Draft Scope of Work for a
Draft Environmental Impact Statement

Innovation QNS
CEQR No. 21DCP180Q

A. INTRODUCTION

This Draft Scope of Work ("Draft Scope") outlines the technical areas to be analyzed in the preparation of an Environmental Impact Statement (EIS) for the proposed Innovation QNS project (the Proposed Development). The Applicant (a joint venture between Kaufman Astoria Studios, Bedrock Real Estate Partners, and Silverstein Properties) is requesting a rezoning and other discretionary actions (the Proposed Actions) from the City Planning Commission (CPC) pursuant to the City's Uniform Land Use Review Procedure (ULURP) to facilitate the Proposed Development, which would redevelop a portion of the five (5) city blocks bounded by 35th Avenue to the north, 43rd Street/Northern Boulevard to the east, 36th Avenue to the south and 37th Street to the west (the "Project Area"; see **Figure 1**) in the Astoria neighborhood of Queens in Community District 1. The Project Area (Blocks 641, 668, 669, 670, and 671) contains 43 lots, of which 21 are controlled by the Applicant while the remaining lots are controlled by others. The Applicant-controlled lots would be declared a Large Scale General Development (LSGD) with the Proposed Actions and would contain the Proposed Development: these lots are referred to as the "Development Site." The lots outside of the Development Site are not included in the Proposed Development but would be rezoned with the Proposed Actions: these lots are referred to as the "Additional Affected Area" (see **Figure 2).**

The Proposed Development, also known as the Innovation QNS project, would redevelop the Development Site with a series of mixed-use buildings and publicly accessible open space. The Innovation QNS project is intended create a series of arts and cultural venues including a multi-purpose arts and culture center, a re-envisioned multiplex movie theater that would provide a state of the art cinematic experience, galleries, artists' workshops and tech and general office space. In addition to art and cultural venues, the project would include eating and drinking establishments, a grocery store and world market and other local retail, service and community facility uses to support the new residential population, the existing business and residential community and provide a strong anchor for the Steinway Street and 35th Avenue commercial corridors. Residential towers and lower rise buildings would house approximately 2,800 new residential dwelling units (DU's) offering a wide range of housing options for a varied population. Pursuant to the Mandatory Inclusionary Housing (MIH) Option 1 program, 25% of the residential floor area would be permanently affordable units (approximately 711 DU's), a portion of which would be senior affordable housing units (subject to the availability of existing programs). The commercial space in the Proposed Development would also potentially include one or more Physical Culture Establishments (PCEs), i.e., a gym or fitness center. A series of outdoor spaces would link the blocks and would be programmed pursuant to ongoing community dialogue with art exhibits, a children's play area adjacent to a day care center, and covered outdoor seating serving the world market, performances and events. Parking would be provided in below grade parking facilities on each of the project blocks. In total, the Proposed Development would contain approximately 2.9 million square feet of space.

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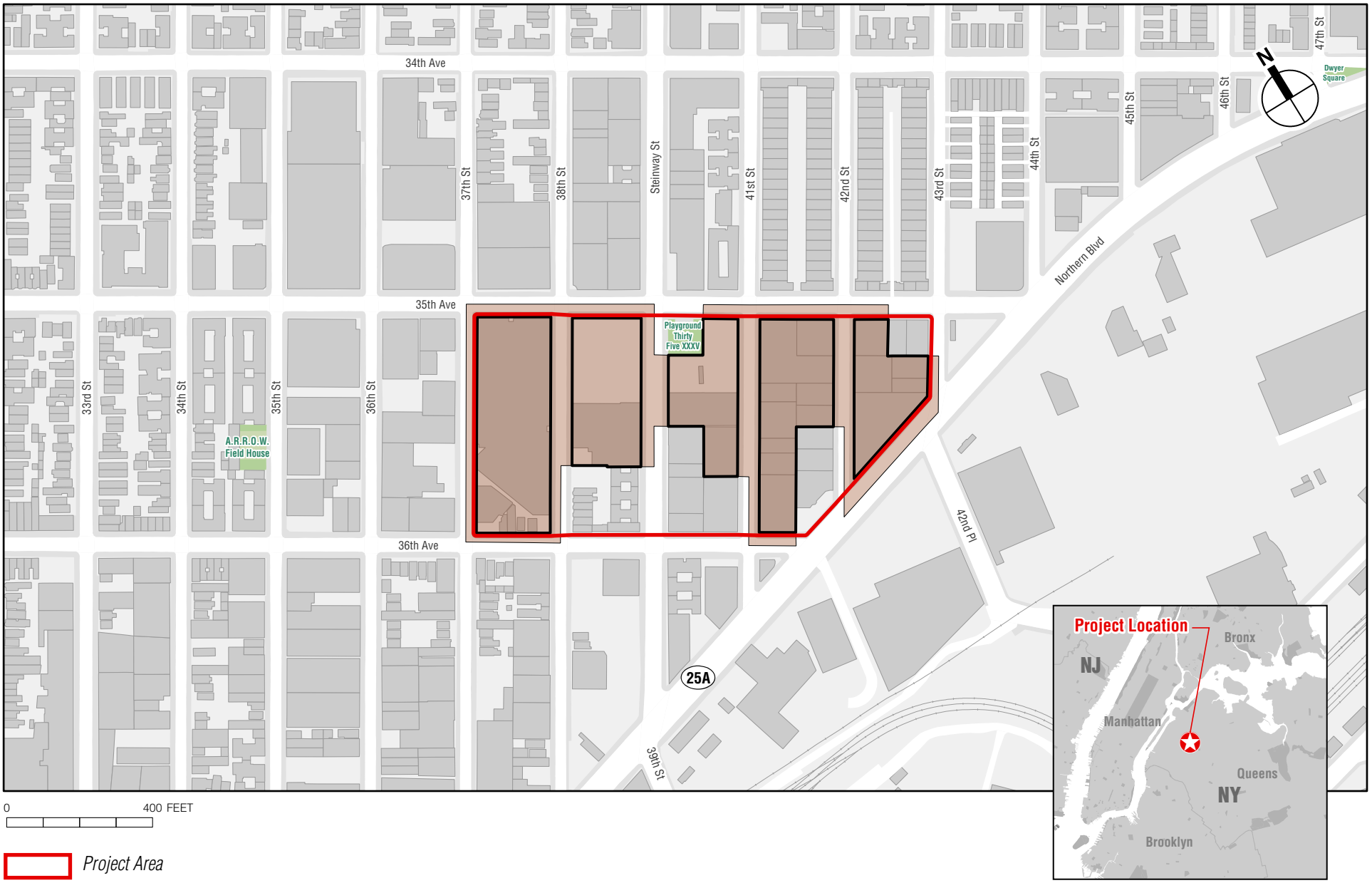


Project Area

Development Site Boundary

Large Scale General Development (LSGD) Area

INNOVATION QNS

Project Location
Figure 1

3.5.21



INNOVATION QNS

Project Area
Figure 2

To facilitate the Proposed Project, the Applicant is requesting several actions from the CPC, including a rezoning of the Project Area from M1-1, M1-5, and C4-2A districts to a Special Mixed Use District (MX) consisting of M1-4/R7-3, M1-4/R7X, M1-4/R9 and M1-5/R9-1 districts (see **Figures 3 and 4**) The Proposed Actions also include a zoning text amendment to amend Appendix F of the Zoning Resolution to designate the rezoning area as an MIH area. The Applicant would declare the Development Site a Large Scale General Development (LSGD) and is requesting a Special Permit under Section 74-743 of the Zoning Resolution (ZR) to allow floor area distribution without regard to zoning district boundaries and zoning lot lines; allow waivers of required rear yards and minimum distance between buildings; and allow waivers of height and setback regulations. Finally, the Proposed Actions include additional zoning text amendments and special permits to modify various sections of the Zoning Resolution related to the LSGD, as detailed below, under "Proposed Actions."

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

The New York City Department of City Planning (DCP), acting on behalf of CPC, will be the lead agency for environmental review. Based on the Environmental Assessment Statement (EAS) that has been prepared, the lead agency has determined that the Proposed Actions have the potential to result in significant adverse environmental impacts, requiring that an EIS be prepared. Scoping is the first step in the preparation of the EIS and provides an early opportunity for the public and other agencies to be involved in the EIS process. It is intended to determine the range of issues and considerations to be evaluated in the EIS. This Draft Scope of Work includes a description of the Proposed Development and the actions necessary for its implementation, presents the proposed framework for the EIS analysis, and discusses the procedures to be followed in the preparation of the Draft EIS (DEIS). The 2020 *City Environmental Quality Review (CEQR) Technical Manual* will serve as a general guide on the methodologies and impact criteria for evaluating the Proposed Actions' effects on the various areas of environmental analysis.

B. PROJECT DESCRIPTION

DESCRIPTION OF THE PROJECT AREA

As shown on **Figure 1**, the proposed Project Area encompasses the five (5) city blocks bounded by 35th Avenue to the north, 43rd Street/Northern Boulevard to the east, 36th Avenue to the south and 37th Street to the west. Of the 43 lots on the Project Area blocks, 21 are controlled by the Applicant while the remaining lots are controlled by others. As described above, the Applicant-controlled lots will be declared a Large Scale General Development (LSGD) with the Proposed Actions and will contain the Proposed Development: these lots are referred to as the "Development Site." The lots outside of the Development Site that are not included in the Proposed Development but will be rezoned with the Proposed Actions are referred to as the "Additional Affected Area" (see **Figure 2).**

- Block 641, the westernmost block (between 37th Street and 38th Street), is primarily occupied by the two-story Regal Cinema with rooftop parking (Lots 4, 9, and 51). The 36th Avenue frontage of the block (Lots 1, 52, and 56) is occupied by two low rise residential buildings (6 Dwelling Units [DUs] total) and two commercial buildings.

3.5.21

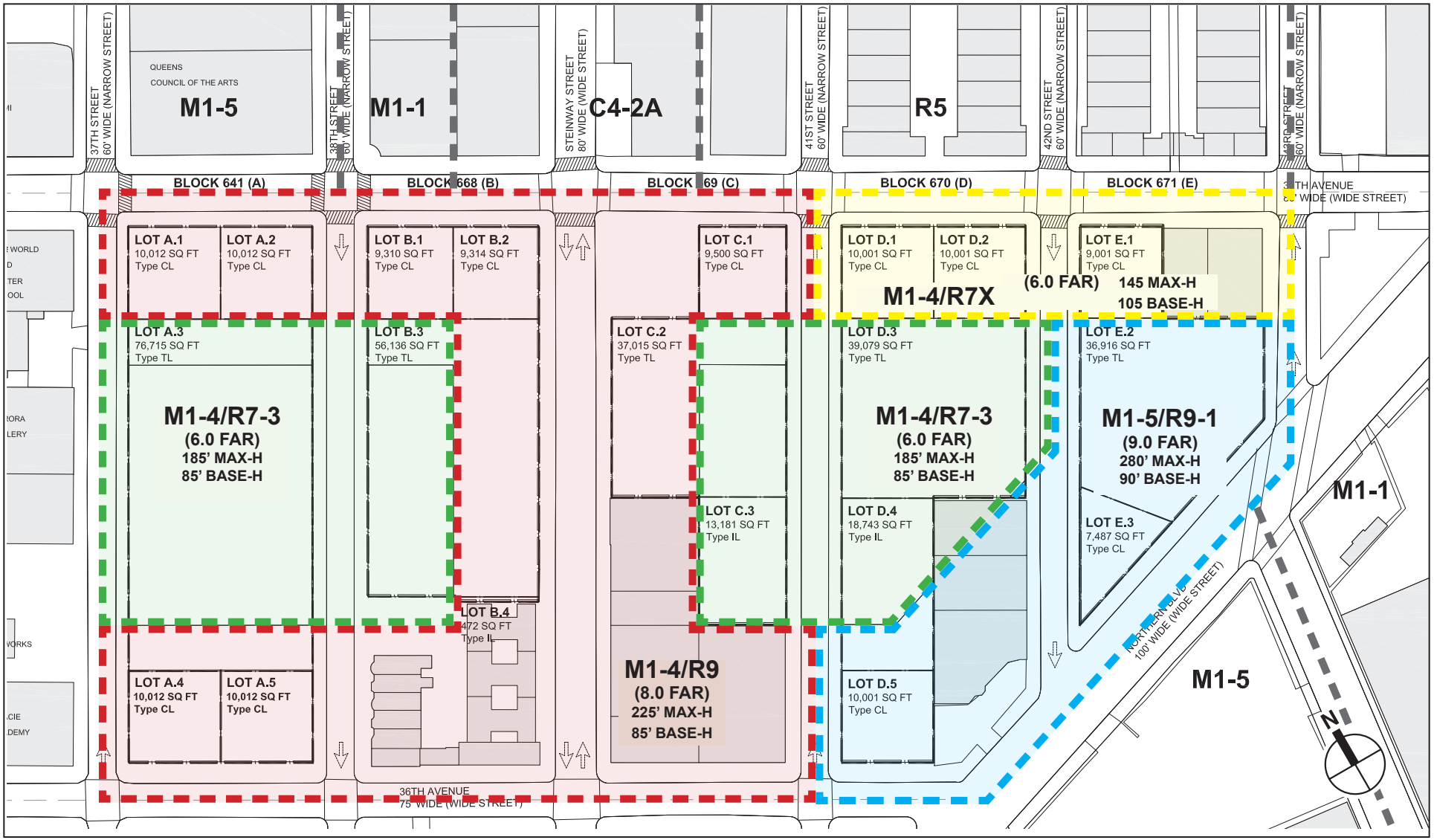


Project Area
LSGD Area
Additional Affected Area
Zoning District Boundary
C2-1 Commercial Overlay District
Park Boundary
Tax Block Boundary
Tax Lot Boundary

0 200 FEET

INNOVATION QNS

Existing Zoning
Figure 3



Source: ODA

Proposed Zoning

Figure 4

- Block 668, between 38th Street and Steinway Street is occupied primarily by PC Richard & Sons Appliance Store with a large at-grade parking area fronting on 38th Street, Steinway and 35th Avenue (Lot 5). On the southern half of the block, along 38th Street, there is a parking lot (Lot 2) and several two- and three-story multi-family town houses (containing 2 to 4 DUs apiece). Along the Steinway Street frontage, the southern portion of the block contains three four-story walk-up apartment buildings (Lots 36, 38, and 40) containing 20 DUs apiece. Lot 36 also contains some ground floor commercial uses. At the southeastern end of the block, at the intersection of Steinway Street and 36th Avenue (Lot 42), there is a two-story retail building. Lot 43 has residential (4 DUs) above ground floor commercial use.
- Block 669, between Steinway Street and 41st Street, contains Playground 35, a recently renovated City Park (Lot 20). The remainder of the block also includes part of the former Queensboro Farms Dairy and a mix of low-rise manufacturing and automotive uses. At the northern end of the block, adjacent to Playground 35 (Lot 16), there is a parking lot used by an auto dealership. Immediately to south of the parking lot, there is a one-story billiard club (Lot 13) that occupies the through-block area. The southern half of the block (Lots 1, 3, 7, 8, 36 and 41) contains several one-story buildings with warehouse and auto repair facilities.
- Block 670, between 41st Street and 42nd Street contains a two-story warehouse operated by the Queensboro Farms Dairy (Lot 8), which occupies the majority of the northern portion of the block. The remainder of the block contains one-story warehouse and auto repair facilities: this includes the property adjacent to the Dairy building along 35th Avenue (Lot 20) and the properties south of the Dairy building along 41st Street and 42nd Street (Lots 4, 27, 30, 33, 36, 39, and 47).
- Block 671, the easternmost block between 42nd Street and 43 Street, contains primarily one-story auto showroom/dealership and repair facilities. This includes Showroom Auto, Koeppel Subaru, and Harley Davidson Motorcycles, located along the 42nd Street and Northern Boulevard frontages (Lots 1, 8, and 12—Lots 8 and 12 are controlled by the Applicant). The other properties along the 35th Avenue frontage (Lots 16 and 18) and along the 43rd Street frontage (Lots 20 and 23) also contain one-story warehouse and auto repair facilities.

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

DESCRIPTION OF THE SURROUNDING AREA

The Project Area is located in the Astoria neighborhood of Queens in Community District 1. The surrounding area is primarily developed with manufacturing and commercial uses to the south and east with the Long Island City Industrial Business Zone (IBZ) located to the south. To the east is Northern Boulevard, a major traffic thoroughfare historically lined with automotive and manufacturing uses which is slowly being developed from the south northward with higher density mixed use buildings beginning in LIC. To the immediate west is a higher density district which houses a mix of commercial and manufacturing uses, the Frank Sinatra School of the Arts and opposite 35th Avenue, the Kaufman Astoria Studios and the Museum of the Moving Image. The area west of Steinway Street also contains the Kaufman Arts District, a partnership between Kaufman Astoria Studios, the Museum of the Moving Image, and the Queens Council on the Arts which advances and promotes the area as a cultural destination and home for the creative industries. To the north is a low-density residential area with 3- and 4- story walk-up apartment buildings. Two blocks north along the west side of Northern Boulevard, a recent rezoning (44-01 Northern Boulevard, ULURP no. 190124 ZMQ) is permitting a new medium density mixed use development. Steinway Street, which extends from Northern Boulevard north bisecting the Project

Area, is a major commercial corridor through the area and connects to the nearby local intersecting commercial streets, 34th Avenue and Broadway. The surrounding area is well served by mass transit with three subway stations in the immediate vicinity and bus lines along Steinway Street, Northern Boulevard and 35th Avenue.

Table 1
Project Area Lots

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

Notes: The Applicant entities (Kaufman Astoria Studios, Bedrock Real Estate Partners, and Silverstein Properties) are the owners and/or contract vendees of all Development Site properties.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Proposed Development, also known as the Innovation QNS project, would redevelop the Development Site with a series of mixed-use buildings and publicly accessible open space. The Innovation QNS project is intended to complement the mission of the existing Kaufman Arts

District with the Development Site by creating a series of arts and cultural venues including a multi-purpose arts and culture center, a re-envisioned multiplex movie theater that would provide a state of the art cinematic experience, galleries, artists' workshops and tech and general office space. In addition to art and cultural venues, the project would include eating and drinking establishments, a grocery store and world market and other local retail, service and community facility uses to support the new residential population, the existing business and residential community and provide a strong anchor for the Steinway Street and 35th Avenue commercial corridors. Residential towers and lower rise buildings would house approximately 2,800 new residential dwelling units (DU's) offering a wide range of housing options for a varied population. Pursuant to the Mandatory Inclusionary Housing (MIH) Option 1 program, 25% of the residential floor area would be dedicated to permanently affordable units (approximately 711 DU's), a portion of which would be senior affordable housing units (subject to the availability of existing programs). The commercial space in the Proposed Development would also potentially include one or more Physical Culture Establishments (PCEs), i.e., a gym or fitness center. A series of outdoor spaces would link the blocks: these spaces would be designed and programmed as publicly accessible open space, pursuant to ongoing community dialogue. The Proposed Development's open space would be owned and maintained by the Applicant, and is expected to include primarily passive space, but may also include active playground space (e.g., a children's play area adjacent to a day care center). Programming in the open spaces may include art exhibits, covered outdoor seating serving the world market, performances and events. Parking would be provided in below-grade parking facilities on each of the project blocks.

If a school is determined to be required during the environmental review, a parcel of appropriate size and location on the Development Site would be set aside for the construction of a new potential school use with a suitable program as part of the Proposed Actions, subject to all requisite analysis and further consultation with DCP and the New York City School Construction Authority (SCA).

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

- Varied height profiles from east to west, responding to the surrounding neighborhood context accordingly;
- Largest towers at Steinway / 35th Avenue to anchor the Steinway commercial corridor and on Northern Blvd;
- Lower-scale buildings along 35th Avenue opposite the low-density residential buildings;
- Base heights between 65' and 85' with standard zoning setbacks and building heights (except where waivers are being sought under the Proposed Actions);
- Increase sidewalk widths along 35th Avenue to 20' along all blocks but Block 671;
- Publicly accessible, activated open spaces should be publicly accessible to support the surrounding ground floor uses.

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

publicly accessible spaces fronting on 38th Street. The southern end of the block, along 36th Avenue, would contain an accessory surface parking lot for the development.

The commercial building would be a 10- (155 feet tall) story structure with a setback at the 7th floor (110 feet tall). The residential buildings would be a mix of structures ranging from 9 stories (110 feet tall) to 13 stories (140 feet tall). In total, these buildings would contain approximately 637,000 gsf of space, including approximately 462,000 gsf of residential (544 DUs, including 136 permanently affordable DUs pursuant to MIH), approximately 25,500 gsf of retail, approximately 126,000 gsf of office, and approximately 23,500 gsf of community facility space. The sidewalk along 35th Avenue would be widened to 20 feet with additional pedestrian circulation space provided along 35th Avenue at the corner of 37th Street. A loading berth would be provided on 37th Street, and entrances to the below-grade parking would be provided on 37th and 38th Streets (3 curb cuts).

Block 668 (Block B)—The Proposed Development would occupy the block to a depth approximately 400 feet measured from 35th Avenue (Block 668, Lot 5). The block would be developed with primarily residential buildings with ground floor retail, service and community facility uses. The 38th Street frontage would be lower-scale, similar to the buildings opposite on Block A. The streetscape on 38th Street would be broken up with a publicly accessible through-block passage and a courtyard. The 35th Avenue frontage would be developed with a lower-scale building with 11 stories (120 feet tall) at 38th Street rising to a 22-story (230 feet tall) tower along Steinway Street at 35th Avenue with a 19 story (200 feet tall) tower further south on Steinway. The ground floors would provide street level retail, service and community facility uses along with residential lobbies. In total, these buildings would contain approximately 654,000 gsf of space, including approximately 616,000 gsf of residential (725 DUs, including 181 permanently affordable DUs pursuant to MIH), approximately 30,500 gsf of retail, and approximately 7,000 gsf of community facility space. A loading berth and an entrance to the below-grade parking would be provided on 38th Street (2 curb cuts). The sidewalk along 35th Avenue would be widened to 20 feet.

Block 669 (Block C)—This block is notable for Playground 35, a City Park located at the southeast corner formed by Steinway Street and 35th Avenue. The Proposed Development would occupy the area east and south of the Park (Block 669, Lots 13, 16, and 36). In order to complement the Park, the Proposed Development would enhance the arts district by providing a large at grade publicly accessible open space surrounding the Park along 35th Avenue to a depth of 176 feet connected to the cultural and arts center; this open space would provide for outdoor cultural and arts-related events. The sidewalk along 35th Avenue would be widened to 20 feet. On the south side of the open space, the Proposed Development would include a mixed-use building with a 3-story community centered multi-purpose arts and cultural facility with retail and service uses on Steinway Street. Above the 3-story base there would be a 26-story (295 feet tall) residential tower fronting on the open space and Steinway Street. Further south on 41st Street would be a 15-story (160 feet tall) residential building. In total, these buildings would contain approximately 433,000 gsf of space, including approximately 356,000 gsf of residential (419 DUs, including 105 permanently affordable DUs pursuant to MIH), approximately 10,000 gsf of retail, and approximately 67,000 gsf of community facility space. A loading berth and an entrance to the below-grade parking would be provided on 41st Street (2 curb cuts).

Block 670 (Block D)—The Proposed Development would occupy the majority of Block D (Block 670, Lots 4, 8, 20, 27, 30, and 47), and would include the relocated and re-envisioned multiplex cinema above local commercial and service uses, the world market with smaller retail uses bordering a large, covered, publicly accessible open space. At the corner of 35th Avenue and 42nd

Street above the cinema there would be a private outdoor space accessory to the cinema. At the corner of 35th Avenue and 41st Street there would be a 16-story (200 feet tall) residential tower. Further south and separated from the corner residential tower would be a U-shaped through-block 10-story (160 feet tall) residential building with a 9-story (150 feet tall) base. On the southern end of the block, there would be a 7-story (130 feet tall) residential building along 41st Street, with a 27-story (280 feet tall) residential tower at the corner of 41st Street and 36th Avenue. In total, these buildings would contain approximately 696,000 gsf of space, including approximately 574,000 gsf of residential (675 DUs, including 169 permanently affordable DUs pursuant to MIH), approximately 111,500 gsf of retail, and approximately 10,000 gsf of community facility space. A loading berth would be provided on 42nd Street and an entrance to the below-grade parking would be provided on 41st Street (2 curb cuts).

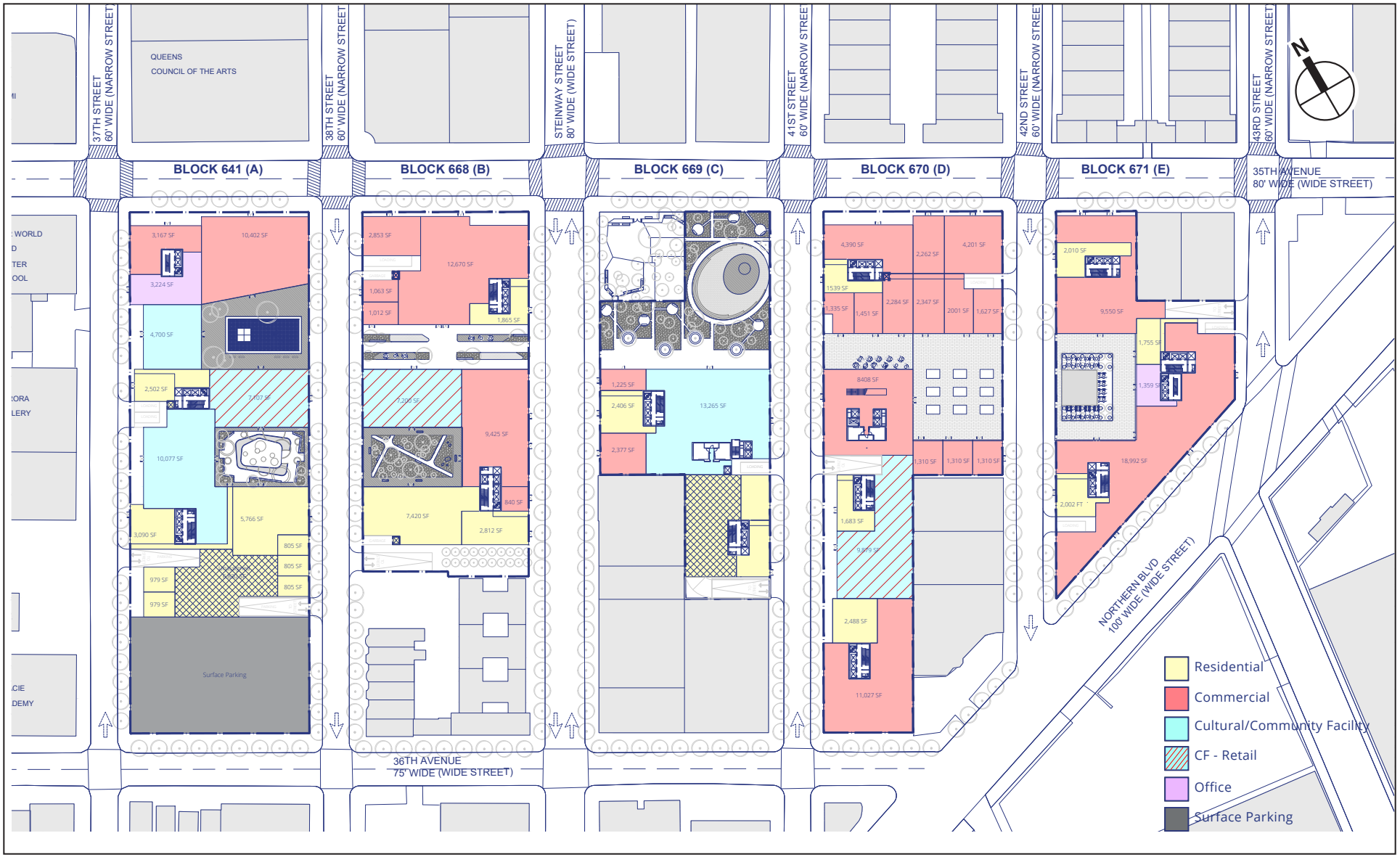
Block 671 (Block E)—The Proposed Development on this block would occupy the portion of the irregularly shaped lot formed by the angle of Northern Boulevard to the regular street grid (Block 671, Lots 1, 8, 12, 20, and 23), excepting the two lots not controlled by the Applicant at the corner of 35th Avenue and 43rd Street. The Proposed Development would include a stand-alone 9-story (100 feet tall) mixed-use building above a 5-story (80 feet tall) base on the corner of 35th Avenue and 42nd Street. Just south fronting on 42nd Street opposite the covered open space on Block D would be an at-grade publicly accessible open space. The remainder of the block fronting on Northern Boulevard and 42nd Street would include a large mixed-use building with a 5-story (80 feet tall) office and ground floor retail base. Above and setback on both frontages would be a multi-story residential building with a-12 story base (150 feet tall) and two towers, one with 20 stories (total height 230 feet) and one with 26 stories (total height 290 feet). In total, these buildings would contain approximately 565,000 gsf of space, including approximately 410,000 gsf of residential (483 DUs, including 181 permanently affordable DUs pursuant to MIH), approximately 30,000 gsf of retail, and approximately 124,000 gsf of office space. One of the commercial spaces on Block E may include the relocated Harley Davidson Motorcycles showroom. Loading berths would be provided on 42nd and 43rd Streets and an entrance to the below-grade parking would be provided on 43rd Street (3 curb cuts).

In total, the Proposed Development would include 12 buildings with approximately 2.9 million gsf of space, of which approximately 2.4 million gsf would be residential space (approximately 2,800 DUs, of which 711 would be permanently affordable DUs pursuant to MIH). A portion of the MIH units may be senior affordable housing units, subject to the availability of existing programs. Office space in the Proposed Development would total approximately 250,000 gsf, and other commercial uses (retail, eating and drinking establishments, grocery store, and the relocated cinema and potential motorcycle showroom) would total approximately 209,000 gsf. The Proposed Development would include approximately 108,000 gsf of community facility uses (e.g., day care, community center, and performing arts center). **Figure 5** shows the Proposed Development's ground floor plan, and **Figures 6 and 7** show the Proposed Development's rooftop plan and massing.

C. PROPOSED ACTIONS

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

1. Zoning Text Change to Section ZR 123-00 creating a new MX District.
2 Zoning Map Amendment to Map 9b changing the Project Area from M1-1, M1-5, and C4-2A districts to a Special Mixed Use District (MX) consisting of M1-4/R7-3, M1-4/R7X, M1-4/R9 and M1-5/R9-1 districts (see **Figures 3 and 4**).



Source: ODA

NOTE: If a school is determined to be required during the course of environmental review, an appropriate size and location within the Development Site and suitable program would be determined subject to all requisite analysis and further consultation with the Department of City Planning (DCP) and the New York City School Construction Authority (SCA)

Proposed Development Ground Floor Plan



Source: ODA

NOTE: If a school is determined to be required during the course of environmental review, an appropriate size and location within the Development Site and suitable program would be determined subject to all requisite analysis and further consultation with the Department of City Planning (DCP) and the New York City School Construction Authority (SCA)

Proposed Development Rooftop Plan



Source: ODA

NOTE: If a school is determined to be required during the course of environmental review, an appropriate size and location within the Development Site and suitable program would be determined subject to all requisite analysis and further consultation with the Department of City Planning (DCP) and the New York City School Construction Authority (SCA)

Proposed Development Massing

Figure 7

3. Zoning Text Change to make the rezoning area a Mandatory Inclusionary Housing (MIH) area.
4. Zoning Text Change to exempt the school square footage from Floor Area in the LSGD, if a school is determined to be required as part of the Proposed Actions.
5. Special Permit under ZR 74-743: to modify ZR 23-10, 43-10, 123-64 (Floor Area), 23-40, 43-40, 123-65 (Rear Yards), 23-711 (minimum distance between buildings), 123-66 (height and setback).
6. Special Permit under ZR 74-922, Certain Large Retail Establishments: to modify ZR 42-10 to permit a food store and retail uses greater than 10,000 sf of floor area.
7. Special Permit under ZR 74-744 (c) to modify sign regulations: to modify ZR 123-40, 32-60.
8. Zoning Text Change to Special Permit ZR 74-744 (a) 4 to make Physical Culture Establishments (PCE's) as of right in a Special MX District in Community District 1 (CD1) Queens.
9. Special Permit under ZR 74-531 to increase the number of spaces in an accessory group parking facility in the LSGD, Modifying ZR 123-70, 44-10, 25-10, 25-20.
10 Special Permit under ZR 74-745 to locate required spaces throughout the five (5) LSGD accessory group parking facilities.
11. Special Permit under ZR 74-745 (a) to allow the distribution of parking spaces across the LSGD.
12. Zoning Text Change to make the reduction in loading berths permitted under Special Permit ZR 74-745 (b) applicable to Special MX District in CD1 Queens.
13. Special Permit under ZR 74-745 (b) to reduce loading berths: to modify ZR 44-50, 123-70.

D. PURPOSE AND NEED

The principal goal of the Proposed Actions is to transform the five city blocks in the Project Area into a vibrant, mixed-use community offering a wide variety of housing options, creative office space, neighborhood-serving healthcare facilities, retail, a state-of-the-art multiplex cinema, a full-service grocery store, and thoughtfully programmed open spaces throughout. In the Applicant's opinion, the Project Area is underutilized and underbuilt: it is primarily zoned for low-density manufacturing use and has historically been occupied by light intensity automotive uses and surface parking, with built FARs generally at 1.0 or lower. The Project Area is located at the intersection of and is a transition point between four distinct areas: low- to mid-density residential to the north, a commercial and arts district to the northwest, mid-density manufacturing to west and east, and the Long Island City (LIC) high-density mixed-use district to the south. Steinway Street, a major commercial street bisects the site and Northern Boulevard, a major north south commercial corridor running through Queens, borders the Project Area on the east. Further, the area is well served by mass transit—including three subway stations (the 36th Street and Steinway Street Stations, served by M and R trains on the IND Queens Boulevard Line, and the 36th Avenue Station, served by the N and W trains on the BMT Astoria Line) and four local bus services (Q66, Q101, Q102, and Q104)—and located adjacent to well established vehicular thoroughfares. The existing low-density manufacturing and commercial uses ensure minimal direct displacement of businesses and very minimal displacement of residents and make the area ideal for redevelopment into a vibrant, mixed use community that is an extension of the abutting areas.

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

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

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

The Proposed Actions would support the Proposed Development's achievement of the goals outlined above as follows:

- The proposed Zoning Text Change to create a new MX District and the Zoning Map Amendment to map the MX District and M1-4/R7-3, M1-4/R7X, M1-4/R9 and an M1-5/R9-1 Districts would create medium- and higher-density non-contextual districts (except for the R7X) that provides for the range of residential, commercial and light manufacturing uses appropriate for a large mixed-use development. The bulk regulations provided by the proposed zoning are generous enough to provide for a series of building heights and typologies appropriate for a modern urban setting as desired for the Proposed Development. In addition, the Zoning Text Change to make the rezoning area a Mandatory Inclusionary Housing Area (MIH Area) would facilitate the development of permanently affordable housing units, including senior units;
- Zoning Text Change to exempt the school square footage from Floor Area in the LSGD: If a school is determined to be required during environmental review process, the application would seek to exempt the school use square footage from floor area and transfer the square footage to the new development.

- Under the Special Permit pursuant to ZR 74-743, the Applicant-controlled properties would be declared a LSGD, coterminous with the Development Site: the Special Permit would allow floor area distribution without regard to zoning district boundaries and zoning lot lines; allow waivers of required rear yards and minimum distance between buildings; and allow waivers of height and setback regulations. The Special Permit would provide for setback waivers primarily located along the 35th Avenue frontages of Blocks A (641), B (668), D (670), and E (671) and along 41st Street and a portion of the tower on 43rd Street. The Special Permit would also provide for height waivers at 4 locations, to single towers on each of Blocks B, C, D and E, as well as rear yard waivers on Blocks B, C, D and E. These waivers are required to facilitate the Proposed Development's desired massing.
- The Special Permit under ZR 74-922, Certain Large Retail Establishments, would allow the Proposed Development to include certain retail uses greater than 10,000 sf in M1 districts otherwise limited in size. The Proposed Development would contain primarily community facility and small retail establishments. However, to provide flexibility for future configurations of retail space, the Applicants are seeking to allow UG 6 and 10 uses in all retail locations.
- The Special Permit under ZR 74-744 (c) to modify sign regulations would facilitate appropriate signage for the proposed relocated cinema in the Proposed Development. Portions of Block C and Blocks D and E face a residential zoning district boundary line in the middle of 35th Avenue, making C1 district regulations applicable within 100 feet of 35th Avenue. The Special Permit would waive the applicable C1 sign regulations for the blockfront containing the cinema, facing 35th Avenue between 41st and 42nd Streets. It will be important to the operation of the theater and the movie going public to have signage appropriate for the theater use which would highlight the cinematic offerings and provide direction for the visiting public. The waiver would modify the regulations only for the theater at this location. The retail uses on the ground floor would abide by the applicable C1 district regulations. The application would apply the C6-1 regulations to the second floor theater use facing 41st Street and allow signs up to 60 feet in height above base plan. On the 35th Avenue frontage, the application would include a non-illuminated 150 sf sign at the floor level of the second floor up to 35 feet in height above base plan. A two-sided blade sign is also proposed for the 35th Avenue second floor façade.
- The Zoning Text Change to Special Permit ZR 74-744 (a) 4 to make the LSGD special permit applicable to the Proposed Development's LSGD, allowing Physical Culture Establishments (PCE's) as of right would facilitate the inclusion of a PCE in the Proposed Development.
- The proposed actions related to parking and loading in the LSGD would facilitate the Proposed Development's desired parking and loading as follows:
  - The Special Permit under ZR 74-531 would provide for an increase the number of spaces in an accessory group parking facility in the LSGD. Based upon preliminary analyses, it is anticipated that the parking demand for the Proposed Development will be more than the required number of parking spaces. The Project Area is located in the Transit Zone and well serviced by mass transit. The Proposed Development would include 5 parking accessory parking facilities with a total of 1,341 spaces to meet the peak demand, above the requirement of 950 spaces.
  - The Special Permit under ZR 74-745 would allow the required spaces to be located throughout the Proposed Development's five (5) accessory group parking facilities, and the Special Permit under ZR 74-745 (a) would allow the distribution of parking spaces across the LSGD. The Proposed Development would encompass portions of 5 city blocks,

and each development would have an underground accessory group parking facility with differing levels of capacity. In aggregate, the five garages would support the parking demand generated by the Proposed Development.

- The Zoning Text Change to make the reduction in loading berths permitted under Special Permit ZR 74-745 (b) applicable to a special mixed-use district in Queens CD1 (or some subset thereof) and the associated Special Permit under ZR 74-745 (b) would allow for a reduction of the loading berths in the Proposed Development. Specifically, in order to facilitate an efficient site plan, the Applicant is seeking to provide fewer loading berths than required on Blocks A, B and D. The application seeks to waive 2 required berths on Block A, 1 on Block B and 4 on Block D.

E. ANALYSIS FRAMEWORK

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

This section outlines the conditions to be examined in the EIS.

BUILD YEAR

In addition to the Development Site, the Proposed Actions would rezone the Additional Affected Area and are expected facilitate additional development on lots that are not controlled by the Applicant (discussed below). The build year was determined assuming that the Proposed Actions are approved by the CPC and City Council in 2022. For purposes of analysis, it is assumed that development within the Project Area, including new development in the Additional Affected Area, would occur over a 10-year period, which is typically the length of time over which developers would act on the area-wide zoning map changes such as those proposed. Therefore, the Analysis Year is 2032.

REASONABLE WORST CASE DEVELOPMENT SCENARIO (RWCDS)

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

IDENTIFICATION OF DEVELOPMENT SITES

The first step in establishing the RWCDS for the Proposed Actions is to identify those sites where new development could be reasonably expected to occur. The Proposed Actions include a rezoning of the Project Area from M1-1, M1-5 and C4-2A districts to a Special Mixed Use District (MX) consisting of M1-4/R7-3, M1-4/R7X, M1-4/R9 and M1-5/R9-1 districts. As noted above, the Project Area includes properties controlled by the Applicant (the Development Site), which the

Applicant proposes to redevelop with the Proposed Development, also known as the Innovation QNS project. For the purposes of the RWCDS, the parcels that are included in the Development Site (Blocks A, B, C, D, and E) are identified as Projected Development Sites A, B, C, D, and E (see **Figure 8**):

- Projected Development Site A—Block 641, Lots 1, 4, 9, 51, 52, and 56
- Projected Development Site B—Block 668, Lot 5
- Projected Development Site C—Block 669, Lots 13, 16 and 36
- Projected Development Site D—Block 670, Lots 4, 8, 20, 27, 30, and 47
- Projected Development Site E—Block 671, Lots 1, 8, 12, 20, and 23

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

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

The following soft site screening criteria are based on guidance in the *City Environmental Quality Review (CEQR) Technical Manual* and RWCDS memorandums developed for other similar neighborhood-wide rezoning projects.

Projected Development Sites include:

- Lots located in areas where a substantial increase in permitted FAR is proposed and/or where residential use would be allowed where it currently is not permitted;
- Lots with a total size of 4,000 sf or larger (may include potential assemblages totaling 4,500 sf, respectively, if assemblage seems probable)
  - Assemblages are defined as a combination of adjacent lots, which satisfy one of the following conditions: (1) the lots share common ownership and, when combined, meet the aforementioned soft site criteria; or (2) at least one of the lots, or combination of lots, meets the aforementioned soft site criteria, and ownership of the assemblage is shared by no more than three distinct owners.
- Certain smaller-sized lots (2,000 sf or greater) that are substantially underdeveloped;
  - Underdeveloped lots are defined as vacant lots or lots with buildings containing a single occupied floor, or lots constructed to less than or equal to half of the maximum allowable FAR under the proposed zoning.

3.5.21



INNOVATION QNS

Projected Development Sites

Figure 8

Potential Development Sites include:

- Slightly irregularly shaped or encumbered sites that would make as-of-right development difficult;
- Lots with a significant number of commercial or industrial tenants;
- Active businesses, which may provide unique services or are prominent and successful neighborhood businesses or organizations unlikely to move; and/or
- Sites divided between disparate zoning districts.

Other Sites (not Projected or Potential):

- Lots where construction and/or renovations are actively occurring, or have recently been completed, as well as lots with recent alterations that would have required substantial investment.
- Multi-unit buildings (existing individual buildings with six or more residential units are unlikely to be redeveloped because of the required relocation of tenants in rent-stabilized units).
- Lots whose location, highly irregular shape, or other physical encumbrances (like easements) would preclude or greatly limit future as-of-right development. Generally, development on these types of lots does not produce marketable floor space.

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

The remaining lots in the Additional Affected Area are generally larger lots that currently contain parking, auto repair, and warehouse uses. As these lots are currently underdeveloped and would see a substantial increase in permitted FAR, and exceed the 4,000 sf of lot area threshold, they meet the criteria for Projected Development Sites. For purposes of the RWCDS, these parcels have been assembled into feasible development sites and designated as follows (see **Figure 8**):

- Projected Development Site F—Block 668, Lots 1 and 2
- Projected Development Site G—Block 669, Lots 7 and 8
- Projected Development Site H—Block 669, Lots 1, 3, and 41
- Projected Development Site I—Block 670, Lots 33 and 36
- Projected Development Site J—Block 670, Lot 39
- Projected Development Site K—Block 671, Lots 16 and 18

THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO ACTION CONDITION)

As outlined above, the Applicant believes that the Project Area is largely underutilized; as the majority of the Project Area is zoned M1-1, which permits a maximum FAR of 1.0 and only permits low density manufacturing, automotive, and commercial uses, it is reasonable to assume that redevelopment of the active commercial and auto-related facilities on the majority of the properties in the Project Area would not occur under existing zoning. However, portions of the Applicant-controlled properties are feasible development sites under existing zoning since they contain vacant buildings and open parking areas for vehicular storage. The Applicant controls the properties in the Development Site with the purpose of transforming the area into a mixed-use district serving the nearby neighborhood and would seek to make a return on those properties

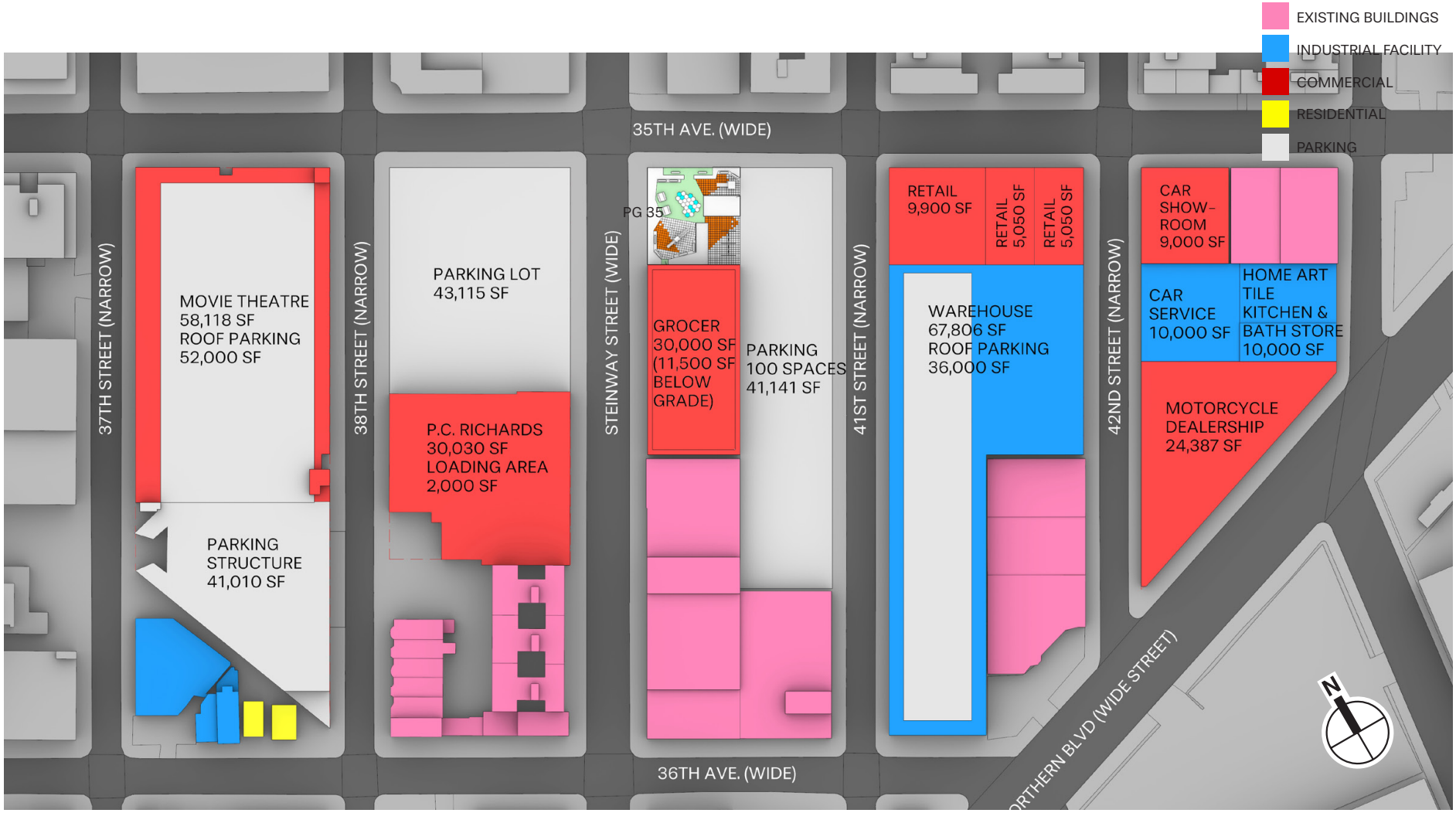
absent the Proposed Actions (the No Action condition) by redeveloping the underutilized parcels on Blocks C and D to the maximum extent feasible under the existing zoning. Specifically:

- On Projected Development Site C (Block C), the Applicant would develop a 1-story, approximately 30,000 gsf grocery store. The grocery store building would be located along the site's Steinway Street frontage adjacent to Playground 35, which is zoned C4-2A. The grocery store is a permitted use under the C4-2A regulations and would be an extension of the Steinway Street retail corridor. The remainder of Projected Development Site C along the 41st Street frontage would contain a surface parking lot with 100 spaces (approximately 29,000 sf) to provide the required accessory parking for the grocery store.
- On Projected Development Site D (Block D), the Applicant would develop local retail uses on the 35th Street frontage (approximately 20,000 gsf) with a 1-story, approximately 68,000 gsf warehouse on the remainder of the site. This site is zoned M1-1, and the retail and warehouse uses are permitted uses.

The Applicant would not seek to redevelop the more active existing uses on Projected Development Sites A, B, and E (the Regal Cinema, the P.C. Richards & Sons retail store, and the Harley Davidson Motorcycles dealership, respectively) absent the Proposed Actions. Likewise, the remaining Projected Development Sites not controlled by the Applicant (Sites F, G, H, I, J and K) are expected to remain in their current condition, described above under Existing Conditions of All Areas Affected by the Proposed Actions. **Figures 9 and 10** show the No Action condition in the Project Area, including the new grocery store, retail space, and warehouse in the Development Site. In the No Action condition (inclusive of the new grocery store, retail, and warehouse facility), the Projected Development Sites would contain a total of approximately 423,000 gsf of space, with approximately 265,000 gsf of commercial uses (retail, the cinema, and the grocery store), approximately 151,000 gsf of manufacturing uses (warehouses and auto related facilities), approximately 7,500 gsf of residential space (the existing small multi-family homes on Projected Development Sites A and F, with a combined total of 9 DUs). As noted above, the No Action condition would also include an approximately 29,000 sf parking lot for the grocery store on Projected Development Site C. See also **Table 2.**

THE FUTURE WITH THE PROPOSED ACTIONS (WITH ACTION CONDITION)

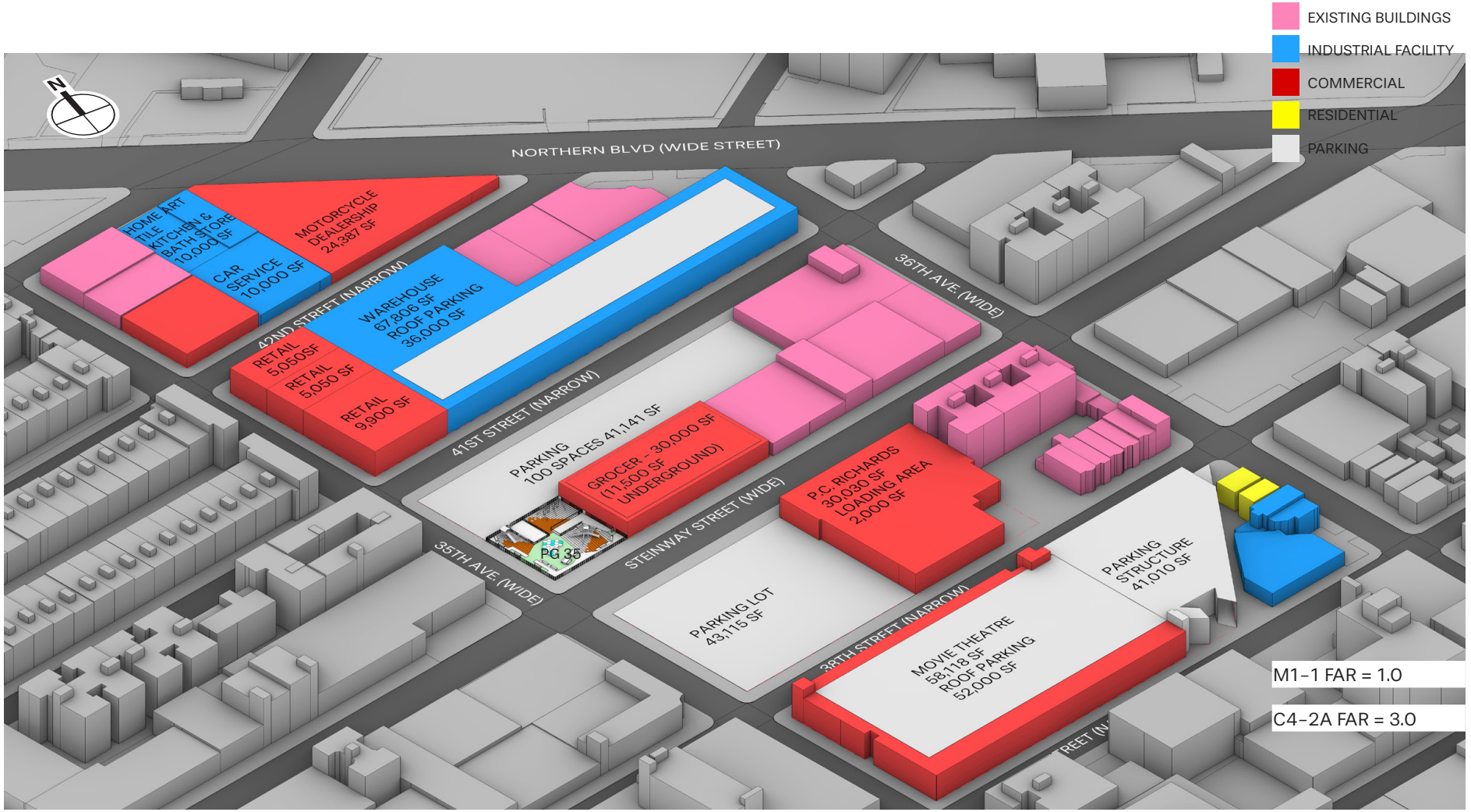
In the Development Site (Projected Development Sites A, B, C, D, and E), the With Action condition is the Proposed Development which would be developed by the Applicant: see the detailed description of the Proposed Development above. In total, the Proposed Development would include 12 buildings with approximately 2.9 million gsf of space, with approximately 2.4 million gsf of residential space (approximately 2,800 DUs, of which 711 would be permanently affordable DUs pursuant to MIH), approximately 250,000 gsf of office space, approximately 209,000 gsf of other commercial uses (retail, eating and drinking establishments, grocery store, and the relocated cinema and potential motorcycle showroom), approximately 108,000 gsf of community facility uses (e.g., day care, community center, and performing arts center), and approximately 2.3 acres of publicly accessible open space.



Source: ODA

NOTE: PRELIMINARY FIGURES PENDING DCP REVIEW OF RWCDS

No Action Scenario Site Plan



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Source: ODA

NOTE: PRELIMINARY FIGURES PENDING DCP REVIEW OF RWCDS

No Action Scenario Massing

Table 2
RWCDS Summary[1]

Use	Existing Condition	No Action Condition	With Action Condition	Increment
Total GSF	407,942	423,079	3,757,136	3,334,057
Residential GSF	7,512	7,512	3,106,431	3,098,919
Total Dwelling Units (DU)	9	9	3,655	3,646
Affordable DU (80% AMI)	0	0	915	915
Commercial GSF	203,571	264,852	542,985	278,133
Retail GSF	104,761	136,042	159,915	23,873
Office GSF	0	0	250,070	250,070
Cinema GSF	98,810	98,810	73,000	(25,810)
Supermarket GSF	0	30,000	30,000	0
Physical Culture Establishment (PCE) GSF	0	0	30,000	30,000
Community Facility GSF[2]	0	0	107,720	107,720
Medical Office GSF	0	0	5,000	5,000
Performing Arts Center GSF	0	0	21,900	21,900
Daycare Center GSF	0	0	10,000	10,000
Community Center GSF	0	0	70,820	70,820
Manufacturing GSF	196,859	150,715	0	(150,715)
Warehouse GSF	0	67,806	0	(67,806)
Other Man. GSF	196,859	82,909	0	(82,909)
Parking Spaces	550	700	1,592	892
Open Space (Acres)	0	0	2.30	2.30

Notes: 1. Totals for Projected Development Sites A through K.
2. If a school is determined to be required during the course of environmental review, an appropriate size and location within the Development Site and suitable program would be determined subject to all requisite analysis and further consultation with DCP and SCA.

As discussed above, the Proposed Actions would allow the Proposed Development to include certain retail uses greater than 10,000 sf that would otherwise be limited in size and would also allow for Physical Culture Establishments (PCE's) as of right. Although these facilities would be permitted anywhere within the Proposed Development's commercial space, and there are currently no specifically planned locations, reasonable potential locations have been identified for the purposes of the RWCDS. Specifically, the With Action condition for the Proposed Development includes a food store and three retail facilities of more than 10,000 sf: a proposed food store at the corner of Steinway Street and 35th Avenue and retail locations along Steinway Street on Projected Development Site B; along 36th Avenue on Projected Development Site D; and along Northern Boulevard on Projected Development Site E. Similarly, the With Action condition for the Proposed Development includes an approximately 10,000 sf PCE (a gym or fitness center) in the commercial building on Projected Development Site A, and an approximately 20,000 sf PCE in the commercial building on Projected Development Site E.

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

housing pursuant to MIH (the same residential development assumptions as the Proposed Development). Each building would contain parking as required by the proposed zoning, which is proposed to be located below-grade.

- On Projected Development Site F, the With Action development would be a 21-story (approximately 220 foot tall), 90,200 gsf building with 82,500 gsf of residential space (97 DUs, of which 24 DUs would be permanently affordable pursuant to MIH), 7,700 gsf of retail space, and 29 parking spaces. The site is located adjacent to the Other Sites on the block which would be rezoned but are not expected to be redeveloped (see Part 4); therefore, unused development rights are expected to be available on these sites. The With Action scenario on Projected Development Site F is assumed to utilize unused development rights that could be purchased from one or more of the Other Sites on an as-of-right basis. However, as development on the site would be restricted by height and setback limits, not all of the available development rights can be incorporated in the development. Therefore, in the With Action scenario, a portion of the development rights on Block 668 would remain unused.
- On Projected Development Site G, the With Action development would be a 13-story (approximately 140 foot tall), 115,500 gsf building with 102,400 gsf of residential space (121 DUs, of which 31 DUs would be permanently affordable pursuant to MIH), 13,100 gsf of retail space, and 36 parking spaces.
- On Projected Development Site H, the With Action development would be a 12-story (approximately 130 foot tall), 250,800 gsf building with 223,300 gsf of residential space (263 DUs, of which 66 DUs would be permanently affordable pursuant to MIH), 27,500 gsf of retail space, and 79 parking spaces.
- On Projected Development Site I, the With Action development would be a 15-story (approximately 160 foot tall), 107,300 gsf building with 95,400 gsf of residential space (112 DUs, of which 28 DUs would be permanently affordable pursuant to MIH), 11,900 gsf of retail space, and 34 parking spaces.
- On Projected Development Site J, the With Action development would be a 15-story (approximately 160 foot tall), 136,600 gsf building with 112,500 gsf of residential space (144 DUs, of which 36 DUs would be permanently affordable pursuant to MIH), 13,700 gsf of retail space, and 43 parking spaces.
- On Projected Development Site K, the With Action development would be a 7-story (approximately 80 foot tall), 72,600 gsf building with 61,600 gsf of residential space (72 DUs, of which 18 DUs would be permanently affordable pursuant to MIH), 11,000 gsf of retail space, and 22 parking spaces.

In total, in the With Action condition, the Projected Development Sites (inclusive of the Proposed Development in the Development Site and the sites in the Additional Affected Area) would contain approximately 3.7 million gsf of space, an increase of approximately 3.3 million gsf above the No Action scenario. The With Action condition would include a total of approximately 3.1 million gsf of residential space (approximately 3,600 DUs, of which 915 would be permanently affordable pursuant to MIH), approximately 540,000 gsf of commercial space (retail, eating and drinking establishments, grocery store, PCEs, and the relocated cinema and potential motorcycle showroom), approximately 108,000 gsf of community facility space (e.g., day care, community center, and performing arts center), and approximately 1,600 parking spaces. The With Action condition would also include the 2.3 acres of publicly accessible open space to be constructed in the Development Site. If a school is determined to be required during the environmental review, a parcel of appropriate size and location on the Development Site would be set aside for the

construction of a new school with a suitable program as part of the Proposed Actions, subject to all requisite analysis and further consultation with DCP and SCA.

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

CITY ENVIRONMENTAL QUALITY REVIEW AND SCOPING

The Proposed Actions are classified as Type 1 as defined under 6 NYCRR 617.4 and NYC Executive Order 91 or 1977, as amended, and are subject to environmental review in accordance with CEQR guidelines. An EAS was completed on May 14, 2021. The EAS analyzes the Proposed Actions' potential to generate significant adverse environmental impacts. A Positive Declaration, issued on May 14, 2021 established that the Proposed Actions may have a significant adverse impact on the environment, thus warranting the preparation of an EIS.

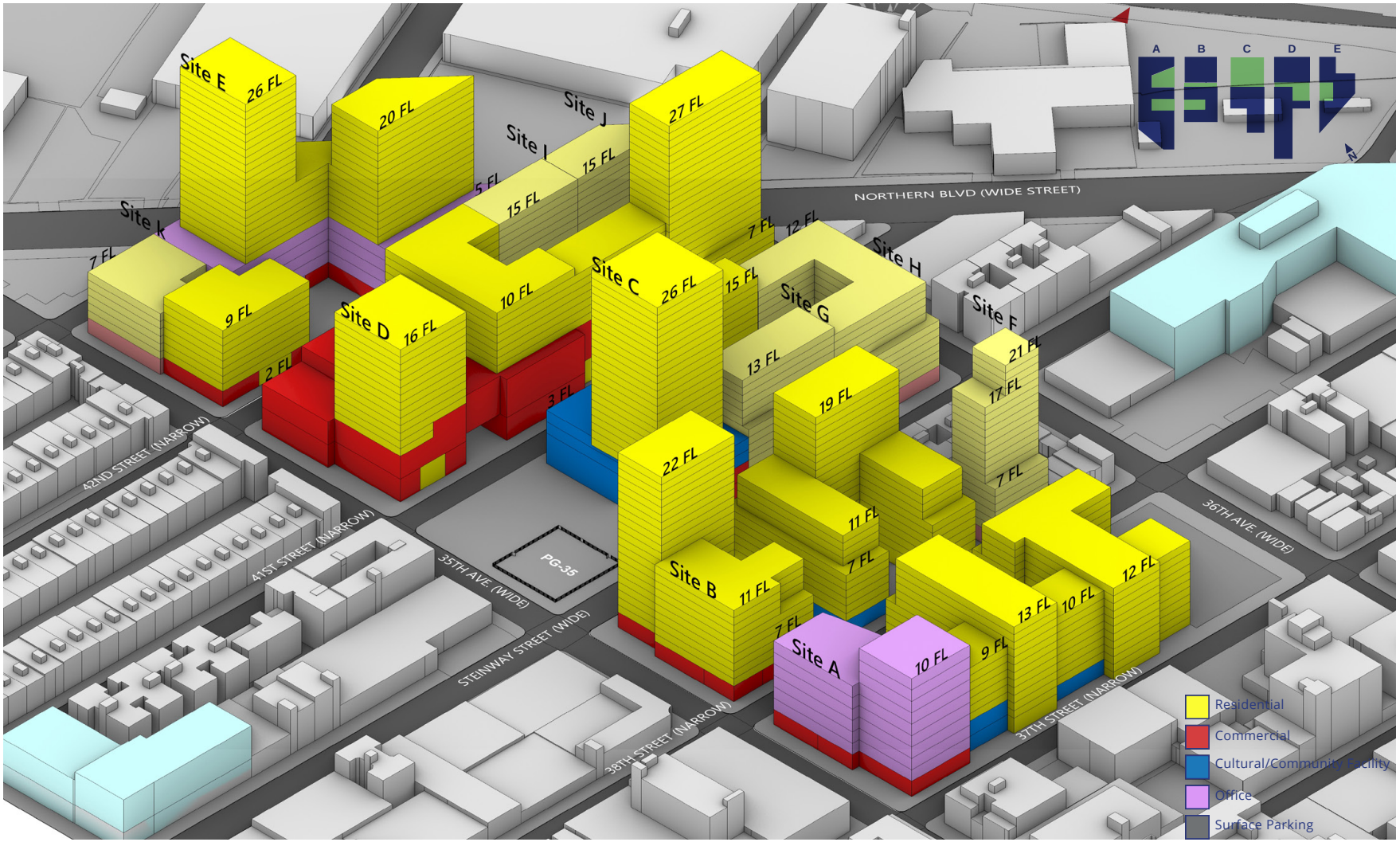
The CEQR scoping process is intended to focus the EIS on those issues that are most pertinent to the Proposed Actions. The process allows other agencies and the public a voice in framing the scope of the EIS. The scoping document sets forth the analyses and methodologies that will be utilized to prepare the EIS. During the period for scoping, those interested in reviewing the Draft Scope may do so and give their comments to the lead agency. The public, interested agencies, Queens Community District 1, and elected officials are invited to comment on the Draft Scope, either in writing or orally, at a public scoping meeting to be held on June 14, 2021. In support of the City's efforts to contain the spread of COVID-19, DCP will hold the public scoping meeting remotely. Comments received during the Draft Scope's public meeting and written comments received by June 24, 2021 will be considered and incorporated as appropriate into the Final Scope of Work (the "Final Scope"). The lead agency will oversee preparation of the Final Scope, which will incorporate all relevant comments on the Draft Scope and revise the extent or methodologies of the studies, as appropriate, in response to comments made during scoping. The DEIS will be prepared in accordance with the Final Scope and in conformance with all applicable laws and regulations, including SEQRA (Article 8 of the New York State Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City Executive Order No. 91 of 1977, as amended, and the Rules of Procedure for CEQR, found at Title 62, Chapter 5, of the Rules of the City of New York.

Once the lead agency is satisfied that the DEIS is complete, the document will be made available for public review and comment. A public hearing will be held on the DEIS in conjunction with the CPC hearing on the land use applications to afford all interested parties the opportunity to submit oral and written comments. The record will remain open for 10 days after the public hearing to allow additional written comments on the DEIS. A Final EIS (FEIS) will be prepared that will respond to all substantive comments on the DEIS, along with any revisions to the technical analyses necessary to respond to those comments. The FEIS will then be used by decision makers to evaluate CEQR findings, which will address project impacts and proposed mitigation measures in deciding whether to approve the requested discretionary actions with or without modifications.

F. SCOPE OF WORK FOR THE EIS

The environmental review provides a means for decision-makers to systematically consider environmental effects along with other aspects of project planning and design, to evaluate reasonable alternatives, and to identify, and mitigate where practicable, any significant adverse environmental impacts. The first step in preparing the EIS document is the public scoping process.

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



Source: ODA

NOTE: If a school is determined to be required during the course of environmental review, an appropriate size and location within the Development Site and suitable program would be determined subject to all requisite analysis and further consultation with the Department of City Planning (DCP) and the New York City School Construction Authority (SCA)

With Action Scenario Massing

Figure 11a

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

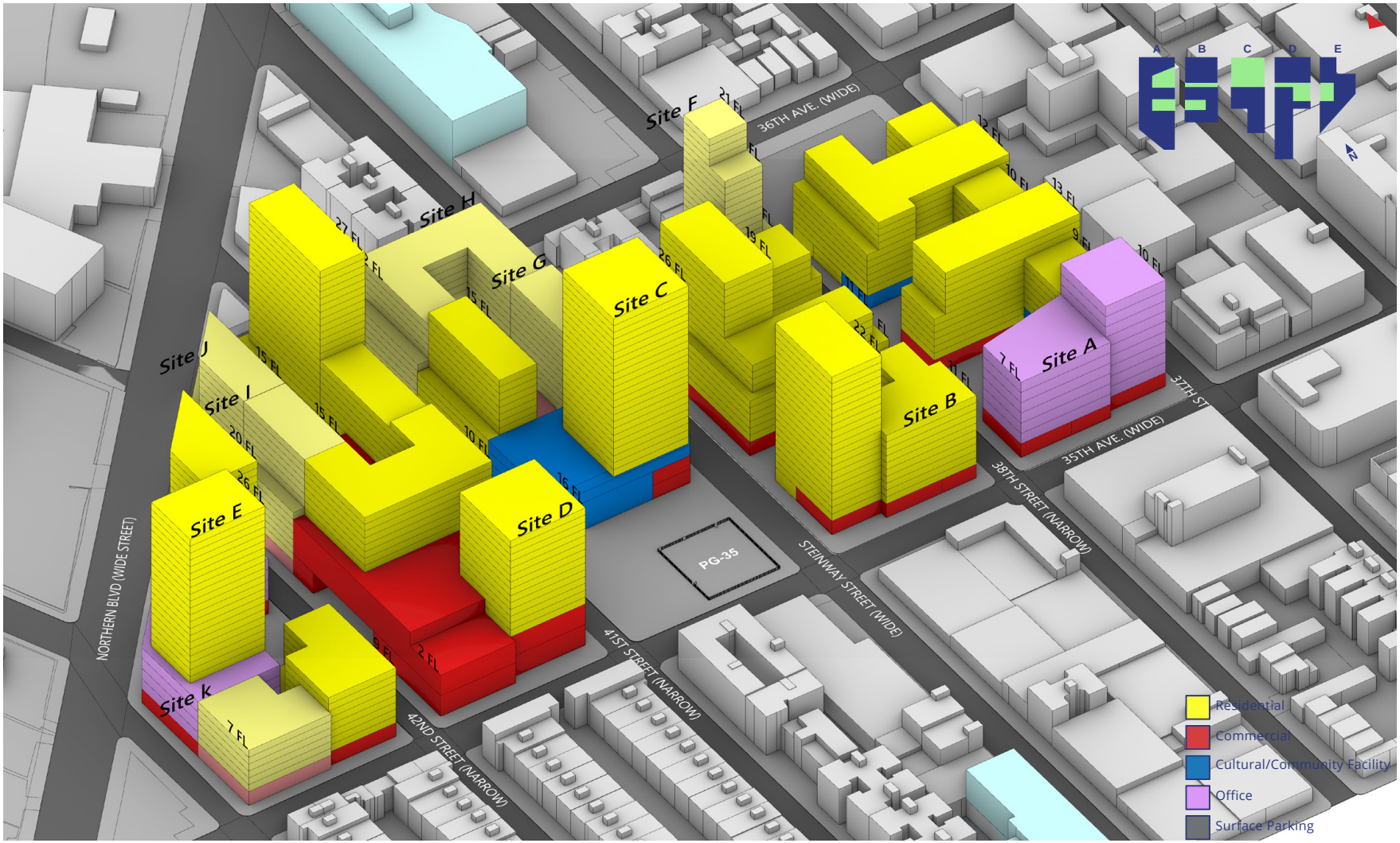


Source: ODA

NOTE: If a school is determined to be required during the course of environmental review, an appropriate size and location within the Development Site and suitable program would be determined subject to all requisite analysis and further consultation with the Department of City Planning (DCP) and the New York City School Construction Authority (SCA)

With Action Scenario Massing

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



Source: ODA

NOTE: If a school is determined to be required during the course of environmental review, an appropriate size and location within the Development Site and suitable program would be determined subject to all requisite analysis and further consultation with the Department of City Planning (DCP) and the New York City School Construction Authority (SCA)

With Action Scenario Massing

Scoping is the process of focusing the environmental impact analysis on the key issues that are to be studied in the EIS. The proposed scope of work for each technical area to be analyzed in the EIS is outlined below.

Based on the EAS, the Proposed Actions do not meet the criteria warranting analysis of natural resources, and no significant adverse impacts to this technical area would occur with the Proposed Actions. The EIS will include detailed analysis in the technical areas where the Proposed Actions would potentially result in significant adverse impacts, based on the findings of the EAS. The scope of work and the proposed impact assessment criteria below are based on the methodologies and guidance set forth in the *CEQR Technical Manual*.

The EIS will contain the following:

- A description of the Proposed Actions and their environmental setting;
- A statement of the environmental impacts of the Proposed Actions, including short- and long-term effects and typical associated environmental effects;
- An identification of any adverse environmental effects that cannot be avoided if the Proposed Actions are implemented;
- A discussion of reasonable alternatives to the Proposed Actions;
- An identification of irreversible and irretrievable commitments of resources that would be involved if the Proposed Actions are implemented; and
- A description of measures proposed to minimize or fully mitigate any significant adverse environmental impacts.

TASK 1: PROJECT DESCRIPTION

The Project Description will identify and explain the Proposed Actions and the purpose and need for the Proposed Actions. It will also describe the Proposed Development. It will contain a brief discussion of current conditions in the Project Area and in the surrounding area; the No Action Condition; the Proposed Development, including a description of the proposed site plan and the height and bulk of the proposed buildings; and figures to depict the Proposed Development. It will also include description of the approvals required and the approvals process. The RWCDS and analytical framework, including the new developments that would be facilitated on the Projected Development Sites not controlled by the Applicant (Sites F, G, H, I, J and K), will also be included in this chapter. The figures will present key project elements, such as a site/ground floor plan, elevations, and views of the project in its neighborhood context.

The Project Description will include appropriate materials from the Uniform Land Use Review Procedure (ULURP) application. It will describe the role of the lead agency for CEQR as well as the environmental review and ULURP processes.

TASK 2: LAND USE, ZONING, AND PUBLIC POLICY

This analysis will consider the effects of the Proposed Actions in terms of land use compatibility and trends in zoning and public policy. It will also provide a baseline for other analyses in the EIS. Specifically, the assessment will:

- Provide a brief development history of the Project Area and the study area. The study area will include the Project Area and the area within approximately ¼-mile.
- Describe predominant land use patterns in the study area, including recent development trends for the ¼-mile study area (see **Figure 12**).

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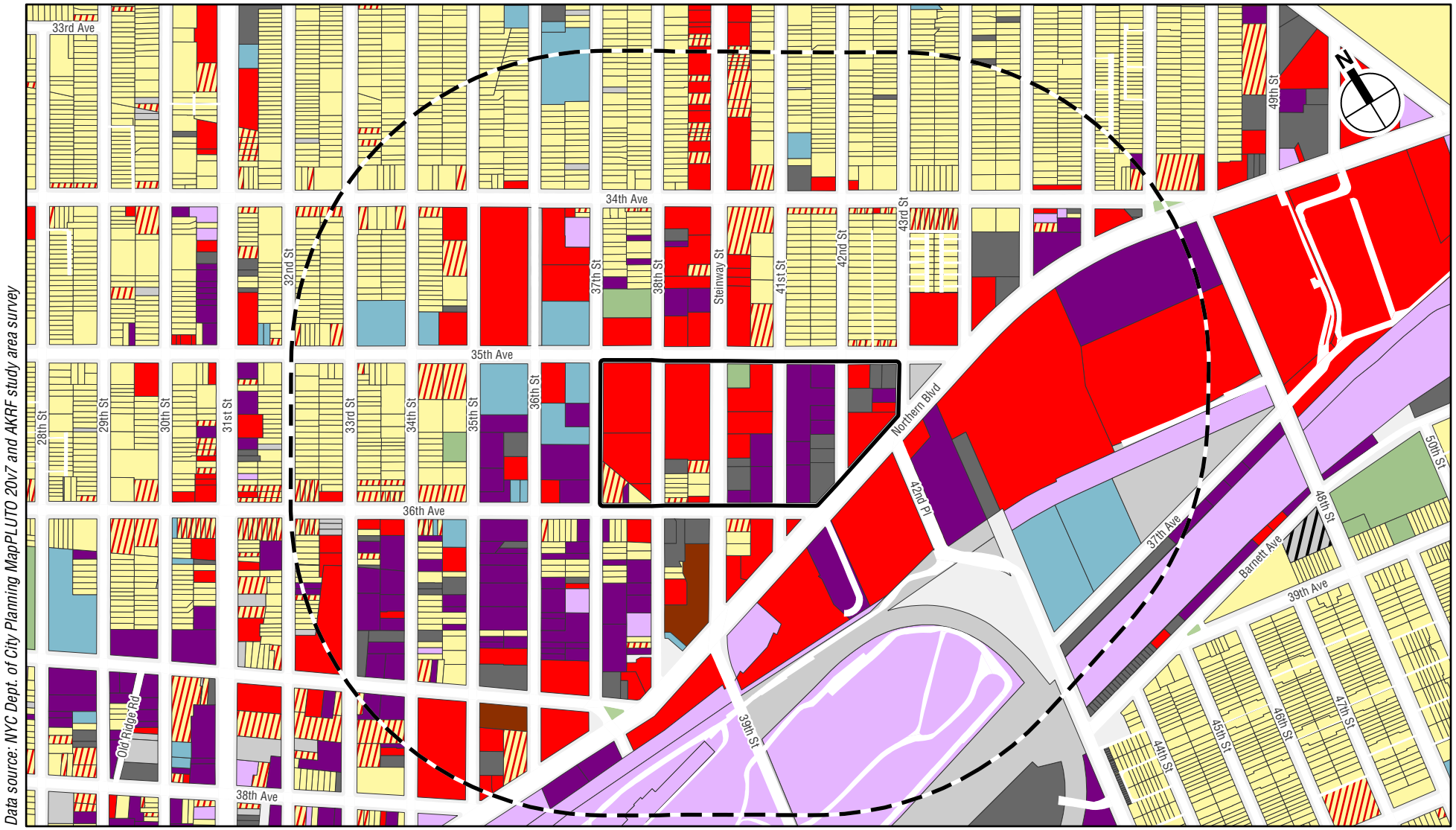

INNOVATION QNS

Land Use Analysis Study Area

Figure 12

- Provide a zoning map and discuss existing zoning and any recent zoning actions in the study area.
- Summarize other public policies that may apply to the Project Area and study area, including any formal neighborhood or community plans and OneNYC.
- Describe conditions in the Project Area absent the Proposed Actions. Prepare a list of other projects expected to be built in the study area that would be completed before or concurrent with the Proposed Development. Describe the effects of these projects on land use patterns and development trends. Also, describe any pending zoning actions or other public policy actions that could affect land use patterns and trends in the study area, including plans for public improvements.
- Describe the Proposed Actions and provide an assessment of the impacts of the Proposed Actions and Proposed Development on land use and land use trends, zoning, and public policy. Consider the effects related to issues of compatibility with surrounding land use, consistency with zoning and other public policy initiatives, and the effect of the Proposed Development on development trends and conditions in the area.

TASK 3: SOCIOECONOMIC CONDITIONS

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area.

The five principal issues of concern with respect to socioeconomic conditions are whether a project would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement; and (5) adverse effects on specific industries. As detailed below, the Proposed Actions warrant an assessment of socioeconomic conditions with respect to all but one of these principal issues of concern—direct residential displacement. Direct displacement of fewer than 500 residents would not typically be expected to alter the socioeconomic characteristics of a neighborhood. The Proposed Actions would not exceed the *CEQR Technical Manual* analysis threshold of 500 displaced residents, and therefore, are not expected to result in significant adverse impacts due to direct residential displacement. The EIS will disclose the number of residential units and estimated number of residents to be directly displaced by the Proposed Actions, and will determine the amount of displacement relative to study area population. The assessment of the four remaining areas of concern will begin with a preliminary assessment to determine whether a detailed analysis is necessary, in conformance with the *CEQR Technical Manual* guidelines. Detailed analyses will be conducted for those areas in which the preliminary assessment cannot definitively rule out the potential for significant adverse impacts. The detailed assessments, if determined to be necessary, will be framed in the context of existing conditions and evaluations of the No Action and With Action conditions in 2032, including any population and employment changes anticipated to take place by the analysis year for the Proposed Actions.

DIRECT BUSINESS DISPLACEMENT

For direct business displacement, the type and extent of businesses and workers to be directly displaced by the RWCDS associated with the Proposed Actions will be disclosed. If a project would directly displace more than 100 employees, a preliminary assessment of direct business

displacement is appropriate according to the *CEQR Technical Manual*. The Proposed Actions have the potential to exceed the threshold of 100 displaced employees, and therefore, a preliminary assessment will be provided in the EIS.

The analysis of direct business displacement will estimate the number of employees and the number and types of businesses that would be displaced by the Proposed Actions, and characterize the economic profile of the study area using current employment and business data from the New York State Department of Labor or U.S. Census Bureau. This information will be used in addressing the following CEQR criteria for determining the potential for significant adverse impacts: (1) whether the businesses to be displaced provide products or services essential to the local economy that would no longer be available in its "trade area" to local residents or businesses due to the difficulty of either relocating the businesses or establishing new, comparable businesses; and (2) whether a category of businesses is the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it.

INDIRECT RESIDENTIAL DISPLACEMENT

Indirect residential displacement is the involuntary displacement of residents that results from a change in socioeconomic conditions created by a proposed action. Indirect residential displacement could occur if a proposed project either introduces a trend or accelerates a trend of changing socioeconomic conditions that may potentially displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change. To assess this potential impact, the analysis will address a series of threshold questions in terms of whether the project substantially alters the demographic character of an area through population change or introduction of more costly housing.

The indirect residential displacement analysis will use the most recent available U.S. Census data, New York City Department of Finance's Real Property Assessment Data (RPAD) database, as well as current real estate market data, to present demographic and residential market trends and conditions for the study area. The presentation of study area characteristics will include population estimates, housing tenure and vacancy status, median value and rent, estimates of the number of housing units not subject to rent protection, and median household income. The preliminary assessment will carry out the following the step-by-step evaluation, pursuant to *CEQR Technical Manual* guidelines:

- Step 1: Determine if the Proposed Actions would add substantial new population with different income as compared with the income of the study area population. If the expected average incomes of the new population would be similar to the average incomes of the study area populations, no further analysis is necessary. If the expected average incomes of the new population would exceed the average incomes of the study area populations, then Step 2 of the analysis will be conducted.
- Step 2: Determine if the Proposed Actions' population is large enough to affect real estate market conditions in the study area. If the population increase may potentially affect real estate market conditions, then Step 3 will be conducted.
- Step 3: Determine whether the study area has already experienced a readily observable trend toward increasing rents and the likely effect of the action on such trends and whether the study area potentially contains a population at risk of indirect displacement resulting from rent increases due to changes in the real estate market caused by the new population.

A detailed analysis, if warranted, would utilize more in-depth demographic analysis and field surveys to characterize existing conditions of residents and housing, identify populations at risk

of displacement, assess current and future socioeconomic trends that may affect these populations, and examine the effects of the Proposed Actions on prevailing socioeconomic trends and, thus, impacts on the identified populations at risk.

INDIRECT BUSINESS DISPLACEMENT

The indirect business displacement analysis will determine whether the Proposed Actions may introduce trends that make it difficult for those businesses that provide products or services essential to the local economy, or those subject to regulations or publicly adopted plans to preserve, enhance, or otherwise protect them, to remain in the area. The purpose of the preliminary assessment is to determine whether the Proposed Actions have potential to introduce such a trend. The preliminary assessment will entail the following tasks:

- Identify and characterize conditions and trends in employment and businesses within the study area. This analysis will be based on field surveys, employment data from the New York State Department of Labor or U.S. Census and discussions with real estate brokers.
- Determine whether the Proposed Actions would directly displace uses of any type that directly support businesses in the area or bring people to the area that form a customer base for local businesses.
- Determine whether the Proposed Actions would directly or indirectly displace residents, workers, or visitors who form the customer base of existing businesses in the area.

If the preliminary assessment determines that the Proposed Actions could introduce trends that make it difficult for businesses that are essential to the local economy to remain in the area, a detailed analysis will be conducted. Following the *CEQR Technical Manual* guidelines, the detailed analysis would identify businesses that are potentially vulnerable to indirect displacement, determine whether the Proposed Actions could create conditions leading to their displacement, and evaluate whether relocation opportunities exist for those businesses.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

The analyses of direct and indirect business displacement will provide sufficient information to determine whether the Proposed Actions could have any adverse effects on a specific industry, compared with the future without the Proposed Actions. The analysis will determine:

- Whether the Proposed Actions would significantly affect business conditions in any industry or category of businesses within or outside the study areas.

Whether the Proposed Actions would substantially reduce employment or impair viability in a specific industry or category of businesses.

TASK 4: COMMUNITY FACILITIES AND SERVICES

The demand for community facilities and services is directly related to the type and size of the new population generated by any proposed development. New workers tend to create limited demands for community facilities and services, while new residents create more substantial and permanent demands.

The Proposed Actions are expected to exceed CEQR thresholds requiring analyses of elementary, intermediate, and high schools; publicly funded child care; and libraries; the assessments of potential impacts on these community facilities and services are described below. The *CEQR Technical Manual* requires a detailed analysis of impacts on police and fire services, hospitals, and public health clinics if a proposed action would affect the physical operation of, or access to

and from, a station house or healthcare facility, or where a proposed project would create a sizeable new neighborhood where none existed before. The Proposed Actions would not directly displace a station house or healthcare facility, and, therefore, would not adversely affect the physical operation of, or access to and from a facility. In addition, the Proposed Actions would not create a sizeable new neighborhood. Therefore, a detailed analysis of potential impacts on police and fire services, hospitals, and public health clinics is not warranted; the EIS will describe the location of existing fire stations, police stations, hospitals, and public health clinics serving Project Area for informational purposes

PUBLIC SCHOOLS

A schools analysis is required under CEQR for Proposed Actions that would result in more than 50 elementary/middle school or 150 high school students. Based on preliminary projections, the 3,655 total DUs resulting from the Proposed Actions are expected to introduce approximately 400 elementary school students, approximately 140 middle school students, and approximately 370 high school students. Accordingly, detailed analyses of elementary/intermediate schools and high schools will be included in the EIS. These analyses will include the following:

- Identify schools serving the Project Area and discuss the most current information on enrollment, capacity, and utilization using information from the DOE.
- Based on the data provided from DOE and DCP, determine future No Action scenarios in the area.
- Based on methodology presented in the *CEQR Technical Manual*, assess the potential impact of students generated by the Proposed Actions on schools. As necessary, the analysis would account for a potential new school use with a suitable program as part of the Proposed Actions should one be required during the environmental review, subject to all requisite analysis and further consultation with DCP and SCA.
- The study area for analyses of elementary and intermediate schools is the subdistrict of the school district in which the Proposed Actions are located—Subdistrict 2 of Community School District 30. The boundary of the subdistrict is shown in **Figure 13.** The study area for analyses of high schools is the borough in which the Proposed Actions are located.
- If the results of the impact analysis identify a potential for significant adverse impacts, potential practicable mitigation measures to avoid or reduce those significant adverse impacts will be identified.

CHILD CARE CENTERS

The number of DUs affordable to families earning less than 80 percent AMI (and thus considered potentially eligible for publicly funded daycare) in the RWCDS would exceed the minimum number of DUs (139) requiring detailed analyses of publicly funded child care. Therefore, the EIS will also include an analysis of child care as described below:

- Identify existing publicly funded group child care facilities within approximately 1.5 miles of the Rezoning Area (this study area is shown on **Figure 14**).
- Describe each facility in terms of its location, number of slots (capacity), and existing enrollment. Information will be based on publicly available information and consultation with the Administration for Children's Services' Division of Child Care and Headstart (CCHS).
- Any expected increases in the population of children under age 6 within the eligibility income limitations, based on CEQR methodology, will be discussed as potential additional demand,

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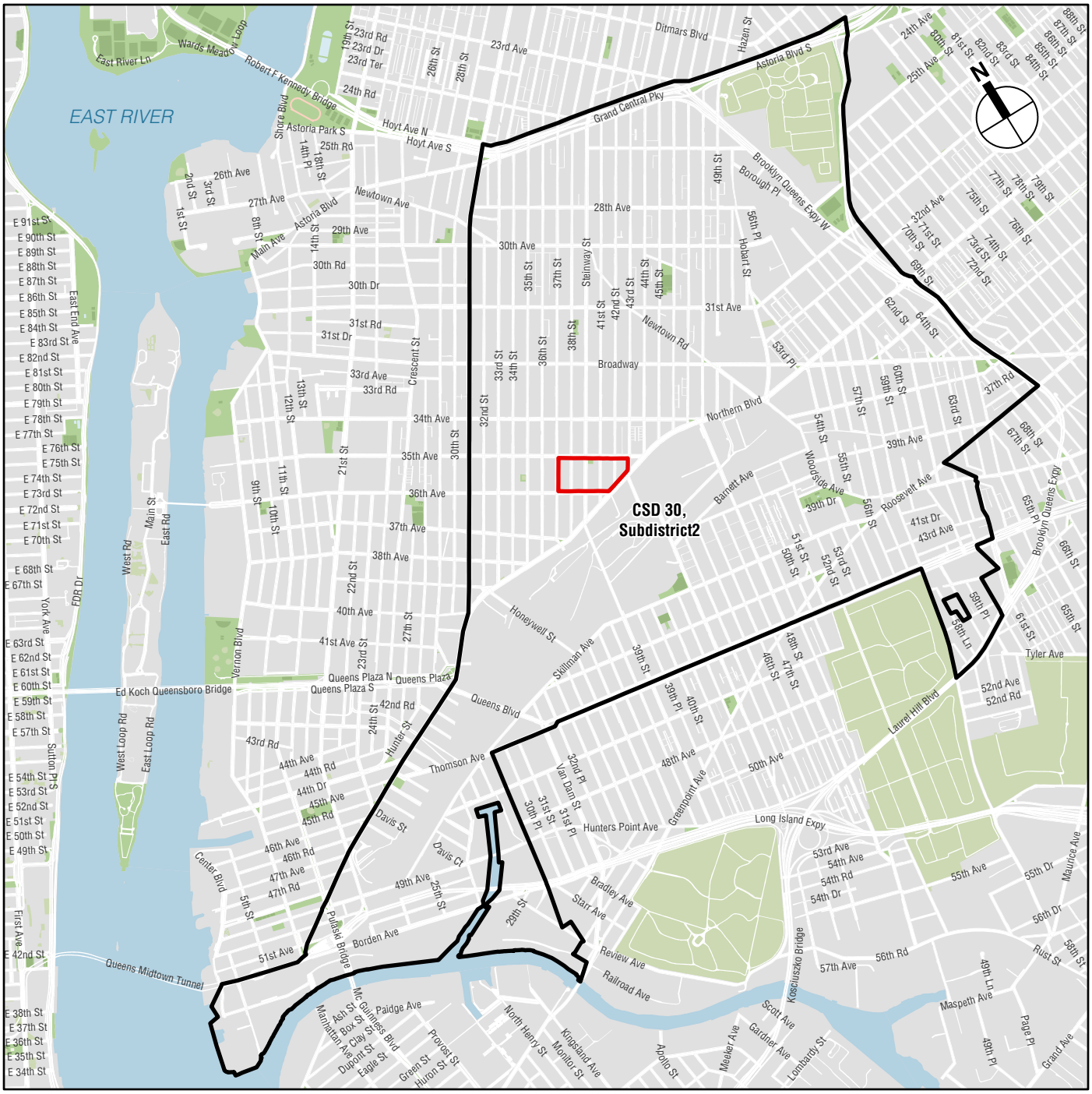

Elementary/Intermediate School Analysis Study Area

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Early Childhood Programs Analysis Study Area

INNOVATION QNS

Figure 14

and the potential effect of any population increases on demand for publicly funded group child care services in the study area will be assessed. The potential effects of the additional eligible children resulting from the Proposed Actions will be assessed by comparing the estimated net demand over capacity to the net demand over capacity estimated in the No Action scenario.

- If the results of the impact analysis identify a potential for significant adverse impacts, potential practicable mitigation measures to avoid or reduce those significant adverse impacts will be identified.

LIBRARIES

The RWCDS would also exceed the CEQR threshold requiring analysis of public libraries (663 DUs). Therefore, using the guidance of the *CEQR Technical Manual*, the EIS will:

- Describe and map the local libraries and catchment areas in the vicinity of the Rezoning Area (see **Figure 15** for the study area).
- Identify the existing user population, branch holdings, and circulation. Based on this information, estimate the holdings per resident.
- Determine conditions in the No Action scenario based on planned developments and known changes to the library system.
- Based on the population to be added by the Proposed Actions in the RWCDS, estimate the holdings per resident, and compare conditions in the No Action scenario and the With Action scenario.
- If the results of the impact analysis identify a potential for significant adverse impacts, potential practicable mitigation measures to avoid or reduce those significant adverse impacts will be identified.

TASK 5: OPEN SPACE

The *CEQR Technical Manual* recommends performing an open space assessment if a project would have a direct effect on an area open space or an indirect effect through increased population. As stated in the EAS, the Project Area partially falls within an area that is considered "underserved" (generally located west of 38th Street and north of 36th Avenue) and the threshold for an open space assessment is whether a project would introduce more than 50 residents or 125 workers. The Proposed Project would result in a net increment of approximately 8,300 residents and approximately 1,200 workers, as shown in the EAS; therefore, preliminary residential and non-residential indirect open space assessments will be prepared to determine the need for further analysis. If warranted, a detailed assessment will be prepared.

The methodology set forth in the *CEQR Technical Manual* consists of establishing a study area for analysis: for the residential open space analysis, the study area is the area within a ½-mile of the Project Area (see **Figure 16**). For the non-residential open space analysis, the study area is the area within a ¼-mile of the Project Area (see **Figure 16**). The analysis will calculate the total population in the study areas and create an inventory of publicly accessible open spaces within the study areas. This inventory will include examining these spaces for their facilities (active vs. passive use), condition, and use (crowded or not).

The chapter will project conditions in the No Action scenario, and assess impacts of the Proposed Actions based on the maximum residential and non-residential populations that would be introduced using quantified ratios and qualitative factors. New public open space created as part

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Public Libraries Analysis Study Area

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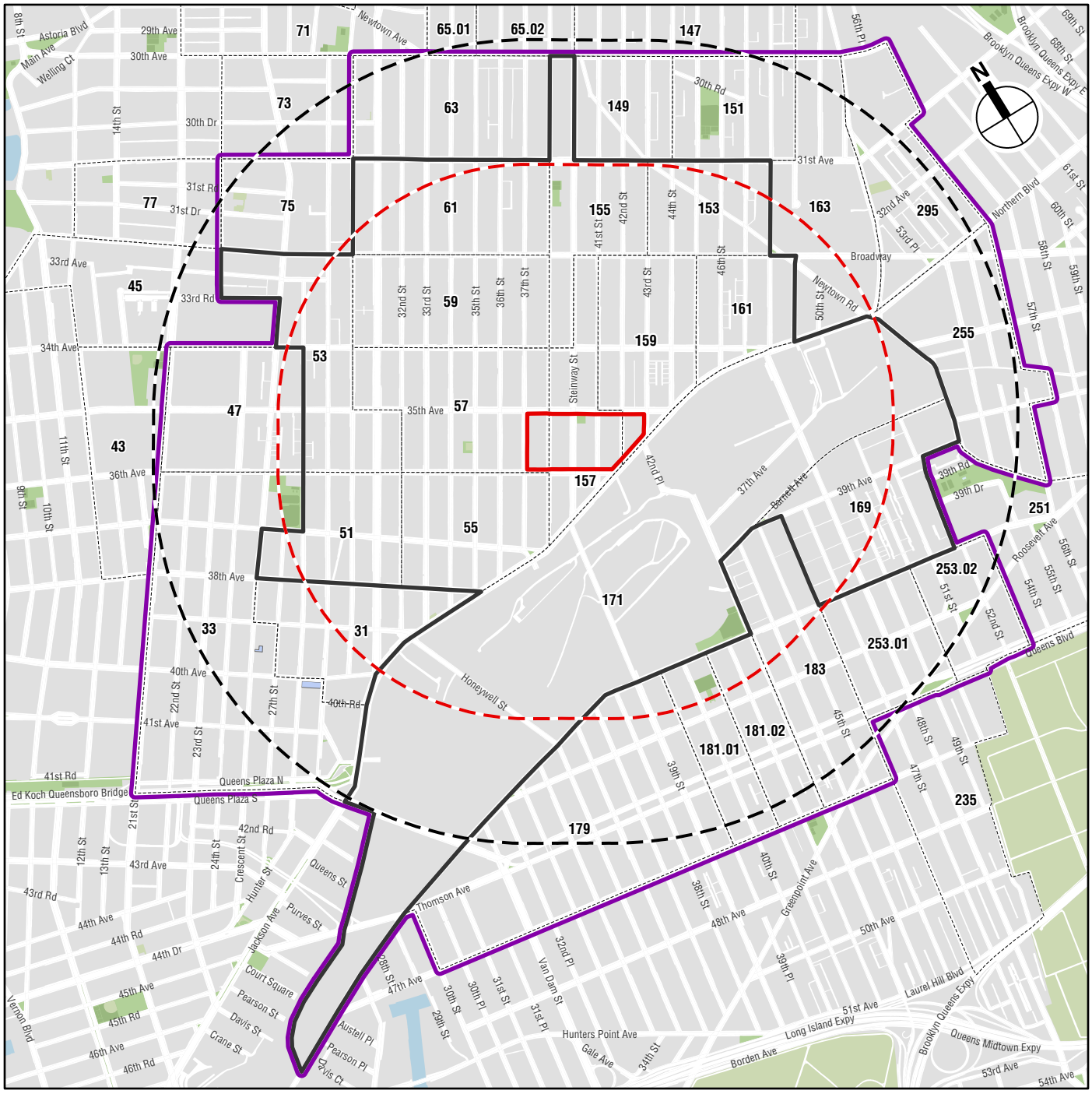
Figure 15



Open Space Analysis Study Area

INNOVATION QNS

Figure 16

of the Proposed Actions will be described—including total acreage, accessibility, and potential amenities—and considered in the indirect effects analysis.

The indirect effects analysis will begin with a preliminary assessment to determine the need for further analysis. If warranted, a detailed assessment will be prepared, following the guidelines of the *CEQR Technical Manual*. If the results of the impact analysis identify a potential for significant adverse impacts, potential practicable mitigation measures to avoid or reduce those significant adverse impacts will be identified.

In addition, the EIS will include a direct effects analysis to determine whether the Proposed Actions would have the potential to directly affect any open spaces near the Project Area. This analysis will use information from the analyses of Shadows, Air Quality, Noise, and Construction outlined below. In particular, the direct effects analysis will consider potential impacts (e.g., potential shadows impacts) on Playground 35, which is located adjacent to Projected Development Site C.

TASK 6: SHADOWS

Under CEQR, a shadows assessment is required for proposed actions that would result in new structures greater than 50 feet in height, or of any height if the project site is adjacent to a sunlight-sensitive resource. According to the *CEQR Technical Manual*, sunlight-sensitive resources include publicly accessible parks and plazas, sunlight-dependent features of historic resources such as stained-glass windows, Greenstreets (planted areas in traffic islands), and natural resources such as water bodies and wetlands.

The Proposed Actions would result in structures more than 50 feet taller than what would exist or be developed in the Project Area in the No Action condition. Further, Playground Thirty-Five, a City-owned public playground, is adjacent to three of the Projected Development Sites. Therefore, a shadows assessment will be conducted to determine when and how much project-generated shadow could potentially reach Playground Thirty-Five or any other sunlight-sensitive resources as a result of the Proposed Actions.

The shadows assessment will follow the tiered methodology described in the *CEQR Technical Manual* and will include the following tasks:

- For the first tier of the screening assessment, develop a base map illustrating the project site in relation to publicly accessible open spaces, historic resources with sunlight-dependent features, and natural features in the area. Determine a simple radius around the Project Area representing the longest shadow that could be cast.
- If there are sunlight-sensitive resources within this radius, the assessment proceeds to the second tier, which reduces the area that could be affected by project shadow by accounting for the fact that shadows can never be cast between a certain range of angles south of the project site due to the path of the sun through the sky at the latitude of New York City.
- If the second tier of assessment does not eliminate the possibility of new shadows on sunlight-sensitive resources, a third tier of screening assessment further refines the area that could be reached by project shadow by looking at specific representative days in each season and determining the maximum extent of shadow over the course of each representative day. For this tier, develop a three-dimensional computer model of the elements of the base map developed in the previous tiers, including the topography, streets, sunlight-sensitive resources, and the Proposed Development in the With Action condition.

- If the third tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, conduct a detailed analysis: Add existing and future No Action buildings to the three-dimensional computer modeling software and compare With Action shadows to No Action shadows to determine the extent and duration of new shadows that would be cast on sunlight-sensitive resources as a result of the Proposed Actions on representative days in each season.
- Document the analysis with graphics comparing shadows resulting from the No Action condition with shadows resulting from the Proposed Actions, with incremental shadow highlighted in a contrasting color. A summary table listing the entry and exit times and total duration of incremental shadow on each applicable representative day for each affected resource will be included.
- Assess the significance of any shadow impacts on sunlight-sensitive resources. If the results of the analysis identify a potential for significant adverse impacts, potential mitigation measures will be discussed.

TASK 7: HISTORIC AND CULTURAL RESOURCES

Historic and cultural resources include archaeological (buried) resources and architectural resources. The *CEQR Technical Manual* identifies historic resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. Historic resources include known architectural resources (New York City Landmarks [NYCLs], Interior Landmarks, Scenic Landmarks, New York City Historic Districts; resources calendared for consideration as one of the above by LPC; resources listed on or formally determined eligible for inclusion on the State/National Register of Historic Places (S/NR), or contained within a district listed on or formally determined eligible for listing on the S/NR [S/NR-eligible]; resources recommended by the New York State Board for listing on the S/NR; and National Historic Landmarks [NHLs]) and potential architectural resources (i.e., properties that appear to meet S/NR and NYCL criteria).According to the *CEQR Technical Manual*, a historic and cultural resources assessment is required if a project would have the potential to affect either archaeological or architectural resources. The analysis will consider the potential of the Proposed Actions to affect historic and cultural resources as follows.

ARCHAEOLOGICAL RESOURCES

As the Proposed Development will require subsurface disturbance, and it is also assumed that disturbance would occur at Projected Development Sites in the Additional Affected Area, the New York City Landmarks Preservation Commission (LPC) was consulted in order to obtain a preliminary determination of archaeological sensitivity of the Development Site and Projected Development Sites in the Additional Affected Area. In an environmental review comment letter dated March 25, 2021, LPC determined that none of the lots within the Development Site or the Projected Development Sites in the Additional Affected Area were of potential archaeological significance. As such, no further archaeological analysis is warranted pursuant to CEQR and the Proposed Actions would not result in significant adverse impacts on archaeological resources.

ARCHITECTURAL RESOURCES

There are no known architectural resources on the Development Site or in the Project Area. In the vicinity of the Development Site and Project Area, the Paramount Studios Complex (S/NR-Listed, NYCL) spans portions of several blocks west of 37th Street.

The following tasks will be undertaken as part of the architectural resources analysis:

- Identify, map, and briefly describe known architectural resources within a 400-foot study area surrounding the Project Area.
- Conduct a field survey by an architectural historian of the Project Area and study area to determine whether there are any potential architectural resources that could be affected by the Proposed Actions. Potential architectural resources comprise properties that appear to meet the eligibility criteria for NYCL designation and/or S/NR listing. The field survey will be supplemented, as necessary, with research at relevant repositories, online sources, and current sources prepared by LPC and the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP). Determinations of eligibility from LPC will be requested for any potential architectural resources.
- Assess the potential impacts of the Proposed Actions on any identified architectural resources, including visual and contextual changes as well as any direct physical impacts. Potential impacts will be evaluated through a comparison of the future No Action condition and future With Action condition, and a determination made as to whether any change would alter or eliminate the significant characteristics of the resource that make it important.
- If applicable, develop measures in consultation with LPC to avoid, minimize, or mitigate any adverse impacts on historic and cultural resources.
- Should the Proposed Development require any state or federal actions (e.g. permits or funding), consultation will be undertaken with OPRHP to seek their comments and determination of impacts on archaeological and architectural resources.

TASK 8: URBAN DESIGN AND VISUAL RESOURCES

According to the methodologies of the *CEQR Technical Manual*, if a project requires actions that would result in physical changes to a project site beyond those allowed by existing zoning and which could be observed by a pedestrian from street level, a preliminary assessment of urban design and visual resources should be prepared. The Proposed Actions include a rezoning of the Project Area, the declaration of the Development Site a Large Scale General Development (LSGD), and a Special Permit under Section 74-743 of the Zoning Resolution (ZR), along with other special permits. These actions would change the urban design and visual character of the Development Site and Project Area. Therefore, a preliminary assessment of urban design and visual resources will be prepared to determine whether the Proposed Actions, in comparison to the No Action condition, would create a change to the pedestrian experience that is sufficiently significant to require greater explanation and further study.

The analysis will be undertaken based on the *CEQR Technical Manual* methodologies, as follows:

- Following the guidelines of the *CEQR Technical Manual*, the study area for the preliminary assessment of urban design and visual resources will be consistent with that of the study area for the analysis of land use, zoning and public policy. As necessary, the delineation of the study area will take into consideration any more distant views of the proposed project. A description of visual resources in the study area and view corridors, if any, will be provided.
- The preliminary assessment will include a concise narrative and graphics depicting the existing Development Site and Project Area, the future No Action condition, and the future With Action condition. The assessment will present photographs, depictions of the Proposed Development, including project drawings and site plans, and view corridor assessments.
- The preliminary assessment will determine whether the Proposed Actions, in comparison to the No Action condition, would create a change in the pedestrian experience that would result in significant adverse impacts to urban design and visual resources.

A detailed urban design and visual resources analysis will be prepared if warranted based on the findings of the preliminary assessment. The detailed analysis would describe the Proposed Development and the urban design and visual resources of the surrounding area. The analysis would describe the potential changes that could occur to urban design and visual resources in the With Action condition, in comparison to the No Action condition, focusing on the changes that could negatively affect a pedestrian's experience of the area.

If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

TASK 9: HAZARDOUS MATERIALS

This chapter will address the potential presence of hazardous materials, petroleum products, and/or other environmental concerns in the Project Area, as well as necessary measures that would be required, either prior to or during demolition, excavation, construction and/or operation of the Proposed Development, to avoid significant adverse effects. Phase I Environmental Site Assessments (ESAs) have been prepared for all of the project blocks and will be used to summarize the potential for hazardous materials, including a discussion of environmental conditions on each of the project blocks. The chapter will identify previous on-site land uses (which include historical and current automotive repair facilities) and nearby uses, and will determine the need for further investigations on each block. It is anticipated that the lead agency and the New York City Department of Environmental Protection (DEP) will require preparation of Phase II Subsurface Investigations (laboratory analysis of soil, groundwater, and soil vapor samples) for certain blocks/lots during the CEQR process. In advance of conducting the testing, a Work Plan for the investigations will need to be submitted to the agencies for approval. Regardless of the results of the testing, DEP will require preparation of a Remedial Action Plan (RAP) and associated Construction Health and Safety Plan (CHASP) for implementation during construction. If necessary, an (E) Designation, in accordance with the *CEQR Technical Manual*, Section 11-15 (Environmental Requirements) of the Zoning Resolution of the City of New York and Chapter 24, Title 15, of the Rules of the City of New York governing the placement of (E) Designations, will be placed on certain lots within the Project Area.

TASK 10: WATER AND SEWER INFRASTRUCTURE

According to the *CEQR Technical Manual*, an analysis of an action's impact on the water supply system should be conducted only for actions that would have exceptionally large demand for water, such as power plants, very large cooling systems, or large developments. In addition, analysis should be conducted if the project is located in an area that experiences low water pressure (e.g., areas at the end of the water supply distribution system such as the Rockaway Peninsula and Coney Island). For the Proposed Actions, an analysis of water supply is warranted as the RWCDS is expected to result in a water demand of more than one million gallons per day (gpd) compared with the No Action scenario.

Because the Proposed Actions would introduce an incremental increase above the No Action scenario of more than 400 DUs, as well as more than 150,000 sf of commercial space, and is located in a combined sewer area within Queens, an analysis of wastewater and stormwater infrastructure is warranted. DEP will be consulted in preparation of these assessments.

WATER SUPPLY

- The existing water distribution system serving the Project Area will be described based on information obtained from DEP's Bureau of Water Supply and Wastewater Collection.

- The existing water demand generated by uses in the Project Area will be estimated.
- Water demand for No Action and With Action scenarios will be estimated.
- The effects of the incremental demand on the City's water supply system will be assessed to determine if there would be impacts to water supply or pressure. The incremental water demand will be the difference between the water demand in the Project Area in the With Action scenario and the demand in the No Action scenario.
- If the results of the impact analysis identify a potential for significant adverse impacts, potential practicable mitigation measures to avoid or reduce those significant adverse impacts will be identified.

WASTEWATER AND STORMWATER INFRASTRUCTURE

The appropriate study area for the assessment will be established in consultation with DEP. The Proposed Action's directly affected area is located within the service area of the Bowery Bay Wastewater Treatment Plant (WWTP).

- The existing stormwater drainage system and surfaces (pervious or impervious) in the Project Area will be described, and the amount of stormwater generated in the Project Area will be estimated using DEP's volume calculation worksheet.
- The existing sewer system serving the Project Area will be described based on records obtained from DEP. The existing flows to the Bowery Bay WWTP, which serves the directly affected area, will be obtained for the latest twelve-month period, and the average dry weather monthly flow will be presented.
- Any changes to the stormwater drainage plan, sewer system, and surface area expected in the No Action scenario will be described, as warranted.
- Future stormwater generation from the Project Area will be assessed. Changes to the surface area of the Project Area will be described, runoff coefficients and runoff for each surface type/area will be presented, and volume and peak discharge rates from the site will be determined based on DEP's volume calculation worksheet. Proposed Best Management Practices will also be described.
- Sanitary sewage generation for the Project Area will also be estimated. The effects of the incremental demand on the system will be assessed to determine if there will be any impact on operations of the Bowery Bay WWTP.
- If the results of the impact analysis identify a potential for significant adverse impacts, potential practicable mitigation measures to avoid or reduce those significant adverse impacts will be identified.

A more detailed assessment may be required if increased sanitary or stormwater discharges from the Project Area with the Proposed Actions are predicted to affect the capacity of portions of the existing sewer system, exacerbate combined sewer overflow (CSO) volumes/frequencies, or contribute greater pollutant loadings in stormwater discharged to receiving water bodies. The detailed analysis, if necessary, will be developed based on conclusions from the preliminary infrastructure assessment and coordinated with DEP.

TASK 11: SOLID WASTE AND SANITATION SERVICES

A solid waste assessment determines whether an action has the potential to cause a substantial increase in solid waste production that may overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan or with State policy

related to the City's integrated solid waste management system. The Proposed Actions would induce new development that would require sanitation services. If a project's generation of solid waste in the With Action condition would not exceed 50 tons per week, it may be assumed that there would be sufficient public or private carting and transfer station capacity in the metropolitan area to absorb the increment, and further analysis generally would not be required.

As the Proposed Actions are expected to result in a net increase of more than 50 tons per week, compared with the No Action condition, an assessment of solid waste and sanitation services is warranted. This chapter will provide an estimate of the additional solid waste expected to be generated by the projected development sites under the RWCDS and assesses its effects on the City's solid waste and sanitation services. This assessment will do the following:

- Describe existing and future New York City solid waste disposal practices.
- Estimate solid waste generation by the RWCDS projected development sites for existing, No Action, and With Action conditions.
- Describe waste management systems to be employed with the Proposed Development, including the proposed location and method of storage of refuse and recyclables prior to collection (e.g., the use of compactors, dumpsters and/or "roll on/roll off" refuse containers). In addition, assess the potential for curbside collection of refuse and/or recyclables to affect traffic, pedestrians, public health, and community character.
- Assess the impacts of the Proposed Actions' solid waste generation (projected developments) on the City's collection needs and disposal capacity. The Proposed Actions' consistency with the City's Solid Waste Management Plan will also be assessed.

TASK 12: ENERGY

The EIS will include a discussion of the effects of the Proposed Development and developments on the Projected Development Sites not controlled by the Applicant on the use and conservation of energy, if applicable and significant, in accordance with CEQR. In most cases, an action does not need a detailed energy assessment, but its operational energy is projected using average annual whole-building energy use rates for New York City. A detailed energy assessment is limited to actions that may significantly affect the transmission or generation of energy. For other actions, in lieu of a detailed assessment, the estimated amount of energy that would be consumed annually as a result of the day-to-day operation of the buildings and uses resulting from an action is disclosed, as recommended in the *CEQR Technical Manual*.

An analysis of the anticipated incremental demand from the Proposed Actions will be provided in the EIS. The EIS will disclose the projected amount of energy consumption during long-term operation resulting from the Proposed Development and development on the Projected Development Sites not controlled by the Applicant. The projected amount of energy consumption during long-term operation will be estimated based on the project specific information, if available, and will be consistent with the energy consumption estimated as part of the greenhouse gas (GHG) assessment (Task 15). If warranted, the Mayor's Office of Sustainability (MOS) and/or the power utility serving the area (Con Ed) will be consulted. If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

TASK 13: TRANSPORTATION

The objective of a transportation analysis is to determine whether a proposed action may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, the safety of all roadway users (pedestrians, bicyclists and

motorists), on-and off-street parking, or goods movement. The Proposed Actions are expected to introduce new residential, commercial, and community facility uses including on-site accessory parking of approximately three million square feet as well as replace 98,810 gsf of cinema use within the Project Area, which would generate additional vehicular travel and demand for parking, as well as additional subway and bus riders and pedestrian traffic. These new trips have the potential to affect the area's transportation systems.

TRAVEL DEMAND AND SCREENING ASSESSMENT

Detailed travel demand forecasts will be prepared for the RWCDS using standard sources, including the *CEQR Technical Manual*, U.S. Census data, previously-approved studies, and other references to determine the worse-case scenario to be analyzed in the EIS transportation analysis. A travel demand forecast (a Level 1 screening assessment) will be presented by peak hour, mode of travel, and person and vehicle trips. The travel demand forecasts will also identify the number of peak hour person trips made by transit and the numbers of pedestrian trips traversing the area's sidewalks, corner areas, and crosswalks. Detailed vehicle, pedestrian and transit trip assignments (a Level 2 screening assessment) will be prepared based on the results of the Proposed Actions' travel demand forecast to identify the intersections and pedestrian/transit elements selected for quantified analysis.

TRAFFIC

The EIS will provide a detailed traffic analysis focusing on those peak hours and street network intersections where the highest concentrations of action-generated demand would occur. The peak hours for analysis will be selected, and the specific intersections to be included in the traffic study area will be determined based upon the assignment of project-generated traffic and the *CEQR Technical Manual* analysis threshold of 50 additional vehicle trips per hour, or at known congested locations. The specific intersections to be analyzed will be determined in consultation with the lead agency once the assignment of action-generated traffic has been finalized.

The following outlines the anticipated scope of work for conducting a traffic impact analysis for the Proposed Actions:

- Conduct a count program for traffic analysis locations that includes a mix of automatic traffic recorder (ATR) machine counts and intersection turning movement counts, along with vehicle classification counts and travel time studies (speed runs) as support data for air quality and noise analyses. Turning movement count data will be collected at each analyzed intersection during the weekday and Saturday peak hours, and will be supplemented by nine days of continuous ATR counts. Vehicle classification count data will be collected during each peak hour at several representative intersections along each of the principal corridors in the study area. The turning movement counts, vehicle classification counts and travel time studies will be conducted concurrently with the ATR counts. Where applicable, available information from recent studies in the vicinity of the study area will be compiled, including data from such agencies as DOT and DCP.
- Inventory physical data at each of the analysis intersections, including street widths, number of traffic lanes and lane widths, pavement markings, turn prohibitions, bicycle routes, curbside parking regulations, and vehicle queue lengths. Signal phasing and timing data for each signalized intersection included in the analysis will be obtained from DOT.
- Determine existing traffic operating characteristics at each analysis intersection including capacities, volume-to-capacity (v/c) ratios, average vehicle delays, and levels of service (LOS) per lane group, per intersection approach, and per overall intersection. This analysis will be

conducted using the 2000 Highway Capacity Manual (HCM) methodology with the latest approved Highway Capacity Software (HCS), or other methodology as may be determined in consultation with DOT.

- Based on available sources, Census data, and standard references, including the *CEQR Technical Manual*, estimate the demand from other major developments planned in the vicinity of the Project Area by the 2032 analysis year. This will include total daily and peak hour person and vehicular trips, and the distribution of trips by auto, taxi, and other modes. A truck trip generation forecast will also be prepared based on data from the *CEQR Technical Manual* and previous relevant studies. Mitigation measures accepted for all No Action projects, as well as other DOT initiatives, will be included in the future No Action condition network, as applicable.
- Compute the future 2032 No Action condition traffic volumes based on approved background traffic growth rates for the study area (0.50 percent per year for the first five years and 0.25 percent per year thereafter) and demand from major development projects expected to be completed in the future without the Proposed Actions. Incorporate any planned changes to the roadway system anticipated by 2032, and determine the No Action condition v/c ratios, delays, and LOS at analyzed intersections.
- Based on available sources, Census data, and standard references, including the *CEQR Technical Manual*, develop a travel demand forecast for the RWCDS based on the net change in uses compared to the No Action condition. Determine the net change in vehicle trips expected to be generated by the RWCDS. Assign the net action-generated trips in each analysis period to likely approach and departure routes, and prepare traffic volume networks for the 2032 future with the Proposed Actions condition for each analyzed peak hour.
- Determine the v/c ratios, delays, and LOS at analyzed intersections for the With Action condition, and identify significant adverse traffic impacts in accordance with *CEQR Technical Manual* criteria.
- Identify and evaluate potential traffic mitigation measures, as appropriate, for any significantly impacted locations in the study area in consultation with the lead agency and DOT. Potential traffic mitigation could include both operational and physical measures, such as changes to lane striping, curbside parking regulations and traffic signal timing and phasing, roadway widening, and the installation of new traffic signals. Where impacts cannot be fully or partially mitigated, they will be described as unavoidable adverse impacts.

TRANSIT

Detailed transit analyses are generally not required if a proposed action is projected to result in fewer than 200 peak hour rail or bus transit trips according to the general thresholds used by the Metropolitan Transportation Authority (MTA) and specified in the *CEQR Technical Manual*. If a proposed action would result in 50 or more bus trips being assigned to a single bus line (in one direction), or if it would result in an increase of 200 or more trips at a single subway station or on a single subway line, a detailed bus or subway analysis would be warranted.

Subway

The Proposed Actions are expected to generate a net increase of more than 200 additional subway trips at the Steinway Street (M/R), 36th Street (M/R), and 36th Avenue (N/W) stations in one or more peak hour, and would therefore require a detailed subway analysis of these stations. In addition, if the RWCDS is expected to generate more than 200 new peak hour subway trips per line in the peak direction, an analysis of the M, R, N, and W subway line haul conditions is

therefore warranted per *CEQR Technical Manual* analysis criteria. Transit analyses typically focus on the weekday AM and PM commuter peak hours when overall demand on the subway and bus systems is usually highest. The detailed subway analysis will include the following subtasks:

- Identify for analysis those stairways and fare entrance control elements expected to be used by significant concentrations of action-generated demand in the weekday AM and PM peak hours.
- Conduct counts of existing weekday AM and PM peak hour demand at analyzed subway station elements and determine existing v/c ratios and LOS based on *CEQR Technical Manual* criteria.
- Determine volumes and conditions at each station elements in the future without the Proposed Actions using approved background growth rates and accounting for any trips expected to be generated by No Action development within the Project Area, as well as major No Action projects in the vicinity of the Project Area.
- Add action-generated demand to the No Action condition volumes at analyzed subway station elements and determine AM and PM peak hour volumes and conditions in the 2032 analysis year.
- Identify potential significant adverse impacts at subway station stairways and fare control elements based on *CEQR Technical Manual* impact criteria.
- If the RWCDS is expected to generate 200 or more subway trips in the peak direction of the M, R, N, and W subway lines, subway line haul conditions will also be assessed in the EIS.
- Mitigation needs and potential subway station improvements will be identified, as appropriate, in conjunction with the lead agency and New York City Transit (NYCT). Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

Bus

The Project Area and its surroundings are served by a total of four NYCT-operated local bus routes. As part of the EIS, a Level 1 trip generation and (if warranted) Level 2 bus trip assignment will be prepared for the RWCDS. A detailed analysis of bus conditions is generally not required if a proposed action is projected to result in fewer than 50 peak hour trips being assigned to a single bus route (in one direction) based on the general thresholds used by the MTA and specified in the *CEQR Technical Manual*.

As the incremental person-trips by bus generated by the RWCDS is expected to exceed 50 peak hour trips per direction on the Q66 route serving the Project Area, the EIS will include a quantitative analysis of local bus conditions during the weekday AM and PM commuter peak hours when overall demand on the bus system is usually highest. For that analysis, trips will be assigned to the bus route based on proximity to the Project Area and current ridership patterns. The analysis will include documenting existing peak hour bus service levels and maximum load point ridership, determining conditions in the future No Action condition, and assessing the effects of new action-generated peak hour trips. Bus transit mitigation, if warranted, will be identified in consultation with the lead agency and the MTA.

PEDESTRIANS

Projected pedestrian volumes of less than 200 persons per hour at any pedestrian element (sidewalks, corner areas, and crosswalks) would not typically be considered a significant impact, since the level of increase would not generally be noticeable and therefore would not require further analysis under *CEQR Technical Manual* criteria. Based on the level of new pedestrian

demand generated by the RWCDS, it is anticipated that action-generated pedestrian trips would exceed the 200-trip analysis threshold at one or more locations in one or more peak hour. A detailed pedestrian analysis will therefore be prepared for the EIS focusing on selected sidewalks, corner areas, and crosswalks along corridors in the vicinity of the project as well as corridors to and from the nearby subway stations that would experience more than 200 additional peak hour pedestrian trips.

Pedestrian counts will be conducted at each analysis location and used to determine existing LOS. No Action condition and With Action condition pedestrian volumes and LOS will be determined based on approved background growth rates, trips expected to be generated by No Action development in the Project Area and other major projects in the vicinity of the study area, and action-generated demand. The specific pedestrian facilities to be analyzed will be determined in consultation with the lead agency once the assignment of action-generated pedestrian trips has been finalized. The analysis will evaluate the potential for incremental demand from the Proposed Actions to result in significant adverse impacts based on current *CEQR Technical Manual* criteria. Potential measures to mitigate any significant adverse pedestrian impacts will be identified and evaluated, as warranted, in consultation with the lead agency and DOT.

VEHICULAR AND PEDESTRIAN SAFETY

The City's Vision Zero initiative seeks to eliminate all deaths from traffic crashes regardless of whether on foot, bicycle, or inside a motor vehicle. In an effort to drive these fatalities down, DOT and New York City Police Department (NYPD) developed a set of five plans, each of which analyzes the unique conditions of one New York City borough and recommends actions to address the borough's specific challenges to pedestrian safety. As discussed in the *Vision Zero Queens Pedestrian Safety Action Plan*, the Project Area is located within a Priority Area, which is prioritized for safety interventions. The plans outline a series of recommended actions comprised of engineering, enforcement, and education measures that intend to alter the physical and behavioral conditions on City streets that lead to pedestrian fatality and injury.

Data on traffic crashes involving pedestrians and/or cyclists at study area intersections will be obtained from DOT for the most recent three-year period available. These data will be analyzed to determine if any of the studied locations may be classified as high crash locations and whether vehicle and/or pedestrian trips and any street network changes resulting from the Proposed Actions would adversely affect vehicular and pedestrian safety in the area. If any high crash locations are identified, feasible improvement measures will be explored to alleviate potential safety issues.

PARKING

As part of the EIS transportation task, an hourly parking accumulation forecast will be prepared for the RWCDS. If the overall anticipated demand exceeds the With Action on-site accessory parking capacity, a detailed parking analysis would be prepared to determine if there is sufficient on- and off-street capacity in the surrounding area to accommodate overflow demand from the Project Area. As the With Action condition demand is expected to peak at 8:00-9:00 PM on weekdays and 5:00-6:00 PM on Saturdays, the analysis of on-street and off-street parking conditions would focus on the weekday overnight and Saturday evening periods, when demand is expected to be highest. Existing on- and off-street parking inventories would be conducted for the weekday overnight and Saturday evening periods (when parking in a residential area is frequently at peak occupancy) to document existing supply and demand. Parking utilization within a ¼-mile of the Project Area will be analyzed. If the initial on- and off-street parking assessment shows conditions at or near capacity, then a parking assessment would be conducted up to a ½-mile radius

to determine if capacity is available to accommodate the projected demand during peak periods. The parking analysis would document changes in the parking utilization in proximity to the Project Area under the No Action and With Action conditions based on accepted background growth rates and projected demand from No Action and With Action development in the Project Area and other major projects in the vicinity of the study area.

TASK 14: AIR QUALITY

MOBILE SOURCE ANALYSIS

The number of RWCDS-generated vehicle trips will likely exceed the *CEQR Technical Manual* carbon monoxide (CO) analysis screening threshold of 170 vehicles in the peak hour at one or locations in the traffic study area. In addition, the projected number of vehicles will likely exceed the applicable fine particulate matter ($PM_{2.5}$) screening threshold in the *CEQR Technical Manual*. Therefore, a microscale analysis of CO and PM mobile source emissions at intersections with the greatest anticipated impact will be conducted. Using computerized dispersion modeling techniques, the effects of project-generated traffic on CO and PM concentrations will be determined. In addition, the effect of the RWCDS parking facilities on air quality will be analyzed, and the results from that analysis will be combined with the intersection analyses, where applicable.

The mobile source air quality analysis will include the following tasks:

- *Gather existing air quality data*. Collect and summarize existing ambient air quality data for the study area. Specifically, ambient air quality monitoring data published by New York State Department of Environmental Conservation (NYSDEC) will be compiled for the analysis of existing and future conditions.
- *Determine receptor locations for the microscale analysis.* Select critical intersections in the study area, representing the locations with the highest potential total and incremental pollution impacts, based on data obtained from the traffic analysis. At these intersections, multiple receptor locations will be analyzed in accordance with *CEQR Technical Manual* guidelines.
- *Select dispersion models.* The refined U.S. Environmental Protection Agency (EPA) AERMOD model is proposed to predict the maximum change in CO and $PM_{2.5}$ concentrations, consistent with current EPA modeling guidance.
- *Emission calculation methodology and "worst-case" meteorological conditions*. Vehicular cruise and idle emissions for the dispersion modeling will be computed using EPA's MOVES model based on traffic volumes, speeds, and vehicle classification information developed for the transportation studies. Re-suspended road dust emission factors will be computed based on CEQR guidance and the EPA procedure defined in AP–42.
- At each microscale receptor site, calculate for each applicable peak period the maximum 1- and 8-hour average CO concentrations and maximum 24-hour and annual average $PM_{2.5}$ concentrations for No Action and With Action scenarios, for each of the analysis years for the proposed project. Concentrations will be determined for up to four peak periods for CO.
- *Perform an analysis for the RWCDS parking facilities.* The analysis will apply the procedures outlined in the *CEQR Technical Manual* for assessing potential impacts of CO and PM from proposed parking facilities. Cumulative impacts from on-street sources and emissions from parking facilities will be calculated, where appropriate.
- *Evaluate results*. Future pollutant levels with and without the proposed project will be compared with the CO National Ambient Air Quality Standards (NAAQS), and the *CEQR*

Technical Manual CO and $PM_{2.5}$ *de minimis* guidance criteria, to determine the impacts of the Proposed Actions.

- *Mitigation*. For locations where significant adverse air quality impacts are predicted, identify and analyze appropriate mitigation measures to avoid or reduce those significant adverse impacts.

STATIONARY SOURCE ANALYSIS

The stationary source air quality impact analysis will determine the effects of emissions from heating and hot water systems on criteria pollutant levels (i.e., PM and/or nitrogen dioxide concentrations). Since the majority of the Project Area is located within a manufacturing zoned district, an analysis of emissions from existing industrial sources will be performed, as per the *CEQR Technical Manual*. Any large and major sources of emissions within 1,000 feet of the Project Area will also be examined, as described in the *CEQR Technical Manual*. Specifically, the stationary source air quality analysis will include the following tasks:

- A refined modeling analysis of the RWCDS' fossil fuel-fired heating and hot water systems will be prepared using the AERMOD model. Five recent years of meteorological data from the nearest representative National Weather Service station (LaGuardia Airport) and concurrent upper air data will be utilized for the simulation program. Concentrations of NO_2, sulfur dioxide (SO_2) (if assuming fuel oil), and particulate matter (PM_{10} and $PM_{2.5}$) will be determined at off-site and on-site (project) receptor locations. Predicted concentrations will be compared with NAAQS and the CEQR $PM_{2.5}$ *de minimis* criteria for $PM_{2.5}$. In the event that exceedances of standards and/or criteria are predicted, design measures to reduce pollutant levels to within standards will be examined.
- An analysis of uses surrounding the Project Area will be conducted to determine the potential for impacts from existing or proposed industrial emissions. A field survey will be performed to determine if there are any manufacturing or processing facilities within 400 feet of potential new sensitive receptors within the Project Area. In addition, a search of federal and state air permits, and the DEP's Bureau of Environmental Compliance (BEC) files will be performed to determine if there are permits for any sources of toxic air compounds from industrial processes. If manufacturing or processing facilities are identified within 400 feet of the Project Area, an industrial stationary source air quality analysis, as detailed in the *CEQR Technical Manual*, will be performed. EPA's AERMOD refined dispersion model will be used to estimate the short-term and annual concentrations of critical pollutants at sensitive receptor locations. Predicted values will be compared with the short-term guideline concentrations (SGC) and annual guideline concentrations (AGC) reported in NYSDEC's DAR-1 AGC/SGC Tables guidance document to determine the potential for significant impacts.
- A review will be performed to identify any federal or state-permitted facilities within 1,000 feet of potential new sensitive receptors within the Project Area (Large and major sources of emissions, as described in the *CEQR Technical Manual*). If any sources are identified, a detailed stationary source analysis will be performed using the EPA AERMOD dispersion model to estimate the potential impacts on the RWCDS from nearby existing or proposed stationary sources. For this analysis, five years of meteorological data, consisting of surface data from LaGuardia Airport, and concurrent upper air data from Brookhaven, New York, will be used for the simulation modeling. Concentrations of the air contaminants of concern (i.e., PM, SO_2, and NO_2) will be determined at ground level receptors as well as elevated receptors representing floors of the proposed Development Sites. Predicted values will be compared with NAAQS, and the City's $PM_{2.5}$ *de minimis* criteria.

TASK 15: GREENHOUSE GASES AND CLIMATE CHANGE

Because the RWCDS associated with the Proposed Actions would result in development exceeding the 350,000 gsf threshold requiring analysis of greenhouse gas (GHG) emissions, in accordance with the *CEQR Technical Manual*, GHG emissions generated by the Proposed Actions will be quantified, and an assessment of consistency with the City's established GHG reduction goal will be prepared. Emissions will be estimated for the analysis year and reported as carbon dioxide equivalent (CO_2e) metric tons per year. GHG emissions other than carbon dioxide (CO_2) will be included if they would account for a substantial portion of overall emissions, adjusted to account for the global warming potential.

In addition to GHG emissions, climate change has contributed to rising sea levels and increases in storm surge and coastal flooding. An analysis of climate change is deemed warranted for projects at sites located within the 100- or 500-year flood zone. A review of the City's flood hazard information was part of the EAS. The Project Area was found to be located over 1,000 feet outside of the nearest potential end-of-century flood hazard zone identified by the New York City Panel on Climate Change (NPCC). Therefore, the Proposed Development is unlikely to be impacted by future climate conditions, and an assessment of the potential impacts of climate change on the proposed project (e.g., sea level rise, flooding, etc.) is not warranted.

Relevant measures to reduce energy consumption and GHG emissions that could be incorporated into the proposed project will be discussed, and the potential for those measures to reduce GHG emissions from the Proposed Development will be assessed to the extent practicable. The With Action condition includes new developments that would be facilitated on the Projected Development Sites not controlled by the Applicant (Sites F, G, H, I, J and K), and therefore potential measures associated with those developments will not be quantified; a qualitative assessment of consistency with the City's established GHG reduction goal will be performed as part of the EIS.

The GHG analysis will consist of the following subtasks:

- Direct Emissions—GHG emissions from on-site boilers used for steam, heat, and hot water associated with the development sites projected as part of the Proposed Actions; and fuel used for on-site electricity generation (if any) will be quantified. Emissions will be based on the RWCDS and any available project-specific information regarding the Development Site's (Projected Development Sites A, B, C, D, and E) expected fuel use to be provided by the project team.
- Indirect Emissions—GHG emissions from purchased electricity and/or steam generated off-site and consumed on-site during operation will be estimated.
- Indirect Mobile Source Emissions—GHG emissions from vehicle trips to and from the Development Site and the Projected Development Sites not controlled by the Applicant will be quantified using trip distances and vehicle emission factors provided in the *CEQR Technical Manual*.
- Emissions from project construction and emissions associated with the extraction or production of construction materials will be qualitatively discussed. Opportunities for reducing GHG emissions associated with construction will be considered. Should a quantified assessment of construction GHG emissions be required by the lead agency, an analysis will be performed.
- Design features and operational measures to reduce the Development Site's energy use and GHG emissions will be discussed and quantified to the extent that information is available. A

qualitative discussion of potential measures that may be included in the designs of the Projected Development Sites not controlled by the Applicant.

- Consistency with the City's GHG reduction goal will be assessed. While the City's overall goal is to reduce GHG emissions by 30 percent below 2005 levels by 2025 and net zero emissions by 2050, individual project consistency is evaluated based on building energy efficiency, proximity to transit, on-site renewable power and distributed generation, efforts to reduce on-road vehicle trips and/or to reduce the carbon fuel intensity or improve vehicle efficiency for project-generated vehicle trips, and other efforts to reduce the proposed project's carbon footprint.
- Consistency with recently passed New York City and New York State climate legislation will be assessed. New York City's Climate Mobilization Act and New York State's Climate Leadership and Community Protection Act have established additional GHG reduction goals along with required emission reduction measures (i.e., building emission intensities, and requirements for rooftop solar photovoltaic installation where practicable).

TASK 16: NOISE

The noise analysis will examine impacts of existing noise sources (e.g., vehicular traffic from adjacent roadways and nearby playgrounds) on the proposed noise-sensitive uses and the impacts of project-generated traffic on nearby noise-sensitive land uses. This will include noise monitoring to determine existing ambient noise levels. For CEQR purposes, it is assumed that a detailed analysis of the proposed development's mechanical equipment will not be required, because any heating, ventilation, and air conditioning (HVAC) equipment would be designed to meet applicable regulations. Consequently, the noise analysis will examine existing noise levels in the project area and the window/wall attenuation that would be required to provide acceptable interior noise levels at the Proposed Development. The subtasks are as follows:

- *Select appropriate noise descriptors.* Based upon CEQR criteria, the noise analysis will examine the 1-hour equivalent (L_{eq}) and the L_{10} noise levels.
- *Screening Analysis.* Perform a screening analysis to determine whether there are any locations where there is the potential for the Proposed Actions to result in significant noise impacts (e.g., doubling of Noise Passenger Car Equivalents) due to project-generated traffic. If the results of the traffic study indicate that a doubling of traffic would occur, a mobile source noise analysis would be performed.
- *Select receptor locations.* Receptor sites analyzed will include locations where high existing ambient noise levels could adversely affect new residential and other sensitive uses associated with the Proposed Project.
- *Determine existing noise levels.* At each of the selected receptor locations, 20-minute measurements will be performed during typical weekday AM, midday, and PM peak periods, as well as the weekend midday peak period. Hourly L_{eq}, L_1, L_{10}, L_{50}, and L_{90} values will be recorded. Due to the ongoing COVID-19 pandemic resulting in atypical levels of vehicular traffic activity, field measurements of noise levels may not represent expected noise exposure in the Rezoning Area. If current traffic conditions are deemed representative of typical conditions, field measurements will be used to determine existing noise levels. However, if current traffic conditions would not be representative of typical conditions, measured noise levels would be adjusted based on differences in traffic volumes between the current conditions and pre-COVID conditions as established in the Traffic analysis described in Task 13, "Transportation." The specific methodology and technical approach for the establishment

of existing condition noise levels will be described in a memorandum submitted to the lead agency for comment and approval.

- *Determine future noise levels without the Proposed Actions*. At each of the receptor locations identified above, determine noise levels without the Proposed Actions using existing noise levels, acoustical fundamentals, and mathematical models.
- *Determine future noise levels with the Proposed Actions.* At all of the receptor locations identified above, determine noise levels with the Proposed Actions, including contribution from mobile noise sources (i.e. nearby traffic) and stationary sources (i.e. newly-introduced playgrounds) using existing noise levels, acoustical fundamentals, and mathematical models.
- *Determine amount of building attenuation required.* The level of building attenuation necessary to satisfy CEQR requirements is a function of the exterior noise levels, and will be determined. Projected future noise levels will be compared to appropriate standards and guideline levels. As necessary, general noise attenuation measures needed for the project building to achieve compliance with standards and guideline levels will be recommended.

TASK 17: PUBLIC HEALTH

According to the *CEQR Technical Manual*, a public health analysis is warranted if a project would result in a significant unmitigated adverse impact in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise. If unmitigated significant adverse impacts are identified in any of these technical areas, and the lead agency determines that a public health assessment is warranted, an analysis will be provided for the specific technical area or areas, in accordance with *CEQR Technical Manual* guidelines.

TASK 18: NEIGHBORHOOD CHARACTER

Neighborhood character is determined by a number of factors, such as land use, urban design, visual resources, historic resources, socioeconomic conditions, traffic, and noise. Methodologies outlined in the *CEQR Technical Manual* will be used to provide a preliminary assessment of neighborhood character. This assessment would include:

- Based on other technical analyses, describe the predominant factors that contribute to defining the character of the neighborhood surrounding the Project Area.
- Based on planned development projects, public policy initiatives, and planned public improvements, summarize changes that can be expected in the character of the area in the future without the Proposed Actions.
- Evaluate whether the Proposed Actions have the potential to affect these defining features. Either through the potential for a significant adverse impact or a combination of moderate effects in the relevant technical areas.

If required based on the preliminary assessment, a detailed assessment of the Proposed Actions' effects on neighborhood character will be prepared.

TASK 19: CONSTRUCTION

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. The construction impact assessment will evaluate the duration and severity of the disruption and inconvenience to nearby areas. The construction assessment will focus on areas where construction activities may pose specific environmental problems. This assessment will describe the anticipated construction

schedule and logistics, discuss on-site activities, and provide estimates of construction workers and truck deliveries.

Because the construction duration of the proposed project is anticipated to be long-term (i.e., greater than two years, in accordance with the *CEQR Technical Manual*), would involve the construction of multiple buildings, and the construction activities would occur in proximity to sensitive receptors (i.e., residences), the Proposed Project could have substantial and extended construction effects. Large-scale developments near sensitive receptor locations with a construction duration longer than two years typically require a quantitative assessment of the potential impacts of construction activities on air quality and noise.

Technical areas to be assessed include the following:

- ***Transportation Systems.*** This assessment will consider the proposed project's anticipated effects on the surrounding roadways, transit services, and pedestrian facilities during construction, and identify the increase in vehicle trips from construction workers and trucks. Issues concerning construction worker parking, truck staging. Based on the trip projections of activities associated with peak construction for the proposed project, an assessment of potential transportation impacts during construction will be provided. The assessment will include a Level 1 (Trip Generation) and Level 2 (Trip Assignment) analysis to determine if the *CEQR Technical Manual* quantified transportation analyses thresholds (50 or more vehicle trips and/or 200 or more transit/pedestrian trips during a given peak hour) are exceeded. A separate detailed analysis will be undertaken if this effort identifies such a need.
- ***Air Quality.*** A detailed dispersion analysis of construction sources will be performed to determine the potential for air quality impacts on sensitive receptor locations. Air pollutant sources would include combustion exhaust associated with non-road construction engines (e.g., cranes, excavators) and trucks operating on-site, construction-generated traffic on local roadways, as well as onsite activities (e.g., excavation, demolition) that generate dust. The pollutants of concern include CO, PM, and NO_2. The potential for significant impacts will be determined by a comparison of the model predicted concentrations to the National Ambient Air Quality Standards (NAAQS), or by comparison of the predicted increase in concentrations to applicable New York City *de minimis* criteria. The air quality analysis will also include a discussion of the strategies to reduce project-related air pollutant emissions associated with construction activities.
- ***Noise and Vibration.*** This section will contain a quantitative (modeling) analysis of noise from the Proposed Project's construction activity. Appropriate recommendations will be made to comply with DEP Rules for Citywide Construction Noise Mitigation and the New York City Noise Control Code. The detailed analysis will estimate construction noise levels based on projected activity and equipment usage for various stages of construction on the project sites. The projected construction noise levels will be compared to existing condition noise levels as determined by the operational noise analysis. The noise analysis will identify potential construction noise impacts based on the intensity, duration, and location of emissions relative to nearby sensitive locations. As necessary, feasible and practicable project-specific control measures to further reduce construction noise disruption to the surrounding community will be considered.

  Construction activities have the potential to result in vibration levels that may result in structural or architectural damage, and/or annoyance or interference with vibration-sensitive activities. A construction vibration assessment will be performed. This assessment will determine critical distances at which various pieces of equipment may cause damage or annoyance to nearby buildings based on the type of equipment, the building construction, and

applicable vibration level criteria. Should it be necessary for certain construction equipment to be located closer to a building than its critical distance, vibration mitigation options will be proposed.

- ***Other Technical Areas.*** As appropriate, discuss other areas of environmental assessment for potential construction-related impacts, including but not limited to: historic and cultural resources, hazardous materials, open space, socioeconomic conditions, community facilities, and land use and neighborhood character.

TASK 20: ALTERNATIVES

The purpose of an Alternatives analysis in an EIS is to examine reasonable and feasible options that avoid or reduce project-related significant adverse impacts, while achieving the goals and objectives of the Proposed Actions. The alternatives are usually defined once the full extent of the Proposed Actions' impacts have been identified. However, the alternatives analyzed must include a No Action Alternative, as required by CEQR. (The No Action Alternative is the No Action condition described above.) The chapter may also include an alternative(s) that reduces any significant adverse impacts identified in the EIS analyses. If the Proposed Actions result in unmitigated significant adverse impacts, the EIS would also include a No Unmitigated Impacts Alternative. The alternatives analyses will be qualitative, except where significant adverse impacts of the Proposed Actions have been identified, or if an alternative with fewer overall impacts would nevertheless have new significant adverse impacts.

TASK 21: MITIGATION

Where significant impacts have been identified in the analyses discussed above, measures will be described to mitigate those impacts. This chapter will describe the practicable measures that could mitigate those impacts. These measures will be developed and coordinated with the responsible City and/or State agencies, as necessary. Where impacts cannot be fully mitigated, they will be disclosed as unavoidable adverse impacts.

TASK 22: EIS SUMMARY CHAPTERS

In accordance with the *CEQR Technical Manual*, the EIS would include the following summary chapters, where appropriate to the Proposed Actions:

- Unavoidable Adverse Impacts: which summarizes any significant adverse impacts that are unavoidable if a proposed action is implemented regardless of the mitigation employed (or if mitigation is impossible).
- Growth-Inducing Aspects of the Proposed Actions: which generally refer to "secondary" impacts of a proposed action that trigger further development.
- Irreversible and Irretrievable Commitments of Resources: which summarizes a proposed action and its impacts in terms of the loss of environmental resources (loss of vegetation, use of fossil fuels and materials for construction, etc.) both in the immediate future and long term.

TASK 23: EXECUTIVE SUMMARY

The EIS will include an Executive Summary, which will summarize relevant material from the body of the EIS to describe the Proposed Actions, their environmental impacts, measures to mitigate those impacts, and alternatives to the Proposed Actions. ✷