



City Environmental Quality Review

ENVIRONMENTAL ASSESSMENT STATEMENT
PART I, GENERAL INFORMATION

Reference Numbers

1. 06DME010Q
CEQR REFERENCE NUMBER (TO BE ASSIGNED BY LEAD AGENCY)
PENDING
ULURP REFERENCE NO. IF APPLICABLE

PENDING
BSA REFERENCE NO. IF APPLICABLE
OTHER REFERENCE NO. (S) IF APPLICABLE
(e.g., Legislative Intro, CAPA, etc.)

Lead Agency &

2a. LEAD AGENCY
Office of the Deputy Mayor for Economic Development and Rebuilding
NAME OF LEAD AGENCY

2b. APPLICANT INFORMATION

Flushing Commons, LLC
NAME OF APPLICANT

Applicant Information
PROVIDE APPLICABLE INFORMATION

Robert R. Kulikowski, Ph.D.
NAME OF LEAD AGENCY CONTACT PERSON
100 Gold Street
ADDRESS
New York NY 10038
CITY STATE ZIP
212-788-2937 212-788-2941
TELEPHONE FAX
rkulikowski@cityhall.nyc.gov
EMAIL ADDRESS

Robert S. Davis, Bryan Cave LLP
NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON
1290 Avenue of the Americas
ADDRESS
New York NY 10104-3300
CITY STATE ZIP
212-541-2386 212-541-1386
TELEPHONE FAX
rsdavis2@bryancave.com
EMAIL ADDRESS

Action Description

SEE CEQR MANUAL SECTIONS 2A & 2B

3a. NAME OF PROPOSAL Flushing Commons
3b. DESCRIBE THE ACTION(S) AND APPROVAL(S) BEING SOUGHT FROM OR UNDERTAKEN BY CITY (AND IF APPLICABLE, STATE AND FEDERAL AGENCIES) AND, BRIEFLY, DESCRIBE THE DEVELOPMENT OR PROJECT THAT WOULD RESULT FROM THE PROPOSED ACTION(S) AND APPROVAL(S):
See page 1a.
3c. DESCRIBE THE PURPOSE OF AND NEED FOR THE ACTION(S) AND APPROVAL(S):
See page 1b.

Required Action or Approvals

4. CITY PLANNING COMMISSION [X] Yes [ ] No
[ ] Change in City Map [ ] Zoning Certification [ ] Site Selection - Public Facility
[X] Zoning Map Amendment [ ] Zoning Authorization [X] Disposition - Real Property
[ ] Zoning Text Amendment [ ] Housing Plan & Project [ ] UDAAP [ ] Revocable Consent [ ] Concession
[ ] Charter 197-a Plan
[X] Zoning Special Permit, specify type: 1. Special permit for public parking garage (Section 74-52)
[ ] Modification of: 2. Special Permit for General Large-Scale Development (Section 74-74)
[ ] Renewal of:
[ ] Other:

5. UNIFORM LAND USE PROCEDURE (ULURP) [X] Yes [ ] No

6. BOARD OF STANDARDS AND APPEALS [X] Yes [ ] No
[X] Special Permit [ ] New [ ] Renewal Expiration Date
[ ] Variance [ ] Use [ ] Bulk
Specify affected section(s) of Zoning Resolution Section 73-66

7. DEPARTMENT OF ENVIRONMENTAL PROTECTION [ ] Yes [X] No
[ ] Title V Facility [ ] Power Generating Facility [ ] Medical Waste Treatment Facility

8. OTHER CITY APPROVALS [ ] Yes [X] No
[ ] Legislation [ ] Rulemaking: specify agency:
[ ] Construction of Public Facilities [ ] Funding of Construction, Specify [ ] Funding of Programs, Specify
[ ] Policy or plan [ ] Permits, Specify:
Other; explain:

PLEASE NOTE THAT MANY ACTIONS ARE NOT SUBJECT TO CEQR. SEE SECTION 110 OF TECHNICAL MANUAL.

**3b. DESCRIBE THE ACTION(S) AND APPROVAL(S) BEING SOUGHT FROM OR UNDERTAKEN BY CITY (AND, IF APPLICABLE, STATE AND FEDERAL AGENCIES) AND, BRIEFLY, DESCRIBE THE DEVELOPMENT OR PROJECT THAT WOULD RESULT FROM THE PROPOSED ACTION(S) AND APPROVAL(S):**

**INTRODUCTION**

Flushing Commons is the proposed redevelopment of a municipal parking lot in Flushing, Queens, into a mixed-use project containing residential, retail, commercial, community facility, and hotel uses; a multi-level underground parking garage; and an approximately 1.5-acre town square-style publicly accessible, privately owned open space (collectively the “proposed project”). Public actions required to permit the proposed project to go forward include disposition of interests in City-owned property from the New York City Department of Transportation (NYCDOT) to the New York City Economic Development Corporation (EDC) and, subsequently, from EDC to the designated developer based on business terms to be finalized pursuant to City Charter Section 384(b)(4), rezoning the project site block, a special permit for a public parking garage, a special permit for designation of the project as a General Large-Scale Development, and a special permit to allow for modification of height regulations that apply to areas around major airports. The proposed rezoning would encompass the block bounded by 138th Street, 37th Avenue, 39th Avenue, and Union Street (Block 4978, Lots 25 and 46) (see Figure 1). The proposed Flushing Commons project would be constructed on a portion of Lot 25 (the “project site”). The project site is located in Queens Community District 7.

**PROPOSED ACTIONS**

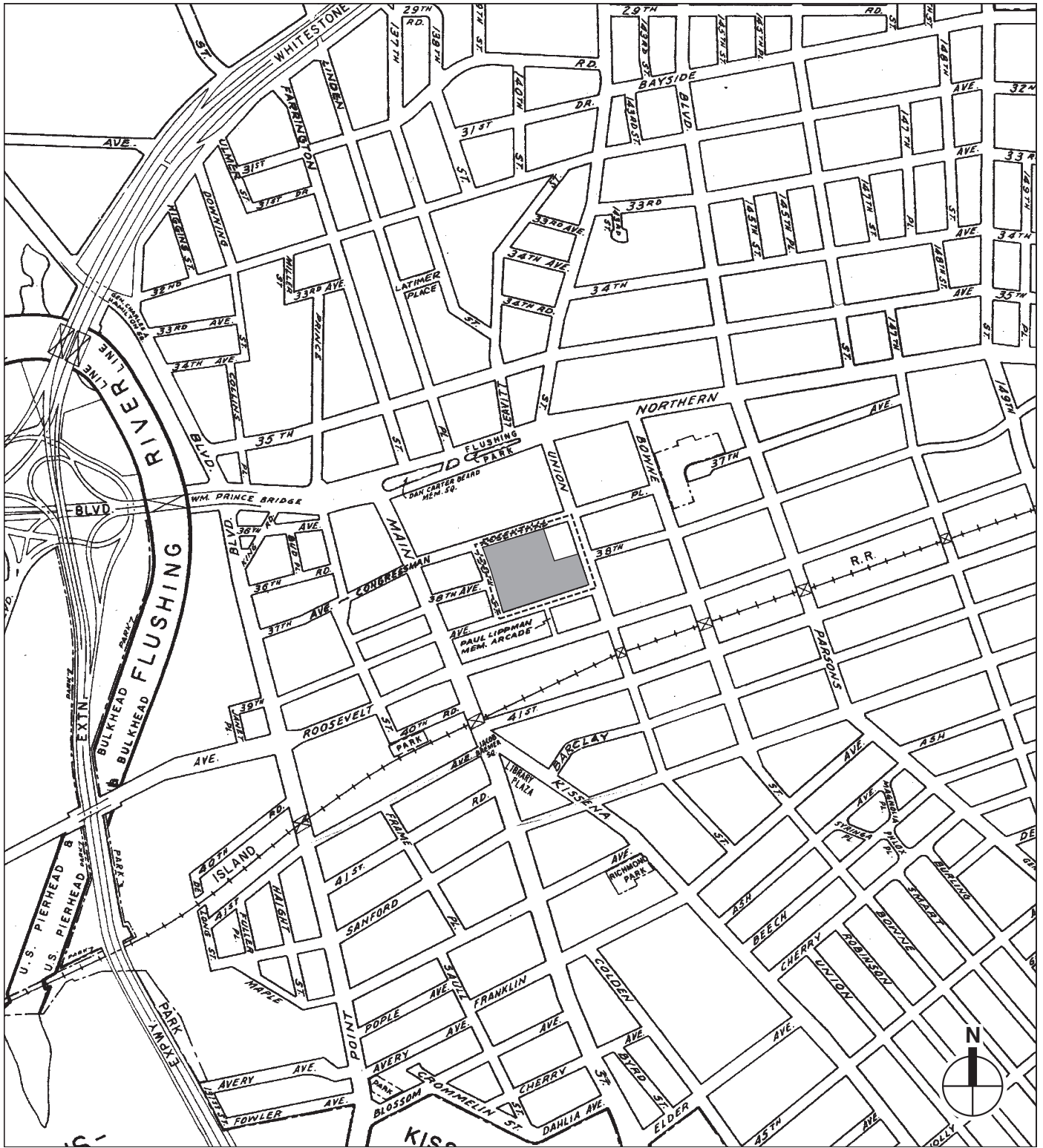
The proposed project would involve the following actions:

- **Disposition of City-owned property.** Disposition would require approval through the Uniform Land Use Review Procedure (ULURP) under City Charter Section 197(c) and separate Borough Board and Mayoral approval pursuant to City Charter Section 384(b)(4) for the approval of the business terms.
- **Zoning Map Amendment.** The applicant is requesting a zoning map amendment from the City Planning Commission (CPC) to rezone the block bounded by 37th Avenue to the north, Union Street to the east, 39th Avenue to the south, and 138th Street to the west from C4-3 to C4-4.
- **Special Permits.** The applicant is requesting special permits from the CPC and the Board of Standards and Appeals (BSA), including:
  - A special permit from the CPC pursuant to Zoning Resolution (ZR) Section 74-52 (Parking Garages or Public Parking Lots in High Density Central Areas) for the project’s public parking garage;
  - Special permits and/or authorizations from the CPC pursuant to ZR Section 74-74 (General Large-Scale Development) to modify certain zoning provisions of the Zoning Resolution including those governing height and setback, yards, location of uses within buildings, and signage.
  - A special permit from the BSA pursuant to ZR Section 73-66 (Height Regulations around Airports) for modification of height regulations applying to areas around major airports.

The proposed project would also require a Determination of No Hazard to Air Navigation from the Federal Aviation Administration (FAA).

**PROPOSED PROJECT**

The proposed Flushing Commons project would comprise a mix of uses. As presently conceived under the proposed business terms, the project would include approximately 517 market-rate apartments; 200 hotel rooms; nearly 390,000 square feet of retail, office, restaurant, and cinema space; and nearly 88,000 square feet of community facility space for such things as cultural and visitors’ centers, a recreation



Project Site  
 - - - - - Rezoning Area Boundary



center, and medical offices. The project would also include a below-grade public parking garage of 2,004 spaces, which would replace the 1,101 parking spaces presently in the municipal lot. Of these spaces, 708 would be accessory parking required by the Zoning Resolution for proposed uses. Total gross square footage, including parking, would be 1.9 million square feet. The project as described above represents a reasonable maximum development scenario under the proposed business terms and the proposed zoning. A summary of the proposed development is provided below in Table 1.

The Flushing Commons buildings would be organized around a central (approximately 1.5-acre) publicly accessible, privately owned open space with walkways (see Figures 2 through 4). This open space would also be visible looking into the site along 38th Avenue and from Lippmann Arcade (a pedestrian walkway that extends through the block from 39th Avenue to Roosevelt Avenue). Two elliptical structures would act as beacons to orient the pedestrian to the site and its open space (see Figure 4). The larger of the two would stand at the northern edge of the open space near the residential buildings (see below) and would serve as the entrance to the cinema; the smaller one would be located near the corner of 39th Avenue and 138th Street.

At the north side of the site, on 37th Avenue, three residential structures in a U-configuration would rise above a three- to four-story commercial base. Total height, including the base, would be approximately 18 stories (see Figures 5 and 6). A mixed-use building, containing retail, hotel, community facility, and residential use would stand in the southeastern corner of the site, on 39th Avenue near Union Street. Also on 39th Avenue, a smaller entirely commercial/retail building would be located west of the hotel mixed-use building. Entrances to the parking garage would be on 37th and 39th Avenues. The project is expected to be completed and operational in 2010.

### **REMAINDER OF REZONING AREA**

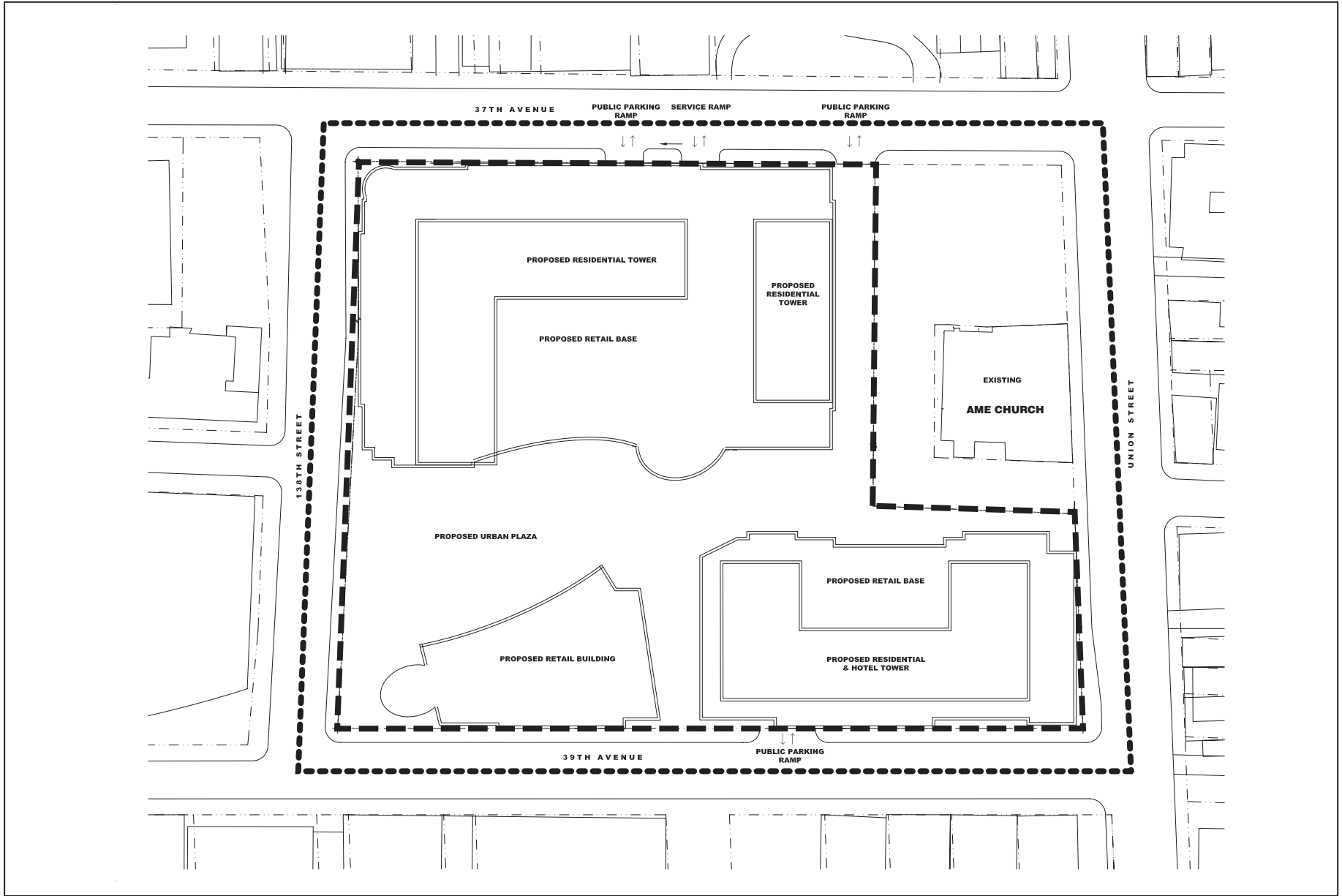
The rezoning area encompasses the entirety of Block 4978 located east of 138th Street, of which the vast majority comprises the project site (portion of Lot 25). The remainder of the rezoning area contains the Macedonia African Methodist Episcopal (AME) Church (Lot 46), located adjacent to the project site to the east along Union Avenue, and a portion of Lot 25 located to the north of the Macedonia AME Church. The rezoning itself is not expected to result in redevelopment of the Macedonia AME Church site (Lot 46).

The remainder of Lot 25 is located on City-owned property and is anticipated to be the subject of a future disposition and development plan. Since the potential disposition and development of the site is not yet fully known, the EIS assumes the disposition would facilitate potential development of the site under the proposed zoning changes. For the remainder of Lot 25, a “reasonable worst-case development scenario,” has been developed based on the site size and the maximum development permitted under the proposed zoning. For analysis purposes, the reasonable worst-case development scenario for development under the proposed C4-4 zoning district would be a mixed-use development building comprising up to approximately 150 residential units (103,682 square feet), 195,910 square feet of community facility space, 102,476 square feet of commercial space, and 44 parking spaces.

### **3c. PURPOSE AND NEED FOR THE ACTION(S) AND APPROVAL(S)**

The Flushing Commons project has been proposed in response to a request for proposals issued by the New York City Economic Development Corporation (EDC) to encourage new high-quality development on this large parcel of City-owned land in Downtown Flushing. Flushing Commons would create new employment and residential opportunities and generate economic and fiscal benefits to the City in the form of economic activity and tax revenue.

The project as proposed would respond to the City’s land use strategy for the site, as reflected in the “Development Framework for Downtown Flushing,” May 2004. That document addresses Municipal Lot 1, stating five specific goals for the site:



- Rezoning Area Bounday
- Project Site Boundary/Large Scale Site Plan Area





- Rezoning Area Boundary
- Project Site Boundary
- ▨ Remainder of Lot 25 Reasonable Worst-Case Development Scenario

- |                   |                  |                   |
|-------------------|------------------|-------------------|
| 1 Ash Building    | 4 Elm Building   | 7 The Mews        |
| 2 Beech Building  | 5 Fountain Plaza | 8 Channel Gardens |
| 3 Cherry Building | 6 The Green      | 9 Nursery Gardens |

*For Illustrative Purposes Only*



*For Illustrative Purposes Only*



5.15.06



*For Illustrative Purposes Only*

**Flushing Commons**

**South Elevation**  
Figure 5



5.15.06



*For Illustrative Purposes Only*

**Flushing Commons**

**West Elevation**  
Figure 6

- Create a town square-style open space that will be a center of community activity.
- Enhance the pedestrian environment with street-level retail to attract shoppers east of Main Street.
- Help meet housing demand and stabilize the retail market by establishing a new residential community in Downtown Flushing.
- Maintain below-market priced parking on-site.
- Serve as a clear example of high-quality design and construction that will raise the standard for private investment in Downtown Flushing.

9. STATE ACTIONS/APPROVALS/FUNDING  Yes  No  
If "Yes," identify
10. FEDERAL ACTIONS/APPROVALS/FUNDING  Yes  No  
If "Yes," identify **Approval from Federal Aviation Administration (FAA) for building in proximity to LaGuardia Airport.**

**Action Type**

- 11a.  Unlisted; or  Type I; specify category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): **617.4 (b) (6) (iii); 617.4 (b) (6) (v)**
- 11b.  Localized action, site specific  Localized action, change in regulatory control for small area  Generic action

**Analysis Year**

12. Identify the analysis year (or build year) for the proposed action: **2010**  
Would the proposal be implemented in a single phase?  Yes  No  NA.  
Anticipated period of construction: **1st Quarter 2007 – 2nd Quarter 2010**  
Anticipated completion date: **2010**  
Would the proposal be implemented in multiple phases?  Yes  No  NA.  
Number of phases: \_\_\_\_\_  
Describe phases and construction schedule: \_\_\_\_\_

**Directly**

**Affected Area**

INDICATE LOCATION OF PROJECT SITE FOR ACTIONS INVOLVING A SINGLE SITE ONLY (PROVIDE ATTACHMENTS AS NECESSARY FOR MULTIPLE SITES)

- 13a. LOCATION OF PROJECT SITE  
**136-50 37th Avenue (Municipal Lot 1), Flushing, NY**  
STREET ADDRESS  
**Bounded by 37th Avenue to the north, Union Street to the east, 39th Avenue to the south, and 138th Street to the west. See Figure 1.**  
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS  
**C4-3** **10a**  
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY ZONING SECTIONAL MAP NO.  
**Rezoning Area: Block 4978 east of 138th Street, Lots 25 and 46.**  
**Project Site: Block 4978, portion of Lot 25.**  
**Queens** **Queens Community District 7**  
TAX BLOCK AND LOT NUMBERS BOROUGH COMMUNITY DISTRICT NO.

- 13b. PHYSICAL DIMENSIONS AND SCALE OF PROJECT  
TOTAL CONTIGUOUS SQUARE FEET OWNED OR CONTROLLED BY PROJECT SPONSOR: **±211,115** SQ. FT.  
PROJECT SQUARE FEET TO BE DEVELOPED: **±211,115** SQ. FT.  
**(The remainder of the rezoning area is approximately 41,490 sf.)**  
IF THE ACTION IS AN EXPANSION, INDICATE PERCENT OF EXPANSION PROPOSED \_\_\_\_\_  
IN THE NUMBER OF UNITS, SQ. FT. OR OTHER APPROPRIATE MEASURE \_\_\_\_\_ % OF \_\_\_\_\_  
DIMENSIONS (IN FEET) OF LARGEST PROPOSED STRUCTURE: **(<sup>1</sup> See below)** HEIGHT **±240'** WIDTH **±376'** LENGTH \_\_\_\_\_  
LINEAR FEET OF FRONTAGE ALONG A PUBLIC THOROUGHFARE: **37th Avenue: ±407'; Union Street: ±169'; 138th Street: ±447'; 39th Avenue: ±587'**

- 13c. IF THE ACTION WOULD APPLY TO THE ENTIRE CITY OR TO AREAS THAT ARE SO EXTENSIVE THAT A SITE-SPECIFIC DESCRIPTION IS NOT APPROPRIATE OR PRACTICABLE, DESCRIBE THE AREA LIKELY TO BE AFFECTED BY THE ACTION:  
**NA**

- 13d. DOES THE PROPOSED ACTION INVOLVE CHANGES IN REGULATORY CONTROLS THAT WOULD AFFECT ONE OR MORE SITES NOT ASSOCIATED WITH A SPECIFIC DEVELOPMENT?  Yes  No  
IF 'YES,' IDENTIFY THE LOCATION OF THE SITES PROVIDING THE INFORMATION REQUESTED IN 13a. & 13b. ABOVE.  
**As described on page 1a, the rezoning area would affect an area larger than the project site. The rezoning includes the project site and the remainder of the block bounded by 37th Avenue, 39th Avenue, Union Street, and 138th Street (see Figure 1). The entire rezoning area comprises 252,065 sf, of which 211,115 sf contains the project site and 41,490 sf is the remainder of the block. The remainder of the rezoning area is zoned C4-3 and contains ±395' of frontage along Union Street.**

<sup>1</sup> 219-234' above Queens datum (curb level is 47' above datum at this location).

## PART II, SITE AND ACTION DESCRIPTION

### Site Description

EXCEPT WHERE OTHERWISE INDICATED, ANSWER THE FOLLOWING QUESTIONS WITH REGARD TO THE DIRECTLY AFFECTED AREA. THE DIRECTLY AFFECTED AREA CONSISTS OF THE PROJECT SITE AND THE AREA SUBJECT TO ANY CHANGE IN REGULATORY CONTROLS.

**1. GRAPHICS** Please attach: (1) a Sanborn or other land use map; (2) a zoning map; (3) a tax map. On each map, clearly show the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. The maps should not exceed 8 1/2 x 14 inches in size.

**See Figures 7 to 10.**

**2. PHYSICAL SETTING** (both developed and undeveloped areas)

Total directly affected area (sq. ft.): ±252,605\* Water surface area (sq. ft.): \_\_\_\_\_  
 Roads, building and other paved surfaces (sq. ft.): ±252,605 Other, describe (sq. ft.): \_\_\_\_\_

**\*Includes 211,115 sf of project site and 41,490 sf of remainder of rezoning area.**

**3. PRESENT LAND USE**

Residential **N/A**

Total no. of dwelling units \_\_\_\_\_ No. of low-to-moderate income units \_\_\_\_\_  
 No. of stories \_\_\_\_\_ Gross floor area (sq. ft.) \_\_\_\_\_  
 Describe type of residential structures: \_\_\_\_\_

Commercial **N/A**

Retail: No. of bldgs. \_\_\_\_\_ Gross floor area of each building (sq. ft.): \_\_\_\_\_  
 Office: No. of bldgs. \_\_\_\_\_ Gross floor area of each building (sq. ft.): \_\_\_\_\_  
 Other: No. of bldgs. \_\_\_\_\_ Gross floor area of each building (sq. ft.): \_\_\_\_\_  
 Specify type(s): \_\_\_\_\_ No. of stories and height of each building: \_\_\_\_\_

Manufacturing/Industrial **N/A**

No. of bldgs. \_\_\_\_\_ Gross floor area of each building (sq. ft.): \_\_\_\_\_  
 No. of stories and height of each building: \_\_\_\_\_  
 Types of use(s): \_\_\_\_\_ Open storage area (sq. ft.) \_\_\_\_\_

If any unenclosed activities, specify: \_\_\_\_\_

Community facility **1**

Type of community facility: **Macedonia African Methodist Episcopal Church**

No. of bldgs. 1 Gross floor area of each building (sq. ft.): ±13,600<sup>2</sup>  
 No. of stories and height of each building: 2

Vacant Land

Is there any vacant land in the directly affected area?  Yes  No  
 If yes, describe briefly: \_\_\_\_\_

Publicly accessible open space

Is there any existing publicly accessible open space in the directly affected area?  Yes  No  
 If yes, describe briefly: \_\_\_\_\_

Does the directly affected area include any mapped City, State or Federal parkland?  Yes  No

If yes, describe briefly: \_\_\_\_\_

Does the directly affected area include any mapped or otherwise known wetland?  Yes  No

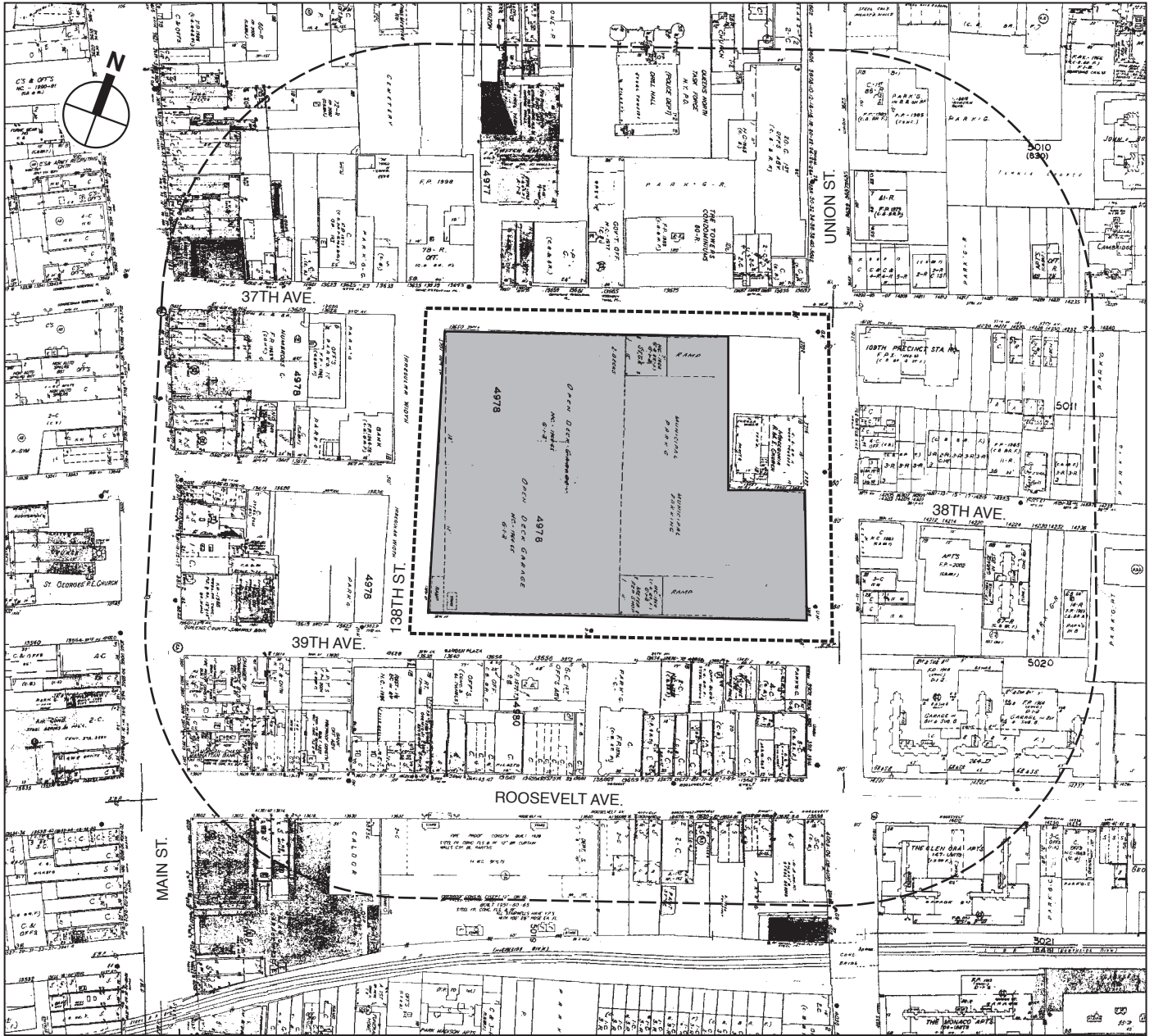
If yes, describe briefly: \_\_\_\_\_

Other Land Use

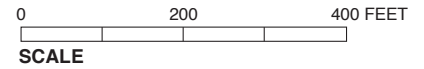
No. of stories \_\_\_\_\_ Gross floor area (sq. ft.): \_\_\_\_\_  
 Type of use(s): \_\_\_\_\_

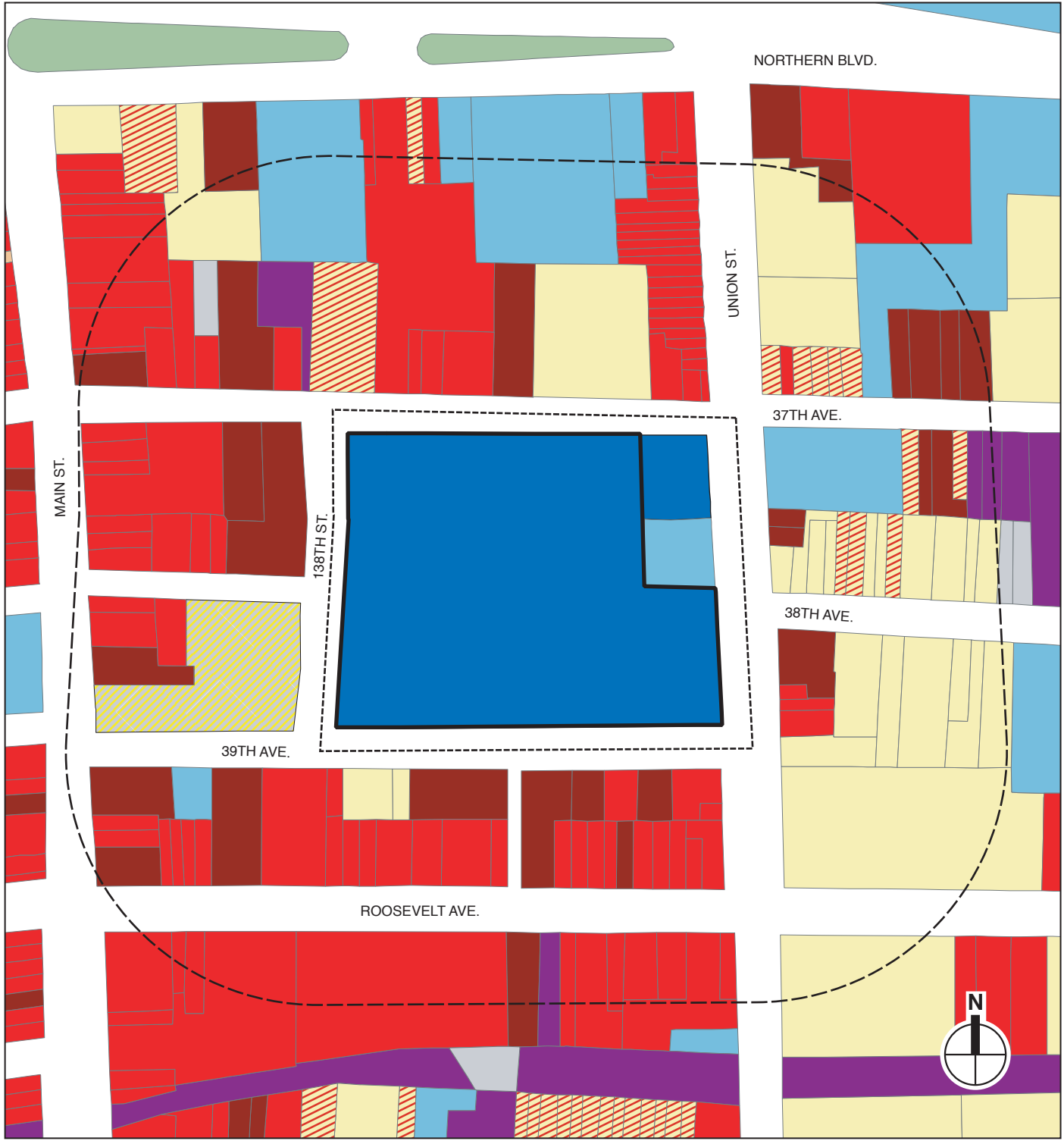
<sup>2</sup> Based on New York City Department of Finances *Real Property Assessment Database*.



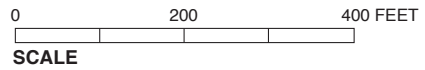


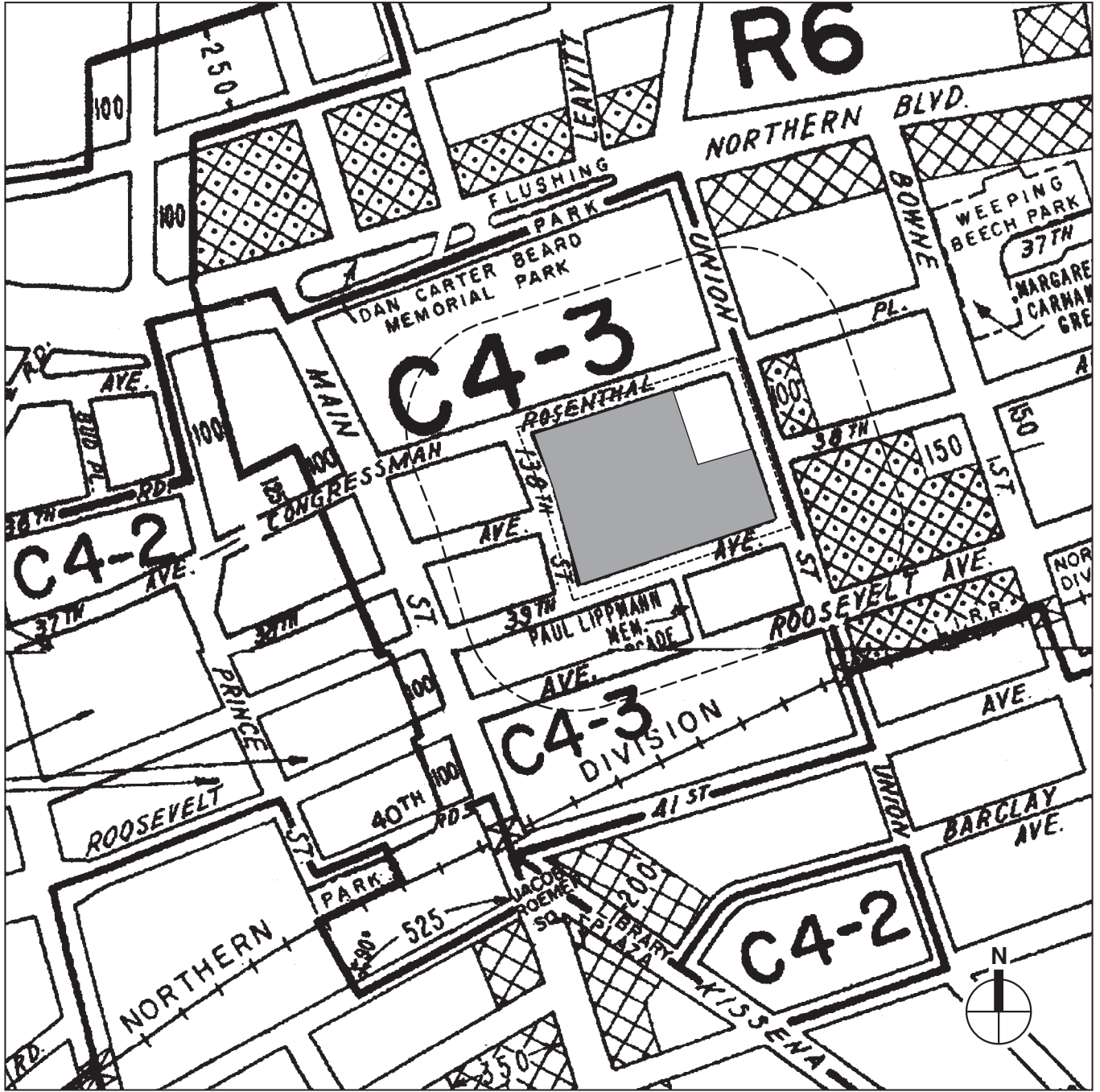
- Project Site
- Rezoning Area Boundary
- Study Area Boundary (400-Foot Perimeter)









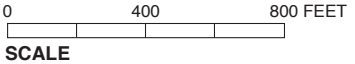


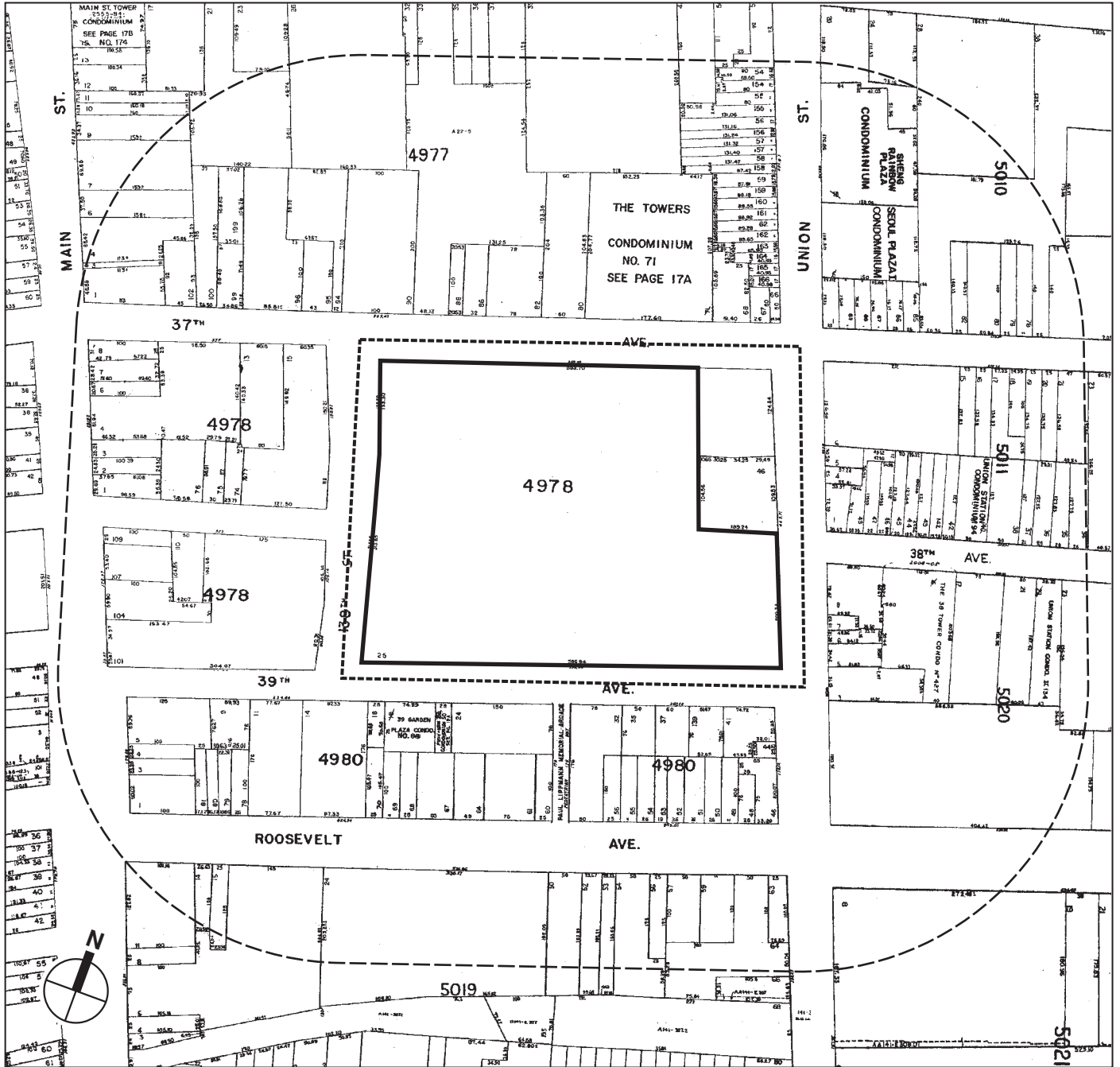
- |  |   |  |                                  |
|--|---|--|----------------------------------|
|  | <i>Project Site Boundary</i>                    |  | <i>Office</i>                    |
|  | <i>Rezoning Area Boundary</i>                   |  | <i>Institutional</i>             |
|  | <i>Study Area Boundary (400-Foot Perimeter)</i> |  | <i>Industrial/Transportation</i> |
|  | <i>Residential</i>                              |  | <i>Parking</i>                   |
|  | <i>Residential (with Ground-Floor Retail)</i>   |  | <i>Open Space</i>                |
|  | <i>Commercial</i>                               |  | <i>Vacant Parcels</i>            |
|  |   |  | <i>Under Construction</i>        |



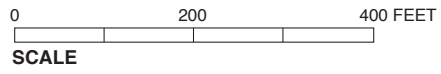


-  Project Site
-  Rezoning Area Boundary
-  Study Area Boundary (400-Foot Perimeter)
-  Zoning District Boundary
-  C1-2 Overlay
-  C2-2 Overlay





- Project Site
- Rezoning Area Boundary
- Study Area Boundary (400-Foot Perimeter)





4. EXISTING PARKING

Garages

No. of public spaces: 0\*

No. of accessory spaces: \_\_\_\_\_

Operating hours: \_\_\_\_\_

Attended or non-attended? \_\_\_\_\_

Lots

No. of public spaces: 1,101\*

No. of accessory spaces: 0

Operating hours: 24 hours

Attended or non-attended? Non-attended

Other (including street parking) – please specify and provide same data as for lots and garages, as appropriate.

**\*Existing parking facility comprises a surface lot and second deck level.**

5. EXISTING STORAGE TANKS

Gas or service station?  Yes  No Oil storage facility?  Yes  No Other?  Yes  No

If yes, specify: Macedonia AME Church in the rezoning area contains an oil storage tank.

Number and size of tanks: \_\_\_\_\_ Last NYFD inspection date: \_\_\_\_\_

Location and depth of tanks: To be determined.

6. CURRENT USERS

No. of residents: 0 No. and type of businesses: 0

No. and type of workers by business: Est. ±25\* No. and type of non-residents who are not workers: 0

**Estimated 5 employees at parking facility and 20 associated with AME church**

7. HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)

Answer the following two questions with regard to the directly affected areas, lots abutting that area, lots along the same blockfront or directly across the street from the same blockfront, and, where the directly affected area includes a corner lot, lots which front on the same street intersection.

Do any of the areas listed above contain any improvement, interior landscape feature, aggregate of landscape of landscape features, or archaeological resource that:

- (a) has been designated (or is calendared for consideration as) a New York City Landmark, Interior Landmark or Scenic Landmark; **No**
  - (b) is within a designated New York City Historic District; **No**
  - (c) has been listed on, or determined eligible for, the New York State or National Register of Historic Places; **No**
  - (d) is within a New York State or National Register Historic District; or **No**
  - (e) has been recommended by the New York State Board for listing on the New York State or National Register of Historic Places? **No**
- Identify any resource:

Do any of the areas listed in the introductory paragraph above contain any historic or archaeological resource, other than those listed in response to the previous question? Identify any resource. **A Phase 1A Archaeological Assessment Report previously prepared for the project site determined that the project site has archaeological sensitivity. The New York City Landmarks Preservation Commission concurred with this determination.**

8. WATERFRONT REVITALIZATION PROGRAM

Is any part of the directly affected area within the City’s Waterfront Revitalization Program boundaries?  Yes  No

(A map of the boundaries can be obtained at the Department of City Planning bookstore.)

If yes, append a map showing the directly affected area as it relates to such boundaries. A map requested in other parts of this form may be used.

9. CONSTRUCTION

Will the action result in demolition of or significant physical alteration to any improvement?  Yes  No

If yes, describe briefly: **Existing parking structure on the project site would be demolished.**

Will the action involve either above-ground construction resulting in any ground disturbance or in-ground construction?  Yes  No

If yes, describe briefly: **The foundations for the proposed buildings and parking structure (including pilings) would require below-grade construction.**

SEE CEQR TECHNICAL MANUAL CHAPTER III F., HISTORIC RESOURCES

SEE CEQR TECHNICAL MANUAL CHAPTER III K., WATERFRONT REVITALIZATION PROGRAM

**Project Description**  
THIS SUBPART SHOULD GENERALLY BE COMPLETED ONLY IF YOUR ACTION INCLUDES A SPECIFIC OR KNOWN DEVELOPMENT AT PARTICULAR LOCATIONS

**10. PROPOSED LAND USE**

Residential **See page 5a and Figures 2 through 5 (above)**  
 Total no. of dwelling units 667\* No. of low-to-moderate income units 0 Gross floor area (sq. ft.) 764,362  
 No. of stories 16

Describe type of residential structures:  
**517 units for the proposed project (660,950 sf) and 150 units (103,682 gsf) for the reasonable worst-case development scenario for the remainder of Lot 25.**

Commercial **See page 5a and Figures 2 through 5 (above)**  
 Retail: No. of bldgs. \_\_\_\_\_ Gross floor area of each building (sq. ft.): \_\_\_\_\_  
 Office: No. of bldgs. \_\_\_\_\_ Gross floor area of each building (sq. ft.): \_\_\_\_\_  
 Other: No. of bldgs. \_\_\_\_\_ Gross floor area of each building (sq. ft.): \_\_\_\_\_  
 No. of stories and height of each building: \_\_\_\_\_

Manufacturing/Industrial **N/A**  
 No. of bldgs. \_\_\_\_\_ Gross floor area of each building (sq. ft.) \_\_\_\_\_  
 No. of stories and height of each building: \_\_\_\_\_  
 Type of use(s): \_\_\_\_\_ Open storage area (sq. ft.): \_\_\_\_\_  
 If any unenclosed activities, specify: \_\_\_\_\_

Community facility **See page 5a and Figures 2 through 5 (above)**  
 Type of community facility: \_\_\_\_\_  
 No. of bldgs. \_\_\_\_\_ Gross floor area of each building (sq. ft.): \_\_\_\_\_  
 No. of stories and height of each building: \_\_\_\_\_

Vacant land  
 Is there any vacant land in the directly affected area?  Yes  No  
 If yes, describe briefly: \_\_\_\_\_

Publicly accessible open space  
 Is there any publicly accessible open space to be removed or attached?  Yes  No  
 If yes, describe briefly: \_\_\_\_\_

Any publicly accessible open space to be added?  Yes  No  
 If yes, describe briefly:  
**An approximately 1.5-acre publicly accessible, privately owned open space would be created as part of the proposed project.**

Other Land Use **See page 5a and Figures 2 and 3(above)**  
 No. of stories \_\_\_\_\_ Gross floor area (sq. ft.): \_\_\_\_\_  
 Type of use(s): \_\_\_\_\_

**11. PROPOSED PARKING**

Garages  
 No. of public spaces: 1,296 No. of accessory spaces: 708  
 Operating hours: To be determined Attended or non-attended? To be determined

Lots  
 No. of public spaces: \_\_\_\_\_ No. of accessory spaces: \_\_\_\_\_  
 Operating hours: \_\_\_\_\_ Attended or non-attended? \_\_\_\_\_

Other (including street parking) – please specify and provide same data as for lots and garages, as appropriate.

**10. PROPOSED LAND USE:**

**Summary of Proposed Development by Use (in GSF)**

<b>USE</b>	<b>(1) Ash Building<sup>1</sup></b>	<b>(2) Beech Building<sup>1</sup></b>	<b>(3) Cherry Building<sup>1</sup></b>	<b>(4) Elm Building<sup>1</sup></b>	<b>Proposed Total</b>
Retail/restaurant	202,062	0	62,773	70,762	335,597
Residential	310,796	125,128	225,026	0	660,950
Hotel	0	0	134,456	0	134,456
Community facility/cultural	0	0	22,647	0	22,647
Community facility/medical office	0	15,293	0	0	15,293
Commercial office	13,255	0	0	0	13,255
Cinema	44,373	0	0	0	44,373
Subtotal	570,486	140,421	444,902	70,762	1,226,571
Community facility/recreation center (unspecified building-below grade)					50,000
Accessory service and loading					90,987
Public parking (1,296 spaces)					319,820
Accessory parking (708 spaces)					263,333
				<b>Total</b>	<b>1,950,621</b>
<b>Note:</b> <sup>1</sup> See Figure 3 for building location.					

12. PROPOSED STORAGE TANKS

Gas or storage stations?  Yes  No Oil storage facility?  Yes  No  
Other?  Yes  No

If yes, specify:

**The existing tank at the Macedonia AME Church will remain. The number and location of new tanks are yet to be determined**

Number and size of tanks:

**To be determined**

Location and depth of tanks:

**To be determined**

13. PROPOSED USERS

No. of residents: **1,365\*** No. and type of businesses? **1 hotel, 1 cinema, destination retail, community facility**

No. and type of workers by businesses:

No. and type of non-residents who are not workers:

**\*Commercial: Est. ±53**

**To be determined**

**Retail: Est. ±817**

**Hotel: Est. ±102**

**Cinema: Est. ±30**

**Community Facility: Est. ±104**

**Residential: Est. ±23**

\*Based on 2.64 residents per housing unit in Community District 7 (data from Queens Community District Profiles, 2000); 1 worker per 250 sf of commercial office, 1 worker per 400 sf of destination retail, 1 worker per 3.11 hotel rooms, 1 worker per 400 sf of banquet space, 10 workers per cinema shift and 3 shifts per day, 1 worker per 450 sf of community facility, 1 worker per 22 dwelling units.

14. HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)

Will the action affect any architectural or archaeological resource identified in response to either of the two questions at number 7 in the Site

Description section of the form?

Yes  No

If yes, describe briefly:

**To be determined in the EIS process**

SEE CEQR TECHNICAL MANUAL CHAPTER III B., SOCIOECONOMIC CONDITIONS

15. DIRECT DISPLACEMENT

Will the action directly displace specific businesses or affordable and/or low income residential units?

Yes  No

If yes, describe briefly:

SEE CEQR TECHNICAL MANUAL CHAPTER III C., COMMUNITY FACILITIES & SERVICES

16. COMMUNITY FACILITIES

Will the action 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?

Yes  No

If yes, describe briefly:

Zoning Information

17. What is the zoning classification(s) of the directly affected area?

**C4-3**

18. What is the maximum amount of floor area that can be developed in the directly affected area under the present zoning? Describe in terms of bulk for each use.

**Commercial 3.40 FAR x 252,605 sf = 858,857 zoning square feet (zsf)**

**Community Facility 4.80 FAR x 252,605 sf = 1,212,504 zsf**

**Residential 2.43 FAR x 252,605 sf = 613,830 zsf**

19. What is the proposed zoning of the directly affected area?

**C4-4**

20. What is the maximum amount of floor area that could be developed in the directly affected area under the proposed zoning? Describe in terms of bulk for each use.

**Commercial 3.40 FAR x 252,605 sf = 858,857 zsf**

**Community Facility 6.50 FAR x 252,605 sf = 1,641,933 zsf**

**Residential 3.44 FAR x 252,605 sf = 868,961 zsf**

21. What are the predominant land uses and zoning classifications within a ¼-mile radius of the proposed action?

**Manufacturing: M1-1; Commercial: C4-2; Residential: R6, R7-1**

Additional Information

22. Attach any additional information as may be needed to describe the action. If your action involves changes in regulatory controls that affect one or more sites not associated with a specific development, it is generally appropriate to include here one or more reasonable development scenarios for such sites and, to the extent possible, to provide information about such scenario(s) similar to that requested in the Project Description questions 9 through 16.



## Analyses

23. Attach analyses for each of the impact categories listed below (or indicate where an impact category is not applicable):

**See pages 7a-7f**

a.	LAND USE, ZONING, AND PUBLIC POLICY	See CEQR Technical Manual Chapter III.A.
b.	SOCIOECONOMIC CONDITIONS	See CEQR Technical Manual Chapter III.B.
c.	COMMUNITY FACILITIES AND SERVICES	See CEQR Technical Manual Chapter III.C.
d.	OPEN SPACE	See CEQR Technical Manual Chapter III.D.
e.	SHADOWS	See CEQR Technical Manual Chapter III.E.
f.	HISTORIC RESOURCES	See CEQR Technical Manual Chapter III.F.
g.	URBAN DESIGN/VISUAL RESOURCES	See CEQR Technical Manual Chapter III.G.
h.	NEIGHBORHOOD CHARACTER	See CEQR Technical Manual Chapter III.H.
i.	NATURAL RESOURCES	See CEQR Technical Manual Chapter III.I.
j.	HAZARDOUS MATERIALS	See CEQR Technical Manual Chapter III.J.
k.	WATERFRONT REVITALIZATION PROGRAM	See CEQR Technical Manual Chapter III.K.
l.	INFRASTRUCTURE	See CEQR Technical Manual Chapter III.L.
m.	SOLID WASTE AND SANITATION SERVICES	See CEQR Technical Manual Chapter III.M.
n.	ENERGY	See CEQR Technical Manual Chapter III.N.
o.	TRAFFIC AND PARKING	See CEQR Technical Manual Chapter III.O.
p.	TRANSIT AND PEDESTRIANS	See CEQR Technical Manual Chapter III.P.
q.	AIR QUALITY	See CEQR Technical Manual Chapter III.Q.
r.	NOISE	See CEQR Technical Manual Chapter III.R.
s.	CONSTRUCTION IMPACTS	See CEQR Technical Manual Chapter III.S.
t.	PUBLIC HEALTH	See CEQR Technical Manual Chapter III.T.

The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the above-listed categories. Other methodologies developed or approved by the lead agency may also be utilized. If a different methodology is contemplated, it may be advisable to consult with the Mayor's Office of Environmental Coordination. You should also attach any other necessary analyses or information relevant to the determination whether the action may have a significant impact on the environment, including, where appropriate, information on combined or cumulative impacts, as might occur, for example, where actions are independent or occur within a discrete geographical area or time frame.

## 23. ANALYSES

### *LAND USE, ZONING, AND PUBLIC POLICY*

Under CEQR, a land use analysis characterizes the uses and development trends in the area that may be affected by a proposed action. The analysis also considers the action's compliance with and effect on the area's zoning and other applicable public policies. Even when there is little potential for an action to be inconsistent or affect land use, zoning, or public policy, a description of these issues is usually appropriate to establish conditions and provide information for use in other technical areas. According to the *CEQR Technical Manual*, a detailed assessment of land use, zoning, and public policy is appropriate if an action would be expected to result in a significant change in land use.

The proposed project would require, among other actions, the disposition of an approximately 4.8-acre parcel of land, a zoning map amendment, and zoning special permits. The project would replace Municipal Lot 1, a 1,101-space parking lot that serves commuter and short-term shopper parking, with an approximately 1.9 million-square-foot mixed-use complex. These actions and the anticipated development would result in a major change in land use and zoning on the project site, and therefore warrant a detailed assessment.

### *SOCIOECONOMIC CONDITIONS*

The purpose of the socioeconomic assessment is to identify changes that would be created by the proposed project and identify whether they rise to a significant level. According to the *CEQR Technical Manual*, the five principal issues of concern with respect to socioeconomic conditions are whether a proposed project would result in significant impacts due to: (1) direct residential displacement, (2) direct business and institutional displacement, (3) indirect residential displacement, (4) indirect business and institutional displacement, and (5) adverse effects on a specific industry.

As there are no residential properties on the project site, the proposed project would not result in the direct displacement of any residents. The proposed project would also not result in the direct displacement of any businesses, and no further analysis of direct displacement is warranted.

Pursuant to the *CEQR Technical Manual* methodology, the preliminary assessment will consider the potential for indirect residential displacement, indirect business displacement, and effects on specific industries.

### *COMMUNITY FACILITIES AND SERVICES*

Community facilities are public or publicly funded facilities, such as schools, hospitals, libraries, day care centers, and fire and police protection. The demand for community facilities and services is directly related to the type and size of the new population generated by development resulting from a proposed action. New workers tend to create limited demand on community facilities and services, while new residents create more substantial and permanent demands. The proposed project is not expected to introduce more than 600 low- to moderate-income residential units; therefore, a detailed assessment of healthcare facilities would not be required. Similarly, the proposed project is not expected to exceed the threshold of more than 50 children under the age of 12 eligible for slots at public day care centers—278 low-moderate or 250 low-income units in Queens—for a detailed day care center analysis. A detailed assessment of library services would not be required because the proposed project is also not expected to increase the number of residential units served by the Queens local branch libraries by more than 5 percent (621 residential units). The *CEQR Technical Manual* only requires analysis of impacts on police and fire services in cases of direct displacement. The proposed project would not directly cause the displacement of a police or fire facility; therefore, a detailed assessment is not required.

According to the *CEQR Technical Manual*, a detailed analysis of an action's potential impacts on public schools is necessary when an action would generate more than 50 elementary and intermediate school students. High school students can usually elect to attend schools other than their neighborhood high

schools, depending on admissions criteria and space availability. The proposed project is expected to generate more than 50 elementary and intermediate school students. However, since the proposed project is expected to generate fewer than 150 high school students, an analysis of public high schools is not required. The analysis of community facilities and services will be limited to an assessment of the ability of public elementary and intermediate schools to serve the new residents.

#### *OPEN SPACE*

The project site does not currently contain any public open space. Therefore, the proposed project would not be expected to have a direct effect on open space or recreational facilities. However, it would provide a new approximately 1.5-acre town square-style publicly accessible, privately owned open space, and it would bring new residents, shoppers, visitors, and workers to the area. The *CEQR Technical Manual* recommends a detailed assessment of a project's effects on open space if a proposed action is expected to increase the population by more than 200 residents or 500 employees or a similar substantial number of other users. Since the proposed project is expected to bring more than 500 employees and 200 residents to the project site, it would have an effect on the utilization of open space and recreational facilities in the surrounding area, and on the new publicly accessible, privately owned open space to be created. Therefore, a detailed assessment of the proposed project's effect on open space will be provided.

#### *SHADOWS*

The proposed project would create buildings of approximately 16 stories which have the potential to cast shadows at a length of approximately 700 feet. The *CEQR Technical Manual* guidelines indicate that an action could have shadows impacts if the proposed development would be more than 50 feet in height. Of particular concern with regard to shadows are the stained-glass windows of the Macedonia African Methodist Episcopal Church that are facing, and directly adjacent to, the project site as well as the stained glass windows of the St. George Episcopal Church to the west of the project site. In addition to the churches, the analysis will consider potential shadows on any publicly accessible open spaces, additional historic resources with significant light dependent features, historic landscapes, and significant natural features.

#### *HISTORIC RESOURCES*

The proposed project is in close proximity to a number of architectural resources. The Friends Meeting House—which is a National Historic Landmark and New York City Landmark (NYCL) and is listed on the State and National Registers of Historic Places (S/NR-listed)—and the Flushing Armory, which is listed on the Registers, are both located within 400 feet of the project site. Also within the project area are: RKO Keith's Flushing Theater (NYCL interior, S/NR-listed), Flushing Town Hall (NYCL, S/NR-listed), Flushing High School (NYCL, S/NR-listed), St. George's Episcopal Church (NYCL, S/NR-listed), Flushing-Main Street IRT Subway Station (S/NR-eligible), Weeping Beech Tree (NYCL, S/NR-listed), Kingsland Homestead (NYCL, S/NR-listed), Bowne House (NYCL, S/NR-listed), and the Bowne Street Community Church (originally the Reformed Church of Flushing) (calendared for NYCL designation 9/23/03).

The project also would involve subsurface disturbance in an area previously determined in a Phase IA Archaeological Assessment Report to have archaeological sensitivity for 19th century historic-period resources, including certain home parcels, a former school, and a small area around the Macedonia African Methodist Episcopal (AME) Church. There are some concerns, however remote, that due to overcrowding some 19th century burials might have exceeded the boundaries of the Macedonia AME Church property (Lot 46). Therefore, a 15-foot-wide "buffer zone" around the church was proposed to protect any human remains that might still be in place from on-site construction activities.

Therefore, historic resources issues are an important consideration for the project. The analysis will be undertaken in consultation with the New York City Landmarks Preservation Commission and will be prepared in accordance with the *CEQR Technical Manual*.

#### *URBAN DESIGN AND VISUAL RESOURCES*

The proposed project would substantially alter the appearance of the project site by replacing the existing surface and two-story parking facility with four mixed-use buildings with varying heights organized around a central approximately 1.5-acre publicly accessible, privately owned open space. According to the *CEQR Technical Manual*, a detailed assessment of urban design and visual resources is undertaken when a proposed action would result in a building or structure substantially different in height, bulk, form, setbacks, size, scale, use, or arrangement than exists; when an action would change block form, demap an active street, map a new street, or would affect the street hierarchy, street wall, curb cuts, pedestrian activity, or other streetscape elements; or when an action would result in above-ground development or would change the bulk of new above-ground development and is proposed in an area that includes significant visual resources. The proposed project meets this threshold for analysis, and therefore would be expected to affect the urban design character of the site and of the surrounding area.

#### *NEIGHBORHOOD CHARACTER*

The character of a neighborhood is established by numerous factors, including land use patterns, the characteristics of its population and economic activities, the scale of its development, the design of its buildings, the presence of notable landmarks, and a variety of other physical features that include noise levels, traffic, and pedestrian patterns. The *CEQR Technical Manual* recommends a detailed assessment of neighborhood character if a proposed action could substantially change land use character; result in substantially different building bulk, form, size, scale, or arrangement; result in substantially different block form, street pattern, or street hierarchy; create a substantial addition to employment or businesses; or create substantial changes in the character of businesses. The identification of significant adverse impacts in the areas of land use, urban design, visual resources, historic resources, socioeconomic conditions, traffic, or noise could also warrant a detailed analysis of neighborhood character.

By replacing a municipal parking lot with a major new mixed-use development, the proposed project would change the site's land use and would involve a change in the scale of the development on the site. The action would also change the visual character of the project site and would increase the residential population and employment in the area, and create a town square-style publicly accessible, privately owned open space as a new center of community and pedestrian activity. Therefore, the proposed project could have neighborhood character impacts, and a detailed analysis of neighborhood character will be prepared.

#### *NATURAL RESOURCES*

A natural resources assessment is conducted when a natural resource is present on or near the project site and when an action involves the disturbance of that resource. The *CEQR Technical Manual* defines natural resources as water resources, including surface water bodies and groundwater; wetland resources, including freshwater and tidal wetlands; upland resources, including beaches, dunes, and bluffs, thickets, grasslands, meadows and old fields, woodlands and forests, and gardens and other ornamental landscaping; and built resources, including piers and other waterfront structures. The project area is currently occupied by a parking lot, a largely impervious surface. Therefore, it has limited existing vegetation resources and consequently provides almost no habitat for wildlife. For these reasons, the proposed project would not result in any significant adverse impacts on natural resources. No further analysis is required.



## 23. ANALYSES

### *LAND USE, ZONING, AND PUBLIC POLICY*

Under CEQR, a land use analysis characterizes the uses and development trends in the area that may be affected by a proposed action. The analysis also considers the action's compliance with and effect on the area's zoning and other applicable public policies. Even when there is little potential for an action to be inconsistent or affect land use, zoning, or public policy, a description of these issues is usually appropriate to establish conditions and provide information for use in other technical areas. According to the *CEQR Technical Manual*, a detailed assessment of land use, zoning, and public policy is appropriate if an action would be expected to result in a significant change in land use.

The proposed project would require, among other actions, the disposition of an approximately 4.8-acre parcel of land, a zoning map amendment, and zoning special permits. The project would replace Municipal Lot 1, a 1,101-space parking lot that serves commuter and short-term shopper parking, with an approximately 1.9 million-square-foot mixed-use complex. These actions and the anticipated development would result in a major change in land use and zoning on the project site, and therefore warrant a detailed assessment.

### *SOCIOECONOMIC CONDITIONS*

The purpose of the socioeconomic assessment is to identify changes that would be created by the proposed project and identify whether they rise to a significant level. According to the *CEQR Technical Manual*, the five principal issues of concern with respect to socioeconomic conditions are whether a proposed project would result in significant impacts due to: (1) direct residential displacement, (2) direct business and institutional displacement, (3) indirect residential displacement, (4) indirect business and institutional displacement, and (5) adverse effects on a specific industry.

As there are no residential properties on the project site, the proposed project would not result in the direct displacement of any residents. The proposed project would also not result in the direct displacement of any businesses, and no further analysis of direct displacement is warranted.

Pursuant to the *CEQR Technical Manual* methodology, the preliminary assessment will consider the potential for indirect residential displacement, indirect business displacement, and effects on specific industries.

### *COMMUNITY FACILITIES AND SERVICES*

Community facilities are public or publicly funded facilities, such as schools, hospitals, libraries, day care centers, and fire and police protection. The demand for community facilities and services is directly related to the type and size of the new population generated by development resulting from a proposed action. New workers tend to create limited demand on community facilities and services, while new residents create more substantial and permanent demands. The proposed project is not expected to introduce more than 600 low- to moderate-income residential units; therefore, a detailed assessment of healthcare facilities would not be required. Similarly, the proposed project is not expected to exceed the threshold of more than 50 children under the age of 12 eligible for slots at public day care centers—278 low-moderate or 250 low-income units in Queens—for a detailed day care center analysis. A detailed assessment of library services would not be required because the proposed project is also not expected to increase the number of residential units served by the Queens local branch libraries by more than 5 percent (621 residential units). The *CEQR Technical Manual* only requires analysis of impacts on police and fire services in cases of direct displacement. The proposed project would not directly cause the displacement of a police or fire facility; therefore, a detailed assessment is not required.

According to the *CEQR Technical Manual*, a detailed analysis of an action's potential impacts on public schools is necessary when an action would generate more than 50 elementary and intermediate school students. High school students can usually elect to attend schools other than their neighborhood high

schools, depending on admissions criteria and space availability. The proposed project is expected to generate more than 50 elementary and intermediate school students. However, since the proposed project is expected to generate fewer than 150 high school students, an analysis of public high schools is not required. The analysis of community facilities and services will be limited to an assessment of the ability of public elementary and intermediate schools to serve the new residents.

#### *OPEN SPACE*

The project site does not currently contain any public open space. Therefore, the proposed project would not be expected to have a direct effect on open space or recreational facilities. However, it would provide a new approximately 1.5-acre town square-style publicly accessible, privately owned open space, and it would bring new residents, shoppers, visitors, and workers to the area. The *CEQR Technical Manual* recommends a detailed assessment of a project's effects on open space if a proposed action is expected to increase the population by more than 200 residents or 500 employees or a similar substantial number of other users. Since the proposed project is expected to bring more than 500 employees and 200 residents to the project site, it would have an effect on the utilization of open space and recreational facilities in the surrounding area, and on the new publicly accessible, privately owned open space to be created. Therefore, a detailed assessment of the proposed project's effect on open space will be provided.

#### *SHADOWS*

The proposed project would create buildings of approximately 16 stories which have the potential to cast shadows at a length of approximately 700 feet. The *CEQR Technical Manual* guidelines indicate that an action could have shadows impacts if the proposed development would be more than 50 feet in height. Of particular concern with regard to shadows are the stained-glass windows of the Macedonia African Methodist Episcopal Church that are facing, and directly adjacent to, the project site as well as the stained glass windows of the St. George Episcopal Church to the west of the project site. In addition to the churches, the analysis will consider potential shadows on any publicly accessible open spaces, additional historic resources with significant light dependent features, historic landscapes, and significant natural features.

#### *HISTORIC RESOURCES*

The proposed project is in close proximity to a number of architectural resources. The Friends Meeting House—which is a National Historic Landmark and New York City Landmark (NYCL) and is listed on the State and National Registers of Historic Places (S/NR-listed)—and the Flushing Armory, which is listed on the Registers, are both located within 400 feet of the project site. Also within the project area are: RKO Keith's Flushing Theater (NYCL interior, S/NR-listed), Flushing Town Hall (NYCL, S/NR-listed), Flushing High School (NYCL, S/NR-listed), St. George's Episcopal Church (NYCL, S/NR-listed), Flushing-Main Street IRT Subway Station (S/NR-eligible), Weeping Beech Tree (NYCL, S/NR-listed), Kingsland Homestead (NYCL, S/NR-listed), Bowne House (NYCL, S/NR-listed), and the Bowne Street Community Church (originally the Reformed Church of Flushing) (calendared for NYCL designation 9/23/03).

The project also would involve subsurface disturbance in an area previously determined in a Phase IA Archaeological Assessment Report to have archaeological sensitivity for 19th century historic-period resources, including certain home parcels, a former school, and a small area around the Macedonia African Methodist Episcopal (AME) Church. There are some concerns, however remote, that due to overcrowding some 19th century burials might have exceeded the boundaries of the Macedonia AME Church property (Lot 46). Therefore, a 15-foot-wide "buffer zone" around the church was proposed to protect any human remains that might still be in place from on-site construction activities.

Therefore, historic resources issues are an important consideration for the project. The analysis will be undertaken in consultation with the New York City Landmarks Preservation Commission and will be prepared in accordance with the *CEQR Technical Manual*.

#### *URBAN DESIGN AND VISUAL RESOURCES*

The proposed project would substantially alter the appearance of the project site by replacing the existing surface and two-story parking facility with four mixed-use buildings with varying heights organized around a central approximately 1.5-acre publicly accessible, privately owned open space. According to the *CEQR Technical Manual*, a detailed assessment of urban design and visual resources is undertaken when a proposed action would result in a building or structure substantially different in height, bulk, form, setbacks, size, scale, use, or arrangement than exists; when an action would change block form, demap an active street, map a new street, or would affect the street hierarchy, street wall, curb cuts, pedestrian activity, or other streetscape elements; or when an action would result in above-ground development or would change the bulk of new above-ground development and is proposed in an area that includes significant visual resources. The proposed project meets this threshold for analysis, and therefore would be expected to affect the urban design character of the site and of the surrounding area.

#### *NEIGHBORHOOD CHARACTER*

The character of a neighborhood is established by numerous factors, including land use patterns, the characteristics of its population and economic activities, the scale of its development, the design of its buildings, the presence of notable landmarks, and a variety of other physical features that include noise levels, traffic, and pedestrian patterns. The *CEQR Technical Manual* recommends a detailed assessment of neighborhood character if a proposed action could substantially change land use character; result in substantially different building bulk, form, size, scale, or arrangement; result in substantially different block form, street pattern, or street hierarchy; create a substantial addition to employment or businesses; or create substantial changes in the character of businesses. The identification of significant adverse impacts in the areas of land use, urban design, visual resources, historic resources, socioeconomic conditions, traffic, or noise could also warrant a detailed analysis of neighborhood character.

By replacing a municipal parking lot with a major new mixed-use development, the proposed project would change the site's land use and would involve a change in the scale of the development on the site. The action would also change the visual character of the project site and would increase the residential population and employment in the area, and create a town square-style publicly accessible, privately owned open space as a new center of community and pedestrian activity. Therefore, the proposed project could have neighborhood character impacts, and a detailed analysis of neighborhood character will be prepared.

#### *NATURAL RESOURCES*

A natural resources assessment is conducted when a natural resource is present on or near the project site and when an action involves the disturbance of that resource. The *CEQR Technical Manual* defines natural resources as water resources, including surface water bodies and groundwater; wetland resources, including freshwater and tidal wetlands; upland resources, including beaches, dunes, and bluffs, thickets, grasslands, meadows and old fields, woodlands and forests, and gardens and other ornamental landscaping; and built resources, including piers and other waterfront structures. The project area is currently occupied by a parking lot, a largely impervious surface. Therefore, it has limited existing vegetation resources and consequently provides almost no habitat for wildlife. For these reasons, the proposed project would not result in any significant adverse impacts on natural resources. No further analysis is required.

### *HAZARDOUS MATERIALS*

According to CEQR criteria, a hazardous materials assessment is conducted when elevated levels of hazardous materials exist on a site, when an action would increase pathways to their exposures, either human or environmental, or when an action would introduce new activities or processes using hazardous materials, thereby increasing the risk of human or environmental exposure. An analysis should be conducted for any site with the potential to contain hazardous materials or if any future redevelopment of the property is anticipated. The *CEQR Technical Manual* specifically states that development where underground and/or above-ground storage tanks are on or adjacent to a site would trigger an analysis. Because the excavation required for construction of the sub-grade levels of the proposed project requires that all fill material present be removed and properly disposed of, an analysis of hazardous materials on the project area will be included in the EIS.

The EIS will summarize the results of the Phase I and Phase II Environmental Site Assessments, including any recommendations for additional testing or other activities that would be required either prior to or during implementation of the project. The analysis will also include a discussion of other hazardous materials issues related to demolition of the existing parking structure, including a brief summary of available information and pre-demolition requirements relating to asbestos containing materials and lead-based paint.

### *WATERFRONT REVITALIZATION PROGRAM*

The rezoning area is not located within the boundaries of the City's coastal zone; therefore, no further analysis is warranted.

### *INFRASTRUCTURE*

According to the *CEQR Technical Manual*, an analysis of an action's impact on the New York City water supply system should be conducted only for actions that would have exceptionally large demand for water, such as power plants, very large cooling systems, or large developments (e.g., those that use more than 1 million gallons per day). In addition, actions located at the extremities of the water distribution system should be analyzed.

According to the *CEQR Technical Manual*, the City is committed to adequately treating all wastewater generated in the City and to maintaining its wastewater treatment plants at or below the capacity permitted by applicable state and federal permits, orders, and decrees. Therefore, only unusual actions with very large flows could have the potential for significant impacts on sewage treatment.

Although the proposed project would increase the demand on water supply and increase the generation of stormwater and sewage, it is not expected to create an adverse impact on these services. However, as recommended by the *CEQR Technical Manual*, the project's potential demand on water supply and energy and potential generation of stormwater, sewage, and solid waste will be disclosed.

### *SOLID WASTE AND SANITATION SERVICES*

According to the *CEQR Technical Manual*, a detailed solid waste and sanitation services assessment is appropriate if an action enacts regulatory changes affecting the generation or management of the City's waste or if the action involves the construction, operation, or closing of any type of solid waste management facility. The *CEQR Technical Manual* also states that actions involving construction of housing or other developments generally do not require evaluation for solid waste impacts unless they are unusually large. The proposed project's solid waste demand is not expected to create a significant adverse impact on sanitation services. However, as recommended by the *CEQR Technical Manual*, the project's potential generation of solid waste and demand on sanitation services will be disclosed.

## *ENERGY*

According to the *CEQR Technical Manual*, a detailed assessment of energy impacts is limited to actions that could significantly affect the transmission or generation of energy or that generate substantial indirect consumption of energy (such as a new roadway). The proposed project's energy demand is not expected to create a significant adverse impact on the consumption or supply of energy serving the project area. However, as recommended by the *CEQR Technical Manual*, the project's potential demand on energy will be disclosed.

## *TRAFFIC AND PARKING*

The existing uses of the project site generate auto and truck trips. However, as the proposed project is expected to draw customers from a large area, many of whom would travel by car, the project would create an increase in vehicular traffic in the neighborhood and increased demands for parking. The *CEQR Technical Manual* guidelines indicate that a detailed assessment of traffic and parking should be provided if a proposed action would generate more than 50 vehicles in a peak hour. As the proposed project would create over 300,000 square feet of new retail development, as well as parking, hotel, and publicly accessible, privately owned open space, it would exceed this threshold, and consequently could have significant traffic impacts. Therefore, a detailed analysis of the potential traffic and parking impacts of the proposed project will be required.

## *TRANSIT AND PEDESTRIANS*

The existing uses of the project site generate some transit and pedestrian trips. However, the proposed project is expected to create an increase in transit and pedestrian trips in the area. As described in the *CEQR Technical Manual*, a detailed analysis of transit and pedestrian trips should be provided if a proposed action is projected to result in more than 200 rail or bus transit riders in the peak hour. The proposed project would exceed this threshold, and consequently could have significant transit and/or pedestrian impacts. Therefore, a detailed analysis is warranted.

## *AIR QUALITY*

CEQR criteria require an air quality assessment for actions that can result in either significant mobile source or stationary source air quality impacts. Mobile source impacts could arise when an action increases or causes a redistribution of traffic, creates any other mobile sources of pollutants, or adds new uses near existing mobile sources. Stationary source impacts could occur with actions that create new stationary sources or pollutants—such as emission stacks for industrial plants, hospitals, or other large institutional uses, or a building's boilers—that can affect surrounding uses; when they add uses near existing or planned future emissions stacks and when the new uses might be affected by the emissions from the stacks; or when they add structures near such stacks and those structures can change the dispersion of emissions from the stacks so that they begin to affect surrounding uses.

The air quality studies for the proposed project will include both mobile and stationary source analyses. The stationary source air quality impact analysis will include an assessment of the potential for impacts on project users from existing industrial/manufacturing uses in the area, and the effects of the project's heating, ventilation, and air conditioning (HVAC) systems' emissions.

## *NOISE*

According to the *CEQR Technical Manual*, a noise analysis is appropriate if an action would generate any mobile or stationary sources of noise or would be located in an area with high ambient noise levels. Specifically, an analysis would be required if an action generates or reroutes vehicular traffic, if an action is located near a heavily trafficked thoroughfare, or if an action would be within 1,500 feet of existing rail activity (and with a direct line of sight to that rail facility). A noise assessment would also be appropriate if the action would result in a playground or would cause a stationary source to be operating within 1,500 feet of a receptor (with a direct line of sight to that receptor), if the action would include unenclosed



mechanical equipment for manufacturing or building ventilation purposes, of if the action would be located in an area with high ambient noise levels resulting from stationary sources. Existing noise levels in the area immediately adjacent to the project site are relatively high and reflect the level of activity (particularly vehicular activity) in the area. Autos, taxis, and trucks along with noise generated by aircraft flyovers, mechanical equipment, and people going about their normal business all contribute to the total ambient noise levels. Therefore, a noise analysis is warranted and will be performed.

### *CONSTRUCTION IMPACTS*

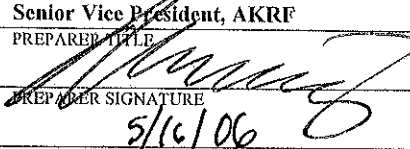
The *CEQR Technical Manual* indicates that a project may result in potential construction impacts if a project site is located near a sensitive natural resource, as construction impacts may result from the disruption of such areas. Projects located on the waterfront may also result in construction impacts on water quality relating to construction work in or near the water. In addition, because soils are 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 possible construction impacts that could result from that contamination.

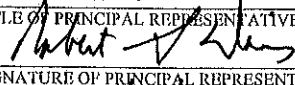
Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. The proposed project, while not located near sensitive natural resources or the waterfront, could have the potential for substantial effects because of its size and the displacement of public parking spaces. The likely construction schedule for development at the project site will be described. This analysis will focus on the technical areas of historic and archeological resources, traffic and parking, air quality, noise, transit and pedestrians, and hazardous materials. As appropriate, other technical areas will be assessed for potential construction-related impacts.

### *PUBLIC HEALTH*

According to the guidelines of the *CEQR Technical Manual*, public health concerns for which a public health assessment may be warranted include: increased vehicular traffic or emissions from stationary sources resulting in significant adverse air quality impacts; increased exposure to heavy metals and other contaminants in soil/dust resulting in significant adverse hazardous materials or air quality impacts; the presence of contamination from historic spills or releases of substances that might have affected or might affect ground water to be used as a source of drinking water; solid waste management practices that could attract vermin and result in an increase in pest populations; potentially significant adverse impacts to sensitive receptors from noise and odors; and actions for which the potential impact(s) result in an exceedance of accepted federal, state, or local standards. No major public health impacts are expected with the proposed project (i.e., the project does not include any facilities of a community health concern). In conformance with the *CEQR Technical Manual*, a screening level of assessment of the proposed project will be undertaken for public health impacts.

**Applicant  
Certification**

24. Peter Liebowitz, AICP  
PREPARER NAME  
Senior Vice President, AKRF  
PREPARER TITLE  
  
PREPARER SIGNATURE  
5/16/06  
DATE

Flushing Commons, LLC  
PRINCIPAL  
Robert S. Davis, Esq., Bryan Cave LLP  
NAME OF PRINCIPAL REPRESENTATIVE  
Land Use Counsel  
TITLE OF PRINCIPAL REPRESENTATIVE  
  
SIGNATURE OF PRINCIPAL REPRESENTATIVE  
5/16/06  
DATE

NOTE: Any person who knowingly makes a false statement or who knowingly falsifies any statement on this form or allows any such statement to be falsified shall be guilty of an offense punishable by fine or imprisonment or both, pursuant to Section 10-154 of the New York City Administrative Code, and may be liable under applicable laws.

**PART III, ENVIRONMENTAL ASSESSMENT AND DETERMINATION**

TO BE COMPLETED BY THE LEAD AGENCY

The lead agency should complete this Part after Parts I and II have been completed. In completing this Part, the lead agency should consult 6 NYCRR 617.7, which contains the State Department of Environmental Conservation's criteria for determining significance.

The lead agency should ensure the creation of a record sufficient to support the determination in this Part. The record may be based upon analyses submitted by the applicant (if any) with Part II of the EAS. The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the listed categories. Alternative or additional methodologies may be utilized by the lead agency.

- |    |  |     |
|----|--|-----|
| 1. | For each of the impact categories listed below, consider whether the action may have a significant effect on the environment with respect to the impact category. If it may, answer yes. |     |
|    | LAND USE, ZONING AND PUBLIC POLICY   | YES |
|    | SOCIOECONOMIC CONDITIONS   | YES |
|    | COMMUNITY FACILITIES AND SERVICES  | YES |
|    | OPEN SPACE   | YES |
|    | SHADOWS  | YES |
|    | HISTORIC RESOURCES   | YES |
|    | URBAN DESIGN/VISUAL RESOURCES  | YES |
|    | NEIGHBORHOOD CHARACTER   | YES |
|    | NATURAL RESOURCES  | YES |
|    | HAZARDOUS MATERIALS  | YES |
|    | WATERFRONT REVITALIZATION PROGRAM  | NO  |
|    | INFRASTRUCTURE   | NO  |
|    | SOLID WASTE AND SANITATION SERVICES  | NO  |
|    | ENERGY   | NO  |
|    | TRAFFIC AND PARKING  | YES |
|    | TRANSIT AND PEDESTRIANS  | YES |
|    | AIR QUALITY  | YES |
|    | NOISE  | YES |
|    | CONSTRUCTION IMPACTS   | YES |
|    | PUBLIC HEALTH  | YES |

2. Are there any aspects of the action relevant to the determination whether the action 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? If there are such impacts, explain them and state where, as a result of them, the action may have a significant impact on the environment.

3. If the lead agency has determined in its answers to questions 1 and 2 of this Part that the action will have no significant impact on the environment, a negative declaration is appropriate. The lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a negative declaration.

4. If the lead agency has determined in its answers to questions 1 and 2 of this part that the actions may have a significant impact on the environment, a conditional negative declaration (CND) may be appropriate if there is a private applicant for the action and the action is not Type I. A CND is only appropriate when conditions imposed by the lead agency will modify the proposed action so that no significant adverse environmental impacts will result. If a CND is appropriate, the lead agency should describe here the conditions to the action that will be undertaken and how they will mitigate potential significant impacts.

5. If the lead agency has determined that the action may have a significant impact on the environment, and if a conditional negative declaration is not appropriate, then the lead agency should issue a positive declaration. Where appropriate, the lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a positive declaration. In particular, if supporting materials do not make clear the basis for a positive declaration, the lead agency should describe briefly the impact(s) it has identified that may constitute a significant impact on the environment.

6. Asima Shah Jansveld, AICP  
PREPARER NAME

Director, Planning Division,  
New York City Economic Development Corporation  
PREPARER TITLE

*Asima Shah Jansveld*  
PREPARER SIGNATURE

May 12 - 2006  
DATE

Robert R. Kulikowski, Ph.D.  
NAME OF LEAD AGENCY REPRESENTATIVE

Assistant to the Mayor, on behalf of  
the Deputy Mayor for Economic  
Development and Rebuilding  
TITLE OF LEAD AGENCY REPRESENTATIVE

*Robert R. Kulikowski*  
SIGNATURE OF LEAD AGENCY REPRESENTATIVE

May 10, 2006  
DATE

**Lead Agency  
Certification**