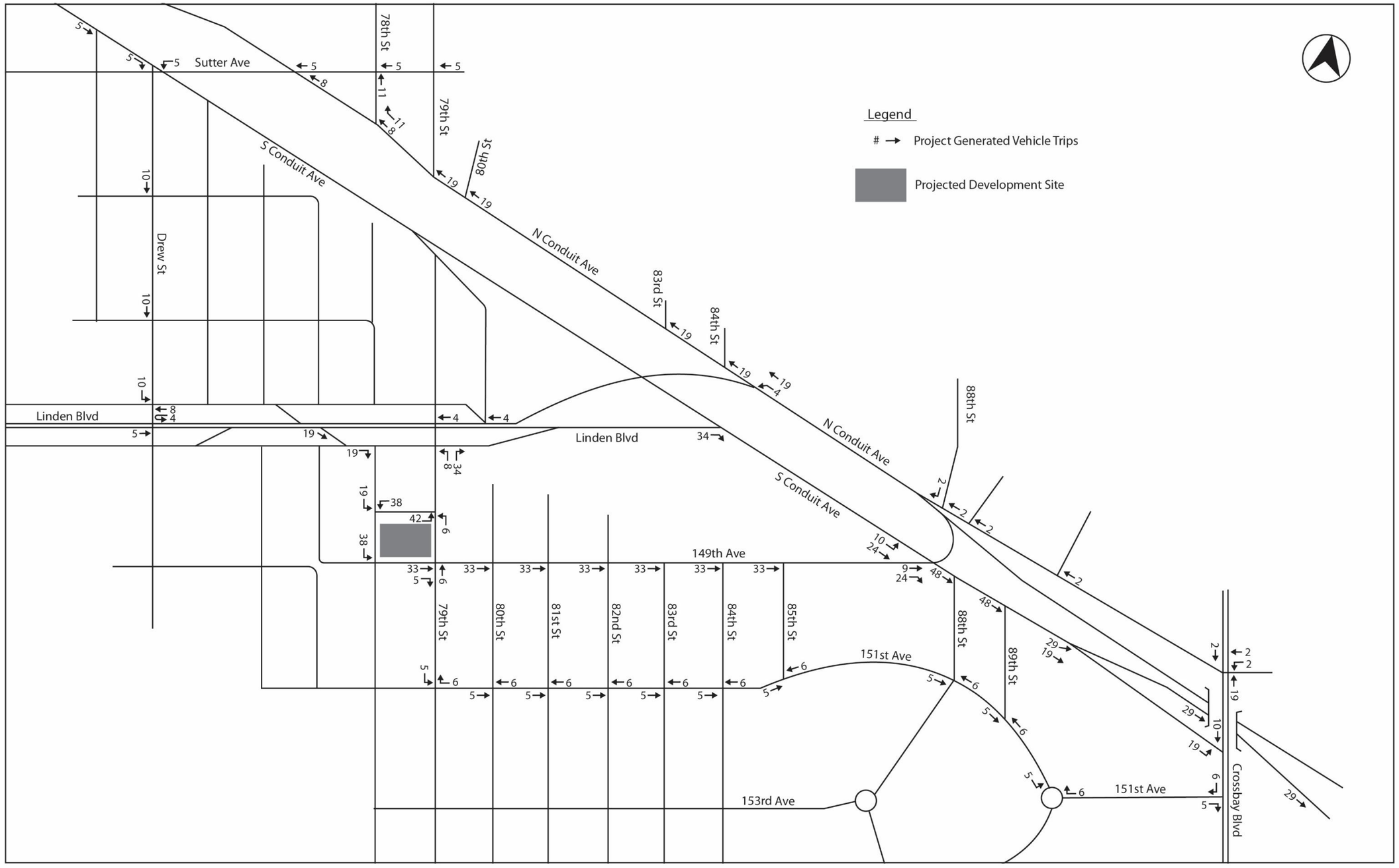


Figure 2.9-4: Weekday Saturday MD Peak Hour Vehicular Trip Assignment Summary



2.10 Air Quality

Introduction

When assessing the potential for air quality significant impacts, the *2021 CEQR Technical Manual* seeks to determine a Proposed Action's effect on ambient air quality, or the quality of the surrounding air. Ambient air can be affected by motor vehicles, referred to as "mobile sources," or by fixed facilities, referred to as "stationary sources." This can occur during operation and/or construction of a project being proposed. The pollutants of most concern are carbon monoxide, lead, nitrogen dioxide, ozone, relatively coarse inhalable particulates (PM_{10}), fine particulate matter ($PM_{2.5}$), and sulfur dioxide. The *CEQR Technical Manual* generally recommends an assessment of the potential impact of mobile sources on air quality when an action increases traffic or causes a redistribution of traffic flows, creates any other mobile sources of pollutants (such as diesel train usage), or adds new uses near mobile sources (e.g., roadways, parking lots, garages). The *CEQR Technical Manual* generally recommends assessments when new stationary sources of pollutants are created, when a new use might be affected by existing stationary sources, or when stationary sources are added near existing sources and the combined dispersion of emissions would impact surrounding areas.

Ambient air quality describes pollutant levels in the surrounding environment to which the public has access. To assess potential health hazards due to ambient air quality, the impact of air pollutants emitted by motor vehicles (mobile source) and by fixed facilities (stationary source) are analyzed, where the effects of both the proposed project on ambient air quality and the ambient air quality effect on the proposed project are considered.

With-Action Scenario

The Projected Development Site (Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45) would be a new 9-story plus cellar, 95-foot-tall (reaching a total building height of 105 feet inclusive of a 10-foot mechanical bulkhead), 287,592 GSF (215,173 ZSF, 3.90 FAR) residential building, which would consist of approximately 55,205 GSF of parking at the cellar level and 232,387 GSF (215,173 ZSF, 3.90 FAR) of residential uses above grade. The building would provide 273 dwelling units (assuming 850 GSF per dwelling unit), 20-30% (55-82 units) of which would be affordable at an average of 40-80% AMI pursuant to MIH Option 1, 2, or 3, respectively. A below-grade off-street parking garage would contain 120 residential accessory vehicular parking spaces and 120 enclosed bicycle parking spaces.

2.10.1 Mobile Sources Assessment

According to the *CEQR Technical Manual*, projects, whether site-specific or generic, may result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic; create any other mobile sources of pollutants (such as diesel trains, helicopters etc.); or add new uses near mobile sources (roadways, garages, parking lots, etc.). Projects requiring further assessment include:

- *Projects that would result in the placement of operable windows, balconies, air intakes or intake vents generally within 200 feet of an atypical source of vehicular pollutants;*
- *Projects that would result in the creation of a fully or partially covered roadway, would exacerbate traffic conditions on such a roadway or would add new uses near such a roadway;*

- *Projects that would generate peak hour auto traffic or divert existing peak hour traffic of 170 or more auto trips in this area of the City;*
- *Projects that would generate peak hour heavy-duty diesel vehicle traffic or its equivalent in vehicular emissions resulting from 12 or more heavy-duty diesel vehicles (HDDVs) for paved roads with average daily traffic of fewer than 5,000 vehicles, 19 or more HDDVs for collector roads, 23 or more HDDVs for principal and minor arterials, or 23 or more HDDVs for expressways and limited-access roads;*
- *Projects that would result in new sensitive uses (e.g., schools or hospitals) adjacent to large existing parking facilities or parking garage exhaust vents;*
- *Projects that would result in parking facilities or applications requesting the grant of a special permit or authorization for parking facilities; or projects that would result in a sizable number of other mobile sources of pollution (e.g., a heliport or a new railroad terminal); and/or*
- *Projects that would substantially increase the vehicle miles traveled in a large area.*

The Proposed Actions would not result in the creation of a covered roadway or affect any covered roadway. Peak hour trip generation is below the 170-car threshold, as per **Chapter 2.9: Transportation**. The Proposed Project would not create a new sensitive receptor adjacent to large parking facilities. The Proposed Project would not result in creation of a new parking facility. The Proposed Project would not result in operable windows or air intakes within 200 feet of an atypical roadway. As such, a mobile source analysis is not required.

2.10.2 Stationary Sources Assessment

According to the *2021 CEQR Technical Manual*, projects may result in stationary source air quality impacts when one or more of the following occurs:

- *New stationary sources of pollutants are created (e.g., emission stacks for industrial plants, hospitals, and other large institutional uses);*
- *Certain new uses near existing (or planned future) emissions stacks are introduced that may affect the use;*
- *Structures near such stacks are introduced so that the structures may change the dispersion of emissions from the stacks so that surrounding uses are affected;*
- *Fossil fuels (fuel oil or natural gas) for heating/hot water, ventilation, and air conditioning systems are used;*
- *Large emission sources are created (e.g., solid waste or medical-waste incinerators, cogeneration facilities, asphalt/concrete plants, or power-generating plants, etc.);*
- *New sensitive uses are located near a large emission source;*
- *Medical, chemical or research labs are created or result in new uses being located near them;*
- *Operation of manufacturing or processing facilities is created;*

- *New sensitive uses created within 400 feet of manufacturing or processing facilities;*
- *New uses created within 400 feet of a stack associated with commercial, institutional, or residential developments (and the height of the new structures would be similar to or greater than the height of the emission stack);*
- *Potentially significant odors are created;*
- *New uses near an odor-producing facility are created;*
- *"Non-point" sources that could result in fugitive dust are created;*
- *New uses near nonpoint sources are created; and/or*
- *A generic or programmatic action is introduced that would change or create a stationary source or that would expose new populations to such a station.*

Impacts from boiler emissions at the Projected Development Site are a function of fuel oil type, stack height, minimum distance from the source to the nearest building, and square footage of the development. For the purposes of a conservative assessment an HVAC Emissions Screen was performed using *2021 CEQR Technical Manual* Air Quality Nomograph.

Screening Analysis

A screening analysis was performed, using the methodology described in the *CEQR Technical Manual*, to determine if the heat and hot water system of the proposed building would result in potential air quality impacts to another building in the area. This methodology determines the threshold of development size below which the action would not have a significant impact.

As outlined in the *CEQR Technical Manual,* the potential for stationary source emissions from heat and hot water systems to have a significant adverse impact on nearby receptors depends on the type of fuel that would be used, the building's residential or non-residential use, the square footage of the development that would be served by the system, the height of the building served by the HVAC system and the distance to the nearest building whose height is at least as great as the building served by the HVAC system. The *CEQR Technical Manual* provides a screening analysis based on these factors, which was utilized to determine the potential for significant impacts from the projected buildings' HVAC systems.

If the actual distance between a stack and the affected building is greater than the threshold distance based on the size of the proposed building, that building passes the screening analysis and no significant impact is predicted. However, if the actual distance is less than the threshold distance for the proposed building, there is a potential for a significant impact and a detailed analysis would be required. The anticipated development within the Affected Area would consist of a residential building equipped with a heat and hot water system fueled by natural gas. Therefore, screening analyses were performed.

As previously mentioned, the screening analysis is only applicable to the emissions stack, and this CEQR screening procedure is applicable to buildings that are not less than 30 feet from the nearest building of similar or greater height. As there would only be one residential building on the Projected Development Site, the project-on-project detailed analysis is not required. The project-on-existing screening analysis

assumed residential occupancy (232,387 GSF of residential uses above grade) and a building height of 105 feet (inclusive of an additional 10 feet for bulkhead), which would be fueled by natural gas.

A survey of the land use map indicates the closest building with equal or greater building height that could be potential affected by the proposed development source of emissions is a 12-story, 136-foot-tall, mixed residential and commercial building located at 2858 Linden Boulevard (Block 4496, Lot 7501), which is located approximately 315 feet to the northwest of Projected Development Site. Therefore, the nearest operable window of equal or greater height from the proposed HVAC stack location is approximately 315 feet for the Projected Development Site.

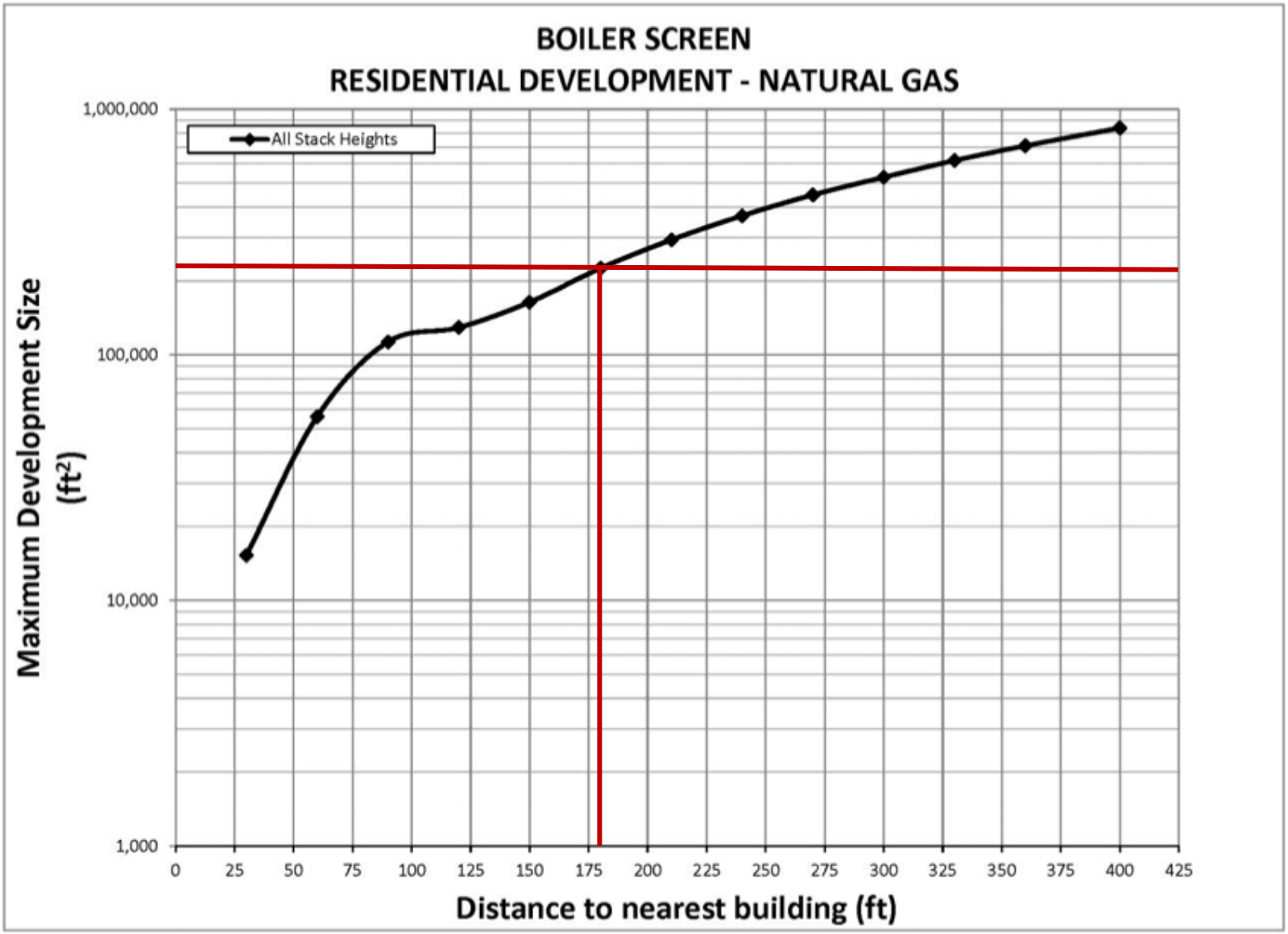
The Stationary Source Screen Figure APP 17-2 referenced in the Appendices of the *2021 CEQR Technical Manual* is a generic screen assuming that the HVAC system is fueled by natural gas. **Figure 2.10-1** below shows that the minimum distance must be 180 feet between the emissions stack of the Projected Development Site and the nearest sensitive receptor to avoid a potential environmental impact related to HVAC emissions.

As illustrated in **Figure 2.10-1** below, a detailed analysis would be required for any existing or planned land uses less than 180 feet from the Projected Development Site. However, the nearest building of similar or greater height is located at 2858 Linden Boulevard (Block 4496, Lot 7501), which is located approximately 315 feet to the northwest of the Projected Development Site. Therefore, a detailed analysis of the impacts from the Proposed Development's HVAC emissions on existing land uses is not warranted for the Projected Development Site.

Conclusion

As discussed above, following the Stationary Source Screening process referenced in the *2021 CEQR Technical Manual*, the minimum distance must be 180 feet between the emissions stack of the Projected Development Site and the nearest sensitive receptor to avoid a potential environmental impact related to HVAC emissions. Since the nearest building of similar or greater height is a 12-story, 136-foot-tall, mixed residential and commercial building located at 2858 Linden Boulevard (Block 4496, Lot 7501), which is approximately 315 feet to the northwest of the Projected Development Site, the emissions from the project-related heating, ventilation, and air conditioning (HVAC) system would not cause significant air quality impacts to receptors at the local scale. Therefore, the Proposed Actions would not have any significant adverse impacts on air quality because of the project-related HVAC emissions, and no further analysis is warranted.

Figure 2.10-1: Projected Development Site HVAC Screen Natural Gas Nomograph



Industrial Emissions

The Proposed Actions would introduce sensitive residential uses into the area. Accordingly, a preliminary screening was conducted to determine if there are any potential sources of industrial process emissions that could affect occupants of the Projected Development Site.

400-Foot Study Area

The Affected Area is currently located within an R4 zoning district, and the surrounding area is a mixture of residential buildings, commercial structures, and vacant lands. The 400-foot radius was screened for potential sources of industrial emissions and is shown below in **Figure 2.10-2**. Based on field observations and reviews of DCP land use maps, only one industrial/manufacturing site was located within the 400-foot study area, which is a 2-story, 600 GSF (0.15 FAR) warehouse on Block 11384, Lot 45 within the Projected Development Site. Since the only identified industrial site within the 400-foot study area is a warehouse on the Projected Development Site, which would be demolished and redeveloped into a residential building, this site would not have any industrial emissions in the future with the Proposed Actions. In addition, based on review of the DEP CATS database, there were no industrial permits identified within the 400-foot study area.

1,000-Foot Study Area

A search of the EPA Envirofacts ICIS-AIR database and the Toxics Release Inventory (TRI) was conducted for all parcels within the 400 and 1,000-foot Study Area. The Envirofacts ICIS Air Database contains compliance and permit data for stationary sources of air pollution (such as electric power plants, steel mills, factories, and universities) regulated by EPA, state and local air pollution agencies. The Toxics Release Inventory (TRI) is a publicly available database containing information on toxic chemical releases and other waste management activities in the United States.

The search did not identify any large or major sources of industrial emissions or odor producing facilities within 1,000 feet of the Affected Area. As such, no further analysis of large or major emissions sources is warranted.

Conclusion

As noted above, no industrial source emissions were identified within the 400-foot study area and no large source Title V permitted uses were found within the 1,000-foot study area. Therefore, no significant adverse impacts from industrial emission sources would occur within the study area, and no further analysis is warranted.

2.10.3 Conclusion

Based on the analysis above, the Proposed Actions would not result in any listed conditions that may introduce significant adverse air quality impacts related to mobile source air emissions.

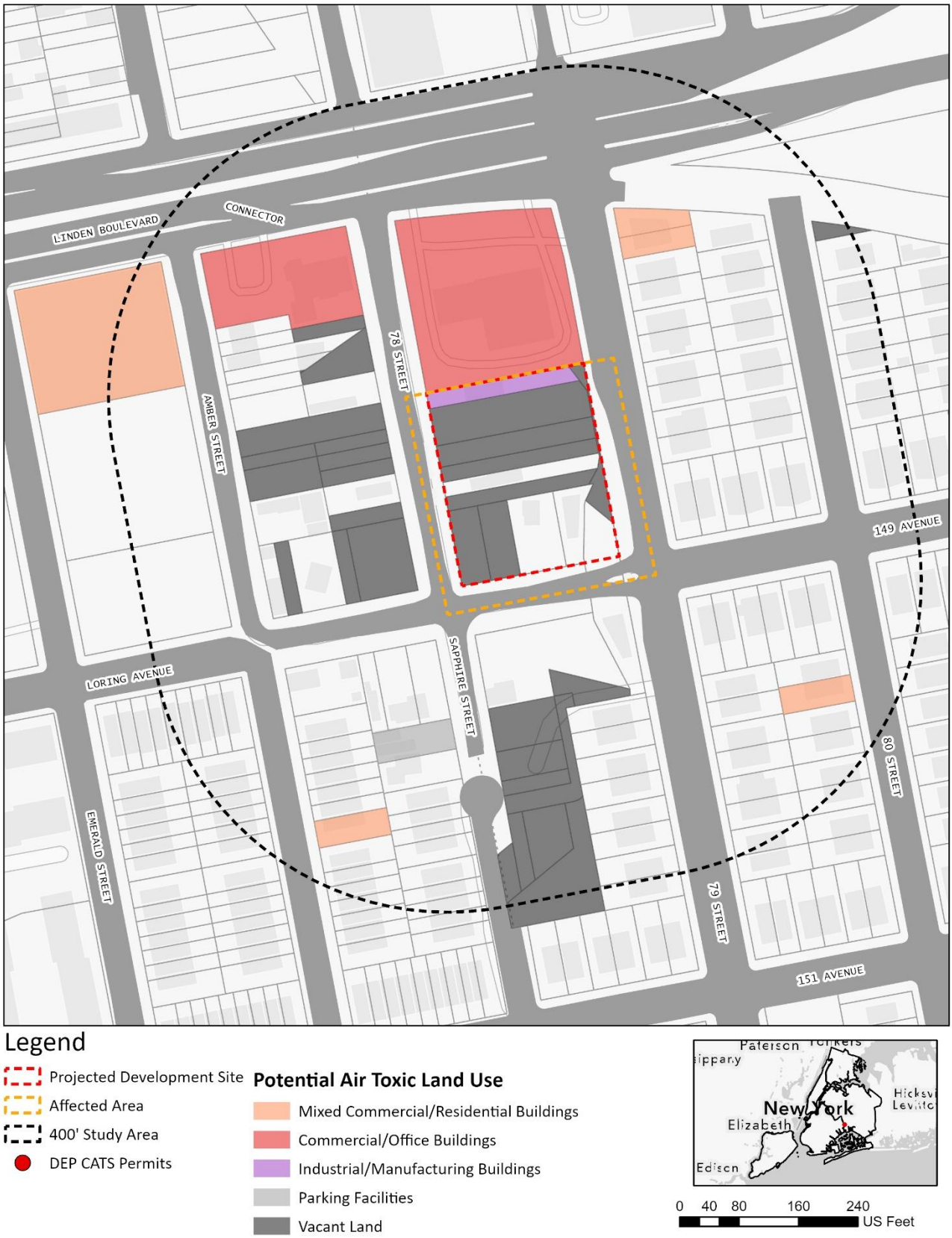
Following the Stationary Source Screening process referenced in the *2021 CEQR Technical Manual*, the minimum distance must be 180 feet between the emissions stack of the Projected Development Site and the nearest sensitive receptor to avoid a potential environmental impact related to HVAC emissions. Since the nearest building of similar or greater height is a 12-story, 136-foot-tall, mixed residential and commercial building located at 2858 Linden Boulevard (Block 4496, Lot 7501), which is approximately 315 feet to the northwest of the Projected Development Site, the emissions from the project-related heating,

ventilation, and air conditioning (HVAC) system would not cause significant air quality impacts to receptors at the local scale.

No industrial source emissions were identified within the 400-foot study area and no large source Title V permitted uses were found within the 1,000-foot study area. Therefore, no significant adverse impacts from industrial emission sources would occur within the study area.

In summary, no significant adverse impacts on ambient air quality would occur as a result of the emissions induced by the Proposed Actions from the mobile, stationary, or industrial sources.

Figure 2.10-2: Industrial Emissions Screening



2.11 Noise

A noise analysis was conducted to assess the potential for adverse noise impacts related to the proposal for a zoning map amendment and a zoning text amendment of approximately 55,173 square feet comprising Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45, which is bounded by Linden Boulevard to the north, 79th Street to the east, 149th Avenue (Loring Avenue) to the south, and Sapphire Street to the west in the Lindenwood neighborhood of Queens Community District 10.

The Projected Development Site consists of Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45, which would be developed with a new 9-story plus cellar, 95-foot-tall (reaching a total building height of 105 feet inclusive of a 10-foot mechanical bulkhead), 287,592 GSF (215,173 ZSF, 3.90 FAR) residential building, including approximately 55,205 GSF of parking at the cellar level and 232,387 GSF (215,173 ZSF, 3.90 FAR) of residential uses above grade.

The noise analysis is limited to an assessment of ambient noise that could adversely affect building occupants of the Proposed Project, as well as an evaluation of the potential impact associated with project-generated Noise Passenger Car Equivalents (PCEs) on adjacent receptors.

Methodology

Noise is defined as any unwanted sound, and sound is defined as any pressure variation that the human ear can detect. Humans can detect a large range of sound pressures, from 20 to 20 million micropascals, but only those air pressure variations occurring within a particular set of frequencies are experienced as sound. Air pressure changes that occur between 20 and 20,000 times a second, stated as units of Hertz (Hz), are registered as sound.

Because the human ear can detect such a wide range of sound pressures, sound pressure is converted to sound pressure level (SPL), which is measured in units called decibels (dB). The decibel is a relative measure of the sound pressure with respect to a standardized reference quantity. Because the dB scale is logarithmic, a relative increase of 10 dB represents acoustic energy that is 10 times higher. However, humans do not perceive a 10-dB increase as 10 times louder. Instead, they perceive it as twice as loud.

Sound is often measured and described in terms of its overall energy, taking all frequencies into account. However, the human hearing process is not the same at all frequencies. Humans are less sensitive to low frequencies (less than 250 Hz) than mid-frequencies (500 Hz to 1,000 Hz) and are most sensitive to frequencies in the 1,000- to 5,000-Hz range. Therefore, noise measurements are often adjusted, or weighted, as a function of frequency to account for human perception and sensitivities. The most common frequency weightings used are the A- and C-weightings. These weight scales were developed to allow sound level meters, which use filter networks to approximate the characteristic of the human hearing mechanism, to simulate the frequency sensitivity of human hearing. The A-weighting is the most commonly used for environmental measurements, and sound levels measured using this weighting are denoted as dBA. The letter “A” indicates that the sound has been filtered to reduce the strength of very low and very high frequency sounds, much as the human ear does. C-weighting gives nearly equal emphasis to sounds of most frequencies. Mid-range frequencies approximate the actual (unweighted) sound level, while the very low and very high frequency bands are significantly affected by C-weighting. **Table 2.11-1** notes the decibel levels of common noise sources.

Table 2.11-1: Noise Levels of Common Sources

Sound Source	SPL (dB(A))
Air Raid Siren at 50 feet	120
Maximum Levels at Rock Concerts (Rear Seats)	110
On Platform by Passing Subway Train	100
On Sidewalk by Passing Heavy Truck or Bus	90
On Sidewalk by Typical Highway	80
On Sidewalk by Passing Automobiles with Mufflers	70
Typical Urban Area	60-70
Typical Suburban Area	50-60
Quiet Suburban Area at Night	40-50
Typical Rural Area at Night	30-40
Isolated Broadcast Studio	20
Audiometric (Hearing Testing) Booth	10
Threshold of Hearing	0
Notes: A change in 3dB(A) is a just noticeable change in SPL. A change in 10 dB(A)Is perceived as a doubling or halving in SPL.	
Source: 2021 CEQR Technical Manual	

The following is typical of human response to relative changes in noise level:

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

The decrease in sound level caused by the distance from any single noise source normally follows the inverse square law. In a large open area with no obstructive or reflective surfaces, it is a general rule that at distances greater than 50 feet, the SPL from a point source of noise drops off at a rate of 6 dB with each doubling of distance away from the source. For “line” sources, such as vehicles on a street, the SPL drops off at a rate of 3 dBA with each doubling of the distance from the source. Sound energy is absorbed in the air as a function of temperature, humidity, and the frequency of the sound. This attenuation can be up to 2 dB over 1,000 feet. The drop-off rate also will vary with both terrain conditions and the presence of obstructions in the sound propagation path.

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

- L_{eq} is the continuous equivalent sound level. The sound energy from the fluctuating SPLs is averaged over time to create a single number to describe the mean energy, or intensity level. High noise levels during a measurement period will have a greater effect on the L_{eq} than low noise

levels. L_{eq} has an advantage over other descriptors because L_{eq} values from various noise sources can be added and subtracted to determine cumulative noise levels.

- $L_{eq(24)}$ is the continuous equivalent sound level over a 24-hour time period.
- Lmax is the highest SPL measured during a given period of time. It is useful in evaluating Leqs for time periods that have an especially wide range of noise levels.
- L_{dn} is the day-night equivalent sound level, defined as a 24-hour continuous L_{eq} with a 10 dB adjustment added to all hourly noise levels recorded between the hours of 10 PM and 7 AM. This 10 dB addition accounts for the extra sensitivity people have to noise during typical sleeping hours.
- DNL is the annual average day-night average sound level. Aircraft noise around airports is usually mapped out in terms of DNL, which are normally depicted as noise contours on a map.

The sound level exceeded during a given percentage of a measurement period is the percentile-exceeded sound level (L_X). Examples include L_{10}, L_{50}, and L_{90}. L_{10} is the A-weighted sound level that exceeds 10% of the measurement period.

The decrease in sound level caused by the distance from any single noise source normally follows the inverse square law. In a large open area with no obstructive or reflective surfaces, it is a general rule that at distances greater than 50 feet, the SPL from a point source of noise drops off at a rate of 6 dB with each doubling of distance away from the source. For “line” sources, such as vehicles on a street, the SPL drops off at a rate of 3 dBA with each doubling of the distance from the source. Sound energy is absorbed in the air as a function of temperature, humidity, and the frequency of the sound. This attenuation can be up to 2 dB over 1,000 feet. The drop-off rate also will vary with both terrain conditions and the presence of obstructions in the sound propagation path.

Noise Standards and Guidelines

In 1983, the New York City Department of Environmental Protection (NYCDEP) adopted the City Environmental Quality Review (CEQR) noise exposure guidelines for exterior noise levels. As shown in **Table 2.11-2** below, noise standards classify noise exposure into four categories based on noise level limits and land use, for vehicular traffic, rail, and aircraft noise sources: Acceptable, Marginally Acceptable, Marginally Unacceptable, and Clearly Unacceptable. **Table 2.11-3** below defines attenuation requirements for buildings based on exterior noise exposure levels. Recommended noise attenuation values for buildings are designed to maintain interior noise levels of 45 dBA (*L_{10} or Ldn, depending on the source*) or below.

Table 2.11-2: Noise Exposure Guidelines for Use in City Environmental Impact Review

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

Notes:

(i) In addition, any new activity shall comply with Impact Thresholds detailed in Section 410.

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

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

[3] One may use the FAA-approved DNL contours supplied by the Port Authority of New York and New Jersey (PANYNJ), or the noise contours may be computed from the federally approved Aviation Environmental Design Tool (AEDT) Computer Model using flight data supplied by the PANYNJ.

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

Sources: New York City Department of Environmental Protection (adopted policy 1983).

Table 2.11-3: ***CEQR Technical Manual*** **Attenuation Values to Achieve Acceptable Interior Noise Levels**

	Marginally Unacceptable				Clearly Unacceptable
Vehicular Traffic	70 < L10 ≤ 73	73 < L10 ≤ 76	76 < L10 ≤ 78	78 < L10 ≤ 80	80 < L10
Aircraft[A]	65 < DNL ≤ 68	68 < DNL ≤ 71	71 < DNL ≤ 73	73 < DNL ≤ 75	75 < DNL
Train	65 < Ldn ≤ 68	68 < Ldn ≤ 71	71 < Ldn ≤ 73	73 < Ldn ≤ 75	75 < Ldn
Attenuation[B]	(i) 28 dB(A)	(ii) 31 dB(A)	(iii) 33 dB(A)	(iv) 35 dB(A)	See Note c

Note:

A. DNL descriptor based on average values of Ldn over a year period.
B. The above composite window-wall attenuation values are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would be 5 dB(A) less in each category. All of the above categories require a closed window situation and hence an alternate means of ventilation.
C. The required attenuation value is the difference between Lbuild and Linterior, using the appropriate noise descriptor Where:
Lbuild is the projected noise level under the build condition rounded up to the whole number
Linterior is the designed interior noise level (45 dB(A) for vehicular noise, 40 dB(A) for aircraft and train noise)

Source: New York City of Environmental Protection

Notes:

1. The above composite window-wall attenuation values are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would be 5 dB(A) less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.
2. Required attenuation values increase by 1 dB(A) increments for L10 values greater than 80 dBA.

2.11.1 Initial Impact Screening

Future No-Action Condition

The No-Action Condition for the Affected Area would be the same as the existing conditions. Lot 29 would continue to be developed with a 1.5-story, 500 GSF (0.08 FAR) one-family home, Lot 38 would continue to be improved with a 2-story, 952 GSF (0.23 FAR) two-family building, Lot 45 would continue to be improved with a 2-story, 600 GSF (0.15 FAR) warehouse, and the remaining nine lots would remain vacant.

Redevelopment is not considered feasible given the low density (1.00 FAR for residential uses and 2.00 FAR for community facility uses) permitted within the underlying R4 zoning district. Infrastructure improvements would also be required due to sewer capacity and flooding issues in the immediate area, and the costs associated with these improvements would make any development at this scale economically infeasible.

In addition, there are no records of building work permits submitted by the Applicant within the Affected Area. Therefore, it is conservatively assumed that under the No-Action Condition, existing conditions would continue on the Projected Development Site.

Future With-Action Condition

In the future with the Proposed Actions, the Applicant-owned Projected Development Site (Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45) would have a combined lot area of approximately 55,173 sf and would be developed with a new 9-story plus cellar, 95-foot-tall (reaching a total building height of 105 feet inclusive of a 10-foot mechanical bulkhead), 287,592 GSF (215,173 ZSF, 3.90 FAR)

residential building, which would consist of approximately 55,205 GSF of parking at the cellar level and 232,387 GSF (215,173 ZSF, 3.90 FAR) of residential uses above grade. The building would provide 273 dwelling units (assuming 850 GSF per dwelling unit), 20-30% (55-82 units) of which would be affordable at an average of 40-80% AMI pursuant to MIH Option 1, 2, or 3, respectively. A below-grade off-street parking garage would contain 120 residential accessory vehicular parking spaces and 120 enclosed bicycle parking spaces, which would be accessible from both 79th Street and Sapphire Street and would be wet flood-proofed with FEMA-approved foundation flood vents. In addition, the building would have a residential entrance on 79th Street and an interior court for the outdoor enjoyment of the residents. New sidewalks would be paved, and new street trees would be planted.

Stationary Sources

The *2021 CEQR Technical Manual* states that based upon previous studies, unless existing ambient noise levels are very low and/or stationary source levels are very high (and there are no structures that provide shielding), it is unusual for stationary sources to have significant impacts at distances beyond 1,500 feet. A detailed analysis may be appropriate if the proposed project would: cause a substantial stationary source (i.e., unenclosed mechanical equipment for manufacturing or building ventilation purposes, playground, etc.) to be operating within 1,500 feet of a receptor, with a direct line of sight to that receptor; or introduce a receptor in an area with high ambient noise levels resulting from stationary sources, such as unenclosed manufacturing activities or other loud uses. Machinery, mechanical equipment, heating, ventilating and air-conditioning units, loudspeakers, new loading docks, and other noise associated with building structures may also be considered in a stationary source noise analysis. Impacts may occur when a stationary noise source is near a sensitive receptor and is unenclosed.

No unenclosed stationary noise sources of concern were observed during field inspections. As the Projected Development Site is not subject to high ambient noise levels from any nearby stationary source, no stationary source noise impacts from surrounding uses are anticipated. Additionally, it is assumed that the building mechanical systems (i.e., HVAC systems) would be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code, the New York City Department of Buildings Code) and to avoid producing levels that would result in any significant increase in ambient noise levels. Therefore, the Proposed Actions would not result in any significant adverse noise impacts related to building mechanical equipment.

Mobile Sources

Pursuant to Section 111 of the *2021 CEQR Technical Manual*, mobile sources are those noise sources that move in relation to a noise-sensitive receptor—principally automobiles, buses, trucks, aircraft, and trains. Each has its own distinctive noise character, and, consequently, an associated set of noise assessment descriptors. For mobile sources, an initial noise assessment may be appropriate if a proposed action would generate additional project-generated vehicular traffic in an area where roadways currently carry no or very low traffic volumes, or where a nearby receptor would potentially be impacted by high ambient noise levels.

Vehicular traffic is the predominant source of noise in the area. Therefore, the noise analysis presented in this chapter focuses on the operational noise effects of the Proposed Actions to determine the level of building attenuation necessary to ensure that interior noise levels satisfy CEQR requirements.

2.11.2 Noise Monitoring Results

Measurement Location and Equipment

Because the predominant noise sources in the area of the Proposed Project consist of vehicular traffic, noise monitoring was conducted during peak weekday vehicular travel periods (AM, Midday, PM) on a typical midweek day for 20-minute periods. Noise Monitoring Location One (1) was located at the street level along Sapphire Street, the western frontage of the Projected Development Site; Noise Monitoring Location Two (2) was located at the street level along 149th Avenue, the southern frontage of the Projected Development Site; Noise Monitoring Location Three (3) was located at the street level along 79th Street, the eastern frontage of the Projected Development Site. The noise monitoring locations are shown in **Figure 2.11-1** to **Figure 2.11-4** below.

Noise monitoring was conducted using a Type 1 Casella CEL-633 sound level meter with a wind screen. The monitor was placed on a tripod at a height of approximately five feet above the ground, away from any other noise-reflective surfaces. The monitor was calibrated prior to and following each monitoring session. Periods of peak vehicular around the Affected Area constitute a worst-case condition for noise at the Projected Development Site. Noise meter calibration certification and back up data are provided in **Appendix E**.

Figure 2.11-1: Noise Monitoring Locations

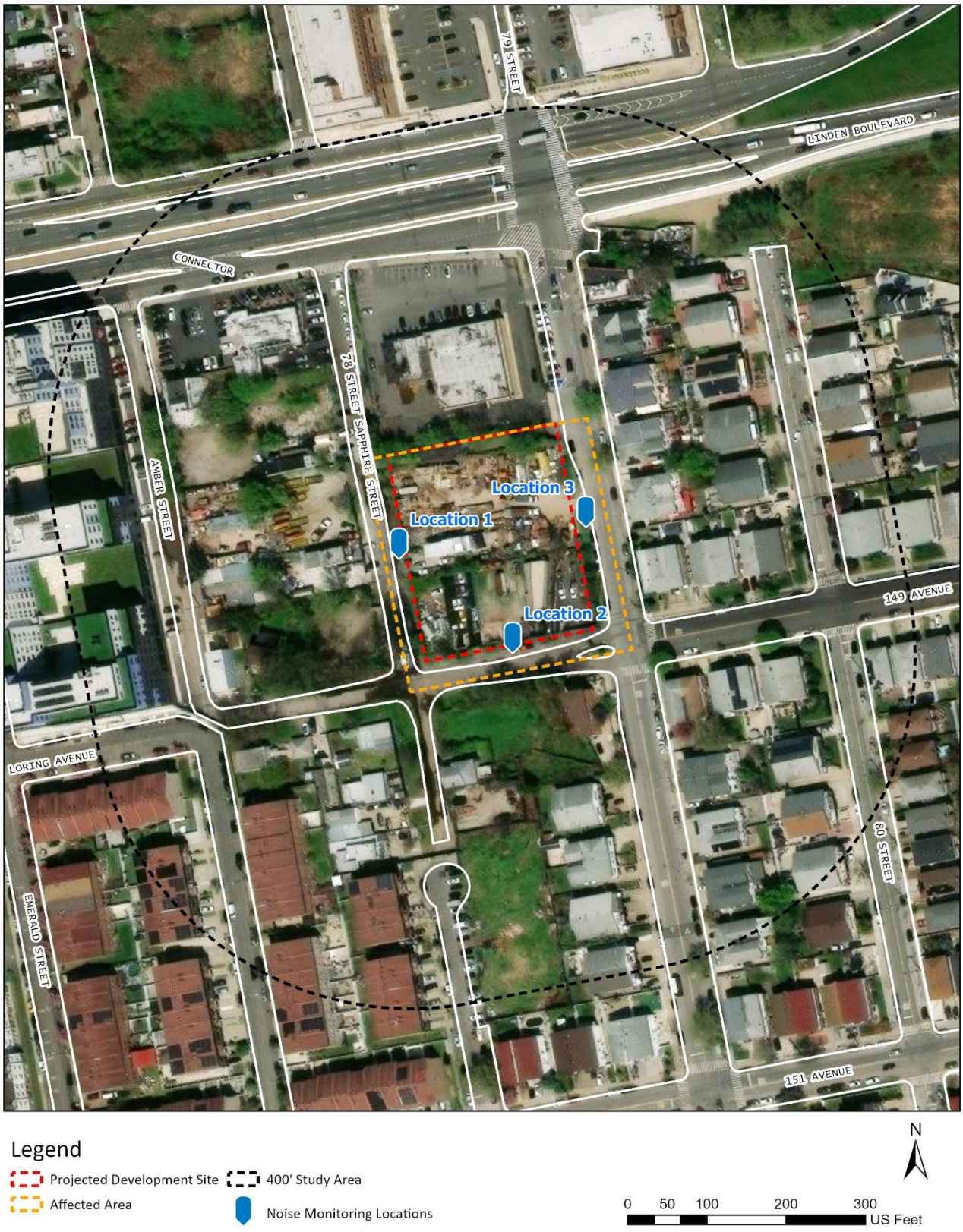


Figure 2.11-2: Location 1 – Noise Monitor Location Photos (Sapphire Street Frontage)



Figure 2.11-3: Location 2 – Noise Monitor Location Photos (149th Avenue Frontage)



Figure 2.11-4: Location 3 – Noise Monitor Location Photos (79th Street Frontage)



Existing Conditions

Monitoring was conducted during typical midweek conditions, on Thursday, September 12, 2024. The weather was dry and wind speeds were moderate during all monitoring periods. Traffic volumes and vehicle classification were documented during the noise monitoring**. Table 2.11-4** through **Table 2.11-6** below contain the results for the measurements taken at the noise monitoring locations.

Table 2.11-4: Noise Levels in dBA at Location 1

Thursday, September 12, 2024			
Time	**7:49 am – 8:09 am**	**12:15 pm – 12:35 pm**	**4:32 pm – 4:52 pm**
L_{max}	87.7	87.1	90.3
L_{10}	67.5	60.0	65.0
L_{eq}	66.7	58.5	64.4
L_{50}	56.5	52.0	55.0
L_{90}	51.0	49.0	52.0
L_{min}	48.0	46.2	49.3

Table 2.11-5: Noise Levels in dBA at Location 2

Thursday, September 12, 2024			
Time	**8:17 am – 8:37 am**	**12:36 pm – 12:56 pm**	**5:02 pm – 5:22 pm**
L_{max}	80.4	88.0	82.1
L_{10}	62.0	56.0	68.0
L_{eq}	59.7	59.5	65.3
L_{50}	52.5	47.0	62.5
L_{90}	48.5	45.0	54.0
L_{min}	46.7	43.9	51.1

Table 2.11-6: Noise Levels in dBA at Location 3

Thursday, September 12, 2024			
Time	**8:39 am – 8:59 am**	**12:58 pm – 1:18 pm**	**5:26 pm – 5:46 pm**
L_{max}	82.6	82.7	92.5
L_{10}	66.0	64.5	72.5
L_{eq}	62.4	62.4	68.7
L_{50}	56.0	53.5	61.5
L_{90}	50.0	49.5	55.0
L_{min}	45.9	46.0	49.5

The traffic volumes (vehicle counts) and vehicle classifications collected during peak vehicular travel periods (morning, midday, and evening) concurrent with noise monitoring at Location 1 through Location 3 are shown below in **Table 2.11-7** through **Table 2.11-9.**

Table 2.11-7: Traffic Volumes and Vehicle Classifications Noise Location 1

	7:49 am – 8:09 am	12:15 pm – 12:35 pm	4:32 pm – 4:52 pm
Car/ Taxi	3	0	4
Van/Light Truck/SUV	3	5	18
Medium Truck	3	1	0
Heavy Truck	1	0	1
Bus	0	0	0

Table 2.11-8: Traffic Volumes and Vehicle Classifications Noise Location 2

	8:17 am – 8:37 am	12:36 pm – 12:56 pm	5:02 pm – 5:22 pm
Car/ Taxi	2	1	7
Van/Light Truck/SUV	2	3	15
Medium Truck	2	1	2
Heavy Truck	0	0	0
Bus	0	0	1

Table 2.11-9: Traffic Volumes and Vehicle Classifications Noise Location 3

	8:39 am – 8:59 am	12:58 pm – 1:18 pm	5:26 pm – 5:46 pm
Car/ Taxi	16	9	15
Van/Light Truck/SUV	25	19	17
Medium Truck	2	1	0
Heavy Truck	1	2	0
Bus	0	0	0

2.11.3 Preliminary Noise Passenger Car Equivalent (PCE) Screening Analysis

Pursuant to Section 111 of the *2021 CEQR Technical Manual*, mobile sources are those noise sources that move in relation to a noise-sensitive receptor—principally automobiles, buses, trucks, aircraft, and trains. Each has its own distinctive noise character, and, consequently, an associated set of noise assessment descriptors.

For mobile sources, an initial noise assessment may be appropriate if a proposed action would generate additional project-generated vehicular traffic in an area where roadways currently carry no or very low traffic volumes, or where a nearby receptor would potentially be impacted by high ambient noise levels. Receptors are generally the subject of most noise impact analyses. A noise-sensitive location (known as a "receptor") is usually defined as an area where human activity may be adversely affected when noise levels exceed predefined thresholds of acceptability or when noise levels increase by an amount exceeding predefined thresholds of change.

Automobile noise is a function of vehicle speed and engine noise. With changing gears, the noise levels tend to increase in a sawtooth kind of pattern as vehicular speed increases. The interaction of the road surface with the tires generates noise that increases with vehicle speed. At vehicular speeds below 30 miles per hour, the typical automobile noise spectrum is dominated by engine noise. At speeds higher than 30 miles per hour, the automobile noise signature is composed of a combination of lower frequency engine noise and higher frequency tire noise. The engine and tire noise for vehicular speeds above 30 miles per hour are comparable in noise level. Noise generated by buses and heavy trucks is also composed of engine and tire noise, but tire noise tends to dominate the noise signature at vehicular speeds above 30 miles per hour in trucks and buses. Cargo load normally does not significantly affect noise levels because increased load usually results in decreased vehicular speed, and the effects cancel each other out. Because individual trucks and buses are noisier than individual automobiles, the concept of noise passenger car equivalents (PCEs) is used.

Pursuant to Section 332.1 of the *2021 CEQR Technical Manual*, the below values can be used to calculate vehicular noise using projections:

- Each Automobile or Light Truck: 1 Noise PCE
- Each Medium Truck: 13 Noise PCEs
- Each Bus: 18 Noise PCEs
- Each Heavy Truck: 47 Noise PCEs

A preliminary Noise PCE screening was conducted to determine if the Proposed Actions would result in an increase to existing Noise PCE values by 100 percent or more. This screening assesses the Noise PCE values of the vehicles projected to arrive on-site during school peak hours, compared to the Noise PCE values of existing background traffic recorded during noise monitoring.

Noise PCE Screening Location 1

This screening analysis was performed based on the total projected vehicular trip-ends projected in the Transportation Analysis Tier 1 Trip Generation Assessment as follows:

- Weekday AM Peak Hour: 105 auto trip-ends
- Weekday MD Peak Hour: 65 auto trip-ends
- Weekday PM Peak Hour: 94 auto trip-ends

The noise PCE screening applies the projected AM, midday, and PM peak hour project-generated vehicular trip-ends, converted to noise PCEs, to the AM, midday, and PM peak hour existing noise PCEs, respectively. The number of the project-generated vehicular trip-ends at different noise monitoring locations were determined by the Tier 2 Trip Assignment Assessment as part of the transportation analysis (See **Figure 2.9-1** through **Figure 2.9-4** in **Chapter 2.9 Transportation**). **Table 2.11-10**, **Table 2.11-11**, and **Table 2.11-12** below show the noise PCE Screening for Location 1, Location 2, and Location 3, respectively.

Per the *CEQR Technical Manual*, if existing PCE values are increased by 100 percent or more due to the Proposed Actions, a detailed analysis is generally performed. As indicated below in **Table 2.11-13**, the Proposed Actions would not increase existing noise PCE values by greater than 100 percent, and no further analysis is warranted.

Table 2.11-10: Existing/With-Action Noise PCEs Screen Location 1

Existing Noise PCEs						
	AM Existing Vehicle Counts (1 Hour)	AM Existing Noise PCE Value	MD Existing Vehicle Counts (1 Hour)	MD Existing Noise PCE Value	PM Existing Vehicle Counts (1 Hour)	PM Existing Noise PCE Value
Car/ Taxi	9	9	0	0	12	12
Van/Light Truck/SUV	9	9	15	15	54	54
Medium Truck	9	117	3	39	0	0
Heavy Truck	3	141	0	0	3	141
Bus	0	0	0	0	0	0
Total Noise PCE	-	**276**	-	**54**	-	**207**
With Action Noise PCEs						
	AM Project Generated Vehicle Trip-Ends	AM With Action Noise PCE Value	MD Project Generated Vehicle Trip-Ends	MD With Action Noise PCE Value	PM Project Generated Vehicle Trip-Ends	PM With Action Noise PCE Value
Car/ Taxi	47	47	16	16	29	29
Van/Light Truck/SUV	9	9	15	15	54	54
Medium Truck	9	117	3	39	0	0
Heavy Truck	3	141	0	0	3	141
Bus	0	0	0	0	0	0
Total Noise PCE	-	**314**	-	**70**	-	**224**

Table 2.11-11: Existing/With-Action Noise PCEs Location 2

Existing Noise PCEs						
	AM Existing Vehicle Counts (1 Hour)	AM Existing Noise PCE Value	MD Existing Vehicle Counts (1 Hour)	MD Existing Noise PCE Value	PM Existing Vehicle Counts (1 Hour)	PM Existing Noise PCE Value
Car/ Taxi	6	6	3	3	21	21
Van/Light Truck/SUV	6	6	9	9	45	45
Medium Truck	6	78	3	39	6	78
Heavy Truck	0	0	0	0	0	0
Bus	0	0	0	0	3	54
Total Noise PCE	-	**90**	-	**51**	-	**198**
With Action Noise PCEs						
	AM Project Generated Vehicle Trip-Ends	AM With Action Noise PCE Value	MD Project Generated Vehicle Trip-Ends	MD With Action Noise PCE Value	PM Project Generated Vehicle Trip-Ends	PM With Action Noise PCE Value
Car/ Taxi	44	44	19	19	38	38
Van/Light Truck/SUV	6	6	9	9	45	45
Medium Truck	6	78	3	39	6	78
Heavy Truck	0	0	0	0	0	0
Bus	0	0	0	0	3	54
Total Noise PCE	-	**128**	-	**67**	-	**215**

Table 2.11-12: Existing/With-Action Noise PCEs Location 3

Existing Noise PCEs						
	AM Existing Vehicle Counts (1 Hour)	**AM Existing Noise PCE Value**	**MD Existing Vehicle Counts (1 Hour)**	**MD Existing Noise PCE Value**	**PM Existing Vehicle Counts (1 Hour)**	**PM Existing Noise PCE Value**
Car/ Taxi	48	48	27	27	45	45
Van/Light Truck/SUV	75	75	57	57	51	51
Medium Truck	6	78	3	39	0	0
Heavy Truck	3	141	6	282	0	0
Bus	0	0	0	0	0	0
Total Noise PCE	-	**342**	-	**405**	-	**96**
With Action Noise PCEs						
	AM Project Generated Vehicle Trip-Ends	**AM With Action Noise PCE Value**	**MD Project Generated Vehicle Trip-Ends**	**MD With Action Noise PCE Value**	**PM Project Generated Vehicle Trip-Ends**	**PM With Action Noise PCE Value**
Car/ Taxi	54	54	34	34	58	58
Van/Light Truck/SUV	75	75	57	57	51	51
Medium Truck	6	78	3	39	0	0
Heavy Truck	3	141	6	282	0	0
Bus	0	0	0	0	0	0
Total Noise PCE	-	**348**	-	**412**	-	**109**

Table 2.11-13: Noise PCE Screening Results

Peak Hour	No-Action/Existing	With Action	Increment	% Increase
Location 1				
AM Noise PCEs	276	314	38	14%
MD Noise PCEs	54	70	16	30%
PM Noise PCEs	207	224	17	8%
Location 2				
AM Noise PCEs	90	128	38	42%
MD Noise PCEs	51	67	16	31%
PM Noise PCEs	198	215	17	9%
Location 3				
AM Noise PCEs	342	348	6	2%
MD Noise PCEs	405	412	7	2%
PM Noise PCEs	96	109	13	14%

2.11.4 Conclusion

The highest recorded L_{10} at Location 1 was 67.5 dB(A) during the morning period. The highest recorded L_{10} at Location 2 was 68.0 dB(A) during the evening period. The highest recorded L_{10} at Location 3 was 72.5 dB(A) during the evening period. Field notes describe landscaping noise present at a neighboring property as well as helicopter and idling truck noise near the Location 3 during the evening period. Therefore, the elevated L_{10} reading is not representative of typical noise levels at this location and the Leq reading of 68.7 dB(A) during the evening period at this location will be used.

The *CEQR Technical Manual* Table 19-2 contains noise exposure guidelines. For a residential or community facility use such as would occur under the Proposed Actions, an L_{10} of between 65 and 70 dB(A) is

identified as marginally acceptable general external exposure. An L_{10} of between 70 and 80 dB(A) is identified as marginally unacceptable general external exposure. The highest recorded noise level was at Location 3 and was 68.7 dB(A). Based on these results, no window-wall attenuation would be required, and no significant adverse impacts related to noise would occur as a result of the Proposed Actions.

2.12 Construction

Construction, although temporary, can result in disruptive and noticeable effects on a proposed action area. A determination of the significance of construction and the need for mitigation is based on the duration and magnitude of these effects. Construction is typically of greatest importance when it could affect traffic conditions, archaeological resources, and the integrity of historic resources, noise patterns, or air quality conditions. Based on the guidelines presented in the *2021 CEQR Technical Manual*, a preliminary construction analysis may be required because the future development facilitated by the Proposed Actions could result in:

- Construction activities lasting longer than 24 months;
- The operation of several pieces of diesel equipment in a single location at peak construction; and
- Construction activities along an arterial highway.

This chapter describes the preliminary construction plans for the Projected Development Site and assesses the potential for the Proposed Actions to result in significant adverse construction impacts in accordance with the *2021 CEQR Technical Manual*. Construction impacts, although temporary, can include noticeable and disruptive effects from an action that is associated with construction or could induce construction. Determination of the significance of construction impacts and the need for mitigation are generally based on the duration and magnitude of the impacts. Construction impacts are usually important when construction activity could affect traffic conditions, hazardous materials, archaeological resources, the integrity of historic resources, community noise patterns, and/or air quality conditions.

2.12.1 Proposed Project Description

In the future with the Proposed Actions, the Affected Area would be rezoned from an R4 zoning district to an R6A zoning district, which would permit the construction of residential and community facility uses with a larger bulk and a higher building height. The Projected Development Site (Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45) would have a combined lot area of approximately 55,173 sf and would be developed with a new 9-story plus cellar, 95-foot-tall (reaching a total building height of 105 feet inclusive of a 10-foot mechanical bulkhead), 287,592 GSF (215,173 ZSF, 3.90 FAR) residential building, which would consist of approximately 55,205 GSF of parking at the cellar level and 232,387 GSF (215,173 ZSF, 3.90 FAR) of residential uses above grade. The building would provide 273 dwelling units (assuming 850 GSF per dwelling unit), 20-30% (55-82 units) of which would be affordable at an average of 40-80% AMI pursuant to MIH Option 1, 2, or 3, respectively. A below-grade off-street parking garage would contain 120 residential accessory vehicular parking spaces and 120 enclosed bicycle parking spaces, which would be accessible from both 79th Street and Sapphire Street and would be wet flood-proofed with FEMA-approved foundation flood vents. In addition, the building would have a residential entrance on 79th Street and an interior court for the outdoor enjoyment of the residents. New sidewalks would be paved, and new street trees would be planted around the building.

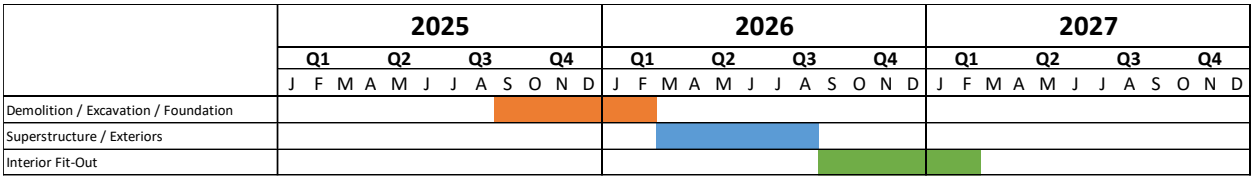
2.12.2 Proposed Construction Schedule

Construction activities associated with the Projected Development Site are assumed to be completed in 18 months. Construction activities on the Projected Development Site would be performed subject to relevant NYC Department of Transportation (DOT) and Department of Buildings (DOB) regulations to

ensure minimal construction related impacts. As shown in **Figure 2.12-1**, the Projected Development Site is assumed to start construction shortly after ULURP completion in 2025, with excavation and demolition through foundation activities for 6 months, superstructure core and shell for 6 months, and interior finishes and fit out for 6 months.

Since the total construction duration on the Projected Development Site would be 18 months, which is less than 24 months, the construction activities related to the Proposed Actions is considered short-term.

Figure 2.12-1: Anticipated Construction Schedule



2.12.3 Governmental Coordination and Oversight

The governmental oversight of construction in New York City is extensive and involves a number of city, state, and federal agencies. **Table 2.12-1** shows the main agencies involved in construction oversight and each agency's areas of responsibility. The primary responsibilities lie with New York City agencies. The DOB has the primary responsibility for ensuring that the construction meets the requirements of the New York City Building Code and that buildings are structurally, electrically, and mechanically safe. In addition, DOB enforces safety regulations to protect both construction workers and the public. The areas of responsibility include the enforcement of regulations pertaining to the installation and operation of construction equipment, such as cranes and lifts, sidewalk sheds, and safety netting and scaffolding. The New York City Department of Parks and Recreation (DPR) has oversight on tree protection and tree removal during construction. The New York City Department of Environmental Protection (DEP) enforces the New York City Noise Control Code (also known as Chapter 24 of the Administrative Code of the City of New York, or Local Law 113) and the DEP Notice of Adoption Rules for Citywide Construction Noise Mitigation (also known as Chapter 28), approves Remedial Action Plans (RAPs) and Construction Health and Safety Plans (CHASPs), regulates water disposal into the sewer system, and oversees dust control for construction activities. The New York City Fire Department (FDNY) has primary oversight for compliance with the New York City Fire Code and for the installation of tanks containing flammable materials. The DOT reviews and approves any traffic lane and sidewalk closures. The New York City Landmarks Preservation Commission (LPC) approves studies and testing to prevent loss of archaeological materials and to prevent damage to fragile historic structures.

Table 2.12-1: Construction Oversight in New York City

Agency	Area(s) of Responsibility
New York City	
Department of Buildings (DOB)	Primary oversight for Building Code and site safety
Department of Parks & Recreation (DPR)	Tree protection and removal
Department of Environmental Protection (DEP)	Noise, hazardous materials, dewatering, dust
Fire Department (FDNY)	Compliance with fire code, tank operation
Department of Transportation (DOT)	Traffic lane and sidewalk closures
Landmarks Preservation Commission (LPC)	Archaeological and historic architectural protection
New York State	
Department of Labor (DOL)	Asbestos workers
New York City Transit (NYCT)	Bus stop relocation; any subsurface construction within 200 feet of a subway
Department of Environmental Conservation (DEC)	Dewatering, hazardous materials, tanks, Stormwater Pollution Prevention Plan (SWPP), Industrial SPDES, if any discharge into the Hudson River.
United States	
Environmental Protection Agency (EPA)	Air emissions, noise, hazardous materials, toxic substances
Occupational Safety and Health Administration (OSHA)	Worker safety

At the state level, the New York State Department of Environmental Conservation (NYSDEC) regulates discharge of water into rivers and streams, disposal of hazardous materials, and construction, operation, and removal of bulk petroleum and chemical storage tanks. The New York State Department of Labor (NYSDOL) licenses asbestos workers. New York City Transit (NYCT) is in charge of bus stop relocations, and any subsurface construction within 200 feet of a subway. On the federal level, the U.S. Environmental Protection Agency (EPA) has wide ranging authority over environmental matters, including air emissions, noise emission standards, hazardous materials, and the use of poisons. Much of the responsibility is delegated to the state level. The U.S. Occupational Safety and Health Administration (OSHA) sets standards for work site safety and construction equipment.

2.12.4 Proposed Construction Activities

General Construction Practices

Hours of Work

Construction of the proposed building on the Projected Development Site would be carried out in accordance with New York City laws and regulations, which allow construction activities between 7:00 AM and 6:00 PM on weekdays, with most workers arriving between 6:00 AM and 7:00 AM. Normally work would end at 3:30 PM, but it can be expected that in order to complete certain critical tasks (e.g., finishing a concrete pour for a floor deck), the workday may occasionally be extended beyond normal work hours. Any extended workdays would generally last until approximately 6:00 PM and would not include all construction workers onsite, but only those involved in the specific task requiring additional work time. Weekend or night work may also be occasionally required for certain construction activities, such as the erection of the tower crane. Appropriate work permits from DOB would be obtained for any necessary work outside of normal construction and no work outside of normal construction hours would be

performed until such permits are obtained. The numbers of workers and pieces of equipment in operation for night or weekend work would typically be limited to those needed to complete the particular authorized task. Therefore, the level of activity for any weekend or night work would be less than that of a normal workday.

Deliveries, Access, and Staging Areas

Access to the Projected Development Site during construction would be fully controlled. The work areas would be fenced off and limited access points for workers and construction-related trucks would be provided. Construction workers are generally prohibited from parking their vehicles onsite during the construction period. Truck movements would be spread throughout the day and would generally occur between the hours of 6 AM and 3 PM, depending on the stage of construction. Material deliveries to the site would be controlled and scheduled. To aid in adhering to the delivery schedules, as is normal for building construction in New York City, flaggers would be employed at each construction gate. The flaggers could be supplied by the subcontractor on-site at the time or by the construction manager. The flaggers would control trucks entering and exiting the site so that they would not interfere with one another. In addition, they would provide an additional traffic aid as the trucks enter and exit the on-street traffic streams.

The DOT Office of Construction Mitigation and Coordination (OCMC) reviews and approves all maintenance and protection of traffic (MPT) plans which specify any planned sidewalk or lane closures and staging for all construction sites. MPT plans would be developed for any required temporary sidewalk, lane, and/or street closures to ensure the safety of the construction workers and the public passing through the area. Approval of these plans and implementation of the closures would be coordinated with DOT's OCMC. Measures specified in the MPT plans that are anticipated to be implemented would include parking lane closures, safety signs, safety barriers, and construction fencing.

Initial construction activity involves the siting of work trailers, installation of temporary power and communication lines, and the erection of site perimeter fencing.

Description of Construction Activities

Construction of large-scale buildings in New York City typically follows a general pattern. The first task is construction startup, which involves the siting of work trailers, installation of temporary power and communication lines, and the erection of site perimeter fencing. If a site has existing structures, the structures are demolished with some of the materials (such as concrete, block, and brick) either recycled or crushed on-site to be reused as fill and the debris taken to a licensed disposal facility. Hazardous materials remediation typically occurs at this point. Excavation of the soils is next along with the construction of the foundations. When the below-grade construction is completed, construction of the superstructure of the new building begins. As the core and floor decks of the building are being erected, installation of the mechanical and electrical internal networks would start. As the building progresses upward, the exterior cladding is placed, and the interior fit out begins. During what is typically considered the busiest time of building construction, the upper core and structure is being built while mechanical/electrical connections, exterior cladding, and interior finishing are progressing on lower floors. The following provides a description of each of the anticipated construction tasks for the Projected Development Site.

Construction Startup Tasks

Construction startup work prepares a site for the construction work and would involve the installation of public safety measures, such as fencing, sidewalk sheds, and Jersey barriers. For each proposed building, the construction site would be fenced off, typically with solid fencing to minimize interference between the persons passing by the site and the construction work. Separate gates for workers and for trucks would be installed, and sidewalk sheds and Jersey barriers would be erected. Trailers for the construction engineers and managers would be hauled to the site and installed within the Projected Development Site. On-site power generation capabilities would also be placed at this time where necessary.

Excavation and Foundation

The development on the Projected Development Site would require excavation for the proposed building's foundation. Excavators would be used to excavate soil and the excavated materials would be loaded onto dump trucks for transport to a licensed disposal facility or for reuse on any portion of the Projected Development Site that needs fill. No blasting is anticipated for the construction of the Proposed Project. This stage of construction would include the construction of the foundation and below-grade elements of the proposed buildings. Piles would be installed with the use of drill rigs. If boulders are encountered during pile installation activities, the obstructions would be removed by a rock hammer. Concrete trucks would be used to pour the foundation and the below-grade structures. Excavation and foundation activities may also involve the use of rebar benders, generators, air compressors, cherry pickers, rock hammers, and saws.

Superstructure and Exterior Façade – Core and Shell Construction

The core is the central part of the building and is the main part of the structural system. It contains the building's beams and columns, as well as elevator shafts, vertical risers for mechanical, electrical, and plumbing systems, electrical and mechanical equipment rooms, and core stairs. The shell is the exterior of the building. Cranes would be brought onto the construction area as needed and would be used to lift structural components, façade elements, and other large materials, and load and place materials into and on the building. Core and shell construction activities would also require the use of generators, concrete trowels, welders, saws, rebar benders, and a variety of small handheld tools. In addition, temporary construction elevators (hoists) would be used for the vertical movement of workers and materials during this stage of construction.

Interior Fit-Out

Interior fit-out activities would typically include the construction of interior partitions, installation of lighting fixtures, and interior finishes (e.g., flooring, painting, etc.), and mechanical and electrical work, such as the installation of elevators and lobby finishes. Final cleanup and touchup of the buildings and final building system (e.g., electrical system, fire alarm, plumbing, etc.) testing and inspections would be part of this stage of construction. Equipment used during this stage of construction would include hoists, delivery trucks, and a variety of small handheld tools. In addition, grid power is expected to be available during this stage of construction although generators may be needed for welding operations. Interior fit out activities would typically be the quietest period of construction in terms of its effect on the public, because most of the construction activities would occur inside the buildings with the façades substantially complete and the proposed building.

Number of Construction Workers and Material Deliveries

The number of workers and truck trips associated with material deliveries vary with the scale of the project and the general construction task. **Table 2.12-2** below shows the estimated number of workers and deliveries to the Projected Development Site by calendar quarter for all construction activities, based on the construction schedule provided in **Figure 2.12-1**. As shown below in **Table 2.12-2**, the average number of workers would be approximately 91 per day throughout the construction period and the average number of trucks would be approximately 13 per day. The number of daily workers and construction trucks would peak in the second and third quarters of 2026.

Table 2.12-2: **Average Number of Daily Construction Workers and Trucks by Year and Quarter**

Year		2025				2026				2027			
Quarter		1	2	3	4	1	2	3	4	1	2	3	4
Total	Workers	-	-	-	39	39	130	130	103	103	-	-	-
	Trucks	-	-	-	15	15	16	16	8	8	-	-	-

	Project Total	
	Peak	Average
Construction Workers	130	91
Construction Trucks	16	13

2.12.5 Potential Impacts of the Proposed Actions

Similar to many development projects in NYC, construction can cause temporary disruption to the surrounding area throughout the construction period. The following analyses describe potential construction impacts on transportation, air quality, noise and vibration, as well as other technical areas including land use and neighborhood character, community facilities, open space, historic and cultural resources, and hazardous materials.

Construction Transportation

Traffic

Similar to other construction projects in New York City, most of the construction activity at the Projected Development Site is expected to take place during the typical construction shift of 7:00 AM to 3:30 PM. The estimated daily vehicle trips were distributed throughout the workday based on projected work shift allocations and conventional arrival/departure patterns of construction workers and trucks. While construction truck trips would be made throughout the day (with more trips typically made during the early morning), construction workers would typically commute during the hours before and after the work shift. For analysis purposes, each truck delivery was assumed to result in two truck trips during the same hour (one “in” and one “out”), and each truck trip was assumed to have a passenger car equivalent (PCE) of 2.0, consistent with *2021 CEQR Technical Manual* guidance. For construction workers, the majority (80 percent) of arrival and departure trips are expected to take place during the hour before and after each shift. For construction trucks, deliveries would typically peak during the early morning, with an estimated 25 percent overlapping with construction worker arrival traffic.

Based on the reverse-journey-to-work census data for workers in the construction occupations, it is anticipated that construction workers' travel to the Projected Development Site would be primarily by auto (approximately 62.5 percent), with smaller numbers using public transit and walking (approximately 34.3 percent including bus and subway) and walking (approximately 3.1 percent). It is also estimated that auto occupancy would average approximately 1.20 persons per vehicle per 2000 AASHTO CTPP reverse-journey-to-work census data for workers in excavation and construction occupations for Queens Census Tracts 44.01, 44.02, 58, 62, 88, 884, 892 and Brooklyn Census Tracts 1208 and 1220. These trip generation assumptions were used as the basis for assessing the potential transportation-related impacts during construction.

Table 2.12-3 shows a forecast of hourly construction worker auto and construction truck trips in the second and third quarter (Q2 and Q3) of 2026, which would have the peak number of daily workers and construction trucks based on the assumptions described above. As shown in the **Table 2.12-3**, it is estimated that peak construction activities would result in a maximum of 70 PCEs between 6:00 AM and 7:00 AM during Q2 and Q3 of 2026. For the 3:00 PM to 4:00 PM period, there would be 56 PCEs associated with construction activities.

Table 2.12-3: Q2 and Q3 2026 Peak Construction Vehicle Trip Projections (in PCEs)

Time Period	Workers – Auto Trips			Truck Trips (PCEs)			Total
	In	Out	Total	In	Out	Total	
6-7AM	54	0	54	8	8	16	70
7-8AM	14	0	14	3	3	6	20
8-9AM	0	0	0	3	3	6	6
9-10AM	0	0	0	3	3	6	6
10-11AM	0	0	0	3	3	6	6
11AM-12PM	0	0	0	3	3	6	6
12-1PM	0	0	0	3	3	6	6
1-2PM	0	0	0	2	2	4	4
2-3PM	0	4	4	2	2	4	8
3-4PM	0	54	54	1	1	2	56
4-5PM	0	10	10	1	1	2	12
Daily Total	***68***	***68***	***136***	***32***	***32***	***64***	***200***

Figure 2.12-2 and **Figure 2.12-3** show the assignment of construction peak hour vehicle trips to the study area street network during the 6 to 7 AM and 3 to 4 PM construction peak hours. Although construction workers would likely park on-street or in nearby off-street public parking facilities located in proximity to the Projected Development Site and would therefore be dispersed throughout the surrounding street network, all construction worker autos were conservatively assigned to the streets with legal on-street parking immediately adjacent to the site, thereby concentrating these trips at intersections in the Projected Development Site's immediate vicinity. As shown in **Figure 2.12-2** and **Figure 2.12-3**, no intersection would experience 50 or more PCEs during either of the construction peak hours, and therefore no further analysis of construction traffic conditions is warranted and the Proposed Actions are not expected to result in significant adverse construction traffic impacts.

Figure 2.12-2: Construction AM Peak Hour (6 – 7 AM) Traffic Assignments (in PCEs)

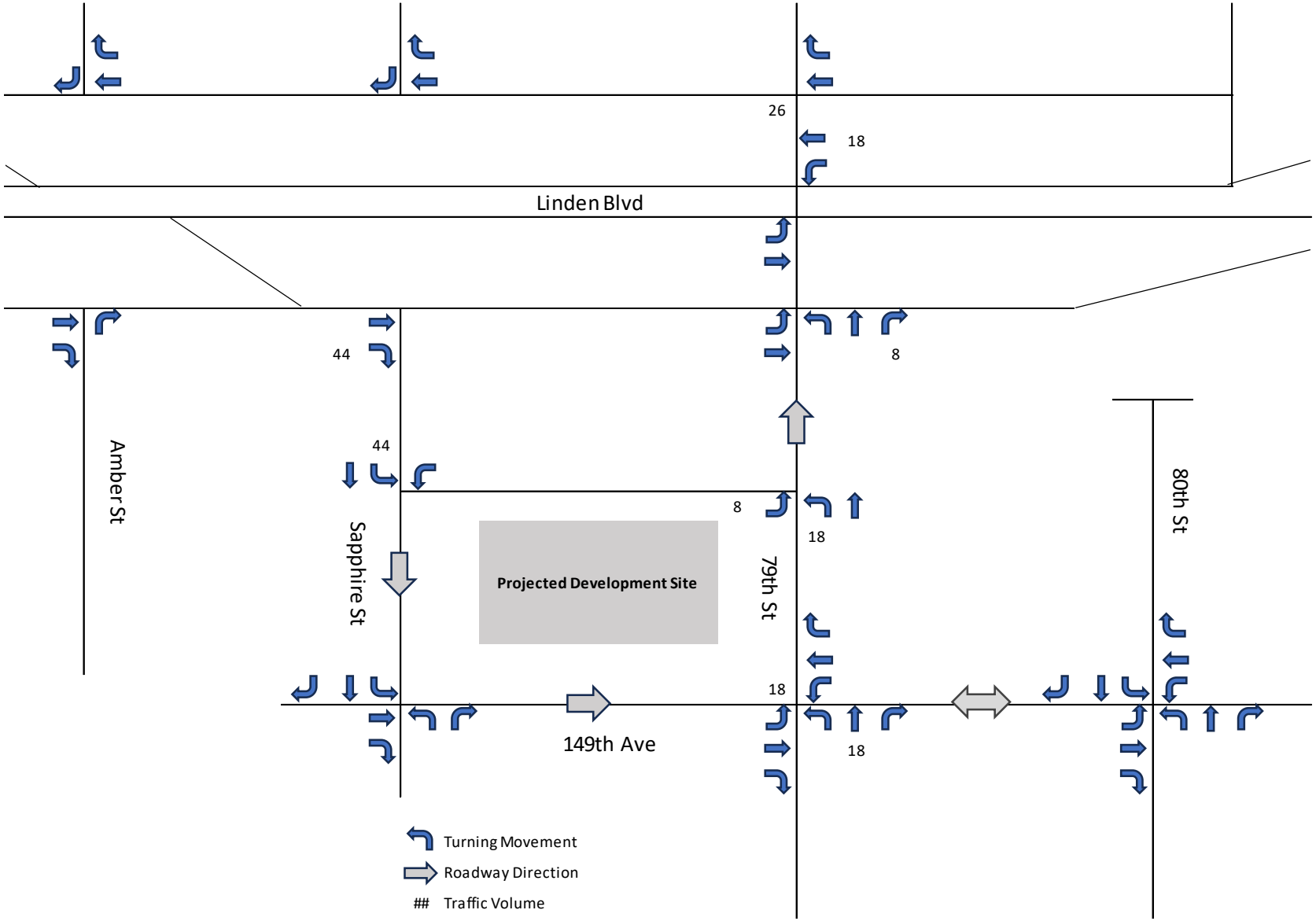
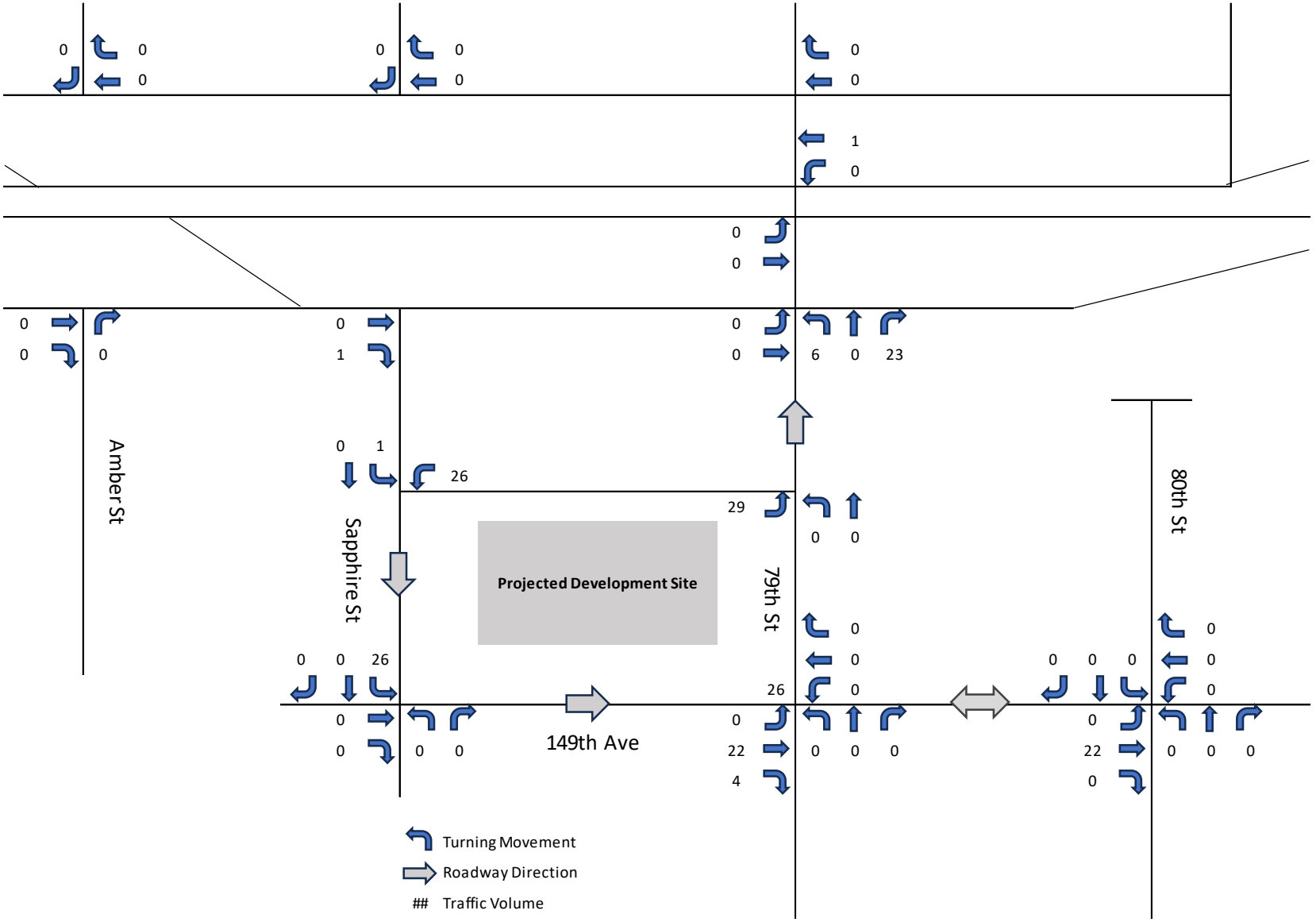


Figure 2.12-3: Construction PM Peak Hour (3 – 4 PM) Traffic Assignments (in PCEs)



Curb Lane Closures and Staging

Construction staging would most likely occur on the Projected Development Site and may extend within portions of sidewalks, curbs and travel lanes of public streets adjacent to the Projected Development Site. Similar to many other construction projects in New York City, temporary curb lane and sidewalk closures are expected to be required adjacent to the Projected Development Site, which would have dedicated gates, driveways, or ramps for delivery vehicle access. It is anticipated that construction activity would mostly take place within the Projected Development Site, and within portions of Sapphire Street, 149th Avenue, and 79th Street. Any sidewalk or street closures would require the approval of the DOT OCMC, the entity that ensures critical travel arteries are not interrupted, especially in peak travel periods.

Flag persons are expected to be present at active project site driveways, where needed, to manage the access and movement of trucks to ensure no on-street queuing. Some of the site deliveries may also occur along the perimeter of the construction site within delineated closed-off areas for concrete pour or steel delivery.

Transit and Pedestrians

As discussed above and shown in **Table 2.12-2**, an average of approximately 91 construction workers would travel to and from the Projected Development Site each day in the second and third quarter of 2026 peak construction periods. As also discussed above, a total of approximately 34.3 percent of construction workers are expected to travel to and from the site by public transit (subway or bus). It is also anticipated that 3.1 percent of construction workers would travel to and from the project by walking or taking other modes. In addition, it is estimated that approximately 80 percent of all construction workers would arrive and depart in the peak hour before and after each shift. Therefore, it is estimated that approximately 36 and 3 of these trips, a combined 39 pedestrian trips, would occur in each of the 6:00 AM to 7:00 AM and 3:00 PM to 4:00 PM construction peak hours.

As peak transit demand from construction workers on the Projected Development Site would not meet the 200 trips/hour *2021 CEQR Technical Manual* analysis threshold for a detailed subway analysis, nor the 50 trips/hour/direction analysis threshold for a detailed bus analysis, significant adverse impacts to subway and bus services would not occur in the construction peak hours during the second and third quarter of 2026 construction period. In addition, peak pedestrian demand would not meet the 200 trips/hour *2021 CEQR Technical Manual* analysis threshold for detailed pedestrian analysis and significant impacts would not occur. During construction, if sidewalk closures are required, adequate protection or temporary sidewalks would be provided in accordance with DOT-OCMC requirements.

Parking

Of the estimated 130 construction workers who would travel to the Projected Development Site daily during the second and third quarter of the 2026 peak construction period, approximately 62.5 percent are expected to travel by private auto. Based on an average auto occupancy of 1.20 persons per auto, the maximum daily parking demand from construction workers would total approximately 68 spaces. As it is assumed that there would be no on-site parking until completion of the Proposed Project, it is anticipated that construction workers would park on-street or in nearby off-street public parking facilities located in proximity to the Projected Development Site during this period. Under *2021 CEQR Technical Manual* guidance, the inability of the Proposed Project or the surrounding area to accommodate future parking

demands would be considered a parking shortfall but would generally not be considered significant due to the magnitude of available alternative modes of transportation. Therefore, should any parking shortfall occur due to incremental demand from construction workers during the second quarter of the 2026 peak construction period, it would not be considered a significant adverse parking impact based on *2021 CEQR Technical Manual* guidance.

Construction Air Quality

The need for a quantitative air quality analysis is determined by several factors, such as the type of construction activity and the construction equipment used, the duration of any heavy construction activity, the physical relationship of the project site to nearby sensitive receptors (e.g., residential, hospital, school), and the commitment to use emission control measures.

The level of construction activity would vary among the stages of construction. On the Projected Development Site, the excavation and foundation work stage (first segment) would last approximately six months (October 2025 to March 2026). Following the construction's first segment, the superstructure and exterior envelope build-out stage would last six months (April 2026 to September 2026). The interior fit-out would last approximately six months (October 2026 to March 2027). In total, construction under the Proposed Actions is anticipated to last approximately 18 months (October 2025 to March 2027) on the Projected Development Site.

The emissions generated in the excavation and foundation stage are mainly related to on-site nonroad diesel equipment, truck emissions, and particulate matter (as fugitive dust) generated by excavation and earth-moving operations. Generally, there is significantly more particulate emission during the excavation and foundation stage of the construction. In addition to on-site emission sources, the construction air quality analysis also accounted for the emissions of construction-related on-road trucks and workers' vehicles traveling on streets adjacent to the site.

Though the construction activities would involve heavy-duty diesel equipment and earth-moving operations and there are sensitive receptors near the Projected Development Site, the construction phase would last less than two years, which is considered short-term and would not have significant adverse impacts on the air quality. Therefore, no further analysis is required, and the following emission reduction measures are recommended during the construction periods to help control the construction-related emissions on the Projected Development Site.

Emission Reduction Program

Emission reduction measures concerning dust suppression measures, idling vehicles, and use of clean fuel would be implemented to reduce pollutants emissions. The following emission reduction measures are specified in the New York City Air Pollution Code (New York City Administrative Code and Rules of the City of New York (RCNY)):

- *Dust Control.* Dust suppression measures would be implemented. Such actions would include, but not be limited to, wetting of construction material and particulate matter kept on-site (e.g., soil or debris piles), wetting where certain construction activities (e.g., drilling and grinding) occur, covering of spoil or loose material during transport and wetting of material before loading into trucks, removal of dust from adjacent streets and sidewalks, and requiring that vehicles entering or exiting the site travel at low speed.

- *Restrictions on Vehicle Idling.* Idling restrictions require that no motor vehicle idle for longer than three minutes unless the engine is used to operate a loading, unloading, or processing device (e.g., concrete mixing trucks and concrete pump trucks).

- *Diesel Equipment Reduction.* Construction of the proposed development would minimize the use of diesel engines and maximize the use of electric motors to the extent practicable. This would reduce the need for on-site generators and require using electric motors instead of diesel where feasible. Nonroad construction equipment utilizing line-electric power instead of diesel engines includes but may not be limited to hoists, compressors, and rebar benders.

- *Clean Fuel.* The EPA regulates the use of USLD under diesel fuel regulations. Ultra-low-sulfur diesel (ULSD) would be used for all diesel-fueled nonroad equipment. The sulfur content in ULSD is 15 parts per million (ppm).

Construction Noise

Potential impacts on community noise levels during the construction of the Projected Development Site could result from construction equipment operation and construction trucks and worker vehicles traveling to and from the Projected Development Site. Noise levels at a given location are dependent on the type and number of pieces of construction equipment operated, the acoustical utilization factor of the equipment (i.e., the percentage of time a piece of equipment is operating at full power), the distance from the construction site, and any shielding effects (from structures such as buildings, walls, or barriers). Noise levels from construction activities would vary widely, depending on the stage of construction and the location of the construction relative to receptor locations as described below. The most noise-intensive construction activities would not occur every day or every hour on those days that they would occur. During hours when the loudest pieces of construction equipment are not in use, receptors would experience lower construction noise levels. Construction noise levels would fluctuate during the construction period at each receptor, with the greatest levels of construction noise occurring for limited periods. The most substantial construction noise sources are expected to be impact equipment such as excavators with hydraulic break rams and paving breakers, as well as the movements of trucks.

Construction noise is regulated by the requirements of the *New York City Noise Control Code* (also known as Chapter 24 of the *Administrative Code of the City of New York*, or Local Law 113) and the DEP Notice of Adoption of Rules for Citywide Construction Noise Mitigation (also known as Chapter 28). These requirements mandate that specific construction equipment and motor vehicles meet specified noise emission standards; that construction activities be limited to weekdays between the hours of 7:00 AM and 6:00 PM; and that construction materials be handled and transported in such a manner as not to create unnecessary noise. For weekend and after hour work, permits would be required, as specified in the *New York City Noise Control Code*. As required under the *New York City Noise Control Code*, a site-specific noise mitigation plan for the Projected Development Site would be developed and implemented that may include source and path controls.

Construction Noise Analysis Fundamentals

The *2021 CEQR Technical Manual* states that an assessment of construction noise is warranted if a proposed project's construction activities include any of the following:

- Is considered long-term construction (greater than two years);
- Is located near sensitive receptors;
- Involves the construction of multiple buildings where there is a potential for on-site receptors on buildings to be completed before the final build-out.

The construction that would occur as a result of the Proposed Actions is not considered long-term construction, which would last for a total of approximately 18 months at the Projected Development Site (see **Figure 2.12-1** above). There is only one Applicant-Controlled Projected Development Site, and there would not be potential for on-site receptors on the building to be completed before the final build-out.

The Affected Area is located in the Lindenwood neighborhood of Queens Community District 10. The area surrounding the Affected Area is predominantly residential, commercial, and vacant lands. As a result, the Projected Development Site is located near various sensitive receptors, such as one mixed residential and commercial building and two elevator apartment buildings on Block 4496, which is two blocks to the west of the Affected Area.

Per the *2021 CEQR Technical Manual*, construction noise, generated by pile driving, truck traffic, blasting, demolition, etc., is generally analyzed only when it affects a sensitive receptor over a long period of time. Based upon experience, unless ambient noise levels are very low and/or construction source levels are very high, and there are no structures that provide shielding, it is unusual for construction sources to have significant impacts at distances beyond 1,500 feet in New York City. Therefore, further analysis should be performed if the Proposed Actions would cause construction equipment to be operating within 1,500 feet of a receptor for a period of time exceeding two years.

The Affected Area is located on the southern portion of Block 11384, which is bounded by Linden Boulevard to the north, 79th Street to the east, 149th Avenue to the south, and Sapphire Street to the west. Linden Boulevard (part of New York State Route 27) is a 170-foot-wide, west-east principal arterial road with six moving lanes of traffic (three westbound lanes and three eastbound lanes separated by a median strip) and two local service roads. 79th Street is an 80-foot-wide south-to-north one-way local road with two moving lanes of traffic and curbside parking. 149th Avenue is a 70-foot-wide west-to-east one-way local road with a single moving lane of traffic and curbside parking. Sapphire Street is a 60-foot-wide north-to-south one-way local road with a single moving lane of traffic and curbside parking. Both Sapphire Street and 149th Avenue are dilapidated roads where they are adjacent to the Affected Area, with broken asphalt and overgrown weeds encroaching on the roadway.

The adjacent roadway (Linden Boulevard) on the north of the Affected Area is a busy atypical wide road with heavy traffic volumes, creating ambient noise levels that are higher than the average noise levels in the City. In addition, the most noise-intensive construction activities would concentrate on the excavation and foundation work stage (first segment), which would last for a total of 6 months on the Projected Development Site and is considered short-term. To reduce the potential for impacts from the construction activities on the nearby noise sensitive receptors, the following noise reduction measures would be incorporated during the construction.

Noise Reduction Measures

The construction of the Projected Development Site would be required to follow the requirements of the New York City Noise Control code (known as Chapter 24 of the Administrative Code of the City of New

York, or Local Law 113) for construction noise control measures. Specific noise control measures would be incorporated into a Noise Mitigation Plan required under the New York City Noise Code. The measures to be taken for noise control include source controls and path controls.

Source controls are known as measures that reduce noise at the source. The following source controls included under New York regulations would be implemented:

- Equipment that meets the sound level standards specified in Subchapter 5 of the New York City Noise Control Code would be utilized during the entirety of construction;
- As electric power is expected to be available throughout the Projected Development Site, electrically powered equipment such as welders and saws would be used over diesel-powered equipment, where feasible and practicable;
- The construction site would be configured to minimize backup alarm noise where possible. Additionally, trucks would not be allowed to idle more than three minutes at the Projected Development Site based upon Title 24, Chapter 1, Subchapter 7, Section 24-163 of the New York City Administrative Code; and
- Contractors and subcontractors would be required to properly maintain their equipment and mufflers.

Path controls are known as measures that reduce noise between the source and receptor. Examples include placement of equipment, implementation of barriers, etc. The following path controls included under New York regulations would be utilized at the Projected Development Site during construction:

- Equipment with high noise emissions, such as cranes and concrete trucks, would be located away from and shielded from sensitive receptor locations when possible;
- Path noise control measures such as portable noise barriers and enclosures would be utilized where feasible for certain dominant noise equipment such as generators and compressors.
- Truck deliveries would take black behind these barriers where possible.

With the adherence to existing construction noise regulations, the Proposed Actions would not result in significant adverse construction noise impacts.

Other Technical Areas

Land Use and Neighborhood Character

Construction activities would affect land use within the Affected Area but would not alter surrounding land uses. As is typical with construction projects, during periods of peak construction activity, there would be some disruption, predominantly noise, to the nearby area. There would be construction trucks and construction workers coming to the Projected Development Site. These disruptions would be temporary in nature and would have limited effects on land uses within the surrounding area, particularly as most construction activities would take place within the Projected Development Site or within portions of sidewalks, curbs, and travel lanes of public streets immediately adjacent to the site. Overall, while the construction on the Projected Development Site would be evident to the local community, the temporary nature of construction would not result in significant or long-term adverse impacts on local land use patterns or the character of the nearby area.

Community Facilities

No community facilities would be directly affected by construction activities for an extended duration. the Projected Development Site would be surrounded by construction fencing and barriers that would limit the effects of construction on nearby facilities. Construction workers would not place any burden on the nearby community facilities and would have minimal, if any, demands on the community facilities in the area.

Open Space

There are no publicly accessible open spaces within the Affected Area and no open space resources would be used for staging or other construction activities. Therefore, no adverse construction-related impacts would occur on open space.

Historic Resources

In order to determine whether the Proposed Actions have the potential to affect nearby off-site historic or architectural resources, a 400-foot study area was screened for historic and architectural resources. As shown in **Chapter 2.6 Historic and Cultural Resource**, the 400-foot study area from the Affected Area doesn't contain any buildings of known architectural significance. Therefore, no significant adverse construction-related impacts on historic resources would occur as a result of the Proposed Actions.

Hazardous Materials

The Proposed Actions would result in new development in the Affected Area. As such, a hazardous materials assessment was undertaken, as presented in **Chapter 2.8 Hazardous Materials** above. As discussed in the section, several RECs were identified on the Projected Development Site. During the construction period, all contaminants and contaminated materials, if any, are expected to be removed in accordance with environmental regulations. As a result, no significant adverse impacts related to hazardous materials would occur.

Conclusion

As analyzed above, construction-related activities would not have significant adverse impacts on Transportation, Air Quality, Noise, or other technical areas as a result of the Proposed Actions. Therefore, no further analysis is warranted.

2.13 Disadvantaged Community Assessment

Introduction

Effective December 30, 2024, Section 8-0109(2)(k) of the New York State Environmental Conservation Law requires that this Environmental Assessment Statement (EAS) include a statement of the effects of the Proposed Actions on disadvantaged communities, including whether the action may cause or increase a disproportionate pollution burden. The 2021 CEQR Technical Manual does not provide guidance regarding the scope of this analysis. On January 29, 2025, the New York State Department of Environmental Conservation (NYSDEC) proposed a rule that provides additional considerations regarding this new statutory provision. This assessment of effects on disadvantaged communities considers the impacts that have been assessed using the CEQR Technical Manual guidance.

Methodology

Disadvantaged communities (DAC) in New York State were identified based on criteria adopted in 2023 by the Climate Justice Working Group (CJWG), a group composed of representatives from State Agencies and Environmental Justice groups across the State. The CJWG used 45 indicators to identify 35 percent of Census Tracts within New York State as DACs. The criteria include multiple indicators that represent the environmental burdens or climate change risks within a community, or population characteristics and health vulnerabilities that can contribute to more severe adverse effects of climate change. Each Census Tract was scored based on relative burden, risk, vulnerability, or sensitivity. Specifically, the percentile ranks of the indicators for each Census Tract were combined to produce a value measuring a Census Tract's relative level of "Environmental Burdens and Climate Change Risks" as well as "Population Characteristics and Health Vulnerabilities" relative to other Census Tracts. Census Tracts with higher scores relative to other Census Tracts statewide or to their region (i.e., New York City) were identified as DACs, using NYSDEC's Disadvantaged Community Assessment Tool (DACAT).

2.13.1 Preliminary Assessment

The Proposed Actions include rezoning of the Affected Area (Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45) from an R4 zoning district to an R6A zoning district and the establishment of an MIH Area coterminous with the Affected Area. The Projected Development Site includes Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45. Except for Lot 45, all the other lots within the Projected Development Site are owned by the Applicant. It should be noted that the Applicant is currently in contract on Lot 45 and the lot will be acquired by the Applicant before the construction begins. Combined, the twelve lots consist of approximately 55,173 sf, with nine vacant and unimproved lots and three developed lots. Lot 29 is improved with a 1.5-story, 500 GSF (0.08 FAR) one-family home; Lot 38 is improved with a 2-story, 952 GSF (0.23 FAR) two-family home; and Lot 45 is improved with a 2-story, 600 GSF (0.15 FAR) warehouse.

Given that the Projected Development Site is underutilized in the existing conditions, the With-Action Condition under the RWCDS would reach its full development potential in the proposed R6A zoning district. The proposed building would reach the maximum permitted total FAR of 3.90 and the maximum permitted building height of 95 feet. The average dwelling unit size is assumed to be 850 GSF. 20-30% of the proposed dwelling units are assumed to be permanently affordable at an average of 40-80% AMI pursuant to MIH Option 1, 2, or 3, respectively. Since the Projected Development Site is located beyond

the Greater Transit Zone, accessory off-street parking spaces would be provided at the cellar level with the combined number of 50% of market-rate units and 25% of affordable units.

Projected Development Site (Block 11384, Lots 15, 24, 28, 29, 32, 34, 37, 38, 39, 40, 42, and 45)

Similar to the Applicant's Proposed Project, the lots would be combined and developed with a multifamily residential building. The Projected Development Site would have a combined lot area of approximately 55,173 sf and would be developed with a new 9-story plus cellar, 95-foot-tall (reaching a total building height of 105 feet inclusive of a 10-foot mechanical bulkhead), 287,592 GSF (215,173 ZSF, 3.90 FAR) residential building, which would consist of approximately 55,205 GSF of parking at the cellar level and 232,387 GSF (215,173 ZSF, 3.90 FAR) of residential uses above grade. The building would provide 273 dwelling units (assuming 850 GSF per dwelling unit), 20-30% (55-82 units) of which would be affordable at an average of 40-80% AMI pursuant to MIH Option 1, 2, or 3, respectively. A below-grade off-street parking garage would contain 120 residential accessory vehicular parking spaces and 120 enclosed bicycle parking spaces, which would be accessible from both 79th Street and Sapphire Street. The cellar level would be wet flood-proofed with FEMA-approved foundation flood vents. In addition, the building would have a residential entrance on 79th Street and an interior court for the outdoor enjoyment of the residents. New sidewalks would be paved, and new street trees would be planted around the building.

The Affected Area is located on the southern portion of Block 11384, which is bounded by Linden Boulevard to the north, 79th Street to the east, 149th Avenue (Loring Avenue) to the south, and Sapphire Street to the west in the Lindenwood neighborhood of Queens Community District 10. As shown in **Figure 2.13-1** below, the Affected Area is located within a disadvantaged community identified as having comparatively lower burdens and vulnerabilities (Census Tract ID 36081006202). This disadvantaged community is an irregularly shape area generally bounded by 78th Street to the west, North Conduit Avenue to the north, 84th Street to the east, and Belt Parkway West to the south. Accordingly, an assessment of potential impacts is provided below.

As detailed in **Section 2.8 Hazardous Materials**, Phase I ESA revealed evidence of several RECs in connection with the Projected Development Site. Therefore, a Phase II ESA is required to conduct subsurface investigations to confirm the presence and extent of the contamination. It is anticipated that Phase II ESA testing will require site investigative work in multiple locations on the Projected Development Site, which is currently occupied by two residential buildings and storage for construction vehicles/equipment. The portion of the site that is utilized for construction vehicles/equipment storage is currently leased to a private tenant and access to the site for Phase II testing would not be permitted per the current lease agreement. As such, Phase II ESA testing is infeasible at this time and an (E) Designation is required to undertake the Phase II ESA testing once the Projected Development Site is vacated following approval of the Proposed Actions. The (E) Designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance occurs, as well as to ensure the maintenance and oversight of any required engineering controls through oversight by the OER. If hazardous materials are identified, a Construction Health and Safety Plan (CHASP) would be required and implemented during excavation and construction activities. The CHASP would protect both workers and the surrounding community from potential exposure to contaminated soil, groundwater, and/or soil vapor. Given the expected volume of soil disturbance, if any solid or hazardous waste is encountered during remediation, it is anticipated to be minimal in quantity and would be handled in compliance with all applicable regulatory requirements. With these provisions in place, the Proposed Actions would not

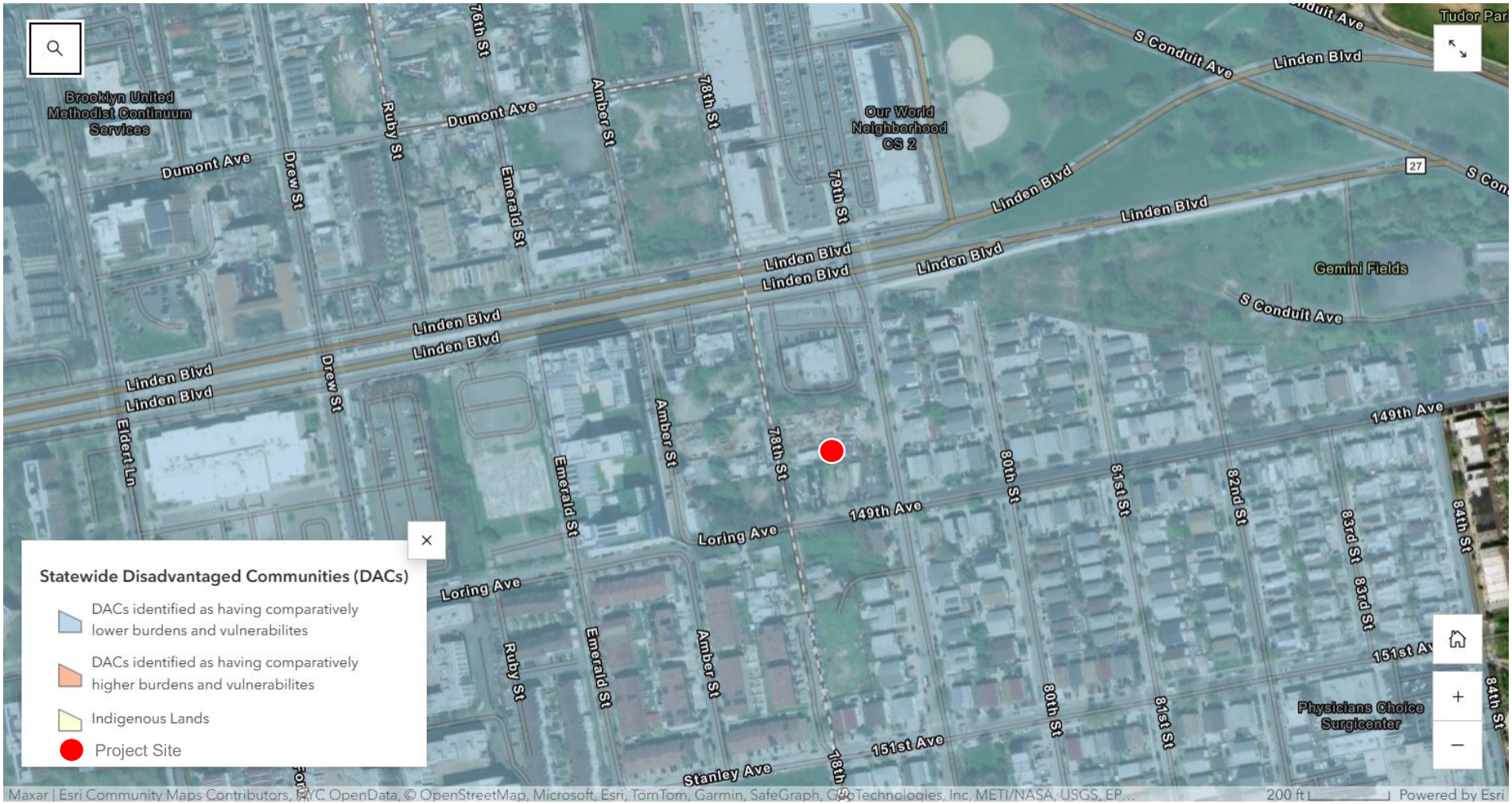
result in significant adverse impacts related to hazardous materials to surrounding disadvantaged communities, and no further analysis is warranted.

The Proposed Actions would facilitate the development of residential uses within the Affected Area, which would not involve activities that would result in air quality impacts, noise pollution, light pollution, odor impacts, or wastewater discharges. In addition, though the Proposed Actions would involve new building construction at the Projected Development Site, the existing lots within the Affected Area are actively used for construction vehicles/equipment storage with paved surface. Therefore, the Proposed Actions would not result in increased stormwater runoff or potential flooding impacts. Lastly, any solid waste would be placed in appropriate containers and picked up. Therefore, the proposed residential building would not result in adverse impacts to any disadvantaged communities and no further analysis is warranted.

2.13.2 Conclusion

The Affected Area is located within a disadvantaged community. However, as discussed above, the Proposed Actions would not contribute to environmental burdens that disproportionately affect such communities. The Proposed Actions would not create or introduce a disproportionate pollution burden on DACs. Further, the proposed residential building with new affordable dwelling units would help address the critical need for new affordable housing in the neighborhood, while maintaining compliance with environmental regulations and best practices. Accordingly, no further assessment is warranted.

Figure 2.13-1: Disadvantaged Communities Map



APPENDIX A

ILLUSTRATIVE ARCHITECTURAL PLANS

APPENDIX B

AGENCY CORRESPONDENCE

APPENDIX C

WRP CAF FORM & FLOOD EVALUATION WORKSHEET

APPENDIX D

PHASE I ESA

APPENDIX E

NOISE BACKUP DATA