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Technical Memorandum 002

To:	New York City Department of City Planning
From:	AKRF and Philip Habib & Associates
Date:	November 21, 2022
Re:	Innovation QNS (CEQR #21DCP180Q) – Proposed City Council Modifications

A. INTRODUCTION

The Applicant (a joint venture between Kaufman Astoria Studios, BedRock Real Estate Partners, and Silverstein Properties[1]) proposes changes to the proposed Innovation QNS development described in the Innovation QNS Rezoning and LSGD Final Environmental Impact Statement (FEIS), issued September 9, 2022. As described in the FEIS, the Proposed Development (branded as the Innovation QNS project) would redevelop the Development Site with a series of mixed-use buildings and publicly accessible open spaces. The Applicant is seeking a series of land use actions, including zoning map amendments, zoning text amendments, and special permits (the Proposed Actions) in order to facilitate the Proposed Development. In addition to the Proposed Development with approximately 2.9 million gross square feet (gsf) of space, the Proposed Actions would facilitate the redevelopment of several projected development sites in the Additional Affected Area that are not controlled by the Applicant. These additional developments would include approximately 800,000 gsf of residential and commercial space, similar to the Proposed Development. Overall, the Proposed Actions would facilitate the development of a total of approximately 3.7 million gsf in the Project Area.

As discussed in the FEIS, the proposed Innovation QNS project was modified in response to issues raised during the public review process by Community Board 1 (CB1), the Queens Borough President, and the City Planning Commission (CPC) Commissioners concerning the Proposed Development's massing and scale along the northern side of the Development Site. These modifications—which included a modified site plan, building massing, and reconfiguration of the Proposed Development's below-grade spaces to reduce the number of parking spaces—were assessed as an alternative in the FEIS (the Proposed Modified Application Alternative), as discussed in Chapter 21 of the FEIS, "Alternatives." The development program under the Proposed Modified Application Alternative was equal to the Reasonable Worst-Case Development Scenario (RWCDS) prepared for the Proposed Actions, and the Proposed Modified Application Alternative included an equivalent amount of floor area in the Proposed Development, therefore it only affected the distribution of the floor area across the Proposed Development's blocks. Accordingly, the FEIS found that the Proposed Modified Application Alternative would result in the same or similar significant adverse impacts as the Proposed Actions, requiring the same or similar mitigation

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

measures, while still meeting the objectives of the Proposed Actions. The New York City Department of City Planning (DCP) issued the Notice of Completion for the FEIS on September 9, 2022. Subsequently, the Proposed Modified Application Alternative was adopted and approved by the CPC on September 21, 2022.

Following the issuance of the Notice of Completion, modifications to the Proposed Actions have been proposed during the review of the Uniform Land Use Review Procedure (ULURP) applications by the New York City Council (City Council). These modifications are referred to as the "Proposed City Council Modifications." The Proposed City Council Modifications include modifications to the Proposed Development that increase residential space by converting space in the Proposed Development that was previously proposed as commercial office and/or community facility space. In addition, the Proposed City Council Modifications include different proposed zoning districts for the Additional Affected Area (the portion of the Project Area that contains additional projected development sites not controlled by the Applicant) that would reduce the density of the projected developments. Together, these modifications would result in changes to the Reasonable Worst Case Development Scenario (RWCDS) for the Proposed Actions.

This Technical Memorandum has been developed to determine whether the Proposed City Council Modifications and the modified RWCDS would result in any significant adverse environmental impacts not already identified in the FEIS. As set forth below, this Technical Memorandum (Technical Memorandum 002) concludes that the proposed modifications would not result in such any new significant adverse impacts that have not already been identified in the FEIS.

B. PROPOSED MODIFICATIONS

Under the Proposed City Council Modifications, the Proposed Actions would be modified as follows:

- The Proposed Development would be modified to provide additional residential space by converting space that was previously proposed as commercial office and/or community facility space. In particular, the modifications generally maintain the Proposed Development's proposed site plan and building massing as assessed as the Proposed Modified Application Alternative and adopted by the CPC.
  - On Block A (Block 641), the Proposed Development includes a 10-story story structure with a setback at the 7th floor fronting on 35th Avenue containing commercial office and ground floor retail space (Building A1). Under the Proposed City Council Modifications, the upper floors of Building A1 would be repurposed from office to residential use, with the ground floor retail space remaining. In order to accommodate the residential space, the building would be increased to 11 stories by incorporating shorter floor-to-floor heights than those needed for the office space; therefore, the modification would not alter the building envelope.
  - On Block C (Block 669), the Proposed Development includes a mixed-use building with a 4-story community centered multi-purpose arts and cultural facility with retail and service uses on Steinway Street, and a 24-story residential tower above the base (Building C1). Under the Proposed City Council Modifications, a portion of the community facility space in the building would be repurposed to residential use. This residential space would be accommodated by reducing the building base from 4 stories to one story, with additional tower space for the residential uses. The building would be increased to 25 stories by incorporating shorter floor-to-floor heights in the residential tower; therefore, the modification would not alter the tower envelope or overall height.
  - On Block E (Block 671), at the southern end of the block fronting Northern Boulevard, the Proposed Development includes a large mixed-use building with a 5-story office and ground floor retail base and two towers, one with 20 stories and one with 26 stories (Building E2/E3). Under the Proposed City Council Modifications, the lower floors in the base would be repurposed from office to residential use (the ground floor would remain retail space). No modifications would be made to the building envelope.
- In the Additional Affected Area, the Proposed City Council Modifications would include modified proposed zoning districts. Under the Proposed Actions assessed in the FEIS, the Project Area (including

the Additional Affected Area) would be rezoned to a Special Mixed Use District (MX-24) consisting of M1-4/R7-3, M1-4/R7X, M1-4/R9 and M1-5/R9-1 districts. Under the City Council Modifications, the Additional Affected Area lots along Steinway Street (Block 668, Lots 36, 38, 40, and 42; and Block 669, Lots 1, 3, 7, and 8) would be rezoned to an M1-4/R7A district; the Additional Affected Area Lots along 38th Street (Block 668, Lots 1, 2, 43-46, and 143), 41st Street (Block 669, Lot 41), 42nd Street (Block 670, Lots 33, 36, and 39) and 43rd Street/35th Avenue (Block 671, Lots 16 and 18) would be rezoned to M1-4/R6A districts.

The proposed M1-4/R6A and M1-4/R7A zoning districts feature lower permitted density (maximum FARs of 3.6 and 4.6, respectively) than the previously proposed zoning districts (maximum FARs of 6.0 to 9.0). As a result, the Proposed City Council Modifications would result in a reduction in the projected With Action development in the Additional Affected Area (Projected Development Sites F, G, H, I, J, and K) under the RWCDS:

- On Projected Development Site F, the With Action development would be reduced from a 21-story, 90,200 gsf building to a 7-story, approximately 39,400 gsf building. As with the previously analyzed projected development, the building would contain 7,700 gsf of ground floor retail space, however the residential space would be reduced to approximately 31,700 gsf. As a result, the building would contain 37 DUs, as compared to 97 DUs under the previously analyzed projected development.
- On Projected Development Site G, the With Action development would be reduced from a 13-story, 115,500 gsf building to 7-story, approximately 66,500 gsf building. As with the previously analyzed projected development, the building would contain 13,100 gsf of retail space, however the residential space would be reduced to approximately 53,400 gsf. As a result, the building would contain 63 DUs, as compared to 121 DUs under the previously analyzed projected development.
- On Projected Development Site H, the With Action development would be reduced from a 12-story, 250,800 gsf building to a 5-story, approximately 128,500 gsf building. As with the previously analyzed projected development, the building would contain 27,500 gsf of retail space, however the residential space would be reduced to approximately 101,000 gsf. As a result, the building would contain 119 DUs, as compared to 263 DUs under the previously analyzed projected development.
- On Projected Development Site I, the With Action development would be reduced from a 15-story, 107,300 gsf building to a 5-story, approximately 47,400 gsf building. As with the previously analyzed projected development, the building would contain 11,900 gsf of retail space, however the residential space would be reduced to approximately 35,500 gsf. As a result, the building would contain 42 DUs, as compared to 112 DUs under the previously analyzed projected development.
- On Projected Development Site J, the With Action development would be reduced from a 15-story, 136,600 gsf building to a 5-story, approximately 49,500 gsf building. As with the previously analyzed projected development, the building would contain 13,700 gsf of retail space, however the residential space would be reduced to approximately 40,800 gsf. As a result, the building would contain 38 DUs, as compared to 144 DUs under the previously analyzed projected development.
- On Projected Development Site K, the With Action development would be reduced from a 7-story, 72,600 gsf building to a 5-story, approximately 43,500 gsf building. As with the previously analyzed projected development, the building would contain 11,000 gsf of retail space, however the residential space would be reduced to approximately 32,500 gsf. As a result, the building would contain 38 DUs, as compared to 72 DUs under the previously analyzed projected development.

With the modifications to the Proposed Development to convert space that was previously proposed as commercial and/or community facility space to residential space, as well as the reduced density in the Additional Affected Area under the modified proposed zoning, the With Action scenario under the Proposed City Council Modifications would include an overall reduction in floor area as compared to the RWCDS analyzed in the FEIS. Specifically, whereas the RWCDS analyzed in the FEIS included a total of approximately 3.7 million gsf, the RWCDS under the Proposed City Council Modifications would be

approximately 3.3 million gsf, largely due to the reduced developments in the Additional Affected Area. The modified massing of the projected development sites under the Proposed City Council Modifications are shown in **Figures 1 and 2**.

- The repurposing of commercial office and community facility space to residential use under the Proposed City Council Modifications would result in a modification to the Proposed Development's program. With the modifications, the Proposed Development would continue to include approximately 2.9 million gsf of space, however, there would be no office space (previously 250,000 gsf) and community facility space would decrease from approximately 98,000 gsf to approximately 53,000 gsf. Residential space in the Proposed Development would increase from approximately 2.4 million gsf to approximately 2.7 million gsf. This additional residential space would increase the number of dwelling units (DUs) from 2,843 DUs to 3,190 (DUs)[2]; therefore the Proposed City Council Modifications would result in an increase of 347 DUs in the Proposed Development as compared to the previously analyzed program. In addition, in negotiations with the City Council, the Applicant has committed to increasing the number of affordable units in the Proposed Development: with the modifications, 1,436 of the Proposed Development's 3,190 units (approximately 45 percent) would be affordable. As compared to the program analyzed in the FEIS, which assumed that approximately 25 percent of the units (711 DUs) would be affordable, the Proposed City Council Modifications would result in an increase of 725 affordable DUs as compared to the previously analyzed program.
- In total, with the reduction in density on the Additional Affected Area, the projected developments on Projected Development Sites F, G, H, I, J, and K would contain 347 DUs, a reduction of 462 DUs as compared to the program analyzed in the FEIS (809 DUs). The number of affordable DUs[3] in the Additional Affected Area under MIH would be reduced from 203 DUs to 87 DUs.

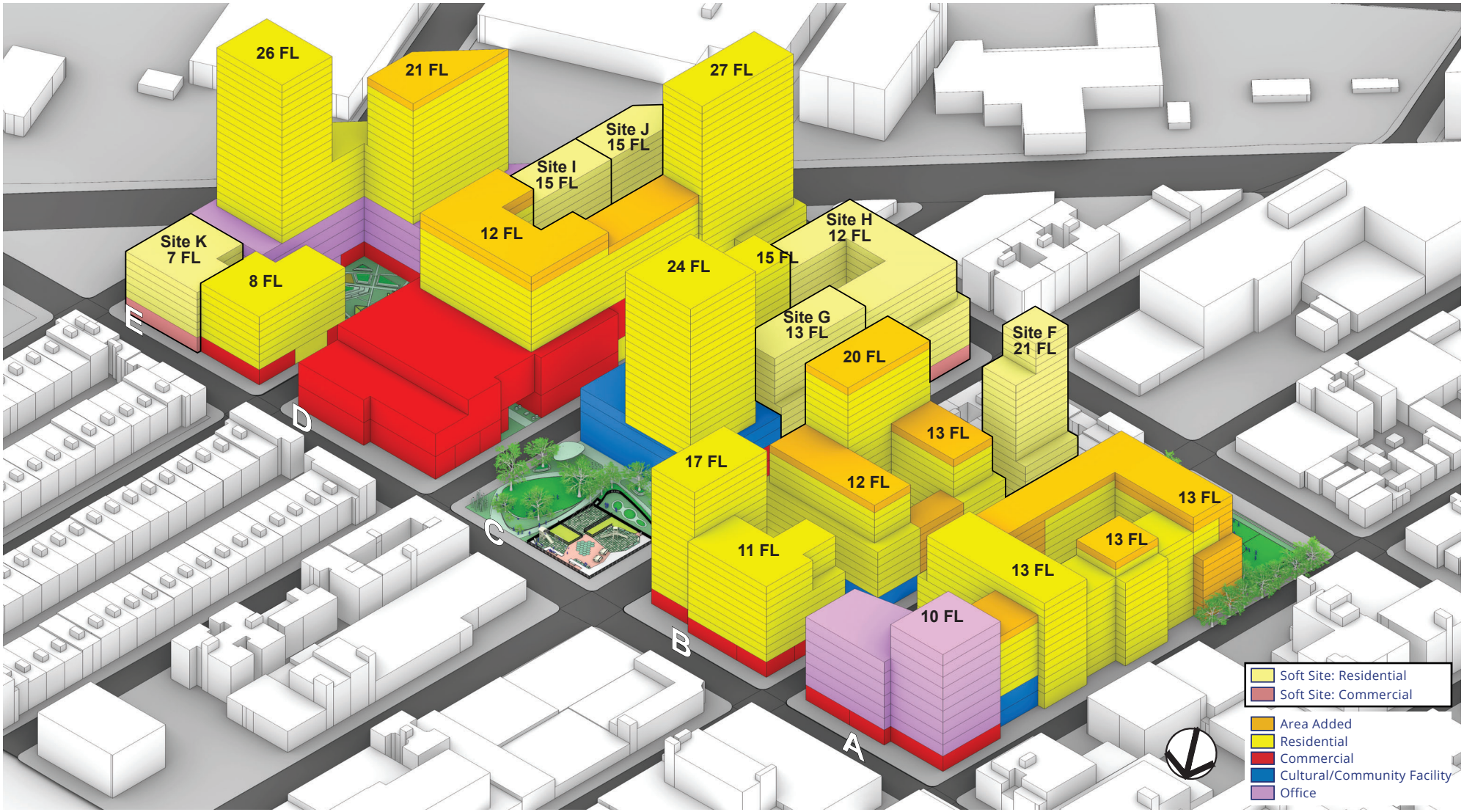
The modified With Action scenario program under the RWCDS is shown in **Table 1**. As shown, inclusive of the increased residential development in the Proposed Development and the reduced residential development in the Additional Affected Area, the With Action scenario under the Proposed City Council Modifications would include 3,537 total DUs, a reduction of 115 DUs as compared to the total residential development assessed in the FEIS (3,652 DUs). The total number of affordable DUs would be 1,523 DUs, an increase of 609 affordable DUs as compared to the FEIS (914 affordable DUs). The With Action scenario would also include a significant reduction in commercial space as a result of the conversion of office space in the Proposed Development to residential space.

The overall RWCDS under the Proposed City Council Modifications is shown in **Table 2**.

[2] As discussed in the FEIS, the residential space is assumed to contain one DU per 850 gsf of space.

[3] For the purposes of the RWCDS, 25 percent of the residential floor area in the projected developments is assumed to be permanently affordable housing pursuant to MIH.

Projected Development Sites - Aerial View 35th Ave & 37th st.

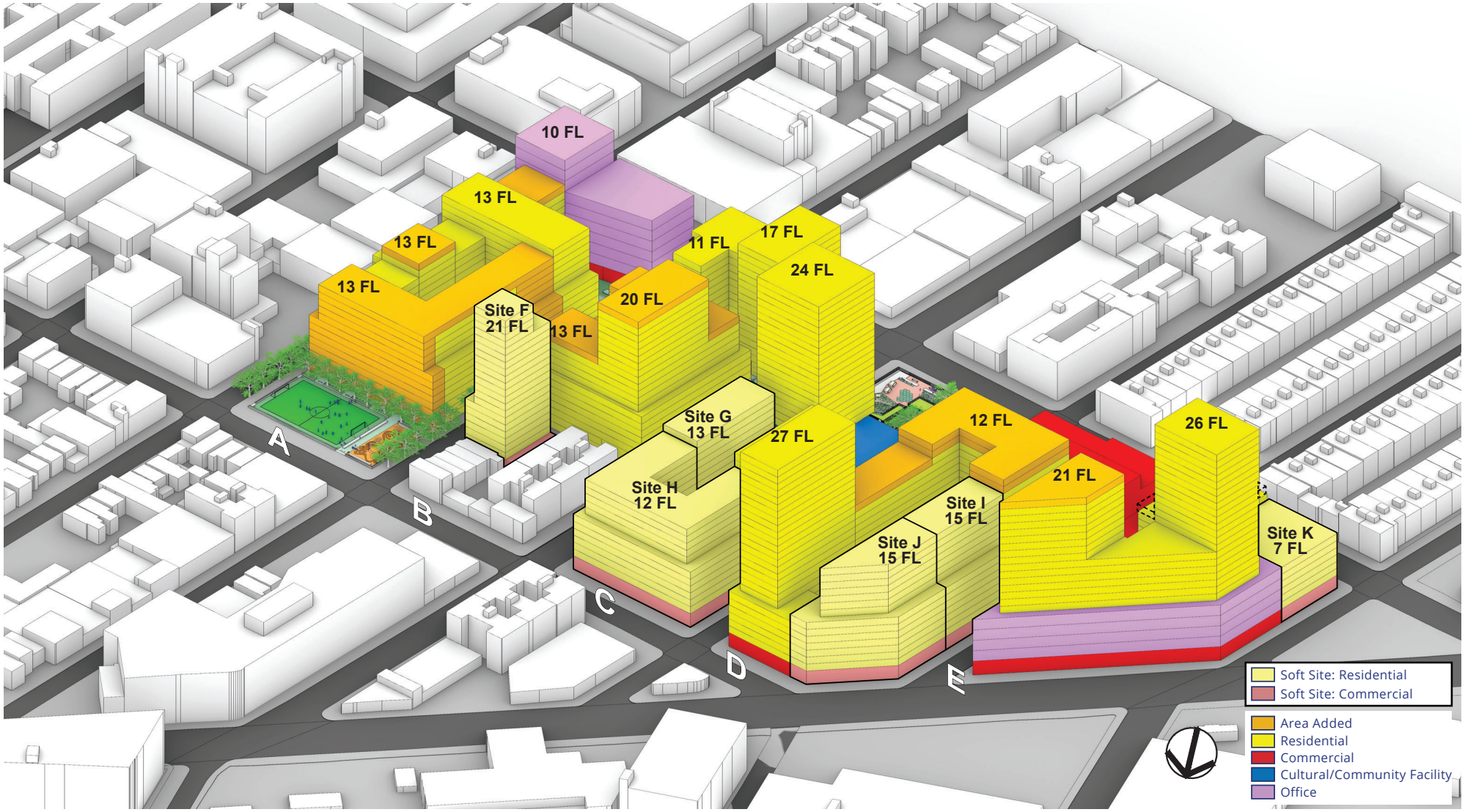


INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

FEIS/Proposed Modified Application Alternative Massing

Figure 1a

Projected Development Sites - Aerial View 36th Ave & Northern blvd.

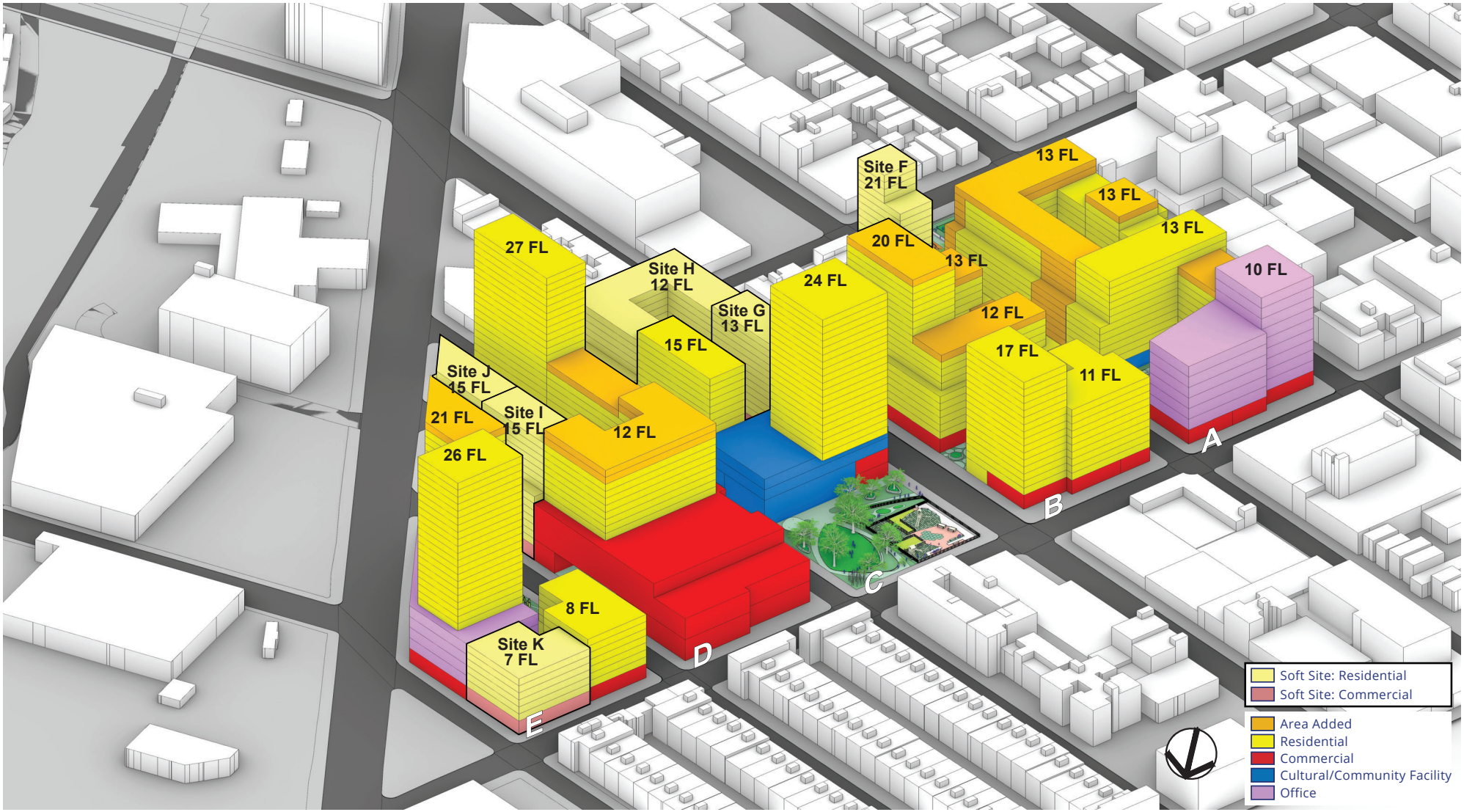


INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

FEIS/Proposed Modified Application Alternative Massing

Figure 1b

Projected Development Sites - Aerial View 36th Ave & Northern blvd.

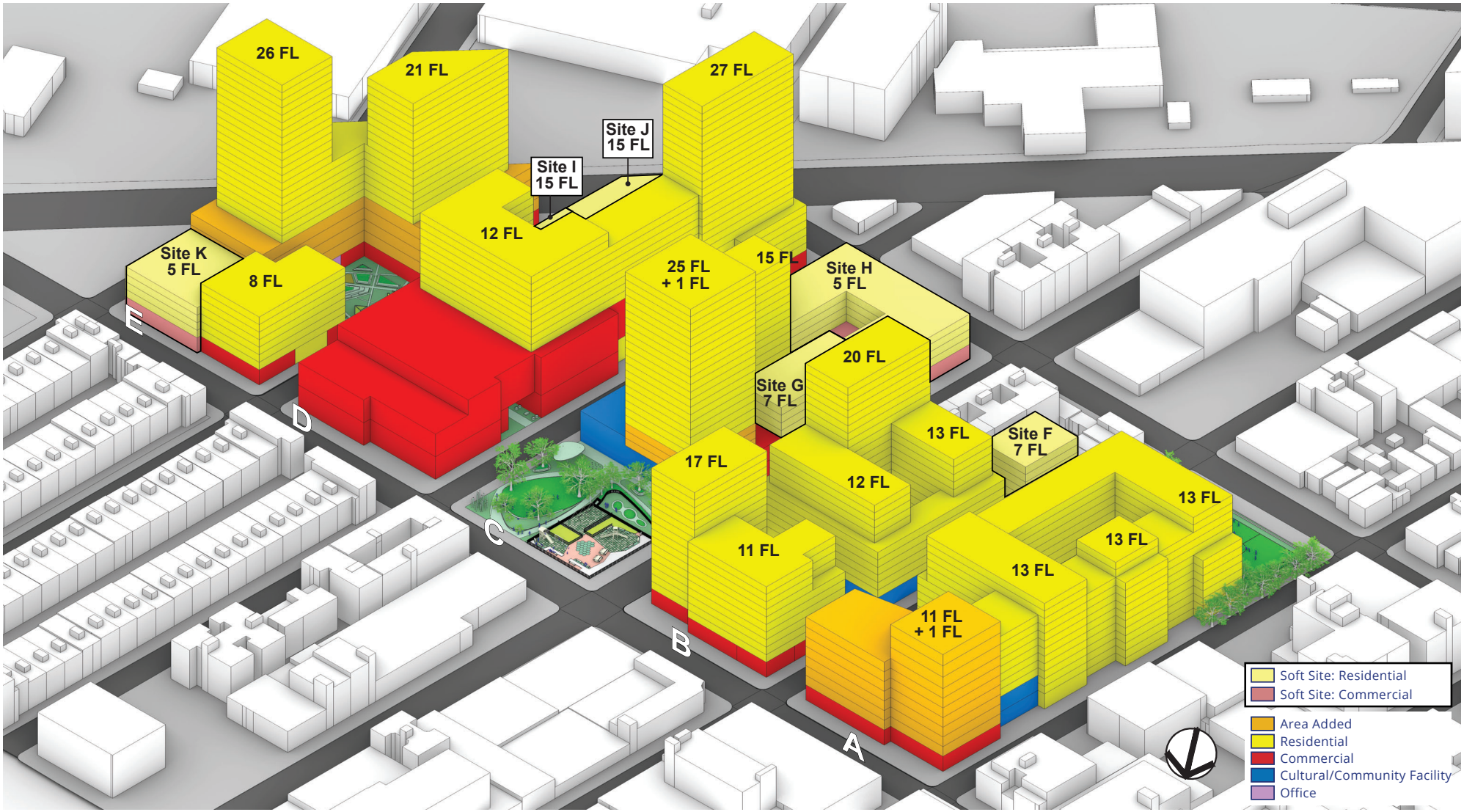


INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

FEIS/Proposed Modified Application Alternative Massing

Figure 1c

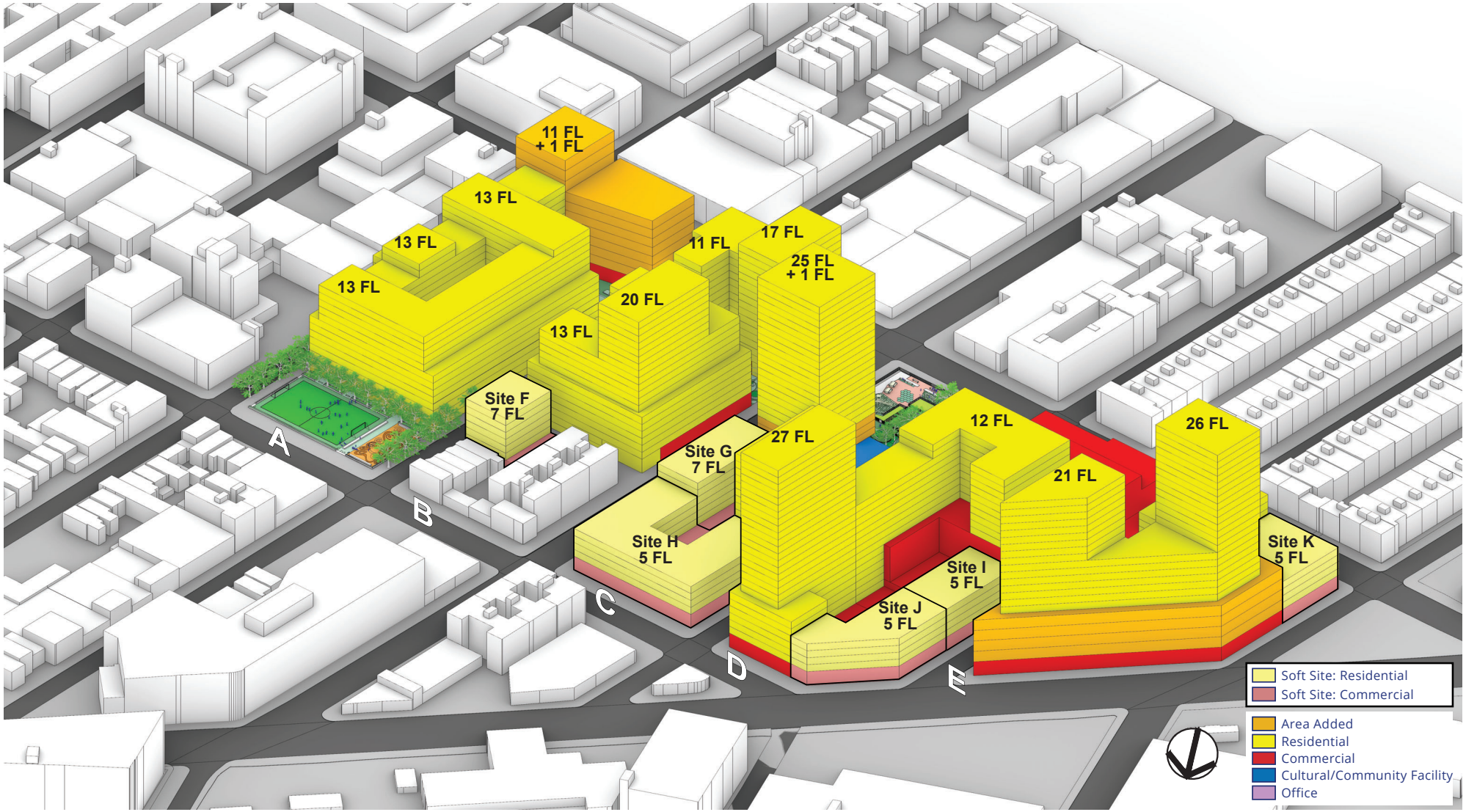
Projected Development Sites - Aerial View 35th Ave & 37th st.



INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

Proposed City Council Modifications Massing
Figure 2a

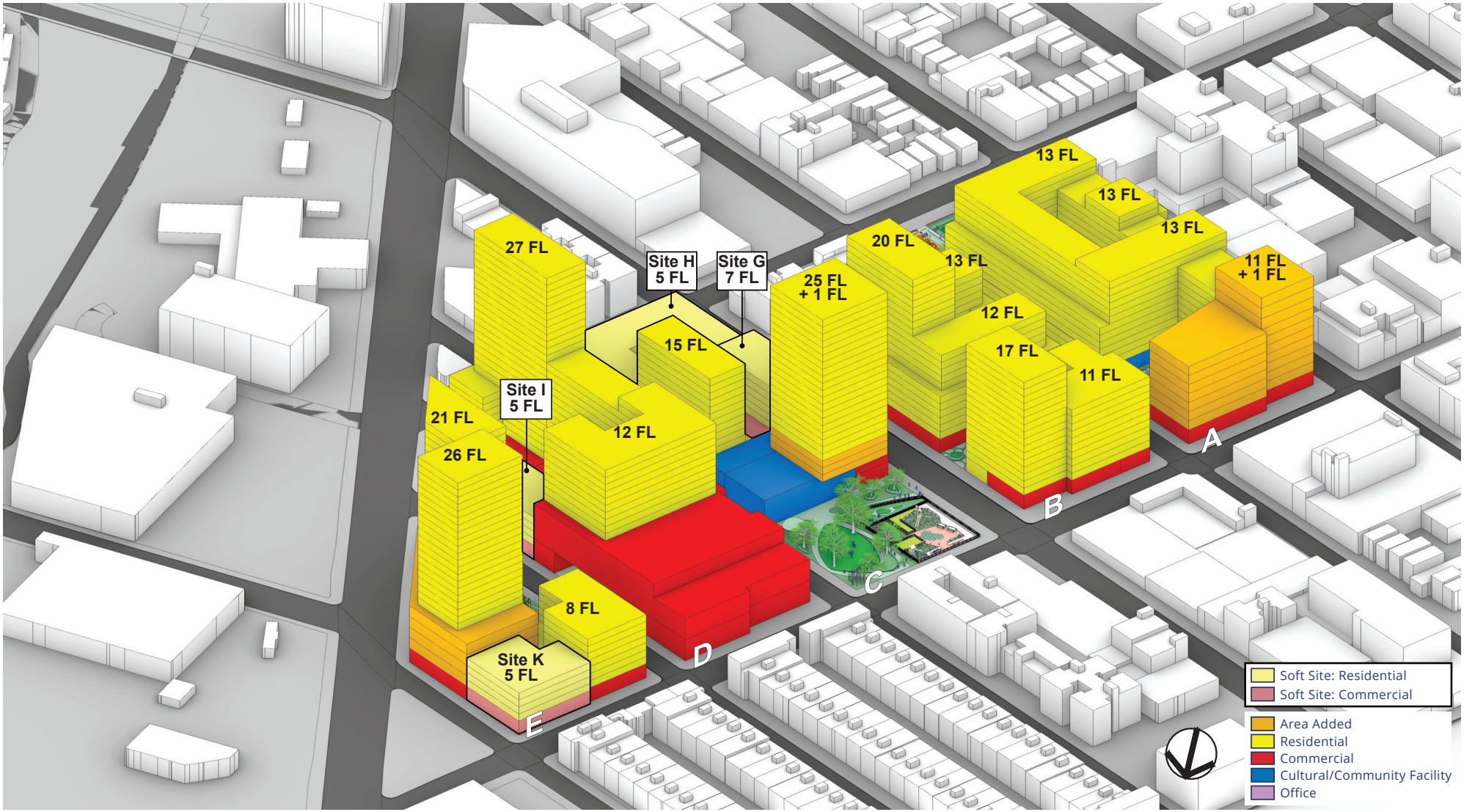
Projected Development Sites - Aerial View 36th Ave & Northern blvd.



INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

Proposed City Council Modifications Massing
Figure 2b

Projected Development Sites - Aerial View 36th Ave & Northern blvd.



INNOVATION QNS
ASTORIA, QUEENS
COMMUNITY DISTRICT 1

Proposed City Council Modifications Massing
Figure 2c

Table 1
With Action Scenario— Proposed City Council Modifications[1]

Use	Previous Program (Proposed Modified Application Alternative)[2]	Modified Program (Proposed City Council Modifications)	Change
Total GSF	3,755,013	3,361,886	(393,127)
Residential GSF	3,111,661	3,013,914	(97,747)
Total Dwelling Units (DU)	3,652	3,537	(115)
Affordable DU	914	1,523[4]	+ 609
Commercial GSF	542,985	295,015	(247,970)
Retail GSF	159,915	159,915	-
Office GSF	250,070	0	(250,070)
Cinema GSF	73,000	75,100	+ 2,100[5]
Supermarket GSF	30,000	30,000	-
Physical Culture Establishment (PCE) GSF	30,000	30,000	-
Community Facility GSF	98,200	53,000	(45,200)
Medical Office GSF	5,000	4,000	(1,000)
Arts and Cultural Center GSF	21,900	10,800	(11,100)
Daycare Center GSF	10,000	10,000	-
Community Center GSF	61,300	28,100	(33,200)
Parking Spaces	1,192	1,170	(22)
Publicly Accessible Open Space (Acres)	1.62[3]	1.62[3]	-

Notes:
Totals may not sum due to rounding.
[1] Totals for Projected Development Sites A through K.
[2] Includes Proposed Development's program under the Proposed Modified Application Alternative assessed in Chapter 21 of the FEIS, "Alternatives."
[3]Total includes publicly accessible open space in the Proposed Development excepting the approximately 0.50 acre area at the southern end of Block A that is planned for potential active public space as mitigation; total including this additional area would be 2.12 acres
[4] In negotiations with the City Council, the Applicant has committed to increasing the number of affordable units in the Proposed Development to 1,436 affordable DUs, compared to 711 affordable DUs assumed in the FEIS. An additional 87 affordable DUs would be provided in the Additional Affected Area.
[5] With refined estimates of the commercial space within the Proposed Development, the cinema space increased under the Proposed City Council Modifications by approximately 2,100 gsf; however, this additional floor area would not result in an increase in the number of seats in the cinema.

Table 2
RWCDS Summary—Proposed City Council Modifications[1]

Use	Existing Condition	No Action Condition	With Action Condition	Increment
Total GSF	407,942	423,079	3,361,886	2,938,807
Residential GSF	7,512	7,512	3,013,914	3,006,402
Total Dwelling Units (DU)	9	9	3,537	3,528
Affordable DU (80% AMI)	0	0	1,523	1,523
Commercial GSF	203,571	264,852	295,082	30,230
Retail GSF	104,761	136,042	159,915	23,873
Office GSF	0	0	0	0
Cinema GSF	98,810	98,810	75,167	(23,643)
Supermarket GSF	0	30,000	30,000	0
Physical Culture Establishment (PCE) GSF	0	0	30,000	30,000
Community Facility GSF	0	0	53,036	53,036
Medical Office GSF	0	0	4,018	4,018
Arts and Cultural Center GSF	0	0	10,859	10,859
Daycare Center GSF	0	0	10,000	10,000
Community Center GSF	0	0	28,159	28,159
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	1,170	470
Publicly Accessible Open Space (Acres)	0	0	1.62[2]	1.62

Notes:
[1] Totals for Projected Development Sites A through K.
[2] Total includes publicly accessible open space in the Proposed Development excepting the approximately 0.50 acre area at the southern end of Block A that is planned for potential active public space as mitigation; total including this additional area would be 2.12 acres

C. POTENTIAL IMPACTS OF THE PROPOSED MODIFICATIONS

The Proposed City Council Modifications would result in a program that is different from the RWCDS program analyzed in the FEIS. Therefore, the potential for new significant adverse impacts in the analysis areas based on the program are considered below.

LAND USE, ZONING, AND PUBLIC POLICY

As described above, the Proposed City Council Modifications would modify the uses introduced by the Proposed Actions by removing commercial office space, as well as an overall reduction in residential space. However, with the proposed modifications, the Proposed Development would continue to include commercial uses (in particular retail, cinema, supermarket, and Physical Culture Establishment [PCE]), community facility uses, and public open space in addition to over 3,500 DUs. As discussed in the FEIS, this mix of uses would be compatible with the surrounding area, and the Proposed Actions would be consistent with the trends toward higher-density residential development seen in the study area.

While the Proposed City Council Modifications would include modified zoning districts (on the Additional Affected Area), as with the Proposed Actions analyzed in the FEIS, it would not result in significant adverse impacts to zoning. The Proposed City Council Modifications would continue to include the proposed Special Mixed-Use District which is compatible with the mixed-use nature of the study area, and would permit higher density development than is allowed under current zoning. However the modified zoning would include lower-density districts in the Additional Affected Area that would be more compatible with the lower-density development on the surrounding blocks, in particular along 35th Avenue (Projected Development Site K). The massing and scale of the Proposed Development and the proposed zoning districts would continue to serve as a transition between the low- and mid-rise areas to the north and west of the Project Area and the heavily trafficked commercial area centered on the Northern Boulevard corridor and the higher-density mixed Long Island City area to the south. In addition, no changes to public policy are anticipated to the Project Area under the Proposed City Council Modifications. As such, neither the

Proposed City Council Modifications nor the Proposed Actions as analyzed in the FEIS would be expected to result in significant adverse impacts related to land use, zoning, or public policy.

SOCIOECONOMIC CONDITIONS

Similar to the Proposed Actions analyzed in the FEIS, the Proposed City Council Modifications would not result in significant adverse impacts due to changes in socioeconomic conditions. As with the Proposed Actions analyzed in the FEIS, the Proposed City Council Modifications could directly displace from projected development sites an estimated 20 residents living in nine dwelling units (DUs) and an estimated 20 businesses and 170 jobs associated with those businesses; however, as detailed in the FEIS, the potential direct displacement of these residents and businesses would not constitute a significant adverse impact on the socioeconomic conditions of the area as defined by CEQR.

With respect to potential indirect residential displacement, as compared to the FEIS program, the revised program under the Proposed City Council Modifications would result in approximately 115 fewer residential dwelling units (DUs) and therefore a smaller increase in population. While the modified program is smaller than the FEIS program, the size of the FEIS program already exceeded thresholds set forth in the *CEQR Technical Manual* to be analyzed for its potential to impact real estate market conditions. The decrease in DUs in the modified program would not warrant additional analysis or have the potential to cause impacts not identified in the FEIS.

The primary concern of indirect residential displacement analyses is the introduction of a higher-income population that could cause increased rents in the study area and could displace low-income renters in unprotected housing. Although the revised program decreases the total number of DUs, it would increase the number of DUs that would be affordable, therefore the revised program would result in substantially more affordable housing units created as compared to the FEIS program (an additional approximately 609 affordable DUs). In addition, in the revised program, more units in the Proposed Development would be set at Area Median Income (AMI) levels that would be affordable to extremely low-income households. Because the modified program would include more affordable units at deeper levels of affordability, the modified program population's average household income would be lower than that of the FEIS program and more similar to that of the existing population. The revised program would have a larger percentage of permanently affordable DUs set at deeper levels of affordability, further reducing the potential for indirect residential displacement; therefore, the revised program would also not result in significant adverse socioeconomic impacts. Overall, the Proposed City Council Modifications would not alter the findings of the FEIS relating to socioeconomic conditions.

COMMUNITY FACILITIES AND SERVICES

The development program under the Proposed City Council Modifications would result in an decrease of total DUs as compared to the previously analyzed program. Therefore, the Proposed City Council Modifications would generate a smaller residential and student population as compared to the program analyzed in the FEIS. As discussed in the FEIS, with the higher population assumed under the Proposed Actions, the overall utilization rate of elementary and intermediate schools in the study would not exceed 100 percent; as with the previously analyzed program, with the lower population, the Proposed City Council Modifications would not result in a significant adverse impact to elementary and intermediate schools.

Although there would be a reduction in the new residential population in the study area served by the Queens Library (QL) system, also known as the Queens Borough Public Library (QBPL), as with the program analyzed in the FEIS, the Proposed City Council Modifications would result in an population increase at the Long Island City of the QBPL branch greater than the 5-percent change threshold, and would therefore result in a significant adverse impact on library services in the study area. Overall, the Proposed City Council Modifications would not alter the findings of the FEIS regarding library services. The significant adverse impact to library services would be mitigated by the same measures discussed in the FEIS (Chapter 22 of the FEIS, "Mitigation"): the Applicant has coordinated with the Queens Public Library concerning a partnership with the Proposed Development and potential mitigation. The Restrictive Declaration for the Proposed Development will require the Applicant to coordinate with QPL and to commit to one of, or some combination of, the following mitigation measures: funding or provision of

improvements and maintenance to the QPL Broadway branch facility; provision of space within the Proposed Development for the library; and/or support for QPL for the continued operation of a space for the Library within the Proposed Development.

Neither the Proposed City Council Modifications nor the Proposed Actions analyzed in the FEIS would result in direct impacts to community facilities and services or indirect impacts to schools or police, fire, and emergency medical services.

PUBLICLY FINANCED EARLY CHILDHOOD PROGRAMS

As noted above, under the Proposed City Council Modifications, 1,436 of the Proposed Development's units would be affordable. As compared to the program analyzed in the FEIS, which assumed that approximately 25 percent of the units (711 DUs) would be affordable, the Proposed City Council Modifications would result in an increase of 609 affordable DUs in the Proposed Development as compared to the previously analyzed program. Including the 87 affordable DUs introduced by the additional developments in the Additional Affected Area pursuant to Mandatory Inclusionary Housing, there would be an increase of 1,523 affordable DUs under the Proposed City Council Modifications (compared to 914 affordable DUs under the program analyzed in the FEIS); for the purposes of a conservative analysis, it is assumed that all affordable DUs would include families with children that are eligible for publicly financed early childhood programs. Based on the *CEQR Technical Manua*l child care multipliers, the development of an additional 609 DUs at 80 percent AMI would result in an additional approximately 85 children eligible for early childhood programs. Under the Proposed City Council Modifications, the development of approximately 1,523 DUs at 80 percent AMI would result in approximately 213 children under the age of 5 who would be eligible for publicly funded child care programs (compared to approximately 128 children under the program analyzed in the FEIS).

As shown in **Table 3,** with the addition of these children, enrollment in early childhood programs in the study area would increase to 450 children (compared to a total With Action enrollment of 365 under the program analyzed in the FEIS). Compared to a capacity of 159 slots, this would result in a deficit of 291 slots (compared to a deficit of 206 slots under the program analyzed in the FEIS). This demand would represent 283.02 percent of the existing capacity, which represents an increase in the utilization rate of 133.96 percentage points over the No Action scenario. Therefore, as with the program analyzed in the FEIS, the Proposed City Council Modifications would result in a significant adverse impact to publicly financed early childhood programs. However, the Proposed City Council Modifications would result in a larger shortfall in child care slots: the provision of 134 child care slots would be required for full mitigation (compared to 79 child care slots under the program analyzed in the FEIS) in order to reduce the change in utilization in the study area to less than 5 percent. Overall, the Proposed City Council Modifications would not alter the findings of the FEIS regarding publicly financed early childhood programs.

Table 3
Estimated Child Care Facility Enrollment, Capacity, and Utilization

	Enrollment	Capacity	Available Slots	Utilization Rate	Change in Utilization
No Action Scenario	237	159	-78	149.06%	N/A
With Action Scenario (Proposed City Council Modifications)	450	159	-291	283.02%	133.96%
Sources: 2020 Census; DOB; CPC; HPD.					

The significant adverse impact to publicly financed early childhood programs would be mitigated by the same measures discussed in the FEIS (discussed in Chapter 22 of the FEIS, "Mitigation"). The Restrictive Declaration for the Proposed Development will require the Applicant to work with the New York City Department of Education (DOE) to consider the need for and the implementation of one or more measures to provide additional capacity, if required. Possible mitigation measures may include provision of suitable space within the Proposed Development for early childhood programs, provision of a suitable location off-site within the study area and within a reasonable distance (at a rate affordable to New York City Department of Education [DOE] providers), or funding/making program or physical improvements to

support adding capacity to existing facilities if determined feasible through consultation with DOE's Division of Early Childhood Education. The Applicant would coordinate with DOE to determine the required mitigation at the time that 53 affordable units are developed in the Project Area (which may include development in the Additional Affected Area on sites that are not controlled by the Applicant).

OPEN SPACE

Under the Proposed City Council Modifications, there would be a reduction in the worker and residential populations introduced by the Proposed Development, primarily due to the loss of commercial office space and the reduced residential density on the Additional Affected Area. The Proposed City Council Modifications would continue to introduce approximately 1.62 acres of passive publicly accessible open space (not including the additional Public Access Area [PAA] that is proposed as mitigation, discussed below), the same amount of new public open space to be introduced by the Proposed Development as adopted by the CPC (assessed as the Proposed Modified Application Alternative in the FEIS). With the reduction in commercial space, as with the program analyzed in the FEIS, the Proposed City Council Modifications would substantially increase the worker and combined worker and resident ratios in the non-residential study area, and would not result in a significant adverse impact to open space in the non-residential study area.

As the development program under the Proposed City Council Modifications would result in a smaller residential program, it would generate a smaller residential population then the program analyzed in the FEIS. Specifically, under the Proposed City Council Modifications, the new development would be expected to add approximately 7,887 new residents to the study area (compared to 8,124 new residents under the program analyzed in the FEIS).

Under the Proposed City Council Modifications, the total and passive ratios would be slightly higher as compared to the program analyzed in the FEIS, and the total and passive open space ratios would continue to see a substantial increase. Therefore, as with the program analyzed in the FEIS, the Proposed City Council Modifications would not result in a significant adverse impact to the total and passive residential open space ratios. With the reduced residential population, the decrease in the active open space ratio would be slightly lower than the 15 percent determined under the program analyzed in the FEIS, however it would continue to exceed the *CEQR Technical Manual* impact threshold of 1 percent. As such, the Proposed City Council Modifications would result in the same significant adverse active open space impacts as the program analyzed in the FEIS.

The Proposed City Council Modifications would include the same approximately 22,000 sf PAA with active uses at the southern end of Block A which was proposed as mitigation (included in the FEIS under the Proposed Modified Application Alternative). Under the previously analyzed program, this additional active PAA provided the approximately 0.50 acres of new active open space required to reduce the active open space ratio decrease to 1 percent and fully mitigate the impact. With the smaller residential population and reduced decrease in the active open space ratio, the 0.50-acre active open space ratio would continue to provide full mitigation for the significant adverse active open space impact.

Overall, the Proposed City Council Modifications would not alter the open space impact findings of the FEIS, and, as mitigation, would continue to provide an additional resource for active recreation for residents of the study area, where there is limited active open space.

SHADOWS

As with the development analyzed in the FEIS, development resulting from the Proposed City Council Modifications would cast new shadows that would have a significant adverse impact on Playground Thirty Five XXXV. There are no other sunlight-sensitive resources in the study area that would potentially receive project-generated shadow on any representative day. As compared to the Proposed Development's building massing adopted by the CPC (assessed as the Proposed Modified Application Alternative in the FEIS), there would be limited changes under the Proposed City Council Modifications. Specifically, under the Proposed City Council Modifications, the building base of the 24-story tower adjacent to Playground Thirty Five XXXV (Building C1) would be reduced from 4 stories to one story; this section of the building would

be modified to tower floors with smaller floorplates. These modifications would not would not alter the tower envelope or overall height of Building C1.

As discussed above under the No Unmitigated Significant Adverse Impact Alternative, discussed in Chapter 21 of the FEIS, "Alternatives," the significant adverse impact during most of the analysis periods would only be avoided with the elimination Building C1's tower; although the lower building base and smaller building floorplates on the lower residential floors of the tower would reduce shadow on the playground during some times, it would not be sufficient to completely eliminate the shadow on the playground from Building C1 necessary to eliminate the significant adverse impact. Further, the Proposed City Council Modifications would not include a reduction of the tower on the southern portion of Block E that would be needed to eliminate the significant adverse impact. Although the Proposed City Council Modifications would include substantial reductions in the projected building massings in the Additional Affected Area, with substantially smaller buildings on Projected Development Sites F, G, H, I, J, and K, these development sites are located further away from Playground XXXV, with the Proposed Development's buildings intervening, therefore these modifications are not expected to significantly decrease the shadows cast on Playground Thirty Five XXXV.

Therefore, the Proposed City Council Modifications would result in the same significant adverse shadow impact as the program analyzed in the FEIS. The same mitigation would be provided, as discussed in Chapter 20 of the FEIS, "Mitigation"; specifically, the additional active publicly accessible open space at the southern end of Block A would provide partial mitigation for the significant adverse shadows impact to Playground Thirty Five XXXV.

HISTORIC AND CULTURAL RESOURCES

As discussed in Chapter 7 of the FEIS, "Historic and Cultural Resources," there are no known or potential architectural resources on the Development Site or the Additional Affected Area. As with the Proposed Actions analyzed in the FEIS, the Proposed City Council Modifications would not result in any significant adverse impacts to historic and cultural resources. As with the Proposed Actions, the Proposed City Council Modifications would result in the construction of a number of new buildings that would be larger and taller than the known and potential architectural resources within the study area, however this development would not obstruct public views of any known or potential architectural resources in the study area, and would not introduce incompatible visual, audible, or atmospheric elements to a historic resource's setting.

URBAN DESIGN AND VISUAL RESOURCES

As noted above, the Proposed City Council Modifications would include limited modifications to the Proposed Development's building massing as adopted by the CPC (assessed as the Proposed Modified Application Alternative in the FEIS), while there would there would be changes to the building program through the repurposing of commercial office and community facility space to residential use. Although the program would be different, development under the Proposed City Council Modifications would include an equivalent amount of total floor area and would generally maintain the distribution of the floor area across the Proposed Development's blocks. In the Additional Affected Area, the Proposed City Council Modifications would result in a substantial reduction in density and smaller projected developments in the Additional Affected Area (see **Figures 1 and 2**).

With these modification, the buildings that would be developed in the Project Area would continue to be substantially taller than the surrounding built context, as with the development analyzed in the FEIS. The Proposed Development would continue to serve as a transition between the low- and mid-rise areas to the north and west of the Project Area, the heavily trafficked, commercial-centered Northern Boulevard corridor, and the higher-density mixed-use Long Island City area to the south. In addition, the tallest proposed buildings would continue to be oriented toward the Steinway Street corridor and the wide Northern Boulevard corridor. The modified zoning would include lower-density developments in the Additional Affected Area that would be closer in scale to the lower-density development on the surrounding blocks, in particular the lower-scale residential development on the northern side of 35th Avenue opposite Projected Development Site K. While the size and height of the Proposed Development would constitute a substantial change to the Development Site, the Proposed City Council Modifications would also positively

contribute to the pedestrian's experience of the area, in particular by replacing the existing low-scale buildings, windowless streetwalls, and surface parking lots in the Project Area with active ground-floor uses and new publicly accessible open space. Therefore, as with the program analyzed in the FEIS, the Proposed City Council Modifications would not result in significant adverse impacts to urban design and visual resources, and would not alter the findings of the FEIS.

HAZARDOUS MATERIALS

Development under the Proposed City Council Modifications would result in the same site disturbance as under the Proposed Actions analyzed in the FEIS, and the same (E) Designation requirements would be applied. Therefore, development under the Proposed Actions and the Proposed City Council Modifications would not result in significant adverse hazardous materials impacts with implementation of the measures outlined in Chapter 9 of the FEIS, "Hazardous Materials."

WATER AND SEWER INFRASTRUCTURE

As with the Proposed Actions analyzed in the FEIS, the Proposed City Council Modifications would not result in significant adverse impacts to the City's water supply, wastewater and stormwater conveyance, and treatment infrastructure. With the proposed modifications, there would be an overall decrease in water demand and sanitary sewage generation, as a result in the overall decrease residential uses and commercial space as compared to the previously analyzed program. Therefore, as with the previously analyzed program, the increases in water demand and sanitary sewage generation from the new development would not overburden the existing water supply and wastewater treatment infrastructure.

As the Proposed City Council Modifications would generally maintain the proposed site plan and building footprints as assessed in the FEIS, it would result in similar surface area coverage (i.e., comparable amounts impervious rooftop space and semi-impervious paved space and soft scape space on publicly accessible and private open space): stormwater runoff would be similar to or lower than runoff under existing conditions, as the development condition would result in an increase in semi-impervious paved space and soft scape space on the Development Site. As with the development under the Proposed Actions analyzed in the FEIS, development under the Proposed City Council Modifications would be required to implement stormwater detention as part of the DEP Site Connection Proposal (SCP) application process for new buildings connecting to the City's sewer system, and would need to be in compliance with the required on-site stormwater volume requirements and stormwater release rate as detailed in the Unified Stormwater Rule. With the incorporation of best management practice (BMP) measures to meet the City site connection requirement, specifically on-site detention, development under the both the Proposed City Council Modifications and the Proposed Actions analyzed in the FEIS would not result in a significant increase in stormwater runoff or CSO volumes/frequencies. Therefore, the Proposed City Council Modifications would not result in significant adverse impacts to local water supply or wastewater and stormwater conveyance and treatment infrastructure, and would not alter the findings of the FEIS.

SOLID WASTE AND SANITATION SERVICES

With the Proposed City Council Modifications and the overall reduction in developed square footage, the Proposed Actions would generate less solid waste than the solid waste generation of the Proposed Actions under the program analyzed in the FEIS (120.7 tons per week). Therefore, as compared to the program analyzed in the FEIS, the Proposed City Council Modifications would result in a reduction in the amount of solid waste collected by the New York City Department of Sanitation (DSNY), which handles collection from residential and institutional uses, and a reduction in the solid waste collected by private carters, which handles collection from commercial uses. As with the program analyzed in the FEIS, the increase in solid waste generation under the Proposed City Council Modifications would not reach the level of impact significance, as it would be considered negligible relative to the approximately 12,260 tons of solid waste handled by the DSNY every day, or the 13,000 tons handled by private carters. Therefore, neither the Proposed City Council Modifications nor the Proposed Actions analyzed in the FEIS would result in a significant adverse impact to solid waste and sanitation services or place a significant burden on the City's solid waste management system.

ENERGY

With the Proposed City Council Modifications and the overall reduction in developed square footage, the Proposed Actions would result lower energy consumption than the approximately 534,000,000 thousand British thermal units (MBTUs) of demand as analyzed in the FEIS. Therefore, neither the Proposed City Council Modifications nor the Proposed Actions analyzed in the FEIS would result in any significant adverse impacts with respect to the generation, transmission, or consumption of energy. While energy demand on the projected development sites would increase from existing conditions under both the Proposed City Council Modifications and the Proposed Actions analyzed in the FEIS, these increases represent a negligible amount of the City's forecasted annual energy needs.

TRANSPORTATION

As discussed above, the modifications under the Proposed City Council Modifications generally maintain the Proposed Development's proposed site plan and building massing as assessed as the Proposed Modified Application Alternative in the FEIS, but would include additional residential space by converting spaces in the Proposed Development that were previously proposed as commercial office and/or community facility space. In addition, the residential space in the Additional Affected Area would be reduced based on the modifications to the zoning map amendment to reduce density on the non-LSGD outparcels to a mixture of M1-4/R7A and M1-4/R6A districts under the Proposed City Council Modifications. With these modifications, the numbers of action-generated vehicle, transit, and pedestrian trips and the demand for on-street and off-street parking would be generally comparable to, or less than, the numbers of trips and the parking demand that would be generated by the Proposed Actions.

Based on the trip generation assumptions detailed in Chapter 13, "Transportation," in the FEIS, the Proposed City Council Modifications would generate approximately 821, 797 and 831 fewer incremental person trips in the weekday AM, midday and PM peak hours, respectively, and 387 fewer trips in the Saturday peak hour (see **Table 4**). Compared with the Proposed Actions, this represents a decrease of up to 18 percent in project-generated person trips in each peak hour. This reduction in travel demand is expected to result in conditions generally comparable to or better than those disclosed for the Proposed Actions in the FEIS. Like the Proposed Actions, it is anticipated that the Proposed City Council Modifications would continue to result in significant adverse traffic and pedestrian impacts; however, the Proposed Actions' significant adverse subway line haul impact to southbound N/W trains in the AM peak hour would potentially not occur with the Proposed City Council Modifications. Neither the Proposed Actions nor the Proposed City Council Modifications would result in significant adverse impacts to subway station and transit bus conditions or parking; however, parking shortfalls would potentially occur under both scenarios.

Table 4
Comparison of Incremental Peak Hour Person Trips by Mode
Proposed Actions vs. Proposed City Council Modifications

Scenario	Auto	Taxi	Subway	Bus	Walk/ Other	Total
Weekday AM						
Proposed Actions	483	117	2,540	142	1,593	4,875
Proposed City Council Modifications	374	99	2,052	110	1,419	4,054
Difference	***(109)***	***(18)***	***(488)***	***(32)***	***(174)***	***(821)***
Weekday Midday						
Proposed Actions	268	91	1,312	162	2,615	4,448
Proposed City Council Modifications	208	68	1,218	91	2,066	3,651
Difference	***(60)***	***(23)***	***(94)***	***(71)***	***(549)***	***(797)***
Weekday PM						
Proposed Actions	490	121	2,313	181	3,089	6,194
Proposed City Council Modifications	372	95	1,879	130	2,887	5,363
Difference	***(118)***	***(26)***	***(434)***	***(51)***	***(202)***	***(831)***
Saturday						
Proposed Actions	462	121	2,346	192	3,372	6,493
Proposed City Council Modifications	401	104	2,167	160	3,274	6,106
Difference	***(61)***	***(17)***	***(179)***	***(32)***	***(98)***	***(387)***

TRAFFIC

As shown in **Table 5**, the Proposed Actions would generate an estimated 614, 370, 583 and 578 incremental vehicle (auto, taxi and truck) trips in the weekday AM, midday and PM peak hours, and Saturday peak hour, respectively. As discussed in Chapter 13, "Transportation," in the FEIS, the Proposed Actions would result in significant adverse impacts at 23 intersections (all signalized) during one or more analyzed peak hours.

Compared with the Proposed Actions, the Proposed City Council Modifications would generate approximately 130, 79, and 121 fewer incremental vehicle trips in the weekday AM, midday, and PM peak hours, respectively (see **Table 5**). This would represent a decrease of approximately 21 percent in net incremental peak hour vehicle trips compared to the Proposed Actions in each period. As also shown in **Table 5**, during the Saturday peak hour, the Proposed City Council Modifications would generate 50 fewer vehicle trips (a 8.7 percent reduction). Given the decreases in trips during the weekday AM, midday, and PM, and Saturday peak hours, it is anticipated that the numbers of significant adverse impacts to traffic conditions under the Proposed City Council Modifications would be generally comparable to or less than those under the Proposed Actions.

It should also be noted that the replacement of commercial office/community facility uses with residential uses in the Proposed Development under the Proposed City Council Modifications would potentially result in a change in the directional distribution of action-generated trips at some intersections, especially during the weekday AM and PM commuter peak hours, as residential commuter demand is typically outbound in the AM and inbound in the PM, the opposite of worker demand. Therefore, at some impacted intersections, an impact may occur on a different approach and/or in a different peak hour than under the Proposed Actions adjacent to the Proposed Development. However, it is anticipated that at any such intersection, the same or similar mitigation measures as recommended for the Proposed Actions would be equally effective at mitigating the impact. As noted above, it is not anticipated that there would be any additional impacted intersections under the Proposed City Council Modifications.

Table 5
Comparison of Incremental Peak Hour Vehicle Trips by Mode Proposed Actions vs. Proposed City Council Modifications

Scenario	Auto	Taxi	Truck	Total
Weekday AM				
Proposed Actions	424	168	22	614
Proposed City Council Modifications	332	142	10	484
Net Difference	***(92)***	***(26)***	***(12)***	***(130)***
Weekday Midday				
Proposed Actions	220	128	22	370
Proposed City Council Modifications	181	98	12	291
Net Difference	***(39)***	***(30)***	***(10)***	***(79)***
Weekday PM				
Proposed Actions	417	170	-4	583
Proposed City Council Modifications	330	134	-2	462
Net Difference	***(87)***	***(36)***	***2***	***(121)***
Saturday				
Proposed Actions	404	172	2	578
Proposed City Council Modifications	370	152	6	528
Net Difference	***(34)***	***(20)***	***4***	***(50)***

TRANSIT

Subway

As presented in **Table 4**, compared with the Proposed Actions, the Proposed City Council Modifications would generate approximately 488 fewer incremental subway trips during the analyzed weekday AM peak hour (a 19.2 percent reduction) and 434 fewer in the weekday PM peak hour (an 18.8 percent reduction).

Subway Stations

Table 6 presents a comparison of the number of subway trips (inbound and outbound combined) that would be generated by the Proposed Actions and by the Proposed City Council Modifications at analyzed subway stations—the 36th Street (M/R), Steinway Street (M/R) and 36th Avenue (N/W) stations. As shown in **Table 6**, in both the AM and PM peak hour, the Proposed City Council Modifications would generate fewer trips at all analyzed subway stations compared to the Proposed Actions.

As discussed in Chapter 13, "Transportation," in the FEIS, the Proposed Actions are not expected to result in significant adverse impacts in either the AM or PM peak hour at any of the three analyzed subway stations. As the Proposed City Council Modifications would generate 18 to 19 percent fewer incremental subway trips than the Proposed Actions, it is anticipated that the Proposed City Council Modifications would not result in any new significant adverse subway station impacts.

Table 6
Comparison of Incremental Peak Hour Subway Trips at Analyzed Subway Stations Proposed Actions vs. Proposed City Council Modifications

Scenario	Total Subway Trips	Steinway Street (M,R) Station	36th Street (M,R) Station	36th Avenue (N,W) Station
Weekday AM				
Proposed Actions	2,540	1,302	326	912
Proposed City Council Modifications	2,052	1,034	257	761
Net Difference	***(488)***	***(268)***	***(69)***	***(151)***
Weekday PM				
Proposed Actions	2,313	1,184	297	832
Proposed City Council Modifications	1,879	945	236	698
Net Difference	***(434)***	***(239)***	***(61)***	***(134)***
Note: Trips shown are inbound and outbound combined.				

Subway Line Haul

The Project Area is served by four New York City Transit (NYCT) subway routes—M and R trains operating on the Queens Boulevard Line and N and W trains operating on the Astoria Line. Under the Proposed Actions, southbound N/W trains are expected to be operating over capacity in the AM peak hour and would considered significantly adversely impacted during this period based on *CEQR Technical Manual* impact criteria. As shown in **Table 4**, compared with the Proposed Actions, the Proposed City Council Modifications would generate 488 and 434 fewer subway trips in the weekday AM and PM peak hours, respectively. Therefore, no new significant adverse subway line haul impacts are anticipated under the Proposed City Council Modifications. In addition, the Proposed Actions' significant adverse line haul impact to southbound N/W trains in the AM peak hour would potentially not occur under the Proposed City Council Modifications.

Bus

As presented in **Table 4**, compared with the Proposed Actions, the Proposed City Council Modifications would generate approximately 32 and 51 fewer incremental bus trips during each of the weekday AM and PM peak hours, respectively. This represents decreases of approximately 22.5 percent and 28.2 percent during these periods, respectively, compared with the incremental bus trips that would be generated under the Proposed Actions.

As shown in **Table 7**, compared with the Proposed Actions, the Proposed City Council Modifications would generate up to 24 fewer incremental bus trips per direction in each peak hour on the analyzed Q66, Q101, Q102 and Q104 bus routes. Therefore, as with the Proposed Actions, incremental bus trips under the Proposed City Council Modifications are not expected to result in significant adverse bus impacts in the analyzed weekday AM and PM peak hours.

Table 7
Comparison of Incremental Peak Hour Bus Trips by Analyzed Route
Proposed Actions vs. Proposed City Council Modifications

Scenario	Total Bus Trips	Q66 (EB)	Q66 (WB)	Q101 (NB)	Q101 (SB)	Q102 (NB)	Q102 (SB)	Q104 (EB)	Q104 (WB)
Weekday AM									
Proposed Actions	142	53	35	11	12	8	10	6	7
Proposed City Council Modifications	110	47	22	9	9	6	8	4	5
Net Difference	***(32)***	***(6)***	***(13)***	***(2)***	***(3)***	***(2)***	***(2)***	***(2)***	***(2)***
Weekday PM									
Proposed Actions	181	61	49	17	16	11	11	8	8
Proposed City Council Modifications	130	37	39	15	14	8	8	6	3
Net Difference	**(*51*)**	**(*24*)**	**(*10*)**	**(*2*)**	**(*2*)**	**(*3*)**	**(*3*)**	**(*2*)**	**(*5*)**

PEDESTRIANS

As presented in **Table 8**, it is estimated that the Proposed Actions would generate approximately 4,275, 4,089, 5,583 and 5,910 incremental pedestrian trips (walk-only plus pedestrians en route to/from subway stations and bus stops) in the weekday AM, midday and PM peak hours and the Saturday peak hour, respectively. Compared with the Proposed Actions, the Proposed City Council Modifications is expected to generate 694, 714, 687, and 309 fewer incremental pedestrian trips in each of these peak hours, respectively, a decrease of up to approximately 17 percent in each period.

As discussed in Chapter 13, "Transportation," in the FEIS, the Proposed Actions would result in significant adverse impacts to three sidewalks and two crosswalks in one or more analyzed peak hours. There would be no significant impacts to any corner areas in any peak hour.

As the Proposed City Council Modifications would generate fewer pedestrian trips in each peak hour than would the Proposed Actions, it is anticipated that it would not result in any new significant adverse pedestrian impacts. In addition, the impacts to the three sidewalks and two crosswalks under the Proposed Actions would potentially be reduced in magnitude, or not occur, with the Proposed City Council Modifications.

Table 8
Comparison of Incremental Peak Hour Pedestrian Trips
Proposed Actions vs.Proposed City Council Modifications

Scenario	Total
Weekday AM	
Proposed Actions	4,275
Proposed City Council Modifications	3,581
Net Difference	***(694)***
Weekday Midday	
Proposed Actions	4,089
Proposed City Council Modifications	3,375
Net Difference	***(714)***
Weekday PM	
Proposed Actions	5,583
Proposed City Council Modifications	4,896
Net Difference	***(687)***
Saturday	
Proposed Actions	5,910
Proposed City Council Modifications	5,601
Net Difference	***(309)***

Note:
Includes walk-only trips and trips en route to/from area transit services.

VEHICULAR AND PEDESTRIAN SAFETY EVALUATION

Under the 2015 *Vision Zero Queens Pedestrian Safety Action Plan*, and the 2019 *Boroughs Pedestrian Safety Action Plan Update,* the Project Area is located within a "Priority Area," where safety issues were found to occur systematically at an area-wide level. Northern Boulevard, 34th Avenue and Broadway are identified as Priority Corridors, and Northern Boulevard is also identified as a Truck Priority Corridor. In addition, a review of the crash data identified two study area intersections as high crash locations—Northern Boulevard at 43rd Street/42nd Place and Northern Boulevard at 39th Street/Steinway Street.

Compared to the Proposed Actions, the Proposed City Council Modifications is expected to generate fewer vehicle and pedestrian trips along priority corridors and through high crash locations in the study area.

PARKING

Compared with the Proposed Actions, the Proposed City Council Modifications would include a reduction in the total on-site accessory parking spaces from 1,633 spaces to 1,170 spaces. The below-grade parking spaces in the Proposed Development would be reduced from 1,390 spaces to 1,066 spaces. The parking spaces in the Additional Affected Area would also be reduced from 243 spaces to 104 spaces.

The overall reduction of residential uses under the Proposed City Council Modifications would result in decreased parking demand during the overnight period. As shown in **Tables 9 and 10**, parking demand generated by the Projected Development Site (Sites A through K) under the Proposed City Council Modifications would peak at approximately 1,657 spaces during the 8:00 p.m. to 9:00 p.m. period on weekdays, and at 2,052 spaces during the same period on Saturdays. This compares with 1,710 spaces on weekdays and 2,099 spaces on Saturdays during the same period under the Proposed Actions.

Like the Proposed Actions, the Proposed City Council Modifications may potentially contribute to off-street and on-street parking shortfalls. However, as with the Proposed Actions, any such shortfall in public parking capacity under the Proposed City Council Modifications would not be considered significant based on *CEQR Technical Manual* criteria due to the magnitude of available alternative modes of transportation.

Table 9
Total Weekday Hourly Parking Accumulation for the Projected Development Site (Sites A-K)
Proposed City Council Modifications

	Residential 3,537 DUs			Local Retail 159,915 gsf			Office 0 gsf			Cinema 3,500 seats			Community Center 28,159 gsf			Supermarket 30,000 gsf			Medical Office 4,018 gsf			Daycare (Staff) 10,000 gsf			PCE (Physical Cultural Establishment) 30,000 gsf			Arts and Cultural Center 10,859 gsf			Total Accum.
	In	Out	Accum.	In	Out	Accum.	In	Out	Accum.	In	Out	Accum.	In	Out	Accum.	In	Out	Accum.	In	Out	Accum.	In	Out	Accum.	In	Out	Accum.	In	Out	Accum.	
12-1 AM	5	5	1343	0	0	0	0	0	0	0	29	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1344
1-2	5	5	1343	0	0	0	0	0	0	11	3	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1352
2-3	5	5	1343	0	0	0	0	0	0	0	0	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1352
3-4	5	5	1343	0	0	0	0	0	0	0	0	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1352
4-5	5	5	1343	0	0	0	0	0	0	0	0	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1352
5-6	10	34	1319	0	0	0	0	0	0	6	10	5	0	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	0	1324
6-7	18	60	1277	1	0	1	0	0	0	9	0	14	0	0	0	10	3	7	0	0	0	0	0	0	0	0	0	0	0	0	1299
7-8	34	146	1165	26	22	5	0	0	0	15	10	19	0	0	0	13	8	12	0	0	0	2	0	2	2	0	2	1	0	1	1206
8-9	71	250	986	54	47	12	0	0	0	24	1	42	3	2	1	13	12	13	3	2	1	5	0	7	2	2	2	2	2	1	1065
9-10	69	131	924	53	42	23	0	0	0	16	13	45	3	2	2	24	13	24	3	1	3	2	0	9	1	3	0	15	1	15	1045
10-11	69	119	874	75	53	45	0	0	0	37	13	69	3	2	3	26	19	31	4	2	5	0	0	9	1	1	0	11	2	24	1060
11-12	74	92	856	76	72	49	0	0	0	45	13	101	2	2	3	26	26	31	3	4	4	1	0	10	1	1	0	4	11	17	1071
12-1 PM	96	96	856	81	81	49	0	0	0	48	29	120	2	3	2	23	22	32	3	3	4	1	1	10	2	2	0	2	13	6	1079
1-2	89	88	857	99	86	62	0	0	0	45	42	123	2	2	2	29	35	26	4	3	5	0	1	9	3	2	1	13	2	17	1102
2-3	92	86	863	98	83	77	0	0	0	36	48	111	1	0	3	32	38	20	3	3	5	0	0	9	2	1	2	11	3	25	1115
3-4	105	84	884	89	86	80	0	0	0	60	92	79	1	1	3	31	34	17	3	3	5	0	1	8	2	2	2	8	6	27	1105
4-5	189	114	959	88	88	80	0	0	0	92	59	112	1	3	1	32	30	19	3	4	4	1	3	6	2	3	1	5	8	24	1206
5-6	184	108	1035	114	114	80	0	0	0	110	93	129	3	3	1	33	34	18	1	3	2	0	5	1	2	2	1	1	15	10	1277
6-7	185	86	1134	78	97	61	0	0	0	142	118	153	2	3	0	16	16	18	0	2	0	0	1	0	1	2	0	2	12	0	1366
7-8	159	74	1219	50	85	26	0	0	0	175	88	240	0	0	0	6	10	14	0	0	0	0	0	0	1	1	0	0	0	0	1499
8-9	130	54	1295	38	57	7	0	0	0	150	46	344	0	0	0	3	6	11	0	0	0	0	0	0	1	1	0	0	0	0	**1657**
9-10	51	32	1314	19	24	2	0	0	0	97	224	217	0	0	0	0	6	5	0	0	0	0	0	0	0	0	0	0	0	0	1538
10-11	38	25	1327	0	2	0	0	0	0	110	193	134	0	0	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	1461
11-12	33	17	1343	0	0	0	0	0	0	40	144	30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1373

Note:

25% credit applied to supermarket trips.

50% credit applied to local retail trips to account for linked, pass-by, and diverted trips.

Assumes 0.38 autos/DU based on 2015-2019 ACS auto ownership data for rental households in Queens census tracts 51, 55,57,59,155,157,159.

80 denotes the total peak parking accumulation

Table 10
Total Saturday Hourly Parking Accumulation for the Projected Development Site (Sites A-K)
Proposed City Council Modifications

	Residential 3,537 DUs			Local Retail 159,915 gsf			Office 0 gsf			Cinema 3,500 seats			Community Center 28,159 gsf			Supermarket 30,000 gsf			Medical Office 4,018 gsf			Daycare (Staff) 10,000 gsf			PCE (Physical Cultural Establishment) 30,000 gsf			Arts and Cultural Center 10,859 gsf			Total Accum.
	In	Out	Accum.	In	Out	Accum.	In	Out	Accum.	In	Out	Accum.	In	Out	Accum.	In	Out	Accum.	In	Out	Accum.	In	Out	Accum.	In	Out	Accum.	In	Out	Accum.	
12-1 AM	16	16	1343	0	0	0	0	0	0	0	213	117	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1460
1-2	16	16	1343	0	0	0	0	0	0	0	84	33	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1376
2-3	8	8	1343	0	0	0	0	0	0	0	21	12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1355
3-4	3	3	1343	0	0	0	0	0	0	0	5	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1350
4-5	3	3	1343	0	0	0	0	0	0	0	0	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1350
5-6	4	5	1342	0	0	0	0	0	0	0	0	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1349
6-7	4	11	1335	0	0	0	0	0	0	0	0	7	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1342
7-8	18	58	1295	13	2	11	0	0	0	5	10	2	0	0	0	3	1	2	0	0	0	0	0	0	1	0	1	0	0	0	1311
8-9	59	132	1222	29	29	11	0	0	0	16	5	13	1	0	1	6	5	3	1	0	1	0	0	0	1	0	2	0	0	0	1253
9-10	105	143	1184	30	18	23	0	0	0	21	0	34	0	0	1	7	3	7	1	0	2	0	0	0	2	2	2	1	0	1	1254
10-11	105	161	1128	58	38	43	0	0	0	84	0	118	0	1	0	8	4	11	1	1	2	0	0	0	2	2	2	3	0	4	1308
11-12	132	132	1128	62	62	43	0	0	0	95	0	213	2	2	0	9	7	13	1	1	2	0	0	0	2	2	2	4	0	8	1409
12-1 PM	154	155	1127	82	85	40	0	0	0	126	46	293	3	0	3	11	10	14	1	1	2	0	0	0	2	2	2	5	1	12	1493
1-2	164	158	1133	94	94	40	0	0	0	136	107	322	2	1	4	11	11	14	2	2	2	0	0	0	2	3	1	2	6	8	1524
2-3	137	138	1132	85	61	64	0	0	0	131	72	381	0	1	3	10	12	12	1	1	2	0	0	0	3	2	2	3	6	5	1601
3-4	148	108	1172	64	62	66	0	0	0	200	175	406	0	1	2	10	13	9	1	1	2	0	0	0	3	2	3	5	4	6	1666
4-5	181	81	1272	70	75	61	0	0	0	252	129	529	0	0	2	9	14	4	1	1	2	0	0	0	2	2	3	6	3	9	1882
5-6	170	102	1340	84	84	61	0	0	0	209	154	584	0	0	2	11	11	4	1	1	2	0	0	0	0	2	1	3	5	7	2001
6-7	131	126	1345	50	69	42	0	0	0	189	258	515	0	0	2	9	9	4	0	1	1	0	0	0	1	2	0	1	6	2	1911
7-8	111	111	1345	47	72	17	0	0	0	341	263	593	0	2	0	7	6	5	0	1	0	0	0	0	1	1	0	1	3	0	1960
8-9	76	76	1345	36	47	6	0	0	0	242	138	697	0	0	0	2	3	4	0	0	0	0	0	0	1	1	0	0	0	0	**2052**
9-10	59	59	1345	20	19	7	0	0	0	192	251	638	0	0	0	1	2	3	0	0	0	0	0	0	0	0	0	0	0	0	1993
10-11	59	60	1344	0	7	0	0	0	0	168	340	466	0	0	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0	1811
11-12	46	47	1343	0	0	0	0	0	0	24	160	330	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1673

Note:

25% credit applied to supermarket trips.

50% credit applied to local retail trips to account for linked, pass-by, and diverted trips.

Assumes 0.38 autos/DU based on 2015-2019 ACS auto ownership data for rental households in Queens census tracts 51, 55,57,59,155,157,159.

80 denotes the total peak parking accumulation

MITIGATION MEASURES REQUIRED FOR THE POTENTIAL MODIFICATIONS

For both the Proposed Actions and the Proposed City Council Modifications, some of the identified traffic and pedestrian impacts could be fully mitigated through the implementation of recommended mitigation measures.

Traffic

As shown in Table 20-5 and discussed in Chapter 20, "Mitigation," in the FEIS, the Proposed Actions' traffic mitigation plan would include implementation of traffic engineering improvements such as signal timing changes and modifications to curbside parking regulations and lane striping. The recommended measures would provide mitigation for many of the traffic impacts anticipated under the Proposed Actions. However, impacts to one or more lane groups would remain unmitigated in one or more peak hours at 15 intersections.

As discussed previously, compared with the Proposed Actions, the Proposed City Council Modifications would generate approximately 130, 79, 121 and 50 fewer incremental vehicle (auto, taxi, truck and school bus) trips during the weekday AM, midday, and PM peak hours, and Saturday peak hour, respectively. Consequently, it is anticipated that there would be no additional impacted intersections due to the Proposed City Council Modifications. In general, the mitigation measures recommended for the Proposed Actions' traffic impacts are expected to be equally effective at mitigating many of the significant adverse traffic impacts that would occur under the Proposed City Council Modifications. As also noted previously, however, the Proposed City Council Modifications would include additional residential space in the Proposed Development by converting spaces in the Proposed Development that were previously proposed as commercial office and/or community facility space. This may potentially result in a change in the directional distribution of action-generated trips at some intersections, especially during the weekday AM and PM commuter peak hours, as residential commuter demand is typically outbound in the AM and inbound in the PM, the opposite of worker demand. Therefore, at some impacted intersections, an impact may occur on a different approach and/or in a different peak hour than under the Proposed Actions adjacent to the Proposed Development. However, it is anticipated that at any such intersection, the same or similar mitigation measures as recommended for the Proposed Actions would be equally effective at mitigating the impact.

As with the Proposed Actions, the potential traffic impacts and recommended mitigation measures under the Proposed City Council Modifications would be evaluated as part of the Transportation Management Plan (TMP) described in Chapter 20, "Mitigation," in FEIS. It is anticipated that the TMP would focus on assessing traffic conditions at impacted intersections in the first quarter of 2026 and would include trip generation, modal split and origin/destination surveys of residents and other uses in the Proposed Development, traffic data collection and LOS analyses. A similar TMP would also be conducted at full build-out and occupancy of the Proposed Development.

Pedestrians

Incremental demand from the Proposed Actions is expected to significantly adversely impact three sidewalks and two crosswalks in one or more analyzed peak hours. As the Proposed City Council Modifications would generate fewer pedestrian trips in each peak hour than would the Proposed Actions, it is anticipated that these impacts would potentially be reduced in magnitude, or would not occur, with the Proposed City Council Modifications.

Pedestrian flow along the three impacted sidewalks is constrained by the presence of outdoor dining areas. These sidewalks are outside the boundaries of the LSGD and are not under the control of the Applicant. Therefore, the significant adverse sidewalk impacts under the Proposed Actions would remain unmitigated and would also potentially remain unmitigated under the Proposed City Council Modifications. Recommended mitigation measures consisting of the widening of crosswalks would fully mitigate the crosswalk impacts under the Proposed Actions, and would similarly mitigate these impacts if they were to occur under the Proposed City Council Modifications. Implementation of the proposed mitigation measures would be subject to review and approval by DOT. Absent the identification and implementation of additional feasible mitigation measures that would mitigate the pedestrian impacts to the greatest extent practicable, both the Proposed Actions and the Proposed City Council Modifications would potentially result in unmitigated significant adverse pedestrian impacts.

AIR QUALITY

As with the program analyzed in the FEIS, the Proposed City Council Modifications would not result in any significant adverse air quality impacts. As discussed in the Transportation section, the Proposed City Council Modifications would generate approximately 130, 79, 121 and 50 fewer incremental vehicle (auto, taxi, truck and school bus) trips during the weekday AM, midday, PM, and Saturday peak hours, respectively, compared to the program analyzed in the FEIS. As such, the Proposed City Council Modifications would result in slightly lower mobile source pollutant concentrations. In addition, the Proposed City Council Modifications would include the same reduction of parking spaces in the Proposed Development; therefore, vehicle emissions within the parking garages would be reduced as compared to the concentrations presented in Chapter 14 of the FEIS, "Air Quality." Therefore, as with the Proposed Actions as analyzed in the FEIS, no significant adverse mobile source air quality impacts would occur.

For the Proposed Development on Blocks A, C and E, the Proposed City Council Modifications would include limited modifications to the building massing as adopted by the CPC. Notably, these modifications would not affect the overall building heights and tower locations, as the conversion of commercial office of community facility spaces to residential use would be accommodated by incorporating shorter floor-to-floor heights in the Building A1 and Building C1 towers, which not alter the tower envelopes or overall heights. The increase in residential floor area with the corresponding reductions in office and community facility floor area are estimated to result in somewhat higher natural gas fuel usage overall, with increased emissions at Buildings A1 and E2.

The Proposed City Council Modifications would also result in reductions in the heights of buildings on the projected development sites in the Additional Affected Area (see **Figures 1 and 2**). Therefore, the stationary source analysis prepared for the Proposed Actions was revised to evaluate potential future pollutant concentrations from the proposed heating and hot water systems under the Proposed City Council Modifications. The stationary source analysis was conducted using the methodology described in the *CEQR Technical Manual* to assess air quality impacts associated with emissions from the Proposed Development's heat and hot water systems under the Proposed City Council Modifications. The same methodologies and assumptions outlined in the FEIS Air Quality Chapter were followed.

The emission rates and exhaust stack parameters used in the modeling analysis for the Proposed City Council Modifications are presented in **Table 11** for the Applicant-controlled projected development sites, and **Table 12** for the projected development sites in the Additional Affected Area.

Table 11
Exhaust Stack Parameters and Emission Rates – Applicant-Controlled Lots
Proposed City Council Modifications

Stack Parameter	A1	A2	A3	B1	B2	C1	C2	D1	D2	E1	E2/E3
Building Floor Area (gross square feet)	158,633	308,586	301,940	250,699	407,413	261,375	124,090	350,889	256,742	87,470	474,644
Building Height (feet)	155	140	130	180	210	265	150	180	280	90	290
Stack Height Above Building (feet)	3	25	20	3	25	3	35	23	3	3	3
Stack Height (feet)	158	165	150	183	235	268	185	203	283	93	293
Stack Diameter (feet) (1)	2	3.2	3.2	3.2	3.2	3.2	2	3.2	3.2	2	3.2
Exhaust Velocity (feet/minute)(1)	388	253	252	205	336	212	271	708	212	187	391
Exhaust Temperature (degrees Fahrenheit)(1)	307.8	307.8	307.8	307.8	307.8	307.8	307.8	307.8	307.8	307.8	307.8
Emission Rate (grams/second)											
NO_2 (1-hour average)	0.048	0.035	0.035	0.028	0.046	0.079	0.014	0.037	0.029	0.010	0.15
NO_2 (Annual average)	0.013	0.0095	0.0095	0.0078	0.013	0.022	0.0039	0.010	0.0080	0.0027	0.040
$PM_{2.5}$ (24-hour average)	0.0036	0.0072	0.0071	0.0058	0.0095	0.0060	0.0029	0.0077	0.0060	0.0020	0.011
$PM_{2.5}$ (Annual average)	0.0010	0.0020	0.0020	0.0016	0.0026	0.0016	0.00080	0.0021	0.0016	0.00055	0.0030

Note:
(1) Stack parameter assumptions were obtained from a survey of boiler exhaust data provided by DEP.

Table 12
Exhaust Stack Parameters and Emission Rates – Additional Affected Sites
Proposed City Council Modifications

Stack Parameter	F	G	H	I	J	K
Building Floor Area (gsf)	39,402	66,453	128,535	47,389	54,525	43,560
Building Height (ft)	80	80	60	60	60	60
Stack Height Above Building (ft)	3	3	3	10	10	3
Stack Height (ft)	83	83	63	73	73	63
Stack Diameter (ft)(1)	2	2	2	2	2	2
Exhaust Velocity (ft/min)(1)	82	138	266	97	112	89
Exhaust Temperature (degrees Fahrenheit)(1)	307.8	307.8	307.8	307.8	307.8	307.8
Emission Rate (grams/second)						
NO_2 (1-hour average)	0.0043	0.0073	0.014	0.0051	0.0059	0.0047
NO_2 (Annual average)	0.0012	0.0020	0.0038	0.0014	0.0016	0.0013
$PM_{2.5}$ (24-hour average)	0.00088	0.0015	0.0029	0.0010	0.0012	0.0010
$PM_{2.5}$ (Annual average)	0.00024	0.00041	0.00079	0.00029	0.00033	0.00026

Note:
(1) Stack parameter assumptions were obtained from a survey of boiler exhaust data provided by DEP.

The same background concentrations were used as presented in Chapter 14 of the FEIS, "Air Quality" for the $PM_{2.5}$ as well as annual NO_2 stationary source analyses. An annual NO_2 background concentration of 32.8 $\mu g/m^3$ was used, while a $PM_{2.5}$ 24-hour average background concentration of 8.3 $\mu g/m^3$ (based on the 2017 to 2019 average of 98th percentile concentrations measured at the JHS 45 monitoring station) was used to establish the *de minimis* value for the 24-hour increment, consistent with the guidance provided in the *CEQR Technical Manual*. $PM_{2.5}$ annual average impacts are assessed on an incremental basis and compared with the $PM_{2.5}$ *de minimis* criteria, without considering the annual background. For the 1-hour NO_2 analysis, seasonal hourly background monitored concentrations were used, consistent with the methodology described for the detailed analysis of heating and hot water systems (see FEIS Chapter 14, "Air Quality").

ANALYSIS RESULTS

Tables 13 and 14 present the maximum predicted concentration from the heating and hot water systems on the proposed buildings and existing buildings, respectively. As shown in the tables, all predicted pollutant concentrations are less than the applicable NAAQS and $PM_{2.5}$ *de minimis* impact criteria. Therefore, there would be no potential for significant adverse air quality impacts from the Proposed Project's heating and hot water systems under the Proposed City Council Modifications.

Table 13
Maximum Modeled Pollutant Concentrations
On the Proposed Development and the Additional Affected Area ($\mu g/m^3$)
Proposed City Council Modifications

Pollutant	Averaging Period	Maximum Modeled Impact	Background	Total Concentration	Criterion
NO_2	1-hour	(1)	-	162	188(2)
	Annual	1.1	32.8	33.9	100
$PM_{2.5}$	24-hour	7.7	N/A	7.7	8.3 (3)
	Annual	0.29	N/A	0.29	0.3(4)

Notes:
N/A – Not Applicable
(1) The 1-hour NO_2 concentration presented represents the maximum of the total 98th percentile 1-hour NO_2 concentration predicted at any receptor using seasonal-hourly background concentrations.
(2) NAAQS
(3) $PM_{2.5}$ *de minimis* criteria—24-hour average, not to exceed more than half the difference between the background concentration and the 24-hour standard of 35 $\mu g/m^3$
(4) $PM_{2.5}$ *de minimis* criteria—annual (discrete receptor)

Table 14
Maximum Modeled Pollutant Concentrations
On Existing Buildings (µg/m³)
Proposed City Council Modifications

Pollutant	Averaging Period	Maximum Modeled Impact	Background	Total Concentration	Criterion
NO_2	1-hour	(1)	-	115	188(2)
	Annual	0.68	32.8	33.5	100
$PM_{2.5}$	24-hour	1.54	N/A	1.54	8.3 (3)
	Annual	0.15	N/A	0.15	0.3(4)
	Annual – Neighborhood	0.02	N/A	0.02	0.1

Notes:
N/A – Not Applicable
(1) The 1-hour NO_2 concentration presented represents the maximum of the total 98th percentile 1-hour NO2 concentration predicted at any receptor using seasonal-hourly background concentrations.
(2) NAAQS
(3) $PM_{2.5}$ *de minimis* criteria—24-hour average, not to exceed more than half the difference between the background concentration and the 24-hour standard of 35 µg/m³
(4) $PM_{2.5}$ *de minimis* criteria—annual (discrete receptor)

As described the FEIS, the projected development sites under the Proposed Actions would require certain restrictions from fossil fuel-fired heating and hot water systems through the placement of an (E) Designation (E-675) to avoid the potential for significant adverse air quality impacts. Similar to the Proposed Actions analyzed in the FEIS, the placement of an (E) Designation on the projected development sites would also be needed under the Proposed City Council Modifications in order to avoid the potential for significant adverse air quality impacts. The implementation of the (E) Designation would be reviewed and approved by the NYC Office of Environmental Remediation (OER) to ensure that there is no significant adverse air quality impact. Therefore, the Proposed City Council Modifications would not alter the findings of the FEIS regarding air quality.

The proposed restrictions under the Proposed City Council Modifications would be as follows:

Projected Development Site A

Building A1 (Block 641, p/o Lot 9)
Any new development on Building A1 (Block 641, p/o Lot 9) must utilize only natural gas for fossil fuel-fired heating and hot water equipment and locate heating and hot water exhaust stacks at least 158 feet above grade, to avoid potential significant adverse air quality impacts.

Building A2 (Block 641, p/o Lots 9 and 4)
Any new development on Building A2 (Block 641, p/o Lots 9 and 4) must utilize only natural gas for fossil fuel-fired heating and hot water equipment and be fitted with low NO_x (30 ppm) burners, and ensure that heating and hot water system stack(s) is located at least 165 feet above grade and located at least 112 feet away from the lot line facing 38th Street, to avoid potential significant adverse air quality impacts.

Building A3 (Block 641, p/o Lots 1, 4)
Any new development on Building A3 (Block 641, p/o Lots 1, 4) must utilize only natural gas for fossil fuel-fired heating and hot water equipment and be fitted with low NO_x (30 ppm) burners, and ensure that heating and hot water system stack(s) is located at least 150 feet above grade and located at least 49 feet away from the lot line facing 35th Avenue on Lot 4 and at least 64 feet from the lot line facing 38th Street, to avoid potential significant air quality impacts.

Projected Development Site B

Building B1 (Block 668, p/o Lot 5)
Any new development on Building B1 (Block 641, p/o Lot 5) must utilize only natural gas for fossil fuel-fired heating and hot water equipment and be fitted with low NO_x (30 ppm) burners, and ensure that heating and hot water system stack(s) is located at least 183 feet above grade and located at least 45 feet away from

the lot line facing Steinway Street and no more than 80 feet from the lot line facing 35th Avenue, to avoid potential significant adverse air quality impacts.

Building B2 (Block 668, p/o Lot 5)

Any new development on Building B2 (Block 668, p/o Lot 5) must utilize only natural gas for fossil fuel-fired heating and hot water equipment and be fitted with low NO_x (30 ppm) burners, and ensure that heating and hot water system stack(s) is located at least 235 feet above grade and located at least 163 feet away from the tallest tiers of Building C1 on Lots 13 and p/o 16, to avoid potential significant adverse air quality impacts.

Projected Development Site C

Building C1 (Block 669, Lot 13, p/o Lot 16)

Any new development on Building C1 (Block 669, Lot 13, p/o Lot 16) must utilize only natural gas for fossil fuel-fired heating and hot water equipment and locate heating and hot water exhaust stacks at least 268 feet above grade, to avoid potential significant adverse air quality impacts.

Building C2 (Block 669, Lot 36)

Any new development on Building C2 (Block 669, Lot 36) must utilize only natural gas for fossil fuel-fired heating and hot water equipment and be fitted with low NO_x (30 ppm) burners, and ensure that heating and hot water system stack(s) is located at least 185 feet above grade and located at least 125 feet away from the lot line facing 35th Avenue, to avoid potential significant adverse air quality impacts.

Projected Development Site D

Building D1 (Block 670, Lots 4, 8, 20, 27, 30)

Any new development on Building D1 (Block 670, Lots 4, 8, 20, 27, 30) must utilize only natural gas for fossil fuel-fired heating and hot water equipment and be fitted with low NO_x (30ppm) burners, and ensure that heating and hot water system stack(s) is located at least 203 feet above grade, to avoid potential significant adverse air quality impacts.

Building D2 (Block 670, Lots 4, 47)

Any new development on Building D2 (Block 670, Lots 4, 47)) must utilize only natural gas for fossil fuel-fired heating and hot water equipment and be fitted with low NO_x (30ppm) burners, and locate heating and hot water exhaust stacks at least 283 feet above grade, to avoid potential significant adverse air quality impacts.

Projected Development Site E

Building E1 (Block 671, Lot 12, p/o Lot 8)

Any new development on Building E1 (Block 671, Lot 12, p/o Lot 8) must utilize only natural gas for fossil fuel-fired heating and hot water equipment and be fitted with low NO_x (30 ppm) burners, and ensure that heating and hot water system stack(s) is located at least 93 feet above grade and located no more than 75 feet away from the lot line facing 35th Avenue and no more than 18 feet from the lot line facing 42nd Street on Lot 12, to avoid any potential significant adverse air quality impacts.

Building E2/E3 (Block 671, Lots 1,20, 23)

Any new development on Building E2 and E3 (Block 671, Lots 1, 20, 23) must utilize only natural gas for fossil fuel-fired heating and hot water equipment and ensure that heating and hot water system stack(s) is located at least 293 feet above grade, to avoid potential significant adverse air quality impacts.

Projected Development Site F (Block 668, Lots 1, 2)

Any new development on Building F (Block 668, Lots 1, 2) must utilize only natural gas for fossil fuel-fired heating and hot water equipment fitted with low NO_x (30 ppm) burners, ensure that heating and hot water system stack(s) is located at least 83 feet above grade and located at least 32 feet from the lot line facing 35th Avenue, to avoid potential significant adverse air quality impacts.

Projected Development Site G (Block 669, Lots 7, 8)

Any new development on Building G (Block 669, Lots 7, 8) must utilize only natural gas for fossil fuel-fired heating and hot water equipment and be fitted with low NO_x (30 ppm) burners, and ensure that heating

and hot water system stack(s) is located at least 83 feet above grade and located at least 84 feet away from the lot line facing 35th Avenue and at least 56 feet from the lot line facing 41st Street, to avoid potential significant adverse air quality impacts.

Projected Development Site H (Block 669, Lots 1, 3, 41)

Any new development on Building H (Block 669, Lots 1, 3, 41) must utilize only natural gas for fossil fuel-fired heating and hot water equipment and be fitted with low NO_x (30 ppm) burners, and ensure that heating and hot water system stack(s) is located at least 63 feet above grade and located at least 90 feet away from the lot line facing 35th Avenue and at least 137 feet from the lot line facing 41st Street, to avoid any potential significant adverse air quality impacts.

Projected Development Site I (Block 670, Lots 33, 36)

Any new development on Building I (Block 670, Lots 33, 36) must utilize only natural gas for fossil fuel-fired heating and hot water equipment and be fitted with low NO_x (30 ppm) burners, and ensure that heating and hot water system stack(s) is located at least 70 feet above grade, located at least than 56 feet away from the lot line facing 35th Avenue, at least 42 feet away from the lot line facing 41st Street, and at least 38 feet from the lot line facing 42nd Street, to avoid any potential significant adverse air quality impacts.

Projected Development Site J (Block 670, Lot 39)

Any new development on Building J (Block 670, Lot 39) must utilize only natural gas for fossil fuel-fired heating and hot water equipment and be fitted with low NO_x (30 ppm) burners, and ensure that heating and hot water system stack(s) is located at least 70 feet above grade and located at least 57 feet away from the lot line facing 41st Street and at least 32 feet from the lot line facing 42nd Street, to avoid any potential significant adverse air quality impacts.

Projected Development Site K (Block 671, Lots 16, 18)

Any new development on Building K (Block 671, Lots 16, 18) must utilize only natural gas for fossil fuel-fired heating and hot water equipment and be fitted with low NO_x (30 ppm) burners, and ensure that heating and hot water system stack(s) is located at least 63 feet above grade and located no more than 50 feet away from the lot line facing 35th Avenue and at least 35 feet from the lot line on Lot 16 facing 42nd Street, to avoid any potential significant adverse air quality impacts.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Both the Proposed Actions analyzed in the FEIS and the Proposed City Council Modifications would be consistent with the City's greenhouse gas reduction goals. As the total floor area and associated vehicle trips would be reduced from to the previously analyzed program, greenhouse gas emissions of the Proposed City Council Modifications would be comparable to or less than the emission projections presented in the FEIS. Buildings associated with the Proposed Actions, as a dense mixed-use development, would advance New York City's greenhouse gas reduction goals by virtue of its density and location in an area well-served by public transportation. Furthermore, as with the Proposed Development analyzed in the FEIS, the Applicant would implement sustainable design features in the development under the Proposed City Council Modifications that would ensure that the development would achieve the substantially increased stringency of the building energy efficiency requirements under the 2020 Energy Conservation Code of New York State (2020 ECCNYS) Code, and would likely exceed them. Therefore, the Proposed City Council Modifications would not alter the findings of the FEIS regarding greenhouse gas emissions.

NOISE

As described in the FEIS, any residential dwelling unit developed in the Project Area would be part of the Special Mixed-Use District, and therefore be subject to the window/wall attenuation requirements described in Section 123-32 of the Zoning Resolution. As such, the spaces that would be developed as residential use under the proposed modifications would be required to provide a minimum of 35 dBA window/wall attenuation and an alternate means of ventilation, which would be sufficient to result in acceptable interior noise levels according to *CEQR Technical Manual* noise exposure guidance. Furthermore, since the level of attenuation required for residential use in the Mixed-Use District is greater than what was required for community facility or commercial use by the Noise (E) Designation (i.e., E-675) described in the FEIS, any

residential uses introduced by the proposed modifications that would be completed and occupied during construction of other project elements would experience lower interior noise levels during construction than would have occurred for community facility or commercial use as was contemplated in the FEIS. Consequently, as with the program analyzed in the FEIS, the proposed modifications would not result in any significant adverse noise impacts, and the Proposed City Council Modifications would not alter the findings of the FEIS regarding noise.

PUBLIC HEALTH

Neither the Proposed Actions analyzed in the FEIS nor the Proposed City Council Modifications would result in significant adverse public health impacts. As described above, the Proposed City Council Modifications would not have the potential for unmitigated significant adverse impacts in the areas of water quality, hazardous materials, air quality or operational noise. As discussed further below, construction under the Proposed City Council Modifications would be substantially similar to the construction activities resulting from the Proposed Actions as analyzed in the FES, therefore, as with the Proposed Actions, the Proposed City Council Modifications is expected to result in unmitigated significant adverse construction-period noise impacts at receptors in the vicinity of the Project Area, including at Projected Development Sites that are completed and occupied while other nearby or adjacent Projected Development Sites are under construction. However, construction resulting from the Proposed City Council Modifications would not result in chronic exposure to high levels of noise, prolonged exposure to noise levels above 85 dBA, or episodic and unpredictable exposure to short-term impacts of noise at high decibel levels, as per the *CEQR Technical Manual*. Therefore, the Proposed City Council Modifications would not alter the findings of the FEIS regarding public health.

NEIGHBORHOOD CHARACTER

Like the Proposed Actions as analyzed in the FEIS, the Proposed City Council Modifications would result in substantial changes to the Project Area, however it would not result in significant adverse impacts on neighborhood character in the area. Although it would include a modified program from the Proposed Development analyzed in the FEIS, development under the Proposed City Council Modifications would continue to activate the Development Site and Additional Affected Area, which currently primarily contain low-scale commercial, manufacturing, and parking uses, with new mixed-use buildings containing residential apartments, open space, arts and cultural uses, retail, and community facility spaces. The Proposed City Council Modifications would also include the same open space in the Project Area that would complement the existing Playground Thirty Five XXXV and would offer amenities to a wide variety of users in the neighborhood. Overall, the as with the program analyzed in the FEIS, the Proposed City Council Modifications would be consistent with the existing character of the study area, maintaining and enhancing the current arts and culture uses within the surrounding neighborhood, while simultaneously providing essential commercial, community facility, and open space uses for an expanded residential population in the future. Therefore, the Proposed City Council Modifications would not alter the findings of the FEIS regarding neighborhood character.

CONSTRUCTION

The Proposed City Council Modifications would result in an overall reduction in development density as compared to the program analyzed in the FEIS, it would generally require the same construction process and phasing as anticipated under the Proposed Actions and analyzed in the FEIS. Since the Proposed Development's buildings are similar in size and would be developed over the same construction schedule, the amount of materials and construction workers associated with building the Proposed City Council Modifications would be similar to that of the Proposed Actions analyzed in the FEIS. As such, the duration and total level of activity would be similar. These modifications to the Proposed Development under the Proposed City Council Modifications would not materially affect the construction-related analysis assumptions and conclusions. Therefore, the Proposed City Council Modifications would likely result in significant adverse noise transportation and noise impacts of a similar magnitude to those identified in the FEIS (see Chapter 19 of the FEIS, "Construction"). Mitigation for these significant adverse impacts, as described in Chapter 18 of the FEIS, "Mitigation," would remain the same. In particular, regarding temporary significant adverse impacts related to construction noise, noise control measures (including

measures beyond what are required by the New York City Noise Code) would be incorporated in noise mitigation plan(s) required under the *New York City Noise Control Code*. Proposed mitigation could include a variety of source and path controls. At existing building façades that are predicted to experience significant adverse impacts, the Applicant would offer to make available at no cost the installation of storm windows for façades that do not already have insulated glass windows and/or one window air conditioner per living room, bedroom, classroom, office space, or other noise-sensitive space on impacted façades that do not already have alternative means of ventilation.

As with the program analyzed in the FEIS, for all other technical areas, construction activities associated with the Proposed City Council Modifications would not result in significant adverse impacts. Overall, the Proposed City Council Modifications would not alter the findings of the FEIS regarding construction.

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