97-04 Sutphin Boulevard Rezoning

Environmental Assessment Statement (EAS)

PREPARED FOR

BG Sutphin, LLC
Cara McAteer
505 Eighth Avenue, 5th Floor
New York, NY 10018
212.389.9340

PREPARED BY



One Penn Plaza, Suite 715
New York, NY 10119-0800
212.857.7350

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

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

Part I: GENERAL INFORMATION

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

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

2. *Project Name* 97-04 Sutphin Blvd Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
21DCP095Q	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
210213ZMQ, N210214ZRQ	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
NYC Department of City Planning			BG Sutphin LLC		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Olga Abinader, Director of EARD			Barak Wrobel		
ADDRESS 120 Broadway			ADDRESS 31 West 52nd Street		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10019
TELEPHONE (212) 720-3493	EMAIL oabinad@planning.nyc.gov		TELEPHONE 212-513-3348	EMAIL Barak.Wrobel@hklaw.com	

5. *Project Description*

The applicant is seeking a zoning map amendment to rezone the project area from C4-5X/DJ to a C6-3/DJ, extending to the south the C6-3 district immediately to the north. The applicant also proposes a zoning text amendment to Appendix F to establish a Mandatory Inclusionary Housing (MIH) area over the proposed C6-3 district under MIH Option 1 or 2 within the Special Downtown Jamaica District. The amendment will also remove the Inclusionary Housing designation area for the Special Downtown Jamaica District from the Project Area to allow MIH to be established. The applicant may also seek City HPD Senior Affordable Rental Apartments (SARA) funding and State funding from HFA and HCR for bond financing and subsidy as well as federal funding in the form of Section 8 Rental Assistance.

The applicant proposes to demolish the existing federally qualified health center (FQHC) on the development site, which is operated by the Community Healthcare Network (CHN), and construct a new 15-story, approximately 146,000-gsf (120,000 zsf) building that would house a new and expanded FQHC of up to 15,000 gsf on the ground and cellar floors and approximately 129,700 gsf of low-income and supportive senior housing (an expected 173 units but potentially up to 190 units), including approximately 2,200 gsf of residential accessory space for supportive housing services. There is also a small amount of mechanical space associated with the passive features of the building. Seventy percent of the units would be studio or one-bedroom units reserved for seniors who have annual incomes of 50% or less of the Metropolitan Statistical Area median income. These units would be Affordable Independent Residences for Seniors (AIRS) units and would be occupied by residents aged 62 and up. The other thirty percent of the units would be studio units reserved for formerly homeless seniors with special needs. These units would not be considered AIRS units, they would be "income-restricted housing units" as defined in the Zoning Resolution and occupied by low-income residents age 55 and up. There would also be one unit for a superintendent.

Community Healthcare Network (CHN) would operate the health clinic as they currently do in their capacity as a FHCQ, providing primary care, behavioral care, women's health, dental care and other services. Additionally, they would provide clinical services and primary medical and psychiatric care to residents of the building. Breaking Ground, an affiliate of the applicant, would manage the residential portion of the building and provide social services (such as case management, employment readiness guidance, and benefits counseling) to the seniors living in the building through accessory residential space designed for counseling. The building would be approximately 160 feet in height (with an

additional 9 feet of bulkhead) and would have a floor area ratio (FAR) of 8. The applicant is not proposing to provide parking onsite. Instead, CHN would identify parking spaces off site for the mobile vans that are currently located on site.

Project Location

BOROUGH Queens	COMMUNITY DISTRICT(S) 12	STREET ADDRESS 97-04 Sutphin Boulevard
TAX BLOCK(S) AND LOT(S) Block 10030, Lots 1 and 6		ZIP CODE 11435
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Sutphin Blvd (east), 97th Ave (north), Waltham St (west)		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY C4-5X/DJ		ZONING SECTIONAL MAP NUMBER 14D

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

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

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☒ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Board of Standards and Appeals: ☐ YES ☒ NO

☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Department of Environmental Protection: ☐ YES ☒ NO If "yes," specify:

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

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

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

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

State or Federal Actions/Approvals/Funding: ☒ YES ☐ NO If "yes," specify: Potential construction funding from HPD and HCR

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

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

☒ SITE LOCATION MAP	☒ ZONING MAP	☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP	☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	

☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): Development site (Lot 6): 15,000 sf, Project Area: 24,850 sf

Waterbody area (sq. ft) and type: 0

Roads, buildings, and other paved surfaces (sq. ft.): Development Site (Lot 6): 15,000 sf

Other, describe (sq. ft.): 0

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

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 146,000

NUMBER OF BUILDINGS: 1 GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 146,000
HEIGHT OF EACH BUILDING (ft.): 160 (169 including bulkhead) NUMBER OF STORIES OF EACH BUILDING: 15

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: 15,000
The total square feet not owned or controlled by the applicant: 5,063 (Lot 1)

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: 15,000 sq. ft. (width x length) VOLUME OF DISTURBANCE: 225,000 (15 foot depth) cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 15,000 sq. ft. (width x length)

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

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	129,700		15,000	
Type (*e.g.,* retail, office, school)	317 residents, 190 units		Medical center	

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO
If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 41 NUMBER OF ADDITIONAL WORKERS: 16
Provide a brief explanation of how these numbers were determined: The residential increment is the difference between the No-Action population, which is 276 (Jamaica NTA ave household size 3.33 * 83 units = 276) and the With-Action population, which is 285 (1 * 63 Supportive housing units + 2 * 127 low income units = 317). The worker increment is the difference between the No-Action workers, from the medical clinic and housing management totalling 53 and the With-Action workers, from the medical clinic(assumed to be 16,500 for analysis purposes), housing management and social service staff totalling 69.

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

Has a No-Action scenario been defined for this project that differs from the existing condition? ☒ YES ☐ NO
If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly: In the absence of the proposed project, the development site would be redeveloped as-of-right as a mixed community facility and residential building with 98,834 gsf (approximately 99 units) and a 16,432 sf clinic. The as-of-right building would have approximately 83,000 gsf of residential housing (approximately 83 units) and an approximately 16,500 gsf health center. The building would be 10 stories and 93 feet in height (with an additional 10-foot bulkhead).

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2024

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: up to 24

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

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: after approvals are gained there would be an up to 24 month construction period with completion and occupancy by 2024

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

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

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. see attached		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Child Care Centers:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☐
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒

	YES	NO
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. See attached		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☒	☐
○ If "yes," complete the Jamaica Bay Watershed Form, and submit according to its instructions. See Appendix B		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☒	☐
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☒	☐
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☒	☐
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☒	☐
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☒	☐
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☒	☐
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: the REC that was identified includes the historic on-site operations of a dental laboratory, machine shop, and searchlight/spotlight manufacturer from the 1940s to 1970; and the potential presence of associated residual contaminants in soil or groundwater.	☒	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒

	YES	NO
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 7,790		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 20,202,110		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) See attached	☐	☐
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☒	☐
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☒
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☐	☒
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☒	☐
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒

	YES	NO
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☐	☒
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. A preliminary and/or detailed analysis was conducted for the technical areas of Land Use, Zoning, and Public Policy; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; and Noise. The project would not result in significant adverse impacts in any of these technical areas, and there are no moderate effects that may combine to influence neighborhood character. Therefore, no analysis of neighborhood character is warranted.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☒	☐
○ Closure of a community facility or disruption in its services?	☒	☐
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒

(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.

Construction activities are expected to be standard in nature and would be up to 24 months.
Governmental oversight of construction in New York City is extensive and involves a number of City, State, and Federal agencies, each with specific areas of responsibility, including the New York City Department of Buildings, the New York City Department of Environmental Protection, the New York City Fire Department, the New York City Department of Transportation Office of Construction Mitigation and Coordination (DOT OCMC), New York City Transit, the New York City Landmarks Preservation Commission, the New York State Department of Environmental Conservation, the New York State Department of Labor, the U.S. Environmental Protection Agency, and the Occupational Safety and Health Administration. The project would comply with the requirements of the New York City Noise Control Code, which limits construction activities to weekdays between the hours of 7:00 AM and 6:00 PM (absent a permit), requires that a Construction Noise Mitigation Plan be implemented, and sets noise limits for specific pieces of construction equipment. All travel lanes would remain open during construction. There would be no impacts to resources in the area as shown in the EAS, and therefore no impacts to resources due to construction. As a result, any effects from the construction of the project would be considered short term and insignificant. In the event that any closure of any portion of sidewalk elements is needed, it would be fully addressed by a permit and a Pedestrian Access Plan as required by the New York City DOT OCMC prior to the closure so that impacts would not occur.
Based on the limited duration of project construction, the project's adherence to New York City's stringent requirements related to construction, a preliminary construction assessment is not warranted.

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	DATE
Cara McAteer	08/27/21

SIGNATURE 

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

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	NO
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☐	☒
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☒ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☐ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	City Planning Commission
NAME	DATE
Stephanie Shellooe, AICP	August 27, 2021
SIGNATURE	

NEGATIVE DECLARATION

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed actions would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The Applicant, BG Sutphin LLC, seeks approval of a zoning map amendment to rezone the project area (Queens Block 10030, Lots 1 and 6) from C4-5X/DJ to C6-3/DJ; and a zoning text amendment to Appendix F to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the project area within the Special Downtown Jamaica District (DJ) in the Jamaica neighborhood of Queens Community District 12 (the "Proposed Actions"). The proposed actions would also remove the Inclusionary Housing designation area for the DJ from the project area to allow MIH to be established. The proposed actions would facilitate the Applicant's proposal to demolish the existing federally qualified health center (FQHC) on the Projected Development Site (Block 10030, Lot 6), which is operated by the Community Healthcare Network (CHN), and construct a new 15-story, approximately 146,000-gross square foot (gsf) mixed-use residential and community facility building that would house a new and expanded FQHC of up to 15,000 gsf on the ground and cellar floors, and approximately 129,700 gsf of low-income and supportive senior housing with up to 190 dwelling units (DUs), and approximately 2,200 gsf of residential accessory space for supportive housing services. The Applicant may also seek Senior Affordable Rental Apartments (SARA) funding from the New York City Department of Housing Preservation and Development (HPD), State funding from the New York State Housing Finance Agency and the New York State Homes and Community Renewal program for bond Financing and subsidy, and federal funding in the form of Section 8 Rental Assistance. Absent the Proposed Actions, the Applicant would develop a 10-story mixed-use community facility and residential building with primarily market rate housing (83 DUs). Though the Proposed Actions would allow greater residential density, the proposed development would be consistent with the overall residential, community facility and commercial land uses and character of the study area. The Proposed Actions would change the zoning designation of project area, however, because the changes encourage the development of affordable housing, they would be consistent with the purpose and goals of the DJ. The Proposed Actions would enhance and expand the existing community facility uses currently found on site, and allow for a 100% affordable senior housing development with units for formerly homeless and low-income seniors, supporting the goals of relevant public policies including The Jamaica Plan, Housing New York Plan 2.0, and PlaNYC 2050. Therefore, the Proposed Actions would not result in a significant adverse impact to land use, zoning and public policy, and no further analysis is warranted.

Urban Design and Visual Resources

A detailed analysis related to Urban Design and Visual Resources is included in the EAS. With the Proposed Actions, the Projected Development Site would be redeveloped with a 15-story structure, which would be approximately 152 feet in height (with an additional 10 feet of bulkhead) and contain approximately 146,000 gsf. The ground floor would contain the existing health center use, with the upper stories containing low-income and supportive senior residential uses. The active ground floor use would maintain the pedestrian experience on the block. The proposed development would include a continuous streetwall in addition to a setback after floor five that would match the design of the buildings to the south and west of the Projected Development Site. Although the Proposed Actions would introduce additional building height, comparative massing diagrams showing the possible development with and without the Proposed Actions was provided and showed that the development with the Proposed Actions would remain compatible with the scale and character of other buildings within the block. In addition, the With-Action scenario would contribute to the study area's urban design character which, as a result of both existing and proposed developments, is transitioning to include greater building height. The study area does not contain any visual resources, nor does it contain any open space or natural resources that would be impacted by the With-Action scenario. Therefore, the Proposed Actions would not result in significant adverse impacts with respect to urban design and visual resources, and no further analysis is warranted.

Hazardous Materials, Air Quality, and Noise

An (E) designation (E-639) related to hazardous materials, air quality, noise would be established as part of the approval of the proposed actions. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. This (E) Designation will supersede the prior (E) Designations mapped on the Projected Development Site as a result of the 2007 Jamaica Plan EIS (CEQR No. 05DCP081Q, E-175). The hazardous materials, air quality, and noise analyses conclude that with the (E) designation in place, the proposed actions would not result in a significant adverse impact related to hazardous materials, air quality, or noise.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact ANNABELLE MEUNIER at +1 212-720-3426.

TITLE	LEAD AGENCY
Deputy Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME Stephanie Shellooe	DATE August 27, 2021
SIGNATURE	

Project Name: 97-04 Sutphin Boulevard Rezoning
CEQR # 21DCP095Q
SEQRA Classification: Unlisted

TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE August 30, 2021
SIGNATURE	

Project Name: 97-04 Sutphin Boulevard Rezoning
CEQR # 21DCP095Q
SEQRA Classification: Unlisted

Determination of Significance Appendix

The Proposed Action(s) were determined to have the potential to result in changes to development on the following site(s):

Development Site	Borough	Block and Lot
Projected Development Site 1	Brooklyn	Block 10030, Lot 6

(E) Designation Requirements

To ensure that the proposed actions would not result in significant adverse impacts related to hazardous materials, air quality, and noise an (E) designation (**E-639**) would be established as part of approval of the proposed actions on **Projected Development Site 1** as described below. This (E) Designation will supersede the prior (E) Designations mapped on the Projected Development Site as a result of the 2007 Jamaica Plan EIS (CEQR No. 05DCP081Q, E-175).

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1	X	X	X

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 1** for hazardous materials would apply as follows:

Task 1-Sampling Protocol

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

Task 2-Remediation Determination and Protocol

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

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

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

Project Name: 97-04 Sutphin Boulevard Rezoning
CEQR # 21DCP095Q
SEQRA Classification: Unlisted

Air Quality

The (E) designation requirements for air quality would apply as follows:

> ***Projected Development Site 1:***
> *Any new residential and/or commercial development on the above-referenced property must use natural gas as the type of fuel for heating, ventilating, and air conditioning (HVAC) system and hot water equipment and ensure the HVAC system and hot water equipment stack is located at the highest tier and at least 155 feet above the grade to avoid any potential significant adverse air quality impacts.*

Noise

The (E) designation requirements for noise would apply as follows:

> ***Projected Development Site 1:***
> *In order to ensure an acceptable interior noise environment, future residential/community facility uses must provide a closed-window condition with a minimum of 37 dB(A) window/wall attenuation at all building façades to maintain an interior noise level not greater than 45 dB(A). In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.*

EAS Figures

Figure 1 Project Area Map

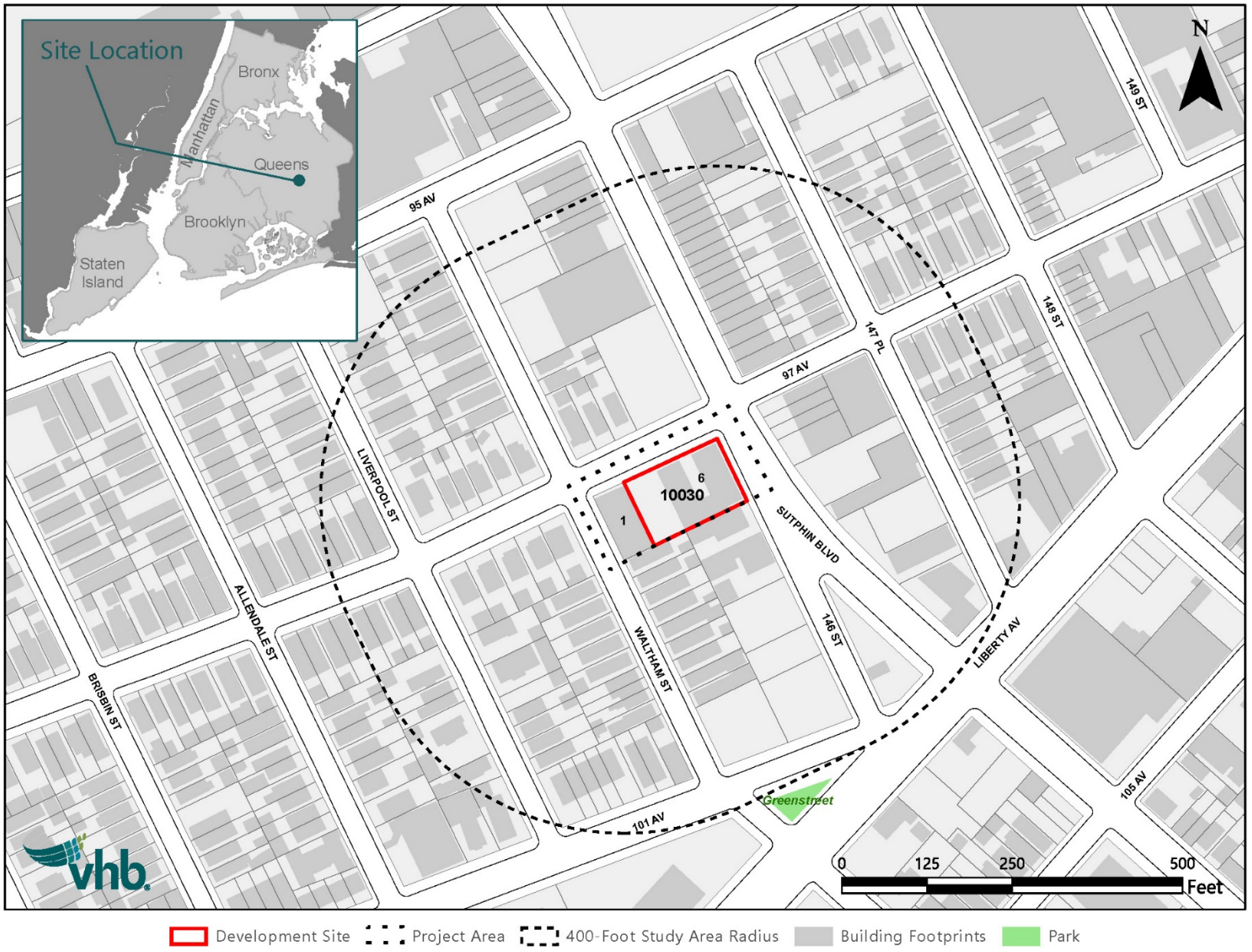


Figure 2 Tax Map

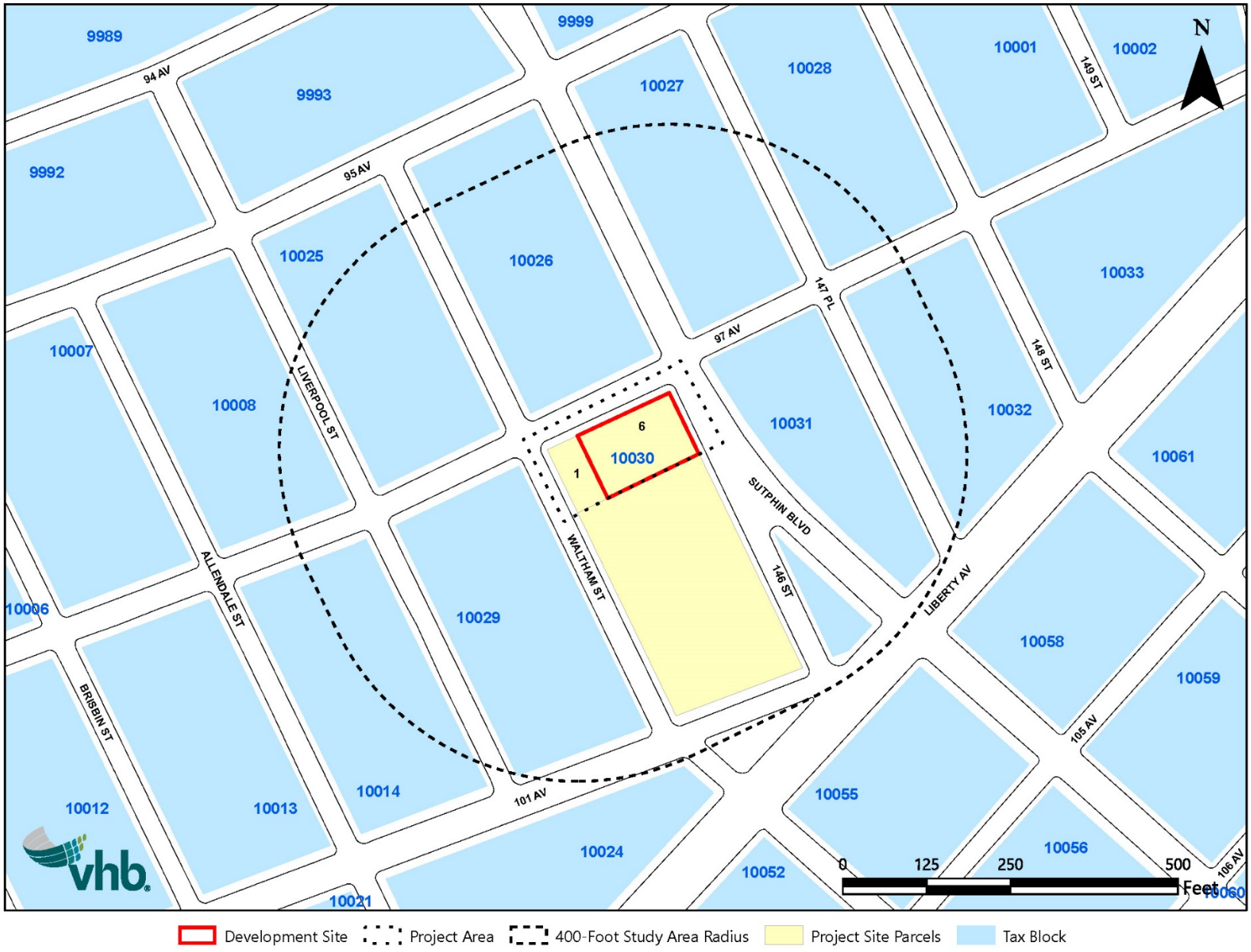


Figure 3 Existing Zoning Map

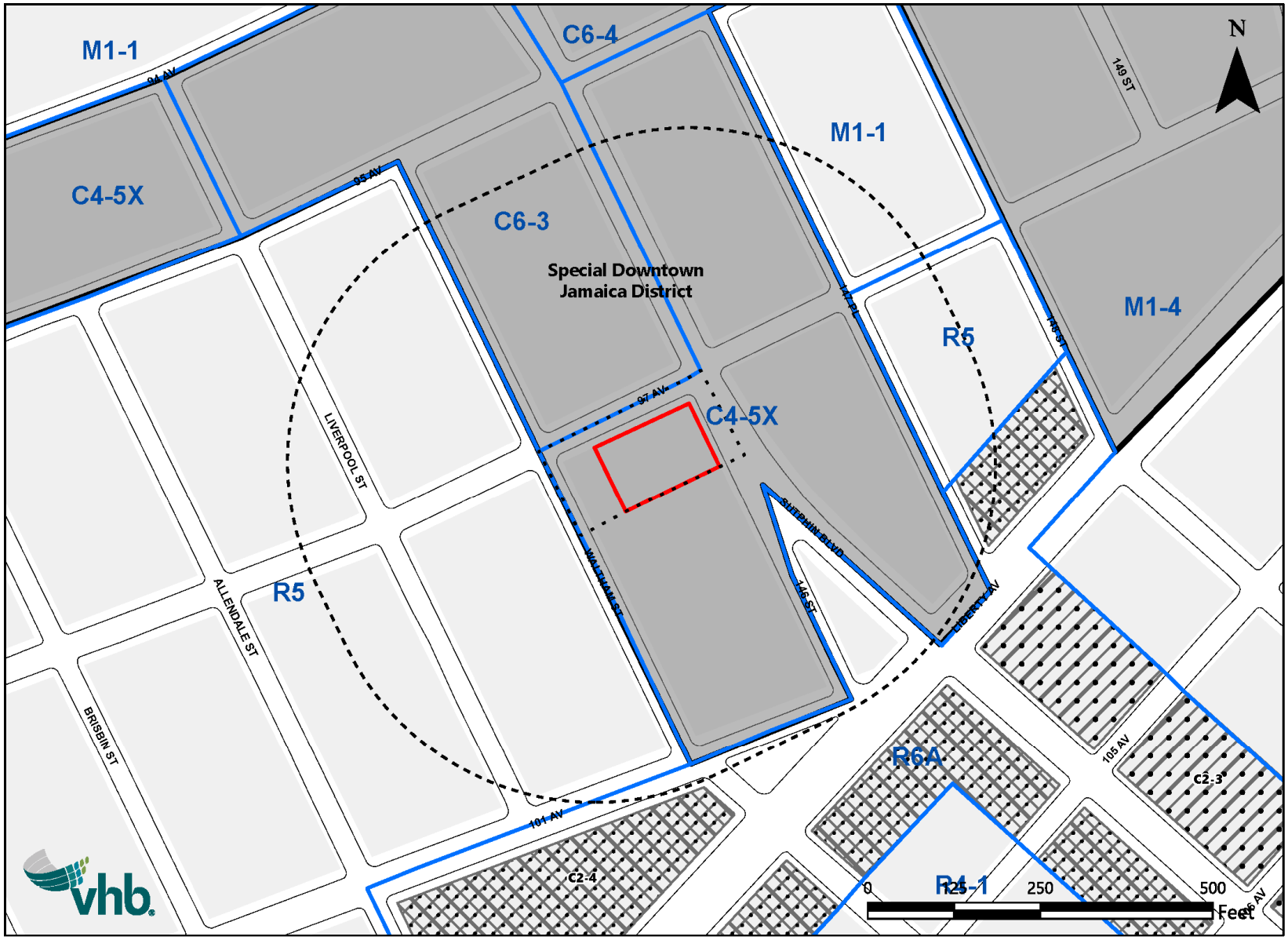


Figure 4 Proposed Zoning Map

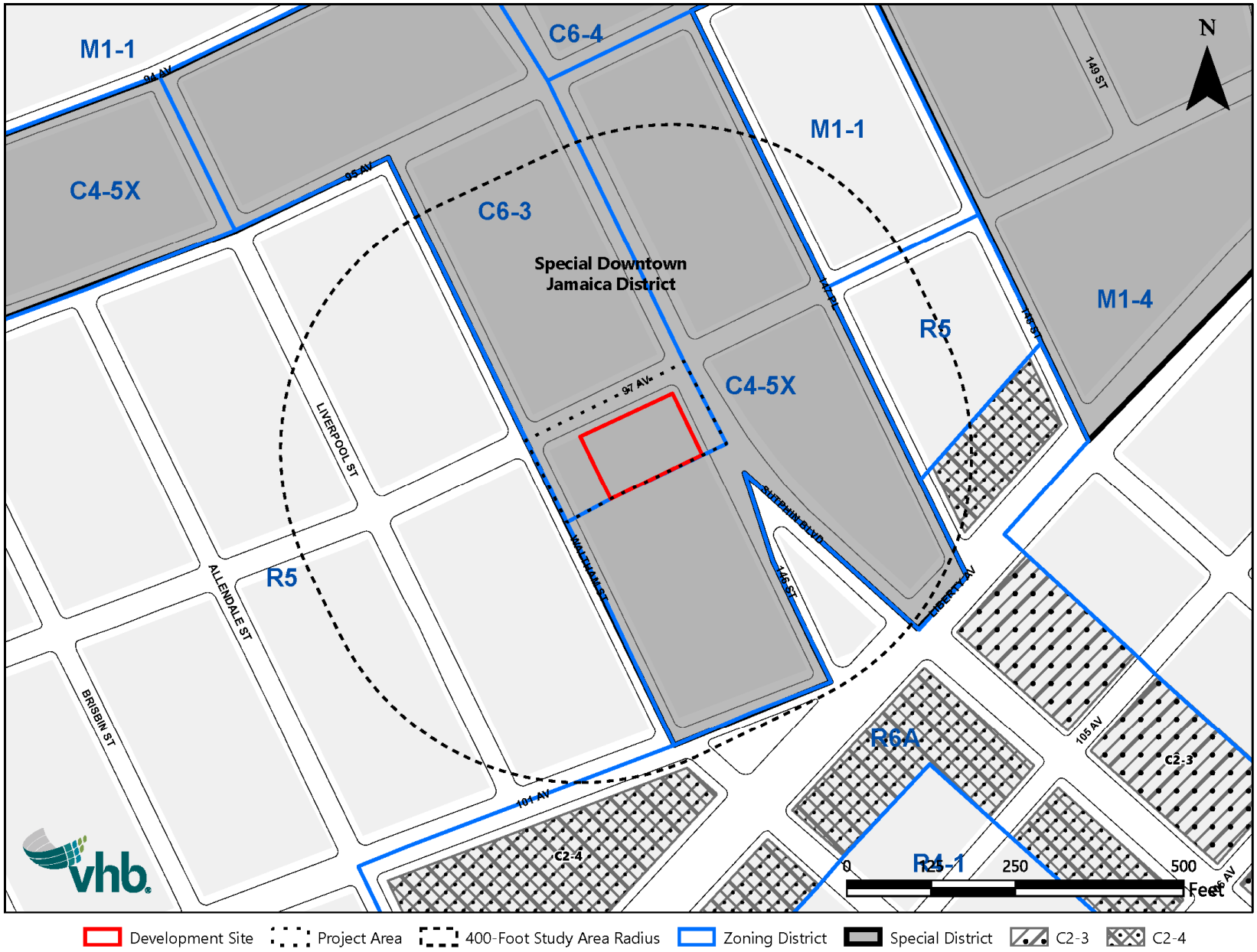


Figure 5 Proposed MIH Map

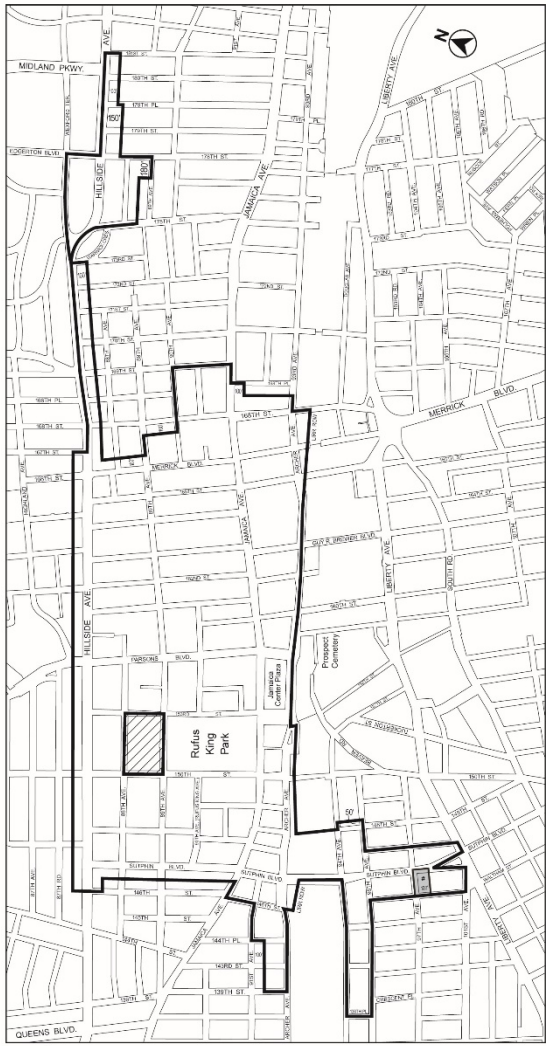


Figure 6 Land Use Map

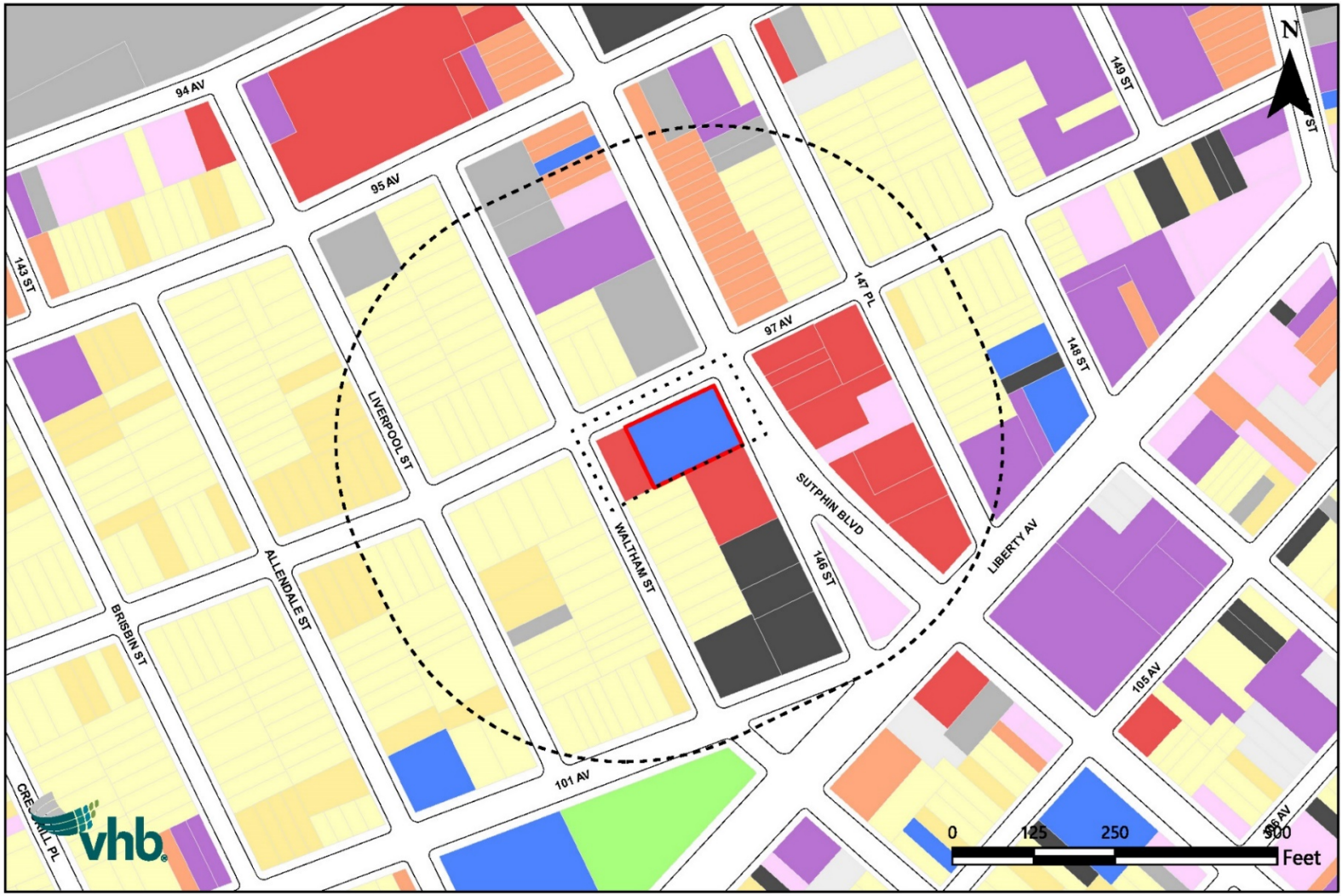


Figure 7 Photo Key Map



Photo 1 **Sutphin Blvd between Liberty Av and 97th Av looking northwest**



Photo taken 6/8/20, conditions have not changed

Photo 2 **Sutphin Blvd between Liberty Av and 97 Av looking West**

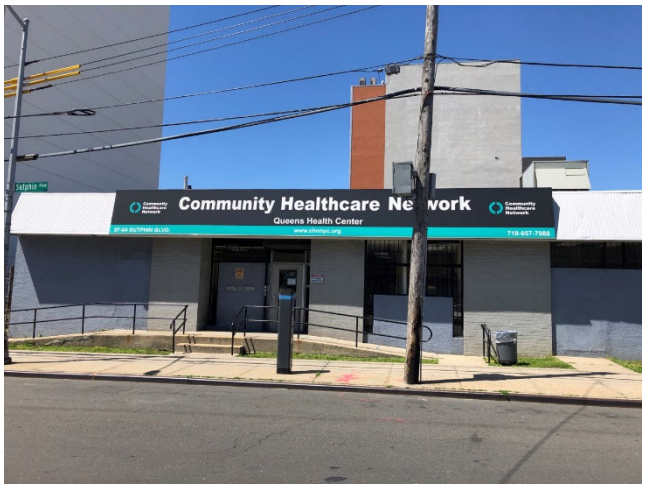


Photo taken 6/8/20, conditions have not changed

Photo 3 **Intersection of 97th Av and Sutphin Blvd looking Southwest**



Photo taken 6/8/20, conditions have not changed

Photo 4 **97th Av between Sutphin Blvd and Waltham St looking Southeast**



Photo taken 6/8/20, conditions have not changed

Photo 5 **97th Av between Sutphin Blvd and Waltham St looking South**



Photo taken 6/8/20, conditions have not changed

Photo 6 **Intersection of 97th Ave and Waltham Street looking East**



Photo taken 6/8/20, conditions have not changed

Part I: Project Description

This section provides descriptive information about the requested discretionary land use action(s) and the development project that could be facilitated by the requested actions. The purpose of this section is to convey project information relevant to the environmental review.

Introduction

The Applicant, BG Sutphin LLC, is requesting a Zoning Map Amendment to rezone the Project Area from C4-5X/DJ to a C6-3/DJ district to facilitate the development of a 15-story building which would include a mix of residential and community facility space. The applicant is also seeking a zoning text amendment to designate the Project Area as a Mandatory Inclusionary Housing (MIH) area.

Project Area and Development Site

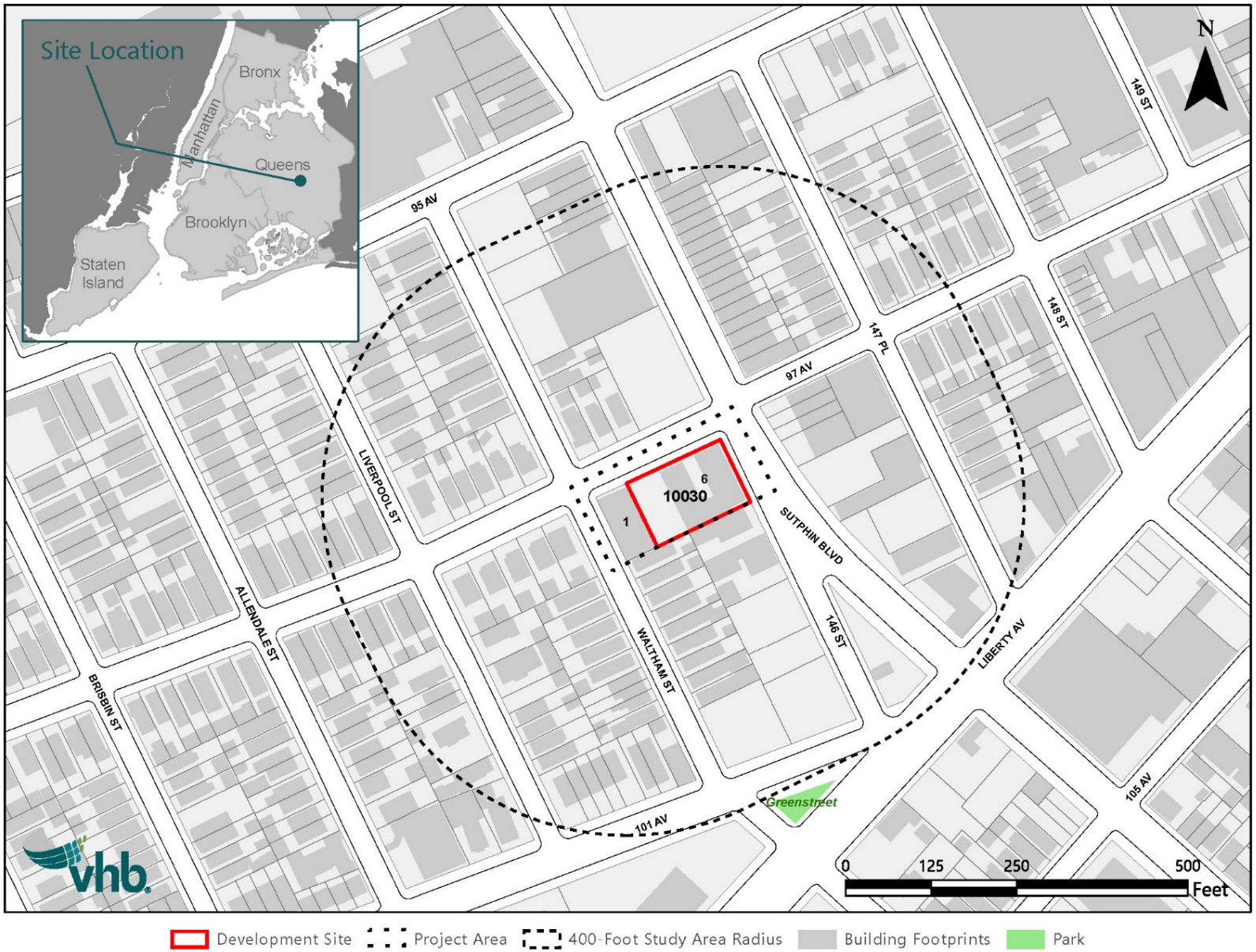
The rezoning area (or "Project Area") (Queens Block 10030, Lots 1 and 6) consists of the northern block frontage along the south side of 97th Avenue between Sutphin Boulevard and Waltham Street in Downtown Jamaica (See **Figure 1**). It is located on the block bounded by 97th Avenue to the north, Sutphin Boulevard to the east, 101 Avenue to the south, and Waltham Street to the west.

The Project Area is currently zoned C4-5X and is within the Special Downtown Jamaica District (DJ), which was mapped in 2007. Lot 6 (the "Development Site"), at 97-04 Sutphin Boulevard, is developed with a 6,600 sf, one-story, federally qualified health center (FQHC) operated by the Community Healthcare Network (CHN), an affiliate of the applicant. The health center includes a surface parking lot with approximately 20 striped spaces. Approximately 15 of those spaces are used to park cars while the other 5 are used to store large vans that serve as mobile clinics. The building that houses the CHN health center was constructed in 1970 and the site has operated as a health center since 1972.

Also within the Project Area on Lot 1 is the 8-story Waltham Hotel at 145-04 97th Avenue, which is not owned or controlled by the applicant. Construction of the Waltham Hotel was completed in 2019.

The transit hub of Jamaica Station is located two blocks to the north of the Project Area and includes stops for the Long Island Rail Road (LIRR), the JFK AirTrain, three subway lines (including the E, J, and Z lines at Archer Avenue), and bus lines.

Figure 1 Site Location Map



Proposed Actions

The Applicant is requesting the following actions:

- A Zoning Map Amendment to rezone the project area from a C4-5X/DJ to a C6-3/DJ zoning district
- A Zoning Text Amendment to Appendix F to establish a MIH area over the proposed C6-3 district under MIH Option 1 or 2 within the Special Downtown Jamaica District. The Special Bulk Regulations for the SDJD in ZR 115-20 (Special Bulk Regulations) would be modified to allow for the mapping of Mandatory Inclusionary Housing areas within the SDJD and to specify that the height and setback regulations of Sections 23-952 (Height and setback for Mandatory Inclusionary Housing areas) and 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors) shall be modified by the special height and setback regulations of Section 115-23. The amendment will also remove the Inclusionary Housing designation area for the Special Downtown Jamaica District from the Project Area to allow MIH to be established.

The Applicant may also seek city, state, and federal funding, such as New York City Housing Preservation and Development (HPD) Senior Affordable Rental Apartments (SARA) funding; New York State Housing Finance Agency (HFA) and New York State Homes and Community Renewal (HCR) bond financing and subsidy; and federal funding in the form of Section 8 Rental Assistance in the future.

Proposed Project

The Applicant proposes to demolish the existing health clinic on the Development Site and construct a new 15-story, approximately 146,000-gsf (120,000 zsf) building that would house a new and expanded FQHC of up to 15,000 gsf on the ground and cellar floors and approximately 129,700 gsf of low-income and supportive senior housing (an expected 173 units), including approximately 2,200 gsf of residential accessory space for supportive housing services. There is also a small amount of mechanical space associated with the passive house features of the building.

Seventy percent of the units (120) would be studio or one-bedroom units reserved for seniors who have annual incomes of 50% or less of the Metropolitan Statistical Area median income. These units would be Affordable Independent Residences for Seniors (AIRS) units and would be occupied by residents aged 62 and up. The other thirty percent of the units (52) would be studio units reserved for formerly homeless seniors with special needs. These units would not be considered AIRS units, they would be "income-restricted housing units" as defined in the Zoning Resolution and occupied by low-income residents age 55 and up. There would also be one unit for a superintendent. CHN would operate the health clinic within their current capacity as an FHQC, and provide primary care, behavioral health, women's health, dental care, and other health services. Additionally, they would provide clinical services and primary medical and psychiatric care to residents of the building. Breaking Ground, an affiliate of the applicant, would manage the residential portion of the building and provide social services (such as case management, employment readiness

guidance, and benefits counseling) to the seniors living in the building through accessory residential space designed for counseling.

The building would be approximately 160 feet in height (with an additional 9 feet of bulkhead) and would have a floor area ratio (FAR) of 8. The Applicant is not proposing to provide parking onsite. Instead, CHN would identify parking spaces off site for the mobile vans that are currently located on site.

Lot 1 contains the 56-room Waltham Hotel, which was completed in 2019 and contains ground floor community facility space; it is not under the ownership of the Applicant. Therefore, development on Lot 1 is not contemplated as part of the Proposed Project.

Project Purpose and Need

The Proposed Actions would facilitate the development of a mixed-use community facility and affordable residential development for seniors. The rezoning would allow for an up to 190-unit, 100% affordable senior housing development with units for formerly homeless and low-income seniors. This would contribute to the Mayor's Housing New York 2.0 Plan goal of building or preserving 300,000 affordable housing units by 2026. Without the Proposed Actions, only 17 affordable units would be developed on site under existing zoning. The Zoning Text Amendment would ensure residential development within the Project Area include a component of permanently affordable housing.

The Proposed Project would be subject to MIH regulations of an R9 district, the residential equivalent of the proposed C6-3 District.

Analysis Framework and Reasonable Worst-Case Development Scenario

For the purpose of the environmental analyses, the No-Action condition represents the future absent the Proposed Actions and serves as the baseline by which the Proposed Actions (or With-Action condition) are compared to determine the potential for significant environmental impacts. The difference between the No-Action and With-Action conditions represents the increment to be analyzed in the CEQR process.

Analysis (Build Year)

Assuming project approvals in 2021 and an up to 24-month construction period, it is estimated that the project would be built and operational by 2024. This timeline is subject to change due to the ULURP freeze instituted in the event of COVID-19, future financing constraints, and other unforeseen events.

Future No-Action Condition

In the absence of the Proposed Actions, the Development Site would be redeveloped as-of-right with a 5.0 FAR, approximately 99,500 gsf (75,000 zsf) community facility and residential building. The as-of-right building would have approximately 83,000 gsf of residential housing (approximately 83 units) and an approximately 16,500 gsf health center. The

building would be 10 stories and 93 feet in height (with an additional 10-foot bulkhead). A portion of the residential units (20% or 17 units) would be designated as Voluntary Inclusionary Housing (VIH) units, but no discretionary funding would be sought. The remaining units would be market rate. Such an assumption is consistent with development trends in Downtown Jamaica. As in the With-Action Condition, CHN would identify parking spaces for the mobile vans currently parked on site.

Future With-Action Condition

As stated above under the Proposed Project section, the Applicants are seeking a Zoning Map Amendment and Zoning Text Amendment for the Project Area to facilitate the development of a mixed residential and community facility building that would house a new and expanded FQHC, operated by CHN, and low-income and supportive senior housing.

For the purposes of conservative analysis, a slightly larger building program than proposed is analyzed in the With-Action condition. A total floor area of 146,200-gsf (120,000 zsf), including up to 16,500 gsf of community facility use on the ground and cellar floors and approximately 129,700 gsf of residential use including low-income and supportive senior housing (up to 190 units, 20 more than in the Proposed Project) and 2,200 gsf of residential accessory space for supportive housing services is analyzed throughout the EAS as shown below in **Table 1**. The affordability mix analyzed is the same as the distribution of the Proposed Project, described above. Seventy percent of the units (127) would be studio or one-bedroom units reserved for seniors who have annual incomes of 50% or less of the Metropolitan Statistical Area median income. The other 30 percent of the units (63) would be studio units reserved for formerly homeless seniors with special needs.

Lot 1 is not considered a soft site because it is developed with a hotel constructed in 2019 and built to 4.4 FAR under current zoning and 55% of the available floor area under the Proposed Actions and therefore does not meet soft site criteria. The Proposed Actions would not affect parcels outside of the Project Area.

Increment for Analysis

The Proposed Actions would result in a net increase of approximately 46,700 gsf of residential space (assumed to be 107 units) (see **Table 1**).

Table 1 Future No-Action and With-Action Comparison

	Existing Conditions	No-Action Conditions	With-Action Conditions	Increment
Residential	0	83,000 (83 units)	129,700 (190 units)	46,700 (107 units)
Community Facility	6,600	16,500	16,500	0
Total GSF	6,600	99,500	146,200	46,700
FAR	0.44	5.0	8.0	3.0

Part II: Supplemental Analysis

Additional Technical Information for EAS Form

Introduction

An analysis framework has been established to assess the potential for the Proposed Actions to result in significant adverse environmental impacts. The With-Action condition analyzed in the EAS is slightly larger than the Proposed Project in order to present a conservative analysis (see **Part I: Project Description**),

The Proposed Actions would result in a net increase of approximately 44,300 gsf of residential space (assumed to be 107 units) (see **Table 1**).

Table 1 Future No-Action and With-Action Comparison

	Existing Conditions	No-Action Conditions	With-Action Conditions	Increment
Residential	0	83,000 (83 units)	129,700 (190 units)	46,700 (107 units)
Community Facility	6,600	16,500	16,500	0
Total GSF	6,600	99,500	146,200	46,700
FAR	0.44	5.0	8.0	3.0

Provided below are preliminary screening analyses, conducted based on guidelines presented in the *2020 CEQR Technical Manual* in order to determine whether further analysis of a given technical area is necessary to determine the potential for significant adverse impacts to the environment in that area.

Land Use, Zoning, and Public Policy

According to the *CEQR Technical Manual,* a land use analysis is warranted for projects that would affect land use or change zoning on a site. Because the Proposed Actions would result in a rezoning, a land use, zoning and public policy analysis is warranted. See **Section 2, Land Use, Zoning, and Public Policy.**

Community Facilities and Services

The *CEQR Technical Manual* states that a community facilities assessment is appropriate if a project would have a direct effect on a community facility (e.g., schools, childcare facilities, libraries, healthcare facilities, police and fire protection services) or if it would have an indirect effect by introducing new populations that would overburden existing facilities. The manual further states that for public schools, libraries, and childcare centers, potential

impacts depend on the size, income characteristics, and age distribution of the new population.

The Proposed Actions would not directly affect any community facilities (the existing federally qualified health center (FQHC) operated by the Community Healthcare Network (CHN) would be expanded in both the No-Action and With-Action conditions). The Proposed Actions would result in an increment of 173 affordable units, which is below the threshold for an analysis of schools and libraries but above the threshold for a childcare center analysis in Queens. However, the Proposed Project would have only senior units, and is not expected to generate any childcare eligible children. Therefore, a childcare center analysis is not warranted, and no significant adverse impacts on community facilities would result.

Open Space

Introduction

The *CEQR Technical Manual* recommends performing an open space assessment if a project would result in either a direct or indirect effect on open space.

A proposed action would have a direct effect on an open space if it causes the physical loss of public open space because of encroachment onto the space or displacement of the space; changes the use of an open space so that it no longer serves the same user population; limits public access to an open space; or results in increased noise or air pollutant emissions, odor, or shadows that would affect the usefulness of a public open space, whether on a permanent or temporary basis. A proposed project can also directly affect an open space by enhancing its design or increasing its accessibility to the public. The Proposed Project would not cause displacement or changes to existing open space resources, therefore an open space analysis for direct effects is not warranted.

Indirect effects may occur when the population generated by the proposed project overtaxes the capacity of existing open spaces so that their service to the future population of the affected area would be substantially or noticeably diminished. Of the 190 units in the Proposed Project, 63 units would be supportive housing (and non-AIRS) units for formerly homeless seniors and house one adult each. The remaining 127 AIRS units and the superintendent's unit would be low-income seniors living alone or as couples, and two adults would be assumed to live in these units. This would generate a residential population of 317, or an increment of 41 residents over the No-Action condition[1]. Therefore, an open space analysis for indirect effects is not warranted.

Shadows

The *CEQR Technical Manual* recommends a shadows assessment for proposed actions that would result in new structures (or additions to existing structures) greater than 50 feet in height or located adjacent to, or across the street from, a sunlight-sensitive resource. Such resources include publicly accessible open spaces, sunlight-sensitive natural features, or historic resources with sun-sensitive features.

[1] The No-Action condition residential use consists of 83 units. It is assumed that these units would produce 276 residents (average household size of 3.33, 2010 Census, Jamaica NTA).

The Proposed Actions would result in a structure greater than 50 feet in height. Therefore, a shadows analysis is warranted. See **Section 3, Shadows**.

Historic and Cultural Resources

According to the *CEQR Technical Manual,* a historic and cultural resources assessment is warranted if there is the potential to affect either archaeological or architectural resources; the manual further recommends that a historic resources assessment be prepared if a proposed action would result in any of the following actions: in-ground disturbance; new construction, demolition, or significant physical alteration of any building, structure, or object; the change in scale, visual prominence, or visual context of any building, structure, or object or landscape feature; or the screening or elimination of publicly accessible views, even if no known historic resources are located nearby. New in-ground disturbance is anticipated as a consequence of the Proposed Actions, and according to City and State historic resources databases, the Development Site is located within an area of archaeological sensitivity. Therefore, an assessment of archaeological resources is warranted. See **Section 4, Historic and Cultural Resources.**

There are no City or State architectural resources within the study area, therefore an assessment of architectural resources is not warranted.

Urban Design and Visual Resources

According to the methodologies of the *CEQR Technical Manual,* if a project requires actions that would result in physical changes to a project site beyond those allowable by existing zoning and which could be observed by a pedestrian from street level, a preliminary assessment of urban design and visual resources should be prepared. The Proposed Project would result in physical changes to the project site beyond those allowable by existing zoning. Therefore, a preliminary assessment of urban design is warranted, see **Section 5, Urban Design and Visual Resources.**

Natural Resources

As stated in the *CEQR Technical Manual,* a natural resource is defined as a plant or animal species and any area capable of providing habitat for plant and animal species or capable of functioning to support environmental systems and maintain the City's environmental balance (e.g., surface and groundwater, wetlands, landscaped areas, gardens, and built structures used by wildlife). An assessment of natural resources is appropriate if a natural resource exists on or near the project site, or if there is a potential for impacts related to stormwater and shadows. The Development Site, which is located in a fully developed area of Queens, contains a one-story, 6,600-sf federally qualified health center and a surface parking lot with approximately 20 striped spaces. Therefore, the proposed actions would not have the potential to affect natural resources, and no further analysis is warranted. A Jamaica Bay Watershed Protection Plan form is provided in **Appendix B**.

Hazardous Materials

As described in the *CEQR Technical Manual,* a hazardous materials E-Designation is an institutional control that provides a mechanism to ensure that testing for and mitigation and/or remediation of hazardous materials, if necessary, are completed prior to, or as part of, future development of an affected site, thereby eliminating the potential for a hazardous materials impact. In connection with the *Jamaica Plan EIS*, an E-Designation for hazardous materials (E-175) was placed on the site, requiring soil testing, and if contamination is confirmed, a remedial action plan must be approved by NYC Mayor's Office of Environmental Remediation (OER) and or DEP before development can proceed. The remedial action plan must be implemented to the satisfaction of OER before occupancy is allowed. This process is designed to eliminate the potential for significant adverse impacts from hazardous materials due to implementation of the proposed project. An E-Designation (E-639) related to hazardous materials would be established as part of the approval of the proposed actions. This E-Designation will supersede the prior E-Designation mapped on Block 10030, Lot 6 as a result of the 2005 Downtown Jamaica Redevelopment Plan (CEQR No. 05DCP081Q, E-175). The E-Designation related to hazardous materials would contain the same requirements as the prior E-Designation.

According to Table C-2, Appendix C: Proposed E Designations, of the *Jamaica Plan EIS*, the results of the preliminary hazardous materials screening indicate the Development Site (Jamaica Plan site #347-AT3) may have been adversely affected by current or historical uses at, adjacent to, or within 400 feet of the site. A Phase I ESA was prepared for the site in August 2017 by Environmental Resources Management (ERM); the Phase I ESA indicates that there is one recognized environmental condition (REC) associated with the site. As defined in the American Society for Testing and Materials (ASTM) Practice E1527-13, inclusive of the United States Environmental Protection Agency (EPA) "All Appropriate Inquiry" requirement published in the Federal Register on December 30, 2013, a REC means "the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment."

As identified in the ERM Phase I ESA, and based on review of NYC Department of Buildings (DOB) Certificates of Occupancies and historic Sanborn fire insurance maps, the site was formerly occupied by a dental laboratory, machine shop and searchlight/spotlight manufacturer from the 1940s to 1970. This historical usage of the Site and the potential presence of associated residual compounds/chemicals in soil or groundwater represent a REC with respect to the site. It was based on these historic uses that DCP and NYC Department of Environmental Protection (DEP) listed the site with an E-Designation for hazardous materials and air. Lots with E-Designations may not be issued a building permit allowing any development; any enlargement, extension or change of use involving residential or community facility use; and any enlargement that disturbs the soil at the site until the DOB is provided with a report from OER stating that the environmental E-Designation requirements for the property have been met. As such, the proposed project would comply with the requirements of the E- Designation; therefore, no further analysis is warranted as part of the EAS. See **Appendix C** for DEP correspondence concurring with the above protective measures and directing the applicant to coordinate further hazardous materials assessments through OER.

Water and Sewer Infrastructure

According to the *CEQR Technical Manual,* a water and sewer infrastructure assessment analyzes whether a proposed action may adversely affect New York City's water distribution or sewer system and, if so, assesses the effects of the action to determine whether the impact is significant.

Water Supply

According to the *CEQR Technical Manual*, a preliminary water supply infrastructure analysis is warranted if the project would result in an exceptionally large demand for water (i.e., over 1 million gallons per day [gpd]), or is located in an area that experiences low water pressure (i.e., areas at the end of the water supply distribution system such as the Rockaway Peninsula and Coney Island). The project area is not located in an area that experiences low water pressure, nor would it result in an incremental water demand greater than 1 million gpd. Therefore, no further analysis is warranted.

Wastewater and Stormwater

With regard to wastewater and stormwater conveyance, the *CEQR Technical Manual* states that a preliminary infrastructure analysis would be needed if a project that is located in a combined sewer area within Queens would result in incremental development over the No-Action scenario of more than 400 residential units or 150,000 sf of commercial, public facility, and institution and/or community facility space. The Proposed Project would not exceed this threshold, and no further analysis is warranted.

Solid Waste and Sanitation Services

The *CEQR Technical Manual* states that an assessment of solid waste and sanitation services is warranted if an action would have the potential to result in a substantial increase in solid waste production that could overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan (SWMP) or with state policy related to the City's integrated solid waste management system. According to the *CEQR Technical Manual*, actions resulting in substantial waste generation, defined as 50 tons (100,000 pounds) per week or more, warrant additional analysis for effects on solid waste and sanitation services. The Proposed Project would not exceed this threshold.

Energy

According to the *CEQR Technical Manual,* a detailed assessment of energy impacts is only warranted for projects that would significantly affect the transmission or generation of energy or that would result in substantial consumption of energy. The Proposed Actions would not affect the transmission or generation of energy. Therefore, the effect of the proposed actions on the transmission or generation of energy does not require further analysis, as the Proposed Actions would not have the potential to result in significant adverse impacts.

Transportation

According to the *CEQR Technical Manual,* detailed transportation analyses may be warranted if a proposed project results in 50 or more vehicle trips and/or 200 or more transit/pedestrian trips during a given peak hour. Per Table 16-1, the project is in Zone 4 which has residential threshold of 200. The proposed increment of 107 residential units accounts for approximately 54 percent of the threshold and therefore no further analysis is warranted.

Air Quality

Ambient air quality, or the quality of the surrounding air, may be affected by air pollutants produced by motor vehicles, referred to as "mobile sources"; by fixed facilities, usually referenced as "stationary sources"; or by a combination of both. Under CEQR, an air quality assessment determines both a proposed project's effects on ambient air quality as well as the effects of ambient air quality on the project. As discussed in the *CEQR Technical Manual*, a proposed project may potentially result in the following types of air quality impacts:

- Potential impacts from mobile sources introduced by or on a project.
- Potential impacts from a project's heating, ventilation, and air conditioning (HVAC) system and hot water equipment
- Potential impacts on the proposed project from either manufacturing/processing facilities or large/major sources that are located near the project site.

As discussed in the Transportation section above, a detailed transportation analysis is not required. Therefore, a mobile source intersection screening analysis was performed using the DCP CEQR App. The peak hour incremental vehicular trips for the intersections near the project site would be lower than the CEQR Technical Manual CO-based screening threshold of 170 vehicles per hour, and the $PM_{2.5}$-based screening threshold of 23 truck equivalents for arterial roads. Thus, there is no potential for an air quality impact from an increase in traffic and further analysis of mobile sources is not warranted.

The project site contains an E-Designation for air quality, which places restrictions on the type of fuel to be used for any new residential and/or commercial development on the site. According to Table C-5, *Designations for Potential Development Sites (Air Quality, HVAC Restrictions)*, of the *Jamaica Plan EIS*, at the Development Site:

> *[a]ny new residential and/or commercial development must use natural gas for HVAC systems*

While the Proposed Project would comply with the requirements of the E-Designation, the *Jamaica Plan EIS* was published in 2007. Therefore, an updated analysis of the Proposed Project's potential to result in stationary source impacts and an update to the E-Designation is provided in **Section 6, Air Quality.** In addition, since there is one concrete plant and a number of auto repair shops within the vicinity of the project site that have the potential to impact the Proposed Project, an industrial source analysis was conducted, see **Section 6, Air Quality.**

Greenhouse Gas Emissions and Climate Change

According to the *CEQR Technical Manual,* GHG assessments are appropriate for projects in New York City requiring an EIS that would result in the development of 350,000 square feet or greater. The Proposed Actions would not exceed this threshold, and an assessment of greenhouse gas emissions is not warranted.

Depending on the sensitivity, location, and useful life of development resulting from a proposed action, it may be appropriate to include discussion of the potential effects of climate change in environmental review. Rising sea levels and increases in storm surge and coastal flooding are the most immediate threats in New York City for which site-specific conditions can be assessed, and an analysis of climate change may be deemed warranted for sites located within the current 100- or 500-year flood zone, as delineated in the FEMA PFIRMs, or within future 100-year flood zones as projected by the New York City Panel on Climate Change, as appropriate. The project area is not located within the coastal zone boundary, nor is it located within the current 100- or 500-year flood zone, as delineated in FEMA PFIRMs. Therefore, no further assessment is warranted.

Noise

As discussed in the 2020 *CEQR Technical Manual*, a noise analysis is appropriate if an action would generate mobile or stationary sources of noise or would introduce noise-sensitive receptors in an area with high ambient noise levels, see **Section 8, Noise**. Mobile sources include vehicular traffic; stationary sources include rooftop equipment such as emergency generators, cooling towers, and other mechanical equipment.

As discussed in the Transportation section above, a detailed transportation analyses may be warranted if a proposed project results in 50 or more vehicle trip. Since the Proposed Project will not exceed this threshold, there is no potential for noise impact from an increase in traffic and a mobile source analysis is not warranted.

The Proposed Project would introduce rooftop mechanical equipment that will be evaluated to determine the potential for noise impact to existing nearby receptors.

The Proposed Project may be introduced into an area with high ambient noise levels. Due to COVID-19, the New York City Department of Transportation paused data collection on March 11, 2020, including noise measurements, due to potential changes in traffic patterns. Therefore, existing ambient noise conditions will be characterized based on previous noise measurements conducted as part of other Environmental Assessment Statements (EASs) or EISs.

Public Health

According to the guidelines of the *CEQR Technical Manual*, a public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise. As discussed in this EAS, no significant adverse impacts would occur in the areas of air quality, water quality, hazardous materials, or noise, and an assessment of public health is therefore not warranted.

Neighborhood Character

As discussed in the *CEQR Technical Manual*, an analysis of neighborhood character is warranted when a project has the potential to result in significant adverse impacts in any of the following technical areas: land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; or noise. In addition, an assessment may be warranted when there is a combination of moderate effects in these technical areas that, when considered together, may affect the defining elements of neighborhood character. As discussed in this EAS, the Proposed Actions would not result in significant adverse impacts in the technical areas listed above; in addition, the Proposed Project would not result in a combination of moderate effects that could affect the defining elements of neighborhood character. The Proposed Project would be substantially similar to the No-Action development in use and scale and would result in just 107 additional units over the No-Action condition. Therefore, no further analysis is warranted.

Construction

Construction impacts, although temporary, can include disruptive and noticeable effects resulting from an action. Determination of their significance and need for mitigation is generally based on the duration and magnitude of the impacts. Construction impacts are considered when construction activity could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise levels, and area air quality conditions. In addition, because soils may be disturbed during construction, any action proposed for a site that has been found to have the potential to contain hazardous materials should also consider the potential construction impacts that could result from contamination.

A construction assessment is typically warranted for construction activities (a) lasting longer than two years; (b) located along an arterial highway or major thoroughfare; (c) involving the closing, narrowing, or otherwise impeding of traffic, transit, or pedestrian elements; (d) involving multiple buildings; (e) involving the operation of several pieces of diesel equipment in a single location; (f) resulting in the closure or disruption of a community facility service; (g) located within 400 feet of a historic or cultural resource; (h) disturbing a site containing or adjacent to a natural resources; and/or (i) occurring on multiple sites in the same geographic area.

Construction of the Proposed Project would occur over an up to 24-month period (the same construction period as the No-Action condition). Therefore, no further analysis is warranted.

1

Introduction

As discussed in **Part II: Supplemental Analysis** of this Environmental Assessment Statement (EAS), several technical areas were identified for further analysis:

- Land Use, Zoning, and Public Policy
- Shadows
- Historic and Cultural Resources
- Urban Design and Visual Resources
- Air Quality
- Noise

Analysis of these areas follow in **Section 2** through **Section 7**.

2

Land Use, Zoning, and Public Policy

This section considers the potential for the proposed project to result in significant adverse impacts to land use, zoning, and public policy. Under the guidelines of the 2020 City Environmental Quality Review (CEQR) Technical Manual, this analysis evaluates the uses in the area that may be affected by the proposed project and determines whether the proposed project is compatible with land use, zoning, and public policy conditions, or may otherwise affect them. The analysis also considers the proposed project's compatibility with zoning regulations and other public policies applicable to the area.

Introduction

The applicant, BG Sutphin LLC, seeks a Zoning Map Amendment to rezone the Project Area (Queens Block 10030, Lots 1 and 6) from the current C4-5X/DJ[1] district to the proposed C6-3/DJ district. The applicant also seeks a zoning text amendment to establish a Mandatory Inclusionary Housing (MIH) area over the proposed C6-3 district under MIH Option 1 or 2 within the Special Downtown Jamaica District. The amendment will also remove the Inclusionary Housing designation area for the Special Downtown Jamaica District from the Project Area to allow MIH to be established. Together, the zoning map and zoning text amendments are the "Proposed Actions." The Proposed Actions would facilitate the

[1] DJ = Special Downtown Jamaica District

redevelopment of the Development Site (Lot 6), which would involve the demolition of an existing health center located on the site, and the construction of a 15-story mixed-use building in its place. Containing community facility and residential space, the Proposed Project would expand the existing health care services currently provided on the Development Site and would introduce new residential uses to the same. Development of Lot 1 is not contemplated under the Proposed Actions and, as such, would remain as is.

Methodology

This analysis of land use, zoning, and public policy follows the guidelines set forth in the *CEQR Technical Manual* for a preliminary assessment (Section 320). According to the *CEQR Technical Manual*, a preliminary land use and zoning assessment:

- Describes existing and future land uses and zoning information, and describes any changes in zoning that could cause changes in land use;
- Characterizes the land use development trends in the area surrounding the project site that might be affected by the proposed action; and
- Determines whether the proposed project is compatible with those trends or may alter them.

The following assessment method was used to determine the potential for the proposed project to result in significant adverse impacts on Land Use, Zoning, and Public Policy:

1. Establish a "study area", a geographic area surrounding the project site to determine how the proposed project may affect the immediate surrounding area. For this assessment, a study area of 400 feet surrounding the Project Area was used.
2. Identify data sources, including any public policies (formal plans, published reports) to be used to describe the existing and No-Action conditions related to Land Use, Zoning, and/or Public Policy.
3. Assess the proposed project's potential effects on Land Use, Zoning and Public Policy to determine whether the proposed project is consistent with or conflicts with area land uses, zoning, or the identified policies.

Assessment

Existing Conditions

Land Use

Development Site and Project Area

The Development Site consists of Queens Block 10030, Lot 6. The Development Site is bounded by 97th Street to the north, Sutphin Boulevard to the east, and existing buildings to the south and west. The Development Site has a total area of approximately 15,000 square feet (sf), with approximately 150 feet of frontage along 97th Street and 100 feet along Sutphin Boulevard. The Development Site is improved with a 6,600 sf, one-story building that was originally built in 1970 and has operated as a health center ever since. The health center is a federally qualified health center (FQHC) that is currently operated by the

Community Healthcare Network (CHN). Within the Development Site, the health center building is adjoined to the west by a surface parking lot containing approximately 20 striped spaces. Approximately 5 of these parking spaces are used to store large vans used by CHN as mobile clinics. The remaining 15 parking spaces are used for car parking.

The proposed rezoning would include Queens Block 10030, Lot 1, which adjoins the western boundary of the Development Site (together with the Development Site, the two lots form the "Project Area"). Lot 1 sits directly west of the Development Site, and is improved with the eight-story, Waltham Hotel building, construction of which is still ongoing.

Study Area

The Development Site is located in the Jamaica neighborhood of Queens (Community District 12). As shown in **Figure 2-1**, the study area contains a mix of uses, but is predominantly characterized by residential and commercial uses.

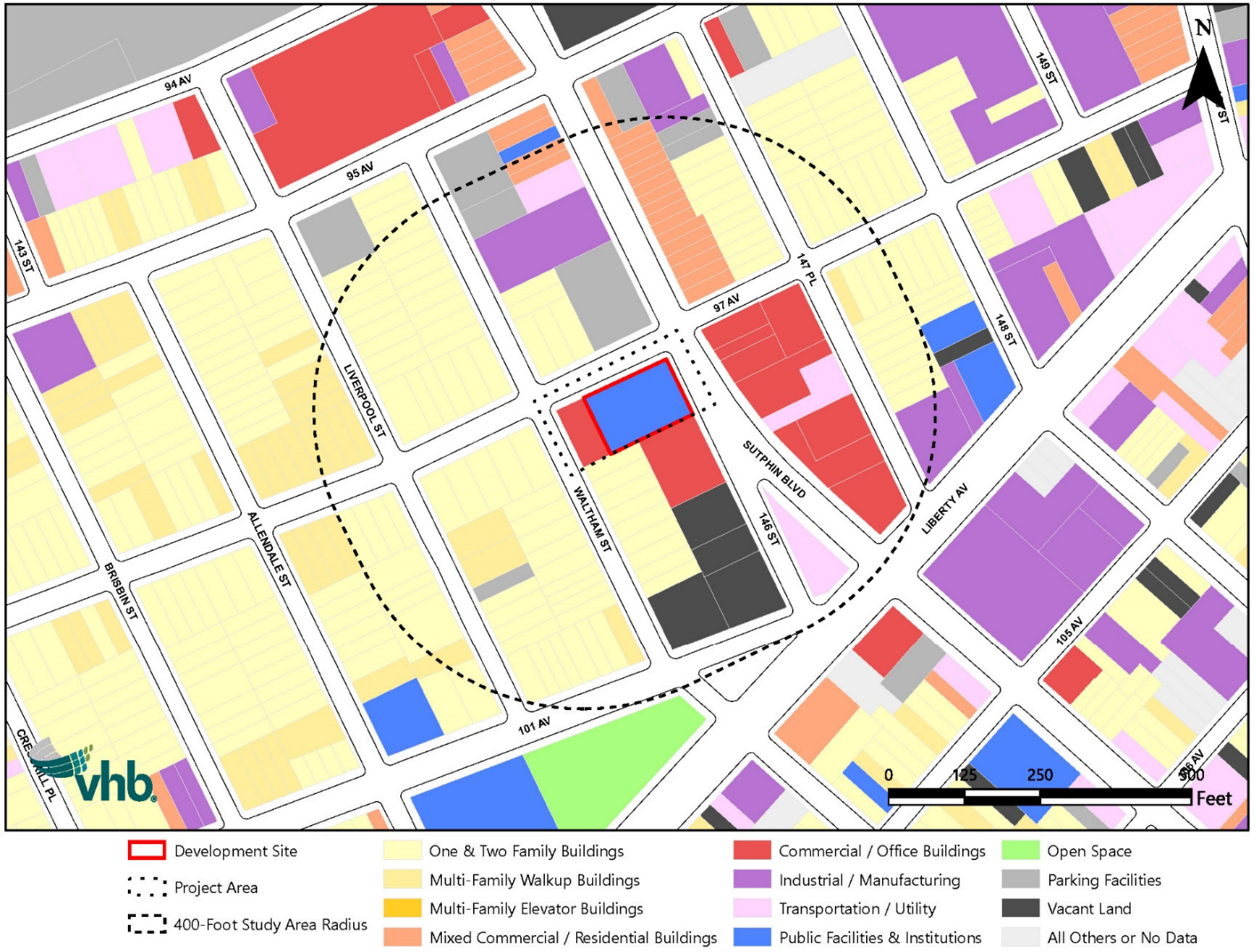
Directly north of the Development Site, fronting the north side of 97th Avenue, are two- and three-story single-family homes and a private surface parking lot. Beyond, extending north towards 95th Avenue, are several one-story industrial uses (i.e., automotive repair), two-story mixed commercial (i.e., delis, restaurants, and personal service shops) and residential structures, and additional private surface parking lots. Northeast of the Development Site, along the east side of Sutphin Boulevard, are two-story mixed commercial and residential structures containing similar commercial uses. Adjoining the eastern side of theses uses, and fronting 147th Place, are two- and three-story single-family homes, and a two-story industrial (i.e. plumbing supply) use with associated parking areas.

The block to the east of the Development Site, between Sutphin Boulevard and 147th Street, is predominantly comprised of two- to three-story commercial and transportation uses, generally including restaurants, laundromat, and automotive care shops. Development within this block is ongoing, as demonstrated by the eight-story hotel under construction at 147-16 97th Avenue, and the nine-story hotel under construction at 97-26 147th Place. East of this block, along the eastern side of 147th Place, are two- and three-story single-family homes, as well as a single two-story multi-family walk-up building and limited industrial (i.e., masonry supply) uses.

The Development Site is adjoined to the south by a commercial hotel use currently undergoing construction. South of this use, along the west side of Sutphin Boulevard and fronting all 101st Avenue, are vacant lots. Portions of these lots, enclosed within a chain-link fence, are used for surface parking and storage of large construction and utility vehicles. Southwest of the Development Site, along Waltham Street and 101st Avenue are residential uses. These uses are almost exclusively comprised of two- and three-story single-family homes.

The area further west, to the boundary of the study area, is again comprised almost entirely of two- and three-story one-family homes, save for a limited number of two-story multi-family walk-up buildings. A similar land use pattern exists to the northwest of the Development Site, from the west side of Liverpool Street to Waltham Street. Here, uses are again limited to two- and three-story one-family homes and two-story multi-family walk-up buildings.

Figure 2-1 Existing Land Use Map



Zoning

Development Site and Project Area

As shown in **Figure 2-1**, the Project Area is located in a C4-5X contextual commercial zoning district, and is within the Special Downtown Jamaica District (DJ), an overview of which is provided in the **Public Policy** section, below. The C4-5X zoning district also includes the two blocks to the east and northeast of the Project Area, between 147th Place and Sutphin Boulevard, from 96th Avenue to Liberty Avenue.

The C4-5 districts are mapped in regional commercial centers located outside of the central business districts, within more densely built areas. These districts permit most retail establishments, including specialty and department stores, theaters, and other commercial and office uses.

C4-5X is a contextual district in which the commercial bulk and density regulations differ from corresponding non-contextual districts. The C4-5X district allows for a maximum floor area ratio (FAR) of 4.0 for commercial uses, whereas the C4-5 district allows for a maximum FAR of 3.4 for commercial uses. The C4-5X district also allows for a maximum FAR of 5.0 for lots containing community facility uses, or lots containing both commercial and community facility uses. Further, where the C4-5 districts have a residential district equivalent of R7X, the C4-5X districts have a residential district equivalent of R7X district. As such, the C4-5X districts allow a base height of 60 to 85 feet and a maximum height of 120 feet. No accessory parking is required for this district.

The Special Downtown Jamaica District was established in 2007 to build upon Jamaica's strengths as a multimodal transportation hub. To do so, the Special Downtown Jamaica District aims to support the downtown business district, expand housing and economic opportunities, protect low-density neighborhoods, and create affordable housing.

The bulk regulations of the Special District supersede those of the underlying C4-5X district and include, as relevant to the Project Area, the following regulations: C4-5X districts within the Special District shall be Inclusionary Housing designated areas; use of the ground floor is limited to community facility uses and certain commercial uses (i.e., Use Groups 5, 6A, 6B, 6C, 6D, 7A, 7B, 8A, 8B, 8D, 9, 10, 11, 12A, 12B, and 12C); and maximum FAR for zoning lots containing residential uses is 3.75.

Study Area

The area directly north of the Project Area is zoned C6-3 and is within the Special Downtown Jamaica District. C6 districts permit a wide range of high-bulk commercial uses and are similarly mapped in areas outside central business cores. Typical uses include corporate headquarters, large hotels, department stores and entertainment facilities in high-rise mixed buildings. C6-3 districts permit a maximum commercial FAR of 6.0. No accessory parking is required. This district has a residential district equivalent of R9, which allows for residential development under height factor regulations or Quality Housing regulations. As noted previously, the bulk regulations of the Special District supersede the underlying district and include, among others, the following regulations for C6-3 districts: these districts within the Special District shall be Inclusionary Housing designated areas; maximum FAR for lots

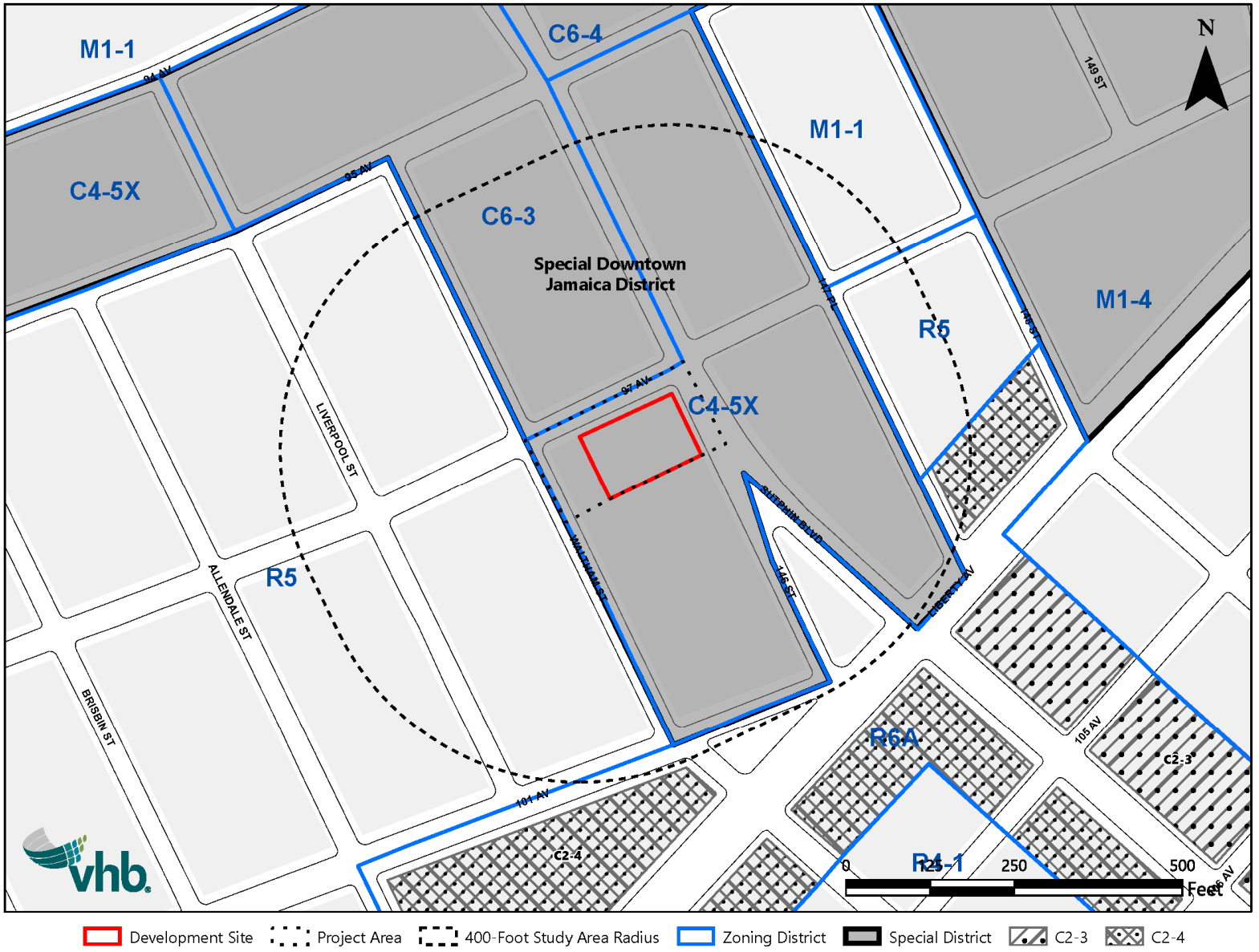
containing residential uses is 6.0; maximum FAR for commercial and community facility uses is 8.0; and maximum building height is 250 feet.

To the east of the Project Area, beyond 147th Place, are M1-1 manufacturing, R5 residential, and C2-4 commercial districts. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Offices, most retail uses, and some community facility uses are also permitted. The M1-1 district permits a maximum FAR of 1.0 and requires 1 accessory parking space per 300 sf. Buildings are governed by a sky exposure plane beginning at a height of 30 feet. R5 districts permit a variety of higher density housing types and are typically mapped as transition areas between lower- and higher-density neighborhoods. The R5 district permits a maximum FAR of 1.25, and a maximum height of 40 feet. Other bulk and density regulations are dependent on housing type. The C2-4 district is a commercial overly district mapped over residential districts. Uses within such commercial overlays typically include neighborhood grocery stores, restaurants and beauty parlors, though C2 districts permit a wider range of uses, such as funeral homes and repair services. In mixed buildings, commercial uses are limited to one or two floors, and must always be located below the residential use. Maximum commercial FAR is dependent upon the underlying residence district in which the overlay is mapped. Within the study area, the C2-4 district is mapped over the R5 residence district and, as such, the maximum commercial FAR is 1.0. C2-4 requires 1 accessory parking space per 1,000 sf.

The area directly south of the Project Area, the block within which the Project Area is located, is zoned C4-5X and is within the Special Downtown Jamaica District, as was previously described above. The area to the southeast of the Project Area, bound by Liberty Avenue, Sutphin Boulevard, and 146th Street, is zoned R6 residential. R6 districts are widely mapped in built-up, medium-density areas. Development within the R6 district is allowed by either standard height factor regulations or Quality Housing regulations. Under standard height factor regulations, a maximum FAR of 2.43 is permitted, and building height is governed by a sky exposure plane beginning at a height of 60 feet. Under Quality Housing regulations, maximum FAR and building height are dependent on street width and participation in the Inclusionary Housing Program. On narrow streets, a maximum FAR of 2.20 and building height of 55 feet is permitted; on wide streets, a maximum FAR of 3.00 and 75 feet are permitted. Under the Inclusionary Housing Program, maximum FAR is increased to 2.42 and 3.60, respectively, and maximum height is increased to 115 feet.

Areas to the west of the Project Area are entirely zoned R5 residential, as was previously described.

Figure 2-2 Existing Zoning Map



Public Policy

The Jamaica Plan

In September 2007, the City Council adopted a proposal by the Department of City Planning (DCP) to establish a Special Downtown Jamaica District and rezone 368 blocks within Queens Community Districts 12 and 8. These and other related actions, collectively known as The Jamaica Plan, aimed to create new economic growth and housing through mixed-use, transit-oriented development in Downtown Jamaica. In doing so, The Jamaica Plan intended to create a vibrant center of office, retail, entertainment, residential, and community facility uses within the neighborhood.

The resulting Special Downtown Jamaica District (described above) established development standards aimed at promoting and protecting the public health, safety and general welfare of the Downtown Jamaica community. In pursuit of these goals, the Special Downtown Jamaica District included the following specific purposes:

- To strengthen the business core of Downtown Jamaica by improving the working and living environments;
- To foster development in Downtown Jamaica and provide direction and incentives for further growth where appropriate;
- To encourage the development of affordable housing;
- To expand the retail, entertainment and commercial character of the area around the transit center and to enhance the area's role as a major transportation hub in the City;
- To provide transitions between the downtown commercial core, the lower-scale residential communities and the transportation hub;
- To improve the quality of development in Downtown Jamaica by requiring the provision of specified public amenities in appropriate locations;
- To encourage the design of new buildings that are in character with the area;
- To enhance the pedestrian environment by relieving sidewalk congestion and providing pedestrian amenities; and
- To promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City's tax revenues.

Housing New York 2.0

The City first released Mayor Bill de Blasio's affordable housing plan, "Housing New York: A Five-Borough Ten-Year Plan," in May 2014 to create and preserve 200,000 high-quality, affordable homes over ten years. An updated version of the plan titled "Housing New York 2.0" was unveiled in November 2017, which commits to completing the initial goal of 200,000 affordable homes two years ahead of schedule, by 2022, and generating an additional 100,000 homes over the following four years.

PlaNYC/OneNYC 2050

In 2011, the Mayor's Office of Long-Term Planning and Sustainability released an update to PlaNYC: A Greener, Greater New York. PlaNYC represents a comprehensive and integrated

approach to planning for New York City's future. It includes policies to address three key challenges that the City faces over the next twenty years: population growth; aging infrastructure; and global climate change. In the 2011 update, elements of the plan were organized into ten categories—housing and neighborhoods, parks and public space, brownfields, waterways, water supply, transportation, energy, air quality, solid waste, and climate change—with corresponding goals and initiatives for each category.

In April 2015, the Mayor's Office of Sustainability and the Mayor's Office of Recovery and Resiliency released OneNYC, a comprehensive plan for a sustainable and resilient city. OneNYC represents a reworking of the sustainability plan for the City, known as PlaNYC: A Greener, Greater New York, discussed above. Like PlaNYC, growth, sustainability, and resiliency remain at the core of OneNYC, but promoting economic equity is a guiding principle throughout the plan. OneNYC has since been updated to OneNYC 2050, which was released in 2019 and consists of eight goals and thirty initiatives.

The goals of the plan are:

- A Vibrant Democracy through empowering participation, welcoming immigrants, promoting justice and equal rights, and promoting democracy and civic innovation
- An Inclusive Economy through good paying jobs and job training, economic security through fair wages and benefits, expanded decision making power of workers and communities,
- Thriving Neighborhoods through affordable housing, access to neighborhood open spaces and cultural resources, community safety, and place-based community planning.
- Healthy Lives through high quality, accessible health care, addressing health and mental health needs of communities, making healthy lifestyles easier, and designing a healthy physical environment.
- Equity and Excellence in Education through early childhood education, equity in K-12 opportunity, and increasing integration, diversity, and inclusion in NYC schools.
- A Livable Climate through carbon neutrality and clean electricity, resilience, economic opportunities through climate action, and climate accountability and justice.
- Efficient Mobility through modern mass transit, safe and accessible streets, reduced congestion and emissions, and regional and global connections
- Modern Infrastructure through investments in core physical infrastructure and hazard mitigation, digital infrastructure improvement, and best practices for asset maintenance and capital project delivery.

No-Action Condition

Absent the proposed project (the future No-Action condition), the Development Site would be redeveloped as-of-right with a 5.0 FAR, approximately 99,500 gsf (75,000 zsf) community facility and residential building. The as-of-right building would have approximately 83,000 gsf of residential housing (approximately 83 units) and an approximately 16,500 gsf health center. The building would be 10 stories and 93 feet in height (with an additional 10-foot bulkhead). A portion of the residential units (20% or 17 units) would be designated as Voluntary Inclusionary Housing (VIH) units, but no discretionary funding would be sought. The remaining units would be market rate. As seen under current conditions, CHN would utilize some parking spaces for the storage of large vans used as mobile clinics.

Land Use

The future No-Action condition would introduce a new residential land use to the Project Area. Specifically, the future No-Action condition would introduce a multi-family elevator building. As previously described under **Existing Conditions**, the study area contains a substantial amount of residential development. Accordingly, though containing a greater residential density than that typical of the study area, the residential use introduced under the future No-Action condition would be consistent with the residential nature of the study area.

As noted above, a portion of the residential units (approximately 20%) would be dedicated VIH units, though the majority of units would be market rate. The future No-Action condition would also expand the existing community facility (health center) use by approximately 9,900 gsf. The Project Area's existing commercial hotel use on Lot 1, which is still undergoing construction, would be retained as is.

Independent of the future No-Action condition, several new developments would be completed within the study area. Specifically, as detailed in **Table 2-1,** there are four developments undergoing construction, all of which are proposed hotel uses. Overall, these four developments would be expected to create 383 hotel rooms and 129,471 sf of commercial space within the study area.

Table 2-1 No-Action Projects Within 400-Foot Study Area

Location	Description	Commercial zoning floor area (SF)	Hotel Rooms	Build Year
147-16 97th Avenue	Eight-Story Transient Hotel	27,969	88	2021
97-26 147th Place	Nine-Story Transient Hotel	29,754	86	2020
97-01 Waltham Street	Eight-Story Hotel with Ground Floor Community Facility Space	19,948	58	2020
97-16 Sutphin Boulevard	Nine-Story Hotel	51,800	151	2021
	Total	**129,471**	**383**	

In addition, the Jamaica Plan (2007) identified 97-11 Sutphin Boulevard as a projected development sites within the study area. This site was similarly anticipated to be developed with a commercial hotel use. However, it is noted that such development is unlikely to occur, as no plans for same have been established. Accordingly, the site's current use (i.e., surface parking) is expected to remain.

The proposed developments are exclusively commercial hotel uses, demonstrating a trend toward commercial development within the study area. Though similar in structure (i.e., multi-story) to the proposed developments, the No-Action condition would represent a deviation from this development pattern. Specifically, the No-Action condition would expand the existing community facility use and introduce a new residential use. The resulting new residential use would be consistent with the residential nature of the study area. Further, by providing additional housing (both market-rate and affordable) within the vicinity of

transportation resources, the future No-Action condition would also be consistent with the goals of The Jamaica Plan and Housing New York 2.0.

Zoning

There are no anticipated zoning changes within the study area under the future No-Action condition. The Project Area and study area would continue to be governed by the various zoning regulations found in the area, as described in the existing conditions section above. The proposed future No-Action project would be developed as-of-right and, as such, would conform to zoning in full.

Public Policy

In the future No-Action condition, there are no known public policy changes that are anticipated to affect the Project Area or study area.

With-Action Condition

Under the With-Action condition, the Development Site would be rezoned to the proposed C6-3/DJ district. In addition, zoning text amendments would establish a MIH area over the proposed C6-3 district under MIH Option 1 or 2 within the Special Downtown Jamaica District. The amendment will also remove the Inclusionary Housing designation area for the Special Downtown Jamaica District from the Development Site Project Area to allow MIH to be established. . The Development Site would subsequently be redeveloped with a 15-story, 146,200-gsf (120,000 zsf) building[2]. The building would be approximately 160 feet in height (with an additional 9 feet of bulkhead) and would have a FAR of 8.0. The proposed building would house a new and expanded FQHC, comprising up to 16,500 gsf on the ground and cellar floors. Approximately 129,700 gsf would be comprised of low-income and supportive senior housing (up to 190 units), which would include approximately 2,200 gsf of residential accessory space for supportive housing services.

As discussed in **Part I: Project Description,** Lot 1 is not a soft site and would not be expected to develop under the Proposed Actions. As such, Lot 1 would remain as is under the With-Action condition.

Land Use

Similar to the future No-Action condition, the With-Action condition would redevelop the Development Site with a new multi-story mixed-use residential and community facility building. Accordingly, the With-Action condition would similarly introduce a new residential use to the Development Site. As with the No-Action condition, the resulting residential use would contain a greater residential density than that typical of the study area. However, within an MIH area, all residential units developed under the With-Action condition would be low-income and supportive senior housing. The With-Action condition would similarly expand the existing community facility use by approximately 9,900 gsf and retain the Project Area's existing commercial hotel use, which is still undergoing construction, as is.

[2] The framework for analysis for the With-Action condition established in Part I: Project Description, assumes a slightly larger floor area and unit count than in the Proposed Project.

Though the With-Action condition would support a greater residential density, the proposed building would be consistent with the overall residential and commercial character of the study area. Further, land use changes as a result of the With-Action condition would be consistent with those being developed in the No-Action condition, as well as with what is envisioned under Housing New York 2.0 and The Jamaica Plan. Thus, significant adverse impacts to land use are not expected.

Zoning

The Applicant is seeking a Zoning Map Amendment to rezone the Project Area from C4-5X/DJ contextual commercial district to a C6-3/DJ commercial district, creating an extension of the zoning district to the north of the Project Area, as depicted in **Figure 2-1**. In addition, the Applicant seeks a Zoning Text Amendment to Appendix F of the Zoning Resolution to establish an MIH Area over the proposed C6-3 district. These actions would increase the density and building height permitted on the Development Site and ensure that residential development within the Project Area contains affordable housing in perpetuity.

Though the Proposed Actions would change the zoning designation of the Project Area, the proposed changes are in keeping with the purpose and goals of the Special Downtown Jamaica District, which encourages the development of affordable housing. In accordance with this goal, the proposed Zoning Map Amendment and Zoning Text Amendment would facilitate the development of affordable housing on the Development Site. As such, compared to the future No-Action condition, the proposed project would provide substantial benefits to the surrounding community by increasing the affordable housing stock.

The Proposed Actions include the following zoning changes:

Proposed Zoning Map Amendment

A Zoning Map Amendment to Zoning Map 14d would change the zoning of the Development Site from C4-5X/DJ contextual commercial district to a C6-3/DJ commercial district. The amendment would extend the zoning district to the north, described above under existing conditions, over the Project Area. As noted, the proposed C6-3 zoning district is currently mapped within the study area as is typical in areas outside central business cores and permits, among others, high-rise mixed-use buildings.

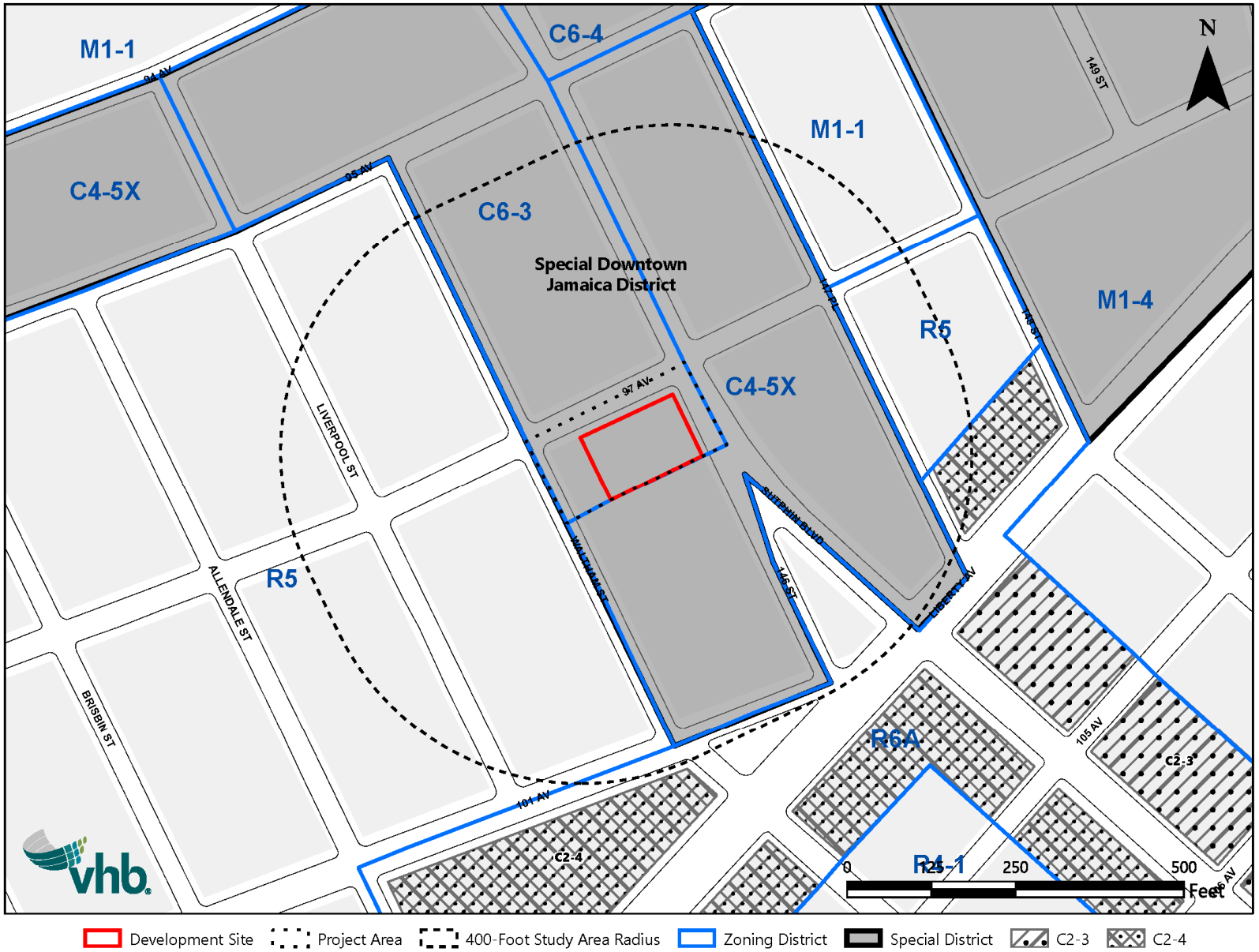
The proposed Zoning Map Amendment would allow for the redevelopment of the Development Site with a mixed building of up to 250 feet in height, with a maximum residential FAR of 8.0.

Proposed Zoning Text Amendment

A zoning text amendment to Appendix F of the Zoning Resolution, "Mandatory Inclusionary Housing Areas," would establish an MIH Area that is coterminous with the Project Area. This will ensure that future residential development on the Development Site will be affordable in perpetuity under MIH Option 1 or Option 2. Option 1 would allow for 25% of the units to be set aside for households averaging an income of 60% of the Area Median Income (AMI) (which is $47,000 on average). Option 2 would allow for 30% of the units to be set aside for households averaging 80% of the AMI (which is $62,000 on average). The Special Bulk Regulations for the SDJD in ZR 115-20 (Special Bulk Regulations) would be modified to allow

for the mapping of Mandatory Inclusionary Housing areas within the SDJD and to specify that the height and setback regulations of Sections 23-952 (Height and setback for Mandatory Inclusionary Housing areas) and 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors) shall be modified by the special height and setback regulations of Section 115-23. The amendment will also remove the Inclusionary Housing designation area for the Special Downtown Jamaica District from the Development Site Project Area to allow MIH to be established. However, for the Proposed Project, all the proposed 190 units would be dedicated to low-income seniors with annual incomes of 50% or less of the area median income and supportive housing for formerly homeless seniors.

Figure 2-3 Proposed Zoning Map



Public Policy

The Proposed Actions would not result in any changes to public policies affecting the study area. As discussed below, the Proposed Actions would be consistent with, and supportive of, public policies relevant to the study area.

The Jamaica Plan

Redevelopment of the Development Site would conform to the relevant standards and regulations of the Special Downtown Jamaica District. As such, the Proposed Actions would advance the objectives of The Jamaica Plan and support some of the specific purposes of the Special Downtown Jamaica District, as detailed below.

To strengthen the business core of Downtown Jamaica by improving the working and living environments;

The Proposed Actions would introduce 190 new housing units to the Downtown Jamaica neighborhood, and would include a health center use providing clinical services and primary medical and psychiatric care to residents of the building. In providing new affordable housing units and supportive clinical and medical facilities, the Proposed Actions would promote an improved living environment, in support of this purpose.

To encourage the development of affordable housing;

As noted, the Proposed Actions would introduce 190 new housing units, all of which would be dedicated low-income or senior supportive housing, in support of this purpose.

To encourage the design of new buildings that are in character with the area;

Redevelopment of the Development Site would be undertaken in conformance with the relevant bulk and dimensional regulations of the Special Downtown Jamaica District. Additionally, the Proposed Actions would introduce a building similar in structure as those in its immediate surroundings (i.e., the multi-story buildings to the west and south of the Development Site), as well as those proposed to be developed absent the Proposed Actions (i.e., multi-story hotel uses). As such, the Proposed Actions would introduce a new building designed to be consistent with the current and future character of the surrounding area.

Housing New York 2.0

The Proposed Actions would introduce 190 low-income and senior supportive housing units. As such, the Proposed Actions would contribute to achieving the City's goal of creating new affordable housing units and would be supportive of this public policy goal.

PlaNYC/OneNYC 2050

The Proposed Actions would also support some of the initiatives outlined in OneNYC 2050, as detailed below.

Goal 3: Thriving Neighborhoods

Initiative 9: Ensure all New Yorkers have access to safe, secure, and affordable housing

This goal is focused around fostering communities that have safe and affordable housing, and are well-served by parks, cultural resources, and shared spaces. As noted, the Proposed Actions would introduce 190 new housing units to the Downtown Jamaica neighborhood, all of which would be dedicated low-income or senior supportive housing. As such, the Proposed Actions would be in support of this initiative by expanding the City's affordable housing stock.

Goal 4: Healthy Lives

Initiative 13: Guarantee high-quality, affordable, and accessible health care for all New Yorkers

This goal is focused around reducing inequities in health outcomes by guaranteeing health care and facilitating both healthy lifestyles and a healthy physical environment. The Proposed Actions would expand the Development Site's existing health center use. The health center would provide clinical services and primary medical and psychiatric care to residents of the building and the neighborhood. In doing so, the Proposed Actions would expand the health services available to residents, in support of this initiative.

Goal 6: A Livable Climate

Initiative 20: Achieve carbon neutrality and 100 percent clean electricity

This goal is focused around reducing emissions and creating gains in efficiency across all buildings and infrastructure. Under Local Law 32 of 2017, all new buildings must be built to the latest energy efficiency standards. The Proposed Project will comply with Local Law 32.

Conclusion

As described above, the Proposed Actions would result in the redevelopment of the Development Site with a mixed-use community facility and residential building with an FAR of 8.0. The resulting development would be consistent with the proposed zoning regulations for the Development Site. In addition, the Proposed Actions would provide additional affordable housing units to the neighborhood and would enhance the community facility uses currently found on site. Though greater in density, the use of the subject property (i.e., residential and community facility) would be consistent with the residential character of the study area. Plus, by providing affordable and senior supportive housing, and given the proximity of same to transportation resources, the Proposed Actions would support the goals of The Jamaica Plan and New York 2.0. Based on the foregoing, the Proposed Project would not result in any significant adverse impacts to land use, zoning, or public policy.

3

Shadows

A shadow is defined in the 2014 *CEQR Technical Manual* as the condition that results when a building or other built structure blocks the sunlight that would otherwise directly reach a certain area, space, or feature. The purpose of this section is to assess whether new structures may cast shadows on sunlight sensitive publicly accessible resources or other resources of concern, such as natural resources, and to assess the significance of their impact.

Introduction

According to the *CEQR Technical Manual*, a shadows assessment is warranted for proposed actions that would result in new structures greater than 50 feet in height or located adjacent to, or across the street from, a sunlight-sensitive resource. Such resources include publicly-accessible open spaces, important sunlight-sensitive natural features, or historic resources with sun-sensitive features. A significant adverse shadow impact occurs when the incremental shadow added by a proposed project falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources.

The Proposed Actions are expected to facilitate the construction of a fifteen-story, approximately 169-foot-tall building (including a 9-foot tall bulkhead) on the development site. Therefore, further assessment is warranted.

Methodology

In accordance with the *CEQR Technical Manual*, a preliminary screening assessment is conducted to ascertain whether shadows resulting from a project could reach any sunlight-sensitive resource at any time of year. This preliminary screening assessment consists of three tiers of analysis:

- **Tier 1 Screening**: The first tier determines a simple radius around the proposed building representing the longest shadow that could be cast. If there are sunlight-sensitive resources within the radius, the analysis proceeds to the second tier;
- **Tier 2 Screening**: The second-tier analysis reduces the area that could be affected by project-generated shadows by accounting for a specific range of angles that can never receive shade in New York City due to the path of the sun in the northern hemisphere. According to the *CEQR Technical Manual*, shadows cannot be cast within New York City within 108 degrees from True North.;
- **Tier 3 Screening**: If the second tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a third tier of screening analysis further refines the area that could be reached by new shadows by looking at specific representative days of the year and determining the maximum extent of shadow over the course of each representative day. For the Tier 3 screening, three-dimensional modeling software with the capacity to model shadows is used, and the maximum building envelope that could be achieved as a result of the Proposed Actions is modeled and geo-located within the program. Terrain, which has been accounted for in the Tier 1 and Tier 2 Screenings, is also incorporated into the model to account for how changes in elevation in the study area can influence shadows. Per the *CEQR Technical Manual*, the representative days are December 21 (winter solstice), June 21 (summer solstice), March 21/September 21 (vernal/autumnal equinox), and May 6/August 6 (halfway between summer solstice and the equinoxes). The modeling software is also used to approximate times that shadows cast from the Proposed Project could enter and exit a resource.

If the Tier 3 screening indicates that, in the absence of intervening buildings, shadows from the Proposed Project would reach a sunlight sensitive resource on any of the representative analysis days, a detailed shadow analysis may be warranted. Because existing buildings (or No-Action buildings) may already cast shadows on a sun-sensitive resource, the Proposed Project may not result in additional (incremental) shadows upon that resource. A detailed shadow analysis models a baseline condition (future No-Action) that is compared to the future condition resulting from the Proposed Actions (future With-Action) to illustrate the shadows cast by the No-Action development and distinguish the additional (incremental) shadow cast by the project.

For the Proposed Project, a preliminary assessment (Tiers 1 and 2) was undertaken.

Preliminary Assessment

Tier 1 and 2 Screening

The Proposed Project would consist of a building approximately 169 feet in height, including the 9-foot bulkhead, which could cast a maximum shadow of approximately 727 feet. **Figure**

3-1 show the potential sunlight-sensitive resources identified in the Tier 1 and Tier 2 Screening Assessment.

As shown in **Figure 3-1**, there are a total of two publicly accessible open space resources that are wholly within the Tier 1 shadow study area:

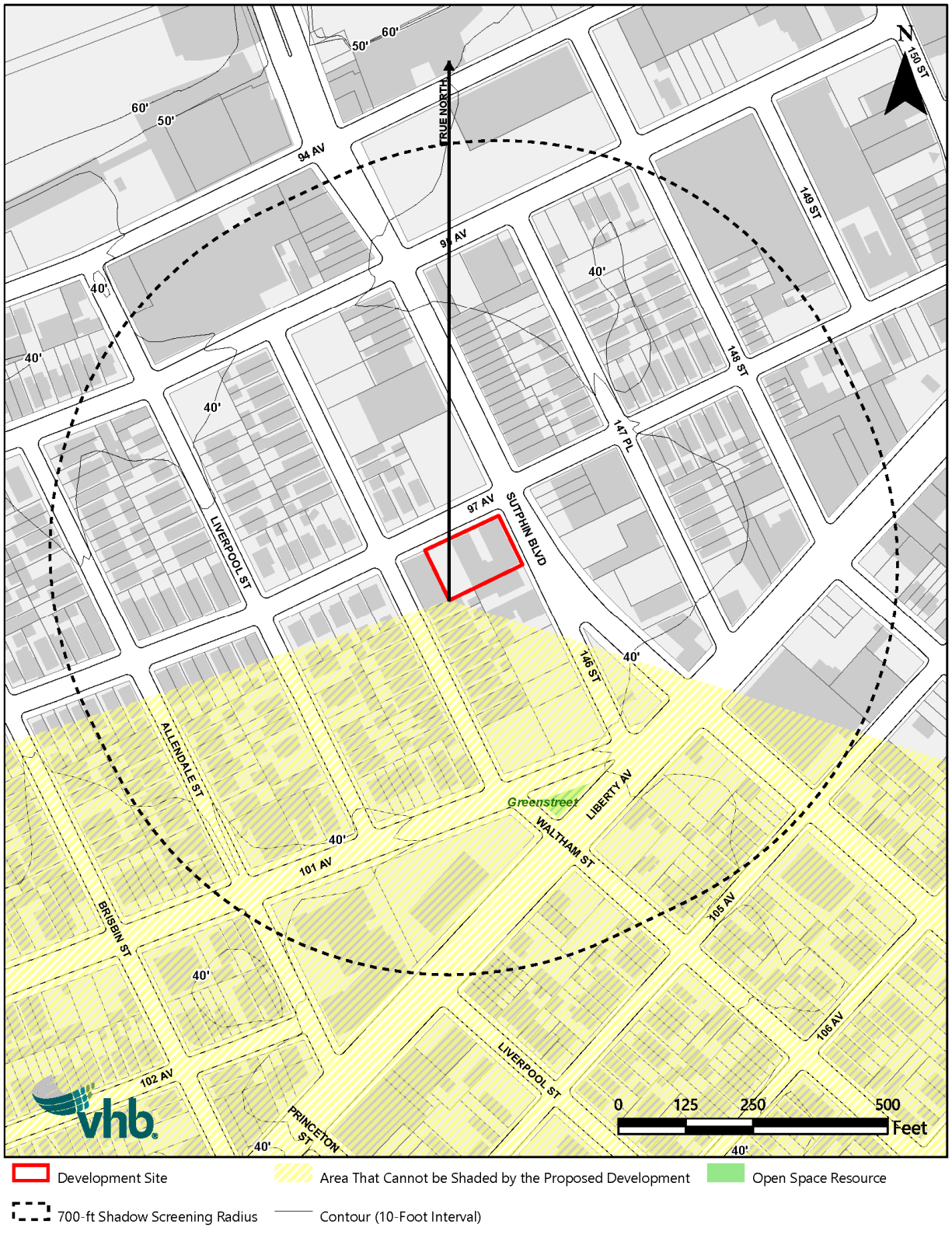
1. Norelli-Hargreaves Memorial Triangle (identified in map as resource (O1): Norelli-Hargreaves Memorial Triangle is located on a triangular block bounded by Waltham Street, Liberty Avenue, and 101st Avenue.
2. P.S. 050 Talfourd Lawn Elementary School Yard (identified in the map as resource O2): The school yard for P.S. 50 is located on a triangular block bounded by Allendale Street, Liberty Avenue, and 101st Avenue. It shares the block with the school building to the west.

No architectural historic resources were identified within the area of potential shadow. This was confirmed by LPC review dated July 1, 2020 (See **Appendix A**) and through a review of the New York Cultural Resource Information System and LPC maps. The Tier 2 Screening Assessment indicates that both open space resources are located in the area that cannot be shaded by the Proposed Project, and therefore no further analysis is warranted. These results are summarized in **Table 3-1.** As the Proposed Project would not cast shadow on any sunlight sensitive resources, it would not result in significant adverse shadows impacts.

Table 3-1 Tier 1 to 2 Screening Results

Map ID	Resource Name	Potential Resource Summary	Sunlight-Sensitive Elements	Tier 1-2 Screening Results
O1	Norelli-Hargreaves Memorial Triangle	.04 acre planted area with trees and other vegetation	Vegetation	Screened at Tier 1-2
O2	P.S. 50 Talfourd Lawn Elementary School Yard	0.75 acre school yard with trees, running track, field, basketball courts and playground	Vegetation, active recreation	Screened at Tier 1-2

Figure 3-1 Tier 1 and Tier 2 Screening



4

Historic and Cultural Resources

This section assesses the potential for a proposed action to result in significant adverse impacts on historic and cultural resources, including both archaeological and architectural resources.

Introduction

Historical and cultural resources are defined as improvements or landscape features that could be or have been determined to have a special character, historical, or aesthetic interest or value. Historic or cultural resources comprise districts, buildings, structures, sites and objects of historical, aesthetic, cultural, and archaeological significance. According to the 2020 *CEQR Technical Manual*, these resources include: properties that have been designated, or are under consideration for being designated, as New York City Landmarks or Scenic Landmarks, or are eligible for such designation; properties within New York City Historic Districts; properties listed in, or determined eligible for listing in, the State and/or National Register of Historic Places; and National Historic Landmarks.

This section assesses the potential for the proposed action to affect architectural and archaeological resources located on the Project Area and in the surrounding area.

Methodology

The *CEQR Technical Manual* notes that environmental review for historic and cultural resources includes a survey and planning process that helps protect New York City cultural heritage from the potential impacts of projects undergoing CEQR. Historic and cultural resources include both archaeological and architectural resources.

Archaeological resources are physical remains, usually subsurface, of pre-contact, post-contact, and historic periods—such as burials, foundations, artifacts, wells, and privies. Archaeological resources are usually assessed for projects that would result in any in-ground disturbance. In-ground disturbance is any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site.

Architectural resources include historically significant buildings, structures, objects, sites, and districts. Architectural resources include designated New York City landmarks, buildings within a designated New York City historic district, properties calendared for consideration by the New York City Landmarks Preservation Commission (LPC), properties listed on or determined to be eligible for listing on the State or National Register of Historic Places, National Historic Landmarks, and other properties that meet the eligibility criteria for such designations.

Generally, architectural resources should be surveyed and assessed if the proposed project would result in any of the following, whether or not any known historic resources are located near the site of the project:

- New construction, demolition, or significant physical alteration to any building, structure, or object;
- A change in scale, visual prominence, or visual context of any building, structure, object or landscape feature. Visual prominence is generally the way in which a building, structure, object, or landscape feature is viewed. For example, a building may be part of an open setting, such as a tower within a plaza, which is either conforming or non-conforming with the street wall in terms of its height, footprint, and/or setback. Visual context is the character of the surrounding built or natural environment. This may include the following: the architectural components of an area's buildings (e.g., height, scale, proportion, massing, fenestration, ground-floor configuration, style), streetscapes, skyline, landforms, vegetation, and openness to the sky;
- Construction, including but not limited to, excavating vibration, subsidence, dewatering, and the possibility of falling objects;
- Additions to or significant removal, grading, or replanting of significant historic landscape features;
- Screening or elimination of publicly accessible views;
- Introduction of significant new shadows or significant lengthening of the duration of existing shadows on an historic landscape or on an historic structure if the features that make the structure significant depend on sunlight. For example, stained glass windows that cannot be seen without sunlight, or buildings containing design elements that are part of a recognized architectural style that depends on the contrast between light and dark design elements, such as deep window reveals and prominent rustication.

Assessment

Existing Conditions

Project Area and Development Site

The Project Area consists of the northern block frontage (Block 10030, Lots 1 and 6) along the south side of 97th Avenue between Sutphin Boulevard and Waltham Street in Downtown Jamaica. Lot 6, the Development Site, is developed with a one-story building, one-story garage, and paved parking area. A review of fire insurance maps, aerial photographs and city directories for a Phase I Environmental Site Assessment determined that the site was vacant between 1901 and 1942. After that time, a single story on-ground building was constructed. It is unclear if the building was expanded or replaced by 1972, but according to building department records, all building construction within the Development Site was on-ground or on-slab between 1942 and 1972.[1]

A review of the New York State Office of Parks, Recreation and Historic Preservation (NYS OPRHP) Cultural Information System (CRIS) and the NYC LPC online archaeological resources indicates that the Development Site falls within an area of archaeological sensitivity. However, in a response to a letter requesting environmental review and historic clearance submitted to the NYC Landmarks Preservation Commission (LPC) for the Project Area, LPC indicated in a letter on July 7, 2020 that there are no properties with architectural or archaeological significance on the Development Site (see **Appendix A**). Furthermore, in a response requesting environmental review and historic clearance submitted to the State Historic Preservation Office (SHPO) for the Project Area, SHPO indicated in a letter on July 28, 2020 that no historic properties would be affected by the Proposed Project (see **Appendix A**). Therefore, no additional analysis is required for archaeological resources.

Study Area

A review of the NYS CRIS and the LPC online reports indicates that there is one identified architectural resource within a 400-foot study area. Located at 147-30 97th Avenue, the property is identified in the CRIS as an undetermined resource (USN 08101.000189). A c.1980 Building-Structure Inventory Form on file in CRIS describes the resource at that time as an Italianate style cross-gabled 2 ½ story house with "eaved," extended cornice (no brackets), asbestos-sheathed with a stuccoed foundation. The site is noted in the NYS CRIS with no accompanying photographs or additional information, and it was not evaluated for eligibility by OPRHP. The property is not a LPC-designated landmark or historic resource, and it does not appear to be eligible for the State and/or National Registers.

Future No-Action Condition

In the absence of the Proposed Actions, the Development Site would be redeveloped as-of-right with a new building that would be 10 stories and 93 feet in height (with an additional 10-foot bulkhead). A portion of the residential units (20% or 17 units) would be designated

[1] Phase I Environmental Site Assessment, Community Healthcare Network, Queens Health Center by ERM Consulting and Engineering, Inc. August 30, 2017.

as Voluntary Inclusionary Housing (VIH) units, but no discretionary funding would be sought. The remaining units would be market rate.

With-Action Condition

As stated previously, in the future With-Action condition, the Applicants are seeking a Zoning Map Amendment and Zoning Text Amendment for the Project Area to facilitate the development of a 146,200-gsf (120,000 zsf) building that would house a new and expanded FQHC, operated by CHN, of up to 16,500 gsf on the ground and cellar floors and approximately 129,700 gsf of low-income and supportive senior housing (190 units).[2] The Applicant proposes to demolish the existing one-study health clinic on the Development Site and construct a new 15-story building.

The Applicant may also seek city, state, and federal funding, such as New York City Housing Preservation and Development (HPD) Senior Affordable Rental Apartments (SARA) funding; New York State Housing Finance Agency (HFA) and New York State Homes and Community Renewal (HCR) bond financing and subsidy; and federal funding in the form of Section 8 Rental Assistance in the future. Because of this, a Project Notification was submitted to OPRHP on July 14, 2020 for their review of the project's potential impacts to historic and archaeological resources in accordance with Section 14.09 of the State Historic Preservation Act and Section 106 of the National Historic Preservation Act.

While the scale of development would be somewhat larger under the With-Action condition than they would be under the No-Action condition (15 stories instead of 10 stories), there would not be any impacts to historic resources. As discussed above, LPC did not identify any concerns related to either archaeological or architectural resources on the Development Site, and there are no listed or eligible resources located within the study area. Furthermore, in a letter dated December 18, 2020, LPC approved the findings of this EAS (see **Appendix A**) Therefore, the With Action condition would not result in significant adverse impacts on any known designated or potential historic or archaeological resources within the Development Site.

Conclusion

As described above, a review of the NYS OPRHP CRIS indicates that no archaeological sites have been documented within the Project Area; in a letter dated July 7, 2020, LPC indicated that there are no properties with archaeological significance on the Development Site. Similarly, no historic architectural resources are identified in the Study Area. As such, it is expected that the proposed project would not adversely impact any known designated or potential historic or archaeological resources within the Development Site or Study Area.

[2] The framework for analysis for the With-Action condition established in Section 1, Project Description, assumes a slightly larger floor area and unit count than in the Proposed Project.

5

Urban Design and Visual Resources

An urban design assessment considers whether and how a project may change the pedestrian's experience of the built environment in a project area. The assessment focuses on the components of a proposed action that may have the potential to alter the arrangement, appearance, and functionality of the built environment. In addition, the assessment considers the potential for the proposed action to affect any view corridors associated with visual resources.

Introduction

This section considers the potential for the proposed project to result in significant adverse urban design and visual resources impacts. As defined in the *2020 City Environmental Quality Review (CEQR) Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space. A visual resource is the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources.

Based on the *CEQR Technical Manual*, a preliminary assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. Examples include projects that permit the modification of yard, height, and setback requirements, and projects

that result in an increase in built floor area beyond what would be allowed "as-of-right," or in the future No-Action condition.

As described in **Section 1, Project Description**, the applicant is requesting a Zoning Map Amendment to rezone the Project Area from C4-5X/DJ district to C6-3/DJ district, and seeks a zoning text amendment to establish a Mandatory Inclusionary Housing (MIH) area over the proposed C6-3 district under MIH Option 1 or 2 within the Special Downtown Jamaica District. The amendment will also remove the Inclusionary Housing designation area for the Special Downtown Jamaica District from the Project Area to allow MIH to be established.. The proposed C6-3/DJ district has different bulk and dimensional regulations than that of the existing zoning district and would therefore result in different No-Action and With-Action conditions. Thus, an urban design and visual resources analysis is warranted.

Methodology

In accordance with the *CEQR Technical Manual* guidelines, the following preliminary urban design and visual resources assessment considers a 400-foot radius study area where the proposed action would be most likely to influence the built environment. The preliminary assessment focuses on those project elements that have the potential to alter the built environment, or urban design, of the development site, which is collectively formed by the following components:

- **Street Pattern and Streetscape:** The arrangement and orientation of streets define location, flow of activity, street views, and create blocks on which buildings and open spaces are arranged. Other elements including sidewalks, plantings, street lights, curb cuts, and street furniture also contribute to an area's streetscape.
- **Buildings:** A building's size, shape, setbacks, pedestrian and vehicular entrances, lot coverage, and orientation to the street are important urban design components that define the appearance of the built environment.
- **Open Space:** Open space includes public and private areas that do not contain structures, including parks and other landscaped areas, cemeteries, and parking lots.
- **Natural Features:** Natural features include vegetation and geologic and aquatic features that are natural to the area.
- **View Corridors and Visual Resources:** Visual resources include significant natural or built features, including important view corridors, public parks, landmark structures or districts, or otherwise distinct buildings.

The following information is included in a preliminary assessment:

- A concise narrative of the existing project area, and conditions under the future No-Action and With-Action conditions;
- An aerial photograph of the study area and ground-level photographs of the development site with immediate context;
- Zoning and floor area calculations of the existing, future No-Action, and future With-Action conditions;
- Lot and tower coverage, and building heights;
- A three-dimensional representation of the future No-Action (if relevant) and With-Action condition streetscape; and

› A pedestrian wind condition analysis as necessary pursuant to Section 230 of the *CEQR Technical Manual*.

If the preliminary assessment determines that a change to the pedestrian experience is minimal and unlikely to disturb the vitality, walkability or the visual character of the area, then no further assessment is warranted. However, if it shows that changes to the pedestrian environment and/or visual resources are significant enough to require greater explanation and further study, then a detailed analysis may be appropriate.

The following preliminary urban design and visual resources assessment follows these guidelines and provides a characterization of existing conditions followed by a description of urban design and visual resources under the future No-Action and With-Action conditions, and an analysis determining the extent to which physical changes resulting from the proposed development would alter the pedestrian experience. Per the criteria listed in Section 230 of the *CEQR Technical Manual*, a pedestrian wind condition analysis is not warranted for the Proposed Action. The Project Area is not located in a high wind location, such as directly along the waterfront, but rather is in a location where wind conditions from the waterfront are attenuated by existing buildings

Study Area

The area within 400 feet of the project area is defined as the study area for this analysis; this is typically considered an appropriate radius for site-specific actions such as the proposed project.

Assessment

Existing Conditions

This section provides a narrative of the existing development on the project block and in the study area.

Development Site and Project Area

The Development Site (Lot 6) is currently improved with a 6,600 sf, 1-story Community Healthcare Network (CHN) operated health center. The health center is sited on a corner lot, with frontage along Sutphin Boulevard and 97th Avenue. The entrance to the health center is located on the southeast side of the building, along Sutphin Boulevard. The façade of the health center is predominantly brick and concrete, though also contains windows with black metallic treatments. A narrow overhang runs the length of most of the building, upon which is the health center's signage. The health clinic contains an associated loading dock on 97th Avenue, which is partially separated from the health clinic itself by a fenced-in, internal refuse area. Parking for the health clinic is provided via a private, fenced-in parking lot located on 97th Avenue, adjacent to the west side of the loading dock. A portion of the parking lot is used for the storage of large vans used as mobile clinics; the remainder of the lot is used for surface parking.

To the west of the existing parking lot (Lot 1), and constituting the remainder of the Project Area, is the 8-story, Waltham Hotel building. This building is also sited on a corner lot, with frontage along Waltham Street and 97th Avenue. The hotel is still undergoing construction

and, as such, is currently surrounded by green, plywood construction fencing. The façade of the ground floors is comprised of black stone and windows. The façade of the upper floors is a mix of concrete block and windows. The hotel is similarly adjoined to the north and west by limited grassed areas and paved sidewalks.

The urban design elements of the Project Area are described in **Table 5-1**, below.

Table 5-1 Urban Design Elements on Project Area – Existing Conditions by Lot

Building Element	Lot 1	Lot 6 (Development Site)
Stories	8	1
Approximate Height (ft)	85	19
Approximate Building Frontage	100 ft on Waltham Street/50 ft on 97th Avenue	100 ft on Sutphin Boulevard/150 ft on 97th Avenue
Lot Coverage (approximate %)	76%	51%
Gross Floor Area	29,099	6,600
Zoning Floor Area	22,327	6,600
Ground Floor Use	Community facility/commercial	Community facility

There are no existing publicly accessible open spaces, natural features, visual resources, or view corridors in the Project Area. Paved sidewalks approximately 10 feet in width are provided along the street frontages of the Project Area. Limited grassed areas are found adjacent to the paved sidewalks; two street trees are located on the Project Area's Waltham Street frontage. Representative photographs of the Project Area are included in the **EAS**.

Study Area

The study area is generally bounded by 95th Avenue to the north, 147th Place to the east, 101st Avenue to the south, and Liverpool Street to the west. The study area contains approximately 214 buildings. The study area does not contain any open space resources.

Urban Design

A field survey was conducted on June 8, 2020 to document existing conditions in the study area. Conditions have been verified and have not changed from the date the photos were taken. Representative photographs of the study area are included in the discussion below; **Figure 5-1** provides a key map depicting the location and viewing direction from which each photograph was captured.

Figure 5-1 Urban Design Photo Location Map



The study area is generally divided by a typical grid with regularly shaped blocks, although Sutphin Boulevard, which runs due north to south through the study area and is a major north-south thoroughfare within the neighborhood, meets 146th Street to create a small triangular block. Liverpool Street, Waltham Street, and 147th Place also provide north to south access through the study area. Liberty Avenue, near the southeast boundary of the study area, is a major east to west thoroughfare that is also a major commercial and transportation corridor. Within the study area, 101st Avenue and 97th Avenue provide east to west access.

Street width varies, with the major roadways (i.e., Liberty Avenue and Sutphin Boulevard) generally wider than those local roadways (i.e., Waltham Street, 101st Avenue). Despite the difference in roadway width, the study area's streets otherwise share a similar design structure. Generally, concrete sidewalks interspersed with street trees and limited grassed areas line either side of the street. Parking is permitted on both sides of the area's streets and, as such, parked cars typically line the roadways (See **Photo 5-1** through **Photo 5-3**).

Sutphin Boulevard provides access to Jamaica Station, a major train, subway and bus terminal situated approximately two blocks north of the study area. Though outside of the study area, portions of the station are visible from within the same. Specifically, the uppermost rooftop of the station's train terminal, which is raised above the surrounding street network, is visible from certain views within the study area (see **Photo 5-1** and **Photo 5-3**). Other portions of the station are hidden from view, as they are either situated underground or blocked from view by the raised train terminal. Sutphin Boulevard also contains numerous bus stops, as do 101st Avenue and Liberty Avenue.

Buildings within the study area are a diverse assortment of shapes and forms, which closely correlate to land use. As discussed in **Section 2, Land Use, Zoning and Public Policy,** land use within the study area includes, among others, one-story warehouses and shops, attached and detached single-family residences, and taller commercial buildings. A summary of the buildings within the study area is provided in **Table 5-2**, below:

Table 5-2 Urban Design Elements in Study Area – Existing Conditions

Building Element	
Number of Buildings	214
Stories	1-9
Building Height Range (ft)	8 - 38
Average Building Height (ft):	21.6
Number of tax lots with less than 6 stories	161
Number of tax lots with 6 to 12 stories	3
Number of tax lots with greater than 12 stories	0
Streetwall Conditions	Varies: narrow front setbacks common for residential uses, more continuous for commercial and industrial uses
Lot Coverage	Varies: lower lot coverage for residential uses, high lot coverage for commercial uses

Notes:
Tax lot data based on information provided in MapPLUTO17v1.1 published by NYC DCP
Building height per the NYC Planimetric Database published by NYC DOITT (2016)

Residential uses are predominantly found in the westernmost and easternmost portions of the study area. Residential buildings are two- to three-stories in height, and typically contain gabled roofs. Façade treatments are predominantly comprised of brick and vinyl siding; in many cases, the ground floor is brick, while upper floors contain vinyl siding. The study area contains a mix of detached and attached houses. Attached houses typically contain two conjoined buildings, separated from neighboring attached houses by narrow concrete pathways. Detached houses are similarly separated from neighboring houses by concrete pathways and driveways. Streetwall conditions of the residential uses vary, though many houses contain narrow front yards improved with paved patio areas or minimal lawn and landscaped areas. Fencing, typically metal or chain-link, often line the boundaries of such front yards. Some houses are built up to the streetwall, or contain improvements (i.e., stoops) that are built to same (see **Photo 5-3** and **Photo 5-4**). The study area's multi-family walkup buildings have a similar design structure to that described above, though generally have flat roofs (see **Photo 5-5**).

Industrial uses are generally confined to Sutphin Boulevard and Liberty Avenue, though a few industrial uses are also found along 147th Place. Industrial uses are typically one-story, brick structures. Roofs are flat, and the buildings are built up to the streetwall. Many industrial uses are adjoined by their associated storage and material yards, which are commonly enclosed within chain-link fencing (see **Photo 5-4** and **Photo 5-6**).

Within the study area, commercial uses are similarly confined to the blocks adjoining Sutphin Boulevard and Liberty Avenue. Along Sutphin Boulevard, north of 97th Avenue, nearly all commercial uses are contained within two-story, mixed-use brick structures. Roofs are flat, though contain peaked parapet treatments. The ground floors contain awnings, signage and advertisements associated with the commercial uses. Ground floors also typically contain

large windows and commercial displays. The second stories contain the windows of the residential uses, but do not contain other notable design treatments (see **Photo 5-7**).

South of 97th Avenue, commercial uses along Sutphin Boulevard are more variable in height, ranging from one- to nine-stories. Buildings are generally set back farther from the adjoining sidewalks, providing concrete parking areas for the associated commercial uses. As opposed to the area described above (i.e., north of 97th Avenue), the two-story buildings in this area contain commercial uses on both floors. Thus, the second floors also contain the associated signage and advertisements (see **Photo 5-8** and **Photo 5-9**). This portion of the study area also contains several eight- and nine-story commercial hotel uses, including a 9-story hotel just south of the Development Site. These structures are tiered, such that lower floors are built up to the streetwall, but upper floors are set back progressively farther from the same. The commercial hotels are more modern in design; the facades are comprised of multi-colored concrete and glass, and the tiered roofs are typically improved with parapets (see **Photo 5-9** and **Photo 5-10**). Limited transportation uses, generally one-story metal structures, are also present (see **Photo 5-10**).

The study area also contains several parking areas, which includes both formalized private parking lots and vacant lots used for motor vehicle storage. In each case, chain-link fencing runs along the adjoining sidewalks, lining the lot boundaries. For those private parking lots, the chain-link fencing typically contains signage and advertisements for the same. The lots themselves contain striped parking spaces and streetlights (see **Photo 5-11**). Similar improvements are noted to be absent in the vacant lots used for motor vehicle storage (see **Photo 5-12**).

The study area does not contain any open space resources or natural features. The nearest open space resource, the Norelli-Hargreaves Memorial Triangle park, is located just beyond the study area, approximately 420 feet from the Development Site.

Figure 5-2 Representative Photographs of the Study Area

Photo 5-1 Facing north along Sutphin Boulevard, near 97th Avenue

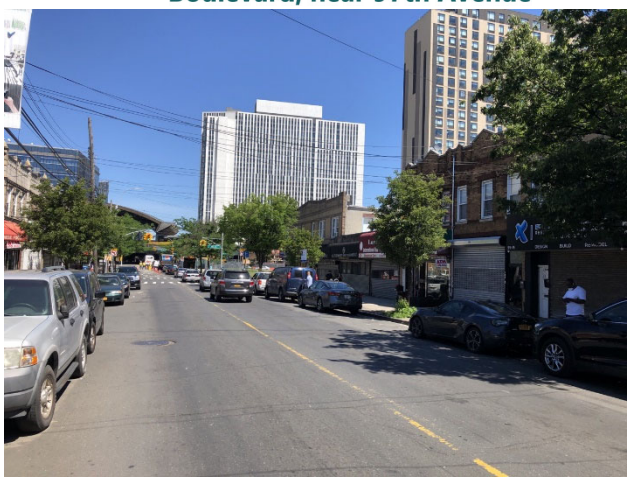


Photo 5-2 Facing south along Waltham Street, near 97th Avenue



Photo 5-3 Residential uses along Liverpool Street, near 97th Avenue, facing north



Photo 5-4 Single-family residential uses, with an industrial use beyond, along 147th Place, facing northwest



Figure 5-3 Representative Photographs of the Study Area

Photo 5-5 Multi-family walkup buildings near Liverpool Street and 97th Avenue, facing northwest



Photo 5-6 Industrial use near Liberty Avenue and 147th Place, facing northeast



Photo 5-7 Mixed-use buildings near the north side of Sutphin Boulevard and 97th Avenue, facing northeast



Photo 5-8 Commercial uses near the south side of Sutphin Boulevard and 97th Avenue, facing northeast



Figure 5-4 Representative Photographs of the Study Area

Photo 5-9 Commercial uses, including a hotel, along Sutphin Boulevard, from near Liberty Avenue, facing northwest



Photo 5-10 A commercial hotel use and transportation use along 147th Place, facing northwest



Photo 5-11 Private parking use near Sutphin Boulevard and 97th Avenue, facing northwest



Photo 5-12 Vacant lot used for motor vehicle storage, with commercial hotel uses beyond, near 101st Avenue and Waltham Street, facing northeast



Visual Resources

As discussed above, a visual resource is the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources.

As discussed in **Section 4, Historic Resources**, the study area does not contain any designated historic resources. Similarly, the study area does not contain any views of the

waterfront, public parks, landmark structures or districts. Based on the above, the study area does not contain any visual resources of note, and further analysis of visual resources is not warranted.

No-Action Condition

As described in **Section 1, Project Description,** absent the Proposed Actions (the future No-Action condition), the Development Site would be developed as-of-right under the existing C4-5X/DJ district. The as-of-right No-Action development would be a 10-story structure, which would be approximately 93 feet in height (with an additional 10-foot bulkhead) and contain approximately 99,500 gsf. The ground floor would contain the existing health center use, with the upper nine stories containing residential uses.

Independent of the future No-Action condition, several new developments would be completed within the study area, as discussed in **Section 2, Land Use, Zoning and Public Policy**. Specifically, as detailed in **Table 2-2,** four hotel uses are under development, each of which would be eight- to nine-stories in height, with a gsf ranging from approximately 28,000 to 52,000 SF. These four buildings indicate a trend towards more dense development, as set forth in the Jamaica Plan, discussed in **Section 2, Land Use, Zoning, and Public Policy**. The No-Action condition would contribute to this trend in the study area by introducing an additional multi-story building of similar size and structure. Considering these new developments, and that such structures are currently found directly west and south of the Development Site, the No-Action condition would be compatible with the scale and character of other buildings within the block.

With-Action Condition

In the With-Action condition, the Development Site would be rezoned to C6-3/DJ, and zoning text amendments would be made to designate the Project Area as an MIH area. The Development Site would subsequently be redeveloped with a 15-story structure, which would be approximately 160 feet in height (with an additional 9 feet of bulkhead) and contain approximately 146,200 gsf[1]. The ground floor would contain the existing health center use, with the upper stories containing low-income and supportive senior residential uses.

Similar to the No-Action condition, the With-Action condition would introduce a new multi-story, mixed-use building to the study area. Both conditions would have an active ground floor use on the Development Site in the form of the health center that would maintain the pedestrian experience on the block. Both conditions would have residential above, with the With-Action condition providing a greater number of units within the larger building. The bulk proposed under the With-Action condition would be consistent with the urban design character of the study area overall, and trends in the area. As described above, several projects in development would introduce multi-story structures ranging from eight- to nine-stories in height. Further, as with the No-Action condition, the proposed With-Action condition would site the multi-story structure on a lot currently bound to the west and south by other multi-story buildings of similar size and structure. The With-Action condition would

[1] The framework for analysis for the With-Action condition established in Section 1, Project Description, assumes a slightly larger floor area and unit count than in the Proposed Project.

be greater in height (i.e., five-stories and approximately 66 feet taller, not including bulkhead) than the No-Action condition. However, as shown in **Figure 5-5** below, the With-Action condition would include a continuous streetwall in addition to a setback after floor five that would match the design of the buildings to the south and west of the Development Site. The With-Action condition would therefore remain compatible with the scale and character of other buildings within the block. A comparison of the massings of the No-Action and With-Action conditions are depicted in **Figure 5-5**, below.

Figure 5-5 Comparative View of Development Site from Sutphin Boulevard, Facing Northwest.

No-Action



With-Action



Furthermore, although there would be additional bulk associated with the With-Action condition, it would accommodate additional residential space that would consist of 100

percent affordable senior units. The Development Site is located in an area of dense public transit options, making it an appropriate location within the larger neighborhood for such use and bulk.

Based on the foregoing, the With-Action condition would not result in changes to the urban design character of the study area consistent with those expected under the No-Action condition. As such, the With-Action condition would not result in significant adverse impacts with respect to urban design.

Conclusion

The study area does not contain any visual resources, nor does it contain any open space or natural resources that would be impacted by the With-Action condition. In comparison to the No-Action condition, the With-Action condition would introduce additional building height to the study area. However, given the building's setback designs and considering the presence of similarly structured buildings adjacent to the Development Site, the With-Action condition would be compatible with the scale and character of nearby buildings. Additionally, the With-Action condition would contribute to the study area's urban design character which, as a result of both existing and proposed developments, is transitioning to include greater building height. Overall, the With-Action condition would not result in significant adverse impacts with respect to urban design.

6

Air Quality

Ambient air quality, or the quality of the surrounding air, may be affected by air pollutants produced by motor vehicles, referred to as "mobile sources"; by fixed facilities, usually referenced as "stationary sources"; or by a combination of both. Under CEQR, an air quality assessment determines both a proposed project's effects on ambient air quality as well as the effects of ambient air quality on the project.

Introduction

This section examines the potential for air quality impacts from the Proposed Project, which would be located on the block bounded by 97th Avenue to the north, Sutphin Boulevard to the east, 101st Avenue to the south, and Waltham Street to the west. The Proposed Project would include approximately 129,700 gsf of residential use and 16,500 gsf of medical use (a federally qualified health center operated by the Community Healthcare Network) for a total of 146,200 gsf.

According to the 2020 *CEQR Technical Manual*, air quality impacts can be characterized as either direct or indirect impacts. Direct impacts result from emissions generated by stationary sources, such as stack emissions from on-site fuel burned for boilers and heating, ventilation, and air conditioning (HVAC) systems. Indirect effects are caused by off-site emissions associated with a project, such as emissions from on-road motor vehicles ("mobile sources") traveling to and from a development site.

Consistent with the *CEQR Technical Manual*, air quality analyses for a proposed project focus on three main areas of potential concern:

- Potential impacts from mobile sources introduced by or on a project.
- Potential impacts from potential air pollutant sources introduced by a project, such as:
  - Emissions from a project's heating, ventilation, and air conditioning (HVAC) system
  - Emissions from a project's parking facility.
- Potential impacts on the proposed project from either manufacturing/processing facilities or large/major sources that are located near the development site.

The Proposed Project would not introduce any parking. Additionally, the existing C.G. Parking site, which is approximately 60 feet north of the proposed building, has less than the CEQR transportation threshold of 85 parking spaces for the project area. As the facility is not sizeable and the proposed building is not a potential receptor, a parking facility analysis is not warranted. Therefore, the air quality analysis includes the following:

- An assessment of the potential for impacts from mobile sources introduced by the Proposed Project.
- An assessment of the project's HVAC systems and hot water equipment to affect the existing or proposed uses in the surrounding area. As noted in the EAS Technical Screenings section, an E-Designation is mapped on the Development Site for air quality, which places restrictions on the type of fuel to be used for any new residential and/or commercial development on the site. While the Proposed Project would comply with the requirements of the E-Designation, the Jamaica Plan EIS was published in 2007, and therefore, an updated analysis of the Proposed Project's potential to result in stationary source impacts and corresponding update to the E-Designation is provided;
- An assessment of impacts from the existing industrial or manufacturing uses on the Proposed Project; and
- An assessment of the impacts from large or major sources, i.e., sources with the Air State Facility or Title V permits on the Proposed Project.

Air Quality Standards

In accordance with the requirements of the Clean Air Act (CAA), as amended 1990, the U.S. Environmental Protection Agency (EPA) has promulgated National Ambient Air Quality Standards (NAAQS) (40 CFR part 50) for pollutants considered harmful to public health and the environment. The Clean Air Act established two types of national air quality standards. Primary standards set limits to protect public health, including the health of sensitive populations such as sick, children, and the elderly. Secondary standards set limits to protect public welfare, including protection against decreased visibility, damage to animals, crops, vegetation, and buildings.

The EPA Office of Air Quality Planning and Standards (OAQPS) has set NAAQS for six principal pollutants, which are called "criteria" pollutants. These six pollutants are ozone, carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulate matter less than 10 microns in diameter (PM_{10}) and less than 2.5 microns in diameter ($PM_{2.5}$), and lead (Pb). These standards are reviewed from time to time and may be revised.

The State of New York has adopted similar standards as those set by the EPA, with the exception of lead, total suspended particulates (TSP), particulate matter (PM_{10} and $PM_{2.5}$), and hydrocarbons. The NAAQS are presented in **6Photo 6-0Table 6-1**.

Table 6-1 National Ambient Air Quality Standards

Pollutant	Primary/ Secondary	Averaging Level	Level	Form
Carbon Monoxide (CO)	Primary	8 hours	9 ppm	Not to be exceeded more than once per year
		1 hour	35 ppm	
Lead (Pb)	Primary and secondary	Rolling 3-month average	0.15 µg/m^3 (1)	Not to be exceeded
Nitrogen Dioxide (NO_2)	Primary	1 hour	100 ppb	98th percentile of 1-hour daily maximum concentrations, averaged over 3 years
	Primary and secondary	1 year	53 ppb (2)	Annual mean
Ozone	Primary and secondary	8 hours	0.070 ppm (3)	Annual fourth-highest daily maximum concentration, averaged over 3 years
Particulate Matter ($PM_{2.5}$)	Primary	1 year	12.0 µg/m^3	Annual mean, averaged over 3 years
	Secondary	1 year	15.0 µg/m^3	Annual mean, averaged over 3 years
	Primary and secondary	24 hours	35 µg/m^3	98th percentile, averaged over 3 years
Particulate Matter (PM_{10})	Primary and secondary	24 hours	150 µg/m^3	Not to be exceeded more than once per year on average over 3 years
Sulfur Oxides	Primary	1 hour	75 ppb(4)	99th percentile of 1-hour daily maximum concentrations, averaged over 3 years
	Secondary	3 hours	0.5 ppm	Not to be exceeded more than once per year

Notes:

(1) In areas designated nonattainment for the Pb standards prior to the promulgation of the current (2008) standards, and for which implementation plans to attain or maintain the current (2008) standards have not been submitted and approved, the previous standards (1.5 µg/m3 as a calendar quarter average) also remain in effect.

(2) The level of the annual NO2 standard is 0.053 ppm. It is shown here in terms of ppb for the purposes of clearer comparison to the 1-hour standard level.

(3) Final rule signed October 1, 2015, and effective December 28, 2015. The previous (2008) O3 standards additionally remain in effect in some areas. Revocation of the previous (2008) O3 standards and transitioning to the current (2015) standards will be addressed in the implementation rule for the current standards.

(4) The previous SO2 standards (0.14 ppm 24-hour and 0.03 ppm annual) will additionally remain in effect in certain areas: (1) any area for which it is not yet 1 year since the effective date of designation under the current (2010) standards, and (2)any area for which an implementation plan providing for attainment of the current (2010) standard has not been submitted and approved and which is designated nonattainment under the previous SO2 standards or is not meeting the requirements of a SIP call under the previous SO2 standards (40 CFR 50.4(3)). A SIP call is a USEPA action requiring a state to resubmit all or part of its State Implementation Plan to demonstrate attainment of the required NAAQS.

Source: EPA NAAQS Table, https://www.epa.gov/criteria-air-pollutants/naaqs-table, accessed May 2020

In addition to criteria pollutants, there are other pollutants, air toxics, not included by the EPA in the list of principal pollutants. Non-criteria pollutants are emitted by a wide range of man-made and naturally occurring sources. These pollutants are sometimes referred to as hazardous air pollutants (HAP) and when emitted from mobile sources, as Mobile Source Air Toxics (MSATs). No federal ambient air quality standards have been promulgated for toxic air pollutants. However, EPA and New York State Department of Environmental Conservation (NYSDEC) have issued guidelines that establish acceptable ambient levels for these pollutants based on human exposure.

Regulatory Context

The 1990 CAA with Amendments resulted in states being divided into attainment and non-attainment areas, with classifications based upon the severity of their air quality problems. Air quality control regions are classified and divided into one of three categories: attainment, unclassified, or non-attainment depending upon air quality data and ambient concentrations of pollutants. Attainment areas are regions where ambient concentrations of a pollutant are below the respective NAAQS; non-attainment areas are those where concentrations exceed the NAAQS. Maintenance areas are former non-attainment that achieved attainment. An unclassified area is a region where data are insufficient to make a determination and is generally considered as an attainment area for administrative purposes. A single area can be in attainment of the standards for some pollutants while being in non-attainment for others.

Queens County is designated as a serious non-attainment area for 2008 8-hour ozone standard and a moderate non-attainment area for the 2015 8-hour ozone standard. Both designations are a part of a larger New York-Northern New Jersey-Long Island, NY-NJ-CT non-attainment area. The area has been designated a maintenance area for the CO standard as of May 20, 2002 and for the 2006 $PM_{2.5}$ standard as of April 18, 2014. Queens County is in attainment for all other criteria pollutants (PM_{10}, Pb, NO_2, and SO_2).

Pollutants of Concern

Air pollution is of concern because of its demonstrated effects on human health. Of special concern are the respiratory effects of the pollutants and their potential toxic effects, as described below. The Proposed Project would use a natural gas-fired boiler for its HVAC system; the main pollutant of concern in such systems is nitrogen dioxide (NO_2). The main pollutants of concern from industrial and manufacturing uses in the area are particulate matter and non-criteria pollutants (air toxics).

Nitrogen oxides (NO_X), the most significant of which are nitric oxide (NO) and NO_2, can occur when combustion temperatures are extremely high (such as in engines) and atmosphere nitrogen gas combines with oxygen gas. NO is relatively harmless to humans but quickly converts to NO_2. Nitrogen dioxide has been found to be a lung irritant and can lead to respiratory illnesses. Nitrogen oxides, along with volatile organic compounds (VOCs), are also precursors to ozone formation.

Particulate matter is made up of small solid particles and liquid droplets. PM_{10} refers to particulate matter with a nominal aerodynamic diameter of 10 micrometers or less, and $PM_{2.5}$ refers to particulate matter with an aerodynamic diameter of 2.5 micrometers or less. Particulates can enter the body through the respiratory system. Particulates over 10

micrometers in size are generally captured in the nose and throat and are readily expelled from the body. Particulates smaller than 10 micrometers, and especially particles smaller than 2.5 micrometers, can reach the air ducts (bronchi) and the air sacs (alveoli) in the lungs. Particulates are associated with increased incidence of respiratory diseases, cardiopulmonary disease, and cancer.

Non-criteria pollutants may be of concern in addition to the criteria pollutants discussed above. Non-criteria pollutants are emitted by a wide range of man-made and naturally occurring sources. These pollutants are sometimes referred to as HAP and when emitted from mobile sources, as MSATs. Emissions of non-criteria pollutants from industrial sources are regulated by the EPA.

Federal ambient air quality standards do not exist for non-criteria pollutants; however, NYSDEC has issued standards for certain non-criteria compounds, including beryllium, gaseous fluorides, and hydrogen sulfide. NYSDEC has also developed guidance document DAR-1 (August 2016), which contains a compilation of annual and short term (1-hour) guideline concentration thresholds for these compounds. The NYSDEC's DAR-1 guidance thresholds represent ambient levels that are considered safe for public exposure. EPA has also developed guidelines for assessing exposure to non-criteria pollutants. These exposure guidelines are used in health risk assessments to determine the potential effects to the public.

Impact Criteria

The predicted concentrations of pollutants of concern associated with a Proposed Project are compared with either the NAAQS for criteria air pollutants or ambient guideline concentrations for non-criteria pollutants. In general, if a project would cause a standard or a guideline for any pollutant to be exceeded, it would likely result in a significant adverse air quality impact.

Background Concentrations

Background concentrations are ambient pollution levels associated with existing stationary, mobile, and other emission sources from the area and not associated with the Proposed Project. The latest three years of monitoring data, 2017 to 2019, from the Queens College monitoring station at 65-30 Kissena Boulevard were used to develop background concentrations presented in **Table 6-2**.[1] These concentrations were estimated using the form of the NAAQS for each pollutant (see **Table 6-1**, column Form for information).

[1]Background concentrations were based on the data obtained from the US EPA Monitor Values Report at https://www.epa.gov/outdoor-air-quality-data/monitor-values-report.

Table 6-2 Background Concentrations

Pollutant	Averaging Time	Monitoring Location	Background Concentration
Nitrogen Dioxide	1-Hour	Queens College	104 µg/m^3
	Annual		27.5 µg/m^3
Particulate Matter ($PM_{2.5}$)	24-Hour	Queens College	17.7 µg/m^3
	Annual		6.8 µg/m^3
Particulate Matter (PM_{10})	24-Hour	Queens College	38 µg/m^3

Source: VHB, Inc. June 2020

Methodology

Mobile Source Intersection Analysis

A screening analysis of mobile source emissions of CO and PM on ambient pollutant levels in the study area was conducted per *CEQR Technical Manual* guidance using the preliminary trip generation analysis output from DCP's CEQR App. For the project's study area, as described in Chapter 17, Sections 210 and 311 of the *CEQR Technical Manual*, the threshold for conducting an analysis of CO emissions corresponds to 170 project-generated vehicles at a given intersection in the peak hour. The need for conducting an analysis of PM emissions is based on road type and the number of project-generated peak hour heavy-duty diesel vehicles (or its equivalency in vehicular $PM_{2.5}$ emissions) as determined using the worksheet provided on page 17-12 of the *CEQR Technical Manual*.

HVAC Analysis

As described in Section 220 and Section 322 in Chapter 17 of the *CEQR Technical Manual*, for single-building projects that would use fossil fuels (i.e., No. 2 fuel oil or natural gas) for its HVAC system, a preliminary stationary source screening analysis is typically warranted to evaluate the potential for impacts from the project's HVAC system on existing buildings. The *CEQR Technical Manual* provides screening nomographs based on a project's fuel type, stack height, and floor area and the minimum distance from the source to the nearest receptor buildings with similar or greater height. There are three different curves representing three different stack heights (30 feet, 100 feet and 165 feet) on the figures, and the height closest to but not higher than the proposed stack height should be selected. Based on the development size, if the distances from the Development Site to the nearest buildings of similar or greater height are less than the minimum required distance determined, there is the potential for a significant air quality impact from the project's HVAC system, and if the distance is greater, there is no potential for a significant air quality impact.

Industrial Source Analysis

As described in Section 220 and Section 322 in Chapter 17 of the *CEQR Technical Manual,* an air quality assessment is warranted to evaluate the potential impacts of air toxics emissions from ventilation exhaust systems of manufacturing or processing facilities within a 400-foot radius of a development site when a project would result in new sensitive uses (particularly residences, schools, hospitals, or parks). If any sources are identified, a screening analysis is

performed based on Table 17-3 in Chapter 17 of the *CEQR Technical Manual*. The screening table provides the maximum 1-hour, 8-hour, 24-hour and annual average modeled values based on a generic emission rate of 1 gram per second of a pollutant from a 20-foot tall point source for the distances between 30 feet and 400 feet from the receptor of same height. Potential impacts predicted from the industrial source of concern based on the screen table are compared with the short-term guideline concentrations (SGCs) and annual guideline concentration (AGCs) recommended in NYSDEC's DAR-1 AGC/SGC Tables. If a Proposed Project fails the above screening analysis, or the screening analysis methodology is not applicable to the project, further refined analysis using EPA's AERSCREEN and/or AERMOD model is warranted to determine any potential for significant adverse impacts.

Large or Major Source Analysis

As described in Section 220 and Section 322 in Chapter 17 of the *CEQR Technical Manual*, an air quality assessment is warranted to evaluate the potential impacts of emissions from a "large" or "major" emission source within a 1,000-foot radius of a development site. "Major" sources are identified as those sources located at Title V facilities that require Prevention of Significant Deterioration permits. "Large" sources are identified as sources located at facilities that require a State Facility Permit. A detailed analysis is usually performed for such sources, if any are identified, to determine any potential for significant adverse impact.

Assessment

Mobile Source Intersection Analysis

A screening analysis was conducted for the intersections near the project site. According to the DCP CEQR App, the project-generated maximum trip increment would be 26 vehicle trips during the PM peak hour. The Proposed Project would introduce both residential and community facility uses and include 2 entrances for each use. The proposed building would have a residential entrance on the frontage facing Sutphin Boulevard, and a community facility entrance on the frontage facing 97th Ave. The peak hour residential vehicle trips were conservatively assumed to be made along Sutphin Boulevard, which is an arterial road. Thus, the number of incremental vehicular trips for the intersections near the project site would be lower than the CEQR Technical Manual CO-based screening threshold of 170 vehicles per hour, and the $PM_{2.5}$-based screening threshold of 23 truck equivalents for arterial roads. Therefore, a refined assessment of on-street mobile source emissions from CO and PM is not warranted, and the Proposed Project would not result in significant adverse air quality impacts from mobile sources.

HVAC Analysis

As noted above, the 2007 Jamaica Plan EIS included an air quality E-Designation for the development site assuming a mixed-use residential and commercial building would be introduced on Block 10030, Lot 6. The E-Designation stated the following:

> *Any new residential and/or commercial development must use natural gas as the type of fuel for the HVAC) systems.*

The Proposed Project would meet the above requirement; however, because the (E) Designation was placed on the site in 2007, an updated HVAC analysis was prepared for the Proposed Project.

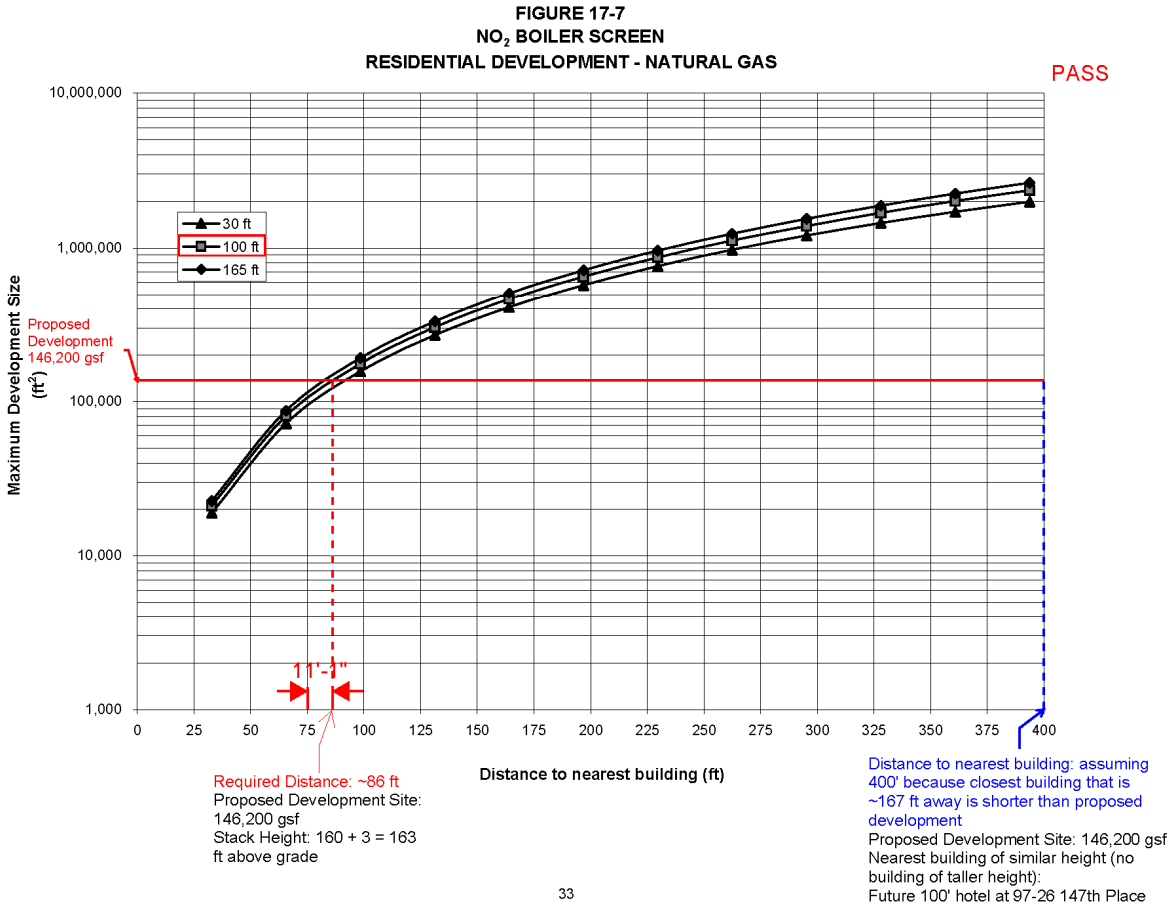
The Proposed Project would introduce an approximately 146,200-gsf, 160-foot tall, mixed-use building fronting 97th Avenue and Sutphin Boulevard. Consistent with *CEQR Technical Manual* guidelines, it is assumed that the stack would rise three feet above the roof for a total height of approximately 163 feet above grade.

A survey of existing residential land uses and other sensitive receptor sites within a 400-foot radius of the Proposed Project indicated that the proposed building would be the tallest building within 400 feet of the Development Site. The closest affected building to the Development Site would be a 9-story, 100-foot-tall transient hotel at 97-26 147th Place that is currently under construction.

A screening analysis was performed for the Proposed Project assuming a height of 163 feet above grade and a total development size of 146,200 square feet. Based on the proposed height and square footage, the minimum screening distance necessary to avoid potential adverse air quality impacts was determined to be approximately 86 feet for an HVAC system and hot water equipment using natural gas (see **Figure 6-1**). Since there were no buildings of equal or greater height to the Proposed Project, the minimum source to receptor distance was determined to be 400 feet, and the screening distance requirement for natural gas is met. Thus, no further analysis is necessary. To ensure that there are no significant adverse impacts from the HVAC system and hot water equipment of the Proposed Actions, an E-Designation (E-639) related to air quality would be established as part of the approval of the proposed actions. This E-Designation will supersede the prior E-Designation mapped on the Projected Development Site, Block 10030, Lot 6, as a result of the 2005 Downtown Jamaica Redevelopment Plan (CEQR No. 05DCP081Q, E-175). The language for the E-Designation related to air quality is as follows:

> *Block 10030, Lot 6:*
>
> *Any new residential and/or commercial development on the above-referenced property must use natural gas as the type of fuel for heating, ventilating, and air conditioning (HVAC) system and hot water equipment and ensure the HVAC system and hot water equipment stack is located at the highest tier and at least 163 feet above the grade to avoid any potential significant adverse air quality impacts.*

Figure 6-1 Proposed Building – Natural Gas Screening



Industrial Source Analysis

To assess potential air quality impacts on the Proposed Project from existing industrial sources that emit toxic air contaminants, an investigation of existing land uses within a 400-foot radius of the project block was conducted to identify potential sources and determine if there are active permits associated with those sources.

As a first step, land use maps were reviewed to identify surrounding land uses that could have New York City Department of Environmental Protection (NYCDEP)-issued industrial permits (i.e., sites classified as Industrial/Manufacturing, Transportation/Utility, Commercial/Office Buildings or Public Facilities/Institutions). Once the potential facilities were identified, the NYCDEP's Clean Air Tracking System (NYCDEP CATS) was reviewed to assess whether the potential facilities have associated permits. **Table 6-3** lists these potential land uses.

Table 6-3 Industrial Sources within 400 Feet of the Project Block

Address	Block	Lot	Land Use[1]	Lot Owner Name[1]	NYCDEP CATS
9715 Sutphin Blvd	10031	12	Transportation/Utility	-	No NYCDEP permit - JDJ Auto Repair Shop
9514 Sutphin Blvd	10026	12	Transportation/Utility	-	No NYCDEP permit - Hygrade Auto Repair Shop
9511 Sutphin Blvd	10028	1	Commercial/Office Buildings	Atlas Transit Mix Corp.	PA104763

Source: NYCDEP's Clean Air Tracking System (NYCDEP CATS). https://a826-web01.nyc.gov/DEP.BoilerInformationExt/

As shown above, no permit records were found for the two auto repair shops within 400 feet of the project block. For purposes of a conservative analysis, it was assumed that both shops would have spray booths for paint spraying.

An industrial source screening analysis was conducted following the screening procedures outlined in the *CEQR Technical Manual*, Subsection 322.1 for the sources listed above. For permit PA104763, emission rates for pollutants of concern were directly obtained from the permits provided by NYCDEP. Since no permit was issued and no realistic operation data was available for "JDJ Auto Repair" at 9715 Sutphin Boulevard and "Hygrade Auto Repair" at 9514 Sutphin Boulevard, generic analyses were conducted using reasonably conservative assumptions regarding paint usage, types of pollutants, and emission rate breakdown for each type of pollutant from a typical auto body spray booth.

JDJ Auto Repair and Hygrade Auto Repair – No NYCDEP Permits

Solids and solvents (VOCs) in automobile paint could be emitted into the atmosphere during the spraying of paint.

Particulate Matter

Per NYCDEP guidance, solids in the paint need to be considered as particulate matter ($PM_{2.5}$ and PM_{10}). As such, $PM_{2.5}$ and PM_{10} emission rates were estimated using emission rate of solids based on transfer efficiency of spray booth operation and particle control efficiency, if applicable. According to Section 4.2.2.8, "Automobile and Light Duty Truck Surface Coating Operations", from EPA AP-42, the transfer efficiency (i.e., the fraction of the solids in the total coating consumed that remains on the painted automobile parts), varies with the type of application technique. It ranges from 30-to-50 percent for typical air-atomized spraying and can increase to 60-to-95 percent for electrostatic spraying. Due to lack of information on the type of application technique for the potential paint spraying at the two auto body shops, the lower, conservative transfer efficiency of 40 percent was assumed, which means about 60 percent of the solids will be released into atmosphere.

EPA AP-42, Appendix B1, "Particle Size Distribution Data and Sized Emissions Factors for Selected Sources", was used to estimate $PM_{2.5}$ and PM_{10} fractions in total particulate matter based on cumulative particle size distribution for surface-coating operations via spray booths. 28.6 percent of the total mass of particulate matter emitted from spray booth operations was considered to be $PM_{2.5}$ and 46.7 percent was considered to be PM_{10}.

VOCs

In accordance with NYCDEP guidance, if a permit for spray booth operations contains only emission rates for a whole group of VOCs but no emission rates for individual VOC-based solvents, which would enable comparison to NYSDEC DAR-1 guideline values, an air toxics analysis should conservatively assume that 100 percent of the solvents contained in a paint would be released into the atmosphere. Therefore, emission rates of the solvents should be calculated by multiplying hourly paint usage rates, in pounds per hour (lb/hr), by the weight percentage of each ingredient in the paint.

As there was no adequate permit information or Material Safety Data Sheet (MSDS) regarding the composition of a paint's ingredients and their weight percentages, a generic report of an auto body spray booth approved by DCP was used as a reference for typical composition of VOC emissions from an auto spray paint booth.

The following assumptions were made to calculate the hourly and annual emission rates of solids and solvents[2]:

- The facility operates four hours per day, and 250 days per year;
- A gallon of auto paint could weigh from six to fifteen pounds, depending on the ingredients. For the purpose of this analysis, a typical weight of ten pounds was used;
- The paint contains 50 percent solids and 50 percent VOCs;
- A transfer efficiency of 40 percent was assumed for solids, which means 60 percent of the solids will be released into atmosphere;
- 28.6 percent of the total mass of particulate matter emitted from spray booth operations is $PM_{2.5}$ and 46.7 percent of the total mass of particulate matter is PM_{10};
- VOC-based emission rates will be estimated based on the hourly emission rates of solvents; and the weight percentage of each ingredient as shown in the generic report.

Atlas Transit Mix Corp. – PA104763

Hourly and annual emission rates of particulate matter from the Atlas Transit Mix Corporation concrete batching plant were obtained from the permit records.

Results

The screening analysis results for all of the industrial sources, which are presented in **Table 6-4**, were estimated using the *CEQR Technical Manual* guidelines, as stated in the methodology above. The results indicate that the combined predicted short-term and annual concentrations of each pollutant do not exceed the SGCs, AGCs or the NAAQS. As such, no significant air quality impacts are expected from the industrial sources on the Proposed Project.

[2] The assumptions were made using the Solow Air Quality Report and AP42 Appendix B1.

Table 6-4 Cumulative Industrial Source Analysis Results

Chemical Name	CAS	Total Short-term Concentration (µg/m3)	SGC / NAAQS (µg/m3)	Total Annual Concentration (µg/m3)	AGC / NAAQS (µg/m3)
Solids ($PM_{2.5}$)	NY075-02-5	30	**35**	7.75	**12**
Solids (PM_{10})	NY079-00-0	54	**150**	-	-
Acetone	00067-64-1	321	**180,000**	1.90	**30,000**
Aliphatic Hydrocarbon	64742-89-8	-	-	0.44	**3,200**
Aromatic Petroleum distillates	64742-94-5	-	-	0.22	**100**
Butane	00106-97-8	82	**238,000**	-	-
Ethanol	00064-17-5	-	-	0.09	**45,000**
Ethyl 3-Ethoxypropionate	00763-69-9	67	**140**	0.40	**64**
Ethylbenzene	00100-41-4	-	-	0.22	**1,000**
Methyl Ethyl Ketone	00078-93-3	60	**13,000**	0.35	**5,000**
N-Butyl Acetate	00123-86-4	37	**95,000**	0.22	**17,000**
Propane	00074-98-6	-	-	0.48	**43,000**
Stoddard Solvent	08052-41-3	-	-	0.44	**900**
Toluene	00108-88-3	75	**37,000**	0.44	**5,000**
Xylene	01330-20-7	75	**22,000**	0.44	**100**

Note: The estimated PM concentrations include background concentrations from Table 6-2.

Large or Major Source Analysis

To assess the potential impacts of any "large" or "major" sources on the Proposed Project, the NYSDEC Title V and State Facility Permit websites were reviewed along with aerial photos provided by Google and Bing.[3,4] Based on this review, there are no existing "large" or "major" emission sources within a 1,000-foot radius of the project block. Therefore, no significant adverse impacts from existing "large" or "major" emission sources on the Proposed Project are anticipated, and no further analysis is warranted.

[3] NYSDEC Title V- http://www.dec.ny.gov/dardata/boss/afs/issued_atv.html

[4] State Permit- http://www.dec.ny.gov/dardata/boss/afs/issued_asf.html

Conclusion

The Proposed Project would generate vehicle trips that would be lower than the *CEQR Technical Manual* screening thresholds for a mobile source analysis. Parking facilities are not a part of the Proposed Project, and existing parking facilities would not affect the Proposed Project. Therefore, no significant mobile source air quality impacts are expected from or on the Proposed Project.

The HVAC screening analysis demonstrated that there would be no significant adverse impacts from the proposed building's HVAC system and hot water equipment. The E-Designation on the Development Site from the Jamaica Plan EIS was updated to ensure that there would be no impacts.

Lastly, no significant adverse impacts are expected from existing industrial sources within a 400-foot radius of the project block, and no large or major emission sources were identified in a 1,000-foot radius of the development site.

Therefore, there would be no significant adverse air quality impacts as a result of the Proposed Actions.

7

Noise

This section presents the results of the noise assessment to determine whether the requested discretionary land use action(s) and the proposed development project would increase noise exposure at existing receptors and whether new receptors that would be introduced by the Proposed Project would be in an acceptable ambient noise environment.

Introduction

The Proposed Actions would result in the demolition of the existing health clinic on the Development Site and facilitate the development of a new 15-story building that would house a new and expanded federally qualified health center (FQHC) on the ground and cellar floors and low-income and supportive senior housing, including residential accessory space for supportive housing services.

A noise assessment is required as the Proposed Actions would introduce new noise-sensitive receptors to the Development Site. The purpose of the noise assessment under CEQR is to determine if:

- The Proposed Actions would significantly increase sound levels from mobile and stationary sources at existing noise receptors adjacent to the Development Site, including but not limited to residential, commercial, and institutional land uses; and
- New noise receptors introduced at the Development Site would be in an acceptable ambient sound level environment.

Per the *2020 CEQR Technical Manual*, a noise analysis is appropriate if an action would generate mobile or stationary sources of noise or would be located in an area with high ambient noise levels. Mobile sources include vehicular traffic; stationary sources include rooftop equipment such as emergency generators, cooling towers, and other mechanical equipment.

The noise assessment includes the following:

- Background on metrics used to describe noise;
- The methodology and criteria used to assess potential impacts;
- An assessment of the potential for the Proposed Development to significantly affect existing receptors due to the introduction of new mobile or stationary sources;
- Results from ambient sound level monitoring conducted as part of a previous environmental impact assessment in Queens Community District 12; and
- An evaluation of the ambient sound levels at new receptor locations.

Noise Background

Noise is defined as unwanted or excessive sound. Sound becomes unwanted when it interferes with normal activities such as sleep, work, or recreation. How people perceive sound depends on several measurable physical characteristics. These factors include:

- Level - Sound level is based on the amplitude of sound pressure fluctuations and is often equated to perceived loudness.
- Frequency - Sounds are comprised of acoustic energy distributed over a variety of frequencies. Acoustic frequencies, commonly referred to as tone or pitch, are typically measured in Hertz (Hz). Pure tones have energy concentrated in a narrow frequency range and can be more audible to humans than broadband sounds. Sound levels are most often measured on a logarithmic scale of decibels (dB). The decibel scale compresses the audible acoustic pressure levels which can vary from the threshold of hearing (0 dB) to the threshold of pain (120 dB). Because sound levels are measured in dB, the addition of two sound levels is not linear. Adding two equal sound levels results in a 3 dB increase in the overall level. Research indicates the following general relationships between sound level and human perception:
  - A 3-dB increase is a doubling of acoustic energy and is the threshold of perceptibility to the average person.
  - A 10-dB increase is a tenfold increase in acoustic energy and is perceived as a doubling in loudness to the average person.

Audible sound is comprised of acoustic energy over a range of frequencies typically from 20 to 20,000 Hz. The human ear does not perceive sound levels at each frequency as equally loud. To compensate for this phenomenon in perception, a frequency filter known as A-weighting (dBA) is used to evaluate environmental noise levels. **Table 7-1** presents a list of common outdoor and indoor sound levels.

Table 7-1 Common Indoor and Outdoor Sound Levels

Outdoor Sound Levels	Sound Pressure µPa		Sound Level dBA	Indoor Sound Levels
	6,324,555	-	110	Rock Band at 5 m
Jet Over-Flight at 300 m		-	105	
	2,000,000	-	100	Inside New York Subway Train
Gas Lawn Mower at 1 m		-	95	
	632,456	-	90	Food Blender at 1 m
Diesel Truck at 15 m		-	85	
Noisy Urban Area—Daytime	200,000	-	80	Garbage Disposal at 1 m
		-	75	Shouting at 1 m
Gas Lawn Mower at 30 m	63,246	-	70	Vacuum Cleaner at 3 m
Suburban Commercial Area		-	65	Normal Speech at 1 m
	20,000	-	60	
Quiet Urban Area—Daytime		-	55	Quiet Conversation at 1 m
	6,325	-	50	Dishwasher Next Room
Quiet Urban Area—Nighttime		-	45	
	2,000	-	40	Empty Theater or Library
Quiet Suburb—Nighttime		-	35	
	632	-	30	Quiet Bedroom at Night
Quiet Rural Area—Nighttime		-	25	Empty Concert Hall
Rustling Leaves	200	-	20	
		-	15	Broadcast and Recording Studios
	63	-	10	
		-	5	
Reference Pressure Level	20	-	0	Threshold of Hearing

µPA MicroPascals describe pressure. The pressure level is what sound level monitors measure.
dBA A-weighted decibels describe pressure logarithmically with respect to 20 µPa (the reference pressure level).
Source: Highway Noise Fundamentals, Federal Highway Administration, September 1980.

Because sound levels change over time, a variety of sound level metrics can be used to describe environmental noise. The following is a list of sound level descriptors that are used in the noise analysis:

- L_{10} is the sound level which is exceeded for 10 percent of the time during a given time period. Therefore, it represents the higher end of the range of sound levels. The unit is commonly used in the *2020 CEQR Technical Manual* to evaluate acceptable thresholds for noise exposure for new receptors that would be introduced by a proposed development.
- L_{eq} is the energy-average A-weighted sound level. The L_{eq} is a single value that is equivalent in sound energy to the fluctuating levels over a period of time. Therefore, the L_{eq} considers how loud noise events are during the period, how long they last, and how many times they occur. L_{eq} is commonly used to describe environmental noise and relates well to human annoyance. In accordance with the *2020 CEQR Technical Manual*, the L_{eq} sound level is used to assess the potential for significant increases in noise due to a proposed development at existing receptors in the study area.

Assessment Methodology

This noise analysis considers two receptor types when evaluating noise for the Proposed Project: existing and new receptor(s). Since the Proposed Actions would introduce new housing units, these are considered "new receptors." The analysis also considers "existing receptors" which are the current noise-sensitive uses such as commercial and residential properties surrounding the Development Site. The following describes the results of the noise assessment for these two types of receptors.

Noise Assessment for Existing Receptors

Noise impact at existing nearby sensitive receptors is assessed according to the relative increase between No-Action and With-Action sound levels. Noise impact is assessed according to the increase in the L_{eq} sound level in accordance with the *2020 CEQR Technical Manual*. If mobile or stationary sources associated with the Proposed Development would increase L_{eq} sound levels by 3 dB or more and absolute levels would exceed 65 dBA L_{eq}, the Proposed Actions would cause a significant adverse impact prior to mitigation. Additionally, if No-Action condition noise levels are 60 dBA L_{eq} or less, a 5-dB increase would be considered a significant adverse noise impact.

Mobile Sources

Since the With-Action scenario would not generate sufficient vehicular traffic to exceed the threshold for a detailed transportation analysis according to Table 16-1 in the *2020 CEQR Technical Manual*, the Proposed Actions would not result in a doubling of noise passenger car equivalents (PCEs), which would be necessary to cause a 3-dBA increase in noise levels. Therefore, the Proposed Project would not cause a significant adverse vehicular noise impact.

Stationary Sources

The Proposed Project is not anticipated to include any substantial stationary source noise generators, such as unenclosed cooling or ventilation equipment, loudspeaker systems, stationary diesel engines, car washes, or other similar types of uses. The design and specifications for the mechanical equipment, such as heating, ventilation, and air conditioning, are not known at this time. As the project design advances, mechanical equipment will be selected that incorporates sufficient noise reduction to comply with applicable noise regulations and standards, including the standards contained in the revised New York City Noise Control Code. This will ensure that mechanical equipment does not result in any significant increases in noise levels by itself or cumulatively with other project noise sources.

Noise Assessment for New Receptors

With-Action noise conditions at new sensitive receptors that would be introduced by the Proposed Actions are evaluated according to absolute exterior sound level. The noise exposure guidelines for acceptable ambient conditions depend on the type of land use; for residential buildings, the goal is to maintain interior noise levels of 45 dBA or lower. With-

Action exterior sound levels are evaluated to determine if receptors would be in an acceptable ambient sound level environment. It is generally assumed that without specific information on a building's window and wall construction, the outdoor-to-indoor noise reduction of the building is 25 decibels. Therefore, exterior ambient sound levels exceeding 70 dBA at residential receptors (which would equate to an interior noise level of 45 dBA) are considered to be Marginally Unacceptable and the need to provide window/wall sound attenuation that is sufficient to reduce interior sound levels to acceptable levels must be considered.

Since the Proposed Actions would introduce new housing units to the Development Site, the highest L_{10} sound level is used to evaluate whether the Proposed Actions would introduce new receptors into an acceptable noise environment. The analysis presents the results of ambient noise monitoring that was conducted in Queens Community District 12 as part of the Jamaica Plan Environmental Impact Statement (EIS) (CEQR No. 05DCP081Q) and the assessment of whether new receptors would be in a high ambient noise environment.

Noise Exposure Guidelines

The *2020 CEQR Technical Manual* provides noise exposure guidelines for assessing ambient noise conditions at new residential and commercial receptors, as shown in **Table 7-2**.

Table 7-2 Noise Exposure Guidelines for Use in City Environmental Impact Review

Receptor Type	Time Period	Acceptable External Exposure	Marginally Acceptable External Exposure	Marginally Unacceptable External Exposure	Clearly Unacceptable External Exposure
Community Facility	All Times	$L_{10} \leq 65$ dBA	65 < L10 ≤ 70 dBA	70 < L10 ≤ 80 dBA	L10 > 80 dBA
Residence	7 AM to 10 PM				
Residence	10 PM to 7 AM	$L_{10} \leq 55$ dBA	55 < L10 ≤ 70 dBA	70 < L10 ≤ 80 dBA	L10 > 80 dBA

Source: Table 19-2, *2020 CEQR Technical Manual.*

Existing Sound Levels

Existing sound levels in the study area have been evaluated based on previous measurements conducted for another approved project. These noise measurements provide a more regional assessment of the ambient noise conditions in the study area rather than specific noise conditions at the proposed Development Site. The primary factor relating to ambient noise condition is the proximity to transportation sources such as roads and trains and the volume of traffic and train activity present.

Noise monitoring was conducted between May 18 and May 31, 2006 at five locations on a Tuesday, Wednesday, or Thursday near the 97-04 Sutphin Boulevard study area as part of the Jamaica Plan EIS (see **Figure 7-1**). **Table 7-3** presents the L_{eq}, L_{01}, L_{10}, L_{50} and L_{90} sound levels measured during weekday morning (7:15 AM to 9:15 AM), midday (11:00 AM to 2:30 PM), and afternoon (4:30 to 6:30 PM) peak periods.

Measurements were conducted for 20-minutes as roadway traffic was the predominant source of noise. Based on review of the Jamaica Plan EIS, these noise measurements were

conducted in accordance with the *CEQR Technical Manual*. Noise monitors were placed with a minimum of four feet between the microphone and nearby reflecting surfaces.

Table 7-3 summarizes the 2006 measurement results from the Jamaica Plan. The measured Leq levels ranged from 56 dBA to 76 dBA and the L_{10} levels ranged between 58 dBA and 79 dBA. **Table 7-3** presents the increases between the measured sound levels in 2006 to the Jamaica Plan With-Action condition (2015) at Site A (Jamaica Plan Site 18) and Site D (Jamaica Plan Site 36). This table also presents the increase in ambient noise levels based on background traffic growth between 2015 and the With-Action condition for this project (2024). The background growth is assumed to be 0.25 percent per year between 2015 and 2020 and 0.125 percent between 2020 and 2024. The overall increase in traffic volume is 1.8 percent between 2015 and 2020 which results in a 0.1 dBA increase in noise based on proportional traffic noise modeling.

Table 7-3 Jamaica Plan Sound Level Measurements (2006) (dBA)

Receptor	Monitoring Location	Period	L_{eq}	L_1	L_{10}	L_{50}	L_{90}
A	Sutphin Boulevard and 94th Avenue (Jamaica Plan Site 18)	Morning	75.4	85.2	78.5	72.3	67.1
		Midday	72.7	81.5	76.6	69.1	64.4
		Evening	75.1	82.7	78.4	73.0	68.3
B	147th Place between Liberty and 97th Avenues (Jamaica Plan Site 19)	Morning	60.1	67.8	62.5	58.3	56.1
		Midday	55.8	63.3	57.8	53.7	51.1
		Evening	59.6	70.4	61.4	56.8	54.2
C	101st Avenue between Cresskill Place and Brisbin Street (Jamaica Plan Site 34)	Morning	68.5	78.5	71.4	65.4	57.2
		Midday	62.9	73.8	65.8	57.5	51.7
		Evening	63.3	74.0	66.2	59.6	52.4
D	Liberty Avenue and Sutphin Boulevard (Jamaica Plan Site 36)	Morning	75.9	83.7	79.1	73.6	68.9
		Midday	75.6	84.9	79.3	71.9	67.2
		Evening	74.8	83.8	77.9	71.6	67.7
E	95th Avenue between 143rd Street and 138th Place (Jamaica Plan Site 60)	Morning	63.2	75.0	64.8	58.0	53.0
		Midday	65.5	79.0	66.0	57.0	52.8
		Evening	61.6	71.8	64.2	58.4	54.0

Measurements conducted between May 18 and May 31, 2006 for the Jamaica Plan EIS.

Table 7-4 With-Action Sound Level Increases (dBA)

Receptor	Monitoring Location	Period	Jamaica Plan With-Action (2015) minus Jamaica Plan Measured/Existing (2006) [1]	Increase due to Background Traffic Growth (2015 to 2024)	Total Increase for With-Action Condition (2024)
A	Sutphin Boulevard and 94th Avenue (Jamaica Plan Site 18)	Morning	0.7	0.1	0.8
		Midday	0.7	0.1	0.8
		Evening	1.2	0.1	1.3
D	Liberty Avenue and Sutphin Boulevard (Jamaica Plan Site 36)	Morning	0.9	0.1	1
		Midday	1	0.1	1.1
		Evening	0.8	0.1	0.9

[1]Source: Jamaica Plan EIS.

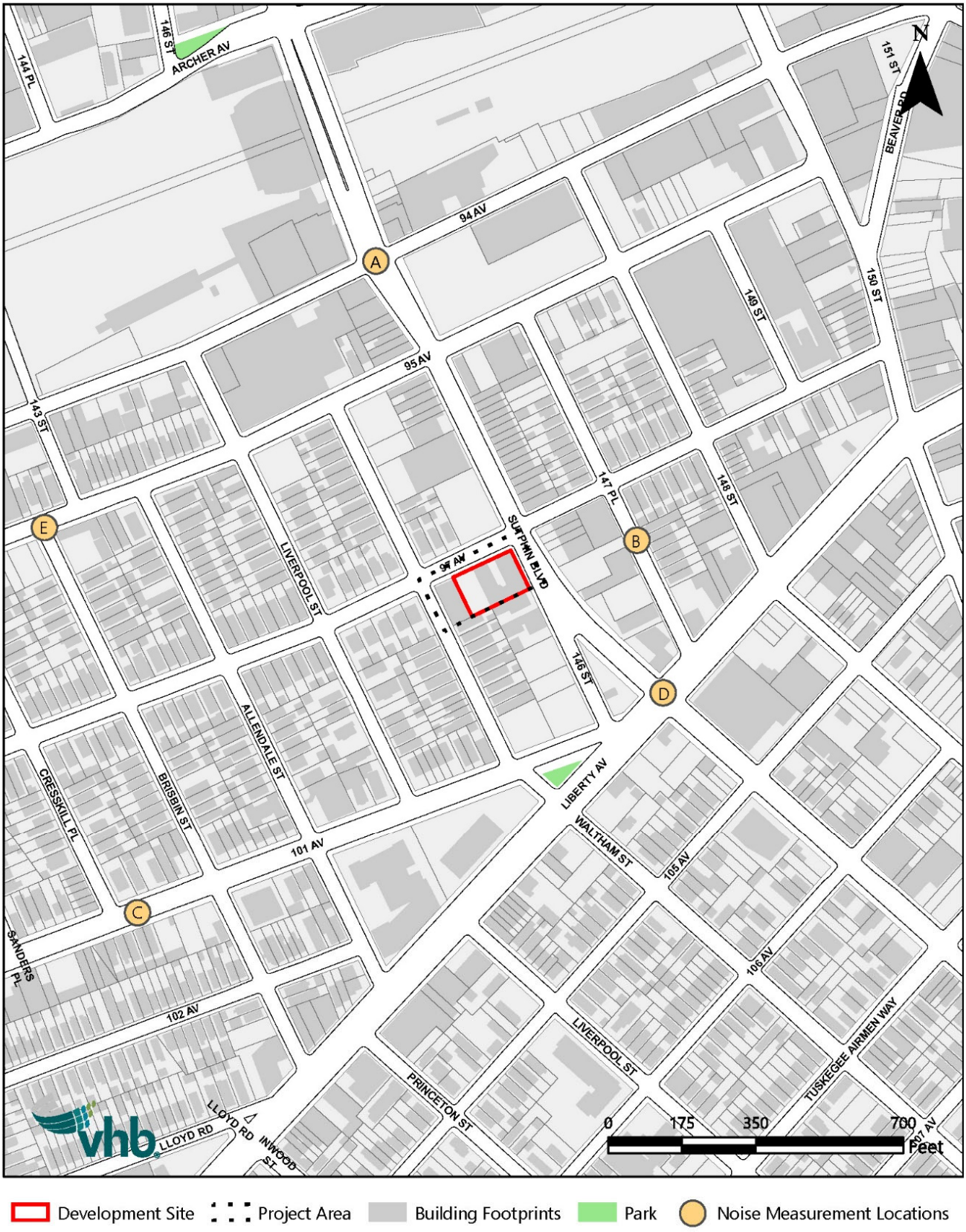
The total increase in noise for the With-Action condition has been applied to all measurement locations based on the proximity of Site A and Site D. The increases at Site A have been applied to Sites A and E and the increases at Site D have been applied to Sites B, C, and D. **Table 7-5** presents the With-Action (2024) sound levels.

Table 7-5 With-Action (2024) Predicted Sound Levels (dBA)

Receptor	Monitoring Location	Period	L_{eq}	L_1	L_{10}	L_{50}	L_{90}
A	Sutphin Boulevard and 94th Avenue (Jamaica Plan Site 18)	Morning	76.2	86	79.3	73.1	67.9
		Midday	73.5	82.3	77.4	69.9	65.2
		Evening	76.4	84	79.7	74.3	69.6
B	147th Place between Liberty and 97th Avenues (Jamaica Plan Site 19)	Morning	61.1	68.8	63.5	59.3	57.1
		Midday	56.9	64.4	58.9	54.8	52.2
		Evening	60.5	71.3	62.3	57.7	55.1
C	101st Avenue between Cresskill Place and Brisbin Street (Jamaica Plan Site 34)	Morning	69.5	79.5	72.4	66.4	58.2
		Midday	64	74.9	66.9	58.6	52.8
		Evening	64.2	74.9	67.1	60.5	53.3
D	Liberty Avenue and Sutphin Boulevard (Jamaica Plan Site 36)	Morning	76.9	84.7	**80.1**	74.6	69.9
		Midday	76.7	86	**80.4**	73	68.3
		Evening	75.7	84.7	**78.8**	72.5	68.6
E	95th Avenue between 143rd Street and 138th Place (Jamaica Plan Site 60)	Morning	64	75.8	65.6	58.8	53.8
		Midday	66.3	79.8	66.8	57.8	53.6
		Evening	62.9	73.1	65.5	59.7	55.3

Measurements based on Traffic Proportional Modeling for With-Action Year 2024.
[1]Based on Site 18.
[2]Based on Site 36.

Figure 7-1 Noise Study Area



Acceptability Assessment

The *2020 CEQR Technical Manual* provides noise exposure guidelines for assessing ambient sound levels, as shown in **Table 7-2**. Based on these noise exposure guidelines, noise impact has been assessed to determine the level of acceptability. Location D is assumed to have higher traffic volumes than other locations and is considered representative of the noise exposure for all facades of the development.

According to the noise exposure guidelines in the *CEQR Technical Manual*, existing L_{10} sound levels at Site D are up to 80.4 dBA and are Clearly Unacceptable. Based on the finding of Clearly Unacceptable sound levels, sufficient outdoor-to-indoor sound attenuation of the window/wall must be specified to provide acceptable sound attenuation for interior spaces at the Development Site.

Noise Attenuation Measures

The most common measure for reducing interior noise from ambient sources is to specify sufficient outdoor-to-indoor sound attenuation. As shown in **Table 7-6**, the required level of attenuation varies based on the exterior sound levels and type of receptor. The composite outdoor-to-indoor transmission classification (OITC) value of the window-wall structure is used to determine the necessary sound attenuation. The minimum OITC required for all facades is 37 dBA.

Table 7-6 Required Attenuation Values to Achieve Acceptable Interior Noise Levels

		Marginally Unacceptable			Clearly Unacceptable
With-Action Sound Level	$70<L_{10}\leq73$	$73<L_{10}\leq76$	$76<L_{10}\leq78$	$78<L_{10}\leq80$	$80<L_{10}$
Attenuation [A]	(I) 28 dBA	(II) 31 dBA	(III) 33 dBA	(IV) 35 dBA	$36+(L_{10}-80)$[B] dBA

Note: [A] The above composite window-wall attenuation values are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would be 5 dBA less in each category. All of the above categories require a closed window situation and hence an alternate means of ventilation.

[B] Required attenuation values increase by 1 dBA increments for L_{10} values greater than 80 dBA.

Source: New York City Department of Environmental Protection (*2020 CEQR Technical Manual*, Table 19-3)

Sound attenuation measures would be achieved through construction materials and techniques with sufficient OITC-rated windows and walls. An alternate means of ventilation such as well-sealed air conditioners, package-terminal air conditioners, or central air conditioning is also required to allow windows to remain closed.

An E-Designation (E-639) related to noise would be newly established as part of the approval of the proposed actions. The prior E-Designation mapped on the Projected Development Site, Block 10030, Lot 6, as a result of the 2005 Downtown Jamaica Redevelopment Plan (CEQR No. 05DCP081Q, E-175) did not contain requirements related to noise. The language for the E-Designation related to noise for the following Development Site (Block 10030, Lot 6) is as follows:

> "In order to ensure an acceptable interior noise environment, future residential/community facility uses must provide a closed-window condition with a minimum of 37 dB(A) window/wall attenuation at all building façades to maintain an interior noise level not greater than 45 dB(A). In order to maintain a closed-window

condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners."

With this commitment, no significant adverse impacts related to noise are expected and no further analysis is warranted.

Conclusion

A noise assessment was conducted to determine whether the Proposed Actions would significantly increase sound levels from mobile and stationary sources at existing noise receptors adjacent to the Development Site, and if new noise receptors that would be introduced by the Proposed Actions would be in an acceptable ambient sound level environment.

As the Proposed Actions do not exceed the detailed transportation analysis thresholds of Table 16-1 in the *2020 CEQR Technical Manual*, it would not result in a doubling of noise PCEs, which would be necessary to cause a 3-dBA increase in noise levels. Therefore, the Proposed Project would not result in a significant adverse vehicular noise impact and the existing noise measurement results are representative of the With-Action vehicular noise conditions.

The Proposed Actions are not anticipated to include any substantial stationary source noise generators. The design and specifications for the building's mechanical equipment would incorporate sufficient noise reduction devices that would comply with applicable noise regulations and standards, including the standards contained in the revised New York City Noise Control Code.

Noise monitoring was previously conducted at five locations in Queens Community District 12 as part of the Jamaica Plan EIS by others. With-Action noise levels were evaluated based on the 2015 conditions described in the Jamaica Plan EIS and background traffic growth from 2015 to 2024. Based on maximum With-Action (2024) L_{10} sound level up to 80.4 dBA, a composite outdoor-to-indoor window/wall sound attenuation of 37 dBA or more is required on all façades to obtain acceptable interior noise conditions at the Development Site, as well as alternate means of ventilation such as well-sealed air conditioners, package-terminal air conditioners, or central air conditioning. This commitment would be enforced through an e-designation. With this commitment, no significant adverse impacts related to noise are expected and no further analysis is warranted.

Appendix A: LPC and SHPO Correspondence

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: LA-CEQR-Q (DEPARTMENT OF CITY PLANNING)
Project:
Address: 97-04 SUTPHIN BOULEVARD BBL: 4100300006
Date Received: 7/1/2020

[X**] No architectural significance**

[X**] No archaeological significance**

[ ] Designated New York City Landmark or Within Designated Historic District

[ ] Listed on National Register of Historic Places

[ ] Appears to be eligible for National Register Listing and/or New York City Landmark Designation

[ ] May be archaeologically significant; requesting additional materials

Gina Santucci 7/7/2020

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 35026_FSO_DNP_07072020.docx

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: 21DCP095Q (DEPARTMENT OF CITY PLANNING)
Project:
Address: 97-04 SUTPHIN BOULEVARD BBL: 4100300006
Date Received: 12/11/2020

[X**] No architectural significance**

[X**] No archaeological significance**

[ ] Designated New York City Landmark or Within Designated Historic District

[ ] Listed on National Register of Historic Places

[ ] Appears to be eligible for National Register Listing and/or New York City Landmark Designation

[ ] May be archaeologically significant; requesting additional materials

Comments: The LPC is in receipt of the EAS dated November, 2020. The document appears acceptable for historic resources.

Gina Santucci 12/18/2020

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 35026_FSO_GS_12182020.docx

NEW YORK STATE OF OPPORTUNITY. | Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

July 28, 2020

Allison McGovern
Senior Archaeologist
VHB
100 Motor Parkway
Suite 350
Hauppauge, NY 11788

Re: HUD
97-04 Sutphin Boulevard Rezoning for New Construction
97-04 Sutphin Blvd, Jamaica, NY 11435
20PR04331

Dear Allison McGovern:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon this review, it is the opinion of the New York SHPO that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

R. Daniel Mackay

Deputy State Historic Preservation Officer
Division for Historic Preservation

Appendix B: Jamaica Bay Watershed Protection Plan

Print Form

Jamaica Bay Watershed Protection Plan
Project Tracking Form

The Jamaica Bay Watershed Protection Plan, developed pursuant to Local Law 71 of 2005, mandates that the New York City Department of Environmental Protection (DEP) work with the Mayor's Office of Environmental Coordination (MOEC) to review and track proposed development projects in the Jamaica Bay Watershed (http://www.nyc.gov/html/oec/downloads/pdf/ceqr/Jamaica_Bay_Watershed_Map.jpg) that are subject to CEQR in order to monitor growth and trends. If a project is located in the Jamaica Bay Watershed, (the applicant should complete this form and submit it to DEP and MOEC. This form must be updated with any project modifications and resubmitted to DEP and MOEC.

The information below will be used for tracking purposes only. It is not intended to indicate whether further CEQR analysis is needed to substitute for the guidance offered in the relevant chapters of the CEQR Technical Manual.

A. GENERAL PROJECT INFORMATION

1. CEQR Number: 2020Q0378 1a. Modification ☐
2. Project Name: 97-04 Sutphin Blvd Rezoning
3. Project Description:

The applicant proposes to construct a new 15-story approximately 146,000-gsf building that would house a new and expanded FQHC of up to 16,500 sf. The applicant is seeking a zoning map amendment to rezone the project area from C4-5X/DJ to a C6-3DJ, extending the C6-3 district to the south.

4. Project Sponsor: BG Sutphin LLC
5. Required approvals: CEQR and ULURP
6. Project schedule (build year and construction schedule): 2024. 24 Months.

B. PROJECT LOCATION:

1. Street address: 97-04 Sutphin Blvd
2. Tax block(s): 10030 Tax Lot(s): 1 and 6
3. Identify existing land use and zoning on the project site: C4-5X/DJ. Public Facilities and Institutions
4. Identify proposed land use and zoning on the project site: C6-3/DJ. Mixed Residential and Commer
5. Identify land use of adjacent sites (include any open space): Commercial, Residential
6. Describe existing density on the project site and the proposed density:

Existing Condition	Proposed Condition
6,600 sf health center	146,000 sf mixed use health center and residential

7. Is project within 100 or 500 year floodplain (specify)? ☐ **100 Year** ☐ **500 Year** ☒ **No**

C. GROUND AND GROUNDWATER

1. Total area of in-ground disturbance, if any (in square feet): approximately 225,000 sf
2. Will soil be removed (if so, what is the volume in cubic yards)? tbd
3. Subsurface soil classification:
   (per the New York City Soil and Water Conservation Board): Urban Land- Flatbush Complex
4. If project would change site grade, provide land contours (**attach** map showing existing in 1' contours and proposed in 1' contours).
5. Will groundwater be used (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: Rates:
6. Will project involve dewatering (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: Rates:
7. Describe site elevation above seasonal high groundwater:

   according to the Phase I prepared for the site by ERM, groundwater table is approximately 20 feet below grade in the area

D. HABITAT

1. Will vegetation be removed, particularly native vegetation? ☐ **Yes** ☒ **No**

   If YES,
   - **Attach** a detailed list (species, size and location on site) of vegetation to be removed (including trees >2" caliper, shrubs, understory planting and groundcover).
   - **List** species to remain on site.
   - **Provide** a detailed list (species and sizes) of proposed landscape restoration plan (including any wetland restoration plans).
2. Is the site used or inhabited by any rare, threatened or endangered species? ☐ **Yes** ☒ **No**
3. Will the project affect habitat characteristics? ☐ **Yes** ☒ **No**

   If YES, describe existing wildlife use and habitat classification using "Ecological Communities of New York State." at http://www.dec.ny.gov/animals/29392.html.
4. Will pesticides, rodenticides or herbicides be used during construction? ☐ **Yes** ☒ **No**

   If YES, estimate quantity, area and duration of application.
5. Will additional lighting be installed? ☒ **Yes** ☐ **No**

   If YES and near existing open space or natural areas, what measures would be taken to reduce light penetration into these areas?

   there are no open spaces or natural areas near the Proposed Project

E. SURFACE COVERAGE AND CHARACTERISTICS

(describe the following for both the existing and proposed condition):

	Existing Condition	Proposed Condition
1. ***Surface area:***		
Roof:	~8,500 sf	15,500 sf
Pavement/walkway:	~6,500 sf	
Grass/softscape:		
Other (describe):		
2. ***Wetland*** (regulated or non-regulated) area and classification:		
3. ***Water surface area:***		

4. ***Stormwater management*** (describe):

Existing – how is the site drained?

combined sewer

Proposed – describe, including any infrastructure improvements necessary off-site:

same as existing

Appendix C: DEP Correspondence

Environmental Protection

Vincent Sapienza, P.E.
Commissioner

Angela Licata
Deputy Commissioner of Sustainability

59-17 Junction Blvd.
Flushing, NY 11373

Tel. (718) 595-4398
Fax (718) 595-4422
alicata@dep.nyc.gov

January 15, 2021

Annabelle Muenier
Team Leader
Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: 97-04 Sutphin Boulevard Rezoning
Block 10030, Lots 1 and 6
CEQR # 21DCP095Q

Dear Ms. Meunier:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the November 2020 Environmental Assessment Statement prepared by VHB on behalf of BG Sutphin LLC (applicant) for the above referenced project. It is our understanding that the applicant is seeking a zoning map amendment and a zoning text amendment from New York City Department of City Planning (DCP) to rezone the project area from C4-5X/DJ to a C6-3/DJ, extending to the south the C6-3 district immediately to the north and to Appendix F to establish a Mandatory Inclusionary Housing (MIH) area to require that future residential development within the project area include permanently affordable housing. The applicant may also seek city, state, and federal funding, such as New York City Housing Preservation and Development Senior Affordable Rental Apartments funding; New York State Housing Finance Agency and New York State Homes and Community Renewal bond financing and subsidy; and federal funding in the form of Section 8 Rental Assistance in the future. The applicant proposes to demolish the existing federally qualified health center (FQHC) on the development site, which is operated by the Community Healthcare Network (CHN), and construct a new 15-story, approximately 146,200 gross square feet (gsf) building on Block 10030, Lot 6 (Development Site) that would house a new and expanded FQHC of up to 16,500 gsf on the ground and cellar floor and 129,700 gsf of low-income and supportive senior housing (an expected 177 units but potentially up to 190 units), including approximately 2,200 gsf of residential accessory space for supportive housing services. Half of the units would be studio units reserved for formerly homeless seniors with special needs. These units would not be considered Affordable Independent Residences for Seniors (AIRS) units and would be occupied by residents age 55 and up. The remaining 50% of the units would be studio or one-bedroom units reserved for seniors who have annual incomes of 50% or less of the Metropolitan Statistical Area median income. These units would be AIRS units and would be occupied by residents aged 62 and up. There would also be one unit for a superintendent. CHN would operate the health clinic as they currently do in

their capacity as a FHCQ, providing primary care, behavioral care, women's health, dental care and other services. Additionally, they would provide clinical services and primary medical and psychiatric care to residents of the building. Breaking Ground, an affiliate of the applicant, would manage the residential portion of the building and provide social services (such as case management, employment readiness guidance, and benefits counseling) to the seniors living in the building through accessory residential space designed for counseling. The building would be approximately 152 feet in height (with an additional 10 feet of bulkhead) and would have a floor area ratio of 8. The applicant is not proposing to provide parking onsite. Instead, CHN would identify parking spaces off site for the mobile vans that are currently located on site. Lot 1 contains the 56-room Waltham Hotel, which was completed in 2019 and contains ground floor community facility space; it is not under the ownership of the applicant. Therefore, Lot 1 would not be expected to develop under the Proposed Actions. As such, Lot 1 would remain as is under the With-Action condition.

Based upon our review of the submitted documentation, we have the following comments and recommendations to DCP:

- Based on the Development Site (Block 10030, Lot 6) mapped with an (E) Designation (E-175) for hazardous materials as part of the Jamaica Plan project (CEQR # 05DCP081Q), DEP concurs that these measures will ensure the development is protective of human health and the environment through the Mayor's Office of Environmental Remediation (OER) oversight as part of the New York City Department of Buildings approval process. The applicant should be directed to coordinate further hazardous materials assessments through OER.

Future correspondence and submittals related to this project should include the following CEQR # **21DCP095Q**. If you have any questions, you may contact Mohammad Khaja-Moinuddin at (718) 595-4445.

Sincerely,

Wei Yu
Deputy Director, Hazardous Materials

c: R. Weissbard
M. Khaja-Moinuddin
T. Estesen
R. Lucas
M. Wimbish
O. Abinader – DCP
M. Bertini – OER