DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Amanda M. Burden, FAICP, *Director*
Department of City Planning

April 26, 2013

POSITIVE DECLARATION

Project Identification
Astoria Cove Development
CEQR No. 13DCP127Q
ULURP Nos. pending
SEQRA Classification: Type I

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

Astoria Cove Development

The applicant, 2030 Astoria Developers, LLC, is requesting discretionary approvals from the City Planning Commission (CPC) that will facilitate a proposal by the applicant to redevelop an approximately 8.7-acre site in the Astoria neighborhood of Queens Community District 1. The project site consists of approximately 293,451 square feet (sf) along the waterfront (Block 907, Lots 1, 8, and Block 906, Lots 1, 5) and approximately 85,571 sf of upland area (Block 908, Lot 12 and Block 909, Lot 35) located along 26th Avenue between 4th Street and 9th Street. The project site is currently zoned light manufacturing (M1-1) north of 26th Avenue and medium-density residential (R6) on the two upland lots south of 26th Avenue.

The Proposed Action includes a zoning map amendment, City map amendments, several zoning text amendments, a large-scale general development special permit, waterfront special permits, authorization to modify waterfront public access area requirements, and Chairperson's waterfront certification (collectively, the "Proposed Action"). The Proposed Action would facilitate a proposal by the applicant to construct a mixed-use predominantly residential development (the "proposed development") comprised of approximately 1,701 dwelling units (approximately 1,701,126 gross sf of residential floor area), of which a minimum of 340 dwelling units (20 percent of residential floor area) would be affordable; approximately 117,000 gross sf of local retail space, including an approximately 25,000 gross sf supermarket; an elementary school with approximately 456-seats (K-5); approximately 940 accessory parking spaces; and approximately 142,000 sf of publicly accessible open space. If the School

Robert Dobruskin, AICP, *Director*
Celeste Evans, *Deputy Director*
22 Reade Street, New York, N.Y. 10007-1216 Room 4E (212) 720-3423
FAX (212) 720-3495
rdobrus@planning.nyc.gov

Construction Authority (SCA) does not commit to proceed with the development of a public school, the space would instead be occupied by residential units. The proposed development is expected to be completed by 2023.

The proposed development would require approval of discretionary actions by the CPC, including:

- Zoning Map Amendment to rezone the project site from M1-1 and R6 to R6B, R7-3 with a C2-4 commercial overlay, and R7A with a C2-4 commercial overlay.
- City Map amendments to:
  - establish 4th Street from 26th Avenue to the waterfront esplanade;
  - elimination, discontinuance and closing of a portion of 8th Street from 27th Avenue to the waterfront; and,
  - establish a public access easement within the waterfront public access area between 4th Street and 9th Street.
- Large-Scale General Development (LSGD) Special Permit:
  - special permit under the City's Zoning Resolution (ZR) §74-743 with bulk modifications to allow for the transfer of floor area, lot coverage, and dwelling units between waterfront zoning lots and non-waterfront zoning lots within the LSGD; and,
  - extension of the vesting term to 10 years for the LSGD Special Permits (ZR § 11-42(c)).
- Zoning Text Amendments:
  - make the Inclusionary Housing designated area applicable to the proposed R7-3 district (ZR §23-952 and Appendix F);
  - apply the Food Retail Expansion Program to Support Health (FRESH) program to the project site (ZR §63-02(a)(4) and 63-25(d));
  - exempt accessory parking located no more than 33 feet above the height of the base plane from the definition of the floor area (ZR §62-454); and,
  - add R7-3 base and maximum floor area ratios (ZR §23-952).
- Waterfront Special Permits:
  - special permit under ZR §62-836 with waivers for height and setback, floor area coverage, tower footprint size limitation, maximum width of walls facing shoreline, rear yard equivalent, and minimum distance between buildings on the same zoning lot.
- Waterfront Authorizations and Certifications
  - Authorization under ZR §62-822
    - to modify requirements for location, area and minimum dimensions of waterfront public access areas and visual corridors;
    - to modify requirements within a waterfront public access area; and,
    - for phased development of waterfront public access areas.
  - Certification under ZR § 62-811 for waterfront public access and visual corridors

In addition, the proposed development would require approvals from the U.S. Army Corps of Engineers (USACE) and the New York State Department of Environmental Conservation (NYSDEC) for two proposed new stormwater outfalls to be located at the end of 4th and 9th Streets. NYSDEC approval will also be required as part of the proposed waterfront esplanade falls within NYSDEC-regulated adjacent area. Additionally, a State Pollution Discharge Elimination System (SPDES) permit from the NYSDEC will also be required for stormwater

discharges during the construction period because construction on the project site involves more than one acre.

The applicant may also seek New York City Housing Preservation and Development (HPD) approval of an Affordable Housing Plan pursuant to the Inclusionary Housing Program and potential financing from City and/or State agencies including HPD, the New York City Housing Development Corporation (HDC), and/or NYS Homes and Community Renewal (HCR) for affordable housing construction.

The Proposed Action, as noted above, includes an amendment of the City's zoning map to rezone the project site from the existing M1-1 and R6 to R6B, R7-3 with a C2-4 commercial overlay, and R7A, with a C2-4 commercial overlay. A portion of the R6 district would remain. The proposed zoning districts would allow residential uses in the entire rezoning area, which are prohibited under the existing M1-1 zoning on the northern portion of the project site. It would also allow a wider range of commercial uses through the mapping of a commercial overlay.

Statement of Significant Effect:

On behalf of the CPC, the Environmental Assessment and Review Division has determined, pursuant to 6 NYCRR Part 617.7, that the proposed action may have a significant effect on the quality of the environment as detailed in the following environmental impacts, and that an environmental impact statement will be required:

1. The actions, as proposed, may result in significant adverse impacts related to land use, zoning, and public policy in the vicinity of the affected area.
2. The actions, as proposed, may result in significant adverse impacts related to socioeconomic conditions in the vicinity of the affected area.
3. The actions, as proposed, may result in significant adverse impacts related to community facilities and services in the vicinity of the affected area.
4. The actions, as proposed, may result in significant adverse impacts on publicly accessible open space in the vicinity of the affected area.
5. The actions, as proposed, may result in significant adverse shadow impacts in the vicinity of the affected area.
6. The actions, as proposed, may result in significant adverse impacts on historic and cultural resources in the affected area.
7. The actions, as proposed, may result in significant adverse impacts on urban design and visual resources in the vicinity of the affected area.
8. The actions, as proposed, may result in significant adverse impacts on natural resources in the vicinity of the affected area.
9. The actions, as proposed, may result in significant adverse impacts related to hazardous materials in the vicinity of the affected area.
10. The actions, as proposed, may result in significant adverse impacts on water and sewer infrastructure in the vicinity of the affected area.
11. The actions, as proposed, may result in significant adverse impacts on energy.
12. The actions, as proposed, may result in significant adverse impacts to transportation in

the vicinity of the affected area.

13. The actions, as proposed, may result in significant adverse impacts to air quality in the vicinity of the affected area.
14. The actions, as proposed, may result in significant adverse impacts to greenhouse gases in the vicinity of the affected area.
15. The actions, as proposed, may result in significant adverse noise impacts in the vicinity of the affected area.
16. The actions, as proposed, may result in significant adverse impacts on neighborhood character in the vicinity of the affected area.
17. The actions, as proposed, may result in significant adverse construction-related impacts.
18. The actions, as proposed, may result in significant adverse impacts related public health.

Supporting Statement:

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

1. An Environmental Assessment Statement (EAS) dated April 25, 2013, was prepared for the Proposed Action. The EAS concluded that, based on standard methodologies using *CEQR Technical Manual* guidelines and employing reasonable, worst-case assumptions, the Proposed Action would not result in significant adverse impacts with respect to Solid Waste and Sanitation Services.
2. Land Use, Zoning and Public Policy - The proposed actions would alter existing land uses and zoning by allowing different uses than the current zoning permits. In addition, the effects of the proposed actions may not be compatible with one or more of the public policies that are applicable to portions of the affected area.
3. Socioeconomic Conditions – No direct residential displacement would occur under the proposed actions as the project site does not contain any residences. The businesses located on the project site do contain more than 100 employees; therefore, an assessment of direct business displacement is warranted. The proposed actions could result in indirect displacement of residents and/or businesses as it would introduce a new residential population and new retail uses to the area.
4. Community Facilities – The proposed actions would not result in the direct displacement of any existing health care, fire department, or police department facilities nor would it create a sizeable new neighborhood where none existed before; therefore, assessment of health care facilities or fire and police protection services is not warranted. However, analyses would be warranted for public schools, libraries, and child care facilities as the proposed actions would introduce a new residential population to the area.
5. Open Space – The proposed actions would not directly affect existing open space. However, the proposed actions may have an indirect effect due to increased demand for use of publicly accessible spaces by the sizable new residential population that would be introduced to the area by the proposed actions.
6. Shadows – The proposed actions would allow greater building heights in the affected area. Shadows cast by the proposed buildings could affect publicly accessible open

spaces and sunlight-sensitive architectural and/or natural resources in the area.

7. Historic and Cultural Resources – According to the NYC Landmark Preservation Commission, there are no known architectural resources existing within the proposed actions' directly affected area; however an assessment of architectural resources will be conducted to verify that there are no resources that could meet the eligibility criteria that could be affected by the proposed project. The proposed actions would result in additional in-ground disturbance on the project site, and therefore has the potential to affect archaeological resources that may be present in the project area.
8. Urban Design and Visual Resources – The proposed actions would result in new buildings on the project site that would be beyond the bulk and form currently permitted as-of-right; therefore, these changes could affect a pedestrian's experience of public space and may alter the urban design character and visual resources of the surrounding area. In addition, the proposed actions would result in the construction of large buildings along the waterfront where high wind conditions exist; therefore, the proposed project may result in an exacerbation of wind conditions that may affect pedestrian safety.
9. Natural Resources – The project site is located on the East River waterfront and the proposed actions may potentially impact natural resources due to construction activities and/or changes in the discharge of stormwater runoff.
10. Hazardous Materials – The proposed actions would result in additional in-ground disturbance which, given the historical on-and off-site uses and conditions, has the potential to result in hazardous materials impacts.
11. Water and Sewer Infrastructure – The proposed actions would result a sizable net increase of building space within the affected area which could place additional demands on infrastructure, including water supply and storm water management.
12. Energy – Although significant adverse energy impacts are not anticipated for the proposed actions as it would not affect the transmission or generation of energy, the projected amount of energy consumption during long-term operation resulting from the proposed actions should be assessed.
13. Transportation – The proposed actions would generate additional vehicular travel and increase demand for parking, as well as pedestrian traffic and subway and bus riders. These new trips have the potential to affect the area's transportation systems.
14. Air Quality – Increased demand for heating, ventilation and air conditioning (HVAC) and additional vehicular traffic introduced by the proposed actions may affect air quality. In addition, the proposed project will construct new residential buildings in an area currently zoned for industrial/manufacturing uses.
15. Greenhouse Gas Emissions – Although the proposed project is not a city capital project, power plant, or would fundamentally change the City's solid waste management system, CEQR recommends a greenhouse gas (GHG) analysis for projects resulting in the development of 350,000 square feet or more, which the proposed project would exceed, and, as the result, to determine if the proposed project would be consistent with the City's GHG reduction goal.
16. Noise – The proposed actions would increase the volume of traffic in the area, which could result in additional traffic noise that may have the potential to result in noise

impacts to nearby sensitive receptors. In addition, existing noise levels at the project site may affect proposed uses.

17. Neighborhood Character – The proposed actions has the potential to alter certain constituent elements of the affected area's neighborhood character, including land use patterns, socioeconomic conditions, open space, shadows, traffic, and noise levels.
18. Construction – The proposed actions would result in the construction of a number of new buildings over an extended period that can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area.
19. Public Health – A public health assessment may be warranted at the discretion of the lead agency if an unmitigated significant adverse impact is identified in CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise.
20. The Draft Environmental Impact Statement (DEIS) to be prepared for the proposed actions will identify and describe any other potential effects on the environment.

Public Scoping:

The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review) and pursuant to the National Environmental Policy Act (NEPA) in accordance with 24 CFR Part 58 and 40 CFR Part 150.

A public scoping meeting has been scheduled for Tuesday, May 28, 2013 and will be held in the cafeteria of the Goodwill Astoria Headquarters located at 4-21 27th Avenue, Astoria, New York, 11102; access through the main lobby on 4th Street. The public meeting will be held in two sessions with the first session starting at 3:00 pm and the second starting at 6:30 pm. Written comments will be accepted by the lead agency until the close of business on June 7, 2013.

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

Should you have any questions pertaining to this Positive Declaration, you may contact the Project Manager, Diane McCarthy, at (212) 720-3417.

Robert Dobruskin

Robert Dobruskin, AICP, Director
Environmental Assessment & Review Division
New York City Department of City Planning

4/26/13
Date