

## **A. INTRODUCTION**

This chapter examines the proposed action's compatibility and consistency with land use patterns in the area, ongoing development trends, and public land use and zoning policies. For this analysis, a study area has been defined to include a ½-mile radius from the project site and rezoning area, which is the area in which the proposed action has the potential to affect land use or land use trends. This study area generally extends from Bayside Avenue to the north, 147th Street to the east, Cherry Avenue to the south, and the Flushing River to the west (see Figure 2-1).

## **B. PRINCIPAL CONCLUSIONS**

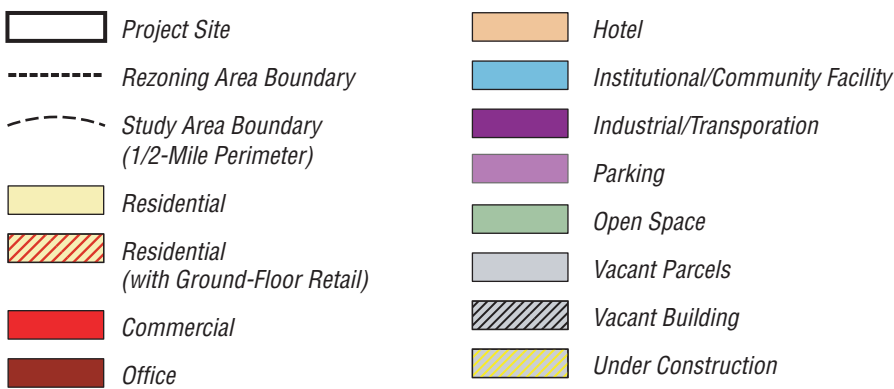
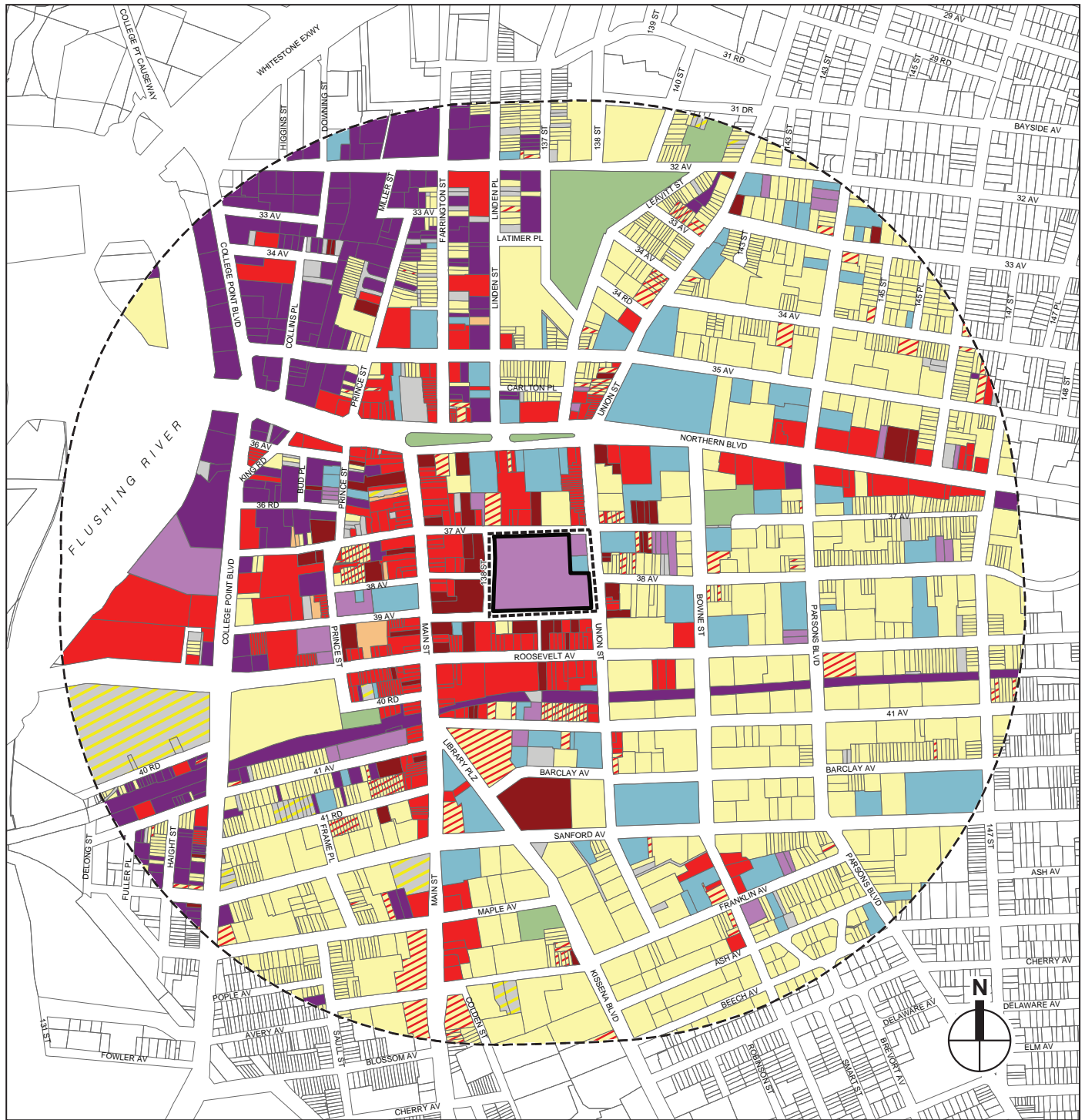
The proposed action would allow for the development of Flushing Commons, a mixed-use project that would be consistent with the existing land uses and density of the surrounding area, including those buildings and uses located on the blocks adjacent to the project site. These actions would permit the extension of an existing use that is consistent with the study area's retail development trends, and that also incorporates a residential component that is compatible with the existing residences on the adjacent blocks. The proposed project would augment the diversity of land uses in this area, and would add additional shopping opportunities and variety to an area that has maintained and improved upon a thriving business environment. Further, the proposed project would provide housing and open space in an established residential community that is well served by public transportation. The overall size and scale of the Flushing Commons project would be consistent with other large retail and residential uses in the immediate area and correspond to the area's role as a center of retail and commercial activities in Queens.

The proposed C4-4 district is similar to the existing C4-3 district in allowed uses and would be compatible with density in the surrounding area. The disposition of Municipal Lot 1 would be consistent with public policy, as it would fulfill a goal of the City-issued "Development Framework for Downtown Flushing" to redevelop Municipal Lot 1. The proposed Flushing Commons project itself is a City-generated initiative to redevelop Municipal Lot 1. The proposed project would incorporate several of the goals highlighted above, including a town square-style open space, enhanced pedestrian environment with street-level retail to attract shoppers east of Main Street, new residential development in Downtown Flushing, competitively priced parking on-site, and a higher standard for design, construction, and private investment in Downtown Flushing.

Therefore, no significant adverse impacts to land use, zoning, and public policy would result from the proposed action.

## **C. DEVELOPMENT HISTORY**

The village of Flushing was among the earliest permanent villages established in Queens. It was granted a charter by Governor Peter Stuyvesant in 1645, and Flushing Township was granted



## Flushing Commons

Existing Land Use  
Figure 2-1

letters of patent in 1683 as part of Queens County. The village of Flushing centered on Northern Boulevard (formerly known as Broadway), which began as an Indian path and remained an important artery from Colonial times up to the present. During the Revolutionary War, the British occupied the village and kept troops stationed there until 1783. Flushing was recognized as a town under the state government in 1788.

After the Revolutionary War, the growth of the area mainly centered on agriculture and horticulture. The early support of the Quakers for abolition and their local provisions for free education attracted a number of African Americans to the area in the early 19th century. The development of Flushing accelerated in the 1850s, after the Long Island Rail Road (LIRR) came in 1854 and the Flushing and North Side Railroad opened in 1868. Wealthy New Yorkers built houses in the area, since it was within easy commuting distance of Manhattan. From the 1890s until World War I, the community expanded to the east and south. Flushing further developed as a commuter suburb after trolley lines were extended (1888-99) and the LIRR was electrified. Apartment buildings were developed in the 1920s, and the character of the area changed after subway service was introduced in 1928. The subway's low fares brought large numbers of home buyers to the area and heavy commercialization to Main Street.

The World's Fairs of 1939-40 and 1964-65 took place just west of Flushing on what is now Flushing Meadows-Corona Park. After World War II, the continuing development of apartment buildings displaced entire blocks of houses, and during the 1960s many Asian immigrants settled in the neighborhood. The area continued to attract immigrants through the 1980s, from Asia as well as India and Central and South America. By the mid-1990s, Downtown Flushing had become the vital hub that it is today, with its heavily commercial core centered at Roosevelt Avenue and Main Street.

## **D. METHODOLOGY**

The effects of the proposed action on land use, zoning, and public policy are analyzed below within the rezoning area and throughout a larger ½-mile study area in Flushing, Queens. The rezoning area and the immediately surrounding area are described in detail. The remainder of the ½-mile land use study area is described more generally.

Various sources were used to prepare this chapter, including field surveys; information supplied by the New York City Department of City Planning (DCP), Department of Buildings (DOB), and Economic Development Corporation (NYCEDC); Queens Community Board No. 7; articles from newspapers and other publications; and previously published environmental reviews.

## **E. EXISTING CONDITIONS**

The ½-mile land use study area surrounding the rezoning area generally extends from Bayside Avenue to the north, 147th Street to the east, Cherry Avenue to the south, and the Flushing River to the west and contains a mix of uses, including commercial, residential, institutional, industrial, and open space. The study area is densely developed with a high concentration of residential uses to the north, east, and south. Although there are commercial uses throughout the study area, the main concentrations are along the main thoroughfares—Northern Boulevard, Main Street, and Roosevelt Avenue. These commercial corridors are lined with numerous retail shops, food establishments, convenience goods stores, and neighborhood services. Light industrial and auto-related uses are located to the west along College Point Boulevard and the Flushing River.

## LAND USE

### *REZONING AREA*

The rezoning area is the eastern portion of Queens Block 4978, Lots 25 and 46, which is the full block 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 2-2). Queens Block 4978 also comprises the two blocks west of the rezoning area, between 37th and 39th Avenues and Main Street and 138th Street.

#### *Project Site*

The project site comprises the majority of the rezoning area, with the exception of Lot 46 and the northeast corner of Lot 25 (see Figure 2-2). The project site is currently occupied by Municipal Lot 1, an approximately 1,100-space parking lot. The eastern portion of the lot is at street level, while the western portion is a bi-level parking deck.

#### *Remainder of Rezoning Area*

The remainder of the rezoning area is occupied by the Macedonia African Methodist Episcopal (AME) Church (Lot 46), located adjacent to the project site to the east along Union Street, and a portion of Lot 25 that is also part of Municipal Lot 1, located to the north, south, and west of the Macedonia AME Church (see Figure 2-2).

## STUDY AREA

### *Block and Lots Surrounding the Rezoning Area*

#### *Remainder of Block 4978*

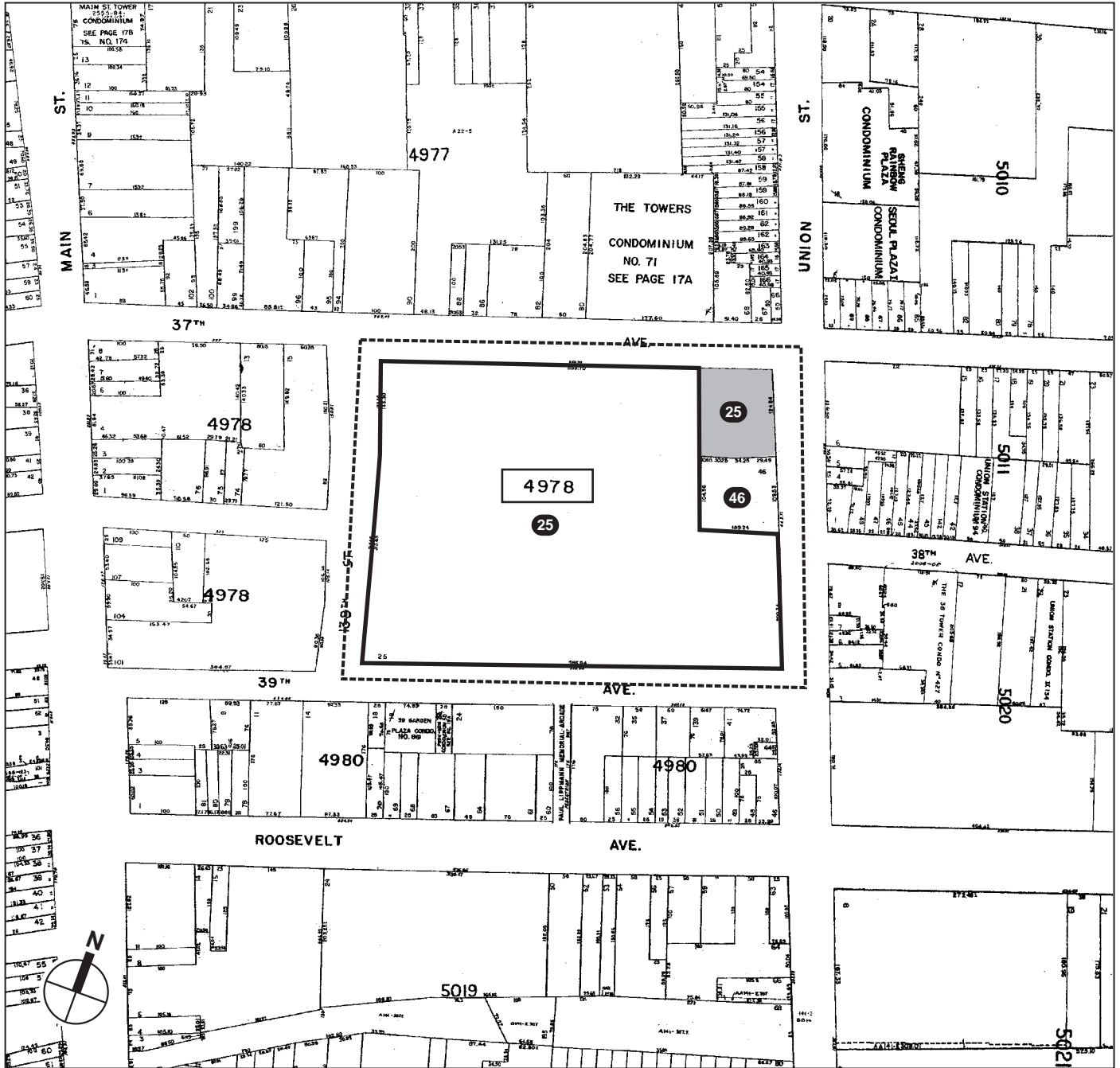
The western portion of Queens Block 4978 not located within the rezoning area contains the six-story National Bank of New York City (Lot 15) along 138th Street north of 38th Avenue and several other two- to four-story commercial structures. The recently completed 12-story Queens Crossing mixed-use development is located south of 38th Avenue along 138th Street, 39th Avenue, and Main Street on Lot 101.

#### *Block 4977*

The western end of the block immediately north of the rezoning area contains a seven-story office/condominium building on the southeast corner of Main Street and Northern Boulevard (Lot 7502) and the historic Friends Meetings House (Lot 26) on the south side of Northern Boulevard. The eastern end of the block along Northern Boulevard contains the Flushing Armory (Lot 39), which houses the New York Police Department (NYPD) Queens North Task Force unit. Located east of the armory is a Masonic Temple (Lot 48). On this block, the western side of Union Street is lined with numerous convenience and shoppers' goods stores that cater to Asian customers. Across 37th Avenue from the rezoning area is the 11-story Towers condominium (Lot 7501).

#### *Block 5010*

The block northeast of the rezoning area contains a YMCA and several large residential uses. Seoul Plaza (Lot 7501) and Sheng Rainbow Plaza (Lot 7502) are seven- and 11-story condominium buildings, respectively, located on Union Street. Two six-story apartment buildings (Lots 55 and 63) are located on this block fronting on Bowne Street.



- Flushing Commons
- Rezoning Area Boundary
- 4978 Block Number
- 25 Lot Number
- Macedonia Plaza Project Site

0 200 400 FEET  
SCALE

## Flushing Commons

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### *Block 5011*

The block immediately east of the rezoning area contains the 109th Police Precinct (Lot 6), which is located directly across Union Street from the rezoning area.

### *Block 5020*

The block southeast of the rezoning area is dominated by the Barbizon (Lot 1), a seven-story, 264-unit condominium located on the northeast corner of Roosevelt Avenue and Union Street. Other uses include a Key Food Supermarket (Lot 34) and Flushing House Community Residence (Lot 23), a 12-story, 319-unit nursing home on Bowne Street.

### *Block 4980*

The most prominent structures on the block immediately south of the rezoning area are two six-story office buildings on Main Street (Lots 1 and 5) and two buildings on 39th Avenue: the four-story Flushing Office Plaza (Lot 24) and a seven-story office/condominium building (Lot 7502). The block is bisected by the Lippmann Arcade, a pedestrian passageway between the rezoning area and Roosevelt Avenue.

### *Remainder of Study Area*

Big-box retail establishments, such as Old Navy, Macy's, and the former Caldor site, can be found at the intersection of Main Street and Roosevelt Avenue, as well as the entrance to the No. 7 subway station. The LIRR station lies one block farther south, at Main Street and 40th Road.

The western portion of the ½-mile study area along College Point Boulevard is primarily characterized by light manufacturing uses, such as auto body repair shops. Streets are narrow in this area and frequently dead-end; pedestrian activity is minimal.

The southern, eastern, and northern portions of the ½-mile study area are largely residential, with rental and condominium apartment buildings, and single- and two-family attached and detached homes. High-rise residences are concentrated in the immediate vicinity of the rezoning area to the north, east, and south, while lower-density housing dominates farther out. A variety of institutional uses are scattered throughout the study area among the residential uses. These include several public schools, hospitals, religious institutions, senior housing facilities, community centers, and local branches of the post office.

Additional municipal parking facilities are located immediately south of the LIRR station on 41st Avenue (Municipal Lot 3), at the northeast corner of 39th Avenue and Prince Street (Municipal Lot 2), and under the Northern Boulevard Viaduct (Municipal Lot 4). Large private parking facilities are located at College Point Boulevard and 37th Avenue and at the southwest corner of 39th Avenue and Prince Street. Smaller private parking facilities are scattered throughout the study area (see Figure 2-1).

The largest open space in the study area is the 7.5-acre City-owned athletic field bounded by 137th Street, Leavitt Street, and 32nd Avenue, which contains artificial-turf baseball/softball diamonds, soccer fields, and tennis courts, which is available for use by permit only. Another large open space, the 2.07-acre Weeping Beech/Margaret I. Carmen Green, located at 37th Avenue and Bowne Street, is located closer to the rezoning area. Additional open spaces within the study area include several small parks and playgrounds, the open space associated with the New York City Housing Authority (NYCHA) Bland Houses, and the steps of the Flushing Branch of the Queens Public Library. Although there are a few open spaces scattered throughout the study area—the majority containing more active-orientated play areas—overall, there is a lack of green, landscaped passive spaces for sitting and reading that typically appeal to worker populations.

## **ZONING**

Zoning is a tool for implementing the City's planning and development objectives by regulating land use, density, and building bulk. The study area contains a number of residential, commercial, and manufacturing zoning districts (see Figure 2-3). Each of these areas is described below.

### ***REZONING AREA***

#### ***Project Site***

As shown in Figure 2-3, the project site and remainder of rezoning area lie within the C4-3 zoning district. C4 districts are widely mapped over the City's major and secondary shopping centers, outside the central business districts. C4-3 zones allow a floor area ratio (FAR) of 3.4 for commercial uses, 4.8 for community facility uses, and 2.43 for residential uses.

There are accessory parking requirements for C4-3 districts specific to various uses. Parking must be provided for 70 percent of the new residential dwelling units. Commercial uses, such as restaurant, retail, and office, require one parking space for every 400 square feet of floor area. Hotels require one parking space for every 12 rooms. Most community facilities require one parking space for every 20 people.

#### ***Remainder of Rezoning Area***

The remainder of the rezoning area is also currently mapped with a C4-3 zoning district, as described above.

### ***STUDY AREA***

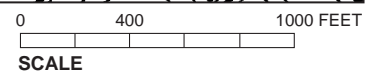
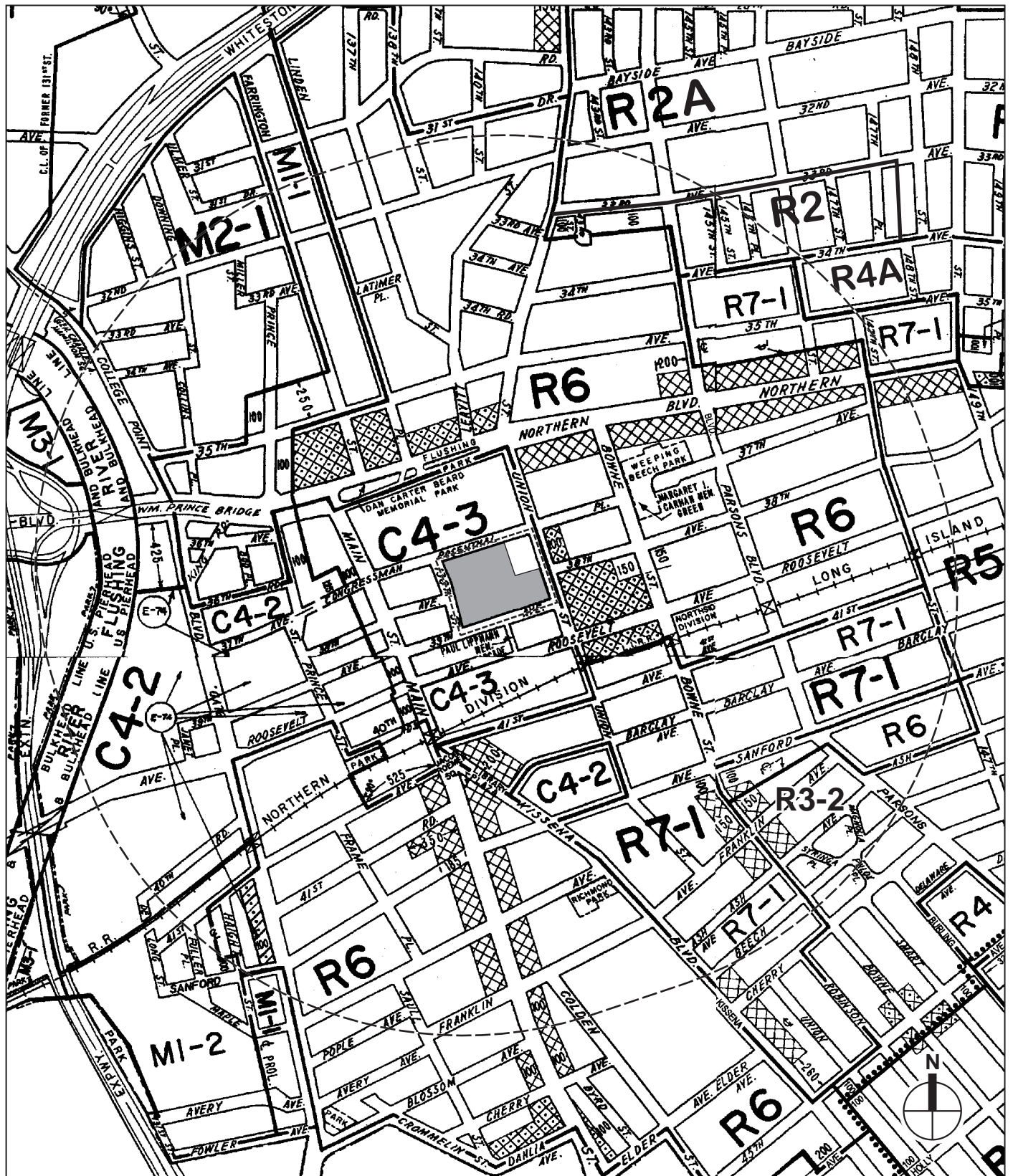
A variety of zoning districts that reflect the existing land use patterns shown in Figure 2-1 are mapped throughout the ½-mile study area (see Figure 2-3). Table 2-1 summarizes the uses found in these districts.

Commercial C4-3 and C4-2 zoning districts and commercial C1-2 and C2-2 overlays (i.e., commercial districts superimposed on residential districts allowing commercial use on the first or first and second stories of buildings) are located at the central portion of the study area along Main Street and Northern Boulevard. Moving outward, residential districts are predominately mapped for the study area, with light manufacturing zones located along the western edge of the ½-mile study area along College Point Boulevard.

The C4-3 commercial zoning district that is mapped for the rezoning area also extends to the north, west, and south and corresponds to the major retail uses along Main Street and Roosevelt Avenue. Smaller commercial establishments typically providing convenience goods and services are found within the numerous commercial zoning overlays in the study area.

Medium-density housing districts (R6 and R7-1) are located in the immediate vicinity of the rezoning area to the east and extend out to the areas north of Northern Boulevard and south of 41st Avenue. Lower-density R2 and R2A residential zoning districts are mapped in the northeast portion of the ½-mile study area, north of 34th Avenue. R2A is a contextual district intended to preserve the low-rise context of the neighborhood. R2A and R2 permit the same floor area but R2A districts include maximum building height, perimeter wall height, and lot coverage requirements.







**Table 2-1**  
**Zoning Districts in the Study Area**

Zone	Use	Maximum FAR <sup>1,2</sup>
<b>Residential Districts<sup>3</sup></b>		
R2, R2A	Low-density residential district, single-family detached houses	0.5 R, 0.5 CF
R3-2	General residential district, low-density, single- or two-family attached or detached residences	0.5 R plus 0.1 attic allowance, <sup>4</sup> 1.0 CF
R5	Low-density residential district, three-story attached houses and small apartment houses	1.25 R, 2.0 CF
R6	General residential district, medium-density apartment houses, ranging between three and 12 stories	0.78 to 2.43 R, 3.0 QH, 4.8 CF
R7-1	Medium-density apartment houses, typically six to 14 stories	3.44 R, 4.0 QH, 4.8 CF
<b>Commercial Districts</b>		
C4-2	Major commercial centers outside of central business district	3.4 C, 2.43 R, 4.8 CF, 3.0 QH
C4-3	Major commercial centers outside of central business district	3.4 C, 2.43 R, 4.8 CF, 3.0 QH
<b>Manufacturing Districts</b>		
M1-1	Light manufacturing, high performance standards	1.0 M, 1.0 C, 2.4 CF
M2-1	Medium manufacturing, lower performance standards	2.0 M, 2.0 C
<b>Notes:</b> <sup>1</sup> Floor area ratio (FAR) is a measure of density establishing the amount of development allowed in proportion to the base lot area. For example, a lot of 10,000 square feet with a FAR of 1 has an allowable building area of 10,000 square feet. The same lot with an FAR of 10 has an allowable building area of 100,000 square feet. <sup>2</sup> CF=Community Facility, R=Residential, QH=Quality Housing, C=Commercial, M=Manufacturing. <sup>3</sup> Commercial overlay districts are often mapped with residential districts (R5 and above) along the study area's heavily traveled roadways. <sup>4</sup> The maximum FAR is increased by the attic allowance which provides up to 20 percent additional FAR for space beneath a pitched roof that has structural headroom of between 5 and 8 feet. <b>Source:</b> New York City Zoning Resolution.		

## PUBLIC POLICY

### REZONING AREA

#### *Development Framework for Downtown Flushing*

In 2002, the Downtown Flushing Task Force was created to undertake a community planning process involving City and State agencies, local and State elected officials, community members, advocacy groups, and local business leaders. The resulting development framework, “Development Framework for Downtown Flushing,” completed in May 2004, identified a set of land use and economic goals to enhance Downtown Flushing, the Flushing River waterfront, and Willets Point, which would strengthen the area as a regional center, with enhanced connections to neighboring amenities and communities. The development framework highlighted the Flushing River waterfront as “the strongest potential unifying element” between the developments planned for Downtown Flushing and those planned west of the Flushing River, such as Citi Field (the New York Mets’ new ballpark which opened in 2009) and a redeveloped Willets Point.

The development framework proposes the redevelopment of Municipal Lot 1 as “the key to establishing a standard of quality in Downtown Flushing and catalyzing development to the east of Main Street.” As discussed in Chapter 1, “Project Description,” the development framework stated five specific goals for the project site:

- Create a town square-style public 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 competitively 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.

The City is currently working to implement many of the goals and recommendations outlined in the Development Framework.

#### *STUDY AREA*

##### *Downtown Flushing Business Improvement District (BID)*

The Downtown Flushing Business Improvement District (BID) was established in 2003 by property owners, businesses, residents, and community leaders with a stake in the Downtown Flushing community. The mandate of the BID is to keep the downtown core and transit hub area well maintained. The area covered by the BID generally includes the major commercial streets in Downtown Flushing: Main Street between Sanford Avenue and Northern Boulevard, Roosevelt Avenue between Prince Street and Union Street, and 39th Avenue between College Point Boulevard and 138th Street. In addition to sanitation services, the BID provides lighting during the winter holidays and displays banners on lamp posts during the spring, summer, and fall. The BID serves as a link between City government and the community and works to make Flushing a regional destination.

## **F. THE FUTURE WITHOUT THE PROPOSED ACTION**

The Downtown Flushing area has been in the midst of a development boom for the past several years. As described below, new residential, mixed-use, and commercial projects will add hundreds of new dwelling units and residents, several hundred thousand square feet of new office and retail space, and new employees to the downtown area in the future without the proposed action. This section describes conditions that are expected to exist in the project's build year (2013) absent the proposed action.

### **LAND USE**

#### *REZONING AREA*

##### *Project Site*

Without the proposed action, the project site would continue to be occupied by Municipal Lot 1.

##### *Remainder of Rezoning Area*

Without the proposed action, the northeastern corner of Lot 25 would continue to be occupied by Municipal Lot 1. Lot 46 would continue to be occupied by the Macedonia AME Church.

#### *STUDY AREA*

In the future without the proposed action, approximately 48 development projects are expected to be completed in the ½-mile study area (see Table 2-2 and Figure 2-4). The largest of these projects are described below.



### No Build Projects

Figure 2-4

**Table 2-2**  
**Projects Planned or Proposed for Completion by 2013**

Map No. <sup>1</sup>	Build Year	Name/Address	Description
1	2010 (UC) <sup>2</sup>	SkyView Parc/Queens Town Center (Muss) College Point Blvd and 40th Road	760,000 sf retail, 750 residential units, 3,000-space parking garage
2	2008—built	Queens Crossing (TDC) Main Street and 39th Avenue	110,000 sf retail, 144,400 sf office, 29,600 sf community facility, 401-space parking garage
3	2011	New Millennium 35th Avenue (134-03 35th Avenue)	3,600 sf retail, 84 residential units, 33,600 sf community facility, 222-space parking garage
4	2012	New Millennium Northern Boulevard (137-61 Northern Boulevard)	17,167 sf retail, 60 room hotel, 91 residential units, 35,722 sf community facility, 223-space parking garage
5	2009 (UC)	Victoria Tower 41-60 Main Street	178 residential units
6	2009 (UC)	132-27 41st Road	6 residential units
7	2008—built	31-18, 31-22 Union Street	30 residential units
8	2008—built	140-24 31st Drive	20 residential units
9	2008—built	31-33 Linden Place	8 residential units
10	2011	33-34 Farrington Street	20,469 sf storage facility
11	2011	33-35 Farrington Street	9,887 sf hotel
12	2008—built	137-07 Northern Boulevard	38 residential units
13	2008—built	134-39 Northern Boulevard	12,212 sf expansion to existing office building
14	2008—built	136-16 35th Avenue	28 residential units
15	2008—built	138-06 35th Avenue	9 residential units
16	2009—built	32-18 Union Street	8 residential units
17	2008—built	135-11 40th Road	14 residential units, 55,170 sf office
18	2008—built	40-22 Main Street	17,015 sf retail
19	2008—built	41-18 Haight Street	6 residential units
20	2008—built	41-55 College Point Boulevard	50 residential units
21	2008—built	132-37, 132-45, 132-49, 132-61 41st Road	37 residential units
22	2011	5-10 Summit Court	18 residential units
23	2008—built	133-53 37th Avenue	47 residential units
24	2008—built	133-51 37th Avenue	9,050 sf office
25	2008—built	133-40 37th Avenue	12,742 sf office
26	2011	143-21 38th Avenue	25 residential units
27	2008—built	PS 244 137-20 Franklin Avenue	441-seat primary school
28	2009 (UC)	140-22 Beech Avenue	42 residential units
29	2008—built	143-51 Franklin Avenue	1 residential unit
30	2008—built	143-22 Beech Avenue	2 residential units
31	2008—built	36-36 Main Street	26,936 sf office
32	2008—built	133-47 39th Avenue	11,419 sf retail, 12,272 sf office, 9,755 sf doctors office
33	2009 (UC)	36-31 Prince Street	6 residential units
34	2008—built	38-34 Parsons Boulevard	40 residential units
35	2009 (UC)	137-04 31st Road	3 residential units
36	2008—built	31-27 137th Street	9 residential units
37	2008—built	31-38 137th Street	16 residential units
38	2012	River Park Place	Scenario 1: 475 residential units, 347,516 sf office, 13,517 sf retail, 1,494 sf community facility, and 788 parking spaces. Scenario 2: 475 residential units, 251,077 sf office, 150-175 hotel rooms (96,439 sf), 13,517 sf retail, 1,494 sf community facility, 788 parking spaces

**Table 2-2 (cont'd)**

**Projects Planned or Proposed for Completion by 2013**

Map No. <sup>1</sup>	Build Year	Name/Address	Description
39	2009 (UC)	132-73 Maple Avenue	8 residential units
40	2009 (UC)	134-43 Maple Avenue	23 residential units
41	2008—built	42-11 Parsons Boulevard	20 residential units
42	2009 (UC)	42-33 Main Street	66 residential units
43	2009 (UC)	132-25 Pople Avenue	14 residential units
44	2009 (UC)	133-20 Avery Avenue	26 residential units
45	2009 (UC)	43-57 Main Street	2,085 sf retail and office
46	2009 (UC)	132-29 Blossom Avenue	49 residential units
47	2009 (UC)	132-26 Avery Avenue	40 residential units
48	2009 (UC)	132-18 41st Avenue	18 residential units
<b>Notes:</b> 1. See Figure 2-4. 2. Several of the projects listed above have recently been completed and are noted as built. However, the data collection efforts to establish some of the baseline conditions were conducted while these projects were under construction. Those projects have been updated in the existing conditions descriptions of various study areas in the technical chapters of the DEIS. For key quantitative analyses, including traffic, noise, and air quality, these built projects are not included in the existing conditions framework, but rather included in the 2013 future conditions analyses. UC = Under construction. <b>Sources:</b> New York City Department of City Planning; Queens Community Board 7; New York City Department of Buildings; New York City Economic Development Corporation; AKRF, Inc.			

In the western portion of the study area, the Muss Development Group is redeveloping the 15-acre former Con Edison site at the intersection of Roosevelt Avenue and College Point Boulevard. The development is anticipated to contain big-box retail and residential uses.

Several large development projects are planned along Main Street in the central portion of the study area. Immediately west of the project site at Main Street and 39th Avenue, Queens Crossing, a recently completed mixed-use development contains office, community facility, and retail uses. The Victoria Tower Development Corporation is constructing a 17-story residential tower containing 178 units on Sanford Avenue between Main Street and Frame Place.

Two projects located north of Northern Boulevard proposed by New Millennium Developers are currently undergoing environmental review, one at the former Sears site at Northern Boulevard and Leavitt Street and the other at 35th Avenue and Prince Street. If approved, both projects would redevelop existing underutilized commercial properties into mixed-use developments containing retail, residential, community facility, and hotel uses.

Numerous smaller projects are under construction in the study area, including residential, retail, office, community facility, and hotel uses.

Although located beyond the ½-mile land use study area, it should be noted that the City is currently contemplating an “Adjusted Plan” for the Willets Point development project. While essentially the same as the “Proposed Plan” analyzed in the *Willets Point Development Final Generic Environmental Impact Statement (FGEIS)*, the Adjusted Plan includes a 2013 interim build-out phase as well as a 2017 final build-out phase. Because the 2013 interim build-out would be completed by the build year for the proposed action, the 2,100 additional residential units, 980,000 sf of retail, 500,000 sf of office, 430 hotel rooms, 90,000 sf of K-8 school, and 3,400 parking spaces associated with it were incorporated into the future without the proposed action’s schools, day care, and traffic analyses.

### **ZONING**

No changes to zoning in the rezoning area or elsewhere in the ½-mile study area are expected in the future without the proposed action.

### **PUBLIC POLICY**

No changes to public policy in the rezoning area or elsewhere in the ½-mile study area are expected in the future without the proposed action.

## **G. PROBABLE IMPACTS OF THE PROPOSED ACTION**

The proposed action includes disposition of City-owned property, 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. The proposed action also includes rezoning the entire 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.

A General Large-Scale Development (GLSD) would be declared for the project site, and this designation would include waivers, pursuant to Zoning Resolution (ZR) Section 74-74, from certain specific zoning requirements (e.g., height and setback, location of uses within buildings, minimum distance between buildings, rear yard equivalent, rear yard setback, and open space). A zoning text amendment to ZR Section 74-743 will be required to allow modification of open space regulations pursuant to the GLSD special permit for the Flushing Commons project.

The proposed action also requires a zoning text amendment to ZR Section 62-952 (Waterfront Access Plan Q-2, Downtown Flushing), which requires development on sites within the Flushing River Waterfront Access Plan (WAP) to provide access to the waterfront from College Point Boulevard and a public walkway along the river, and to maintain a visual corridor from College Point Boulevard to the pier head line. During construction, the waterfront lot located at 37-02 College Point Boulevard (Block 4963, Lot 85) would be used as an interim parking lot. The waterfront lot is located on Parcel 2 of the Downtown Flushing WAP. The proposed text amendment would exempt interim parking lots on Parcel 2 only from the access, public walkway, and visual corridor requirements.

In addition, special permits are required from the City Planning Commission (CPC) pursuant to ZR Section 74-512 for a public parking garage on the project site and for the off-site interim parking lots to be used during construction, and a special permit is required pursuant to ZR Section 62-835 for an interim public parking lot to be operated at 37-02 College Point Boulevard on the waterfront for a term of no more than ten years. A special permit is also required from the Board of Standards and Appeals (BSA) pursuant to ZR Section 73-66 for modification of height regulations applying to areas around major airports.

For the Macedonia Plaza project, a Mayoral zoning override is being sought to waive regulations associated with ZR Sections 23-142, 23-632, 36-352, and 36-21 pertaining to minimum open space ratio, height and setback limits, and minimum accessory parking spaces. The waivers of these regulations are needed to allow for the development of the site and to support the financial feasibility of the proposed affordable housing.

The proposed action would allow for the development of Flushing Commons, a mixed-use development containing residential, commercial, and community facility uses; a multi-level

underground parking garage; and an approximately 1.5-acre town square-style publicly accessible, privately owned open space to be constructed on the project site. More detail on the proposed action and the Flushing Commons development is provided in Chapter 1.

The proposed action would also allow for the development of the Macedonia Plaza affordable housing project on the northern portion of the municipal parking lot, which is not part of the Flushing Commons project site. The proposed Macedonia Plaza project would develop a 14-story mixed-use development building with residential, community facility, and retail uses. The project also would provide approximately 18,834 square feet of private open space that would be located primarily around the north, west, and south sides of the existing Macedonia AME Church. The proposed Macedonia Plaza project has received a bicycle parking waiver pursuant to ZR Section 25-86 “Waiver or Reduction of Spaces for Subsidized Housing,” for the required total of 72 bicycle parking spaces.

## **LAND USE**

As described above, Downtown Flushing has served as a retail center for a large portion of northeast Queens, an office and service center for the surrounding community, and increasingly as a major residential neighborhood for the area’s growing population. The cumulative effect of the planned development anticipated in the future without the proposed action and the proposed Flushing Commons development would be to enhance the quality and expand the types of land uses in Downtown Flushing and more firmly establish Downtown Flushing as an important commercial and residential center in New York City.

The proposed Flushing Commons project would create new land uses on the project site that are consistent with uses already present or under construction in the downtown Flushing area. The Flushing Commons residential uses would be constructed near existing residential uses to the north and east; and the office and retail uses on the western portion of the site would link to existing Downtown Flushing commercial uses. Therefore, the proposed project would support land use trends in the study area.

Notwithstanding the consistency with existing land use patterns and trends, the Flushing Commons project would be distinguished from other developments in the Flushing area by its size and visibility. With approximately 1.9 million gross square feet of development space, it would be considerably larger than all of the projects presented on Table 2-2, with the exception of the Muss development and River Park Place projects at Roosevelt Avenue and College Point Boulevard. The density of the project would also be well served by public transportation, including subway, commuter railroad, and several bus lines.

The proposed Flushing Commons project would include approximately 1.5 acres of passive open space. The main portion of this space would be an elliptical green opening onto 138th Street that would be visible from Main Street, which is expected to contain a terraced lawn, formal plaza, trees, tables and chairs, additional seating, and a decorative fountain. The proposed new publicly accessible open space at Flushing Commons would provide a quality passive open space amenity—green, landscaped, and relatively separated from major traffic flows—that is absent in the densest portion of Downtown Flushing nearest the Main Street subway station.

The rezoning itself is not expected to result in redevelopment of the Macedonia AME Church site (Lot 46). However, the remainder of Lot 25 not included in the Flushing Commons project site is located on City-owned property and is the subject of a disposition from the New York City Department of Housing Preservation and Development (HPD) to the AME Church for



development of affordable housing. The proposed development at that site—the Macedonia Plaza project—will be the subject of separate ULURP applications and other approvals. However, as described in Chapter 1, “Project Description,” the public actions necessary to support those ULURP applications have been identified and analyzed in this EIS. For analysis purposes, the Macedonia Plaza project would include a mixed-use development building comprising up to 142 residential units and community facility and retail space.<sup>1</sup> The Macedonia Plaza project also would provide approximately 18,834 square feet of private open space, which would be located primarily around the north, west and south sides of the existing Macedonia AME Church.

Overall, the proposed action would reflect development trends in the area, which continue to reinforce large-scale commercial uses near Main Street and Roosevelt Avenue. The Flushing Commons and Macedonia Plaza projects would bring additional housing to an established residential neighborhood. The overall size and scale of the projects would be consistent with other large retail and residential uses in the immediate area and correspond to the area’s role as the center of retail and commercial activities in Queens. Therefore, no significant adverse impacts to land use are expected to result from the proposed action.

### ZONING

As described in Chapter 1, the proposed project requires a number of discretionary actions including a zoning map change, zoning text changes, special permits related to the operation of a public parking garage and parking lots, waivers in connection with a GLSD, and height regulations around major airports.

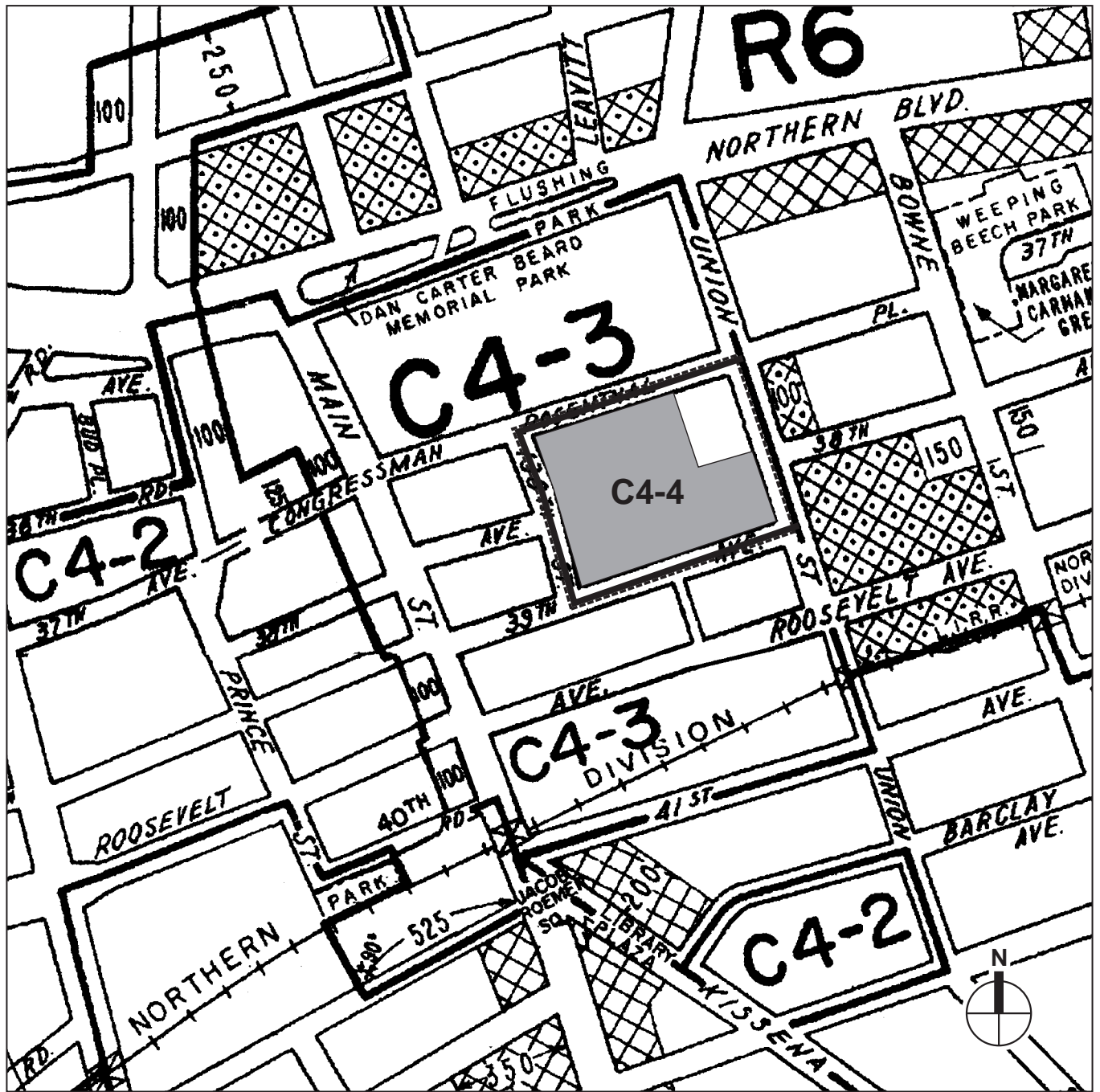
The proposed action, if approved, would represent a change in zoning on the project site from a C4-3 commercial district to a C4-4 commercial district (see Figure 2-5). As described earlier, a C4-3 district denotes a major commercial center outside the City’s more traditional central business districts. The proposed C4-4 district is similar to C4-3 in allowed uses and density but further emphasizes a central business district with transit access. Commercial FAR (3.4) is the same as the existing C4-3 district. Residential FAR is slightly higher, up to 3.44, an R7 residential district equivalent, as compared with 2.43 under the existing C4-3 district. Community facilities can be built to an FAR of 6.50 under C4-4, which is higher than 4.80 FAR allowed under the existing zoning.






The proposed C4-4 district has lower parking requirements, compared with the existing C4-3 district. The rezoning from C4-3 to C4-4 would reduce the residential parking requirement from 70 percent of units to 50 percent. The commercial parking requirement for restaurant, retail, and office uses would be reduced from one space per 400 square feet under C4-3 to one space per 1,000 square feet under C4-4. There would be no parking requirement for most community facility uses under C4-4, compared with one space per 20 people under the existing C4-3 zoning. The commercial parking requirement for possible hotel uses would remain the same.

The proposed Flushing Commons project would provide the number of accessory parking spaces required by the proposed C4-4 zoning district, and its overall floor area would be less than what would be permitted in the proposed district. The Macedonia Plaza project would not provide any

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<sup>1</sup> Although there are future plans to expand and/or renovate the Macedonia AME Church site, these plans and any associated actions, are not included in the proposed action and therefore not included in this EIS.



-  Project Site
-  Rezoning Area Boundary
-  Zoning District Boundary
-  C1-2 Overlay
-  C2-2 Overlay

0 400 800 FEET  
SCALE

parking spaces; it is supported by a Mayoral zoning override that waives regulations associated with Zoning Resolution Sections 23-142, 23-632, 36-352, and 36-21 pertaining to minimum open space ratio, height and setback limits, and minimum accessory parking spaces.

The proposed action would include a special permit from CPC for use and bulk waivers available to GLSDs. This designation allows the overall development to waive certain specific zoning requirements. These include height and setback, location of uses within buildings, minimum distance between buildings, rear yard equivalent, rear yard setback, and open space.

The proposed action would include a special permit from CPC pursuant to ZR Section 74-512 to allow a parking garage on the project site with 1,600 spaces. During construction, the operation of three off-site interim parking lots would require additional special permits pursuant to ZR Section 74-512 for three off-site locations. One lot would be located on the west side of College Point Boulevard at 37th Street. The special permit for this lot would also be pursuant to ZR Sections 74-512 and 62-835 for an interim public parking lot to be operated along the waterfront, for a term of no more than ten years. An additional surface parking lot—Fulton/Max lot—would be provided at the site of the existing Flushing Mall. Additional parking would also be provided in stackers at the existing Municipal Lot 2 (located west of the project site on the east side of Prince Street between 38th and 39th Avenues). All spaces for the off-site parking lots would be public.

The proposed action would also include a zoning text amendment to ZR Section 62-952, which requires development on sites within the Flushing River WAP to provide access to the waterfront from College Point Boulevard and a public walkway along the river, and to maintain a visual corridor from College Point Boulevard to the pierhead line. During construction, the waterfront lot located at 37-02 College Point Boulevard (Block 4963, Lot 85) would be used as an interim parking lot. The proposed text amendment would exempt interim parking lots, with a term of not more than ten years, from the access, public walkway, and visual corridor requirements. See Chapter 18, “Construction,” for an analysis of this text amendment. A certification pursuant to ZR Section 62-811 relating to waterfront public access and visual corridors is also required for the waterfront lot.

The proposed action would also include a zoning text amendment to ZR Section 74-743 to allow modification of open space regulations pursuant to the GLSD special permit for the Flushing Commons project. Currently, under ZR Section 74-743, the CPC may permit the maximum FAR permitted without regard to height factor and open space regulations, for GLSDs located partially in a C6-1, C6-2, or C6-3 District within Community District 7 in Manhattan. The proposed amendment would revise ZR Section 74-743 such that it would also apply to GLSDs within C4-4 districts within Community District 7 in Queens. Currently, the only C4-4 district within Queens Community District 7 is the Willets Point area. The recently-approved Willets Point rezoning included the creation of the Special Willets Point District, with a C4-4 underlying district, that replaced height factor zoning regulations with other bulk controls. Because the proposed zoning text amendment for the proposed actions would only apply to height factor districts, it would not be applicable in the Willets Point area. Therefore, the proposed text amendment would only apply to the project site, which would be rezoned to C4-4 with the proposed actions.

The proposed action would also include a BSA special permit pursuant to ZR Section 73-66 (Height Regulations around Airports) for modification of height regulations applying to areas around major airports. The special permit would allow Flushing Commons proposed buildings to exceed the special height limits established in Section 61-21. The BSA may grant a special

## **Flushing Commons**

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permit if it finds that the proposed building would not constitute a hazard to the safety of the occupants of the proposed buildings, to other proposed buildings in the vicinity, or to the safety of air passengers, and would not disrupt established airways. The BSA refers applications to the Federal Aviation Administration (FAA) for a report as to whether a proposed project would constitute a danger. In advance of submitting the special permit application to the BSA, the applicant (Flushing Commons LLC) submitted for FAA review the proposed Flushing Commons building heights because the buildings would exceed the special height limits at five locations. The FAA issued five Determinations of No Hazard to Air Navigation, one determination for each of the encroaching building points on the Flushing Commons project site. These determinations conclude that the height of the proposed Flushing Commons buildings would not constitute a hazard to protected airspace. Therefore, the FAA has concluded that the height of the proposed project would not have a substantial adverse effect on the utilization of the airspace surrounding the project site. The Flushing Commons proposed building heights would be similar to the heights found in the surrounding area. Therefore, the incremental height that would be provided by the BSA special permit would not result in any significant adverse impacts. The Macedonia Plaza project would require the same BSA and FAA actions.

### **PUBLIC POLICY**

The proposed action would be consistent with the public policies that govern the site and surrounding area.

### ***DEVELOPMENT FRAMEWORK FOR DOWNTOWN FLUSHING***

The disposition of Municipal Lot 1 would be consistent with public policy, as it would fulfill a goal of the City-issued “Development Framework for Downtown Flushing” to redevelop Municipal Lot 1. The proposed Flushing Commons project itself is a City-generated initiative to redevelop Municipal Lot 1. The proposed project incorporates several of the goals highlighted above including:

- A town square-style open space;
- Enhanced pedestrian environment with street-level retail to attract shoppers east of Main Street;
- New residential development in Downtown Flushing;
- Competitively priced parking on-site; and
- A higher standard for design, construction, and private investment in Downtown Flushing.

By creating a signature development in the heart of Downtown Flushing, the proposed action would help the Downtown Flushing BID further its goal of making Downtown Flushing a regional destination. \*